



Committee of Adjustment Agenda

**Meeting Number 2020-04
Monday, April 20, 2020 at 5:30 p.m.**

Please Note: The meeting will occur in a “virtual electronic format”

Please provide regrets to James Thompson, Committee Clerk
at jcthompson@cityofkingston.ca or 613-546-4291 extension 1268.

Committee Composition

Peter Skebo; Chair
Alex Adams
Paul Babin
Vincent Cinanni
Blaine Fudge
Somnath Sinha
Jordan Tekenos-Levy

- 1. Meeting to Order**
- 2. Approval of Agenda**
- 3. Disclosure of Pecuniary Interest**
- 4. Delegations**
- 5. Request for Deferral**
- 6. Returning Deferred Items**

7. **New Business**

- a) **Application for: Minor Variance**
File Number: D13-050-2019
Address: 14 Garrett Street
Owner: 14 Garrett Street GP Ltd.
Applicant: Highpoint Development and IBI Group Incorporated

Report COA-20-003 is attached.

Schedule Pages 1-32

The purpose and effect of the application is to seek relief from select regulations of Zoning Bylaw 8499 in order to facilitate the development of a 4 storey mixed use commercial residential building with at grade parking.

- b) **Application for: Consent and Minor Variance**
File Number: D10-050-2019 & D13-068-2019
Address: 339 & 343 College Street
Owner: Albert Desousa & Marilyn Desousa/Paul Newhouse
Applicant: Paul Newhouse

Report COA-20-011 is attached.

Schedule Pages 33-67

The purpose and effect of the minor variance application is to increase building depth, decrease side yard setback, and decrease aggregate side yard setback to facilitate a 18.2 square metre addition at the rear of the existing attached garage and to facilitate the enclosure of the existing front porch.

The property is also the subject of an application for consent under the *Planning Act* (City D10-050-2019). The purpose and effect of the consent application is to request an easement to permit the existing eaves encroachment from 343 College Street onto the side yard of 339 College Street.

- c) **Application for: Minor Variance**
File Number: D13-068-2019
Address: 457 College Street
Owner: Jane Howe and Peter Ellis
Applicant: Peter Ellis

Report COA-20-012 is attached.

Schedule Pages 68-93

The purpose and effect of the application is to increase building depth of the primary building and decrease rear yard and side yard setbacks of an accessory building to construct a two-storey addition at the rear of the existing single detached dwelling and construct a 3.0 square metre addition on the legal non-complying detached garage.

- d) Application for: Minor Variance
File Number: D13-048-2019
Address: 449 Princess Street
Owner: Kingston Terminal Properties Limited
Applicant: Kingston Terminal Properties Limited & Fotenn
Consultants**

Report COA-20-019 is attached.

Schedule Pages 94-114

The purpose and effect of the application is to request a reduction in the required number of parking spaces, their dimensions and locations to facilitate the conversion of the six-storey office building to a mixed-use, commercial and residential building.

- e) Application for: Minor Variance
File Number: D13-004-2020
Address: 827 Woodbine Road
Owner/Applicant: Martin Smith**

Report COA-20-020 is attached.

Schedule Pages 115-135

The purpose and effect of the application is to reduce the Minimum Side Yard requirement; the effect would be to allow the conversion of the garage into habitation space. This would result in a larger area for a second dwelling unit in the basement. No changes to the exterior dimensions of the house are proposed. Vehicle parking would be located on the existing driveway.

- f) Application for: Consent
File Number: D10-046-2019 and D10-047-2019
Address: 163 Union Street
Owner: Magdalene Karkoulis
Applicant: Fotenn Consultants Inc. (Youko Leclerc-Desjardins)**

Report COA-20-022 is attached.

Schedule Pages 136-201

The purpose and effect of the two consent applications are to facilitate the creation of two new residential lots. One lot will have 11.5 metres of frontage on Union Street. The second lot will have 10.9 metres of frontage on Albert Street. The retained lot will contain the existing house.

- g) Application for: Minor Variance
File Number: D13-005-2020
Address: 628 Johnson Street
Owner: Janani Sivakumar
Applicant: Heather Cirella**

Report COA-20-023 is attached.

Schedule Pages 202-253

The purpose and effect of the application is to reduce exterior side yard setbacks requirements to accommodate a deck projection, with a covered porch, for access purposes and increase the maximum allowable building depth requirements to accommodate a second residential unit.

- h) Application for: Consent (new lot) and Minor Variance
File Number: D10-004-2020 and D13-002-2020
Address: 1270 John F Scott Road
Owner: Philip and William Thompson
Applicant: Philip and Vanessa Thompson**

Report COA-20-024 is attached.

Schedule Pages 254-282

The purpose and effect of the applications is for consent to sever a residential lot and minor variance to reduce the road frontage of the retained lot.

Application D10-004-2020 is to sever a 2 hectare parcel of land with 90 metres of road frontage on John F Scott Road and is located at the south east corner of the lot. The retained 10.8 hectare parcel of land will have 63 metres of road frontage on John F Scott Road and will remain as agricultural lands.

Application D13-002-2020 is to request a minor variance to reduce the minimum road frontage requirement of 90 metres to 63 metres to recognize the frontage of the retained lot (subject to D10-004-2020).

- i) Application for: Permission and Consent (Easement)
File Number: D10-014-2020, D10-015-2020, D10-016-2020 and D13-060-2019
Address: 29 Rideau Street
Owner: 2643573 Ontario Limited
Applicant: Youko Leclerc-Desjardins, Fotenn Consultants Inc.
Bryan Stone, Stone & Associates Designers**

Report COA-20-025 is attached.

Schedule Pages 283-326

The purpose and effect of the application is to amend Zoning By-law 96-259 to permit the expansion of an existing legal non-conforming use (residential) to allow for the renovation and expansion of the existing townhouse dwelling units that will

occupy the second and third floor and the incorporation of a second residential unit in the ground floor and lower level walk-out, resulting in one principal unit and one second residential unit in an existing legal nonconforming residential building. Easements are required for access to the parking for the second residential units.

- j) Application for: Permission and Consent (Easement)
File Number: D10-014-2020, D10-015-2020, D10-016-2020, D10-017-2020 and D13-061-2019
Address: 31 Rideau Street
Owner: 2643573 Ontario Limited
Applicant: Youko Leclerc-Desjardins, Fotenn Consultants Inc.
Bryan Stone, Stone & Associates Designers**

Report COA-20-026 is attached.

Schedule Pages 327-370

The purpose and effect of the application is to amend Zoning By-law 96-259 to permit the expansion of an existing legal non-conforming use (residential) to allow for the renovation and expansion of the existing townhouse dwelling unit that is proposed to ultimately occupy the second and third floor and the incorporation of a second residential unit in the ground floor and lower level walk-out, resulting in one principal unit and one second residential unit in an existing legal non-conforming residential building. Easements are required for access to the parking for the second residential units.

- k) Application for: Minor Variance
File Number: D13-058-2019
Address: 3 Drummond Street
Owner: Katherine Burke
Applicant: Mark Peabody and Todd Biggerman**

Report COA-20-027 is attached.

Schedule Pages 371-398

The purpose and effect of the application is to construct a two-storey rear addition onto the existing dwelling. A variance is required to increase the maximum required lot coverage. Section 10 (2) (i) of Zoning By-law 32-74 indicates that the required maximum lot coverage in the R2 zone is 35 per cent. The proposed rear addition will result in a lot coverage of 52.8 per cent. As such a variance of 17.8 per cent is required. A variance is also required to reduce the required minimum interior side yard width. Section 10 (3) (a) (v) indicates that in the case of more than 1 such yard, 1.2 metres on one side and 3.04 metres on any other side is required. The subject property has 2 interior side yards. The proposed addition to the south side of the property complies with the required 1.2 metre interior side yard width. On the north side of the property the interior side yard width is 0 metres. As such, a variance of 3.04 metres is required. A variance is also required to reduce the minimum rear yard depth. Section 10 (2) (f) indicates that the

minimum rear yard depth is 7.5 metres. The proposed addition will result in a rear yard depth of 6 metres. As such a variance of 1.5 metres is required.

- l) Application for: Minor Variance
File Number: D13-012-2020
Address: 1525 Clover Street
Owner: V. Marques Construction Ltd.
Applicant: Scott Arnold**

Report COA-20-029 is attached.

Schedule Pages 399-422

The purpose and effect of the application is to decrease the required rear yard to construct a one-storey single detached dwelling with a secondary suite in the basement.

- m) Application for: Minor Variance
File Number: D13-007-2020
Address: 363 College Street
Owner: Frank Armstrong and Julie Smith
Applicant: Ashley Osmar**

Report COA-20-031 is attached.

Schedule Pages 423-448

The purpose and effect of the application is to permit an expansion to the existing garage and foyer and to construct a second storey addition above the enlarged garage and foyer. The second storey would contain a second residential unit.

- n) Application for: Minor Variance & Consent
File Numbers: D10-013-2020 & D13-011-2020
Address: 28 Maitland Street
Owners: James & Helen Mathers
Applicant: Youko Leclerc-Desjardins**

Report COA-20-032 is attached.

Schedule Pages 449-480

The purpose and effect of the application is to sever an existing lot into two lots along a proposed common party wall, while retaining the existing building. The request to sever requires technical variances to recognize multiple non-complying regulations and the resulting lot fabric. The consent proposal also requires multiple easements to address parking and access concerns.

- o) Application for: Minor Variance
File Number: D13-006-2020
Address: 1469 Princess Street
Owner: 1652557 Ontario Inc
Applicant: Robert Paz**

Report COA-20-030 is attached.

Schedule Pages 481-511

The purpose and effect of the application is to increase the maximum permitted office size per building from 605 metres square to 1822 square metres. This is to recognize the existing 1300 square meters of office space and allow the remaining 521 square metres to be rented as office space if there is a market demand for it.

8. Notices of Motion

9. Other Business

- a. Delegated Authority applications in progress.

10. Correspondence

11. Confirmation of Minutes

That the Minutes of Committee of Adjustment Meeting Number 2020-03, held February 24, 2020 be approved.

12. Date of Next Meeting

The next meeting of the Committee of Adjustment is scheduled for May 25, 2020.

13. Adjournment