



**City of Kingston
Committee of Adjustment
Meeting Number 01-2024
Addendum 2**

**Monday, December 11, 2023 at 5:30 p.m.
Hosted at City Hall in Council Chamber**

9. Business

The consent of the Committee is requested for the deletion of Exhibit B to Report COA-24-010 (Application for Minor Variance and Consent - 242 Alfred Street) and the substitution of new Exhibit B attached as Addendum Pages 1 – 2.

13. Correspondence

- a) Correspondence received, dated December 4, 2023, regarding Application for Minor Variance – 525 and 555 Princess Street.

Addendum Pages 3 – 5

- b) Correspondence received, dated December 8 – 11, 2023, regarding Application for Minor Variance – 5 York Street.

Addendum Pages 6 – 9

Recommended Conditions

The approval of Consent application, File Number D10-041-2023, to sever an approximately 446 square metre lot containing 242 Alfred Street and retain an approximately 909 square metre lot containing 248-250 Alfred Street, as shown on the attached drawing, shall be subject to the following recommended conditions:

1. Certificate of Official and Deadline

That all conditions are satisfied and the Certificate of Official be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within two years of mailing of this notice. We suggest that the Land Registry Office be consulted for preapproval of the Certificate of Official to avoid delays.

The Certificate must be registered within two years from the issuance of the certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

2. Reference Plan

That a digital version of a Reference Plan be provided in a PDF and AutoCAD Windows readable format on a compact disc (CD), USB memory stick or by email, illustrating the severed parcel be prepared and presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official.

3. Payment of Taxes

The owner/applicant shall contact the Tax Department at tax@cityofkingston.ca and secure in writing from the Treasurer or the Manager of Taxation and Revenue, proof of payment of current taxes and any special charges (not simply a copy of the tax bill) required to be paid out and a statement of proof that is received and shall be provided to the Secretary-Treasurer Committee of Adjustment, prior to the issuance of the consent certificate. The owner/applicant must pay any outstanding realty taxes and all local improvement charges levied against the property.

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 Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) 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 Office of the Chief Coroner as a part of the Ontario Ministry of the Solicitor General (1-877-991-9959), the

Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

5. Related Application

That the related application for minor variance (D13-062-2023) be approved and all conditions of approval fulfilled.

6. Servicing

Prior to the issuance of the Certificate of Official, the owner/applicant shall provide written approval from Utilities Kingston to the Secretary-Treasurer Committee of Adjustment, that Utilities Kingston is satisfied that the existing services to the retained lot do not encroach on the severed lot.

AXION DEVELOPMENT CORPORATION LIMITED

16A Market Street, P.O. Box 30
Kingston, Ontario K7L 4V6
Tel: (613) 546-3169
Fax: (613) 546-2856
margaret@zakosenterprise.com

December 4, 2023

TO	City of Kingston Planning Services c/o Secretary Treasurer - Committee of Adjustment planning@cityofkingston.ca
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RE	File D13-064-2023 525 and 555 Princess Street - Minor Variance
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We are the commercial property owners of 544,552,554 Princess including 336 Alfred Street together with parking lots to support these buildings. We have owned these office buildings since the 60's. The current tenants are AMHS-KFLA (Addiction Mental Health Services) and Public Works Canada. These tenants provide specialized services to the community at large throughout Kingston.

The parking lots are well utilized and necessary to their services. PWC has four dedicated parking spaces for Government vehicles utilized by staff to provide necessary services in the Community. AMHS staff provide services in the building and in the community, utilizing their vehicles. There is also designated parking for the Crisis vehicles that respond to community incidents. These services cannot be provided by bus and bicycles. Professional staff also park in the lots, some travelling in from outside of the City.

There is some limited parking on Alfred Street at meters which is well utilized . The balance of the area is part of the zone permit program. Clients and other health service providers who come to the building for meetings and appointments arrive primarily by car, with some arriving by bus and walking . Bus service on Princess Street is good. The City has removed parking on Princess Street for Bus and bike lanes. Now I understand that the bicycle lanes may be removed to provide wider sidewalks with trees.

The neighboring area has seen an increase in residential buildup, mostly with student rentals. Students have cars the same as others. I view it in the houses rented by students in the neighborhood. We have had trespassers on our lots which our commercial tenants must monitor and deal with weekly despite signage that this is private parking. If citizens can't find street parking, they go to wherever they can find a spot. The Podium Development built adjacent to us on Alfred street provided parking for their residents and this has functioned well.

This request from 525 & 555 Princess is not a **minor** variance and we are opposed to it. As I understand it is increasing density and deleting parking.

Apartments require supportive parking to function:

- For tenants with cars, visitors and parents
- For deliveries (which are many with students -on line shopping ,on line food delivery) Delivery trucks are forced to double park and create havoc and safety issues
- For service contractor vehicles (plumbers, electricians, fire system servicing, etc)
- For Moving vans
- For car share vehicles when utilized
- For Grocery and laundry deliveries
- For transportation replacement for bicycles which are not utilized in our winter climate
- I will stop enumerating.....

We can't keep adding density of residential without supportive parking while concurrently withdrawing existing public parking. Part of the Williamsville vision was to have commercial services to support the residential neighborhood- this also requires parking.

Additionally, there has been a plan circulated for "beautifying " streets where more parking is being removed to plant trees. This removes existing parking from residential owners visitors., clients of commercial services etc. Parking incorporated into new development can be utilized by others in the area. Accepting cash in lieu of parking does nothing for the Williamsville area as the City is not building a parking garage. We require parking for commercial enterprise. The residential tenants require commercial support services otherwise they need to drive out of the area to shop.

In summary we are opposed to this variance and recommend that it not be granted. Further we recommend further analysis of required and unloading spaces , automobile parking for tenants, supportive services , deliveries, uber /taxis, etc to determine the best manner to make this a healthy neighborhood.

I will not be present in the meeting as I will be out of the City. If you wish to speak with me about my comments, please call me on my cell phone 613 532-5225.

Please provide notice of decision of the Committee as well as any alternate decision made by the Planning Department where they disagree with the Committee. I understand this has occurred on another file.

Yours sincerely,



Margaret Zakos
President

- | | | |
|----|-----------------|--|
| c. | Vincent Cinanni | vcinanni@cityofkingston.ca |
| | Meghan Robidoux | mrobidoux@cityofkingston.ca |
| | James Bar | jbar@cityofkingston.ca |
| | Iain Sullivan | isullivan@cityofkingston.ca |
| | Ian Clendening | iclendening@cityofkingston.ca |

Slevin, Jacob

From: Slevin, Jacob <jslevin@cityofkingston.ca>
Sent: December 11, 2023 11:07 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Minor Variance, File No. D13-059-2023

Good Morning Jill,

Thank you for reaching out regarding the Minor Variance application for 5 York Street. As the Planner assigned to this application, I will do my best to answer each of your questions.

You are welcome to attend tonight's Committee of Adjustment meeting in person or virtually if you have concerns or would like to pose any questions to City staff or the applicant.

Please note that our correspondence will be sent to the Committee of Adjustment and added to the public record. Your personal contact information will be redacted.

I've provided my answers below:

1. The proposed porch will be covered with a roof. It will not be enclosed with walls or windows. There will be a privacy fence on the shared property line with 3 York Street to add visual screening for privacy purposes.
2. The existing porches for 3 York Street and 1 York Street appear to extend approximately 1.3 metres from the front wall of the building and occupy approximately 6 square metres of area. The proposed porch for 5 York Street will extend 1.2 metres from the front wall and occupy approximately 6 square metres of area. As such, the proposed porch for 5 York Street will be aligned with the existing porches at 3 York Street and 1 York Street in terms of area and projection outwards from the front wall.

Based on the applicant's building plans, the porch will not be as wide as the house itself and will be consistent with the size of other existing front porches in the surrounding area, including the porches at 3 York Street and 1 York Street.

3. The area in front of the proposed porch at 5 York Street and portions of the rear yard of 5 York Street appear to be suitable for snow storage during the winter.

4. The proposed covered porch ends approximately 1.2 metres before the beginning of the shared driveway with 9 York Street. This provides an open sightline to York Street. Through the Minor Variance process, Planning staff have worked with the applicant to ensure that the porch will not encroach onto City property, which would have the effect of obscuring sightlines from the driveway to York Street. Staff have confirmed that no encroachment will occur as a result of this application.

5. As per Section 3.12.3 of the Kingston Zoning By-law, porches without a perimeter foundation are considered to be landscaped open space for zoning purposes. The proposed porch for 5 York Street would not have a perimeter foundation.

As such, the addition of this front porch would not affect the zoning requirements for the required amount of landscaped open space for 5 York Street. The section of green space in front of 5 York Street which is City property cannot be encroached upon and will remain in its current state.

I hope this helps to answer your questions about this application. If you would like any additional context or have any other questions, please let me know.

Best,

Jacob Slevin (he/him/his)

Planner, Development Approvals
Planning Services
Growth and Development Services
City of Kingston

Located at 1211 John Counter Boulevard,
216 Ontario Street Kingston, ON K7L 2Z3
613-546-4291 ext. 2176
jslevin@cityofkingston.ca

From: Myers, Cheryl <[REDACTED]>
Sent: Monday, December 11, 2023 8:00 AM
To: Slevin, Jacob <jslevin@cityofkingston.ca>; Sthamann, Lindsay <lsthmann@cityofkingston.ca>
Cc: Planning Outside Email <Planning@cityofkingston.ca>
Subject: FW: Minor Variance, File No. D13-059-2023

Hi Jacob,

I believe this is your file.

Thank you,
Cheryl

From: Jill Bryant <[REDACTED]>
Sent: Friday, December 8, 2023 4:41 PM
To: Planning Outside Email <Planning@cityofkingston.ca>
Cc: daryn <[REDACTED]>
Subject: Minor Variance, File No. D13-059-2023

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Re: Minor Variance, File No. D13-059-2023

Date of Meeting: Dec. 11, 2023

Dear Honorable Chair and Committee of Adjustment personnel,

At a glance, I don't think I have any objection to the construction of a front porch at 5 York St. and it's lovely to see many improvements happening there. Still, as a neighbour, I will try to attend the meeting virtually because I do have some questions and/or points to raise in order to learn more about the proposed construction:

1. Does "covered" mean a roof, or does this mean it will be "enclosed" with walls and windows as well?
2. The proposed porch is to extend 1.2 metres (about 4 feet) from the front wall of the house. At 1.2 metres, it will stick out from the house about the same as the two other terraced houses' porches (to the east, toward the park), and relative to the front of these other houses. So, the porch will be *aligned with the other two porches*, and roughly the *same size*. Is this correct? (If so, that sounds fine.) Or, will this particular porch be much wider and larger (e.g., as wide as the house itself), taking up more space than the other porches?
3. I have some concerns about having even less space for piling snow in winter after shovelling the driveway.
4. Will the proposed porch obstruct the sightlines making it more challenging to back a vehicle out of the shared driveway? Probably it won't, but I wonder about this.
5. I have some concerns that there will be less green space. Already many neighbours have paved front garden areas—unfortunate, but I know this is their personal choice.

Thank you very kindly,

Jill Bryant

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Jill Bryant (she/her)

Kingston, Ontario

tel: [REDACTED]

email: [REDACTED]

From:
To: [Sullivan,Iain](#); [Slevin,Jacob](#)
Cc:
Subject: COA-24-001 Application for Minor Variance 5 York Street
Date: December 11, 2023 12:08:01 PM

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Hello City of Kingston,

Regarding the "Report to Committee of Adjustment" from planner Jacob Slevin.

Report Number COA-24-001

File Number: D13-059-2023

[City of Kingston - Committee of Adjustment Agenda - Meeting 01-2024 - Report COA-24-001](#)

I live in the house at 3 York Street (attached to number 5 York Street). I am in favor of the covered porch. I know it would look lovely when completed.

I am 100% opposed to the suggestion by the City of Kingston that a privacy fence is required as part of this construction endeavour.

A privacy fence will obstruct the view up the street and take away from the aesthetic of the new front porch design.

There are five houses on this block of York Street. All the houses have porches (exception is 5 York). All porches are completely open without any privacy fences.

Mary and Neil have invested so much time and material into making the wee house a home.

It would be a shame to blunt those major expenses and efforts with an unwanted privacy fence on the new front porch.

Kind Regards,
Kate Jackson

3 York Street, Kingston ON,

C: