



City of Kingston
Committee of Adjustment
Agenda

11-2024

Monday, October 21, 2024

5:30 p.m.

Hosted in a virtual, electronic format

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.

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Pages

1. **Please Note: this meeting will be held via Zoom due to ongoing technology upgrades in the Council Chamber.**
2. **Introduction by the Chair**
3. **Call to Order**
4. **Approval of the Agenda**
5. **Confirmation of Minutes**
 1. **Previous Meeting Minutes**

That the minutes of Committee of Adjustment Meeting Number 10-2024, held on Monday, September 16, 2024, be approved.

6. **Disclosure of Pecuniary Interest**
7. **Delegations**

- 8. Request for Deferral
- 9. Returning Deferral Items
- 10. Business

1. Application for Minor Variance - 627 Princess Street

9

File Number: D13-062-2024

District: 9 - Williamsville

Owner: Harmony Flats Inc.

Applicant: Fotenn

The Report of the Commissioner of Growth & Development Services (COA-24-078) is attached.

Recommendation:

That minor variance application, File Number D13-062-2024, for the property located at 627 Princess Street to construct a six-storey apartment building, be approved, as described below:

Variance Number 1: Minimum Rear Yard Setback

By-Law Number 2022-62:10.2.1.5

Requirement: 8 metres

Proposed: 6 metres

Variance Requested: 2 metres.

Variance Number 2: Maximum Residential Density

By-Law Number 2022-62:10.2.1.11:

Requirement: 210 dwelling units per net hectare

Proposed: 528 dwelling units per net hectare

Variance Requested: 318 dwelling units per net hectare

Variance Number 3: Streetwall Setback

By-Law Number 2022-62: 10.2.3.1

Requirement: A minimum of 75% of the streetwall of a building must be built to the minimum required front setback for the height of the streetwall.

Proposed: A minimum of 75% of the streetwall of a building is to be built within 0.4 metres of the minimum required front setback for the height of the streetwall

Variance Requested: 0.4 metres;

Variance Number 4: Offsite Parking

By-Law Number 2022-62: Section 7.1.12.

Requirement: Where a building that exists as of the date of passing of this By-law is converted resulting in an increase in the number of dwelling units, required parking spaces may be provided off-site, within 60.0 metres of the lot.

Proposed: A building that that is constructed resulting in an increase in the number of dwelling units, required parking spaces may be provided off-site, within 60.0 metres of the lot

Variance Requested: Existing Building;

Variance Number 5: Parking Ratios

By-Law Number 2022-62: Row 1 Table 7.1.1.: Number of Parking Spaces

Requirement: 23 spaces: 18 parking spaces; 1 car-share parking space; 3 visitor spaces; and, 1 short-term delivery parking space

Proposed: 19 spaces: 18 parking spaces; 1 car-share parking space; 0 visitor spaces; and, 0 short-term delivery parking space

Variance Requested: Reduction of 4 spaces: 0 parking spaces; 0 car-share parking spaces; 3 visitor spaces; and, 1 short-term delivery parking space; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-078.

2. Application for Permission - 196 Concession Street

48

File Number: D13-067-2024

District: 9 - Williamsville

Owner: 5019063 Ontario Inc.

Applicant: Atif Haider

The Report of the Commissioner of Growth & Development Services (COA-24-080) is attached.

Recommendation:

That the application for permission, File Number D13-067-2024, for the property located at 196 Concession Street to increase the number of residential units within the existing legal non-conforming apartment

building from 11 units to 12 units, be **Approved**; and,

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-080.

3. Application for Minor Variance - 29 Railway Street

68

File Number: D13-066-2024

District: 11 - King's Town

Owner: Roger Levac

Applicant: Marc Levac

The Report of the Commissioner of Growth & Development Services (COA-24-083) is attached.

Recommendation:

That minor variance application, File Number D13-066-2024, for the property located east of 25 Railway Street to permit two, 30 square metre accessory storage buildings, be approved, as described below:

Variance Number 1: Accessory Building Location

By-Law Number 2022-62:Section 4.1.1

Requirement: The principal use or building must already be established on the same lot as the accessory use or building.

Proposed: The principal use is established on the east abutting lot.

Variance Requested: To permit two accessory storage buildings associated with a principal use on the east abutting lot at 25 Railway Street.

Variance Number 2: Rear Setback

By-Law Number 2022-62:Table 16.2.1

Requirement: Minimum rear setback of 7.5 metres

Proposed: Minimum rear setback of 5.5 metres

Variance Requested: 2.0 metres; and Variance Number 2: Interior Setback

By-Law Number 2022-62:Table 16.2.1

Requirement: Minimum interior setback of 6.0 metres

Proposed: Minimum interior setback of 1.2 metres

Variance Requested: 4.8 metres;

That approval of the application be subject to the conditions attached as

Exhibit A (Recommended Conditions) to Report Number COA-24-083.

4. Application for Minor Variance - 2912 4th Concession Road

89

File Number: D13-061-2024

District: 1 - Countryside

Owner/Applicant: Patrick Stenson

The Report of the Commissioner of Growth & Development Services (COA-24-086) is attached.

Recommendation:

That minor variance application, File Number D13-061-2024, for the property located at 2912 4th Concession Road to provide relief from setback requirements to permit the construction of a detached garage adjacent to an existing single detached house on a rural residential lot, be approved, as described below:

Variance Number 1:

By-Law Number: 2022-62: Table 8.2.1.7 – Minimum interior setback - existing house

Requirement: 9.0 metres

Proposed: 4.5 metres

Variance Requested: 4.5 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-086.

5. Application for Consent - 1668 Victoria Street

108

File Number: D10-021-2024

District: 3 - Collins-Bayridge

Owner: Mohamed Khan

Applicant: Fotenn Consultants Inc.

The Report of the Commissioner of Growth & Development Services (COA-24-087) is attached.

Recommendation:

That consent application, File Number D10-026-2024, to sever a residential lot with an area of approximately 1,294 square metres and to establish an access easement through the retained lot, be provisionally approved subject to the conditions included in Exhibit A (Recommended Conditions) to Report Number COA-24-087.

6. Application for Minor Variance and Consent - 101 Charles Street

129

File Number: D10-028-2024 and D13-063-2024

District: 11 - King's Town

Owner/Applicant: Scott Gordon

The Report of the Commissioner of Growth & Development Services (COA-24-084) is attached.

Recommendation:

That minor variance application, File Number D13-063-2024 for the property located at 101 Charles Street to permit a reduced minimum lot area, a reduced minimum lot frontage, a reduced front setback, and reduced parking requirements for both the severed and retained parcels, be approved, as described below:

Retained Lot (101 Charles Street):

Variance Number 1: Minimum Lot Area

By-Law Number 2022-62: Table 11.6.1.1

Requirement: 295 square metres for a townhouse

Proposed: 165 square metres

Variance Requested: 130 square metres

Variance Number 2: Minimum Lot Frontage

By-Law Number 2022-62: Table 11.6.1.2

Requirement: 8 metres for a townhouse

Proposed: 4.5 metres

Variance Requested: 3.5 metres

Variance Number 3: Minimum Front Setback

By-Law Number 2022-62: Table 11.6.1.4(d)

Requirement: 3.85 metres

Proposed: 1.5 metres

Variance Requested: 2.35 metres

Variance Number 4: Number of Parking Spaces

By-Law Number 2022-62: Table 7.1.1.2(b)

Requirement: 1 parking space per lot

Proposed: 0 parking spaces per lot

Variance Requested: 1 parking space

Severed Lot (103 Charles Street):

Variance Number 5: Minimum Lot Area

By-Law Number 2022-62: Table 11.6.1.1

Requirement: 295 square metres for a townhouse

Proposed: 165 square metres

Variance Requested: 130 square metres

Variance Number 6: Minimum Lot Frontage

By-Law Number 2022-62: Table 11.6.1.2

Requirement: 8 metres for a townhouse

Proposed: 4.5 metres

Variance Requested: 3.5 metres

Variance Number 7: Minimum Front Setback

By-Law Number 2022-62: Table 11.6.1.4(d)

Requirement: 3.85 metres

Proposed: 1.5 metres

Variance Requested: 2.35 metres

Variance Number 8: Number of Parking Spaces By-Law Number

2022-62: Table 7.1.1.2(b)

Requirement: 1 parking space per lot

Proposed: 0 parking spaces per lot

Variance Requested: 1 parking space; 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-24-084; and,

That consent application, File Number D10-028-2024, to sever an approximately 165 square metre parcel with approximately 4.5 metres of frontage which will be known as 103 Charles Street, to retain an approximately 165 square metre parcel with approximately 4.5 metres of frontage which will be known as 101 Charles Street, and to create a new easement over 103 Charles Street in favour of 101 Charles Street, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-24-084.

11. Motions

12. Notices of Motion

13. Other Business

14. Correspondence

15. Date of Next Meeting

The next meeting of the Committee of Adjustment is scheduled for Monday, November 18, 2024 at 5:30 p.m.

16. Adjournment