



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-22-077**

---

**To:** Chair and Members of the Committee of Adjustment  
**From:** Amy Didrikson, Intermediate Planner  
**Date of Meeting:** November 21, 2022  
**Application for:** Minor Variance  
**File Number:** D13-060-2022  
**Address:** 4016 Bath Road  
**Owner:** James and Margaret Somerville  
**Applicant:** James Somerville

---

**Council Strategic Plan Alignment:**

Theme: 2. Increase housing affordability

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 4016 Bath Road. The applicant is proposing to enclose a portion of a second storey, rear deck for use as a three-season sunroom. The proposal requires a reduction to the minimum rear setback and minimum waterbody setback of the Kingston Zoning By-Law 2022-62.

The property is designated Residential in the City of Kingston Official Plan and is in a 'UR1.A' (Urban Residential 1) zone of the Kingston Zoning By-Law Number 2022-62. The subject property is adjacent to single-detached dwellings along the shoreline of Collins Bay.

A 60 square metre, partially covered, second storey deck was approved at the rear of the existing dwelling through minor variance in 2021 (City file D13-017-2021), which included relief to the flood plain setback required under Zoning By-Law Number 76-26, and permission to increase the maximum permitted area of an elevated deck. Since this time, the applicant has

November 21, 2022

Page 2 of 12

decided they wish to enclose a 42 square metre, covered portion of the approved deck for use as a three-season sunroom. Although the dimensions and support design (i.e. piers) of the elevated projection to the rear of the home have not changed, the enclosed building area is subject to minimum rear yard setback requirements for the single-detached house which cannot be met by the proposal. In addition, since the 2021 minor variance application was approved, the Kingston Zoning By-Law has come into effect and includes a minimum 30 metre setback from a waterbody, which cannot be met by the proposal.

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62. The requested minor variances 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.

**Recommendation:**

**That** minor variance application, File Number D13-060-2022, for the property located at 4016 Bath Road to enclose a 42 square metre, covered second-level deck for a three-season sunroom, be approved, as described below:

**Variance Number 1: Minimum Rear Setback**

By-Law Number 2022-62:Table 11.2.2.5

Requirement: 7.5 metres

Proposed: 4.8 metres

Variance Requested: 2.7 metres

**Variance Number 2: Minimum Distance from the High-Water Mark of a Waterbody**

By-Law Number 2022-62:Section 4.23.1

Requirement: 30 metres

Proposed: 8.4 metres

Variance Requested: 21.6 metres; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-077.

November 21, 2022

Page 3 of 12

**Authorizing Signatures:**

ORIGINAL SIGNED BY PLANNER

---

Amy Didrikson, Intermediate  
Planner

**In Consultation with the following Management of the Community Services Group:**

Tim Park, Director, Planning Services  
Meghan Robidoux, Supervisor, Development Approvals

November 21, 2022

Page 4 of 12

**Options/Discussion:**

On September 28, 2022, a minor variance application was submitted by co-owner James Somerville, on behalf of co-owner Margaret Somerville, with respect to the property located at 4016 Bath Road. The applicant is proposing to enclose a portion of a second storey, rear deck for use as a three-season sunroom which requires two variances to the requirements of Kingston Zoning By-Law Number 2022-62.

In 2021, a 60 square metre, partially covered, elevated deck was approved at the rear of the existing dwelling through minor variance (City file number D13-017-2021). The approved minor variances included relief to the flood plain setback required under Zoning By-Law Number 76-26, and permission for a 60 square metre elevated deck projection. Since this time, the applicant has decided they wish to enclose the covered portion of the deck, which is approximately 42 square metres in area, for use as a three-season sunroom. Although the dimensions and support design (i.e. piers) of the elevated projection to the rear of the home have not changed, the enclosed building area is subject to minimum rear yard setback requirements for the single-detached house which cannot be met by the proposal. In addition, since the 2021 minor variance application was approved, the Kingston Zoning By-Law has come into effect and includes a 30 metre minimum setback from a waterbody, which cannot be met by the proposal.

The single-detached house currently has a sunroom and a deck at-grade at the rear of the home, which will remain as part of the proposal. The elevated sunroom will not project closer to the rear of the property, or the water, than the existing sunroom.

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

- Cover Letter;
- Site Plan (Exhibit G); and,
- Area of Proposed Sunroom Enclosure (Exhibit H).

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using "Look-up a Specific Address". If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

**Site Characteristics**

The subject property at 4016 Bath Road is located on the south side of Bath Road, along the shoreline of Collins Bay (Exhibit B – Key Map). The property is a flagged-shaped lot with approximately 5.5 metres of frontage on Bath Road and is developed with a single-detached house and a detached garage (Exhibit C – Neighbourhood Context). The topography of the lot slopes towards the waterfront. The single-detached house has a walkout basement at the rear of the property with an existing sunroom and deck at-grade facing Collins Bay which will be retained (Exhibit J – Site Photos).

November 21, 2022

Page 5 of 12

The subject property is designated Residential in the Official Plan and zoned UR1.A (Urban Residential 1 Zone) in Kingston Zoning By-Law Number 2022-62. The property is adjacent to single-detached dwellings to the east and west along the shoreline of Collins Bay. North of the subject property across Bath Road is the CN rail line, and commercial uses are located further to the west on Bath Road at the intersection with Collins Bay Road.

## Application

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested, both separately and together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

## Provincial Policy Statement

In addition to the four tests of a minor variance detailed above, Subsection 3(5) of the *Planning Act* requires that a decision in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (the PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development which are complemented by local policies addressing local interests. The application being considered is site specific to accommodate a specific proposal and does not involve any major policy considerations and as such, the proposal conforms to and is consistent with the PPS.

### 1) The general intent and purpose of the Official Plan are maintained

The subject property is designated Residential in the City of Kingston Official Plan (Exhibit E). The predominant use of land in a Residential designation is for various forms of housing, such as the single-detached house on the subject property.

The subject property is located along the waterfront of Collins Bay. According to Section 2.8.3 of the Official Plan, the City seeks to protect and enhance a 30 metre naturalized buffer, also known as a “ribbon of life”, along the waterfront. Policy under Section 3.9 of the Official Plan details exceptions and conditions under which development can be considered within the ribbon of life, in consultation with the CRCA where appropriate. The proposal meets criteria for development on an existing lot of record under Section 3.9.6, which allows for enlargement of a building, structure, or facility which existed on the date of adoption of this Plan, provided the enlargement does not further encroach into the existing water setback, subject to Section 3.9.8. Conformity with these policies is discussed in greater detail below.

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.

November 21, 2022

Page 6 of 12

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

The subject property is located within a Housing District, as illustrated on Schedule 2 of the Official Plan. The proposal meets the intent of strategic policy pertaining to Housing Districts, that encourages minor re-investment and upgrading that can integrate compatibly with the prevailing built form standards that are generally found in the neighbourhood. The proposed sunroom enclosure maintains the same minimum rear setback and water setback as the existing, at-grade sunroom and will maintain a consistent built form standard as adjacent single-detached homes. The intent is to establish knee-high walls consistent with the design of the existing house, and to clad the remaining area predominantly in glass.

The proposal meets the intent of strategic policy regarding the “ribbon of life” and other applicable policies of the Official Plan. Policy under section 3.9 of the Official Plan details exceptions and conditions under which development can be considered within the “ribbon of life”, including the requirement for an Environmental Impact Assessment in certain cases. The proposal meets the required conditions under Section 3.9.6, as it includes an enlargement to an existing dwelling on a lot of record that will not further encroach into the water setback than an existing sunroom. An Environmental Impact Assessment was not deemed necessary by the City, in consultation with the Cataraqui Region Conservation Authority.

Based on the review and feedback of the Conservation Authority, the proposed, elevated sunroom, supported by piers, is not anticipated to have any impact on water quality, soil erosion, plant and animal habitat, connectivity and wildlife corridors, or the overall health of shoreline ecosystems. A Slope and Erosion Assessment was completed by Concord Engineering on May 2, 2020 as part of the previous minor variance application approved for the elevated deck (City File Number D13-017-2021), and has been reviewed to the satisfaction of the Cataraqui Region Conservation Authority. As a result, the proposal upholds the policy objectives outlined in Section 3.9.2 of the Official Plan for the “ribbon of life”, including objectives such as minimizing soil erosion.

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 sunroom is proposed to be consistent with the scale and design of the rear of the existing dwelling and will be compatible with surrounding homes. The enclosure is not anticipated to have adverse effects on abutting land uses, such as shadowing impacts or intrusive overlook. The sunroom will exceed the minimum 1.2 metre side yard setback requirement on both sides of the lot, as illustrated on the Site Plan (Exhibit G), and vegetation along the east side of the lot provides a visual screen (Exhibit J – Site Photographs).

November 21, 2022

Page 7 of 12

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 enclosure of a portion of the approved, elevated deck will not compromise the ability of the site to function, in terms of access, parking or any other matter. The enclosure allows for the sunroom area to be protected from the elements and adds to the indoor amenity area available to the single-detached house.

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 not in a Heritage District, does not contain a built heritage resource and is not adjacent to such a resource. The proposal conforms to the Design Guidelines for Residential Lots which have been approved by Council, and in particular, the guidelines applicable to renovations and additions. The enclosed sunroom will add a modest additional indoor area to the existing single-detached house with exterior cladding and design intended to blend with the existing home.

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 site is not designated under the *Ontario Heritage Act* or adjacent to a designated property under the *Ontario Heritage Act*. According to Schedule 9 of the Official Plan, the property is not shown as a Heritage Character Area feature and is not located in proximity to any protected views. As a result, a Heritage Impact Statement and a review by Heritage Kingston 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 single-detached house is located within the Urban Boundary. The resulting development does not require additional municipal water and sewage services.

7. Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed by a zoning amendment to the applicable zoning by-law;

The application and the cumulative impact of the proposal does not warrant a zoning by-law amendment. Official Plan policy contemplates relief from the 30 metre water setback, intended to protect the "ribbon of life", through minor variance applications where appropriate. Due to the scope of the elevated sunroom enclosure and based on a review of Section 3.9.8 of the Official Plan and other applicable policies, the appropriate process for relief in this instance was deemed to be a minor variance application.

November 21, 2022

Page 8 of 12

- 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;

Conditions of approval are included as Exhibit A of this report.

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

The recommended approval of the proposed sunroom enclosure will not set an undesirable precedent for the immediate area as the scope of the proposal is limited, and there is no potential for adverse effects.

The proposal meets the intent of the Official Plan, as the proposed sunroom enclosure will add indoor amenity area with a complementary design and scale to the existing single-detached house and surrounding residential properties and will not result in any negative impacts to the shoreline, riparian habitat, or to adjacent properties or to the neighbourhood.

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

The subject property is zoned UR1.A in the Kingston Zoning By-Law Number 2022-62 as amended. The UR1.A zone permits the existing use of the property as a single detached house.

The proposed sunroom requires a variance to the following sections:

**Variance Number 1: Minimum Rear Setback**

By-Law Number 2022-62: Table 11.2.2.5

Requirement: 7.5 metres

Proposed: 4.8 metres

Variance Requested: 2.7 metres

**Variance Number 2: Minimum Distance from the High-Water Mark of a Waterbody**

By-Law Number 2022-62: Section 4.23.1

Requirement: 30 metres

Proposed: 8.4 metres

Variance Requested: 21.6 metres; and

**Minimum Rear Setback**

Under Zoning By-Law 2022-62, the rear setback is defined as the setback between the rear lot line and the nearest part of any building on the lot. The proposed sunroom enclosure is subject to the same rear yard setback requirement as the main dwelling, whereas elevated decks are subject to the setback requirements under Table 4.20.4. The intent of the rear yard setback requirement is to ensure there is adequate rear yard amenity area for dwellings and to maintain a consistent massing and built form residential



November 21, 2022

Page 9 of 12

neighbourhoods. The proposed, elevated, 42 square metre sunroom enclosure maintains rear yard amenity area below and does not represent an overdevelopment of the property.

### **Minimum Distance from the High-Water Mark of a Waterbody**

Under Zoning By-Law 2022-62, the high-water mark of a waterbody is defined as the highest water level that has been maintained for a sufficient duration (on an annual basis) as to leave physical evidence upon the landscape marking the boundary between that water level and upland areas. In this case, the high-water mark has been identified by the Cataraqui Region Conservation Authority as the water side of the existing steel shorewall along the water frontage (Exhibit I – CRCA Map of High Water Mark).

The intent of the minimum 30 metre setback from the high-water mark of a waterbody under Section 4.23.1 is to protect the “ribbon of life” described in the Official Plan. Section 4.23.2 of the Zoning By-law clarifies that it is intended that buildings may be authorized to encroach into this water setback through a minor variance in accordance with the policies of the Official Plan and subject to, and in accordance with, the provisions of the *Planning Act*. The proposed encroachment meets the intent of applicable policy of the Official Plan as discussed in the section above and the associated minor variance application is being processed in accordance with the *Planning Act*.

The proposed sunroom enclosure has been designed so that it will encroach no closer to the water than an existing sunroom on the water side of the dwelling. The CRCA has noted in their review that, as the proposal includes an elevated structure founded on piers, there will be limited impact to soil mantle and vegetation. As a result, the “ribbon of life” will not be affected by the proposal, and the intent of the minimum distance required from the high-water mark of a waterbody is maintained.

It should be noted that the high-water mark of a waterbody is different from a “floodplain” which according to Zoning By-Law 2022-62 means the area, usually lowlands, adjoining a waterbody and which has been or may be subject to flooding hazards as defined by the Cataraqui Region Conservation Authority and as identified as “Floodplain” on Schedule A. The proposed sunroom enclosure is not located in the “Floodplain” or “Wave Uprush” area identified on Schedule A of the Zoning By-Law. This has been confirmed through consultation with the Cataraqui Region Conservation Authority.

### **3) The variances are minor in nature**

The requested variances to permit an elevated sunroom enclosure for a single detached house are considered minor as the permitted use of the property will not change, the development is not anticipated to result in any adverse effects to the “ribbon of life” or to public health safety, and the design of the sunroom will be compatible with the existing home and surrounding residential development.

November 21, 2022

Page 10 of 12

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

The variances are desirable for the appropriate development of the single detached house on the land. The sunroom enclosure represents a minor reinvestment in an existing house, consistent with strategic policy for Housing Districts, which will not have an impact on the adjacent “ribbon of life” along the waterfront. The proposed 42 square metre, three-season sunroom at the rear of the dwelling will provide additional indoor amenity area for the single detached house, consistent with policy applicable to the Residential land use designation. The proposal will not result in any new units or bedrooms and as such will not change the intensity of the existing residential use.

The area of the proposed sunroom enclosure is located at the rear of the dwelling, where an elevated, covered deck was previously approved through minor variance application number D13-017-2021. The proposed enclosure of the covered portion of the approved deck and will not be seen from the street and will not result in any new impacts on the abutting residential uses or their enjoyment of their property. As the sunroom is an elevated structure on piers, the rear yard is maintained for outdoor amenity space. The variances to reduce the minimum rear yard setback and minimum distance from a water body are only applicable to the three-season room at the rear of the dwelling. Any future development on the subject property is to comply with the performance standards of the zoning by-law.

**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 checked="" 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 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 checked="" 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 type="checkbox"/> Parks Canada                 | <input type="checkbox"/> Eastern Ontario Power             | <input type="checkbox"/> CFB Kingston                                       |
| <input type="checkbox"/> Hydro One                    | <input type="checkbox"/> Enbridge Pipelines                | <input type="checkbox"/> TransCanada Pipelines                              |
| <input type="checkbox"/> Kingston Airport             |  |   |

**Technical Comments**

This application was circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude this application from moving forward. Any technical comments that are received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

November 21, 2022

Page 11 of 12

**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**

In 2021, a 60 square metre, partially covered, elevated deck was approved at the rear of the existing dwelling through minor variance (City file number D13-017-2021). There are no concurrent planning applications on the subject property.

**Conclusion**

The requested variances maintains the general intent and purpose of both the City of Kingston Official Plan and 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 permit the enclosure of an approximately 42 square metre portion of an elevated deck for use as a three-season sunroom, which will add to the indoor amenity area available to the existing single-detached house.

**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

Kingston Zoning By-Law Number 2022-62

**Notice Provisions:**

A Committee of Adjustment Meeting is going to be held respecting this application on November 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 owners of a total number of 13

November 21, 2022

Page 12 of 12

properties (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:**

Meghan Robidoux, Supervisor, Development Approvals, 613-546-4291 extension 1256

Amy Didrikson, Intermediate Planner, 613-546-4291 extension 3296

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context (2021)
- Exhibit D Public Notification Map
- Exhibit E Official Plan Map
- Exhibit F Zoning By-Law Map
- Exhibit G Site Plan
- Exhibit H Area of Proposed Sunroom Enclosure
- Exhibit I Location of High Water Mark
- Exhibit J Site Photos

## Recommended Conditions

### Application for minor variance, File Number D13-060-2022

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

#### 1. Limitation

That the approved minor variances apply only to the enclosed sunroom, measuring approximately 42 square metres, 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. Cataraqui Conservation Permit

The owner/applicant shall obtain a permit from Cataraqui Region Conservation Authority under Ontario Regulation 148/06 to complete the proposed work.

#### 4. 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.

#### 5. 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.

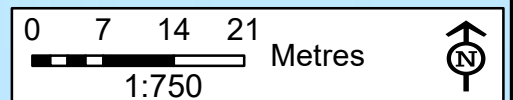
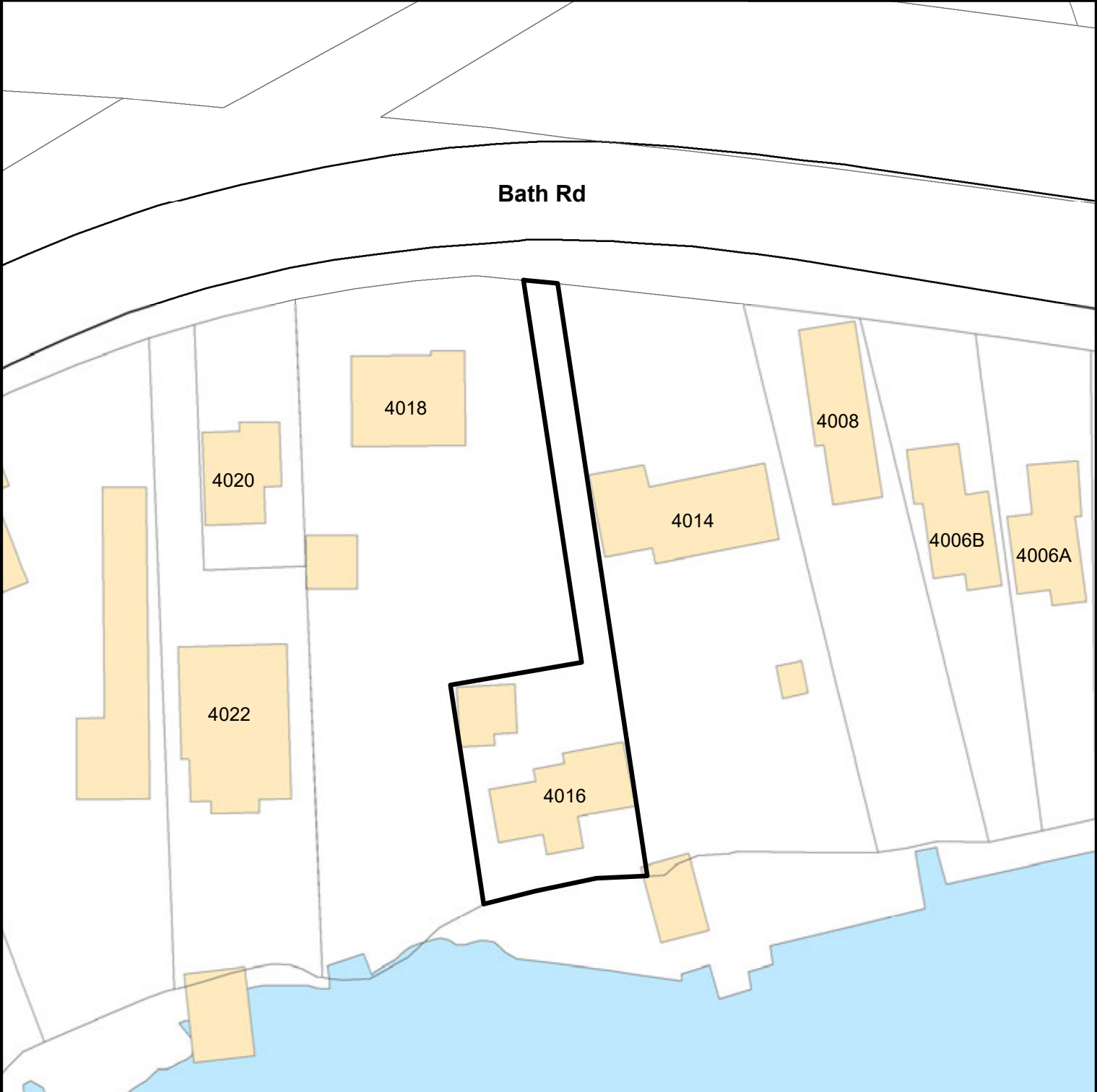
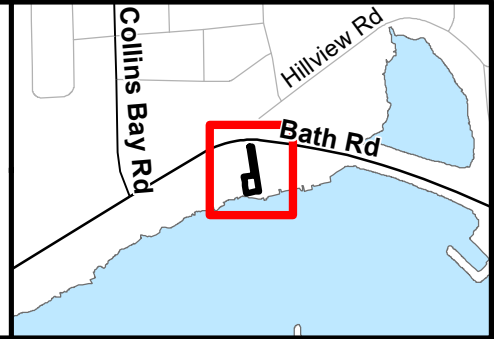
In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries at the Ministry of Government and Consumer Services (416-212-7499), the Program and Services Branch of the Ministry of Heritage,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



# Committee of Adjustment Key Map

Address: 4016 Bath Road  
File Number: D13-060-2022

 Lands Subject to Minor Variance





# Committee of Adjustment Neighbourhood Context (2021)

Address: 4016 Bath Road  
File Number: D13-060-2022

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: lchu  
Date: Oct-11-2022








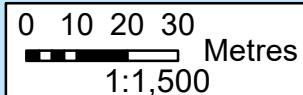


Planning Services

# Committee of Adjustment Public Notice Notification Map

Address: 4016 Bath Road  
File Number: D13-060-2022

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







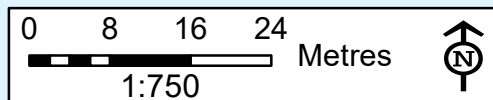
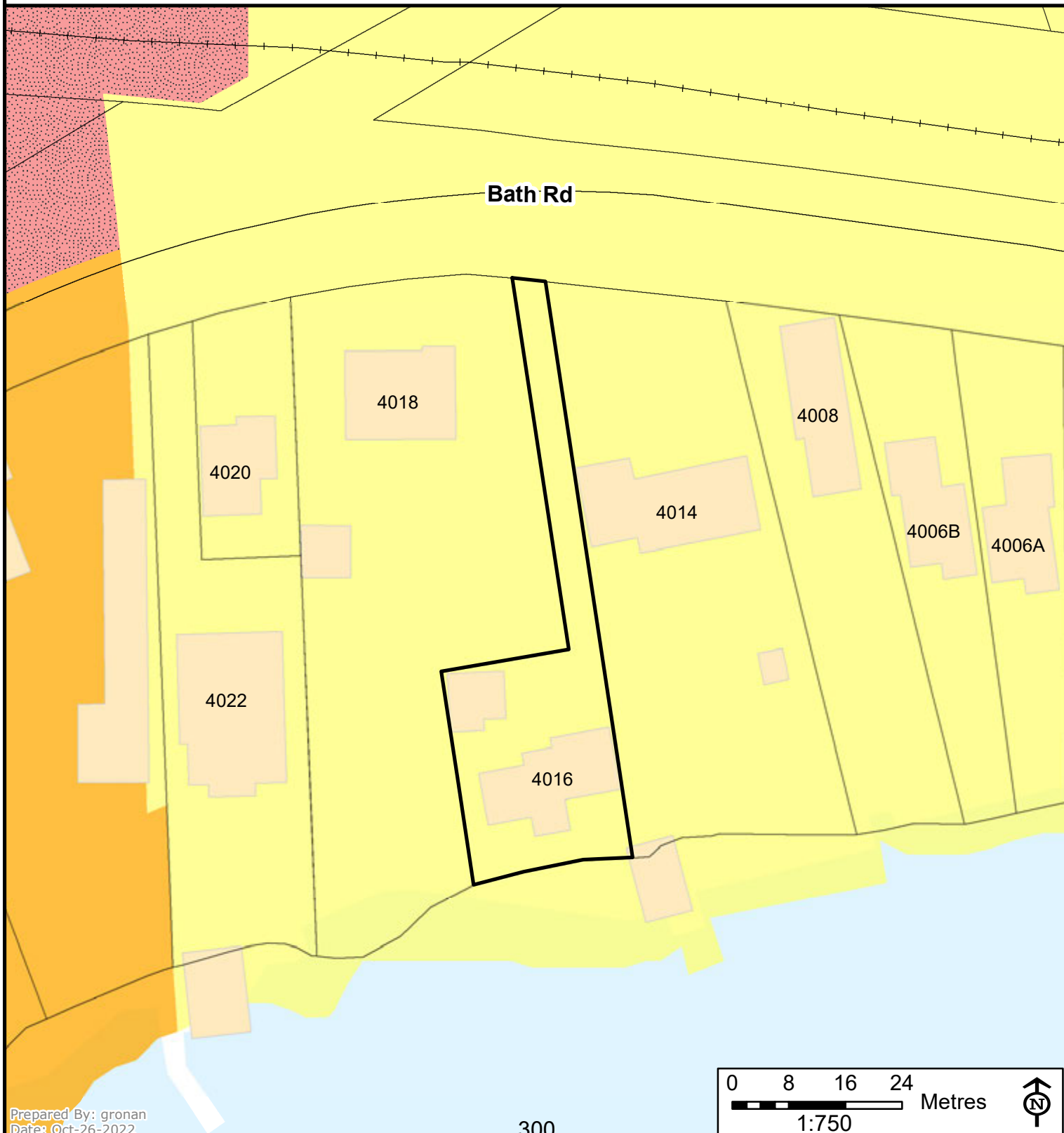


Planning Services

CITY OF KINGSTON  
Official Plan, Existing Land Use

Address: 4016 Bath Road  
File Number: D13-060-2022

-  Subject Lands
-  ARTERIAL COMMERCIAL
-  DISTRICT COMMERCIAL
-  RESIDENTIAL












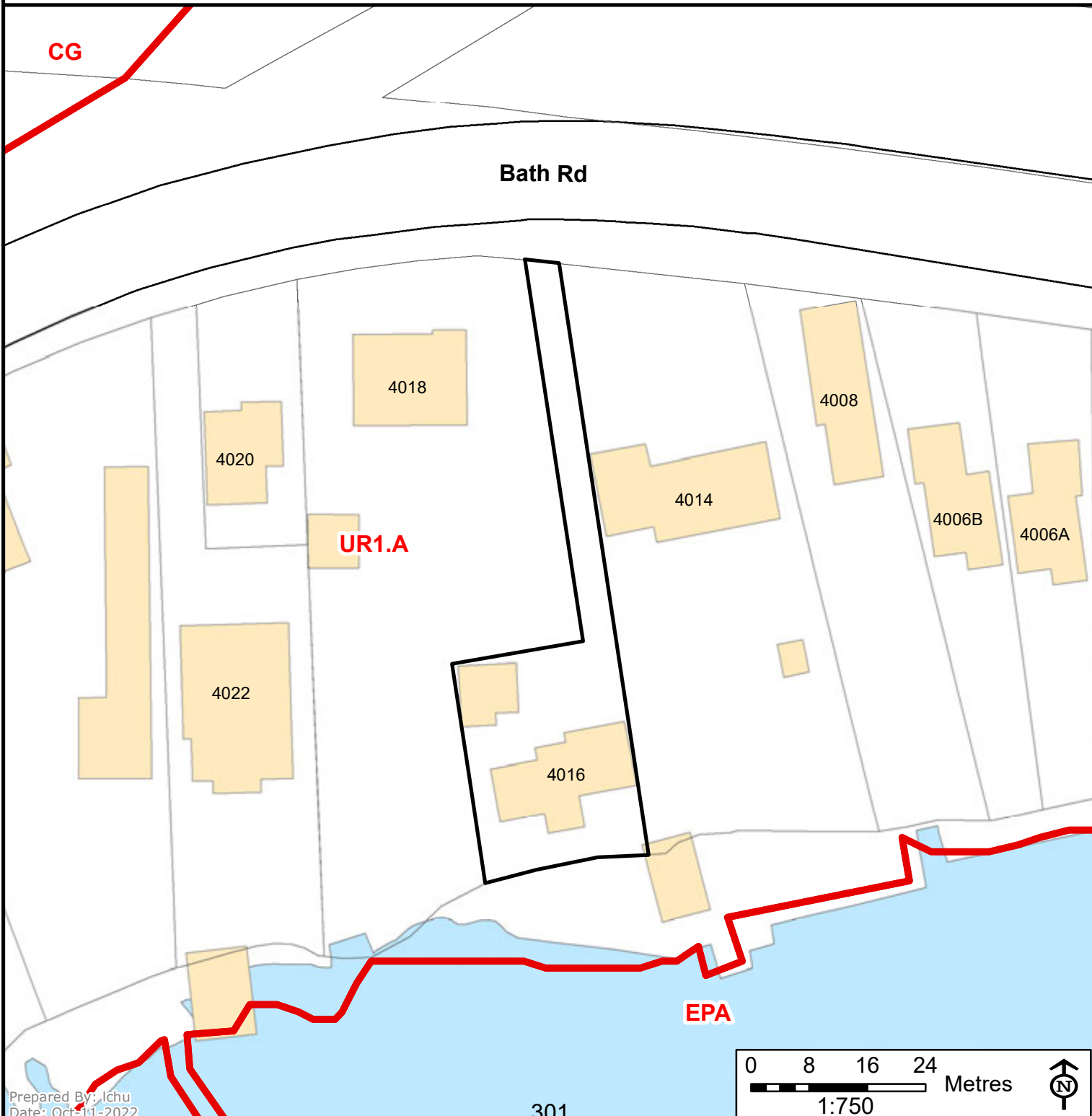
Planning Services

# Planning Committee Reference Kingston Zoning Bylaw

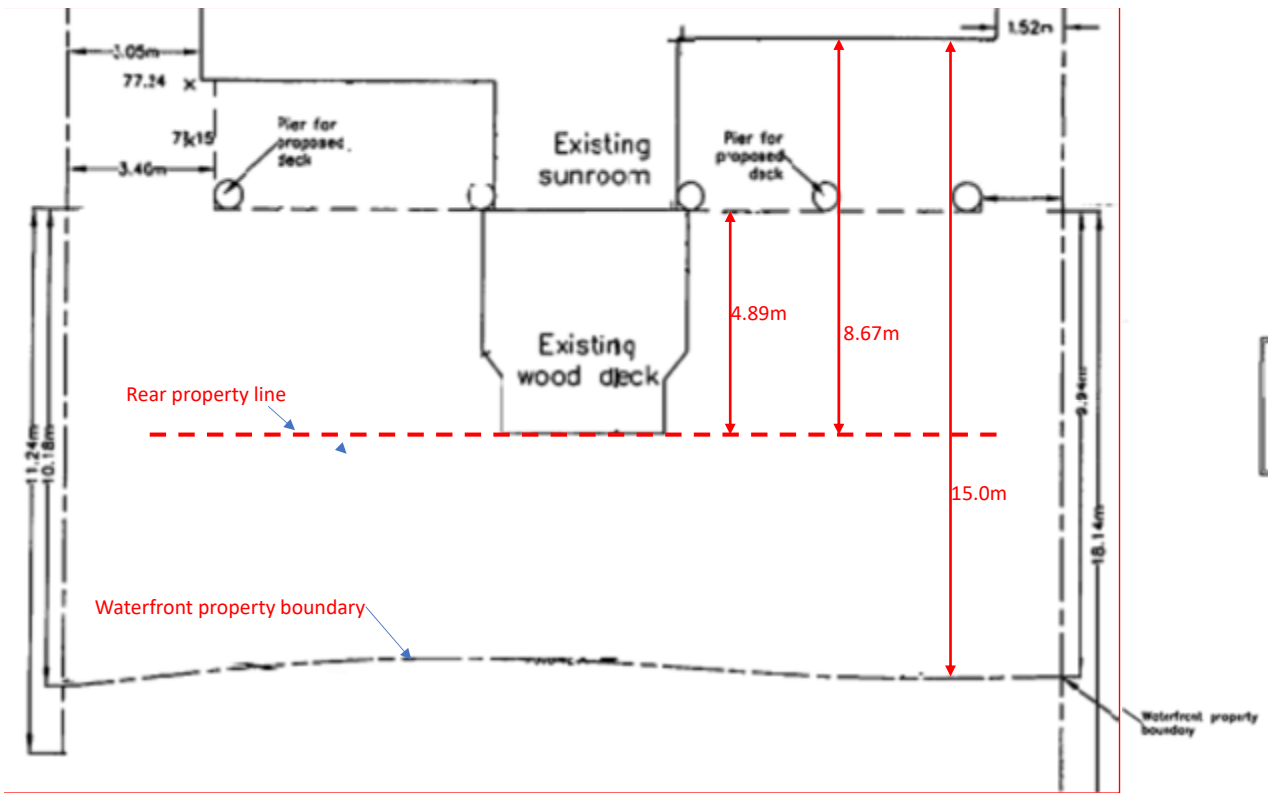
Address: 4016 Bath Road  
File Number: D13-060-2022

-  Subject Lands
-  Zone

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




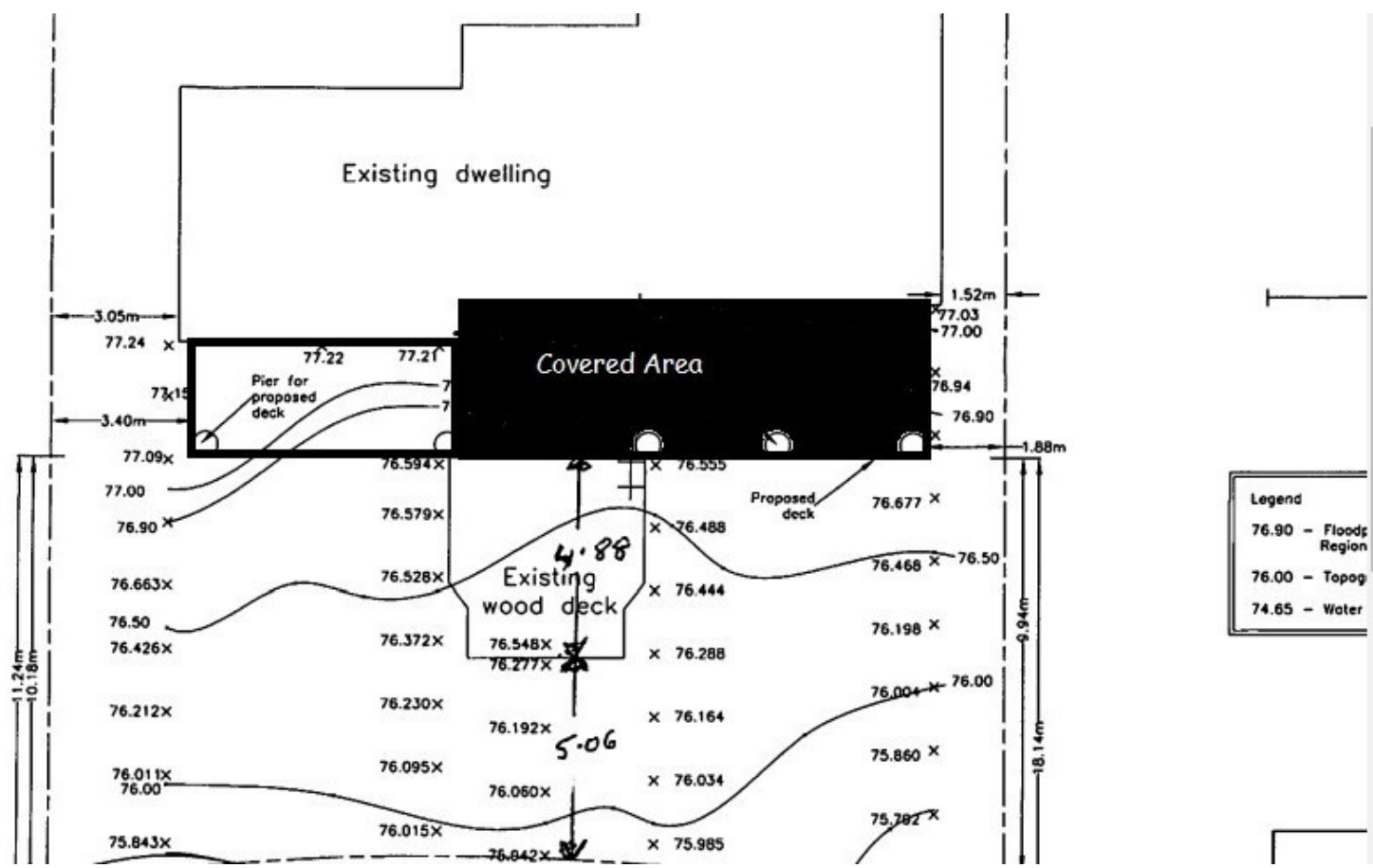
Prepared By: Jchu  
Date: Oct-11-2022



**Legend**  
 76.90 - Floodplain contour per Ontario  
 Region Conservation Authority  
 76.00 - Topographic contour  
 74.65 - Water level Lake Ontario April 16, 2020

Lake Ontario  
Shoreline  
(April 16, 2020)

 <b>CONCORD</b> ENGINEERING	
765 Dekker Crescent Kingston, Ontario K7M 6P5 Tel: (613) 634-4357 Fax: (613) 634-4353 E-mail: concord@concord.ca	
Project: Erosion Assessment 40' 6A Bath Road Kingston, Ontario	
Drawing: Site Plan	
Client: Bill Somerville	
Designer:	Dwn by: RGO Chd by: GG Date: Mar-21



# 4016A Bath Road - HWM and FP Setbacks



<ul style="list-style-type: none"> <li><span style="color: red;"> </span> Violations</li> <li><span style="color: purple;">?</span> Inquiries</li> <li><span style="color: orange;">●</span> Plan Review</li> </ul> <p><b>Regulations Permits</b></p> <ul style="list-style-type: none"> <li><span style="color: grey;">▲</span> Prior to 1990</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: yellow;">▲</span> O. Reg 143/90</li> <li><span style="color: green;">▲</span> O. Reg 148/06</li> <li><span style="border: 1px solid yellow; display: inline-block; width: 15px; height: 15px;"></span> Parcels</li> <li><span style="color: yellow;">▲</span> Flood Prone Zones</li> </ul>	<p><b>Data Limits</b></p> <ul style="list-style-type: none"> <li><span style="color: green;">—</span> LIDAR Limit</li> <li><span style="color: yellow;">—</span> Study Limit</li> <li><span style="border: 1px solid black; display: inline-block; width: 15px; height: 15px; transform: rotate(45deg);"></span> Spill Way</li> <li><span style="color: blue;">—</span> Official CRCA Flood Plain</li> </ul>	<p><b>Evaluated Wetland</b></p> <ul style="list-style-type: none"> <li><span style="border: 1px solid blue; display: inline-block; width: 15px; height: 15px;"></span> Evaluated-Provincial</li> <li><span style="border: 1px solid green; display: inline-block; width: 15px; height: 15px;"></span> Evaluated-Other</li> </ul>	<p>1:500 <span style="font-size: small;">N</span></p> <p>▲</p> <p style="font-size: x-small;">August 19, 2020</p> <p style="font-size: x-small;">Full Disclaimer: <a href="http://crca.ca/disclaimer/">http://crca.ca/disclaimer/</a>          Copyright: Cataraqui Region Conservation Authority          Credits: Ministry of Natural Resources and Forestry          Ministry of Natural Resources and Forestry, City of Kingston, MPAC,          Loyalist Township, County of Frontenac, Ministry of Health          Ministry of Transportation, Ministry of Health</p>
---	---	--	--	---

4016 Bath Road – Site Photos – October 14, 2022



Figure 1: View from North of Single Detached House and Garage.



Figure 2: View of Rear of Home and Existing At-grade Sunroom.

4016 Bath Road – Site Photos – October 14, 2022



Figure 3: View of Rear of Property Facing East



Figure 4: View of Rear of Dwelling Facing North