



CITY OF KINGSTON
REPORT TO COUNCIL

Report No.: 10-208

TO: Mayor and Council
FROM: Jim Keech, President and CEO, Utilities Kingston
RESOURCE STAFF: Mark Van Buren, Director, Engineering Department
DATE OF MEETING: July 20, 2010
SUBJECT: **DRIVEWAY AMENDMENT, BY-LAW NO. 10, "A BY-LAW RESPECTING STREETS"**
175 QUEENS CRESCENT

EXECUTIVE SUMMARY:

An application has been made to the Engineering Department by the owners of 175 Queens Crescent to be granted permission to maintain parking on the City right-of-way located in front of the living space of their dwelling. The applicants have been utilizing the existing parking space for more than twenty-five years.

RECOMMENDATION:

That Council authorize the Mayor and Clerk to enter into a License Agreement in a form satisfactory to the City Solicitor, for the purpose of recognizing the existing parking space on the City right-of-way located at 175 Queens Crescent that has been in existence for several years.

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AUTHORIZING SIGNATURES:

ORIGINAL SIGNED BY PRESIDENT & CEO, UTILITIES KINGSTON _____ Jim Keech, President and CEO, Utilities Kingston
ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER _____ Gerard Hunt, Chief Administrative Officer

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

Cynthia Beach, <i>Sustainability & Growth</i>	✓
Terry Willing, <i>Community Services</i>	N/R
Denis Leger, <i>Transportation, Properties & Emergency Services</i>	N/R
Jim Keech, President and CEO, <i>Utilities Kingston</i>	✓

(N/R indicates consultation not required)

July 20, 2010

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OPTIONS/DISCUSSION:

The owner is in the process of completing renovations to the existing dwelling which required a submission to the Committee of Adjustment. At the time of reviewing the application, it was noted that the parking for the property was using the right-of-way as there is not sufficient space on the private side of the property line to accommodate a vehicle. The site plan of the property is attached as Exhibit "A". In order to continue parking in the driveway to this property, an exemption to By-Law No. 10 "A By-Law Respecting Streets" is required. By-Law No. 10, Clause 24(2) states that the required depth on private property before a driveway will be permitted is 20 feet (6m). This property does not have the required 20 feet therefore a portion of the vehicle encroaches into the right-of-way. There is 23.5 feet from the back of the curb to the face of the building. There is no sidewalk on this side of Queen's Crescent and due to the existing topography in this block, no sidewalk is planned for the north side (sidewalk is existing on the south side), therefore there should be limited risk for the City to damage vehicles during operational practices. The license agreement will stipulate that the City will not be held liable for any damage to private property as a result of snow clearing or other operations within the right-of-way.

EXISTING POLICY/BY LAW:

By-Law No. 10, "A By-Law Respecting Streets"

NOTICE PROVISIONS:

There are no notice requirements associated with this report.

ACCESSIBILITY CONSIDERATIONS:

No accessibility considerations are to be considered in this report.

FINANCIAL CONSIDERATIONS:

The applicant will be required to pay the annual encroachment fee for the privilege of using the City right-of-way.

CONTACTS:

Mark Van Buren, P.Eng, Director Engineering Department, ext. 3218

Kimberley Brown, P.Eng, Manager, Infrastructure and Development ext. 3132

Brad Morton, Infrastructure Technician, Engineering Department, ext. 3147

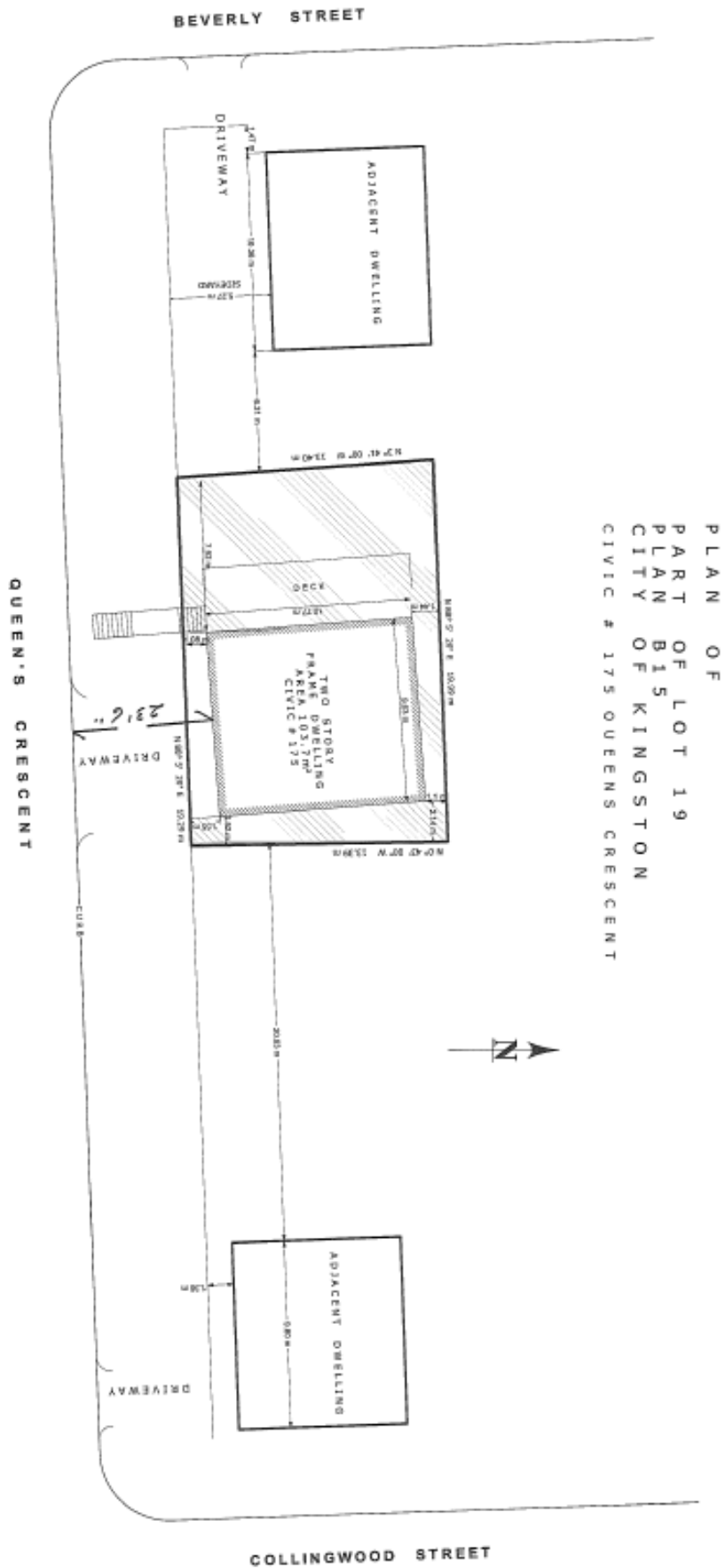
OTHER CITY OF KINGSTON STAFF CONSULTED:

Marnie Venditti, Manager, Development Approvals

Ted Stratford, Secretary/Treasurer, Committee of Adjustment

EXHIBITS ATTACHED:

Exhibit "A" – Site Plan



PLAN OF
PART OF LOT 19
PLAN B15
CITY OF KINGSTON
CIVIC # 175 QUEENS CRESCENT

LOT AREA	REGULATED AREA	EXISTING	PROPOSED
LOT 19	100.00 M ²	282.00 M ²	282.00 M ²
ADJACENT LOT AREA	100.00 M ²	282.00 M ²	282.00 M ²
LOT COVER PERCENTAGE	100.00%	100.00%	100.00%
FRONT SETBACK	10.00 M	10.00 M	10.00 M
REAR SETBACK	10.00 M	10.00 M	10.00 M
FRONT YARD SETBACK	10.00 M	10.00 M	10.00 M
REAR YARD SETBACK	10.00 M	10.00 M	10.00 M
LANDSCAPE OPEN SPACE	10.00 M	10.00 M	10.00 M
PARKING SPACES	10.00 M	10.00 M	10.00 M

PROPOSED PROJECT:
ADDITION TO EXISTING 2ND STORY
ON EXISTING FOOTPRINT
WITH ROOFTOP DECKING.