



**City of Kingston
Report to Committee of Adjustment
Report Number COA-22-030**

To: Chair and Members of the Committee of Adjustment
From: Lindsay Sthamann, Intermediate Planner
Date of Meeting: August 15, 2022
Application for: Minor Variance
File Number: D13-007-2022
Address: 9 The Point Road
Owner: Lisa and Francois Bechard
Applicant: Lisa and Francois Bechard

Council Strategic Plan Alignment:

Theme: Regulatory & compliance

Goal: See above

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variance for the property located at 9 The Point Road. The applicant is proposing to increase the maximum height of a detached accessory building from 5 metres to 6.3 metres in order to construct a new detached garage. The garage is proposed with a higher roof pitch to accommodate storage space in the attic and to optimize the roof for solar panel placement.

The property is designated 'Residential' and 'Environmental Protection Area' on Schedule 3-A – Land Use of the Official Plan and is zoned 'Limited Service Residential' (LSR) Zone in By-Law Number 32-74.

The site is currently developed with a single detached home, boathouse, two sheds, and two tent garages. The proposed detached garage will replace the tent garages and make use of the existing driveway.

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The requested minor variance is consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 32-74. The requested minor variance is desirable for the appropriate development or use of the land, building or structure and is 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.

Recommendation:

That minor variance application, File Number D13-007-2022, for the property located at 9 The Point Road to build a new accessory building, be Approved, as described below:

Variance Number 1: Maximum Height of an Accessory Building

By-Law Number 32-74: Section 5(1)(e)(i)

Requirement: 5 metres

Proposed: 6.3 metres

Variance Requested: 1.3 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-030.

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Authorizing Signature

ORIGINAL SIGNED BY PLANNER

Lindsay Sthamann, 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 January 25, 2022, a minor variance application was submitted by Lisa and Francois Bechard, with respect to the property located at 9 The Point Road. The variance is requested to increase the maximum height of a detached accessory building from 5 metres to 6.3 metres in order to construct a new garage.

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

- Site Plan (Exhibit H)
- Elevations and Floor Plan (Exhibit I)
- Cover Letter (Exhibit J)
- Survey (Exhibit K)
- Accessory Building Declaration

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 9 The Point Road in Cartwright Point. It is on the southeast side of The Point Road with frontage onto the St. Lawrence River. The subject lands are designated 'Residential' and 'Environmental Protection Area' on Schedule 3-A – Land Use of the Official Plan and is zoned 'Limited Service Residential' (LSR) Zone in By-Law Number 32-74.

The area is developed with single-detached dwellings oriented towards the water and related accessory buildings. The adjacent properties are also zoned the Limited Service Residential (LSR) Zone.

The Point Road provides access from Highway 2 through CFB Kingston. The Point Road was part of an old plan of subdivision from 1949. The road south of the military base is a privately owned road that is subject to numerous instruments and easements. The Point Road through the military base is owned by the base. The Point Road is a right-of-way for the purposes of zoning.

Kingston Zoning By-Law 2022-62

The final draft of the City's new Zoning By-Law was approved by Council at its meeting held on April 26, 2022. As this application was submitted prior to the passing of Kingston Zoning By-Law 2022-62 the application is only being reviewed against the previous Zoning By-Law 32-74.

The new Zoning By-law employs transition provisions in Section 1.6 which allow applications to processed under the previous zoning by-law when an application was deemed complete prior to

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the passing of the new zoning by-law. This minor variance application was submitted and deemed complete prior to the passing of the Kingston Zoning By-Law 2022-62.

Under Section 1.6.2.1 approval may be granted in the context of the applicable former zoning by-law 32-74. Section 1.6.3 will similarly allow a Building Permit to be issued for this proposal under the context of 32-74. The transition provisions will remain active for a period of 3 years after the date of passing of Zoning By-Law 2022-62.

The property will be zoned 'LSR – Limited Service Rural Residential' under the new Zoning By-Law. Due to technicalities of definitions in the new Zoning By-Law 2022-62 an accessory structure cannot be placed between the existing home and the Point Road as it would be considered a prohibited location. A minor variance application cannot be used to accommodate this proposal under 2022-62. It is anticipated that future amendments to the new zoning by-law may rectify this.

The transition clauses in 2022-62 permit this application to proceed with only a minor variance under Zoning By-Law 32-74 and no variance to Kingston Zoning By-Law 2022-62.

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 portion of the 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.

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

The proposed application meets the intent of Section 2 of the Official Plan and the strategic direction to focus growth within the Urban Boundary. The existing single-detached dwelling is consistent with the low-density residential uses of Cartwright Point. The use is permitted by the zone and is compatible with adjacent development in terms of the proposed built form.

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 garage will be 16 metres from the rear lot line (the rear lot line is along The Point Road), with garage doors oriented towards the south to make use of the existing driveway. It is proposed 21 metres from the north side lot line and 14 metres from the south side lot line. The proposed location complies with the minimum 1.2 metre side yard setback and the minimum 7.5 metre front yard setback. It is in keeping with the character of the adjacent shoreline properties along the south side of The Point Road and is sufficiently buffered with no anticipated undue adverse impacts on adjacent properties. It is not unusual for a detached garage to be constructed above the 5 metre height maximum in this neighbourhood. Both of the immediate neighbours (7 and 11 The Point Road) have undergone minor variances to increase the height of a detached accessory building.

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 garage is proposed to have two parking spaces located within the building. Site access will be on the existing driveway.

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 lands are not located within or adjacent to a Heritage Conservation District or adjacent to a Part IV designated property.

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 lands are not designated or listed under Part IV or V of the *Ontario Heritage Act*.

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6. The resulting development has adequate municipal water and sewage services within the Urban Boundary, or is capable of providing individual on-site water and sewage services outside the Urban Boundary;

The subject property is located within the urban boundary, but is on a private water and wastewater system. No changes are proposed to the existing private services. The garage will not have water or sewer hook-ups.

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 site is already developed with a single-detached dwelling, tent garages, two sheds, and a boat house. The proposed detached garage represents a minor and compatible change to the property; a zoning by-law amendment is not required at this time.

8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements, recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;

There are several conditions of approval associated with the recommendation, available in Exhibit A.

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

It is not anticipated that an undesirable precedent may be set through the approval of the requested variance.

The Residential designation aims to minimize impacts on abutting properties and those within the surrounding neighbourhood, by ensuring land use compatibility, providing appropriate separation distances, ensuring the functionality of the site, and integrating design considerations as per the Urban Design policies of Section 8 of the Official Plan.

The proposal meets the intent of the Official Plan, as the proposed detached garage will not result in any negative impacts to adjacent properties or to the neighbourhood and the use conforms to the Residential designation.

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

The subject property is zoned Limited Service Residential (LSR) in the City of Kingston Zoning By-Law Number 32-74, entitled "Township of Pittsburgh Zoning By-Law", as amended. The LSR zone permits a single detached dwelling and related accessory buildings such as a detached garage.

The proposal requires a variance to Section 5(1)(e)(i) to seek relief from the maximum height of an accessory building provision.

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Variance Number 1: Maximum Height of an Accessory Building

By-Law Number: 32-74 Section 5(1)(e)(i)
Requirement: 5 metres
Proposed: 6.3 metres
Variance Requested: 1.3 metres

The additional height is requested to accommodate a loft storage space above the garage. The general intent and purpose of the zoning by-law are maintained because the proposed garage is replacing an existing structure and the proposed garage exceeds the 4.5 metre interior side yard setback and the 7.5 metre front yard setback that would be applicable to a primary structure in the zone. The proposed garage is located within the building envelope applicable to a primary dwelling; a primary dwelling would be permitted to a maximum height of 9 metres in this location. The size and shape of the garage maintain its secondary nature to the primary dwelling.

In this by-law the height of an accessory building is measured from finished grade to the peak of the roof. The applicant has proposed a level finished grade for this structure (Exhibit I), as such the proposed 6.3 metre height is reflective of the overall height of the building and is not impacted by an average finished grade calculation.

3) The variance is minor in nature

The requested variance to permit the new detached garage is considered minor in nature and will not set an undesirable precedent. The permitted uses on-site are not proposed to change as a result of the application. The proposed site for the garage has mature tree screening from The Point Road (Refer to Exhibit J – Cover Letter for Site Photos). There are no anticipated negative off-site impacts associated with the proposed addition or new garage.

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

The proposed variance represents desirable and appropriate development of the lands and is not anticipated to create any adverse impacts on the adjacent properties. The proposed modification considers the functionality of the lands, while increasing the usability of the single-detached dwelling. The location of the garage makes use of the existing driveway location. The modifications to the property are to increase the usability of an existing residential parcel. The applicants are not proposing to sever the property or increase the number of units on-site.

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Technical Review: Circulated Departments and Agencies

- Building Services
- Finance
- Fire & Rescue
- Solid Waste
- Housing
- KEDCO
- CRCA
- Parks Canada
- Hydro One
- Kingston Airport
- Engineering Department
- Utilities Kingston
- Kingston Hydro
- Parks Development
- District Councillor
- Municipal Drainage
- KFL&A Health Unit
- Eastern Ontario Power
- Enbridge Pipelines
- Heritage (Planning Services)
- Real Estate & Environmental Initiatives
- City’s Environment Division
- Canadian National Railways
- Ministry of Transportation
- Parks of the St. Lawrence
- Trans Northern Pipelines
- CFB Kingston
- TransCanada Pipelines

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 have been received. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

Previous or Concurrent Applications

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

Conclusion

The requested variance(s) maintain(s) the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 32-74. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variance(s) is minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

Approval of this application will permit the construction of a detached garage on the subject property.

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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

Kingston Zoning By-Law 2022-62

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 17 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

Lindsay Sthamann, Intermediate Planner, 613-546-4291 extension 3287

Other City of Kingston Staff Consulted:

None

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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 32-74, Map 1
- Exhibit G Zoning By-Law 2022-62
- Exhibit H Site Plan
- Exhibit I Elevations and Floor Plans
- Exhibit J Cover Letter
- Exhibit K Survey

Recommended Conditions

Application for minor variance, File Number D13-007-2022

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

1. Limitation

That the approved minor variance applies only to the proposed detached garage 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 Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132) and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries at the Ministry of Government and Consumer Services (416-212-7499), the Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.


5. Removal of Tent Accessory Buildings

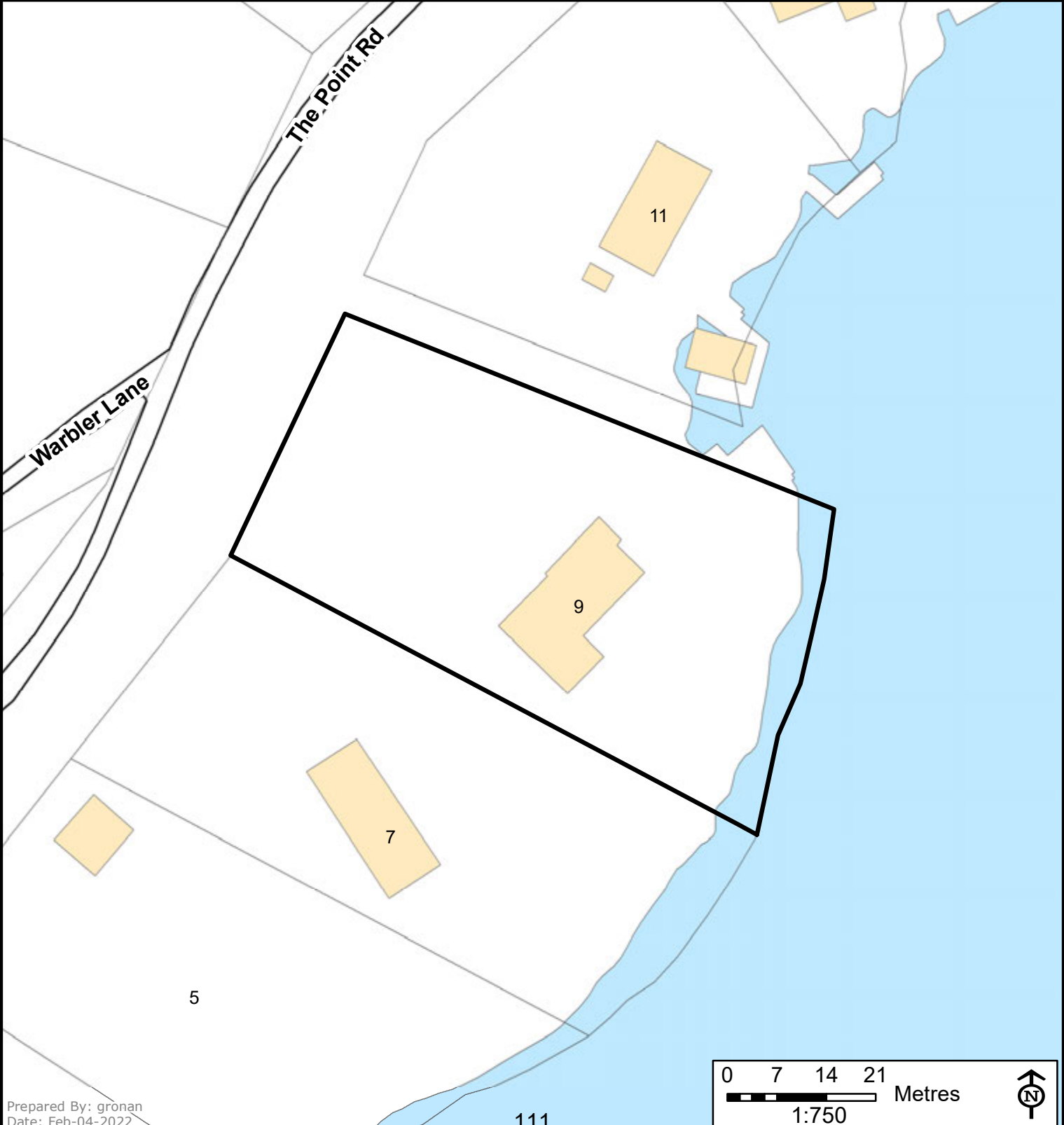
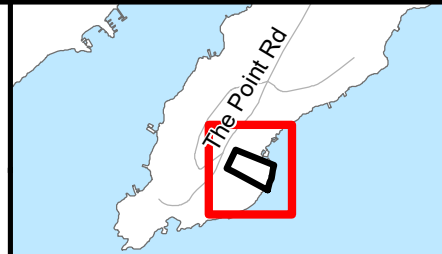
The two existing tent garages (as shown on the drawings attached to the Notice of Decision) must be removed. Proof of removal should be provided to the Planning Department prior to approval of the Building Permit.



Committee of Adjustment Key Map

Address: 9 The Point Road
File Number: D13-007-2022

 Lands Subject to Minor Variance





Committee of Adjustment
Neighbourhood Context (2021)

Address: 9 The Point Road
File Number: D13-007-2022

- Subject Lands
- Property Boundaries
- Proposed Parcels







Prepared By: gronan
Date: Feb-04-2022

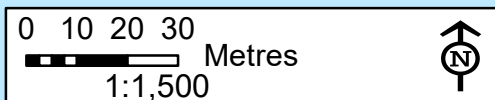
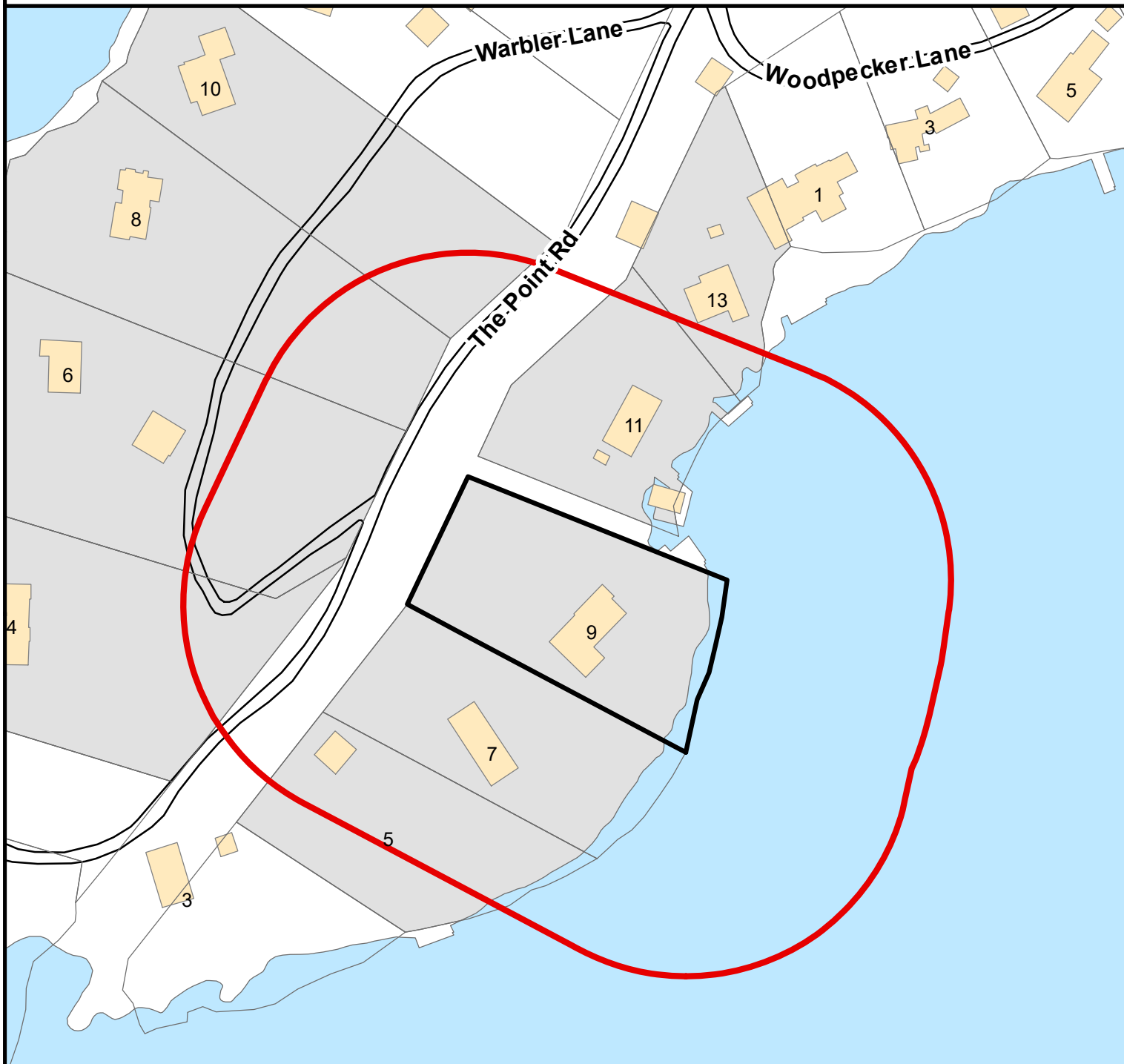


Planning Services

Committee of Adjustment Public Notice Notification Map

Address: 9 The Point Road
File Number: D13-007-2022

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

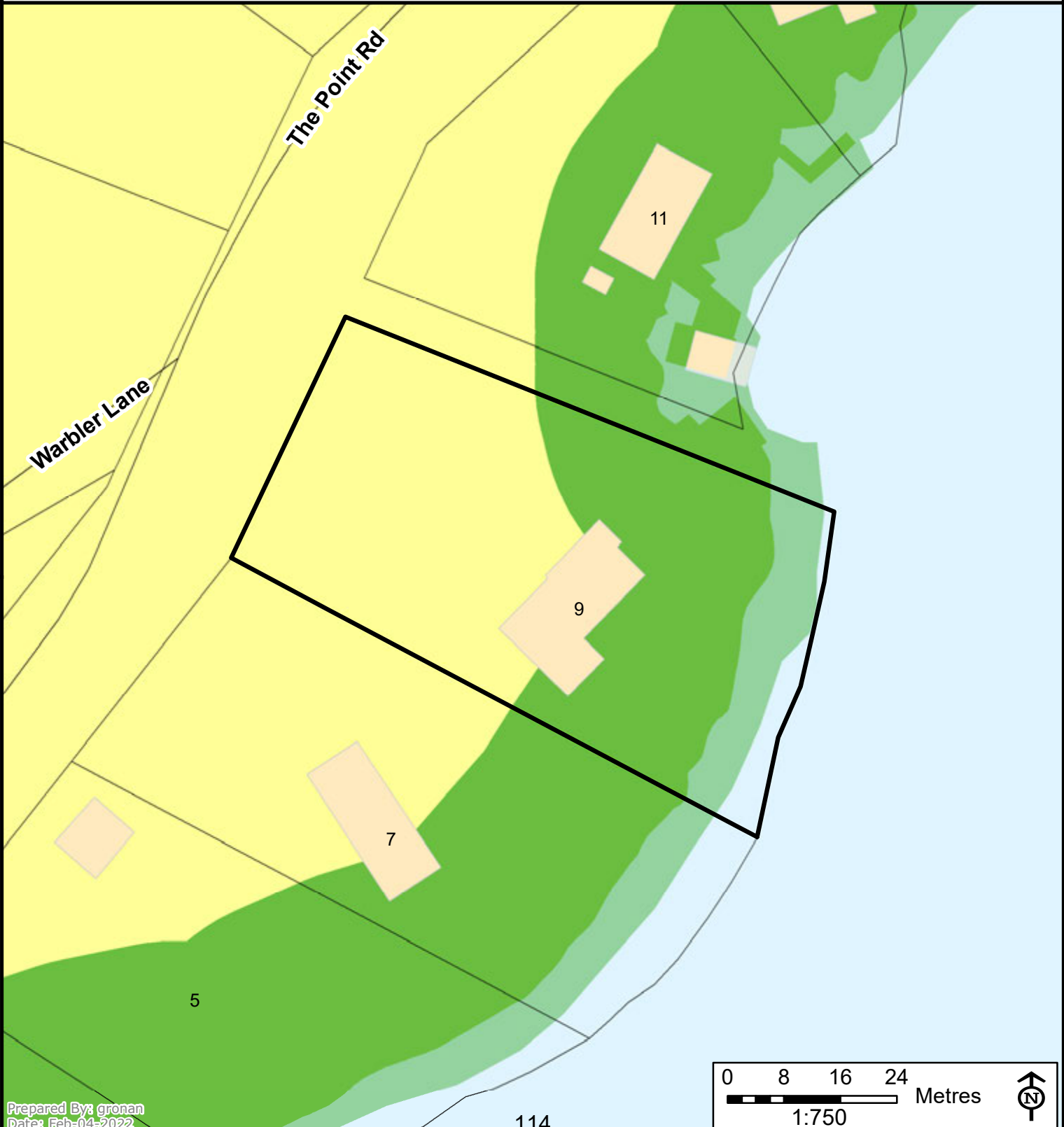




Committee of Adjustment Official Plan, Existing Land Use



Address: 9 The Point Road
File Number: D13-007-2022

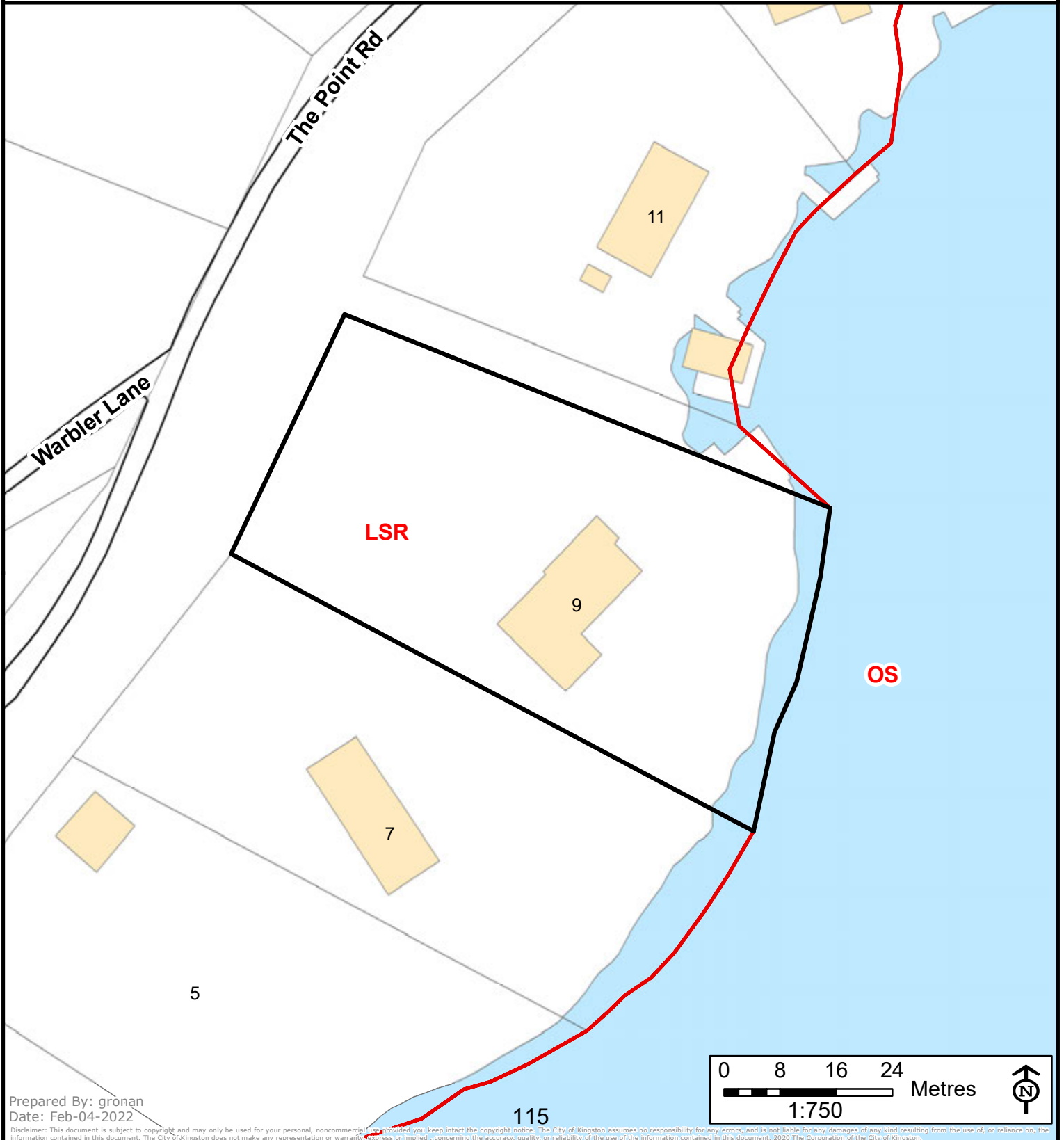
- Subject Lands
- ENVIRONMENTAL PROTECTION AREA
- RESIDENTIAL





Committee of Adjustment
Existing Zoning - By-law 32-74, Map 1
Address: 9 The Point Road
File Number: D13-007-2022

 Subject Lands
 Consolidated Zoning










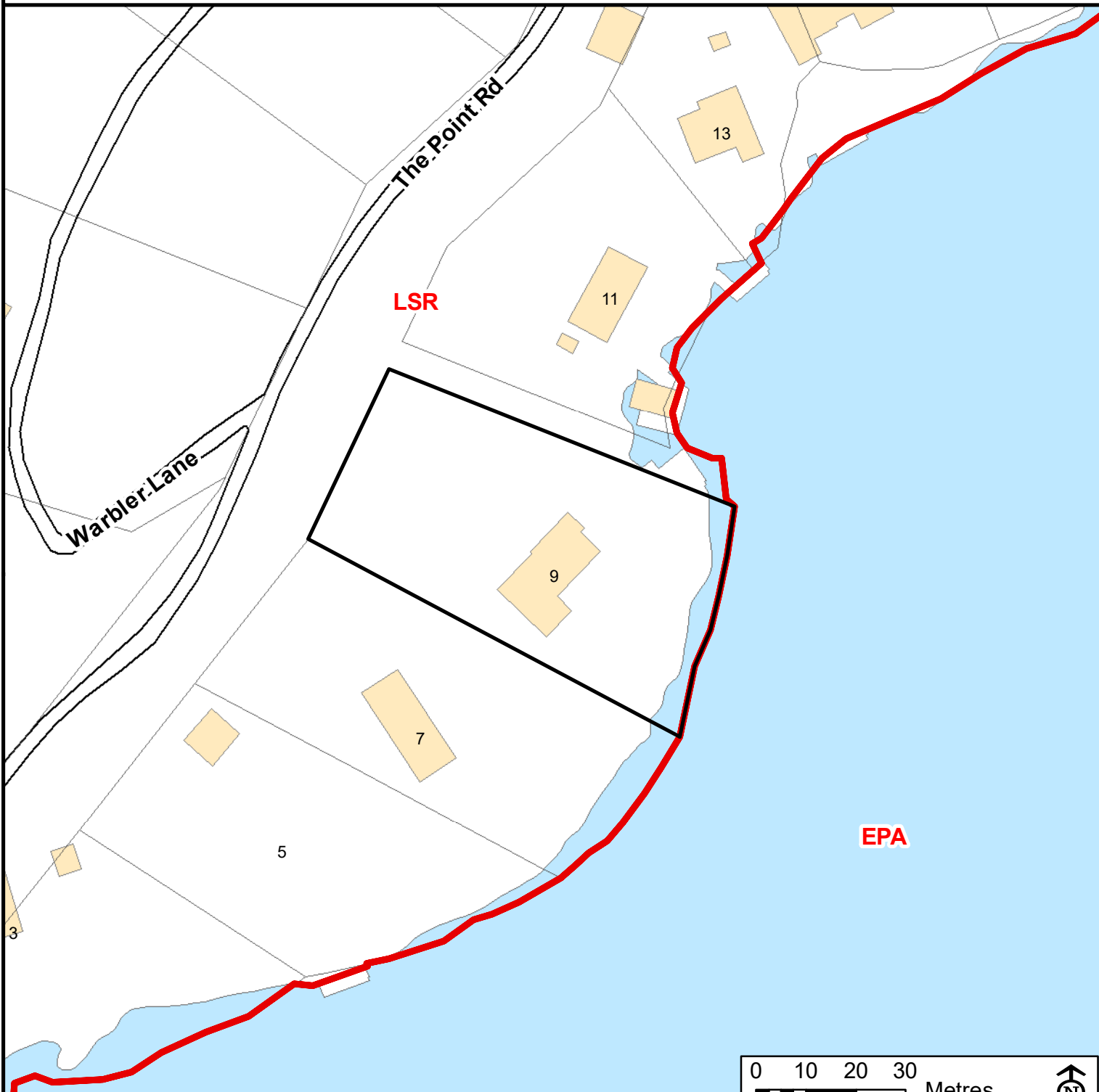
Planning Services

Planning Committee
Kingston Zoning Bylaw 2022-62

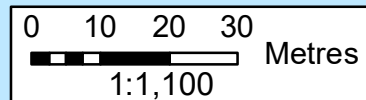
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File Number: D13-007-2022

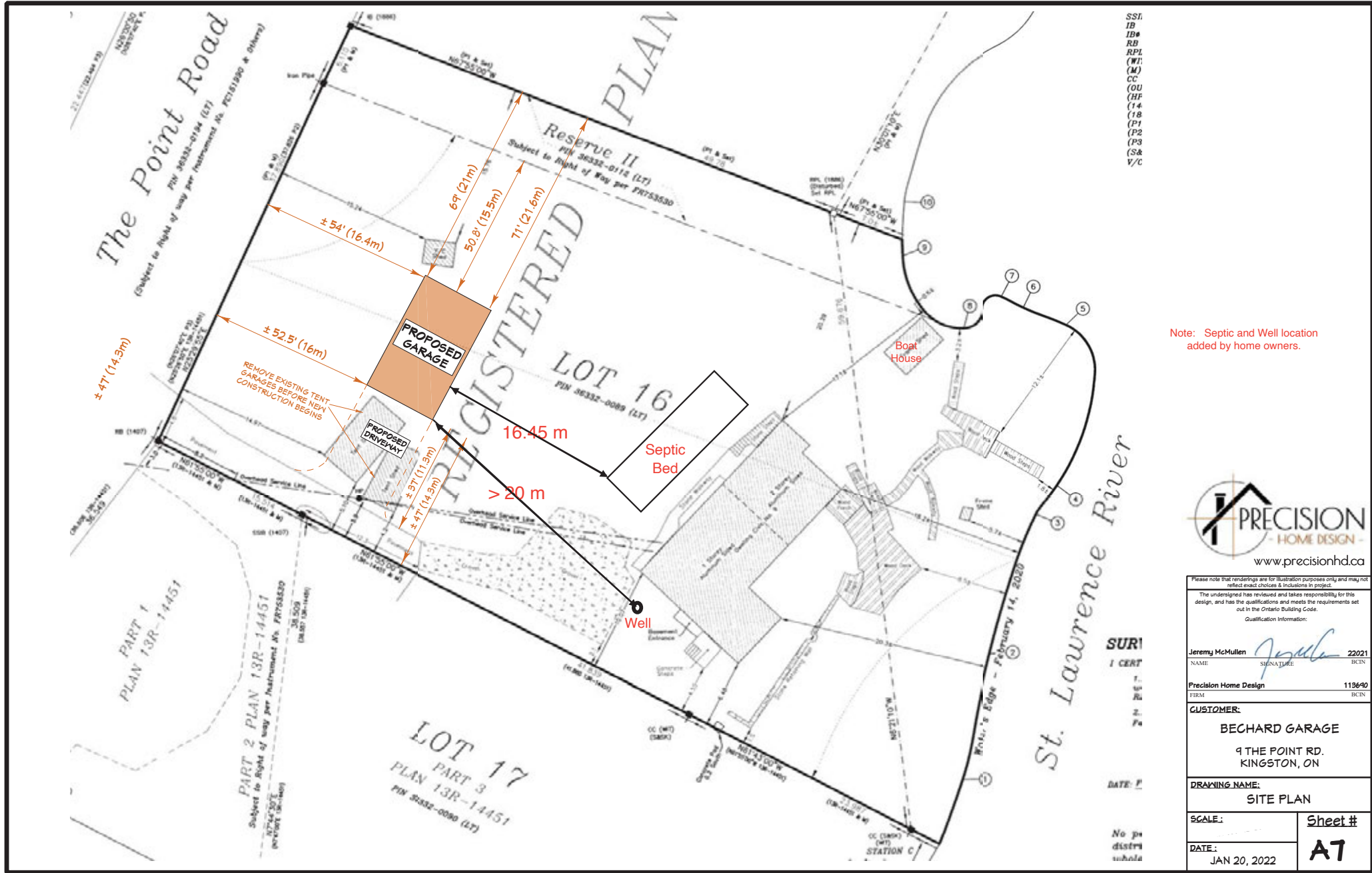
-  Subject Lands
-  Zone

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



Prepared By: jbhharvey
Date: Jun-23-2022





SSL
IB
RB
RPL
(W)
(M)
CC
(OU)
(HF)
(14)
(18)
(P1)
(P2)
(P3)
(S&V)
/C



Please note that renderings are for illustration purposes only and may not reflect final choices & inclusions in project.
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.
Qualification Information:

SUR/1 CERT
1. Mr. J. McMillen
2. Mr. J. McMillen
DATE: 14 FEBRUARY 14, 2020

Jeremy McMillen	<i>Signature</i>	22021
NAME	SIGNATURE	BCIN
Precision Home Design		119690
FIRM		BCIN

CUSTOMER:
BECHARD GARAGE
9 THE POINT RD.
KINGSTON, ON

DRAWING NAME:
SITE PLAN

SCALE:
1" = 10'-0"

DATE:
JAN 20, 2022

Sheet #
A7

OWNER & BUILDER'S NOTE

THESE PLANS SHALL NOT BE USED FOR CONSTRUCTION UNTIL STAMPED AND SIGNED BY A QUALIFIED DESIGNER & THE LOCAL BUILDING DEPARTMENT. THE BUILDER IS EXPECTED TO FOLLOW THESE PLANS, APPLICABLE BUILDING CODES AND LOCAL ORDINANCES. HE SHALL VERIFY THAT SITE CONDITIONS ARE CONSISTENT WITH THESE PLANS BEFORE STARTING CONSTRUCTION. WHILE THESE PLANS ARE DRAWN TO SHOW THE PROPOSED WORK AS ACCURATELY AS POSSIBLE, SCHEMATIC DETAILS MAY BE USED IN SOME CASES FOR CLARITY. WORK NOT SPECIFICALLY DETAILED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMILAR WORK THAT IS DETAILED.

WRITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE DESIGNER SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, OR IF A QUESTION ARISES OVER THE INTENT OF THE PLANS OR NOTES.

THE DESIGNER ASSUMES NO RESPONSIBILITY FOR SCHEDULING, FABRICATION, CONSTRUCTION TECHNIQUES OR MATERIALS, OR QUANTITIES USED IN THE WORK. THE DESIGNER ASSUMES NO RESPONSIBILITY FOR FIELD CHANGES, SITE VARIANCES OR DISCREPANCIES NOT BROUGHT TO HIS HER ATTENTION FOR CLARIFICATION.

GENERAL NOTES

ALL WORK SHALL BE DONE IN ACCORDANCE WITH 2012 ONTARIO BUILDING CODE AND LOCAL CODES.

FOUNDATION AND TRUSS DESIGN SHALL BE VERIFIED BY A QUALIFIED ENGINEER FOR COMPLIANCE WITH SITE REQUIREMENTS.

DIMENSIONS AND NOTES SHALL TAKE PRECEDENCE OVER THE SCALING OF DRAWINGS.

WALL DIMENSIONS ARE TO THE EXTERIOR OF FRAMING UNLESS NOTED OTHERWISE.

LUMBER COMING IN CONTACT WITH CONCRETE OR MASONRY SHALL BE TREATED OR PROTECTED WITH AN APPROVED VAPOR BARRIER.

CONTINUOUS CONTACT WITH THE GROUND SHALL BE TREATED TO A MINIMUM OF .60 CGA.

ALL FRAMING LUMBER TO BE #2 OR BETTER DF OR EQUIVALENT, UNLESS NOTED OTHERWISE.

EXTERIOR AND INTERIOR MATERIALS AND FINISHES TO BE DETERMINED BY OWNER.

DOWNSPOUTS TO BE COLLECTED AND ROOF RUN OFF TO BE DIRECTED AWAY FROM STRUCTURE.

FINISH GRADE SHALL SLOPE AWAY FROM STRUCTURE MIN. 1/2" PER FOOT OF RUN FOR 4' MIN.

SOIL PARAMETERS: BASED ON SOILS INDIGENOUS TO THE AREA:
BEARING PRESSURE - 1600 PSF. (75 kPa) LATERAL ACTIVE PRESSURE 35 PSF FLUID EQUIVALENT
SOIL-CONCRETE COEFFICIENT 0.35 SOIL PROFILE SD

BUILDING PERFORMANCE

ALL PENETRATIONS OF THE BUILDING ENVELOPE SHALL BE SEALED WITH POLYURETHANE FOAM.

SOIL GAS CONTROL:
A SOIL GAS BARRIER IS REQUIRED TO BE INSTALLED BENEATH A CONCRETE SLAB (AT OR BELOW GRADE) FOR ALL CONSTRUCTION REGULATED UNDER PART 4 OF THE ONTARIO BUILDING CODE.

A SOIL GAS BARRIER MUST INCLUDE THE FOLLOWING REQUIREMENTS:
POLYETHYLENE SHEET COMPLYING TO CAN/CSG-B1 34-M
- JOINTS IN THE SOIL GAS BARRIER SHALL BE LAPPED NOT LESS THAN 300MM (12")
- PERIMETER OF SLAB SHALL BE SEALED TO THE INNER SURFACE OF ADJACENT WALLS USING FLEXIBLE SEALANT
- SLAB PENETRATIONS SHALL BE SEALED AGAINST SOIL GAS LEAKAGE

WINDOWS AND DOORS

WINDOWS SHALL BE DOUBLE PANE WITH VINYL FRAMES AND CONFORM TO CAN/CSA-A440 MANUFACTURER AND COLOR TO BE DETERMINED BY OWNER.

ALL EXTERIOR DOORS AND WINDOWS SHALL BE FINISHED WITH WEATHER RESISTANT COATINGS AND WEATHER STRIPPED.



DOOR SCHEDULE								
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	R/O	DESCRIPTION	AREA, ACTUAL (SQ FT)	COMMENTS
D01	2	1	108 "	96 "	111"X98"	GARAGE-GARAGE DOOR CHD08	72.0	
D02	1	1	72 "	80 "	74 1/2"X83 1/2"	DOUBLE HINGED-DOOR P09	40.0	
D03	1	1	72 "	80 "	75"X83 3/4"	EXT. DOUBLE HINGED-DOOR P09	40.0	
TOTALS:							224.0	

WINDOW SCHEDULE								
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	R/O	DESCRIPTION	AREA, ACTUAL (SQ FT)	COMMENTS
W01	2	1	120 "	24 "	121"X25"	DOUBLE CASEMENT	20.0	
W02	2	1	48 "	54 "	49"X55"	DOUBLE CASEMENT-RHR	18.0	
W03	2	2	36 "	36 "	37"X37"	SINGLE AWNING	9.0	
TOTALS:							94.0	

NOTES:
1. DOUBLE PANE WINDOWS / DOORS
2. GRIDS AS PER ELEVATIONS

REVISIONS	DATE



Please note that renderings are for illustration purposes only and may not reflect exact choices & inclusions in project.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.

Qualification Information:

Jeremy McMullen *Signature* **22021**
NAME SIGNATURE BCIN

Precision Home Design **113640**
FIRM BCIN

CUSTOMER:

BECHARD GARAGE

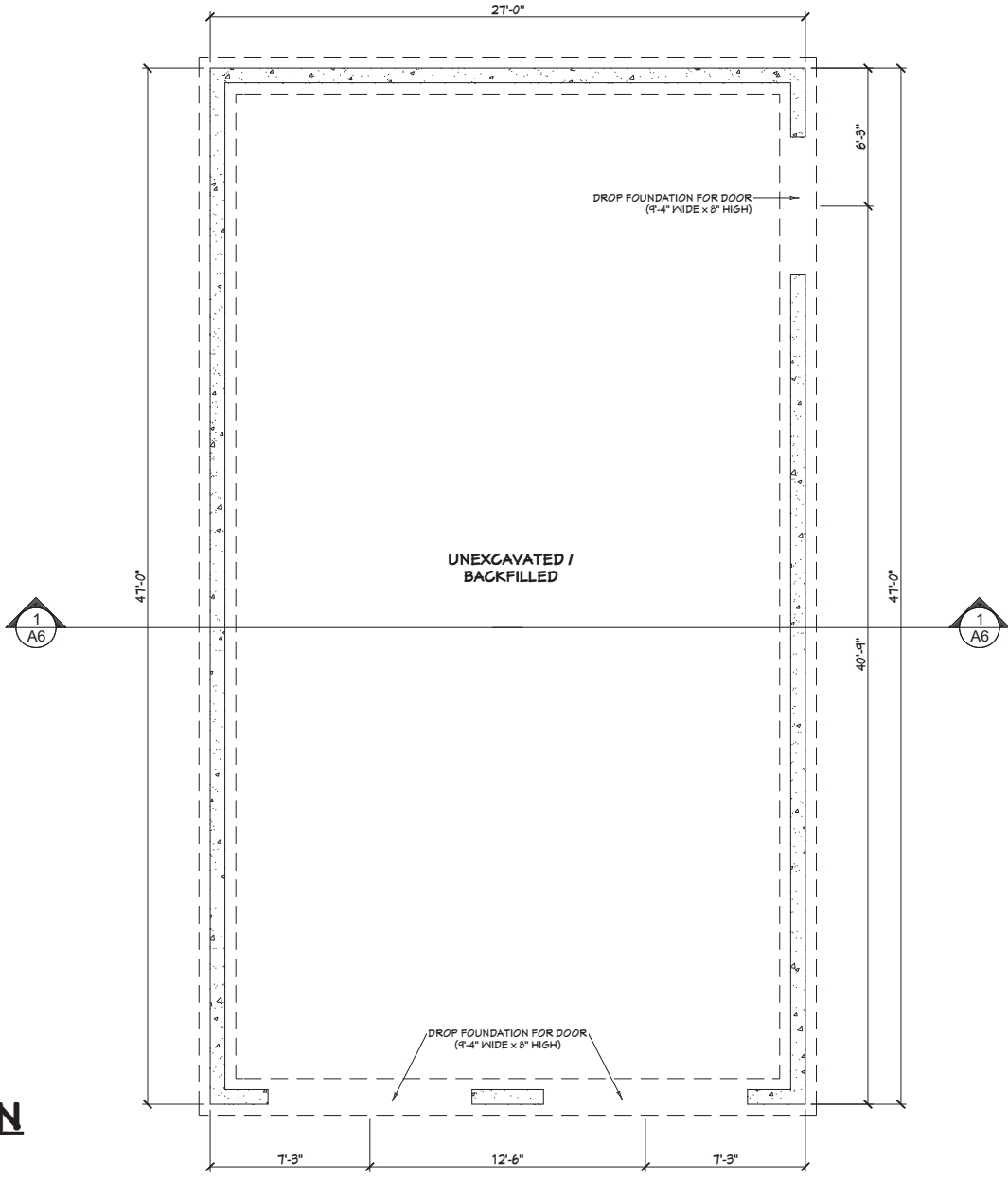
9 THE POINT RD.
KINGSTON, ON

DRAWING NAME:

GENERAL NOTES

SCALE:	Sheet #
DATE: JAN 20, 2022	A1

ALL EXTERIOR DIMENSIONS
 ARE FROM CONCRETE



FOUNDATION PLAN

NOTES:
 1. PIN FOOTINGS TO BEDROCK



Please note that renderings are for illustration purposes only and may not reflect exact choices & dimensions in project.
 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.
 Qualification Information:

Jeremy McMullen *Signature* 22021
 NAME SIGNATURE BCIN
 Precision Home Design 113690
 FIRM BCIN

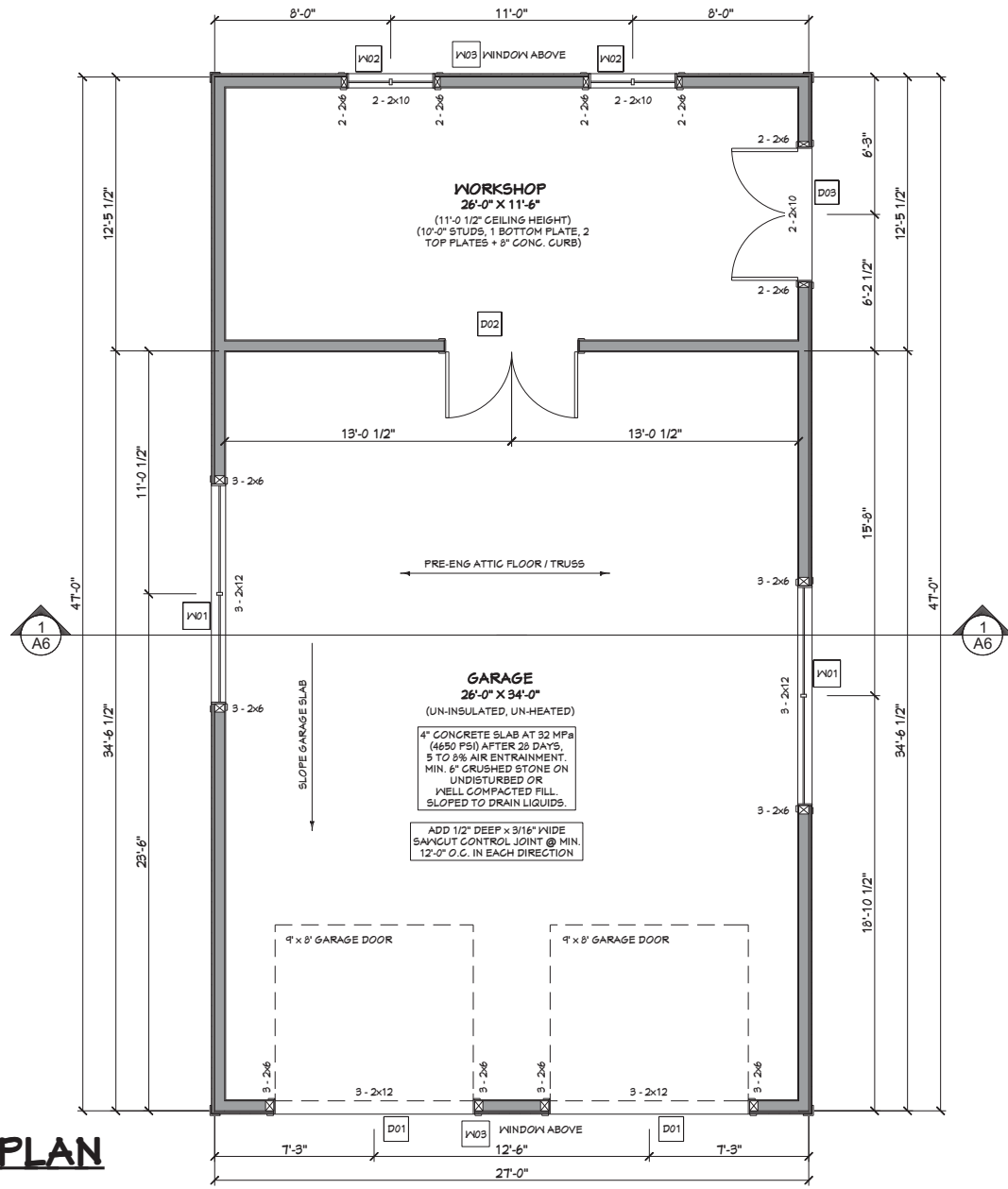
CUSTOMER:
 BECHARD GARAGE
 9 THE POINT RD.
 KINGSTON, ON

DRAWING NAME:
 FOUNDATION PLAN

SCALE: 3/16" = 1'-0"
 DATE: JAN 20, 2022

Sheet #
A2

ALL EXTERIOR DIMENSIONS
ARE FROM FRAMING
ALL INTERIOR DIMENSIONS
ARE FROM FRAMING



WINDOW / DOOR POSTS
2 - 2x6 = 1 JACK STUD, 1 KING STUD
3 - 2x6 = 2 JACK STUDS, 1 KING STUD
4 - 2x6 = 3 JACK STUDS, 1 KING STUD

GROUND FLOOR PLAN
1269 SQ.FT.



Please note that renderings are for illustration purposes only and may not reflect exact choices & inclusions in project.
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.
Qualification Information:

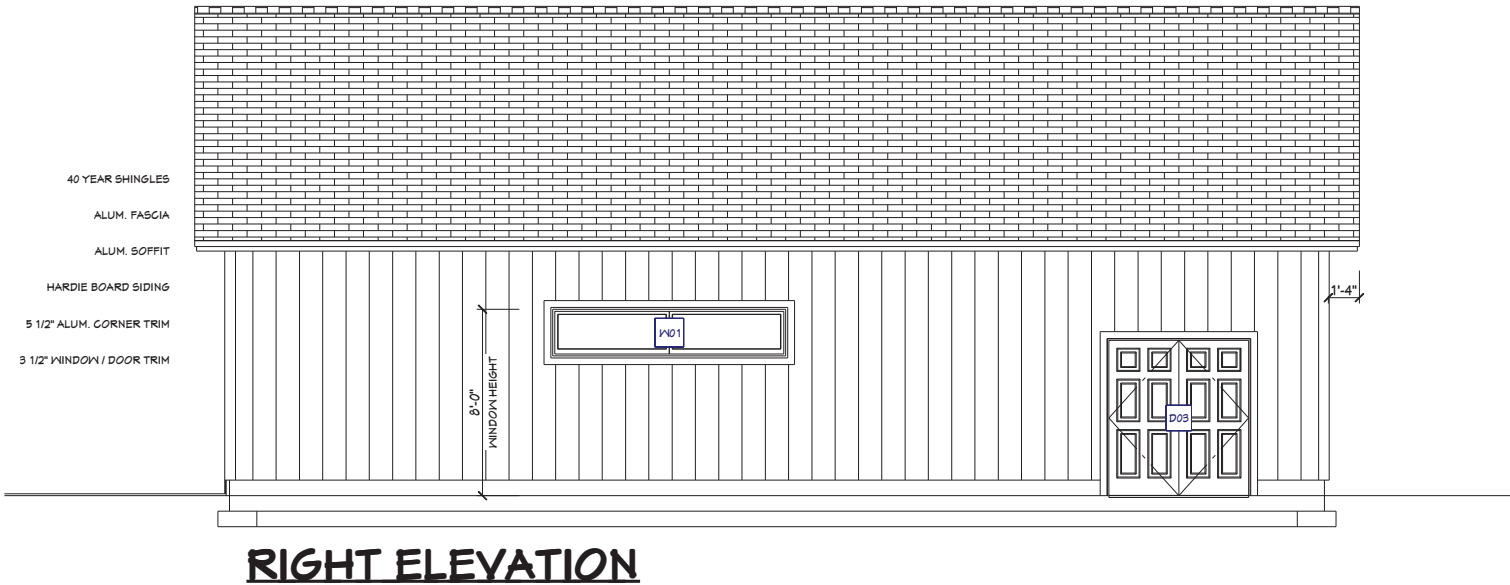
Jeremy McMullen
NAME SIGNATURE 22021 BCIN
Precision Home Design 113640 FIRM BCIN

CUSTOMER:
BECHARD GARAGE
9 THE POINT RD.
KINGSTON, ON

DRAWING NAME:
GROUND FLOOR PLAN

SCALE: 3/16" = 1'-0"
DATE: JAN 20, 2022

Sheet #
A3



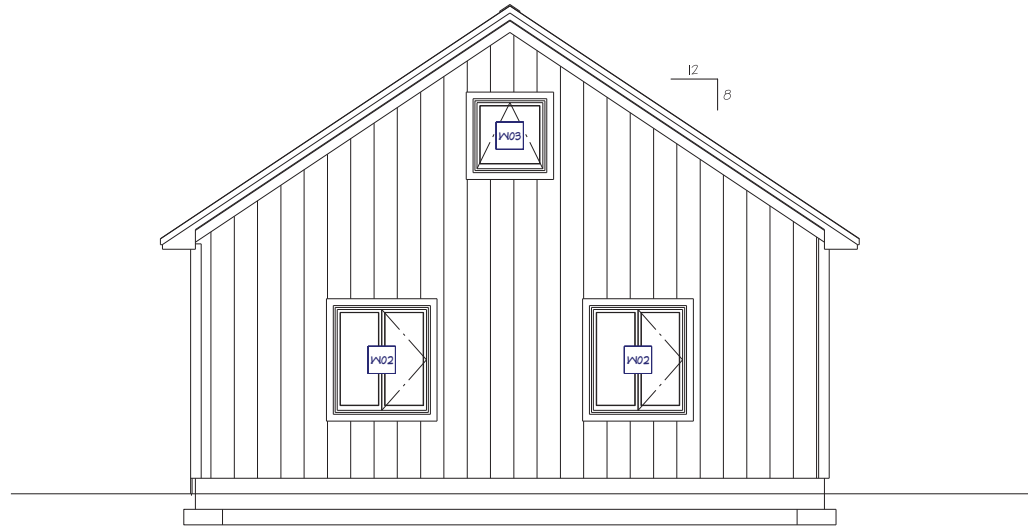
Please note that renderings are for illustration purposes only and may not reflect exact choices & inductions in project.
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.
Qualification Information:

Jeremy McMullen	<i>Signature</i>	22021
NAME	SIGNATURE	BCIN
Precision Home Design		113640
FIRM		BCIN

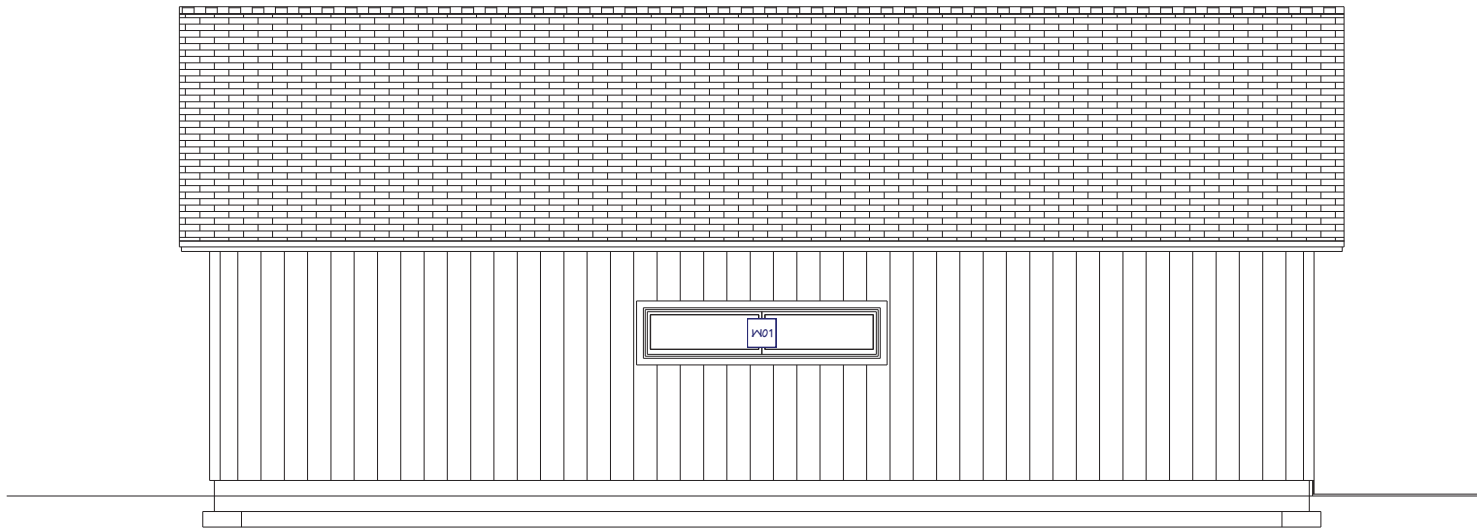
CUSTOMER:
BECHARD GARAGE
9 THE POINT RD.
KINGSTON, ON

DRAWING NAME:
ELEVATIONS

SCALE: 3/16" = 1'-0"	Sheet # A4
DATE: JAN 20, 2022	



REAR ELEVATION



LEFT ELEVATION



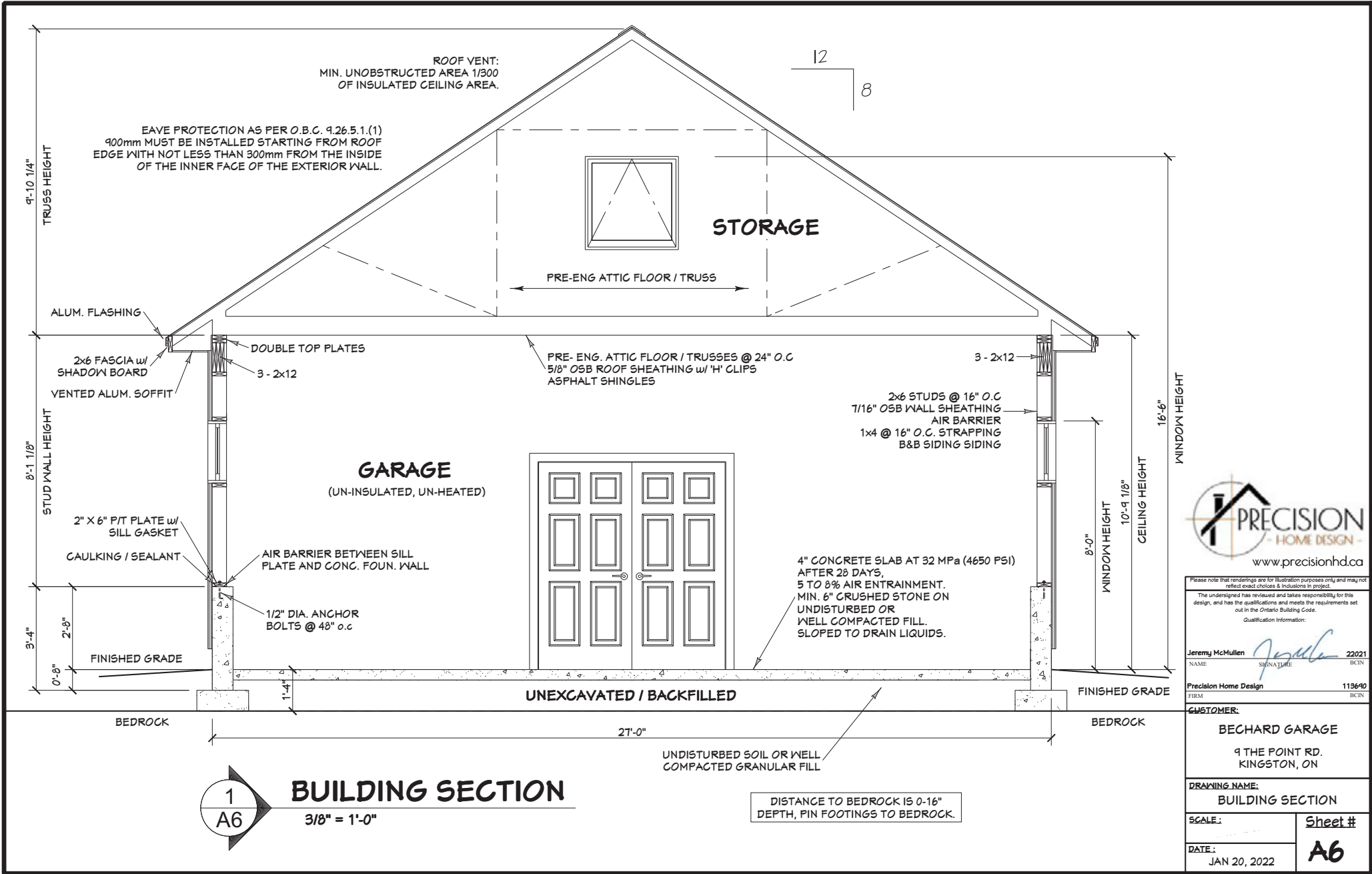
Please note that renderings are for illustration purposes only and may not reflect exact choices & inclusions in project.
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.
Qualification Information:

Jeremy McMullen	<i>Jeremy McMullen</i>	22021
NAME	SIGNATURE	BCIN
Precision Home Design		119690
FIRM		BCFN

CUSTOMER:
BECHARD GARAGE
9 THE POINT RD.
KINGSTON, ON

DRAWING NAME:
ELEVATIONS

SCALE: 3/16" = 1'-0"	Sheet # A5
DATE: JAN 20, 2022	



Please note that renderings are for illustration purposes only and may not reflect exact choices & inclusions in project.
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.
Qualification Information:

Jeremy McMullen 22021
NAME SIGNATURE BCIN
Precision Home Design 113640
FIRM BCIN

CUSTOMER:
BECHARD GARAGE
9 THE POINT RD.
KINGSTON, ON

DRAWING NAME:
BUILDING SECTION

SCALE:

DATE:
JAN 20, 2022

Sheet #
A6

Application for Minor Variance Permission

To: Committee of Adjustment

From: Francois and Lisa Bechard, Co-applicants and co-owners of property located at 9 The Point Road, Kingston, ON

Date: January 24, 2022

Subject: Request for approval of a minor variance concerning structure height of accessory building

Application Summary:

The co-applicants request that the Committee of Adjustment consider a minor variance to increase the building height of a proposed new detached garage at 9 The Point Road in the neighbourhood of Cartwright Point on the east end of Kingston, Ontario.

A minor variance from Zoning By-law 32-74 Section 5(1)(e)(i) Accessory Structures, is requested to allow an increase of the permitted height for an accessory building from 5.0 metres to 6.3 metres from the finished grade. This requested height variance of 1.3 metres is minimal in nature and not expected to negatively impact neighbouring properties.

To better accommodate our need for storage of household items, tools, personal vehicles, snow blower, electric vehicle charging equipment/battery, as well as facilitate a workshop area and plan to install solar panels on the proposed garage roof, we request an increase of the maximum height by a variance of 1.16 metres. The proposed roof pitch of 12/8 (33.69°) would be almost 75% of the optimal winter/summer tilt for fixed solar panels @ 44.23° North Latitude (Kingston) favouring summer solar energy capture.

The proposed accessory structure will be located on a spot surrounded by forest and large rock ridges. It will not be fully visible from The Point Road and does not obstruct any neighbours' views of the water or any other points of interest. Only our immediate neighbour to the west, at 7 The Point Road, will have a partial view of the front facing side of the proposed new garage structure with driveway space for two vehicles directly in front, as illustrated on the plot plan.

The location of the proposed garage construction is within required setbacks and property lines. This location is also more than 30 meters back from the nearest waterfront (as per Official Plan Policy Section 3.9.3). The proposed accessory building meets all other zoning regulations including setbacks and maximum floor area.

This request is minor in nature and desirable for the appropriate use of the property as an accessory structure. The application is in keeping with the other properties in the area and would not negatively impact water views or aesthetics of the streetscape.

Application Details: Minor Variance Height

The proposed garage is intended to expand general storage needs in addition to normal 2 car garage + workshop. This need is derived from the limited storage available at the existing house. The main house is constructed with a foundation pinned to bedrock and, as such, the basement/crawl space storage is very limited and can get wet in some seasons.

The co-applicants are requesting this minor variance for height to support two structural aspects of the garage design:

1. That the pitch of the roof is not designed less than 12/8 pitch to support future fixed solar panels on the south-facing roof. At this pitch, the tilt of the solar panels to the horizon (horizontal) is 33.69° or @ 75 percentile between Summer and Winter tilts, with the bulk of electrical generation and use occurring in the summer months.

For your information, the optimal panel tilt angles are:

- a. Optimal Summer Tilt @ 44.23° North Latitude (Kingston) : 17°
- b. Optimal Winter Tilt @ 44.23° North Latitude (Kingston) : 66°

This proposed minimal pitch would lead to higher efficiency compared to a lesser pitch. Any lesser pitch would also result in more snow coverage duration in the winter months.

2. The goal of placing full height, four-shelf, storage racks with boxes on top shelf (~9-10 feet) required clearance inside the main garage and the workshop.

Our design includes space for a run of 2 storage racks along, and attached to, the north and south walls of the garage. To accommodate this, and space for the width of two vehicles, we increased the width of the garage by 3 feet from 24 to 27 feet.

We wish to keep the design simple without second level storage or a second floor as found in garages to the west and east of our lot.

Additionally, the co-applicants are requesting this minor variance for height to support the aesthetic look of the proposed garage and how it would fit into comparable heights found on the neighbouring garages.

If the garage was reduced by 1.3 m (3.8 feet) in height, the soffits would be 6.7 feet from the ground, placing them greater than 1 foot below the top of the garage doors. This would make the garage look very compact from the front.

If you drew a line from the top of the garage at 7 The Point Road to 11 The Point Road, that line would be above the requested maximum height of our proposed garage. The garage on the west side of our property was granted a minor variance and is built to a max height of 6.9 meters and is built on top of a hill of ~2 meters above average ground level at The Point Road roadway, and the properties of 7 and 9 The Point Road. The garage to the east was granted a minor variance, as well, to a max height 5.9 meters.

Thank you for your consideration of our minor variance request.

Building Site Elevation

The building site is near flat at ground level. It will require only minor excavations to access the bedrock that will be between 0 and 16 inches below grade to process with pinned to bedrock foundation. See “Bechard - 01-20-2022-Updated-2_Plot_Plan_Septic_location.pdf” uploaded to DASH for plot diagram and placement.

Standard Archaeological Condition

In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132) and City of Kingston’s Planning Services (613-546-4291, extension 3180) must be immediately contacted.

In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries at the Ministry of Government and Consumer Services (416-212-7499), the Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132), and City of Kingston’s Planning Services (613- 546-4291, extension 3180) must be immediately contacted.

Additional Planning Notes/Confirmations

As the property is zoned Limited Service Residential (LSR) under Zoning By-Law Number 32-74 which permits a detached single-family dwelling house.

A detached garage is a permitted use in association with a single-family dwelling, provided the property is able to comply with the provisions of Section 5 and Section 12 of the by-law.

I can confirm the use of the workshop (as per Section 5(1)(a) of the by-law) will fall within the use case outlined in Section 5(1)(a). I have signed an Accessory Building Declaration indicating the nature of use is as a hobby workshop without commercial operations. I have uploaded signed document to the DASH system.

As stated in the Official Plan Policy 3.9.3, 3.9.6 and 3.9.8, the setback is greater than 30 meters from the waterfront at the high-water mark. This is outlined in the Plot Diagram for placement and official Survey uploaded to DASH.

There will be no changes to any services on the property that are regulated by the City of Kingston. The water and septic systems are privately-owned. The proposed accessory structure will not have water or septic facilities, only electrical. We will be arranging electrical hookup through Hydro One.

The percentage of lot coverage for the existing and proposed buildings on-site are confirmed to comply with Section 12(2)(i) of the Zoning by-law as outline below:

Lot Total : 2989 m²

Proposed Garage :	117.89 m ²
House :	192.46 m ²
Boat house:	11.89 m ²
Shed:	7.5 m ²
Pump House:	1.5 m ²

Total Structures: 331.33 m²

Percentage of lot coverage with new garage: 11.0849 %

Placement and Orientation (in addition to Plot Plan)

The neighbouring property to the west will face the two solid garage doors and a window that is at a height of 13.5 feet. The neighbour’s main house is approx. 3 meters down a hill also limiting view of the new garage. The actual building to the west is their garage which may look like a house in the following photo. This photo is taken from 11.3 metres in front of the proposed structure’s garage doors.



The following photos do not show the normal forest density as they are taken in the winter.

North view from center of proposed garage:



East View from center of proposed garage:



South View from center of proposed garage toward co-applicants' house @ 9 The Point Road:



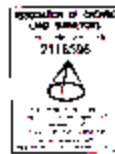
Additional External Agency Approvals

The Cataraqui Region Conservation Authority (CRCA) was contacted via email to ascertain if any permit from their organization was required. The response was that the “proposed Garage is well back from the river and, as such, is outside the extent of our regulated area. So we will not need you to obtain a permit from us and we have no concerns or objections with the proposal”.

This email exchange was uploaded to the DASH system.

Surveyor's Real Property Report (PART 1)
 PLAN of LOT 16 and RESERVE 2, REGISTERED PLAN No. 419
 Geographic Township of Pittsburgh
 CITY of KINGSTON
 COUNTY of FRONTENAC
 SCALE = 1:250

HOPKINS CHITTY LAND SURVEYORS INC.
 - 2020 -



PART 2
 This report is prepared in accordance with the provisions of the Survey Act, R.S.O. 1990, Chapter S.5, and the Survey Regulations, O.R.G.O. 1990, Chapter 1000, and the Survey Act, R.S.O. 1990, Chapter S.5, and the Survey Regulations, O.R.G.O. 1990, Chapter 1000.



BEARING NOTE:

ALL BEARINGS ARE GIVEN AS ANGLE FROM THE FORE-CAST BEARING OF THE PREVIOUS LINE, UNLESS OTHERWISE SPECIFIED.
 ALL DISTANCES ARE GIVEN IN METERS, UNLESS OTHERWISE SPECIFIED.
 ALL DISTANCES ARE GIVEN TO THE CENTRE OF THE LINE, UNLESS OTHERWISE SPECIFIED.
 ALL DISTANCES ARE GIVEN TO THE POINT OF INTERSECTION OF THE LINE WITH THE ADJACENT PROPERTY, UNLESS OTHERWISE SPECIFIED.
 ALL DISTANCES ARE GIVEN TO THE POINT OF INTERSECTION OF THE LINE WITH THE ADJACENT PROPERTY, UNLESS OTHERWISE SPECIFIED.

LEGEND:

- Boundary of Lot 16
- Boundary of Reserve 2
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- Boundary of Lot 99
- Boundary of Lot 100

STADIA TABLE

Stadia Interval	Horizontal Distance (m)	Vertical Distance (m)
100	100.00	10.00
110	110.00	11.00
120	120.00	12.00
130	130.00	13.00
140	140.00	14.00
150	150.00	15.00
160	160.00	16.00
170	170.00	17.00
180	180.00	18.00
190	190.00	19.00
200	200.00	20.00
210	210.00	21.00
220	220.00	22.00
230	230.00	23.00
240	240.00	24.00
250	250.00	25.00
260	260.00	26.00
270	270.00	27.00
280	280.00	28.00
290	290.00	29.00
300	300.00	30.00
310	310.00	31.00
320	320.00	32.00
330	330.00	33.00
340	340.00	34.00
350	350.00	35.00
360	360.00	36.00
370	370.00	37.00
380	380.00	38.00
390	390.00	39.00
400	400.00	40.00
410	410.00	41.00
420	420.00	42.00
430	430.00	43.00
440	440.00	44.00
450	450.00	45.00
460	460.00	46.00
470	470.00	47.00
480	480.00	48.00
490	490.00	49.00
500	500.00	50.00

SURVEYOR'S CERTIFICATE:

I, the undersigned, being a duly qualified and registered Professional Land Surveyor, Ontario, do hereby certify that the foregoing is a true and correct copy of the original plan as shown to me by the client, and that the same has been prepared in accordance with the provisions of the Survey Act, R.S.O. 1990, Chapter S.5, and the Survey Regulations, O.R.G.O. 1990, Chapter 1000, and the Survey Act, R.S.O. 1990, Chapter S.5, and the Survey Regulations, O.R.G.O. 1990, Chapter 1000.

Dated this 15th day of February, 2020.

[Signature]

Professional Land Surveyor, Ontario

HOPKINS CHITTY LAND SURVEYORS INC.
 Ontario Land Surveyors

1000 ...
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