



City of Kingston  
Committee of Adjustment  
Agenda

07-2024

Monday, June 17, 2024

5:30 p.m.

Council Chamber

**Committee Composition**

Peter Skebo, Chair

Councillor Cinanni

Councillor Hassan

Ken Dakin

Douglas Perkins

Gaurav Rehan

Jeff Scott

Somnath Sinha

Jordan Tekenos-Levy

Please provide regrets to Allison Hannah, Committee Clerk at 613-546-4291, extension 1209 or [ahannah1@cityofkingston.ca](mailto:ahannah1@cityofkingston.ca).

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Pages

1. **Introduction by the Chair**

2. **Call to Order**

3. **Approval of the Agenda**

4. **Confirmation of Minutes**

1. **Previous Meeting Minutes**

That the minutes of Committee of Adjustment Meeting 06-2024, held Monday, May 13, 2024, be approved.

5. **Disclosure of Pecuniary Interest**

6. **Delegations**

7. **Request for Deferral**

**8. Returning Deferral Items**

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**1. Application for Minor Variance - 154 Pine Street**

File Number: D13-045-2023 and D10-031-2023

District: 9 - Williamsville

Owner: Amy Carson

Applicant: Adam Candon

The Report of the Commissioner of Growth & Development Services (COA-24-049) is attached.

Recommendation:

**That** minor variance application, File Number D13-045-2023 for the property located at 154 Pine Street to permit reductions in minimum lot area, minimum lot frontages, and reduced minimum interior setbacks for both the retained and severed parcels, be **approved, as described below:**

**Retained Lot:**

**Variance Number 1: Minimum Lot Area**

By-Law Number 2022-62: Table 12.5.1.1

Requirement: 270 square metres

Proposed: 237.4 square metres

Variance Requested: 32.6 square metres

**Variance Number 2: Minimum Lot Frontage**

By-Law Number 2022-62: Table 12.5.1.2

Requirement: 18 metres

Proposed: 5.6 metres

Variance Requested: 12.4 metres

**Variance Number 3: Minimum Interior Setback**

By-Law Number 2022-62: Table 12.5.1.7

Requirement: 3 metres

Proposed: 0 metres where a common party wall is located along a lot line

Variance Requested: 3 metres

**Severed Lot:**

**Variance Number 4: Minimum Lot Area**

By-Law Number 2022-62: Table 12.5.1.1

Requirement: 270 square metres

Proposed: 143.8 square metres

Variance Requested: 126.2 square metres

**Variance Number 5: Minimum Lot Frontage**

By-Law Number 2022-62: Table 12.5.1.2

Requirement: 18 metres

Proposed: 3.8 metres

Variance Requested: 14.2 metres

**Variance Number 6: Minimum Interior Setback**

By-Law Number 2022-62: Table 12.5.1.7

Requirement: 3 metres

Proposed: 0 metres where a common party wall is located along a lot line

Variance Requested: 3 metres; and

**That** approval of the minor variance application be subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-24-049; and,

**That** consent application, File Number D10-031-2023, to sever a 143.8 square metres parcel of land with 3.8 metres of frontage onto Pine Street, and to retain a 237.4 square metre parcel of land with 5.6 metres of frontage on Pine Street, and to establish an access easement over the retained parcel in favour of the severed parcel, be **provisionally approved** subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-24-049.

**2. Application for Minor Variance - 322 Queen Street**

36

File Number: D13-028-2024

District 11 - King's Town

Owner: Cheng Myers

Applicant: Fotenn Consulting

The Report of the Commissioner of Growth & Development Services (COA-24-040) is attached.

Recommendation:

**That** minor variance application, File Number D13-028-2024, for the property located at 322 Queen Street to allow permit a total of seven dwellings within the existing mixed-use building and relief from certain parking requirements, be **approved**, as described below:

**Variance Number 1: Maximum number of dwelling units per lot**

By-Law Number 2022-62: Table 10.4.1.

Requirement: Maximum 123 units per net hectare

Proposed: Maximum 160 units per net hectare

Variance Requested: 37 units per net hectare

**Variance Number 2: Required number of parking spaces**

By-Law Number 2022-62: Table 7.1.1.

Requirement: 3 parking spaces

Proposed: 2 parking spaces

Variance Requested: 1 parking spaces;

**Variance Number 3: Required number of visitor spaces**

By-Law Number 2022-62: Table 7.1.1.

Requirement: 1 visitor spaces

Proposed: 0 visitor spaces

Variance Requested: 1 visitor spaces;

**Variance Number 4: Required number of accessible spaces**

By-Law Number 2022-62: Section 7.2.6.3.

Requirement: 1 Type A accessible space

Proposed: 1 Type B accessible space

Variance Requested: Type B versus Type A;

**Variance Number 5: Walkway**

By-Law Number 2022-62: 4.27.1.4

Requirement: The walkway must be separately delineated and measured distinctly from a required driveway

Proposed: Notwithstanding 4.27.1.4, the walkway may overlap the required driveway at a pinch point that is outside of any required parking space

Variance Requested: The walkway may overlap the driveway at pinch point; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-040.

**9. Business**

**1. Application for Minor Variance - 70 Railway Street**

56

File Number: D13-017-2024

District: 11 - King's Town

Owner: NORTH SOUTHALL INC

Applicant: Bel-Con Design-Builders Ltd.

The Report of the Commissioner of Growth & Development Services (COA-24-051) is attached.

Recommendation:

**That** minor variance application, File Number D13-017-2024, for the property located at 70 Railway Street to reduce the minimum rear yard setback from 15 metres to 3 metres to accommodate four shipping container accessory buildings on the southwest corner of the lot, be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62: Section 16.3.2.3

Requirement: 15 metres

Proposed: 3 metres

Variance Requested: 12 metres; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-051.

**2. Application for Minor Variance - 158 Earl Street**

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File Number: D13-036-2024

District: 10 - Sydenham

Owners: Haley Skinner and Thomas Skinner

Applicant: Mac Gervan & Associates Ltd.

The Report of the Commissioner of Growth & Development Services (COA-24-052) is attached.

Recommendation:

**That** minor variance application, File Number D13-036-2024, for the property located at 158 Earl Street to expand the third floor of a residential dwelling to replace the existing two gable dormers with an expanded shed dormer, be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62: Section 13.4.2.1 (a)

Requirement: Front wall of the dormer is setback a minimum of 0.4 metres from the main wall.

Proposed: 0.0

Variance Requested: 0.4

**Variance Number 2:**

By-Law Number 2022-62: Section 13.4.2.1 (b)

Requirement: The side wall of a dormer is setback a minimum of 1.0 metres from the edge of the roof on which it is located.

Proposed: 0.1 metres

Variance Requested: 0.9 metres; and

**Variance Number 3:**

By-Law Number 2022-62: Section 13.4.2.1 (c)

Requirement: The maximum cumulative length of all dormers on the same portion of a sloped roof is the lesser of 4.6 metres or 50% of the length of the roof on which it is located (3.95 metres).

Proposed: 6.55 metres

Variance Requested: 2.6 metres; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-052.

**3. Application for Minor Variance - 4266 Bath Road**

106

File Number: D13-035-2024

District: 5 - Collins Bayridge

Owners: Tim de Jong

Applicant: Tim de Jong

The Report of the Commissioner of Growth & Development Services (COA-24-054) is attached.

Recommendation:

**That** minor variance application, File Number D13-035-2024, for the property located at 4226 Bath Road to construct a 50 square metre enclosed rear porch, located approximately 24.7 metres from the highwater mark be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62: Section 4.23.1 Waterbody Separation Distance (rear enclosed porch)

Requirement: 30 metres

Proposed: 24.7 metres

Variance Requested: 5.3 metres

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-054.

**4. Application for Minor Variance - 16 Cowdy Street**

127

File Number: D13-033-2024

District: 11 - King's Town

Owner: Carol Knowles

Applicant: Carol Knowles

The Report of the Commissioner of Growth & Development Services (COA-24-050), is attached.

Recommendation:

**That** minor variance application, File Number D13-033-2024, for the property located at 16 Cowdy Street to construct a one-storey addition in the rear yard of an existing single-detached house, be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62: Table 11.6.1.7: Minimum interior setback

Requirement: 0.6 metres

Proposed: 0.4 metres

Variance Requested: 0.2 metres; and

**Variance Number 2:**

By-Law Number 2022-62: Table 11.6.1.8: Minimum aggregate of interior setbacks

Requirement: 3.6 metres

Proposed: 1.5 metres

Variance Requested: 2.1 metres; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-050.

**5. Application for Minor Variance - 102 Charles Street**

150

File Number: D13-046-2024

District: 11 - King's Town

Owner: Richard Allen and Rebecca Rappeport

Applicant: NBS Design Group

The Report of the Commissioner of Growth & Development Services (COA-24-056), is attached.

Recommendation:

**That** minor variance application, File Number D13-046-2024, for the property located at 102 Charles Street to construct a new two-storey rear addition, be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62: 11.6.1.12. Maximum building depth

Requirement: 18.0 metres

Proposed: 21.5 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-24-056.

**10. Motions**

**11. Notices of Motion**

**12. Other Business**

**13. Correspondence**

**14. Date of Next Meeting**

The next meeting of the Committee of Adjustment is scheduled for Monday, July 15, 2024 at 5:30 p.m.

**15. Adjournment**