



**City of Kingston  
Committee of Adjustment  
Meeting Number 04-2024  
Agenda**

**Monday, March 18, 2024 at 5:30 p.m.  
Hosted at City Hall in Council Chamber**

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Please provide regrets to Iain Sullivan, Committee Clerk at 613-546-4291, extension 1864 or [isullivan@cityofkingston.ca](mailto:isullivan@cityofkingston.ca)

**Committee Composition**

Peter Skebo, Chair  
Ken Dakin  
Douglas Perkins  
Gaurav Rehan  
Jeff Scott  
Somnath Sinha  
Jordan Tekenos-Levy

- 1. Meeting to Order**
- 2. Approval of the Agenda**
- 3. Confirmation of Minutes**
  - a) **That** the minutes of Committee of Adjustment Meeting Number 03-2024, held Monday, February 26, 2024, be approved.
- 4. Disclosure of Pecuniary Interest**
- 5. Delegations**
- 6. Request for Deferral**

**7. Returning Deferral Items**

**8. Business**

**a) Application for: Minor Variance**

**File Number: D13-010-2024**

**Address: 18 Queen Street and 282 Ontario Street**

**District: District 11 – King’s Town**

**Owner: 18 Queen Street Holdings**

**Applicant: Homestead Land Holdings Ltd.**

The Report of the Commissioner of Growth & Development Services (COA-24-034) is attached.

Schedule Pages 1 – 21

Recommendation:

**That** minor variance application, File Number D13-010-2024, for the property located at 18 Queen Street and 282 Ontario Street to vary maximum rooftop projections provisions to support development of the property with a 23-storey mixed-use building, be approved, as described below:

**Variance Number 1:**

By-Law Number 96-259:5.19 (i) i) Height Restrictions Exceptions – Maximum Height

- Requirement: 3.5 metres
- Proposed: 5.6 metres Variance
- Requested: 2.1 metres

**Variance Number 2:**

By-Law Number 96-259:5.19 (i) ii) Height Restrictions Exceptions – Maximum Area

- Requirement: 10%
- Proposed: 17%
- Variance Requested: 7%

**Variance Number 3:**

By-Law Number 96-259:5.1.9 (i) iii) Height Restrictions Exceptions – Maximum Length

- Requirement: 50%
- Proposed: 55%
- Variance Requested: 5%; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-034.

**b) Application for: Minor Variance**

**File Number: D13-012-2024**

**Address: 900-920 Gardiners Road**

**District: District 6 – Trillium**

**Owner: Braebury Properties Co.**

**Applicant: Braebury Properties Co.**

The Report of the Commissioner of Growth & Development Services (COA-24-033) is attached.

Schedule Pages 22 – 44

Recommendation:

**That** minor variance application, File Number D13-012-2024, for the property located at 900-920 Gardiners Road to obtain relief from minimum privacy yards and visitor parking setbacks to support development of the site with three new 6-storey residential buildings, be approved, as described below:

**Variance Number 1:**

By-Law Number 76-26: 15(2)(o)(ii) – Privacy Yards for Parking Area or Driveway

- Requirement: 7.6 metres (25 feet)
- Proposed: 3 metres
- Variance Requested: 4.6 metres

**Variance Number 2:**

By-Law Number 76-26: 15(2)(o)(ii) – Privacy Yards for Pedestrian Access Surface

- Requirement: 3.7 metres (12 feet)
- Proposed: 1 metre
- Variance Requested: 2.7 metres; and

**Variance Number 3:**

By-Law Number 76-26: 16 (c) – Visitor Parking Location

- Requirement: 7.6 metres (25 feet) to streetline and 3.1 metres (10 feet) to side lot line
- Proposed: 0.5 metres from streetline and side lot line
- Variance Requested: 7.1 metres and 2.6 metres

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-033.

**c) Application for: Minor Variance**

**File Number: D13-007-2024**

**Address: 283 Rideau Street**

**District: District 11 – King’s Town**

**Owner: Louise Demorest**

**Applicant: Arcadis**

The Report of the Commissioner of Growth & Development Services (COA-24-026) is attached.

Schedule Pages 45 – 69

Recommendation:

**That** minor variance application, File Number D13-007-2024, for the property located at 283 Rideau Street to construct an additional residential unit, be approved, as described below:

**Variance Number 1:**

By-Law Number 8499: Section 5.45(xxiv)(b) & 5.17(a)(ii)

- Requirement: Maximum lot coverage of 10% for detached Second Residential Unit
- Proposed: Maximum lot coverage of 15% for detached Second Residential Unit
- Variance Requested: 5%;

**Variance Number 2:**

By-Law Number 8499: Section 5.45(xvi)

- Requirement: The exterior entrance to a Second Residential Unit, shall be accessed by a minimum 1.2 metre wide unobstructed pathway.
- Proposed: The exterior entrance to a Second Residential Unit, shall be accessed by a minimum 1.1 metre wide unobstructed pathway
- Variance Requested: 0.1 metre;

**Variance Number 3:**

By-Law Number 8499: Section 5.45(xvii)

- Requirement: A “pathway” is defined as a hard surface treated path that is separately delineated from the driveway and provides pedestrian access.
- Proposed: A “pathway” is defined as a hard surface treated path that is separately delineated, but may be overlapping with driveway where no parking spaces are located, from the driveway and provides pedestrian access.
- Variance Requested: “pathway” may be overlapping with driveway where no parking spaces are located; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-026.

**d) Application for: Minor Variance**

**File Number: D13-011-2024**

**Address: 386 & 390 Johnson Street and 40 Aberdeen Street**

**District: District 10 – Sydenham**

**Owner: Amber Peak Developments Inc.**

**Applicant: Fotenn Consultants Inc.**

The Report of the Commissioner of Growth & Development Services (COA-24-027) is attached.

Schedule Pages 70 – 100

Recommendation:

**That** minor variance application, File Number D13-011-2024, for the property located at 386 & 390 Johnson Street and 40 Aberdeen Street to allow rooftop mechanical and service building components to project above the maximum permitted height for an area occupying 30% of the roof area, be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62: Section 4.18.2

- Requirement: Despite the height provisions of this By-law, mechanical and service equipment is permitted to project a maximum of 3.5 metres above the maximum permitted height, with a maximum area of 10% of the roof area on which they are located, in the aggregate, and a minimum setback from the edge of the roof equal to the vertical height of such building component.
- Proposed: Permit mechanical and service equipment to occupy a maximum total of 30% of the roof area on which they are located.
- Variance Requested: 20%; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-027.

**e) Application for: Permission**

**File Number: D13-008-2024**

**Address: 814 River Styx Lane**

**District: District 1 – Countryside**

**Owner: Rita Girard**

**Applicant: EGIS Group Inc.**

The Report of the Commissioner of Growth & Development Services (COA-24-030) is attached.

Schedule Pages 101 – 126

Recommendation:

**That** the application for permission, File Number D13-008-2024, for the property located at 814 River Styx Lane to re-construct and enlarge an existing legal non-conforming dwelling, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-030.

**f) Application for: Minor Variance**

**File Number: D13-005-2024**

**Address: 51 Alwington Avenue**

**District: District 10 – Sydenham**

**Owner: Rory Dyck**

**Applicant: Fotenn Consulting**

The Report of the Commissioner of Growth & Development Services (COA-24-024) is attached.

Schedule Pages 127 – 153

Recommendation:

**That** minor variance application, File Number D13-005-2024, for the property located at 51 Alwington Ave to permit the conversion of a detached garage to a detached additional residential unit, be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62:7.1.1 – Minimum required parking space

- Requirement: 2 parking spaces
- Proposed: 1 parking space
- Variance Requested: 1 parking space.

**Variance Number 2:**

By-Law Number 2022-62:7.4.1 Minimum parking space provisions

- Requirement: Perpendicular to drive aisle: 2.6 metres by 5.5 metres with a minimum driveway width of 6.7 metres
- Proposed: 3 metres by 6 metres parking space with a 3 metre driveway width.
- Variance Requested: 0.6 metre parking space width and 3 metre minimum driveway width.

**Variance Number 3:**

By-Law Number 2022-62: 4.27.1.4(iv) : Walkway Provisions

- Requirement: A walkway that is separately delineated and measured distinctly from a required driveway. A vehicle must not park on top of any part of the walkway.
- Proposed: That a portion of the walkway overlaps with the driveway.
- Variance Requested: That the walkway be allowed to overlap with the driveway.

**Variance Number 4:**

By-Law Number 2022-62: 5.4.6.9 (ii): Minimum interior setback

- Requirement: 1.2 metre
- Proposed: 0 metre
- Variance Requested: 1.2 metre.

**Variance Number 5:**

By-Law Number 2022-62 : 5.4.6.9.(iv) : Maximum lot coverage

- Requirement: 10%
- Proposed: 14%
- Variance Requested: 4%

**Variance Number 6:**

By-Law Number 2022-62 : 5.4.6.9.(b) : Privacy fence requirement

- Requirement: A 1.8 metre privacy fence along all interior lot lines and rear lot lines adjacent to the rear yard.
- Proposed: A 1.8 metre privacy fence along the rear lot line and northern interior lot line, no privacy fence along the southern interior lot line.
- Variance Requested: A 1.8 metre fence along the southern interior lot line.

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-024.

**g) Application for: Minor Variance**

**File Number: D13-004-2024**

**Address: 11 Fergus Street**

**District: District 7 – Kingscourt-Rideau**

**Owner: Jamie Cochrane**

**Applicant: Jamie Cochrane**



The Report of the Commissioner of Growth & Development Services (COA-24-029) is attached.

Schedule Pages 154 – 172

Recommendation:

**That** minor variance application, File Number D13-004-2024, for the property located at 11 Fergus Street to legalize a deficient front setback for a single detached house, be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62: Table 11.14.1.4(b)

- Requirement: 2.8 metres
- Proposed: 1.6 metres
- Variance Requested: 1.2 metres; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-029.

**h) Application for: Minor Variance**

**File Number: D13-061-2023**

**Address: 394 and 392 Division Street**

**District: District 9 – Williamsville**

**Owner: Carmela Piccinato**

**Applicant: Rudy Piccinato**

The Report of the Commissioner of Growth & Development Services (COA-24-032) is attached.

Schedule Pages 173 – 192

Recommendation:

**That** minor variance application, File Number D13-061-2023, for the property located at 394 and 392 Division Street to construct a front addition with exterior stairs, be approved, as described below:

**Variance Number 1:**

By-Law Number 2022-62: Section 4.19.3. Exterior Stairs

- Requirement: 0.5 metres
- Proposed: 0.33 metres
- Variance Requested: 0.17 metres.

**Variance Number 2:**

By-Law Number 2022: Section 11.6.1.(4) (d) Front Yard Setback

- Requirement: 2.92 metres
- Proposed: 1.63 metres
- Variance Requested: 1.29 metres; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-032.

**i) Application for: Consent**

**File Number: D10-021-2023**

**Address: 1027 Coverdale Drive**

**District: District 4 – Lakeside**

**Owner: 1000028465 Ontario Ltd.**

**Applicant: The Boulevard Group**

The Report of the Commissioner of Growth & Development Services (COA-24-023) is attached.

Schedule Pages 193 – 214

Recommendation:

**That** consent application, File Number D10-021-2023, to sever an approximately 5463 square metre lot and establish easements for servicing and access across the severed and retained lot, be **provisionally approved** subject to the conditions included in Exhibit A (Recommended Conditions) to Report Number COA-24-023.

**j) Application for: Minor Variance**

**File Number: D13-003-2024**

**Address: 117 Dundas Street**

**District: District 9 – Williamsville**

**Owner: John Runciman and Donna McMillan**

**Applicant: Mac Gervan and Associates**

The Report of the Commissioner of Growth & Development Services (COA-24-031) is attached.

Schedule Pages 215 – 238

Recommendation:

**That** minor variance application, File Number D13-003-2024, for the property located at 117 Dundas Street to construct an attached one storey addition, be approved, as described below:

**Variance Number 1:**

Minimum Exterior Setback - By-Law Number 2022-62: Table 11.6.1.(6)

- Requirement: 4.5 metres
- Proposed: 3.9 metres
- Variance Requested: 0.6 metres.

**Variance Number 2:**

Minimum Front Setback - By-Law Number 2022-62: Table 11.6.1.(4)

- Requirement: 4.5 metres
- Proposed: 9.08 metres
- Variance Requested: 4.5 metres.

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-031.

**9. Motions**

**10. Notices of Motion**

**11. Other Business**

**12. Correspondence**

**13. Date of Next Meeting**

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

**14. Adjournment**