



**City of Kingston  
Committee of Adjustment  
Meeting Number 08-2022  
Minutes**

**Monday, July 18, 2022 at 5:30 p.m.  
In a virtual, electronic format**

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**Committee Members Present**

Peter Skebo, Chair  
Vincent Cinanni  
Blaine Fudge  
Somnath Sinha

**Regrets**

Paul Babin  
Greg Lightfoot  
Jordan Tekenos-Levy

**Staff Members Present**

James Bar, Manager, Development Approvals  
Amy Didrikson, Intermediate Planner  
Annemarie Eusebio, Intermediate Planner  
Elizabeth Fawcett, Committee Clerk  
Blair Johnson, Corporate Records & Information Officer  
Jennifer Liu, Intern, Planning Services  
Riccardo Peggi, Planner

**Others Present**

Members of the public were present.

**This is not a verbatim report.**

### **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 5:33 p.m.

### **Approval of the Agenda**

Moved by Mr. Sinha

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. Cinanni

Seconded by Mr. Sinha

**That** the minutes of Committee of Adjustment Meeting Number 07-2022 held on Monday, June 20, 2022 be approved.

**Carried**

### **Disclosure of Pecuniary Interest**

There were none.

### **Delegations**

There were none.

### **Briefings**

There were none.

### **Request for Deferral**

There was none.

### **Returning Deferral Items**

**a) Application for: Minor Variance**

**File Number: D13-028-2022**

**Address: 720-730 Innovation Drive**

**Owner: City of Kingston**

**Applicant: J.S.M. Corporation (Ontario) Limited and IBI Group**

Ms. Sthamann introduced the application.

Ms. Didrikson conducted a PowerPoint presentation regarding the Application for Minor Variance at 720-730 Innovation Drive. A copy of the presentation is available upon request through the City Clerk's department.

Mark Touw, Agent for the Applicant, indicated that he had no additional information to provide.

The Chair afforded members of the public an opportunity to speak. There were no comments received from the public.

The Committee did not provide comment.

Moved by Mr. Fudge

Seconded by Mr. Cinanni

**That** minor variance application, File Number D13-028-2022, for the property located at 720-730 Innovation Drive to permit 25 parking spaces to be located in the front yard and exterior side yard, be approved, subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-045.

**Carried**

**Business**

- a) **Application for: Minor Variance**  
**File Number: D13-020-2022**  
**Address: 35-39 Montreal Street**  
**Owner: Zlatko Banic**  
**Applicant: FONTENN Consultants Inc.**

Ms. Sthamann introduced the application.

Mr. Peggi conducted a PowerPoint presentation regarding the Application for Minor Variance at 35-39 Montreal Street. A copy of the presentation is available upon request through the City Clerk's department.

Golsa Kheir-Moghadam, Agent for the Applicant, indicated that she had no additional information to provide.

The Chair afforded members of the public an opportunity to speak. There were no comments received from the public.

Mr. Skebo noted that the variances listed reduces the performance standards significantly which could be perceived as being no longer minor in nature. He noted that the overall effect of the variances does not change the current circumstances of the site and, therefore, remains minor in its effect.

Moved by Mr. Fudge  
Seconded by Mr. Sinha

**That** minor variance application, File Number D13-020-2022, for the property located at 35-39 Montreal Street to vary amenity area, vehicle parking, bike parking and maximum density provisions for the addition of one unit, be approved, subject to the conditions Attached as Exhibit A to Report Number COA-22-049.

**Carried**

**b) Application for: Minor Variance**

**File Number: D13-031-2022**

**Address: 23B Crerar Boulevard**

**Owner: Cameron Wolfe**

**Applicant: Cameron Wolfe**

Ms. Sthamann introduced the application.

Mr. Peggi conducted a PowerPoint presentation regarding the Application for Minor Variance at 23B Crerar Boulevard. A copy of the presentation is available upon request through the City Clerk's department.

Cameron Wolfe, the Applicant, indicated that he had no additional information to provide.

Mr. Cinanni noted that the driveway was previously widened without a permit and asked the purpose for a further widening. Mr. Wolfe noted that the current size of the driveway has existed for as long as he has known the property and stated that the additional width would provide the necessary space for emergency access and sidewalk.

The Chair afforded members of the public an opportunity to speak. There were no comments received from the public.

Moved by Mr. Cinanni

Seconded by Mr. Sinha

**That** minor variance application, File Number D13-031-2022, for the property located at 23B Crerar Boulevard to develop a driveway in the front yard of the subject property which exceeds the maximum driveway width provision, be approved, subject to the conditions attached as Exhibit A to Report Number COA-22-053.

**Carried**

**c) Application for: Permission and Minor Variance**

**File Number: D13-033-2022**

**Address: 81 Gore Street**

**Owner: Davin Johnson & Janette Leroux**

**Applicant: Davin Johnson**

Note: Business Item e) was considered in advance of Business Item c).

Ms. Sthamann introduced the application.

Ms. Liu conducted a PowerPoint presentation regarding the Application for Permission and Minor Variance at 81 Gore Street. A copy of the presentation is available upon request through the City Clerk's department.

Davin Johnson, the Applicant, indicated that he had no additional information to provide.

The Chair afforded members of the public an opportunity to speak. There were no comments received from the public.

The Committee did not provide comment.

Moved by Mr. Fudge  
Seconded by Mr. Somnath

**That** the application for permission, File Number D13-033-2022, for the property located at 81 Gore Street to expand an existing legal non-conforming dwelling, be approved; and

**That** minor variance application, File Number D13-033-2022, for the property located at 81 Gore Street to reduce the aggregate side yard width, increase the lot coverage, exceed the maximum permitted Floor Space Index and reduce the parking space length be approved in accordance with the minor variances attached as Exhibit A of Report Number COA-22-061; and

**That** approval of the application be subject to the conditions attached as Exhibit B (Recommended Conditions) to Report Number COA-22-061.

**Carried**

- d) Application for: Minor Variance**
  - File Number: D13-042-2021**
  - Address: 151 Bath Road**
  - Owner: CP Reit Ontario Properties**
  - Applicant: Parsons Inc.**

Ms. Sthamann introduced the application.

Ms. Eusebio conducted a PowerPoint presentation regarding the Application for Minor Variance at 151 Bath Road. A copy of the presentation is available upon request through the City Clerk's department.

Pamela Whyte, Agent for the Applicant, noted her presence in the meeting and indicated her availability to respond to questions.

Mr. Skebo stated that on page 110 the variance does not establish what it is for. He expected it would be regarding parking, but the word parking does not appear. Ms. Eusebio confirmed that parking is intended to be covered by the variance requested.

Mr. Fudge wanted clarification on whether the variance will put the new development in line with the current retail buildings or closer to the roads. Ms. Eusebio explained that it will be in line with the existing Loblaws store and other retail stores.

Mr. Cinanni pointed to an item of correspondence received and wanted clarification on the possible loss of a sidewalk from Sir John A. Macdonald Boulevard and Elmwood Street. Ms. Eusebio explained that the multiuse pathway will be relocated but will continue to allow access to the Kingston Centre and the proposed retail building. Ms. Whyte added that it is planned to be built on the north end of the building. Mr. Bar commented that staff were aware of these concerns as the site had been used differently for several years. He confirmed that the functionality of the space will be maintained and that pedestrian and non-vehicular travel to the site have been part of the planning process.

Mr. Skebo pointed to a separate piece of correspondence received that recommended the project be made greener with the addition of solar panels. He asked if the applicants had considered that. Ms. Whyte stated that they have not looked specifically at solar panels but that they can bring the idea to Canadian Tire for consideration.

The Chair afforded members of the public an opportunity to speak. There were no comments received from the public.

Moved by Mr. Cinanni

Seconded by Mr. Fudge

**That** minor variance application, File Number D13-042-2021, for the property located at 151 Bath Road to construct a new Canadian Tire retail store, be approved, subject to the conditions attached as Exhibit A to Report Number COA-22-055.

**Carried**

- e) Subject: Supplemental Report**  
**File Number: D13-033-2022**  
**Address: 81 Gore Street**  
**Owner: Davin Johnson & Jeanette Leroux**  
**Applicant: Davin Johnson**

Note: Business Item e) was considered in advance of Business Item c).

Moved by Mr. Fudge  
Seconded by Mr. Sinha

**That** paragraph 2 of the recommendation in Report COA-22-054, be deleted and replaced with the following:

**That** minor variance application, File Number D13-033-2022, for the property located at 81 Gore Street to reduce the aggregate side yard width, increase the lot coverage, exceed the maximum permitted Floor Space Index and reduce the parking space length be approved in accordance with the minor variances attached as Exhibit A of Report Number COA-22-061; and

**That** paragraph 3 of the recommendation in Report COA-22-054, be deleted and replaced with the following:

**That** approval of the application be subject to the conditions attached as Exhibit B (Recommended Conditions) to Report Number COA-22-061.

**Carried**

### **Motions**

There were none.

### **Notices of Motion**

There were none.

### **Other Business**

There was none.



### **Correspondence**

See agenda and addendum.

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

The next meeting of the Committee of Adjustment is scheduled on Monday, August 15, 2022 at 5:30 p.m.

Note: Due to a misprint in the Agenda, the Chair read the next date of meeting as Monday, August 22, 2022.

### **Adjournment**

Moved by Mr. Fudge

Seconded by Mr. Sinha

**That** the meeting of the Committee of Adjustment adjourn at 6:27 p.m.

**Carried**