



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-20-040**

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<b>To:</b>	<b>Chair and Members of the Committee of Adjustment</b>
<b>From:</b>	<b>Niall Oddie, Planner</b>
<b>Date of Meeting:</b>	<b>July 20, 2020</b>
<b>Application for:</b>	<b>Minor Variance</b>
<b>File Number:</b>	<b>D13-023-2020</b>
<b>Address:</b>	<b>1219 Katharine Crescent</b>
<b>Owner/Applicant:</b>	<b>Marc Grieves</b>

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**Council Strategic Plan Alignment:**

Theme: 2. Increase housing affordability

Goal: 2.1 Pursue development of all types of housing city-wide through intensification and land use policies.

**Executive Summary:**

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances for the property located at 1219 Katharine Crescent. The applicant is proposing to construct an elevated deck and stairs on the rear of the existing structure. The area associated with the proposed deck and stairs would exceed maximum permitted lot coverage and the proposed stairs would encroach too close to the rear lot line.

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 76-26. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

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**Variance Number 1:**

By-Law Number 76-26:Section 12(3)(as)(iv) Lot Coverage

Requirement:35 % maximum

Proposed:38.5%

Variance Requested:3.5%

**Variance Number 2:**

By-Law Number 76-26:Section 5(25)(b) Minimum Setback from Rear Lot Line

Requirement:4 metres minimum

Proposed:2.7 metres

Variance Requested:1.3 metres

**Recommendation:**

**That** minor variance application, File Number D13-023-2020, for the property located at 1219 Katharine Crescent to increase lot coverage and to decrease the minimum setback from the rear lot line to construct an elevated deck and stairs, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-040.

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**Authorizing Signatures:**

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**Niall Oddie, Planner**

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

Paige Agnew, Commissioner, Community Services

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**Options/Discussion:**

On May 26, 2020, a minor variance application was submitted by the property owner, Marc Grieves, with respect to the property located at 1219 Katharine Crescent. The applicant proposes to construct an elevated rear-yard deck and stairs to provide access to the rear yard. The combined area of the elevated deck and stairs is 30 square metres, which increases the lot coverage beyond the maximum permitted by the zoning by-law. Further, the proposed stairs encroach closer to the rear lot line than permitted by the zoning by-law.

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

- Site Plan (Exhibit F); and
- Photographs (Exhibit G).

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 1219 Katharine Crescent, which is on the south side of the road and backs onto Highgate Creek (Exhibit B – Key Map and Exhibit C – Neighbourhood Map). The subject lands are approximately 490 square metres with approximately 13.9 metres frontage onto Katharine Crescent and are developed with a two-storey single-detached dwelling. Similar single-detached dwellings abut the subject lands to the east and west. The site slopes from the front lot line towards the rear lot line with sufficient change in elevation that the dwelling was constructed with a walkout basement. The parcel backs onto a stormwater management pond that forms part of Highgate Creek, which is regulated by the Cataraqui Region Conservation Authority (CRCA).

The subject property is designated Residential and Environmental Protection Area in the Official Plan (Exhibit D – Official Plan) and zoned 'Residential Type 1 – Special Exception 45' in Zoning By-Law Number 76-26 (Exhibit E – Zoning By-Law).

**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 above, 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 which are complemented by local policies addressing local interests. The application being



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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 and Environmental Protection Area (EPA) in the City of Kingston Official Plan (Exhibit D – Official Plan). Section 3.3 of the Official Plan indicates the goal of Residential designation is to “respond to the housing needs of the City’s citizens by retaining and augmenting a broad range of housing at all levels of affordability within a safe, convenient and stable setting, organized primarily into neighbourhoods”. Section 3.3.1 indicates the predominant use of the land will be various forms of housing, while Section 3.3.3 indicates that the zoning by-law will establish standards such as setbacks and accessory uses.

The rear portion of the subject lands are designated EPA, with Section 3.10 indicating the goal of this designation is to “preserve the ecosystem role that Environmental Protection Areas play in sustaining the natural heritage system of the City and the broader region”. Generally, development is not supported within these areas unless an appropriate study has been completed to demonstrate the proposed development would not adversely affect the natural heritage feature. However, Section 3.10.2.1 indicates that lands designated EPA and shown on Schedule 7 as being a riparian corridor only, permitted land uses on lots existing as of the date of adoption include the permitted land uses of another land use designation applicable to the lot. The subject lands were developed by a plan of subdivision prior to the adoption of the Official Plan in 2010. Accordingly, the proposed residential structure would be permitted within the EPA designation without the need for an environmental impact assessment.

Section 3.9 of the Official Plan seeks to implement a 30 metre development setback from the high water mark of a watercourse to preserve the ‘ribbon of life’. Section 3.9.6 provides an exception for development of existing lots where the depth of the lot, existing as of the date of adoption of the Official Plan, is insufficient to accommodate a modest amount of development. In this situations, Section 3.9.8 indicates that an environmental impact assessment should be required to demonstrate how the proposal upholds the objectives of Section 3.9.2. In this case, it was determined that an environmental impact assessment would not be required given the context of the development proposal and the existing condition of the subject lands. The subject lands are within a developed plan of subdivision, where impacts to natural heritage are considered through the planning and design of the subdivision. Further, the subject lands are already developed with a single dwelling and the property already contains a deck; the existing deck was required to be removed as it was not constructed in accordance with the requirements of the Ontario Building Code. CRCA reviewed and commented on the application and did not raise any natural heritage concerns.

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.

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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 meets the intent of Section 2 of the Official Plan, and the strategic policy direction to focus growth within the City's defined Urban Boundary. Schedule 2 of the Official Plan indicates that the subject lands are located within a Housing District, with Section 2.2.5 indicating that these areas will remain stable in accordance with Section 2.6, but are expected to mature and adapt as the city evolves. Section 2.6 requires development to be compatible with existing development in accordance with the land use compatibility policies contained within Section 2.7. The proposed form, function and use of the land is compatible with the surrounding residential properties and would not adversely affect the character or planned function of the area. The development has been located to respect natural hazards associated with Highgate Creek and oriented to minimum overlook of adjacent properties.

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 subject lands are located within a residential plan of subdivision. The change in topography associated with this portion of the plan of subdivision resulted in a number of dwellings being constructed with walkout basements, and as such, elevated rear-yard decks off the main floor living space are a common accessory use.

It is acknowledged that elevated residential decks have the potential to generate adverse effects such as overlook of abutting properties, however it is important to acknowledge that the applicant would be permitted to construct a smaller deck without the need for a minor variance. The applicant has elected to increase the size of the deck to improve the functionality of the outdoor amenity space. The size, location and orientation of the proposed deck does not significantly increase the potential of overlook for the abutting properties. The two abutting property owners have submitted letters of support for the application (Exhibit H – Letters of Support).

The proposed development will be compatible with the surrounding uses, buildings and structures, in accordance with Section 2.7 of the Official Plan.

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 proposed rear yard deck would not impact the ability of the site to function in an appropriate manner for a single-detached residential dwelling within a plan of subdivision.

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The applicant has oriented the stairs to maintain side yard setbacks to maintain access from the front yard through to the rear yard. The application does not affect parking or bicycle storage.

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;

Section 8.3 of the Official Plan references the Design Guidelines for Residential Lots, which has been endorsed by Council. Section 6.6 of this document relates to porches and building projections, such as decks. The guidelines promote the use of decks and stairs to provide access and amenity area and indicate these features should be designed to be large enough to accommodate furnishings and ensure active use.

As previously noted, the applicant is permitted to construct a smaller deck without the need for a minor variance but has elected to increase the size of the deck and to provide a set of stairs to improve the functionality of the outdoor amenity space. The proposed development appears to conform to the Design Guidelines for Residential Lots.

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 lands are not designated under the *Ontario Heritage Act*, nor are the adjacent lands. The subject lands are not affected by the protected views shown on Schedule 9 of the Official Plan.

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 subject lands are located within the urban boundary and are located on full municipal water and sewage services. As the proposed development relates only to an elevated rear-yard deck, the proposed development does not have an impact on municipal servicing.

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;

The effect of the minor variance is to permit an elevated rear-yard deck that exceeds the maximum lot coverage permitted by the zoning by-law and to allow a set of stairs to encroach closer to the rear lot line than permitted by the zoning by-law. The proposed development would not alter the primary use of the property and significantly alter the

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existing permissions for the subject lands. Accordingly, the proposed development is appropriately dealt with through the minor variance process.

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;

Recommended conditions to be applied to the approval of the application are provided in Exhibit A – Conditions of Approval. 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.

As noted above, the topography within this portion of the plan of subdivision slopes significantly from the front lot line to the rear lot line with sufficient grade change to permit a full walkout basement. Elevated decks with stairs providing access from the main floor living space to the rear yard are common in these situations. The size of the proposed deck is not excessive and the variance to reduce the rear yard setback requirement improves the functionality of the outdoor amenity space and general safety of the dwelling by providing an additional means of egress.

Minor variance applications to permit reductions in setbacks from lot lines or minor exceedances to lot coverage are common and the approval of the proposed development is not anticipated to set an undesirable precedent for the immediate area.

The proposal meets the intent of the Official Plan, as the proposed elevated rear-yard deck and 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 R1-45 in the City of Kingston Zoning By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended (Exhibit D – Zoning By-law). While the R1-45 zone permits single-detached dwellings and accessory structures subject to the requirements outlined in Sections 12 and 5, respectively, the proposed development does not conform to all applicable regulations. The proposal requires two (2) variances, as outlined below:

### Variance Number 1:

By-Law Number 76-26:Section 12(3)(as)(iv) Lot Coverage

Requirement:35 % maximum

Proposed:38.5%

Variance Requested:3.5%

The R1-45 zone permits a maximum of 35% lot coverage for buildings and structures. The drawings submitted by the applicant (Exhibit F – Site Plan) indicate that the lot coverage

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for the existing dwelling and attached garage is approximately 32.5%. The remaining 2.5% of permitted lot coverage would result in a maximum deck area of 12.3 square metres, whereas the applicant has proposed a deck of approximately 22.5 square metres plus stairs with an area of approximately 7 square metres for a total area of approximately 30 square metres. It is acknowledged that the elevation of the property falls from the front lot line to the rear lot line and as such, the deck off the main floor living space is elevated approximately 2.4 metres above rear-yard grade (Exhibit G – Photographs). The current zoning by-law would permit a deck of 12.3 square metres to be constructed with planning approvals; however, the applicant has advised that a larger deck is desired to ensure functionality of the outdoor space while taking into account the size of their family unit. It is acknowledged that the set of stairs would further improve the functionality associated with the rear yard amenity space and would offer an additional means of egress for the dwelling.

It is acknowledged that the subject lands back onto Highgate Creek and the associated riparian corridor (Exhibit G – Photographs). Generally, increasing lot coverage in proximity to riparian corridors is discouraged. However, the proposed increase in lot coverage relates to an elevated deck for a dwelling within a plan of subdivision and is not anticipated to generate adverse impacts for the natural heritage feature. It is further acknowledged that the natural heritage feature has already been impacted by development and functions as part of a stormwater management pond.

**Variance Number 2:**

By-Law Number 76-26:Section 5(25)(b) Minimum Setback from Rear Lot Line

Requirement:4 metres minimum

Proposed:2.7 metres

Variance Requested:1.3 metres

Section 5(25)(b) requires elevated decks and stairs to be setback a minimum of 4 metres from the rear property line. The elevated deck is proposed to be 4.6 metres from the rear property line and satisfies the required setback, while a portion of the proposed stairs encroaches within the required setback. The applicant has explored different configurations of the stairs to reduce encroachment towards the rear lot line; these options were not selected as they would either impact side yard setbacks or conflict with existing or planned landscaping. As noted above, it is preferable for elevated decks to provide direct access to the rear yard to improve the functionality of the amenity space and to provide an additional means of egress from the dwelling. It is noted that the location and orientation of the proposed stairs are not anticipated to adversely impact surrounding property owners or contribute to unnecessary overlook or shadowing.

The CRCA regulation limit for floodplain and erosion hazards associated with Highgate Creek extends onto the rear yard of the subject lands. The applicant has worked with the CRCA to ensure the proposed development respects these natural hazards. The proposed development will require a permit from CRCA prior to a Building Permit being issued, however, the CRCA has confirmed the proposed development conforms to their regulations.

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**3) The variance is minor in nature**

The requested variances are minor in nature as the proposed development would not impact the residential character of the neighbourhood or generate adverse effects for abutting properties. The area of the proposed deck and stairs conforms to the 30 square metre maximum area permitted by the zoning by-law for decks and stairs elevated above 1.2 metres in height, but the combined size of the proposed deck and existing dwelling would exceed permitted lot coverage. It is acknowledged that an increase in lot coverage for a deck does not have the same effect as an increase in lot coverage associated with a dwelling, as there are minimum impacts to building massing or shadowing. The stairs have been oriented to mitigate overlook of abutting properties, maintain access along the side yard and to improve functionality of the rear yard amenity space.

**4) The variances are desirable for the appropriate development or use of the land, building or structure**

The variances are desirable and appropriate use of the land as they would enhance the functionality of the rear yard amenity space by permitting a deck with sufficient area to accommodate common outdoor activities and a set of stairs to provide access from the main floor living space to the rear yard. The change in grade between the front and rear of the dwelling results in the main floor living space being elevated above the rear yard by approximately 2.4 metres, which presents functional challenges for the rear yard amenity space. The area associated with the deck and stairs is reasonable and conforms to the maximum area permitted by the zoning by-law and is not anticipated to generate any adverse impacts for surrounding properties. The configuration and orientation of the stairs is appropriate as it maintains access to the rear yard along the side of the house and does not contribute to overlook of the abutting properties.

**Technical Review: Circulated Departments and Agencies**

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Building Services | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Services)            |
| <input type="checkbox"/> Finance                      | <input checked="" type="checkbox"/> Utilities Kingston     | <input checked="" type="checkbox"/> Real Estate & Environmental Initiatives |
| <input type="checkbox"/> Fire & Rescue                | <input checked="" type="checkbox"/> Kingston Hydro         | <input checked="" type="checkbox"/> City's Environment Division             |
| <input type="checkbox"/> Solid Waste                  | <input type="checkbox"/> Parks Development                 | <input type="checkbox"/> Canadian National Railways                         |
| <input 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 checked="" 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 checked="" type="checkbox"/> Kingston Airport  |  |   |

**Technical Comments**

This application was circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude this application from moving forward. It is noted that the CRCA is satisfied with the revised proposal and had indicated they would be in a position to issue a permit to authorize the proposed

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development within their regulated area. 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, letters of support had been submitted from the two abutting residential properties (Exhibit H – Letters of Support). 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**

There are no concurrent or relevant historic planning applications on the subject property.

**Conclusion**

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 76-26. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variances are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

Approval of this application will improve the exterior amenity space for the subject lands without adversely affecting the abutting properties or the adjacent natural heritage feature known as Highgate Creek.

**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, 2020

**Municipal**

City of Kingston Official Plan  
Zoning By-Law Number 76-26

**Notice Provisions:**

A Committee of Adjustment Meeting is going to be held respecting this application on July 20, 2020. Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in The Kingston Whig Standard at least 10 days in advance of the Public Meeting. A courtesy notice was also 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*.

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**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

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

Niall Oddie, Planner 613-564-4291 extension 3259

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Map
- Exhibit F Site Plan
- Exhibit G Photographs
- Exhibit H Letters of Support



## Recommended Conditions

### Application for minor variance, File Number D13-023-2020

Approval of the foregoing application shall be subject to the following recommended conditions:

#### 1. Limitation

That the approved minor variance applies only to the proposed deck and stairs as shown on the approved drawings attached to the notice of decision.

#### 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 Services a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make 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.

#### 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 Services (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 Services (613-546-4291, extension 3180) must be immediately contacted.

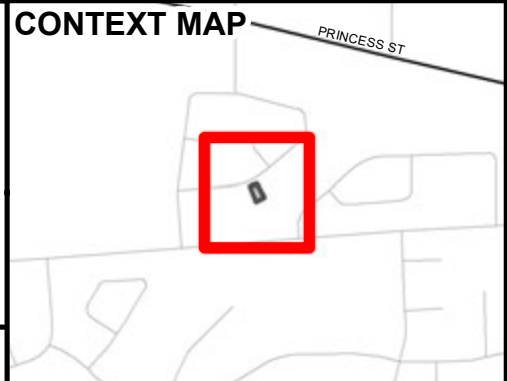
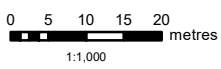



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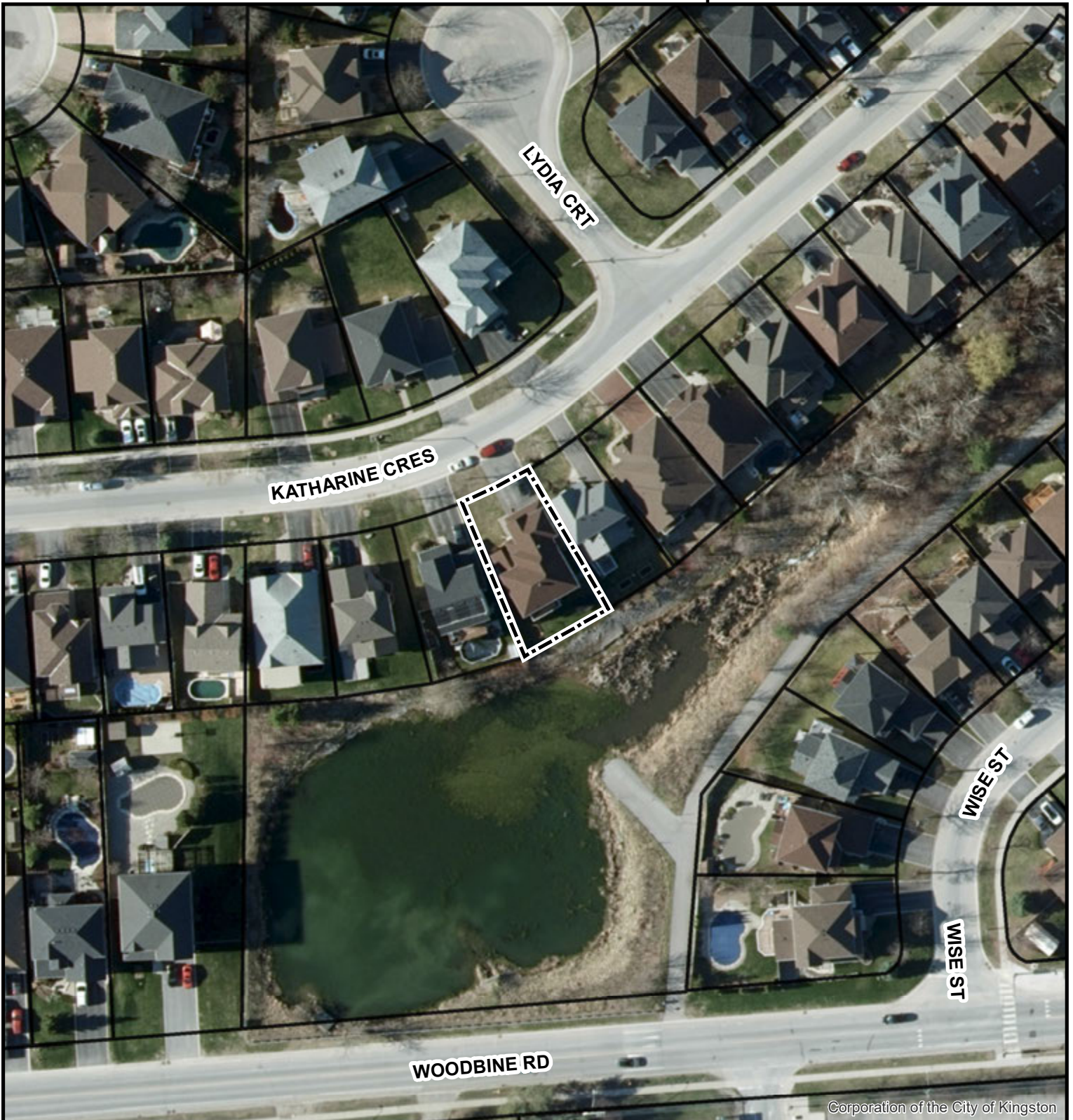
COMMITTEE OF ADJUSTMENT  
**Key Map**

File Number: D13-023-2020  
Address: 1219 Katharine Cres



 Lands Subject to Minor Variance





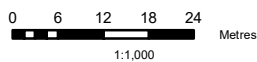
Corporation of the City of Kingston





Planning Services  
a department of  
Community  
Services

COMMITTEE OF ADJUSTMENT  
**Neighbourhood Context (2019)**

File Number: D13-023-2020  
Address: 1219 Katharine Cres

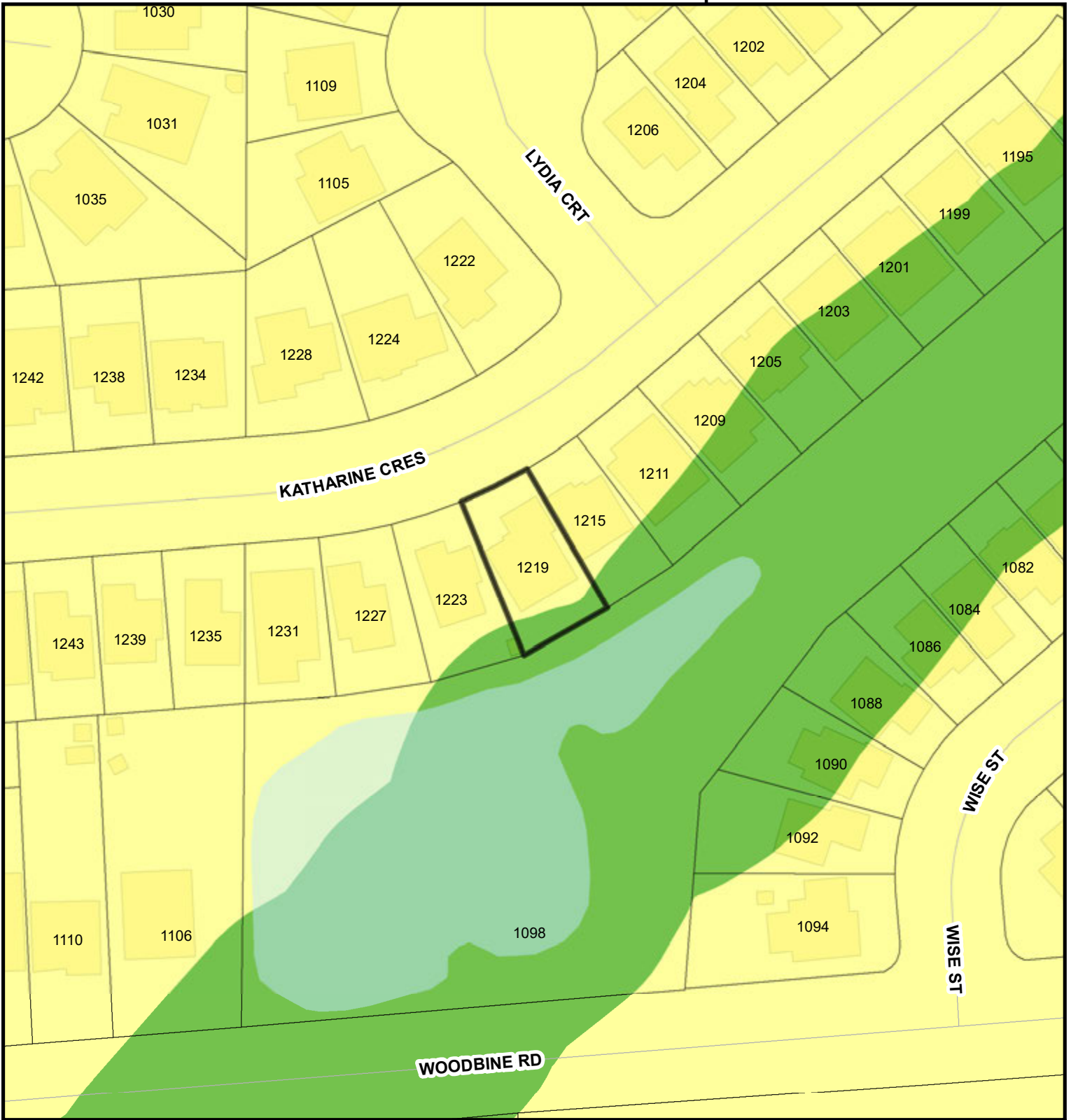


**Legend**

-  Subject Lands
-  Property Boundaries



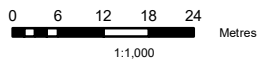







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Services

COMMITTEE OF ADJUSTMENT  
**Official Plan, Existing Land Use**

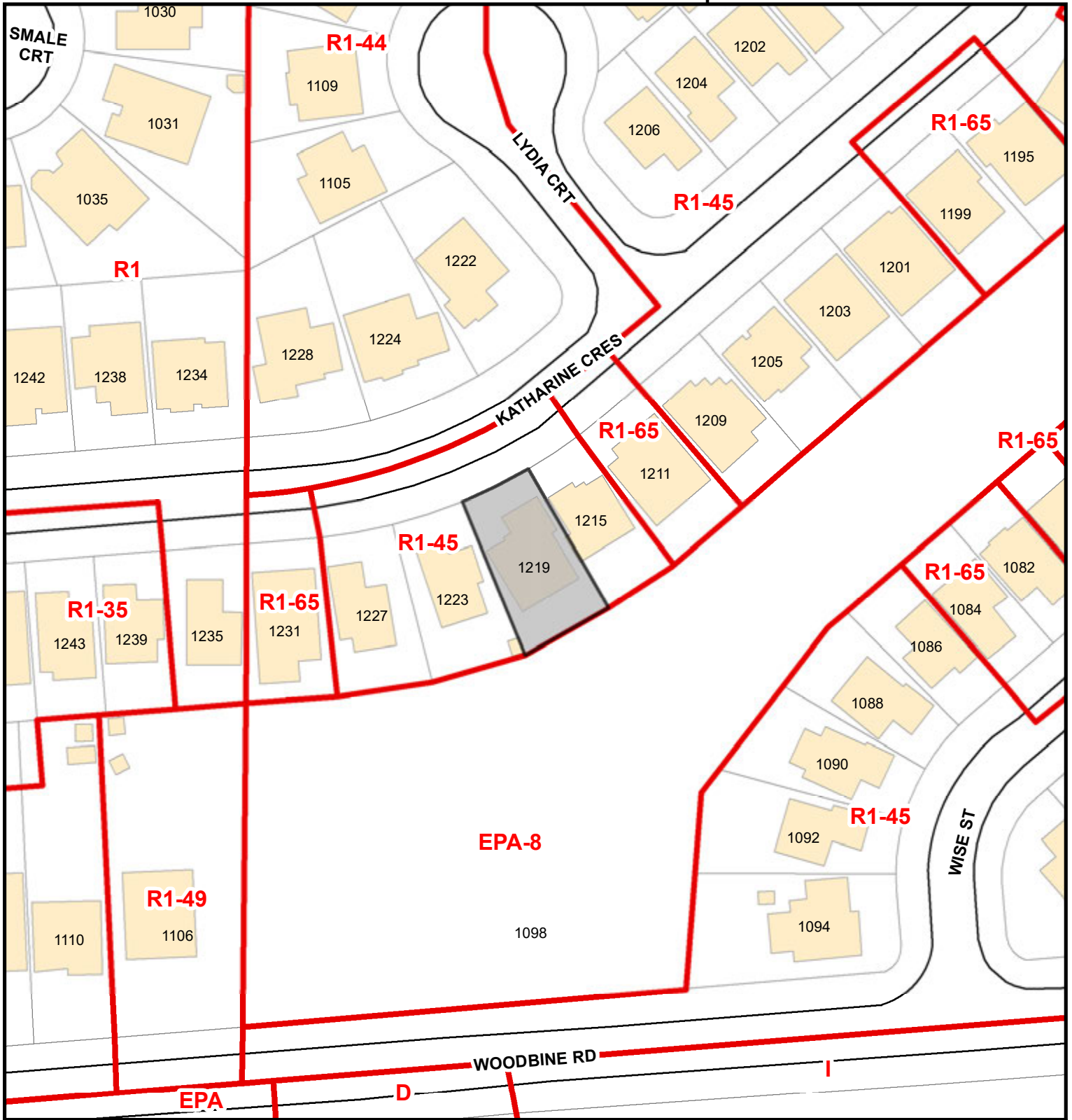
File Number: D13-023-2020  
Address: 1219 Katharine Cres



**Legend**

-  Subject Lands
-  ENVIRONMENTAL PROTECTION AREA
-  RESIDENTIAL





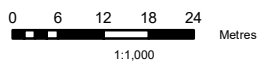


COMMITTEE OF ADJUSTMENT  
**Existing Zoning - By-law 76-26, Map 3**





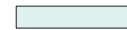
File Number: D13-023-2020  
Address: 1219 Katharine Cres

**Legend**

-  Subject Lands
-  Consolidated Zoning



**PLAN LEGEND**

	EXISTING PROPERTY LINE
	EXISTING DWELLING
	EXISTING PAVED DRIVEWAY
	PROPOSED HARD SURFACES
	PROPOSED ATTACHED DECK

**ZONING LOT COVERAGE**

**SUMMARY**

FOOTPRINT	AREA
1 EXISTING DWELLING	117 sq m
2 EXISTING ATTACHED GARAGE	39 sq m
3 EXISTING ENTRY WAY	3 sq m
4 PROPOSED ATTACHED DECK	30 sq m
5 TOTAL DWELLING AREA Σ 1-4	189 sq m
6 TOTAL LOT SIZE	490sq m
7 RESULTING LOT COVERAGE 5/6	38.5%

**CITY OF KINGSTON ZONING**

**BY-LAW No. 76-26 Zone R1-45**

SINGLE DETACHED DWELLING	ZONING	PROPOSED	
LOT AREA (MIN)	353 sq m	490 sq m	✓
LOT FRONTAGE (MIN)	12 m	13.9 m	✓
FRONT YARD (MIN)	6.1 m	6.5 m	✓
REAR YARD (MIN)	7.6 m	2.73 m	
INTERIOR SIDE (MIN)	1.2 m	2.1 m	✓
DWELLING AREA (MIN)	93 sq m	193 m	✓
LANDSCAPED OPEN SPACE (MIN)	30%	38%	✓
LOT COVERAGE (MAX)	35%	39.0%	

**STAIRS AND RAILINGS**

ALL STAIR AND RAILING CONSTRUCTION TO BE CONSTRUCTION AS PER O.B.C. SECTION 9.8

HANDRAILS SHALL BE PROVIDED ON 2 SIDES OF STAIR 37" (1100mm) IN WIDTH OR GREATER. AT LEAST ONE REQUIRED HANDRAIL SHALL BE CONTINUOUS THROUGHOUT THE LENGTH OF THE STAIR

IF THE ELEVATION DIFFERENCE BETWEEN THE TOP OF PORCH SLAB AND GRADE IMMEDIATELY BELOW IS EQUAL TO OR GREATER THAN 2'-0", THEN PROTECT WITH RAILINGS / GUARDS

RAILINGS COMPLETE WITH GUARDS SHALL BE NOT LESS THAN 3'6" (1070mm) HIGH. OPENING IN GUARDS SHALL BE OF A SIZE THAT WILL PREVENT THE PASSAGE OF A SPHERICAL OBJECT HAVING A DIAMETER OF 100mm

HANDRAILS AND ANY BUILDING ELEMENT THAT COULD BE USED AS HANDRAIL SHALL BE DESIGNED AND ATTACHED IN SUCH A MANNER TO RESIST:

- A CONCENTRATED LOAD AT ANY POINT OF NOT LESS THAN 0.9kN (202lbs)
- A UNIFORMLY DISTRIBUTED LOAD OF 0.7kN/m (48lbs/ft)

NO.	DATE	BY	REVISION
3	2020.06.11	S.R.	REVISED PLOT PLAN (CRCA COMMENTS)
2	2020.06.07	S.R.	REVISED PLOT PLAN (C.O.K COMMENTS)
1	2020.05.23	S.R.	PLOT PLAN FOR CLIENT REVIEW

DESIGN	S.R.
DRAWN	S.R.
SCALE	AS SHOWN

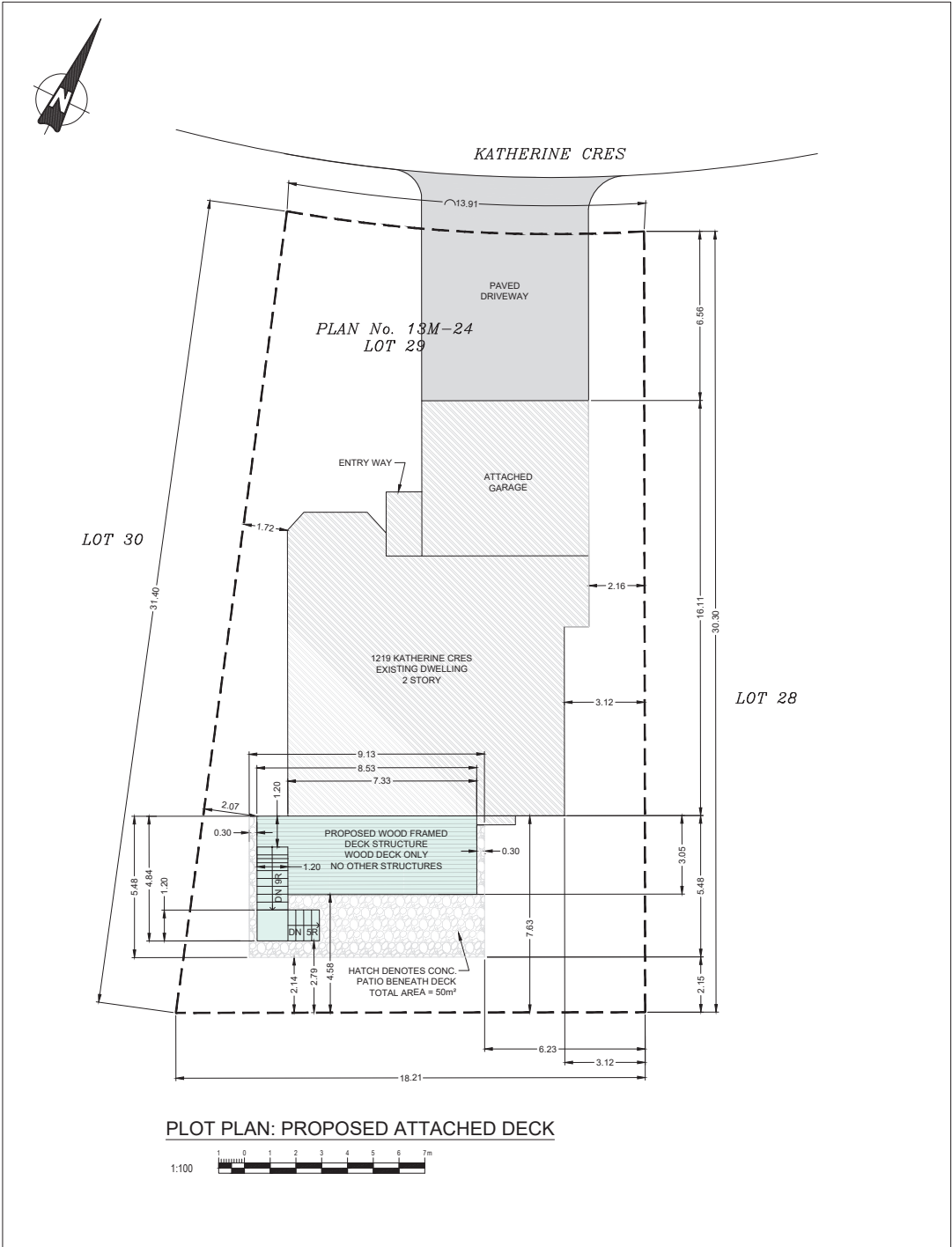
**PROFESSIONAL CHARTER**  
S.F. ROACH  
100138120  
PROVINCE OF ONTARIO

THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE USE BY THE PARTY WITH WHOM AVIDITY DESIGNS HAS ENTERED INTO A CONTRACT. THERE ARE NO REPRESENTATIONS OF ANY KIND MADE BY THE DESIGNER TO ANY PARTY WITH WHOM AVIDITY DESIGNS HAS NOT ENTERED INTO A CONTRACT. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN AUTHORIZED BY AVIDITY DESIGNS IS NOT PERMITTED.



**1219 KATHERINE CRESCENT**  
**CITY OF KINGSTON**  
**PLOT PLAN**  
**PROPOSED DECK ADDITION**

FILE NO.	DRAWING NO.
	SHEET 1 OF 1



D:\3000-602 CRESVIES BECAWDECK PLOT PLAN 3.2020



**Site Photographs – June 10, 2020**

Submitted by Applicant



**Figure 1 - 1219 Katharine Crescent**



**Figure 2 - View of Rear Property Line**



Figure 3 - View of Rear of Dwelling



**Oddie,Niall**

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**From:** Marc Grieves [REDACTED]  
**Sent:** Thursday, June 04, 2020 4:11 PM  
**To:** Oddie,Niall  
**Subject:** Fwd: Backyard @ 1219 Katharine

Hello Niall,

Please see the below email from our neighbours at 1223 Katharine Cres (Deneen & Raf). They are more than fine with out deck. Are you able to scan this to the DASH system??

- Marc

Begin forwarded message:

**From:** Deneen Amarante [REDACTED]  
**Date:** June 4, 2020 at 4:04:53 PM EDT  
**To:** [REDACTED]  
**Subject:** Backyard

Hello Marc,

Thank you for reaching out to us regarding the backyard renovation, and the design of your deck. Both my husband and I have reviewed the drawings you sent.

We can see that the deck will come out 14 feet on the first section, 10 feet on the second section etc... and we are more than happy for you and Andrea to move forward with this. We would never care how you decide to build a deck in your own backyard, so please move forward as you wish.

Thanks!

Deneen Amarante

**Oddie,Niall**

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**From:** Marc Grieves <[REDACTED]>  
**Sent:** Friday, June 05, 2020 7:18 AM  
**To:** Oddie,Niall  
**Subject:** Fwd: Approval email

Hey Niall,

Here's the second email from our other neighbours. These are the ones further away from the deck. The previous email was from the neighbours who live on the side that we are building the deck closest to.

- Marc

Begin forwarded message:

**From:** Neil Magoski [REDACTED]  
**Date:** June 5, 2020 at 7:01:35 AM EDT  
**To:** Marc Grieves [REDACTED]  
**Subject:** Re: Approval email

Dear Marc,

Looks fine. Nadine and I have no objections to the deck plan.

Regards,  
Neil

[REDACTED]

1215 Katharine Crescent  
Kingston, ON, Canada, K7P 3G1

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**From:** Marc Grieves [REDACTED]  
**Sent:** June 4, 2020 2:44 PM  
**To:** Neil Magoski [REDACTED]  
**Subject:** Approval email

Hello Neil & Nadine,

We need to apply to the city for a minor variance due to one half of our deck coming out a few feet more than meets requirements (I believe it can come out 11 feet, and as you will see in the below one small section on Raf and Daneens side comes out 14 feet).

