



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-21-047**

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**To:** Chair and Members of the Committee of Adjustment  
**From:** Lindsay Sthamann, Planner  
**Date of Meeting:** June 21, 2021  
**Application for:** Minor Variance  
**File Number:** D13-028-2021  
**Address:** 11 The Point Road  
**Owner:** Ruth Bailey and John Dorland  
**Applicant:** Ruth Bailey

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**Council Strategic Plan Alignment:**

Theme: Regulatory & compliance

Goal: See above

**Executive Summary:**

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances for the property located at 11 The Point Road. The applicant is proposing to reduce the minimum setback from a right-of-way from 7.5 metres to 1.6 metres and to increase the maximum height of an accessory building from 5 metres to 5.9 metres in order to facilitate a replacement of the existing detached garage in a similar location.

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 32-74. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

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**Variance Number 1: Maximum Height of an Accessory Building**

**By-Law Number 32-74:** Section 5(1)(e)(i)

**Requirement:** 5 metres

**Proposed:** 5.9 metres

**Variance Requested:** 0.9 metres

**Variance Number 2: Minimum Setback from a Right of Way**

**By-Law Number 32-74:** Section 12(2)(n)

**Requirement:** 7.5 metres

**Proposed:** 1.6 metres

**Variance Requested:** 5.9 metres

**Recommendation:**

**That** minor variance application, File Number D13-028-2021, for the property located at 11 The Point Road to reduce the minimum setback from a right-of-way and to increase the maximum permitted height of an 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-21-047.

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**Authorizing Signatures:**



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Lindsay Sthamann, Planner

**In Consultation with the following Management of the Community Services Group:**

Tim Park, Acting Director, Planning Services

James Bar, Acting Manager, Development Approvals

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**Options/Discussion:**

On April 30, 2021, a minor variance application was submitted by Ruth Bailey, on behalf of the owner, Ruth Bailey and John Dorland, with respect to the property located at 11 The Point Road. The variance is requested to reduce the minimum setback from a right-of-way from 7.5 metres to 1.6 metres and to increase the maximum height of an accessory building from 5 metres to 5.9 metres in order to facilitate a replacement of the existing detached garage in a similar location.

In support of the application, the applicant has submitted the following:

- Site Plan (Exhibit G)
- Elevations (Exhibit H)
- Survey (Exhibit I)
- Cover Letter (Exhibit J)

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using "Look-up a Specific Address". If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

**Site Characteristics**

The subject property is located at 11 The Point Road in Cartwright Point. It is on the southeast side of The Point Road with frontage onto the St. Lawrence River. The subject lands are designated Residential and Environmental Protection Area on Schedule 3-A - Land Use and is zoned the Limited Service Residential (LSR) Zone in By-Law Number 32-74.

The area is developed with single-detached dwellings oriented towards the water and related accessory buildings. The adjacent properties are also zoned the Limited Service Residential (LSR) Zone.

The Point Road provides access from Highway 2 through CFB Kingston. The Point Road was part of an old plan of subdivision from 1949. The road south of the military base is a privately owned road that is subject to numerous instruments and easements. The Point Road through the military base is owned by the base. The Point Road is a right-of-way for the purposes of zoning.

**Application**

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested, both separately and together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

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## Provincial Policy Statement

In addition to the four tests of a minor variance detailed above, Subsection 3(5) of the *Planning Act* requires that a decision in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (the PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development which are complemented by local policies addressing local interests. The application being considered is site specific to accommodate a specific proposal and does not involve any major policy considerations and as such, the proposal conforms to and is consistent with the PPS.

### 1) The general intent and purpose of the Official Plan are maintained

The subject portion of the property is designated Residential in the City of Kingston Official Plan.

In considering whether this proposed variance is desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the Official Plan. The following provides these nine requirements and an assessment of how the proposal is consistent with each.

1. The proposed development meets the intent of Section 2 Strategic Policy Direction, and all other applicable policies of this Plan;

The proposed application meets the intent of Section 2 of the Official Plan and the strategic direction to focus growth within the Urban Boundary. The existing single-detached dwelling is consistent with the low-density residential uses of Cartwright Point. The use is permitted by the zone and is compatible with adjacent development in terms of the proposed built form.

The proposed garage is located outside of the portion of the lot that is designated Environmental Protection Area.

2. The proposed development will be compatible with surrounding uses, buildings or structures and development standards associated with adjacent properties, and if necessary, incorporate means of alleviating adverse effects on abutting land uses as recommended in Section 2.7 of this Plan;

The garage will be 1.6 metres from the lot line, with garage doors oriented towards the north east to make use of the existing paved area of the driveway. The proposed garage will be 0.4 metres further away from the lot line and the right-of-way than the existing detached garage. The proposed location complies with the minimum 1.2 metre side yard setback and is in keeping with the character of the adjacent shoreline properties along the south side of The Point Road. Properties addressed as 5 The Point Road, 7 The Point Road, 13 The Point road, and 7 Woodpecker Lane also have garages built near the right-of-way. It is not unusual for a detached garage to be constructed well within 7.5 metres of a private right-of-way in this neighbourhood.

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3. The ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles or any other matter and means of improving such function including considerations for universal accessibility;

The garage is proposed to have two parking spaces located within the building. Site access will be on the existing driveway.

4. The conformity of the proposal to any applicable urban design policies endorsed by Council, particularly if the site includes or could impact a built heritage resource or is within a Heritage District;

The subject lands are not located within or adjacent to a Heritage Conservation District or adjacent to a Part IV designated property.

5. If the site is designated under the *Ontario Heritage Act*, the application shall be reviewed by Heritage Kingston for approval. If the property is adjacent to a designated property under the *Ontario Heritage Act* or shown as a Heritage Area feature, or is affected by the protected views shown on Schedule 9 of this Plan, then a Heritage Impact Statement may be required to assist staff to determine if the resulting development is desirable;

The subject lands are not designated or listed under Part IV or V of the *Ontario Heritage Act*.

6. The resulting development has adequate municipal water and sewage services within the Urban Boundary, or is capable of providing individual on-site water and sewage services outside the Urban Boundary;

The subject property is located within the urban boundary, but is on a private water and wastewater system. No changes are proposed to the existing private services. The garage will not have water or sewer hook-ups.

7. Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed by a zoning amendment to the applicable zoning by-law;

The site is already developed with a single-detached dwelling, detached garage, and two sheds. The proposed detached garage replacement represents a minor and compatible change to the property; a zoning by-law amendment is not required at this time.

8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements, recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;

There are several conditions of approval associated with the recommendation, available in Exhibit A.

9. The degree to which such approval may set an undesirable precedent for the immediate area.

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It is not anticipated that an undesirable precedent may be set through the approval of the requested variances.

The Residential designation aims to minimize impacts on abutting properties and those within the surrounding neighbourhood, by ensuring land use compatibility, providing appropriate separation distances, ensuring the functionality of the site, and integrating design considerations as per the Urban Design policies of Section 8 of the Official Plan.

The proposal meets the intent of the Official Plan, as the proposed detached garage will not result in any negative impacts to adjacent properties or to the neighbourhood and the use conforms to the Residential designation.

**2) The general intent and purpose of the zoning by-law are maintained**

The subject property is zoned Limited Service Residential (LSR) in the City of Kingston Zoning By-Law Number 32-74, entitled "Township of Pittsburgh Zoning By-Law", as amended. The LSR zone permits a single detached dwelling and related accessory buildings such as a detached garage.

The applicant is seeking relief from the right-of-way provisions and maximum height of an accessory building provision. The requested relief is as follows:

Provision	Required by By-Law	Proposal
Height of Accessory Building Section 5 (1)(e)(i)	Maximum 5 metres	5.9 metres
Right-of-Way Setback Section 12 (2)(n)	Minimum 7.5 metres	1.6 metres

The location of the garage near the private right-of-way is an appropriate location given the elevation constraints on-site and the existing built character of the area where garages are located nearest to the roadway and the dwellings located along the water. The garage is proposed on a similar footprint as the existing detached garage, slightly further from The Point Road (Exhibit H). The garage will be appropriately located given the sites topographical constraints and the character of the area.

The additional height is requested to accommodate a loft storage space above the garage. The general intent and purpose of the zoning by-law are maintained because the proposed garage is replacing an existing structure and the proposed garage exceeds the 4.5 metre interior side yard setback that would be applicable to a primary structure in the zone.

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**Note on Height Measurement**

Due to the changes in elevation involved with this proposal the Planning Department has carefully considered the way height is measured for this proposal. Zoning By-Law 32-74 definitions from Section 4 used in this consideration are as follows:

(63a) "Height", when used with reference to a structure or building, other than a main building, means the vertical distance between finished grade, and the highest point of the building or structure proper, exclusive of any roof construction such as a chimney.

(49a) "Finished Grade", when used with reference to a structure or a building, other than a main building, means the average elevation of the finished surface of the ground where it abuts the structure or building, exclusive of any embankment in lieu of steps or berm.

Based on the scale Elevation Drawings (Exhibit H) provided by the applicant the average finished grade is calculated to be 2 foot 3 inches above the lowest finished grade for the structure (using 8 points along the foundation). Measured from the average finished grade to the tallest point, the maximum height of the proposed garage is calculated at 16 feet 11 inches (5.2 metres).

However, the height from lowest to highest point is 19 foot 2 inches (5.9 metres) for the majority of the structure. The applicant was encouraged to apply for the variance at the full height to allow a small amount of flexibility in the placement of the garage along the rock ledge and to acknowledge the perceived height of the garage from The Point Road.

**3) The variance is minor in nature**

The requested variances to permit the new detached garage are considered minor in nature and will not set an undesirable precedent. The permitted uses on-site are not proposed to change as a result of the application. The proposed site for the garage has mature tree screening from the neighbouring property and The Point Road (Refer to Exhibit J – Cover Letter for Site Photos). There are no anticipated negative off-site impacts associated with the proposed addition or new garage.

**4) The variance is desirable for the appropriate development or use of the land, building or structure**

The proposed variances represent desirable and appropriate development of the lands and are not anticipated to create any adverse impacts on the adjacent properties. The proposed modifications consider the functionality of the lands, while increasing the usability of the single-detached dwelling. The location of the garage makes use of the existing driveway and foundation location. The modifications to the property are to increase the usability of an existing residential parcel. The applicants are not proposing to sever the property or increase the number of units on-site.



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**Technical Review: Circulated Departments and Agencies**

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Building Services | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Services)            |
| <input type="checkbox"/> Finance                      | <input checked="" type="checkbox"/> Utilities Kingston     | <input checked="" type="checkbox"/> Real Estate & Environmental Initiatives |
| <input checked="" type="checkbox"/> Fire & Rescue     | <input checked="" type="checkbox"/> Kingston Hydro         | <input checked="" type="checkbox"/> City’s Environment Division             |
| <input checked="" type="checkbox"/> Solid Waste       | <input checked="" type="checkbox"/> Parks Development      | <input type="checkbox"/> Canadian National Railways                         |
| <input checked="" type="checkbox"/> Housing           | <input checked="" type="checkbox"/> District Councillor    | <input type="checkbox"/> Ministry of Transportation                         |
| <input type="checkbox"/> KEDCO                        | <input checked="" type="checkbox"/> Municipal Drainage     | <input type="checkbox"/> Parks of the St. Lawrence                          |
| <input checked="" type="checkbox"/> CRCA              | <input type="checkbox"/> KFL&A Health Unit                 | <input type="checkbox"/> Trans Northern Pipelines                           |
| <input type="checkbox"/> Parks Canada                 | <input type="checkbox"/> Eastern Ontario Power             | <input type="checkbox"/> CFB Kingston                                       |
| <input type="checkbox"/> Hydro One                    | <input type="checkbox"/> Enbridge Pipelines                | <input type="checkbox"/> TransCanada Pipelines                              |
| <input type="checkbox"/> Kingston Airport             |  |   |

**Technical Comments**

This application was circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude this application from moving forward. Any technical comments that are received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

**Heritage Comments:**

The Master Plan indicates that the subject property is located in an Archaeologically Sensitive Area; however, as the existing footprint of the garage is only modestly increasing, archaeological clearance is not required. Should the proponent wish to locate the garage in an undisturbed area or increase the footprint beyond the area that was disturbed during initial construction, prior archaeological clearance maybe required.

**Public Comments**

At the time this report was finalized, no public comments have been received. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

**Previous or Concurrent Applications**

There are no concurrent or relevant historic planning applications on the subject property.

**Conclusion**

The requested variance(s) maintain(s) the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 32-74. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variance(s) are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

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Approval of this application will permit the construction of a detached garage on the subject property.

**Existing Policy/By-Law:**

The proposed application was reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes would be consistent with the Province's and the City's vision of development. The following documents were assessed:

**Provincial**

Provincial Policy Statement, 2020

**Municipal**

City of Kingston Official Plan

Zoning By-Law Number 32-74

**Notice Provisions:**

A Committee of Adjustment Meeting is going to be held respecting this application on June 21, 2021. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 10 days in advance of the meeting. In addition, notices were sent by mail to a total number of 19 property owners (according to the latest Assessment Roll) within 60 metres of the subject property and a courtesy notice was placed in The Kingston Whig-Standard.

Once a decision has been rendered by the Committee of Adjustment, a Notice of Decision will be circulated in accordance with the provisions of the *Planning Act*.

**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

James Bar, Acting Manager, Development Approvals, 613-546-4291 extension 3213

Lindsay Sthamann, Planner, 613-546-4291 extension 3287

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**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map (2020)
- Exhibit D Public Notification Map
- Exhibit E Official Plan Map
- Exhibit F Zoning By-Law 32-74, Map 1
- Exhibit G Site Plan
- Exhibit H Elevations & Floor Plan
- Exhibit I Survey
- Exhibit J Cover Letter and Site Photos

## Recommended Conditions

### Application for minor variance, File Number D13-028-2021

Approval of the foregoing application shall be subject to the following recommended conditions:

#### 1. Limitation

That the approved minor variance applies only to the proposed detached garage as shown on the approved drawings attached to the notice of decision for 11 The Point Road.

#### 2. No Adverse Impacts

The owner/applicant shall demonstrate to the satisfaction of the City that there are no adverse impacts on neighbouring properties as a result of any modifications to on-site grading or drainage.

#### 3. Building Permit Application Requirements

The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make application for a Building Permit.

The drawings submitted with the Building Permit application must, in the opinion of the City, conform to the general intent and description of the approved drawing(s), including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process.

#### 4. Standard Archaeological Condition


In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132) and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

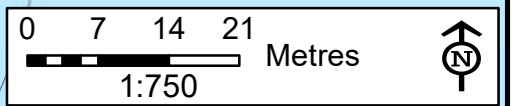
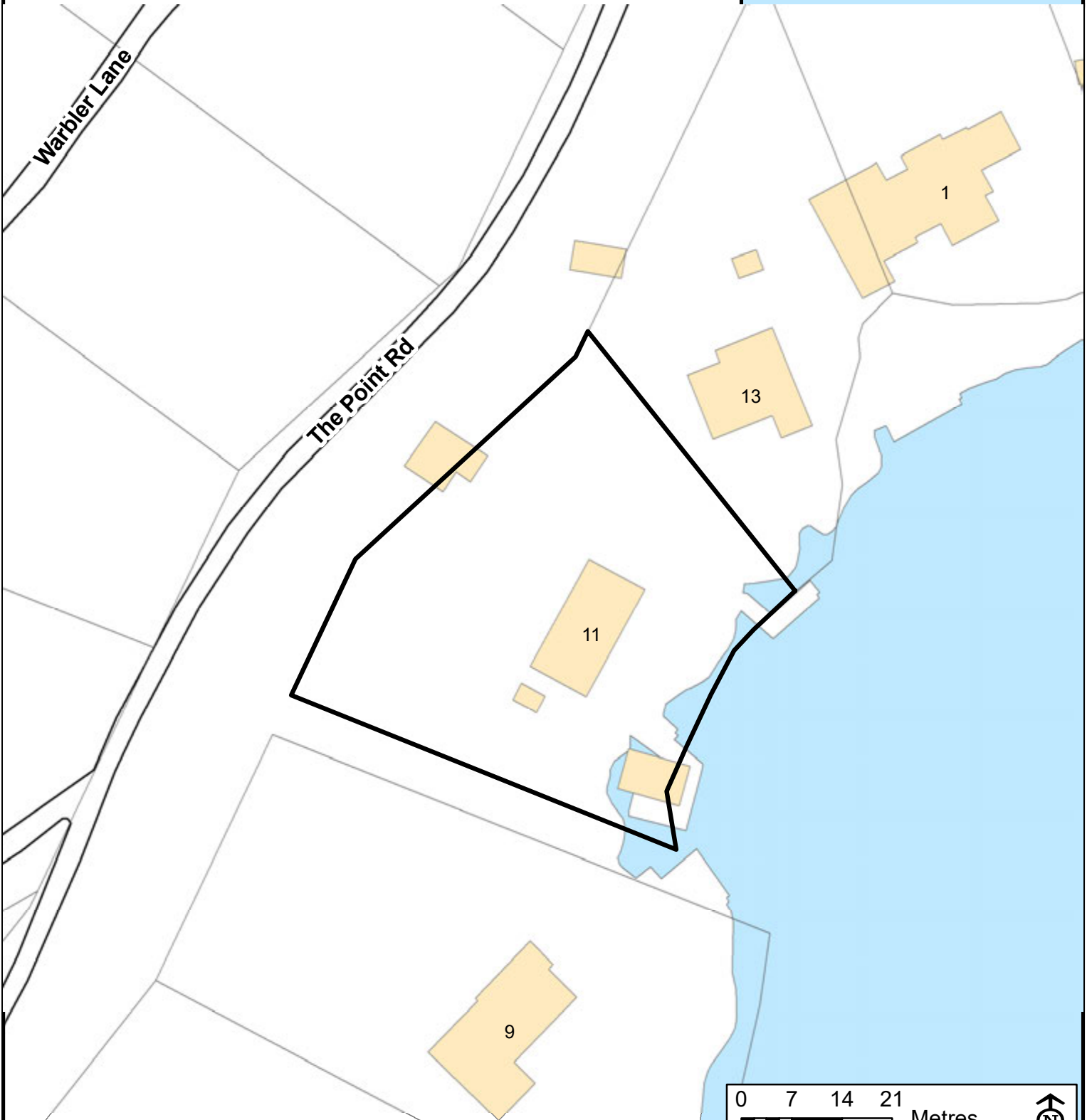
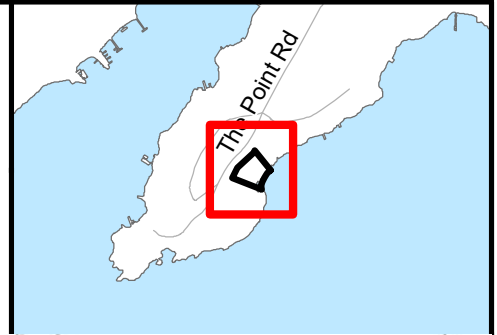
In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries at the Ministry of Government and Consumer Services (416-212-7499), the Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.



# Committee of Adjustment Key Map

Address: 11 The Point Road  
File Number: D13-028-2021

 Lands Subject to Minor Variance





Committee of Adjustment  
**Neighbourhood Context (2020)**

Address: 11 The Point Road  
File Number: D13-028-2021

- Subject Lands
- Property Boundaries
- Proposed Parcels





# Committee of Adjustment Public Notice Notification Map

Address: 11 The Point Road  
File Number: D13-028-2021




- 60m Public Notification Boundary
- Subject Lands
- Property Boundaries
- 10 Properties in Receipt of Notice (MPAC)

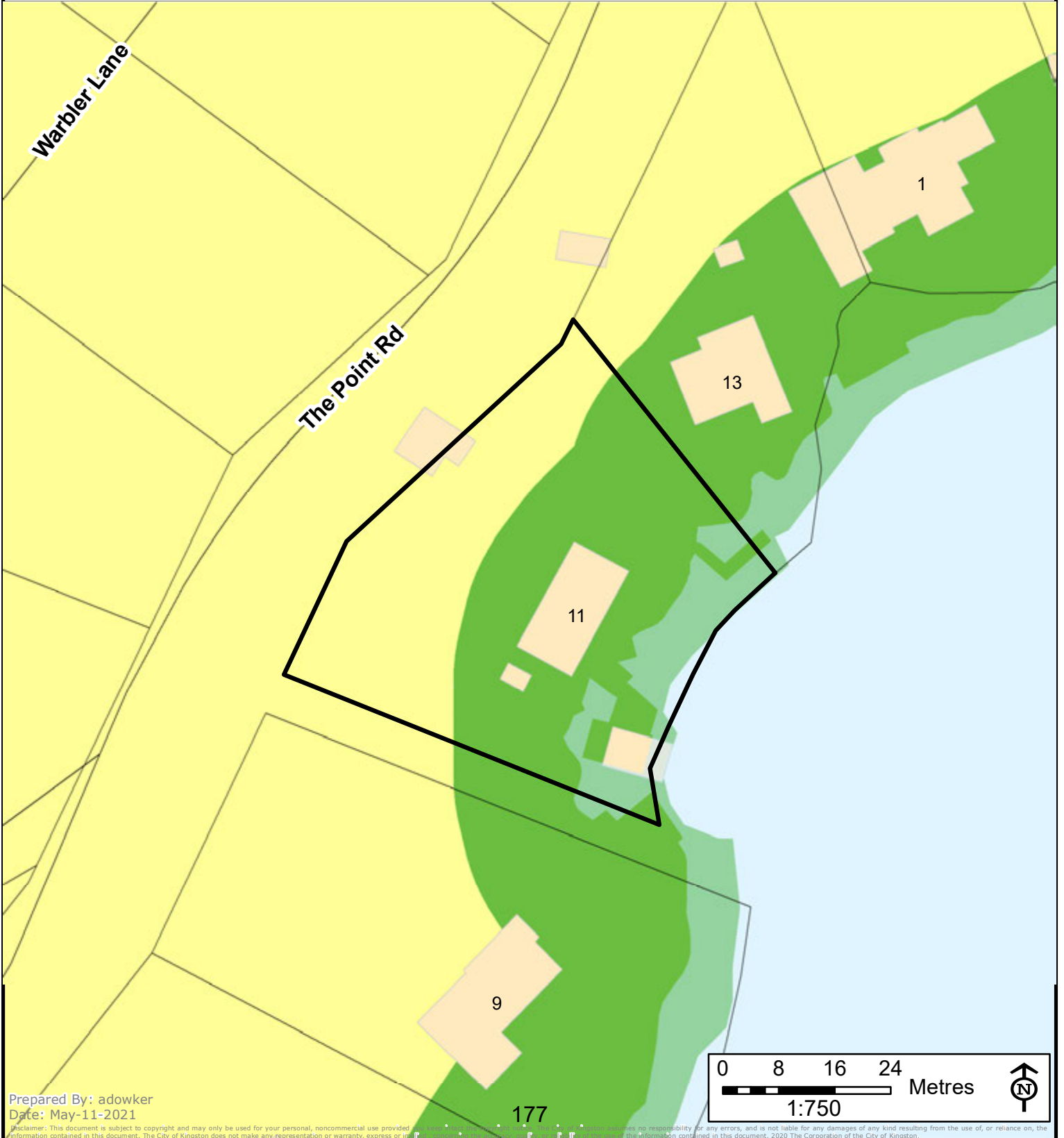




Committee of Adjustment  
**Official Plan, Existing Land Use**

Address: 11 The Point Road  
File Number: D13-028-2021

-  Subject Lands
-  ENVIRONMENTAL PROTECTION AREA
-  RESIDENTIAL

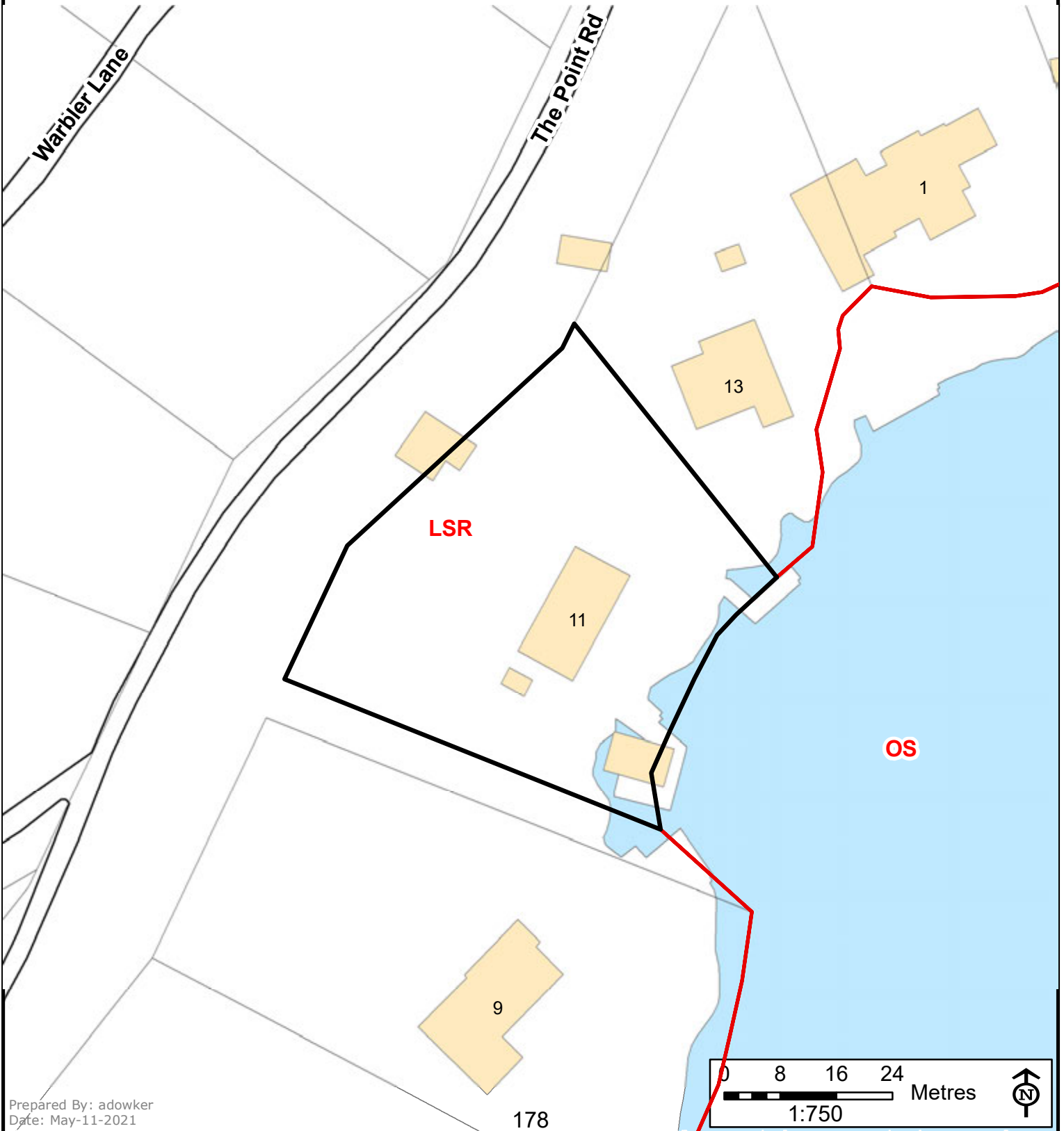






Committee of Adjustment  
**Existing Zoning - By-law 32-74, Map 1**  
Address: 11 The Point Road  
File Number: D13-028-2021

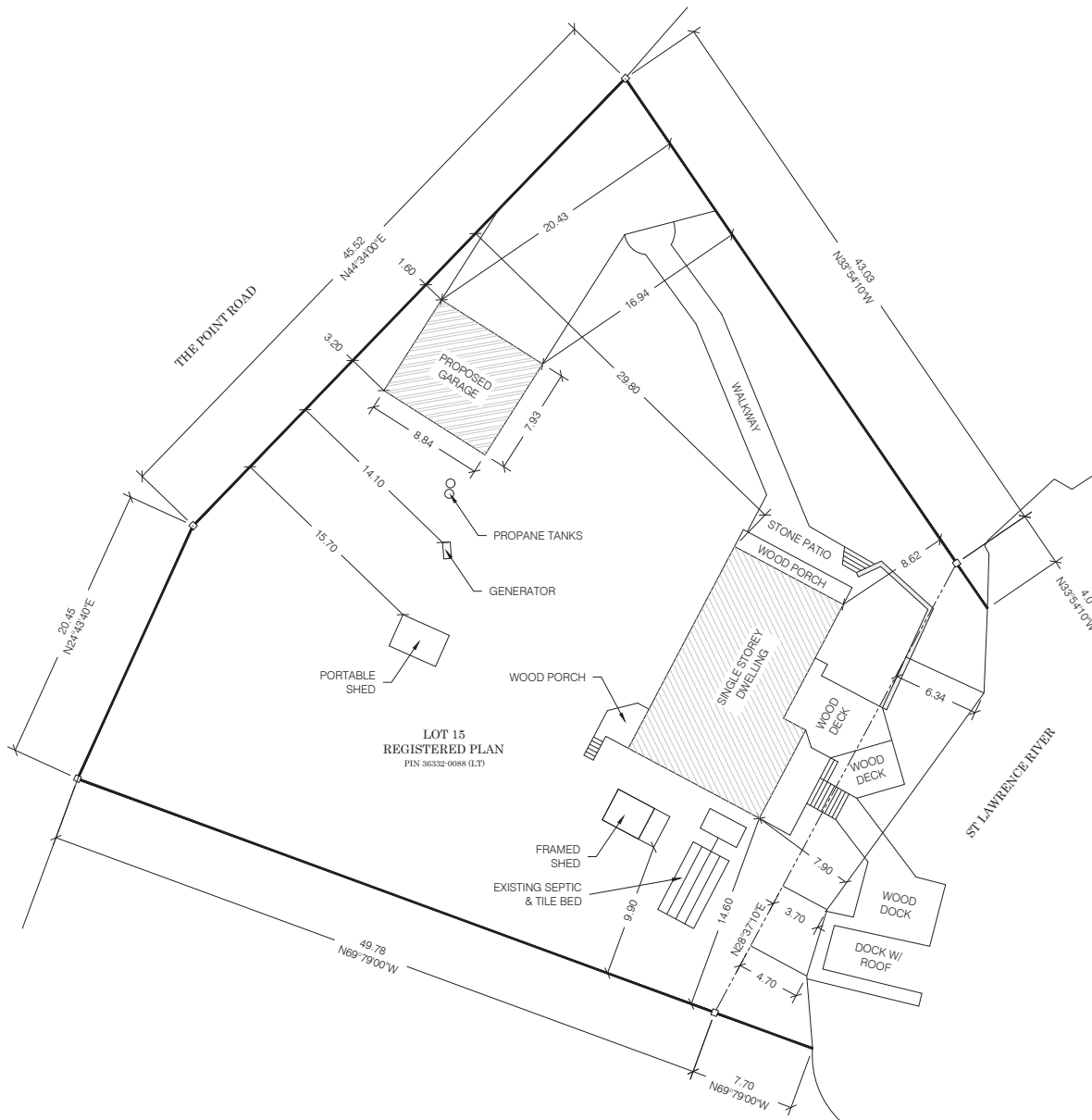
- Subject Lands
- Consolidated Zoning





31 HILLENDALE AVE. TEL 613 531-7873  
KINGSTON, ONTARIO CEL 613 561-3428  
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No.	DATE	DESCRIPTION	BY

REVISIONS



DRAWINGS MUST NOT BE SCALED CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL REPORT ANY DISCREPANCY TO THE ENGINEER BEFORE PROCEEDING

THESE PLANS WERE DESIGNED IN ACCORDANCE WITH THE ONTARIO BUILDING CODE. THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATIONS FROM THESE PLANS AND DETAILS INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODSTOVE, FIREPLACES, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

SITE PLAN

LOCATION:

LOT 15

FOR:


SCOTT KING


DRAWING:

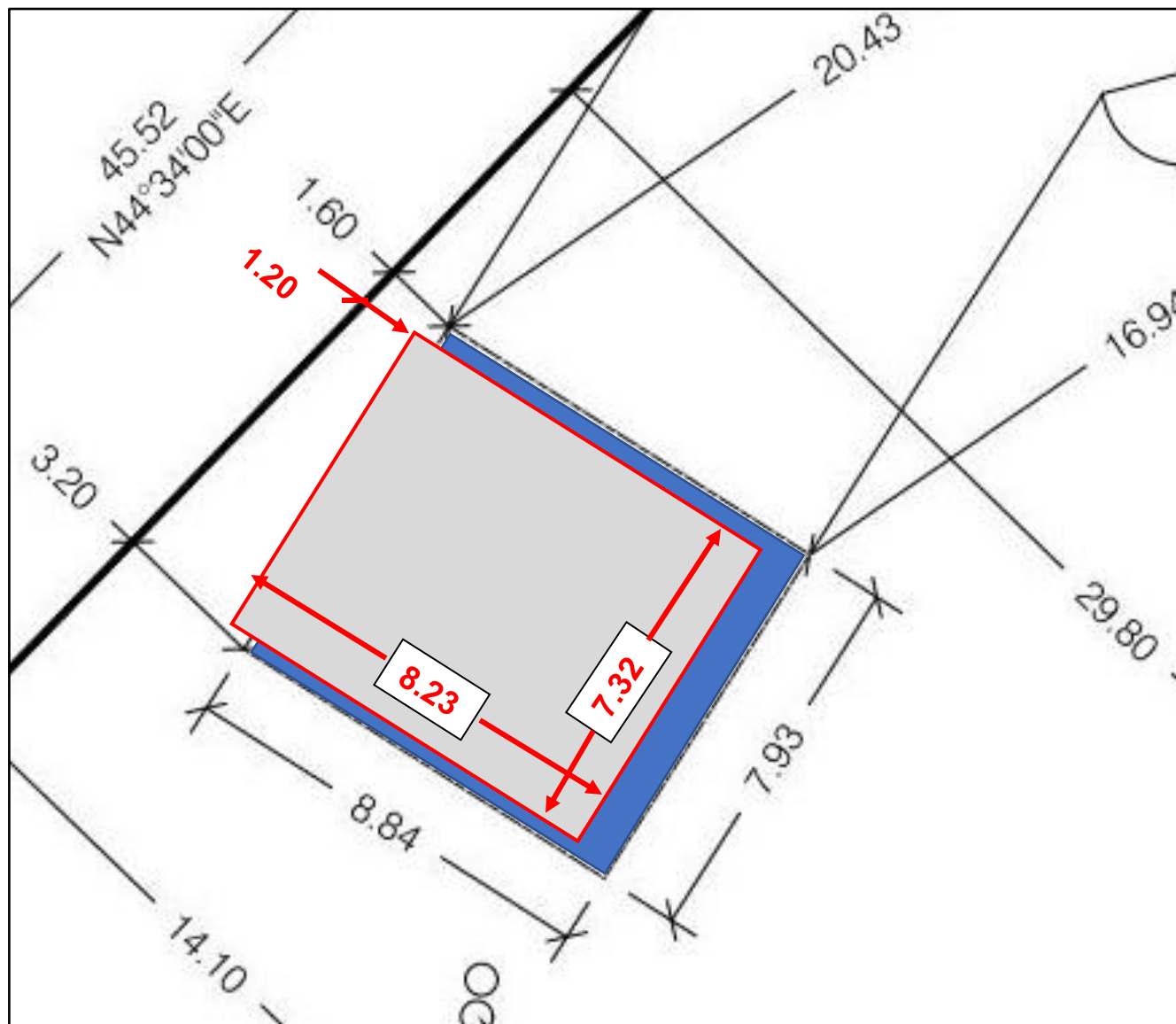
SITE PLAN

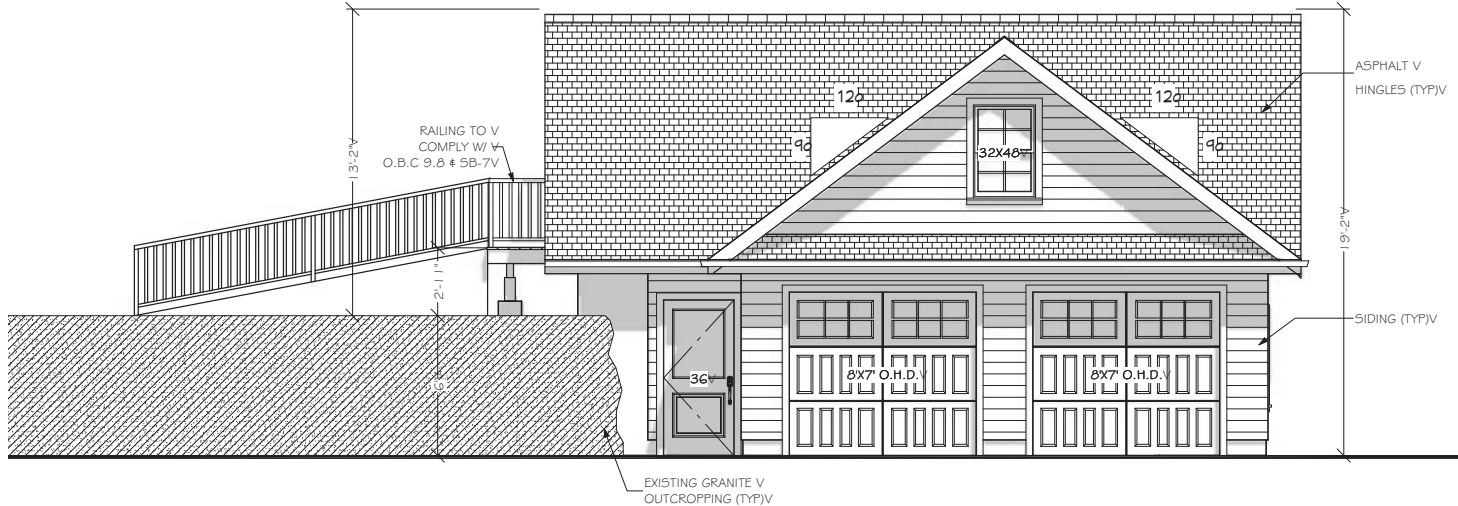
REVIEWED BY:	SCALE	DRAWING No.
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DRGR. JM		
SUR. ET		
MEC. NA		
ELE. NA	DATE	
JOB #. XXXX	APR 28, 2021	
	SHEET: 1 OF 1	XXXXX

### Present and Proposed Garage Plot Plan

 Present Garage and Storage shed

 Proposed Garage with storage loft and personal workshop





1V PROPOSED NORTH ELEVATION  
SCALE: V 3/16" = 1'-0"V



2V PROPOSED WEST ELEVATION  
SCALE: V 3/16" = 1'-0"V

- GENERAL NOTES: V
1. USE 25 MPa CONCRETE WITH MAXIMUM SLUMP OF 4" AND ENTRAINED AIR OF 5-7% FOR CONCRETE V FOOTINGS AND FOUNDATION WALLS. V
  2. ALL EXTERIOR CONCRETE WORK INCLUDING STEPS, PORCH SLABS, AND GARAGE SLABS TO BE 32 MPa WITH ENTRAINED AIR OF 5-8%. V
  3. V
  4. V
  5. ALL LINTELS ARE (2)2X10, UNLESS NOTED OTHERWISE. V
  6. ALL WOOD USED FOR DECKS, EXTERIOR STAIRS AND EXTERIOR RAILING, TO BE PRESSURE TREATED. V
  7. ALL DIMENSIONS TO BE CONFIRMED BY CONTRACTOR PRIOR TO ORDERING MATERIALS. V
  8. ALL ELECTRICAL TO BE CONFIRMED BY OWNER PRIOR TO ORDERING ELECTRICAL COMPONENTS. V



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ERIC TROUGHT, P. ENG

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*[Signature]*

SIGNATURE BCIN: 24453, 30033

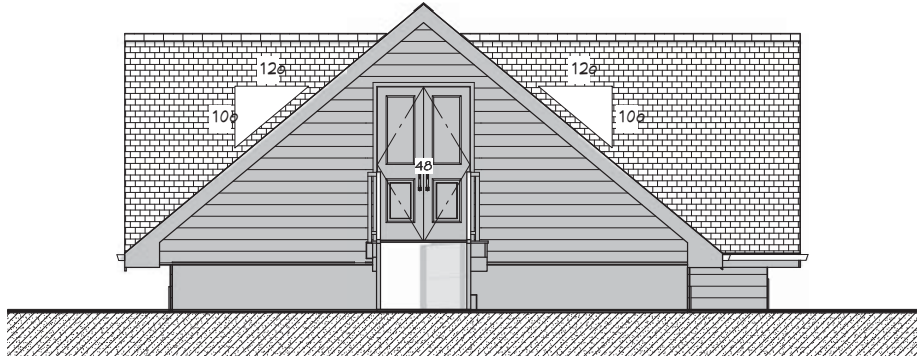
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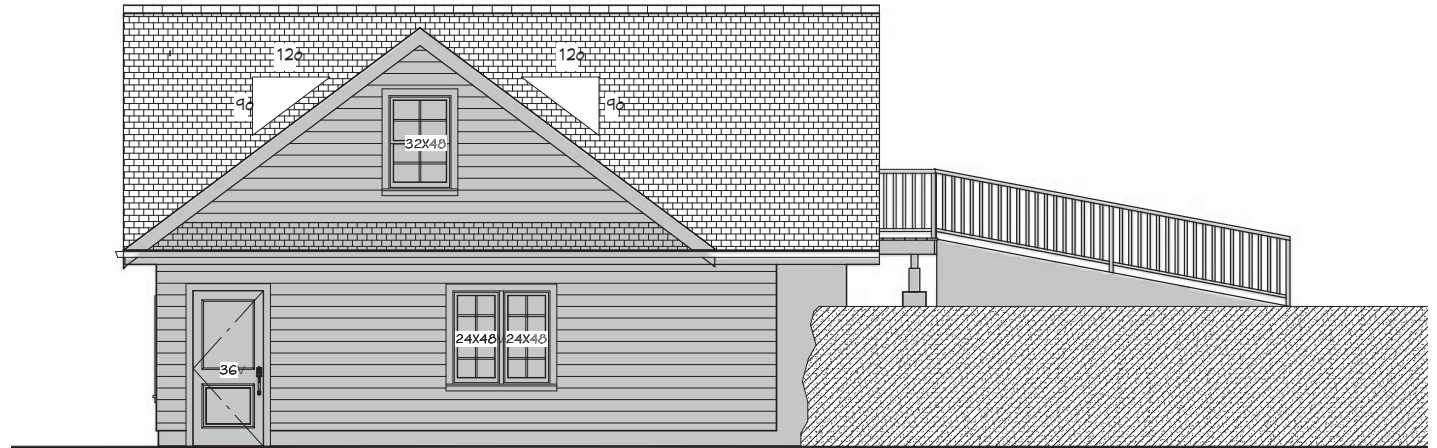
31 HILLEDALE AVE.- KINGSTON, ONTARIO- K7M 1S2- TEL 613 531-7873 613 561-3428- FAX 613 531-0602

PROPOSED GARAGE	
CLIENT: RUTH BAILEY & JOHN DORLANDO	
LOCATION: 11 THE POINT RD., KINGSTON, ON	
ELEVATIONS	
SCALE: 3/16" = 1'-0"	Sheet WEDNESDAY, APRIL 28, 2021
1 of 90	

DWG NO.
A1
21066



1 @ V PROPOSED EAST ELEVATION  
A1 @ V  
SCALE: 3/16" = 1'-0"V



2 V PROPOSED SOUTH ELEVATION  
A1 V  
SCALE: 3/16" = 1'-0"V



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SIGNATURE BCIN: 24453, 30033

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FAX 613 531-0602

PROPOSED GARAGE

CLIENT: RUTH BAILEY & JOHN DORLANDO

LOCATION: 11 THE POINT RD., KINGSTON, ON

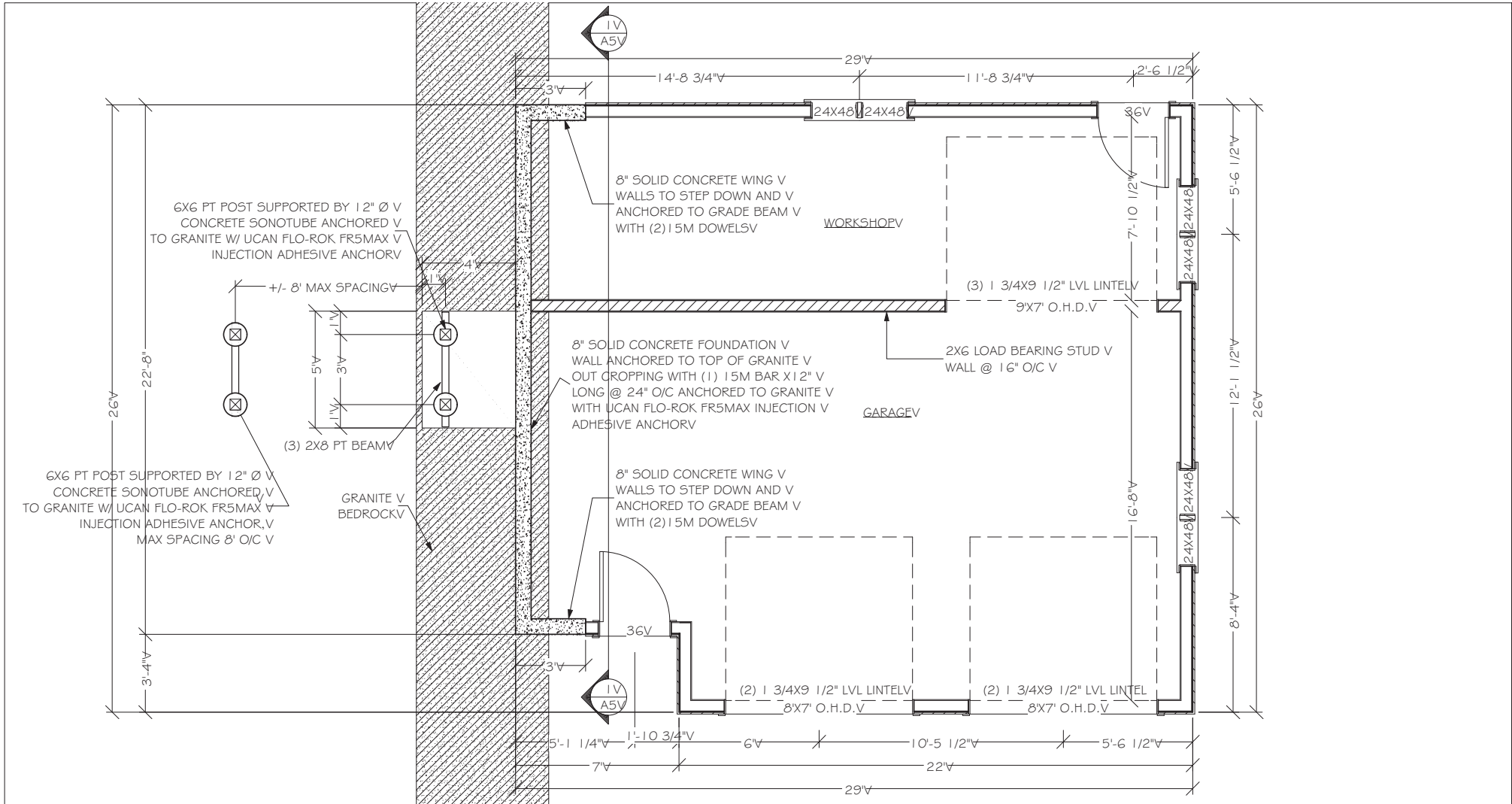
ELEVATIONS

SCALE: 3/16" = 1'-0" WEDNESDAY, APRIL 28, 2021  
Sheet 2 of 4

DWG NO.

A2

21066



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*[Signature]*

SIGNATURE BCIN: 24453, 30033

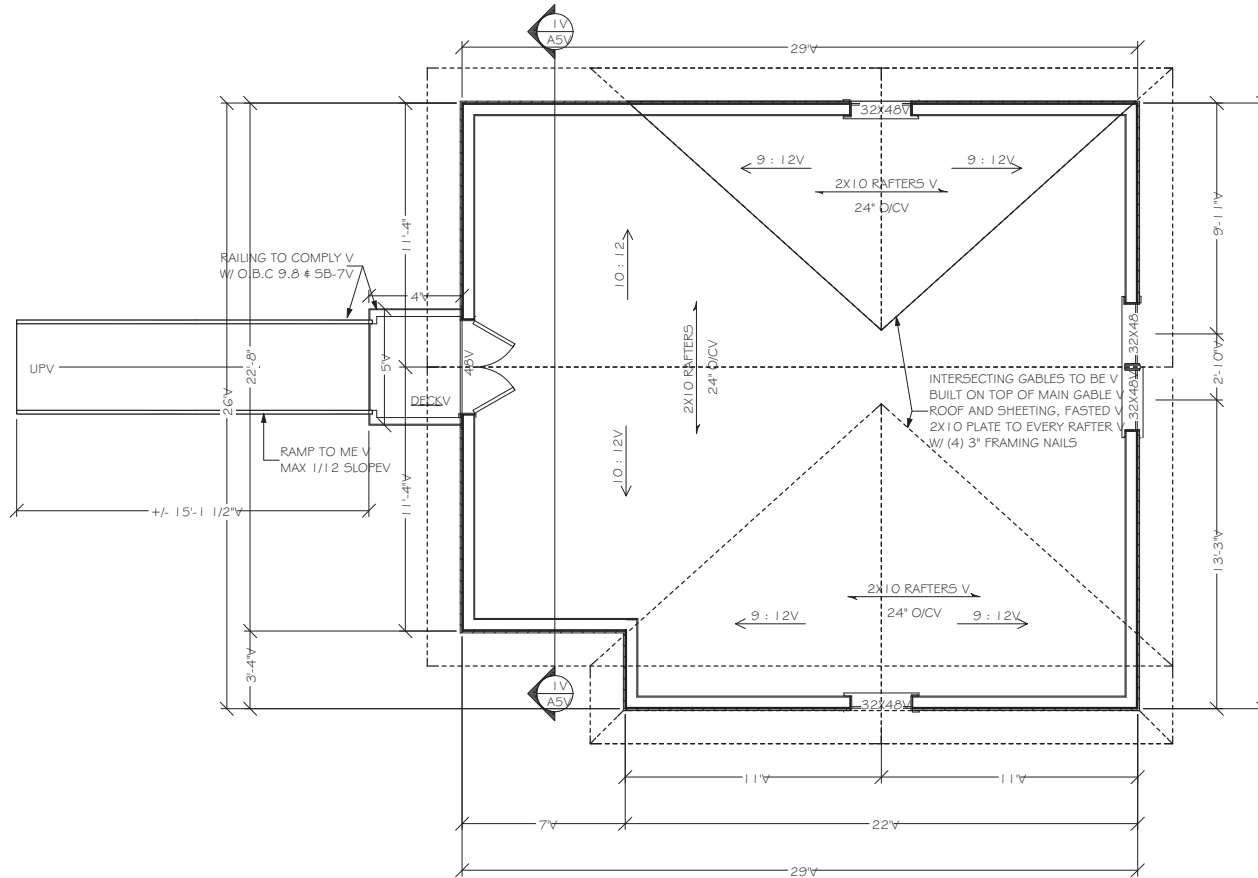
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31 HILLEDALE AVE.- KINGSTON, ONTARIO- K7M 1S2- TEL 613 531-7873- CELL 613 561-3428- FAX 613 531-0602-

<b>PROPOSED GARAGE</b>	
CLIENT: RUTH BAILEY & JOHN DORLANDO	
LOCATION: 11 THE POINT RD., KINGSTON, ON	
GARAGE PLAN 0	
SCALE: 1/4" = 1'-0"	Sheet
WEDNESDAY, APRIL 28, 2021	3 of 4

DWG NO.
<b>A</b>
21066



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FAX 613 531-0602-

PROPOSED GARAGE

CLIENT: RUTH BAILEY & JOHN DORLANDO

LOCATION: 11 THE POINT RD., KINGSTON, ONO

LOFT PLANO

SCALE: 0  
0 1/4" = 1'-0"  
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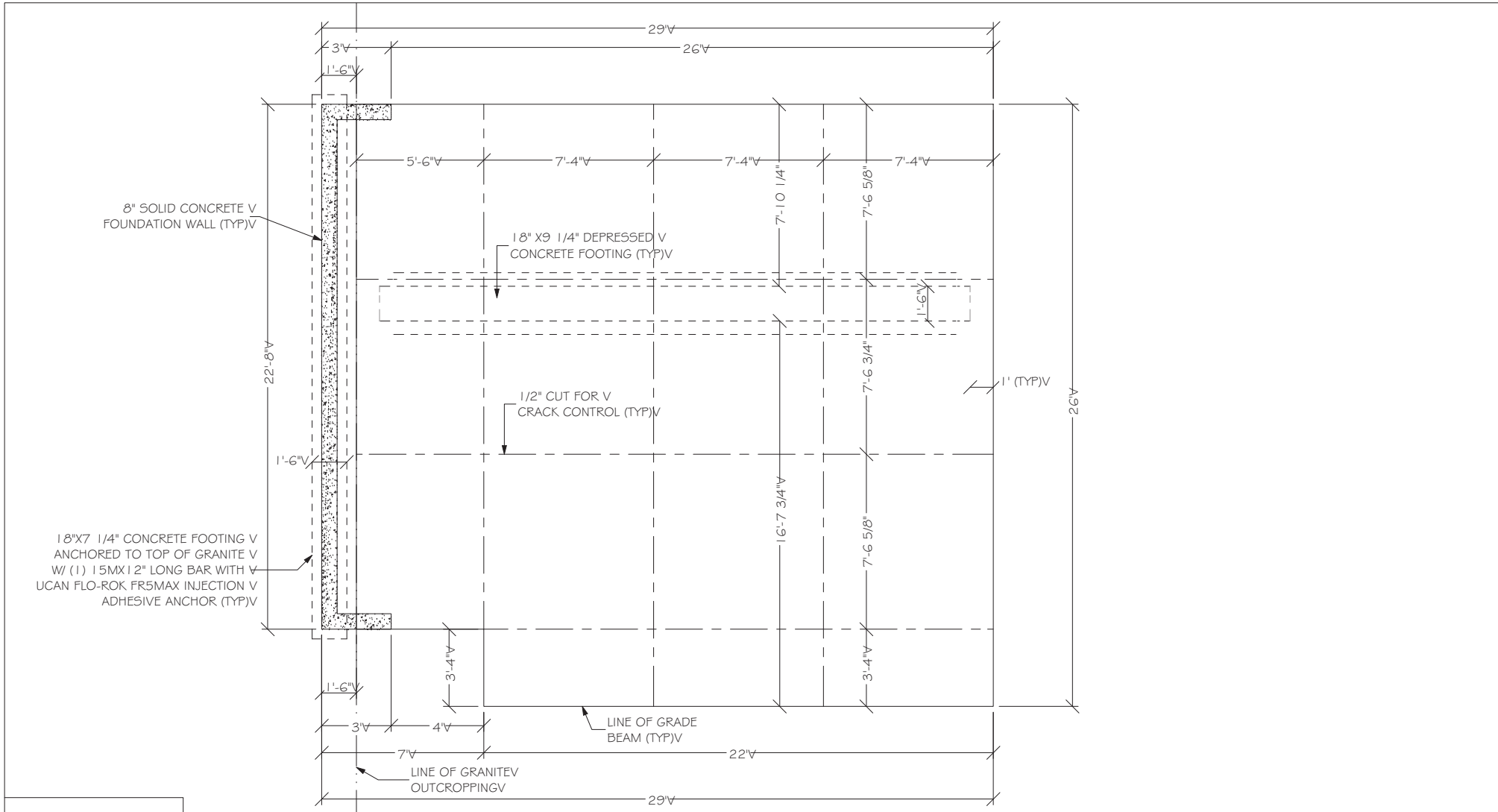
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Sheet  
4 of 4

DWG NO.

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PROPOSED GARAGE

CLIENT: RUTH BAILEY & JOHN DORLANDO

LOCATION: 11 THE POINT RD., KINGSTON, ON

FOUNDATION PLAN

SCALE:  
1/4" = 1'-0"

WEDNESDAY, APRIL 28, 2021

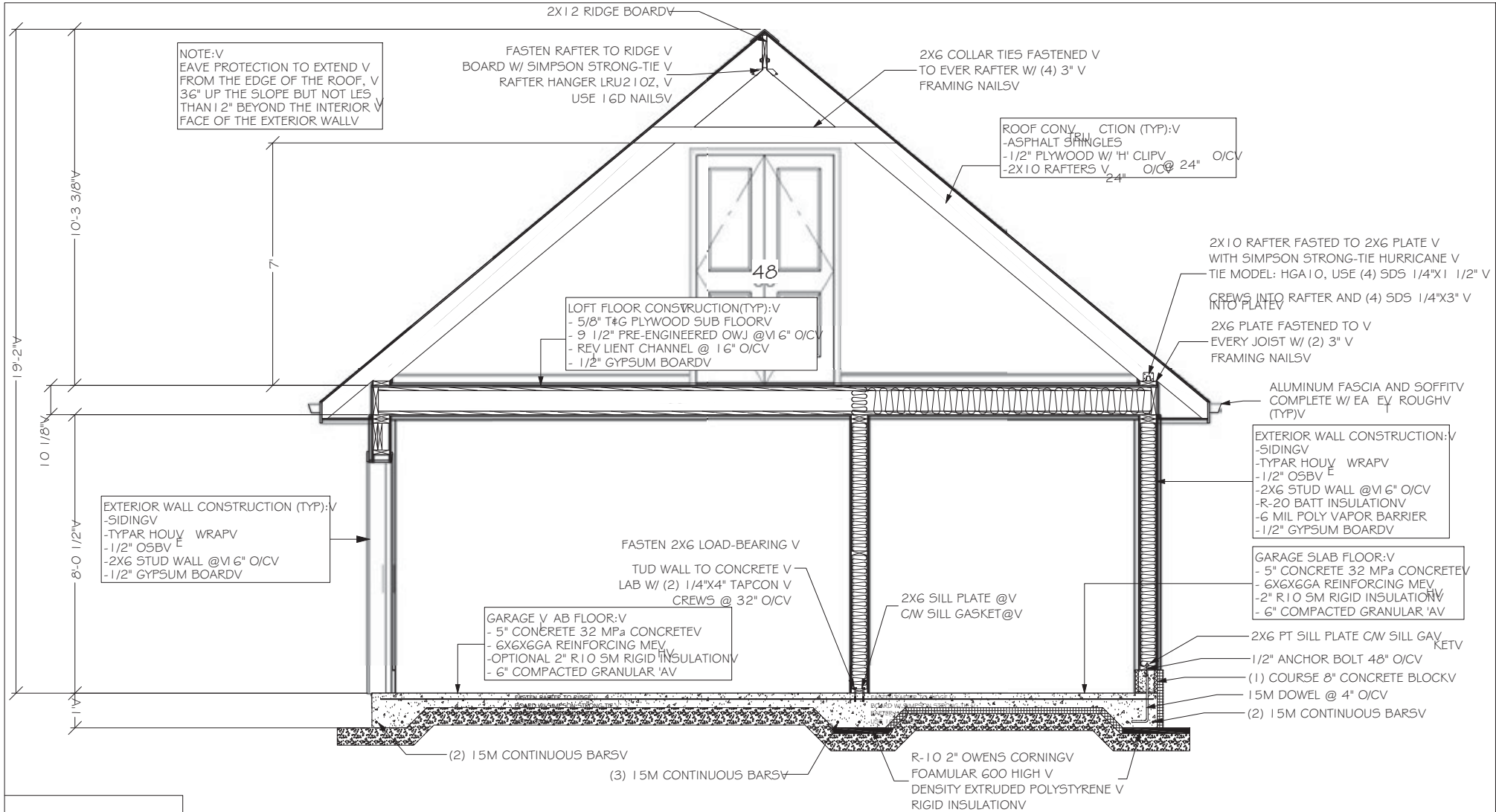
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5 of 9

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ELL 613 561-3428-  
FAX 613 531-0602

**PROPOSED GARAGE**

CLIENT: RUTH BAILEY & JOHN DORLANDO

LOCATION: 11 THE POINT RD., KINGSTON, ON

**GARAGE SECTION**

SCALE:

3/8" = 1'-0"

WEDNESDAY, APRIL 28, 2021

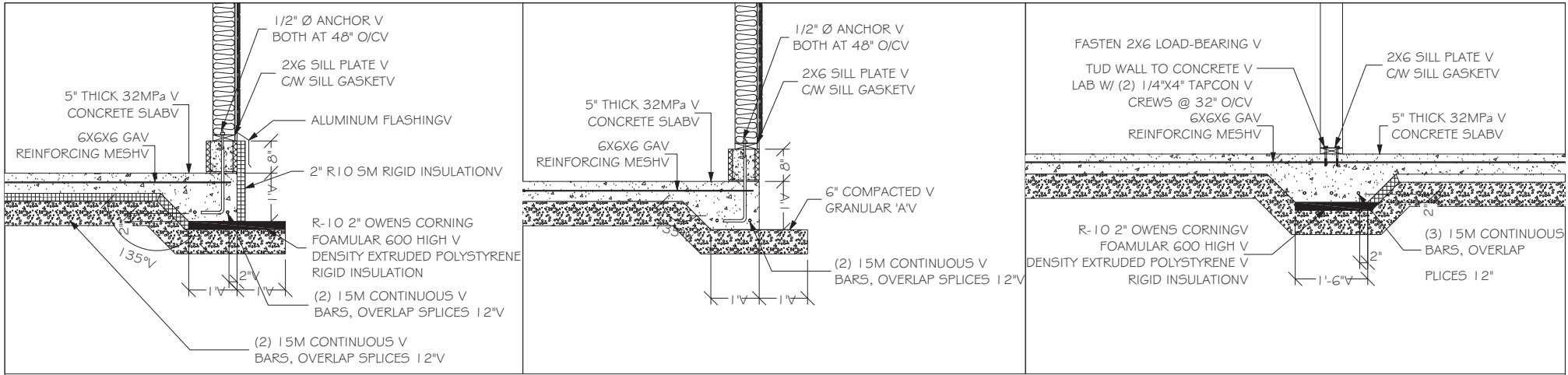
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6 of 9

DWG NO.

**A6**

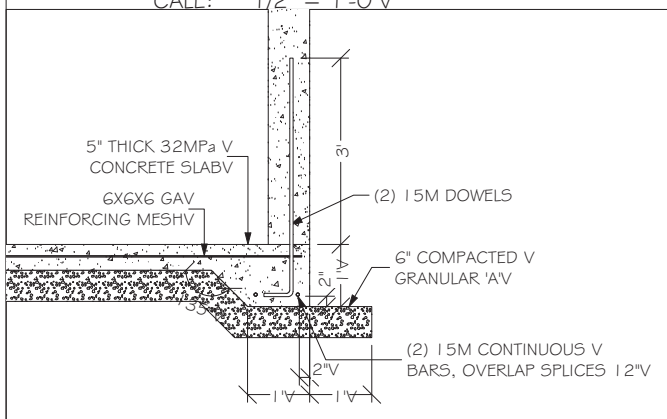
21066



**1V**  
**A7V** INSULATED GRADE BEAM DETAILV  
SCALE: 1/2" = 1'-0"V

**2V**  
**A7V** NON INSULATED GRADE BEAM DETAILV  
SCALE: 1/2" = 1'-0"V

**3V**  
**A7V** DEPRESSED FOOTING DETAILV  
SCALE: 1/2" = 1'-0"V



**4V**  
**A7V** GRADE BEAM AT CONCRETE WING WALLSV  
SCALE: 1/2" = 1'-0"V



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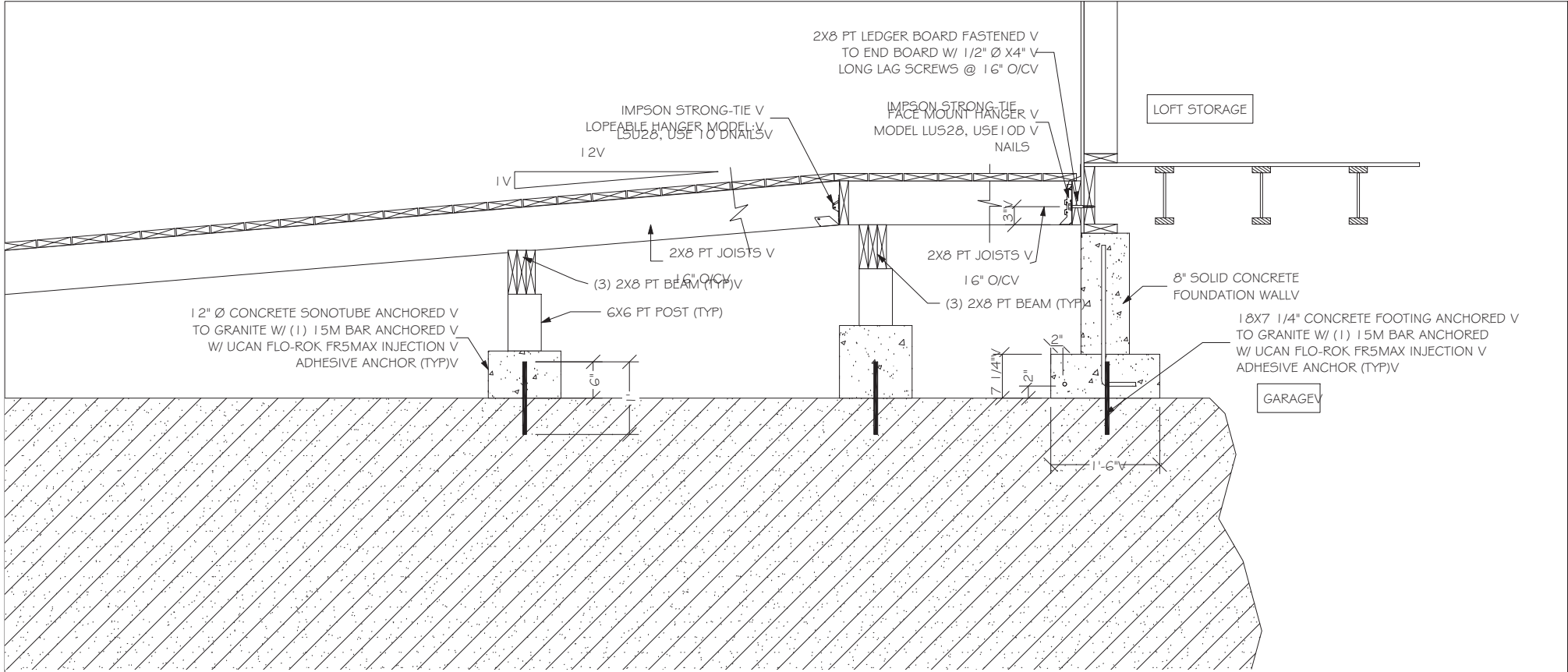
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<b>PROPOSED GARAGE</b>		
CLIENT: RUTH BAILEY & JOHN DORLANDO		
LOCATION: 11 THE POINT RD., KINGSTON, ON		
GRADE BEAM DETAILS		
SCALE: 1/2" = 1'-0"	WEDNESDAY, APRIL 28, 2021	Sheet
0		7 of 9

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**PROPOSED GARAGE**

CLIENT: RUTH BAILEY & JOHN DORLANDO

LOCATION: 11 THE POINT RD., KINGSTON, ON

FOOTING DETAIL AT TOP OF GRANITE

SCALE:

3/4" = 1'-0"

WEDNESDAY, APRIL 28, 2021

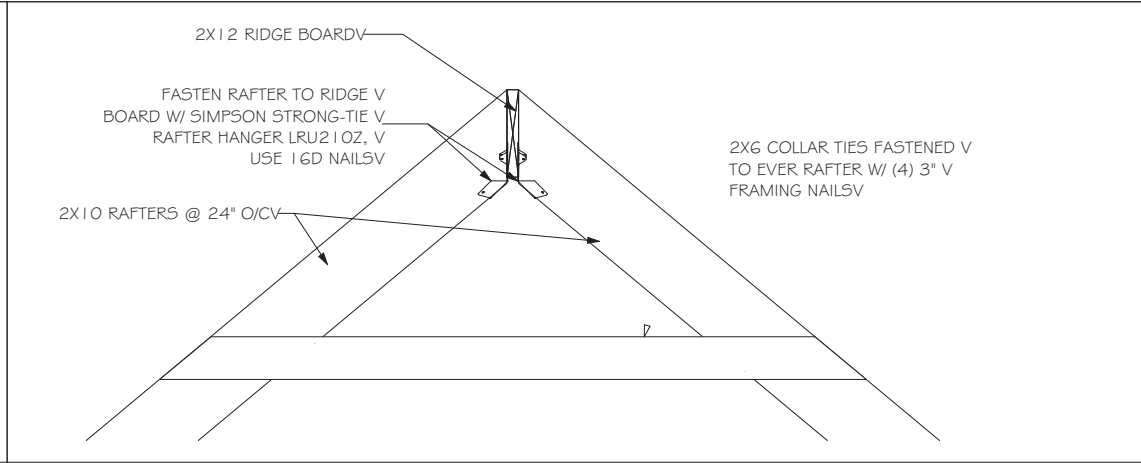
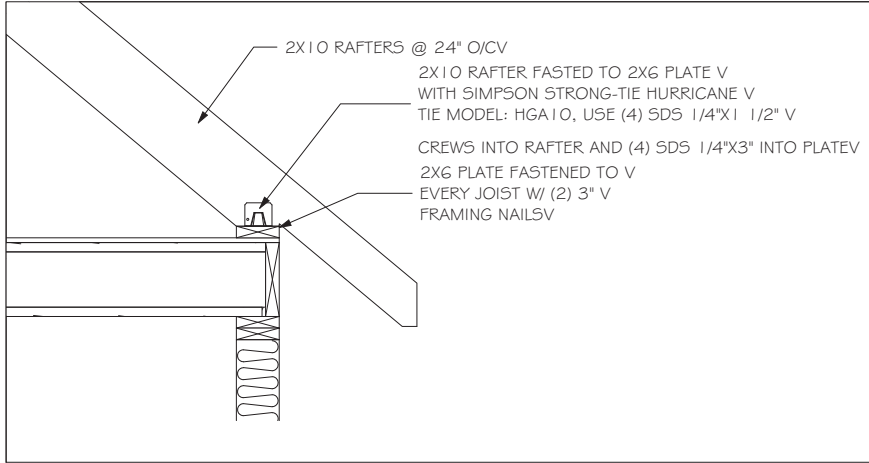
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8 of 9

DWG NO.

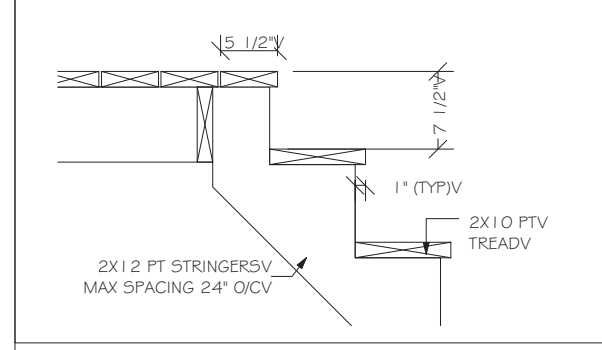
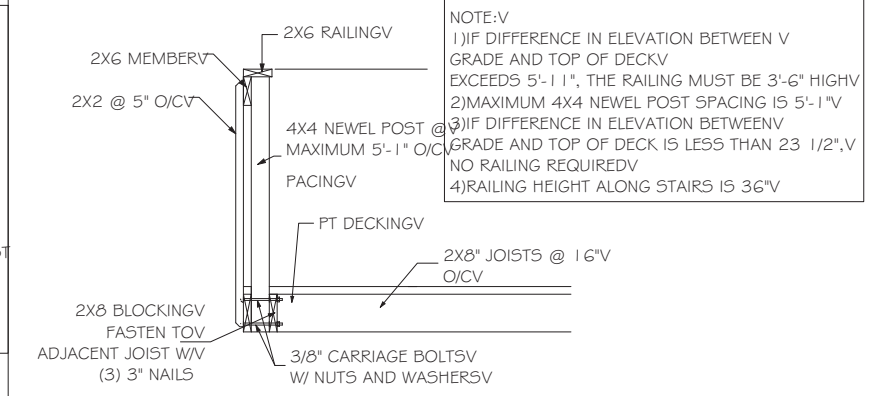
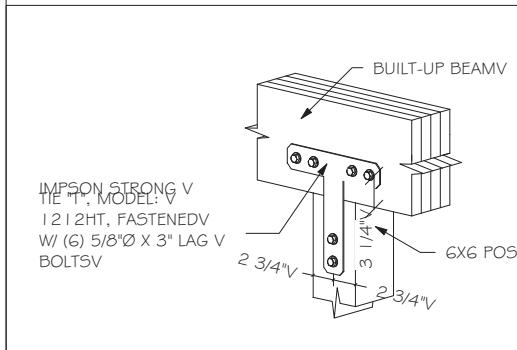
**A8**

21066



1V  
A9V  
RAFTER CONNECTION AT SILL PLATE V  
 SCALE: 3/4" = 1'-0" V

2V  
A9V  
RAFTER CONNECTION AT RIDGE BOARD V  
 SCALE: 3/4" = 1'-0" V



3V  
A9V  
POST TO BEAM DETAIL (TYP) V  
 SCALE: 1" = 1'-0" V

4V  
A9V  
POST TO BEAM DETAIL (TYP) V  
 SCALE: 1" = 1'-0" V

5V  
A9V  
STAIR CONNECTION DETAIL (TYP) V  
 SCALE: 1" = 1'-0" V



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PROPOSED GARAGE

CLIENT: RUTH BAILEY & JOHN DORLANDO

LOCATION: 11 THE POINT RD., KINGSTON, ON

DETAILS

SCALE: AS SHOWN

WEDNESDAY, APRIL 28, 2021

Sheet 9 of 9

DWG NO.

A9

21066

**Surveyor's Real Property Report**  
(PART 1) PLAN of **LOT 15, REGISTERED PLAN No. 419**  
Geographic Township of Pittsburgh  
**CITY OF KINGSTON**  
COUNTY of FRONTENAC

SCALE = 1:800

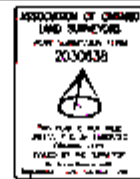
**HOPKINS CHITTY LAND SURVEYORS INC.**  
-2017-

**METRIC**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

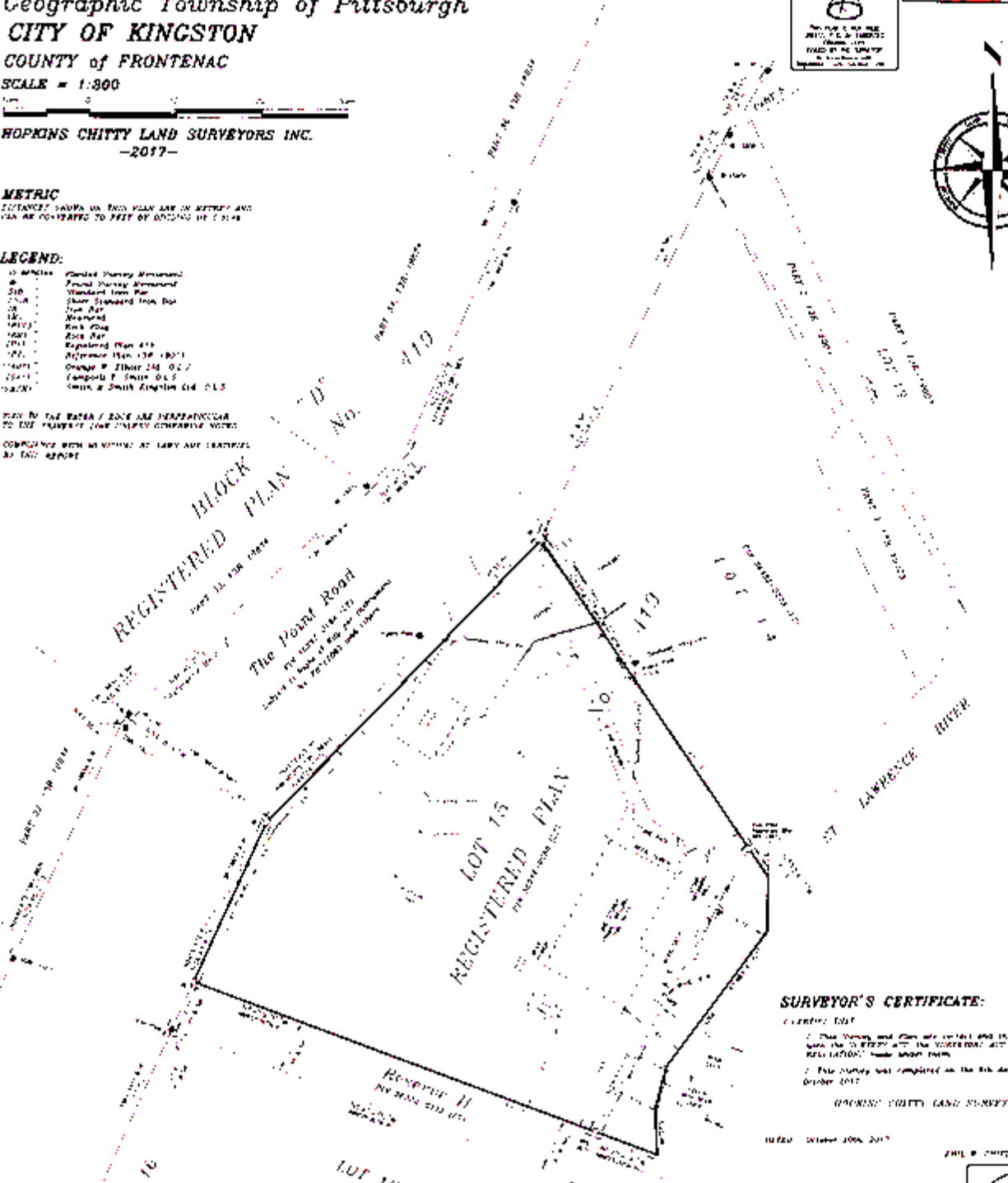
**LEGEND:**

10	Altimeter	Platted Survey Measurement
11	6"	Found Survey Measurement
12	Standard Iron Pin	
13	Steel Stake/ Iron Pin	
14	Iron Pin	
15	Wooden Stake	
16	Rock Pin	
17	Rock Pin	
18	Rock Pin	
19	Reference Plan 419	
20	Reference Plan 138 (2011)	
21	Orange P. Iron 24.5 (2017)	
22	Orange P. Iron 24.5 (2017)	
23	Orange P. Iron 24.5 (2017)	
24	Orange P. Iron 24.5 (2017)	
25	Orange P. Iron 24.5 (2017)	
26	Orange P. Iron 24.5 (2017)	
27	Orange P. Iron 24.5 (2017)	
28	Orange P. Iron 24.5 (2017)	
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98	Orange P. Iron 24.5 (2017)	
99	Orange P. Iron 24.5 (2017)	
100	Orange P. Iron 24.5 (2017)	

NOTES TO THE BUYER: THIS PLAN IS A PRELIMINARY PLAN TO THE PROPERTY TO BE PURCHASED. THE BUYER IS ADVISED TO CONDUCT HIS OWN SURVEY AND TO OBTAIN A PROFESSIONAL SURVEYOR'S REPORT BEFORE PURCHASING THE PROPERTY. THE SURVEYOR'S REPORT IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE BUYER IS ADVISED TO OBTAIN A PROFESSIONAL SURVEYOR'S REPORT BEFORE PURCHASING THE PROPERTY.



This Report was prepared for **RUTH BAKER** and the Underlying Acceptor in Responsibility for use by Other Parties.



**SURVEYOR'S CERTIFICATE:**

I, **PHILIP CHITTY**, being duly sworn, do hereby certify that the above is a true and correct copy of the original plan as shown to me by the client and the original plan as shown to me by the client.

**HOPKINS CHITTY LAND SURVEYORS INC.**  
Witness my hand and seal this 10th day of October 2017.

**PART 2 - SURVEY REPORT**

THE SURVEYOR HAS CONDUCTED A SURVEY OF THE PROPERTY OF THE CLIENT AND HAS FOUND THAT THE PROPERTY IS BOUND BY THE FOLLOWING BOUNDARIES: ...

**NOTES:**  
NEARBY ARE THE ... AND THE ... FROM PART OF THE ...

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Ontario Land Surveyors  
www.hopkinschitty.com  
477-816-1000 (Toll Free)  
477-816-1000 (Toll Free)  
244-2112 (Toll Free)

## Application for Minor Variance Permission

**To:** Committee of Adjustment

**From:** Ruth Bailey and John Dorland, Co-applicants and Co-owners of property located at 11 The Point Road, Kingston ON

**Date:** April 30, 2021

**Subject:** Request for approval of two minor variances, one concerning the structure height and the second for the setback from a right-of-way

### History:

The present detached two car garage with an attached small storage shed was built prior to our purchasing the property on May 15, 1982 and was in use until damaged. During a windstorm on November 1, 2020, a large white pine tree spit in half and fell on the roof of the garage.

The tree was removed, and the roof tarped. Through investigation by a structural engineer, hired by the insurance company, the garage was determined to be unrepairable. A construction company was hired to shore up the garage to allow us to move our personal items.



*Figure 1: Garage on Nov. 1, 2020*

### Proposed New Building:

Due to the location of the house and the large granite rock outcroppings on our property, it was determined that the proposed new building would need to occupy the same space as the present garage and shed.

To better meet our need for space for two vehicles, storage and a personal workshop area we elected to slightly increase the size of the new structure to be 2 feet (0.61 m) wider and 2 feet (0.61) deeper than the present garage and attached shed. The increase in depth will be divided between the east (front) and west (back) sides of the present garage placement. The workshop area will occupy a section at the back of the garage. The roof line will change to provide useful storage in a loft which will be accessed from the rock ridge.

There will be no plumbing in the new structure. The electrical service will be designed to operate indoor and outdoor lighting, tools in the workshop and plug ins for electric cars. The loft area will have electrical service for lighting only.

### Height Variance:

In order to accommodate a standing height in the centre section of the loft and ensure that the slope of the roof is appropriate for rain and snow runoff the height is designed at 19' 2" (5.85m) from the finished grade.

The garage is visible from The Point Road and by our neighbours at 13 The Point Road but does not impede their view of the water or any other point of interest. Directly to the west and north the garage is shielded from direct view by trees and large rock ridges.



Figure 2: View north from present garage.

### Distance from Right-of-way Variance:

Access to our property is via The Point Road, a private paved road. As noted on our property survey, the road allowance is 20.49 m. The setback for our present garage is 1.2 metres and the setback for the proposed building is at least 1.6 metres.



Figure 3: View of present garage from edge of The Point Road

Although the new garage is 2 feet (0.61 m) wider than the present structure we are moving the building south, away from the road, and placing the south wall on top of a granite ridge. As a result, the north wall will be further from the right-of-way than the current garage. The rock ridge is uneven, and the contractor needs some flexibility in exactly where on the rock he will place the wall to get a good line. The resulting setback will not be closer than 1.6 m from the right-of-way but may be 1.8 m from the right-of-way.

Thank you for your consideration of our variance requests.

Submitted with this variance application are the following documents:

1. Property survey 2017
2. Property Plot Plan with Proposed Garage
3. Plot Plan with Present and Proposed Garage
4. Building Plans for Proposed Garage