



**City of Kingston
Committee of Adjustment
Meeting Number 02-2024
Agenda**

**Monday, January 22, 2024 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
Ken Dakin
Douglas Perkins
Gaurav Rehan
Jeff Scott
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 01-2024, held Monday, December 11, 2023, be approved.
- 4. Disclosure of Pecuniary Interest**
- 5. Delegations**
- 6. Request for Deferral**

7. Returning Deferral Items

Note: Returning Deferral Item 7 a) will be considered immediately after Business Item 8 a).

a) **Application for: Minor Variance**

File Number: D13-059-2023

Address: 5 York Street

District: District 11 – Kingston’s Town

Owner: Neil Glenn

Applicant: Neil Glenn

The Report of the Commissioner of Growth & Development Services (COA-24-001) is attached.

Schedule Pages 1 – 20

Recommendation:

That minor variance application, File Number D13-059-2023, for the property located at 5 York Street to permit the construction of a front porch, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62: Table 4.20.4.2

- Requirement: 3.5 metres
- Proposed: 0.25 metres
- Variance Requested: 3.25 metres

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-001.

8. Business

Note: Business Item 8 a) will be considered immediately prior to Returning Deferral Item 7 a).

- a) **Subject: Supplemental Report**
File Number: D13-059-2023
Address: 5 York Street
District: District 11 – King’s Town
Owner: Neil Glenn
Applicant: Neil Glenn

The Report of the Commissioner of Growth & Development Services (COA-24-018) is attached.

Schedule Pages 21 – 34

Recommendation:

That minor variance application, File Number D13-059-2023, for the property located at 5 York Street to facilitate the construction of a front porch, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62: Table 4.20.4.2

- Requirement: 3.5 metres
- Proposed: 0.25 metres
- Variance Requested: 3.25 metres

Variance Number 2:

By-Law Number 2022-62: Table 4.20.4.3(a)

- Requirement: 0.6 metres, except along a common party wall where it may be 0.0 metres if there is a common privacy fence a minimum of 1.5 metres tall
- Proposed: 0.0 metres without a 1.5 metre tall common privacy fence
- Variance Requested: 1.5 metre tall common privacy fence; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-001.

b) Application for: Minor Variance

File Number: D13-070-2023

Address: 423 Earl Street

District: District 10 – Sydenham

Owner: Robert Baker and Leslie Galbraith

Applicant: Grant Snyder

The Report of the Commissioner of Growth & Development Services (COA-24-016) is attached.

Schedule Pages 35 – 60

Recommendation:

That minor variance application, File Number D13-070-2023, for the property located at 423 Earl Street to modify a single detached dwelling to enclose two thirds of an existing porch on the first floor and to enclose the entire balcony on the second floor be approved, as described below:

Variance Number 1:

By-Law Number 2022-62: Table 11.6.1.4: Minimum front setback

- Requirement: 3.0 metres
- Proposed: 1.2 metres
- Variance Requested: 1.8 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-016.

c) Application for: Minor Variance and Consent

File Number: D13-067-2023 & D10-048-2023

Address: 3718 Brewers Mills Road

District: District 1 – Countryside

Owner: Pam Hogan, Nicholas Hogan, Gregory Hogan, Erica Hogan, Brenda Hogan

Applicant: Pam Hogan

The Report of the Commissioner of Growth & Development Services (COA-24-012) is attached.

Schedule Pages 61 – 85

Recommendation:

That minor variance application, File Number D13-067-2023 for the property located at 3718 Brewers Mills Road to provide relief from the minimum lot frontage requirement to sever one parcel of land, be approved, as described below:

Variance Number 1:

By-Law Number: 2022-62 Section 8.3.1 (2) Minimum Lot Frontage

- Requirement: 90 metres
- Proposed: 60 metres
- Variance Requested: 30 metres

That approval of the minor variance application be subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-24-012; and,

That Consent application, File Number D10-048-2023, for the property located at 3718 Brewers Mills Road to sever an approximately 1.07 hectare parcel of land with approximately 60 metres of frontage along Brewers Mills Road, be provisionally approved subject to the conditions included in in Exhibit B (Recommended Conditions – Consent) to Report Number COA-24-012.

d) Application for: Permission

File Number: D13-066-2023

Address: 831 Wartman Avenue

District: District 4 – Lakeside

Owner: Gay Booth

Applicant: Rod Stokes

The Report of the Commissioner of Growth & Development Services (COA-24-017) is attached.

Schedule Pages 86 – 106

Recommendation:

That the application for permission, File Number D13-066-2023, for the property located at 831 Wartman to construct a 30 square metre rear deck on the existing dwelling be approved; and,

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-017.

e) Application for: Minor Variance

File Number: D13-068-2023

Address: 1177 Montreal Street

District: District 7 – Kingscourt-Rideau

Owner: James Peach

Applicant: Rogers & Trainor

The Report of the Commissioner of Growth & Development Services (COA-24-015) is attached.

Schedule Pages 107 – 138

Recommendation:

That minor variance application, File Number D13-068-2023, for the property located at 1177 Montreal Street to increase the permitted unit count, reduce the parking requirement, and reduce the interior side yard setback for the northeastern apartment building, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62: E117, Subsection (b) Building A, Subsection (iii)

- Requirement: Maximum of 63 dwelling units
- Proposed: Maximum of 85 dwelling units
- Variance Requested: 22 dwelling units

Variance Number 2:

By-Law Number 2022-62: E117, Subsection (c) Building B, Subsection (iii)

- Requirement: Maximum of 63 dwelling units
- Proposed: Maximum of 85 dwelling units
- Variance Requested: 22 dwelling units

Variance Number 3:

By-Law Number 2022-62: E117, Subsection (b) Building B, Subsection (v)

- Requirement: Minimum setback of 7.0 metres to the western interior lot line
- Proposed: Minimum setback of 6.0 metres to the western interior lot line
- Variance Requested: 1.0 metre

Variance Number 4:

By-Law Number 2022-62: Table 7.1.1 (1) (a) (i)

- Requirement: Minimum of 0.8 parking spaces per dwelling unit
- Proposed: Minimum of 0.6 parking spaces per dwelling unit
- Variance Requested: 0.2 parking spaces per dwelling unit; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-015.

f) Application for: Minor Variance

File Number: D13-071-2023

Address: 300 Bayfield Lane

District: District 8 – Meadowbrook-Strathcona

Owner: Frontenac Shopping Centre Inc.

Applicant: Patry Group

The Report of the Commissioner of Growth & Development Services (COA-24-013) is attached.

Schedule Pages 139 – 158

Recommendation:

That minor variance application, File Number D13-071-2023, for the property located at 300 Bayfield Lane to reduce the minimum rear setback and minimum visitor parking setback to support redevelopment of the site with a 6-storey residential building, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62: 21.1.1.E122.(h) – Minimum rear setback

- Requirement: 20 metres
- Proposed: 18.75 metres
- Variance Requested: 1.25 metres

Variance Number 2:

By-Law Number 2022-62: 7.4.9.3(a) – Minimum visitor parking setback

- Requirement: 3.0 metres from any lot line
- Proposed: 2.25 metres from rear lot line
- Variance Requested: 0.75 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-013.

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 for Monday, February 26, 2024 at 5:30 p.m.

14. Adjournment