



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

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

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**8. Business**

Note: The consent of the Committee is requested for the consideration of Report COA-22-061 in advance of Report COA-22-054.

**e) Subject: Supplemental Report**

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

**Address: 81 Gore Street**

**Owner : Davin Johnson & Jeanette Leroux**

**Applicant : Davin Johnson**

The Report of the Commissioner of Community Services (COA-22-061) is attached.

Addendum Pages 1 – 8

Recommendation:

**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.

## **12. Correspondence**

- d)** Correspondence received from Dakota Cross, dated July 17, 2022, regarding Application for Minor Variance – 151 Bath Road.



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-22-061**

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**To:** Chair and Members of the Committee of Adjustment  
**From:** Jennifer Liu, Intern  
**Date of Meeting:** July 18, 2022  
**Subject:** Supplemental Report  
**File Number:** D13-033-2022  
**Address:** 81 Gore Street  
**Owner:** Davin Johnson & Janette Leroux  
**Applicant:** Davin Johnson

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**Council Strategic Plan Alignment:**

Theme: 2. Increase housing affordability

Goal: 2.1 Pursue development of all types of housing city-wide through intensification and land use policies.

**Executive Summary:**

This Supplemental Report provides clarification to the proposed aggregate side yard setback as described in [Report Number COA-22-054](#). No other changes to the report are proposed at this time.

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**Recommendation:**

**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.

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**Authorizing Signatures:**



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Jennifer Liu, Intern

**In Consultation with the following Management of the Community Services Group:**

Tim Park, Director, Planning Services  
James Bar, Manager, Development Approvals

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**Options/Discussion:**

This Supplemental Report provides clarification to the proposed aggregate side yard setback as described in Report Number COA-22-054, an application for permission and minor variances for the property located at 81 Gore Street, to demolish an existing one storey rear addition, to be replaced with a larger, two storey addition at the rear of the principal residential unit.

The proposed aggregate side yard setback included in the Report Number COA-22-054 was 1.98 metres, with a variance request of 1.62metres from the required aggregate side yard setback of 3.6 metres, as outlined in Section 6.3 (c) of the Zoning By-Law 8499. This does not accurately reflect the submitted drawings. As a result, a revision is required to the Report Number COA-22-054.

The revised aggregate side yard setback included in the Report Number COA-22-054 is 1.68metres, with a variance request of 1.92 metres from the required aggregate side yard setback of 3.6 metres, as outlined in Section 6.3 (c) of the Zoning By-Law 8499.

This additional information does not change the planning opinion contained within Report Number COA-22-054.

No other changes to the report are proposed at this time.

**Existing Policy/By-Law:**

Please refer to Report Number COA-22-054.

**Notice Provisions:**

Please refer to Report Number COA-22-054.

**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

James Bar, Manager, Development Approvals, 613-546-4291 extension 3213

Jennifer Liu, Intern, 613-546-4291

**Other City of Kingston Staff Consulted:**

None

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**Appendix**

Exhibit A - Details of the minor variances approved

Exhibit B - COA-22-054 Recommended Conditions (original Exhibit A)

## Recommended Conditions

Application for minor variance and permission, File Number D13-033-2022

Approval of the foregoing application shall be subject to the following recommended conditions:

### Minor Variance 1: Minimum Side Yard

By-Law Number 8499: Section 6.3(c)  
Requirement: 3.60 metres in aggregate  
Proposed: 1.68 metres in aggregate  
Variance Requested: 1.92 metres

### Minor Variance 2: Maximum Lot Coverage

By-Law Number 8499: Section 6.3(e)  
Requirement: 33%  
Proposed: 39.5%  
Variance Requested: 6.17%

### Minor Variance 3: Maximum Floor Space Index

By-Law Number 8499: Section 6.3(h)(ii)  
Requirement: 1  
Proposed: 1.01  
Variance Requested: 0.01

### Minor Variance 4A: Minimum parking space length

By-Law Number 8499: Section 5.3 B(h)  
Requirement: 6.0 metres  
Proposed: 5.3 metres  
Variance Requested: 0.7 metres

### Minor Variance 4B: Minimum parking space length

By-Law Number: 2022-62 Table 7.4.1  
Requirement: 6.0 metres  
Proposed: 5.3 metres  
Variance Requested: 0.7 metres



## Recommended Conditions

### Application for minor variance and permission, File Number D13-033-2022

Approval of the foregoing application shall be subject to the following recommended conditions:

#### 1. Limitation

That the approved minor variance applies only to the aggregate side yard width, maximum lot coverage, maximum permitted Floor Space Index and minimum parking space length as shown on the approved drawings attached to the notice of decision.

#### 2. No Adverse Impacts

The owner/applicant shall demonstrate to the satisfaction of the City that there are no adverse impacts on neighbouring properties as a result of any modifications to on-site grading or drainage.

#### 3. Building Permit Application Requirements

The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make application for a Building Permit.

The drawings submitted with the Building Permit application must, in the opinion of the City, conform to the general intent and description of the approved drawing(s), including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process.

#### 4. Archaeological Assessment

An Archaeological Assessment (beginning with a Stage One Assessment) and any subsequent or supporting studies are required on the property prior to the issuance of a Building Permit, as the site falls under several of the criteria for archaeological potential. Any area of development or site alteration, including access routes, on lands containing archaeological resources or areas of archaeological potential will need to be assessed by an archaeologist licensed in the Province of Ontario. The applicant shall contact the Planning Division to confirm their requirements for approval of this condition.

Two (2) copies of the study and all relative information shall be provided to the Building Division. The report shall be registered with the Ministry of Tourism, Culture

and Sport or an acceptance letter shall be obtained by the Ministry prior to the issuance of a Building Permit.

The City relies upon the report of the professional archaeologist as filed, but reserves the right to require further reports should further evidence be uncovered. The applicant may be required to further review the state of archaeological resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Tourism, Culture and Sport. The City shall not be restricted in its ability to determine requirements related to review, assessment and/or protection should archaeological resources be found on site. Any costs arising from such requirements of the City, or any other duly authorized Government body, shall be borne solely by the applicant.

## **5. Tree Preservation**

Tree preservation methods to protect the City owned silver maple tree must be approved by the Forestry Department prior to construction of the addition.

**From:** Dakota Cross  
**Sent:** July 17, 2022 1:18 PM  
**To:** Eusebio, Annemarie <aeusebio@cityofkingston.ca>  
**Subject:** D11-020-2021 Inquiry

Hello Annemarie Eusebio,

I hope you've had a wonderful weekend! I was hoping to gain more insight in regard to the posted application D11-020-2021 located at 1100 PRINCESS ST, KINGSTON K7L 5G8.

I was hoping you could maybe shed light on:

- If a sign like this is posted, does this mean that the City of Kingston is the decider of what can be constructed there?
- If the project has gotten to "technical review", what step is that in the process of the projected land use?
- Are there any studies performed to compare the benefits of moving a Canadian Tire less than 400m against utilizing the land for other purposes such as residential or mixed use?

I'm so sorry if you're the wrong person to be directing these questions to. And if that's the case, would there be someone better you could point me towards? I'm interested in getting a better understanding of this process, and hopefully push for a better designed Kingston.

Thank you so much for your time; I hope to hear from you soon,  
Dakota Cross