



**City of Kingston
Committee of Adjustment
Meeting Number 03-2024
Agenda**

**Monday, February 26, 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 02-2024, held Monday, January 22, 2024, 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: D13-071-2023

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 1 – 20

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.

8. Business

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

- a) **Subject: Supplemental Report**
File Number: D13-071-2023
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-24-022) is attached.

Schedule Pages 21 – 37

Recommendation:

That minor variance application, File Number D13-071-2023, for the property located at 300 Bayfield Lane to support redevelopment of the site with a six-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;

Variance Number 3:

By-Law Number 2022-62: 7.3.8 – Long-term bike parking spaces

- Requirement: 30% required to be horizontal bike spaces
- Proposed: 2% provided as horizontal bike spaces
- Variance Requested: 28%

Variance Number 4:

By-Law Number 2022-62: 7.3.12.1 – Stacked bike spaces

- Requirement: 0.6 metres wide
- Proposed: 0.5 metres wide
- Variance Requested: 0.1 metres

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-022.

b) Application for: Permission

File Number: D13-069-2023

Address: 115 Lower Union Street

District: District 10 – Sydenham

Owner: Erez Paz Provizor and Hendrick Hans Westenberg

Applicant: Erez Paz Provizor

The Report of the Commissioner of Growth & Development Services (COA-24-020) is attached.

Schedule Pages 38 – 70

Recommendation:

That the application for permission, File Number D13-069-2023, for the property located at 115 Lower Union Street to expand a legal non-complying dwelling with the construction of an approximately 33 square metre, one-storey addition intended for storage, with a rooftop terrace, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-020.

c) Application for: Permission

File Number: D13-054-2023

Address: 1584 St. Lawrence Avenue

District: District 1 – Countryside

Owner: Ana Trajkovic and Zvonko Trajkovic

Applicant: Zvonko Trajkovic

The Report of the Commissioner of Growth & Development Services (COA-24-004) is attached.

Schedule Pages 71 – 89

Recommendation:

That the application for permission, File Number D13-054-2023, for the property located at 1584 St. Lawrence Avenue to increase the height of a non-complying accessory building, be approved; and,

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-004.

d) Application for: Minor Variance

File Number: D13-001-2024

Address: 62 Hatter Street

District: District 5 – Portsmouth

Owner: Vince Baker

Applicant: Vince Baker

The Report of the Commissioner of Growth & Development Services (COA-24-021) is attached.

Schedule Pages 90 – 115

Recommendation:

That minor variance application, File Number D13-001-2024, for the property located at 62 Hatter Street to construct a two-storey addition to a one-storey residential building, be approved, as described below:

Variance Number 1:

By-Law Number: 2022-62 Table 11.8.1.12:

- Requirement: The rear wall of the principal building must not be closer than 7.5 metres to the rear lot line.
- Proposed: 4.0 metres
- Variance Requested: 3.5 metres

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-021.

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, March 18, 2024 at 5:30 p.m.

14. Adjournment



**City of Kingston
Report to Committee of Adjustment
Report Number COA-24-013**

To: Chair and Members of the Committee of Adjustment
From: Genise Grant, Senior Planner
Date of Meeting: February 26, 2024
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

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.2 Promote increase in purpose-built rental housing.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances for the property located at 300 Bayfield Lane, which is the municipal address of the newly formed lot at the northeast corner of the Frontenac Mall site.

The applicant has obtained an Official Plan Amendment and Zoning By-Law Amendment (File Number D35-013-2021) to support mixed-use, high-density redevelopment of the lands. Redevelopment is intended to occur in multiple phases, with the first phase being a new 6-storey residential building behind the retained mall.

As the applicant has proceeded through Site Plan Control review (File Number D11-026-2022), two minor areas of relief needed from the zoning by-law to support the intended site layout have been identified and are being sought through this application. The applicant is requesting minor

February 26, 2024

Page 2 of 9

relief from the minimum rear setback and the minimum visitor parking setback requirements of the Kingston Zoning By-Law.

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and the Kingston Zoning By-Law. 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 D13-071-2023, 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.

February 26, 2024

Page 3 of 9

Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Genise Grant, Senior Planner

In Consultation with the following Management of the Growth & Development Services Group:

Tim Park, Director, Planning Services

Meghan Robidoux, Supervisor, Development Approvals

February 26, 2024

Page 4 of 9

Options/Discussion:

On November 30, 2023, a minor variance application was submitted by Patry Group, on behalf of the owner, Frontenac Shopping Centre Inc., with respect to the property located at 300 Bayfield Lane. The variance is requested to obtain relief from the minimum rear setback and the minimum visitor parking setback requirements of the Kingston Zoning By-Law to facilitate development of the property with a 6-storey residential building.

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

- Survey; and
- Site Plan (Exhibit F).

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 at the northeast corner of the lands commonly known as the Frontenac Mall (Exhibit B – Key Map). The property at 300 Bayfield Lane was recently created through a consent application (File Number D10-011-2023) and is 1.55 hectares in size. The property has previously supported a portion of the mall which is now being removed to make way for the proposed 6-storey residential apartment building.

The property does not abut a public roadway but benefits from legal access over “Bayfield Lane”, which runs north/south through the Frontenac Mall property, connecting to Bath Road. The property abuts the Frontenac Mall to the west and south, the CN Rail line to the north, and a residential apartment development to the east (Exhibit C – Neighbourhood Context Map).

The subject property is designated District Commercial in the Official Plan (Exhibit D – Official Plan Map) and is subject to Site Specific Policy Area Number 74, which is intended to guide the multi-phase redevelopment of the mall lands. The property is zoned the URM8 zone and is subject to exception overlay E122 in the Kingston Zoning By-Law (Exhibit E – Zoning By-Law Map).

Provincial Policy Statement

In addition to the four tests of a minor variance detailed below, 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.

February 26, 2024

Page 5 of 9

Minor Variance 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:

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

The subject property is designated District Commercial in the City of Kingston Official Plan (Exhibit D – Official Plan Map), and is subject to Site Specific Policy Area Number 74, which is intended to guide redevelopment of the mall lands with high-density residential and commercial uses.

In considering whether the proposed variances are desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the Official Plan.

Council recently approved both an Official Plan amendment and a zoning by-law amendment for the subject lands which support the phased redevelopment of the Frontenac Mall site with a mix of uses. More specifically, the Official Plan and zoning by-law amendments considered and supported the 6-storey residential development of this new lot behind the retained mall site. The appropriateness of the proposed development, including conformity to the Official Plan, compatibility with surrounding uses, and ability of the site to function effectively were reviewed extensively through [Report Number PC-23-027](#). The requested variances to the rear yard and visitor parking setback do not change the opinion provided by staff and supported by Council through that report.

The requested relief is appropriately considered through the minor variance application as it meets the criteria for a variance provided by the *Planning Act* and does not necessitate a zoning amendment process.

As such, the proposal meets the overall intent of the Official Plan, as well as the specific criteria of Section 9.5.19 as it relates to minor variance considerations. The proposed development will provide residential intensification on the central, serviced lands and will not result in any negative impacts 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 the Urban Multi-Residential 8 (URM8) zone in Kingston Zoning By-Law Number 2022-62, with Exception Overlay E122 applied (Exhibit E – Zoning By-Law Map). The URM8 zone permits apartment buildings, stacked townhouses and a variety of community uses. The E122 Exception Overlay provides a number of site-specific provisions to generally implement the site layout reviewed and approved through the recent zoning by-law amendment application (File Number D35-013-2021). The exception overlay was approved by Council on August 8, 2023 in order to facilitate the proposed 6-storey residential development.

February 26, 2024

Page 6 of 9

As the applicant has proceeded through Site Plan Control review and prepared detailed site designs, minor areas requiring relief from the zoning by-law were identified and are being sought through this application. The proposal requests a variance to Sections 21.1.1.E122.(h) and 7.4.9.3(a) of the Kingston Zoning By-Law, as follows.

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

The variances would support the proposed site layout, particularly at the east side of the property. Through review of the site plan and discussions with the applicant team, the project architect has confirmed that the detailed floor plans and underground parking access layout does not allow for slight movement of the building to the west, nor a slight reduction to the building length without requiring significant additional design work. As such, the minor relief would support the detailed design work done to date.

The proposed variances maintain the intent and purpose of the zoning by-law by continuing to provide adequate setbacks to support land use compatibility and intervening functional design elements on the site. The reduction in minimum rear setback is minor in nature and continues to significantly exceed the minimum rear setback requirement of the parent URM8 Zone of 10 metres. The E122 exception overlay applied to the property doubles this setback to 20 metres, and the minor relief to 18.75 metres implements the intent of the overlay to provide a deep rear yard which supports a functional drive aisle and parking area.

The reduction in minimum visitor parking setback from 3 metres to 2.25 metres maintains the intent of the By-law to provide a separation buffer for parking spaces to avoid encroachment into adjacent properties and to allow for landscaped space between parking areas and lot lines. The eastern lot line abuts the parking area of the adjacent residential property, thus limiting impacts of the reduced parking setback. At the northeast corner of the site, the abutting residential play area is screened by a solid wood fence which provides physical separation between the parking and amenity area. The site plan continues to provide space for landscaping within the setback and will also incorporate lighting standards to support the safety and usability of the lands.

The requested variance maintains the general intent and purpose of the zoning by-law.

February 26,

2024 Page 7 of 9

3) The variance is minor in nature:

The variance is considered minor as the site will continue to provide appropriate setbacks to support land use compatibility and required functional site elements.

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

The proposed variances are desirable as they will facilitate development of the subject lands with a 6-storey purpose-built rental building which will provide 338 new homes into the local housing market. The proposed development has been supported by Council through the approved Official Plan and zoning by-law amendments as good land use planning in the public interest. The variances will support the desirable and appropriate use of the land.

Technical Review: Circulated Departments and Agencies

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Building Services | <input checked="" type="checkbox"/> Engineering | <input type="checkbox"/> Heritage Services |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Utilities Kingston | <input type="checkbox"/> Real Estate |
| <input checked="" type="checkbox"/> Fire & Rescue | <input checked="" type="checkbox"/> Kingston Hydro | <input type="checkbox"/> Environment Division |
| <input type="checkbox"/> Solid Waste | <input 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 checked="" 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.

Public Comments

At the time this report was finalized, no public comments have been received on the application. 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

- Official Plan Amendment and Zoning By-Law Amendment application to establish redevelopment permissions for the mall (File Number D35-013-2020)

February 26, 2024

Page 8 of 9

- Consent application to establish new lot and access and servicing easements (D10-011-2023)
- Site Plan Control modification application to demolish part of the mall (D11-027-2022)
- Site Plan Control application for new 6-storey apartment building (File Number D11-026-2022)

Conclusion

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Kingston 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 facilitate development of the subject lands with a 6-storey apartment building.

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 January 22, 2024 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 the 8 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 (Exhibit H – Public Notification Map).

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*.

February 26, 2024

Page 9 of 9

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

Genise Grant, Senior Planner, 613-546-4291 extension 3185

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map (2023)
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Map
- Exhibit F Site Plan
- Exhibit G Site Photos
- Exhibit H Public Notification Map

Recommended Conditions

The approval of minor variance application, File Number D13-071-2023, to obtain relief from the minimum rear setback and the minimum visitor parking setback requirements of Kingston Zoning By-Law 2022-62 to facilitate development of the site with a 6-storey residential building, shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variances apply only to development of the property with a 6-storey residential building 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 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.

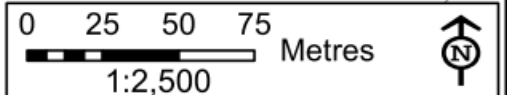
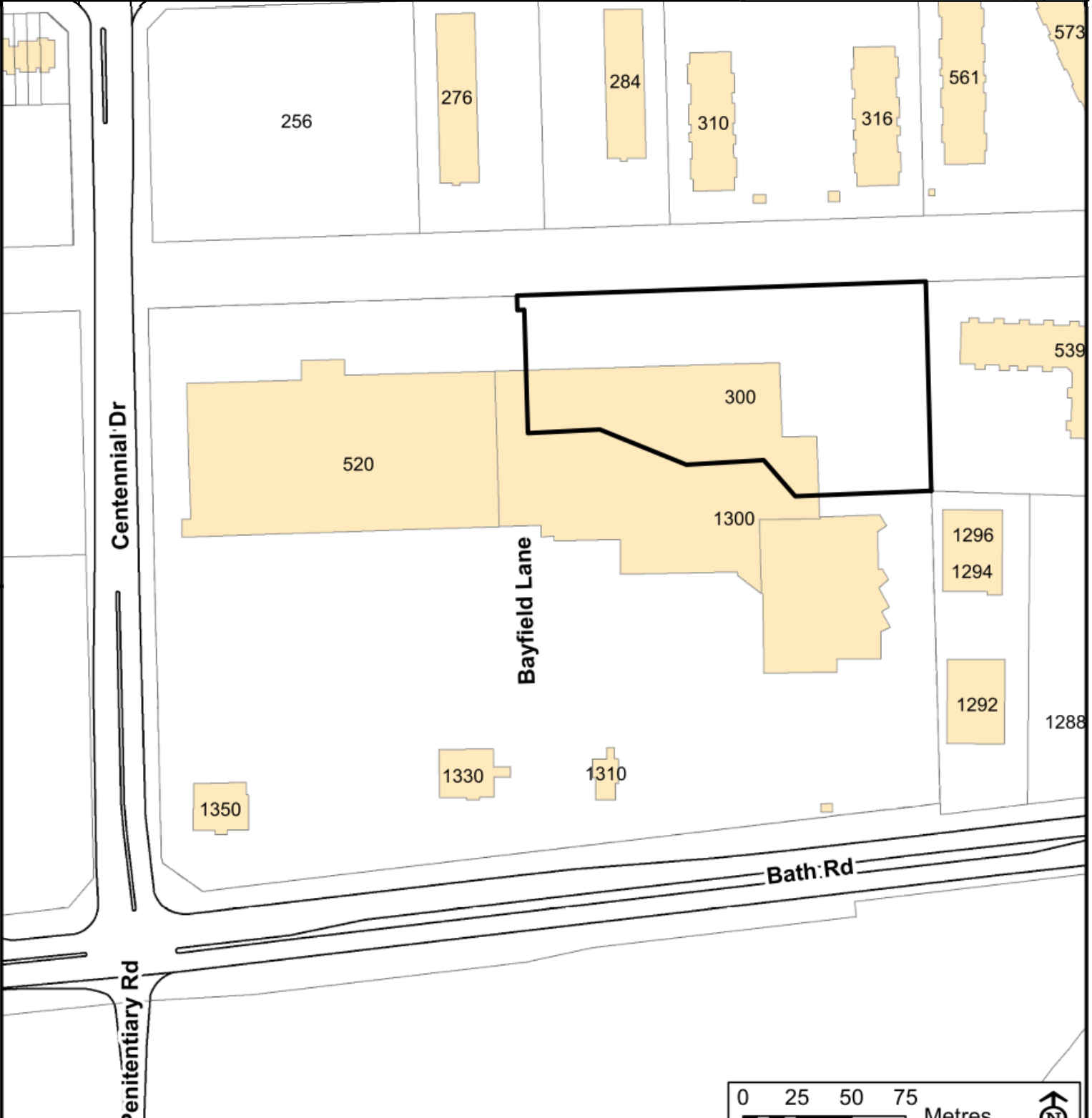
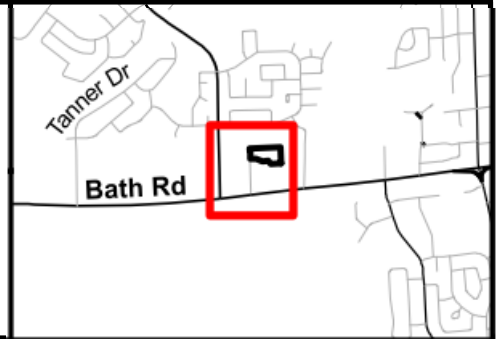
In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Office of the Chief Coroner as a part of the Ontario Ministry of the Solicitor General (1-877-991-9959), the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.



Committee of Adjustment Key Map




Address: 300 Bayfield Lane
File Number: D13-071-2023

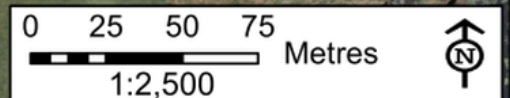
 Lands Subject to Minor Variance



Committee of Adjustment
Neighbourhood Context (2023)



Address: 300 Bayfield Lane
File Number: D13-071-2023

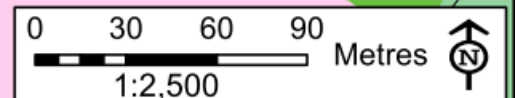
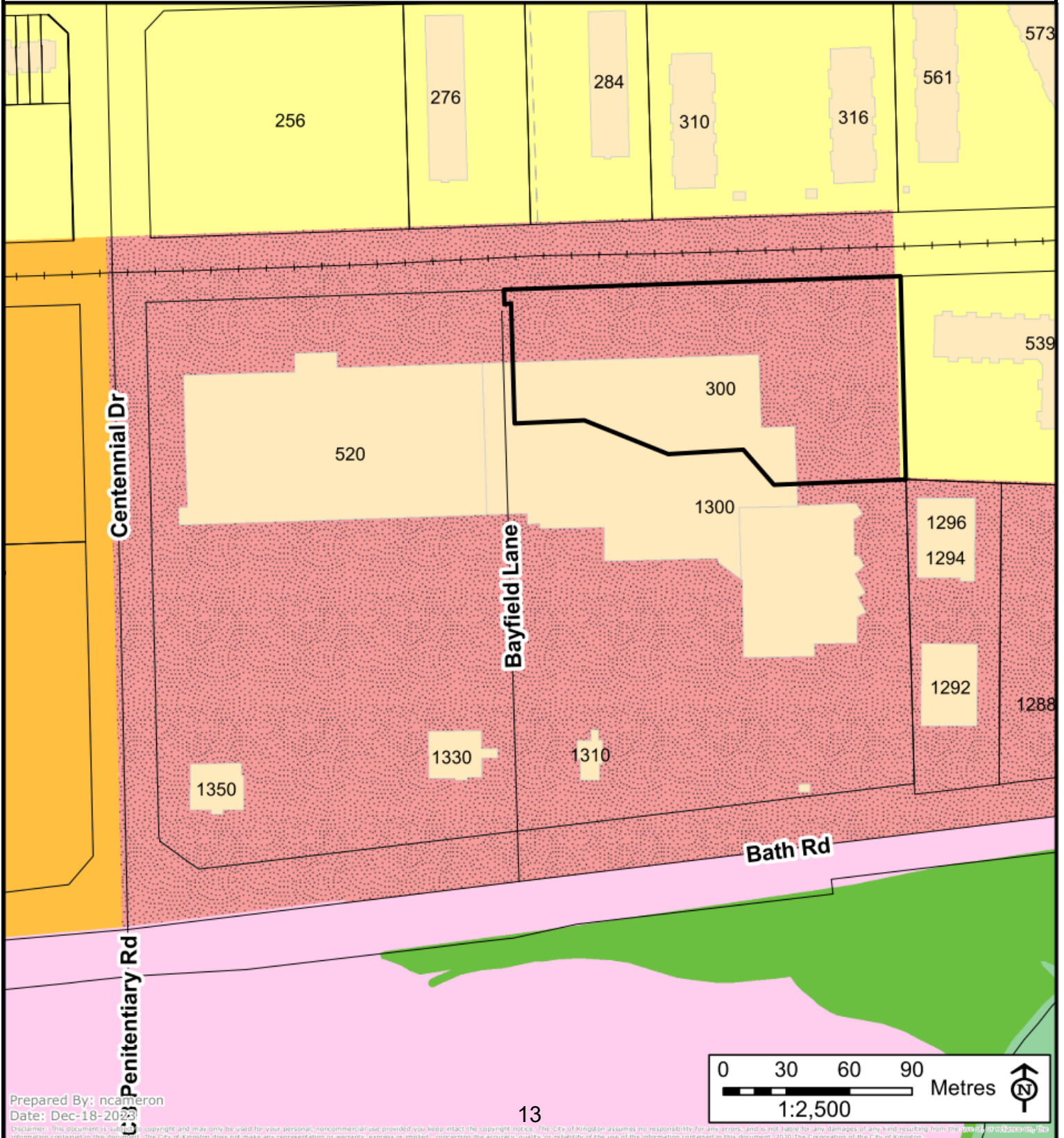
-  Subject Lands
-  Property Boundaries
-  Proposed Parcels



Committee of Adjustment
Official Plan, Existing Land Use

Address: 300 Bayfield Lane
File Number: D13-071-2023

-  Subject Lands
-  ARTERIAL COMMERCIAL
-  DISTRICT COMMERCIAL
-  ENVIRONMENTAL PROTECTION AREA
-  INSTITUTIONAL
-  RESIDENTIAL



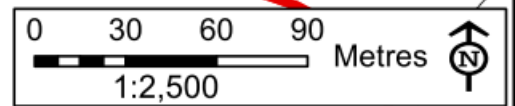
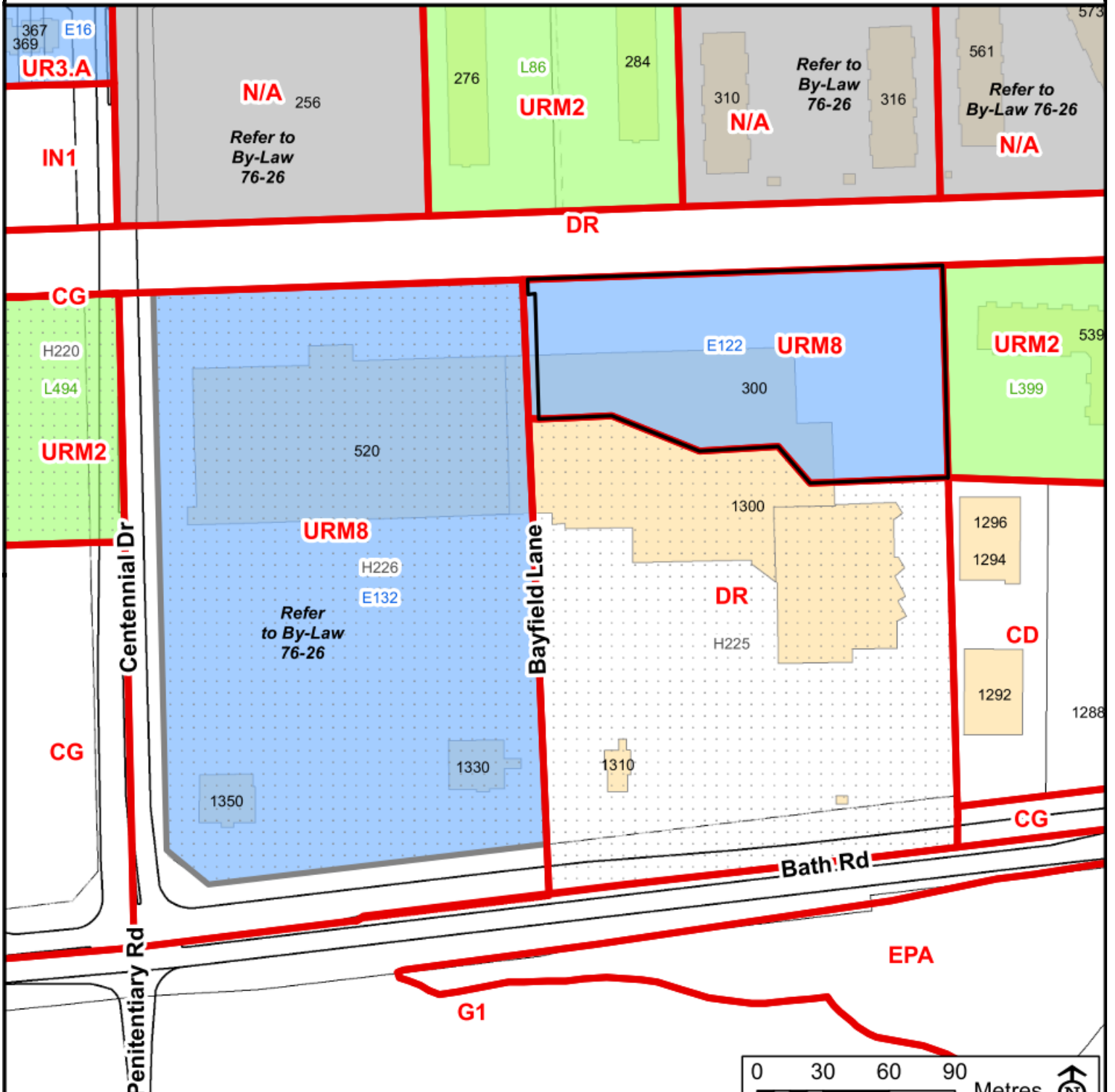


Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

Planning Services

Address: 300 Bayfield Lane
 File Number: D13-071-2023

- Subject Lands
- Schedule 1 Zoning Map
- Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay
- Holding Overlay (HXXX)



Disclaimer: This document is subject to copyright and may only be used for your personal, noncommercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the information contained in this document. ©2023 The Corporation of the City of Kingston.

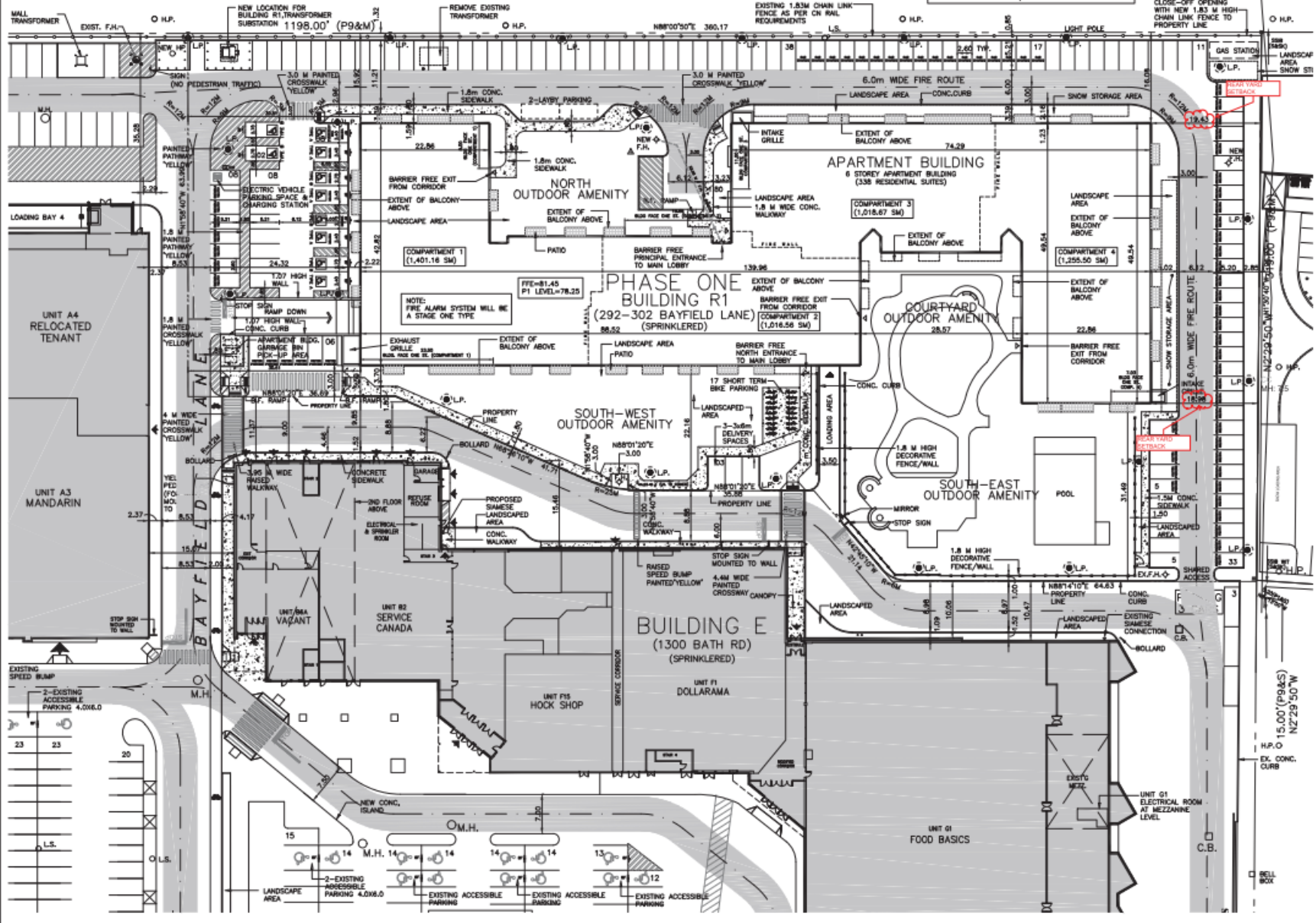
SNOW STORAGE NOTE:
ADDITIONAL SNOW TO BE TRUCKED OFF SITE AT THE DISCRETION OF THE OWNER/PROPERTY MANAGER.

PERCENTAGE OF BUILDING WALL FACING THE STREET:
COMPARTMENT 1: 171.80/97.20= 56.54%
COMPARTMENT 2: 145.90/18.85= 12.99%
COMPARTMENT 3: 147.20/18.32= 39.81%
COMPARTMENT 4: 165.50/ 8.09= 80.80%

NOTE:
ALL BALCONY PROJECTIONS ARE 1.5M



2 KEY PLAN



NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	2024-03-15
2	ISSUED FOR PERMITS	2024-03-15
3	ISSUED FOR PERMITS	2024-03-15
4	ISSUED FOR PERMITS	2024-03-15
5	ISSUED FOR PERMITS	2024-03-15
6	ISSUED FOR PERMITS	2024-03-15
7	ISSUED FOR PERMITS	2024-03-15
8	ISSUED FOR PERMITS	2024-03-15
9	ISSUED FOR PERMITS	2024-03-15
10	ISSUED FOR PERMITS	2024-03-15
11	ISSUED FOR PERMITS	2024-03-15
12	ISSUED FOR PERMITS	2024-03-15
13	ISSUED FOR PERMITS	2024-03-15
14	ISSUED FOR PERMITS	2024-03-15
15	ISSUED FOR PERMITS	2024-03-15
16	ISSUED FOR PERMITS	2024-03-15
17	ISSUED FOR PERMITS	2024-03-15
18	ISSUED FOR PERMITS	2024-03-15
19	ISSUED FOR PERMITS	2024-03-15
20	ISSUED FOR PERMITS	2024-03-15
21	ISSUED FOR PERMITS	2024-03-15
22	ISSUED FOR PERMITS	2024-03-15
23	ISSUED FOR PERMITS	2024-03-15
24	ISSUED FOR PERMITS	2024-03-15
25	ISSUED FOR PERMITS	2024-03-15
26	ISSUED FOR PERMITS	2024-03-15
27	ISSUED FOR PERMITS	2024-03-15
28	ISSUED FOR PERMITS	2024-03-15
29	ISSUED FOR PERMITS	2024-03-15
30	ISSUED FOR PERMITS	2024-03-15
31	ISSUED FOR PERMITS	2024-03-15
32	ISSUED FOR PERMITS	2024-03-15
33	ISSUED FOR PERMITS	2024-03-15
34	ISSUED FOR PERMITS	2024-03-15
35	ISSUED FOR PERMITS	2024-03-15
36	ISSUED FOR PERMITS	2024-03-15
37	ISSUED FOR PERMITS	2024-03-15
38	ISSUED FOR PERMITS	2024-03-15
39	ISSUED FOR PERMITS	2024-03-15
40	ISSUED FOR PERMITS	2024-03-15
41	ISSUED FOR PERMITS	2024-03-15
42	ISSUED FOR PERMITS	2024-03-15
43	ISSUED FOR PERMITS	2024-03-15
44	ISSUED FOR PERMITS	2024-03-15
45	ISSUED FOR PERMITS	2024-03-15
46	ISSUED FOR PERMITS	2024-03-15
47	ISSUED FOR PERMITS	2024-03-15
48	ISSUED FOR PERMITS	2024-03-15
49	ISSUED FOR PERMITS	2024-03-15
50	ISSUED FOR PERMITS	2024-03-15
51	ISSUED FOR PERMITS	2024-03-15
52	ISSUED FOR PERMITS	2024-03-15
53	ISSUED FOR PERMITS	2024-03-15
54	ISSUED FOR PERMITS	2024-03-15
55	ISSUED FOR PERMITS	2024-03-15
56	ISSUED FOR PERMITS	2024-03-15
57	ISSUED FOR PERMITS	2024-03-15
58	ISSUED FOR PERMITS	2024-03-15
59	ISSUED FOR PERMITS	2024-03-15
60	ISSUED FOR PERMITS	2024-03-15
61	ISSUED FOR PERMITS	2024-03-15
62	ISSUED FOR PERMITS	2024-03-15
63	ISSUED FOR PERMITS	2024-03-15
64	ISSUED FOR PERMITS	2024-03-15
65	ISSUED FOR PERMITS	2024-03-15
66	ISSUED FOR PERMITS	2024-03-15
67	ISSUED FOR PERMITS	2024-03-15
68	ISSUED FOR PERMITS	2024-03-15
69	ISSUED FOR PERMITS	2024-03-15
70	ISSUED FOR PERMITS	2024-03-15
71	ISSUED FOR PERMITS	2024-03-15
72	ISSUED FOR PERMITS	2024-03-15
73	ISSUED FOR PERMITS	2024-03-15
74	ISSUED FOR PERMITS	2024-03-15
75	ISSUED FOR PERMITS	2024-03-15
76	ISSUED FOR PERMITS	2024-03-15
77	ISSUED FOR PERMITS	2024-03-15
78	ISSUED FOR PERMITS	2024-03-15
79	ISSUED FOR PERMITS	2024-03-15
80	ISSUED FOR PERMITS	2024-03-15
81	ISSUED FOR PERMITS	2024-03-15
82	ISSUED FOR PERMITS	2024-03-15
83	ISSUED FOR PERMITS	2024-03-15
84	ISSUED FOR PERMITS	2024-03-15
85	ISSUED FOR PERMITS	2024-03-15
86	ISSUED FOR PERMITS	2024-03-15
87	ISSUED FOR PERMITS	2024-03-15
88	ISSUED FOR PERMITS	2024-03-15
89	ISSUED FOR PERMITS	2024-03-15
90	ISSUED FOR PERMITS	2024-03-15
91	ISSUED FOR PERMITS	2024-03-15
92	ISSUED FOR PERMITS	2024-03-15
93	ISSUED FOR PERMITS	2024-03-15
94	ISSUED FOR PERMITS	2024-03-15
95	ISSUED FOR PERMITS	2024-03-15
96	ISSUED FOR PERMITS	2024-03-15
97	ISSUED FOR PERMITS	2024-03-15
98	ISSUED FOR PERMITS	2024-03-15
99	ISSUED FOR PERMITS	2024-03-15
100	ISSUED FOR PERMITS	2024-03-15

ANTHONY TAVOLATO
PROPOSED RESIDENTIAL DEVELOPMENT AT
FRONTENAC MALL
390-300 BAYFIELD LANE
DUNDAS, ONTARIO

PHASE 1 RESIDENTIAL
SITE PLAN

DATE: MARCH 04, 2024



PROPOSED RESIDENTIAL DEVELOPMENT AT
FRONTENAC MALL
390-300 BAYFIELD LANE
DUNDAS, ONTARIO

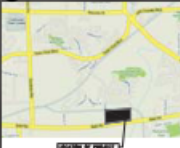
PHASE 1 RESIDENTIAL
SITE PLAN

DATE: MARCH 04, 2024

SNOW STORAGE NOTE:
ADDITIONAL SNOW TO BE TRUCKED OFF SITE AT THE DISCRETION OF THE OWNER/PROPERTY MANAGER.

PERCENTAGE OF BUILDING WALL FACING THE STREET:
COMPARTMENT 1: 171.50/97.20= 56.64%
COMPARTMENT 2: 145.90/18.85= 12.90%
COMPARTMENT 3: 147.20/58.32= 39.61%
COMPARTMENT 4: 165.50/ 8.09= 50.80%

NOTE:
ALL BALCONY PROJECTIONS ARE 1.5M



2 KEY PLAN

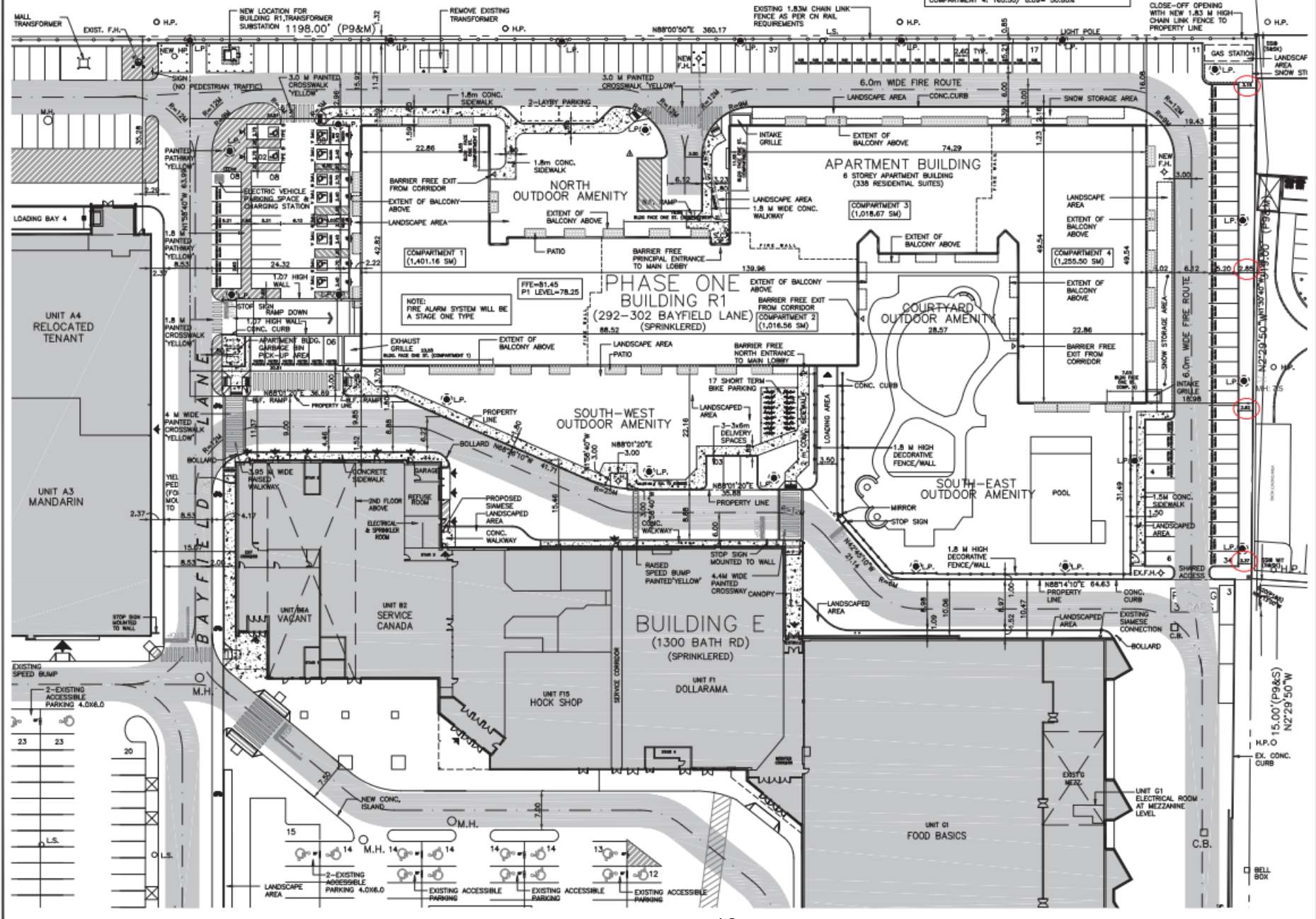


Table with multiple columns and rows, likely a schedule of materials or specifications. Headers include 'NO.', 'DESCRIPTION', and 'DATE'. The table contains detailed notes and specifications for various elements of the project.

ANTHONY TALARIS
L.L.A. CONSULTING ENGINEERS
1500 UNIVERSITY AVENUE
SUITE 1000
OTTAWA, ONTARIO K1N 6N5
WWW.LLAE.COM



PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT AT FRONTENAC MALL
302-303 BAYFIELD LANE, KINGSTON, ONTARIO
PHASE 1 RESIDENTIAL SITE PLAN
DRAWN BY: MC
CHECKED BY: JJ
SCALE: 1:200
DATE: MARCH 04, 2003
SP1



View of the site looking west from behind the existing mall








View of interaction of lot with adjacent property looking north along shared lot line

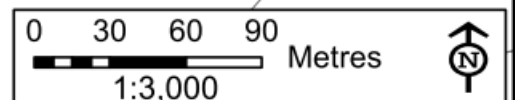
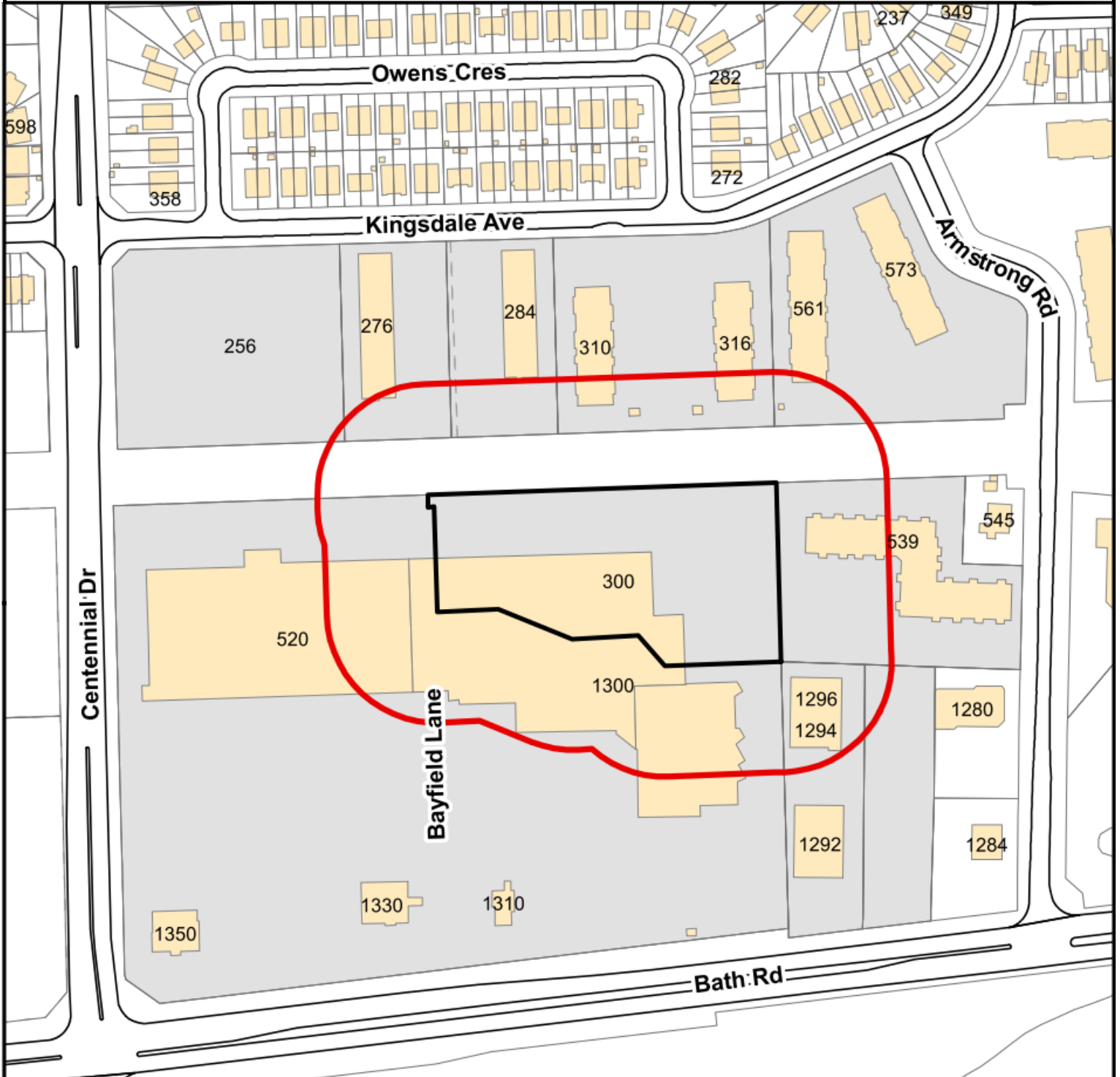


View of the existing fence screening the adjacent play area

Committee of Adjustment
Public Notice Notification Map

Address: 300 Bayfield Lane
File Number: D13-071-2023

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





**City of Kingston
Report to Committee of Adjustment
Report Number COA-24-022**

To: Chair and Members of the Committee of Adjustment
From: Genise Grant, Senior Planner
Date of Meeting: February 26, 2024
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

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.2 Promote increase in purpose-built rental housing.

Executive Summary:

This Supplemental Report provides a recommendation for minor variances to facilitate the development on a six-storey residential building on the property located at 300 Bayfield Lane.

Previously, the applicant applied for a variance for minor relief from the minimum rear setback and the minimum visitor parking setback requirements of the Kingston Zoning By-Law. This relief is described in detail in Report Number [COA-24-013](#) (Exhibit B) and was included on the agenda for the January 22, 2024 Committee of Adjustment meeting. The applicant requested that the Committee defer the agenda item in order to assess and apply for additional relief related to bike parking configuration. The applicant intended to consolidate the variance request for the benefit of the Committee. The Committee approved the deferral request.

February 26, 2024

Page 2 of 9

This Supplemental Report recommends approval of the initial variances as described in Report Number [COA-24-013](#), as well as additional variances to the minimum stacked bike space width and the minimum percentage of long-term bike parking spaces provided in a single-tier configuration.

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 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 D13-071-2023, for the property located at 300 Bayfield Lane to support redevelopment of the site with a six-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;

Variance Number 3:

By-Law Number 2022-62: 7.3.8 – Long-term bike parking spaces
Requirement: 30% required to be horizontal bike spaces
Proposed: 2% provided as horizontal bike spaces
Variance Requested: 28%

Variance Number 4:

By-Law Number 2022-62: 7.3.12.1 – Stacked bike spaces
Requirement: 0.6 metres wide
Proposed: 0.5 metres wide
Variance Requested: 0.1 metres

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-022.

February 26, 2024

Page 3 of 9

Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Genise Grant, Senior Planner

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

Tim Park, Director, Planning Services

Meghan Robidoux, Supervisor, Development Approvals

February 26, 2024

Page 4 of 9

Options/Discussion:

On November 30, 2023, a minor variance application was submitted by Patry Group, on behalf of the owner, Frontenac Shopping Centre Inc., with respect to the property located at 300 Bayfield Lane. The variance requested relief from the minimum rear setback and the minimum visitor parking setback requirements of the Kingston Zoning By-Law to facilitate development of the property with a six-storey residential building. The requested relief was described in detail through Report Number [COA-24-013](#) (Exhibit B).

After publishing of the Committee agenda, and prior to the January 22nd Committee meeting, the applicant submitted a written request for deferral of the application, indicating that they were further reviewing their bike parking configuration on the site and anticipated further relief would be requested. The applicant intended to consolidate the variance request for the benefit of the Committee's review. The Committee approved the deferral request.

The applicant subsequently confirmed that relief is requested from long-term bike parking provisions of the zoning by-law in order to accommodate the majority of required long-term bike parking in their intended racking system which is 0.1 metres narrower than required by the Kingston Zoning By-Law. The applicant is providing long- and short-term parking at a rate consistent with the Kingston Zoning By-law.

In support of the additional relief requests, the applicant has submitted the following:

- Planning Opinion Letter (Exhibit C);
- Bike Rack Specifications (Exhibit D); and
- Underground Parking Floor Plans (Exhibit E).

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

No changes are proposed through this report that impact the previously described site characteristics. Please refer to Exhibit B – Report Number [COA-24-013](#) for details.

Provincial Policy Statement

No changes are proposed through this report that impact the consistency with the Provincial Policy Statement. Please refer to Exhibit B – Report Number [COA-24-013](#) for details.

Minor Variance Application

The review of an application for minor variance is not a simple mathematical calculation, but rather a detailed assessment of whether the variances requested, both separately and together,

February 26, 2024

Page 5 of 9

meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

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

No changes are proposed through this report that impact the conformity with the Official Plan. Please refer to Exhibit B – Report Number [COA-24-013](#) for details.

2) The general intent and purpose of the Zoning By-Law are maintained:

The subject property is zoned the Urban Multi-Residential 8 (URM8) zone in Kingston Zoning By-Law Number 2022-62, with Exception Overlay E122 applied (Exhibit E – Zoning By-Law Map). The URM8 zone permits apartment buildings, stacked townhouses and a variety of community uses. The E122 Exception Overlay provides a number of site-specific provisions to generally implement the site layout reviewed and approved through the recent zoning by-law amendment application (File Number D35-013-2021). The exception overlay was approved by Council on August 8, 2023 in order to facilitate the proposed 6-storey residential development.

As the applicant has proceeded through Site Plan Control review and prepared detailed site designs, minor areas requiring relief from the zoning by-law were identified and are being sought through this application. The proposal requests the following variances.

Variance Number 1:

By-Law Number : 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

Please refer to Exhibit B – Report Number [COA-24-013](#) for a review of variances number 1 and 2 against the Kingston Zoning By-Law.

Variance Number 3:

By-Law Number 2022-62: 7.3.8 – Long-term bike parking spaces

Requirement: 30% required to be horizontal bike spaces

Proposed: 2% provided as horizontal bike spaces

Variance Requested: 28%

Variance Number 4:

By-Law Number 2022-62: 7.3.12.1 – Stacked bike spaces

Requirement: 0.6 metres wide

February 26, 2024

Page 6 of 9

Proposed: 0.5 metres wide
Variance Requested: 0.1 metres

The Kingston Zoning By-Law permits vertical and stacked bike parking configurations but requires that at least 30% of bike parking spaces are provided in a non-stacked, horizontal configuration. The intent of this provision is to provide options for users who may not be capable or comfortable with stacking or lifting their bikes.

The applicant is proposing to accommodate 98% of their required long-term bike parking spaces in a stacked configuration within the underground parking area, with just over 2% (7 spaces) being provided in a standard horizontal configuration. This configuration allows the applicants to maximize efficiency of the underground parking footprint, which was largely designed prior to adoption of the Kingston Zoning By-Law which introduced bike parking requirements to this area of the City. The provision of some horizontal bike parking spaces maintains the intent of the by-law by providing racking options for users who may not want to use a stacked space, while also providing long-term parking at a rate consistent the Kingston Zoning By-Law. It is noted that all required short-term bike parking is provided in a standard horizontal configuration, providing additional non-stacked options for site users.

The applicant has demonstrated through submission of the specifications of the intended racking system (Exhibit C) that stacked bike spaces can be accommodated at a 0.5 metre width on the site. The minimum width and vertical clearance requirements of the by-law will be maintained. As such, the intent of the by-law provision to provide bike spaces at a functional size is maintained through the relief request.

The requested variances maintain the general intent and purpose of the zoning by-law.

3) The variances are minor in nature:

The variance is considered minor as the site will continue to provide appropriate setbacks to support land use compatibility and required functional site elements, and will provide adequate long-term bike parking spaces for residents.

4) The variances are desirable for the appropriate development or use of the land, building or structure:

The proposed variances are desirable as they will facilitate development of the subject lands with a six-storey purpose-built rental building which will provide 338 new homes into the local housing market. The proposed development has been supported by Council through the approved Official Plan and zoning by-law amendments as good land use planning in the public interest. The variances will support the desirable and appropriate use of the land.

Technical Review: Circulated Departments and Agencies

No additional circulation was completed related to the bike parking relief. Please refer to Exhibit B – Report Number COA-24-013 for previous circulation list.

February 26, 2024

Page 7 of 9

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 had been received on the application. 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

- Official Plan Amendment and Zoning By-Law Amendment application to establish redevelopment permissions for the mall (File Number D35-013-2020)
- Consent application to establish new lot and access and servicing easements (D10-011-2023)
- Site Plan Control modification application to demolish part of the mall (D11-027-2022)
- Site Plan Control application for new 6-storey apartment building (File Number D11-026-2022)

Conclusion

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Kingston 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 facilitate development of the subject lands with a six-storey apartment building.

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

February 26, 2024

Page 8 of 9

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 February 26, 2024 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 the 8 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 (Exhibit H – Public Notification Map).

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

Genise Grant, Senior Planner, 613-546-4291 extension 3185

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Recommended Conditions

Exhibit B Report Number [COA-24-013](#)

Exhibit C Planning Opinion Letter

Exhibit D Bike Rack Specifications

February 26, 2024

Page 9 of 9

Exhibit E Underground Parking Floor Plans

Recommended Conditions

The approval of minor variance application, File Number D13-071-2023, to obtain relief from setback and bike parking configuration requirements of Kingston Zoning By-Law 2022-62 to facilitate development of the site with a six-storey residential building, shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variances apply only to development of the property with a six-storey residential building 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 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.



January 22, 2024

City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3

Attention: Genise Grant, Senior Planner

**Re: Minor Variance Application
Frontenac Shopping Centre Inc. and Patry Group
City File: D13-071-2023
300 Bayfield Lane, City of Kingston**

Our File: BRA/KNG/18-01

On behalf of Frontenac Shopping Centre Inc. and Patry Group, Zelinka Priamo Ltd. is pleased to submit this planning opinion letter with regard to the Minor Variance Application D13-071-2023 relating to the proposed development at 300 Bayfield Lane (the "Site").

BACKGROUND

Zelinka Priamo Ltd. was retained by the ownership group as the planning consultant in relation to the Frontenac Mall redevelopment project and has participated in the prior planning approvals for the Site including Official Plan and Zoning By-law Amendment applications (File Number D35-013-2021). These applications were approved by the City of Kingston Council on August 8th, 2023 and established the land use policies for development of the phase one lands for a six-storey mid-rise apartment building comprised of 338 residential suites.

As a result of the ongoing Site Plan Control Application (File Number D11-026-2022), various site elements have been slightly reconfigured, resulting in minor deviations from the approved Zoning By-law. Accordingly, Patry Group submitted a Minor Variance Application on November 27, 2023 to request relief from the Zoning regulations where needed.

Zelinka Priamo Ltd. submits this planning justification letter to supplement the application materials and evaluate the proposal with regard to the four (4) tests of a minor variance.

SITE AND SURROUNDINGS

The Site is located at the northeast corner of the intersection of Bath Road and Centennial Drive in the City of Kingston. The Site is currently developed for a single-storey, enclosed shopping centre (27,381.24m² GLA) and three stand-alone, single-storey commercial buildings located along the Bath Road frontage (combined 1,325.28m² GLA). The remainder of the lands are used for parking (1,352 spaces), loading, and vehicular circulation areas, as well as landscape strips along the front and side yards.

January 17, 2024

Consent Application (File Number D10-011-2023) to sever the lands, filed in April 2023, was approved and created a new lot, now municipally known as 300 Bayfield Lane, being 1.55 hectares in area.

The Site, forming the northeast quadrant of the Frontenac Mall lands, are located adjacent to a mix of land uses, including the shopping mall to the south. Medium-density residential areas abut a portion of the rear (east) yard of the Site and occupy the lands to the north, opposite the Canadian National Railway corridor which directly abuts the site.

PROPOSAL

The proposed development includes the partial demolition of the shopping mall, and construction of a six-storey apartment building with two (2) floors of underground parking. A variety of surface parking and amenity space is provided at grade. As noted, an Official Plan Amendment and Zoning By-law Amendment were approved by City Council on November 27, 2023, which established the land use permissions for the proposed development of the site as a six-storey apartment building. The proposed Minor Variance application is a result of further review and refinement of the development through the Site Plan Approval process.

REQUESTED VARIANCES

In order to permit the modifications to the proposed development, the following minor variances are required from Zoning By-law 2022-62, as amended by By-law 2023-157:

1. Notwithstanding Exception Number E122.(h) in Section 21, the minimum rear yard setback shall be 18.50 metres, whereas a minimum rear yard setback of 20.0 metres is required; and
2. Notwithstanding Section 7.4.9.3., visitor spaces may be located in any yard, provided the visitor space is not closer than 2.25 metres to any lot line, whereas a minimum distance from lot line of 3.0 metres is required.
3. Notwithstanding Section 7.3.8., all long-term bike spaces may be stacked bike spaces, whereas a minimum of 30% are required as horizontal bike spaces.
4. Notwithstanding Section 7.3.12., stacked bike spaces must have minimum width of 0.4 metres, whereas a minimum width of 0.6 metres would be required.

THE FOUR (4) TESTS OF MINOR VARIANCE

Section 45(1) of the *Planning Act* provides that the Committee of Adjustment may authorize minor variances that meet the four (4) tests. As it relates to the proposed development, it is our opinion that the application meets the four (4) tests and should be approved. Further detail on the tests is provided below.

1. Is the application minor in nature?

It is our opinion that the proposed variances are minor in nature. The reduction of the required minimum rear yard setback is numerically minor, representing only a 6% decrease in this value. The Site maintains sufficient area in the rear yard for vehicular access, parking, snow storage, and landscaped area. The rear yard setback adjustment is not expected to have any adverse impacts such as shadowing or overlook on adjacent properties.

January 17, 2024

With regard to the location of visitor parking, the proposed variance is minor and is not expected to have an adverse impact on the development or adjacent properties. The landscape strip between parking and lot line is as wide as 3.15 metres to the north, but due to the slight irregularity in the lot line, the strip narrows to 2.37 metres at the far south of the property. Nevertheless, the proposed landscape strip will provide an appropriate buffer between the parking area and neighbouring property.

The proposed bike parking variances seek would allow for a more compact bike parking storage facility than what is permitted by the zoning by-law. No variance is proposed for the overall required number of bike parking spaces, which is a total of 338 (one per unit). The proposed variance seeks to reduce the requirement of long-term horizontal bike spaces from 30% to 0%. This would not change the total required number, but would allow for all the required long-term bike spaces to be stacked bike spaces, whereas only 70% may be stacked as per the current zoning regulations. In our opinion, this is a minor and technical variance that allows for a more compact and efficient bike parking arrangement for spaces intended for long-term bicycle storage. All short-term bike spaces will be provided in accordance with the applicable zoning policies and remain as horizontal bike spaces.

2. Is the development desirable for the appropriate development of the lands?

The proposed development is desirable for the appropriate development of the lands, and has been approved for Official Plan and Zoning By-law Amendments by City of Kingston Council. The proposed variances do not impact the general form and nature of the development and we maintain our opinion that the development is desirable and represents good land use planning, and is consistent with the form of development considered by Council.

3. Is the general intent and purpose of the Official Plan maintained?

In our opinion, the proposal conforms with the Official Plan, as amended by By-law Number 2023-156 (Amendment 83). The Official Plan identifies the property as site-specific policy area 74, designated *District Commercial*. The area is intended to transition to a high-density, mixed-use community over time. The proposed development conforms with the policies therein and maintains the intent of this designation. The proposed minor variances, being minor in nature, do not detract from the overall development's conformance to the Official Plan.

4. Is the general intent and purpose of the Zoning By-law maintained?

It is our opinion that the general intent and purpose of the Zoning By-law is maintained through the proposed minor variances. The result of a previous Zoning By-law Amendment was Exception E122, which is applicable to the site and is intended to facilitate redevelopment of the site for a six-storey apartment building. Through refinements to the plans through a more detailed design process, specific zoning metrics require variance. Such variances meet the intent of Exception E122 by allowing further evolution of the plans while still facilitating redevelopment.

The approved Zoning By-law Amendment zones the property as URM8, with site-specific provisions as described by Exception Number E122. The base URM8 zone provides a minimum rear yard setback of 10.0 metres and minimum interior yard setback of 3.0 metres. As such, the intent of this zone is for buildings to generally have a modest setback from interior lot lines, allowing an appropriate buffer for landscaping, access, and to limit overlook or shadowing impacts. Through the Zoning By-law Amendment process, a rear yard setback of 20 metres was introduced to reflect the proposed development plans. As described above, due to various minor changes from the detailed design process, the

January 17, 2024

proposed building face has shifted eastwards by approximately 1.25 metres. In our opinion, the reduction from a 20-metre minimum rear yard setback to 18.75 metres is still in accordance with the general intent and purpose of the Zoning By-law, being in significant excess of the 10 metres required by the parent by-law. Sufficient space for access, landscaping, parking, and to limit overlook/shadowing is provided in this 18.75-metre yard.

Regarding the reduced visitor parking setback requirement, it is our opinion that the reduction fulfills the intent and purpose of the Zoning By-law, by still allowing enough space for a landscape strip, providing adequate separation and buffering between the visitor parking area and the neighbouring property. As per regulation 12.9.2.1, a minimum rear planting strip of 2 metres is required, with a minimum tree/hedge height of 1.5 metres. Accordingly, an appropriate screening is provided, and this condition is not expected to be adversely impacted by locating parking 0.75 metres closer to the lot line, considering this minimum tree/hedge will still bisect the parking area and neighbouring property.

Finally, the bike space requirements are intended to ensure adequate facilities for the storage, both long- and short-term, of resident's bicycles. Short-term bike spaces are intended to be located in convenient locations that are readily and frequently accessible, provided at a rate of 0.1 per dwelling unit. Long-term bike spaces are intended for longer-term storage, and to be located in secure locations, provided at a rate of 0.9 per dwelling unit. The requested variance seeks to permit that all long-term spaces may be stacked bike spaces, whereas the zoning by-law requires 30% of these long-term spaces to be horizontal bike spaces. The requested variance also seeks a minor reduction in required width of these bike spaces. In our opinion, the proposed variances maintain the intent of the zoning by-law, as the minimum quantity of bike parking is provided, though in a slightly more compact form. A stacked configuration is more appropriate for spaces intended for long-term storage, as the bicycles will be less frequently stored and withdrawn. The proposed configuration simply allows for a more compact and efficient layout.

We trust that the enclosed information is complete and satisfactory. Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



Connor Wright
Planner

cc. Patry Group (c/o Kamila Seitkhanova)

QUAD-RACK™ HI-DENSITY RACK

by CycleSafe



Cycle-Safe Hi-Density Rack System:

EASY LOADING
EASY LIFTING
EASY LOCKING

For minimum space requirement, the Quad-Rack™ offers maximum bike parking with two tier capacity. Easy to load, simply place bike into the innovative wheel guide and roll along the channel to secure the wheel and frame in place. Bicycles can be locked with a pivot locking bar for added security with high quality cyclist provided U/Lock.

Each Quad-Rack™ allows double-tier parking to hold (4) bicycles, the modular design allows for one or two sided capacity with multiple configurations to customize for any location. Easy to assemble and reconfigure, constructed with zinc primer silver TGIC polyester powder coat finish steel tubing and UV plastic wheel gutters for durability.

Minimal moving parts also reduce access aisles needed with less maintenance or liability concerns associated with moveable tray racks. The Quad-Rack™ requires less lifting when the bike wheels are rolled on to the top channel rather than lifting a tray and full bike.

Space efficient with minimum clearance required above, 96 inches. Recommended aisle widths of 6 ft, center to center bike dimensions are 18 inches. This high-low staggered two tier system organizes most bikes with a user friendly compact design.



(2) Quad-Rack Systems shown.
4-bike capacity each.
Total 8-bike capacity.

These racks are the perfect solution for bike rooms or covered bike parking when combined with our bike shelters. The ideal way to organize bikes in compact areas such as employment sites, multi-family, train stations, shopping centers or campuses.

FEATURES

- Space efficient high capacity bike parking
- Standard zinc primer silver TGIC polyester powder coat
- Modular for many configurations
- 45 degree parking | single-sided | double-sided parking
- 4-bikes each side are offset high-low
- Duo-Rack™ single-floor level parking
- Shelter options are available

BENEFITS

- Cost effective
- Long product life
- High security and stability
- Easy to operate
- Flexible design
- Suitable for indoor or outdoor use
- Compatible with Cycle Safe Bicycle Shelters
- Accommodates most types of bikes



Pivoting Lock Bar



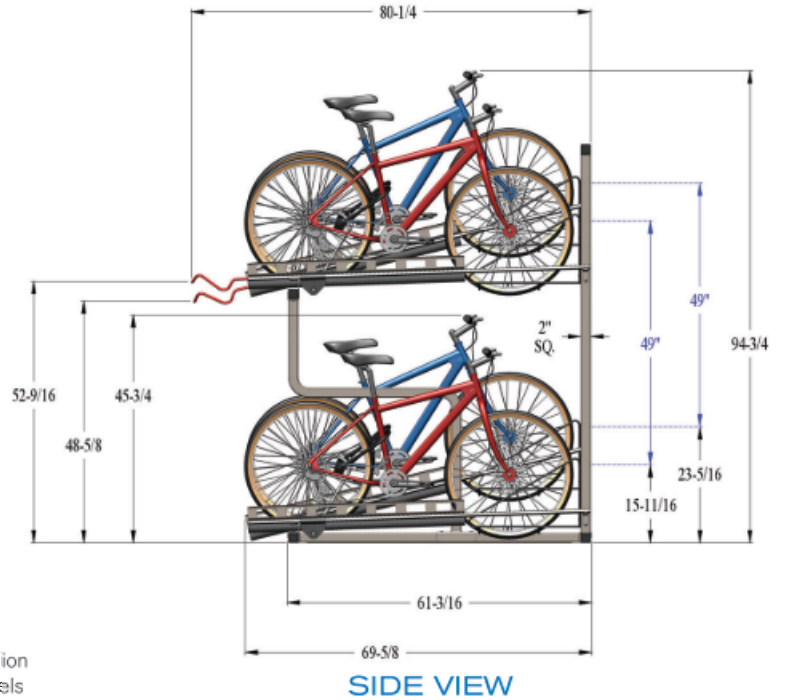
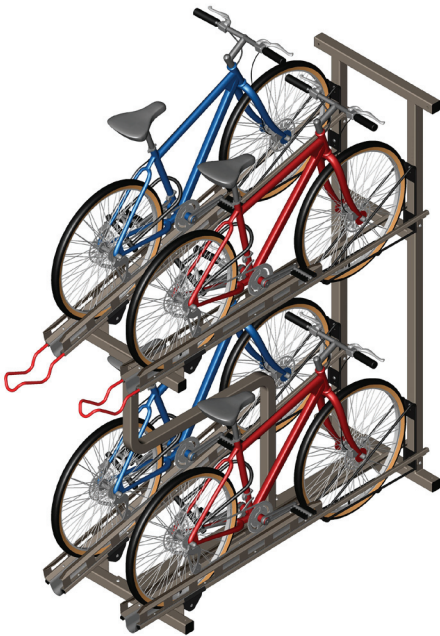
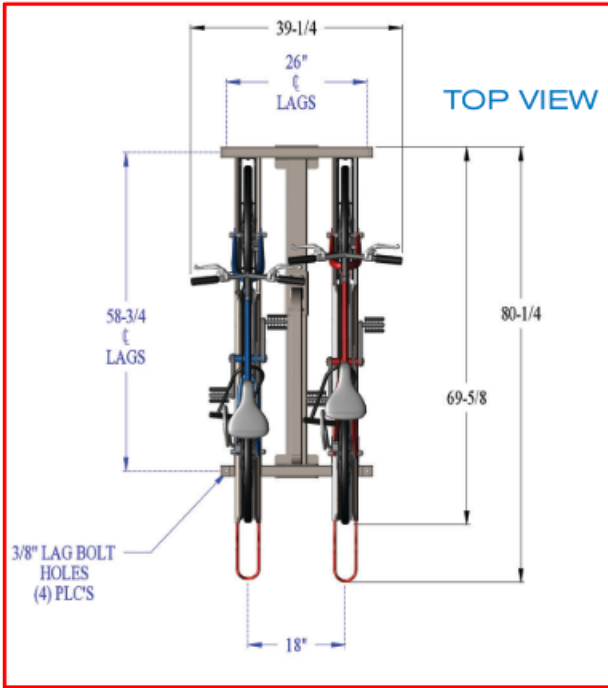
Staggered High-Low Design



QUAD-RACK™

DIMENSION DRAWINGS:

Exhibit D
 Report Number COA-24-022
 HI-DENSITY RACK
 by CycleSafe



Product: Quad-Rack Hi-Density Rack
 Capacity: Each section holds 4 bicycles, modular for expansion
 Material: Silver Powdercoat steel with extruded PVC channels
 Recommended Lock: High quality U/Lock or chain
 Custom Colors: On request

ORDER INFORMATION:

• Quad-Rack Hi-Density Rack: Part# 18000

Contact us for quote or more information

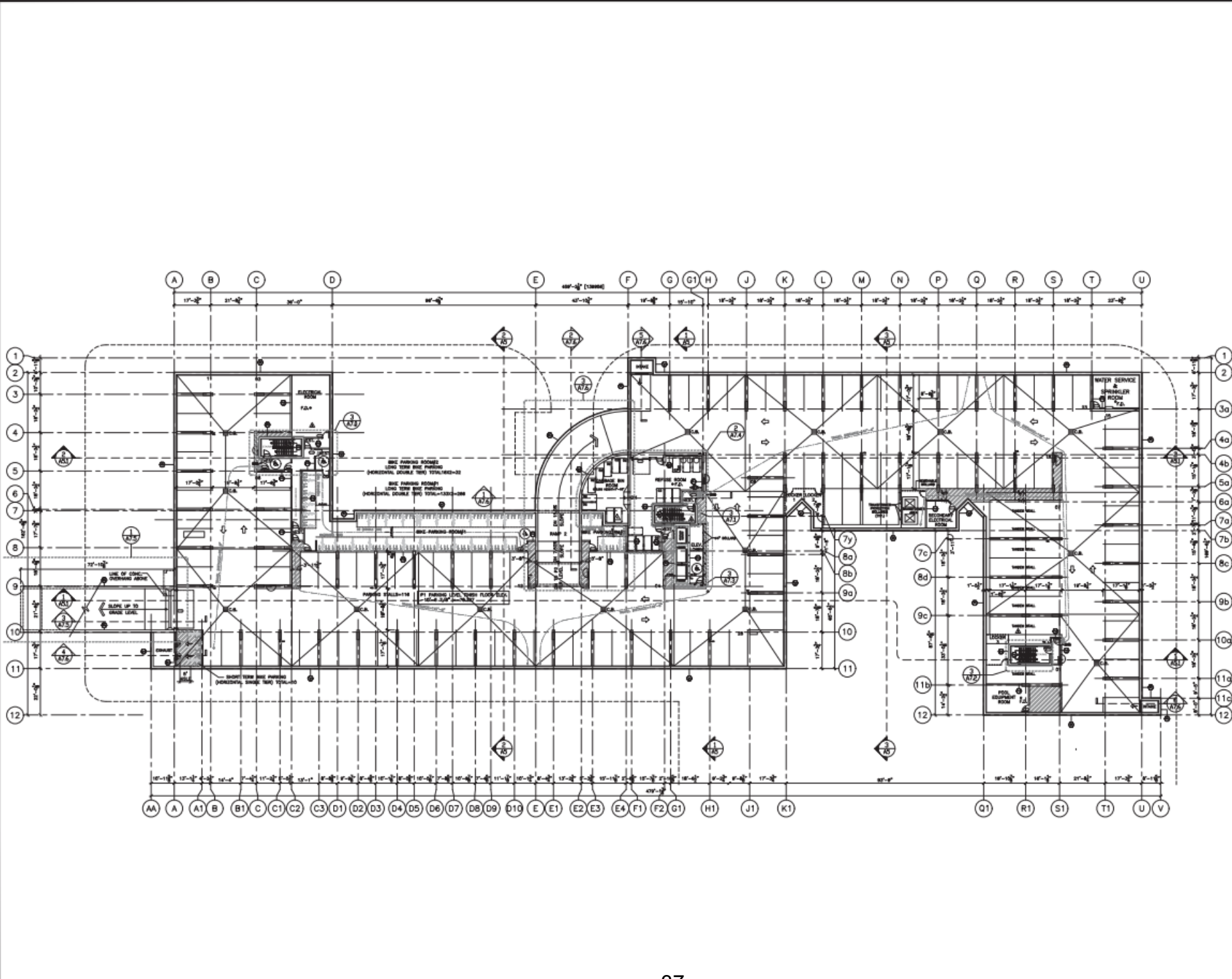


P 616.954.9977 F 616.954.0290 TF 888.950.6531
 WWW.CYCLESAFE.COM INFO@CYCLESAFE.COM

©2014 Cycle-Safe, Inc. *Cycle-Safe® and ProPark® are Federally registered trademarks. Printed on recycled paper.

**Bicycle Lockers
 Bicycle Shelters
 Bicycle Racks**

LR4.1.017-B
 Rev. 7-6-16



NO.	DATE	DESCRIPTION	BY
1	12/15/23	ISSUED FOR PERMIT	AS
2	12/15/23	ISSUED FOR PERMIT	AS
3	12/15/23	ISSUED FOR PERMIT	AS
4	12/15/23	ISSUED FOR PERMIT	AS
5	12/15/23	ISSUED FOR PERMIT	AS
6	12/15/23	ISSUED FOR PERMIT	AS
7	12/15/23	ISSUED FOR PERMIT	AS
8	12/15/23	ISSUED FOR PERMIT	AS
9	12/15/23	ISSUED FOR PERMIT	AS
10	12/15/23	ISSUED FOR PERMIT	AS
11	12/15/23	ISSUED FOR PERMIT	AS
12	12/15/23	ISSUED FOR PERMIT	AS

ANTHONY ZASARIS
LLA



PROPOSED RESIDENTIAL DEVELOPMENT AT
FRONTENAC MALL
BAYFIELD FRONTENAC

300 BAYFIELD LANE
FRONTENAC, ON

P1 PARKING LEVEL PLAN

DATE: 12/15/23
SCALE: AS SHOWN
DRAWN BY: VMP/CP
CHECKED BY: VMP/CP
DATE: DECEMBER 2023

A2.0



**City of Kingston
Report to Committee of Adjustment
Report Number COA-24-020**

To: Chair and Members of the Committee of Adjustment
From: Amy Didrikson, Intermediate Planner
Date of Meeting: February 26, 2024
Application for: Permission
File Number: D13-069-2023
Address: 115 Lower Union Street
Owner: Erez Paz Provizor and Hendrick Hans Westenberg
Applicant: Erez Paz Provizor

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 permission for the property located at 115 Lower Union Street. The applicant is proposing to expand a legal non-complying dwelling with the construction of a new one-storey rear addition intended for storage, with a rooftop terrace. The proposal includes removing a one-storey 20 square metre rear addition and replacing this with a one-storey, 33 square metre rear addition. The existing dwelling, which contains three dwelling units, does not comply with the minimum interior side yard setback, maximum building depth and minimum rear yard setback provisions of the Kingston Zoning By-Law. The proposal to expand the building within non-complying setbacks requires a permission to extend a legal non-complying building.

The subject property is designated individually under Part IV of the *Ontario Heritage Act* and is designated as part of the Old Sydenham Heritage Conservation District under Part V of the

February 26, 2024

Page 2 of 10

Ontario Heritage Act. A heritage permit was approved by City Council on June 20, 2023, with associated conditions, to permit the proposal.

The requested application for permission under Section 45(2)(a)(i) of the *Planning Act* is consistent with the general purpose and general intent of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62. The proposed addition is desirable for appropriate development of the subject property and will not result in undue adverse impacts on the surrounding properties and neighbourhood. Therefore, it is recommended that this application for permission under Section 45(2)(a)(i) of the *Planning Act* be approved.

Recommendation:

That the application for permission, File Number D13-069-2023, for the property located at 115 Lower Union Street to expand a legal non-complying dwelling with the construction of an approximately 33 square metre, one-storey addition intended for storage, with a rooftop terrace, be **Approved**; and,

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-020.

February 26, 2024

Page 3 of 10

Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Amy Didrikson, Intermediate
Planner

Consultation with the following Management of the Community Services Group:

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

February 26, 2024

Page 4 of 10

Options/Discussion:

On January 9, 2024, an application for permission was submitted by Erez Paz Provizor, on behalf of the owner, Erez Paz Provizor and Hendrick Hans Westenberg, with respect to the property located at 115 Lower Union Street. The application for permission is requested to expand a legal non-complying dwelling with the construction of a new one-storey rear addition intended for storage, with a rooftop terrace. The proposal includes removing a one-storey 20 square metre rear addition in poor repair and replacing this with a one-storey, 33 square metre rear addition. The existing dwelling, which contains three dwelling units, does not comply with the minimum interior side yard setback, maximum building depth and minimum rear yard setback provisions of the Kingston Zoning By-Law. The proposal to expand the building within non-complying setbacks requires a permission to extend a legal non-complying building.

The subject property is designated individually under Part IV of the *Ontario Heritage Act* and is designated as part of the Old Sydenham Heritage Conservation District under Part V of the *Ontario Heritage Act*. A heritage permit was approved by City Council on June 20, 2023, with associated conditions, to permit the proposal. Further information is found in Report [HP-23-013](#).

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

- Site Plan (Exhibit H);
- Cover Letter;
- Architectural Drawings and Conceptual Elevations (Exhibit I); and,
- Site Survey (Exhibit J).

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 on the north east corner of the intersection of Bagot Street and Lower Union Street (Exhibit B – Key Map). The property abuts residential properties in the Old Sydenham Heritage Conservation District to the north, east and west, and is adjacent to a public park (City Park) to the south west (Exhibit C – Neighbourhood Context Map).

The subject property is designated Residential in the Official Plan (Exhibit D – Official Plan Map) and zoned Heritage Zone 3 – Old Sydenham (HCD3) in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map).

The site is developed with a two-storey brick dwelling constructed predominantly in 1856, that includes three dwelling units. The three dwelling units all have a main, front entrance facing Lower Union Street. There is a rear laneway shown as Parts 2, 3 and 4 of Plan 13R11257 on the submitted Survey (Exhibit J) that includes a right-of-way allowing vehicular access at the rear of the subject property from Bagot Street.

February 26, 2024

Page 5 of 10

The existing rear, one-storey addition on the subject property, to be demolished and replaced with the larger addition proposed as part of this application, is approximately 20 square metres. According to the applicant, the existing one-storey addition currently functions as a rear access to the main level of the residential building and the basement mechanical room.

It is notable that the existing rear addition shares a wall with the building at 113 Lower Union Street, which is a City-owned property. The roof and eaves of the existing rear addition encroach onto the City-owned property. Staff in Real Estate have reviewed the proposal and have advised that, as the proposed rooftop terrace over the proposed addition will increase this existing encroachment, the proposal will require an encroachment agreement with the City of Kingston. The finalization of this encroachment agreement is included as a condition of approval of the permission and is similarly a condition of approval of the associated heritage permit (City File Number P18-044-2021).

Permission Application

Pursuant to Subsection 45(2)(a)(i) of the *Planning Act*, the Committee of Adjustment may permit the enlargement or extension of a legal non-complying building or structure, but no permission may be given to enlarge or extend the building or structure beyond the original limits of the land where the legal non-complying building or structure is situated. In considering whether to grant a permission pursuant to Subsection 45(2)(a)(i), the relevant test is:

- 1) Whether the application is desirable for appropriate development of the subject property; and,**
- 2) Whether the application will result in undue adverse impacts on the surrounding properties and neighbourhood.**

The application is desirable for the appropriate development of the subject property, as it will improve the functionality of the existing dwelling through providing a secure storage area and a new, private amenity area, in a location that will preserve the heritage attributes of the property and the Old Sydenham Heritage Conservation District, as detailed below.

The proposed, one-storey rear addition is intended to replace an existing addition in poor repair and will support the function of the existing residential building. The proposed addition is intended for the storage of bicycles, lawn maintenance equipment and garbage. A roof-top terrace is proposed on the addition which will provide private outdoor amenity space for one of the dwelling units in the residential building. Two new sets of stairs are also incorporated within the addition which will provide access to the main floor of the dwelling and to the building mechanical room.

The proposal has been reviewed in detail through the heritage permit process, alongside policy in the Old Sydenham Heritage Conservation District (HCD) Plan as well as alongside the relevant Provincial and Federal standards, guidelines and principles pertaining to heritage properties. In the City staff Report Number [HP-23-013](#), the proposal was determined to conform to the intent, goals and policies of the Old Sydenham Heritage Area HCD Plan. In particular, the

February 26, 2024

Page 6 of 10

location of the addition is consistent with direction in the Section 5.2.2 of the HCD Plan that states new “additions should be complementary to the main building and clearly secondary in terms of size; they should also be clearly distinguishable in form and details.” Section 5.2.2 also directs that “additions should be located away from the main street façade, at the rear of the building, and not add to the width of the front of the building.” The new, rear addition will be setback more than 13 metres (43 feet) from the Bagot Street lot line and slightly recessed from the north wall of the main portion of the building, which will conserve and highlight the prominence of the heritage dwelling from the street. The approved heritage permit application, and associated analysis in City staff Report Number [HP-23-013](#) demonstrates that the proposed alteration follows the HCD Plan.

In addition to the proposed design and location of the rear addition mitigating any potential for adverse effects on the heritage attributes of the property or the Heritage Conservation District, the proposal includes privacy fencing around the terraced amenity area that will mitigate any potential for intrusive overlook on adjacent properties. The proposal will not result in any new units or bedrooms and as such will not change the intensity of the existing residential use. As a result, the application will not result in undue adverse impacts on the surrounding properties and neighbourhood.

Provincial Policy Statement

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.

Official Plan

The subject property is designated Residential (Exhibit D – Official Plan Map).

In certain circumstances, it may be desirable to grant the extension, enlargement or relocation of a non-conforming use as provided by the *Planning Act*. When reviewing an application for such extension, enlargement or relocation, the Committee of Adjustment must be satisfied that the legal non-conforming use continued to the date of the application to the Committee, and that the application would not extend such use beyond the area and site owned or used on the day of passage of the implementing zoning by-law. In addition, the Committee of Adjustment may have regard to the eight criteria included in Section 9.5.13 of the Official Plan.

Based on the City of Kingston archaeological potential mapping the property is in an “archaeologically sensitive” area, and therefore an Archaeological Assessment beginning with a Stage Two Assessment is required prior to any ground disturbance. This will be addressed prior to the issuance of a Building Permit, as described in the recommended conditions.

February 26, 2024

Page 7 of 10

As described above, the subject property is designated individually under Part IV of the *Ontario Heritage Act* and is designated as part of the Old Sydenham Heritage Conservation District under Part V of the *Ontario Heritage Act*. A heritage permit was approved by City Council on June 20, 2023, with associated conditions, to permit the proposal. The approved heritage permit application, and associated analysis in Report Number [HP-23-013](#) demonstrates that the proposal is compatible with adjacent cultural heritage resources.

Through the technical review, Forestry staff have highlighted the need to protect existing City trees in the road allowance during construction staging. The applicant has identified an area for construction staging outside of the road allowance in the west exterior side yard of the property, to the satisfaction of Forestry staff. However, if it is found that construction staging is required within the municipal road allowance, a tree permit for the preservation of City trees will be required. An associated condition of approval is recommended in Exhibit A.

The proposal will incorporate a safe and secure area for storage (including bikes), will improve on-site amenity areas and will not create the potential for adverse effects associated with noise, odour, or a traffic conflict, consistent with criteria in the Official Plan.

The requested permission to expand a legal non-complying dwelling with the construction of an approximately 33 square metre, one-storey addition intended for storage, with a rooftop terrace will improve the functionality of the existing three-unit dwelling and will not result in adverse effects. The proposal meets the general intent and purpose of the City of Kingston Official Plan.

Zoning By-Law

The subject property is zoned HCD3 in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map).

The HCD3 zone permits residential uses such as apartment buildings, triplexes, and duplexes. While the existing three-unit dwelling is a permitted use, the existing dwelling does not comply with the minimum 0.6 metre interior side yard setback, the maximum permitted building depth of 18 metres, and the minimum rear yard setback of 7.5 metres in the Kingston Zoning By-law Number 2022-62.

In relation to the side yard setback requirement, the existing dwelling and rear yard addition to be demolished has a 0 metre setback from the east property line, a condition which proposed to be extended a further 2.7 metres (Exhibit H).

The building depth of the subject building, measured according to the Kingston Zoning By-Law is approximately 24.5 metres, which will not be exceeded by the proposed addition. The rear setback of the existing building is 2.0 metres which will similarly not be exceeded by the proposed addition, which will have a setback of 2.29 metres from the rear lot line.

Section 1.8.3 of the Kingston Zoning By-Law allows for the development of a lot with a non-conforming building, provided that the development does not further increase the extent or degree of non-compliance with the provisions of this By-law and conforms with all other

February 26, 2024

Page 8 of 10

provisions of the Kingston Zoning By-Law. The proposed rear, one-storey addition will not encroach beyond the setbacks and building depth that have been established by the primary dwelling but will increase the extent to which the primary building is located within these non-complying setbacks by approximately 13 square metres. As a result, a permission is required. The site plan included as Exhibit H illustrates the additional building area proposed beyond the existing one-storey addition.

Technical Review: Circulated Departments and Agencies

- Building Services
- Finance
- Fire & Rescue
- Solid Waste
- Housing
- KEDCO
- CRCA
- Parks Canada
- Hydro One
- Kingston Airport
- Engineering
- Utilities Kingston
- Kingston Hydro
- Parks Development
- District Councillor
- Municipal Drainage
- KFL&A Health Unit
- Eastern Ontario Power
- Enbridge Pipelines
- Heritage Services
- Real Estate
- 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 applications under review.

The proposal received a heritage permit, approved by Council on June 20, 2023 (City File Number P18-044-2021).

The subject property at 115 Lower Union Street was severed from the property at 113 and 113 ½ Lower Union Street through a severance application approved on April 16, 1992 (City File A.COA-1.2983-92).

February 26, 2024

Page 9 of 10

Conclusion

The requested application for permission under Section 45(2)(a)(i) of the *Planning Act* is consistent with the general purpose and general intent of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62. The proposed permission is desirable for appropriate development of the subject property and will not result in undue adverse impacts on the surrounding properties and neighbourhood. Therefore, it is recommended that this application for permission under Section 45(2)(a)(i) of the *Planning Act* be approved.

Approval of this application will permit the construction of a 33 square metre, one-storey rear addition for storage, with a rooftop terrace, at the rear of the existing three-unit dwelling.

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 February 26, 2024. 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 33 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 (Exhibit H – Public Notification Map).

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

February 26, 2024

Page 10 of 10

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 Map (2022)

Exhibit D Official Plan Map

Exhibit E Zoning By-Law Map

Exhibit F Public Notification Map

Exhibit G Site Photos

Exhibit H Site Plan

Exhibit I Architectural Drawings and Conceptual Elevations

Exhibit J Survey

Recommended Conditions

The approval of permission application, File Number D13-069-2023, to permit the construction of an approximately 33 square metre, one-storey addition with a rooftop terrace at the rear of an existing legal non-complying building, shall be subject to the following recommended conditions:

1. Limitation

That the approved permission applies only to the rear, one-storey addition 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

Archaeological clearance of the subject property is required, beginning with a Stage Two Archaeological Assessment and including any subsequent assessments as required by the Ministry of Citizenship and Multiculturalism's Standards and Guidelines for Consultant Archaeologists, as amended from time to time, prior to any soil disturbance.

One digital copy of the assessment report(s) and any acceptance letter(s) from the Ministry of Citizenship and Multiculturalism shall be provided to the Secretary-Treasurer of the Committee of Adjustment, prior to the issuance of the Certificate of Official.

The City relies upon the report of the professional archaeologist as filed, but reserves the right to require further reports should further evidence be uncovered. The applicant may be required to further review the state of archaeological

resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Citizenship and Multiculturalism. The City shall not be restricted in its ability to determine requirements related to review, assessment and/or protection should archaeological resources be found on site. Any costs arising from such requirements of the City, or any other duly authorized Government body, shall be borne solely by the applicant.

5. Encroachment Agreement

An encroachment agreement shall be registered on title of the property with respect to the proposed encroachment onto the property known municipally as 113 Lower Union Street, to the satisfaction of the City.


6. Tree Preservation Permit

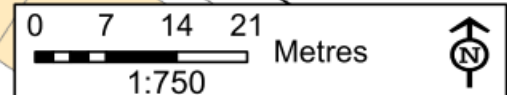
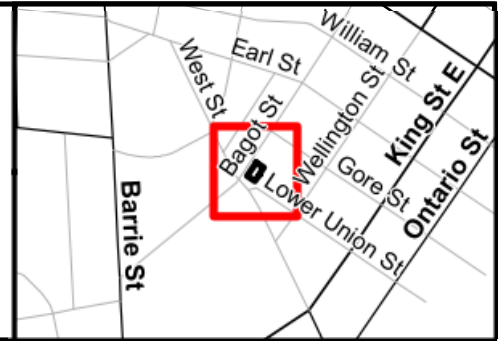
Should a construction staging area for materials and equipment be required in the municipal right of way, the owner/applicant shall obtain a tree permit from Planning Services in accordance with the City's Tree By-Law 2018-15 to address preservation requirements for the city owned tree assets located within the road allowance. Tree preservation and protection measures are required to prohibit the placement and staging of equipment, materials, vehicles, etc. that are needed for the completion of the project within the critical root zones of existing trees in the road allowance. A Tree Preservation plan will be required for any required permit submission as per the guidelines at www.cityofkingston.ca/trees. The report and plan shall be prepared by an ISA Certified Arborist. The Tree Preservation plan shall include specific details as to the type of protection fencing to be used (plywood hoarding) and root pruning requirements due to the installation of the new sewer service that will impact the tree root system.



Committee of Adjustment Key Map

Address: 115 Lower Union Street
File Number: D13-069-2023
Prepared On: Jan-12-2024

 Lands Subject to Minor Variance





Committee of Adjustment Neighbourhood Context

Address: 115 Lower Union Street
File Number: D13-069-2023
Prepared On: Jan-12-2024




- Subject Lands
- Property Boundaries
- Proposed Parcels

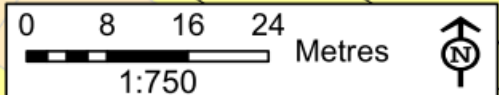




Committee of Adjustment Official Plan, Existing Land Use

Address: 115 Lower Union Street
File Number: D13-069-2023
Prepared On: Jan-12-2024

-  Subject Lands
-  OPEN SPACE
-  RESIDENTIAL

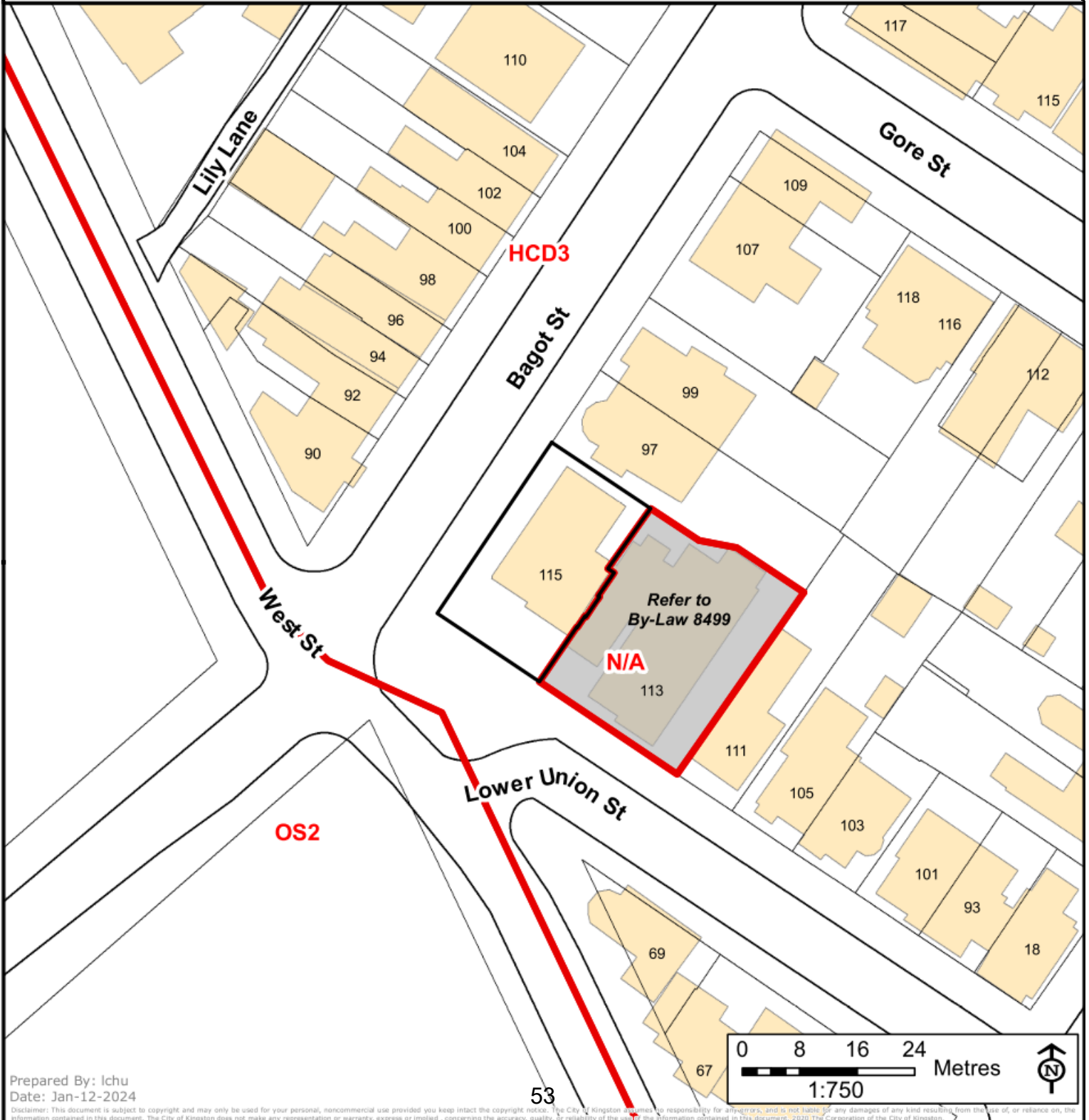




Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

Address: 115 Lower Union Street
File Number: D13-069-2023
Prepared On: Jan-12-2024

- Subject Lands
- Schedule 1 Zoning Map Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay Holding Overlay (HXXX)

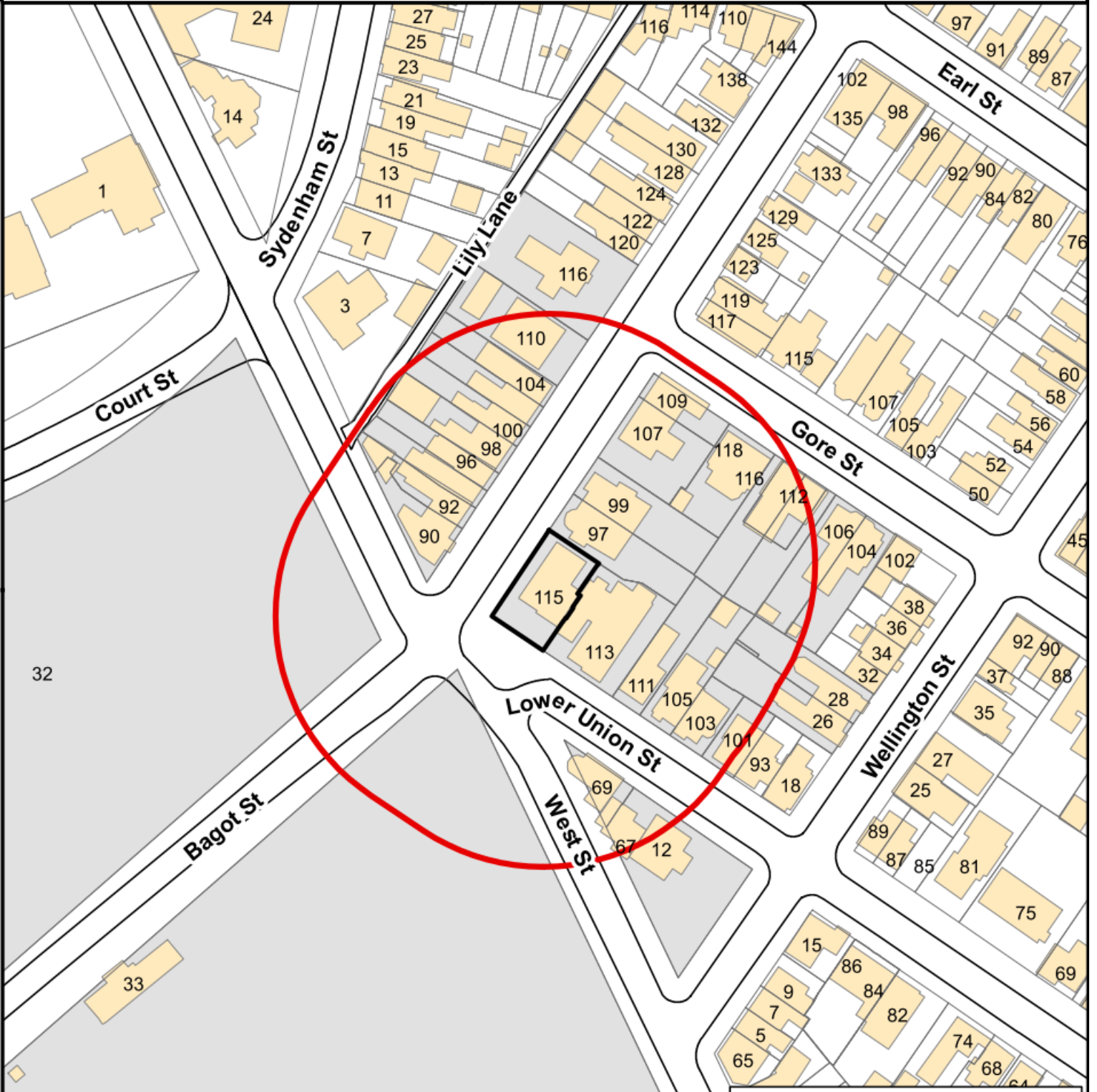




Committee of Adjustment Public Notice Notification Map

Address: 115 Lower Union Street
File Number: D13-069-2023
Prepared On: Jan-12-2024

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



115 Lower Union Street – Site Photos – January 29, 2024



Figure 1: View of the Subject Property from the Corner of Bagot St and Lower Union St



Figure 2: View of rear lane from Bagot Street

115 Lower Union Street – Site Photos – January 29, 2024

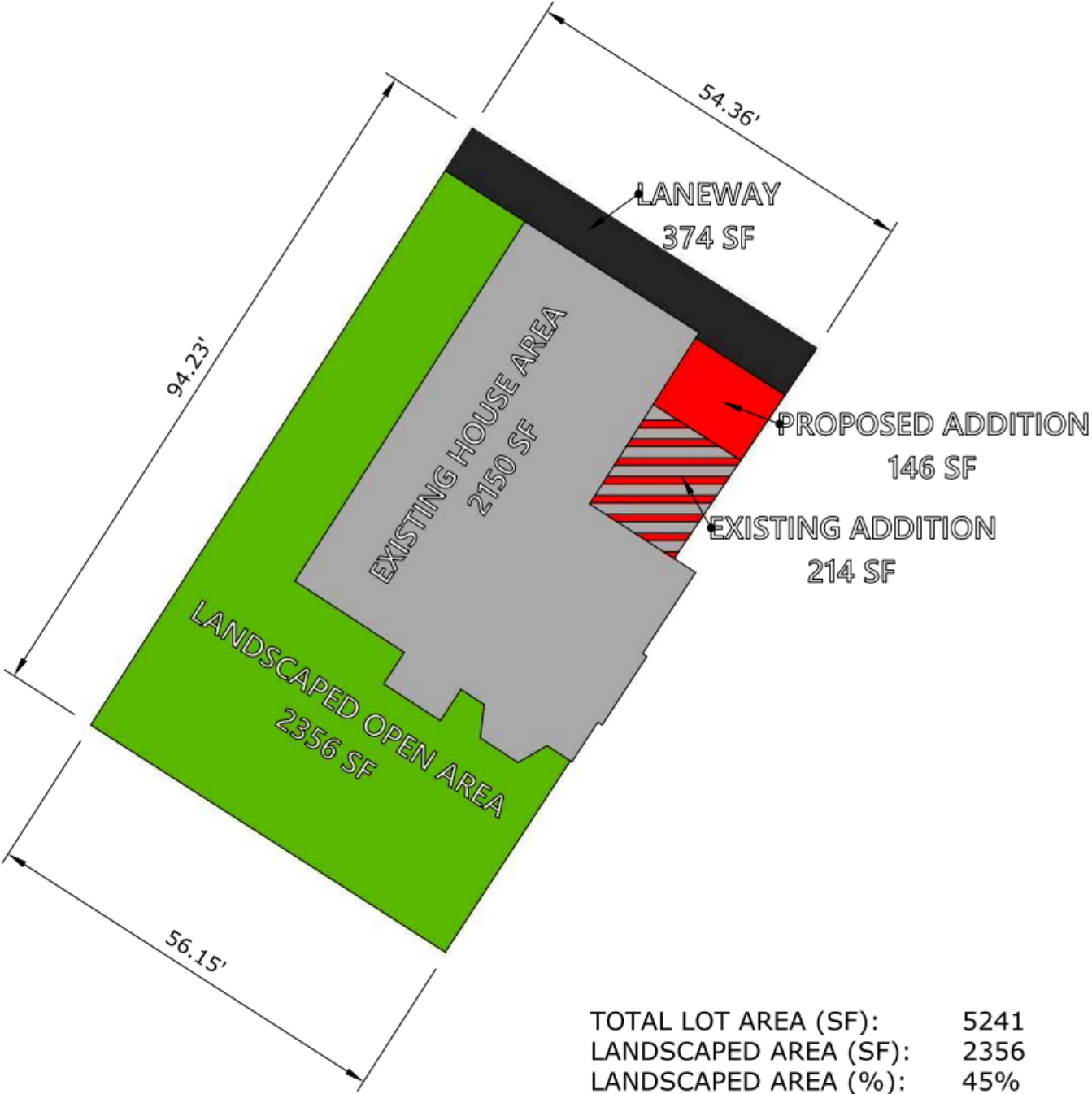


Figure 1: View West from the rear yard of the subject property to Bagot Street

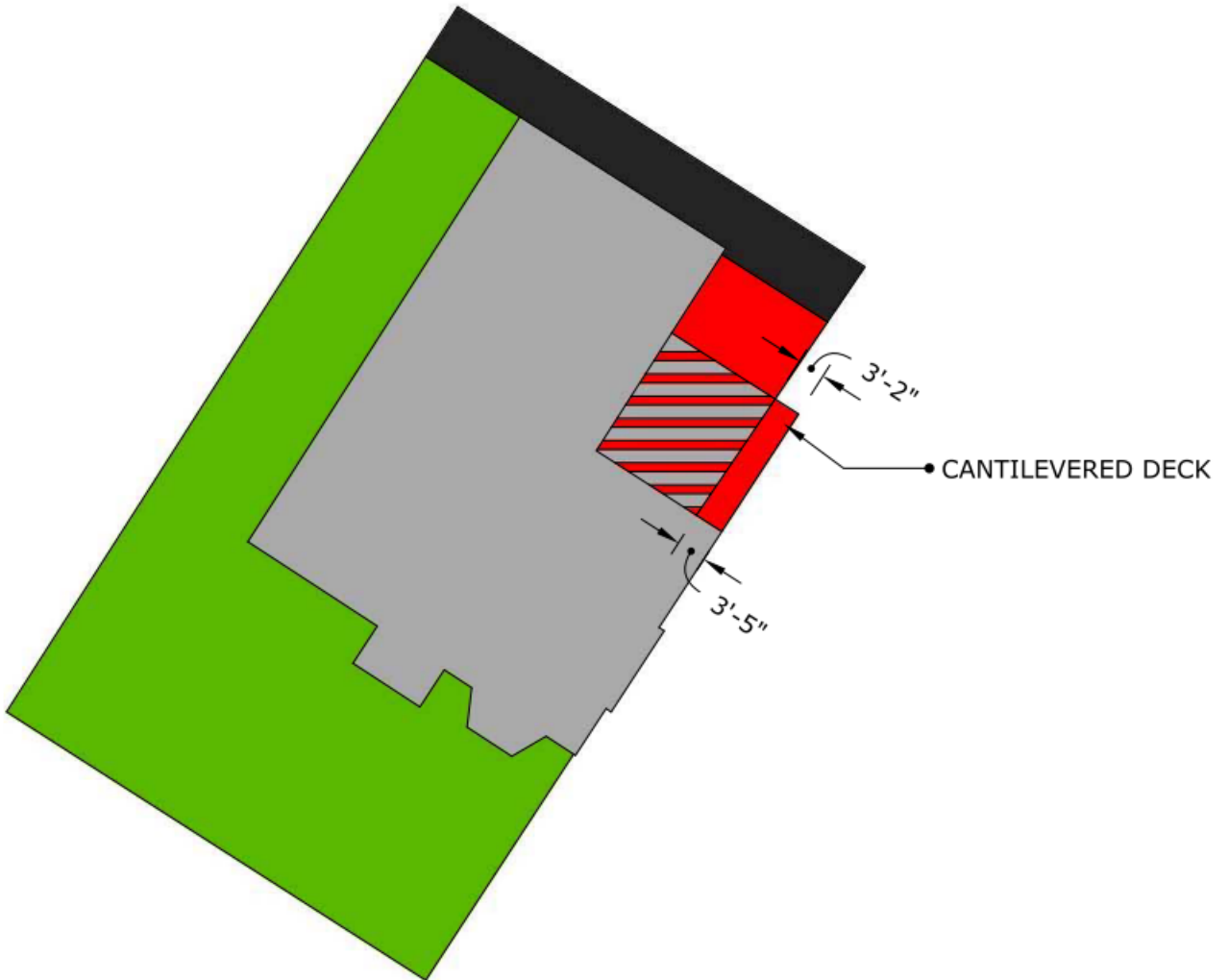


Figure 2: View of existing rear addition on the subject property from the rear lane

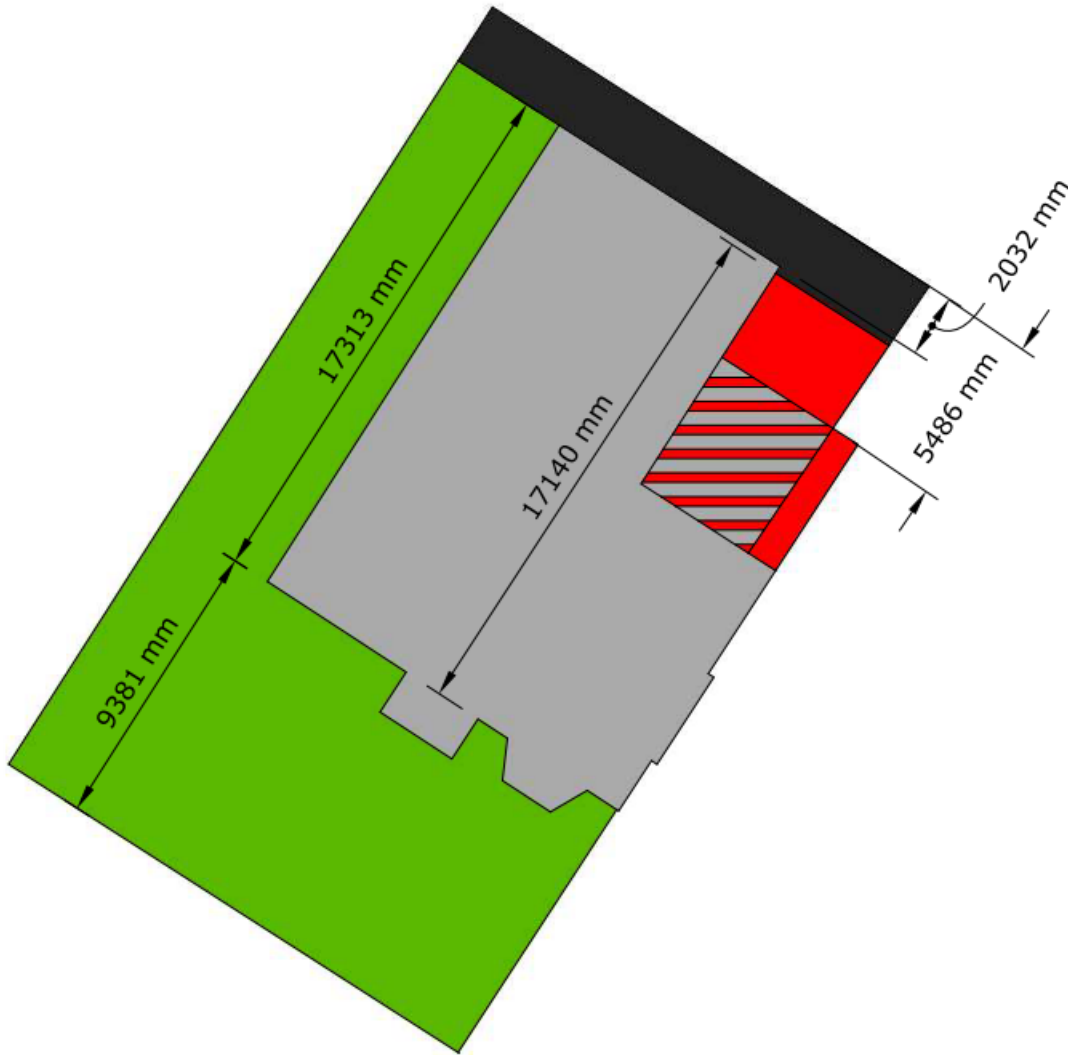
115 Lower Union St



115 Lower Union St



115 Lower Union St



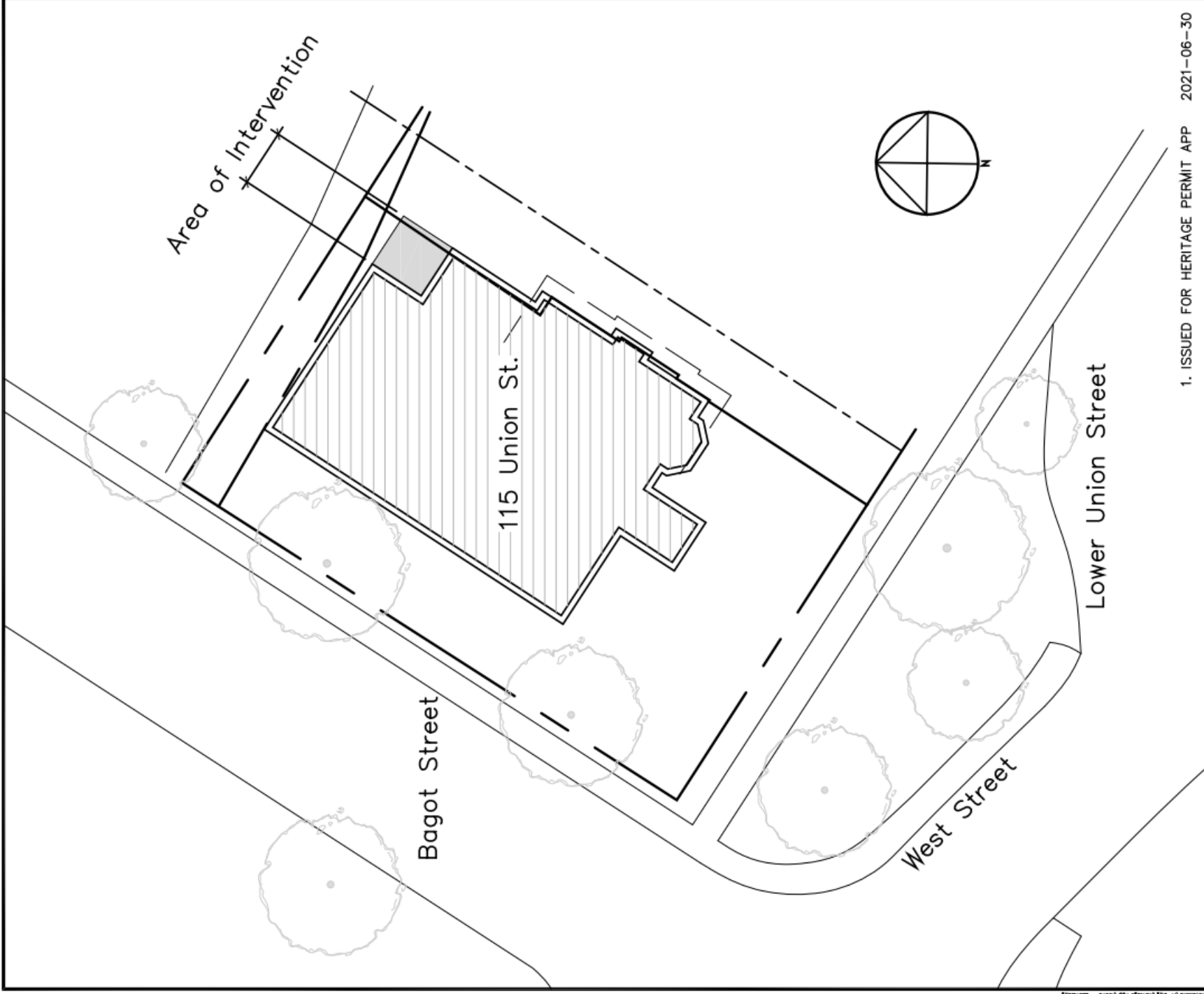


SCALE 3/16 = 1'
(1:64)





SCALE 3/4" = 1'
(1:16)



1. ISSUED FOR HERITAGE PERMIT APP 2021-06-30

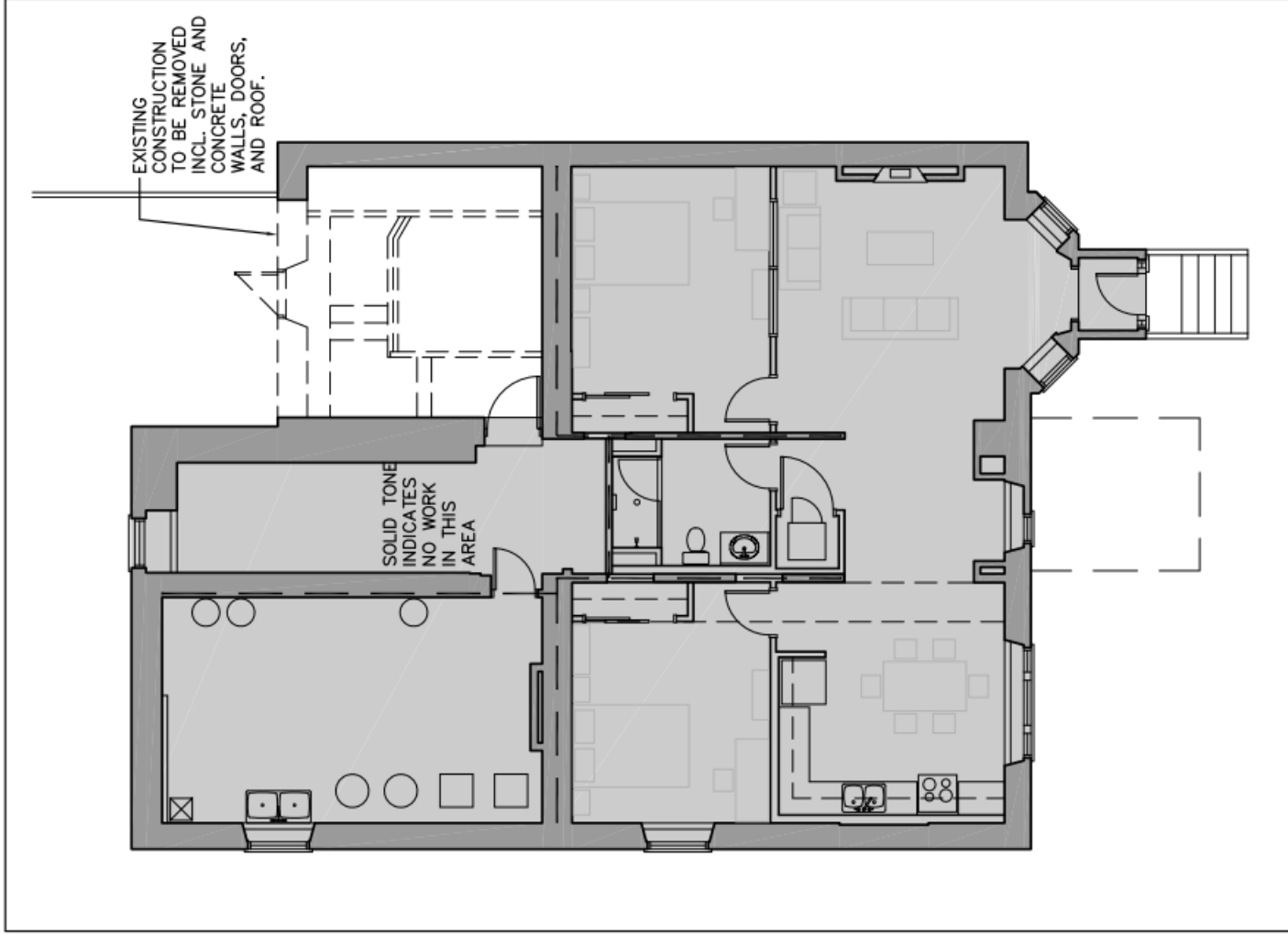
Project DOWNTOWN_RENOVATION	
Location 115_LOWER_UNION_ST.	
Drawing SITE_PLAN	Date 2021-06-30
Client EREZ_PAZ	Scale 3/64"=1'
Project # 19073	Revision # A010

SZA
Shoalts and Zaback Architects Ltd
Certificate of Practice Number: 2438
4 Cataragui Street, Suite 206, Kingston, ON K7K 1Z7
tel. 613 541 0776 fax. 613 541 0804
mail@sazarch.com www.sazarch.com

Drawn By
AJ/OB

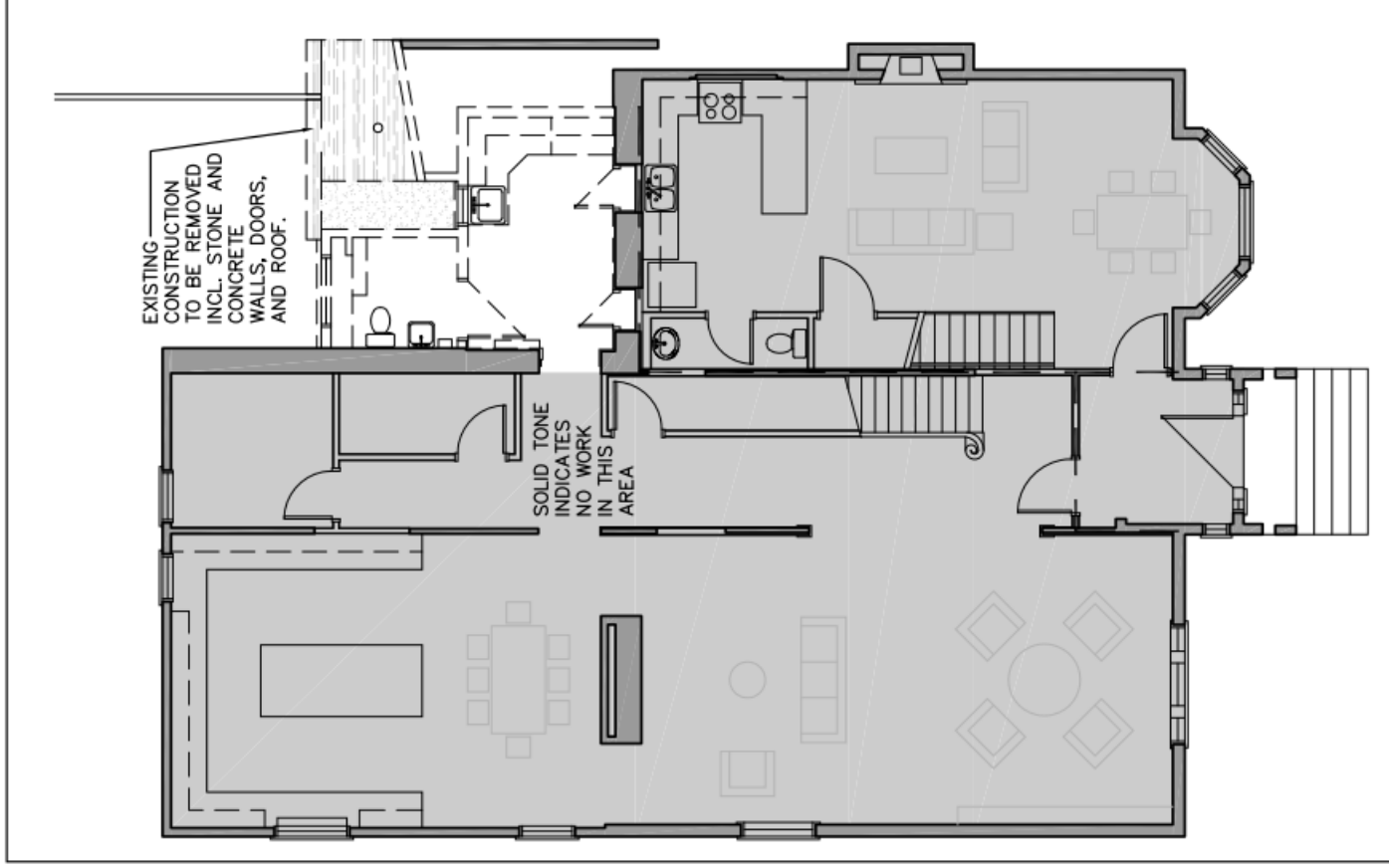
File Name
19073 - ELO1a

Client Project #



1. ISSUED FOR HERITAGE PERMIT APP 2021-06-30

Project Downtown Renovation		sz Shoalts and Zaback Architects Ltd	
Location 115 Lower Union Street		Certificate of Practice Number: 2438	KTK 127
Drawing Basement Plan: Removals		4 Catalana Street, Suite 206, Kingston, ON tel. 613-541-0776 mail@szarch.com	fax. 613-541-0804 www.szarch.com
Client Erez Paz		Drawn by AJ / GB	Date 2021-06-30
		File Name 19073 - PL01b_02	Scale 3/32" = 1'-0"
		Client Project # 19073	Drawing Number A051
		Project # 19073	Revision # A051

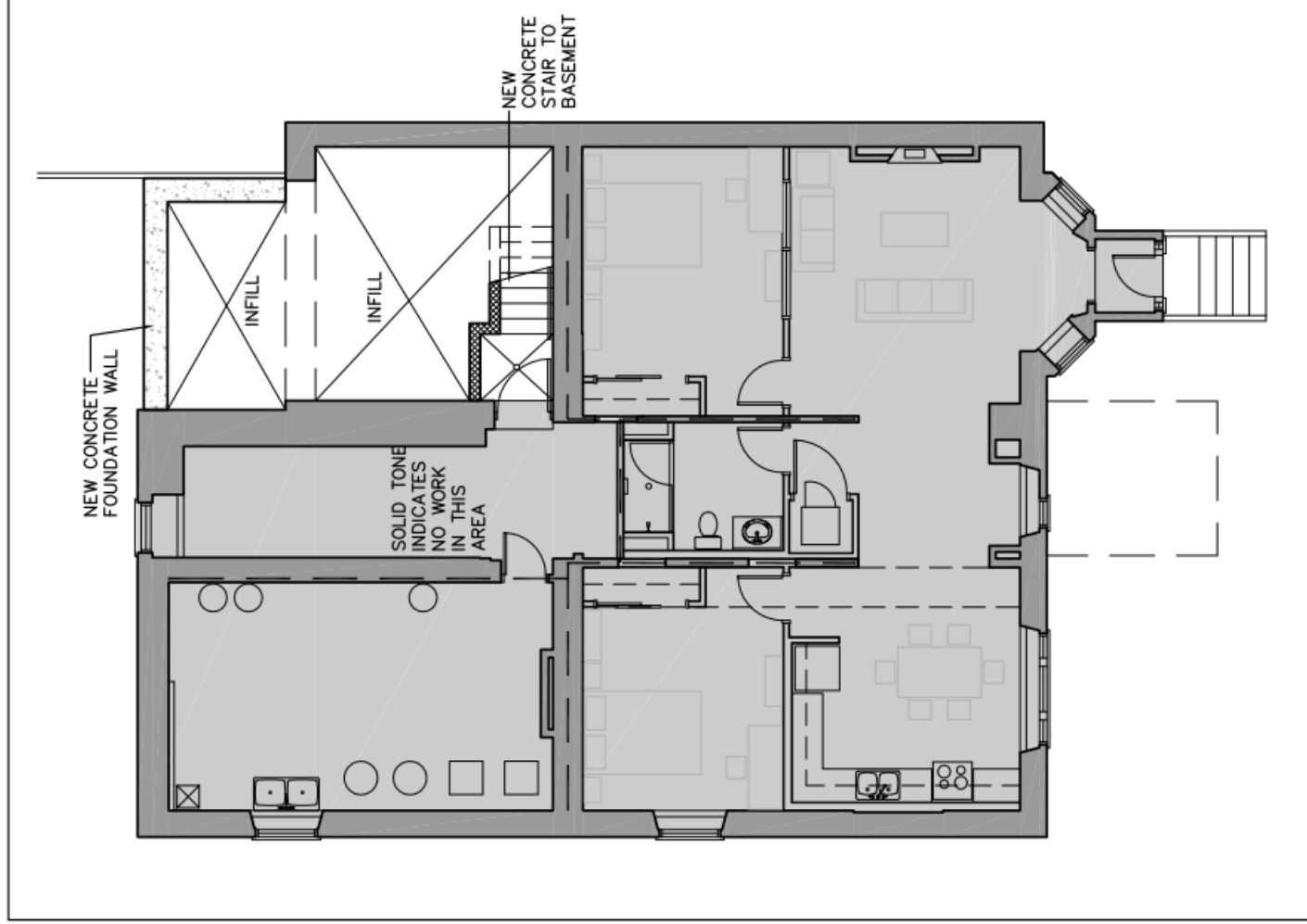


EXISTING
CONSTRUCTION
TO BE REMOVED
INCL. STONE AND
CONCRETE
WALLS, DOORS,
AND ROOF.

SOLID TONE
INDICATES
NO WORK
IN THIS
AREA

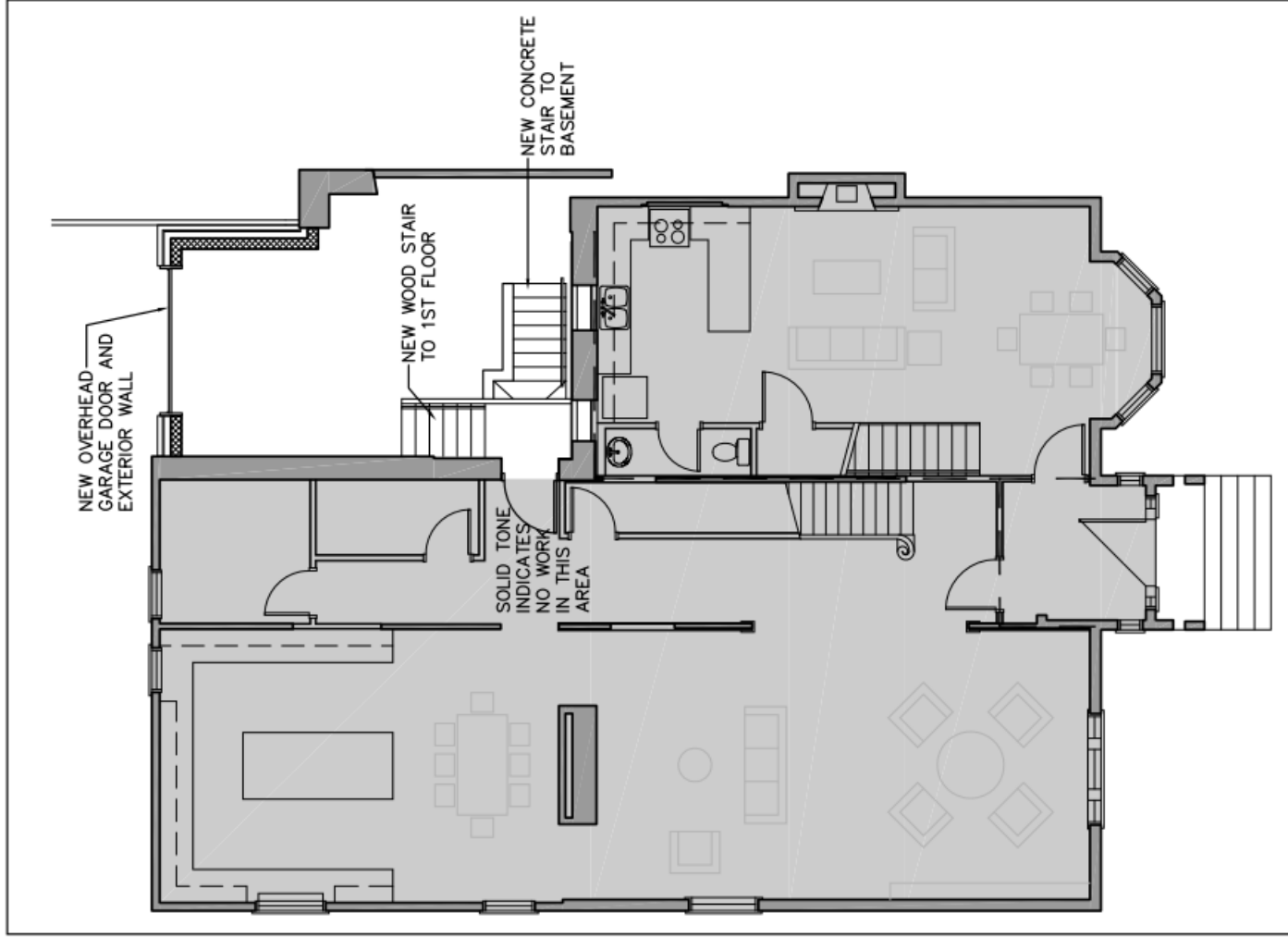
1. ISSUED FOR HERITAGE PERMIT APP 2021-06-30

Project Downtown Renovation		sz Shoalts and Zaback Architects Ltd	
Location 115 Lower Union Street		Certificate of Practice Number: 2438 K7K 1Z7 4 Cataragui Street, Suite 206, Kington, ON tel. 613-541-0776 fax. 613-541-1804 mail@szarch.com www.szarch.com	
Drawing 1st Floor Plan: Removals		Drawn by: AJ / GB Date: 2021-06-30 File Name: 19073 - PLO1b_02 Scale: 3/32" = 1'-0" Client Project #: Drawing Number	
Client Erez Paz		Project #: 19073 Revision #: A052	



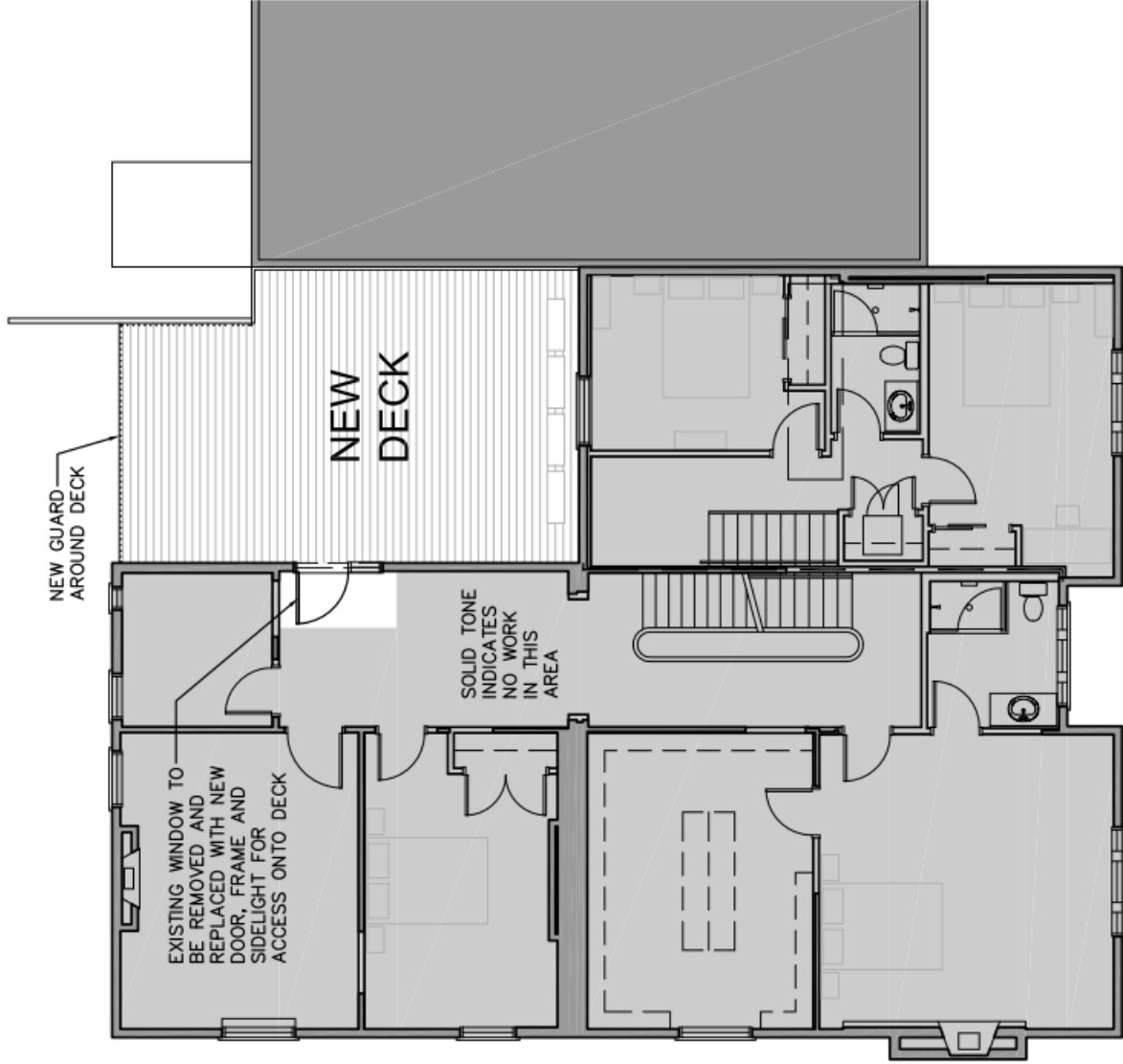
1. ISSUED FOR HERITAGE PERMIT APP 2021-06-30

Project Downtown Renovation		sz Szoalts and Zaback Architects Ltd	
Location 115 Lower Union Street		Certificate of Practice Number: 2438 KTK 127 4 Cataragui Street, Suite 206, Kingston, ON tel. 613 541 0776 fax. 613 541 0804 mail@szarch.com www.szarch.com	
Drawing Basement Plan: New Work		Date: 2021-06-30 Scale: 3/32" = 1'-0"	
Client Erez Paz		Drawing Number: 19073 - PL01b_02 Revision #: A101	



1. ISSUED FOR HERITAGE PERMIT APP 2021-06-30

Project Downtown Renovation		sza Shoalts and Zaback Architects Ltd	
Location 115 Lower Union Street		Certificate of Practice Number: 2438 KTK 127 4 Catalinaj Street, Suite 206, Koroqston, ON tel. 613-541-0776 fax. 613-541-0804 mail@sazarch.com www.sazarch.com	
Drawing 1st Floor Plan: New Work		Drawn by: AJ / GB Date: 2021-06-30 File Name: 19073 - PLO1b_02 Scale: 3/32" = 1'-0" Client Project #: Drawing Number	
Client Erez Paz		Project #: 19073 Revision #: A102	



1. ISSUED FOR HERITAGE PERMIT APP 2021-06-30

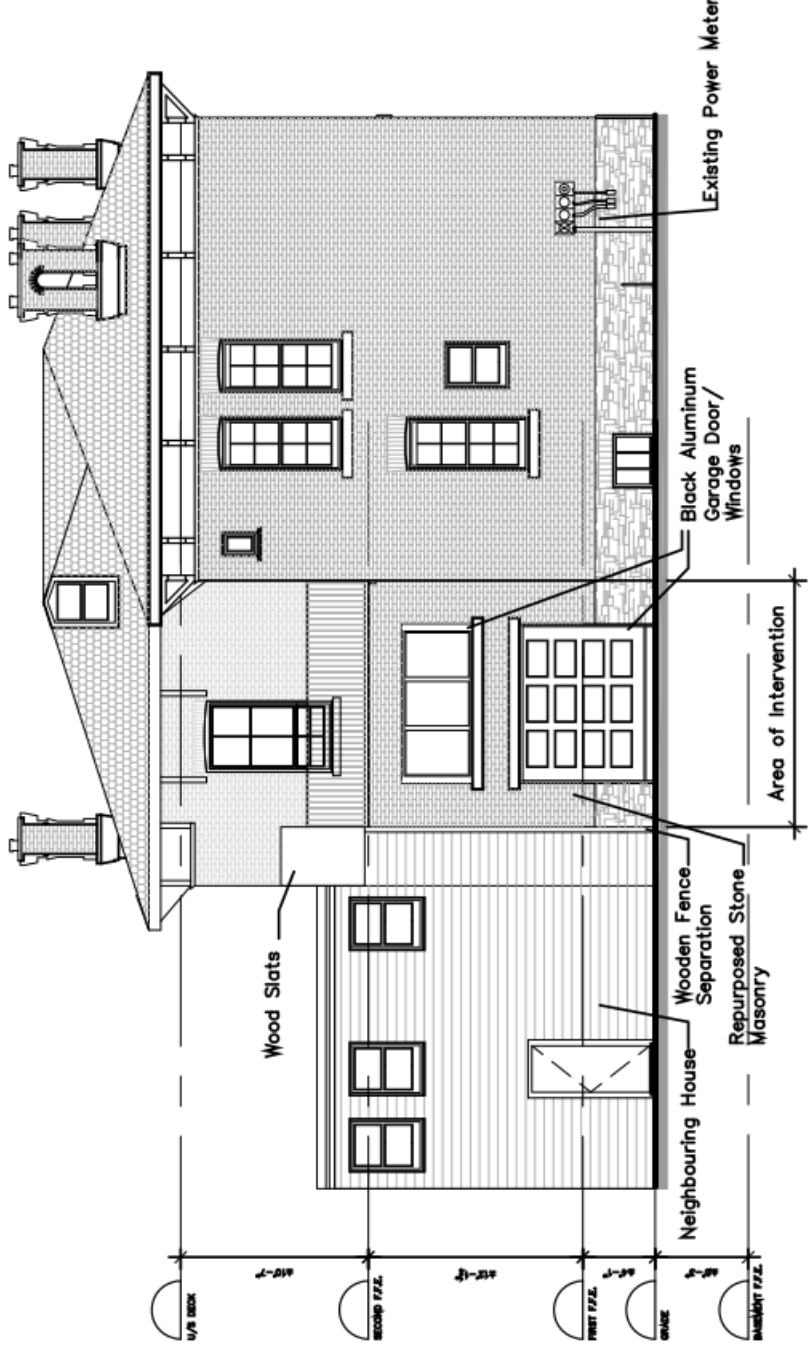
Sza Shoalts and Zaback Architects Ltd	
Certificate of Practice Number: 4 Colborne Street, Suite 206, Kingston, ON K7K 1Z7 Tel: 613-541-0804 mail@sazach.com www.sazach.com	2438 K7K 1Z7 Tel: 613-541-0804 www.sazach.com
Drawn by AJ / GB	Date 2021-06-30
File Name 19073 - PLO1b_02	Scale 3/32" = 1'-0"
Client Project #	Drawing Number
Project # 19073	Revision # A103

Project
Downtown Renovation

Location
115 Lower Union Street

Drawing
2nd Floor Plan: New Work

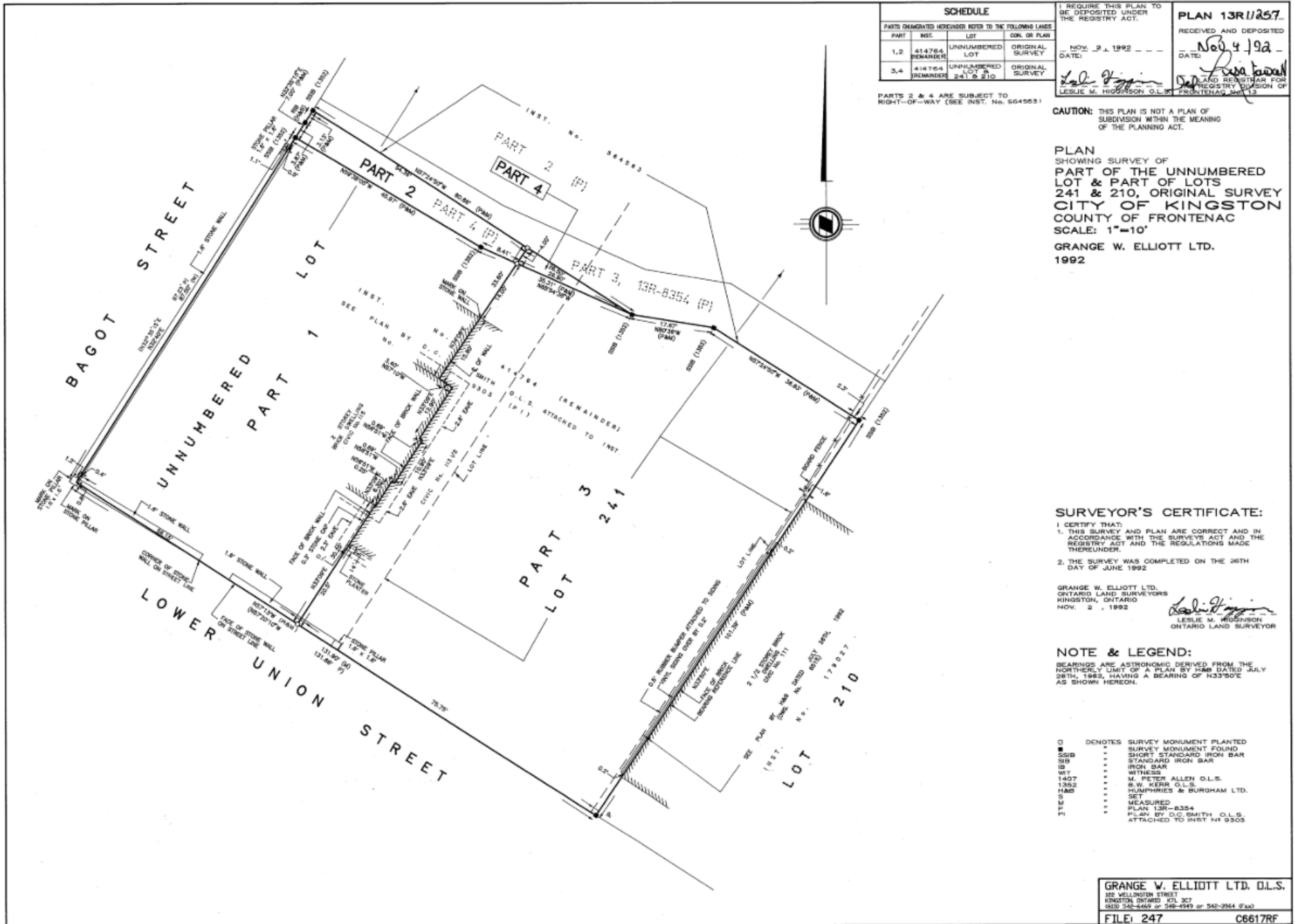
Client
Erez Paz



1. ISSUED FOR HERITAGE PERMIT APP 2021-06-30

SZA Shoalts and Zaback Architects Ltd	
Certificate of Practice Number:	2438
4 Coleridge Street, Suite 206, Kingston, ON	K7K 1Z7
tel. 613 541 0776	fax. 613 541 0804
email@sazarch.com	www.sazarch.com
Drawn by	Date
GB/AJ	2021-06-30
File Name	Scale
19073 - EL01a	$\frac{3}{8} = 1'-0"$
Client Project #	Drawing Number
	A201
Project #	Revision #
19073	

Project	Downtown Renovation
Location	115 Lower Union Street
Drawing	Proposed North Elevation
Client	Erez Paz



SCHEDULE			
PARTS DEMARCATED HEREUNDER REFER TO THE FOLLOWING LAYERS			
PART	REF.	LOT	CON. OF PLAN
1,2	414764	UNNUMBERED LOT	ORIGINAL SURVEY
3,4	414764	UNNUMBERED LOT 241 & 210	ORIGINAL SURVEY

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

PLAN 13R/11257

RECEIVED AND DEPOSITED

Nov 4 1992

DATE: NOV. 3, 1992

LESLIE M. HIGGINSON O.L.S.

FRONTENAC DIST. 13

PARTS 2 & 4 ARE SUBJECT TO RIGHT-OF-WAY (SEE INST. No. 664553)

CAUTION: THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

PLAN SHOWING SURVEY OF PART OF THE UNNUMBERED LOT & PART OF LOTS 241 & 210, ORIGINAL SURVEY CITY OF KINGSTON COUNTY OF FRONTENAC SCALE: 1"=10'

GRANGE W. ELLIOTT LTD. 1992

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.
 - THE SURVEY WAS COMPLETED ON THE 26TH DAY OF JUNE 1992

GRANGE W. ELLIOTT LTD.
ONTARIO LAND SURVEYORS
KINGSTON, ONTARIO
NOV. 2, 1992

LESLIE M. HIGGINSON
ONTARIO LAND SURVEYOR

NOTE & LEGEND:

BEARINGS ARE ASTROLOGIC DERIVED FROM THE NORTHERLY LIMIT OF A PLAN BY P.M. DATED JULY 28TH, 1982, HAVING A BEARING OF N33°50'E AS SHOWN HEREON.

- O DENOTES SURVEY MONUMENT PLANTED
- SURVEY MONUMENT FOUND
- S5B SHORT STANDARD IRON BAR
- S1B STANDARD IRON BAR
- IB IRON BAR
- WT WITNESS
- 1407 M. PETER ALLEN O.L.S.
- 1382 B.W. KERR O.L.S.
- H&D HUMPHRIES & BURGHAM LTD.
- S SET
- M MEASURED
- P PLAN 13R-8354
- ATTACHED TO INST. NO. 9303

GRANGE W. ELLIOTT LTD. O.L.S.
382 WELLINGTON STREET
KINGSTON, ONTARIO K7L 2C7
416-242-4469 or 246-4949 or 542-2964 (F&D)

FILE: 247 C6617RF



**City of Kingston
Report to Committee of Adjustment
Report Number COA-24-004**

To: Chair and Members of the Committee of Adjustment
From: Jason Partridge, Planner
Date of Meeting: February 26, 2024
Application for: Permission
File Number: D13-054-2023
Address: 1584 St. Lawrence Avenue
District: Countryside
Owner: Ana Trajkovic and Zvonko Trajkovic
Applicant: Zvonko Trajkovic

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: 1.1 Promote increased supply and affordability of housing.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for permission for the property located at 1584 St. Lawrence Avenue. The applicant is proposing to increase the height of a non-complying accessory building within the front yard of the property.

The requested application for permission under Section 45(2)(a)(i) of the *Planning Act* is consistent with the general purpose and general intent of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62 . The proposed detached accessory building is desirable for appropriate development of the subject property and will not result in undue adverse impacts on the surrounding properties and neighbourhood. Therefore, it is recommended that this application for permission under Section 45(2)(a)(i) of the *Planning Act* be approved.

February 26, 2024

Page 2 of 9

Recommendation:

That the application for permission, File Number D13-054-2023, for the property located at 1584 St. Lawrence Avenue to increase the height of a non-complying accessory building, be **Approved**; and,

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-004.

February 26, 2024

Page 3 of 9

Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Jason Partridge, Planner

Consultation with the following Management of the Growth & Development Services Group:

Tim Park, Director, Planning Services

Meghan Robidoux, Supervisor, Development Approvals

February 26, 2024

Page 4 of 9

Options/Discussion:

On September 14, 2023, an application for permission was submitted by Zvonko Trajkovic, on behalf of the owners, Ana Trajkovic and Zvonko Trajkovic, with respect to the property located at 1584 St. Lawrence Avenue. The application for permission is requested to increase the height of an existing front yard accessory building from 4.0 metres to 5.4 metres in height. The existing accessory building will continue to be situated 1.83 metres from the west interior side yard and 3.51 metres from the north front lot line. The accessory building would measure 44.60 square metres in size and will maintain the existing accessory building's footprint. The increase in height is proposed to accommodate a storage loft over the garage.

Given the increase in height within a yard that is not permitted to have an accessory building, a permission application is requested to allow for the construction of a new front yard accessory building.

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

- Site Plan (Exhibit F)
- Elevations (Exhibit G)

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 at 1584 St. Lawrence Avenue which is located along the shores of the St. Lawrence River and roughly 850 metres south of Highway 2 (Exhibit B – Key Map). The property abuts similarly shaped residential properties to the east, west and north along St. Lawrence Avenue (Exhibit C – Neighbourhood Context Map).

The subject property is designated Estate Residential in the Official Plan (Exhibit D – Official Plan Map) and zoned Rural (RUR) in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map).

Permission Application

Pursuant to Subsection 45(2)(a)(i) of the *Planning Act*, the Committee of Adjustment may permit the enlargement or extension of a legal non-complying building or structure, but no permission may be given to enlarge or extend the building or structure beyond the original limits of the land where the legal non-complying building or structure is situated. In considering whether to grant a permission pursuant to Subsection 45(2)(a)(i), the relevant test is:

- 1) Whether the application is desirable for appropriate development of the subject property; and,**

February 26, 2024

Page 5 of 9

2) Whether the application will result in undue adverse impacts on the surrounding properties and neighbourhood.

The proposed front yard accessory building, which is intended to provide additional personal storage space for the owners, represents an appropriate development on the subject property in part because an accessory building is a permitted accessory use to the established single-detached house use on the property.

The new proposed accessory building, though slightly taller, is to occupy the original building footprint as that of the existing accessory building located within the front yard. The prevalence of similar front yard accessory buildings along St. Lawrence Avenue is a result of the former Zoning By-law 32-74 permitting waterfront lots to be able to have a front yard accessory building. The purpose of the increased height for the proposed accessory building will be to accommodate a storage loft that will increase the functionality of the associated single detached house on the property. The presence of surrounding vegetation and the separation of the building relative to surrounding single detached houses will minimize any potential adverse impacts to the surrounding properties.

Accordingly, there are not anticipated to be any undue adverse impacts as a result of the new proposed accessory building, and the development is appropriate at this location.

Provincial Policy Statement

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.

Official Plan

The subject property is designated Estate Residential (Exhibit D – Official Plan Map).

In certain circumstances, it may be desirable to grant the extension, enlargement or relocation of a non-conforming use as provided by the *Planning Act*. When reviewing an application for such extension, enlargement or relocation, the Committee of Adjustment must be satisfied that the legal non-conforming use continued to the date of the application to the Committee, and that the application would not extend such use beyond the area and site owned or used on the day of passage of the implementing zoning by-law. In addition, the Committee of Adjustment may have regard to the eight criteria included in Section 9.5.13 of the Official Plan.

February 26, 2024

Page 6 of 9

The proposed accessory building with an increased height is compatible with the surrounding uses and is not anticipated to cause any negative impacts. The proposed accessory building will be associated with the single detached house, which exists as a permitted use on the property and would not interfere with the future planned uses proposed in the Official Plan. The location of the proposed accessory building replaces the long-established former front yard accessory building and will maintain the current building footprint. The presence of surrounding vegetation and the separation of the building relative to surrounding single detached houses will minimize any potential adverse impacts to the surrounding properties.

There is no expectation that the proposed accessory building will result in any impacts with respect to traffic or noise given that there is no change in use and the operating characteristics will remain that of an accessory building located within the front yard. The proposed accessory building is also not anticipated to change the configuration of parking for vehicles and bicycles, open space or amenity areas on the property as the new proposed accessory building will be using the same building footprint of the existing accessory building.

The subject property is not designated or listed on the City of Kingston's Heritage Property Register, or adjacent to a property which is designated or listed.

Heritage Services has reviewed the proposed accessory building permission application and have noted that the property contains some areas of composite archaeological potential, the proposed ground disturbance is occurring outside of this area. As a result, an archaeological assessment is not required.

The requested permission to construct a front yard accessory building meets the general intent and purpose of the City of Kingston Official Plan.

Zoning By-Law

The subject property is zoned RUR in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map).

The RUR zone permits residential uses and associated accessory buildings. While the existing accessory building is a legal non-complying building, it does not comply with the accessory building yard location that was introduced in Kingston Zoning By-law Number 2022-62. Section 4.1.2.1 requires a requires an accessory building to be located in the rear yard, exterior yard or interior yard.

The detached accessory building was developed and used in accordance with Zoning By-law 32-74, in force at the time, and was continuously used in this fashion to the current date which now prohibits an accessory building within the front yard of the property.

The proposed deck and stairs to the rear of the proposed accessory building complies with the deck and porches section 4.20.1 of Kingston Zoning By-law Number 2022-62.

February 26, 2024

Page 7 of 9

Provisions related to the location of an accessory building on a property are intended to ensure no adverse impacts from loss of privacy and change to the character of the neighbourhood associated with abutting properties. The proposed accessory building is not permitted to be used as any type of sleeping accommodation.

The proposed development will not change the fundamental characteristics of the neighbourhood, as the current configuration has existed on the property as a legal non-complying building and St. Lawrence Avenue contains other similar sized accessory buildings located with front yards.

Technical Review: Circulated Departments and Agencies

- Building Services
- Finance
- Fire & Rescue
- Solid Waste
- Housing
- KEDCO
- CRCA
- Parks Canada
- Hydro One
- Kingston Airport
- Engineering
- Utilities Kingston
- Kingston Hydro
- Parks Development
- District Councillor
- Municipal Drainage
- KFL&A Health Unit
- Eastern Ontario Power
- Enbridge Pipelines
- Heritage Services
- Real Estate
- 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 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 application for permission under Section 45(2)(a)(i) of the Planning Act is consistent with the general purpose and general intent of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62. The proposed accessory building is desirable for

February 26, 2024

Page 8 of 9

appropriate development of the subject property and will not result in undue adverse impacts on the surrounding properties and neighbourhood. Therefore, it is recommended that this application for permission under Section 45(2)(a)(i) of the Planning Act be approved.

Approval of this application will facilitate the orderly development of this property with a new detached garage building.

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 December 11, 2023. 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 9 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 (Exhibit H – Public Notification Map).

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

February 26, 2024

Page 9 of 9

Jason Partridge, Planner, 613-546-4291 extension 3216

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map (2022)
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Map
- Exhibit F Site Plan
- Exhibit G Elevations
- Exhibit H Public Notification Map
- Exhibit I Site Photos

Recommended Conditions

The approval of permission application, File Number D13-054-2023, to permit the reconstruction of a non-complying storage garage, shall be subject to the following recommended conditions:

1. Limitation

That the approved permission applies only to the construction of a detached accessory storage 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 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. Development Engineering

Prior to the issuance of the building permit for the front yard detached accessory building the owner(s) of 1584 St. Lawrence Avenue must provide City of Kingston staff with a survey to confirm if the existing accessory building is located on city property or on private property. If the existing and or proposed accessory building is located on city property, then an encroachment permit must be applied for and approved to the satisfaction of City of Kingston staff.


6. Storage Building

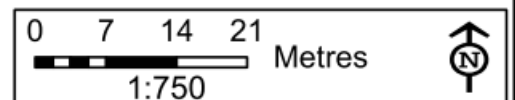
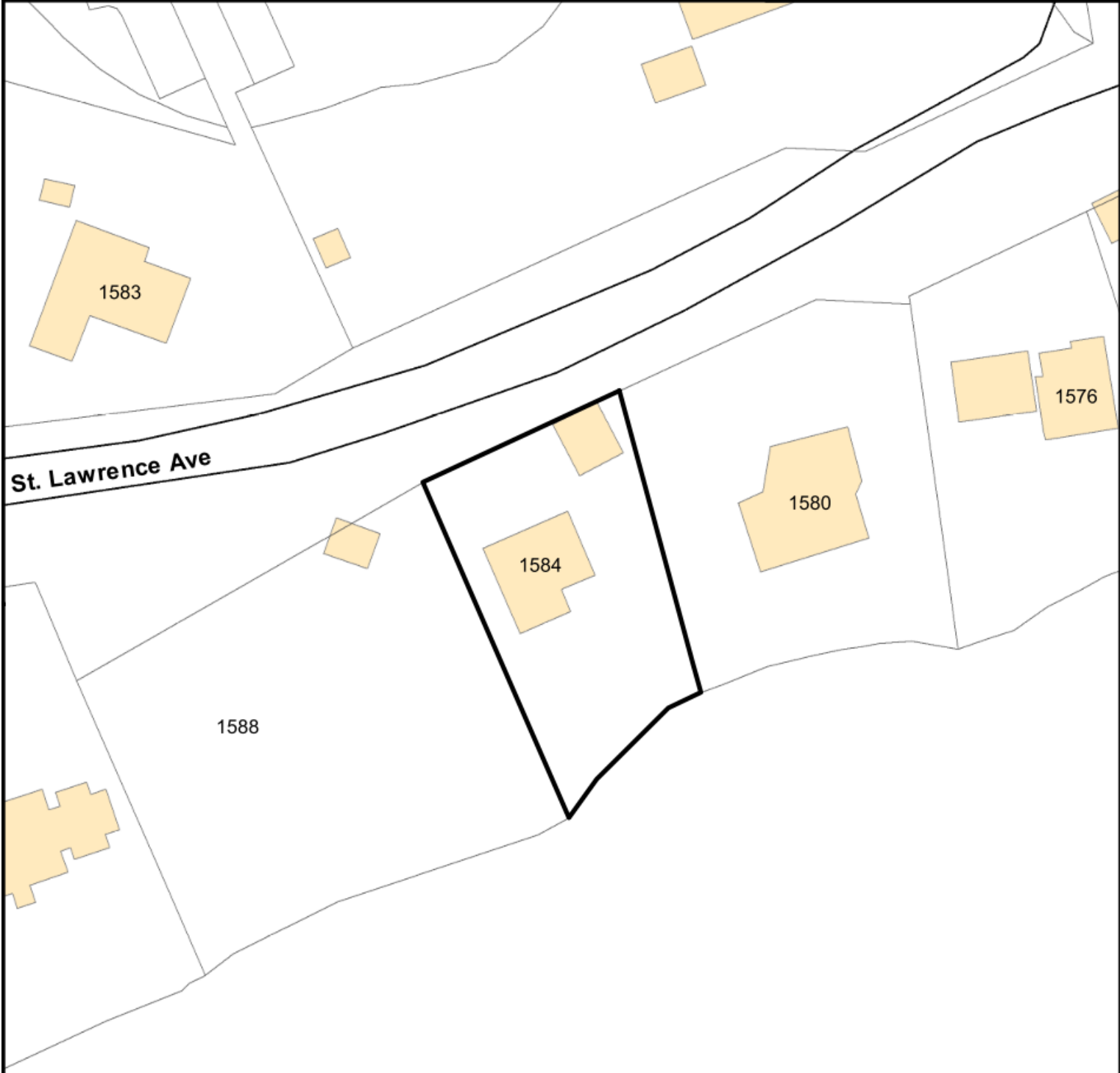
The front yard detached accessory building will only be used for parking of vehicles/storage space associated to the single detached house on the property.



Committee of Adjustment Key Map

Address: 1584 St. Lawrence Ave
File Number: D13-054-2023

 Lands Subject to Minor Variance

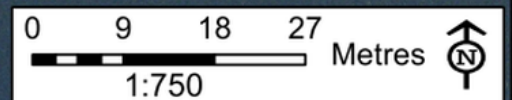




Committee of Adjustment
Neighbourhood Context (2023)

Address: 1584 St. Lawrence Ave
File Number: D13-054-2023

- Subject Lands
- Property Boundaries
- Proposed Parcels

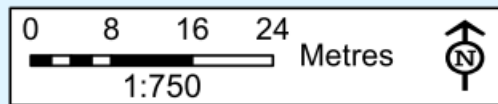
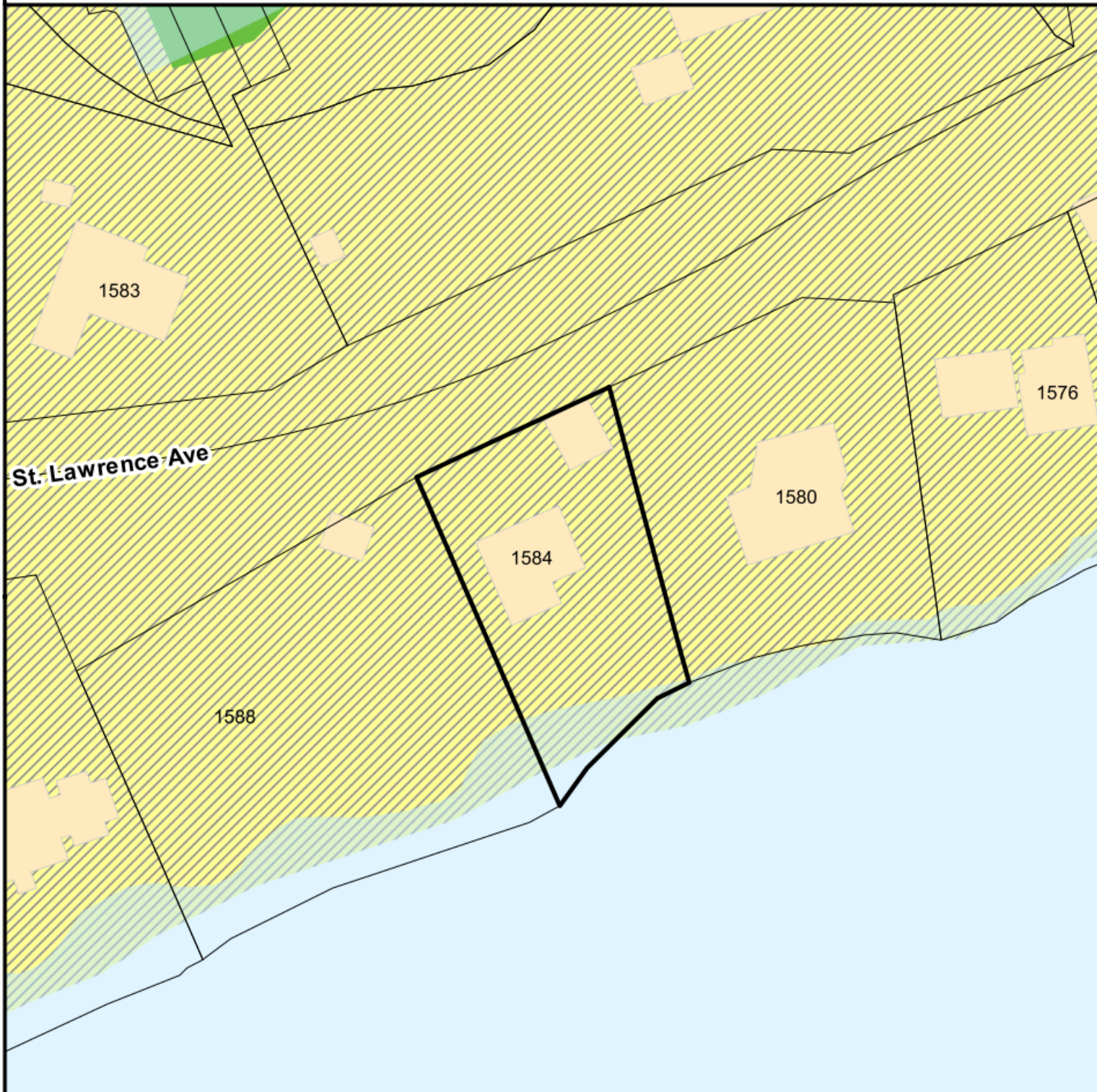




Committee of Adjustment
Official Plan, Existing Land Use

Address: 1584 St. Lawrence Ave
File Number: D13-054-2023

- Subject Lands
- ENVIRONMENTAL PROTECTION AREA
- ESTATE RESIDENTIAL





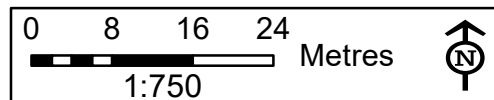
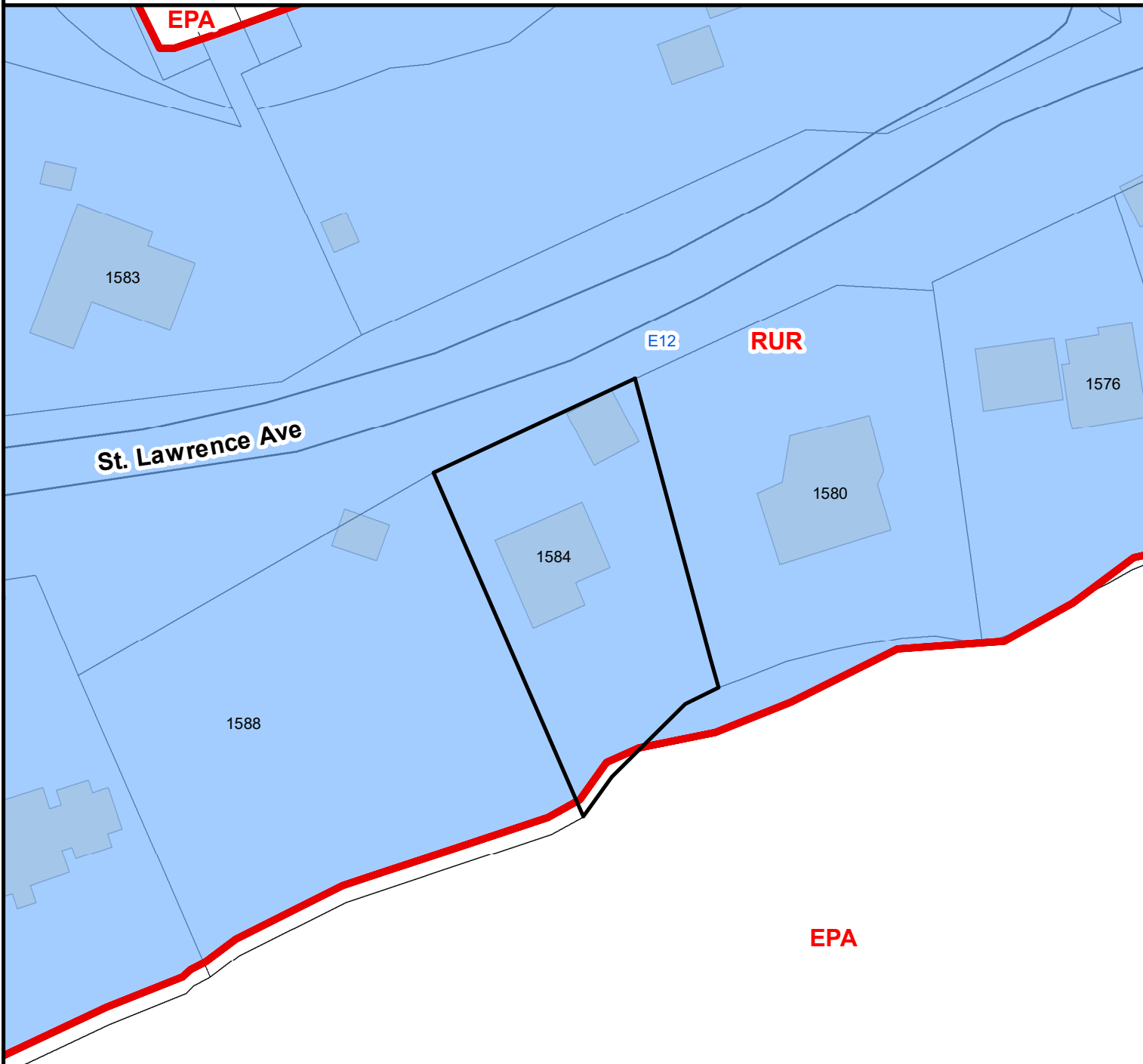
Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

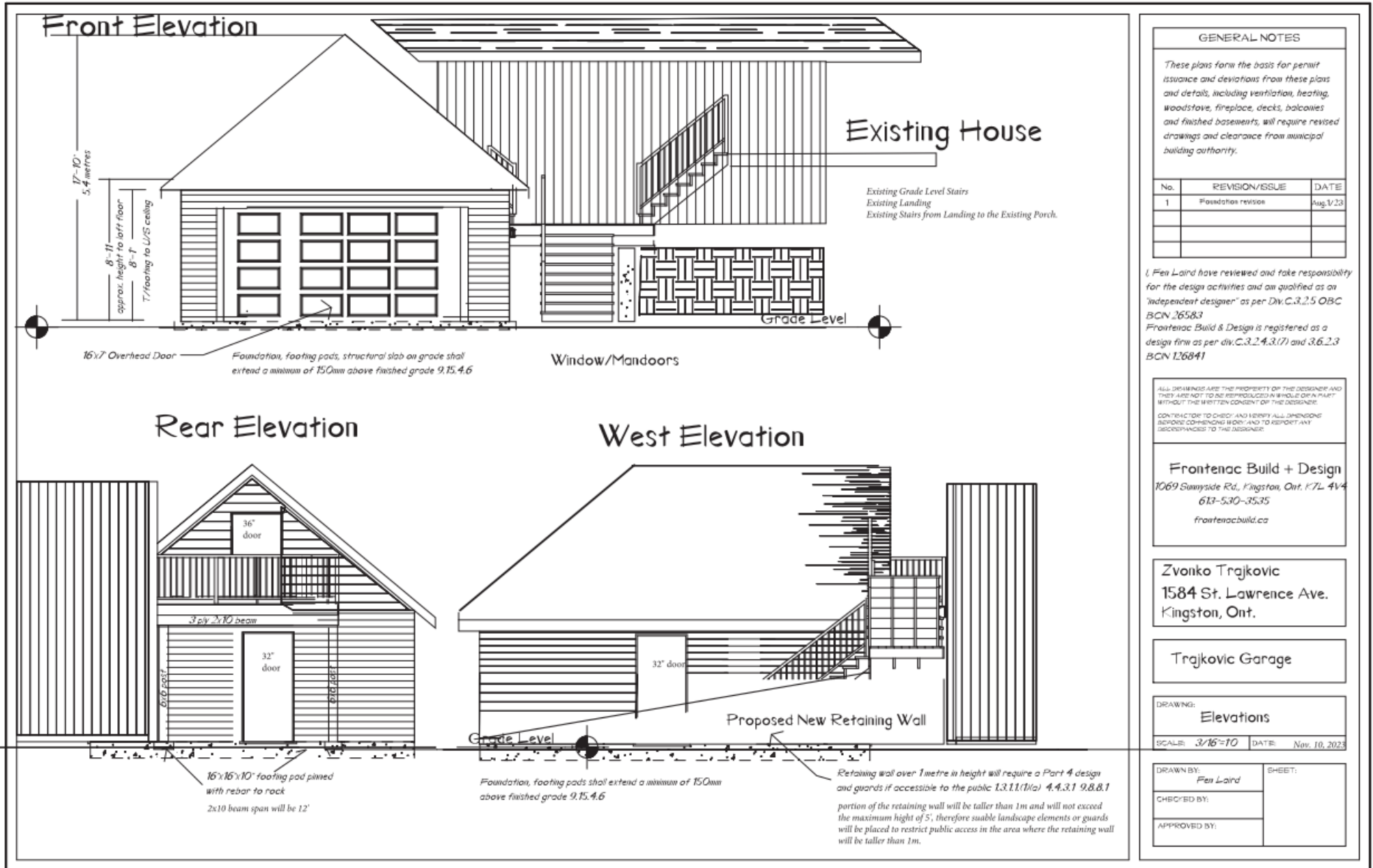
Planning Services

Address: 1584 St. Lawrence Ave
File Number: D13-054-2023

- Subject Lands
- Schedule 1 Zoning Map
- Zone

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





GENERAL NOTES

These plans form the basis for permit issuance and deviations from these plans and details, including ventilation, heating, woodstove, fireplace, decks, balconies and finished basements, will require revised drawings and clearance from municipal building authority.

No.	REVISION/ISSUE	DATE
1	Foundation revision	Aug. 3, 23

I, *Fen Laird* have reviewed and take responsibility for the design activities and am qualified as an "independent designer" as per Div. C.3.2.5 OBC BCN 26583
Frontenac Build & Design is registered as a design firm as per div. C.3.2.4.3.(7) and 3.6.2.3 BCN 126841

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER.

Frontenac Build + Design
1069 Sunnyside Rd., Kingston, Ont. K7L 4V4
613-530-3535
frontenacbuild.ca

Zvonko Trajkovic
1584 St. Lawrence Ave.
Kingston, Ont.

Trajkovic Garage

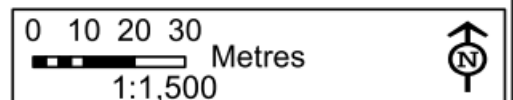
DRAWING: **Elevations**
SCALE: 3/16"=10' DATE: Nov. 10, 2023

DRAWN BY: *Fen Laird* SHEET:
CHECKED BY:
APPROVED BY:



Committee of Adjustment
Public Notice Notification Map
Address: 1584 St. Lawrence Ave
File Number: D13-054-2023

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



1584 St. Lawrence Avenue– November 10, 2023



(South facing view of the proposed location of the accessory building)



**City of Kingston
Report to Committee of Adjustment
Report Number COA-24-021**

To: Chair and Members of the Committee of Adjustment
From: Penelope Horn, Planner
Date of Meeting: February 26, 2024
Application for: Minor Variance
File Number: D13-001-2024
Address: 62 Hatter Street
Owner: Vince Baker
Applicant: Vince Baker

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.1 Promote increased supply and affordability of housing.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variance for the property located at 62 Hatter Street. The applicant is proposing to replace the existing attached garage with a new attached garage with an additional residential unit on the second storey. A variance to reduce the setback from the rear wall of the principal building to the rear lot line is required to facilitate the proposed addition.

The requested minor variance is 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 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.

February 26, 2024

Page 2 of 9

Recommendation:

That minor variance application, File Number D13-001-2024, for the property located at 62 Hatter Street to construct a two-storey addition to a one-storey residential building, be approved, as described below:

Variance Number 1:

By-Law Number: 2022-62 Table 11.8.1.12:

Requirement: The rear wall of the principal building must not be closer than 7.5 metres to the rear lot line.

Proposed: 4.0 metres

Variance Requested: 3.5 metres

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-021.

February 26, 2024

Page 3 of 9

Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Penelope Horn, Planner

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

Tim Park, Director, Planning Services

Meghan Robidoux, Supervisor, Development Approvals

February 26, 2024

Page 4 of 9

Options/Discussion:

On January 8, 2024, a minor variance application was submitted by Vince Baker, with respect to the property located at 62 Hatter Street. The applicant is proposing to replace the existing attached garage with a new attached garage with an additional residential unit on the second storey. A variance to reduce the setback from the rear wall of the principal building to the rear lot line is required to facilitate the proposed addition.

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

- Concept Plan (Exhibit F)
- Floor Plan (Exhibit G)

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 at 62 Hatter Street, with an area of approximately 465.35 square metres and approximately 23 metres of lot frontage (Exhibit B – Key Map). The property contains a single-detached dwelling and is located in the Portsmouth neighbourhood. The area immediately surrounding the subject property consists primarily of low-rise residential forms. However, there are a variety of institutional uses located several blocks in each direction from the subject property, including St. Lawrence College to the west, Kingston Penitentiary to the south, Queen’s West Campus to the east, and Ongwanada Resource centre to the North-East (Exhibit C – Neighbourhood Context Map).

The subject property is designated Residential in the Official Plan (Exhibit D – Official Plan Map) and zoned Urban Residential 7 in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map).

Provincial Policy Statement

In addition to the four tests of a minor variance detailed below, 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.

February 26, 2024

Page 5 of 9

Minor Variance 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:

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 D – Official Plan Map).

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 subject property is located within a Housing District in Schedule 2 of the Official Plan. This proposal does not seek a significant change that would impact the surrounding properties or neighbourhood characteristics. The site is located in a stable area, surrounded by low-rise residential uses. The proposal to add an attached garage with a second storey is compatible with nearby developments, which are primarily one and two storey buildings.

Section 2.7 of the Official Plan outlines the principles of land use compatibility to ensure that new development respects the qualities of existing areas and provides suitable transitions between areas of differing uses, intensity, sensitivity and urban design treatment and intensity to avoid or mitigate adverse effects. The proposed addition will result in minor shadowing impacts considering that there is a considerable number of trees and a tall shrub along the rear lot line, which already casts some shadows on the property behind 62 Hatter Street. The shrubs and trees also mitigate overlook and preserves privacy for the rear neighbours. Overlook is also limited by adhering to a two-storey addition, rather than the three-storeys that are permitted as-of-right within the UR7 zone.

The proposed addition will have no negative impact to the site functioning in terms of access, parking for vehicles or bicycles, or universal accessibility. The existing driveway off of Hatter Street will be maintained, with one parking space in the garage and one in the driveway. The subject property is not designated under the *Ontario Heritage Act* and the applicant has submitted a Stage 1 Archeological Assessment with their application.

Given that the use will remain the same and that all but one of the other performance standards of the Kingston Zoning By-Law are maintained, a minor variance is the appropriate path forward to request zoning relief for the rear yard.

The proposal meets the intent of the Official Plan, as the proposed addition will not result in any negative impacts to adjacent properties or to the neighbourhood.

February 26, 2024

Page 6 of 9

2) The general intent and purpose of the Zoning By-Law are maintained

The subject property is zoned Urban Residential 7 Zone (UR7) in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map). The UR7 zone permits low-rise residential forms, including single-detached houses and the proposed addition will maintain the single-detached house on the property. Aside from the rear setback, the proposed addition conforms with the other performance standards set out in the zone.

The proposal requires a variance to Section 11.8 of the Zoning By-Law as follows:

Variance Number 1:

By-Law Number: 2022-62: Table 11.8.1.12

Requirement: The rear wall of the principal building can be no closer than 7.5 metres from the rear lot line.

Proposed: 4.0 metres from the rear lot line.

Variance Requested: 3.5 metres

The provisions of the UR7 zone are defined in Table 11.8.1, while provisions for additional residential units are defined in Section 5.4.6. The proposed addition adheres to all but one of the zone requirements, being the distance from the rear wall of the principal building to the rear lot line. For clarity, the variance is referred to as the rear setback elsewhere in this report.

The purpose and intent of the separation between the rear wall of the principal building is to provide privacy for neighbours to the rear of the property, provide adequate landscaped open space, and ensure sufficient rear amenity space. The proposal meets the 30 percent landscaped open space requirement. Furthermore, by replacing the existing garage, which currently has a 0 metre setback from the rear lot line, the proposed addition will increase the existing rear setback by 4.04 metres.

The subject property has a distinct shape compared to many of the surrounding properties. The subject property has a lot depth of 18 metres, while nearby properties, such as 66 Hatter Street, have lot depths of over 40 metres. Although the same zoning provisions apply, the conditions on the subject property make adhering to the rear setback more difficult. Despite the constraints on the lot, the applicant is proposing a 4.04 metre rear setback, which reflects the setback of the current single-detached dwelling.

The additional residential unit, which is proposed above the attached garage, will comply with the applicable provisions of Section 5.4.6 of the Kingston Zoning By-Law, which contains the performance standards for additional residential units. Section 5.4.6 ensures that properties with additional residential units are accessible to pedestrians and can provide adequate parking for vehicles and bikes. As the proposed additional residential unit adheres to the performance standards of Section 5.4.6, there are no concerns in regard to the functionality of the use.

The requested variance maintains the general intent and purpose of the zoning by-law.

February 26, 2024

Page 7 of 9

3) The variance is minor in nature

The variance is considered minor as the proposed addition is compatible with the built form of the surrounding low-rise residential neighbourhood. Approval of this variance will only result in one new residential unit. The requested reduction to the rear setback responds to the current conditions on the site and will not interfere with the functionality of the site. The proposed addition aligns with the footprint of the current detached dwelling, which mitigates the effect of the reduced rear setback. The property behind the subject property has a generous rear setback of approximately 24 metres, while mature trees and shrubs provide further screening between the properties. Given these factors, the impact of a 4.04 metre setback compared to the 7.5 metre rear setback required is minor. Furthermore, the proposed addition will not change the fundamental design characteristics of the neighbourhood.

The proposed variance is considered minor in nature.

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

The variance will increase the usable floor area of the subject property and will provide another residential unit. By replacing the existing garage, which has no rear setback, the proposed garage will improve conditions on the site. The addition of a residential unit will allow for a more efficient use of available land without causing disruption or adverse impacts to the surrounding neighbourhood.

As such, the variance is desirable and appropriate use of the land.

Technical Review: Circulated Departments and Agencies

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Building Services | <input type="checkbox"/> Engineering | <input type="checkbox"/> Heritage Services |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Utilities Kingston | <input checked="" type="checkbox"/> Real Estate |
| <input checked="" type="checkbox"/> Fire & Rescue | <input type="checkbox"/> Kingston Hydro | <input type="checkbox"/> Environment Division |
| <input type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input type="checkbox"/> Housing | <input type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input type="checkbox"/> Municipal Drainage | <input type="checkbox"/> Parks of the St. Lawrence |
| <input 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

February 26, 2024

Page 8 of 9

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 Kingston 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 variance 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 enable the construction of a two-storey addition and allow a rear setback of 4.04 metres.

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 February 26, 2024 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 26 property

February 26, 2024

Page 9 of 9

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 (Exhibit H – Public Notification Map).

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

Penelope Horn, Planner, 613-546-4291 extension 3237

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map (2022)
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Map
- Exhibit F Concept Plan
- Exhibit G Floor Plan
- Exhibit H Site Photos
- Exhibit I Public Notification Map

Recommended Conditions

The approval of minor variance application, File Number D13-001-2024, to construct a 2-storey addition containing an attached garage and an additional residential unit, shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variance applies only to 62 Hatter Street 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

The City is in receipt of an Archaeological Assessment for the property located at 62 Hatter Street prepared by Abacus Archaeological Services dated June 20th, 2023. An acceptance letter(s) from the Ministry of Citizenship and Multiculturalism shall be provided to the Secretary-Treasurer of the Committee of Adjustment, prior to the issuance of a building permit.

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. Utilities Kingston Requirements

The owner must have a qualified engineer determine if the existing services are of adequate size to serve the proposed additional unit. If the development requires upsizing of the services, all cost is to be borne by the owner and will also require an updated servicing drawing for review and approval by Utilities Kingston prior to the issuance of a building permit.

If increasing the gas load, a Gas Load summary should be filled out and submitted to a Utilities Kingston Service Advisor prior to the building permit application.

6. Development Engineering Requirements

A grading plan will be required prior to the issuance of a building permit. The grading plan must demonstrate how overland flows will be diverted around the existing and proposed structure. The plan is to be prepared by a qualified individual and provide sufficient information so that existing and proposed drainage patterns can be reviewed.

7. Driveway Entrance Permit

A driveway entrance permit application must be submitted and obtained prior to the issuance of a building permit.




Committee of Adjustment

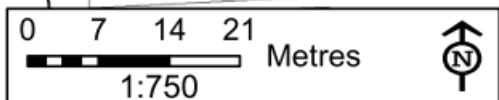
Key Map

Address: 62 Hatter St.

File Number: D13-001-2024

Prepared On: Jan-19-2024

 Lands Subject to Minor Variance





Prepared By: ncameron
Date: Jan-19-2024

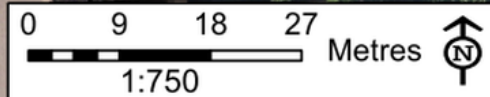
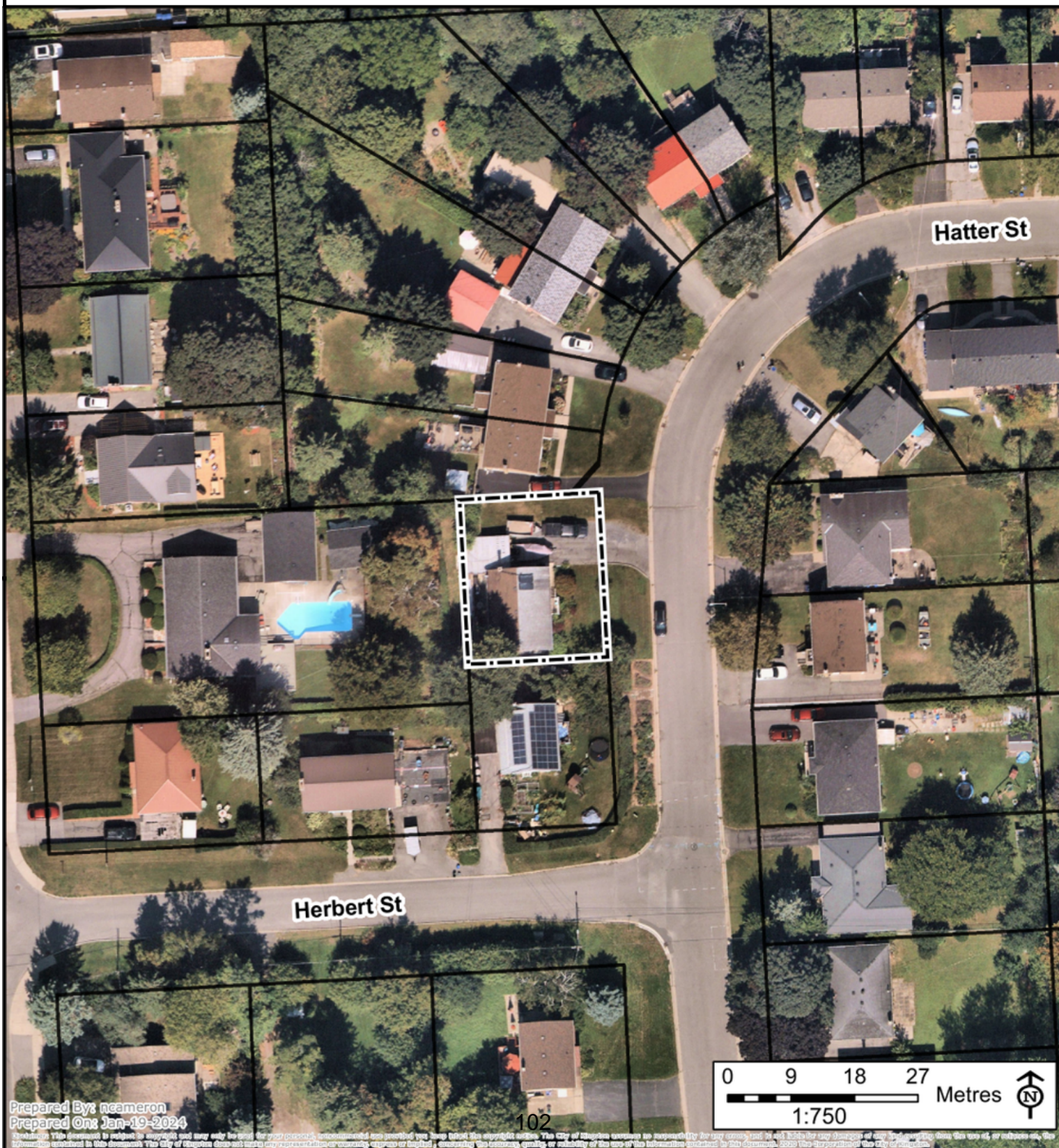
Disclaimer: This document is subject to copyright and may only be used for your personal, noncommercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied. Concerning the accuracy, quality or timeliness of the use of the information contained in this document. © 2020 The Corporation of the City of Kingston.



Committee of Adjustment Neighbourhood Context

Address: 62 Hatter St.
File Number: D13-001-2024
Prepared On: Jan-19-2024

-  Subject Lands
-  Property Boundaries





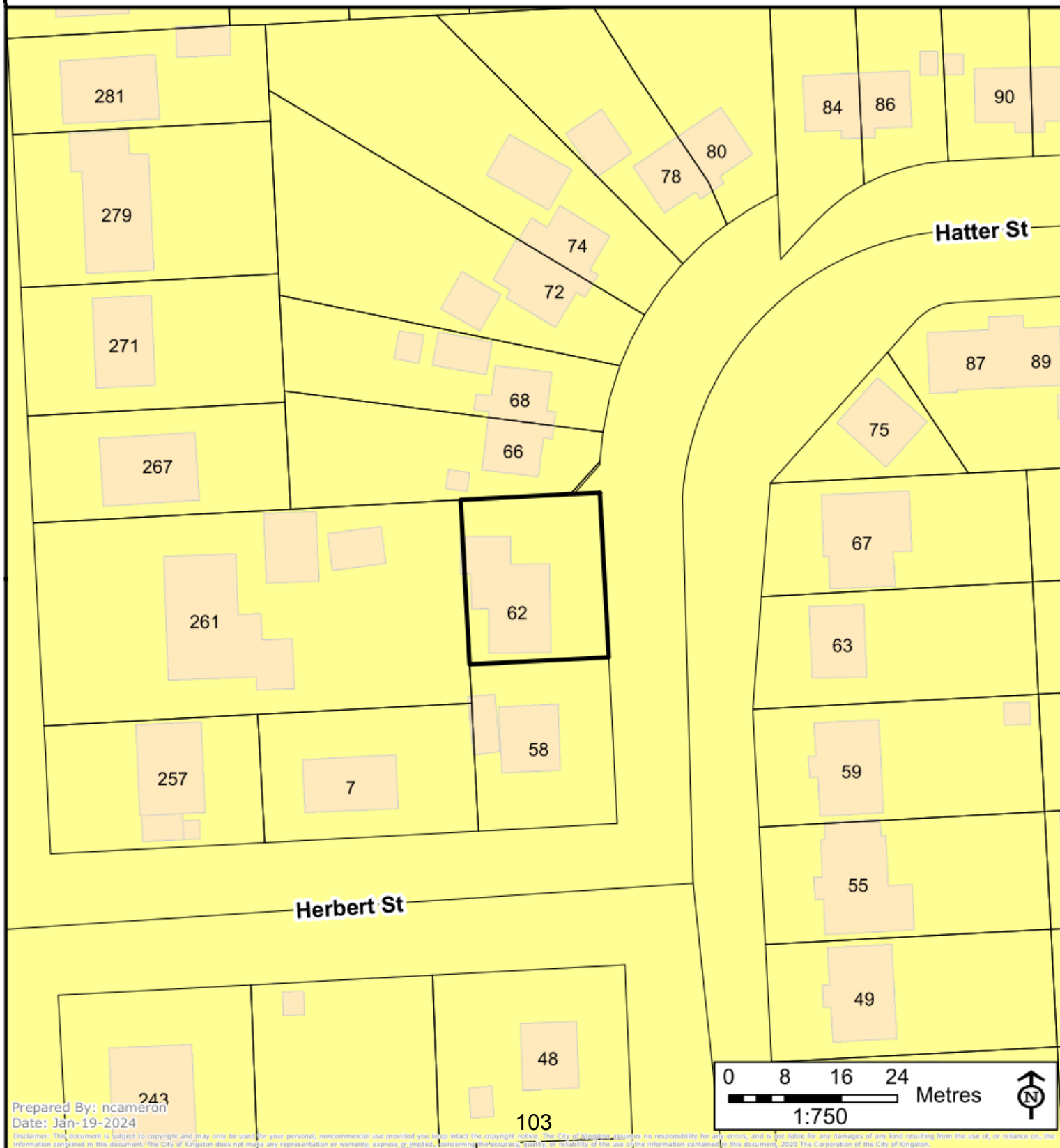


Planning Services

Committee of Adjustment Official Plan, Existing Land Use

Address: 62 Hatter St.
File Number: D13-001-2024
Prepared On: Jan-19-2024

 Subject Lands
 RESIDENTIAL





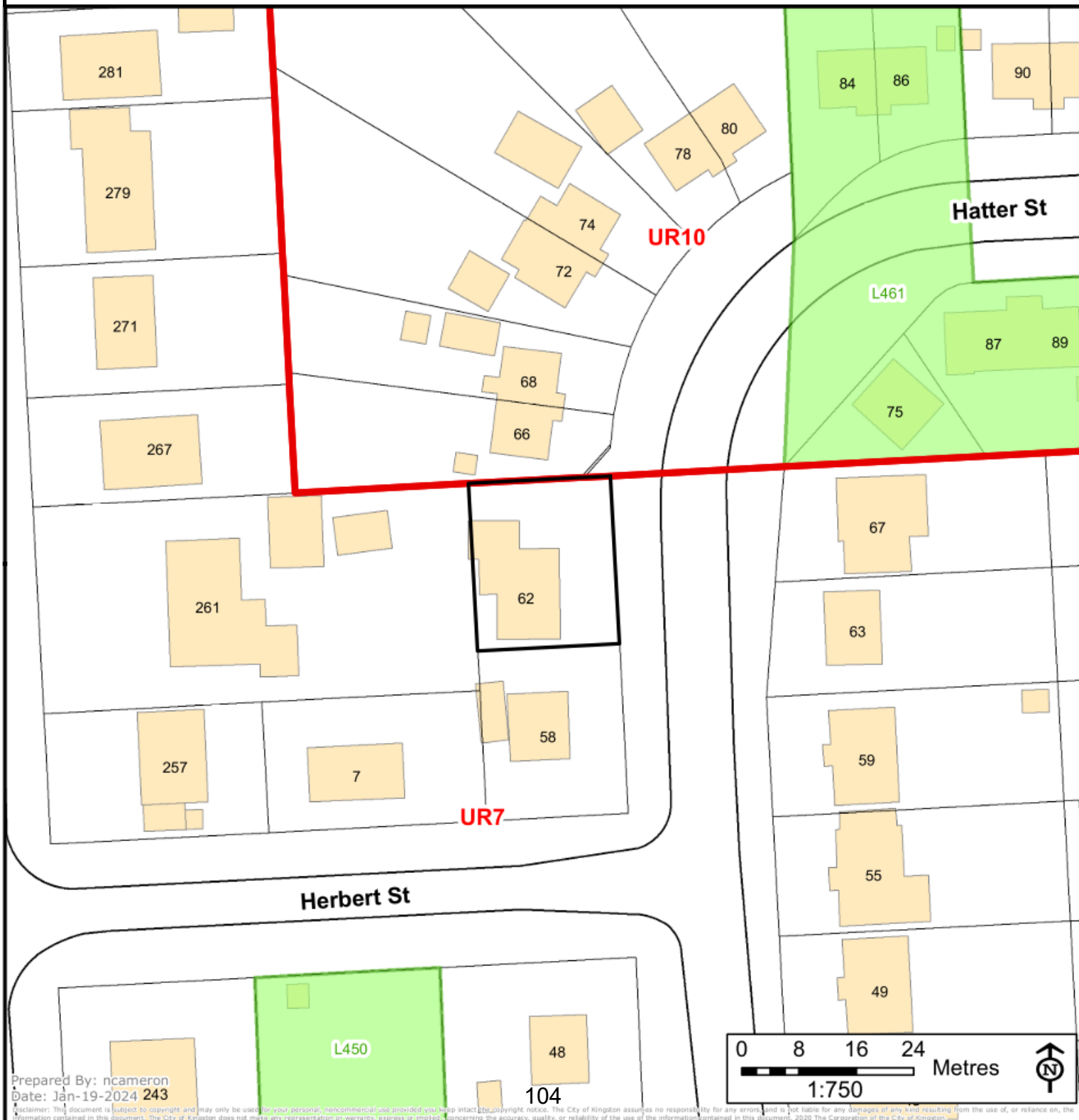
Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

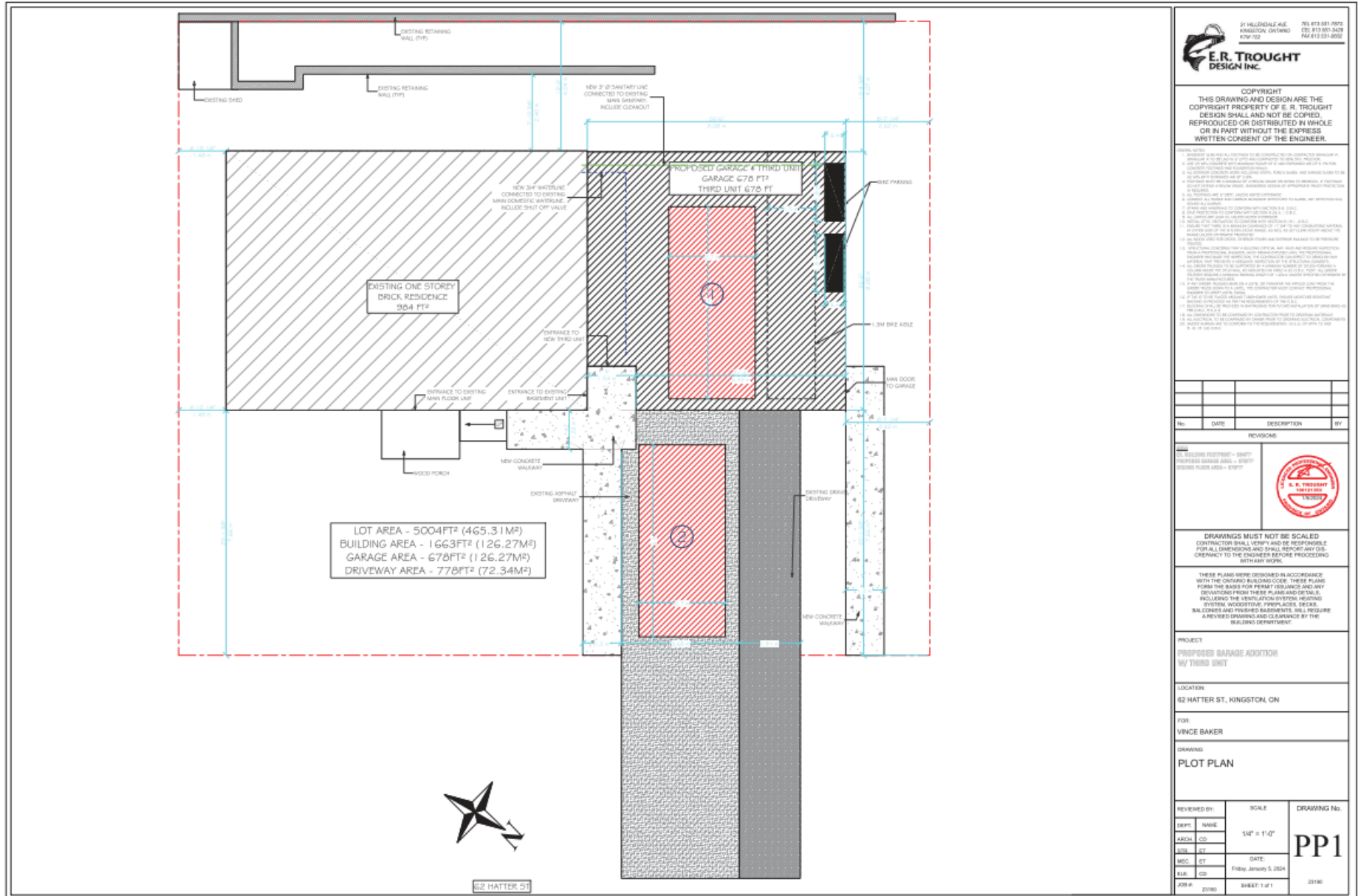
Planning Services

Address: 62 Hatter St.
File Number: D13-001-2024
Prepared On: Jan-19-2024

Subject Lands
Schedule 1 Zoning Map
Zone

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





21 HULLINGDALE AVE
KINGSTON, ONTARIO
K7M 1Z2

TEL: 873-881-0878
CELL: 873-901-3428
FAX: 873-521-6802

**E.R. TROUGHT
DESIGN INC.**

COPYRIGHT
THIS DRAWING AND DESIGN ARE THE
COPYRIGHT PROPERTY OF E. R. TROUGHT
DESIGN SHALL AND NOT BE COPIED,
REPRODUCED OR DISTRIBUTED IN WHOLE
OR IN PART WITHOUT THE EXPRESS
WRITTEN CONSENT OF THE ENGINEER.

GENERAL NOTES:

1. CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL MUNICIPALITY AND ALL APPLICABLE REGULATIONS AND BY-LAWS.
2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL CONCRETE SHALL BE 3000 PSI STRENGTH CONCRETE UNLESS OTHERWISE SPECIFIED.
4. ALL FOUNDATIONS SHALL BE 18" MINIMUM DEPTH UNLESS OTHERWISE SPECIFIED.
5. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
6. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
7. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
8. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
9. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
10. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
11. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
12. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
13. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
14. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
15. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
16. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
17. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
18. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
19. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.
20. ALL FOUNDATIONS SHALL BE 12" MINIMUM WIDTH UNLESS OTHERWISE SPECIFIED.

No.	DATE	DESCRIPTION	BY

REVISIONS

No.	DATE	DESCRIPTION	BY

SEAL:

ENGINEER: E. R. TROUGHT
P.L. ENG. 10110
PROV. NO. 10110

DRAWINGS MUST NOT BE SCALED
CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE
FOR ALL DIMENSIONS AND SHALL REPORT ANY DIS-
CREPANCY TO THE ENGINEER BEFORE PROCEEDING
WITH ANY WORK.

THESE PLANS WERE PREPARED IN ACCORDANCE
WITH THE ONTARIO BUILDING CODE. THESE PLANS
FORM THE BASIS FOR PERMIT ISSUANCE AND ANY
DEVIATIONS FROM THESE PLANS AND DETAILS,
INCLUDING THE VENTILATION SYSTEMS, HEATING
SYSTEM, WOODSHEATH, PREFABRICATED BEAMS,
MATERIALS AND FINISHED ELEMENTS, WILL REQUIRE
A REVISED DRAWING AND CLARIFICATION BY THE
BUILDING DEPARTMENT.

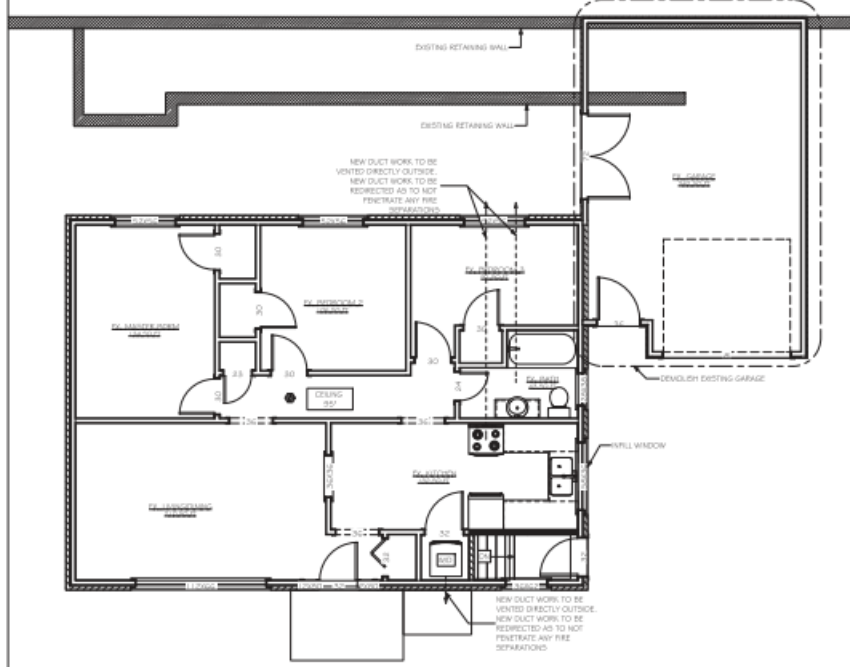
PROJECT:
PROPOSED GARAGE ADDITION
W/ THIRD UNIT

LOCATION:
62 HATTER ST, KINGSTON, ON

FOR:
VINCE BAKER

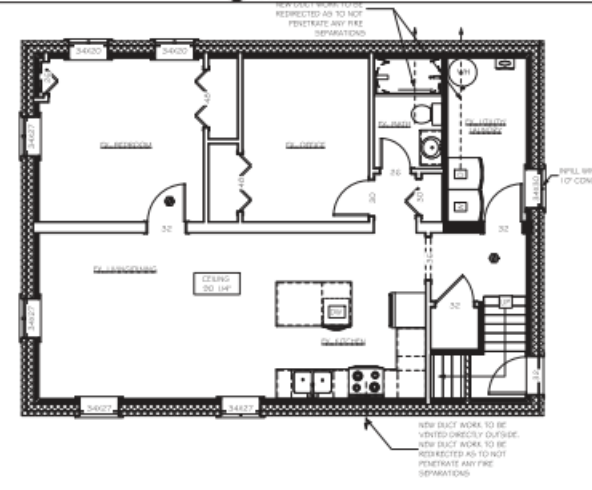
DRAWING:
PLOT PLAN

REVIEWED BY:	SCALE	DRAWING No.
DEPT: NAME	1/4" = 1'-0"	PP1
ARCH: CD		
EST: ET	DATE:	Friday, January 5, 2024
MCC: ET	DATE:	Friday, January 5, 2024
EST: CD	DATE:	Friday, January 5, 2024
JOB: #	SHEET: 1 of 1	22180



1 EXISTING ELEVATION
SCALE: NTS

2 EXISTING MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"



3 EXISTING BASEMENT PLAN
SCALE: 1/4" = 1'-0"



COPYRIGHT
THIS DRAWING AND DESIGN ARE THE
COPYRIGHT PROPERTY OF E. R. TROUGHT
DESIGN SHALL AND NOT BE COPIED,
REPRODUCED OR DISTRIBUTED IN WHOLE
OR IN PART WITHOUT THE EXPRESS
WRITTEN CONSENT OF THE ENGINEER.

- NOTES:**
1. CONSULT THE OWNER AND ARCHITECT FOR ANY CHANGES TO THE DRAWINGS.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 11. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 12. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 13. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 14. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 15. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 16. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 17. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 18. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 19. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.
 20. ALL WORK SHALL BE IN ACCORDANCE WITH THE O.C.B.C. AND ALL APPLICABLE REGULATIONS.

No.	DATE	DESCRIPTION	BY
REVISIONS			

13. BUILDING FOOTPRINT - 88FT²
PROPOSED GARAGE AREA - 107FT²
GROUND FLOOR AREA - 195FT²

DRAWINGS MUST NOT BE SCALED
CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE
FOR ALL DIMENSIONS AND SHALL REPORT ANY DIS-
CREPANCY TO THE ENGINEER BEFORE PROCEEDING
WITH ANY WORK.

THESE PLANS WERE DESIGNED IN ACCORDANCE
WITH THE ONTARIO BUILDING CODE. THESE PLANS
FORM THE BASIS FOR PERMIT ISSUANCE AND ANY
DEVIATIONS FROM THESE PLANS AND DETAILS,
INCLUDING THE VENTILATION SYSTEM, HEATING
SYSTEMS, ROOFING, FLOOR, WALL, CEILING,
MILLWORK AND FINISHED BASEMENTS, WILL REQUIRE
A REVISED DRAWING AND CLEARANCE BY THE
BUILDING DEPARTMENT.

PROJECT:
PROPOSED GARAGE ADDITION
BY VINCE BAKER

LOCATION:
62 HATTER ST., KINGSTON, ON

FOR:
VINCE BAKER

DRAWING:
EXISTING & PROPOSED
FLOOR PLANS

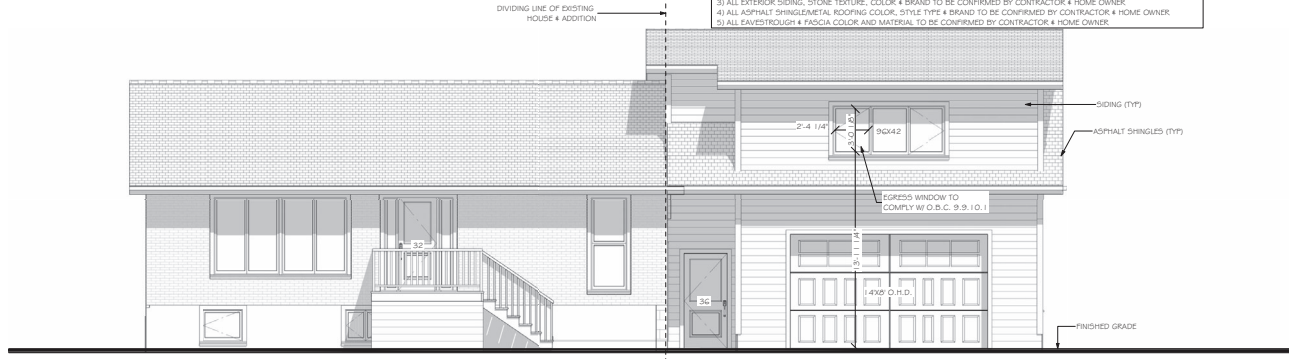
REVIEWED BY:	SCALE:	DRAWING No.
DEPT. NAME	1/4" = 1'-0"	A1
ARCH. CD.		
STR. ET.		
MEC. ET.	DATE:	
E.L.E. CD.	Friday, January 5, 2024	
JOB #:	SHEET: 1 of 6	23193



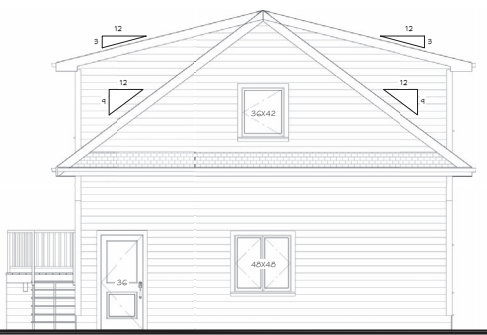
COPYRIGHT
THIS DRAWING AND DESIGN ARE THE
COPYRIGHT PROPERTY OF E. R. TROUGHT
DESIGN SHALL AND NOT BE COPIED,
REPRODUCED OR DISTRIBUTED IN WHOLE
OR IN PART WITHOUT THE EXPRESS
WRITTEN CONSENT OF THE ENGINEER.

- GENERAL NOTES:**
1. BASEMENT SLAB AND ALL FOOTINGS TO BE CONSTRUCTED ON COMPACTED GRANULAR FILL SUBSTRATE TO BE LAYED IN 6" LIFTS AND COMPACTED TO 98% STD. PROCTOR. FOR USE OF 4" APA CONCRETE.
 2. ALL EXTERIOR CONCRETE WORK INCLUDING STEPS, PORCH SLABS, AND GARAGE SLABS TO BE 30 MPa WITH ENHANCED AIR OF 5-6%.
 3. FOOTINGS MUST BE A MINIMUM OF 4" BELOW GRADE OR DOWN TO BEDROCK. IF FOOTINGS ARE AT BEDROCK, 4" BELOW GRADE. THE MINIMUM PERMANENT PROTECTIVE PROTECTION IS REQUIRED.
 4. ALL FOOTINGS ARE TO BE UNLESS NOTED OTHERWISE.
 5. CONTACT ALL TRADE AND GARDEN WARDEN OFFICERS TO AWARD ANY DETENTION WILL BEFORE ALL MATERIALS TO CONFORM WITH SECTION 9.8.1.0.1.0.2.C.
 6. GIVE PROTECTION TO CONFORM WITH SECTION 9.8.1.0.1.0.2.C.
 7. ALL WINDOWS ARE TO BE UNLESS NOTED OTHERWISE.
 8. INSULATE WITH VENTILATION TO CONFORM WITH SECTION 9.19.1.0.1.0.2.C.
 9. DESIGN THE ROOF TO A MINIMUM CHIMNEY OF 1/2" TO 3/4" TO ANY COMBUSTIBLE MATERIAL. PROVIDE 1/2" AIR SPACE ABOVE INSULATION AND EXTERIOR FINISHES TO BE PROVIDED BY THE TRADE MANUFACTURER.
 10. ALL ROOF AND FLOOR DRIPAL, EXTERIOR STAIRS AND EXTERIOR BALUNOS TO BE PRESURE TREATED.
 11. FROM HERE ONWARD, ANY TRADES THAT A BUILDING OFFICIAL MAY HAVE AND REQUIRE NOTIFICATION (BUILDER HAS MADE THE NOTIFICATION, THE CONTRACTOR CAN EXPECT TO DEVELOP ANY MATERIAL AND PRODUCTS A REGULATORY AGENCY OF THE TRADES DEPARTMENT.
 12. ALL GARAGE TRUSSES TO BE SUPPORTED BY A MINIMUM NUMBER OF STUDS FORMING A COLUMN UNDER THE TRUSS AND AS INDICATED IN TRADE TO BE COMPLY WITH ALL APPLICABLE REQUIREMENTS TO BE USED.
 13. IF ANY GARAGE TRUSSES BEING AS A UNIT, OR TRANSPORT THE ABOVE LOAD FROM THE GARAGE TRUSS DOWN TO A UNIT, THE CONTRACTOR MUST CONTACT PROFESSIONAL ENGINEER TO APPROVE ANY LOADS.
 14. GARAGE TRUSSES TO BE SUPPORTED BY UNLESS NOTED OTHERWISE. UNLESS NOTED OTHERWISE, BRACING IS PROVIDED AS PER THE REQUIREMENTS OF THE O.B.C.
 15. BRACING SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE O.B.C. PER O.B.C. 9.1.0.1.0.2.C.
 16. ALL DIMENSIONS TO BE CONFIRMED BY CONTRACTOR PRIOR TO ORDERING MATERIALS.
 17. ALL DIMENSIONS TO BE CONFIRMED BY OWNER PRIOR TO ORDERING MATERIALS. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL REPORT ANY DISCREPANCY TO THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.

- NOTE:**
- 1) ALL ROOF 4 WALL MOLDINGS/FRM, COLOR 4 BRAND TO BE CONFIRMED BY CONTRACTOR 4 HOME OWNER.
 - 2) ALL WINDOW 4 DOOR SIZES, MOLDINGS, COLOR, OPERABLE TYPES 4 SWINGS TO BE CONFIRMED BY CONTRACTOR 4 HOME OWNER.
 - 3) ALL EXTERIOR SIDING, STONE TEXTURE, COLOR 4 BRAND TO BE CONFIRMED BY CONTRACTOR 4 HOME OWNER.
 - 4) ALL ASPHALT SHINGLE/METAL ROOFING COLOR, STYLE TYPE 4 BRAND TO BE CONFIRMED BY CONTRACTOR 4 HOME OWNER.
 - 5) ALL EAVESTROUGH 4 FASCIA COLOR 4 MATERIAL TO BE CONFIRMED BY CONTRACTOR 4 HOME OWNER.



1 EAST ELEVATION
SCALE: 1/4" = 1'-0"



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



3 WEST ELEVATION
SCALE: 1/4" = 1'-0"

No.	DATE	DESCRIPTION	BY
REVISIONS			

EX. BUILDING FOOTPRINT - 884FT²
PROPOSED GARAGE AREA - 878FT²
SECOND FLOOR AREA - 878FT²



DRAWINGS MUST NOT BE SCALED
CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL REPORT ANY DISCREPANCY TO THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.

THESE PLANS WERE DESIGNED IN ACCORDANCE WITH THE ONTARIO BUILDING CODE. THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATIONS FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, MOISTURE, FREEZER, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

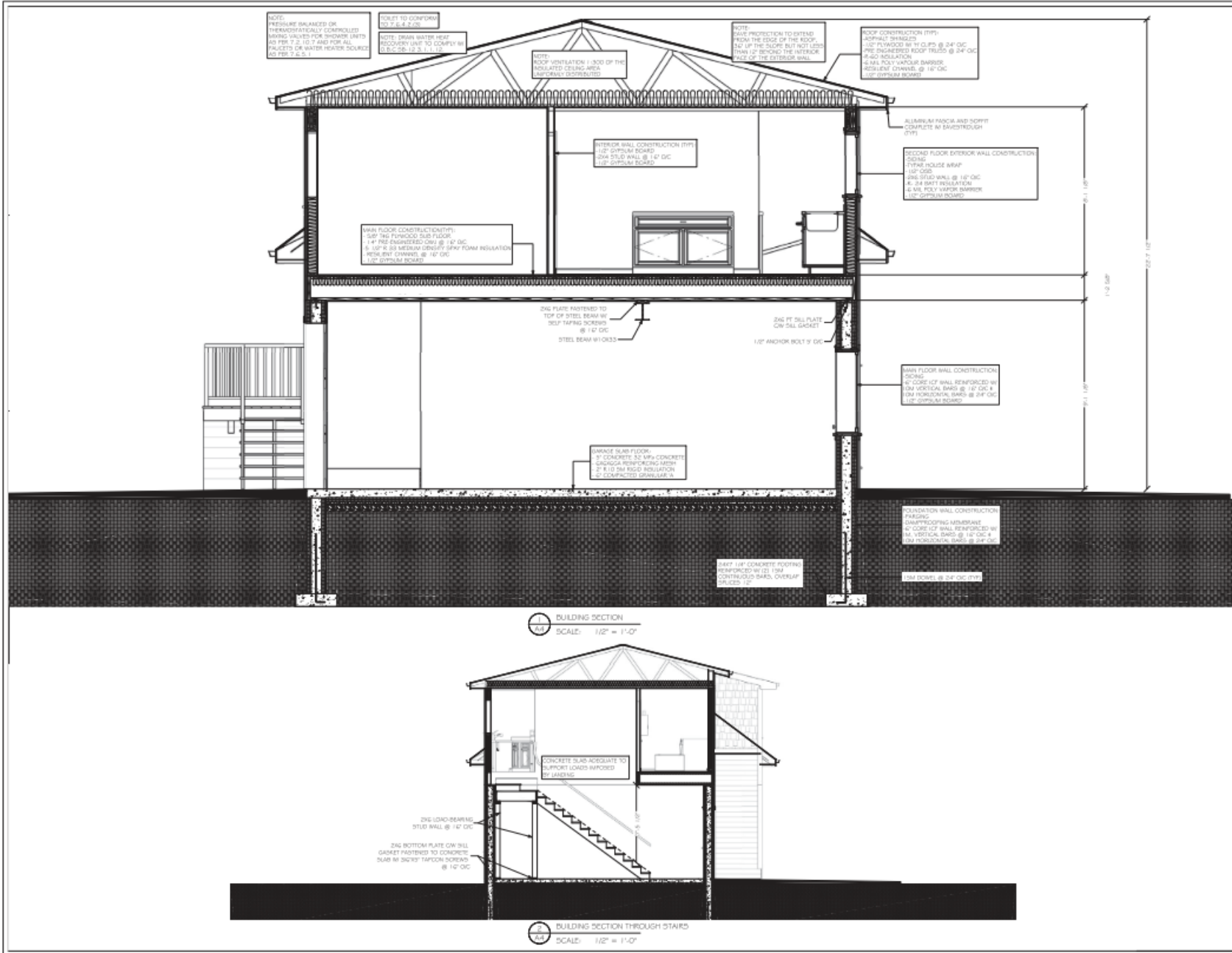
PROJECT:
PROPOSED GARAGE ADDITION
W/ THIRD UNIT

LOCATION:
62 HATTER ST., KINGSTON, ON

FOR:
VINCE BAKER

DRAWING:
ELEVATIONS

REVIEWED BY:	SCALE	DRAWING No.
DEPT. NAME	1/4" = 1'-0"	A2
ARCH. CD		
SUR. ET		
MEC. ET		
ELE. CD		
JOB #	DATE: Friday, January 5, 2024	SHEET: 2 of 6
23190		23190



21 HILLDALE AVE.
KINGSTON, ONTARIO
K7H 1S2

TEL: 877-831-0875
CEL: 613-361-3488
FAX: 613-361-0862

**E.R. TROUGHT
DESIGN INC.**

COPYRIGHT
THIS DRAWING AND DESIGN ARE THE
COPYRIGHT PROPERTY OF E. R. TROUGHT
DESIGN SHALL AND NOT BE COPIED,
REPRODUCED OR DISTRIBUTED IN WHOLE
OR IN PART WITHOUT THE EXPRESS
WRITTEN CONSENT OF THE ENGINEER.

- PROVISIONS:**
1. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 4. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 5. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 6. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 7. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 8. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 9. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 10. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 11. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 12. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 13. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 14. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 15. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 16. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 17. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 18. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 19. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.
 20. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE LOCAL BUILDING DEPARTMENT.

No.	DATE	DESCRIPTION	BY

REVISIONS

No.	DATE	DESCRIPTION	BY

SCALE: 1/2" = 1'-0"

PROPOSED GARAGE ADDITION - 800 FT²

PROPOSED GARAGE AREA - 800 FT²

PROPOSED GARAGE AREA - 800 FT²

DRAWINGS MUST NOT BE SCALED
CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE
FOR ALL DIMENSIONS AND SHALL REPORT ANY DIS-
CREPANCY TO THE ENGINEER BEFORE PROCEEDING
WITH ANY WORK.

THESE PLANS WERE DESIGNED IN ACCORDANCE
WITH THE ONTARIO BUILDING CODE. THESE PLANS
FORM THE BASIS FOR PERMIT ISSUANCE AND ANY
DEVIATIONS FROM THESE PLANS AND DETAILS,
INCLUDING THE VENTILATION SYSTEM, HEATING
SYSTEM, INSULATION, FLOOR, WALL, CEILING,
MILLWORK AND FINISHED BASEMENTS, WILL REQUIRE
A REVISED DRAWING AND CLEARANCE BY THE
BUILDING DEPARTMENT.

PROJECT:
PROPOSED GARAGE ADDITION
BY THIRD UNIT

LOCATION:
62 HATTER ST., KINGSTON, ON

FOR:
VINCE BAKER

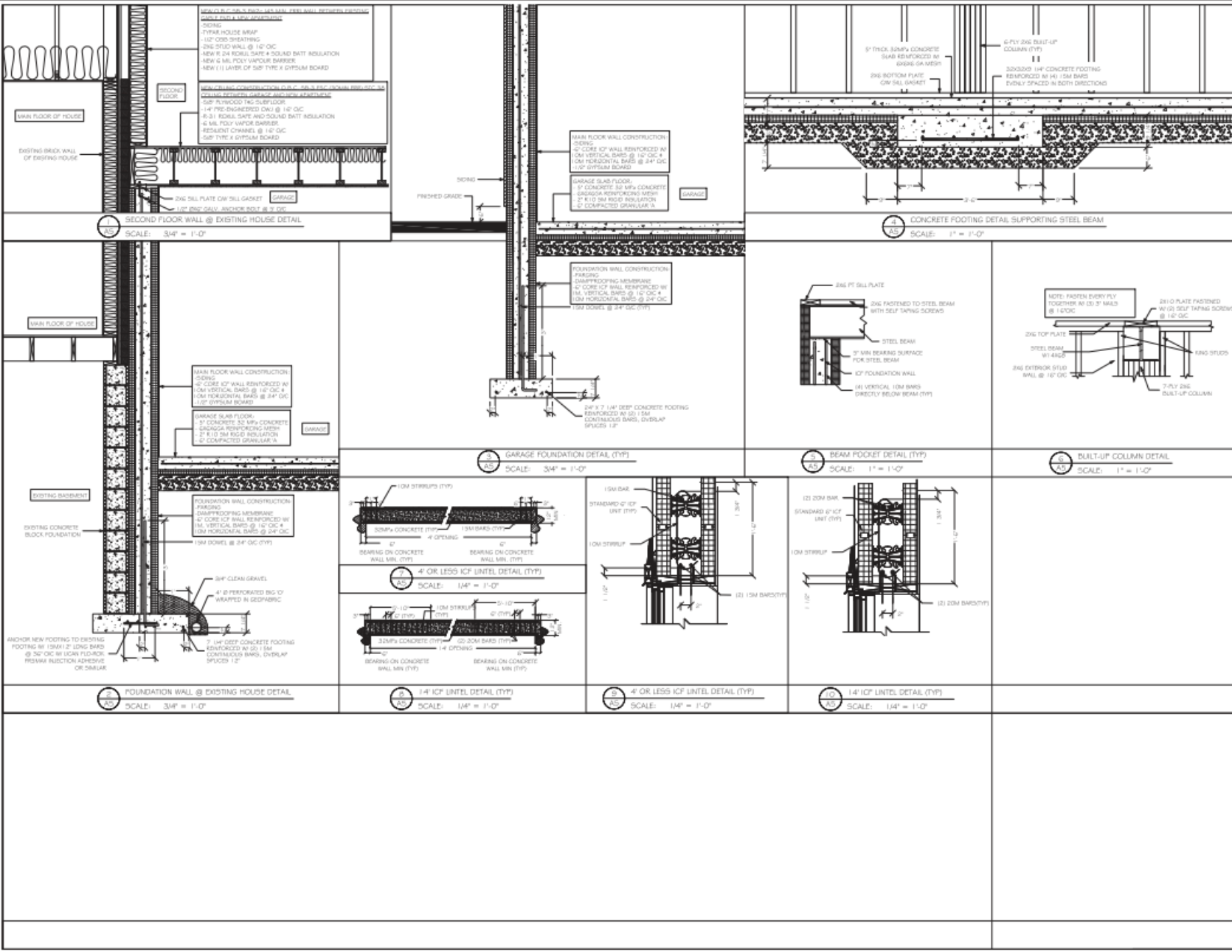
DRAWING:
BUILDING SECTIONS

REVIEWED BY:	SCALE:	DRAWING No.
DEPT. NAME	AS SHOWN	A4
ARCH. CD		
STR. ET		
MEC. ET	DATE:	
E.L. CD	Friday, January 5, 2024	
JOB #	23166	SHEET 4 of 6
		23166



COPYRIGHT
THIS DRAWING AND DESIGN ARE THE
COPYRIGHT PROPERTY OF E. R. TROUGHT
DESIGN SHALL AND NOT BE COPIED,
REPRODUCED OR DISTRIBUTED IN WHOLE
OR IN PART WITHOUT THE EXPRESS
WRITTEN CONSENT OF THE ENGINEER.

1. EXISTING HOUSE: EXISTING HOUSE CONSTRUCTION TO REMAIN UNLESS OTHERWISE NOTED.
2. GARAGE: ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CHICAGO BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
3. FOUNDATION: ALL FOUNDATION CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CHICAGO BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
4. FINISHES: ALL FINISHES SHALL BE IN ACCORDANCE WITH THE CHICAGO BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
5. MATERIALS: ALL MATERIALS SHALL BE OF THE QUALITY AND TYPE SPECIFIED IN THESE PLANS.
6. WORKMANSHIP: ALL WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE CHICAGO BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
7. PROTECT EXISTING: ALL EXISTING STRUCTURES SHALL BE PROTECTED AND SUPPORTED THROUGHOUT CONSTRUCTION.
8. EROSION CONTROL: ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
9. SAFETY: ALL SAFETY MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
10. PERMITS: ALL NECESSARY PERMITS SHALL BE OBTAINED PRIOR TO COMMENCEMENT OF WORK.
11. UTILITIES: ALL UTILITIES SHALL BE LOCATED AND DEPTH MARKED PRIOR TO CONSTRUCTION.
12. ADJUSTMENTS: ALL DIMENSIONS SHALL BE ADJUSTED TO FIT AND TO MAINTAIN THE INTEGRITY OF THE STRUCTURE.
13. TOLERANCES: ALL TOLERANCES SHALL BE IN ACCORDANCE WITH THE CHICAGO BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
14. PROTECT ADJACENT: ALL ADJACENT STRUCTURES SHALL BE PROTECTED AND SUPPORTED THROUGHOUT CONSTRUCTION.
15. CLEANUP: ALL DEBRIS SHALL BE REMOVED AND THE SITE SHALL BE LEFT CLEAN AND READY FOR OCCUPANCY.
16. INSPECTIONS: ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ENGINEER AND ALL APPLICABLE LOCAL OFFICIALS.
17. AS-BUILT: ALL AS-BUILT CONDITIONS SHALL BE DOCUMENTED AND SUBMITTED TO THE ENGINEER FOR REVIEW.
18. WARRANTY: ALL WORK SHALL BE WARRANTED FOR THE PERIOD SPECIFIED IN THESE PLANS.
19. FORCE MAJEURE: ALL WORK SHALL BE SUSPENDED IN THE EVENT OF FORCE MAJEURE.
20. ASSIGNMENT: ALL RIGHTS AND INTERESTS IN THESE PLANS SHALL BE ASSIGNED TO THE ENGINEER.



No.	DATE	DESCRIPTION	BY
REVISIONS			

DRAWINGS MUST NOT BE SCALED
CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE
FOR ALL DIMENSIONS AND SHALL REPORT ANY DIS-
CREPANCY TO THE ENGINEER BEFORE PROCEEDING
WITH ANY WORK.

THESE PLANS WERE DESIGNED IN ACCORDANCE
WITH THE CHICAGO BUILDING CODE. THESE PLANS
FORM THE BASIS FOR PERMIT ISSUANCE AND ANY
DEVIATIONS FROM THESE PLANS AND DETAILS,
INCLUDING THE VENTILATION SYSTEM, HEATING
SYSTEM, INSULATION, FLOOR ASSEMBLY, DECK,
MILKCHALK AND FINISHED FLOORS, WILL REQUIRE
A REVISED DRAWING AND CLEARANCE BY THE
BUILDING DEPARTMENT.

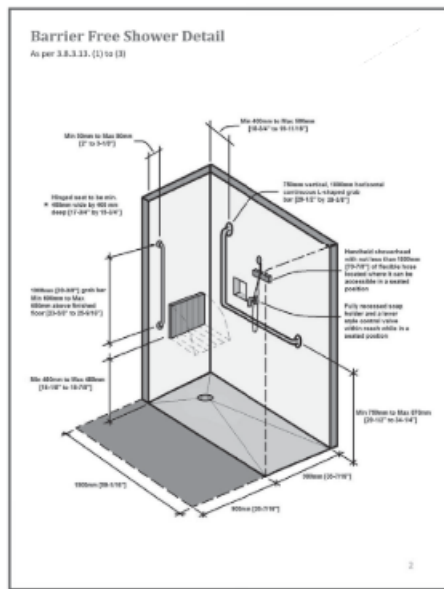
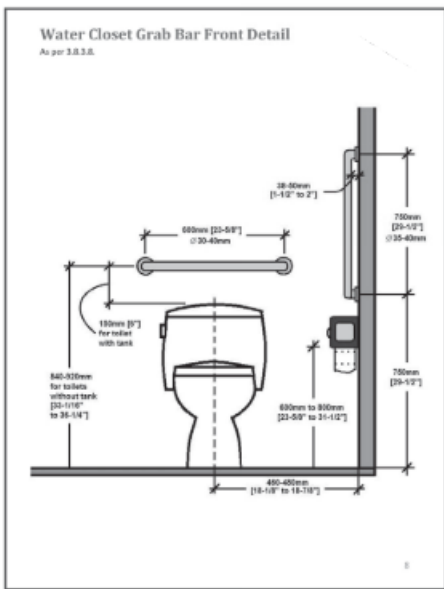
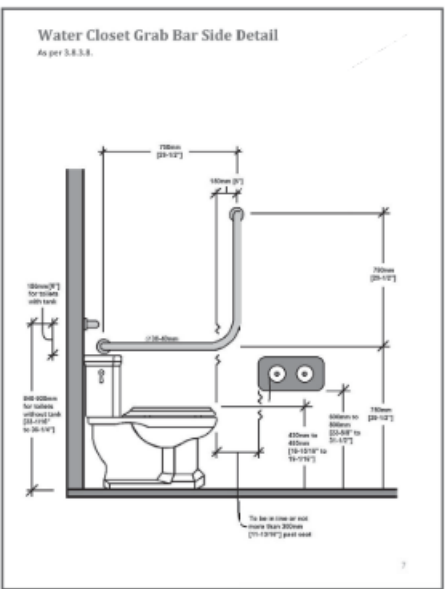
PROJECT:
**PURPOSED GARAGE ADDITION
BY WIND UNIT**

LOCATION:
62 HATTER ST., KINGSTON, ON

FOR:
VINCE BAKER

DRAWING:
DETAILS

REVIEWED BY:	SCALE:	DRAWING No.
DEPT. NAME:	AS SHOWN	A5
ARCH. CD:		
STR. ET:		
MED. ET:	DATE:	
SLE. CD:	Friday, January 5, 2024	
JOB #	23106	SHEET 5 of 6



37 HILLDALE AVE. TEL: 873-831-7873
 KINGSTON, ONTARIO ONT. L8G 5G6 CANADA
 K7M 1Z2 FAX: 873-831-9822
E. R. TROUGHT
DESIGN INC.

COPYRIGHT
 THIS DRAWING AND DESIGN ARE THE
 COPYRIGHT PROPERTY OF E. R. TROUGHT
 DESIGN SHALL AND NOT BE COPIED,
 REPRODUCED OR DISTRIBUTED IN WHOLE
 OR IN PART WITHOUT THE EXPRESS
 WRITTEN CONSENT OF THE ENGINEER.

- GENERAL NOTES:**
1. CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN BUILDING CODE, THE CANADIAN ELECTRICAL CODE, THE CANADIAN PLUMBING AND MECHANICAL CODES, AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 11. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 12. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 13. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 14. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 15. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 16. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 17. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 18. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 19. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.
 20. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND ALL APPLICABLE LOCAL BY-LAWS AND ORDINANCES.

NO.	DATE	DESCRIPTION	BY

REVISIONS
 NO. DATE DESCRIPTION BY

PROJECT:
 PROPOSED GARAGE ADDITION
 BY VINCE UNIT
LOCATION:
 62 HATTER ST., KINGSTON, ON
FOR:
 VINCE BAKER
DRAWING:
 GENERAL NOTES



DRAWINGS MUST NOT BE SCALED
 CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE
 FOR ALL DIMENSIONS AND SHALL REPORT ANY DIS-
 CREPANCY TO THE ENGINEER BEFORE PROCEEDING
 WITH ANY WORK.

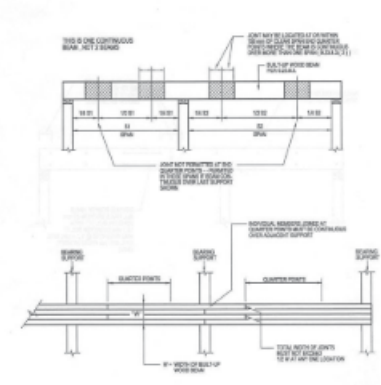
THESE PLANS WERE DESIGNED IN ACCORDANCE
 WITH THE CANADIAN BUILDING CODE. THESE PLANS
 FORM THE BASIS FOR PERMIT ISSUANCE AND ANY
 DEVIATIONS FROM THESE PLANS AND DETAILS,
 INCLUDING THE VENTILATION SYSTEM, HEATING
 SYSTEM, INSULATION, FLOORING, DECKING,
 BALCONIES AND FINISHED FLOORMENTS, WILL REQUIRE
 A REVISED DRAWING AND CLEARANCE BY THE
 BUILDING DEPARTMENT.

PROJECT:
 PROPOSED GARAGE ADDITION
 BY VINCE UNIT
LOCATION:
 62 HATTER ST., KINGSTON, ON
FOR:
 VINCE BAKER
DRAWING:
 GENERAL NOTES

REVIEWED BY:	SCALE	DRAWING No. A6 23193
DEPT.	DATE: Friday, January 5, 2024 SHEET 6 of 6	
AREA		
DESIGN		
DATE		
JOB #		

3.23.3.3. BUILT-UP WOOD BEAMS

Where individual members of a built-up beam are bolted together to form a core, the joint must be over a support or in accordance with the following illustrations.



MEMBER	MIN. 3 1/2" NAIL SPACING
2X6	3 NAILS @ 16" O.C.
2X8	3 NAILS @ 16" O.C.
2X10	4 NAILS @ 16" O.C.
2X12	4 NAILS @ 16" O.C.

EVERY SET OF NAILS ARE STAGGERED

62 Hatter Street – Site Visit January 30th



View from the front of the property, the proposed addition will extend 8.1 metres from the current northern wall and replace the existing garage.



Rear yard of the subject site with the retaining wall to the left. The current garage will be removed.



The retaining wall, shrub and trees behind the subject property will provide screening to the rear neighbours. Due to a grade change, the subject property sits lower than the property to the west.



Committee of Adjustment Public Notice Notification Map

Address: 62 Hatter St.
File Number: D13-001-2024
Prepared On: Jan-19-2024

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

