



**City of Kingston
Committee of Adjustment
Meeting Number 2020-07
Minutes
Monday July 20, 2020 at 5:30 p.m.
In a virtual, electronic format**

Committee Members Present

Peter Skebo; Chair
Paul Babin
Vincent Cinanni
Somnath Sinha
Jordan Tekenos-Levy

Regrets

Alex Adams
Blaine Fudge

Staff Present

Tim Fisher, Planner
Derek Ochej, Committee Clerk
Niall Oddie, Planner
Tim Park, Manager, Development Approvals
Lindsay Sthamann, Planner
James Thompson, Committee Clerk

Meeting to Order

Mr. Skebo, Chair, called the meeting to order at 5:30 p.m.

Approval of Agenda

Moved by Mr. Babin
Seconded by Mr. Cinanni

That the agenda be approved.

Carried

Confirmation of Minutes

Moved by Mr. Babin
Seconded by Mr. Cinanni

That the Minutes of Committee of Adjustment Meeting Number 2020-06, held June 22, 2020 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) Appointment of Secretary-Treasurer and Deputy, Secretary-Treasurer

Moved by Mr. Babin
Seconded by Mr. Sinha

That Lindsay Sthamann, Planner be appointed as Secretary-Treasurer of the Committee of Adjustment; and

That the Manager, Development Approvals be appointed as Deputy, Secretary-Treasurer of the Committee of Adjustment.

Carried

b) Application for: Minor Variance

File Number: D13-014-2020

Address: 194 Johnson Street

Owner: Dietrich Rohde

Applicant: Mark Touw, IBI Group Incorporated

Mr. Oddie conducted a PowerPoint presentation regarding 194 Johnson Street. A copy of the PowerPoint presentation is available in the City Clerk's Department.

Mr. Touw, Agent was present.

Mr. Babin questioned if the applicant has received the necessary Ontario Heritage Act approvals. Mr. Oddie responded that Heritage Kingston approved the application and indicated that this matter is now before Council for approval.

Mr. Babin sought clarification regarding whether the property is currently serving as a room house. The agent explained that the current owners purchased the property with the intention of creating a co-op for seniors. He commented that the house will serve as a boarding house. He mentioned that the property may have been rented to students in the past. He indicated that the applicant intends to live in the main unit.

In response to a question from Mr. Babin, Mr. Oddie noted that neighbouring property owners have not provided comment.

Mr. Skebo asked staff whether it is common for rooming houses to provide living rooms and a bathroom for each unit. Mr. Oddie responded that very few applications for rooming houses have been received recently. He clarified that the units are not considered a dwelling unit unless there is a full kitchen. He referenced Exhibit "A" of the Report and noted that the units are not equipped with a stove or oven.

Mr. Babin noted that Variance 7 does not provide accessible parking. Mr. Oddie explained that the requested variance related to accessible parking is due to the limited space. He commented that this property cannot accommodate rear yard parking. He stated that the driveway is currently at the maximum width.

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

Members of the public did not provide comment.

Moved by Mr. Tekenos-Levy

Seconded by Mr. Sinha

That minor variance application, File Number D13-014-2020, for the property located at 194 Johnson Street to: reduce minimum side yard setback; reduce minimum aggregate side yard setback; reduce minimum court dimensions; increase maximum lot coverage; permit front yard parking spaces; permit tandem parking spaces; and reduce accessible parking space requirements; be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-038.

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.

- c) Application for: Minor Variance**
File Number: D13-023-2020
Address: 1219 Katharine Crescent
Owner/Applicant: Marc Grieves

Mr. Oddie conducted a PowerPoint presentation regarding 1219 Katharine Crescent. A copy of the PowerPoint presentation is available in the City Clerk's Department.

Mr. Grieves, Applicant was present.

Mr. Babin asked staff whether the CRCA has expressed concern regarding the application. Mr. Oddie confirmed that the CRCA has reviewed the proposal and noted that the application was revised to address the concerns of the CRCA. He elaborated that the location of the deck was moved closer to the house. He noted that the applicant is aware that a permit is required from the CRCA.

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

Members of the public did not provide comment.

Moved by Mr. Cinanni
Seconded by Mr. Sinha

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.

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.

- d) Application for: Minor Variance**
File Number: D13-020-2020
Address: 153 Mowat Avenue
Owner: Susana Reisman
Applicant: Mac Gervan, Gervan and Associates

Mr. Fisher conducted a PowerPoint presentation regarding 153 Mowat Avenue. A copy of the PowerPoint presentation is available in the City Clerk's Department.

Mr. Gervan, Applicant was present.

Mr. Gervan advised the Committee that the footprint will stay the same. He spoke to the proposed design and creation of a terrace garden.

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

Members of the public did not provide comment.

Moed by Mr. Babin
Seconded by Mr. Cinanni

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.

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.

- e) Application for: Consent (lot addition) and Minor Variance**
File Number: D10-023-2020 and D13-022-2020
Address: 348 Aragon Road
Owner: George and Marie-Ann Carey
Applicant: The BLVD Group

Mr. Fisher conducted a PowerPoint presentation regarding 348 Aragon Road. A copy of the PowerPoint presentation is available in the City Clerk's Department.
Mr. Sands, Agent was present.

The agent noted that the purpose of the application is related to lot consolidation. He indicated that lot 354 is high quality farmland and is designated as prime agricultural land. He stated that lot 348 is also designated as prime agricultural land. He commented that the Zoning By-Law does permit the construction of a dwelling on the southern lot. He indicated that by reducing the lot line and size of the parcel to the south the protection of the prime agricultural land is assured. He noted that the application conforms to the intent of the Official Plan.

The agent spoke to Condition 5 in relation to the hydro-geological assessment. He referenced page 96 of the agenda related to the holding symbol. The agent indicated that the applicant has no desire to develop the land in question as it is landlock and is also highly valuable farmland and questioned if a holding symbol is required for lot 354. Mr. Fisher provided clarification regarding the purpose of the proposed holding symbol. He indicated that there is the potential for the landlocked lot to be developed in the future. The agent reiterated that there is no desire to construct a dwelling on lot 354 due to the high quality of the farmland. The applicant does not want to rezone the parcel or have a holding symbol placed on the parcel. The agent spoke to Condition 6 in relation to the UNESCO World Heritage Site.

Mr. Babin sought further clarification regarding the site plan diagram. Mr. Fisher provided the Committee with further explanation regarding the site plan diagram.

In response to a question from Mr. Skebo, Mr. Fisher provided clarification regarding the condition related to road widening.

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

Members of the public did not provide comment.

Moved by Mr. Babin

Seconded by Mr. Tekenos-Levy

That consent application, File Number D10-023-2020, for the property located at 348 Aragon Road to sever a 8.9 hectare parcel of land with no road frontage and merged to the abutting agricultural lands to the north, and retain a 1.2 hectare parcel of land with approximately 11 metres of road frontage on Aragon Road, and to create a shared right-of-way, be provisionally approved; and

That approval of consent application, File Number D10-023-2020 be subject to the conditions attached as Exhibit A (Recommended Conditions – D10-023-2020) to Report Number COA-20-042.

Carried

Moved by Mr. Babin
Seconded by Mr. Tekenos-Levy

That minor variance application, File Number D13-022-2020, to reduce the minimum lot frontage requirement to recognize the retained lot through consent application, File Number D10-023-2020, be approved; and

That approval of minor variance application, File Number D13-022-2020 be subject to the conditions attached as Exhibit B (Recommended Conditions – D13-022-2020) to Report Number COA-20-042.

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

There was none.

Correspondence

There was none.

Date of Next Meeting

The next meeting of the Committee of Adjustment is scheduled for August 24, 2020.

Adjournment

Moved by Mr. Babin
Seconded by Mr. Sinha

That the meeting of the Committee of Adjustment adjourns at 6:32 p.m.

Carried