



**City of Kingston  
Committee of Adjustment  
Meeting Number 2021-09  
Minutes**

**Monday, August 16, 2021 at 5:30 p.m.  
In a virtual, electronic format**

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**Committee Members Present**

Vincent Cinanni, Vice-Chair  
Paul Babin  
Somnath Sinha

**Regrets**

Peter Skebo, Chair  
Blaine Fudge  
Greg Lightfoot  
Jordan Tekenos-Levy

**Staff Members Present**

Ashley Anastasio, Planning Intern  
James Bar, Manager, Development Approvals  
Elizabeth Fawcett, Committee Clerk  
Shahida Hoque, Planning Intern  
Julia McCaugherty-Jansman, Committee Clerk  
Sarah Oldenburger, Planner  
Lindsay Sthamann, Planner & Secretary-Treasurer

**Others Present**

Members of the public were present.

### **Introduction by the Vice-Chair**

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

### **Approval of the Agenda**

Moved by Mr. Sinha

Seconded by Mr. Babin

**That** the agenda be amended to include the addendum; and

**That** the agenda be further amended to permit Mr. Cinanni to speak during Other Business to request an update from staff regarding 230 Frontenac Street and, as amended, be approved.

**Carried**

### **Confirmation of Minutes**

Moved by Mr. Babin

Seconded by Mr. Sinha

**That** the minutes of Committee of Adjustment Meeting Number 2021-08 held on Monday, July 19, 2021 be approved.

**Carried**

### **Disclosure of Pecuniary Interest**

There was none.

### **Delegations**

There were none.

### **Request for Deferral**

There were none.

### **Returning Deferral Items**

There were none.

### **Business**

#### **a) Application for: Permission and Minor Variance**

**File Number: D13-030-2021**

**Address: 520 Bagot Street**

**Owner: April Kinghorn**

**Applicant: Sam Carlstrom**

Ms. Sthamann introduced the application.

Ms. Oldenburger conducted a PowerPoint presentation regarding Application for Permission and Minor Variance at 520 Bagot Street. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Touw, agent for the applicant, indicated that he had nothing further to add to the application.

In response to Mr. Babin, Ms. Oldenburger confirmed that notice of the application was mailed out to the neighbours in the near proximity.

The Vice-Chair afforded members of the public an opportunity to speak. No members of the public wished to speak.

Moved by Mr. Sinha

Seconded by Mr. Babin

**That** the application for permission and minor variance, File Number D13-030-2021, for the property located at 520 Bagot Street to replace the existing 6.5 foot by 3 foot (approximately 1.98 metre by 0.91 metre) rear mudroom with an 11 foot by 8 foot (approximately 3.35 metre by 2.44 metre) one-storey addition and an approximately 5.5 foot by 4 foot (1.68 metre by 1.22 metre) set of steps on the western elevation of the proposed addition, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-059.

**Carried**

**b) Application for: Permission**

**File Number: D13-034-2021**

**Address: 3 Church Street and 1 Church Street**

**Owner: James C. Simmons**

**Applicant: Bruce Downey**

Ms. Sthamann introduced the application.

Ms. Oldenburger conducted a PowerPoint presentation regarding Application for Permission at 3 Church Street and 1 Church Street. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Downey, the applicant, noted that Mr. Touw and Mr. Simmons was in attendance to respond to questions from the Committee.

Mr. Babin requested clarification on the purpose of the addition. Mr. Downey responded that the addition will expand the current living space and is not contemplated as an additional unit.

The Vice-Chair afforded members of the public an opportunity to speak. No members of the public spoke to the application.

Moved by Mr. Sinha

Seconded by Mr. Babin

**That** the application for permission, File Number D13-034-2021, for the property located at 3 Church Street to expand the frame dwelling unit to include a second storey and new roof line on the existing footprint, which has existing non-complying yards, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-060.

**Carried**

**c) Application for: Minor Variance**

**File Number: D13-038-2021**

**Address: 1175 Waterside Way**

**Owner: Cedric De Belder**

**Applicant: Cedric De Belder, Fangqi Dong**

Ms. Sthamann introduced the application.

Ms. Hoque conducted a PowerPoint presentation regarding Application for Minor Variance at 1175 Waterside Way. A copy of the presentation is available upon request through the City Clerk's department.

Mr. De Belder, the applicant, stated that he was available to respond to the Committee's questions.

In response to Mr. Babin, Mr. De Belder confirmed that the image in Exhibit H of the Report reflects the intended structure that the applicant wishes to build.

The Vice-Chair afforded members of the public an opportunity to speak. There were no members of the public wishing to speak to the application.

Moved by Mr. Babin

Seconded by Mr. Somnath

**That** minor variance application, File Number D13-038-2021, for the property located at 1175 Waterside Way to reduce exterior and interior side back requirements, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-063.

**Carried**

**d) Application for: Permission**

**File Number: D13-039-2021**

**Address: 36 Harrison Lane**

**Owner: Mark Vanderhelm**

**Applicant: Mark Vanderhelm**

Ms. Sthamann introduced the application.

Ms. Anastasio conducted a PowerPoint presentation regarding Application for Permission at 36 Harrison Lane. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Vanderhelm, the applicant, offered to answer the Committee's questions.

Mr. Babin asked why the replacement structure was not being built on the existing footprint of the cottage. Mr. Vanderhelm responded that he consulted with the Cataraqui Region Conservation Authority on the application and the agency suggested that a larger setback from the water was desirable.

The Vice-Chair afforded members of the public an opportunity to speak. There were no members of the public wishing to speak to the application.

Moved by Mr. Babin

Seconded by Mr. Sinha

**That** the application for permission, File Number D13-039-2021, for the property located at 36 Harrison Lane to relocate and enlarge an existing legal non-conforming cottage, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-058.

**Carried**

**e) Application for: Permission**

**File Number: D13-040-2021**

**Address: 45 Napier Street**

**Owner: Kingston Tennis Club**

**Applicant: Jason Taylor**

Ms. Sthamann introduced the application and conducted a PowerPoint presentation regarding Application for Permission at 45 Napier Street. A copy of the presentation is available upon request through the City Clerk's department.

Mr. Keene, agent for the applicant, indicated that he did not have anything to add to the application as presented and informed the Committee that the applicant was present as well to address questions.

The Committee had no questions.

The Vice-Chair afforded members of the public an opportunity to speak.

Ms. Complin, 15 Napier Street, asked whether there would be increased noise on the property given they are increasing the size of the facilities to accommodate more people.

Ms. Russell, 572 Earl Street, asked whether a sign had been posted on the property to notify the neighbourhood of the application. She indicated that she had not seen a sign and only received notification from the City.

Mr. Keene provided response describing the size, colour and location of the sign that had been posted on the property in accordance with the prescribed notification requirements. He indicated that the purpose of the addition is to upgrade the men's and women's changing facilities and to add a storage space. He added that the intent is to clean up the property and provide nice amenities to existing members, not to add space for increased membership.

Mr. Cinanni asked if the Tennis Club was expecting to hold more events at the clubhouse. Mr. Keene confirmed that the addition is only to allow for adequate change rooms.

Mr. Taylor, a member of the Board of Directors for the Kingston Tennis Club, confirmed that the Club did not intend to increase membership. He confirmed that socials do take place on the premises, but the number of socials is not expected to increase.

Mr. Zaback, the architect for the project, added that the addition makes the clubhouse more accessible and will permit for necessary structural repairs. He stated that the storage space in the additional will allow the Club to remove the small storage shed on the property.

Moved by Mr. Babin

Seconded by Mr. Sinha

**That** the application for permission, File Number D13-040-2021, for the property located at 45 Napier Street to renovate the existing clubhouse, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-21-062.

**Carried**

## **Motions**

There were none.

### **Notices of Motion**

There were none.

### **Other Business**

Mr. Cinanni asked staff to provide information regarding a building permit approved at 230 Frontenac Street given that an application for the same property had recently been denied by the Committee.

Mr. Bar provided additional information regarding the file at 230 Frontenac Street noting that the owner had submitted a subsequent application for a detached second residential unit that met all zoning provisions. He added that a building permit can be granted when an application complies with the zoning.

### **Correspondence**

There was none.

### **Date and time of Next Meeting**

The next meeting of the Committee of Adjustment meeting is scheduled on Monday, September 20, 2021 at 5:30 p.m.

### **Adjournment**

Moved by Mr. Sinha

Seconded by Mr. Babin

**That** the meeting of the Committee of Adjustment adjourns at 6:17 p.m.

**Carried**