



**City of Kingston
Committee of Adjustment
Meeting Number 2021-11
Minutes**

**Monday, October 18, 2021 at 5:30 p.m.
In a virtual, electronic format**

Committee Members Present

Peter Skebo, Chair
Vincent Cinanni
Blaine Fudge
Greg Lightfoot
Somnath Sinha
Jordan Tekenos-Levy

Regrets

Paul Babin

Staff Members Present

James Bar, Manager, Development Approvals
Steven Chew, Senior Planner
Tim Fisher, Planner
Julia McCaughtery-Jansman, Committee Clerk
Derek Ochej, Committee Clerk
Jason Partridge, Planner
Riccardo Peggi, Planner
Lindsay Sthamann, Planner & Secretary-Treasurer

Others Present

Members of the public were present.

Introduction by the Chair

The Chair reviewed the order of proceedings for the meeting and informed the public that any individuals with a personal interest in an application can receive written notice of a decision by emailing a request to the Secretary-Treasurer including their name, address, and the file number of the application.

Meeting to Order

The Chair called the meeting to order at 5:33 p.m.

Approval of the Agenda

Moved by Mr. Fudge

Seconded by Mr. Cinanni

That the agenda be amended to include the addendum, and as amended, be approved.

Carried

Confirmation of Minutes

Moved by Mr. Tekenos-Levy

Seconded by Mr. Sinha

That the minutes of Committee of Adjustment Meeting Number 2021-10 held on Monday, September 20, 2021 be approved.

Carried

Disclosure of Pecuniary Interest

There was none.

Delegations

There were none.

Request for Deferral

There were none.

Returning Deferral Items

There were none.

Business

- a) Application for: Minor Variance and Consent**
File Number: D10-049-2020 & D13-052-2021
Address: 3224 Creekford Road
Owner: Gordon Lansdown and Paula Bishop-Lansdown
Applicant: Robert Allen

Ms. Sthamann introduced the application.

Mr. Partridge conducted a PowerPoint presentation regarding Application for Minor Variance and Consent – 3224 Creekford Road. A copy of the presentation is available upon request through the City Clerk's Department.

Jason Sands, Agent, was in attendance.

There were no questions from the Committee.

The Chair offered members of the public an opportunity to provide comment.

There were no comments from members of the public.

Moved by Mr. Sinha

Seconded by Mr. Lightfoot

That minor variance application, File Number D13-052-2021 for the property located at 3224 Creekford Road to reduce the lot frontage measurement requirement for the retained lands, be approved subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-21-073; and

That consent application, File Number D10-049-2020, to sever off a 1.02-hectare parcel of land located at 3224 Creekford Road which will have approximately 61 metres of lot frontage along Creekford Road, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-21-073.

Carried

b) Application for: Minor Variance

File Number: D13-053-2021

Address: 184 Bagot Street

Owner: Mark Dinelle

Applicant: Mark Dinelle and Boulevard Group

Ms. Sthamann introduced the application.

Mr. Peggi conducted a PowerPoint presentation regarding Application for Minor Variance – 184 Bagot Street. A copy of the presentation is available upon request through the City Clerk's Department.

Jason Sands, Applicant, was present at the meeting. He advised the Committee that the site-specific zoning on adjacent parcels had made it a challenge for the property at 184 Bagot Street to abide by the zoning requirements. Mr. Sands stated that the requested variances were appropriate given the long-standing single-family zoning for the property. He advised that heritage permits had been obtained for the property and spoke to the consistency of the application with the streetscape. Mr. Sands stated that the overall height of the application is compliant with the zoning requirements. Regarding the item of correspondence, he advised that the application will not inhibit access for the neighbouring property across the right-of-way.

Mr. Tekenos-Levy sought further details regarding the variance for landscaped open space. Mr. Sands responded that the variance appears large based on mathematical percentage, adding that the proposed and long-standing uses of the property make the request minor in nature. He stated that the off-site parking requirement in the zoning for the neighbouring property negates the ability of the application to meet the landscaped open space requirement. Mr. Sands further advised that if the application had been completed prior to zoning by-law changes regarding landscaped open space, the property would have obtained legal non-conforming status.

Mr. Bar confirmed that the landscaped open space requirements were added to the zoning by-law in 2017 and were not required when the site was initially zoned in 2015. He added that the current use of the site as a parking lot has low landscaped open space and that the application will increase the percentage of landscaped open space while also meeting the parking requirements for the neighbouring property.

Mr. Cinanni sought further information regarding vehicle access to parking spaces. Mr. Bar responded that the zoning initially required an accessible parking space for the

neighbouring property's use as a doctor's office. He advised that the neighbouring property has since be rezoned and no longer requires an accessible parking space.

In response to a follow up question from Mr. Cinanni, Mr. Sands stated that the parking spaces meet the requirement for aisle width and access, with the proposed aisle width exceeding most commercial parking spaces by 0.91 metres. He added that the applicant is confident in the ease of movement for vehicles.

The Chair offered members of the public an opportunity to provide comment.

There were no comments from members of the public.

Moved by Mr. Tekenos-Levy

Seconded by Mr. Fudge

That minor variance application, File Number D13-053-2021, for the property located at 184 Bagot Street to increase exterior wall height of the new dwelling, reduce the length of parking stalls, and decrease the minimum landscaped open space for the development of a single unit residence on the property be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-074.

Carried

c) Application for: Minor Variance

File Number: D13-050-2021

Address: 2649 6th Concession Road

Owner: Tom and Ashley Poffley

Applicant: Tom Poffley

Ms. Sthamann introduced the application.

Mr. Partridge conducted a PowerPoint presentation regarding Application for Minor Variance – 2649 6th Concession Road. A copy of the presentation is available upon request through the City Clerk's Department.

Tom Poffley, Owner/Applicant, was in attendance.

There were no questions from the Committee.

The Chair offered members of the public an opportunity to provide comment.

There were no comments from members of the public.

Moved by Mr. Fudge
Seconded by Mr. Sinha

That minor variance application, File Number D13-050-2021, for the property located at 2649 6th Concession Road seeking relief from the interior yard width and rear yard depth setback, in order to permit the construction of 52.03 square metres rear yard accessory building, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-072.

Carried

d) Application for: Minor Variance

File Number: D13-054-2021

Address: 39 Hampstead Heath

Owner: Celina Christine Dos Santos and Lucas David King

Applicant: Paul Purves, NCP Homes

Ms. Sthamann introduced the application.

Mr. Fisher conducted a PowerPoint presentation regarding Application for Minor Variance – 39 Hampstead Heath. A copy of the presentation is available upon request through the City Clerk's Department.

Paul Purves, Applicant, was present at the meeting.

There were no questions from the Committee.

The Chair offered members of the public an opportunity to provide comment.

There were no comments from members of the public.

Moved by Mr. Cinanni
Seconded by Mr. Lightfoot

That minor variance application, File Number D13-054-2021, for the property located at 39 Hampstead Heath to reduce the minimum front yard setback requirement to construct an attached garage at grade level and a partial second storey on the existing single detached dwelling, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-069.

Carried

e) Application for: Minor Variance

File Number: D13-051-2021

Address: 1079 Finch Street

Owner: Crystal Burgess and Antonio Silva

Applicant: Tony Silva

Ms. Sthamann introduced the application.

Mr. Chew conducted a PowerPoint presentation regarding Application for Minor Variance – 1079 Finch Street. A copy of the presentation is available upon request through the City Clerk's Department.

Mr. Chew advised the Committee that the Applicant was unable to attend the meeting and that the Applicant requested the application be considered in his absence.

There were no questions from the Committee.

The Chair offered members of the public an opportunity to provide comment.

There were no comments from members of the public.

Moved by Mr. Fudge

Seconded by Mr. Lightfoot

That minor variance application, File Number D13-051-2021, for the property located at 1079 Finch Street to increase the maximum permitted area of a deck above 1.2 metres from 30 to 90 square metres, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-071.

Carried

Motions

There were none.

Notices of Motion

There were none.

Other Business

There was none.

Correspondence

- c) Correspondence received from Peter G. Davy, dated October 18, 2021, regarding Application for a Minor Variance – 184 Bagot Street.

Date and time of Next Meeting

The next meeting of the Committee of Adjustment meeting is scheduled on Monday, November 15, 2021 at 5:30 p.m.

Adjournment

Moved by Mr. Sinha

Seconded by Mr. Lightfoot

That the meeting of the Committee of Adjustment adjourns at 6:22 p.m.

Carried