



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-24-076**

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**To:** Chair and Members of the Committee of Adjustment  
**From:** Annemarie Eusebio, Intermediate Planner  
**Date of Meeting:** September 16, 2024  
**Application for:** Minor Variance and Consent  
**File Numbers:** D10-027-2024 and D13-059-2024  
**Address:** 757 Front Road  
**District:** District 4 - Lakeside District  
**Owner:** Richard Beaubien  
**Applicant:** Fotenn Consultants Inc.

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**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 applications for minor variance and consent submitted by Fotenn Consultants on behalf of the owner, Richard Beaubien for the property located at 757 Front Road.

The purpose of the consent application is to sever the subject property for the purpose of residential development. The property is a corner lot and is currently developed with two-storey single detached house. The severed lot will have an area of approximately 405 square metres and a frontage of approximately 16 metres along Jorene Drive. The severed lot is proposed to be developed with a two-storey single detached house and an attached garage. The retained lot will have an area of approximately 660 square metres and 25 metres of frontage on Front Road and will contain the existing single detached house.

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Minor variances are requested to facilitate the proposed residential development. For the severed lot, relief is required for the minimum lot area. For the retained lot, relief is requested from the minimum rear setback.

The requested minor variance and consent applications are consistent with the Provincial Policy Statement and conform 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 are minor in nature. The proposed minor variance application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval. The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act* and a plan of subdivision is not necessary for the proper and orderly development of the property, as such, is recommended for provisional approval.

**Recommendation:**

**That** minor variance application, File Number D13-059-2024 for the property located at 757 Front Road to permit the establishment of a new lot containing a single detached house and attached garage, be approved, as described below:

**Severed Lot**

**Variance Number 1:**

By-Law Number: 2022-62	Table 11.5.1 (1) - Minimum Lot Area
Requirement:	557.4 square metres
Proposed:	405 square metres
Variance Requested:	152.4 square metres; and,

**Retained Lot**

**Variance Number 2:**

By-Law Number: 2022-62	Table 11.5.1 (5) – Minimum Rear Setback
Requirement:	7.6 metres
Proposed:	1.0 metres
Variance Requested:	6.6 metres.

**That** approval of the minor variance application be subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-24-076; and,

**That** consent application, File Number D10-027-2024, to sever an approximately 405 square metre lot with approximately 16 metres of frontage along Jorene Drive be **provisionally approved** subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-24-076.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY PLANNER

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Annemarie Eusebio, Intermediate  
Planner

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

Tim Park, Director, Planning Services  
James Bar, Manager, Development Approvals

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**Options/Discussion:**

On July 26, 2024, applications for minor variance and consent were submitted by Fotenn Consultants Inc. on behalf of the owner Richard Beaubien for the subject property located at 757 Front Road.

The purpose of the consent application is to sever the subject property for the purpose of residential development. The property is a corner lot and is currently developed with two-storey single detached house. The severed lot will have an area of approximately 405 square metres and a frontage of approximately 16 metres along Jorene Drive. The severed lot is proposed to be developed with a two-storey single detached house and an attached garage. The retained lot will have an area of approximately 660 square metres and 25 metres of frontage on Front Road and will contain the existing single detached house.

Minor variances are requested to facilitate the proposed residential development. For the severed lot, relief is required for the minimum lot area. For the retained lot, relief is requested from the minimum rear setback.

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

- Site Plan and Survey (Exhibit F);
- Planning Justification

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 757 Front Street (Exhibit C – Key Map) within an established residential subdivision within the Lakeside District. The property has an area of approximately 1,070 square metres and a lot frontage of 25 metres along Front Road and 43 metres along Jorene Drive. The property is a corner lot and is currently developed within a single detached dwelling and attached garage. The property has vehicular access from Jorene Drive. Pedestrian access is also provided from Front Road.

The property is in proximity to various commercial, institutional, employment, and open space uses. The site is located within walking distance of Crerar Park, Jorene Park and Everitt Point Park, the Reddendale commercial plaza, and schools including Our Lady of Lourdes Catholic School, RG Sinclair Public School and Welbourne Avenue Public School. The site also near numerous Kingston Transit routes.

The subject property is designated Residential in the Official Plan (Exhibit E – Official Plan Map) and zoned Urban Residential 4 ‘UR4’ zone in Kingston Zoning By-Law Number 2022-62 (Exhibit F – Zoning By-Law Map).

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## Provincial Policy Statement

The Provincial Policy Statement (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 much, the proposal conforms to and is consistent with the PPS.

## Consent Application

The review of an application for a consent is subject to Section 53 of the *Planning Act* which requires the approval authority be satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality having regard to the matters addressed in subsection 51(24).

The proposal will result in the creation of two separately conveyable parcels. The proposed consent meets the tests set out in the *Planning Act* and plan of subdivision is not required for the proper and orderly development of the property.

## Official Plan

The subject property is designated Residential in the City of Kingston Official Plan. Residential uses are primarily forms of housing including detached, semi-detached or duplex dwellings, townhouses, and apartments of various types, tenure, and density that respond to a wide range of housing needs. The goal of the designation is to respond to the housing needs of the City's citizens by retaining and augmenting a broad range of housing at all levels of affordability within a safe, convenient and stable setting, organized primarily into neighbourhoods.

The creation of individual parcels of land by way of consent is subject to the consent policies of the Official Plan. In considering whether the proposal is appropriate, the Committee of Adjustment will have regard for the requirements included within the Official Plan, specifically Section 9.6.13 titled: "Criteria for Consent Approval".

The proposed lot area and frontage of the retained lot can adequately accommodate for the existing single-detached house and detached garage. The severed lot has been designed appropriately for the intended two storey single detached dwelling-built form. The retained and severed lots are not anticipated to have any negative impacts on the adjacent residential uses or the neighbourhood, as the new lot is intended to support a future residential use which is in keeping with the character of the neighbourhood and permitted uses in the Official Plan and zoning by-law.

The proposed lot configuration will not result in irregularly shaped lots. The size and shape of each lot will be compatible with the existing lot fabric of neighbouring residential properties. The retained lot and severed lot will have direct vehicular access on Jorene Drive, which is a municipally maintained road. Any new or altered entrances on the severed or retained lot will require an Entrance Permit from Public Works.

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A safe and accessible parking arrangement is proposed on each lot. Existing zone compliant parking spaces will be provided for the retained lot within the existing garage and driveway. A zone compliant parking space will be provided for the severed lot within the proposed driveway.

The proposed single detached house and attached garage to be constructed on the severed lot is compatible with surrounding uses, which include a mix of dwelling types that are primarily low-rise residential in form. This proposal will supply a range of housing options within an established residential neighbourhood. The proposal is not anticipated to have any negative impacts on abutting properties or existing residential uses.

There will be no impact on the natural heritage system, natural heritage features or areas. Heritage Planning staff have advised that there are no cultural heritage concerns associated with the consent application. An archaeological assessment is not required.

The existing and proposed residential development on each resulting lot will be adequately supplied with such municipal services as fire protection, road maintenance, storm drainage and, water supply and sewage disposal facilities. There will be no adverse impact on the City's finances.

Utilities Kingston and Engineering staff have confirmed that a servicing plan and grading plan are required. The servicing plan must show all existing and proposed services and the mains they connect to, and the existing buildings and all proposed and existing property lines. There shall be no encroachment of services. The grading plan must indicate sufficient existing and proposed grades so that it can be confirmed that proposed grading of the property will not adversely affect adjacent properties.

Engineering staff have advised that a noise study is also required to address potential impacts on the proposal due to transportation noise sources in the vicinity. The study is to be prepared by a qualified individual with experience in environmental acoustics and demonstrate compliance with NPC-300.

The applications were circulated to the Cataraqui Region Conservation Authority (CRCA). CRCA does not have concerns with the proposal in terms of erosion or flood risk to the severed lot and future development on the property.

As a condition of provisional consent approval, the applicant will be required to obtain and submit the necessary plans and report for review by Engineering and Utilities Kingston staff. Any recommendations resulting from that undertaking will be required to be included in the future Development Agreement that will be registered on title (Exhibit B – Recommended Conditions – Consent).

In accordance with City of Kingston By-Law Number 2022-145, the Owner shall provide cash-in-lieu of parkland conveyance in the amount of \$2428.00 for the new lot.

The proposal meets the intent of the Official Plan, as the proposed consent to create a new residential lot to facilitate the construction of a new single detached house and attached garage will not result in any negative impacts to adjacent properties or to the neighbourhood.

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## Zoning By-Law

The subject property is zoned Urban Residential 4 (UR4) zone in Kingston Zoning By-Law Number 2022-62 (Exhibit F – Zoning By-Law Map). The UR4 zone permits single detached houses.

Concurrent with this application for consent, minor variances are requested to facilitate the proposed severance of the subject property and its future residential development, as described further in the proceeding section.

## 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 E – 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 site is located within the Housing District in Schedule 2 of the City of Kingston Official Plan. This proposal will supply a range of housing options within the residential neighbourhood and it is not anticipated to have any negative impacts on abutting properties or existing residential uses.

Section 2.7 of the Official Plan provides a discussion with respect to land use compatibility. The proposed variances seek to reduce the lot area for the severed lot and reduce the rear yard setback for the retained lot. Despite a reduced lot area, an appropriate building envelope can be established on the severed lot and the proposed dwellings will comply with applicable zoning provisions.

The proposed variances are not anticipated to result in any compatibility issues such as shadows, loss of privacy, uncomfortable wind speed, increased level of light pollution, noise, odour, dust or vibration, increased traffic levels, environmental degradation, diminished levels of service, reduction in the ability to enjoy a property, visual intrusion, degradation of cultural heritage resources, architectural incompatibility, or loss of significant views.

The proposal would facilitate the construction of a single detached house on the severed lot, which is considered minor infill development as the subject property is located in an established urban residential area.

Vehicular access for the severed and retained lot will be obtained from Jorene Drive. The location of the new attached garage on the severed lot will provide for a zone compliant and

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functional parking space for the residents. A 1.2 metre walkway is proposed for the severed lot, which will provide safe pedestrian access. There will be no significant impact to the function of the site in terms of parking, access routes or universal accessibility.

There will be no impact on the natural heritage system, natural heritage features or areas. Heritage Planning staff have advised that there are no cultural heritage concerns associated with the consent application. An archaeological assessment is not required.

The resulting development has adequate municipal water and sewage services within the Urban Boundary. Utilities Kingston staff have advised that a servicing plan showing any existing and proposed services will be required. Engineering staff has advised that a grading plan is required to demonstrate that there will be no negative drainage impacts to neighbouring properties. As previously noted, a noise study is also required.

The proposed variances are considered minor and the development is consistent with the existing built form along Jorene Drive and Front Road. Recommended conditions of approval are included in Exhibit A of this report. Therefore, a zoning by-law amendment is not required. The proposal is in keeping and compatible with the existing development in the surrounding area and will not set an undesirable precedent

The proposal meets the intent of the Official Plan, as the proposed variances 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 Urban Residential 4 ‘UR4’ in Kingston Zoning By-Law Number 2022-62 (Exhibit F – Zoning By-Law Map). The UR4 zone permits single detached houses.

The proposal requires the following variances to facilitate the proposed development.

**Severed Lot**

**Variance Number 1:**

By-Law Number:	2022-62	Table 11.5.1 (1) - Minimum Lot Area
Requirement:		557.4 square metres
Proposed:		405 square metres
Variance Requested:		152.4 square metres.

The intent of the minimum lot area requirement is to protect the functionality of the site and ensure that the property is not overdeveloped. Relief is requested to permit a reduced minimum lot area of 405 square metres from 557.4 square metres. Despite the reduced lot area, the landscaped open space proposed is approximately 63 percent on the severed parcel and approximately 72 percent on the retained lot which exceeds the 30 percent landscaped open space requirement in the UR4 Zone. The proposed reduction in overall lot area is not anticipated to alter the character of the neighbourhood. Further, the submitted concept plan demonstrates that all of the required functional needs of site users can be accommodated on-site, including vehicle parking, outdoor amenity, and access. The proposed development



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represents minor infilling, which will contribute to the City’s housing supply and make efficient use of existing municipal infrastructure and public facilities.

**Retained Lot**

**Variance Number 2:**

By-Law Number: 2022-62	Table 11.5.1 (5) – Minimum Rear Setback
Requirement:	7.6 metres
Proposed:	1.0 metres
Variance Requested:	6.6 metres.

The intent of the rear setback provision is to ensure that rear yard amenity area and landscaped open space is maintained on each parcel, in addition to limiting intrusive overlook and establishing a consistent neighbourhood character. Relief is requested to permit a reduced rear yard setback from 7.6 metres to 1.2 metres for the retained lot.

The entire property is located on a corner lot and is currently developed with a single-detached dwelling. In accordance with Kingston Zoning By-Law, in the case of a corner lot, the shorter lot line abutting a street is deemed the front lot line and the longer lot line abutting a street is deemed an exterior lot line. In this instance, the shorter lot line for the retained lot abuts Front Street. As such, the front yard of the retained lot is along Front Road and the exterior yard is along Jorene Drive. Due to the location of the existing driveway on the proposed retained lot, the south yard will function as an interior side yard as opposed to a rear yard. A setback of approximately 6.8 metres will continue to be provided for the exterior side yard, which will continue to function as the ‘backyard’, located on the southwest portion of the retained lot. Additional open space on the property is available on the southeast portion of the property (Exhibit G – Site Plan).

The reduced rear yard setback for the retained lot is not anticipated to affect the functionality of the proposed lot which is sufficiently sized to provide landscaped open space, amenity space and parking, which comply with the zoning requirements. There will be no significant changes to neighbourhood character or impacts relating to intrusive overlook and privacy.

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

**3. The variance is minor in nature**

The variances are considered minor as there will be no negative impacts on abutting properties or residential and/or uses or structures. The reduced lot area for the retained lot will provide an adequate building envelope to support residential development on municipal servicing. The reduced rear setback from the retained lot is appropriate and will not create intrusive overlook. The proposal will be consistent with the existing built form of the residential development within the established residential neighbourhood. There will be no significant impacts to the existing streetscape.

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

The variances proposed represent a compatible development which supports the creation of a residential lot in a location intended to contribute to the City’s housing supply. The proposal is suitable in scale, massing and density in relation to existing built form within the immediate area of Front Road and Jorene Drive. The proposal will meet the functional needs of site users which include vehicle parking, outdoor amenity, and access. The proposal represents a modest form of infill development will not result in overdevelopment. The proposal is appropriate and compatible with the surrounding residential uses and will not result in significant impacts or changes to the immediate area and surrounding residential area

The variances are desirable and appropriate use of the land.

**Technical Review: Circulated Departments and Agencies**

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Building Division | <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 type="checkbox"/> Fire & Rescue                | <input checked="" type="checkbox"/> Kingston Hydro      | <input type="checkbox"/> Environment Division       |
| <input checked="" type="checkbox"/> Solid Waste       | <input checked="" 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 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 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**

The applications were circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude the applications 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 formal correspondence has 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.

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**Conclusion**

The requested minor variance and consent applications are consistent with the Provincial Policy Statement and conform 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 are minor in nature. The proposed minor variance application meets all four tests under Subsection 45(1) of the *Planning Act* and is being recommended for approval, subject to the proposed conditions.

The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act* and a plan of subdivision is not necessary for the proper and orderly development of the property. As such, the requested consent application is recommended for provisional approval.

Provisional approval of these applications will enable the creation of one new residential lot and facilitate the development of a single detached house.

**Existing Policy/By-Law:**

The proposed applications were 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 September 16, 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 14 days in advance of the meeting. In addition, notices were sent by mail to a total number of 15 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 I – 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*.

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**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

James Bar, Manager, Development Approvals 613-546-4291 extension 3213

Annemarie Eusebio, Intermediate Planner, 613-546-4291 extension 3183

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

Exhibit A Recommended Conditions – Minor Variance

Exhibit B Recommended Conditions – Consent

Exhibit C Key Map

Exhibit D Neighbourhood Context Map (2022)

Exhibit E Official Plan Map

Exhibit F Zoning By-Law Map

Exhibit G Site Plan and Survey

Exhibit H Site Photos

Exhibit I Public Notification Map

## Recommended Conditions

The approval of minor variance application, File Number D13-059-2024, to facilitate the proposed severance at 757 Front Road and to enable the development of single detached house and attached garage on the severed parcel shall be subject to the following recommended conditions:

### 1. Limitation

That the approved minor variance applies only to the severed and retained lots and to the proposed new single detached house and attached 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](mailto: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](mailto:archaeology@ontario.ca)), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

**5. Approval of Consent Application**

That the associated Consent Application D10-027-2024 is approved and all attached conditions of approval are fulfilled.

## Recommended Conditions

The provisional approval of consent application, File Number D10-027-2024, to sever an approximate 405 square metre lot with approximately 16 metres of frontage on Jorene Drive, shall be subject to the following recommended conditions:

### 1. Certificate of Official and Deadline

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

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

### 2. Reference Plan

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

### 3. Payment of Taxes

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

### 4. Building Permit Application Requirements

To ensure the structure complies with both the current Ontario Building Code (OBC) requirements and the decision of the Committee of Adjustment, the owner/applicant shall provide to the Building Division a copy of the decision of the Committee of Adjustment, together with a copy of the drawings approved by the Committee of Adjustment in the subject decision. If the Planning, Building and Licensing Division deems that the drawings submitted for the building permit application do not conform to the general intent and description of the plans approved in the decision, the applicant will be required to resubmit the revised drawings to the Committee of Adjustment for approval. This will require a new application and fee to the Committee of Adjustment.

**5. 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.

**6. Associated Minor Variance**

That associated Minor Variance Application D13-059-2024 is approved and all related conditions of approval are fulfilled.

**7. Cash-In-Lieu of Parkland**

That \$2428.00 shall be paid to the City of Kingston as cash-in-lieu of land dedication for park or public recreational purposes for each new building lot being created. The applicant may choose to pay the fee through their DASH application, provide a certified cheque, or provide payment at the front desk at 1211 John Counter Boulevard, prior to the issuance of the consent certificate.

**8. Civic Addressing**

The owner/applicant shall contact Planning Services once the Reference Plan has been deposited and provided to the City, and obtain a draft civic address for the new lot created and all appropriate fees shall be paid. The owner/applicant shall provide to the Secretary-Treasurer, Committee of Adjustment, written confirmation from the City that the civic address has been obtained prior to the issuance of the consent certificate.

**9. Site Servicing Plan**

The owner/applicant is required to submit a Site Servicing Plan for the new lot, which must be prepared by a qualified person. The Servicing Plan must be approved by Utilities Kingston, prior to the issuance of the Certificate of Official.

**10. Grading Plan**

The applicant/owner must provide a Grading Plan which should indicate sufficient existing and proposed grades so that it can be confirmed that proposed grading of the property will not adversely affect adjacent properties. The Grading Plan must be prepared by a qualified person and must be reviewed to the satisfaction of engineering staff.



**11. Noise Study**

The applicant/owner must provide a Noise Study to address potential impacts on the proposal due to transportation noise sources in the vicinity. The Study is to be prepared by a qualified individual with experience in environmental acoustics and demonstrate compliance with NPC-300. The Noise Study must be reviewed to the satisfaction of engineering staff.

**12. Development Agreement**

The owner shall enter into a development agreement satisfactory to the City to be registered on title to the severed and retained lands. All legal costs associated with the preparation and registration of the agreement shall be borne by the owner. The applicant shall provide a copy of the registered executed agreement to the Secretary-Treasurer, Committee of Adjustment, prior to the issuance of the consent certificate. The agreement shall contain conditions to ensure:

a) Any recommendations resulting from the Noise Study, prepared by a qualified professional, be included within the development agreement for the lands.

b) Compliance with the approved grading and servicing plan prepared by a qualified professional.

c) 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.

d) 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.

e) That the owner be advised that any new or altered entrance to the severed or retained lot will require an entrance permit from Public Works.

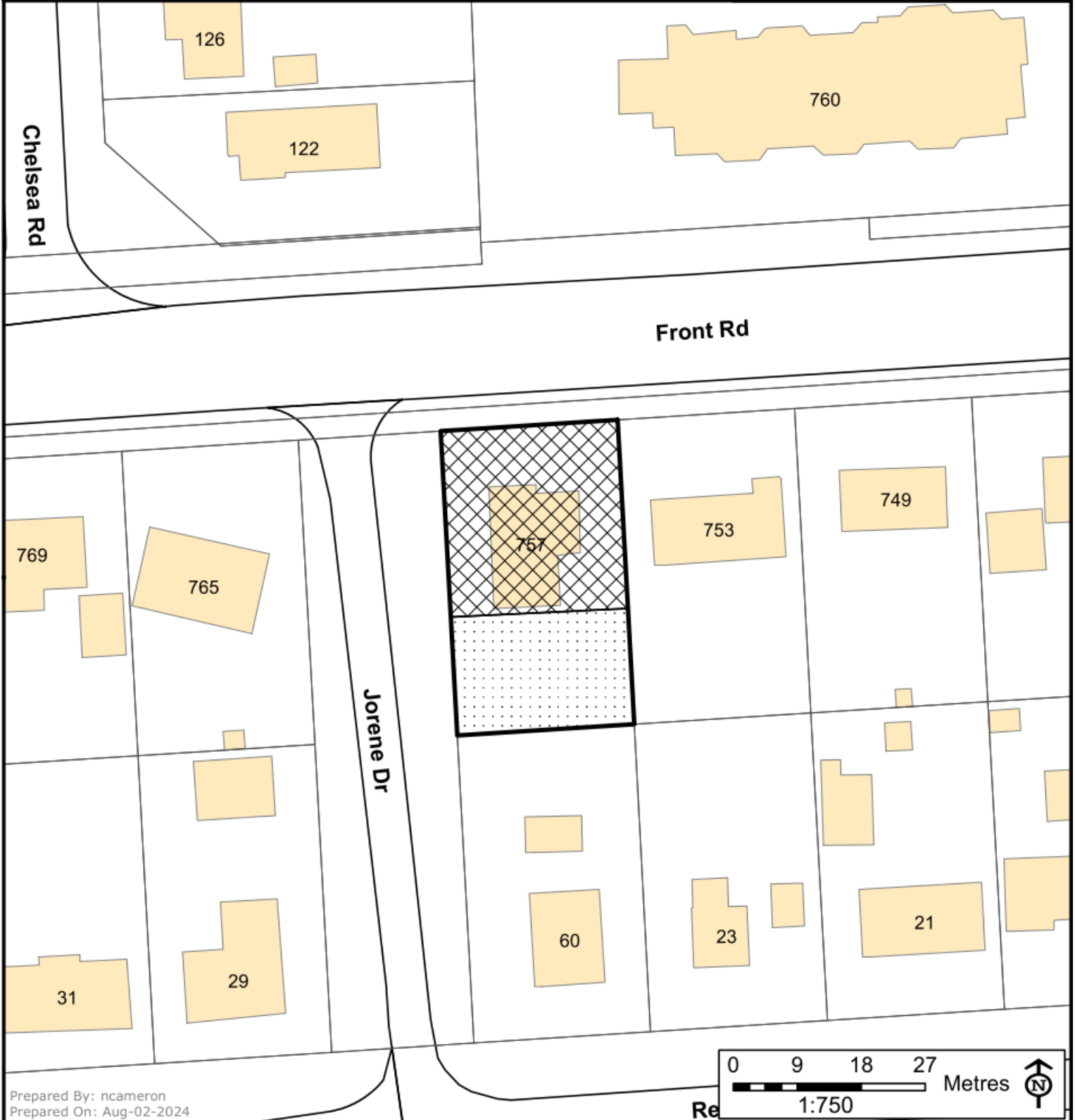
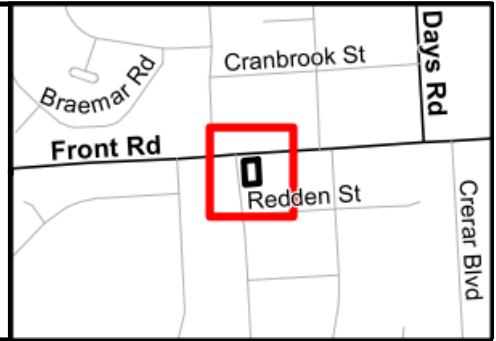
f) That a Building Permit is required prior to the construction or removal of all structures 15 square metres in area or greater. Issues such as but not limited to O.B.C., grading and servicing will be agreed through the permit review process.



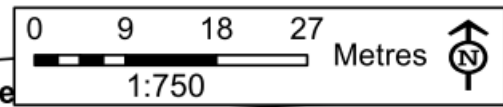
# Committee of Adjustment Key Map

Address: 757 Front Rd.  
File Numbers: D10-027-2024 and D13-059-2024  
Prepared On: Aug-02-2024

- Subject Lands
- Severed Lands
- Retained Lands



Prepared By: ncameron  
Prepared On: Aug-02-2024



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Planning Services

# Committee of Adjustment Neighbourhood Context

Address: 757 Front Rd.

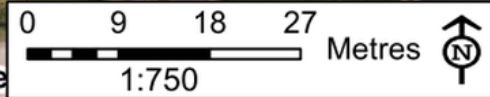
File Numbers: D10-027-2024 and D13-059-2024

Prepared On: Aug-02-2024

-  Subject Lands
-  Property Boundaries
-  Proposed Parcels



Prepared By: ncameron  
Prepared On: Aug-02-2024





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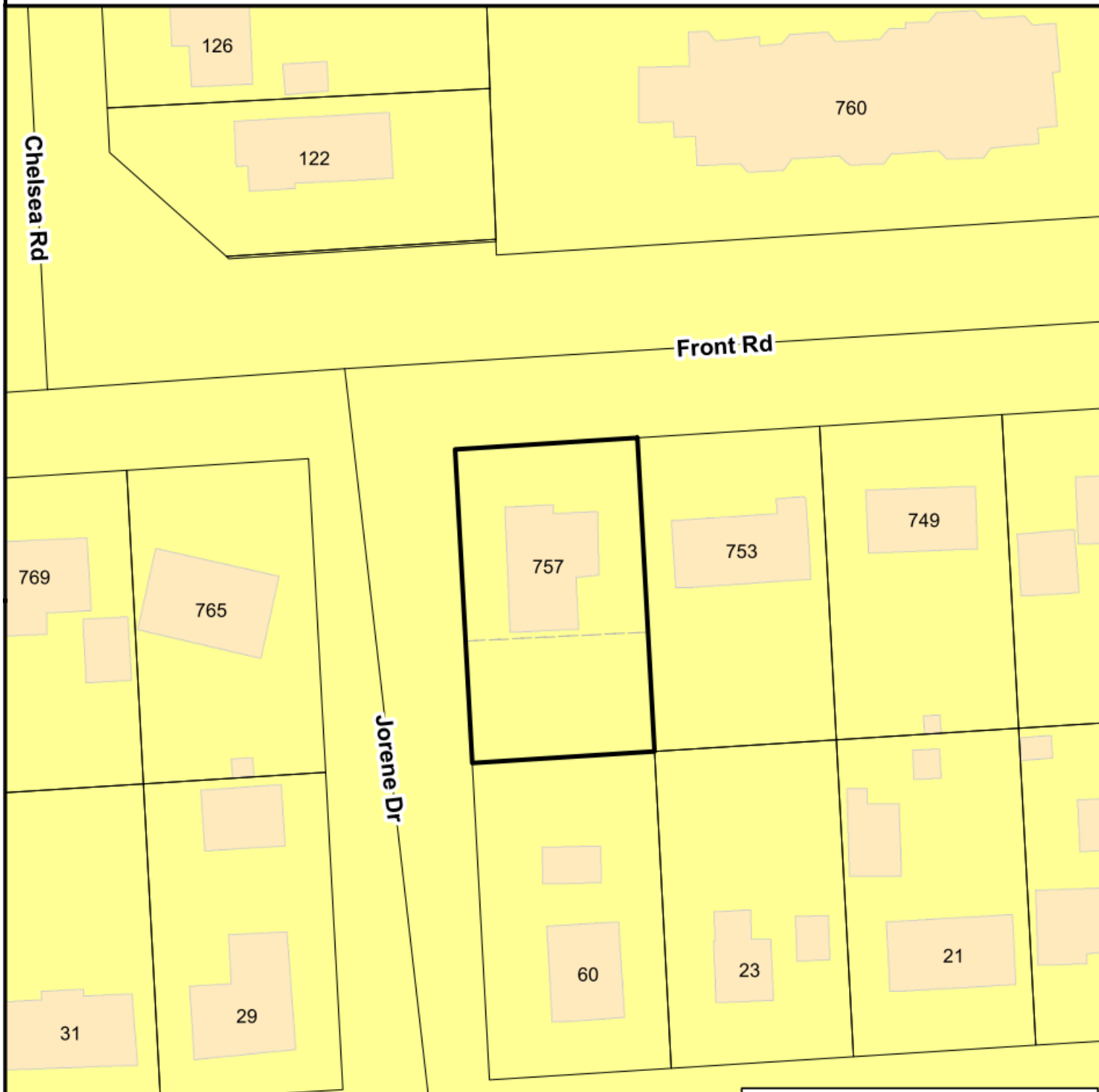


Planning Services

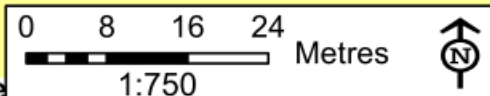
# Committee of Adjustment Official Plan, Existing Land Use

Address: 757 Front Rd.  
File Numbers: D10-027-2024 and  
D13-059-2024  
Prepared On: Aug-02-2024

 Subject Lands  
 RESIDENTIAL



Prepared By: ncameron  
Prepared On: Aug-02-2024



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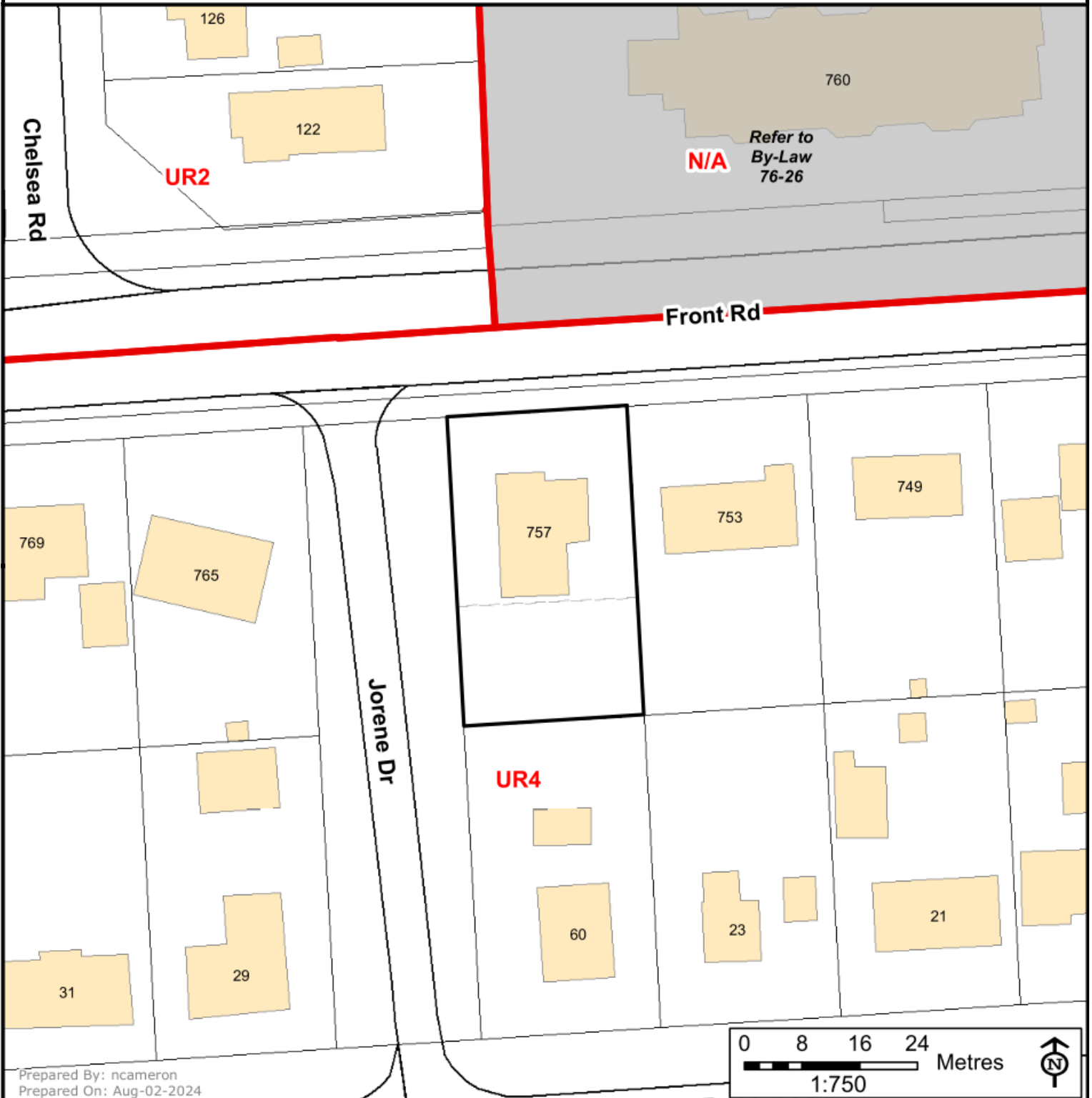


Committee of Adjustment  
Existing Zoning  
Kingston Zoning By-Law 2022-62

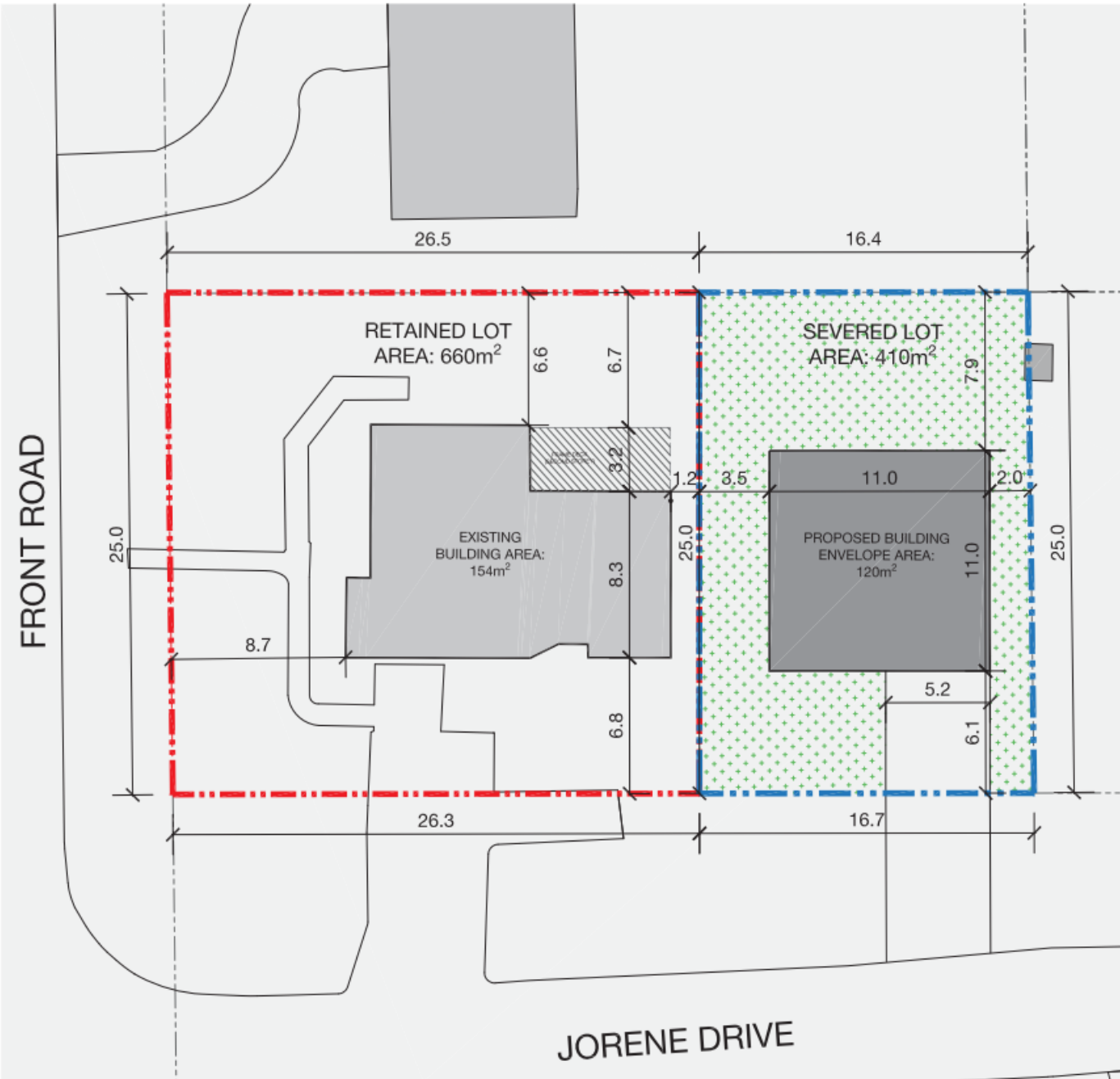
Planning Services

Address: 757 Front Rd.  
File Number: D10-027-2024 and D13-059-2024  
Prepared On: Aug-02-2024

- 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)



Prepared By: ncameron  
Prepared On: Aug-02-2024



**SITE INFORMATION**

ZONING	UR4		
<b>SITE AREA</b>			
Retained Lot:	660m <sup>2</sup>		
Severed Lot:	410m <sup>2</sup>		
<b>SETBACKS</b>			
	F.Y.	S.Y.	R.Y.
	6.1m	2.0m - 3.5m	7.9m

**DEVELOPMENT STATISTICS**

LOT FRONTAGE:	16.7 m
LOT COVERAGE:	30%
LANDSCAPE AREA (UP TO):	260m <sup>2</sup> (63%)

**NOTES**

1. This concept is part of a development concept report and should be interpreted as per findings and descriptions of such report. This concept may require minor variances for setback reduction, parking, heights, etc.
2. The base plan (lot lines, existing roads and surrounding areas) is based on the City's Open Data and aerial images. The site area is approximate and all dimensions need to be confirmed by a legal survey.

**757 FRONT ROAD KINGSTON, ON**  
Concept Plan



**LEGEND**

- - - RETAINED PROPERTY
- - - SEVERED PROPERTY
- EXISTING BUILDING
- PROPOSED BUILDING ENVELOPE
- LANDSCAPED AREA
- SETBACKS



No.	REVISION	DATE	BY
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**CLIENT**  
**RICHARD BEAUBIEN**

**FOTENN**  
Planning + Design

<b>OTTAWA:</b> 366 Cooper Street, Suite 300, Ottawa, ON K2P 2H7 613.750.0769	<b>KINGSTON:</b> 4 Catherine St., Suite 315, Kingston, ON K7N 1Z7 613.542.5454	<b>TORONTO:</b> 174 Spadina Ave., Suite 304, Toronto, ON M5T 2C2 416.789.4530
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DESIGNED	LC
REVIEWED	ET
DATE	2024.07.03

**P1**

**Site Photos**

**View of front of house and vehicular access on Jorene Drive**



**View of side of the house and pedestrian access along Front Street.**



**Northeast portion of the property of the proposed retained lot**



**Area of the proposed severed lot**





**Existing residential development along Jorene Drive**



**Surrounding residential use along Front Road**



**Surrounding residential use along Front Road**

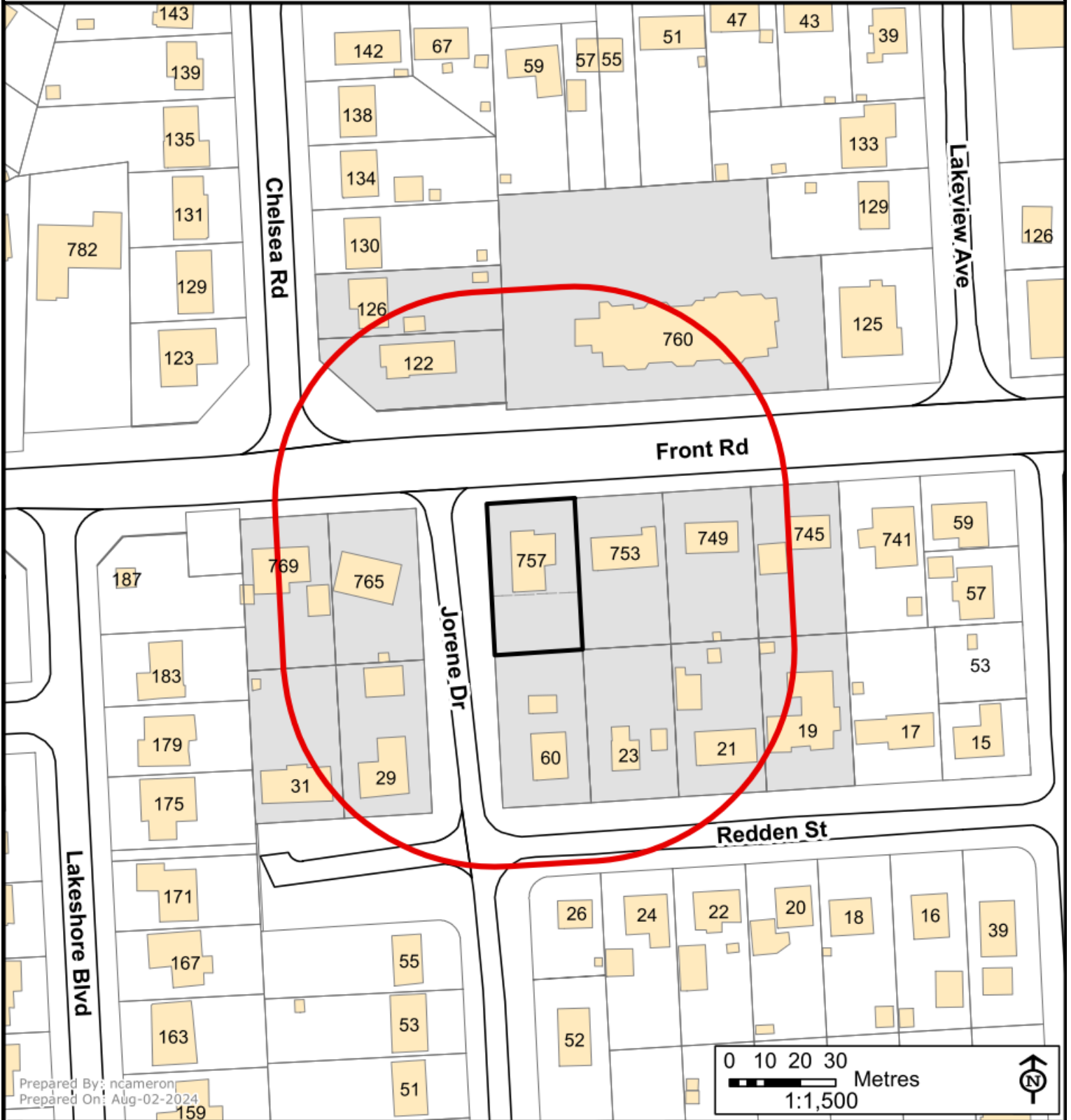




# Committee of Adjustment Public Notice Notification Map

Address: 757 Front Rd.  
File Number: D10-027-2024 and  
D13-059-2024  
Prepared On: Aug-02-2024

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



Prepared By: ncameron  
Prepared On: Aug-02-2024

