



**City of Kingston
Committee of Adjustment
Meeting Number 2021-06
Agenda**

**Monday, May 17, 2021 at 5:30 p.m.
In a virtual, electronic format**

Please provide regrets to Elizabeth Fawcett, Committee Clerk at 613-546-4291, extension 1219 or efawcett@cityofkingston.ca

Committee Composition

Peter Skebo, Chair

Paul Babin

Vincent Cinanni

Blaine Fudge

Greg Lightfoot

Somnath Sinha

Jordan Tekenos-Levy

1. Meeting to Order

2. Approval of the Agenda

3. Confirmation of Minutes

- a) **That** the Minutes of Committee of Adjustment Meeting Number 2021-05 held April 19, 2021 be approved.

4. Disclosure of Pecuniary Interest

5. Delegations

6. Request for Deferral

7. Returning Deferral Items

8. Business

a) Application for: Minor Variance

File Number: D13-022-2021

Address: 2 Dale Street

Owner: Chris Przontka

Applicant: Chris Przontka

The Report of the Commissioner of Community Services (COA-21-038) is attached.

Schedule Pages 1 – 27

Recommendation:

That minor variance application, File Number D13-022-2021, for the property located at 2 Dale Street to reduce the minimum required exterior side yard, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-038.

b) Application for: Minor Variance

File Number: D13-017-2021

Address: 4016 A Bath Road

Owner: James Somerville and Margaret Somerville

Applicant: James Somerville

The Report of the Commissioner of Community Services (COA-21-037) is attached.

Schedule Pages 28 – 47

Recommendation:

That minor variance application, File Number D13-017-2021, for the property located at 4016 A Bath Road to obtain relief from minimum flood plain setback requirement and maximum permitted area for the construction of an approximately

60 square metre, two-level attached deck in the rear yard of 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-20-037.

c) Application for: Minor Variance

File Number: D13-014-2021

Address: 198, 200 Princess Street and 20 Montreal Street

Owner: Phillip Brown, President of 1709884 Ontario Limited

Applicant: Mac Gervan (Gervan & Associates)

The Report of the Commissioner of Community Services (COA-21-040) is attached.

Schedule Pages 48 – 71

Recommendation:

That minor variance application, File Number D13-014-2021, for the property located at 198, 200 Princess Street and 20 Montreal Street, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-040.

d) Application for: Minor Variance

File Number: D13-016-2021

Address: 1399 Swallowdale Court

Owner: David and Paula Le Sarge-Mayo

Applicant: David Le Sarge-Mayo

The Report of the Commissioner of Community Services (COA-21-034) is attached.

Schedule Pages 72 – 95

Recommendation:

That minor variance application, File Number D13-016-2021, for the property located at 1399 Swallowdale Court, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-034.

e) Application for: Minor Variance

File Number: D13-019-2021

Address: 2812 Battersea Road

Owner: Matthew Cooper

Applicant: Matthew Cooper & Mandy Mclellan

The Report of the Commissioner of Community Services (COA-21-036) is attached.

Schedule Pages 96 – 114

Recommendation:

That minor variance application, File Number D13-019-2021, for the property located at 2812 Battersea Road seeking relief from the interior yard setback, in order to permit the construction of 35.4 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-21-036.

f) Application for: Minor Variance

File Number: D13-021-2021

Address: 1613 Brookedayle Avenue

Owner: Franco Dipietrantonio & Christine Irving

Applicant: Joe DiPietrantonio

The Report of the Commissioner of Community Services (COA-21-035) is attached.

Schedule Pages 115 – 133

Recommendation:

That minor variance application, File Number D13-021-2021, for the property located at 1613 Brookedayle Avenue seeking relief from the minimum setback from rear lot line and maximum Area for decks above 1.2 metres above grade, in

order to permit the construction of a new 13.8 square metres rear yard deck, 1.2 metres above grade, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-021-035.

g) Application for: Permission

File Number: D13-027-2021

Address: 585 Union Street

Owner: Rory Dyke

Applicant: Fotenn Consultants Inc.

The Report of the Commissioner of Community Services (COA-21-043) is attached.

Schedule Pages 134 – 158

Recommendation:

That the application for permission, File Number D13-027-2021, for the property located at 585 Union Street to construct a two-story addition at the rear of the existing building, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-043.

h) Application for: Consent

File Number: D10-002-2021 & D10-003-2021

Address: 2040 Sydenham Road

Owner: V. Marques Construction LTD

Applicant: The Boulevard Group

The Report of the Commissioner of Community Services (COA-21-039) is attached.

Schedule Pages 159 – 184

Recommendation:

That consent application, File Number D10-002-2021, to sever off a 1.5-hectare parcel of land, be provisionally approved subject to the conditions included in Exhibit A (Recommended Conditions) to Report Number COA-21-039; and

That consent application, File Number D10-003-2021, to sever off a 1.68-hectare parcel of land, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions) to Report Number COA-21-039.

i) Application for: Consent (Amended Conditions)

File Number: D10-034-2020

Address: 1444 Sproule Street

Owner: Mark Willadsen

Applicant: Mark Willadsen

The Report of the Commissioner of Community Services (COA-21-042) is attached.

Schedule Pages 185 – 235

Recommendation:

That the Committee of Adjustment add the following Conditions to the Notice of Decision for consent application, File Number D10-034-2020, as follows:

1. Reference Plan

That a digital version of a Reference Plan(s) be provided in a PDF and/or AutoCAD Windows readable format on a compact disc (CD), USB memory stick or by email, illustrating the easements as parts on a plan be prepared and presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official. The Land Registry Office may pre-approve an alternative parcel description in writing which can be presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official.

2. 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.

3. Civic Address

The owner/applicant shall contact Planning Services once the Reference Plan has been deposited and provided to the City, and obtain a draft civic address for each new lot created and all appropriate fees shall be paid. The owner/applicant shall provide to the Secretary-Treasurer, Committee of Adjustment, written confirmation from the City that the civic address has been obtained prior to the issuance of the consent certificate; and

That an amended Notice of Decision for File Number D10-034-2020 be prepared reflective of the conditions approved as outlined in Report Number COA-21-19 and amended as per Report Number COA-21-042.

j) Application for: Consent (Amended Conditions)

File Number: D10-007-2021

Address: 3028 Princess Street and 950-956 Woodhaven Drive

Owner: Vishal Valsadia & 2676628 Ontario Inc.

Applicant: Fotenn Consultants Inc. (Youko Leclerc-Desjardins)

The Report of the Commissioner of Community Services (COA-21-041) is attached.

Schedule Pages 236 – 296

Recommendation:

That the Committee of Adjustment amend Condition Numbers 6, 8, and 9 of the Notice of Decision for consent application, File Number D10-048-2019, to read as follows:

6. Demolition Permit

The owner/applicant shall obtain a Demolition Permit through the Building Division for the removal of structures and buildings located on 3028 Princess Street as identified on the severance sketch dated March 23, 2021 (both transferred and retained portions). This includes three (3) temporary fabric

shelters, the metal clad garage, and the single-family dwelling if it is not serviced. The owner/applicant shall provide the Secretary-Treasurer, Committee of Adjustment, a copy of the Demolition Permit(s) and confirmation that the buildings have been removed or serviced prior to the issuance of the Certificate of Official.

8. Utilities

Prior to the issuance of a Certificate of Official it shall be necessary for the applicant to connect the existing single family dwelling to applicable municipal sewer services and for Utilities Kingston to approve a Sketch showing all existing and new (and proposed (if applicable)) services and the mains they connect to, and existing buildings and all proposed and existing property lines.

9. Septic System

The owner/applicant shall ensure, to the satisfaction of the City of Kingston Building Services, the removal and decommissioning of the existing septic tank and septic field on the 3028 Princess Street property. The owner/applicant shall provide the Secretary-Treasurer, Committee of Adjustment, confirmation from City of Kingston Building Services prior to the issuance of the Certificate of Official; and

That a Notice of Decision for File Number D10-007-2021 be prepared reflective of the conditions approved as outlined in Report Number COA-20-21 and amended as per Report Number COA-21-041.

9. Motions

10. Notices of Motion

11. Other Business

12. Correspondence

13. Date of Next Meeting

The next meeting of the Committee of Adjustment is scheduled for Monday, June 21, 2021.

14. Adjournment