



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-22-029**

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**To:** Chair and Members of the Committee of Adjustment  
**From:** Riccardo Pegg, Planner  
**Date of Meeting:** March 21, 2022  
**Application for:** Minor Variance and Permission  
**File Number:** D13-058-2021  
**Address:** 64 John Street  
**Owners:** Marc Epprecht and Allison Goebel  
**Applicant:** Mason Costa, OnPoint Drafting & Survey

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**Council Strategic Plan Alignment:**

Theme: 2. Increase housing affordability

Goal: 2.1 Pursue development of all types of housing city-wide through intensification and land use policies.

**Executive Summary:**

This report provides a recommendation to the Committee of Adjustment regarding an application for Permission and Minor Variances for the property located at 64 John Street. The applicant is proposing to expand and construct a second storey over an existing single storey mud room, and to reconstruct an existing deck in the same size but in a different configuration on the lot. Permission is required to expand an existing legal non-conforming dwelling. Variances are required for the front yard setback for the deck, maximum permitted floor space, maximum building depth and maximum lot coverage provisions.

The property contains a single-family dwelling and accessory garage that have existed on site since prior to 1975 when Zoning By-Law Number 8499 was adopted.

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

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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. Further, the requested permission is in keeping with the intent of the zoning by-law and represents appropriate and desirable development of the lot. Therefore, it is recommended that this application for minor variance under Subsection 45(1) of the *Planning Act*, and for permission under Section 45(2)(a)(i) of the *Planning Act*, be approved.

**Minor Variance 1: Front Yard Setback for Deck**

By-Law Number 8499: Section 5.8(c)  
Requirement: 3.5 metres  
Proposed: 0.35 metres  
Variance Requested: 3.15 metres

**Minor Variance 2: Maximum Permitted Floor Space Index**

By-Law Number 8499: Section 6.3(h)(ii)  
Requirement: 205 square metres  
Proposed: 219.7 square metres  
Variance Requested: 14.7 square metres

**Minor Variance 3: Lot Coverage**

By-Law Number 8499: Section 6.3(e)  
Requirement: 33.3%  
Proposed: 48.8%  
Variance Requested: 15.5%

**Minor Variance 4: Residential Building Depth**

By-Law Number 8499: Section 6.3 (g)(ii)(1)  
Requirement: 14.45 metres  
Proposed: 16.44 metres  
Variance Requested: 1.99 metres

**Recommendation:**

**That** the application for permission, File Number D13-058-2021, for the property located at 64 John Street to expand an existing legal non-conforming dwelling, be approved;

**That** minor variance application, File Number D13-058-2021, for the property located at 64 John Street to reduce the front yard set back for a projection, exceed the maximum permitted floor space index, increase the lot coverage, and increase the residential building depth, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-029.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY PLANNER

Riccardo Peggi, Planner

**In 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 September 27, 2021, a permission and minor variance application was submitted by Mason Costa, on behalf of the owners, Marc Epprecht and Allison Goebel, with respect to the property located at 64 John Street. The purpose of the application is to enable the reconstruction of an existing deck in a different configuration on the lot, and to expand and construct a second storey over an existing mud room. Permission is required to expand the legal non-conforming use. Variances are required for the front yard setback for the deck, the maximum permitted floor space of the dwelling, the building depth of the dwelling and for the lot coverage.

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

- Site Plan (Exhibit G);
- Floor Plans (Exhibit H);
- Building elevations; and
- HVAC Design

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 64 John Street, at the corner of John Street and Patrick Street (Exhibit B – Key Map). The subject property is 205 square metres in size with an approximate frontage of 8 metres along John Street and 26 metres along Patrick Street. The property is currently developed as a two-storey, one-family dwelling with a detached garage. The dwelling contains a one-storey mudroom on its south side, and a deck which extends from the mudroom to the garage. According to aerial imagery of the site, the dwelling appears to have been constructed prior to 1957.

The subject property is designated Residential in the Official Plan (Exhibit E – Official Plan Map). The goal of the residential designation is to respond to the housing needs of the City’s citizens by retaining and augmenting a broad range of housing at all levels of affordability within a safe, convenient and stable setting, organized primarily into neighbourhoods. The property is zoned “A” – One Family Dwelling and Two-Family Dwelling in Zoning By-Law Number 8499 (Exhibit F – Zoning By-Law Map). As a corner lot, the subject property is interpreted to have two front yards and two interior side yards as defined in the By-Law.

The subject property is located within the Inner Harbour neighbourhood (Exhibit C - Neighbourhood Context Map). Properties in the surrounding area are predominantly residential and are developed with several different kinds of housing forms including single detached, semi-detached, and multi-unit dwellings. A neighbourhood grocery store is located across John Street to the north of the property.

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## Permission Application

Pursuant to Subsection 45(2)(a)(i) of the *Planning Act*, the Committee of Adjustment may permit the enlargement or extension of a legal non-conforming building or structure, but no permission may be given to enlarge or extend the building or structure beyond the original limits of the land where the legal non-conforming building or structure is situated. In considering whether to grant a permission pursuant to Subsection 45(2)(a)(i), the relevant test is:

### **1) Whether the proposed expansion is desirable for the appropriate development or use of the land**

The expansion of the mud room and addition of a second storey will represent a relatively minor expansion to the existing dwelling. Following the proposed expansion, the use of the property as a one-family dwelling will remain and the built form will remain consistent with the massing of other developments on surrounding lands. The area is characterized by a mix of dwelling types and sizes including single detached, row, and multi-family dwellings. Nearby corner properties such as those across the street at 74 and 66 Patrick Street are similarly setback from the front lot line, with rear additions that stretch back along the John Street frontage.

The use of the property as a single-family dwelling is also consistent with the Residential designation in the Official Plan. As is discussed in the Minor Variance review portion of this report, staff considers the development to be consistent with the general purpose and intent of the Official Plan and no issues of compatibility are anticipated.

The development is consistent with the massing of similar properties in the surrounding area and is consistent with the Official Plan designation for the site. Staff therefore considers that the proposed expansion is desirable for the appropriate development or use of the land.

### **2) Whether the application will result in undue adverse impacts on the surrounding properties and neighbourhood.**

The proposal was reviewed against Section 2.7 of the Official Plan which outlines land use compatibility matters. The adverse impacts typically associated with increased building depth and lot coverage are shadowing, overlook and architectural incompatibility.

The proposal is not anticipated to cause undue shadowing. The dwelling is comparable in height to other buildings in the neighbourhood and meets the height and setback requirements of the Zoning By-Law.

Overlook has also been carefully examined and is not anticipated to occur due to the proposal. The second storey rear addition will not contain east facing windows, except for a bathroom window. Further, the applicant has agreed to include an east facing screen at the top of the access staircase to visually buffer the adjacent yard.

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Lastly, the footprint of the house is also not out of character with nearby properties and is architecturally consistent with the surrounding neighbourhood. Overall, the development is compatible with the surrounding neighbourhood in terms of scale, style and massing.

The proposed development will be compatible with surrounding uses and no adverse effects as a result of this development are anticipated.

### **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:

### **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.

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

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

The proposed development is within the Urban Boundary, the area to be the focus of growth within the City.

The property is located within a stable neighbourhood, and as such, changes should reflect the prevailing pattern of development in the neighbourhood. The subject property contains an existing single-family residence, and the neighbourhood is generally made up of residential properties with various built forms such as single detached, semi-detached, and multi-unit dwellings. Many of the properties in the neighbourhood are developed with shorter setbacks and maximized lot coverage. Nearby corner lots such as those across the street at 74 and 66 Patrick Street, and one block in either direction at 28 Patrick Street and 154 Charles Street, are similarly setback from the respective front lot lines,

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with rear additions that stretch back along the perpendicular road frontages. These four examples appear to also contain additional units, which will not be the case for the subject property.

The proposed variances are intended to enable a relatively minor addition to the footprint of the dwelling but will allow for an additional bedroom. The proposed addition is consistent with development on surrounding lands and is consistent with the General Policy Direction of the Official Plan.

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;

It is anticipated that the proposed development will be compatible with surrounding uses.

The proposal is not anticipated to cause undue shadowing. The dwelling is comparable in height to other buildings in the neighbourhood and meets the height and setback requirements of the Zoning By-Law.

Overlook was carefully examined in relation to the neighbour to the east given that the house is already positioned further south on the lot in comparison. In this case, overlook is not anticipated to be an issue given that the second storey rear addition will not contain east facing windows, except for a bathroom window. Further, the applicant has agreed to include an east facing screen at the top of the access staircase to visually buffer the adjacent yard.

The front yard setback of the deck will be compatible with the streetscape as it will be visually screened by a fence, and the sidewalk is already setback from the edge of the property.

In terms of architectural compatibility, the footprint of the house is also not out of character with nearby properties and is architecturally consistent with the surrounding neighbourhood. The neighbourhood is generally made up of residential properties with various built forms such as single detached, semi-detached, and multi-unit dwellings, many of which are developed with shorter setbacks and maximized lot coverage. Overall, the development is compatible with the surrounding area in terms of scale, style and massing.

The proposed development will be compatible with surrounding uses and no adverse effects as a result of this development are anticipated.

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 proposed alterations to the site will not alter the functioning of the site. The property remains as a single unit dwelling. The reconstruction of the deck may improve universal accessibility as the existing deck is older and needs replacing.

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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 within a Heritage District, nor would the proposal impact existing built heritage resources. As the property is a single detached house, site plan control is not applicable.

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 property is not adjacent to any designated heritage property nor is it designated under the *Ontario Heritage Act*. The second storey addition will not impact any protected views as listed in Schedule 9 of the City's Official Plan.

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 development appears to have adequate municipal water and sewage services within the Urban Boundary. The application was circulated to all appropriate City departments and no concerns were raised regarding servicing.

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 proposal meets the four tests of a Minor Variance as outlined in the *Planning Act*, and described herein.

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;

The Committee of Adjustment may require additional conditions as it deems appropriate to the approval of the application. Recommended conditions are listed in "Exhibit A - Recommended Conditions", attached to this document. 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 proposal is in keeping and compatible with the existing development in the surrounding area and will not set an undesirable precedent.



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The proposal meets the intent of the Official Plan, as the proposed variances to the front yard setback for the deck, maximum permitted floor space, maximum building depth and maximum lot coverage provisions 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 'A' One Family Dwelling and Two-Family Dwelling 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 'A' zone permits single-family dwellings.

The proposal requires four variances, one relating to the reconfiguration of the deck and three relating to the addition to the main building.

### Minor Variance 1: Front Yard Setback for Deck

By-Law Number 8499:	Section 5.8(c)
Requirement:	3.5 metres
Proposed:	0.35 metres
Variance Requested:	3.15 metres

The applicant intends to reconstruct the existing deck at the same size, but with a different configuration to account for the expanded footprint of the rear of the building. The deck is over 0.6 metres in height and less than 1.2 metres; therefore it may project 2.5 metres out from main building wall, but not closer than 3.5 metres to the front lot line. In this case, the deck is intended to be approximately 0.35 metres set back.

The purpose of the front yard setback regulations for projections is to ensure that private decks do not impose onto public rights of way and that comfort is maintained for both pedestrians on sidewalks and users of the front deck. The setback is also intended to allow for landscaping and green space between the deck and the sidewalk.

In this case, while the deck is nearly flush to the lot line, it is apparent when visiting the site that the deck is sufficiently buffered from the sidewalk (Exhibit I – Site Photos). The yard that includes the deck is fenced, and the property line itself is setback around four metres from the sidewalk. The lands between the sidewalk and the lot line are well vegetated with a few trees and a row of coniferous bushes.

### Minor Variance 2: Maximum Permitted Floor Space Index

By-Law Number 8499:	Section 6.3(h)(ii)
Requirement:	205 square metres
Proposed:	219.7 square metres
Variance Requested:	4.7 square metres

The maximum floor space index is a ratio calculated based on the size of the lot. In this case, the floor space of the dwelling is required to be equal to or less than the total area of

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the lot. The purpose of the provision is to prevent the overdevelopment of a lot with a building which is too large or tall based on the proportions of the lot.

In this case, the lot is relatively small compared to other lots in the area and the proposed building is consistent in massing and form to other buildings in the surrounding area. Following the proposed expansion, the building will only marginally exceed the maximum floor space allowed by the lot and will enable additional living space in the dwelling.

**Minor Variance 3: Lot Coverage**

By-Law Number 8499: Section 6.3(e)

Requirement: 33.3%

Proposed: 48.8%

Variance Requested: 15.5%

Similar to the floor space index, the requirement for lot coverage is a relative calculation based on the size of the lot. In the case of the subject property, the lot is small relative to the surrounding neighbourhood and the massing of the dwelling is consistent with the surrounding built form.

One of the primary purposes of the lot coverage requirement is to ensure that a property includes enough space for landscaped open space. In this instance, the property does meet the minimum requirement for landscaped open space.

**Minor Variance 4: Residential Building Depth**

By-Law Number 8499: Section 6.3 (g)(ii)(1)

Requirement: 14.45 metres

Proposed: 16.44 metres

Variance Requested: 1.99 metres

The provision for residential building depth is based on the average building depth of the two neighbouring lots on either side of the subject property. The subject property in this case is a corner lot, so the calculation is based on the neighbouring property to the east at 60 John Street and the property to the south at 55 Patrick Street.

The purpose of the building depth provision is to ensure neighbouring properties have a compatible built form and reduce potential issues of shadowing and overlook. The dwelling at 55 Patrick Street has a shallow depth of 13.5 metres relative to the subject property, while the dwelling at 60 John Street has a comparable building depth of approximately 15.4 metres.

Although the By-Law requires the building depth be calculated based on the average between 55 Patrick Street and 60 John Street, the building depth of the subject property has little or no functional influence on 55 Patrick Street. The proposed building depth of 16.44 metres is only about 1 metre longer than the 15.4 metre building depth at 60 John Street. No negative impacts associated with disjointed building depths are anticipated given the marginal difference between the two buildings.

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

The variances are considered minor as the proposed development will be consistent with the built form in the area, and the use of the property as a single-family dwelling will remain unchanged. The deck is existing and will be reconstructed, and the dwelling will be only marginally larger than the maximum set in the By-Law. No adverse impacts on neighbouring properties are anticipated to result from the proposed variances.

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

The use of the property as a single-family dwelling is consistent with the Residential designation in the Official Plan, and the built form will be consistent with adjacent buildings in the neighbourhood. The deck is old and will be replaced in the same size but with a different configuration. The floor space and building depth will be only marginally larger than the maximum set in the By-Law and will allow for another bedroom and bathroom in the dwelling. While no new units are being created, additional living space will be provided.

The variance is desirable and appropriate use of the land.

**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 checked="" type="checkbox"/> Kingston Hydro         | <input checked="" type="checkbox"/> City’s Environment Division  |
| <input checked="" type="checkbox"/> Solid Waste       | <input checked="" type="checkbox"/> Parks Development      | <input type="checkbox"/> Canadian National Railways              |
| <input 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**

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.

**Public Comments**

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

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**Previous or Concurrent Applications**

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

**Conclusion**

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The proposed development is desirable for the appropriate development or use of the land, building or structure and the requested variances are minor in nature. The proposal will not result in undue adverse impacts on the surrounding properties and neighbourhood. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act*, and the two tests under Subsection 45(2)(a)(i) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

Approval of this application will enable the minor expansion of a one-unit dwelling to construct an additional bedroom and will enable the reconstruction of an old deck.

**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 March 21, 2022. 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 63 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*.

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**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

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

Riccardo Peggi, Planner 613-546-4291 extension 3237

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map (2021)
- Exhibit D Public Notification Map
- Exhibit E Official Plan Map
- Exhibit F Zoning By-Law 8499, Map 18
- Exhibit G Site Plan
- Exhibit H Floor Plans
- Exhibit I Site Photos

## Recommended Conditions

### Application for minor variance and permission, File Number D13-058-2021

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

#### 1. Limitation

That the approved minor variance applies only to the floor space ratio, front yard setback for the deck, lot coverage, and residential building depth 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. Tree Permit

The owner/applicant is to acquire a Tree Permit to address required conditions surrounding tree preservation concerns. The Tree Permit is to be acquired prior to building permit issuance.

#### 5. Archaeological Assessment

An Archaeological Assessment (beginning with a Stage One Assessment) and any subsequent or supporting studies are required on the property prior to the issuance of a Building Permit, as the site falls under several of the criteria for archaeological potential. Any area of development or site alteration, including access routes, on lands containing archaeological resources or areas of archaeological potential will need to be assessed by an archaeologist licensed in the Province of Ontario. The

applicant shall contact the Planning Division to confirm their requirements for approval of this condition.


Two (2) copies of the study and all relative information shall be provided to the Building Division. The report shall be registered with the Ministry of Tourism, Culture and Sport or an acceptance letter shall be obtained by the Ministry prior to the issuance of a Building Permit.

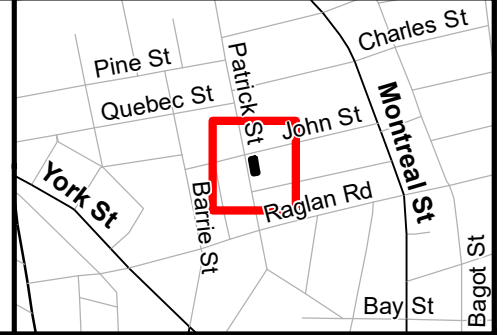
The City relies upon the report of the professional archaeologist as filed, but reserves the right to require further reports should further evidence be uncovered. The applicant may be required to further review the state of archaeological resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Tourism, Culture and Sport. 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.



# Committee of Adjustment Key Map

Address: 64 John Street  
File Number: D13-058-2021

 Lands Subject to Minor Variance



Prepared By: gronan  
Date: Oct-01-2021

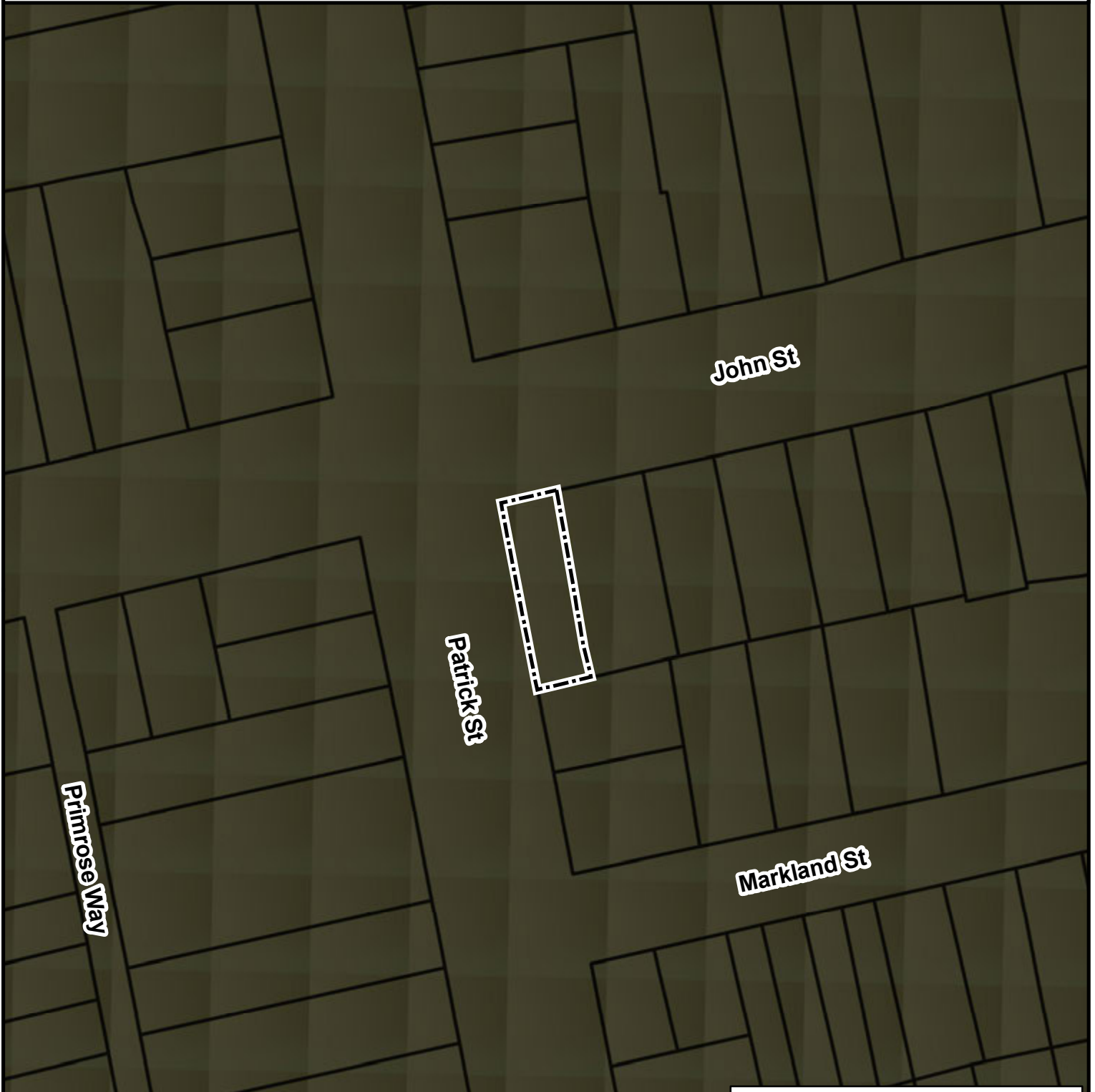




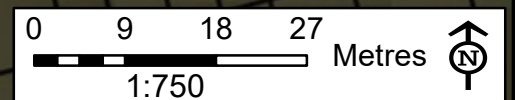
Committee of Adjustment  
**Neighbourhood Context (2021)**

Address: 64 John Street  
File Number: D13-058-2021

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: gronan  
Date: Oct-01-2021

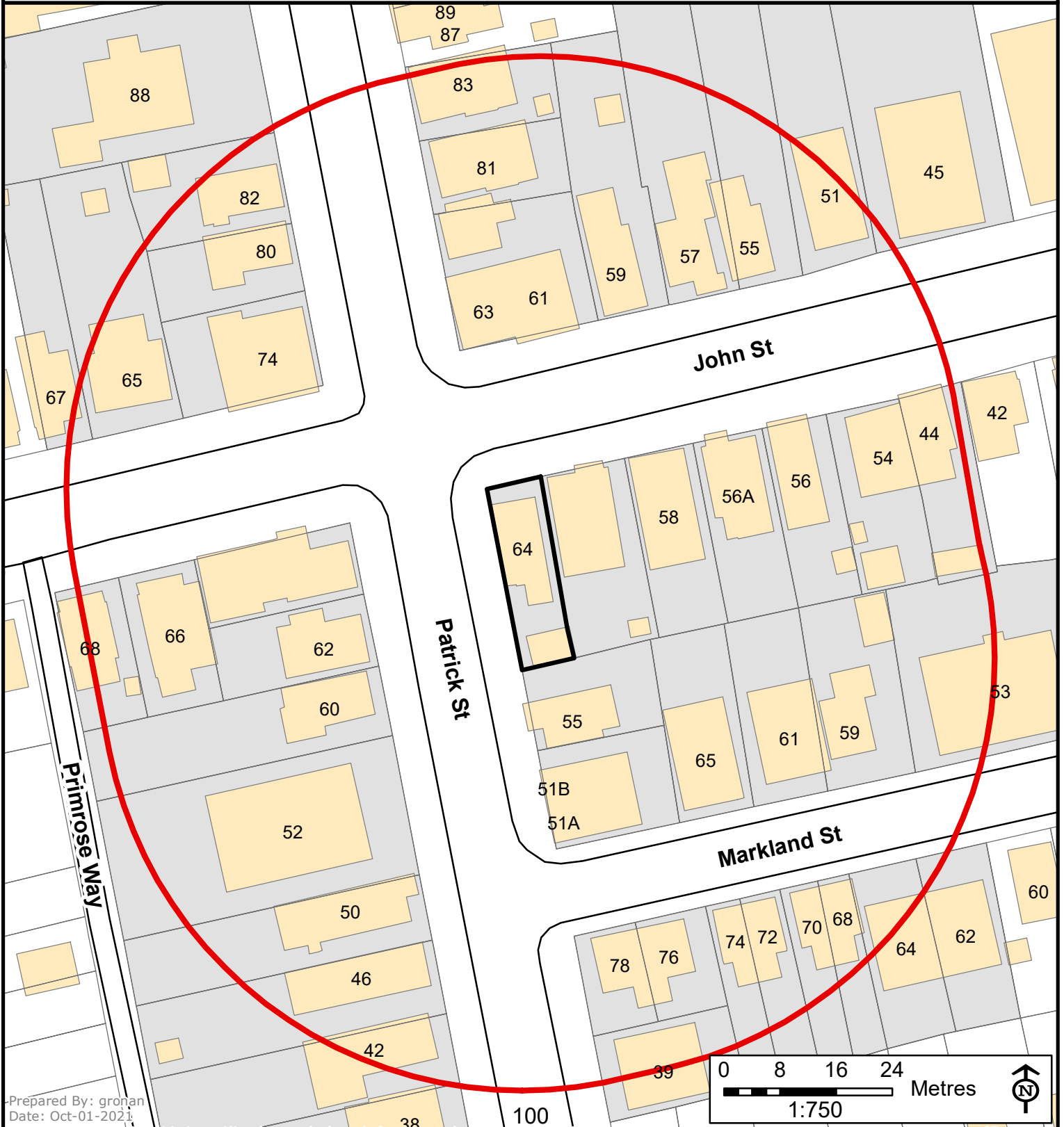




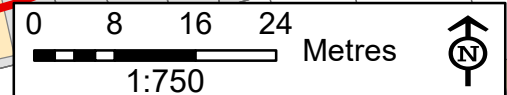
# Committee of Adjustment Public Notice Notification Map

Address: 64 John Street  
File Number: D13-058-2021

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



Prepared By: gronan  
Date: Oct-01-2021





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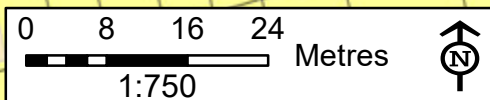


Planning Services

# Committee of Adjustment Official Plan, Existing Land Use

Address: 64 John Street  
File Number: D13-058-2021

-  Subject Lands
-  RESIDENTIAL

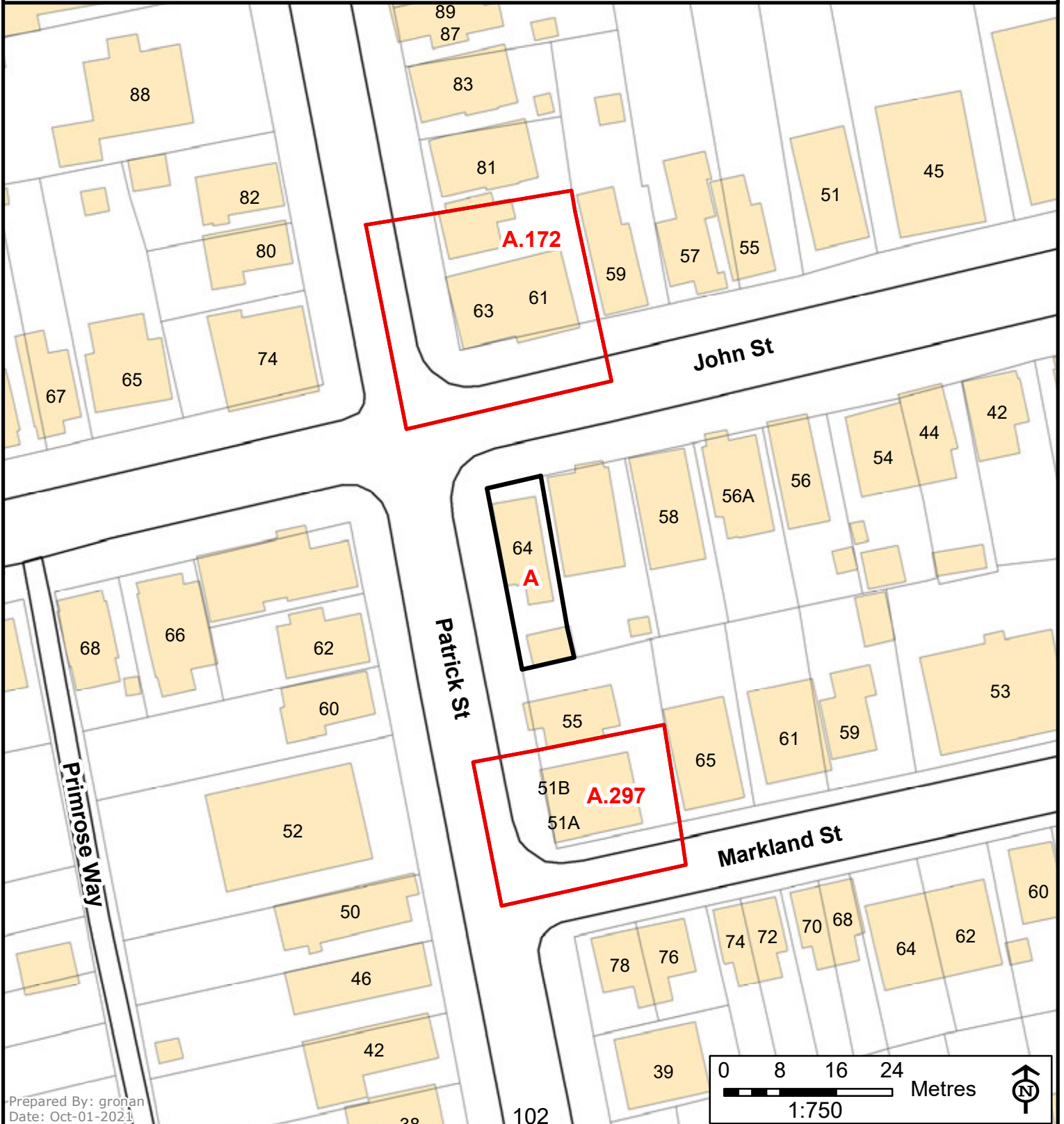


Prepared By: gronan  
Date: Oct-01-2021

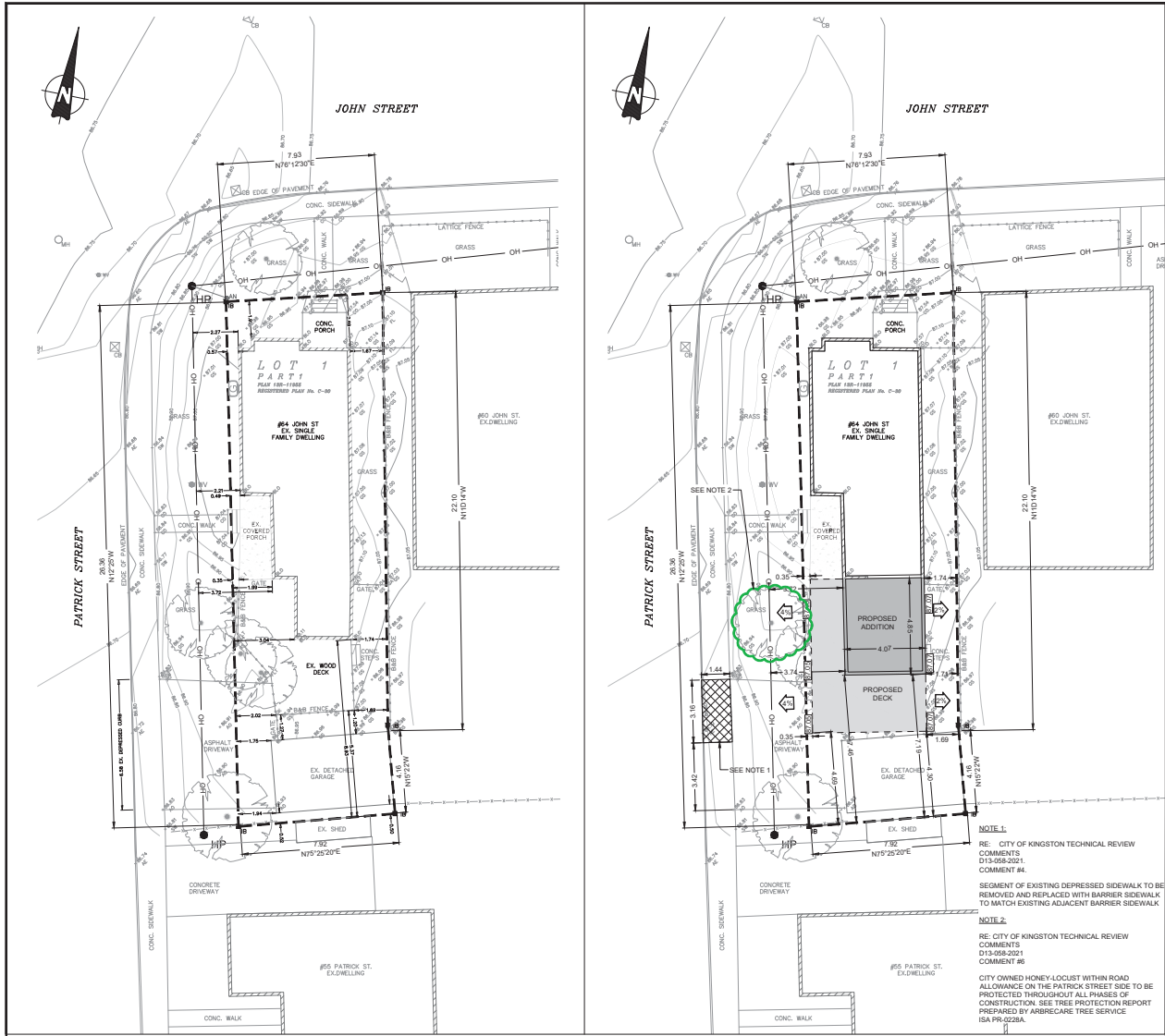


Committee of Adjustment  
**Existing Zoning - By-law 8499, Map 18**  
Address: 64 John Street  
File Number: D13-058-2021

- Subject Lands
- Consolidated Zoning



Prepared By: gronan  
Date: Oct-01-2021



PLAN - EXISTING CONDITIONS  
1:100

PLAN - PROPOSED SITE AND GRADING PLAN  
1:100

GENERAL NOTES:

1. THE ORIGINAL TOPOGRAPHY AND GROUND ELEVATIONS, SURVEYING AND SURVEY DATA SHOWN ON THIS PLAN DRAWING IS PROVIDED FOR INFORMATION PURPOSES ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ACCURACY OF ALL INFORMATION OBTAINED FROM THESE PLANS. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. IF THERE IS ANY DISCREPANCY THE CONTRACTOR IS TO NOTIFY THE ENGINEER.
2. POSITIVE DRAINAGE TO BE ENSURED FOR FINAL GRADE AND DURING CONSTRUCTION. IN NO CASE SHOULD GRADE BE DIRECTED TOWARDS THE FOUNDATION OF THE DWELLING.
3. POSITIVE DRAINAGE AWAY FROM DWELLING IN NO CASE SHOULD GRADE BE DIRECT TOWARDS FOUNDATION OF DWELLING.
4. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION, SIZE, MATERIAL AND ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCING CONSTRUCTION. PROTECT AND ASSUME ALL RESPONSIBILITY FOR EXISTING UTILITIES WHETHER OR NOT SHOWN ON THE DRAWINGS. IF THERE ARE ANY DISCREPANCIES THE CONTRACTOR IS TO NOTIFY THE ENGINEER. ANY UTILITIES THAT MAY EXIST ON SITE MUST BE LOCATED AND VERIFIED BY ITS OWNER.
5. ALL UNDERGROUND SERVICES, MATERIALS, AND INSTALLATIONS TO BE IN ACCORDANCE WITH ONTARIO PROVINCIAL STANDARDS AND SPECIFICATIONS (OPS) UNLESS OTHERWISE NOTED.
6. ALL DISTURBED AREAS TO BE RESTORED TO ORIGINAL CONDITION OR BETTER UNLESS OTHERWISE SPECIFIED. ANY GRASSED AREAS DISTURBED ARE TO BE REINSTATED WITH MINIMUM 100MM TOPSOIL AND SEED.
7. THE CONTRACTOR IS RESPONSIBLE FOR ALL LAYOUT FOR CONSTRUCTION PURPOSES.
8. THE CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS FROM THE COUNTY, MUNICIPALITY AND/OR CONSERVATION AUTHORITY PRIOR TO COMMENCING CONSTRUCTION.
9. EXCAVATE AND DISPOSE OF ALL EXCESS EXCAVATED MATERIAL, SUCH AS ASPHALT, CURBING AND DEBRIS, OFF-SITE TO THE SATISFACTION OF THE ENGINEER AND THE COUNTY, MUNICIPALITY OR CONSERVATION AUTHORITY.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL AND SAFETY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING THE SUPPLY, INSTALLATION, AND REMOVAL OF ALL NECESSARY SIGNAGE.
11. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED BEFORE CONSTRUCTION. IF THERE IS ANY DISCREPANCY THE CONTRACTOR MUST NOTIFY THE ENGINEER.
12. GRANULAR 'A' AND GRANULAR 'B' TO BE COMPACTED TO 98% SPD UNLESS NOTED OTHERWISE.

ENVIRONMENTAL:

1. EROSION AND SEDIMENT CONTROLS SHALL BE INSTALLED PRIOR TO CONSTRUCTION AND MONITORED AND MAINTAINED BY THE CONTRACTOR UNTIL COMPLETION. THE TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES MUST BE REMOVED ONCE THE SITE HAS BEEN STABILIZED AND SITE WORKS COMPLETED.
2. IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION SHALL BE NOTIFIED IMMEDIATELY AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETARIES REGULATION UNIT OF THE MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS (416) 362-8392, SHALL BE NOTIFIED IMMEDIATELY.
3. IN THE EVENT THAT BURIED ARCHEOLOGICAL REMAINS ARE FOUND DURING CONSTRUCTION ACTIVITIES, THE MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION SHALL BE NOTIFIED IMMEDIATELY.

CITY OF KINGSTON BY-LAW 8499

RESIDENTIAL ZONE "A"

SINGLE DETACHED DWELLING	ZONING	EXISTING	PROPOSED
HEIGHT OF BUILDING (MAX)		10.7m	9.14m
FRONT YARD (MIN)		4.5m	1.91m
EXTERIOR SIDE YARD (MIN)		4.5m**	0.35m
INTERIOR SIDE YARD (MIN)		0.6m	1.74m
REAR YARD (MIN)		7.5m	8.93m
LOT AREA (MIN)		370m <sup>2</sup>	205m <sup>2</sup>
LANDSCAPED OPEN SPACE (MIN)		30%	35.7%

\*\* PROPERTY IS A LEGAL NON-COMPLYING LOT PRE-REGISTERED CORNER LOT PROPERTY SUBJECT TO THE FRONT YARD REGULATIONS ON THE TWO STREETS THAT THE LOT ADJACES.

ZONING LOT COVERAGE SUMMARY

EXISTING AND PROPOSED CONDITIONS

	EXISTING	PROPOSED
EXISTING DWELLING	69m <sup>2</sup>	80m <sup>2</sup>
DETACHED GARAGE	21m <sup>2</sup>	21m <sup>2</sup>
PORCH	4m <sup>2</sup>	4m <sup>2</sup>
COVERED PORCH	7m <sup>2</sup>	7m <sup>2</sup>
DECK	25m <sup>2</sup>	25m <sup>2</sup>
TOTAL COVERAGE	132m <sup>2</sup>	137m <sup>2</sup>
TOTAL LOT SIZE	205m <sup>2</sup>	143m <sup>2</sup>
LOT COVERAGE	64.3%	69.7%

PLAN LEGEND

- PROPERTY LIMIT (LEGAL)
- ▭ EXISTING DWELLING
- ▭ PROPOSED DWELLING ADDITION
- ▭ PROPOSED DECK
- ARROW DENOTES EXISTING OVERLAND DRAINAGE DIRECTION
- OH IP OVERHEAD HYDRO POLE UTILITY
- OH OVERHEAD HYDRO WIRES
- ▭ PROPOSED ELEVATIONS
- ▭ PROPOSED GRADE
- ⊙ EXISTING GAS METER
- ▭ WV EXISTING WATER VALVE

NO.	DATE	BY	DESIGN	REVISION
3	2022.02.01	M.C.		RE-ISSUED FOR MINOR VARIANCE APP.
2	2021.11.04	M.C.		RE-ISSUED FOR MINOR VARIANCE
1	2021.07.09	S.B.		ISSUED FOR PERMIT

ADVIDITY DESIGN TECHNICAL/CREATIVE/IMPASSIONED

OP | ON POINT DRAFTING & SURVEY

64 JOHN STREET  
CITY OF KINGSTON  
EXISTING CONDITIONS  
SITE AND GRADING PLAN

FILE NO. \_\_\_\_\_ DRAWING NO. \_\_\_\_\_  
SHEET 1 OF 1

**NOTES**

REFER TO DWG 01 FOR ALL CONSTRUCTION RELATED NOTES AND SCHEDULES

**GENERAL SCOPE OF WORK**

- REMOVE EXISTING MUDROOM ENTIRELY INCLUDING THE FOUNDATION. REMOVE EXISTING WOOD FRAMED DECK AT THE REAR AND SIDE ENTRANCE (PATRICK STREET) INCLUDING ANY EXTERIOR YARD WOOD FENCE AND GATES
- EXCAVATE AND CONSTRUCT NEW FOUNDATION FOR THE PROPOSED TWO STOREY ADDITION
- REMOVE EXISTING DOOR FROM THE KITCHEN TO THE MUD ROOM AND PROVIDE CLEAN OPENING TO ADDITION
- CONSTRUCT NEW ADDITION, INCLUDING ALL FRAMING, ELECTRICAL, PLUMBING, INTERIOR/EXTERIOR FINISHES AND ROOFING
- RELOCATE EXISTING SLIDING DOOR, THAT ACCESSES BASEMENT, TO THE RIGHT APPROXIMATELY 1'-0"
- CONSTRUCT NEW WOOD FRAMED DECK STRUCTURE TO THE LIMITS SHOWN ON PLANS. ALL WOOD FRAMING FOR DECK TO BE CONSTRUCTED WITH PRESSURE TREATED LUMBER ONLY. BUTT DECK UP TO EXISTING GARAGE PROVIDING A MINIMAL GAP TO ELIMINATE THE NEED OF A RAILING AND EXPAND USEABLE SPACE
- CONSTRUCT NEW WOOD FRAMED STAIRS PROVIDING EXTERIOR ACCESS TO THE SECOND FLOOR FROM THE REAR DECK. ALL WOOD FRAMING FOR STAIRS TO BE CONSTRUCTED WITH PRESSURE TREATED LUMBER ONLY
- PROVIDE NEW KITCHEN STOVE EXHAUST VENT IN SIMILAR LOCATION TO THE PROPOSED LAUNDRY ROOM EXHAUST VENTS
- REFINISH FRONT ENTRY CONCRETE PORCH (LOHN ST.) WITH PARING AS REQUIRED AND NEW RAILINGS TO BE SPECIFIED BY THE HOMEOWNER
- REFINISH THE SIDE ENTRY CONCRETE PORCH (PATRICK ST.) WITH PARING AS REQUIRED AND NEW GAS PRESSURE TREATED POSTS WITH BASE AND COLLAR TRIM

**WALL PLAN LEGEND**

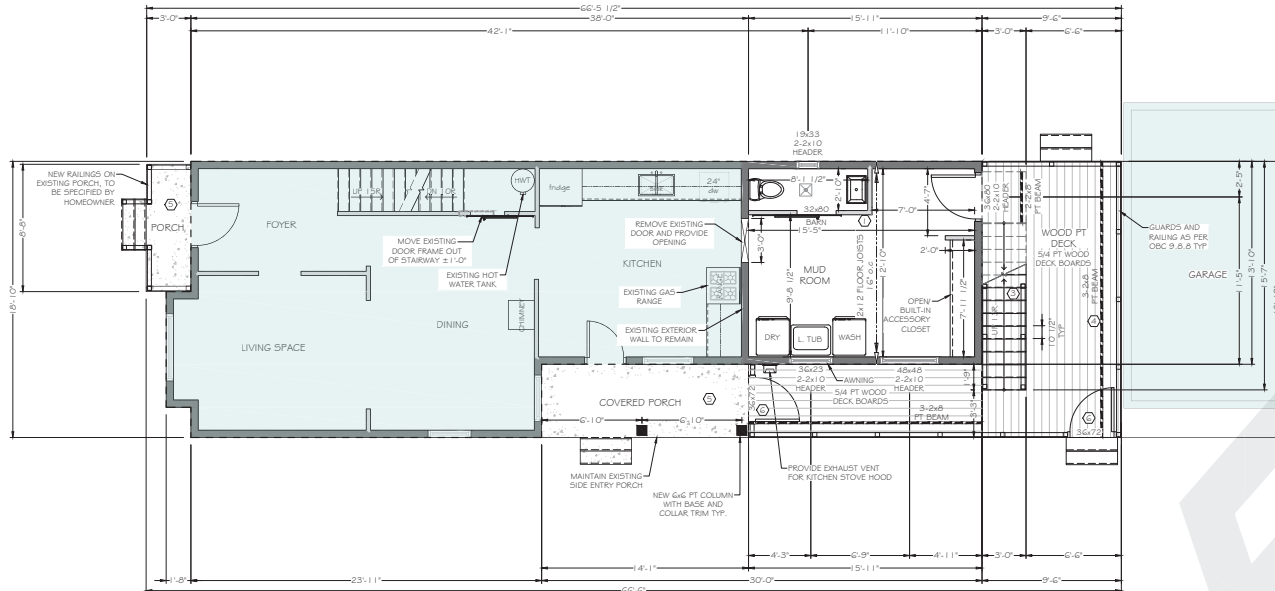
- FRAMED INSULATED WALL
- FRAMED NON INSULATED WALL
- FRAMED PARTIAL HEIGHT WALL
- FRAMED INTERIOR LOAD BEARING WALL
- INSULATED CONCRETE FORM (ICF)
- CONCRETE FOUNDATION WALL
- MASONRY STONE / BRICK FACADE
- FEATURES BELOW
- FEATURE OVERHEAD
- EXISTING DWELLING
- RAILINGS) TYPE VARIES
- STRUCTURAL BEAM

**KEY NOTES**

- UNLESS OTHERWISE NOTED ON PLANS, PROPOSED INTERIOR PARTITION WALLS TO BE FRAMED 2x4 STUD @ 16" O.C. (3 1/2" WIDTH)
- KITCHEN LAYOUT SHOWN IS CONCEPTUAL ONLY AND ACTUAL LAYOUT MAY VARY FROM THAT SHOWN ON PLANS. ACTUAL DESIGN BY KITCHEN SUPPLIER/INSTALLER
- SITE CONDITIONS MAY INFLUENCE THE ACTUAL NUMBER OF STAIR RISERS. NUMBER OF STAIR RISERS MAY DEVIATE FROM THAT SHOWN ON PLANS
- BUILT UP WOOD BEAMS AND LVL SECTIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH O.B.C. 9.23.8.3 SIZING AS PER O.B.C. TABLES A-8 AND A-11.
- EXISTING CONCRETE PORCH TO BE REFINISHED WITH NEW PARING AS REQUIRED.
- PRESSURE TREATED WOOD GATE, BUILT INTO G PRESSURE TREATED PRIVACY FENCE, COMPLETE WITH LOCK.



**MAIN FLOOR PLAN  
EXISTING CONDITIONS**



**MAIN FLOOR PLAN  
PROPOSED CONDITIONS**

1/4"=1'-0"

NO.	DATE	BY	REVISION
1	2020.12.01	SR	PRELIM FLOOR PLANS FOR CLIENT REVIEW
			DESIGN: S.R.
			DRAWN: S.R.
			SCALE: AS SHOWN

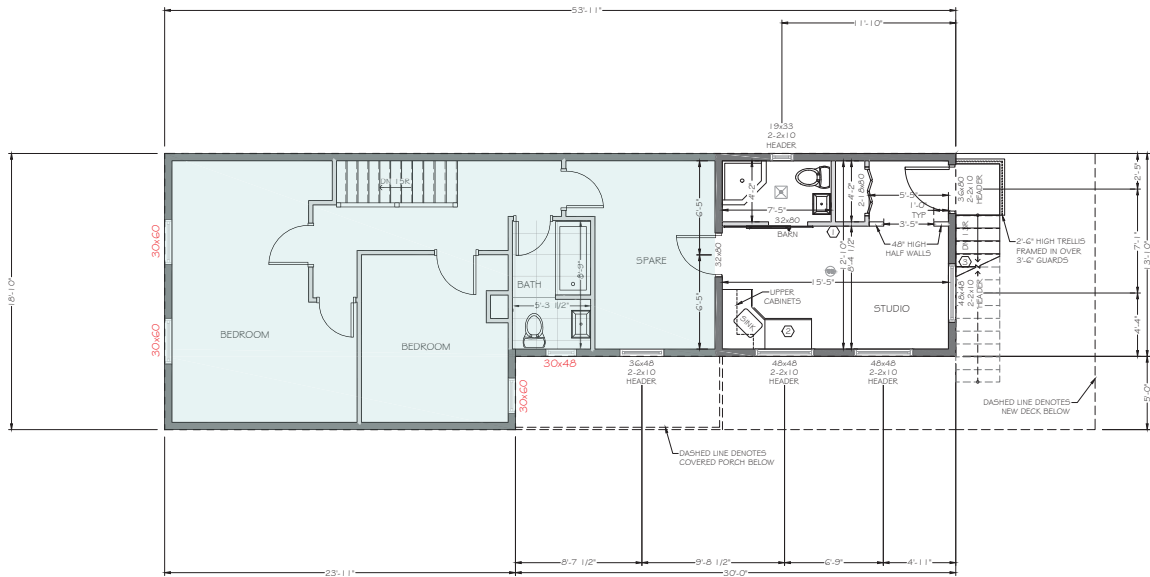


**64 JOHN STREET ADDITION  
CITY OF KINGSTON  
MAIN FLOOR PLAN**

FILE NO.	DRAWING NO.
	SHEET 3 OF 6



SECOND FLOOR PLAN  
EXISTING CONDITIONS



SECOND FLOOR PLAN  
PROPOSED CONDITIONS



NOTES

REFER TO DWG 01 FOR ALL CONSTRUCTION RELATED NOTES AND SCHEDULES

WALL PLAN LEGEND

- FRAMED INSULATED WALL
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- FRAMED PARTIAL HEIGHT WALL
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- FEATURES BELOW
- FEATURE OVERHEAD
- EXISTING DWELLING
- RAILING(S) TYPE VARIES
- STRUCTURAL BEAM

KEY NOTES

- ① UNLESS OTHERWISE NOTED ON PLANS, PROPOSED INTERIOR PARTITION WALLS TO BE FRAMED 2x4 STUD @ 16" O.C. @ 1/2" WIDTH
- ② KITCHEN LAYOUT SHOWN IS CONCEPTUAL ONLY AND ACTUAL LAYOUT MAY VARY FROM THAT SHOWN ON PLANS. ACTUAL DESIGN BY KITCHEN SUPPLIER/INSTALLER
- ③ SITE CONDITIONS MAY INFLUENCE THE ACTUAL NUMBER OF STAIR RISERS, NUMBER OF STAIR RISES MAY DEVIATE FROM THAT SHOWN ON PLANS
- ④ BUILT UP WOOD BEAMS AND LVL SECTIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH O.B.C. 8.23.8.3 SIZING AS PER O.B.C. TABLES A-8 AND A-11.
- ⑤ EXISTING CONCRETE PORCH TO BE FINISHED WITH NEW PARKING AS REQUIRED.
- ⑥ PRESSURE TREATED WOOD GATE, BUILT INTO 6" PRESSURE TREATED PRIVACY FENCE, COMPLETE WITH LOCK.

NO.	DATE	BY	REVISION
2	2021.11.04	M.C.	PRELIM FLOOR PLANS FOR MINOR VARIANCE
1	2020.12.01	S.R.	PRELIM FLOOR PLANS FOR CLIENT REVIEW
DESIGN	S.R.		
DRAWN	M.C.		
SCALE	AS SHOWN		

THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE USE OF THE PARTY WITH WHOM A WRITTEN DESIGN AGREEMENT HAS BEEN ENTERED INTO. THERE ARE NO REPRESENTATIONS OF ANY KIND MADE BY THE DESIGNER TO ANY PARTY WHO KNOWS OR SHOULD KNOW AND WHO HAS NOT ENTERED INTO A CONTRACT, REPRODUCTION, OR USE FOR ANY PURPOSE OTHER THAN AUTHORIZED BY A WRITTEN DESIGN AGREEMENT IS NOT PERMITTED.















64 JOHN STREET ADDITION  
CITY OF KINGSTON  
SECOND FLOOR PLAN

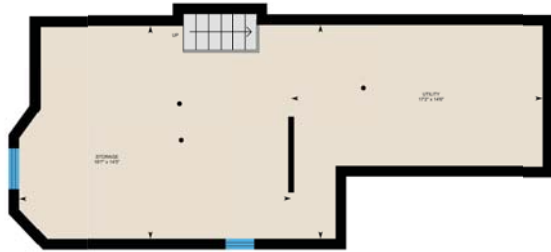
FILE NO.	DRAWING NO.
	SHEET 4 OF 6

NOTES

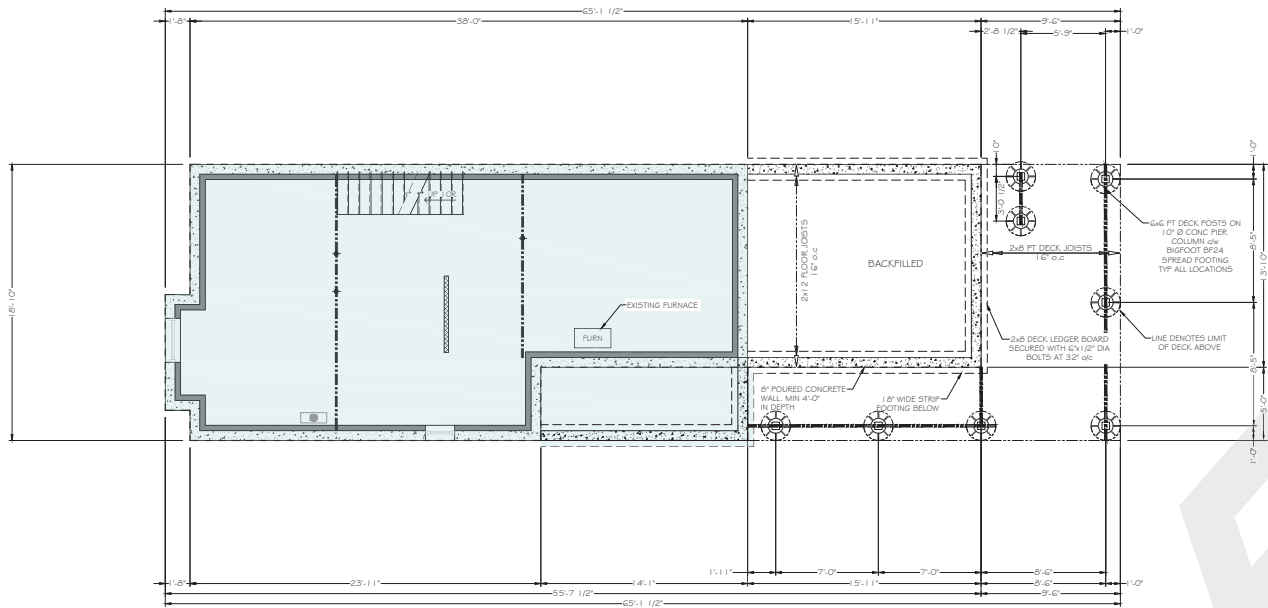
REFER TO DWG 01 FOR ALL CONSTRUCTION RELATED NOTES AND SCHEDULES

WALL PLAN LEGEND

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-  FRAMED NON INSULATED WALL
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-  RAILINGS TYPE VARIES
-  STRUCTURAL BEAM



BASEMENT FLOOR PLAN  
EXISTING CONDITIONS



BASEMENT FLOOR PLAN  
PROPOSED CONDITIONS



NO.	DATE	SR	BY	PRELIM FLOOR PLANS FOR CLIENT REVIEW	REVISION
1	2020.12.01				

DESIGN	S.R.
DRAWN	S.R.
SCALE	AS SHOWN

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64 JOHN STREET ADDITION  
CITY OF KINGSTON  
BASEMENT FLOOR PLAN

FILE NO.	DRAWING NO.
	SHEET 5 OF 6







