



**City of Kingston
Committee of Adjustment
Meeting Number 2020-01
Unconfirmed Minutes
Monday December 16, 2019 at 5:30 p.m.
Second Floor Board Room, 1211 John Counter Boulevard**

Committee Members Present

Peter Skebo; Chair
Alex Adams
Paul Babin
Vincent Cinanni
Blaine Fudge
Somnath Sinha (Arrived 5:32 p.m.)

Regrets

Jordan Tekenos-Levy

Staff Present

Steve Chew, Senior Planner
Anne Marie Eusebio, Intermediate Planner
Tim Fisher, Planner/Deputy Secretary-Treasurer
Tim Park, Manager, Development Approvals
James Thompson, Committee Clerk

Meeting to Order

Mr. Skebo, Chair, called the meeting to order at 5:31 p.m.

Approval of Agenda

Moved by Mr. Babin
Seconded by Mr. Adams

That the agenda be approved.

Carried

Disclosure of Pecuniary Interest

There were none.

Delegations

There were none.

Request for Deferral

There were none.

Returning Deferred Items

There were none.

New Business

- a. Subject: Application for Consent & Minor Variance**
Address: 527 Albert Street
File Number: D10-020-2019 and D13-034-2019

Report COA-20-002 was attached to the agenda.

Consent Application to sever 525 from 527 Albert Street to create two lots, each containing a house, driveway, parking space and ample back yard. Minor Variance Application to reduce the minimum Front, Interior Side and Aggregate Yard in order to recognize the lots in the Zoning By-Law.

Mr. Paul Fiorillo, applicant was present.

In response to a question from Mr. Babin, Mr. Chew explained that the title was not properly registered and indicated that the two properties were merged without instruction. He stated that a consent application is the only tool to address this situation.

Mr. Skebo invited comments from the public.

Members of the public did not provide comment.

Mr. Skebo closed the public portion of the meeting.

Moved by Mr. Cinanni
Seconded by Mr. Babin

That consent application, File Number D10-020-2019, for the property located at 525 and 527 Albert Street to sever a 507 square metre parcel of land with 10 metres of road frontage on Albert Street containing a single-detached dwelling municipally addressed as 525 Albert 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 severed lot and retained lot 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.

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 the severed parcel and the retained parcel obtains a minor variance to recognize the location of the front verandah and steps from the front lot line (File Numbers D13-034-2019) and that all conditions of approval are complied with.

5. Utilities Services

Prior to the issuance of the Certificate of Official, the owner/applicant shall provide written approval from Utilities Kingston to the Secretary-Treasurer Committee of Adjustment, that Utilities Kingston is satisfied that the existing services to the retained lot do not encroach on the severed lot; and

That minor variance application, File Number D13-034-2019, to request a reduction of the required front yard and side yards for 525 Albert Street, be approved.

Carried

The Chair stated that a copy of the Notice of Decision for the application will only be forwarded to those who have presented a written request for the Decision, or to those who have recorded their name and address on the form provided at the meeting by the Secretary-Treasurer. A formal request in the manner provided is necessary to be advised of a possible Local Planning Appeal Tribunal (LPAT) hearing on this matter and in order to be allowed to make a presentation to the LPAT.

b) Subject: Application Minor Variance
Address: 152 Country Club Drive
File Number: D13-051-2019

Report COA-20-006 was attached to the agenda.

Minor Variance Application to reduce the aggregate side yard requirement to construct a second storey addition over the existing footprint of an attached garage.

The property owner was present.

The property owner stated that he does not understand why a minor variance was required to permit the proposed addition. Mr. Fisher stated that the house was constructed prior to a zoning by-law amendment and indicated that the house does not meet the new side yard setback requirements. He noted that the proposed addition does not comply with the current zoning by-law requirements and as such requires a minor variance.

Mr. Skebo invited comments from the public.

Members of the public did not provide comment.

Mr. Skebo closed the public portion of the meeting.

Mr. Adams and Mr. Skebo indicated that they are supportive of the proposed design.

Moved by Mr. Babin
Seconded by Mr. Adams

That minor variance application, File Number D13-051-2019, for the property located at 152 Country Club Road to reduce the aggregate side yard requirement to construct a second storey addition over the existing footprint of an attached garage, be approved.

Carried

The Chair stated that a copy of the Notice of Decision for the application will only be forwarded to those who have presented a written request for the Decision, or to those who have recorded their name and address on the form provided at the meeting by the Secretary-Treasurer. A formal request in the manner provided is necessary to be advised of a possible Local Planning Appeal Tribunal (LPAT) hearing on this matter and in order to be allowed to make a presentation to the LPAT.

Motions

There were none.

Notices of Motion

There were none.

Other Business

Mr. Park noted that Committee of Adjustment meetings will be held at City Hall effective February, 2020.

Correspondence

There was none.

Confirmation of Minutes

Moved by Mr. Fudge
Seconded by Mr. Sinha

That the Minutes of Committee of Adjustment Meeting Number 2019-12, held November 18, 2019 be approved.

Carried

Date of Next Meeting

The next meeting of the Committee of Adjustment is scheduled for Monday January 20, 2020.

Adjournment

Moved by Mr. Fudge
Seconded by Mr. Sinha

That the meeting of the Committee of Adjustment adjourns at 5:45 p.m.

Carried