



City of Kingston
Committee of Adjustment
Agenda

08-2024

Monday, July 15, 2024

5:30 p.m.

Council Chamber

Committee Composition

Peter Skebo, Chair

Councillor Cinanni

Councillor Hassan

Ken Dakin

Douglas Perkins

Gaurav Rehan

Jeff Scott

Somnath Sinha

Jordan Tekenos-Levy

Please provide regrets to Allison Hannah, Committee Clerk at 613-546-4291, extension 1209 or ahannah1@cityofkingston.ca.

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Pages

1. **Introduction by the Chair**

2. **Call to Order**

3. **Approval of the Agenda**

4. **Confirmation of Minutes**

1. **Previous Meeting Minutes**

That the minutes of Committee of Adjustment Meeting Number 07-2024, held on Monday, June 17, 2024, be approved.

5. **Disclosure of Pecuniary Interest**

6. **Delegations**

7. **Request for Deferral**

8. Returning Deferral Items

9. Business

1. Application for Minor Variance - 1441 Montreal Street

9

File Number: D13-037-2024

District: 7 - Kingscourt-Rideau

Owner: Vincent Varghese

Applicant: Vincent Varghese

The Report of the Commissioner of Growth & Development Services (COA-24-059) is attached.

Recommendation:

That minor variance application, File Number D13-037-2024, for the property located at 1441 Montreal Street to reduce the minimum required driveway width of 3 metres to 2.4 metres, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62:Table 7.4.1 Minimum Parking Space and Drive Aisle Dimensions

Requirement: In line with and accessed directly from driveway as tandem parking spaces, minimum driveway width is 3 metres

Proposed: In line with and accessed directly from driveway as tandem parking spaces, minimum driveway width is 2.4 metres

Variance Requested: 0.6 metres

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-059

2. Application for Minor Variance - 26 Maitland Street

28

File Number: D13-044-2024

District: 10 - Sydenham

Owner: Anne Mathers and James Mathers

Applicant: Fotenn Planning + Design

The Report of the Commissioner of Growth & Development Services (COA-24-062) is attached.

Recommendation:

That minor variance application, File Number D13-044-2024, for the

property located at 26 Maitland Street to permit an accessory structure in the front yard of the semi-detached house, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62: 4.1.2.1 – Additional Accessory Provisions for Residential Uses and Buildings

Requirement: The accessory building must be located in a rear yard, exterior yard or interior yard

Proposed: Front yard

Variance Requested: Front yard;

Variance Number 2:

By-Law Number 2022-62: 4.1.2.4 – Additional Accessory Provisions for Residential Uses and Buildings

Requirement: The accessory building may encroach into the required setback on a lot provided that such accessory building must be setback a minimum of 1.2 metres from all lot lines;

Proposed: 0 metre setback from the side lot line

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-24-062

3. Application for Minor Variance - 28 Maitland Street

48

File Number: D13-045-2024

District: 10 - Sydenham

Owner: Anne Mathers and James Mathers

Applicant: Fotenn Planning + Design

The Report of the Commissioner of Growth & Development Services (COA-24-063) is attached.

Recommendation:

That minor variance application, File Number D13-045-2024, for the property located at 28 Maitland Street to permit accessory structures in the front yard of the semi-detached house, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62: 4.1.2.1 – Additional Accessory Provisions for Residential Uses and Buildings

Requirement: The accessory building must be located in a rear yard, exterior yard or interior yard

Proposed: Front yard

Variance Requested: Front yard

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-063

4. Application for Minor Variance - 2267-2271 Princess Street

68

File Number: D13-039-2024

District: 3 - Meadowbrook-Strathcona

Owner: 1000296271 Ontario Inc.

Applicant: N Architecture Inc.

The Report of the Commissioner of Growth & Development Services (COA-24-057) is attached.

Recommendation:

That minor variance application, File Number D13-039-2024, for the property located at 2267 – 2271 Princess Street to reduce the minimum east interior setback, the minimum rear setback and the minimum drive aisle width requirement to enable a proposed commercial development comprising a gas station with convenience store and drive-through restaurant and multi-unit retail building, be approved, as described below:

Variance Number 1: Minimum Interior Setback

By-Law Number 2022-62: Row 7, Table 15.6.1

Requirement: 9.1 metres for a gas station

Proposed: 7.1 metres for a gas station

Variance Requested: 2.0 metres;

Variance Number 2: Minimum Rear Setback

By-Law Number 2022-62: Row 5, Table 15.6.1

Requirement: 7.5 metres

Proposed: 2.0 metres

Variance Requested: 5.5 metres;

Variance Number 3: Minimum Drive Aisle Width for Perpendicular Parking Space

By-Law Number 2022-62: Row 3, Table 7.4.1

Requirement: 6.7 metres

Proposed: 6.0 metres

Variance Requested: 0.7 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-057.

5. Application for Minor Variance - 933 Innovation Drive

89

File Number: D13-047-2024

District: 12 - Pittsburgh

Owner: Cancoil Corporation and the City of Kingston

Applicant: Cancoil Corporation and Fotenn Consultants Inc.

The Report of the Commissioner of Growth & Development Services (COA-24-058) is attached.

Recommendation:

That minor variance application, File Number D13-047-2024, for the property located at 933 Innovation Drive, as well as approximately 3.6 acres (1.46 hectares) of city-owned land abutting the property to the east, to permit loading spaces in the front yard and to eliminate a planting strip requirement along the rear lot line of the subject property to enable a proposed building addition to the light industrial facility on the subject property, be approved, as described below:

Variance Number 1: Location of Loading Spaces

By-Law Number 2022-62:Section 7.5.7

Requirement: Loading spaces must be located in the rear yard or in the interior yard and must be provided with a visual screen in such a manner that the loading space is not visible from a street or any abutting residential use.

Proposed: Loading spaces in the front yard with visibility from the street

Variance Requested: Permit loading spaces in the front yard with visibility from the street

Variance Number 2: Planting Strip

By-Law Number 2022-62:Section 16.2.2.3

Requirement: A minimum 3.0 metre wide planting strip is required adjacent to a lot line abutting a lot in any Zone other than an Employment Zone

Proposed: No planting strip proposed on the north lot line abutting the RU (General Rural Area) zone

Variance Requested: Permit no planting strip on the north lot line abutting the RU (General Rural Area) zone; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-058.

6. Application for Permission - 393-395 Earl Street

110

File Number: D13-025-2024

District: 10 - Sydenham

Owner: Jooyun Kwan

Applicant: Carlos Marques

The Report of the Commissioner of Growth & Development Services (COA-24-060) is attached.

Recommendation:

That the application for permission, File Number D13-025-2024, for the property located at 393395 Earl Street to permit a hair salon use, be Approved; and,

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-060.

7. Application for Minor Variance - 780 Gardiners Road

128

File Number: D13-040-2024

District: 6 - Trillium

Owner: 2832719 Ontario Inc.

Applicant: The Boulevard Group

The Report of the Commissioner of Growth & Development Services (COA-24-061) is attached.

Recommendation:

That minor variance application, File Number D13-040-2024, for the property located at 780 Gardiners Road to exempt a proposed automatic car wash from the requirement to provide a loading space, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62:Table 7.5.1

Requirement: 1 loading space required for commercial uses with

300 to 2,500 square metres of gross floor area

Proposed: 0 loading spaces required for commercial uses with 300 to 2,500 square metres of gross floor area

Variance Requested: 1 loading space; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-061.

8. Application for Minor Variance - 1813 Moore Lane

148

File Number: D13-041-2024

District: 1 - Countryside

Owner: Krishan Jai Subash Nathan

Applicant: Boulevard Group

The Report of the Commissioner of Growth & Development Services (COA-24-064) is attached.

Recommendation:

That minor variance application, File Number , for the property located at 1813 Moore Lane to construct a 147.72 square metre front yard accessory building, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62:4.1.2.1 Accessory building yard location

Requirement: Rear yard, Interior yard, and the Exterior yard

Proposed: Front yard

Variance Requested: Front yard

Variance Number 2:

By-Law Number :2022-62:4.1.2.3 Maximum height of an accessory building

Requirement: 4.6 metres

Proposed: 6.5 metres

Variance Requested: 1.9 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-064.

10. Motions

11. Notices of Motion

12. Other Business

13. Correspondence

14. Date of Next Meeting

The next meeting of the Committee of Adjustment is scheduled for Monday, August 19, 2024, at 5:30 p.m.

15. Adjournment