



**City of Kingston
Report to Committee of Adjustment
Report Number COA-21-065**

To: Chair and Members of the Committee of Adjustment
From: Annemarie Eusebio, Intermediate Planner
Date of Meeting: September 20, 2021
Application for: Minor Variance
File Number: D13-047-2021
Address: 96 Regent Street
Owner: Glenn and Mona Warner
Applicant: Fotenn Consultants Inc.

Council Strategic Plan Alignment:

Theme: 2. Increase housing affordability

Goal: 2.4 Promote secondary suites and tiny homes.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances at the property located at 96 Regent Street. The applicant is proposing to construct a new two-storey single-detached dwelling with a second residential unit in the basement. The existing single-detached home and detached garage will be demolished. The new dwelling will have a flat roof with a small parapet. A small courtyard is proposed with a raised deck that will provide the primary outdoor amenity area. The proposed development will provide two parking spaces, with one space for the principal dwelling unit and one space for the second residential unit. The parking spaces will be located within the existing driveway.

The principal dwelling will be accessed from Mack Street. The primary dwelling will be approximately 303.5 square metres in area and will contain a kitchen, three bedrooms, two washrooms and a living area. A portion of the basement will contain a yoga studio and a workshop which is connected to the primary dwelling. The yoga studio is intended for the

September 20, 2021

Page 2 of 15

homeowner to practice yoga and broadcast the lessons remotely. It is intended that clients will not attend the yoga studio in person. The yoga studio complies with the home occupation use policies of Zoning By-Law Number 8499.

The second residential unit will be accessed from Regent Street. A walkway will also circle the dwelling and provide a pedestrian linkage between the driveway and the entrance to the second residential unit. The second residential unit will be approximately 60 square metres in area and will contain a kitchen, a living area, one washroom and one bedroom.

In order to facilitate the proposed development, the applicant is seeking variances to reduce the minimum aggregate side yard width, to increase the maximum percentage of lot coverage, to increase the maximum permitted height of any exterior wall exclusive of the end gable, to increase the maximum permitted residential building depth and to decrease the minimum setback from the front lot line with respect to projections into yards.

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 8499. 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.

Variance Number 1:

By-Law Number 8499: Minimum aggregate side yard width - Section 6.3 (c) i)
Requirement: 3.6 metres
Proposed: 3.2 metres
Variance Requested: 0.4 metres

Variance Number 2:

By-Law Number 8499: Maximum percentage of lot coverage – Section 6.3 (e)
Requirement: 33 percent
Proposed: 36 percent
Variance Requested: 3 percent

Variance Number 3:

By-Law Number 8499: The maximum permitted height of any exterior wall exclusive of end gable - Section 6.3 (2)
Requirement: 7 metres
Proposed: 7.5 metres
Variance Requested: 0.5 metres

Variance Number 4:

By-Law Number 8499: Maximum Permitted Residential Building Depth – Section 6.3 (g) (ii) 1
Requirement: 13.3 metres
Proposed: 15.6 metres
Variance Requested: 2.3 metres

September 20, 2021

Page 3 of 15

Variance Number 5:

By-Law Number 8499: Projections into Yards – Minimum setback from the front lot line -
Section 5.8 (c)

Requirement: 4.5 metres

Proposed: 3.3 metres

Variance Requested: 1.2 metres

Recommendation:

That minor variance application, File Number D13-047-2021, for the property located at 96 Regent Street to construct a new two-storey single-detached dwelling with a second residential unit in the basement on the subject property, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-065.

September 20, 2021

Page 4 of 15

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 5 of 15

Options/Discussion:

On August 3, 2021, a minor variance application was submitted by Fotenn Consultants Inc., on behalf of the owner, Glenn Warner and Mona Warner, with respect to the property located at 96 Regent Street. The applicant is proposing to construct a new two-storey single-detached dwelling with a second residential unit in the basement. The existing single-detached home and detached garage will be demolished. The new dwelling will have a flat roof with a small parapet. A small courtyard with a raised deck is also proposed that will provide the primary outdoor amenity area. The proposed development will provide two parking spaces, with one space for the principal dwelling unit and one space for the second residential unit. The parking spaces will be located within the existing driveway.

The principal dwelling will be accessed from Mack Street and the second residential unit will be accessed from Regent Street. A walkway will also circle the dwelling and provide a pedestrian linkage between the driveway and the entrance to the second residential unit. A portion of the basement will contain a yoga studio and a workshop which is connected to the primary dwelling. The yoga studio is intended for the homeowner to practice yoga and broadcast the lessons remotely. It is intended that clients will not attend the yoga studio in person. The yoga studio complies with the home occupation use policies of Zoning By-Law Number 8499.

The variances are requested to reduce the minimum aggregate side yard width, to increase the maximum percentage of lot coverage, to increase the maximum permitted height of any exterior wall exclusive of the end gable, to increase the maximum permitted residential building depth and to decrease the minimum setback from the front lot line with respect to projections into yards.

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

- Site Plan, Floor Plans and Elevation Plans (Exhibit B)
- Legal Survey (Exhibit C)
- Planning Justification Letter
- Archaeological Assessment
- Tree Inventory
- Site Servicing and Grading Plan

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 the northwest corner of the intersection of Mack Street and Regent Street in the City of Kingston (Exhibit D – Key Map) (Exhibit E – Site Photos). The site has an area of approximately 359 square metres with approximately 22.3 metres of frontage

September 20, 2021

Page 6 of 15

along Mack Street and 16 metres of frontage along Regent Street. The property is currently developed with a one-and-a-half storey single-detached dwelling and a detached garage. The surrounding residential uses consist primarily of single detached dwellings. Semi-detached dwellings and apartments also surround the property. The subject property situated at the north-west corner of Churchill Park. Napier Park and Elder Park are also nearby (Exhibit F – Neighbourhood Context).

The subject property is designated Residential in the Official Plan and zoned One Family Dwelling and Two-Family Dwelling 'A' zone in Zoning By-Law Number 8499.

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:

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 property is designated Residential in the City of Kingston Official Plan (Exhibit G – 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;

Section 2 provides policies to affect the physical structure of the City and direct the organization of future development. The subject property is located within a Housing District. Housing Districts are designated for residential uses of different types and intended to remain stable but will continue to mature and adapt as the City evolves. This section encourages re-investment and upgrading in Housing Districts through minor infill and minor developments which are compatible with the prevailing built form in the area.

September 20, 2021

Page 7 of 15

The proposed single-family dwelling and second residential unit will not have any negative impacts on abutting properties or residential and/or uses or structures. The proposed dwelling is similar in scale, massing and height of existing dwellings along Regent Street and Mack Street. The proposal is compatible with the surrounding residential uses and will not result in significant impacts or changes to the immediate 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;

Sections 2.7.1 and 2.7.2 of the Official Plan require that any development proposals demonstrate that the proposed form, function and use of the land are compatible with surrounding uses and consider the potential for adverse effects. Section 2.7.3 outlines a number of land use compatibility matters which should be considered to assess the potential for adverse effects on abutting land uses.

The proposed application meets the intent and purpose of Section 2 by providing minor infill development in a manner that is compatible with the established built form context of the area.

The policies of Section 2.7 provide compatibility guidance and criteria with respect to assessing the potential for adverse effects, and the functionality of a development. Below is a listing of the adverse effects from Section 2.7.3 and a response in terms of their applicability to the proposed development:

- a) shadowing;

It is anticipated that there will be minimal shadowing impacts as a result of the height and massing of the proposed dwelling. The second story of the building will be stepped back to reduce shadow impacts on the rear yards of the adjacent properties.

- b) loss of privacy due to intrusive overlook;

The proposed dwelling will have a limited number of windows on the first and second floors which will not result in the loss of privacy or cause intrusive overlook. In addition, the proposed entrance to the primary dwelling unit and the entrance to the second residential unit will not result in any privacy issues.

- c) increased levels of light pollution, noise, odour, dust or vibration;

The proposed residential use is not anticipated to have any increased effects related to dust, odor or vibration once construction is complete.

- d) increased and uncomfortable wind speed;

The proposed residential development will not result in any significant changes to wind speed.

September 20, 2021

Page 8 of 15

- e) increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;

The proposal is not likely to increase traffic in the area or cause environmental degradation, as the proposed use is residential with only a minor increase in occupancy from the second residential unit. The development proposes to accommodate an on-site parking ratio of 1 parking space per dwelling unit. The site is well serviced by public transit as there are multiple separate transit stops available in the immediate area.

- f) environmental damage or degradation;

No environmental damage or degradation is expected as a result of the proposed development on the subject property.

- g) diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;

The proposal is to replace the existing single-detached dwelling with a new single-detached dwelling with a second residential unit and as such, no infrastructure is expected to be overloaded as a result of this development.

- h) reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;

The outdoor areas and setting of the building are anticipated to provide amenity for the residents. The minimum amount of landscaped open space required by the zoning by-law (30 percent of the lot area) will be exceeded. The principal dwelling and the proposed second residential unit will be sufficiently and safely accessed from the street.

- i) visual intrusion that disrupts the streetscape or buildings;

The proposed single-detached dwelling will provide adequate separation from the street and align with the existing streetscape.

- j) degradation of cultural heritage resources;

The existing single-detached dwelling is not listed in the City of Kingston Heritage Register and is not designated under the Ontario Heritage Act. The applicant has submitted a Stage 1 Archaeological Study in support of this minor variance application. 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. This requirement has been included as condition of this minor variance application (Exhibit A – Recommended Conditions)

- k) architectural incompatibility in terms of scale, style, massing and colour; or

September 20, 2021

Page 9 of 15

The proposed residential dwelling will be similar in style, scale and massing to the existing buildings within the immediate area.

- l) the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.

The Official Plan does not identify any significant views or natural features and areas in the immediate vicinity of the subject site. None of these impacts are anticipated as a result of the proposed development.

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;

There will be no significant impact to the function of the site in terms of access routes, parking or universal accessibility. The proposed setback of the dwelling is required to allow adequate space between the main building property line, in order to maintain functionality of the site. Two parking spaces will be provided which will serve the principal dwelling and second residential dwelling in a safe and accessible manner.

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 property is not designated under Part IV or Part V of the *Ontario Heritage Act*, nor is it adjacent to any designated properties. The site is not within a Heritage Character Area. The proposed residential development is appropriate for the site and purpose.

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 property is not listed or designated under the *Ontario Heritage Act*, nor is it adjacent to any designated properties. A Heritage Impact Statement is not required.

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 within the urban boundary. As part of the technical review of this application, Utilities Kingston has advised that existing services appear to also be connected to an adjacent property. As such, existing services are required to be properly connected as per Utilities Kingston requirements. This requirement has been included as a condition to this minor variance application (Exhibit A – Recommended Conditions).

September 20, 2021

Page 10 of 15

- 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 proposed variances are considered minor and the development is consistent with the existing built form along Regent Street and Mack Street. Therefore a zoning by-law amendment is not required.

- 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 recommended conditions of approval associated with the recommendation, as outlined in Exhibit A.

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

The proposed development is consistent with the existing built form of the immediate area. It is not anticipated that an undesirable precedent will be set based on the approval of the requested variances.

The proposal meets the intent of the Official Plan, as the proposed principal dwelling and second residential unit will not result in any negative impacts to adjacent properties or to the neighbourhood.

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

The subject property is zoned One-Family Dwelling and Two-Family Dwelling ‘A’ zone in the City of Kingston Zoning By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended (Exhibit H – Zoning By-Law Map). A single-detached dwelling with a second residential unit is a permitted use in the ‘A’ zone. Any new development is subject to the requirements of ‘A’ zone and must comply with Section 6 of the zoning by-law.

The proposal requires the following variances to Section 5 and Section 6 of Zoning By-Law Number 8499.

Variance Number 1:

By-Law Number 8499:	Minimum aggregate side yard width - Section 6.3 (c) i)
Requirement:	3.6 metres
Proposed:	3.2 metres
Variance Requested:	0.4 metres

Section 6.3 of Zoning By-Law Number 8499 indicates that the minimum aggregate side yard width is 3.6 metres. The proposal provides an aggregate side yard width of 3.2 metres, with a 1.2-metre-wide side yard along the northern lot line of the site and a 2.0-

September 20, 2021

Page 11 of 15

metre-wide side yard along the west lot line. Though the proposal complies with the minimum side yards, it does not meet the required minimum aggregate side yard width of 3.6 metres. Despite the reduced aggregate yard width, the development will provide appropriate separation from neighbouring properties to the north and west. No balconies are proposed to be located in the side yards, which will prevent potential overlook onto adjacent properties.

Variance Number 2:

By-Law Number 8499: Maximum percentage of lot coverage – Section 6.3 (e)
 Requirement: 33 percent
 Proposed: 36 percent
 Variance Requested: 3 percent

Section 6.3 of Zoning By-Law Number 8499 indicates that the maximum percentage of lot coverage is 33 percent. The proposed dwelling will result in a lot coverage of 36 percent, which exceeds the maximum percentage of lot coverage that is permitted. The proposed dwelling complies with the required landscaped open space, Floor Space Index, and parking requirements of the by-law. The increased lot coverage is appropriate for the proposed development and will not result in overdevelopment of the site or a built form which is incompatible with the surrounding area.

Variance Number 3:

By-Law Number 8499: The maximum permitted height of any exterior wall exclusive of end gable - Section 6.3 (2)
 Requirement: 7 metres
 Proposed: 7.5 metres
 Variance Requested: 0.5 metres

Section 6.3 of Zoning By-Law Number 8499 indicates that the maximum permitted height of any exterior wall exclusive of the end gable is 7 metres. The proposed dwelling consists of a flat roof that is above a 7.5 metre exterior wall. The dwelling will be 7.6 metres tall including the parapet on the roof at 0.1 metres, which complies with the maximum permitted building height of 10.7 metres. The requested variance represents a slight increase in the height of the flat roof. The proposed dwelling will be two storeys in height which is compatible with existing development along Mack Street and Regent Street. No additional impact on the streetscape is anticipated as a result of this variance.

September 20, 2021

Page 12 of 15

Variance Number 4:

By-Law Number 8499:	Maximum Permitted Residential Building Depth – Section 6.3 (g) (ii) 1
Requirement:	13.3 metres (from the front-line abutting Regent Street)
Proposed:	15.6 metres (from the front-line abutting Regent Street)
Variance Requested:	2.3 metres

Section 6.3 in Zoning By-Law Number 8499 indicates that the maximum permitted building depth for any permitted residential building is the average distance between the established front building lines and the established rear building lines of the two nearest permitted residential buildings on the nearest lots on the same block on opposite sides of the subject building. The subject property is a corner lot, which has frontage on Regent Street and Mack Street. Based on these criteria, the maximum residential building depth from the front building line abutting Regent Street is 13.3 metres and the maximum building depth from the front building line abutting Mack Street is 14 metres. The proposal provides a building depth of 15.6 metres from the front building line abutting Regent Street and a building depth of 10.4 metres from the front building line abutting Mack Street. Relief is only requested for the maximum building depth requirement from the front building line abutting Regent Street. The proposal complies with the maximum building depth from the front building line abutting Mack Street.

The proposed building depth for the proposed development does not represent overdevelopment of the lot as the landscaped open space, Floor Space Index, and parking requirements of the zoning by-law are met. In relation to the adjacent properties, the existing building depths are appropriate and do not create any adverse impacts on the existing context for this area.

Variance Number 5:

By-Law Number 8499:	Projections into Yards – Minimum setback from the front lot line - Section 5.8 (c)
Requirement:	4.5 metres
Proposed:	3.3 metres
Variance Requested:	1.2 metres

Section 5.8 of Zoning By-Law Number 8499, indicates the provisions for projections into yards, unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered. The proposed dwelling includes a 1.2-metre-wide staircase which will provide access to the main storey from Mack Street. Since the staircase is more than 1.2 metres from grade level, the projection is required to be setback from the front lot line by a distance that is equal to the required minimum front yard depth. The required minimum setback from the front lot line 4.5 metres. The proposal provides a 3.3 metre setback from the front lot line along Mack Street. As such, relief is required for the proposed stairs.

The proposed location of the stairs would fit within the context of the neighbourhood and respects the built form characteristic of the surrounding area while ensuring that

September 20, 2021

Page 13 of 15

appropriate access to the dwelling is provided. The staircase would be limited in size, retaining most of the front yard space and ensuring the adequate provision of landscaped amenity area.

3) The variances are minor in nature

The variances are considered minor as there will be no negative impacts on abutting properties or residential and/or uses or structures. The requested variances will result in a development that is consistent with the existing built form of residential development along Regent Street and Mack Street. The proposed development is similar in massing, style and character of adjacent residential dwellings. The variances will not significantly alter the streetscape of the neighbourhood.

4) The variances are desirable for the appropriate development or use of the land, building or structure

The proposal is appropriate and compatible with the surrounding residential uses and will not result in significant impacts or changes to the surrounding area. The proposed single family dwelling will be compatible with the existing residential neighbourhood and will not result in adverse impacts. The proposed second residential unit will contribute to intensification and housing affordability within the city. Adequate amenity space, parking and landscaped area will be provided and the functional needs for residents will be met.

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 type="checkbox"/> Real Estate & Environmental Initiatives |
| <input checked="" type="checkbox"/> Fire & Rescue | <input type="checkbox"/> Kingston Hydro | <input type="checkbox"/> City's Environment Division |
| <input checked="" type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input type="checkbox"/> Housing | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input type="checkbox"/> Municipal Drainage | <input type="checkbox"/> Parks of the St. Lawrence |
| <input 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 checked="" type="checkbox"/> Hydro One | <input type="checkbox"/> Enbridge Pipelines | <input checked="" 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.

September 20, 2021

Page 14 of 15

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 8499. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variances 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.

Approval of this application will permit the construction of a single detached dwelling with a second residential unit, deck and stairs.

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 8499

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on September 20, 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 30 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 (Exhibit I – Public Notification Map).

September 20, 2021

Page 15 of 15

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, 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
- Exhibit B Site Plan, Floor Plans and Elevation Plans
- Exhibit C Legal Survey
- Exhibit D Key Map
- Exhibit E Site Photos
- Exhibit F Neighbourhood Context
- Exhibit G Official Plan
- Exhibit H Zoning
- Exhibit I Public Notification

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

Prior to the issuance of the Certificate of Official, the owner/applicant shall provide written approval from Utilities Kingston to the Secretary-Treasurer Committee of Adjustment, that Utilities Kingston is satisfied that the existing services are properly connected to the property.



**Residence for
Mona and Glenn Warner,
96 Regent/305 Mack St.,
Kingston, Ontario**

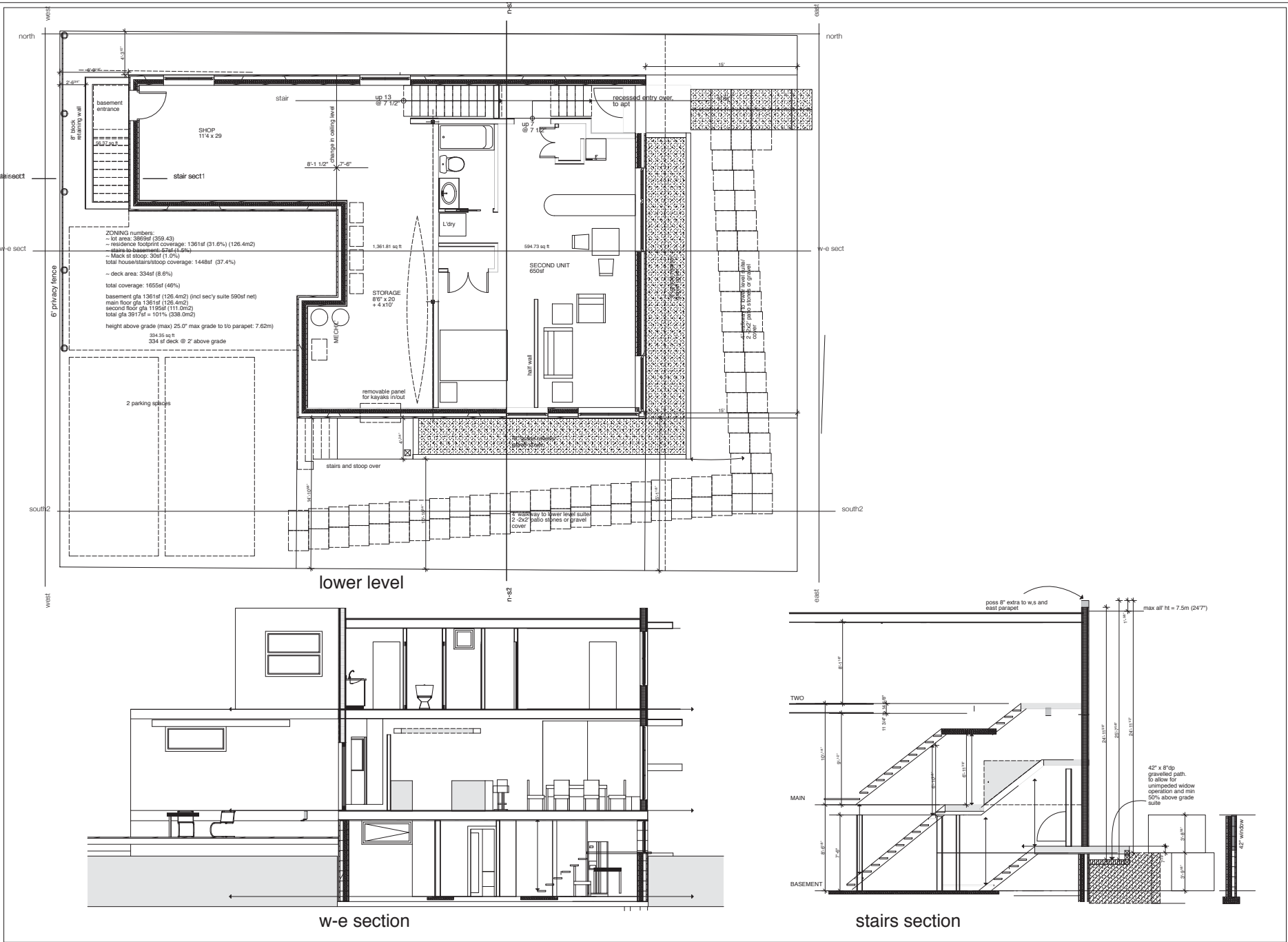
N. Peter Cohrs, M.A.A.T.O.
411 College Street,
Kingston, Ontario, K7L 4M8
Tel/fax (613) 217 2108
email: pstudio@cohrs.ca.

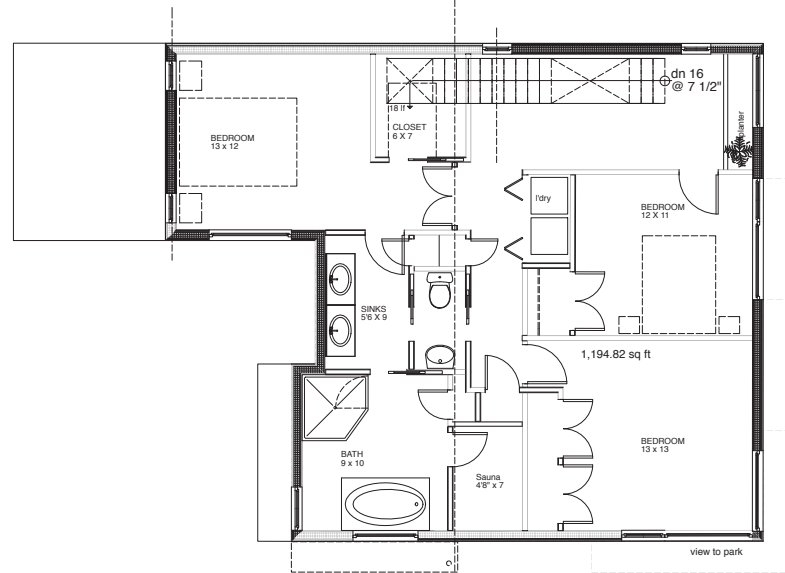
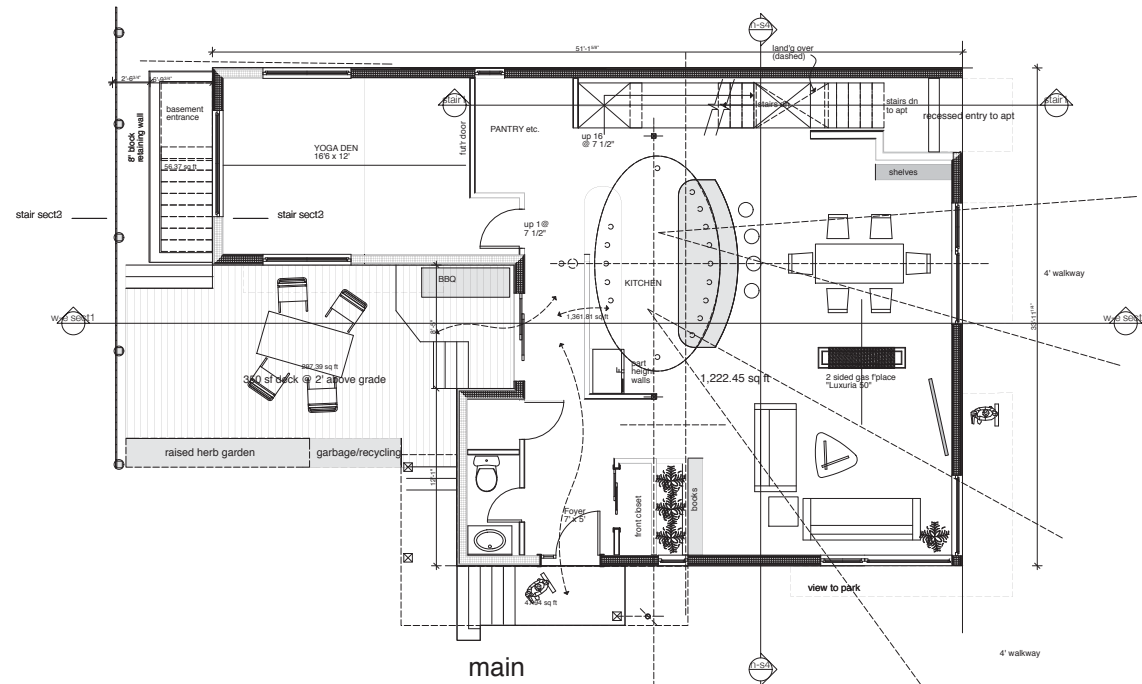


date 2021, Jun 21/rev.J22
scale 1/4" = 1'0"/1" details
drawn pc, maato.
issued for C of A
project

**Basement Plan,
Site plan,
Prelim' Sections,
Notes**

A2





PETERS STUDIO OF BUILDING DESIGN
I hereby certify that I am a duly licensed professional architect in the Province of Ontario and that I am duly registered with the Ontario College of Architects and the Ontario Association of Architects. I am also duly registered with the Ontario College of Architects and the Ontario Association of Architects. I am also duly registered with the Ontario College of Architects and the Ontario Association of Architects.

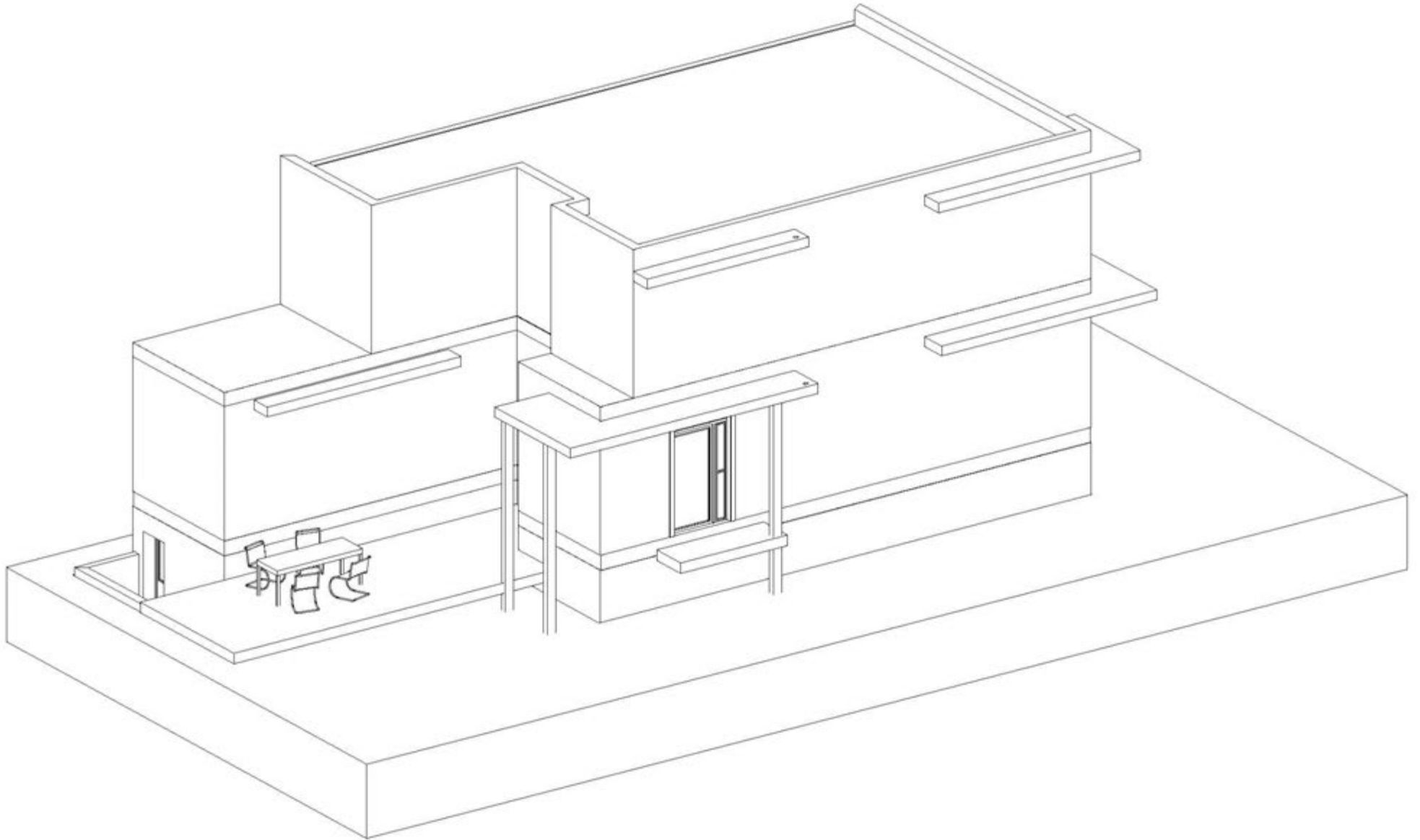
Residence for
Mona and Glenn Warner,
96 Regent/305 Mack St,
Kingston,, Ontario

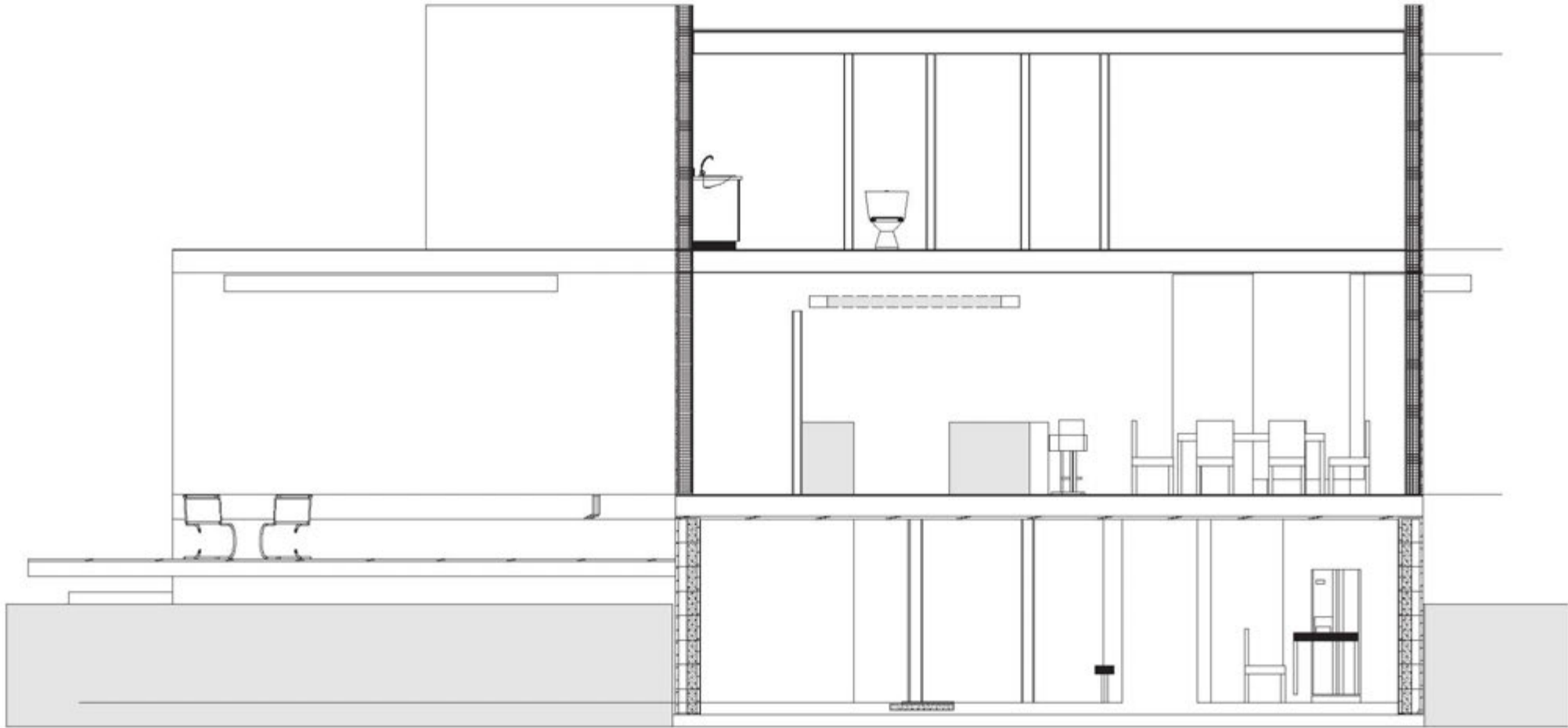
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411 College Street,
Kingston, Ontario, K7L 4M8
Tel/fax (613) 217 2108
email: pstudio@cohrs.ca.



date 2021, Jun 21/revJ22
scale 1/4" = 10'/ 1" details
drawn pc, maato.
issued for C of A
project

Main Floor and
Second Floor Plans,




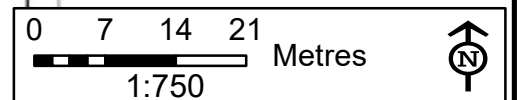
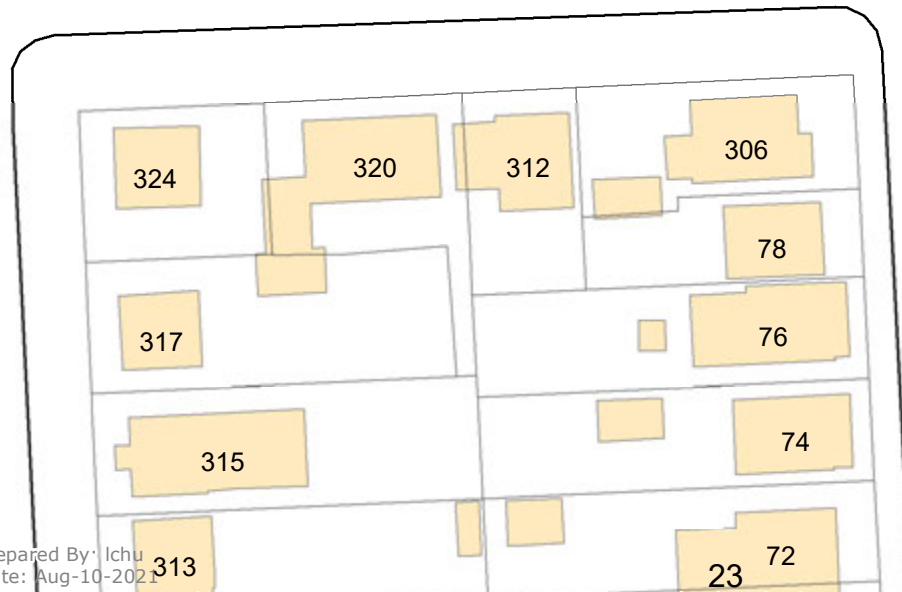
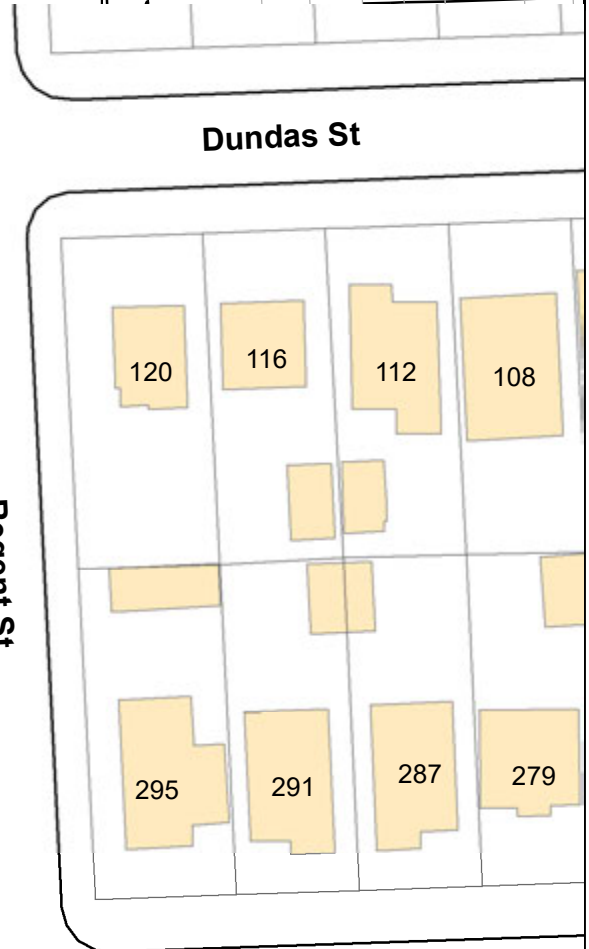
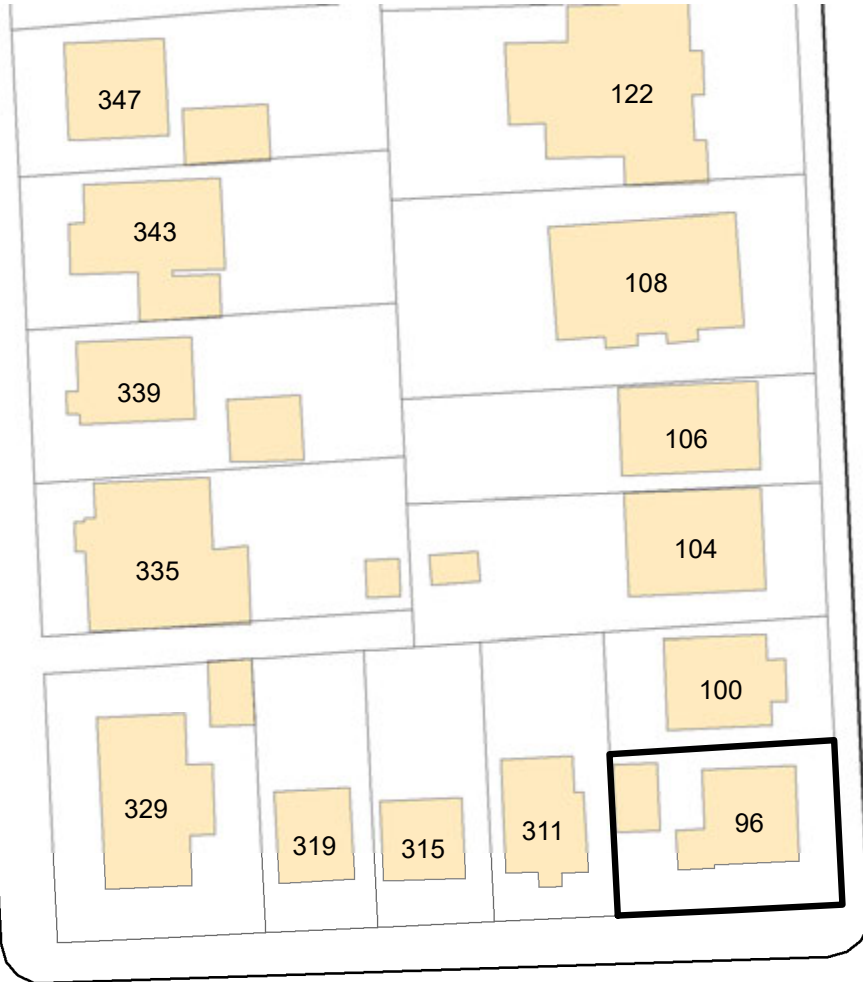
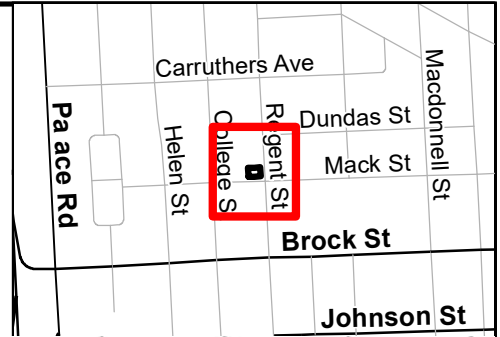




Committee of Adjustment
Key Map

Address: 96 Regent Street
File Number: D13-047-2021

 Lands Subject to Minor Variance



96 Regent Street - Site Photo



Subject property with access from Mack Street



Subject property facing Regent Street



Committee of Adjustment
Neighbourhood Context (2021)

Address: 96 Regent Street
File Number: D13-047-2021

- Subject Lands
- Property Boundaries
- Proposed Parcels






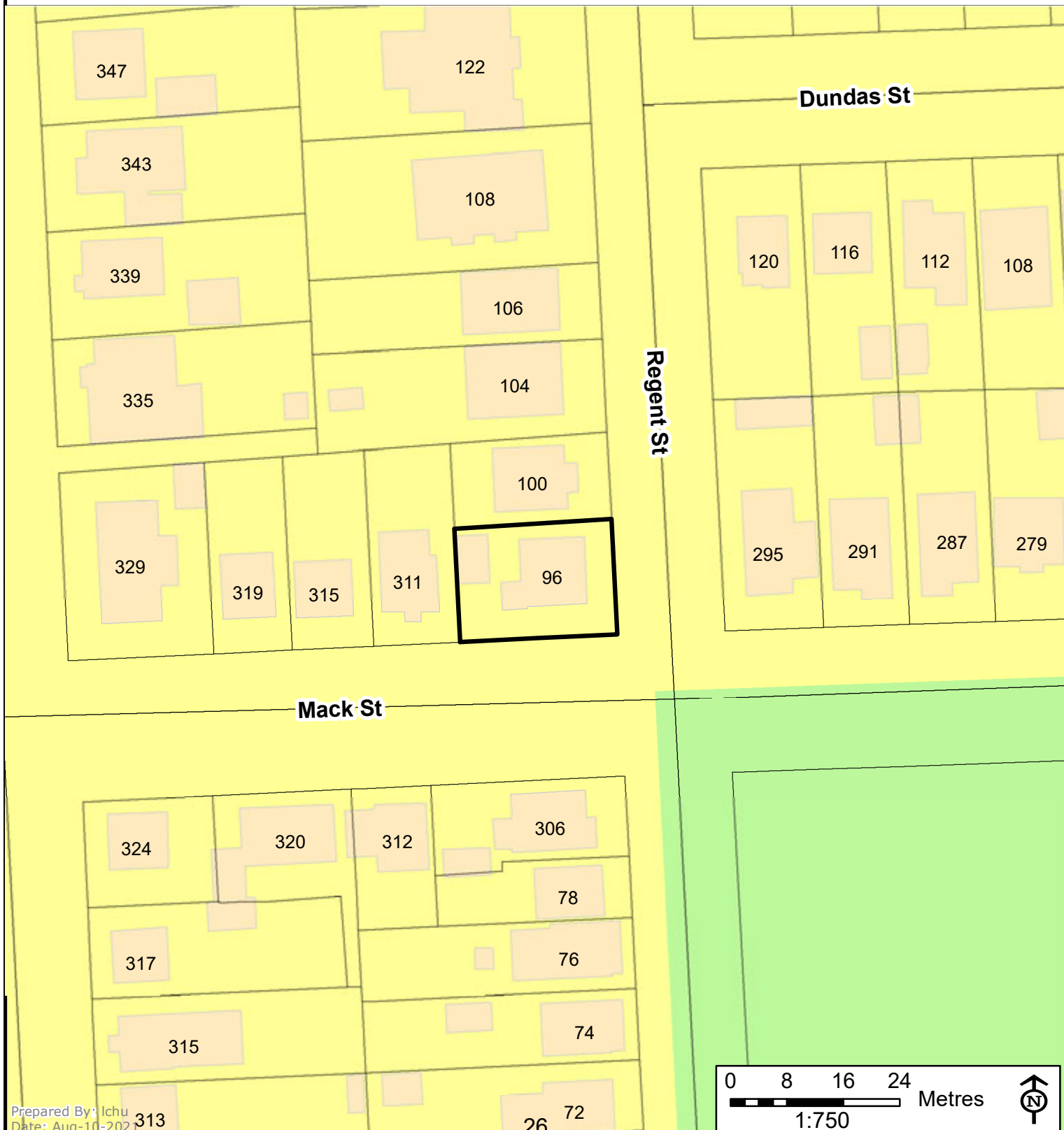


Planning Services

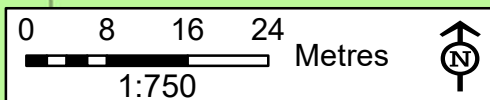
Committee of Adjustment Official Plan, Existing Land Use

Address: 96 Regent Street
File Number: D13-047-2021

-  Subject Lands
-  OPEN SPACE
-  RESIDENTIAL



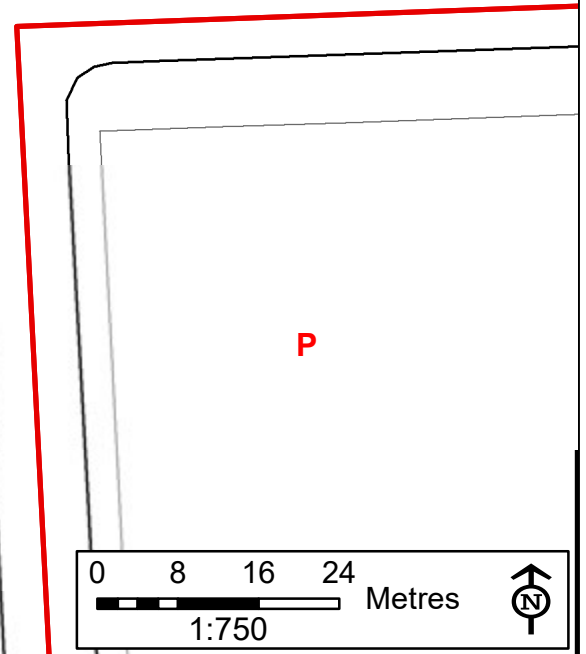
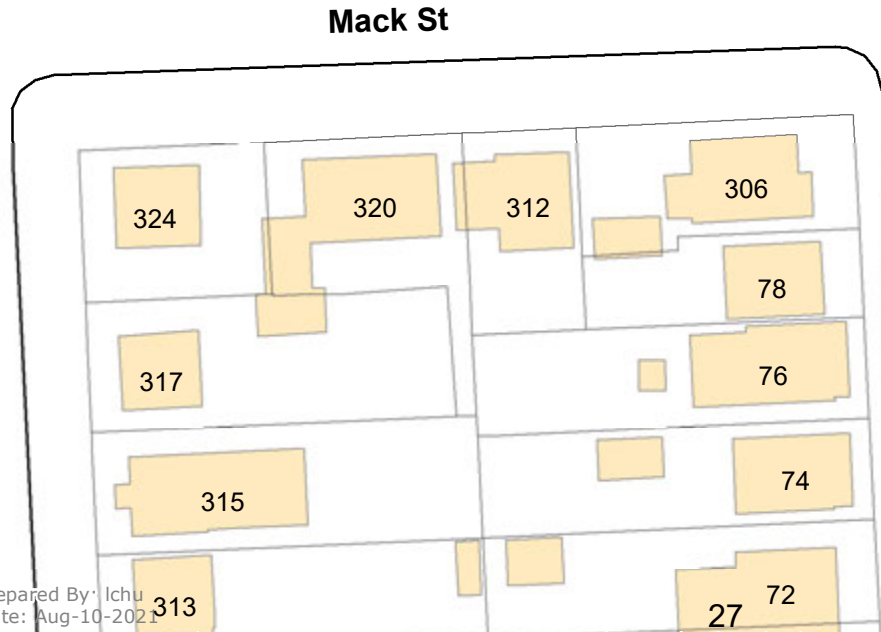
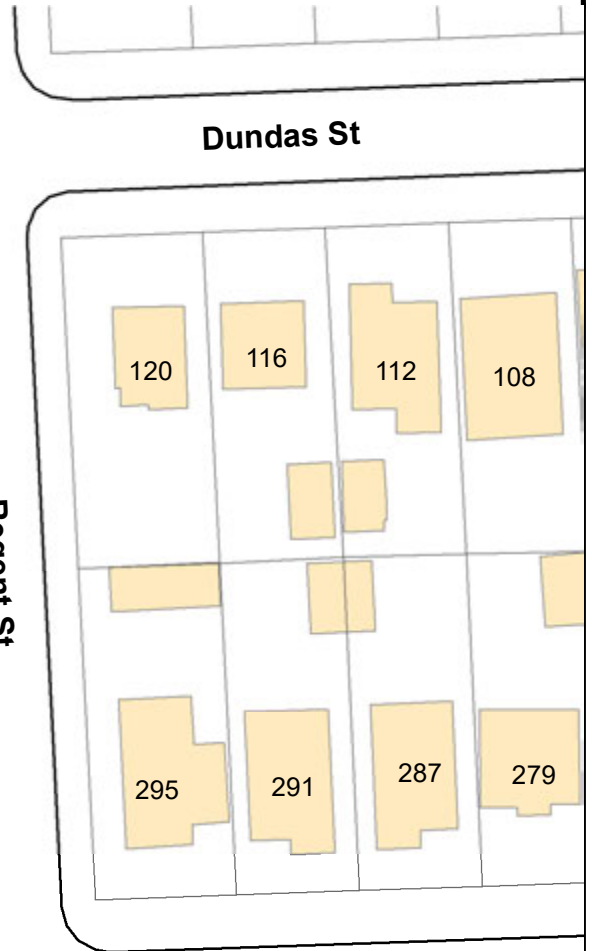
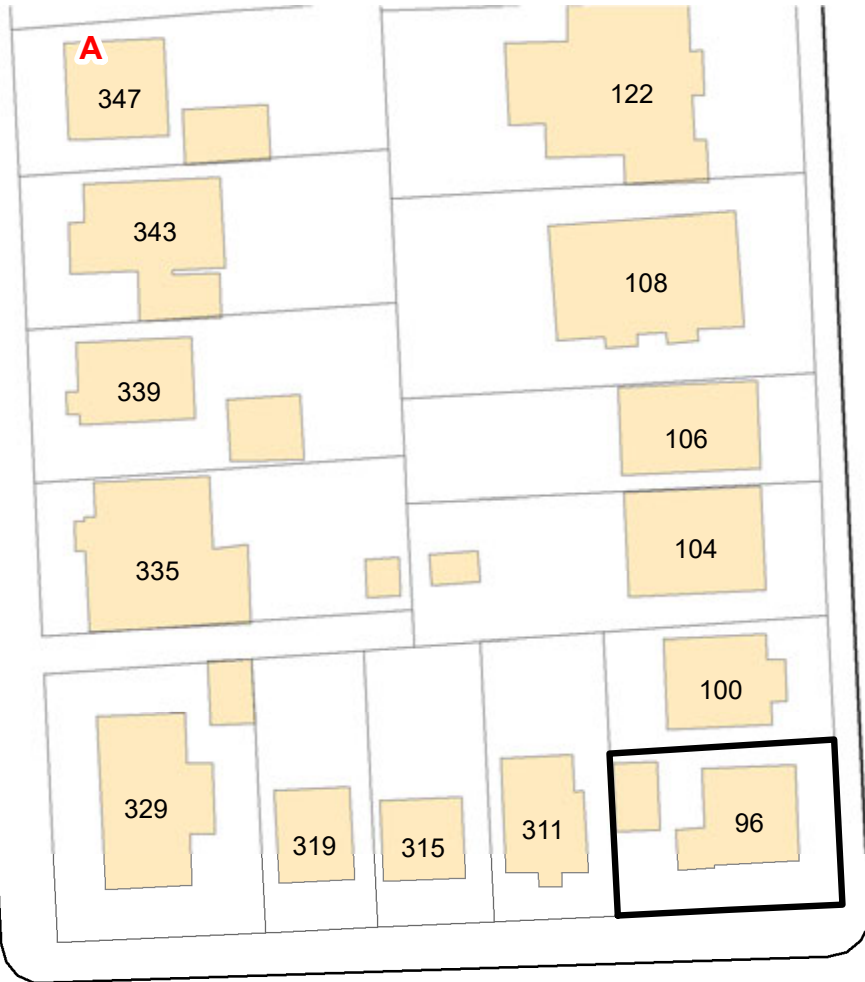
Prepared By: Ichu
Date: Aug-10-2021





Committee of Adjustment
Existing Zoning - By-law 8499, Map 20
Address: 96 Regent Street
File Number: D13-047-2021

- Subject Lands
- Consolidated Zoning





Committee of Adjustment
Public Notice Notification Map
Address: 96 Regent Street
File Number: D13-047-2021

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



Prepared By: Tchu
Date: Aug-10-2021

