



**City of Kingston
Report to Committee of Adjustment
Report Number COA-20-011**

To: Chair and Members of Committee of Adjustment
From: Meghan Robidoux, Planner
Date of Meeting: April 20, 2020
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

Council Strategic Plan Alignment:

Theme: 2. Increase housing affordability

Goal: See above

The proposal will provide additional living space to an existing single-family dwelling in the urban area and will result in a further mix of type and affordability in a residential area.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding applications for consent and minor variance for the properties located at 339 and 343 College Street (Exhibit A – Key Map). The property known as 343 College Street is currently 0.056 hectares in size and contains an existing single-detached dwelling with an attached garage. The applicant is proposing to construct an 18.2 square metre addition at the rear of existing attached garage and to enclose the existing 5.1 square metre front porch. The applicant is also proposing to construct a new rear deck.

The applicant began construction on the proposed garage addition in the August of 2019. An Order to Comply was issued by the City to the applicant on October 24, 2019 requiring all construction on the garage to cease immediately until a Building Permit and all required municipal approvals are received for the proposed alterations to the garage. The applicant is

April 20, 2020

Page 2 of 15

now seeking the required variances for maximum permitted residential building depth, minimum side yard, and minimum aggregate side yard to permit the illegal garage addition.

A consent application, File Number D10-050-2019, proposes an encroachment easement over a portion of 339 College Street (the servient lands) to benefit 343 College Street. The purpose of the application is to recognize the existing eaves encroachment 0.29 metres over the north property line of the servient lands (Exhibit A – Key Map).

The requested consent and minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act*, is technical in nature, and is in keeping with the property fabric of the surrounding area. Therefore, the requested consent and minor variance applications are being recommended for provisional approval subject to the conditions listed below.

Recommendation:

Consent Application D10-050-2019

That the consent application, File Number D10-050-2019, for the property located at 339 College Street to create an encroachment easement over 339 College Street to benefit 343 College Street, be provisionally approved subject to the following conditions:

1. Deadline

That all conditions are satisfied and the Certificate of Official be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the *Planning Act*, R.S.O. 1990 as amended, within one year of the mailing of this notice. We suggest that the Land Registry Office be consulted for preapproval of the Certificate of Official to avoid delays.

The Certificate must be registered within two years from the issuance of the certificate as required under Section 53(43) of the *Planning Act*, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

2. Reference Plan

That a Reference Plan illustrating the encroachment easement be prepared and presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official. In addition, the Reference Plan is to be provided in a PDF and AutoCAD Windows readable format on a compact disc (CD), USB memory stick or by email.

April 20, 2020

Page 3 of 15

3. Payment of Taxes

The owner/applicant shall contact the Tax Department at tax@cityofkingston.ca and secure in writing from the Treasurer or the Manager of Taxation and Revenue, proof of payment of current taxes and any special charges (not simply a copy of the tax bill) required to be paid out and a statement of proof that is received and shall be provided to the Secretary-Treasurer Committee of Adjustment, prior to the issuance of the consent certificate. The owner/applicant must pay any outstanding realty taxes and all local improvement charges levied against the property.

4. Variance Applications

That 343 College Street obtains a minor variance to recognize the location of the attached garage from the side lot line (File Number D13-068-2019) and that all conditions of approval are complied with.

Minor Variance Application D13-067-2019

That the minor variance application, File Number D13-068-2019, for the property located at 343 College Street to increase building depth, decrease side yard, and decrease aggregate side yard to construct a 18.2 square metre addition at the rear of the existing attached garage and to enclose the existing 5.1 square metre front porch, be approved.

Variance 1:

By-Law Number 8499: Section 6.3(g) Maximum Permitted Residential Building Depth
Requirement: 10.6 metres
Proposed: 18.9 metres
Variance Requested: 8.3 metres

Variance 2:

By-Law Number 8499: Section 6.3(c)(i) Minimum Side Yard
Requirement: 0.6 metres
Proposed: 0 metres
Variance Requested: 0.6 metres

Variance 3:

By-Law Number 8499: Section 6.3(c)(i) Minimum Aggregate Side Yard
Requirement: 3.6 metres
Proposed: 1.9 metres
Variance Requested: 1.7 metres

Approval of the foregoing variance shall be subject to the following conditions:

1. Limitation

That the approved variance(s) applies only to the location of the attached garage as shown on the approved drawings attached to the notice of decision.

April 20, 2020

Page 4 of 15

2. No Adverse Impacts

The owner/applicant shall demonstrate to the satisfaction of the City that there are no adverse impacts on neighbouring properties as a result of any modifications to on-site grading or drainage.

3. Building Permit Application Requirements

The owner/applicant shall provide to the Building Division a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make an application for a Building Permit.

The drawings submitted with the Building Permit application must, in the opinion of the City, conform to the general intent and description of the approved drawing(s), including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process.

Prior to the issuance of a Building Permit for the proposed garage, the owner/applicant must remove the roof from the existing illegal gazebo in the rear yard.

4. Standard Archaeological Condition

In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132) and the City of Kingston's Planning Service (613-546-4291, extension 3180) must be immediately contacted.

In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8404), the Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132), and the City of Kingston's Planning Service (613-546-4291, extension 3180) must be immediately contacted.

April 20, 2020

Page 5 of 15

Authorizing Signatures:

Meghan Robidoux, Planner

In Consultation with the following Management of the Community Services Group:

Paige Agnew, Commissioner, Community Services

April 20, 2020

Page 6 of 15

Options/Discussion:

On January 6, 2020, a minor variance application was submitted by Paul Newhouse, the property owner, with respect to the property located at 343 College Street. In addition, the applicant submitted a consent application with respect to the adjacent property located at 339 College Street. The applicant is proposing to construct a 18.2 square metre addition at the rear of existing attached garage and to enclose the existing 5.1 square metre front porch (Exhibit E – Site Plan). The applicant is also proposing to construct a new rear deck.

The applicant began construction on the proposed garage addition in August of 2019. An Order to Comply was issued by the City to the applicant on October 24, 2019 requiring all construction on the garage to cease immediately until a Building Permit and all required municipal approvals are received for the proposed alterations to the garage. The applicant is now seeking the required variances to permit the illegal garage addition.

A variance is required from Section 6.3 (g) of Zoning By-Law Number 8499 to seek relief from the maximum permitted residential building depth of the One-Family Dwelling and Two-Family Dwelling Zone 'A'. Within the One-Family and Two-Family 'A' Zone, the maximum permitted building depth for any permitted residential building is the average distance between the established front building lines and the established rear building lines of the two nearest permitted residential buildings on the nearest lots on the same block on opposite sides of the subject building. Based on these criteria, it has been determined that the maximum permitted residential building depth for the subject site is 10.55 metres. The proposed residential building depth is 18.86 metres from the front of the proposed enclosed porch to the rear of the illegal attached garage addition, which does not comply with the maximum permitted residential depth of the 'A' zone. As such, the applicant is seeking a variance of 8.31 metres.

A variance is required from Section 6.3(c)(i) of Zoning By-Law Number 8499 to seek relief from the minimum side yard of the One-Family Dwelling and Two-Family Dwelling Zone 'A'. Within the One-Family and Two-Family 'A' Zone, the minimum side yard width is 0.6 metres. The illegal attached garage is located 0 metres from the side lot line, which does not comply with the minimum side yard of the 'A' zone. The applicant is seeking a variance of 0.6 metres.

A variance is also required from Section 6.3(c)(i) of Zoning By-Law Number 8499 to seek relief from the minimum aggregate side yard of the One-Family Dwelling and Two-Family Dwelling Zone 'A'. Within the One-Family and Two-Family 'A' Zone, the minimum aggregate side yard width is 3.6 metres or 3/10 of the width of the lot, whichever is the lesser. Based on these criteria, it has been determined that the minimum aggregate side yard width for the subject site is 3.6 metres. The existing dwelling and attached garage on the subject property provide for an aggregate side yard width of 1.91 metres. As such, the applicant is seeking a variance of 1.69 metres.

A consent application, File Number D10-050-2019, proposes an encroachment easement over a portion of 339 College Street (the servient lands) to benefit 343 College Street. The purpose of the application is to recognize the existing eaves encroachment 0.29 metres over the north property line of the servient lands (Exhibit A – Key Map).

April 20, 2020

Page 7 of 15

In support of the application, the applicant has submitted the following:

- Site Plan (Exhibit E);
- Survey (Exhibit F);
- Drawing Package (Exhibit G);
- Drainage Plan (Exhibit H); and
- Letter from Property Owner – 339 College Street (Exhibit I).

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using “Look-up a Specific Address”. If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

Site Characteristics

The subject property is located at on the east side of College Street and is situated in the Sunnyside neighbourhood (Exhibit A – Key Map). Both 339 & 343 College Street are currently developed with one-storey, single-detached dwellings on municipal services (Exhibit J – Photos). The subject property abuts single-detached dwellings to the north and south. A three-storey apartment building is located to the east and Compton Park is located to the west (Exhibit B – Neighbourhood Context).

The subject property is designated Residential in the Official Plan (Exhibit C – Official Plan) and zoned One-Family Dwelling and Two-Family Dwelling Zone ‘A’ in Zoning By-Law Number 8499 (Exhibit D – Existing Zoning).

Consent Application

Section 9.6.10(c) of the Official Plan states that consents which do not create a new lot will be considered if required for such technical or legal reasons as minor boundary adjustments, easements, right-of-way, leases in excess of 21 years, validation of title, partial discharge of a mortgage, power of sale, or severance along common party walls.

The consent application will create an easement to recognize the existing eaves encroachment onto the servient lands (339 College Street) from the attached garage on the abutting property (343 College Street). No new lot will result from this consent application.

Minor Variance Application

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested, both separately and together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

Provincial Policy Statement

In addition to the four tests of a minor variance detailed below, Subsection 3(5) of the *Planning Act* requires that a decision in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (the PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development

April 20, 2020

Page 8 of 15

which are complemented by local policies addressing local interests. The application being considered is site specific to accommodate a specific proposal and does not involve any major policy considerations and as such, the proposal conforms to and is consistent with the PPS.

1) The general intent and purpose of the Official Plan are maintained

The subject property is designated Residential in the City of Kingston Official Plan. In considering whether this proposed variance is desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the Official Plan. The following provides these nine requirements and an assessment of how the proposal is consistent with each.

1. The proposed development meets the intent of Section 2 Strategic Policy Direction, and all other applicable policies of this Plan;

The proposal will not have any negative impacts on abutting properties or residential uses and/or structures. The proposal is compatible with the surrounding residential uses and will not result in significant impacts or changes to the surrounding area.

2. The proposed development will be compatible with surrounding uses, buildings or structures and development standards associated with adjacent properties, and if necessary, incorporate means of alleviating adverse effects on abutting land uses as recommended in Section 2.7 of this Plan;

The proposed rear garage addition will result in a development that is consistent with the existing built form of several residential building located along north, south, and west of the subject property along College Street. The overall design and scale of the proposal is not anticipated to cause any adverse impacts on the adjacent residential properties.

3. The ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles or any other matter and means of improving such function including considerations for universal accessibility;

The proposal includes the construction of an 18.2 square metre addition on the rear of the existing attached garage. There will be no concerns with respect to the parking of vehicles and bicycles or issues relating to accessibility. One parking space is provided, which is located in the existing attached garage.

4. The conformity of the proposal to any applicable urban design policies endorsed by Council, particularly if the site includes or could impact a built heritage resource or is within a Heritage District;

The Official Plan contains the following policies with respect to urban design in Section 8.3 to ensure that new residential development is integrated into the existing built fabric and conducive to active transportation:

April 20, 2020

Page 9 of 15

- a. Protect and preserve stable residential communities (in accordance with Section 2.6 of this Plan);

- a. A well-established land use pattern in terms of density, type of use(s) and activity level;

The form of residential development is long established. Thus, the overall density, type of use and scale of activity as proposed is consistent with the existing built form of residential buildings along College Street.

- b. A common or cohesive architectural and streetscape character, in terms of massing and built form, architectural expression, age of building stock, and street cross-section;

The proposed development will not create intrusive overlook with respect to adjacent residential properties. The height of the proposed garage addition does not exceed the maximum permitted height in the zoning by-law or the height of the existing dwelling and does not propose any side-facing windows. The proposed variance will not alter the character of the neighbourhood or the existing streetscape.

- c. A stable pattern of land ownership or tenure;

The proposal will result in a stable pattern of land ownership.

- d. A consistent standard of property maintenance with relatively little vacancy in land or building occupancy;

All properties are subject to the City's Property Standards By-Law and Yards By-Law. This proposal does not change the enforcement or applicability of the by-laws.

- e. A limited number of applications for development that would alter the established pattern of land assembly and built form;

The proposed variance will not significantly alter the established pattern of land assembly and built form.

- f. A sufficient base of social and physical infrastructure to support existing and planned development;

No deficiencies in social infrastructure were identified to limit this application. The appropriate level of physical infrastructure is present to support the development permitted by the draft by-law.

- b. foster developments that are context appropriate;

April 20, 2020

Page 10 of 15

The proposal does not involve significant alteration to the existing built form on the site and will not cause any adverse impacts on the adjacent properties.

- c. foster attractive developments which add to the existing sense of place;

The proposal will not alter the existing character of the established surrounding residential neighbourhood.

- d. provide a variety of housing types;

The existing single-detached dwelling on the site will provide housing which will assist in meeting the housing demand in the city.

- e. ensure compact, accessible mixed-use development;

The proposal contributes to the compact nature of the neighbourhood.

- f. encourage environmentally sustainable development; and

The proposal will not create a significant impact on the existing built form along College Street. The subject property is located within a serviced area which supports the sustainable use of lands, infrastructure, and resources.

- g. integrate and highlight cultural heritage resources.

The existing residential use will be maintained on the subject property. The site is not located within a Heritage District. The site is not identified on the City of Kingston Heritage Register, therefore, there will not no impact on built heritage resources.

5. If the site is designated under the *Ontario Heritage Act*, the application shall be reviewed by Heritage Kingston for approval. If the property is adjacent to a designated property under the *Ontario Heritage Act* or shown as a Heritage Area feature, or is affected by the protected views shown on Schedule 9 of this Plan, then a Heritage Impact Statement may be required to assist staff to determine if the resulting development is desirable;

The subject property is not on the City's Heritage Register and as such a Heritage Impact Statement is not required.

6. The resulting development has adequate municipal water and sewage services within the Urban Boundary, or is capable of providing individual on-site water and sewage services outside the Urban Boundary;

The site is located within the Urban Boundary and is developed with sufficient municipal water and sewage services.

7. Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed by a zoning amendment to the applicable zoning by-law;

April 20, 2020

Page 11 of 15

The proposed variances are considered minor and the development is consistent with the existing built form along College Street. Therefore a zoning by-law amendment is not required.

- 8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements, recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;

As part of the recommendation, suggested conditions have been listed. The conditions may be added, altered or removed at the Committee’s discretion.

- 9. The degree to which such approval may set an undesirable precedent for the immediate area.

The surrounding residential uses include single-detached dwellings. The approval of the requested variance is considered minor and will not set a precedent for the immediate area.

The proposal meets the intent of the Official Plan, as the proposal will not result in any negative impacts to adjacent properties or to the neighbourhood.

2) The general intent and purpose of the zoning by-law are maintained

The subject property is zoned One-Family Dwelling and Two-Family Dwelling Zone ‘A’ in the City of Kingston Zoning By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended. The ‘A’ zone permits a single-detached dwelling subject to the requirements of Section 6 of Zoning By-law Number 8499.

The proposal requires variances to Section 6.3(g) and Section 6.3(c)(i).

Variance Number 1:

By-Law Number: 8499	Section 6.3(g) Maximum Permitted Residential Building Depth
Requirement:	10.6 metres
Proposed:	18.9 metres
Variance Requested:	8.3 metres

Variance Number 2:

By-Law Number: 8499	Section 6.3(c)(i) Minimum Side Yard
Requirement:	0.6 metres
Proposed:	0 metres
Variance Requested:	0.6 metres

Variance Number 3:

By-Law Number: 8499	Section 6.3(c)(i) Minimum Aggregate Side Yard
Requirement:	3.6 metres

April 20, 2020

Page 12 of 15

Proposed: 1.9 metres
 Variance Requested: 1.7 metres

The application meets all other requirements of the One-Family Dwelling and Two-Family Dwelling Zone ‘A’ and Zoning By-Law Number 8499. The general intent and purpose of the zoning by-law are maintained. The proposed variances meet the intent of the zoning by-law.

3) The variance is minor in nature

The proposal will result in a development that is consistent with the existing built form of residential development along College Street. The proposed 18.2 square metre rear garage addition and enclosure of the existing front porch will not result in intrusive overlook with respect to adjacent residential properties. The variance will not alter the character of the neighbourhood or the existing streetscape. The variances are considered minor as there will be no negative impacts on abutting properties or residential and/or uses or structures.

4) The variance is desirable for the appropriate development or use of the land, building or structure

The proposed development will provide for the functional needs for the proposed residential use. The resulting built form satisfies all applicable provisions of the zoning by-law save and except for the maximum permitted building depth, side yard width, and aggregate side yard width, which is largely intended to ensure the development will adequately function on the land.

The proposal is appropriate and compatible with the surrounding residential uses and will not result in significant impacts or changes to the surrounding area.

Technical Review: Circulated Departments and Agencies

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Building Division | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Service) |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Utilities Kingston | <input checked="" type="checkbox"/> Real Estate & Environmental Initiatives |
| <input checked="" type="checkbox"/> Fire & Rescue | <input checked="" type="checkbox"/> Kingston Hydro | <input checked="" type="checkbox"/> City’s Environment Division |
| <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input checked="" type="checkbox"/> Housing | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input type="checkbox"/> Municipal Drainage | <input type="checkbox"/> Parks of the St. Lawrence |
| <input type="checkbox"/> CRCA | <input type="checkbox"/> KFL&A Health Unit | <input type="checkbox"/> Trans Northern Pipelines |
| <input type="checkbox"/> Parks Canada | <input type="checkbox"/> Eastern Ontario Power | <input type="checkbox"/> CFB Kingston |
| <input type="checkbox"/> Hydro One | <input type="checkbox"/> Enbridge Pipelines | <input type="checkbox"/> TransCanada Pipelines |
| <input type="checkbox"/> Kingston Airport | | |

Technical Comments

This application was circulated to external agencies and internal departments for their review and comment. The following comments were provided:

April 20, 2020

Page 13 of 15

Department	Comments	Comment Type
Building	<p>A Building Permit will be required for the proposed construction. No further construction is permitted until all planning and building approvals have been obtained.</p> <p>A grading plan is required to provide details of water drainage.</p> <p>Walls less than 1.2 metres from the property line will be required to be constructed as a 45 minute fire separation.</p> <p>We have no record of the gazebo constructed in the rear yard, a Building Permit will also be required.</p>	General Comments & Additional Information Required

The applicant submitted a Drainage Plan (Exhibit H – Drainage Plan) prepared by licensed professional engineer on February 19, 2020. The applicant also advised that he is agreeable to removing the roof from the existing illegal gazebo in the rear yard in order to eliminate the need for building approvals for this structure.

There are no outstanding comments or concerns raised that would preclude this application from moving forward. Any technical comments that are received after the publishing of this report will be included as an addendum to the Committee of Adjustment agenda.

Public Comments

At the time this report was finalized, no comments or concerns had been received. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment agenda.

Previous or Concurrent Applications

The consent and minor variance applications described herein, File Numbers D10-050-2019 and D13-067-2019, have been submitted concurrently. There are no relevant historic planning applications on the subject property.

Conclusion

The requested consent and minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act*, is technical in nature, and is in keeping with the property fabric of the surrounding area. As such, the requested consent and minor variance

April 20, 2020

Page 14 of 15

applications are being recommended for provisional approval subject to the proposed conditions.

Approval of the consent and minor variance applications is consistent with the general purpose and intent of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The proposed applications represent good land use planning.

Existing Policy/By-Law:

The proposed application was reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes would be consistent with the Province's and the City's vision of development. The following documents were assessed:

Provincial

Provincial Policy Statement, 2014

Municipal

City of Kingston Official Plan
Zoning By-Law Number 8499

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on March 23, 2020. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 10 days in advance of the meeting. In addition, notices were sent by mail to a total number of 53 property owners (according to the latest Assessment Roll) within 60 metres of the subject property (Exhibit K – Public Notice Notification Map) and a courtesy notice was placed in The Kingston Whig-Standard.

Once a decision has been rendered by the Committee of Adjustment, a Notice of Decision will be circulated in accordance with the provisions of the *Planning Act*.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Tim Park, Manager of Development Approvals 613-546-4291 extension 3223

Meghan Robidoux, Planner 613-564-4291 extension 1256

April 20, 2020

Page 15 of 15

Other City of Kingston Staff Consulted:

The application was circulated to the relevant internal departments and external agencies for review and comment. The responses to the technical circulation have been addressed in the technical review and included in this report.

Exhibits Attached:

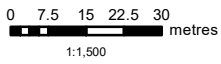
- Exhibit A Key Map
- Exhibit B Neighbourhood Context
- Exhibit C Official Plan Map
- Exhibit D Zoning By-Law Map
- Exhibit E Site Plan
- Exhibit F Survey
- Exhibit G Drawing Package
- Exhibit H Drainage Plan
- Exhibit I Letter from Property Owner – 339 College Street
- Exhibit J Photos
- Exhibit K Public Notice Notification Map



Disclaimer: This document is subject to copyright and may only be used for your personal, noncommercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the use of the information contained in this document. © 2019 The Corporation of the City of Kingston.



COMMITTEE OF ADJUSTMENT
Key Map
File Number: D10-050-2019 & D13-067-2019
Address: 339 College Street & 343 College Street



DATE: 2020-01-15
PREPARED BY: rocheport

- Subject Lands
- Easement
- Lands to Benefit from Easement and Subject to Minor Variance
- Lands Subject to Easement





Corporation of the City of Kingston





Planning Services

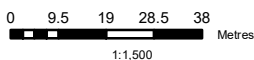
a department of
Community
Services

CITY OF KINGSTON
Neighbourhood Context (2018)

File Number: D10-050-2019 & D13-067-2019
Address: 339 College Street & 343 College Street

Legend

-  Subject Lands
-  Property Boundaries



PREPARED BY: rochefort
DATE: 2020-01-14

Disclaimer: This document is subject to copyright and may only be used for your personal, noncommercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. © 2019 The Corporation of the City of Kingston.

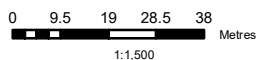


Planning Services

a department of
Community
Services

CITY OF KINGSTON
Official Plan, Existing Land Use

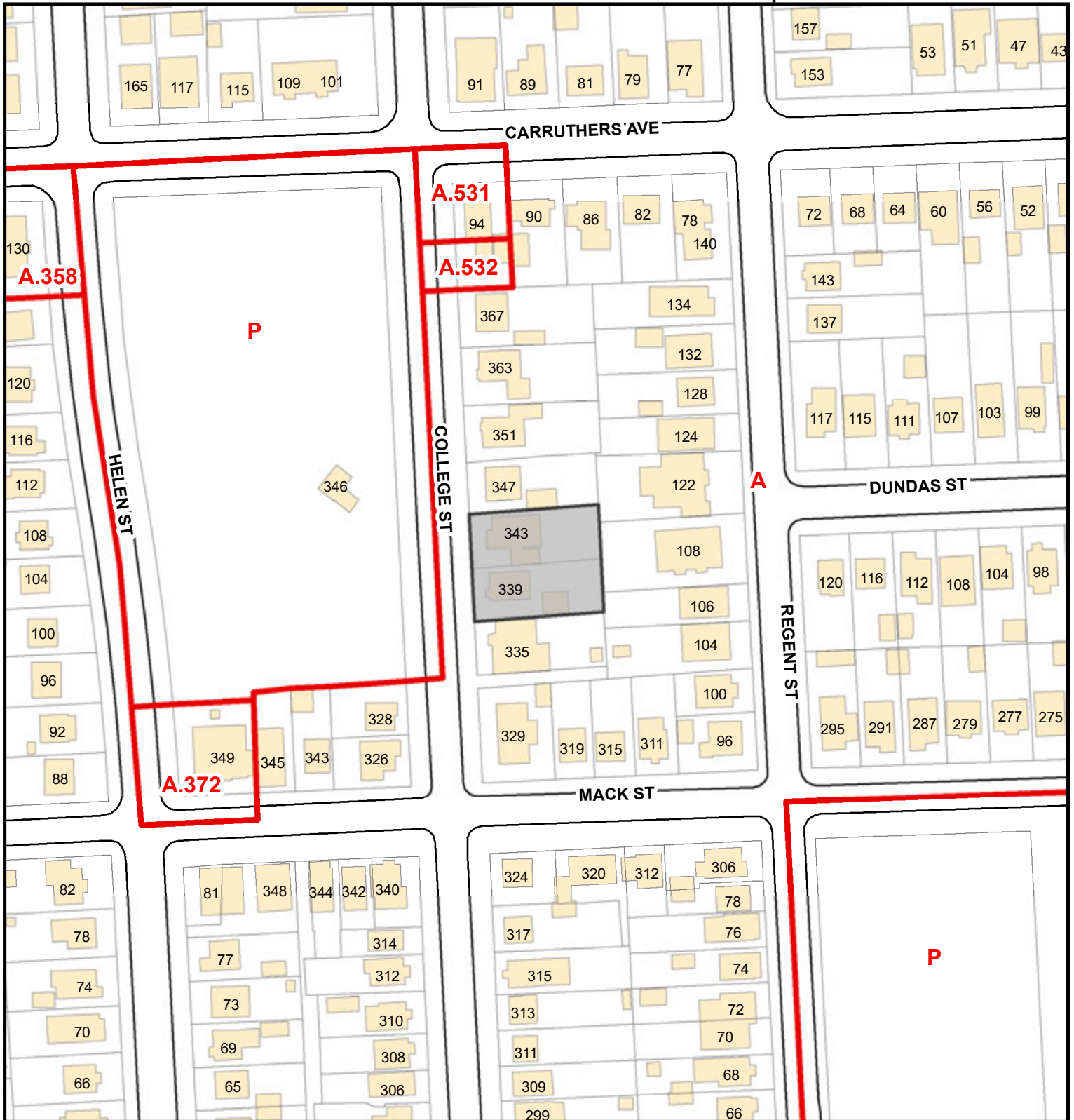
File Number: D10-050-2019 & D13-067-2019
Address: 339 College Street & 343 College Street



Legend

- Subject Lands
- OPEN SPACE
- RESIDENTIAL





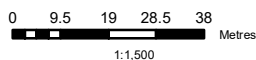


CITY OF KINGSTON
Existing Zoning - By-law 8499, Map 20

File Number: D10-050-2019 & D13-067-2019
Address: 339 College Street & 343 College Street

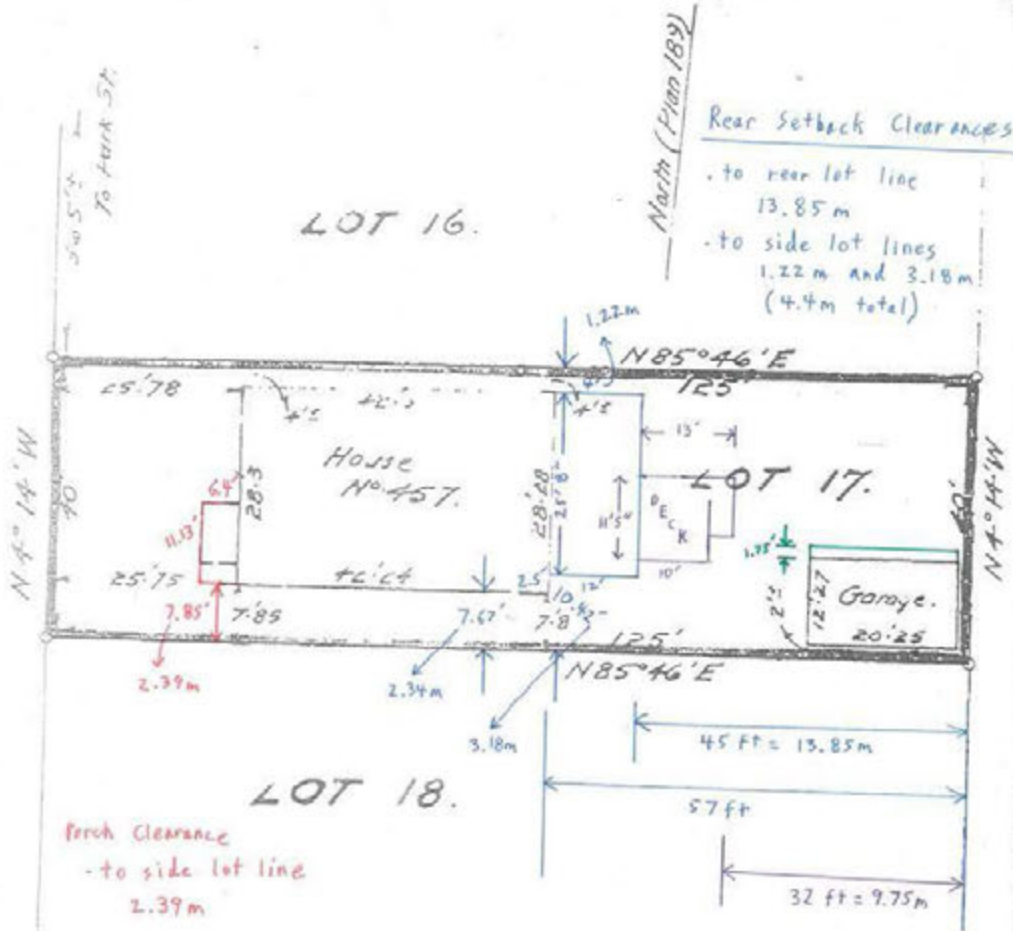
Legend

-  Subject Lands
-  Consolidated Zoning



Legend

- Front Porch widen
- Rear Extension
- Rear Deck
- Garage widen

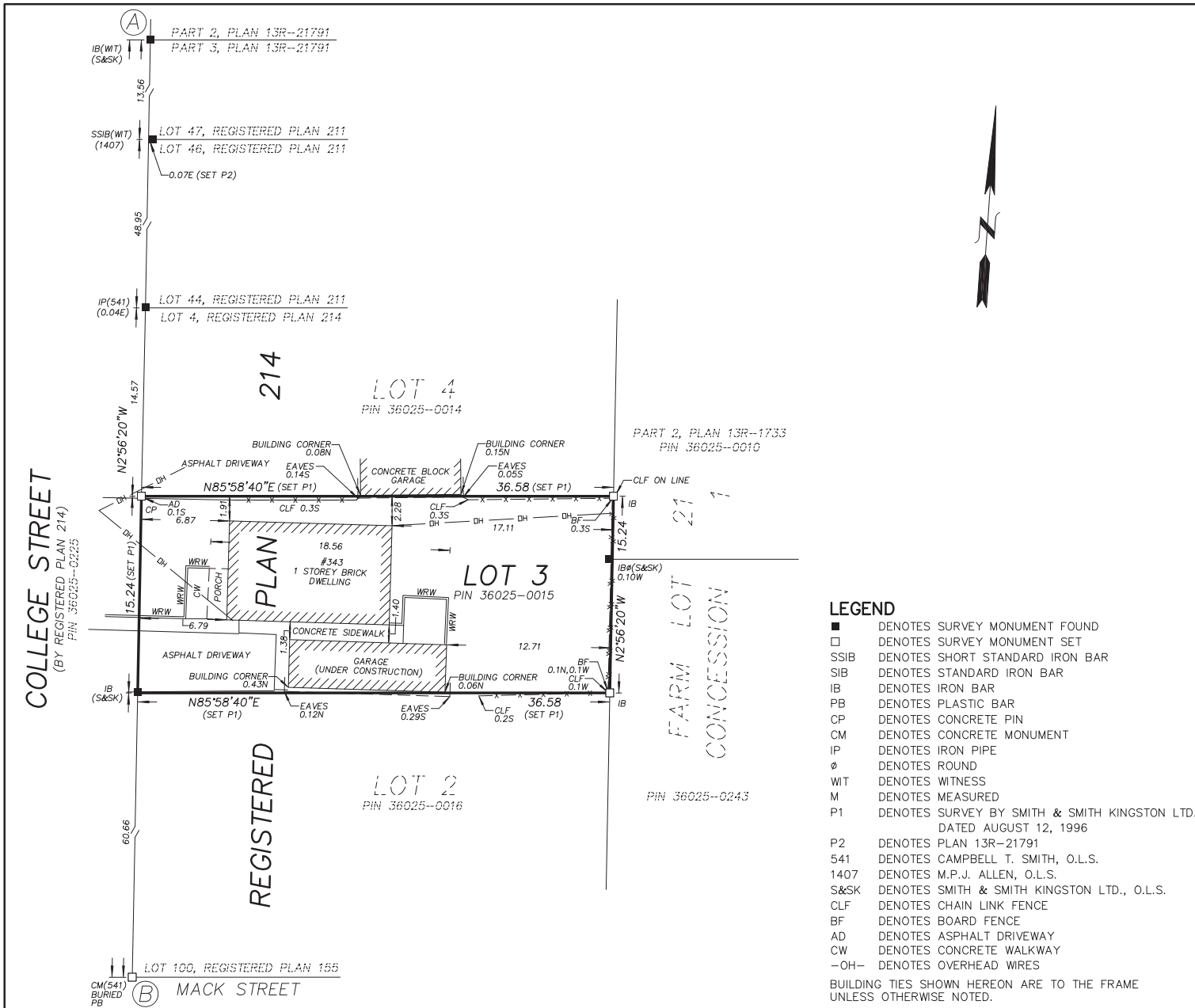


PLAN OF SURVEY OF
 LOT 17,
 REG. PLAN NO. 189,
 CITY OF KINGSTON.

David T. Thompson
 DISTRICT LAND SURVEYOR
 CITY OF KINGSTON, ONT.
 DATE 8th May 1961.

SCALE 1" = 20'

No. 5908.



COPYRIGHT © IVAN B. WALLACE O.L.S. LTD. 2019

SKETCH SHOWING
LOT 3
REGISTERED PLAN 214
CITY OF KINGSTON
COUNTY OF FRONTENAC

SCALE 1 : 300 METRES



BEARING NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 18 (75° WEST LONGITUDE), NAD83(CSR)(2010).

FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:

P1 - 1°17'40" CLOCKWISE

DISTANCE NOTES – METRIC

DISTANCES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999768.

INTEGRATION DATA

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING A REAL TIME NETWORK AND ARE REFERRED TO UTM ZONE 18 (75° WEST LONGITUDE) NAD83(CSR)(2010).

URBAN ACCURACY PER SEC. 14(2), O.REG. 216/10.

POINT ID	NORTHING	EASTING
A	4899107.27	379405.56
B	4898954.49	379413.40

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SSIB DENOTES SHORT STANDARD IRON BAR
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- PB DENOTES PLASTIC BAR
- CP DENOTES CONCRETE PIN
- CM DENOTES CONCRETE MONUMENT
- IP DENOTES IRON PIPE
- Ø DENOTES ROUND
- WIT DENOTES WITNESS
- M DENOTES MEASURED
- P1 DENOTES SURVEY BY SMITH & SMITH KINGSTON LTD., DATED AUGUST 12, 1996
- P2 DENOTES PLAN 13R-21791
- 541 DENOTES CAMPBELL T. SMITH, O.L.S.
- 1407 DENOTES M.P.J. ALLEN, O.L.S.
- S&SK DENOTES SMITH & SMITH KINGSTON LTD., O.L.S.
- CLF DENOTES CHAIN LINK FENCE
- BF DENOTES BOARD FENCE
- AD DENOTES ASPHALT DRIVEWAY
- CW DENOTES CONCRETE WALKWAY
- OH- DENOTES OVERHEAD WIRES

BUILDING TIES SHOWN HEREON ARE TO THE FRAME UNLESS OTHERWISE NOTED.



IBWSURVEYORS.COM | 1.800.667.0696

PARTY CHIEF: RAD | DRAWN BY: CJ | CHECKED BY: * | PLOT DATE: JAN. 7, 2020
FILE NAME: K-0103-srpr_sketch_v2 | copies available at LandSurveyRecords.com

PAUL NEWHOUSE
343 College Street
Kingston, Ont. K7L 4M6
905-484-1860
pnewhouse@hotmail.ca

LOT 3, Plan 214

OCT. 27/19

BUILDING PERMIT APPLICATION

SCOPE OF WORK:

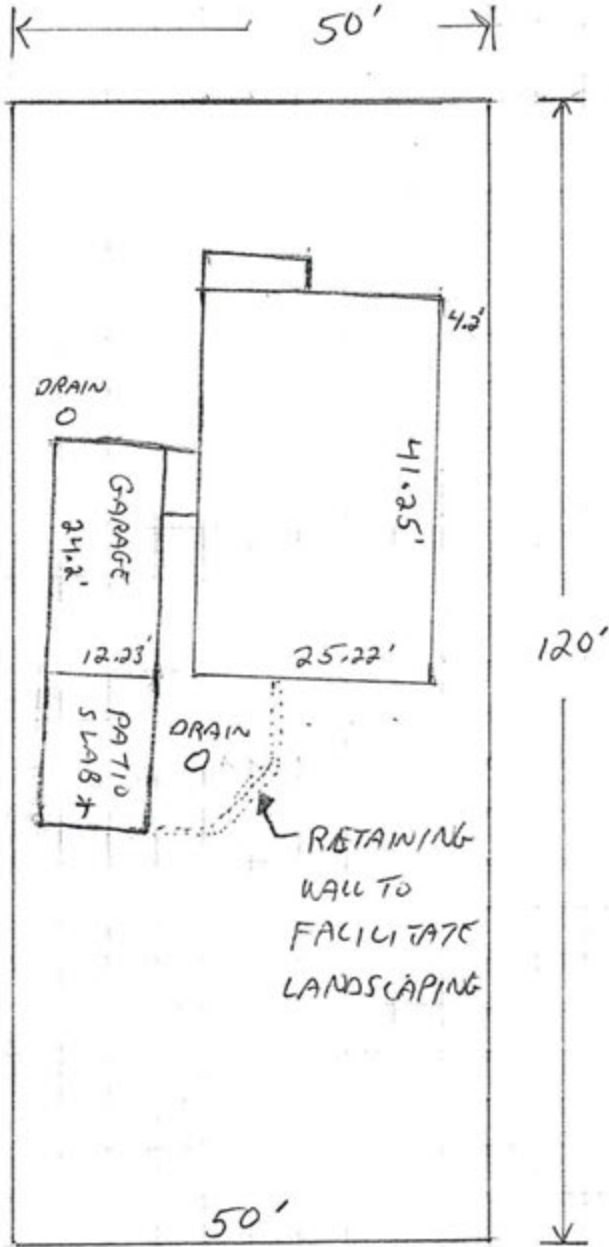
REPAIR EXISTING GARAGE THAT IS ATTACHED TO THE HOUSE BY MEANS OF A BREEZEWAY ROOF, EXTEND GARAGE TO HELP FACILITATE DRAINAGE ISSUES, REPLACE FLAT LEAKING ROOF WITH A GABLE STYLE ROOF AND REPAIR GARAGE FLOOR & PATIO WITH A CONCRETE PAD.

* THE EXISTING GARAGE HAD SILL PLATE AND STUD ROT AS A RESULT OF DEJON, LEAK AND GRADING ISSUES.

** THE DRIVEWAY SLOPES TOWARDS THE GARAGE. THE DRAIN IN FRONT OF THE GARAGE HANDLES THAT AND THE NEIGHBORS RUN OFF. THE DRAIN AT THE BACK OF THE HOUSE DEALS WITH THE HOUSE, GARAGE, BACK YARD AND NEIGHBORS RUN OFF. THE GARAGE SLAB EXTENSION & HEIGHT ALLOWS FOR PROPER LANDSCAPE SLOPING AWAY FROM THE HOUSE AND THE BACK YARD DRAIN WILL THEN ONLY NEED TO DEAL WITH A SMALL WALKWAY SURFACE AREA.

SITE PLAN

343 College Street, Kingston



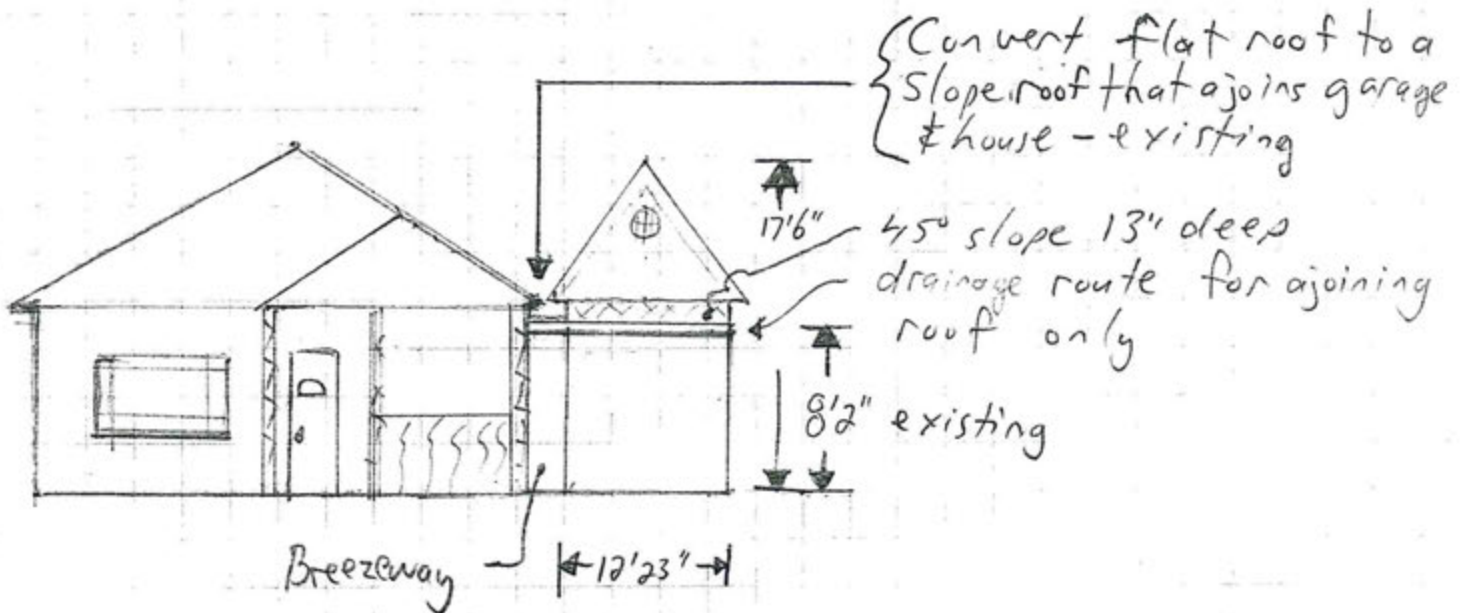
* Extend garage where patio was - shortened to 12.25' x 16'

LOT	50' x 120'	=	6000	sq'	
House	41.25' x 25.22'	=	1040.325	sq'	17% of lot
Garage	12.25' x 40'	=	490	sq'	8% of lot

Scale 2 sq. = 5'

343 College Street, Kingston

FRONT VIEW - HOUSE & GARAGE



Existing Garage Width - No change

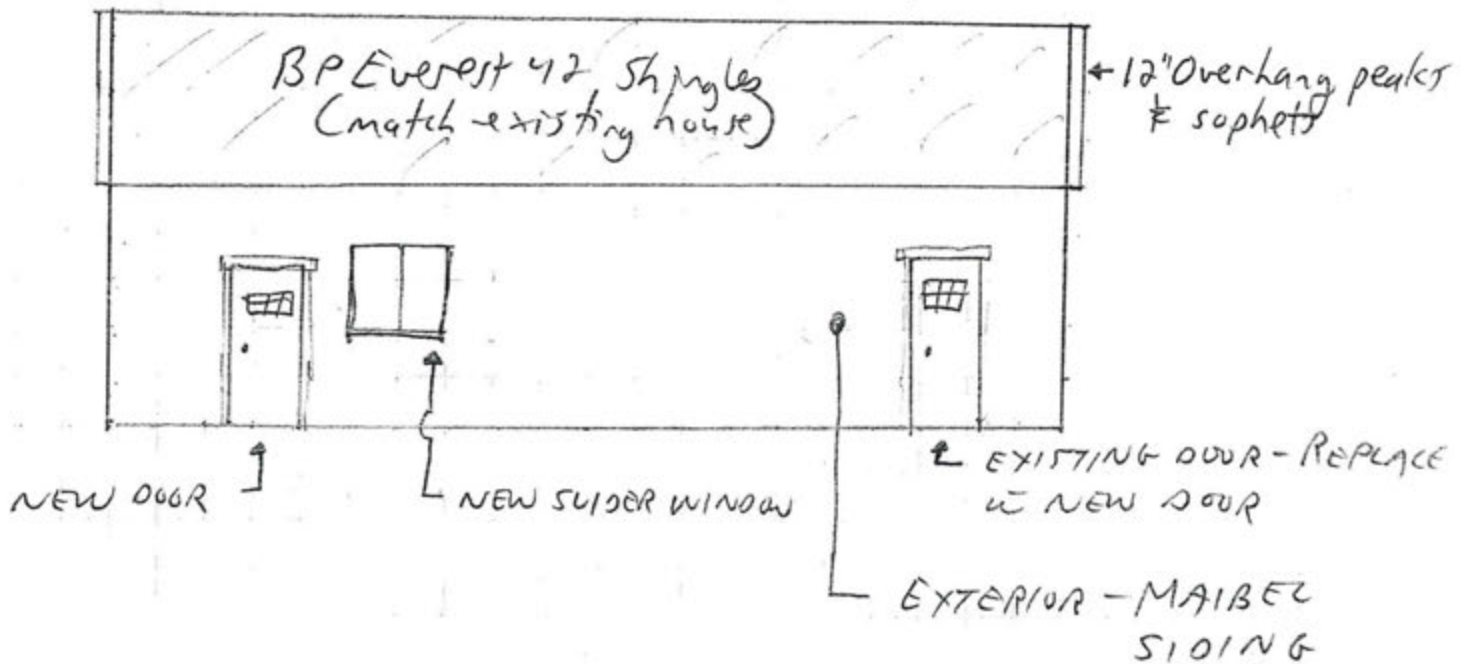
Flat roof changed to Gable roof*

* Roof raised to allow for sloped roof between house & garage.

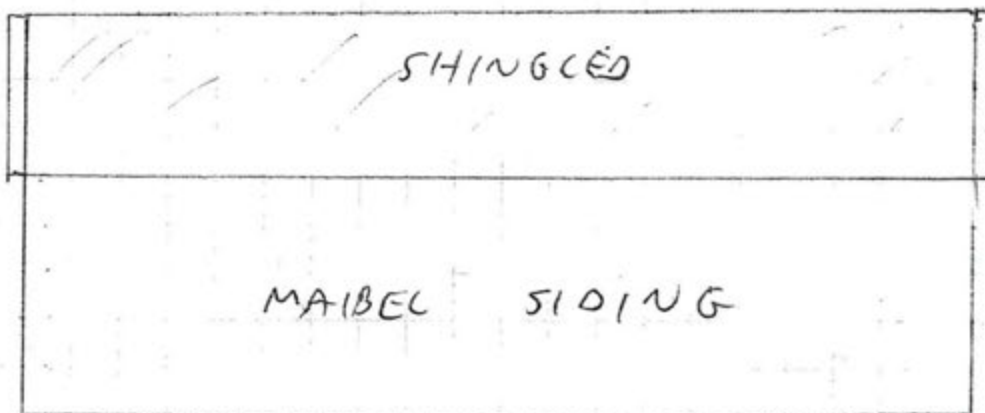
* Aluminum Vented Soffit, fascia with seamless eavestrough

343 College Street, Kingston - Scale 1/8" = 1'-0"

Garage Side View - House Side

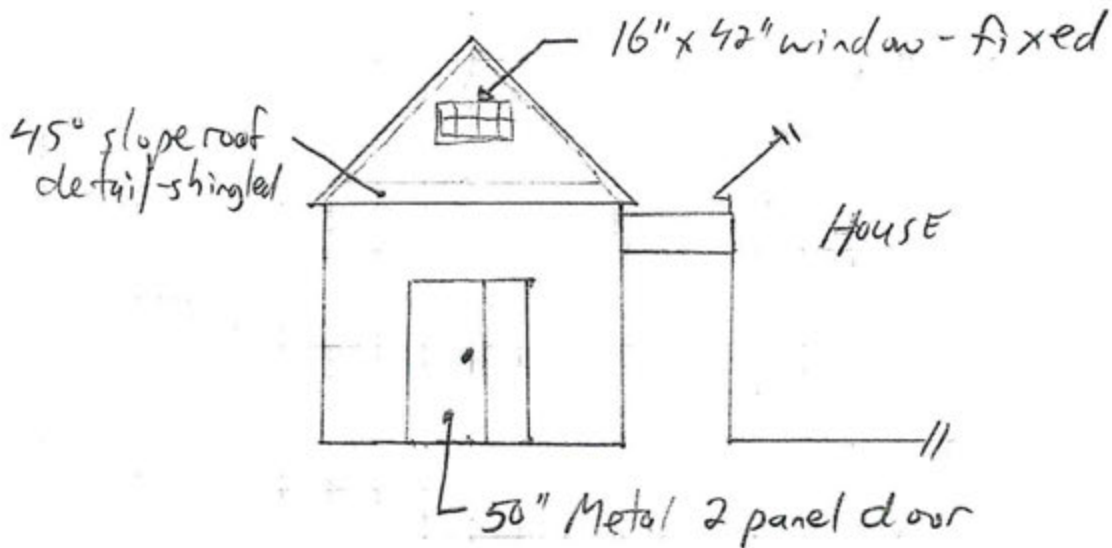


GARAGE SIDE VIEW - NEIGHBOR'S SIDE

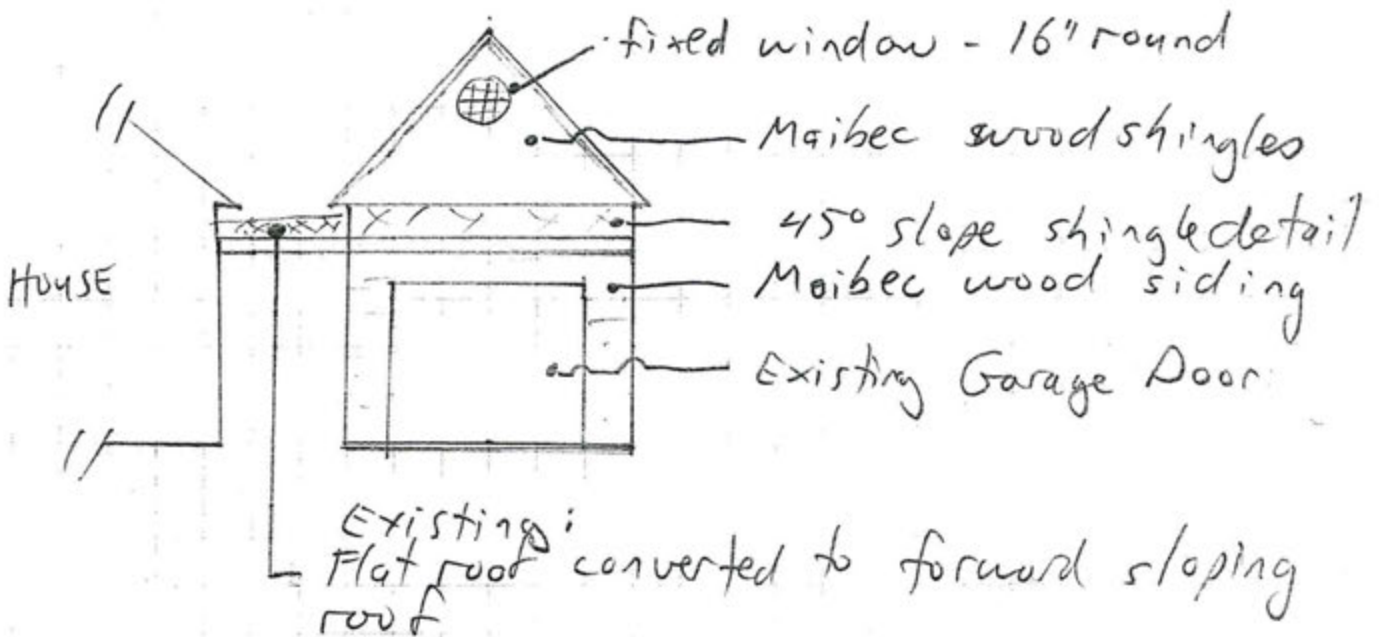


343 College Street, Kingston & Sault Ste Marie

REAR VIEW



FRONT VIEW

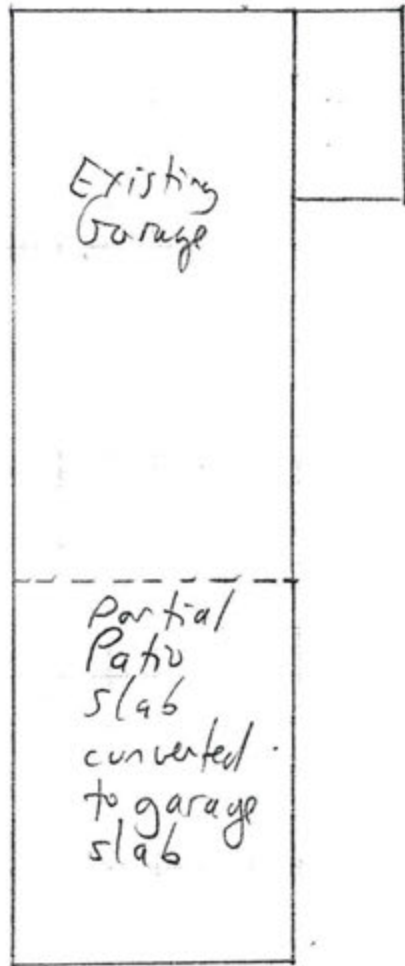


343 College St, Kingston ≈ Scale: 1/8" = 2'

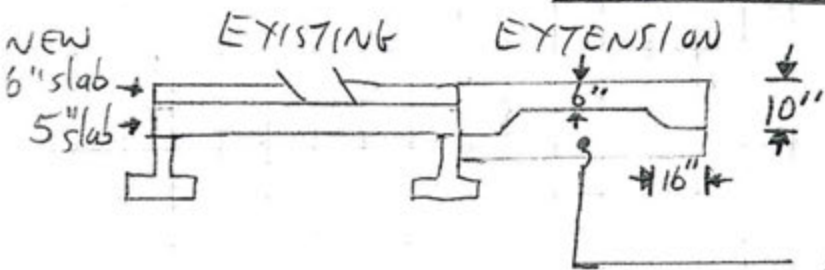
Garage Slab Detail

- Concrete
- 32 MPa
- KINGSTON MASONRY
- 1/2" rebar - perimeter reinforced between existing & new
- 1/2" rebar every 12"

TOP VIEW



SIDE VIEW



MIN. 100 mm COMPACTED GRANULAR FILL

February 18, 2020

Mr. Paul Newhouse
343 College Street
Kingston, ON
K7L 4M6

Project: 343 College Street
Regarding: Garage Drainage

Dear Mr. Newhouse

As requested, we have completed a drainage review and grading / drainage plan for 343 College Street. The former attached garage building is being renovated and expanded slightly. The City has asked for a grading plan to support the proposed works.

343 College Street is developed with a single family bungalow, an attached garage, and a rear shed. The attached garage formerly measured approximately 4m wide by 8m deep. The garage is being renovated and expanded measuring approximately 4m wide by 12m deep.

Review of available City drawings suggest College Street is developed with a 300mm diameter sanitary sewer and a 750mm diameter storm sewer. These drawings indicate that there is no bedrock within 2.5m of depth at the front of #343.

Figure C1 shows the lot, buildings, and existing elevations. Downspouts from the house roof are located at the front northwest corner and drain toward the street as well as at the rear corners and drain to the rear of the lot. The former garage building had a flat roof. The driveway slopes from the sidewalk toward the rear of the lot. A surface drain near the front of the garage is tied into the house perimeter drain system. In general, the lot is sloped to the rear. At the rear lotline, the grading generally slopes to the south. The adjacent rear yard at 339 College Street is lower with evidence of some water ponding and ice build-up.

The additional runoff from an approximately 4m x 4m roof addition is negligible.

Regardless, an infiltration basin is recommended at the rear of the garage to capture and retain site drainage including that from the garage roof. Roof eavestroughs are to be directed along the sides to the rear of the garage. Downspouts will direct runoff to the surface and to the infiltration basin. The infiltration basin is to be 1m square and 1m deep with 50mm clear stone with geotextile surround. The native silty soil and deeper bedrock will promote infiltration into the underlying soils and adjacent grass area. The adjacent ground is to be sloped to the infiltration basin. Runoff events in excess of the facility volume will continue to drain to the rear of the lot and then to the south as presently occurs. Figure C1 shows the proposed drainage and grading.

As 50mm clear stone has a void ratio of 0.4, approximately 400 litres of storage is provided. This approximately equates to the full volume of a 25mm rain event for the incremental garage extension.

The garage addition with proposed grading and drainage works will result in no impacts to adjacent lots.

Please contact this office if you require any additional information.

Sincerely,
FOREFRONT ENGINEERING INC.



Doug Prinsen
doug.prinsen@forefronteng.ca

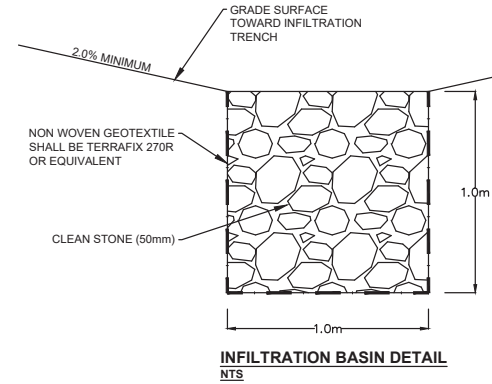



GENERAL

1. All works to be installed in accordance with current City of Kingston Guidelines, Utilities Kingston Standards, Ontario building codes and, Ontario Provincial Standard Specifications and Drawings unless specified otherwise.
2. Prior to construction, the Contractor shall verify all dimensions, sewer inverts and utility locates and identify possible conflicts.
3. In the event that human remains are encountered during construction, the Contractor shall immediately contact the Ministry of Tourism Culture and Sport (416-314-7132), the Registrar of the Cemeteries Regulation Unit from the Ministry of Consumer Services, at (416-326-8393), City of Kingston's Planning, Building and Licensing Services (613-546-4291 ext. 3180) and City Police (613-549-4660).
4. In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, the Contractor shall immediately contact the Ministry of Tourism Culture and Sport (416-314-7132), City of Kingston's Planning, Building and Licensing Services (613-546-4291 ext. 3180).

GRADING

1. Finished surfaces shall be at a minimum grade of 2% unless otherwise noted.
2. Positive drainage away from the building shall be achieved.
3. Side slopes shall be a maximum slope of 3:1 unless otherwise noted.
4. Infiltration basin shall be constructed using 50mm clean stone in accordance with OPSS 1004.
5. Non woven geotextile shall be Terrafix 270R or equivalent installed on the bottom and walls of the infiltration basin as per the Infiltration Basin Detail
6. All existing elevations and grades are to be verified by the contractor prior to grading
7. Utilities are to be located prior to construction
8. The contractor is responsible for reviewing proposed grades with conflicts regarding the proposed structures.
9. Grades are to match the adjacent properties unless otherwise noted.







LEGEND

- EXISTING SANITARY
- EXISTING STORM
- EXISTING WATER
- EXISTING GAS
- EXISTING BELL CABLE
- X EXISTING FENCE
- EXISTING GRADE
- EXISTING CB, DCB
- EXISTING STORM MH, CBMH
- EXISTING SANITARY MH
- EXISTING HYDRANT, VALVE
- EXISTING DECIDUOUS, CONIFEROUS TREE
- ⊕ EXISTING LIGHT STANDARD
- ⊕ BENCHMARK
- ⊕ BOREHOLE
- ⊕ WELL

No.	Revision/Issue	Date

Benchmark
RR SPIKE IN HPLS ON SOUTH EAST CORNER CARROUTERS AND HELEN ELEVATION: 104.726





1329 Gardiners Road, Suite 210
Kingston, ON, Canada K7P 0L8
SUSAN@FFI.CA tel. 1.888.884.9392 fax.

Drawn by: **PAUL NEWHOUSE**

Project: **343 COLLEGE STREET**

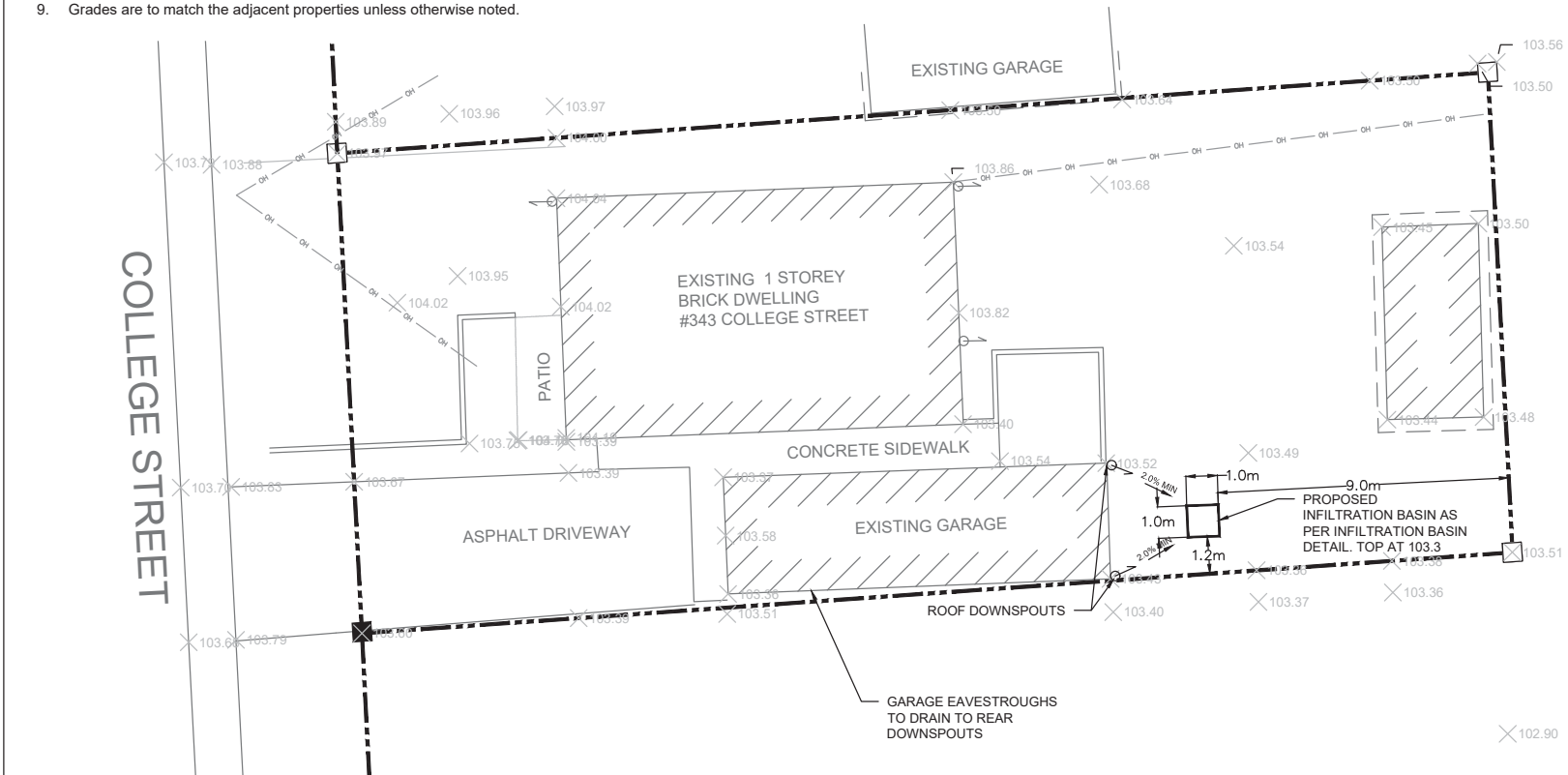
Drawing: **DRAINAGE PLAN**

Drawn by: DJP	Checked by: DP	Project No.:
Designed by: DP	Approved by: DP	Drawing No.:

Date: **FEBRUARY 2020**

Scale: **1:50 ANSI B 11X17**

C1



January 7, 2020

Albert Desousa
292 Friarhill Crescent
Kingston, Ontario
K7M 8P4

Subject: 339 College Street, Kingston, Ontario Easement and Minor Variance

City of Kingston
Attention: Planning Department
c/o
Paul Newhouse
343 College Street
Kingston, Ontario
K7L 4M6

905-484-1860 cell
pnewhouse@hotmail.ca

To whom it may concern

As the owner of 339 College Street Kingston, Ontario, I authorise Paul Newhouse to submit an application for an easement which addresses the eaves portion of his garage extension overhang and for a minor variance to address the zero set back allowance for his legal but non conforming exiting and extended garage.

It's my understanding that Paul Newhouse has paid for the fees in full to address this and any additional fees will be paid for by him as well.

In additional Mr. Newhouse will pay for and register the encroachment once said easement and minor variance is approved by your Committee of Adjustment in February 2020 and a building permit for this project has been issued.

If you have any questions or concerns please don't hesitate to contact me as above or at:

email: a23996@gmail.com
cell: 613-985-1596

Regards,



Albert Desousa

Site Photos – January 20th, 2020



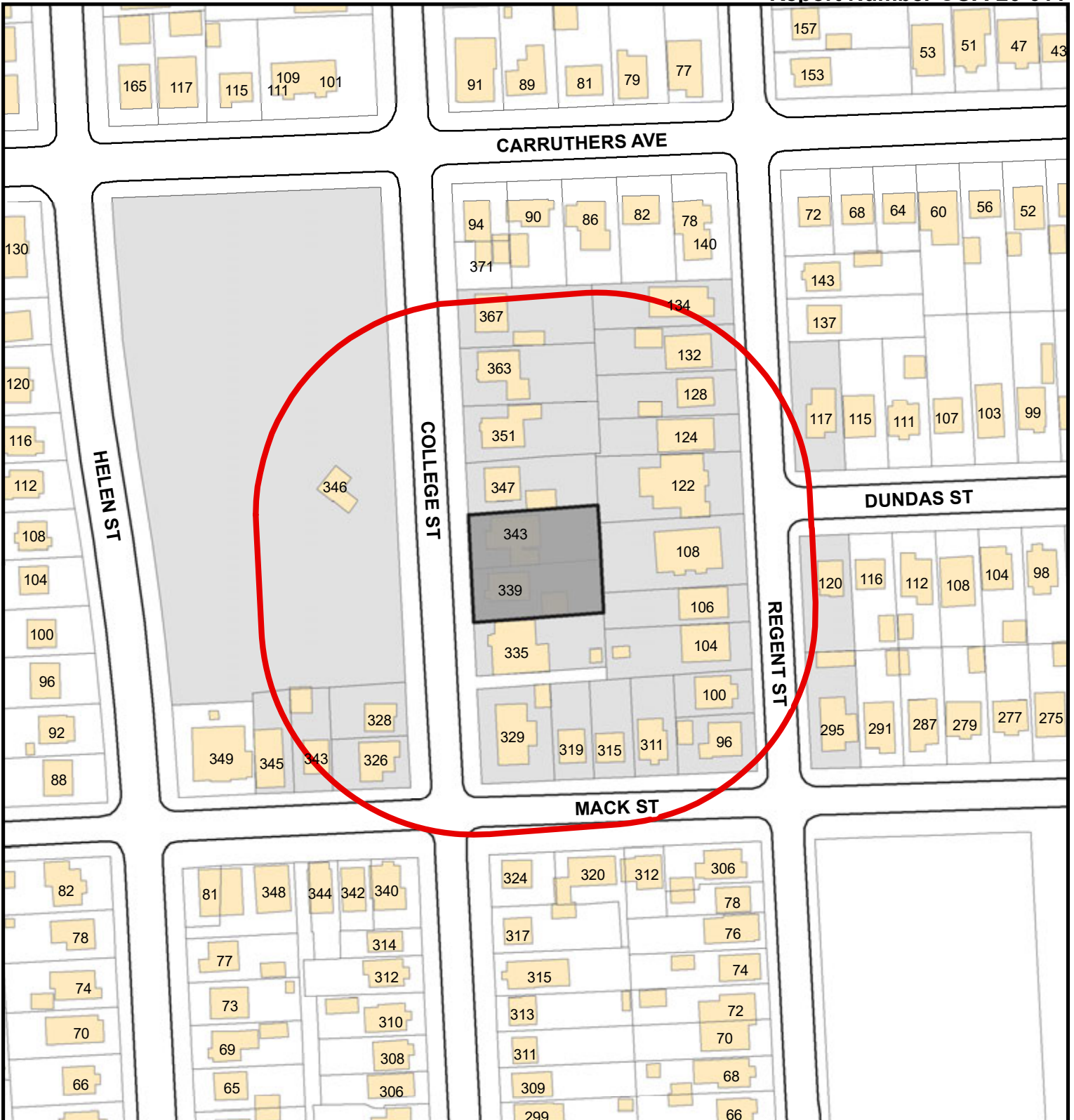
Figure 1: 343 College Street front elevation.



Figure 2: 339 College Street front elevation.



Figure 3: Existing eaves encroachment.

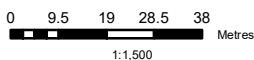


Planning Services





a department of
Community
Services

CITY OF KINGSTON Public Notice Notification Map

File Number: D10-050-2019 & D13-067-2019
Address: 339 College Street & 343 College Street



Legend

-  60m Public Notification Boundary
-  Subject Lands
-  Property Boundaries
-  28 Properties in Receipt of Notice (MPAC)

