



**City of Kingston
Committee of Adjustment
Meeting Number 2021-10
Addendum**

**Monday, September 20, 2021 at 5:30 p.m.
In a virtual, electronic format**

8. Business

Note: The consent of the Committee is requested for the consideration of Report COA-21-075 in advance of Report COA-21-065.

- f) Subject: Supplementary Report (to Report Number COA-21-065)**
File Number: D13-047-2021
Address: 96 Regent Street
Owner: Glenn and Mona Warner
Applicant: Fotenn Consultants Inc.

The Report of the Commissioner of Community Services (COA-21-075) is attached.

Addendum Pages 1 – 5

Recommendation:

That paragraph 2 of the recommendation in Report Number COA-21-065, be replaced with the following:

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-075.

Note: The consent of the Committee is requested for the consideration of Report COA-21-076 in advance of Report COA-21-064.

g) Subject: Supplementary Report (to Report Number COA-21-064)

File Number: D13-046-2021

Address: 254 Alfred Street

Owner: Daniel Welsh

Applicant: Fotenn Consultants Inc.

The Report of the Commissioner of Community Services (COA-21-076) is attached.

Addendum Pages 6 – 10

Recommendation:

That paragraph 2 of the recommendation in Report Number COA-21-064, be replaced with the following:

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-076.

12. Correspondence

- c)** Correspondence received from Jane Keller, dated September 13, 2021, regarding Application for Minor Variance - 96 Regent Street.

Addendum Page 11

- d)** Correspondence received from Annette Burfoot, dated September 17, 2021, regarding Application for Minor Variance - 96 Regent Street.

Addendum Pages 12 – 13

- e)** Correspondence received Glenn & Nicole Rea, dated September 19, 2021, regarding Application for Minor Variance – 96 Regent Street.

Addendum Page 14

- f)** Correspondence received from Adam & Cassandra Haws, dated September 20, 2021, regarding Application for Minor Variance and Consent – 134 Butler Street

Addendum Pages 15 – 16



**City of Kingston
Report to Committee of Adjustment
Report Number COA-21-075**

To: Chair and Members of the Committee of Adjustment
From: Annemarie Eusebio, Intermediate Planner
Date of Meeting: September 20, 2021
Subject: Supplementary Report (to Report Number COA-21-065)
File Number: D13-047-2021
Address: 96 Regent Street
Owner: Glenn and Moira Warner
Applicant: Fotenn Consultants Inc.

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

This Supplemental Report is provided to clarify the Recommended Conditions outlined in Exhibit A of Report Number [COA-21-065](#). This report includes a revised Recommended Condition relating to Utilities Kingston Requirements. No other changes to the report are proposed at this time. The revised Recommended Conditions is attached to this supplementary report as Exhibit A.

Recommendation:

That paragraph 2 the recommendation in Report Number COA-21-065, be replaced with the following:

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-075.

September 20, 2021

Page 2 of 3

Authorizing Signatures:



Annemarie Eusebio, Intermediate
Planner

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

Tim Park, Director, Planning Services
James Bar, Manager, Development Approvals

September 20, 2021

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Options/Discussion:

This Supplemental Report is provided to clarify the Recommended Conditions outlined in Exhibit A of Report Number COA-21-065. This Report includes a revised Recommended Condition relating to Utilities Kingston Requirements. No other changes to the report are proposed at this time. The revised Recommended Conditions is attached to this supplementary report as Exhibit A.

Existing Policy/By-Law:

Please refer to Report Number COA-21-065.

Notice Provisions:

Please refer to Report Number COA-21-065.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

Annemarie Eusebio, Intermediate Planner, 613-546-4291 extension 3183

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Recommended Conditions

Recommended Conditions

Application for minor variance, File Number D13-047-2021

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 single family dwelling and second residential unit as shown on the approved drawings attached to the notice of decision for 96 Regent Street.

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

Archaeological clearance of the subject property is required, beginning with a Stage One Archaeological Assessment and including any subsequent assessments as required by the Ministry of Heritage, Sport, Tourism, and Culture Industries' Standards and Guidelines for Consultant Archaeologists, as amended from time to time, prior to any soil disturbance.

One digital copy of the assessment report(s) and any acceptance letter(s) from the Ministry of Heritage, Sport, Tourism, and Culture Industries shall be provided to the Secretary-Treasurer of the Committee of Adjustment, prior to the issuance of the Certificate of Official.

The City relies upon the report of the professional archaeologist as filed, but reserves the right to require further reports should further evidence be uncovered.

The applicant may be required to further review the state of archaeological resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Heritage, Sport, Tourism, and Culture Industries. The City shall not be restricted in its ability to determine requirements related to review, assessment and/or protection should archaeological resources be found on site. Any costs arising from such requirements of the City, or any other duly authorized Government body, shall be borne solely by the applicant.

5. Utilities Services

The owner/applicant shall provide written approval that Utilities Kingston is satisfied that the existing services are properly connected to the property prior to building permit issuance.



**City of Kingston
Report to Committee of Adjustment
Report Number COA-21-076**

To: Chair and Members of the Committee of Adjustment
From: Annemarie Eusebio, Intermediate Planner
Date of Meeting: September 20, 2021
Subject: Supplementary Report (to Report Number COA-21-064)
File Number: D13-046-2021
Address: 254 Alfred Street
Owner: Daniel Welsh
Applicant: Fotenn Consultants Inc.

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

This Supplemental Report is provided to clarify the Recommended Conditions outlined in Exhibit A of Report Number [COA-21-064](#). This report includes revised recommended conditions relating to Utilities Kingston and Engineering Requirements. No other changes to the report are proposed at this time. The revised Recommended Conditions is attached to this supplementary report as Exhibit A.

Recommendation:

That paragraph 2 of the recommendation in Report Number COA-21-064, be replaced with the following:

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-076.

September 20, 2021

Page 2 of 3

Authorizing Signatures:



Annemarie Eusebio, Intermediate
Planner

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

Tim Park, Director, Planning Services
James Bar, Manager, Development Approvals

September 20, 2021

Page 3 of 3

Options/Discussion:

This Supplemental Report is provided to clarify the Recommended Conditions outlined in Exhibit A of Report Number COA-21-064. This Report includes Recommended Conditions relating to Utilities Kingston Requirements and Engineering Requirements. No other changes to the report are proposed at this time. The revised Recommended Conditions is attached to this supplementary report as Exhibit A.

Existing Policy/By-Law:

Please refer to Report Number COA-21-064.

Notice Provisions:

Please refer to Report Number COA-21-064

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

Annemarie Eusebio, Intermediate Planner, 613-546-4291 extension 3183

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Recommended Conditions

Recommended Conditions

Application for permission and minor variance, File Number D13-046-2021

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

1. Limitation

That the approved permission and minor variance applies only to the proposed semi-detached dwelling and second residential unit with a maximum of four bedrooms, as shown on the approved drawings attached to the notice of decision for 254 Alfred Street. The existing semi-detached dwelling contains seven bedrooms. A maximum of eleven bedrooms is permitted on the subject property.

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.

5. Utilities Services

The owner/applicant shall provide written approval that Utilities Kingston is satisfied that the existing services are properly connected to the property prior to building permit issuance.

6. Noise Study

The applicant will be required to insert the warning clause which is contained in Appendix C of the Noise Study into all agreements of purchase and sale or occupancy agreement for each apartment unit. "Occupants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of the Environment, Conservation and Parks' noise criteria. This dwelling unit has been fitted with a central air conditioning system. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment, Conservation and Parks' noise criteria."

7. Engineering

The applicant is required to provide a revised grading and servicing plan to the satisfaction of Engineering Services prior to building permit issuance. The applicant will be required to replace the existing depressed curb and sidewalk with a barrier faced curb and sidewalk for the portion that will no longer be used as a driveway. The applicant will be required to reinstate the municipal boulevard with topsoil and sod where the old driveway is being removed. The revised plan should indicate additional existing grades so that it can be confirmed that the adjacent property will not be adversely affected.

Mon. Sept 13, 2021

RECEIVED

100 Regent St.
Kingston Ont.
K7L 4J8

SEP 14 2021

PLANNING DIVISION
CITY OF KINGSTON

Concerning minor ravence at 96 Regent St.,
I have some concerns:

- ① The new property will be closer to my lot line and I have worries about my paved driveway & the structure of my home during this demolition & rebuilding, not to mention the noise etc. This seems to be a major renovation.
- ② The proposed structure does not suit the older neighbourhood especially the beautiful Churchill Park setting. The original home is a welcoming site however the design of the new house is completely out of character for this lovely older neighbourhood. There is too much aluminium and metal involved in the exterior not to mention the apartment-like shape and much larger top story which will affect my amount of light. It will dwarf my home and my property.
- ③ I have resided at 100 Regent St for fifty-three years and it was always a perfect neighbourhood with additions and improvements to the older homes. I am not against progress but I cannot agree with the design. Please notify me of the Committee of adjustment's decision at the above address.

Jane Kelley

City of Kingston, Planning Services
c/o Secretary Treasurer, Committee of Adjustment
216 Ontario Street
Kingston, ON K7L 2Z3

September 17, 2021

To the members of the Committee,

I am writing in response to an application for so-called minor variances at 96 Regent Street (File number D13-047-2021). I live three doors down from the site and have done so for over 30 years.

When my neighbour, one of the owners of the building slated for demolition and rebuild approached me about the application, he indicated he wanted to rebuild a two-family house and remain there. I said I would be happy to support the application, then the details arrived along with a friendly letter from both owners, Mona and Glenn Warner, to neighbours encouraging us to talk with them about the proposed project. I appreciate this. Included in this information were key maps of the site, details of the variances requested, and a preliminary elevation of the proposed building.

Although the variances seem minor --.4 of a meter increase to the minimum aggregate side yard width and half a meter increase to the height for example-- the lot size, typical of the neighbourhood is small. Also typical of the neighbourhood are pitched roofs for one and a half to two storey houses. The plan for a two and a half storey straight-walled, flat-roofed building extending beyond permitted boundaries will have a significant effect on neighbouring houses, particularly those to the north and west of the site. Along with the raised height of the building and its roof, loss of the pitched roof means significant loss of sunlight to adjacent houses and issues with overlook.

There is also the matter of design. I am a fan of minimalism and welcome mixed styles in neighbourhoods and think different styles can communicate effectively with one another. This design, like many similar ones I have seen in Toronto and Ottawa, are the result of mass-produced housing designs through software such as Sketch Up that allow for easy volumetric adjustments to fit a given site. In other words, this design was not carefully planned for this particular neighbourhood but applied to and stretched beyond the in-place zoning.

This design needs to be altered to reduce the towering effect over neighbouring houses and should at the very least comply with the zoning bylaw. Also, introducing this style of house to the neighbourhood will set precedent and needs to be carefully considered as such. When every re-build is allowed to push lot lines and add height, the character of the neighbourhood is lost. Finally, the flat roof design increases the house's square footage significantly with no increase to residential intensity.

Truly yours,

Annette Burfoot
74 Regent Street
Kingston ON K7L 4J7

From: [Myers, Cheryl](#)
To: [Sthamann, Lindsay](#); [Eusebio, Annemarie](#)
Cc: [Planning Outside Email](#); [Gregory, Katharine](#)
Subject: FW: Support For Minor Variance For 96 Regent St
Date: September 20, 2021 7:29:05 AM

Good Morning Ladies,

Please see response below for COA file D13-047-2021.

Thank you,
Cheryl

From: Glenn Rea [REDACTED]
Sent: September 19, 2021 12:08 PM
To: Planning Outside Email <Planning@cityofkingston.ca>
Subject: Support For Minor Variance For 96 Regent St

To Whom It May Concern,

We live at 315 Mack St and would like to offer our full and enthusiastic support for this minor variance request.

We have no doubt that the proposed new residence will be a wonderful addition to the neighbourhood as these are outstanding neighbours that have always gone above and beyond regarding the maintenance of their home and landscaping.

Thank you very much for your consideration of this request and have a great week!!

Glenn and Nicole Rea

From: Adam Haws [REDACTED]
Sent: September 20, 2021 1:21 PM
To: Planning Outside Email <Planning@cityofkingston.ca>
Subject: For Meeting Sept 20th

Dear the Secretary Treasurer, Committee of Adjustment,
We would like to show the attached document at the meeting tonight regarding 134 Butler St. File Number D10-024-2021 and D13-045-2021. We realized it may be difficult to see via Zoom. We plan to make comments this evening.
Thank you,
Adam and Cassandra Haws

To the Committee of Adjustment,

With regard to the proposed minor variance at 134 Butler St. (File number D10-024-2021) requesting consent to sever and to reduce the minimum lot frontage requirement from 15 meters to 11.1 meters for both the existing lot and the new proposed lot, we the residents and neighbours on Butler St. **oppose** the severance and minor variance.

Name	Date	Address	Signature
Barb McCallum	Sept 18	121 Butlers	Barb McCallum
Ara de Soasa	Sept 18	145 Butler	Ara de Soasa
JANE JARVIS	SEPT 18	178 Weller ave	Jane Jarvis
Sally Maszko	Sept 18	141 BUTLER ST	Sally Maszko
Rob Juliusz	Sept 18	133 Butler ST	Rob Juliusz
Shirley	Sept 18	121 Butler St.	Shirley
Bill MARTINEZ	Sept 18	121 Butler st	Bill Martinez
Lay Campbell	" "	121 Butler st.	Lay Campbell
Adam Haws	Sept 18	122 Butler st.	Adam Haws
Cassandra Haws	Sept 18/21	122/128 Butler st.	Cass Haws
Rebecca McDonald	Sept 19, 21	128 Butler St	Rebecca McDonald
Tom MacDONALD	Sept 19 2021	128 BUTLER ST.	Tom MacDONALD