



**City of Kingston
Report to Committee of Adjustment
Report Number COA-25-002**

To: Chair and Members of the Committee of Adjustment
From: Chris Wicke, Senior Planner
Date of Meeting: January 27, 2025
Application for: Minor Variance
File Number: D13-078-2024
Address: 9 George Street
District: District 12 - Pittsburgh
Owner: George and Morgan Mainguy
Applicant: Mikaela Hughes Architect Inc.

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 minor variances for the property located at 9 George Street. The applicant is proposing to make several modifications to the existing house including the construction of the following: a new approximately 0.3 metre raised foundation clad in limestone; a second-floor addition above an existing one storey addition; a new covered porch that faces Wellington Street; a new carport over the existing driveway; and two new decks that face the rear yard. An associated heritage permit application was approved on September 18, 2024.

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

January 27, 2025

Page 2 of 15

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 D13-078-2024, for the property located at 9 George Street to permit a raised foundation, a second-floor addition, a new covered front porch, a new carport, and two new decks, be approved, as described below:

Variance Number 1: Maximum height

By-Law Number 2022-62: Table 13.2.2.3

Requirement: Height existing as of the date of passing of this By-law

Proposed: 6.1 metres

Variance Requested: 0.3 metres

Variance Number 2: Minimum interior setback

By-Law Number 2022-62: Table 13.2.2.7

Requirement: 1.2 metres

Proposed: 0.6 metres

Variance Requested: 0.6 metres

Variance Number 3: Maximum lot coverage

By-Law Number 2022-62: Table 13.2.2.10

Requirement: 25%

Proposed: 38%

Variance Requested: 13%

Variance Number 4: Maximum height of an addition

By-Law Number 2022-62: Section 13.2.4

Requirement: Addition 0.5 metres less than the height of the heritage building

Proposed: Addition the same height as the existing building

Variance Requested: 0.5 metres

Variance Number 5: Projections into Setbacks – Architectural Features in Other Zones

By-Law Number 2022-62: Section 4.19.2

Requirement: 0.5 metres

Proposed: 0.3 metres

Variance Requested: 0.2 metres

Variance Number 6: Projections into Setbacks – Exterior Stairs in Other Zones

By-Law Number 2022-62: Section 4.19.3

Requirement: 0.5 metres

Proposed: 0.3 metres

Variance Requested: 0.2 metres

January 27, 2025

Page 3 of 15

Variance Number 7: Decks and Porches – Minimum front setback

By-Law Number 2022-62: Table 4.20.4.2

Requirement: The lesser of the Zone provision or 3.5 metres

Proposed: 0.6 metres

Variance Requested: 2.9 metres

Variance Number 8: Decks and Porches – Minimum exterior setback

By-Law Number 2022-62: - Table 4.20.4.4

Requirement: The lesser of the Zone provision or 3.5 metres

Proposed: 1.6 metres

Variance Requested: 1.9 metres

Variance Number 9: Minimum garage setback to street line

By-Law Number 2022-62: Section 7.4.8.8

Requirement: 6.0 metres

Proposed: 2.5 metres

Variance Requested: 3.5 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-002.

January 27, 2025

Page 4 of 15

Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Chris Wicke, Senior Planner

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

Tim Park, Director, Planning Services

Malcolm Norwood, Supervisor, Development Approvals

January 27, 2025

Page 5 of 15

Options/Discussion:

On September 30, 2024, a minor variance application was submitted by Mikaela Hughes Architect Inc., on behalf of the owners, George and Morgan Mainguy, with respect to the property located at 9 George Street. The variance is requested to make a number of alterations and additions to the existing house including the following: raising the house approximately 0.3 metres on a new foundation clad in limestone; constructing a second-floor addition above an existing one storey addition to accommodate up to three bedrooms and two bathrooms; adding a new covered front porch that faces Wellington Street; constructing a new carport over the existing driveway; and adding two new decks that face the rear yard.

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

- Site Plan (Exhibit F)
- Planning Justification Report
- Owner Authorization
- Heritage Impact Statement
- Survey
- Floor Plans
- Elevations
- Site Photos
- Letter to address Grading Plan requirements

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 9 George Street in the Village of Barriefield. (Exhibit B – Key Map). The property is at the southwest corner of the intersection of George Street and Wellington Street, and it abuts single detached houses to the south and west, vacant lands to the east, and a residential subdivision that is under construction to the north (Exhibit C – Neighbourhood Context Map). The property contains a one-and-a-half storey house with a gable roof and an accessory building (shed). As part of the Barriefield Heritage Conservation District, the subject property is designated and is also surrounded by Part V heritage designated properties

Provincial Planning 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 Planning Statement (the PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development

January 27, 2025

Page 6 of 15

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.

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:

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 on Schedule 2 – City Structure of the Official Plan. This proposal does not seek a significant change that would impact the surrounding properties or neighbourhood characteristics. The subject property is located in an area of the City whereby the land use is residential in a varied built form and consisting of a well-preserved heritage block of homes. The proposal to raise the house with a new foundation below, add a second-floor addition over an existing one-storey structure, build a new carport over an existing driveway, add a new covered front porch and construct two new decks is compatible with the surrounding area. The modifications are not anticipated to have any negative impacts on the neighbourhood. The proposed alterations and additions are to take place on multiple parts of the property including the front yard, exterior, interior and rear yards. No change to the primary use of the property is proposed as a result of the minor variance. An expansion to the building footprint is proposed, and it is in keeping with the surrounding heritage residences.

This proposal meets all compatibility criteria and will not result in any negative off-site impacts to abutting properties. The proposed alterations and additions have been carefully positioned to diminish potential impacts and mitigate loss of privacy due to intrusive overlook. Increased levels of light pollution, noise, or odour are not anticipated. Adverse effects due to shadowing are also not anticipated as the addition is proposed to be the same height as the existing building, which will in its entirety be raised a nominal 0.3 metres. It is situated such that there is minimal potential for shadows to affect the adjacent property. No significant shadows will be created by the raising of the structure, the introduction of the second-floor addition, or the construction of a carport or front porch.

While the location of some of the proposed construction will be readily visible from the street and surrounding area due to the location of the home, no adverse impacts to the streetscape along George Street or Wellington Street are anticipated. Additional exterior changes are proposed to 9 George Street including historically-influenced windows, surrounds, trim and

January 27, 2025

Page 7 of 15

doors for all openings, metal roofing, two skylights that face the rear yard, new wood horizontal siding and trim, and new openings on the vestibule and east elevation and a reconfiguration of the window on the north elevation. No zoning relief is required for these elements. There is an existing vestibule on the George Street frontage of the house that encroaches into the City's right-of-way. An encroachment permit will be sought as part of this *Planning Act* application process.

The proposed addition, decks, porch and carport are of a suitable scale and will provide for a total of three bedrooms and two bathrooms within the house, weather-protected storage of vehicles, an improved entrance through the front porch, and additional amenity space on the decks. While designed to be sympathetic to the heritage characteristics of the house, the placement of the addition is on the west side of the house where it is located away from the prominent street views, and it will not be taller than the existing structure. The new covered front porch is located along Wellington Street, and it is designed to reflect a period porch and will not conceal any existing openings or architectural detailing of the property. The decks and carport are located to the side and rear of the house where their visibility from the prominent street views is reduced.

The proposal will not negatively impact the functional needs of the current or future residents. While the footprint of the principal building will not be increased through the introduction of the second-floor addition, the footprint of the principal building will be increased through the addition of the carport, front porch and two decks.

The proposed structures will have no negative impact to the site functioning in terms of access, parking for vehicles or bicycles, or universal accessibility. The existing provision of parking spaces will not be reduced and will be improved by weather protection. This proposal is not subject to Site Plan Control.

The proposal has been reviewed from an urban design perspective and with consideration for applicable urban design policies endorsed by Council. There are no concerns from a design perspective with the proposal.

The property is designated under Part V of the *Ontario Heritage Act*, and it is part of the Barriefield Heritage Conservation District (HCD) through By-Law Number 17-80. It is located adjacent to similarly designated properties. The property is classified as having "Heritage" value within the District. This work was subject to a heritage permit (P18-084-2022) which was approved by the Kingston Heritage Properties Committee on September 18, 2024 ([Report Number HP-24-038](#)). Consideration was given to how the property plays a role in the Barriefield Heritage Conservation District. The report reviewed the site's heritage value in detail and considered the alterations and additions to the site. Heritage Services staff found that the proposed development would not negatively impact the District and that the overall objectives of the HCD Plan will be upheld.

The property is within an area of archaeological potential identified as 'Further Study Required'; however, Heritage Services have determined that no archaeological assessment will be

January 27, 2025

Page 8 of 15

required at this time given the scale of additions proposed and that the principal structure likely resulted in subsurface disturbance during its construction. The property uses municipal water and sewage services. As this application proposes to permit alterations and additions to the existing structure with no new services and an existing dwelling, no additional service usage is expected.

The cumulative impact of the variance requested for this proposal does not warrant a zoning by-law amendment. The Committee of Adjustment may require additional conditions as it deems appropriate to the approval of the application. Recommended conditions are listed in “Exhibit A – Recommended Conditions”, attached to this report. Conditions may be added, altered, or removed at the Committee’s discretion.

The proposal meets the intent of the Official Plan, as the proposed second-floor addition, new covered porch, new carport, raised foundation and two new decks will not result in any negative impacts to adjacent properties or to the neighbourhood.

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

The subject property is zoned Heritage Zone 1 – Village of Barriefield (HCD1) in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map). The HCD1 zone permits a range of residential uses including a house. The HCD1 zoning provisions are applied differently depending on whether a property is identified as a heritage lot or as a non-heritage lot. However, the zoning also states that an addition to a heritage building or a new building on a heritage lot must comply with the provisions that apply to a non-heritage lot, with an exception regarding the height of additions.

The proposal requires variances to several sections of the Kingston Zoning By-law. The following describes the required relief:

Variance Number 1: Maximum height

By-Law Number 2022-62: Table 13.2.2.3

Requirement: Height existing as of the date of passing of this By-law

Proposed: 6.1 metres

Variance Requested: 0.3 metres

The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which is to limit the height of buildings and to ensure that in this zone they remain architecturally compatible with the heritage context. The definition of height in the by-law for principal buildings with a residential use means the vertical distance from finished grade to, in the case of a sloped roof, the average level between the eaves and the highest point of the building. In this instance, the existing building measures approximately 5.8 metres to the average level between the eaves and the highest point of the building.

The built form of the area is primarily single-detached and semi-detached residential dwellings having a traditional range in height from one to two storeys. The structure is a one-and-a-half

January 27, 2025

Page 9 of 15

story home and is proposed to be elevated 0.3 metres in the process of creating a new foundation for the dwelling, which will ensure the long-term integrity of the structure.

The zoning provisions state that a heritage lot must not exceed the height existing as of the date of the passing of the by-law. They also state, as per Section 13.2.4, that an addition to a heritage building or a new building on a heritage lot must comply with the provisions that apply to a non-heritage lot. The maximum height for a non-heritage lot is 10 metres. In this instance, the heritage building itself is being elevated by the addition of a new foundation for the dwelling, and as such the proposal was considered with regard to the heritage lot provision, which would subsequently require the provision of 0.3 metres of relief. The proposed addition will be constructed to the same ultimate height as the existing house and is addressed in a following variance.

The additional height provided through the new foundation better protects the building from potential foundation damage as the ground level of the house is currently very close to grade and has potential to experience water damage. In addition, the foundation will be clad in limestone to better reflect the heritage context.

Variance Number 2: Minimum interior setback

By-Law Number 2022-62: Table 13.2.2.7

Requirement: 1.2 metres

Proposed: 0.6 metres

Variance Requested: 0.6 metres

The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which is to ensure that there is an interior setback to create visual separation and to permit access and maintenance. In this instance, the reduction is to accommodate the proposed carport, which is to be constructed to the west of the dwelling. Section 13.2.4 of the By-law states that an addition to a heritage building or a new building on a heritage lot must comply with the provisions that apply to a non-heritage lot. As such, the applicable criteria for this provision require a minimum 1.2 metre setback, and thus 0.6 metres of relief is required for the carport.

For clarity, while the subject property is oriented towards, and addressed on, George Street, the northern lot line along the Wellington Street frontage is the front lot line. The eastern frontage on George Street is the exterior lot line; the western lot line is the interior lot line; and the southern lot line is the rear lot line.

The driveway is existing at a location to the west of the dwelling. Locating the proposed carport here both retains the existing function and places it in an area that is less visible from the street, with some separation retained between the proposed structure and the adjacent property for access and maintenance.

Variance Number 3: Maximum lot coverage

By-Law Number 2022-62: Table 13.2.2.10

Requirement: 25%

Proposed: 38%

January 27, 2025

Page 10 of 15

Variance Requested: 13%

The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which is to ensure that lots are not overdeveloped with structures and that there is sufficient permeable area on a lot to permit stormwater to infiltrate.

Again, as per Variance 1, zoning provisions state that a heritage lot must not exceed the height existing as of the date of the passing of the by-law, and they also state that an addition to a heritage building or a new building on a heritage lot must comply with the provisions that apply to a non-heritage lot. In this instance, as new elements are behind proposed beyond the footprint of the existing heritage house, the more stringent provision requiring a maximum lot coverage of 25% for non-heritage lots, versus the 32% currently provided on-site, is used for the analysis of this variance.

Due to the heritage characteristics of the area, lot areas in Barriefield are typically small, which increases the likelihood of a higher proportion of lot coverage. The lot in question measures 309 square metres, and in addition to the principal building there is a shed measuring approximately 20 square metres. The proposed additions to the property are located on the existing footprint of the house as much as possible. The second-floor addition is proposed on top of an existing single storey addition. The new front porch is slightly enlarging the existing structure with an attractive and functional entrance feature. The largest area of change from a lot coverage perspective is the carport, which is located over an existing impermeable driveway area. The areas under the rear decks will continue to be permeable, and the balance of the lot will remain unchanged, with permeable landscaped open space excepting the shed and patio. No relief is required regarding provision of landscaped open space. Both the carport and the front porch are also covered but unenclosed, retaining current extents of visual openness of the property.

Variance Number 4: Maximum height of an addition

By-Law Number 2022-62: Section 13.2.4

Requirement: Addition 0.5 metres less than the height of the heritage building

Proposed: Addition the same height as the existing building

Variance Requested: 0.5 metres

The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which is to ensure that additions do not compete with or overshadow the existing heritage structures.

The second-floor addition is proposed on top of an existing single storey addition, and the gable-end roofline is proposed to extend the existing roofline. New gable-end dormers are also proposed, and these are to be located below the existing and extended main ridgeline of the house. This extension of the existing roofline was reviewed and approved as part of the heritage permit process. See Variance 1 regarding the relief being sought for the overall building height.

Variance Number 5: Projections into Setbacks – Architectural Features in Other Zones

By-Law Number 2022-62: Section 4.19.2

Requirement: 0.5 metres

January 27, 2025

Page 11 of 15

Proposed: 0.3 metres

Variance Requested: 0.2 metres

The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which is to reduce the projection of architectural element into required yards to avoid obstructions, visual discontinuity, or issues of access for maintenance.

In this instance, the relief is associated with the eaves of both the proposed front porch and carport, which have been carefully designed to be sympathetic to the heritage context and are in keeping with similar projections into the front and exterior yards as other buildings in proximity. They have also been sized to retain a small setback to the lot line for maintenance and access.

Variance Number 6: Projections into Setbacks – Exterior Stairs in Other Zones

By-Law Number 2022-62: Section 4.19.3

Requirement: 0.5 metres

Proposed: 0.3 metres

Variance Requested: 0.2 metres

The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which, in a manner related to the previous variance, is to reduce the projection of exterior stairs into required yards to avoid obstructions or visual discontinuity.

In this instance, the relief is again associated with the stairs for the proposed front porch, which has been carefully designed to be sympathetic to the heritage context, is aligned with the eaves, and is in keeping with similar projections into the front and exterior yards as other buildings in proximity and has been sized to retain a small setback to the lot line.

Variance Number 7: Decks and Porches – Minimum front setback

By-Law Number 2022-62: Table 4.20.4.2

Requirement: The lesser of the Zone provision or 3.5 metres

Proposed: 0.6

Variance Requested: 2.9 metres

The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which is to locate decks and porches in areas where a spatial separation is retained from the lot line for visual separation, access and maintenance.

A new covered front porch is proposed in the front yard of the home adjacent to Wellington Street. Due to the historic placement of the existing home in close proximity to the lot line, the proposed porch would be located approximately 0.6 metres from the front lot line. This would still allow for sufficient space for access and maintenance, and the proposed front porch is designed to be consistent with the heritage characteristics of surrounding buildings and the District on general.

Variance Number 8: Decks and Porches – Minimum exterior setback

By-Law Number 2022-62: Table 4.20.4.4

January 27, 2025

Page 12 of 15

Requirement: The lesser of the Zone provision or 3.5 metres

Proposed: 1.6 metres

Variance Requested: 1.9 metres

The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which is to locate decks and porches in areas where a spatial separation is retained from the lot line for visual separation, access and maintenance.

While two decks are proposed in the rear yard to the south of the house, one is proposed to be in the area close to an existing enclosed porch located in the exterior yard along George Street and at the terminus of an existing walkway. Due to the placement of the existing home in close proximity to the lot line, the proposed deck would be located 1.6 metres from the exterior lot line at the terminus of a walkway. This would still allow for sufficient space for access and maintenance, and the area is currently screened by landscaping as well, providing additional privacy to users.

Variance Number 9: Minimum setback from a private garage to the street line

By-Law Number 2022-62: Section 7.4.8.8

Requirement: 6.0 metres

Proposed: 2.5 metres

Variance Requested: 3.5 metres

The minimum required setback from a private garage to the street line where the driveway gains access to a street is 6.0 metres. The variance requested maintains the general purpose and intent of the applicable provisions of the by-law which is to provide separation between the lot line and the structure used for parking.

The carport is proposed to be set back from the street line by 2.5 metres to align approximately with the face of the existing building, with some additional relief being provided beyond the 1.95 metre separation between the house and the front lot line. This positioning of the carport retains the functionality of the existing parking configuration while permitting a sympathetic addition to the house for covered parking in a location that is less visible from the streetscape.

The proposed design of the proposed changes has been deemed compatible with the heritage characteristics of the HCD. Further analysis in this regard can be found in [Report Number HP-24-038](#) pertaining to the heritage permit application.

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

The variance is minor in nature

The requested variances to permit the proposed second-floor addition, raised foundation, decks, covered porch and carport are considered minor as they are related to the historic siting of the building on the lot, they will be limited to the site and are limited in the potential for any impacts. The additions and alterations are compatible with the principal dwelling, the surrounding properties and the existing neighbourhood, and they will support the residential use of the

January 27, 2025

Page 13 of 15

property. The property is in an area characterized as a heritage residential neighbourhood and designated as part of a Heritage Conservation District. The proposed raised foundation, second-floor addition, covered front porch, rear decks and carport are designed with an attention to detail and quality of construction that is in keeping with the adjacent structures and the surrounding neighbourhood. The proposed alterations and additions have received a heritage permit and are not anticipated to result in any adverse effects to the surrounding Heritage Conservation District.

The proposed raised foundation, second-floor addition, front porch, decks and carport comply with all other applicable zone provisions, including rear setback, aggregate interior setbacks, landscaped open space, number of storeys and number of dwelling units per lot. The proposal will not change the fundamental design characteristics of the neighbourhood. No impact on the surrounding land uses is anticipated.

The variance is considered minor in nature.

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

The requested variance is desirable and appropriate use of the land as the scale and design of the second-floor addition, raised foundation, front covered porch, decks in the rear yard and carport are appropriate for the dwelling size, and the structures have been carefully detailed to be compatible with the heritage characteristics of the home and surrounding properties within the Barriefield Heritage Conservation District.

The proposed additions and alterations have been located such that they minimize the potential for impacts on both surrounding properties and the streetscape, while improving the liveability and function of the property for the residents, with increased living space, improved amenity space, and covered parking spaces without undue impact in a manner that is sensitive to and supportive of the heritage context.

The variance is 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 checked="" type="checkbox"/> Heritage Services |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Utilities Kingston | <input checked="" type="checkbox"/> Real Estate |
| <input type="checkbox"/> Fire & Rescue | <input checked="" type="checkbox"/> Kingston Hydro | <input checked="" type="checkbox"/> Environment Division |
| <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input checked="" 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 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 |

January 27, 2025

Page 14 of 15

- Building Services Engineering Heritage Services
 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 were 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 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 permit the construction of a raised foundation, a second-floor addition, a new covered front porch, a new carport, and two new decks.

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 Planning Statement, 2024

Municipal

City of Kingston Official Plan

Kingston Zoning By-Law Number 2022-62

January 27, 2025

Page 15 of 15

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on January 27, 2025. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the Kingston Whig Standard on Friday January 10th, 2025. In addition, notices were sent by mail to a total number of 16 property owners (according to the latest Assessment Roll) within 60 metres of the subject property. The notice was also placed on the City's website and a sign was placed on the subject site.

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:

Malcolm Norwood, Supervisor, Development Approvals, 613-546-4291 extension 3236

Chris Wicke, Senior Planner, 613-546-4291 extension 3242

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 Plan, Floor Plans and Elevations
- Exhibit H Site Photos

Recommended Conditions

The approval of minor variance application, File Number D13-078-2024, to permit a new approximately 0.3 metre raised foundation clad in limestone; a second-floor addition above an existing one storey addition; a new covered porch that faces Wellington Street; a new carport over the existing driveway; and two new decks that face the rear yard, shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variance applies only to the proposed alterations and additions to 9 George Street as shown on the plot plan 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. Civic Addressing

The Owner shall be required to apply for a D20 Civic Addressing Application through DASH to recognize the change in orientation of the entrance of the unit.

6. Encroachment Agreement

It shall be the responsibility of the applicant to enter into an encroachment agreement with the City of Kingston. The encroachment agreement will require the submission of the associated reference plan and will need to showcase the area where encroachment will occur following the proposed development.

The owner / applicant shall provide written approval from Transportation Services to the Secretary-Treasurer Committee of Adjustment that Transportation Services is satisfied with the location of the encroachment.


7. Grading Plan

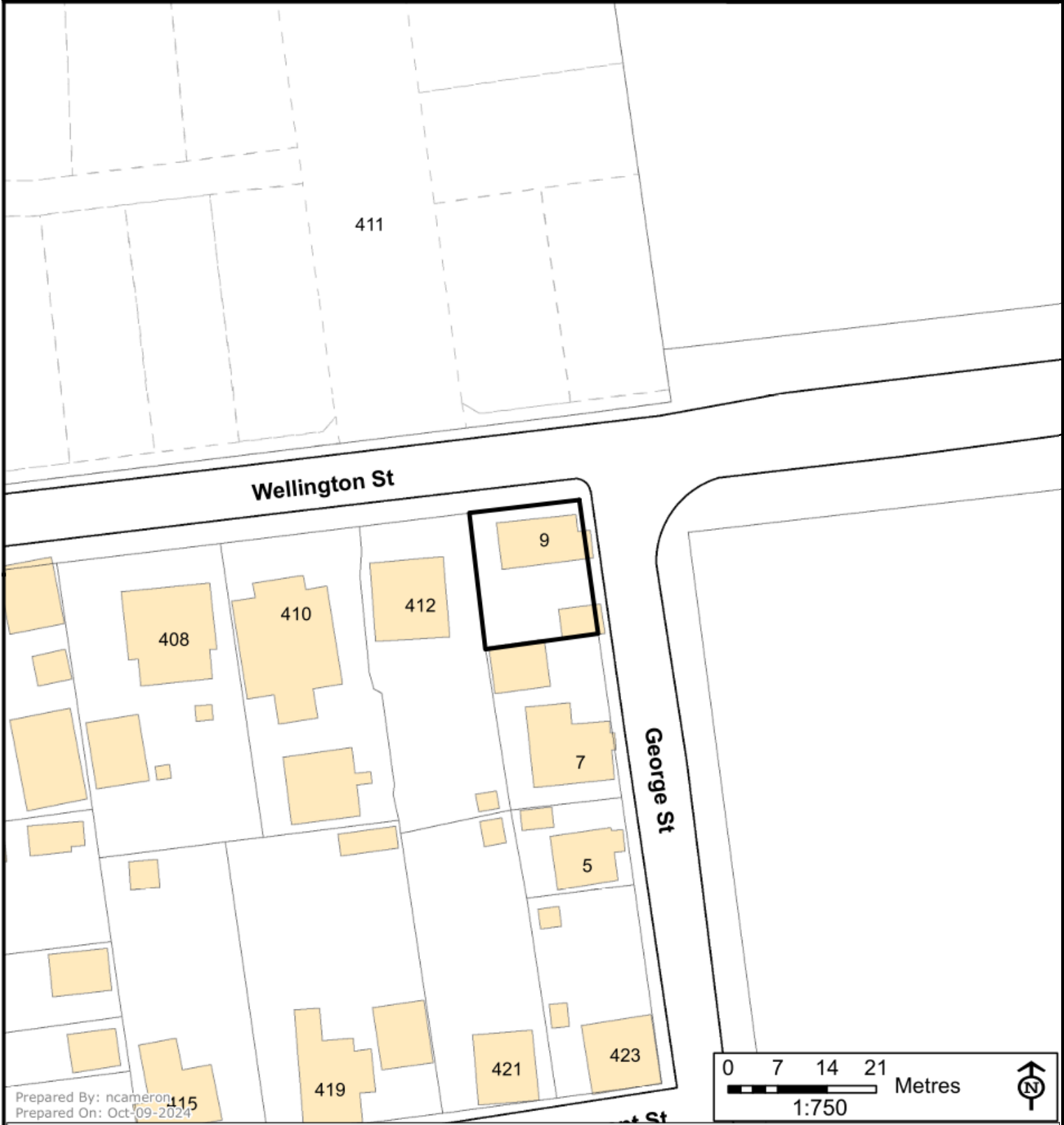
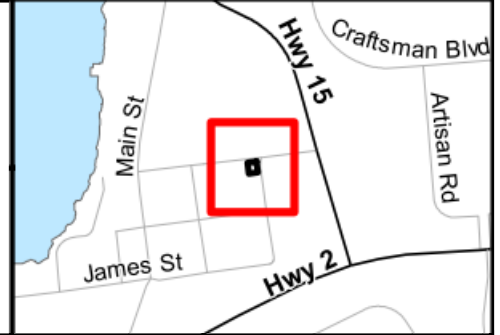
The owner/applicant is required to submit correspondence confirming that no extensive changes to grade are proposed including notes on the plot plan or a grading plan with their Building Permit which demonstrates that there will be no negative drainage impacts to neighbouring properties. The building form shall be suitable for adequate lot drainage.



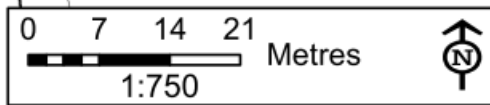
Committee of Adjustment Key Map

Address: 9 George Street
File Number: D13-078-2024
Prepared On: Oct-09-2024

 Lands Subject to Minor Variance



Prepared By: ncameron
Prepared On: Oct-09-2024



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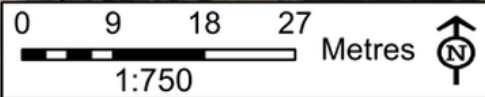
Committee of Adjustment Neighbourhood Context

Address: 9 George Street
File Number: D13-078-2024
Prepared On: Oct-09-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: neameron
Prepared On: Oct-09-2024



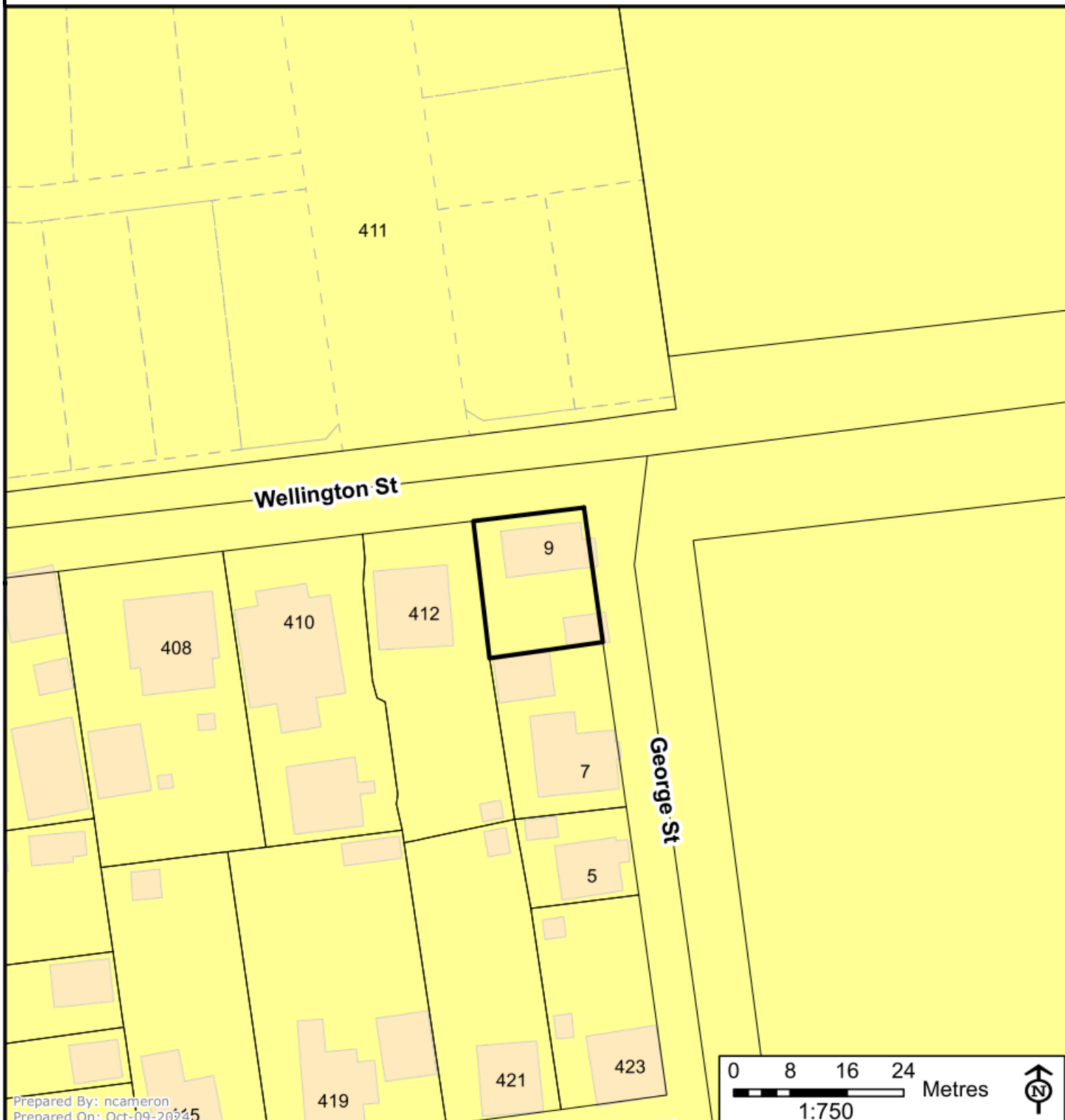
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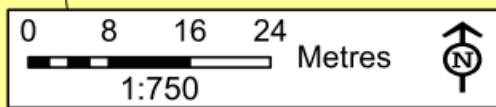
Committee of Adjustment Official Plan, Existing Land Use

Address: 9 George Street
File Number: D13-078-2024
Prepared On: Oct-09-2024

- Subject Lands
- RESIDENTIAL



Prepared By: ncameron
Prepared On: Oct-09-2024



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

Planning Services

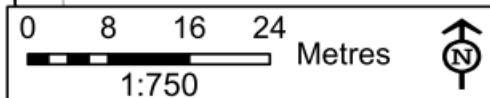
Address: 9 George Street
File Number: D13-078-2024
Prepared On: Oct-09-2024

Subject Lands
Schedule 1 Zoning Map
Zone

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



Prepared By: -ncameron
Prepared On: Oct-09-2024



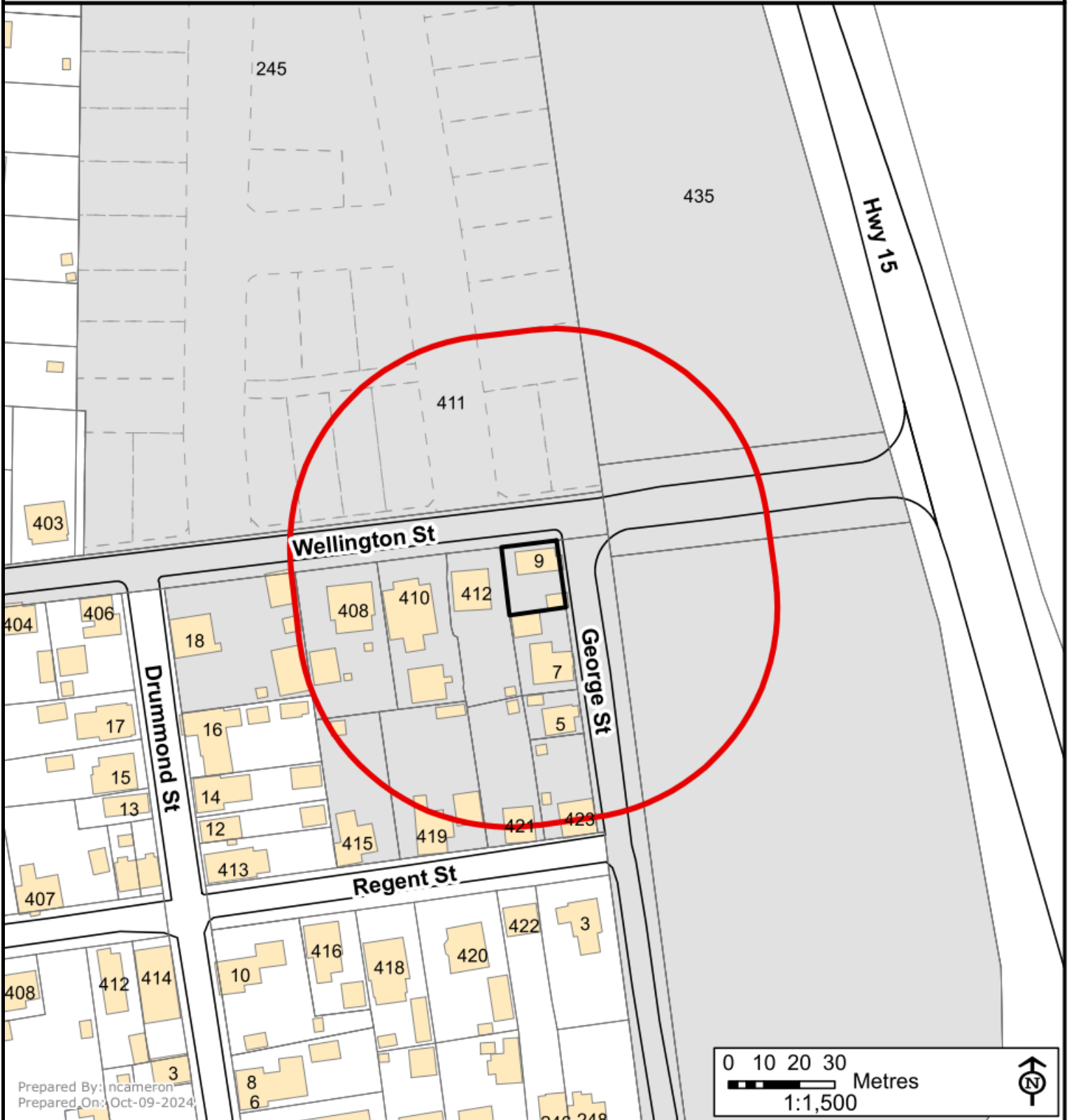
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Committee of Adjustment Public Notice Notification Map

Address: 9 George Street
File Number: D13-078-2024
Prepared On: Oct-09-2024

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



Prepared By: incameron
Prepared On: Oct-09-2024



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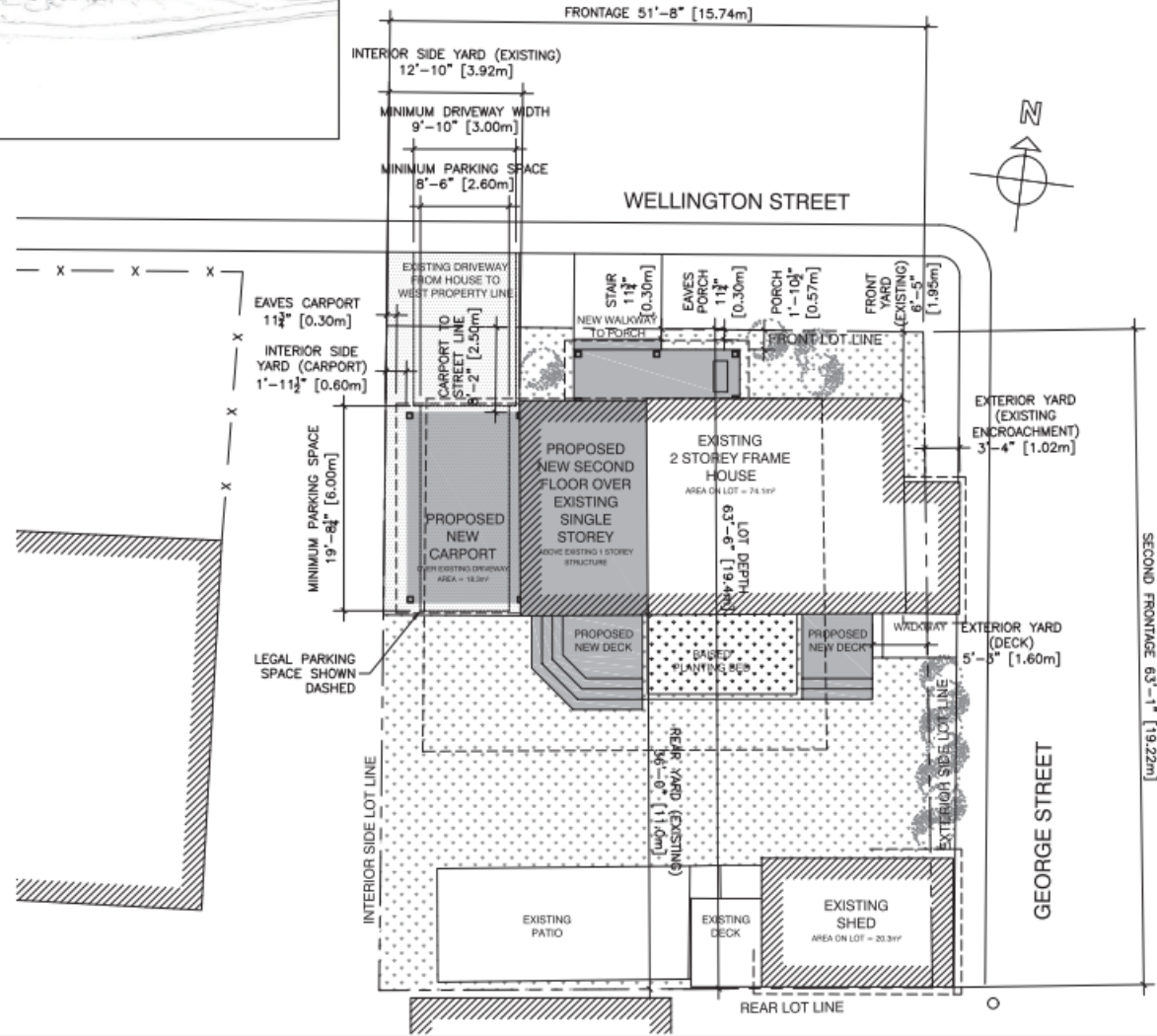
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SKETCH
NOT TO SCALE

9 GEORGE STREET
LOT AREA = 309.7m²
EXISTING LOT COVERAGE = 32%
NEW LOT COVERAGE INCLUDING CARPORT = 38%
LANDSCAPED OPEN SPACE = 59%

GRADES AND DRAINAGE ON SITE NOT TO BE ALTERED BY CONSTRUCTION



PLOT PLAN NOTES AND KEY

1. SITE PLAN, PROPERTY LINES AND LOCATION OF BUILDINGS ARE BASED ON A SURVEY BY HOPKINS CHITTY LAND SURVEYORS INC. DATED SEPT. 27, 2024.

- EXISTING BUILDING
- PROPOSED NEW STRUCTURE (SECOND STOREY ADDITION, PORCH, DECKS AND CARPORT)
- LANDSCAPING
- DRIVEWAY (EXISTING)

SITE PLAN
1/8" = 1'-0"

DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Oct 21, 2024, 4:14pm

| | | |
|---|----------|------------------|
| 4 | 30/09/24 | MINOR VARIANCE |
| 3 | 25/07/24 | HERITAGE CHANGES |
| 2 | 27/05/24 | HEAT PUMP MOVED |
| 1 | 13/02/24 | PLANNING REVIEW |
| # | DMY | REVISION DETAILS |

PROJECT
RENOVATIONS TO THE
MAINGUY HOUSE
9 GEORGE ST.
BARRIERFIELD, KINGSTON
DRAWING
PROPOSED
SITE PLAN AND SKETCH

DRAWN BY MJH
DATE 13 FEB., 2024
SCALE AS NOTED
PRINT ON 18x24 PAPER

JOB NO.
2309
DWG. NO.
MV-1
REV. NO.
4

Mikaela Hughes Architect Inc.
82 OAK POINT ROAD, WOLFEE ISLAND ON R01 270 613-544-9183

CONTR. SCALE



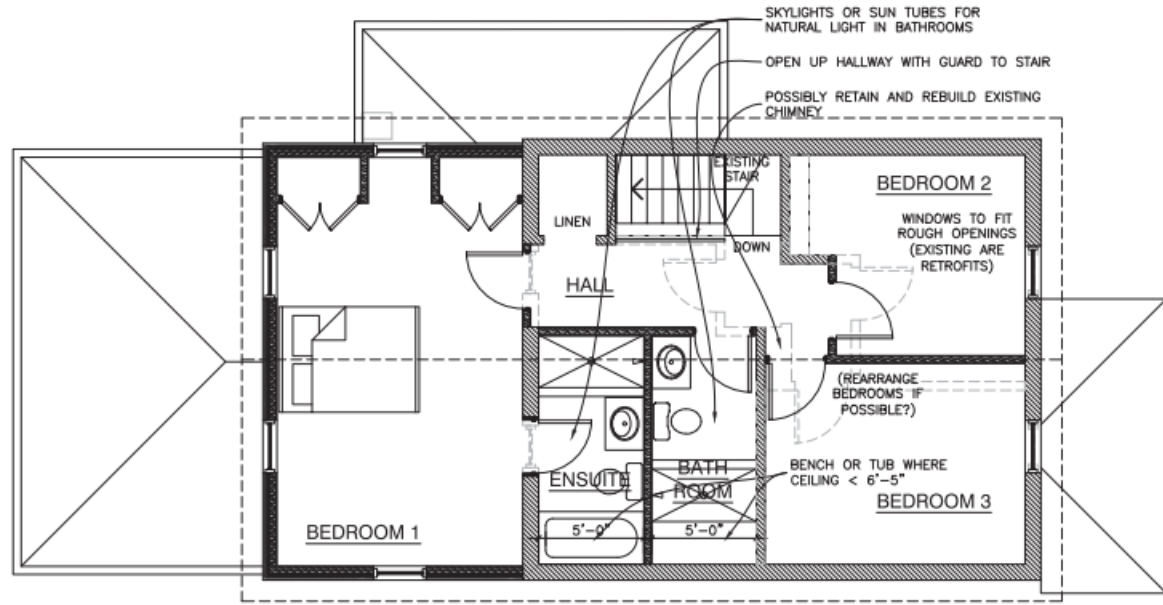
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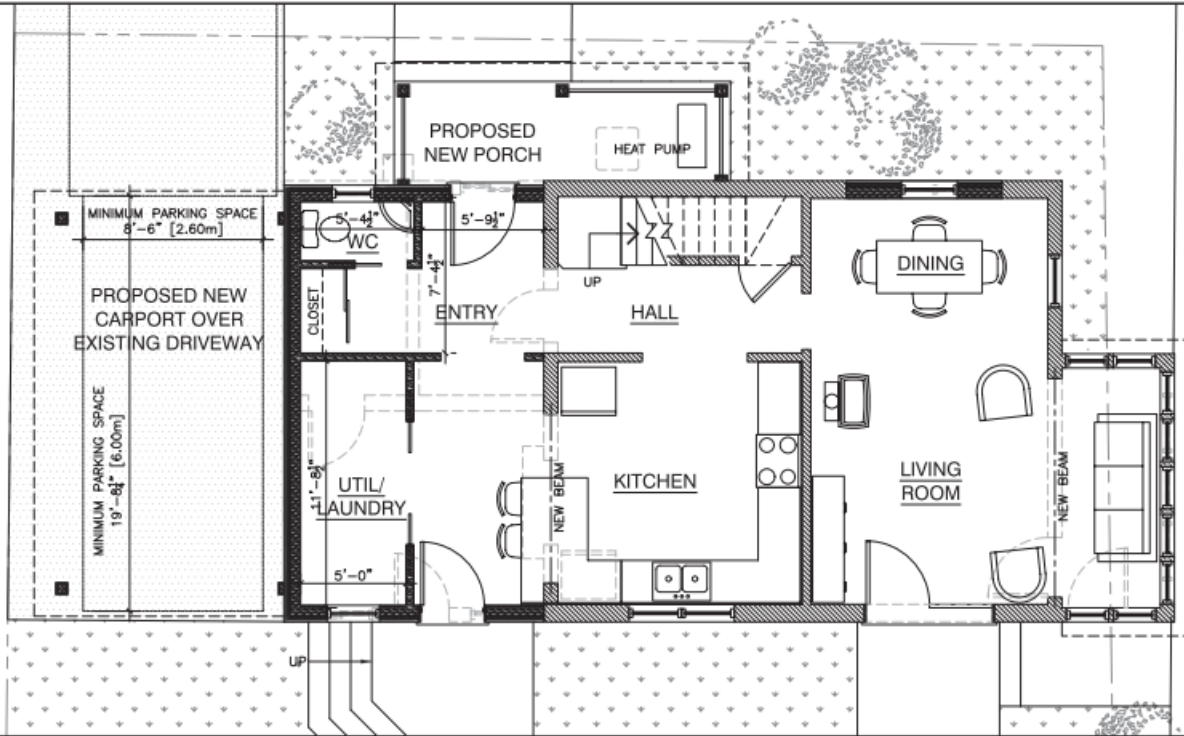
FLOOR PLAN NOTES
1. INTERIOR OF HOUSE WAS NOT MEASURED AND HAVE NOT BEEN VERIFIED. THEY ARE TO THE BEST OF OUR KNOWLEDGE AND BASED ON DRAWINGS AND DIMENSIONS PROVIDED BY REAL ESTATE AGENT.
2. FLOOR PLANS ARE DIAGRAMMATIC TO ILLUSTRATE OVERALL DESIGN INTENTIONS.

WALL KEY

 EXISTING WALL RETAINED
 EXISTING WALL REMOVED
 NEW WALL



SECOND FLOOR PLAN
1/4" = 1'-0"



GROUND FLOOR PLAN
1/4" = 1'-0"

DESIGN ONLY - NOT FOR CONSTRUCTION
 PLOTTED: Oct 21, 2024, 4:14pm

| | | |
|---|----------|------------------|
| 4 | 30/09/24 | MINOR VARIANCE |
| 3 | 25/07/24 | HERITAGE CHANGES |
| 2 | 27/05/24 | HEAT PUMP MOVED |
| 1 | 13/03/24 | PLANNING REVIEW |
| # | DMV | REVISION DETAILS |

PROJECT
 RENOVATIONS TO THE
 MAINGUY HOUSE
 9 GEORGE ST.
 BARRIEFIELD, KINGSTON
 DRAWING
 PROPOSED
 FLOOR PLANS

DRAWN BY MJH
 DATE 13 FEB., 2024
 SCALE 1/4" = 1'-0"
 PRINT ON 18x24 PAPER

JOB NO.
2309
 DWG. NO.
MV-2

REV. NO.
4

Mikaela Hughes Architect Inc.
 82 OAK POINT ROAD, WOLFE ISLAND ON R0H 2Y0 613-544-9183

CONTR. SCALE



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EXISTING SOUTH ELEVATION
1/4" = 1'-0"



PROPOSED SOUTH ELEVATION
1/4" = 1'-0"

DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Oct 21, 2024, 4:14pm

| | | |
|---|----------|------------------|
| 4 | 30/09/24 | MINOR VARIANCE |
| 3 | 25/07/24 | HERITAGE CHANGES |
| 2 | 27/05/24 | HEAT PUMP MOVED |
| 1 | 13/03/24 | PLANNING REVIEW |
| # | | REVISION DETAILS |

PROJECT
RENOVATIONS TO THE
MAINGUY HOUSE
9 GEORGE ST.
BARRIEFIELD, KINGSTON
DRAWING
EXISTING & PROPOSED
SOUTH ELEVATION

DRAWN BY MJH
DATE 13 FEB., 2024
SCALE AS NOTED
PRINT ON 18x24 PAPER

JOB NO.
2309

DWG. NO.
MV-3

REV. NO.
4

Mikaela Hughes Architect Inc.

181 CORK POINT ROAD, WOLFE ISLAND ON N0H 2Y0 613-344-9183

CONTINUOUS SCALE



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EXISTING EAST ELEVATION

1/4" = 1'-0"



EXISTING WEST ELEVATION

1/4" = 1'-0"



PROPOSED EAST ELEVATION

1/4" = 1'-0"

REINSTATE WINDOW IN ORIGINAL ROUGH STUD OPENING. TO BE SIZED AND LOCATED WHEN FRAMING IS EXPOSED.

FINISHED GRADE (AVERAGE ELEVATION OF THE GROUND SURFACE AT THE BASE OF THE MAIN WALL, MEASURED AT THE FOUR MOST DISTANT POINTS REPRESENTING THE OUTERMOST CORNERS OF THE BUILDING).



PROPOSED WEST ELEVATION

1/4" = 1'-0"

DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Oct 21, 2024, 4:14pm

| | | |
|---|----------|------------------|
| 4 | 30/09/24 | MINOR VARIANCE |
| 3 | 25/07/24 | HERITAGE CHANGES |
| 2 | 27/05/24 | HEAT PUMP MOVED |
| 1 | 13/02/24 | PLANNING REVIEW |
| # | | REVISION DETAILS |

PROJECT
RENOVATIONS TO THE
MAINGUY HOUSE
9 GEORGE ST.
BARRIEFIELD, KINGSTON
DRAWING
EXISTING & PROPOSED
EAST AND WEST
ELEVATIONS

DRAWN BY MJH
DATE 13 FEB., 2024
SCALE AS NOTED
PRINT ON 18x24 PAPER

JOB NO.
2309
DWG. NO.
MV-4

REV. NO.
4

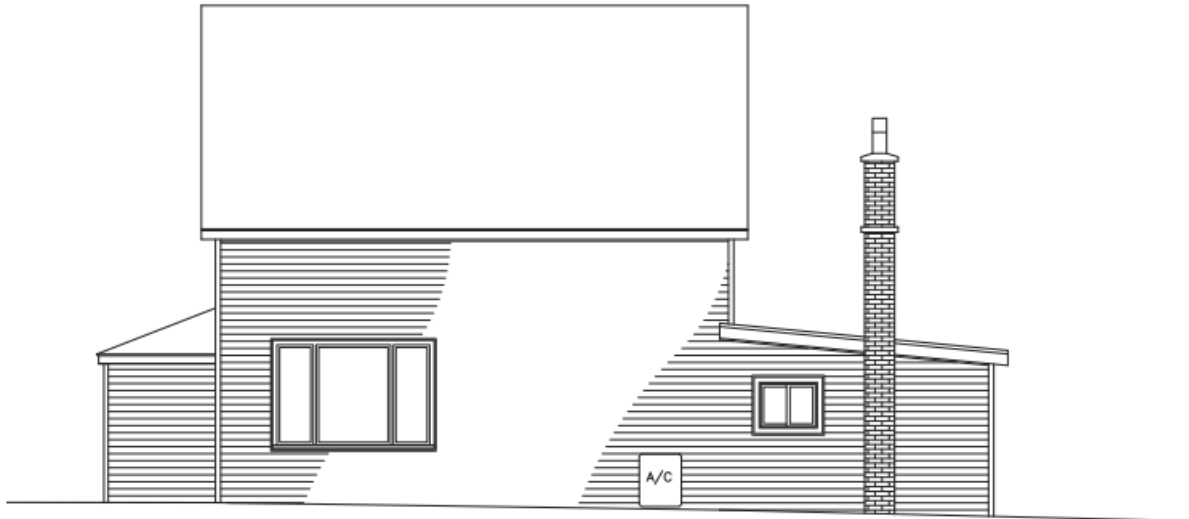
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EXISTING NORTH ELEVATION
1/4" = 1'-0"



PROPOSED NORTH ELEVATION
1/4" = 1'-0"

DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Oct 21, 2024, 4:19pm

| | | |
|---|----------|------------------|
| 4 | 30/09/24 | MINOR VARIANCE |
| 3 | 25/07/24 | HERITAGE CHANGES |
| 2 | 27/05/24 | HEAT PUMP MOVED |
| 1 | 13/2/24 | PLANNING REVIEW |
| # | DMY | REVISION DETAILS |

PROJECT
RENOVATIONS TO THE
MAINGUY HOUSE
9 GEORGE ST.
BARRIEFIELD, KINGSTON
DRAWING
EXISTING & PROPOSED
NORTH ELEVATION

DRAWN BY MJH
DATE 13 FEB., 2024
SCALE AS NOTED
PRINT ON 18x24 PAPER

JOB NO.
2309
DWS. NO.
MV-5
REV. NO.
4

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Figure 1: Looking west at the front of the subject property.



Figure 2: Looking southeast at the side and rear yards of the subject property.



Figure 3: Vacant lands east of the subject property across George Street.



Figure 4: Subdivision under construction north of the subject property across Wellington Street.



Figure 5: Looking south along George Street at the property adjacent to the subject property.



Figure 6: Looking east along Wellington Street from the frontage of the subject property.