



**City of Kingston
Committee of Adjustment
Meeting Number 2020-08
Minutes
Monday August 24, 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

Blaine Fudge

Staff Present

Steve Chew, Senior Planner
Genise Grant, Intermediate Planner
Derek Ochej, Committee Clerk
Niall Oddie, Planner
Tim Park, Manager, Development Approvals
Jason Partridge, Planner
Lindsay Sthamann, Planner
James Thompson, Committee Clerk
Chris Wicke, Senior Planner

Meeting to Order

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

Approval of Agenda

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

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 2020-07, held July 20, 2020 be approved.

Carried

Disclosure of Pecuniary Interest

Mr. Cinanni declared a pecuniary interest regarding Application for: Minor Variance - 179 Sydenham Street as the applicant is a client of his employer.

Delegations

There were none.

Request for Deferral

There were none.

Returning Deferred Items

There were none.

New Business

- a) **Application for: Minor Variance**
File Number: D13-028-2020
Address: 3370 4th Concession Road
Owner/Applicant: J.D. Wylie and M.L.F. Wylie

Mr. Chew conducted a PowerPoint presentation regarding 3370 4th Concession Road. A copy of the PowerPoint presentation is available in the City Clerk's Department.

J.D. Wylie and M.L.F. Wylie, Applicant were present.

Mr. Tekenos-Levy questioned if staff have received any input from neighbouring property owners. Mr. Chew responded that staff have not received any comments from the public.

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

Members of the public did not provide comment.

Moved by Mr. Sinha
Seconded by Mr. Cinanni

That the minor variance application, File Number D13-028-2020, for the property located at 3370 4th Concession Road to reduce the minimum required side yard for a shed, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-043.

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) Application for: Permission
File Number: D13-026-2020
Address: 66 Bay Street
Owner: Margaret Moore
Applicant: Joe Ruffolo

Mr. Partridge conducted a PowerPoint presentation regarding 66 Bay Street. A copy of the PowerPoint presentation is available in the City Clerk's Department.

Joe Ruffolo, Applicant was present.

Mr. Babin questioned if the deck will be replacing an existing deck or represents a new build. The Applicant responded that the deck represents a new build.

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. Babin

That the application for permission, File Number D13-026-2020, for the property located at 66 Bay Street to, to expand a legal non-conforming use to permit the construction of a 48 square foot (6 feet x 8 feet) second floor balcony/deck located within the rear yard, be approved.

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-044.

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: D13-046-2019
Address: 834-840 Princess Street
Owner: 6837816 Canada Limited
Applicant: API Development Consultants Inc.

Mr. Wicke conducted a PowerPoint presentation regarding 834-840 Princess Street. A copy of the PowerPoint presentation is available in the City Clerk's Department.

Mr. Bernan, Applicant was present.

Mr. Bernan provided the Committee with additional information regarding the parking study.

Mr. Babin requested additional explanation regarding Variance 3 in relation to the proposed height of the signage. Mr. Wicke responded that the upper portion of the building is setback and confirmed that the signage conforms with angular plane requirements.

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. Sinha

That minor variance application, File Number D13-046-2019, for the property located at 834-840 Princess Street to reduce the required parking to 102 spaces; reduce the required loading spaces to 1 space; to reduce the required bus spaces to 1 space; to increase the maximum streetwall height to 15.3 metres to accommodate a signage feature; and to provide relief from the front yard setback for the streetwall for floors 2 to 4 to 1.7 metres, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-045.

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: D13-025-2020
Address: 179 Sydenham Street
Owner: Mort Investments Ltd.
Applicant: PlusVG Architects

Mr. Cinanni withdrew from the meeting due to a pecuniary interest.

Ms. Grant conducted a PowerPoint presentation regarding 179 Sydenham Street. A copy of the PowerPoint presentation is available in the City Clerk's Department.

Mr. Berton, Agent was present.

Mr. Babin sought additional information regarding bicycle storage. Ms. Grant noted that the By-Law requires that one vehicle parking space and one bicycle parking space be provided per unit. She indicated that the application meets the requirements outlined in the By-Law. She stated that the applicant continues to review this matter further. The agent added that there is space to accommodate additional bicycle storage.

In response to a question from Mr. Skebo, Ms. Grant confirmed that the Demolition Permit was approved by Council.

The Chair provided 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. Sinha

That minor variance application, File Number D13-025-2020, for the property located at 179 Sydenham Street seeking relief from maximum density, minimum amenity area per unit and minimum off-street residential parking ratio requirements, in order to permit the conversion of the second storey to nine residential units, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-046.

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.

Mr. Cinanni returned to the meeting.

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 September 21, 2020.

Adjournment

Moved by Mr. Babin
Seconded by Mr. Sinha

That the meeting of the Committee of Adjustment adjourns at 6:12 p.m.

Carried