



**City of Kingston
Committee of Adjustment
Meeting Number 07-2022
Addendum**

**Monday, June 20, 2022 at 5:30 p.m.
In a virtual, electronic format**

6. Request for Deferral

Note: The consent of the Committee is requested for the deferral of Business Item 8 c)

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

Recommendation:

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.

11. Correspondence

- b)** Correspondence received from Jim and Frances Laidley, dated June 16, 2022, regarding Application for Permission and Minor Variance - 2 Nina's Lane.

Addendum Page 1

- c)** Correspondence received from Dan Gale, dated June 17, 2022, regarding Application for Minor Variance and Permission - 442 Albert Street.

Addendum Pages 2 - 6

- d)** Correspondence received from Jenna Willoughby, dated June 17, 2022, regarding Application for Minor Variance and Permission - 442 Albert Street.

Addendum Page 7

- e)** Correspondence received from Ashley Theis, dated June 17, 2022, regarding Application for Minor Variance and Permission - 442 Albert Street.

Addendum Page 8

- f)** Correspondence received from Jenn Pope, dated June 17, 2022, regarding Application for Minor Variance and Permission - 442 Albert Street.

Addendum Page 9

- g)** Correspondence received from Christine Law, dated June 17, 2022, regarding Application for Minor Variance and Permission - 442 Albert Street.

Addendum Page 10

- h)** Correspondence received from John Price, dated June 19, 2022, regarding Application for Permission and Minor Variance - 2 Nina's Lane.

Addendum Page 11

- i)** Correspondence received from Joan Bowie, dated June 20, 2022, regarding Application for Minor Variance and Permission - 442 Albert Street.

Addendum Page 12

- j)** Correspondence received from Julie Sharrard, dated June 19, 2022, regarding Application for Minor Variance and Permission - 442 Albert Street.

Addendum Page 13

- k)** Correspondence received from Norm and Sue Heward, dated June 20, 2022, regarding Application for Minor Variance and Permission - 2 Nina's Lane

Addendum Page 14

Mr. Sullivan,

We are the residents of 2408 Isle of Man Rd. The proposed "development" at 2 Nina's Lane will be in full view across the water from our home.

We are fully supportive of this proposal and staff's recommendation to accept it.

If you have any questions or we can be of further assistance, please let us know.

Jim and Frances Laidley

Please provide my attached comments about the "Minor Variance and Permission" application pertaining to 442 Albert Street to the Secretary Treasurer of the Committee of Adjustment.

Thanks,
Dan Gale

June 16, 2022

Mitigation request: Application for Permission and Minor Variance Relating to 442 Albert Street

1. Summary

Expansion of the daycare located at 442 Albert Street will impose substantially on traffic conditions in its immediate vicinity. There are traffic problems currently that are tolerable under the best of conditions, however, the situation is already at a tipping point in terms of potential for accidents and serious accidents during adverse conditions. The proposed expansion of the daycare (increased child capacity by 62% and staffing by 85%) will create a situation disturbingly optimised for vehicle-to-vehicle and vehicle-to-person collisions. The peak times of concern Monday through Friday are when children are dropped at the daycare or retrieved from it by clients driving cars or trucks. There is space for two vehicles to park in front of 442 Albert in a City-designated 5-minute parking zone. This is currently inadequate. Neither the applicant or the City addressed the need to manage the existing daily traffic issues or the even more dangerous traffic conflict that will result from the expanded business. There are various ways to mitigate the danger and my request is that the section of Albert Street between Mack Street and Princess Street become a one-way street heading south (away from Princess). This solution:

- Prevents forms of traffic conflict that will inevitably arise with business expansion.
- Reduces the traffic issues that are currently experienced.
- Enables the proposed expansion of daycare business at 442 Albert Street.
- Aligns with the requested minor variance.
- Accommodates many changes in the nature of the neighbourhood that have happened since the daycare was opened and especially over maybe the last 5 years.
- Reduces the likelihood of traffic conflict accidents arising from negligent road-use behaviours that continue to grow and by themselves pose a danger.

2. The Situation

- 442 Albert Street is on the west side of a short section of Albert Street, midway between Mack and Princess.
- The daycare business has 7 staff and space for 34 children
- The proposed expanded business will have 13 staff (addition of 6) and 55 child spaces (addition of 21), increases of 85% and 62%, respectively.
- There is no parking on the east side of the street. Parking on the west side is managed by time-of-day and permits except for space adequate for two vehicles in front of 442 Albert designated by the City as 5-minutes.

- Some staff currently park on the street. Expect this to increase at least in proportion to the business expansion.
- Vehicles used by clients engaging with the business (usually to drop-off or pick-up children) park and use whatever space is available on the street whether immediately in front of 442 Albert or where there are spaces available on the west side or east side of the street. Demand for parking is greatest during peak hours, roughly 8:15AM-9:15AM and 4PM-5PM, Monday through Friday. Expect this need to increase at least in proportion to the business expansion. Figures 1 and 2 attached provide examples of road use parking issues.
- Parking spaces used by staff compete with space needed by clients engaging with the business. Expect this competition to increase at least in proportion to the business expansion.
- During inclement weather there is a marked increased demand for short-term parking by clients engaging with the business and an increase in daily parking (probably staff). Expect the needs and competition to increase at least in proportion to the business expansion.
- University student use of this section of Albert Street has substantially increased over the last few years in the form of pedestrians and vehicle users. The definition of “vehicles” in this context is very broad—cars, bicycles, longboards, scooters, motorised longboards, motorised scooters, one-wheels. In the southbound direction the street is known by the students as the start of the glide path all the way to the university. Except for car drivers, the vehicle users will occupy any part of the road that is available. It is not unusual to see northbound longboard users being towed by motorised longboard users. Figure 3 is an example longboard user.
- In the last few years there has been an increase in the number of instances of this section of Albert Street being used as a northbound raceway with vehicles at very excess speeds racing “to make the light” at Princess Street. The peak speed is probably mid-block, ie, in front of 442 Albert. I assume that these are people from outside the area who would have no idea that a daycare was in operation.
- Very serious traffic and pedestrian complications arise in the winter when the street is narrowed due to snow and ice accumulation and sidewalks are blocked. Often the roadway is narrowed to one-at-a-time traffic due to parking against snow/ice constraints. Both edges of the road were impassable for multiple weeks in 2022 due to caked ice, sidewalks were impassable for many days: vehicles and pedestrians “shared” the roadway and the major pinch-point was at or near 442 Albert. A few times in the winter, students will put ropes on cars and ski/board along this section of Albert Street.
- The traffic and parking problems happen throughout the year, ie, they are reflective of the business of the daycare. University student use of the street is greatest between September and April. The danger due to congestion probably diminishes somewhat between May and August. Figures 1 and 2 show vehicle arrangements that occur under the most ideal conditions of traffic (fair weather and a time when the university student population is minimal).
- Inclement weather and the extremes of weather will increase: heat, rain, snow and ice conditions will have an impact on the daycare business at 442 Albert and specifically increase demand and competition for parking space whether by clients engaging with the business or by staff.
- In the worst weather conditions and at peak times for clients using vehicles, it is not obvious how well emergency services could serve the daycare even with the existing scale of business. The situation would be much more threatening at the proposed expanded scale of business.

- The frightening situations at present are easily observed when multiple pieces are in motion: peak client engagement time, students on longboards, car doors opening, cars backing out of driveways into traffic, trucks/cars parking in opposition to traffic flow, people walking on the street due to impassable sidewalks, toddlers making impulsive moves toward unseen moving vehicles. These situations are no less challenging as a driver in a vehicle attempting to navigate the road in the vicinity of 442 Albert, especially during inclement weather and winter conditions. Further insult is added when people parking vehicles partially block driveways several houses away from the daycare.

3. Discussion and Mitigation

The topic of staff parking is mentioned by the applicants. The broader topic of client as well as staff parking and the links to traffic is not addressed by the applicant or the City. This is surprising given that the topic is integral to the business of the daycare, affects the local community significantly and appears on the ground in the form of spaces adjacent to 442 Albert including space on the street. Traffic problems are tolerable at present under most circumstances but dangerous at times when conditions are challenging, for example, distracted pedestrians including toddlers in the vicinity of vehicle congestion during poor weather. Increasing the daycare places by 62% and staffing by 85% will increase the traffic challenges and accident dangers. Further complicating the situation are changes that have occurred in street use in terms: a) of the range of vehicles, and b) of vehicle use behaviours that are threatening. Some form of mitigation is required. Here are a few examples:

- Retaining the scale of daycare operation at its present level with no expansion.
- Having dedicated enforcement personnel regulate traffic and parking during at least peak hours.
- Changing the conditions of parking permits in a restrictive manner (e.g., reducing eligibility for parking) while also expanding the amount of space for “5-minute parking” near the daycare.
- Changing the traffic and parking pattern on the street to one-way, southbound only.
- Using speed-calming measures such as bumps.
- Managing parking regulations and road/sidewalk snow clearing so that the Mack to Princess section of Albert is clear of snow as a high priority for sidewalks and road, to the curb edge.

At present the daycare is a good neighbour except for the parking and traffic problems. If it expands, these problems will increase as will the danger—I would see this as intolerable to me as part of the community. I would feel some obligation to warn potential daycare clients of the danger to them, toddler, and vehicles. From this perspective and recognising the changing nature of the community of users of the street while **being supportive of expansion of the daycare business, I request that the section of Albert Street between Mack Street and Princess Street become a one-way street heading south (away from Princess).**

Sincerely,
 Dan Gale
 419 Albert Street
 Kingston



Figure 1: Photograph showing a vehicle in the 5-minute parking area in front of 442 Albert Street, a truck and car in front of it parked in opposition to traffic, two cars parked on the east side where there is No Parking. All involve clients of the daycare, end of the workday, June 10, 2022.



Figure 2: No car parked in the space in front of 442 Albert. Client car parked in opposition to traffic. Photograph, June 15,



Figure 3: Example of longboard user heading south having passed 442 Albert. Photograph, June 14, 2022

From: Jenna Willoughby
Sent: June 17, 2022 1:37 PM
To: Planning Outside Email <Planning@cityofkingston.ca>; Sthamann,Lindsay
<lsthamann@cityofkingston.ca>
Cc: Holland,Mary Rita <mrholland@cityofkingston.ca>; Neill,Jim <jneill@cityofkingston.ca>
Subject: 442 Albert St.

To Whom It May Concern,

I would like to express my support for Frontenac Club Day Care to expand the existing day care use into the existing detached assessory buildings on the subject site (File Number: D13-018-2022). I am a parent of a child with special needs who attends the day care and consider myself to be very fortunate to have a space for him at this particular daycare. My son is 4 years old and has a cerebral palsy diagnosis. The staff at this day care have been a tremendous support to his physical, intellectual and emotional development since he began attending last September. He continues to learn and flourish through the program they have in place for him with speech, feeding therapy, physical therapy, and occupational therapy. It is a truly inclusive space, and in expanding the daycare, they will be able to provide more accessible spaces to other families like mine who have children that have special needs and need extra support in their early years.

In addition, the location of the daycare is advantageous. Every day that the weather permits, I walk to pick up my son with his adaptive trike so that he may have some additional practice on his way home. As a busy parent of two, I am grateful for daily moments like these where my son's therapy is a functional and fun part of his routine. In his eyes, he is riding his bike like he sees other kids doing, but he doesn't realize how he is strengthening his legs and core so that he may someday walk independently. He regularly sees strangers and neighbours on his way home cheering him on and complimenting his efforts and amazing bike!

Please support this application to expand the daycare. It is an amazing space for young Kingstonians to learn and grow in an amazing location for downtown families to access by foot.

Many thanks,
Jenna

From: Ashley Theis
Sent: June 17, 2022 4:10 PM
To: Planning Outside Email <Planning@cityofkingston.ca>
Subject: Frontenac club daycare

Hello,

I wanted to reach out regarding Frontenac club daycare located on Albert street. The location of this daycare was one of the main reasons we selected it as it allowed us to continue our lifestyle of minimizing vehicle use.

The walkability of this daycare is a huge asset.

Best

Ashley Theis

From: Jenn Pope
Sent: June 17, 2022 12:58 PM
To: Planning Outside Email <Planning@cityofkingston.ca>
Subject: Frontenac club daycare- importance of location for active transportation

Hello,

As a family who have had 3 kids attend Frontenac Club daycare, I just want to say how important it is to have a daycare that is so easily accessible to walk/bike to for families downtown. I understand the neighbours have some concerns about the parking. We rarely park there and active transportation is a hugely important to us. Thanks for your consideration and have a great weekend Jenn Pope

Sent from my iPhone

From: Christine Law
Sent: June 17, 2022 3:23 PM
To: Planning Outside Email <Planning@cityofkingston.ca>
Cc: Andrew Gissing
Subject: Frontenac Club Daycare

Dear City of Kingston,

I am writing an email in support of the Frontenac Club Daycare expansion. I am a parent of a child that currently attends the daycare, and also have a child that formerly attended in addition to being pregnant with a third child that will attend next year.

The daycare and it's location has been an integral part of our lives as we live within walking distance of the daycare, and I also walk to work downtown as a pediatric ophthalmologist at Hotel Dieu Hospital. I feel fortunate to have the ability to walk or bike my children on my way to and from work, reduce our carbon footprint, and not have to search for parking downtown. Also, I have taken advantage of the quiet street initiatives by the daycare to allow my children to scooter or bicycle more safely on their own during the "commute".

We hope that the expansion of the daycare will allow more families to experience the neighbourhood friendly, convenient, and excellent childcare we have been fortunate to receive.

Sincerely,
Christine Law, MD FRCSC DABO
Pediatric ophthalmologist and adult strabismus Kingston Health Sciences Centre Assistant
Professor Queen's University

I, John Price, represents the 6 shareholders of the Isle Of Man Cottagers adjacent to the west side of the property requesting the minor variance.

We have observed that the City all around this area including Isle of Man Road has adopted a more positive development strategy, which we approve of. We have no issues with Mr Sutton building a home on the point as he has done so much to upgrade and improve the properties around him including a wide spread tree planting program.

We would like to be put on record that our shareholders representing the 27 acres beside Mr Sutton's property are in favour of this minor variance

John Price

1006 Harmony Lane Kingston

To the Chair and Committee of Adjustment Members,

Re: D13-018-2022 Address: 442 Albert Street

I am writing in support of this application.

Since their move to Albert St., Frontenac Club has been a good neighbour. The increase in enrolment should not change that.

My only concern is the shortage of space in the five minute " drop off zone". Would the COA and the day care please ask City staff to have this zone expanded to accommodate the increase in the number of children most of whom appear to be delivered by car? Albert St has increasing amounts of traffic of all kinds and this block is often full of permit parkers.

A larger zone to safely load and unload infants and small children should be ensured.

Thank you , Joan Bowie

From: Julie Sharrard
Sent: June 19, 2022 9:29 PM
To: Planning Outside Email <Planning@cityofkingston.ca>
Subject: Frontenac Club Daycare

Hello,

I hope this message finds you well.

As a resident of Williamsville, I am reaching out to share my thoughts about having an outstanding daycare centre in our community.

For almost four years, my family has benefited from the exceptional inclusive care provided at Frontenac Club. Using active transportation to get my child to daycare and then continue to work has also helped my health and the environment. In addition, we have been able to meet more of our neighbours, meet the other parents who are walking commuters and enjoy more quality time together.

All of the large-scale construction projects in the area have caused a lot of disruptions to roads and parking, thus further making me realize the value of being able to walk to drop off my child.

Anything you can do to help foster this sense of community for current and future families is greatly appreciated by the other parents and me. The daycare is a special place where all children thrive. We are so lucky to have this facility in our community.

Thank you,
Julie

Julie Sharrard
Department Manager
The Robert M. Buchan Department of Mining
Queen's University
Goodwin Hall
25 Union Street
Kingston, Ontario

Queen's University is situated on traditional [Anishinaabe and Haudenosaunee Territory](#).

We are in support of the Sutton New build on the point

Dear Mr. Sullivan,

We are writing this letter and would like to go on record that we support the new build at number 2 Ninas Lane for Mr. and Mrs. Sutton

The current condition of the land known as the point and the tenants cottages that sit on Mr Suttons land are in very poor condition and run down and in fact is an eyesore on the waterway. Mr. Sutton has been our neighbour for years and we definitely are in support of his waterfront build.

Sincerely,

Norm & Sue Heward