



City of Kingston  
Committee of Adjustment  
Agenda

2025-01  
Monday, December 16, 2024  
5:30 p.m.  
Council Chamber

**Committee Composition**

Councillor Cinanni  
Councillor Osanic  
Ken Dakin  
Douglas Perkins  
Gaurav Rehan  
Jeff Scott  
Somnath Sinha  
Peter Skebo  
Jordan Tekenos-Levy

Please provide regrets to Allison Hannah, Committee Clerk at 613-546-4291, extension 1209 or [ahannah1@cityofkingston.ca](mailto:ahannah1@cityofkingston.ca).  
Watch live on the [City of Kingston website](#) or register to receive the [Zoom link](#).

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Pages

1. **Election of Officers**
2. **Introduction by the Chair**
3. **Call to Order**
4. **Approval of the Agenda**
5. **Confirmation of Minutes**

1. **Previous Meeting Minutes**

That the minutes of Committee of Adjustment Meeting Number 12-2024, held on Monday, November 18, 2024, be approved.

6. **Disclosure of Pecuniary Interest**
7. **Delegations**

8. Request for Deferral

9. Returning Deferral Items

10. Business

1. Supplemental Report - 101 Charles Street

15

File Number: D10-028-2024

District: 11 - King's Town

Owner/Applicant: Scott Gordon

The Report of the Commissioner of Growth & Development Services (COA-25-013) is attached.

**Recommendation:**

**That** the Committee of Adjustment remove Condition 4 of the Notice of Decision for consent application, File Number D10-028-2024, requiring the completion of an archeological assessment; and

**That** a new Notice of Decision be prepared reflective of the conditions approved as outlined in Report Number COA-24-084 and amended as per Report Number COA-25-013.

2. Application for Minor Variance - 293 Frontenac Street

22

File Number: D13-073-2024

District: 10 - Sydenham

Owner: Roger Dent

Applicant: The Boulevard Group

The Report of the Commissioner of Growth & Development Services (COA-25-001) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-073-2024, for the property located at 293 Frontenac Street to permit a maximum of 10 bedrooms in the aggregate across two dwelling units, be approved, as described below:

**Variance Number 1: Maximum Number of Bedrooms**

By-Law Number 2022-62: Section 4.28.1.1.

Requirement: A maximum of 8 bedrooms are permitted per lot in the aggregate on any lot in the Urban Residential Zones, DR Zone and the HCD1 Zone.

Proposed: A maximum of 10 bedrooms are permitted per lot in the

aggregate across two dwelling units.

Variance Requested: 2 bedrooms and two dwelling units

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-001.

**3. Application for Minor Variance - 9 George Street**

44

File Number: D13-078-2024

District: 12 - Pittsburgh

Owner: George and Morgan Mainguy

Applicant: Mikaela Hughes Architect Inc.

The Report of the Commissioner of Growth & Development Services (COA-25-002) is attached.

**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: 6.3 metres

Variance Requested: 0.3 metres

**Variance Number 2: Minimum interior setback**

By-Law Number 2022-62: Table 13.2.2.7

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

Proposed: 1.2 metres

Variance Requested: 0.6 metres

**Variance Number 3: Maximum lot coverage**

By-Law Number 2022-62: Table 13.2.2.10

Requirement: Lot coverage existing as of the date of passing of this

By-law

Proposed: 38%

Variance Requested: 6%

**Variance Number 4: 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 5: 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

**Variance Number 6: 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

**Variance Number 7: 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 8: 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.

**4. Application for Minor Variance and Consent - 93 Division Street**

72

File Number: D10-033-2024, D13-069-2024

District: 10 - Sydenham

Owner: 2768429 Ontario Inc

Applicant: Fotenn Planning + Design

The Report of the Commissioner of Growth & Development Services (COA-25-006) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-069-2024 for the property located at 93 Division Street to permit the construction of a three-storey townhouse, including a total of two dwelling units with eight bedrooms aggregate to the severed lot, be approved, as described below:

**Severed Lot:**

**Variance Number 1: Minimum Lot Area for a Townhouse**

By-Law Number 2022-62: Table 11.6.1.1.(c)

Requirement: 295.0 square metres per lot

Proposed: 197 square metres per lot

Variance Requested: 98 square metres; and,

**Variance Number 2: Minimum Front Setback**

By-Law Number 2022-62: Table 11.6.1.4.(b)

Requirement: 3.2 metres

Proposed: 1.8 metres

Variance Requested: 1.4 metres; and,

**Variance Number 3: Maximum Building Depth**

By-Law Number 2022-62: Table 11.6.1.12.(b)

Requirement: Despite (a), the rear wall of the principal building must not be closer than 7.5 metres to the rear lot line.

Proposed: Despite (a), the rear wall of the principal building must

not be closer than 6.0 metres to the rear lot line.

Variance Requested: 1.5 metres; and,

**Variance Number 4: Minimum Sight Triangle Dimensions**

By-Law Number 2022-62: Table 4.6.2.

Requirement: 9.0 metres by 9.0 metres (intersection of local and arterial road)

Proposed: 4.5 metres by 4.5 metres (intersection of local and arterial road)

Variance Requested: 4.5 metres by 4.5 metres; and,

**Variance Number 5: Minimum Front Porch Setback**

By-Law Number 2022-62: 4.20.4.2.

Requirement: 3.2 metres

Proposed: 0.6 metres

Variance Requested: 2.6 metres; and,

**Variance Number 6: Minimum Parking Space – In line with a driveway**

By-Law Number 2022-62: Table 7.4.1.

Requirement: A minimum parking space length of 6.0 metres

Proposed: A minimum parking space length of 5.6 metres

Variance Requested: 0.4 metres; and

**Retained Lot:**

**Variance Number 7: Minimum Lot Area for a Townhouse**

By-Law Number 2022-62: Table 11.6.1.1.(c)

Requirement: 295.0 square metres per lot

Proposed: 126 square metres per lot

Variance Requested: 169 square metres; and,

**Variance Number 8: Minimum Lot Frontage for a Townhouse**

By-Law Number 2022-62: Table 11.6.1.2.(c)

Requirement: 8.0 metres per lot

Proposed: 5.8 metres per lot

Variance Requested: 2.2 metres; and,

**Variance Number 9: Location of Vehicular Parking Space**

By-Law Number 2022-62: 7.1.1.

Requirement: Parking to be located on the same lot as the building or use.

Proposed: Parking can be located on-site or on an adjacent parcel (severed lot).

Variance Requested: Removing the requirement for the vehicular parking space to be located solely on the same lot as the corresponding use or building and instead enabling it to be located on the adjacent (severed) lot; and,

**That** approval of the minor variance application be subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-25-006; and,

**That** consent application, File Number D10-033-2024, to sever an approximately 197 square metre lot and establish an access easement, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-25-006.

**5. Application for Minor Variance - 37 Cassidy Street**

125

File Number: D13-083-2024

District: 11 - King's Town

Owner: Kingston & Frontenac Housing Corporation

Applicant: RFA Planning Consultant Inc.

The Report of the Commissioner of Growth & Development Services (COA-25-007) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-083-2024, for the property located at 37 Cassidy Street to construct an additional affordable housing unit, be approved, as described below:

**Variance Number 1: Minimum Amenity Area Required**

By-Law Number 2022-62:4.3.1

Requirement: 18.5 square metres per dwelling unit

Proposed: 12.2 square metres per dwelling unit

Variance Requested: 6.3 square metres per dwelling unit; and,

**That** approval of the application be subject to the conditions attached as

Exhibit A (Recommended Conditions) to Report Number COA-25-007.

**6. Application for Minor Variance and Consent - 22-28 Ellice Street**

149

File Number: D10-034-2024, D13-070-2024

District: 11 - King's Town

Owner: Matt Archibald

Applicant: Fotenn Planning + Design, Matt Archibald

The Report of the Commissioner of Growth & Development Services (COA-25-008) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-070-2024 for the property located at 22-28 Ellice Street to permit the construction of a new semi-detached house on the severed lot, for a total of three dwelling units with three bedrooms in the aggregate across the severed lot, and to address deficiencies resulting from the proposed severance, be approved, as described below:

**Severed Lot**

**Variance Number 1: Minimum Lot Area for a Semi-Detached House**

By-Law Number 2022-62: Table 11.6.1.1.(b)

Requirement: 330.0 square metres per lot

Proposed: 187 square metres per lot

Variance Requested: 143 square metres; and,

**Variance Number 2: Minimum Landscaped Open Space**

By-Law Number 2022-62: Table 11.6.1.9. Minimum Landscaped Open Space

Requirement: 30%

Proposed: 13.9%

Variance Requested: 16.1%; and,

**Variance Number 3: Location of Vehicular Parking Space**

By-Law Number 2022-62: Section 7.1.1.

Requirement: Parking to be located on the same lot as the building or use.

Proposed: Parking can be located on-site or on an adjacent parcel (retained lot).



Variance Requested: Removing the requirement for the vehicular parking space to be located solely on the same lot as the corresponding use or building and instead enabling it to be located on the adjacent (retained) lot; and,

**Variance Number 4: Location of Bike Parking Space**

By-Law Number 2022-62: Section 7.3.1.

Requirement: Bike parking to be provided on the same lot as the use or building.

Proposed: Bike parking can be located on-site or on an adjacent parcel (retained lot).

Variance Requested: Removing the requirement for the bike parking space to be located solely on the same lot as the corresponding use or building and instead enabling it to be located on the adjacent (retained) lot; and,

**Retained Lot:**

**Variance Number 5: Minimum Interior Setback for Semi-Detached and Townhouse**

By-Law Number 2022-62: Table 11.6.1.7.(b)

Requirement: Where a common party wall is located along a lot line: 0 metres from the lot line with the common party wall and 1.2 metres from the other interior lot line

Proposed: Where a common party wall is located along a lot line: 0 metres from the lot line with the common party wall and 0.7 metres from the other interior lot line

Variance Requested: 0.5 metres from the other interior lot line; and,

**Variance Number 6: Minimum Parking Space – In line with a driveway**

By-Law Number 2022-62: Table 7.4.1.

Requirement: A minimum parking space length of 6.0 metres

Proposed: A minimum parking space length of 5.6 metres

Variance Requested: 0.4 metres; and,

**That** approval of the minor variance application be subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-25-008; and,

**That** consent application, File Number D10-034-2024, to sever an approximately 189.5 square metre lot from the existing 708.2 square metre subject property located at 22-28 Ellice Street and to establish

mutual access easements over both lots., be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-25-008.

**7. Application for Minor Variance - 205 Rideau Street**

193

File Number: D13-082-2024

District: 11 - King's Town

Owner: Kingston & Frontenac Housing Corporation

Applicant: RFA Planning Consultant Inc.

The Report of the Commissioner of Growth & Development Services (COA-25-009) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-082-2024, for the property located at 205 Rideau Street to vary the maximum number of dwelling units to support the internal conversion and construction of three additional dwelling units in the existing 8-storey apartment building, be approved, as described below:

**Variance Number 1: Maximum Number of Dwelling Units**

By-Law Number 8499: Part VIII - Exception 207.(iv)(a)

Requirement: A 70 dwelling unit senior citizen residence

Proposed: A 73 dwelling unit senior citizen residence

Variance Requested: 3 dwelling units

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-009.

**8. Application for Minor Variance - 1727 Executive Avenue**

221

File Number: D13-076-2024

District: 2 - Loyalist-Cataraqui

Owner: Shane Williams

Applicant: Trevor McCahill

The Report of the Commissioner of Growth & Development Services (COA-25-010) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-076-2024, for the property located at 1727 Executive Avenue to construct a deck above 1.2 metres in height at an area of 55 square metres, be approved, as

described below:

**Variance Number 1: Maximum deck surface area at a height of 1.2 metres or greater**

By-Law Number: 2022-62 Table 4.20.4. Row 1

Requirement: 30 square metres

Proposed: 55 square metres

Variance Requested: 25 square metres; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-010.

9. **Application for Minor Variance and Consent - 1686 Daylan Avenue and 1682 Daylan Avenue**

241

File Number: D13-072-2024, D10-006-2024, D10-007-2024

District: 1 - Countryside

Owner: Laurent Karim Béland, John and Stephanie Stephen

Applicant: Laurent Karim Béland

The Report of the Commissioner of Growth & Development Services (COA-25-003) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-072-2024 for the property located at 1686 Daylan Avenue and 1682 Daylan Avenue to provide relief from the minimum lot area, minimum lot frontage, minimum interior setback and minimum eaves setback to facilitate two lot additions, be approved, as described below:

**Variances for 1686 Daylan Ave**

**Variance Number 1: Minimum Lot Area**

By-Law Number: 2022-62 Section 8.4.1.1.

Requirement: 1 hectare

Proposed: 0.1455 hectare

Variance Requested: 0.8545 hectares; and,

**Variance Number 2: Minimum Lot Frontage**

By-Law Number: 2022-62 Section 8.4.1.2.

Requirement: 36.5 metres

Proposed: 21.37 metres

Variance Requested: 15.13. metres; and,

**Variance Number 3: Minimum interior setback**

By-Law Number: 2022-62 Section 8.4.1.7.

Requirement: 1.2 metres

Proposed: 0.84 metres

Variance Requested: 0.36 metres; and,

**Variance Number 4: Minimum interior setback for Belt Courses, Sills, Cornices and Eaves**

By-Law Number: 2022-62 Section 4.19.1.8

Requirement: 0.5 metres

Proposed: 0.1 metres

Variance Requested: 0.4 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-25-003; and,

**That** consent application, File Number D10-006-2024, to sever off 55 square metres parcel of land from 1682 Daylan Avenue and add it to 1686 Daylan Avenue, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-25-003.

**That** consent application, File Number D10-007-2024, to sever off a 61 square metres parcel of land from 1686 Daylan Avenue and add it to 1682 Daylan Avenue, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-25-003.

**10. Application for Minor Variance - 111, 119, 123, 125 and 129 Van Order Drive**

264

File Number: D13-081-2024

District: 5 - Portsmouth

Owner: Kingston and Frontenac Housing Corporation

Applicant: RFA Planning

The Report of the Commissioner of Growth & Development Services (COA-25-012) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-081-2024, for the property located at 111, 119, 123, 125 and 129 Van Order Drive to permit one additional affordable dwelling unit in the apartment building known municipally as 123 Van Order Drive, be approved, as described below:

**Variance Number 1: Maximum Number of Units**

By-Law Number 2022-62:Section 21.1.1.

Requirement: The maximum number of dwelling units is 160 on the lands subject to Exception E125.

Proposed: The maximum number of dwelling units is 161 on the lands subject to Exception E125.

Variance Requested: 1

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-012.

**11. Application for Minor Variance - 224 Alwington Place**

283

File Number: D13-085-2024

District: 10 - Sydenham

Owner: Harminder Sandu and Raveen Pal

Applicant: Asterisk Engineering Corporation

The Report of the Commissioner of Growth & Development Services (COA-25-011) is attached.

**Recommendation:**

**That** minor variance application, File Number D13-085-2024, for the property located at 224 Alwington Place to construct a 22.55 square metre enclosed rear porch be approved as described below:

**Variance Number 1: Waterbody Separation Distance**

By-Law Number 2022-62:Section 4.23.1

Requirement: 30 metres

Proposed: 20 metres

Variance Requested: 10 metres

**Variance Number 2: Maximum Building Depth**

By-Law Number 2022-62:Table 11.6.1 (12)

Requirement: 18 metres

Proposed: 21.5 metres

Variance Requested: 3.5 metres

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-011.

**12. Application for Permission - 734 Arlington Park Place**

307

File Number: D13-088-2024

District: 6 - Trillium

Owner: Kingston Learning Centre Inc.

Applicant: Naturally Rooted Inc.

The Report of the Commissioner of Growth & Development Services (COA-25-014) is attached.

**Recommendation:**

**That** the application for permission, File Number D13-088-2024, for the property located at 734 Arlington Park Place to establish a wellness clinic, be Approved; and,

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-014.

**11. Motions**

**12. Notices of Motion**

**13. Other Business**

**14. Correspondence**

1. **Correspondence received, dated December 5, regarding the function and processes of the Committee of Adjustment**

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**15. Date of Next Meeting**

**16. Adjournment**