



City of Kingston
Committee of Adjustment
Agenda

2025-02
Monday, January 27, 2025
5:30 p.m.
Council Chamber

Committee Composition

Peter Skebo, Chair
Councillor Cinanni
Lisa Osanic
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.
Watch live on the [City of Kingston website](#) or register to receive the [Zoom](#) link.

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 01-2025, held on Monday, December 16, 2025, be approved.

5. **Disclosure of Pecuniary Interest**
6. **Delegations**
7. **Request for Deferral**

8. Returning Deferral Items

10

1. Application for Minor Variance - 9 George Street

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.

9. Business

1. **Application for Minor Variance - 10 Catarauqui Street**

File Number: D13-060-2024

District: 11 - King's Town

Owner: Inner Harbour Land Development LP

Applicant: Fotenn Planning and Design

The Report of the Commissioner of Growth & Development Services (COA-25-005) is attached.

Recommendation:

That minor variance application, File Number D13-060-2024, for the property located at 10 Cataraqui Street to construct a six-storey mixed use building, be approved, as described below:

Variance Number 1: Rooftop Projections

By-Law Number 2022-62: Section 4.18.2

Requirement: Setback from the edge of the roof of a building component equal to the height of such component

Proposed: 0 metres

Variance Requested: 3.5 metres

Variance Number 2: Balconies

By-Law Number 2022-62: Section 4.20.1.2

Requirement: 45% of each face of the main wall of each storey may be occupied by balconies

Proposed: 75%

Variance Requested: 30%

Variance Number 3: Maximum Number of Units

By-Law Number 2022-62: Section 20.1.1.L378.b.i

Requirement: 50 dwelling units

Proposed: 75 dwelling units

Variance Requested: 25 dwelling units

Variance Number 4: Maximum Ground Floor Area

By-Law Number 2022-62: Section 20.1.1.L378.b.iii

Requirement: 860 square metres.

Proposed: 996 square metres

Variance Requested: 136 square metres

Variance Number 5: Maximum Gross Floor Area

By-Law Number 2022-62: Section 20.1.1.L378.b.iv

Requirement: 5,000 square metres.

Proposed: 5,431 square metres

Variance Requested: 431 square metres;

Variance Number 6: Minimum Waterbody Separation

By-Law Number 2022-62: Section 4.23.1.

Requirement: 30.0 metres.

Proposed: 23.0 metres.

Variance Requested: 7.0 metres;

Variance Number 7: Off-site Parking

By-Law Number 2022-62: Section 7.1.1.

Requirement: Parking spaces must be located on the same lot as the corresponding use or building.

Proposed: Parking spaces may be located through off-site parking spaces located within 60.0 metres of the lot.

Variance Requested: Off site permitted;

Variance Number 8: Off-site Loading

By-Law Number 2022-62: Section 7.5.1.

Requirement: Loading spaces must be provided on the same lot as the corresponding use or building.

Proposed: Loading spaces may be located through off-site loading spaces located within 6.0 metres of the lot.

Variance Requested: Off site permitted; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-005.

2. Application for Minor Variance - 2250 Highway 38

62

File Number: D13-091-2024

District: 1 - Countryside

Owner: Jeff and Kristy Schwartzentruber

Applicant: Jeff Schwartzentruber

The Report of the Commissioner of Growth & Development Services (COA-25-015) is attached.

Recommendation:

That minor variance application, File Number D13-091-2024, for the property located at 2250 Highway 38 to construct a 26.76 square metre accessory building within the front and interior yards of the property, be approved, as described below:

Variance Number 1: Minimum interior setback

By-Law Number 2022-62:8.3.1.7

Requirement: 9 metres

Proposed: 2.4

Variance Requested: 6.6 metres

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-015.

3. Application for Minor Variance - 23 Traymoor Street

82

File Number: D13-087-2024

District: 10 - Sydenham

Owner: Shoshanna Green

Applicant: Asterisk Engineering Corporation

The Report of the Commissioner of Growth & Development Services (COA-25-017) is attached.

Recommendation:

That minor variance application, File Number D13-087-2024, for the property located at 23 Traymoor Street to permit a front porch and an enclosed entry on the existing dwelling, be approved, as described below:

Variance Number 1: Deck and porch minimum front setback

By-Law Number: 2022-62: Table 4.20.4.2

Requirement: 3.5 metres

Proposed: 2.2 metres

Variance Requested: 1.3 metres

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-017.

4. Application for Minor Variance - 1110 Westbrook Road

107

File Number: D13-089-2024

District: 3 - Collins-Bayridge

Owner: Cathy Goodfellow

Applicant: Chris Gyuk – Northern Cardinal Construction

The Report of the Commissioner of Growth & Development Services (COA-25-018) is attached.

Recommendation:

That minor variance application, File Number D13-089-2024, for the property located at 1110 Westbrook Road to permit the construction of a new detached garage, be approved, as described below:

Variance Number 1: Minimum Interior Setback

By-Law Number 2022-62: Table 8.3.1.7

Requirement: 9 metres

Proposed: 1.3 metres

Variance Requested: 7.7 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-25-018.

5. Application for Minor Variance - 1149, 1173, 1177 Montreal Street

126

File Number: D13-084-2024

District: 7 - Kingscourt-Rideau

Owner: P&P Land Corporation and Pitcher Randolph D in Trust

Applicant: Rogers & Trainor

The Report of the Commissioner of Growth & Development Services (COA-25-019) is attached.

Recommendation:

That minor variance application, File Number D13-084-2024, for the property located at 1149, 1173, and 1177 Montreal Street to increase the permitted unit count, reduce the parking requirement, reduce the number of required loading spaces, permit parking in a front yard, and reduce side and rear yard setbacks, be approved, as described below:

Variance Number 1: Maximum Number of Units

By-Law Number 2022-62: E117, Subsection (b) Building A,

Subsection (iii)

Requirement: Maximum of 63 dwelling units

Proposed: Maximum of 102 dwelling units

Variance Requested: 39 dwelling units

Variance Number 2: Maximum Number of Units

By-Law Number 2022-62: E117, Subsection (c) Building B,
Subsection (iii)

Requirement: Maximum of 63 dwelling units

Proposed: Maximum of 93 dwelling units

Variance Requested: 30 dwelling units

Variance Number 3: Parking Spaces

By-Law Number 2022-62: Table 7.1.1 (1) (a) (i)

Requirement: Minimum of 0.8 parking spaces per dwelling unit

Proposed: Minimum of 0.6 parking spaces per dwelling unit

Variance Requested: 0.2 parking spaces per dwelling unit

Variance Number 4: Loading Spaces

By-Law Number 2022-62: Section 7.5.3

Requirement: One loading space is required per building

Proposed: 1 loading space serving two buildings

Variance Requested: 1 loading space

Variance Number 5: Parking Location

By-Law Number 2022-62: Section 7.4.9 (3)

Requirement: Resident parking spaces must be located in a rear or interior side yard

Proposed: Permit resident parking spaces in a front yard

Variance Requested: Permit resident parking spaces in a front yard

Variance Number 6: Rear Yard Setback

By-Law Number 2022-62: Table 12.3.1 (5)

Requirement: Rear yard setback is the greater of 7.5 metres or 25% of the lot depth (equivalent to 34.5 metres on the subject site)

Proposed: 30 metres

Variance Requested: 4.5 metres

Variance Number 7: Interior Side Yard Setback

By-Law Number 2022-62: E117, Subsection (b) Building B,
Subsection (v)

Requirement: Minimum setback of 7.0 metres to the western
interior lot line

Proposed: Minimum setback of 6.0 metres to the western interior lot
line

Variance Requested: 1.0 metre; and

That approval of the application be subject to the conditions attached as
Exhibit A (Recommended Conditions) to Report Number COA-25-019.

10. Motions

11. Notices of Motion

12. Other Business

13. Correspondence

1. **Correspondence received, dated January 14, regarding the function and
processes of the Committee of Adjustment**

163

14. Date of Next Meeting

The next meeting of the Committee of Adjustment is scheduled for Monday,
February 24, 2025, at 5:30 p.m.

15. Adjournment