



**City of Kingston
Report to Committee of Adjustment
Report Number COA-22-041**

To: Chair and Members of the Committee of Adjustment
From: Meghan Robidoux, Intermediate Planner
Date of Meeting: June 20, 2022
Application for: Permission and Minor Variance
File Number: D13-013-2022
Address: 2 Nina's Lane
Owner: Gerald Sutton
Applicant: Clark Consulting Services

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 variance for the property located at 2 Nina's Lane. The applicant is proposing to construct a new detached dwelling on the subject property. There are four existing dwellings on the subject property, addressed as 2, 3, 8, and 18 Nina's Lane. The dwelling known as 8 Nina's Lane has recently been demolished, while 3 and 18 are proposed to be temporarily retained, pending the outcome of a Landlord and Tenant Board hearing. The property known as 2 Nina's Lane is proposed to be converted to a storage building.

The subject property is situated at the terminus of Nina's Lane, located north of Isle of Man Road. The property is designated Rural and Environmental Protection Area in the Official Plan and is zoned Limited Service Residential 'LSR-H' Zone and Open Space 'OS' Zone in Zoning By-Law Number 32-74. The subject property is zoned entirely Limited Services Residential 'LSR' Zone in the new Zoning By-Law Number 2022-62.

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The existing dwellings on the subject property were established prior to Zoning By-Law Number 32-74 coming into force and effect, and as a result are legal non-conforming and legal non-complying with respect to several provisions of the 'LSR' Zone. Permitted residential uses in the LSR Zone include a detached single family dwelling house and a seasonal dwelling house. Multiple detached dwellings houses are not a permitted use in the LSR Zone. A permission is required to allow for the alteration of the existing non-conforming use of the site from a total of four dwellings to a total of three dwellings.

In addition, to facilitate the construction of the proposed new dwelling house, the applicant is requesting a minor variance from Section 5(11)(c) of Zoning By-Law Number 32-74, Lot Development Requirements, to allow the LSR zone provisions to be measured from the lot boundary, as opposed to the zone boundary.

Variance Number 1: Lot Development Requirements

By-Law Number 32-74: Section 5(11)(c)

Requirement: Where a lot is divided into more than one zone, each such portion of the lot shall, for the purpose of this By-Law, be considered a separate lot and shall be used in accordance with the applicable zone provisions of this By-Law, but this provision shall not be construed to permit more than one dwelling house on the whole lot.

Proposed: The lot boundaries shall be used in accordance with the applicable provisions of the LSR zone.

The final draft of the City's New Zoning By-Law was approved by Council on April 26, 2022. As this application is scheduled for a Committee of Adjustment meeting subsequent to that date, the application has been reviewed against both the current Zoning By-Law Number 32-74, as well as the new Zoning By-Law Number 2022-62. To facilitate the proposed new dwelling house, relief from Section 4.23.1 of the new Zoning By-Law, Water Separation Distances, is also required to permit a minimum separation distance from the high-water mark of a waterbody to any use or building of 16 metres where a minimum of 30 metres is required.

Variance Number 2: Water Separation Distances

By-Law Number 2022-62: Section 4.23.1

Requirement: 30 metres

Proposed: 16 metres

Variance Requested: 14 metres

The requested permission and minor variance are consistent with the general intent and purpose of the City of Kingston Official Plan, Zoning By-Law Number 32-74, and the new Zoning By-Law Number 2022-62. The requested permission and minor variance are desirable for the appropriate development or use of the land, building or structure and are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

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Recommendation:

That permission application, File Number D13-013-2022, for the property located at 2 Nina's Lane to facilitate the alteration of the existing non-complying use, be approved; and

That minor variance application, File Number D13-013-2022, for the property located at 2 Nina's Lane to allow the LSR zone provisions to be measured from the lot boundary, as opposed to the zone boundary, be approved; and

That minor variance application, File Number D13-013-2022, for the property located at 2 Nina's Lane to allow a minimum separation distance from the high water mark of a waterbody to the proposed dwelling of 16 metres, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-041.

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Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Meghan Robidoux, Intermediate
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 March 2, 2022, a permission and minor variance application was submitted by Clark Consulting Services, on behalf of the owner, Gerald Sutton, with respect to the property located at 2 Nina's Lane. The applicant is proposing to construct a new detached dwelling unit on the subject property (Exhibit H – Site Plans). There are four existing dwellings on the subject property, addressed as 2, 3, 8, and 18 Nina's Lane. The property known as 8 Nina's Lane is proposed to be demolished, while 3 and 18 are proposed to be temporarily retained, pending the outcome of a Landlord and Tenant Board hearing. The property known as 2 Nina's Lane is proposed to be converted to a storage building.

The existing dwellings on the subject property were established prior to Zoning By-Law Number 32-74 coming into force and effect, and as a result are legal non-conforming and legal non-complying with respect to several provisions of the 'LSR' Zone. Permitted residential uses in the LSR Zone include a detached single family dwelling house and a seasonal dwelling house. Multiple detached dwellings houses are not a permitted use in the LSR Zone. A permission is required to allow for the alteration of the existing non-conforming use of the site from a total of four dwellings to a total of three dwellings.

In addition, to facilitate the construction of the proposed new dwelling house, the applicant is requesting a minor variance from Section 5(11)(c) of Zoning By-Law Number 32-74, Lot Development Requirements, to allow the LSR zone provisions to be measured from the lot boundary, as opposed to the zone boundary.

The final draft of the City's New Zoning By-Law was approved by Council on April 26, 2022. As this application is scheduled for a Committee of Adjustment meeting subsequent to that date, the application has been reviewed against both the current Zoning By-Law Number 32-74, as well as the new Zoning By-Law Number 2022-62. To facilitate the proposed new dwelling house, relief from Section 4.23.1 of the final draft of the New Zoning By-Law, Water Separation Distances, is also required to permit a minimum separation distance from the high water mark of a waterbody to any use or building of 16 metres where a minimum of 30 metres is required.

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

- Site Plans (Exhibit H);
- Property Survey; and
- Planning Justification Report.

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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Site Characteristics

The subject property is located at the terminus of Nina's Lane, located north of Isle of Man Road (Exhibit B – Key Map). The property is approximately 7,996 square metres in size and is currently occupied by four dwelling houses, known as 2, 3, 8, and 18 Nina's Lane (Exhibit I – Site Photographs). The dwelling at 8 Nina's Lane was recently demolished.

The subject property is located on a peninsula and is surrounded by the Rideau Canal to the north, east, and west. The property abuts other residential dwellings to the south at 24 and 27 Nina's Lane (Exhibit C – Neighbourhood Context).

The subject property is designated Rural and Environmental Protection Area in the Official Plan (Exhibit E – Official Plan) and zoned Limited Service Residential 'LSR-H' Zone and Open Space 'OS' Zone in Zoning By-Law Number 32-74 (Exhibit F – Zoning By-Law 32-74). The subject property is zoned entirely Limited Services Residential 'LSR' Zone in the new Zoning By-Law Number 2022-62 (Exhibit G – Zoning By-Law Number 2022-62).

Permission Application

Pursuant to Subsection 45(2)(a)(ii) of the *Planning Act*, the Committee of Adjustment may permit the use of any land, building or structure for a purpose that, in the opinion of the Committee, is similar to the purpose for which it was used on the day the zoning by-law was passed or is more compatible with the uses permitted by the zoning by-law than the purpose for which it was used on the day the zoning by-law was passed, so long as the use has continued until the date of the application to the Committee. In determining whether to grant a permission pursuant to Subsection 45(2)(a)(ii), the relevant tests are as follows:

1) Whether the proposed use is similar to the existing legal non-conforming use; or

The proposal will allow the site to continue to function in a similar manner, with three detached dwellings with separate parking areas, accessed off of a private road. The proposal is not anticipated to result in the creation of adverse impacts, as compared to the existing legal non-conforming use of the site.

2) Whether the proposed use is more compatible with the uses permitted in the zoning by-law than the existing legal non-conforming use.

The proposal will result in a reduction in the total number of dwellings on the subject property, from four dwellings to three dwellings. By reducing the total number of dwelling houses on the property, the property will become closer to compliance with the zoning by-law and will be more compatible with the uses permitted in the zoning by-law than the existing legal non-conforming use.

In addition, the proposal will result in the re-naturalization of the shoreline in the former location of 8 Nina's Lane. The location of the dwelling is further setback from the high water

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mark and is not anticipated to result in adverse impacts on the abutting waterbody. As such, the proposal will improve the compatibility of the site with the Rideau Canal.

The proposal has been reviewed further below against Section 2.7 of the Official Plan which outlines land use compatibility matters.

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 below, 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 Rural and Environmental Protection Area in the City of Kingston Official Plan (Exhibit E – Official Plan). The Rural designation permits detached dwellings that are compatible with adjacent land uses. Uses within the EPA designation are limited to those related to open space, conservation or flood protection, and must be approved in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, and/or Parks Canada as appropriate. However, Section 3.10.2.1 of the Official Plan states that where an EPA designation is solely tied to riparian corridors, permitted land uses on lots existing as of the date of adoption of this Plan include the permitted land uses of another land uses designation applicable on the lot and legally non-conforming uses.

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;

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The subject property is located within the Rural Area, as illustrated on Schedule 2 of the Official Plan. Rural Areas are comprised of a mix of land uses that support a diversification of the economic base, housing, and employment opportunities.

The proposed construction of a new detached dwelling on a single rural lot is consistent with the intent of the Strategic Policy Direction for the City. The proposal is not anticipated to result in any adverse impacts as described in Section 2.7 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;

The proposal will result in a reduction in the total number of dwellings on the subject property, from four dwellings to three dwellings. By reducing the total number of dwelling houses on the property, the property will become closer to compliance with the zoning by-law and will be more compatible with the uses permitted in the zoning by-law than the existing legal non-conforming use.

In addition, the proposal will result in the re-naturalization of the shoreline in the former location of 8 Nina's Lane. The location of the dwelling is further setback from the high water mark and is not anticipated to result in adverse impacts on the abutting waterbody. As such, the proposal will improve the compatibility of the site with the Rideau Canal.

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 subject site is accessed from a private road known as Nina's Lane, which is located off Isle of Man Road. The subject property is subject to a Holding 'H' Symbol, which requires the owner to enter into a Private Road Agreement with the City in advance of new development occurring on the site. The applicant has submitted a concurrent Hold Removal application (File Number D28-006-2022), which is under review.

The proposed new dwelling contains a two-car garage, which exceeds the requirement of the zoning by-law for the provision of off-street vehicle parking spaces. Vehicle parking for the other existing dwellings on the subject property will continue to function as existing.

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

The subject property is located within the Rural Area. The proposal generally conforms with the applicable urban design policies outlined in Section 8 of the Official Plan, included Section 8.6 – New Development.

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The subject property is adjacent to the Rideau Canal system (the River Styx), a Canadian Heritage River, National Historic Site, and UNESCO World Heritage Site. Heritage Services staff found that given the neutral impact of removing and adding structures to the site's cultural heritage value adjacent to the UNESCO World Heritage Site, a Heritage Impact Statement is not required.

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 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 outside of the Urban Boundary and is capable of providing individual on-site 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 proposal will bring the subject property into greater compliance with the zoning by-law. The application and the cumulative impact of the proposed does not warrant a zoning by-law amendment.

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 attach such conditions as it deems appropriate to the approval of the application. Suggestions conditions are listed in the recommendations in Exhibit A. 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 approval of the requested variances will not set an undesirable precedent for the immediate area.

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

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

The subject property is zoned Limited Services Residential ‘LSR-H’ Zone and Open Space ‘OS’ Zone in the City of Kingston Zoning By-Law Number 32-74, entitled "Township of Pittsburgh Zoning By-Law", as amended (Exhibit F – Zoning By-Law Number 32-74 Map). Permitted residential uses in the LSR Zone include a detached single family dwelling house and a seasonal dwelling house. As previously noted above, the applicant is concurrently requesting permission to modify the existing legal non-complying use of the property with three detached dwelling houses.

In order to facilitate the proposed new detached dwelling, a variance to Section 5(11)(c) of Zoning By-Law Number 32-74 as follows:

Variance Number 1: Lot Development Requirements

By-Law Number: 32-74	Section 5(11)(c)
Requirement:	Where a lot is divided into more than portion of the lot shall, for the purpose of this By-Law, be considered a separate lot and shall be used in accordance with the applicable zone provisions of this By-Law, but this provision shall not be construed to permit more than one dwelling house on the whole lot.
Proposed:	The lot boundaries shall be used in accordance with the applicable provisions of the LSR zone.

The final draft of the City’s New Zoning By-Law was approved by Council on April 26, 2022. As this application is scheduled for a Committee of Adjustment meeting subsequent to that date, the application has been reviewed against both the current Zoning By-Law Number 32-74, as well as the new Zoning By-Law Number 2022-62. To facilitate the proposed new dwelling house, relief from Section 4.23.1 of the new Kingston Zoning By-Law, Water Separation Distances, is also required to permit a minimum separation.

Variance Number 2: Water Separation Distances

By-Law Number: 2022-62	Section 4.23.1
Requirement:	30 metres
Proposed:	16 metres
Variance Requested:	14 metres

Under the new Zoning By-Law Number 2022-62, the subject property is zoned entirely LSR (Exhibit G – New Zoning By-Law Number 2022-62), as opposed to being split zoned LSR and OS as is the case in Zoning By-Law Number 32-74. As a result, the above noted Variance Number 1 would not be required under the new zoning by-law. The existing structures on the subject property are primarily located within the OS zone and do not comply with the zoning by-law. The proposal will result in a reduction in the total number of dwellings on the subject property, from four dwellings to three dwellings. By reducing the total number of dwelling houses on the property, the property will become closer to

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compliance with the zoning by-law and will be more compatible with the uses permitted in the zoning by-law than the existing legal non-conforming use. Further, the proposed dwelling complies with the provisions of the LSR zone under the new zoning by-law.

In addition, the proposal will result in the re-naturalization of the shoreline in the former location of 8 Nina’s Lane. The location of the proposed new dwelling is further setback from the high water mark than the existing structures on the site and is not anticipated to result in adverse impacts on the abutting waterbody. As such, the proposal will improve the compatibility of the site with the Rideau Canal.

3) The variances are minor in nature

The proposed variances will apply only to the subject property and are a reflection of the constraints of the site’s existing layout and its unique location and shape. The proposed dwelling complies with all other applicable provisions of Zoning By-Law Number 32-74 and the new Zoning By-Law Number 2022-62. The variances are considered minor as there are no anticipated negative off-site impacts.

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

The requested variances will facilitate the redevelopment of the subject property in a form that is closer to compliance with the zoning by-law than that which currently exists on the property. The proposal will also result in the re-naturalization of the shoreline in the former location of 8 Nina’s Lane. The variances are 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 checked="" type="checkbox"/> CRCA | <input type="checkbox"/> KFL&A Health Unit | <input type="checkbox"/> Trans Northern Pipelines |
| <input checked="" 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

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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 comments have been 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.

Previous or Concurrent Applications

The subject property is subject to a Holding ‘H’ Symbol, which requires the property owner to enter into a private roadway agreement with the City. The applicant has submitted a concurrent Hold Removal application (File Number D28-006-2022), which is currently under review.

Conclusion

The requested permission and variances maintain the general intent and purpose of the City of Kingston Official Plan, Zoning By-Law Number 32-74, and the new Zoning By-Law Number 2022-62. 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 facilitate the replacement of an existing dwelling with a new detached dwelling on a residential lot within the Rural Area.

Existing Policy/By-Law:

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

Provincial

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Zoning By-Law Number 32-74

Zoning By-Law Number 2022-62

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Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on May 16, 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 five property owners (according to the latest Assessment Roll) within 60 metres of the subject property (Exhibit D – Public Notification Map) 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

Meghan Robidoux, Intermediate Planner, 613-546-4291 extension 1256

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 Number 32-74, Map 5
- Exhibit G New Kingston Zoning By-Law Number 2022-62

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Exhibit H Site Plan

Exhibit I Site Photos

Recommended Conditions

Application for permission and minor variance, File Number D13-013-2022

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

1. Limitation

That the approved permission and minor variance applies only to the new detached dwelling 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

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. Demolition of 8 Nina's Lane

The owner/applicant shall receive a demolition permit from Building Services and complete the demolition of the dwelling addressed as 8 Nina's Lane.

6. Conversion of 2 Nina's Lane

The owner/applicant shall convert the dwelling addressed as 2 Nina's Lane to a storage building.

7. Septic System Design

The owner/applicant shall submit a detailed septic system design demonstrating the new system will be a minimum of 15 metres from the River Styx and compliant with CRCA floodproofing standards.

8. Landscape Planting Plan

Following the demolition of 8 Nina's Lane, the owner/applicant shall submit a detailed landscape/planting plan which demonstrates that effects will be made to re-naturalize the shoreline, to the satisfaction of the satisfaction of the Cataraqui Region Conservation Authority (CRCA).


9. Drainage

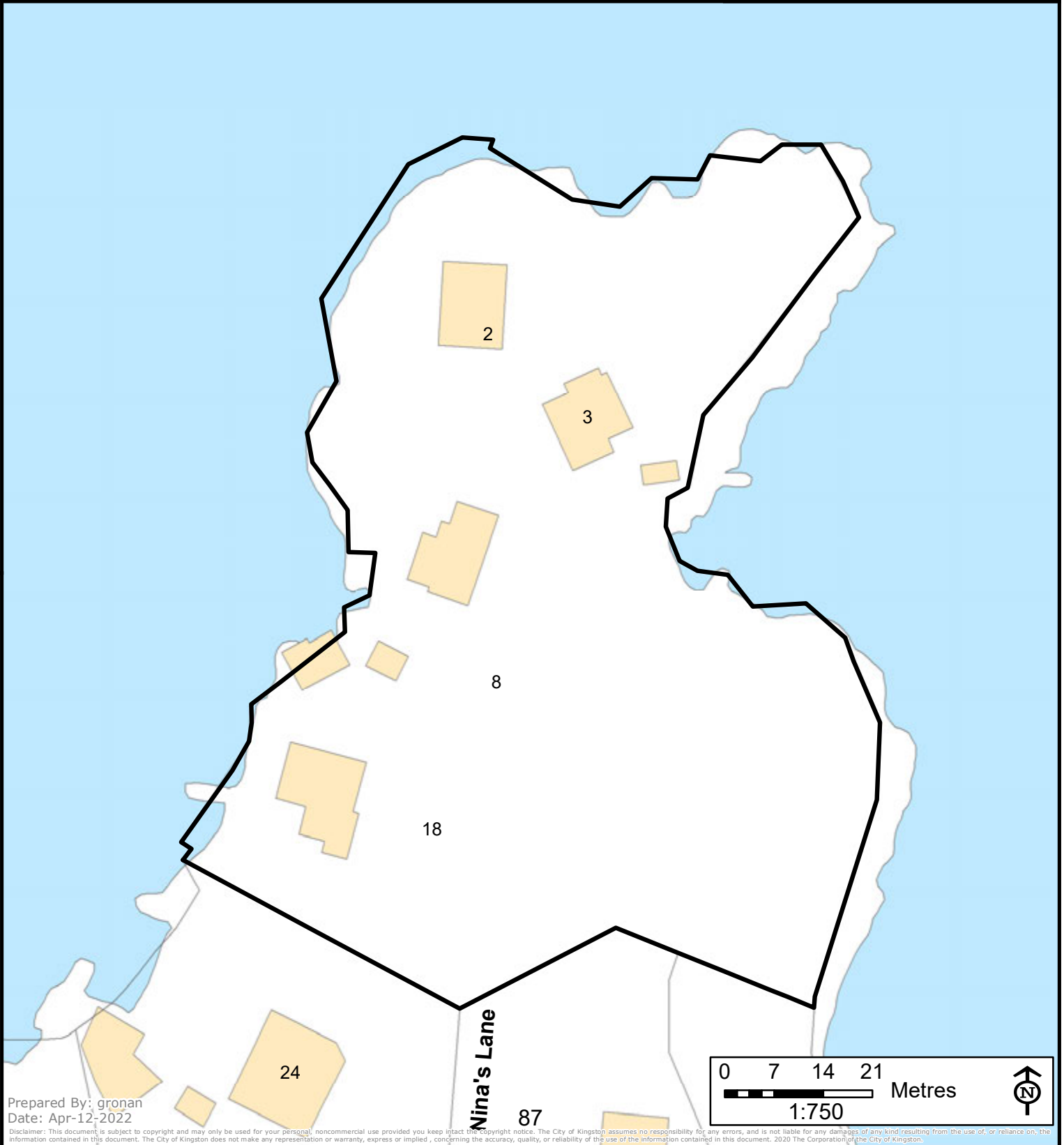
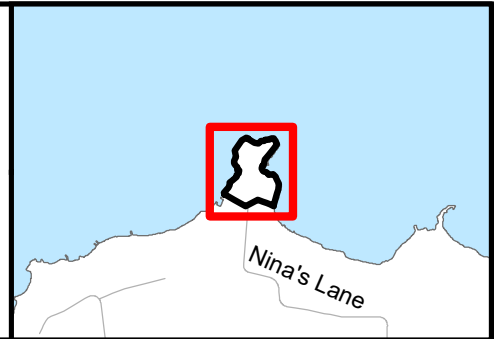
The owner/applicant shall ensure that runoff from the new dwelling and any hardened surfaces be controlled in a manner that allows for maximum infiltration by native vegetation prior to entering the river.



Committee of Adjustment Key Map

Address: 2 Nina's Lane
File Number: D13-013-2022

 Lands Subject to Minor Variance








Planning Services

Committee of Adjustment Neighbourhood Context (2021)

Address: 2 Nina's Lane
File Number: D13-013-2022

-  Subject Lands
-  Property Boundaries
-  Proposed Parcels



Prepared By: gronan
Date: Apr-12-2022

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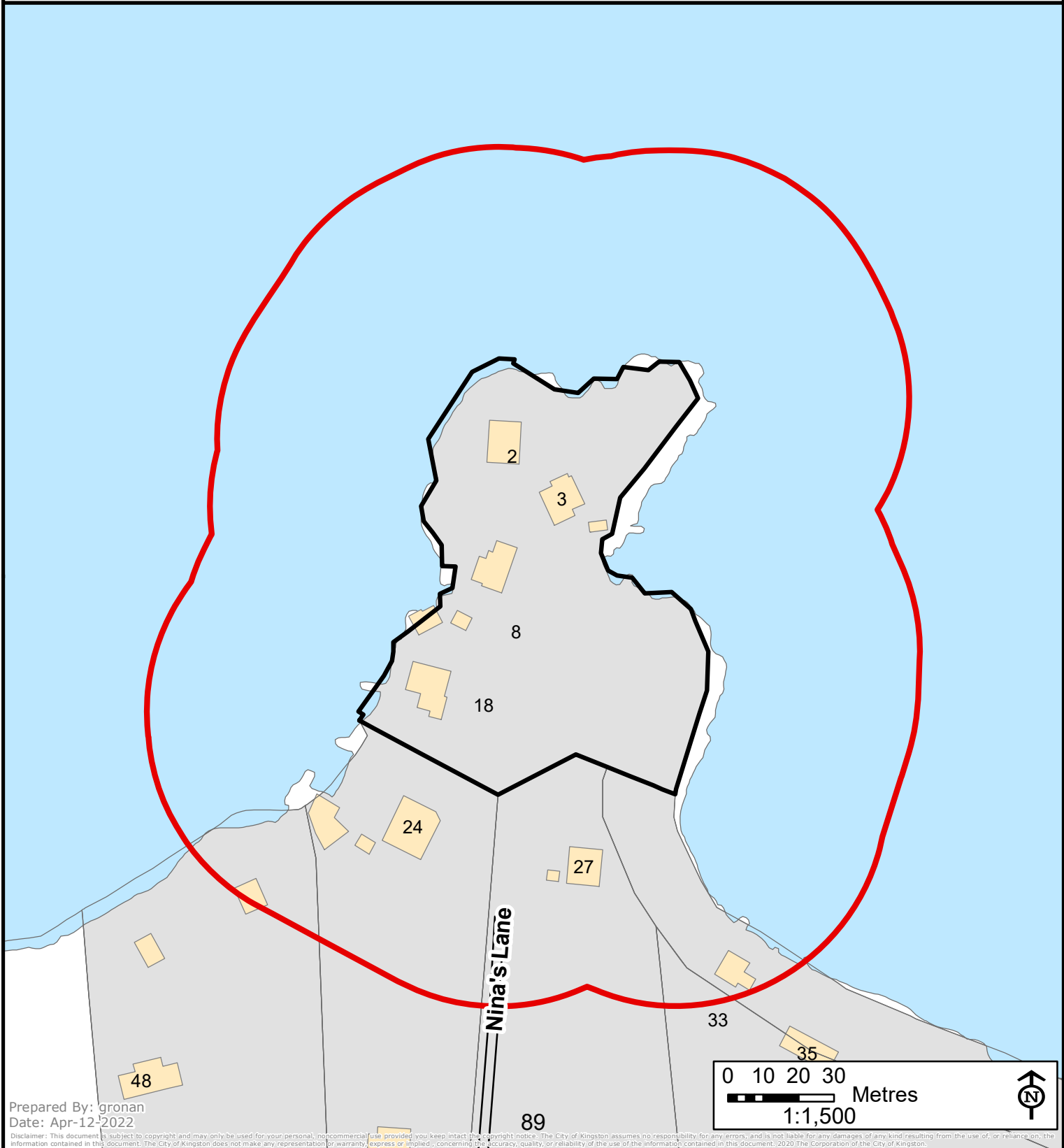


Planning Services

Committee of Adjustment Public Notice Notification Map

Address: 2 Nina's Lane
File Number: D13-013-2022

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



Prepared By: gronan
Date: Apr-12-2022

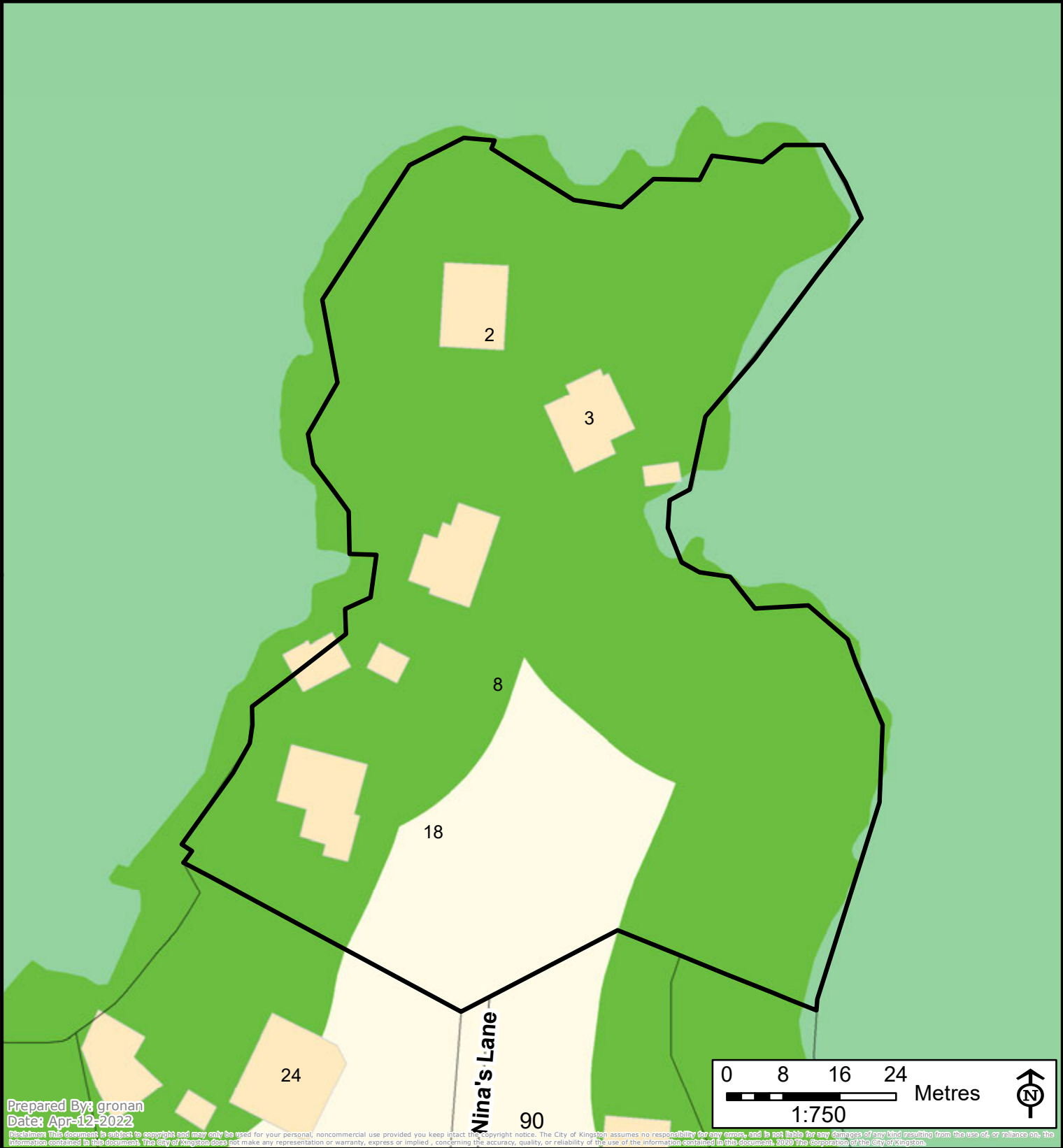
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Committee of Adjustment
Official Plan, Existing Land Use

Address: 2 Nina's Lane
File Number: D13-013-2022

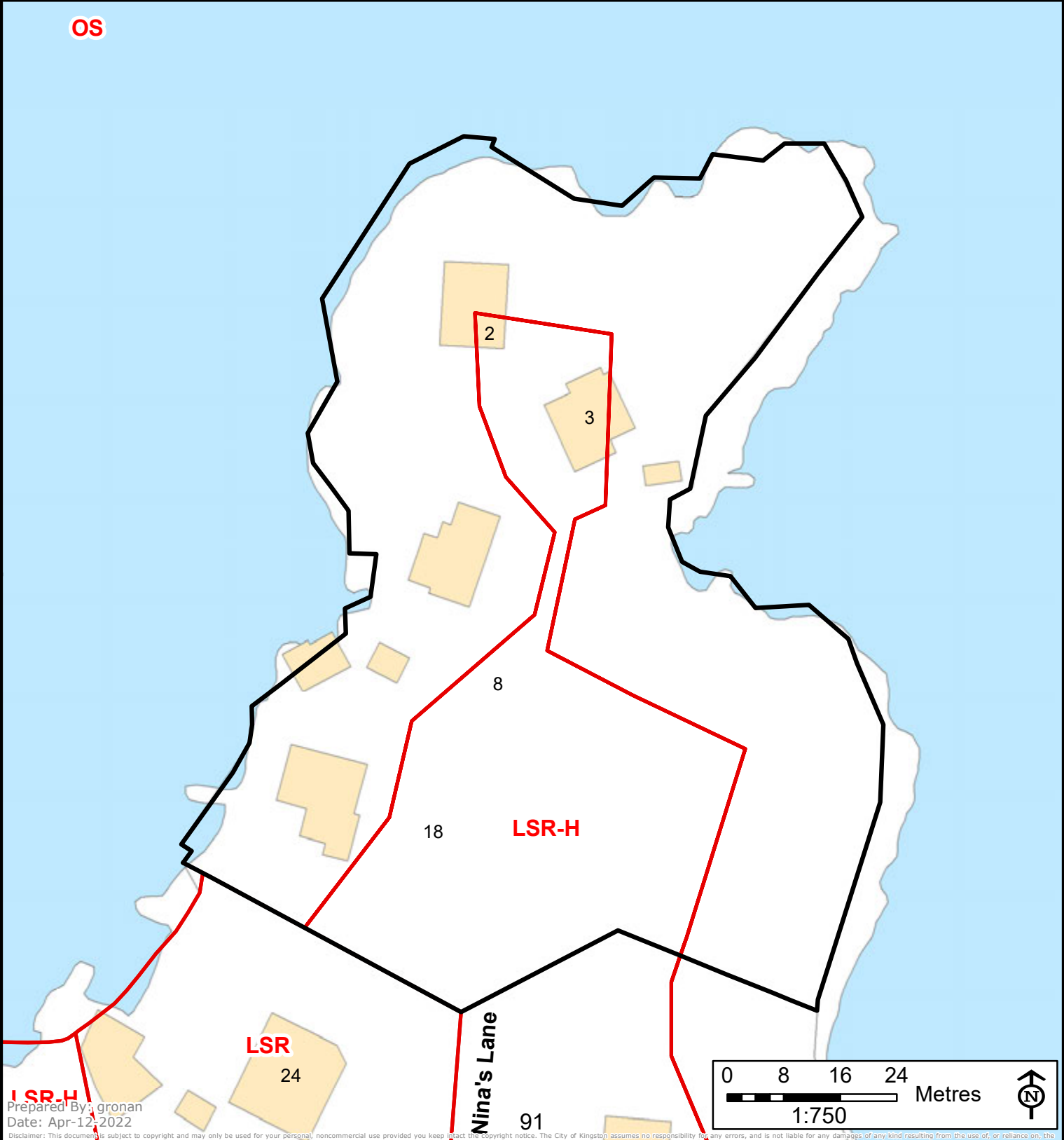
- Subject Lands
- ENVIRONMENTAL PROTECTION AREA
- RURAL





Committee of Adjustment
Existing Zoning - By-law 32-74, Map 5
Address: 2 Nina's Lane
File Number: D13-013-2022

- Subject Lands
- Consolidated Zoning



LSR-H
Prepared By: gronan
Date: Apr-12-2022




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






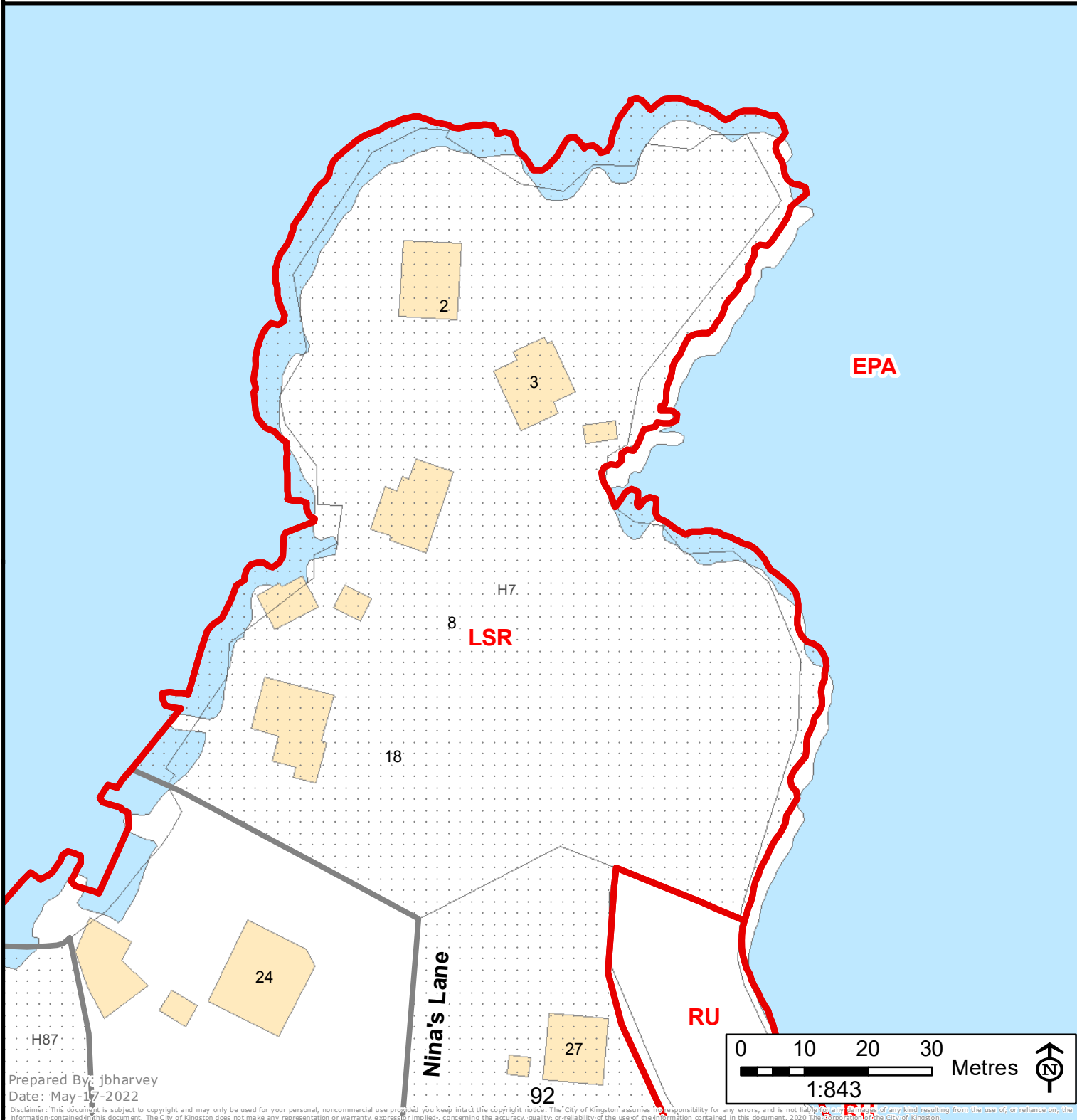
CITY OF KINGSTON Reference Kingston Zoning By-Law

Address: 2 Nina's Lane
File Number: D13-013-2022

**Planning
Services**

-  Subject Lands
-  Schedule 1 Zoning Map
-  Zone

-  Schedule E - Exception Overlay
-  Legacy Exceptions (LXXX)
-  Exceptions (EXXX)
-  Schedule F - Holding Overlay
-  Holding Overlay (HXXX)



Prepared By: jharvey
Date: May-17-2022

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DESIGN SHALL AND NOT BE COPIED,
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- GENERAL NOTES:**
1. DRAWINGS AND ALL FOOTINGS TO BE CONSTRUCTED ON COMPACTED GRANULAR FILL.
 2. GRANULAR FILL TO BE LAYED IN 2' LIFTS AND COMPACTED TO 95% STD. PROCTOR.
 3. 2" OR 2 1/2" MIN. CONCRETE WITH MINIMUM SLAB OF 4" AND REINFORCED W/ #3 @ 18" ON.
 4. CONCRETE FOOTINGS AND FOUNDATION WALLS.
 5. ALL EXPOSED CONCRETE WORK INCLUDING STEPS, PORCH SLABS, AND GARAGE SLABS TO BE FINISHED WITH POLISHED 3/8" OF 28.
 6. FOOTING SHALL BE TO A MINIMUM OF 4" BELOW GRADE OR DOWN TO BEDROCK, IF FOOTINGS DO NOT EXCEED 18" FROM GRADE, ENGINEERED DESIGN OF APPROPRIATE FOOT PROTECTIONS IS REQUIRED.
 7. ALL FOOTINGS ARE @ 100% UNLESS NOTED OTHERWISE.
 8. CONNECT ALL GAGES AND CARBON MONOXIDE DETECTORS TO ALARM. ANY DETECTION WILL SOUND ALL ALARMS.
 9. SAVE PROTECTION TO CONFORM WITH SECTION 9.2 & 5.1 O.B.C.
 10. ALL UNLESS NOTED OTHERWISE.
 11. RETAIN ATTIC VENTILATION TO CONFORM WITH SECTION 9.18 - O.B.C.
 12. INSURE THAT THERE IS A MINIMUM CLEARANCE OF 17" FROM TO ANY COMBUSTIBLE MATERIAL AT THE END OF THE VENTILATION SYSTEM AS WELL AS 30" CLEAR HEIGHT ABOVE THE WIND EXITS OFF-GRADE PROTECTED.
 13. ALL WIND LOADS FOR ROOFS, EXPOSED WALLS AND ATTICUE SHALL TO BE PRESURE RESISTANT.
 14. STRUCTURAL CONCERNING THAT A BUILDING OFFICIAL MAY HAVE AND REQUIRE HORIZONTAL FROM A PROFESSIONAL ENGINEER, MUST BE OBTAINED PRIOR TO THE PROFESSIONAL ENGINEER HAS MADE THE HORIZONTAL, THE CONTRACTOR CAN EXPECT TO DISCUSS AND PROVIDE.
 15. ALL GAGES TO BE SUPPORTED BY A MINIMUM NUMBER OF STUDS FORMING A COLUMN UNDER THE STUD SHALL AS INDICATED ON PAGE 18 TO O.B.C. FIRST ALL GAGES TO BE SUPPORTED BY A MINIMUM OF 4" MINIMUM UNLESS SPECIFIED OTHERWISE BY THE TRADE MANUFACTURER.
 16. IF AN UNDESIRABLE FORCE OR A FORCE IS TO BE TRANSFERRED FROM THE GARDEN TO THE DOWN TO A LEVEL, THE CONTRACTOR MUST CONTACT PROFESSIONAL ENGINEER TO VERIFY LOADS.
 17. IF THE IS TO BE PLACED ABOVE FLOOR/CEILING LEVELS, INSURE SUFFICIENT RESISTANT BACKING IS PROVIDED TO PER THE REQUIREMENTS OF THE O.B.C.
 18. BUILDING SHALL BE PROVIDED A BATHROOM FOR FUTURE INSTALLATION OF GARDEN BATHS AND THE O.B.C. 9.1.3.3 BY CONTRACTOR PRIOR TO COMMENCEMENT.
 19. ALL ELECTRICAL TO BE COMPLETED BY GARDEN PRIOR TO COMMENCEMENT.
 20. IF ELECTRICAL TO BE COMPLETED BY GARDEN PRIOR TO COMMENCEMENT, COMPONENTS TO BE COVERED AND SEALED TO CONFORM TO O.B.C. 9.1.4.2.2.
 21. SLUMP TEST TO BE COVERED AND SEALED TO CONFORM TO O.B.C. 9.1.4.2.2.
 22. TRADE NUMBERS ARE TO CONFORM TO THE REQUIREMENTS OF 9.1.3.3, 9.1.4.2.2 AND 9.1.10.10.10 O.B.C.

No.	DATE	DESCRIPTION	BY
REVISIONS			



DRAWINGS MUST NOT BE SCALED
CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE
FOR ALL DIMENSIONS AND SHALL REPORT ANY DIS-
CREPANCY TO THE ENGINEER BEFORE PROCEEDING
WITH ANY WORK.

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

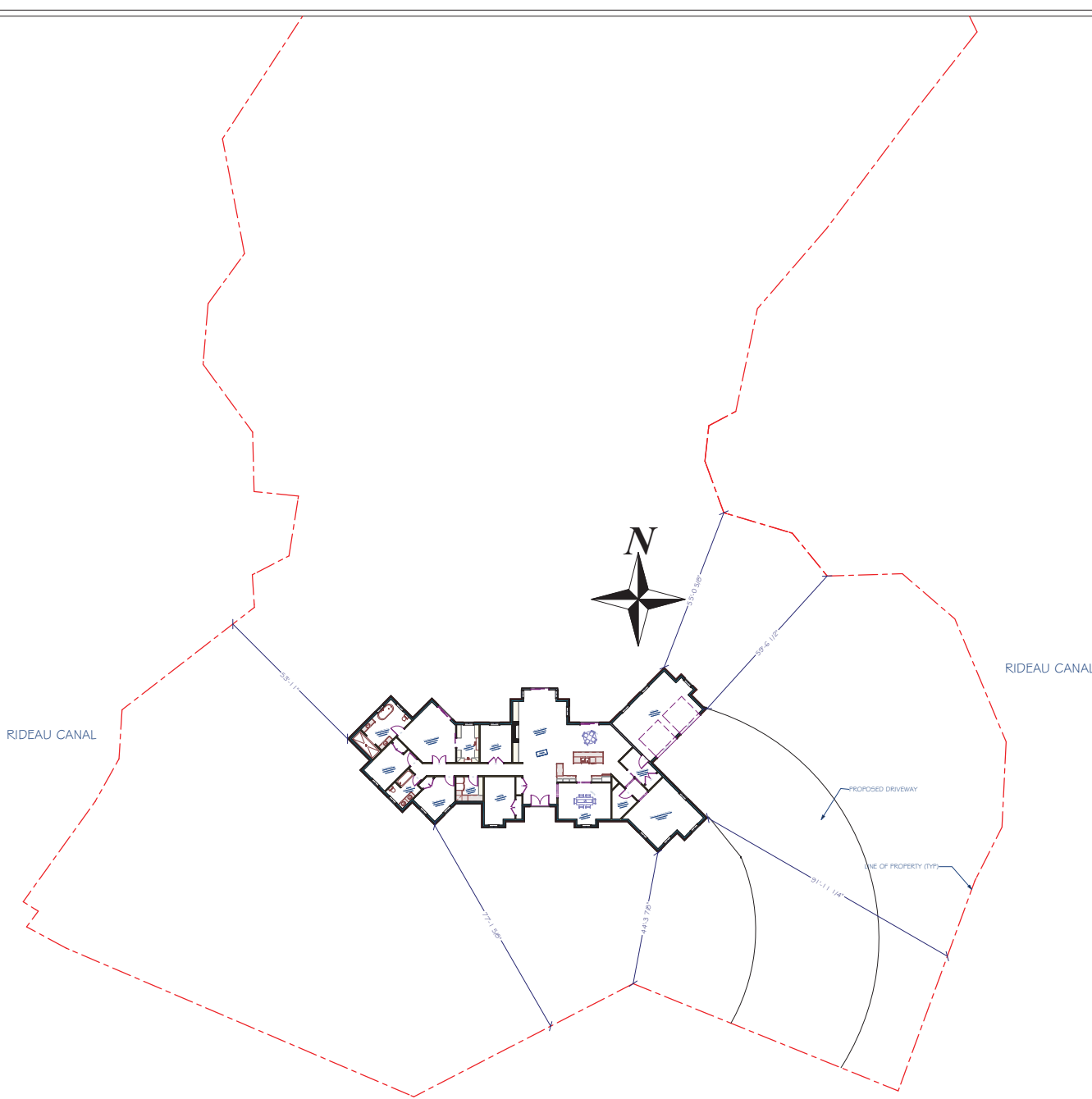
PROJECT:
PROPOSED RESIDENCE

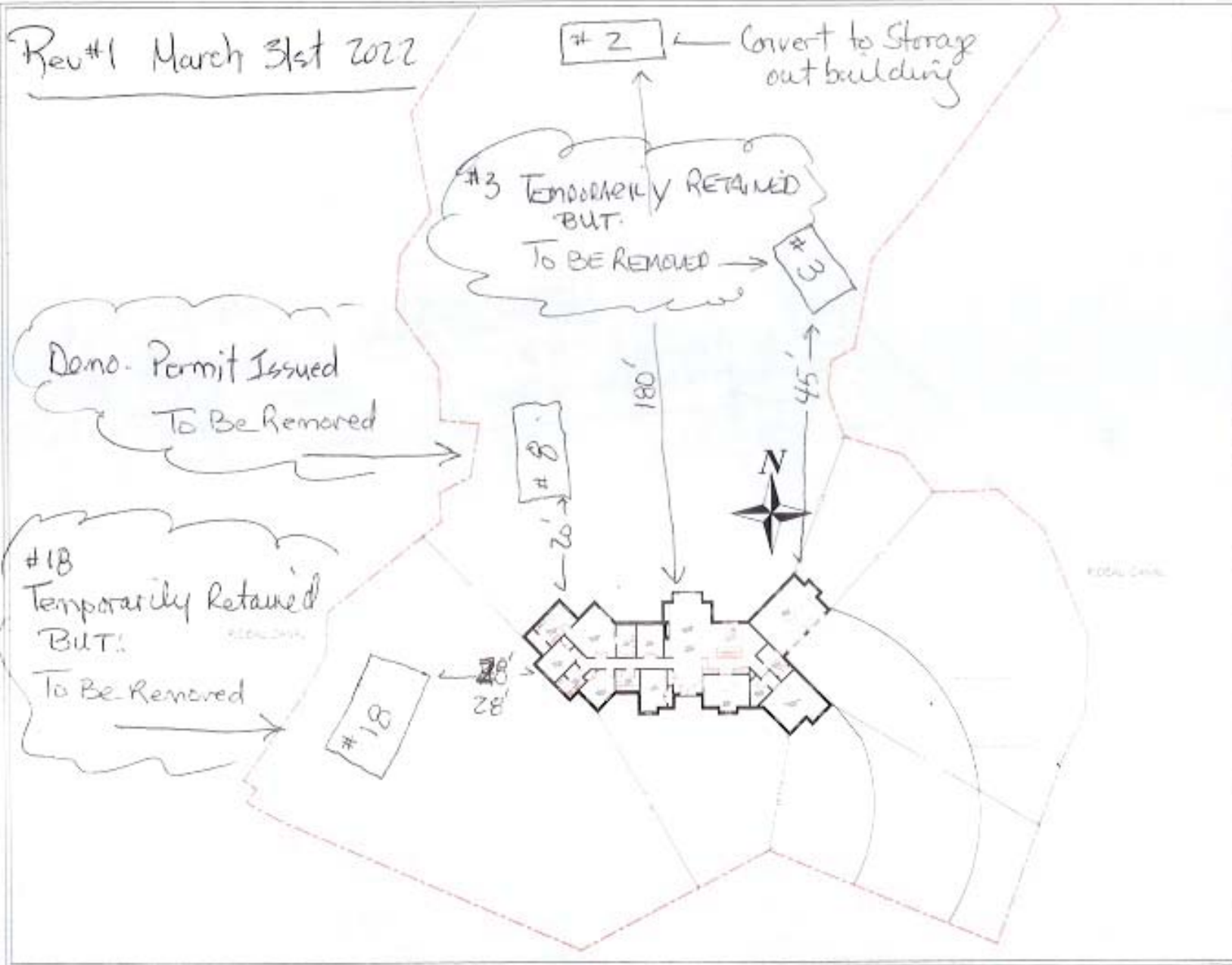
LOCATION:
1 NINA'S LANE, KINGSTON, ON

FOR:
GERRY SUTTON

DRAWING:
PLOT PLAN

REVIEWED BY:	SCALE	DRAWING No.
DEPT. NAME	1/16" = 1'-0"	PP1
ARCH. CD		
STR. ET		
MEC. ET		
ELE. CD		
DATE:	Thursday, September 2, 2021	
JOB#:	21226	SHEET: 1 of 1





E.R. TROUGHT DESIGN INC.

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COLUMBUS, OH 43240
614.891.1100

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NO.	DATE	DESCRIPTION	BY

PROPOSED RESIDENCE

LOCATION:
TINKERS LANE, KINOSTON, OH

FOR:
BERRY BUTTON

DRAWING:
PLOT PLAN

REVISION BY	DATE	DESCRIPTION

SCALE: 1/8" = 1'-0"

DRAWING NO.: **PP1**

100 mm to 180'

Site Photographs – 2, 3, 8, and 18 Nina’s Lane



Figure 1: 2 Nina’s Lane



Figure 2: 3 Nina’s Lane



Figure 3: Site of former 8 Nina's Lane



Figure 4: 18 Nina's Lane