



**City of Kingston
Report to Committee of Adjustment
Report Number COA-21-066**

To: Chair and Members of the Committee of Adjustment
From: Jason Partridge, Planner
Date of Meeting: September 20, 2021
Application for: Minor Variance and Consent
File Numbers: D10-024-2021 & D13-045-2021
Address: 134 Butler Street
Owner: Kenneth & Linda Westfall
Applicant: Fotenn Consultants

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding applications for minor variance and consent submitted by Fotenn Consultants on behalf of the owner, Kenneth & Linda Westfall for the property located at 134 Butler Street.

The purpose of the consent application (File Number D10-024-2021) is to sever the lands municipally known as 134 Butler Street to create a new parcel of land. The severed parcel is proposed to have an area of 542 square metres with 11.1 metres of frontage on Butler Street. The retained parcel will have an area of 572 square metres and 11.7 metres frontage on Butler Street. The retained parcel contains an existing 65 square metre one storey one-family dwelling.

The minor variance (File Number D13-045-2021) is requested to reduce the minimum lot width of a lot in the 'A5' zone in Zoning By-Law Number 8499 from the required 15 metres to 11.1 metres for both the severed and retained lands.

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The site is situated on the west side of Butler Street and is developed with one-family dwelling. The property is currently designated as Residential in the Official Plan and is zoned A5 in Zoning By-Law Number 8499.

The requested minor variance and consent applications are consistent with the Provincial Policy Statement and conform with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The requested minor variance is desirable for the appropriate development or use of the land, building or structure and is minor in nature. The proposed minor variance application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval. The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act* and a plan of subdivision is not necessary for the proper and orderly development of the property, as such, is recommended for provisional approval.

Variance 1:

By-Law Number 76-26:	11.3(f) – Minimum Lot Width:
Requirement:	15 Metres
Proposed:	11.1 Metres
Variance Requested:	3.9 Metres

Recommendation:

That minor variance application, File Number D13-045-2021 for the property located at 134 Butler Street., be approved subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-21-066; and

That consent application, File Number D10-024-2021, to sever a parcel with an area of 542 square metres with 11.1 metres frontage on Butler Street, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-21-066.

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Authorizing Signatures:



Jason Partridge, Planner

Consultation with the following Management of the Community Services Group:

Tim Park, Director, Planning Services

James Bar, Manager, Development Approvals

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Options/Discussion:

On August 2, applications for minor variance and consent were submitted by Fotenn Consultants on behalf of the owner Kenneth & Linda Westfall for the subject property located at 134 Butler Street.

The purpose of the consent application (File Number D10-024-2021) is to sever the lands municipally known as 134 Butler Street to create a new parcel of land. The severed parcel is proposed to have an area of 542 square metres with 11.1 metres of frontage on Butler Street. The retained parcel will have an area of 572 square metres and 11.7 metres of frontage on Butler Street. The retained parcel contains an existing Single-Family Dwelling.

The minor variance (File Number D13-045-2021) is requested to reduce the minimum lot width of a lot in the 'A5' zone in Zoning By-Law Number 8499 from the required 15 metres to 11.1 metres for both the severed and retained lands.

Site Characteristics

The subject property is located on the west side of Butler Street. The lands are currently developed with a one-family dwelling on municipal services and abuts similar one-family dwellings. The site has an area of 1,114 square metres and approximately 22.8 metres of frontage along Butler Street. The subject property is currently developed with a 1 storey one-family dwelling. The surrounding area is predominantly characterized by residential development with some nearby commercial and parkland uses. Residential units include one-family dwellings and semi-detached dwellings.

The subject property is designated Residential in the Official Plan and zoned A5 in Zoning By-Law Number 8499.

The subject property is in proximity to various community and open space uses, local schools and commercial uses. Kingston Transit operates in proximity to the site, with Transit Routes 1, 2, 7 and 16 operating along Weller Avenue north of the site.

Application

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

- Site Plan (Exhibit H);

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.

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Provincial Policy Statement

The Provincial Policy Statement (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.

Consent Application

The review of an application for consent is subject to Section 53 of the *Planning Act*. The Committee of Adjustment may grant a consent if it is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. An application for consent was determined to be appropriate for the creation of one new lot.

Official Plan

The subject property is designated Residential in the City of Kingston Official Plan. The residential uses within the 'Residential' designation include detached, semi-detached or duplex dwellings, townhouses, and apartments of various types, tenure, and density that respond to a wide range of housing needs. In addition to the various forms of housing, community facilities such as schools and places of worship are also permitted. The proposed consent application complies with the residential uses permitted within the 'Residential' designation (Exhibit D – Official Plan Mapping).

The creation of individual parcels of land by way of consent is subject to the consent policies of the Official Plan. In considering whether the proposal is appropriate, the Committee of Adjustment will have regard for the requirements included within the Official Plan, specifically section 9.6.13 titled: "Criteria for Consent Approval". The following lists these requirements and is an assessment of how the proposal is consistent with each relevant policy.

1. The lot frontage, depth and area of any lot created by consent (severed and retained parcel) must be appropriate for the use proposed for the lot, be in compliance with the provisions of the zoning by-law and consistent, where possible, with adjacent lots;

The severed and retained parcel conforms with the minimum lot area requirements in the 'A5' zone in Zoning By-Law Number 8499. However, the severed/retained lots are subject to a minor variance for minimum lot width within this application. The undeveloped severed parcel of land will be subject to the setback requirements of the Zoning By-Law at time of development. The retained parcel and its current development comply with the 'A5' zone requirements except for the minimum lot width zoning provision.

2. Proposed severances that would result in irregularly shaped lots are to be avoided where possible

The severed and retained lots will not result in any irregularly shaped lot.

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3. Consents may be granted only when each parcel of land has frontage and direct access from an assumed road, except for conservation lands such as those held by the Conservation Authority or a land trust that can be accessed through an easement or right-of-way on abutting lands;

Each resulting lot will have frontage on an opened and maintained road.

4. Direct access from major roads is limited and is subject to the terms of any permits or approvals required from an agency having jurisdiction, with particular attention to controlled areas subject to Ministry of Transportation review and approval;

Any new or altered entrances on the severed or retained lot will require an Entrance Permit from the Engineering Department prior to any excavation or work within the road allowance.

5. New access points or driveways must be located where they would not create a traffic hazard because of sight lines on curves, grades or corners;

The severed and retained lot and its frontages have good sight lines and even grades. The severance should not result in any negative traffic hazards. The engineering Department was circulated on both applications and had no concerns towards the proposed entrances along Butler Street.

6. Minor infilling of residential development is permitted except where the new lots would result in ribbon development of more than four non-farm residential lots that takes the form of a single depth of houses or other land uses fronting along roads in Rural Areas;

The severed lot is located within the urban boundary and is considered infill as it will be created between two existing residential lots within a residential neighbourhood.

7. Infill residential development is permitted within Rural Areas where there is a distance of 100 metres or less of frontage between two non-farm residential lots on the same side of the road and the lot can meet all of the other policies of the Plan and requirements of the zoning by-law;

The subject lot is located within the urban boundary and is not subject to this provision.

8. Compatibility and any separation distances required between the proposed land uses for the lot and the neighbouring land uses located in Rural Areas must be considered;

The subject lot is located within the urban boundary. The severed and retained lot and their intended residential use will not result in any adverse impacts on the abutting residential uses or their continued use. The resulting lots and its residential use will maintain the character of the neighbourhood and will not have any negative impacts on traffic.

9. Any application for a consent must assess the impact on the natural heritage system, natural heritage features and areas, natural hazards, cultural heritage resources and

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areas of archaeological potential, or areas of archaeological significance as set out in Sections 5, 6 and 7 of the Plan; and

The subject property is located within a plan of subdivision within the Rideau Heights. There are no concerns regarding impacts on the natural heritage system, natural heritage features and areas. An archaeological assessment is not required.

10. The City must be satisfied that any development lots created by consent can be supplied with such municipal services as fire protection, road maintenance, storm drainage and where applicable, water supply and sewage disposal facilities, such that the provision of services does not adversely affect the City's finances.

The existing properties are currently on full municipal services. No proposed changes.

This application complies with the policies of the Official Plan, the Provincial Policy Statement and is in keeping with the intent and purpose of the zoning by-law.

Zoning By-Law

The subject lot is zoned One-Family Dwelling and Two-Family Dwelling 'A5' in Zoning By-Law Number 8499. The severed and retained parcels comply with the minimum lot area requirements within the A5 zone. However, the retained/severed lots are subject to a minor variance for minimum lot width as the proposed severed and retained lots propose lot widths less than the required 15 metres. The undeveloped severed parcel of land will be subject to the setback requirements of the Zoning By-Law at time of development. The retained parcel and its current development comply with the 'A5' zone requirements expect for the minimum lot width provision.

A minor variance is requested to reduce minimum lot width requirement in the 'A5' zone in Zoning By-Law Number 76-26. The variance is requested in order to sever a lot with an area of 542 square metres with 11.1 metres frontage on Butler Street. The retained parcel will have an area of 572 square metres and 11.7 metres frontage on Butler Street. The retained parcel contains an existing 65 square metre one storey one-family dwelling.

Minor Variance 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:

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.

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

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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 development of a new severed lot will provide additional housing supply within the City of Kingston urban boundary. The overall scale and massing of the existing one-family dwelling on the retained lot is in keeping with the existing one and two story residential dwellings along Butler Street and any future development will be subject to the A5 zone requirements that are applicable to adjacent properties. The site will maintain its outdoor amenity space in the rear yard of both properties.

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 proposed severed/retained lots will result in a development that is consistent with the built form of several residential buildings located, east, north and south of the subject property along Butler Street. The overall design and scale of the proposal is not anticipated to cause any adverse impacts on the adjacent residential properties.

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 proposal involves the severance of one lot from the subject property. There will be no concerns with respect to the parking of vehicles and bicycles or issues relating to accessibility for the retained or severed property. The overall large size of the two lots will allow for the one parking space that is required.

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 proposal generally conforms to applicable urban design policies, as outlined in Section 8 of the Official Plan. The reduced lot width of the retained and severed lots will be similar to other lots within the neighbourhood. The existing one-family dwelling will be able to maintain the setbacks of the A5 zone for the front, interior and rear lot lines.

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;

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The subject property is not on the City’s Heritage Register and as such 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 site is located within the Urban Boundary and is developed with sufficient municipal water and sewage services.

- 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 variance is considered minor and the development is consistent with the existing built form along Butler 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;

As part of the recommendation, suggested conditions have been listed. The conditions may be added, altered or removed at the Committee’s discretion.

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

The surrounding residential uses include one-family dwellings. The approval of the requested variance is considered minor and will not set a precedent for the immediate area.

The proposal meets the intent of the Official Plan, as the proposed 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 A5 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. The A5 zone permits a One-Family Dwelling and Two-Family Dwelling. The existing one-family dwelling is a permitted use within the ‘A5’ zone. The proposed newly severed lot would also permit a one-family dwelling use.

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The proposal requires a variance to the following section:

Variance 1:

By-Law Number 76-26:	11.3(f) – Minimum Lot Width:
Requirement:	15 Metres
Proposed:	11.1 Metres
Variance Requested:	3.9 Metres

A variance is required from Section 11.3 (f) of Zoning By-Law Number 8499 to seek relief for the severed and retained lots for the minimum lot width Section 11.3 (f). Within Section 11.3 (f) the minimum lot width for a lot is 15 metres. The proposed new lot will be 11.1 metres and the retained lot will be 11.7 metres, which does not comply with the minimum lot width of Section 11.3 (f). As such, the applicant is seeking a variance of 3.9 metres.

The intent of the minimum lot width lot zoning provisions is to reduce concerns about overlook into peoples yards and maintain character of the neighbourhood or the existing streetscape. The proposed sever and retained lots will be able to meet the front, interior and rear yard setbacks which will reduce impact on the neighbouring properties. Both proposed lots will be able to keep a pass-through design which will maintain access to the rear of the property. The reduced lot width will keep the general intent and purpose of the by-law.

3)The variance is minor in nature

The proposed severance will result in a development that is consistent with the existing built form of residential development along Butler Street. The proposed severed/retained lots will have an lot area that will exceed the minimum area for an A5 zone and will not result in intrusive overlook with respect to adjacent residential properties. The minimum interior, front and rear yard setbacks will be met for the existing one-family dwelling on the retain lot. The variance will not alter the character of the neighbourhood or the existing streetscape.

The variance is considered minor as there will be no negative impacts on abutting properties or residential and/or uses or structures.

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

The proposed development will provide the functional needs for the existing residential use. The resulting built form satisfies all applicable provisions of the zoning by-law, except for the minimum lot width of a lot.

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 variance is desirable and appropriate use of the land.

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Technical Review: Circulated Departments and Agencies

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Building Division | <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 checked="" type="checkbox"/> Kingston Hydro | <input type="checkbox"/> City’s Environment Division |
| <input type="checkbox"/> Solid Waste | <input checked="" 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 type="checkbox"/> Hydro One | <input type="checkbox"/> Enbridge Pipelines | <input type="checkbox"/> TransCanada Pipelines |
| <input type="checkbox"/> Kingston Airport | | |

Technical Comments

The applications were circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude the applications 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.

Public Comments

At the time this report was finalized, no 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 consent applications meet the tests under Subsection 51(24) of the *Planning Act*; a Plan of Subdivision is not required to advance the land division. The consent applications are consistent with the Provincial Policy Statement and conform to the City’s Official Plan and represent logical and orderly development of the lands.

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 76-26. 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 the consent and minor variance applications will create one new parcel of land and permit an existing one-family dwelling on the retain land. The proposed applications represent good land use planning.

Existing Policy/By-Law:

The proposed applications were 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 14 days in advance of the meeting. In addition, notices were sent by mail to a total number of 25 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, Manager, Development Approvals 613-546-4291 extension 3213

Jason Partridge. Planner, 613-546-4291 extension 3216

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Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Recommended Conditions – Minor Variance
- Exhibit B Recommended Conditions – Consent
- Exhibit C Key Map
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Number 8499, Map 7
- Exhibit F Public Notification Map
- Exhibit G Neighbourhood Context Map (2021)
- Exhibit H Site Plan

Recommended Conditions

Application for minor variance, File Number D13-045-2020

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

1. Limitation

That the approved minor variance applies only to the lot width associated with the proposed severed and retained lot at 134 Butler Street as shown on the approved drawings attached to the notice of decision.

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 Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132) and the 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 Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8404), the Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132), and the City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

Recommended Conditions

Application for consent, File Number D10-024-2021

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

1. Limitation

That the approved consent applies only to the severed lot associated with the proposed consent at 134 Butler Street as shown on the approved drawings attached to the notice of decision.

2. Deadline

That all conditions are satisfied and the Certificate of Official be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within one year of the mailing of this notice. You are advised to consult with the Land Registry Office for preapproval of the Certificate of Official to avoid delays.

The Certificate must be registered within one year from the issuance of the certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete your file.

3. 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.

4. Reference Plan

That a digital version of a Reference Plan(s) be provided in a PDF and/or AutoCAD Windows readable format on a compact disc (CD), USB memory stick or by email, illustrating the easements as parts on a plan be prepared and presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official.

The Land Registry Office may pre-approve an alternative parcel description in writing which can be presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official.

5. Payment of Taxes

The owner/applicant shall contact the Tax Department at tax@cityofkingston.ca and secure in writing from the Treasurer or the Manager of Taxation and Revenue, proof of payment of current taxes and any special charges (not simply a copy of the tax bill) required to be paid out and a statement of proof that is received and shall be provided

to the Secretary-Treasurer Committee of Adjustment, prior to the issuance of the consent certificate. The owner/applicant must pay any outstanding realty taxes and all local improvement charges levied against the property.

6. Civic Address

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

7. 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.

8. 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 Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132) and the 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 Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8404), the Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132), and the City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

9. Engineering

Prior to the issuance of the Certificate of Official the owner shall submit Grading/Servicing plans associated to the consent application and be approved to the satisfaction of the Engineering Department.

Entrance permits are required for any new or altered entrances.

10. Parks

Cash-in-lieu of parkland will be required for the creation of one residential lot. The rate as of January 1st 2021 will be \$1,968.70.

11. Utilities Kingston

Prior to the issuance of a "Certificate of official" it shall be necessary for the applicant to provide and for Utilities Kingston to approve a sketch showing all existing services and the mains they connect too, and the existing buildings and all proposed and existing property lines.



Planning Services

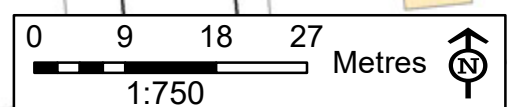
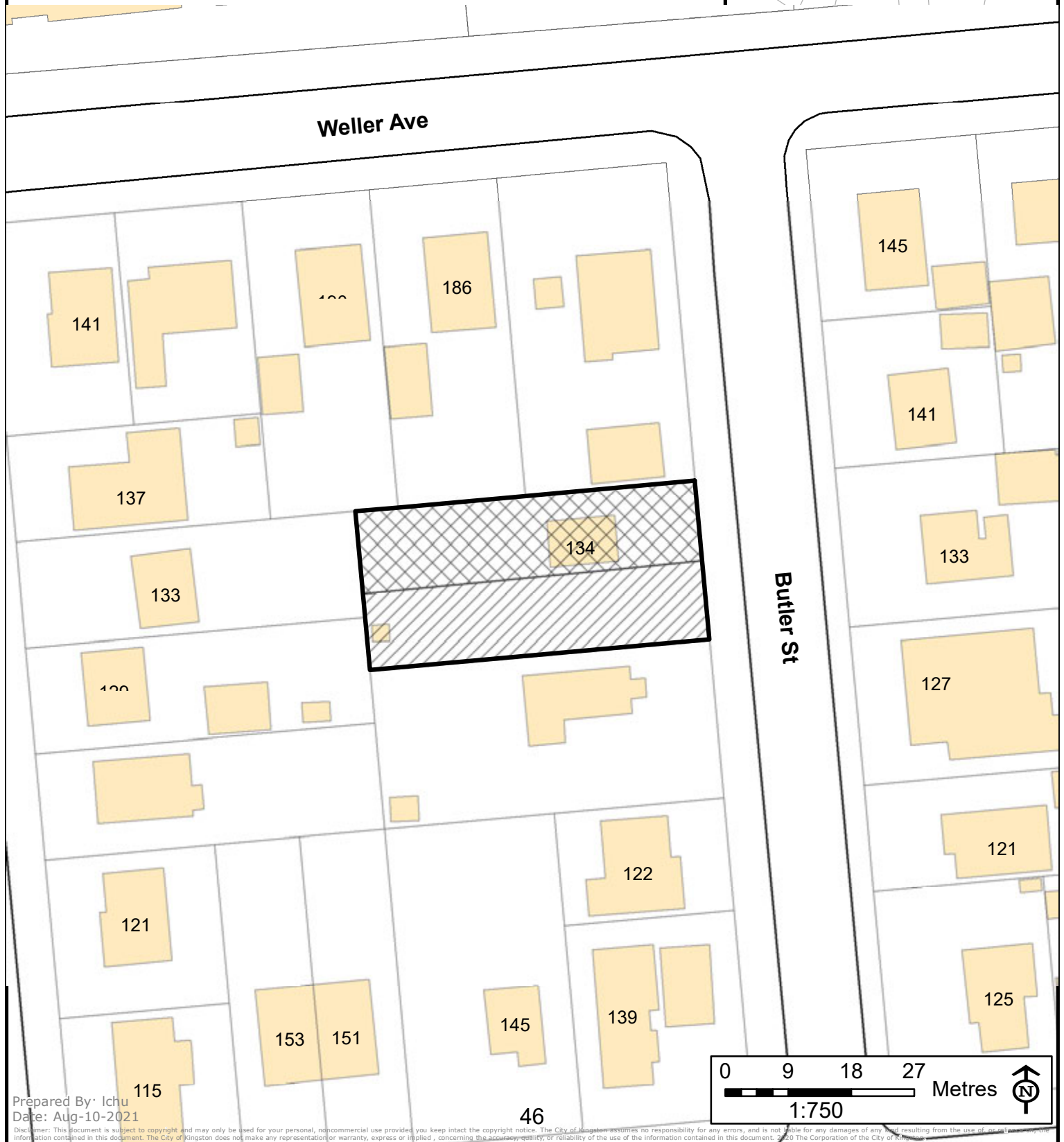
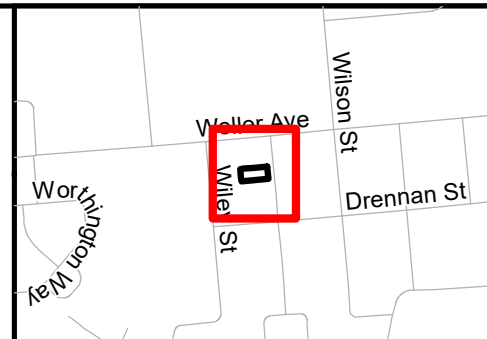
Committee of Adjustment

Key Map

Address: 134 Butler Street

File Number: D10-024-2021 & D13-045-2021

-  Subject Lands
-  Severed Lands (Lot 2)
-  Retained Lands



Prepared By: Ichu
Date: Aug-10-2021

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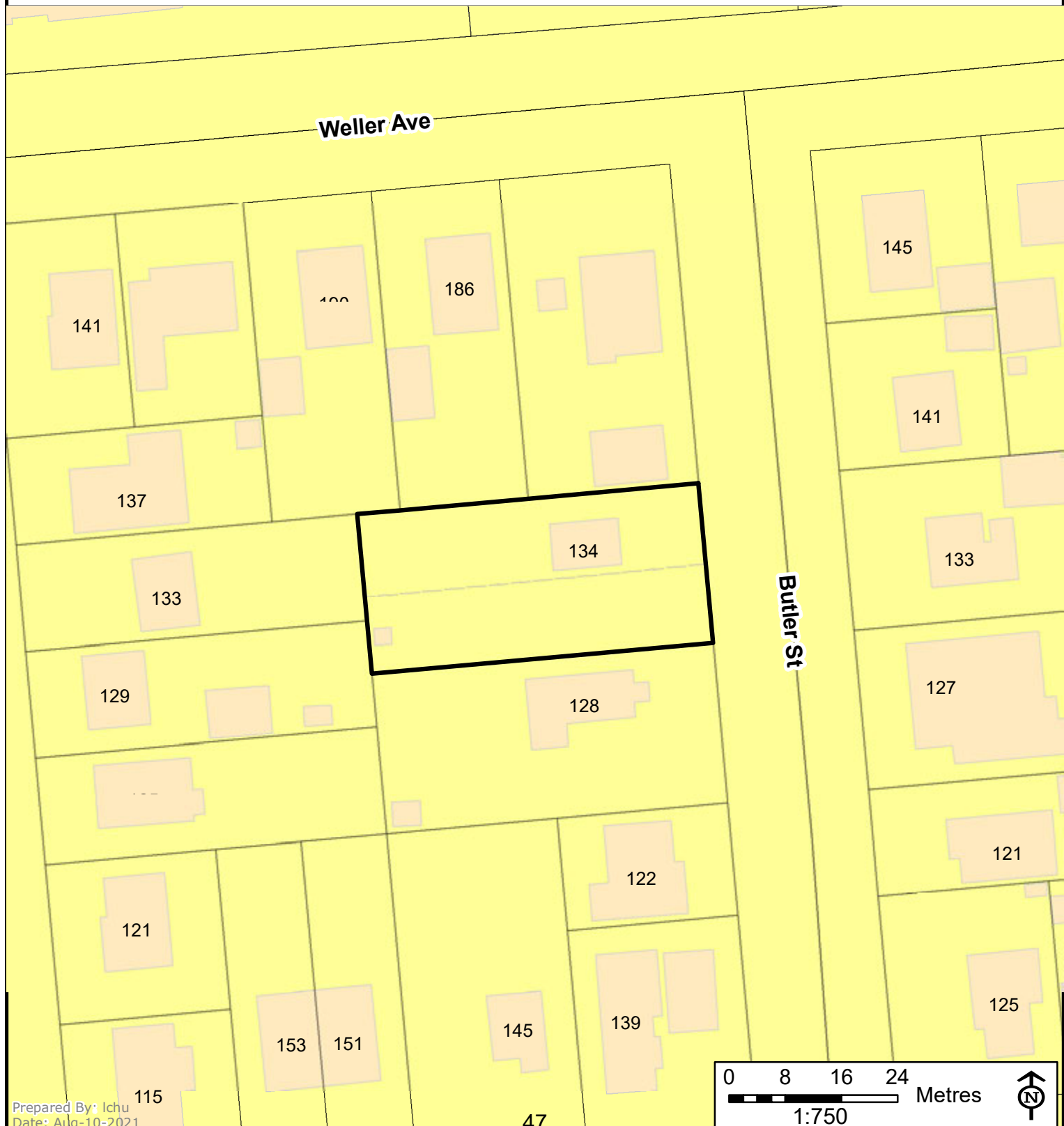
Committee of Adjustment Official Plan, Existing Land Use

Address: 134 Butler Street

File Number: D10-024-2021 & D13-045-2021

Subject Lands

RESIDENTIAL





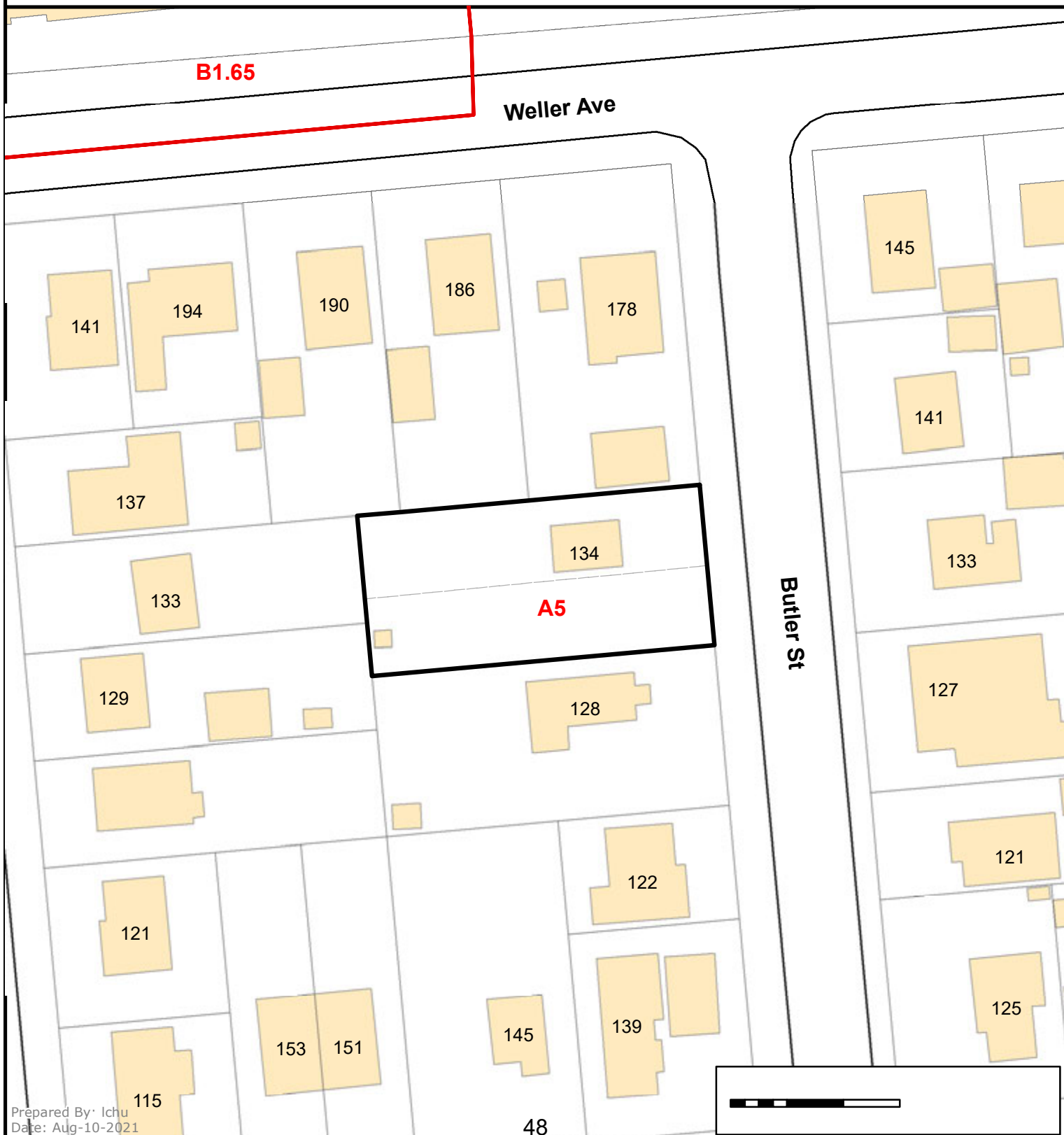


Planning Services

Committee of Adjustment Existing Zoning - By-law 8499, Map 7

Address: 134 Butler Street
File Number: D10-024-2021 & D13-045-2021

-  Subject Lands
-  Consolidated Zoning

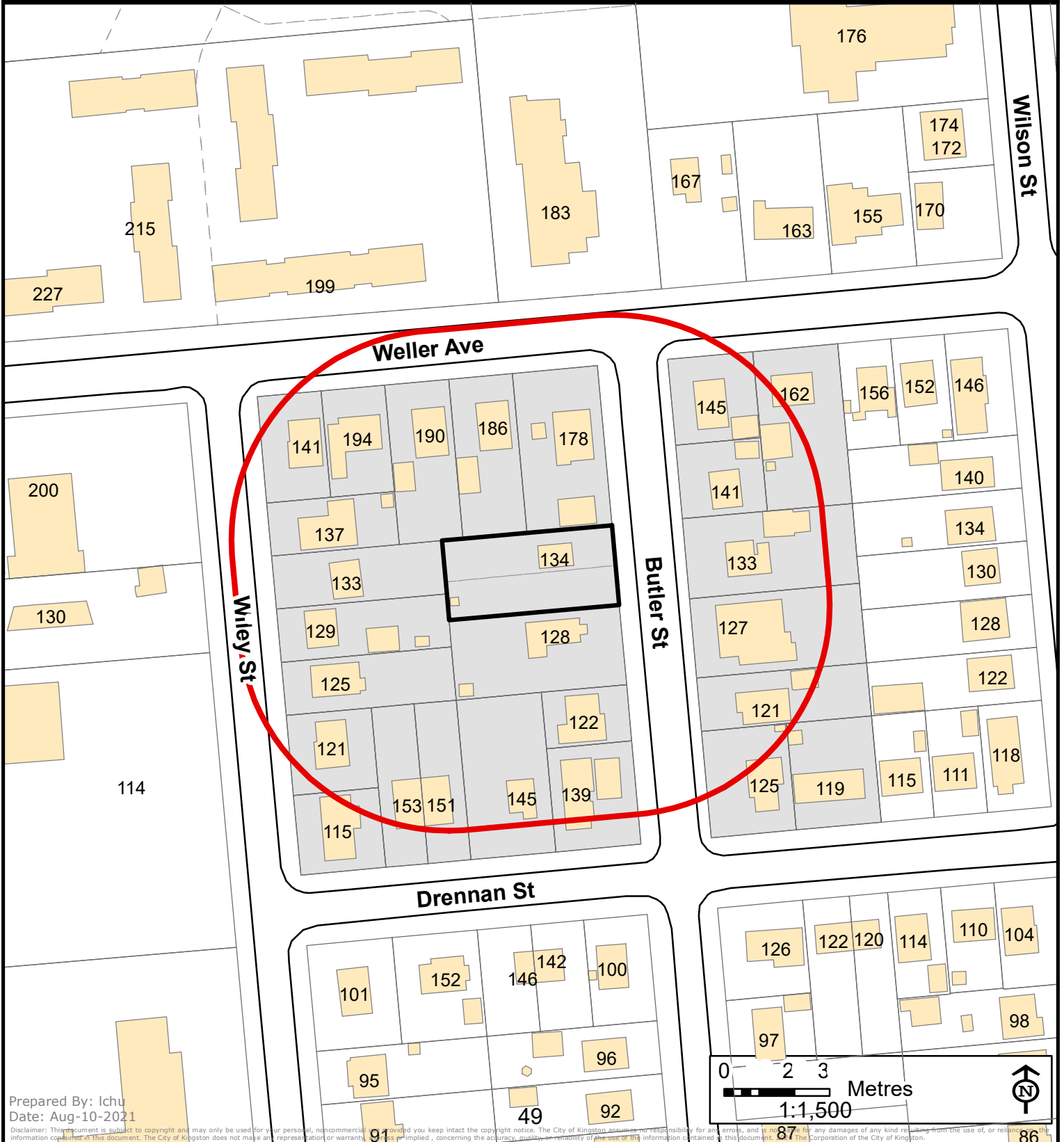




Committee of Adjustment
Public Notice Notification Map

Address: 134 Butler Street
File Number: D10-024-2021
& D13-045-2021

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






Prepared By: Ichu
Date: Aug-10-2021



Committee of Adjustment Neighbourhood Context (2021)

Address: 134 Butler Street

File Number: D10-024-2021 & D13-045-2021

-  Subject Lands
-  Property Boundaries
-  Proposed Parcels

