



**City of Kingston
Committee of Adjustment
Meeting Number 2021-05
Minutes**

**Monday, April 19, 2021 at 5:30 p.m.
In a virtual, electronic format**

Committee Members Present

Peter Skebo, Chair
Paul Babin
Vincent Cinanni
Greg Lightfoot
Somnath Sinha
Jordan Tekenos-Levy

Regrets

Blaine Fudge

Staff Members Present

James Bar, Acting Manager, Development Approvals
Elizabeth Fawcett, Committee Clerk
Tim Fisher, Planner
Golsa Kheir-Moghadam, Planner
Julia McCaugherty-Jansman, Committee Clerk
Sarah Oldenburger, Planner
Tim Park, Acting Director, Planning Services
James Partridge, Planner
Phillip Prell, Planner
Heather Scrannage, Business Support Manager

Lindsay Sthamann, Planner and Secretary-Treasurer
Chris Wicke, Planner

Others Present

Members of the public were present.

Introduction by the Chair

The Chair reviewed the order of proceedings for the meeting and informed the public that any individuals with a personal interest in an application can receive written notice of a decision by emailing a request to the Secretary-Treasurer including their name, address, and the file number of the application.

Meeting to Order

The Chair called the meeting to order at 5:32 p.m.

Approval of the Agenda

Moved by Mr. Babin

Seconded by Mr. Cinanni

That the agenda be amended to include the addendum, and as amended, be approved.

Carried

Confirmation of Minutes

Moved by Mr. Tekenos-Levy

Seconded by Mr. Babin

That the minutes of Committee of Adjustment Meeting Number 2021-04 held on March 22, 2021 be approved.

Carried

Disclosure of Pecuniary Interest

Mr. Sinha declared a potential pecuniary interest regarding Business Item b) Application for Minor Variance at 60 Kenwoods Circle as he personally knows several families who live in on the same street.

Delegations

There were none.

Request for Deferral

There were none.

Returning Deferral Items

There were none.

Business

a) Application for: Minor Variance

File Number: D13-005-2021

Address: 149 Ordinance Street

Owner: Sean Thompson and Alex Rowse-Thompson

Applicant: Sean Thompson

Ms. Sthamann introduced the application.

Mr. Wicke conducted a PowerPoint presentation regarding an Application for Minor Variance at 149 Ordinance Street. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Thompson, the applicant, was present and had nothing further to add.

The Committee had no questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Cinanni

Seconded by Mr. Babin

That minor variance application, File Number D13-005-2021, for the property located at 149 Ordinance Street to vary the provisions regarding projections into yards, minimum front yard setback, and maximum height of a flat roof to permit the construction of a third floor addition and entrance porch be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-032.

Carried

b) Application for: Minor Variance

File Number: D13-003-2021

Address: 60 Kenwoods Circle

Owner: Carolyn Blommestyn-Mcdonald, Owen Patrick Mcdonald

Applicant: Fotenn Consultants Inc.

Mr. Sinha withdrew from the meeting.

Ms. Sthamann introduced the application.

Ms. Kheir-Mogdaham conducted a PowerPoint presentation regarding an Application for Minor Variance at 60 Kenwoods Circle. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Keene, agent for the applicant, was present and noted he had no comments to add to the presentation.

The Committee had no questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Cinanni

Seconded by Mr. Lightfoot

That minor variance application, File Number D13-003-2021, for the property located at 60 Kenwoods Circle to reduce minimum setback requirement from a floodplain in order to permit a new inground swimming pool, a pool shed and a pergola, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-022.

Carried

c) Application for: Permission

File Number: D13-011-2021

Address: 292 Dalton Avenue

Owner: City of Kingston

Applicant: 2783001 Ontario Inc.

Mr. Sinha returned to the meeting.

Ms. Sthamann introduced the application.

Mr. Fisher conducted a PowerPoint presentation regarding an Application for Permission at 292 Dalton Avenue. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Sakhuja, agent for the applicant, was present and had no further comment.

The Committee had no questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Babin

Seconded by Mr. Lightfoot

That the application for permission, File Number D13-011-2021, for the property located at 292 Dalton Avenue to further define the industrial uses in the Industrial 'M' zone to include a Truck and Trailer Training Centre, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-033.

Carried

d) Application for: Permission

File Number: D13-010-2021

Address: 812 John Marks Avenue

Owner: Kingston East Medical Campus Corp.

Applicant: Clermont Group, Alex Adams (BLVD Group) & Jason Sands (BLVD Group)

Ms. Sthamann introduced the application.

Mr. Prell conducted a PowerPoint presentation regarding an Application for Permission at 812 John Marks Avenue. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Adams, agent for the applicant, was present. He noted that the pharmacy will have an exterior entrance rather than being shared.

Mr. Babin expressed his support for the application.

The Committee had no further questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Lightfoot

Seconded by Mr. Babin

That the application for permission, File Number D13-010-2021, for the property located at 812 John Marks Avenue be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-027.

Carried

e) Application for: Minor Variance and Consent

File Number: D10-034-2020 & D13-040-2020

Address: 1444 Sproule Street

Owner: Mark Willadsen

Applicant: Mark Willadsen

Ms. Sthamann introduced the application.

Mr. Partridge conducted a PowerPoint presentation regarding an Application for Minor Variance and Consent at 1444 Sproule Street. A copy of the presentation is available upon request through the City Clerk's department.

Mark Willadsen, the applicant, was present and noted he had nothing further to add.

Mr. Skebo asked Mr. Willadsen to speak to the concerns raised in the correspondence received by the Committee. Mr. Willadsen confirmed that the subject property is rented and that he has spoken with the tenants regarding the neighbour complaints. He added that there is enough parking for the number of tenants and that additional vehicles would likely be visitors. Mr. Partridge provided additional information regarding the effects on the water and septic system on the site and the requirement for the applicant to provide an engineering report. He spoke to the current zoning on the property and the parking requirements therein.

Mr. Sinha asked whether a sidewalk is planned for the property. Mr. Partridge confirmed that the subdivision does not have a sidewalk but a right-of-way exists to accommodate one. He added that the applicant has not included a sidewalk in the application.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Mr. Sekbo provided comment on responsible ownership of a rental property and indicated that it is important for Committee members to ensure that the alterations fit into the existing neighbourhood.

Moved by Mr. Sinha

Seconded by Mr. Lightfoot

That minor variance application, File Number D13-040-2020 for the property located at 1444 Sproule Street to reduce the minimum lot area requirement, rear yard setback requirement for main structures/decks and front yard setbacks for decks/steps in order to construct a two storey Single Family Dwelling with a two story front yard balcony/deck on the newly created lot and permit the location of the existing Single Family Dwelling/attached deck, be approved; and

That approval of the Minor Variance application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-019; and

That consent application, File Number D10-034-2020, to sever a parcel of land with an area of 454.9 square metres with 19.9 metres frontage on Sproule Street, be approved; and

That approval of the Consent application be subject to the conditions included in Exhibit B (Recommended Conditions) to Report Number COA-21-019.

Carried

f) Application for: Permission

File Number: D13-002-2021

Address: 11 Gardiner Street

Owner: Kristen Brooks and Wesley Brooks

Applicant: Wesley Brooks

Ms. Sthamann introduced the application.

Ms. Oldenburger conducted a PowerPoint presentation regarding an Application for Permission at 11 Gardiner Street. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Brooks, the applicant was present and had nothing further to add to the file.

The Committee had no questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Babin

Seconded by Mr. Cinanni

That the application for permission, File Number D13-002-2021, for the property located at 11 Gardiner Street to expand the existing dwelling to permit a second storey addition, replace the existing porch with a new enclosed mudroom, and add a covered porch and set of stairs on the north elevation of the proposed mudroom, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A - Recommended Conditions to Report Number COA-21-031.

Carried

g) Application for: Minor Variance

File Number: D13-058-2020

Address: 226-228 King Street East

Owner: Thomas McGregor

Applicant: PC Custom Construction

Ms. Sthamann introduced the application.

Ms. Oldenburger conducted a PowerPoint presentation regarding an Application for Minor Variance at 226 – 228 King Street East. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Potter, agent for the applicant, was present to answer questions.

Mr. Babin asked whether there are garages similar in size on neighbouring properties. Mr. Potter responded that the subject property is one of the only residences without a garage.

The Committee had no further questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Babin

Seconded by Mr. Sinha

That minor variance application, File Number D13-058-2020, for the property located at 226-228 King Street East, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-029.

Carried

h) Application for: Minor Variance

File Number: D13-066-2020

Address: 809 Development Drive

Owner: Cliffside Holdings Inc.

Applicant: IBI Group (Mark Touw)

Ms. Sthamann introduced the application.

Ms. Sthamann conducted a PowerPoint presentation regarding an Application for Minor Variance at 809 Development Drive. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Touw, agent for the applicant, thanked staff for their work on the file.

Ms. Sthamann provided clarification on the highlighted areas shown on Slide 4 of the presentation in response to a question from Mr. Babin.

The Committee had no further questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Babin

Seconded by Mr. Tekenos-Levy

That minor variance application, File Number D13-066-2020, for the property located at 809 Development Drive to reduce the width of the parking aisle from 6.5 metres to 6.0 metres and reduce the overall combined dimension of the parking spaces and parking aisle from 18.5 metres to 16.4 metres in order to accommodate the parking for a stacked townhouse development, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-026.

Carried

i) Application for: Minor Variance

File Number: D13-008-2021

Address: 867 Woodbine Road

Owner: Bryan Bach and Danielle Sanderson

Applicant: Bryan Bach

Ms. Sthamann introduced the application.

Ms. Sthamann conducted a PowerPoint presentation regarding an Application for Minor Variance at 867 Woodbine Road. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Bach, the applicant, was present and noted he had nothing further to add to the presentation.

The Committee had no questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Sinha
Seconded by Mr. Lightfoot

That minor variance application, File Number D13-008-2021, for the property located at 867 Woodbine Road to reduce the minimum side yard width to accommodate the construction of an attached garage on the West side of the existing single-family home, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-025.

Carried

j) Application for: Minor Variance

File Number: D13-007-2021

Address: 1093 Midland Avenue (1105 and 1111 Midland Avenue)

Owner: Trivirtus Gp I Inc

Applicant: Sovereign Design & Management Services (Joe Widjaja)

Ms. Sthamann introduced the application.

Ms. Sthamann conducted a PowerPoint presentation regarding an Application for Minor Variance at 1093 Midland Avenue. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Balbinot, agent for the applicant, provided additional information regarding the application including which areas of the property are subject to the application, the requirement to amend an existing site plan agreement on title, and that the applicant is in agreement with staff's assessment and findings as noted in the staff report.

Mr. Babin sought clarification on the distance between the proposed drive-thru and the neighbouring residential property. Ms. Sthamann provided clarification on the C2 zoning and confirmed that the distance to the residential property is more than 50 metres.

The Committee had no further questions or comments.

The Chair afforded members of the public an opportunity to speak. There were no members of the public who wished to speak.

Moved by Mr. Cinanni
Seconded by Mr. Tekenos-Levy

That minor variance application, File Number D13-007-2021, for the property located at 1093 Midland Avenue (1105 and 1111 Midland Avenue) to reduce the minimum setback of a drive-through from a residential zone, reduce the minimum required number of parking spaces, reduce the minimum front yard setback for an automobile service station, and an increase to the maximum leasable gross floor area, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-030.

Carried

Motions

There were none.

Notices of Motion

There were none.

Other Business

There was none.

Correspondence

There was none.

Date and time of Next Meeting

The next meeting of the Committee of Adjustment is scheduled for May 17, 2021.

Adjournment

Moved by Mr. Sinha
Seconded by Mr. Lightfoot

That the meeting of Committee of Adjustment adjourn at 6:58 p.m.

Carried