



**City of Kingston
Committee of Adjustment
Meeting Number 10-2022
Agenda**

**Monday, September 19, 2022 at 5:30 p.m.
Hosted at City Hall in Council Chamber**

Please provide regrets to Iain Sullivan, Committee Clerk at 613-546-4291, extension 1864 or isullivan@cityofkingston.ca

Committee Composition

Peter Skebo; Chair
Paul Babin
Vincent Cinanni
Blaine Fudge
Greg Lightfoot
Somnath Sinha
Jordan Tekenos-Levy

- 1. Meeting to Order**
- 2. Approval of the Agenda**
- 3. Confirmation of Minutes**
 - a) That the minutes of Committee of Adjustment Meeting Number 09-2022 held on Monday August 15, 2022 be approved.
- 4. Disclosure of Pecuniary Interest**
- 5. Delegations**
- 6. Request for Deferral**

7. Returning Deferral Items

8. Business

a) Application for: Minor Variance

File Number: D13-045-2022

Address: 40 Hyperion Court

Owner: Hyperion Holdings (Kingston)

Applicant: Boys and Girls Club of Kingston Inc. and Fotenn Consulting

The Report of the Commissioner of Community Services (COA-22-063) is attached.

Schedule Pages 1 – 28

Recommendation:

That minor variance application, File Number D13-045-2022, for the property located at 40 Hyperion Court to Kingston Zoning By-Law 2022-62, be approved, as described below:

Variance Number 1

By-Law Number 2022-62: 16.1.2 Permitted Uses in the Employment Zones (M1)

- Requirement: 'Day Care Centre' is not identified as a permitted use in the M1 Zone
- Proposed: Establish 'Day Care Centre' as a complementary use
- Variance Requested: Establish 'Day Care Centre' as a complementary use in accordance with Section 16.2.2.5

Variance Number 2

By-Law Number 2022-62: 7.5.1 Minimum Loading Space

- Requirement: 2 loading spaces
- Proposed: 1 new loading space
- Variance Requested: 1 existing loading space; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-063.

b) Application for: Minor Variance

File Number: D13-039-2022

Address: 108 Helen Street

Owner: Kristin Lee-Fossum and Michael Twigg

Applicant: NBS Design Group

The Report of the Commissioner of Community Services (COA-22-065) is attached.

Schedule Pages 29 – 58

Recommendation:

That minor variance application, File Number D13-039-2022, for property located at 108 Helen Street to construct a two-storey rear addition and rear deck onto the existing dwelling be approved, as described below:

Variance Number 1

By-Law Number 8499: Section 6.3 (g) (ii) Maximum Residential Building Depth

- Requirement: 10.95 metres
- Proposed: 11.25 metres
- Variance Requested: 0.3 metres

Variance Number 2

By-Law Number 8499: Section 5.8 (c) Projections into Yards

- Requirement: 0.6 metres
- Proposed: 0 metres
- Variance Requested: 0.6 metres

Variance Number 3

By-Law Number 2022-62: Table 4.20.4 Decks and Porches

- Requirement: 0.6 metres
- Proposed: 0 metres
- Variance Requested: 0.6 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-065.

c) Application for: Minor Variance

File Number: D13-043-2022

Address: 880 Stephentown Lane

Owner: Steve Carquez and Robyn Woodford-Carquez

Applicant: Steve Carquez

The Report of the Commissioner of Community Services (COA-22-067) is attached.

Schedule Pages 59 – 79

Recommendation:

That minor variance application, File Number D13-043-2022, for the property located at 880 Stephentown Lane to construct a 139.4 square metre front yard accessory building, be approved, as described below:

Variance Number 1

By-Law Number 32-74: Section 8 (3) (j) (5)

- Requirement: 200 square metres
- Proposed: 311.1 square metres
- Variance Requested: 111.1 square metres

Variance Number 2

By-Law Number 2022-62: Section 20.1.1, Legacy Exceptions Subsection L283 (f)

- Requirement: 200 square metres
- Proposed: 311.1 square metres
- Variance Requested: 111.1 square metres

Variance Number 3

By-Law Number 2022-62: Section 4.1.2 (1)

- Requirement: Rear yard, Interior yard, and the Exterior yard
- Proposed: Front yard

- Variance Requested: Front yard; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-067.

d) Application for: Minor Variance

File Number: D13-046-2022

Address: 744 Riverview Way

Owner: Colin and Christine Youngman

Applicant: Tom Darby

The Report of the Commissioner of Community Services (COA-22-064) is attached.

Schedule Pages 80 – 100

Recommendation:

That minor variance application, File Number D13-046-2022, for the property located at 744 Riverview Way to construct a deck that is more than 1.2 metres above finished grade with an area that exceeds 30 square metres, be approved, as described below:

Variance Number 1A

By-Law Number 32-74: Section 5(23)(b) Increase Maximum Size of a Deck more than 1.2 Metres Above Grade

- Requirement: Maximum 30 square metres
- Proposed: 51 square metres
- Variance Requested: 21 square metres

Variance Number 1B

By-Law Number 2022-62: Table 4.20.4.1 Increase Maximum Size of a Deck more than 1.2 Metres Above Grade

- Requirement: maximum of 30.0 square metres is permitted at a height of 1.2 metres or greater
- Proposed: 51 square metres
- Variance Requested: 21 square metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-064.

9. Motions

10. Notices of Motion

11. Other Business

12. Correspondence

13. Date of Next Meeting

The next meeting of the Committee of Adjustment is scheduled on Monday, October 17, 2022 at 5:30 p.m.

14. Adjournment