



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-22-055**

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**To:** Chair and Members of the Committee of Adjustment  
**From:** Annemarie Eusebio, Intermediate Planner  
**Date of Meeting:** July 18, 2022  
**Application for:** Minor Variance  
**File Number:** D13-042-2021  
**Address:** 151 Bath Road  
**Owner:** CP Reit Ontario Properties  
**Applicant:** Parsons Inc.

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**Council Strategic Plan Alignment:**

Theme: 4. Strengthen economic development opportunities

Goal: 2.3 Implement tools and incentives to accelerate construction following planning approvals.

**Executive Summary:**

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances for the property located at 151 Bath Road. The applicant is proposing to construct a new Canadian Tire retail store. Additional components of the proposal include an automotive centre, office space, warehouse storage for the store and an attached garden centre. The proposed development will replace the existing Canadian Tire store that is currently located within the Kingston Centre at 59 Bath Road.

Further modifications to the site include:

- Closure of the existing right-in/right-out access to/from Sir John A. Macdonald Boulevard south of Elmwood Street and the establishment of a new all-movement, signalized access to/from Sir John A. Macdonald Boulevard at Elmwood Street.

July 18, 2022

Page 2 of 15

- Relocation of the existing pedestrian connection to the Bus Transfer Station from Elmwood Street, directly connecting with the Bus Transfer Station.
- A new connection to the Bus Transfer Station has also been established from the front of the Canadian Tire Retail Store via a six-metre wide promenade that includes a three-metre wide sidewalk and three-metre landscape space.
- Establishment of a new pedestrian connection from the Canadian Tire store to the municipal sidewalk along Bath Road.
- Establishment of new site landscaping within and surrounding the parking areas and along Sir John A. Macdonald Boulevard and Bath Road.
- Provision for three-metre asphalt multi-use pathway along the Sir John A. Macdonald Boulevard frontage.

To facilitate the construction of the new Canadian Tire retail store, the applicant is seeking relief from the applicable provisions of Zoning By-Law Number 8499 to reduce the parking rate from 4.8 spaces per 92.9 square metres of gross leasable area to 3.34 per 92.9 square metres gross leasable area, to reduce the number of onsite loading spaces from 11 spaces to 2 spaces, to reduce the minimum front yard setback from Bath Road from 38 metres to 6 metres and to reduce the minimum front yard setback from Sir John A. Macdonald Boulevard from 38 metres to 6.5 metres.

The subject property is located on lands that are not subject to the new Kingston Zoning By-Law Number 2022-62. Therefore, the application will only be considered through the site-specific 'C3.84' zone under Zoning By-Law Number 8499.

The development proposal is also subject to Site Plan Control approval in accordance with the City of Kingston Site Plan Control By-Law Number 2010-217. Technical components of the development proposal are currently being reviewed through the Site Plan Control application that was recently submitted by the applicant (Application Number D11-020-2021).

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

**Variance Number 1: Site Specific Shopping Centre Commercial 'C3.84' Zone**

By-Law Number 8499: Section 84

Requirement: 4.8 spaces per 92.9 square metres of gross leasable area

Proposed: 3.34 per 92.9 square metres of gross leasable area

Variance Requested: 1.46 spaces per 92.9 square metres of gross leasable area

**Variance Number 2: Loading Facilities**

By-Law Number 8499: Section 5.4

Requirement: 11 loading spaces

Proposed: 2 loading spaces

July 18, 2022

Page 3 of 15

Variance Requested: 9 loading spaces

**Variance Number 3: Minimum front yard from Bath Road**

By-Law Number 8499: Section 23.3 (b)

Requirement: 38 metres

Proposed: 6 metres

Variance Requested: 32 metres

**Variance Number 4: Minimum front yard from Sir John A. Macdonald Boulevard**

By-Law Number 8499: Section 23.3 (b)

Requirement: 38 metres

Proposed: 6.5 metres

Variance Requested: 31.5 metres

**Recommendation:**

**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.

July 18, 2022

Page 4 of 15

**Authorizing Signatures:**

ORIGINAL SIGNED BY PLANNER

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Annemarie Eusebio, Intermediate  
Planner

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

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

July 18, 2022

Page 5 of 15

**Options/Discussion:**

On June 6, 2021, a minor variance application was submitted by Parsons Inc., on behalf of the owner, CP Reit Ontario Properties, with respect to the property located at 151 Bath Road. Variances are requested to construct a new Canadian Tire retail store on the subject lands. Additional components of the proposal include an automotive centre, office space, warehouse storage for the store and an attached garden centre. The proposed development will replace the existing Canadian Tire store that is currently located within the Kingston Centre at 59 Bath Road.

Further modifications to the site include:

- Closure of the existing right-in/right-out access to/from Sir John A. Macdonald Boulevard south of Elmwood Street and the establishment of a new all-movement, signalized access to/from Sir John A. Macdonald Boulevard at Elmwood Street.
- Relocation of the existing pedestrian connection to the Bus Transfer Station from Elmwood Street, directly connecting with the Bus Transfer Station.
- A new connection to the Bus Transfer Station has also been established from the front of the Canadian Tire Retail Store via a six-metre wide promenade that includes a three-metre wide sidewalk and three-metre landscape space.
- Establishment of a new pedestrian connection from the Canadian Tire store to the municipal sidewalk along Bath Road.
- Establishment of new site landscaping within and surrounding the parking areas and along Sir John A. Macdonald Boulevard and Bath Road.
- Provision for three-metre asphalt multi-use pathway along the Sir John A. Macdonald Boulevard frontage.

The total area of the subject property is approximately 68,400 square metres. The overall gross floor area of the proposed development will be 10,897 square metres. Direct access into the subject site will be from Bath Road and Sir John A. Macdonald Boulevard. The site is designated District Commercial in the Official Plan (Exhibit D – Official Plan) and is located within a site-specific Shopping Centre Commercial ‘C3.84’ zone (Exhibit E- Zoning By-Law Map).

To facilitate the construction of the new Canadian Tire retail store, the applicant is seeking relief from the applicable provisions of Zoning By-Law Number 8499 to reduce the parking rate from 4.8 spaces per 92.9 square metres of gross leasable area to 3.34 per 92.9 square metres gross leasable area, to reduce the number of onsite loading spaces from 11 spaces to 2 spaces, to reduce the minimum front yard setback from Bath Road from 38 metres to 6 metres and to reduce the minimum front yard setback from Sir John A. Macdonald Boulevard from 38 metres to 6.5 metres.

The development proposal is also subject to Site Plan Control approval in accordance with the City of Kingston Site Plan Control By-Law Number (2010-217). Technical components of the

July 18, 2022

Page 6 of 15

development proposal are currently being reviewed through the site plan control application that was recently submitted by the applicant (Application Number D11-020-2021).

In support of the application, the applicant has submitted the following:

- Site Plan and Elevations (Exhibit G)
- Landscaping Plan (Exhibit H)
- Planning Rationale
- Parking Study
- Noise Study
- Storm Water Management Report
- Traffic Impact Study
- Servicing Plan
- Tree Preservation Study

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using “Look-up a Specific Address”. If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

### Site Characteristics

The subject property is located at 151 Bath Road which is situated on the northeast corner of Sir John A. Macdonald Boulevard and Bath Road (Exhibit B - Key Map). The property is situated within the Kingston Centre which is a commercial, retail and shopping area bounded by Princess Street, Sir John A. Macdonald Boulevard and Bath Road (Exhibit C – Neighbourhood Context). A Loblaws grocery store is located directly north of the development site and is situated similarly to the proposed Canadian Tire. Located north of the Loblaws store is an existing McDonalds restaurant. The commercial uses located within the Kingston Centre include pharmacies, retail stores, banks and restaurants. The Kingston Centre also functions as a bus transit hub and is identified by Kingston Transit as a Transfer Point which serves multiple bus routes.

The subject site is surrounded by commercial, institutional and residential uses. The site is directly across from commercial and recreational uses (e.g. YMCA), which are situated along Bath Road. Surrounding residential uses include mid-rise and high-rise apartments which are located along Sir John A. Macdonald Boulevard and Bath Road. The subject site is also directly across from office uses, a commercial plaza and restaurants along Princess Street.

### Application

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested, both separately and together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

July 18, 2022

Page 7 of 15

## Provincial Policy Statement

In addition to the four tests of a minor variance detailed above, Subsection 3(5) of the *Planning Act* requires that a decision in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (the PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development which are complemented by local policies addressing local interests. The application being considered is site specific to accommodate a specific proposal and does not involve any major policy considerations and as such, the proposal conforms to and is consistent with the PPS.

### 1) The general intent and purpose of the Official Plan are maintained

The subject property is designated District Commercial in the City of Kingston Official Plan.

In considering whether this proposed variance is desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the Official Plan. The following provides these nine requirements and an assessment of how the proposal is consistent with each.

1. The proposed development meets the intent of Section 2 Strategic Policy Direction, and all other applicable policies of this Plan;

The proposal meets the intent of Section 2 of the Official Plan, and the strategic policy direction to focus growth within the City's defined Urban Boundary. The Kingston Centre District Commercial area is identified as a 'Centre' on Schedule 2 of the Official Plan. A 'Centre' is intended for a broader combination of uses, including automotive, housewares, entertainment uses, as well as medium or high density residential buildings. Section 3.4.D of the Official Plan indicates that the goal of the District Commercial designation is provide for a convenient commercial focus for surrounding neighbourhoods for a range of frequently used goods and services.

The proposed development which will include a retail store, automotive centre, office use and garden centre are permitted uses within the District Commercial designation of the Official Plan. The proposed commercial uses will provide a wide range of goods and services to existing and future residents within the immediate area which aligns with the District Commercial designation of the Official Plan.

2. The proposed development will be compatible with surrounding uses, buildings or structures and development standards associated with adjacent properties, and if necessary, incorporate means of alleviating adverse effects on abutting land uses as recommended in Section 2.7 of this Plan;

Sections 2.7.1 and 2.7.2 of the Official Plan require that any development proposals demonstrate that the proposed form, function and use of the land are compatible with surrounding uses and consider the potential for adverse effects.

July 18, 2022

Page 8 of 15

The proposed commercial building complies with the maximum 13.7 metre height provision of the zoning by-law, and abuts commercial uses to the west, north and south. There will be no adverse impacts on neighbouring properties related to shadowing, wind, loss of privacy or visual intrusion. The property fronts onto Bath Road and Sir John A. Macdonald Boulevard, which are arterial roads which are well-served by transit, and are designed to serve relatively high volumes of traffic. All vehicle parking will be contained on the site. The property is not in an area with any nearby identified cultural heritage resources or natural heritage resources.

The built form is not anticipated to create adverse impacts on the surrounding area. With the reduced front yard setbacks (Exhibit G- Site Plan and Elevations), additional landscaping treatments will be installed to soften the building edge along Sir John A. Macdonald Boulevard and Bath Road (Exhibit H – Landscaping Plan). The proposal will result in a development that is similar to the front yard setback of existing buildings on the site along Sir John A. Macdonald Boulevard and Bath Road and represents a reasonable form of development with a greater emphasis on a walkable pedestrian oriented streetscape. The proposed retail store is compatible with the existing commercial uses within the Kingston Centre as well as the surrounding commercial uses and will not result in significant impacts or changes to the immediate area.

The applicant will be required to demonstrate architectural compatibility, adequate servicing capacity, stormwater management and that there will be no adverse impacts on neighbouring properties resulting from light pollution or noise, as part of the Site Plan Control review process.

3. The ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles or any other matter and means of improving such function including considerations for universal accessibility;

In addition to the above noted policy, the Official Plan contains development criteria that is specific to the Kingston Centre. Section 3.4.D.10 indicates that development within the Kingston Centre block, bounded by Princess Street, Bath Road and Sir John A. Macdonald Boulevard will only be considered in the context of a plan for the entire site that addresses access, active transportation and vehicular circulation, underground or structured parking, the need for secure sheltered bicycle parking, site landscaping, and improvements to the streetscape that will enhance opportunities for wayfinding, active transportation, amenities, and increased sustainability of the site; a traffic impact analysis required to address the access points, turning motions, capacities and intersections of the streets abutting the block.

With respect to active transportation enhancements, a total of 10 bicycle parking spaces are provided on the site. A new east-west pedestrian link will be provided between the existing bus transfer station and the retail store. The pedestrian walkway will be 3 metres wide and will include an additional 3 metres of landscaping. Further, a multi-use pathway is proposed along Sir John A. Macdonald Boulevard towards Elmwood Street which will provide a pedestrian and cycling connection into the Kingston Centre. As noted, the



July 18, 2022

Page 9 of 15

proposed development is currently subject to a Site Plan Control process which will formalize these connections.

As part of this minor variance application, the applicant is seeking relief from the required parking rate of 4.8 spaces per 92.9 square metres of gross leasable area to be reduced to 3.34 per 92.9 square metres gross leasable area. The proposed parking rate is supported by a Parking Study that was submitted by the applicant. A total of 238 parking spaces will be provided onsite for the proposed development which will result in an overall supply of 674 spaces for the entire lot. The proposed parking supply includes 10 barrier free parking spaces designed for Type A and B vehicles which are located at the front of the store. The proposed reduced parking rate will result a parking supply that appropriate for the site.

With respect to access, the development proposal will involve the removal of an existing right-in/right-out access along Sir John A. Macdonald Boulevard just north of Bath Road and replace it with a new signalized access to the Kingston Centre via the Sir John A. Macdonald Boulevard and Elmwood Street intersection. A standard four-way intersection will be created to provide a new connection to accessing the site in a safe manner.

Considerations for universal accessibility, details of the construction of the signalized access, active transportation and traffic impacts will be further reviewed as part of the Site Plan Control technical review process.

4. The conformity of the proposal to any applicable urban design policies endorsed by Council, particularly if the site includes or could impact a built heritage resource or is within a Heritage District;

The property does not include or abut any built heritage resources, nor is it within a Heritage District. The subject property has frontage on Sir John A. Macdonald Boulevard and Bath Road. As indicated in the Urban Design Policies (Section 8) of the Official Plan, Sir John A. Macdonald Boulevard is identified as a 'gateway' into the City. Gateways provide an important entryway into the City and treatments of the roadways is a high priority. Additional landscaping treatments will be installed to soften the building edge along Sir John A. Macdonald Boulevard (Exhibit H – Landscaping Plan).

5. If the site is designated under the *Ontario Heritage Act*, the application shall be reviewed by Heritage Kingston for approval. If the property is adjacent to a designated property under the *Ontario Heritage Act* or shown as a Heritage Area feature, or is affected by the protected views shown on Schedule 9 of this Plan, then a heritage impact statement may be required to assist staff to determine if the resulting development is desirable;

The property is not designated under the *Ontario Heritage Act*, nor is it adjacent to any heritage properties. The site is not within a heritage character area. A Heritage Impact Statement is not required.

July 18, 2022

Page 10 of 15

The subject lands are within an area of Limited Archaeological Potential as indicated in the City of Kingston Archaeological Master Plan. An Archaeological Report is not required.

6. The resulting development has adequate municipal water and sewage services within the Urban Boundary, or is capable of providing individual on-site water and sewage services outside the Urban Boundary;

The property is within the Urban Boundary as shown on Schedule 2 of the Official Plan and its development is serviced with full municipal services. The proposed development will make use of the existing municipal services on-site.

7. Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed by a zoning amendment to the applicable zoning by-law;

The proposed commercial use is permitted in the C3 Zone and is supported by the property's District Commercial designation. The proposed variances are considered minor and the development is consistent with the existing built form along Bath Road and Sir John A. Macdonald Boulevard. Therefore a zoning by-law amendment is not required.

8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements, recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;

The Committee of Adjustment may require additional conditions as it deems appropriate to the approval of the application. There are several recommended conditions of approval associated with the recommendation, as outlined in Exhibit A.

9. The degree to which such approval may set an undesirable precedent for the immediate area.

The proposed development is consistent with the existing built form of the immediate area and approval of the minor variance will not set undesirable precedent.

The proposal meets the intent of the Official Plan, as the proposed retail development will not result in any negative impacts to adjacent properties or to the neighbourhood. Further review with respect to landscaping, storm water management, noise impacts, traffic impacts and active transportation considerations will be undertaken through the Site Plan Control technical review process.

## **2) The general intent and purpose of the zoning by-law are maintained**

The subject property is located within a site-specific Shopping Centre Commercial 'C3.84' zone in the City of Kingston Zoning By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended. The C3 zone permits a variety of commercial uses to cater to the traveling public and local services for

July 18, 2022

Page 11 of 15

area residents. The proposed Canadian Tire retail store, supporting office uses, garden centre and automotive centre are permitted uses within the C3 zone. It should be noted that the automotive service centre will not involve machining, body or painting work.

The subject property is located on lands that are not subject to the new Kingston Zoning By-Law Number 2022-62.

The proposal requires variances to the following sections of Zoning By-Law Number 8499.

**Variance Number 1: -Site Specific Shopping Centre 'C3.84' Commercial Zone**

By-Law Number 8499:	Section 84
Requirement:	4.8 spaces per 92.9 square metres of gross leasable area
Proposed:	3.34 per 92.9 square metres of gross leasable area
Variance Requested:	1.46 spaces per 92.9 square metres of gross leasable area

Section 84 of Zoning By-Law Number 8499 indicates that the number of parking spaces provided on the subject lands shall be not less than 4.8 spaces per 92.9 metres squared of gross leasable area. The applicant is seeking relief to reduce the parking rate for the site to 3.34 per 92.9 square metres of gross leasable area. To support the reduction of parking spaces for the site, a Parking Study was prepared by IBI Group Incorporated and submitted with the minor variance application. The Parking Study focused on a review of relevant parking studies at proxy sites prior to the COVID-19 pandemic to determine a suitable parking supply for the subject lands. It was found that that a reduced parking rate of 3.34 spaces per 92.9 square metres of gross leasable area would still be above projected peak demand needs.

Section 5.3 (d) of Zoning By-Law Number 8499 indicates that for commercial uses, accessible parking spaces should be provided at a rate of 4% of the required parking spaces. The proposed parking supply includes 10 barrier free parking spaces designed for Type A and B vehicles which are located at the front of the store, which meets the accessibility requirements. Transportation staff have no objection to the proposed reduction in parking for the site. The reduced parking rate is appropriate for the proposed development on the site.

**Variance Number 2: Loading Facilities**

By-Law Number 8499:	Section 5.4
Requirement:	11 loading spaces
Proposed:	2 loading spaces
Variance Requested:	9 loading spaces

Section 5.4 of Zoning By-Law Number 8499 indicates the zoning provisions for loading facilities. For retail stores, 1 off-Street loading space per 465.0 square metres of total floor area, however not more than 2 such spaces shall be required unless the building has a total floor area of over 1,860.0 square metres, in which case there shall be provided 1 additional loading space for each additional 930.0 square metres of total floor area. Based on this calculation, a total of 11 spaces is required for the subject lands.

July 18, 2022

Page 12 of 15

The applicant is requesting relief to reduce the required total of 11 loading spaces to 2 loading spaces. The applicant has noted that deliveries to the Canadian Tire store are scheduled 7 days a week during business hours and are scheduled such that there are typically no greater than two delivery trucks on site at any time. The reduced number of loading spaces will not significantly impact the site circulation or require the occupation of customer parking spaces or drive aisles. The proposed number of loading spaces will meet the operational needs of the retail store and will not impact the overall functionality of the site.

**Variance Number 3:** Minimum front yard from Bath Road

By-Law Number 8499:	Section 23.3 (b)
Requirement:	38 metres
Proposed:	6 metres
Variance Requested:	32 metres

**Variance Number 4:** Minimum front yard from Sir John A. Macdonald Boulevard

By-Law Number 8499:	Section 23.3 (b)
Requirement:	38 metres
Proposed:	6.5 metres
Variance Requested:	31.5 metres

Under Zoning By-Law Number 8499, the front yard means a yard extending across the full width of the lot between the front lot line of the lot and nearest part of any excavation or main building on the lot. The applicant is proposing to reduce the minimum front yard setback from Bath Road from 38 metres to 6 metres and to reduce the minimum front yard setback from Sir John A. Macdonald Boulevard from 38 metres to 6.5 metres. The proposal will result in a development that is similar to the front yard setback of existing buildings on the site along Sir John A. Macdonald Boulevard and Bath Road and represents a reasonable form of development. Additional landscaping treatments will be installed to soften the building edge along Sir John A. Macdonald Boulevard (Exhibit H – Landscaping Plan). The proposed landscaping will provide a buffer between the proposed development and the existing residential uses on the west side of Sir John A. Macdonald Boulevard. The proposal is compatible with the existing commercial uses within the Kingston Centre as well as the surrounding commercial uses and will not result in significant impacts or changes to the immediate area.

### 3) The variances are minor in nature

The variances are considered minor in nature as the proposed retail use is permitted within the 'C3' Zone. The proposed reduced parking rate will provide an appropriate parking supply for the subject lands. The site additionally complies with accessible parking space requirements. The variance to reduce the number of loading spaces is minor and appropriate for the site and will meet the operational needs associated with the proposed retail use. The reduced front yard setback will result in a development that is similar to the front yard setback of existing buildings on the site along Sir John A. Macdonald Boulevard

July 18, 2022

Page 13 of 15

and Bath Road. The proposed variances will not affect the overall functionality of the site in terms of landscaping, parking, and loading.

**4) The variances are desirable for the appropriate development or use of the land, building or structure**

The proposed retail use is permitted on the site and is compatible with the intent of the district commercial designation, the surrounding commercial land uses, and the property’s location on two arterial roads. The proposed retail use will provide a range of goods and services to existing and future residents in the immediate area. The proposed variances are desirable to maximize developable area while ensuring sufficient room for parking, loading and landscaping on the site. The development proposal will also include active transportation enhancements through the construction of a multi-use pathway along Sir John A. Macdonald Boulevard and internal connections within the site for use by pedestrians, cyclists and transit users.

The variance is desirable and appropriate use of the land.

**Technical Review: Circulated Departments and Agencies**

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Building Services | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Services) |
| <input type="checkbox"/> Finance                      | <input checked="" type="checkbox"/> Utilities Kingston     | <input type="checkbox"/> Real Estate & Environmental Initiatives |
| <input checked="" type="checkbox"/> Fire & Rescue     | <input checked="" type="checkbox"/> Kingston Hydro         | <input checked="" type="checkbox"/> City’s Environment Division  |
| <input type="checkbox"/> Solid Waste                  | <input checked="" type="checkbox"/> Parks Development      | <input type="checkbox"/> Canadian National Railways              |
| <input type="checkbox"/> Housing                      | <input checked="" type="checkbox"/> District Councillor    | <input type="checkbox"/> Ministry of Transportation              |
| <input type="checkbox"/> KEDCO                        | <input type="checkbox"/> Municipal Drainage                | <input type="checkbox"/> Parks of the St. Lawrence               |
| <input checked="" type="checkbox"/> CRCA              | <input type="checkbox"/> KFL&A Health Unit                 | <input type="checkbox"/> Trans Northern Pipelines                |
| <input type="checkbox"/> Parks Canada                 | <input type="checkbox"/> Eastern Ontario Power             | <input type="checkbox"/> CFB Kingston                            |
| <input checked="" type="checkbox"/> Hydro One         | <input checked="" type="checkbox"/> Enbridge Pipelines     | <input type="checkbox"/> TransCanada Pipelines                   |
| <input type="checkbox"/> Kingston Airport             |  |  |

**Technical Comments**

This application was circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude this application from moving forward. Any technical comments that are received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

**Public Comments**

At the time this report was finalized, one piece of correspondence has been received. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

July 18, 2022

Page 14 of 15

**Previous or Concurrent Applications**

There are no concurrent or relevant historic planning applications on the subject property.

**Conclusion**

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variances are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

Approval of this application will allow for the construction of a Canadian Tire retail store, automotive centre and garden centre on the subject lands.

**Existing Policy/By-Law:**

The proposed application was reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes would be consistent with the Province's and the City's vision of development. The following documents were assessed:

**Provincial**

Provincial Policy Statement, 2020

**Municipal**

City of Kingston Official Plan

Zoning By-Law Number 8499

Zoning By-Law Number 2022-62

**Notice Provisions:**

A Committee of Adjustment Meeting is going to be held respecting this application on July 18, 2022. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 10 days in advance of the meeting. In addition, notices were sent by mail to a total number of 18 property owners (according to the latest Assessment Roll) within 60 metres of the subject property and a courtesy notice was placed in The Kingston Whig-Standard.

Once a decision has been rendered by the Committee of Adjustment, a Notice of Decision will be circulated in accordance with the provisions of the *Planning Act*.

July 18, 2022

Page 15 of 15

**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

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

Annemarie Eusebio, Intermediate Planner, 613-546-4291 extension 3183

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context (2021)
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Number 8499, Map 13
- Exhibit F Kingston Zoning By-Law Number 2022-62 Map
- Exhibit G Site Plan and Elevations
- Exhibit H Landscaping Plan
- Exhibit I Site Photo
- Exhibit J Public Notification Map
- Exhibit K Public Comments

## Recommended Conditions

### Application for minor variance and permission, File Number D13-042-2022

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

#### 1. Limitation

That the approved minor variance applies only to the reduction in the required parking rate, number of loading spaces width minimum front yard setback, 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

In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132) and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries at the Ministry of Government and Consumer Services (416-212-7499), the Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.






Planning Services

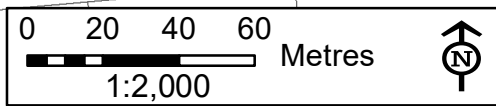
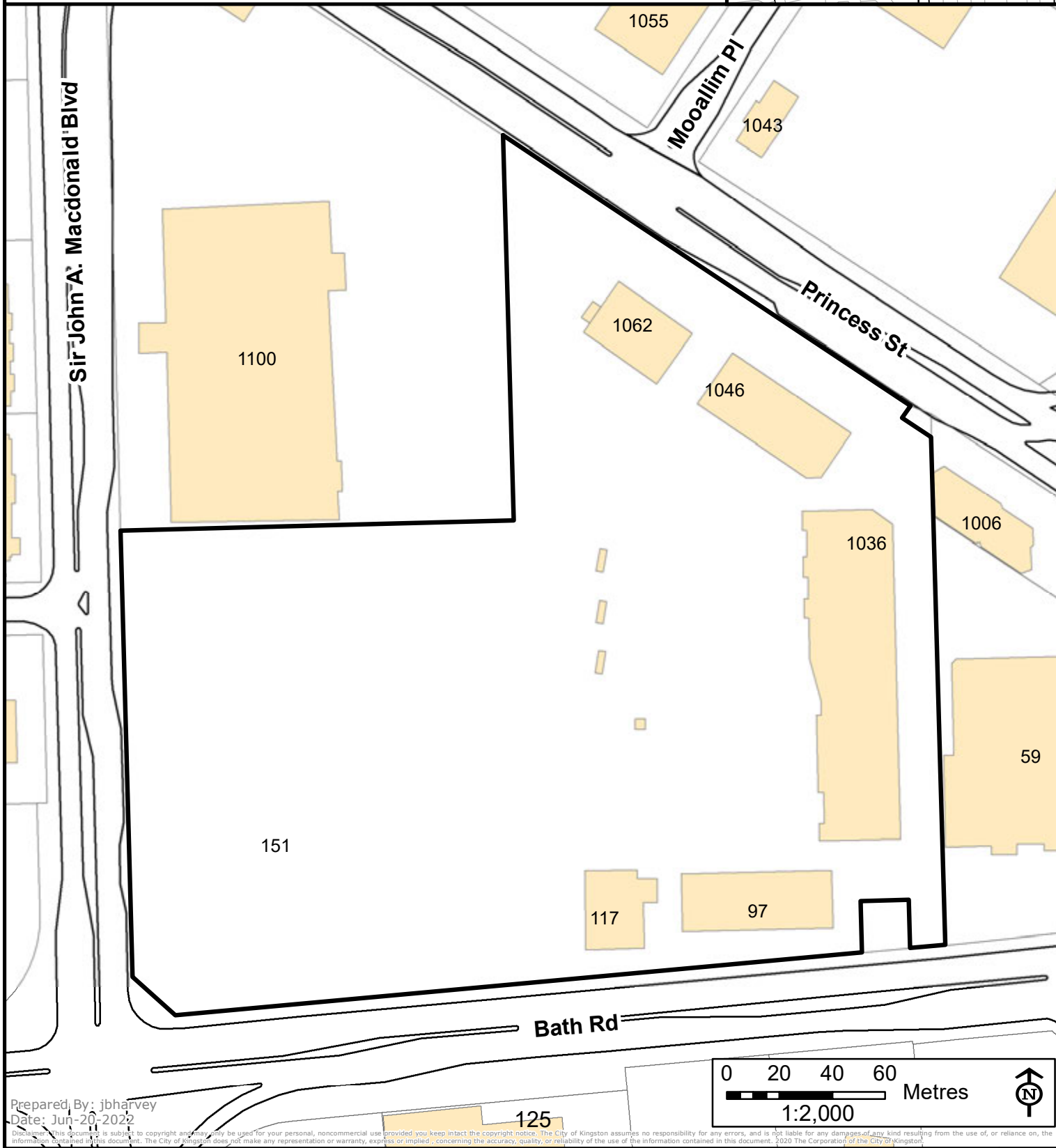
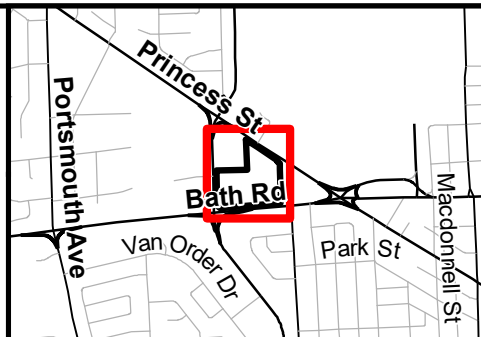
# Committee of Adjustment

## Key Map

Address: 151 Bath Road

File Number: D13-042-2021




 Lands Subject to Minor Variance





Committee of Adjustment  
**Neighbourhood Context (2021)**

Address: 151 Bath Road  
File Number: D13-042-2021

-  Subject Lands
-  Property Boundaries
-  Proposed Parcels

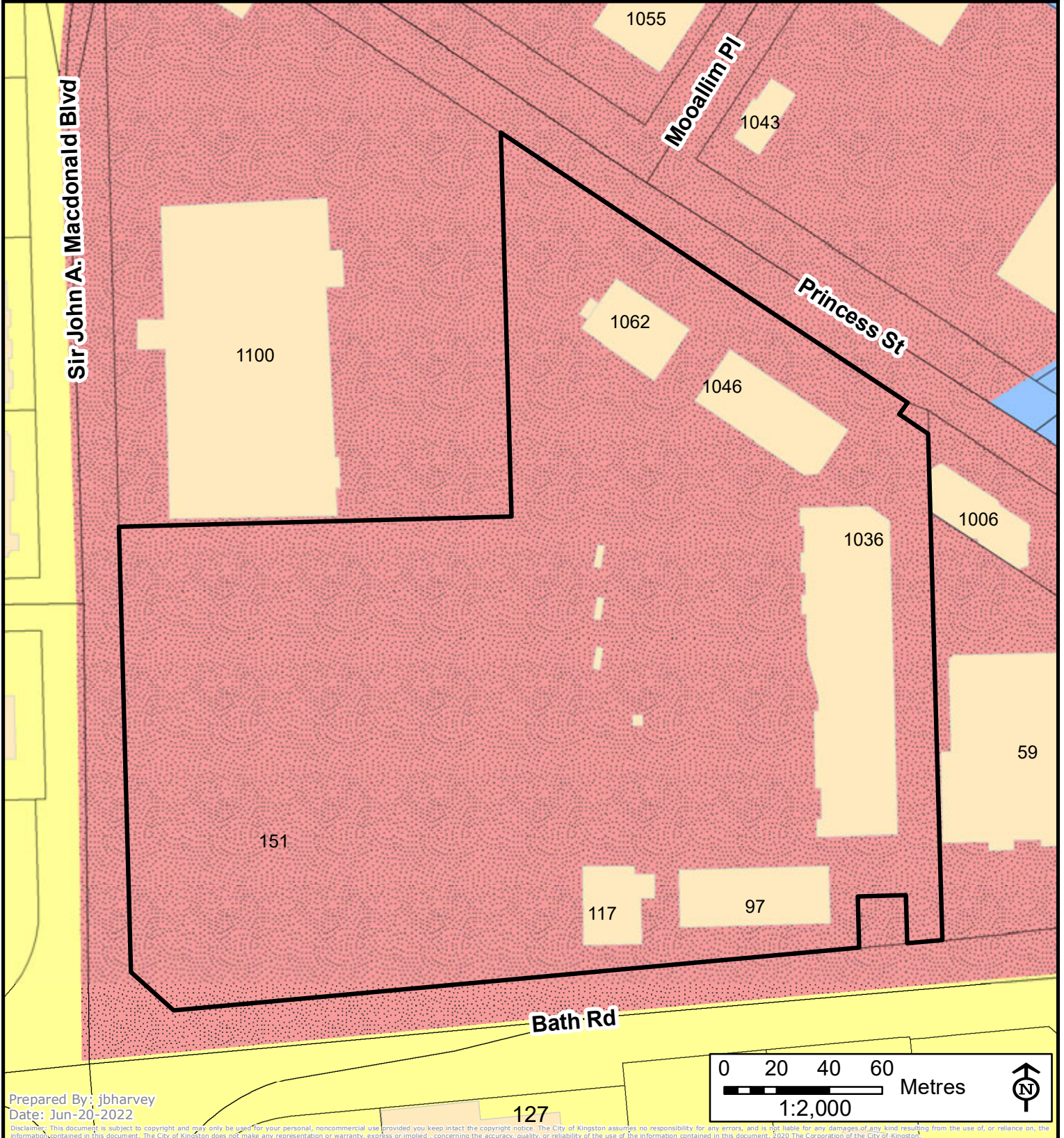


Prepared By: jbhharvey  
Date: Jun-20-2022



Committee of Adjustment  
**Official Plan, Existing Land Use**  
Address: 151 Bath Road  
File Number: D13-042-2021

- Subject Lands
- BUSINESS PARK INDUSTRIAL
- DISTRICT COMMERCIAL
- RESIDENTIAL





Planning Services

Committee of Adjustment

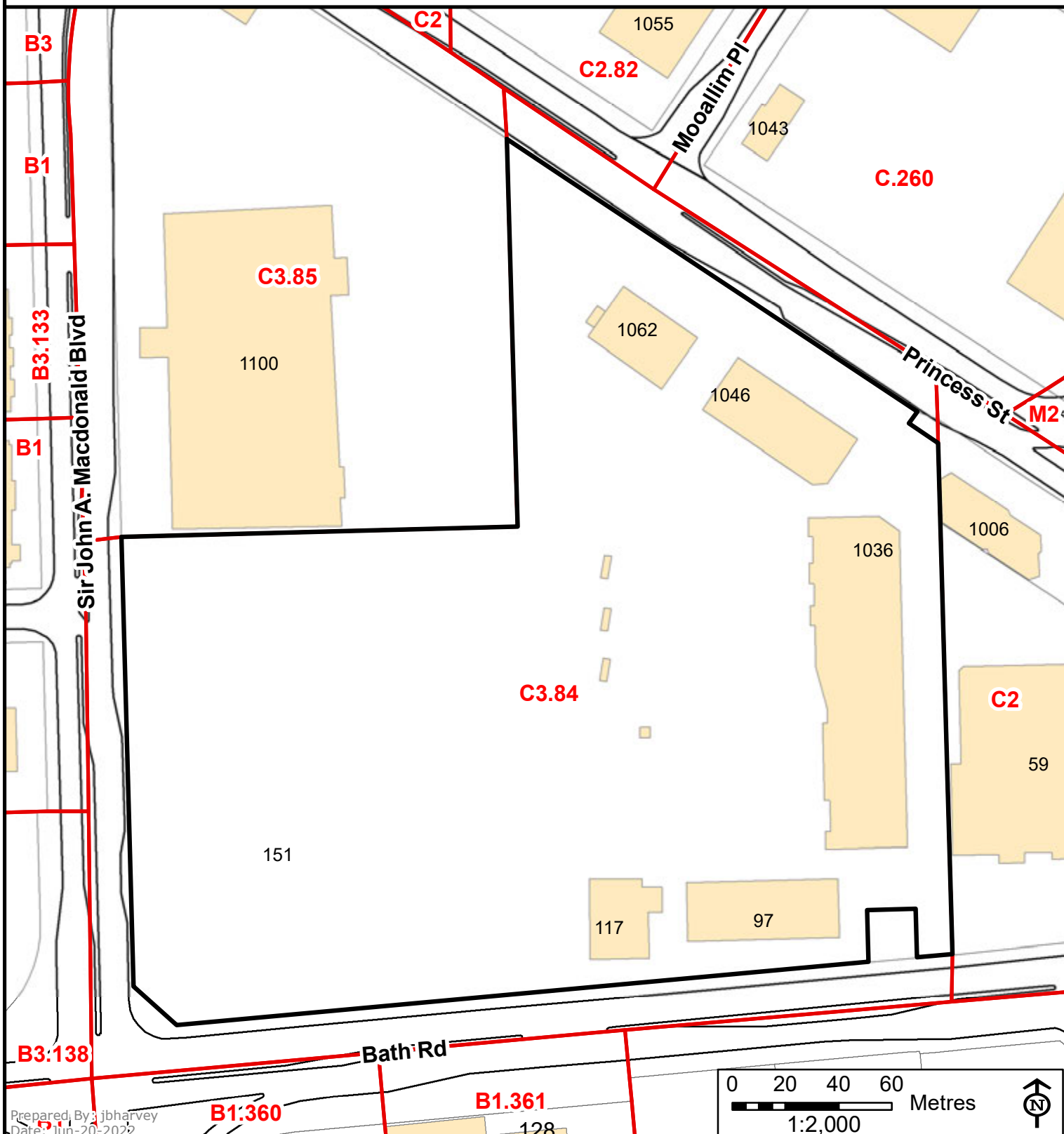
Existing Zoning - By-law 8499, Map 13

Address: 151 Bath Road

File Number: D13-042-2021

Subject Lands

Consolidated Zoning

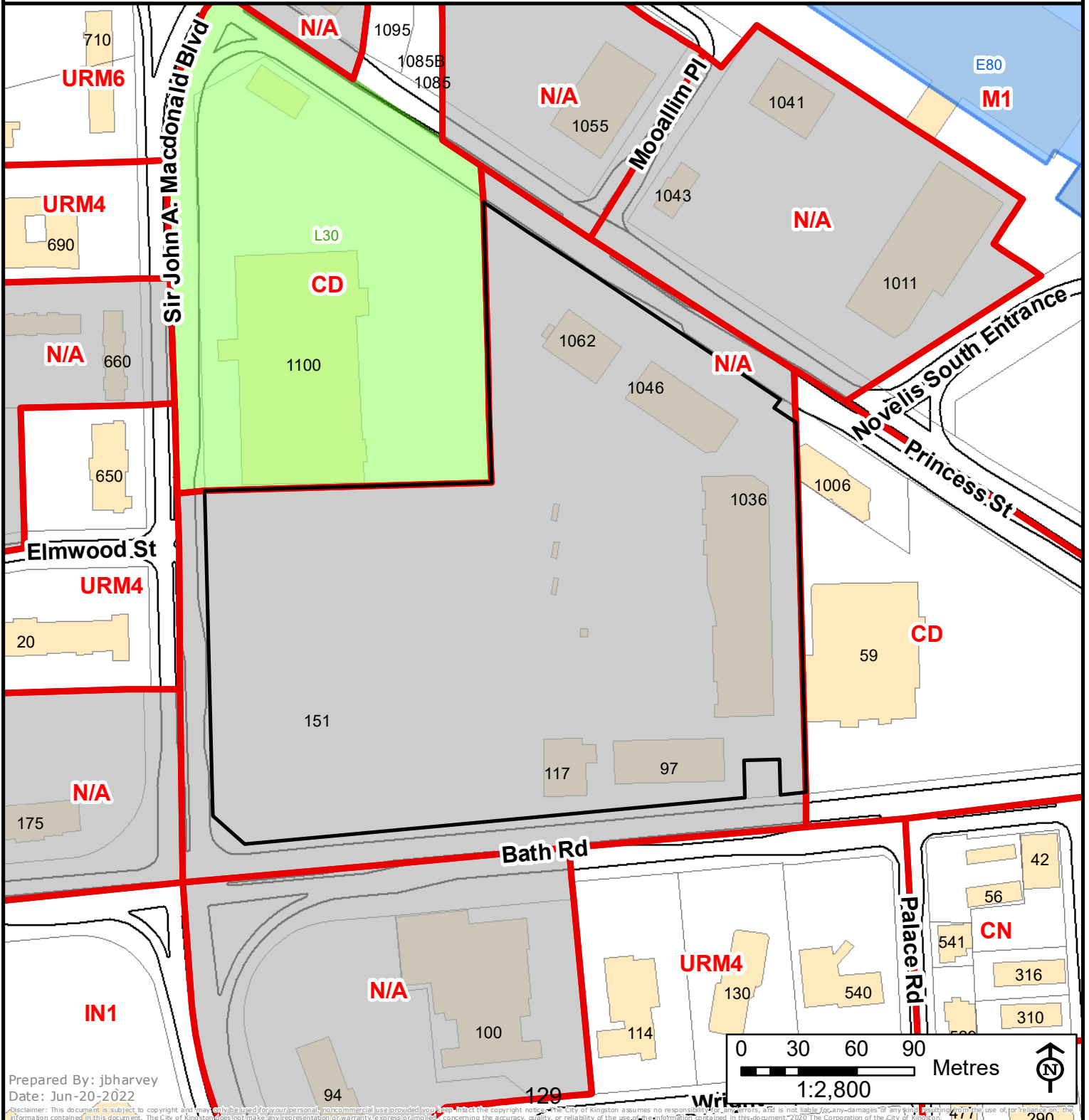




Planning Committee  
Reference Kingston Zoning Bylaw

Address: 151 Bath Road  
File Number: D13-042-2021

- Subject Lands
- Schedule 1 Zoning Map
- Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay
- Holding Overlay (HXXX)



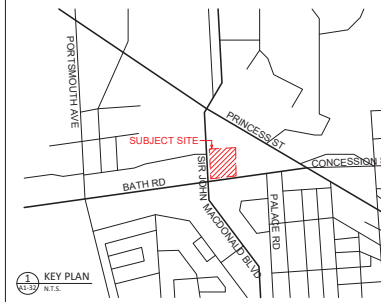
Prepared By: jbharvey  
Date: Jun-20-2022

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STATISTICS		TOTAL		PER 1000 S.F.	
ITEM	REQUIREMENT	PROVIDED	REQUIREMENT	PROVIDED	REQUIREMENT
MINIMUM FRONT YARD	38 M	38 M	38 M	38 M	38 M
MINIMUM SIDE YARD	10.7 M	10.7 M	10.7 M	10.7 M	10.7 M
MINIMUM REAR YARD	10.7 M	10.7 M	10.7 M	10.7 M	10.7 M
MAXIMUM LOT OCCUPANCY - SITE A + C (411,424 S.M.)	30% OF LOT AREA	27.96 %	YES		
MINIMUM LOT DEPTH	12 M	17.8 M	YES		
MINIMUM DISTANCE BETWEEN SEPARATED BUILDINGS	15 M	39 M	YES		
PARKING - SITE A (PROPOSED CANADIAN TIRE, 410,887 S.M.)	4.8 PER 92.9 S.M. G.L.A. - 163 CARS	238 CARS (2,031,000 S.F.) (2,188 S.M.)	YES		
PARKING - SITE C (EXISTING RETAIL C, D, E, F, G, H, 17,822 S.M.)	4.8 PER 92.9 S.M. G.L.A. - 366 CARS	438 CARS (2,191,000 S.F.) (15,599 S.M.)	YES		
PARKING - SITE A + C (PROPOSED CANADIAN TIRE, 410,887 S.M.)	4.8 PER 92.9 S.M. G.L.A. - 366 CARS	672 CARS (3,364,000 S.F.) (25,920 S.M.)	NO		
PARKING - SITE B (ZONE C3.85) (2,611,905 RETAIL A AND I, 19,593 S.M.)	A - 4.8 PER 92.9 S.M. G.L.A. - 477 CARS	418 CARS (2,091,000 S.F.) (4,368 S.M.)	NO		
ACCESSIBLE PARKING - SITE A (PROPOSED CANADIAN TIRE, 410,887 S.M.)	4% OF STANDARD PARKING REQUIRED	16 CARS	YES		
OFF STREET LOADING (PROPOSED CANADIAN TIRE, 410,887 S.M.)	13 LOADING SPACE (2 UP TO 1,869 S.M. + 1,188 S.M. THEREAFTER)	2 SPACE	NO		

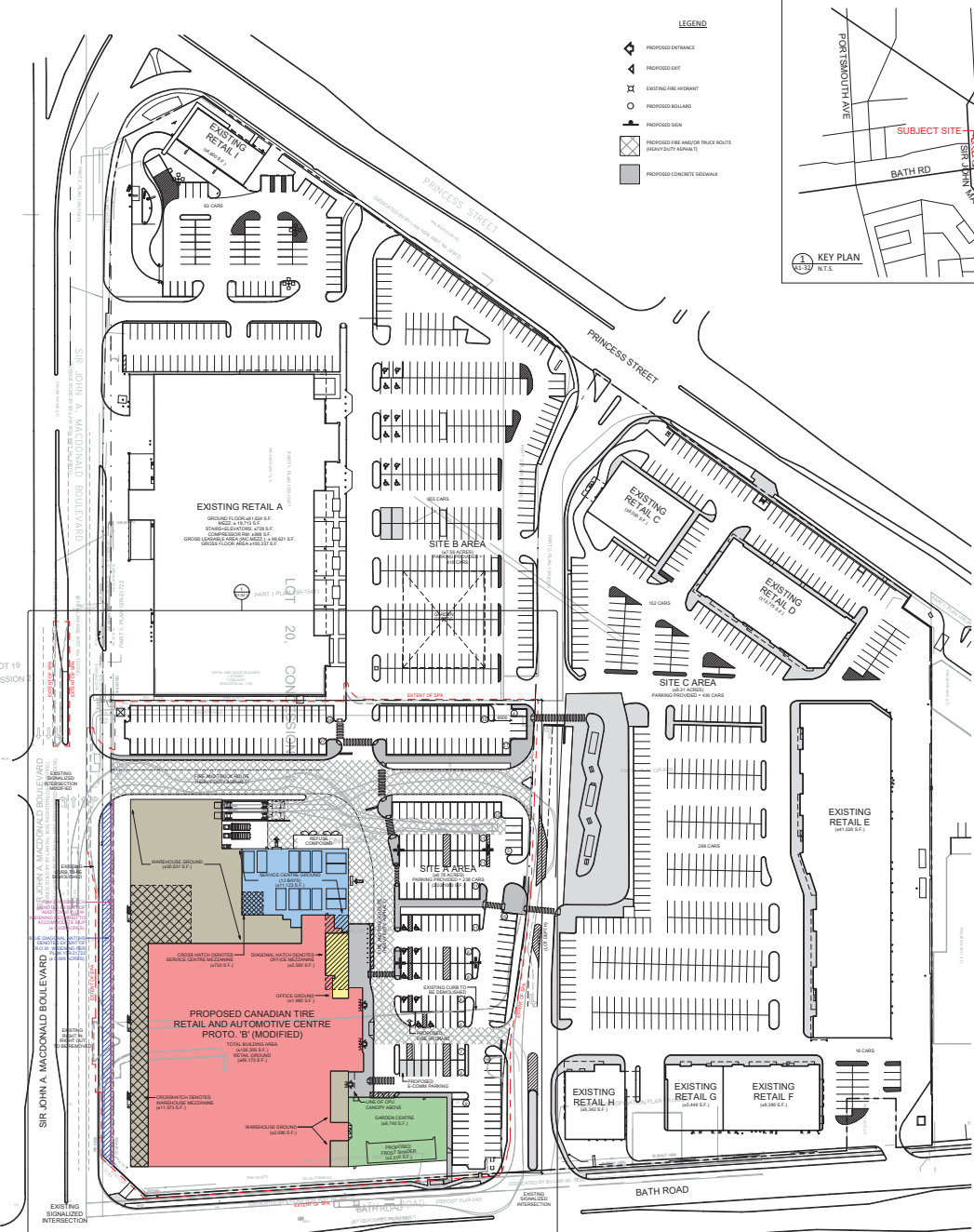
**ZONING AND REGULATIONS SCHEDULE**

ZONE	REQUIRED	PROVIDED	CONFORMS
COMMERCIAL DISTRICT C3.84			
MAXIMUM HEIGHT	13.7M	9.5 M	YES
MINIMUM FRONT YARD (FROM BATH ROAD - SR JOHN A. MACDONALD BLVD.)	38 M	5.15 M TO BLDG, 418 M TO STAIRS	NO
MINIMUM SIDE YARD	10.7 M	38.2 M	YES
MINIMUM REAR YARD	10.7 M	N/A	YES
MAXIMUM LOT OCCUPANCY - SITE A + C (411,424 S.M.)	30% OF LOT AREA	27.96 %	YES
MINIMUM LOT DEPTH	12 M	17.8 M	YES
MINIMUM DISTANCE BETWEEN SEPARATED BUILDINGS	15 M	39 M	YES
PARKING - SITE A (PROPOSED CANADIAN TIRE, 410,887 S.M.)	4.8 PER 92.9 S.M. G.L.A. - 163 CARS	238 CARS (2,031,000 S.F.) (2,188 S.M.)	YES
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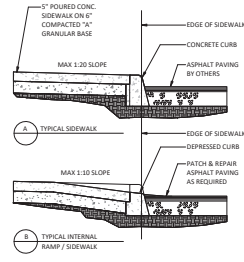


**LEGEND**

- PROPOSED ENTRANCE
- PROPOSED LOT
- EXISTING FIRE HYDRANT
- PROPOSED BOULEVARDS
- PROPOSED SIGN
- PROPOSED FIRE AND/OR TRUCK ROUTE (READY-USE ROUTE)
- PROPOSED CONCRETE SIDEWALK

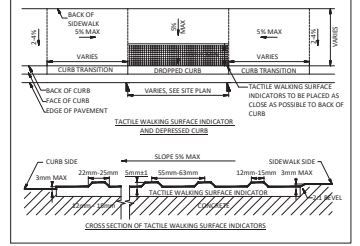
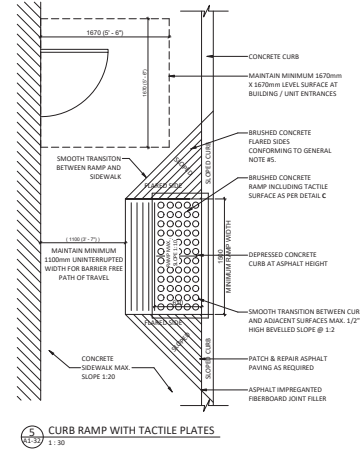


7 OVERALL SITE PLAN  
1: 800

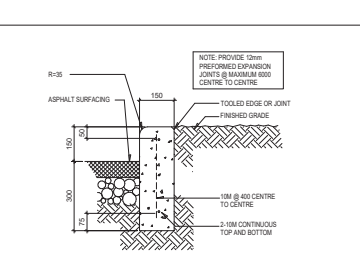
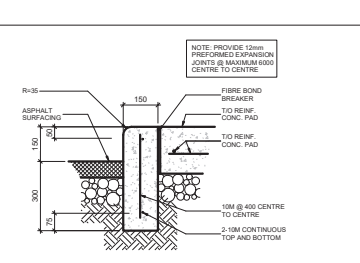


**GENERAL NOTES**

- G1. SIDEWALK SLOPES TO BE 1/8" / FT. (1%) MAX. IN ALL DIRECTIONS ALONG STOREFRONT, 1/4" / FT. (2%) MAX. IN OTHER AREAS.
- G2. EXPANSION JOINTS ARE TO BE AS SPECIFIED & AS LOCATED ON ARCHITECTURAL DOCUMENTS.
- G3. REINFORCING TO BE AS PER STRUCTURAL DOCUMENTS.
- G4. CONCRETE TO BE BROOM FINISHED AS PER ARCHITECTURAL SPECIFICATIONS.
- G5. CONSTRUCTION OF CURB RAMPS TO BE IN ACCORDANCE WITH THE REQUIREMENTS IN PROVINCE OF ONTARIO - DESIGN OF PUBLIC SPACES STANDARD - PART 10.1 OF ONTARIO REGULATIONS 550.17. IT MUST HAVE TACTILE WALKING SURFACE INDICATORS THAT:
  - i) HAVE RAISED TACTILE PROFILE,
  - ii) HAVE A HIGH TONAL CONTRAST WITH THE ADJACENT SURFACE,
  - iii) ARE LOCATED AT THE BOTTOM OF THE CURB RAMP,
  - iv) ARE SET BACK BETWEEN 100mm AND 200mm FROM THE CURB EDGE,
  - v) EXTEND THE FULL WIDTH OF THE CURB RAMP, AND
  - vi) ARE A MINIMUM OF 600mm IN DEPTH.



7 DETAIL OF TACTILE SURFACE



1	2022-05-10	ISSUED FOR SPA	RCH
2	2022-05-11	ISSUED FOR SPA	CAF
3	2022-05-10	ISSUED FOR COORDINATION	CAF
4	2022-03-21	ISSUED FOR SPA	JHL
5			BT



PROJECT: 151 BATH ROAD  
KINGSTON, ONTARIO  
SPA-2018-0028

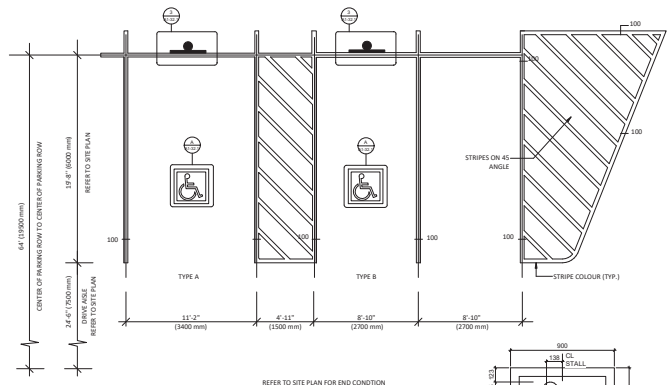
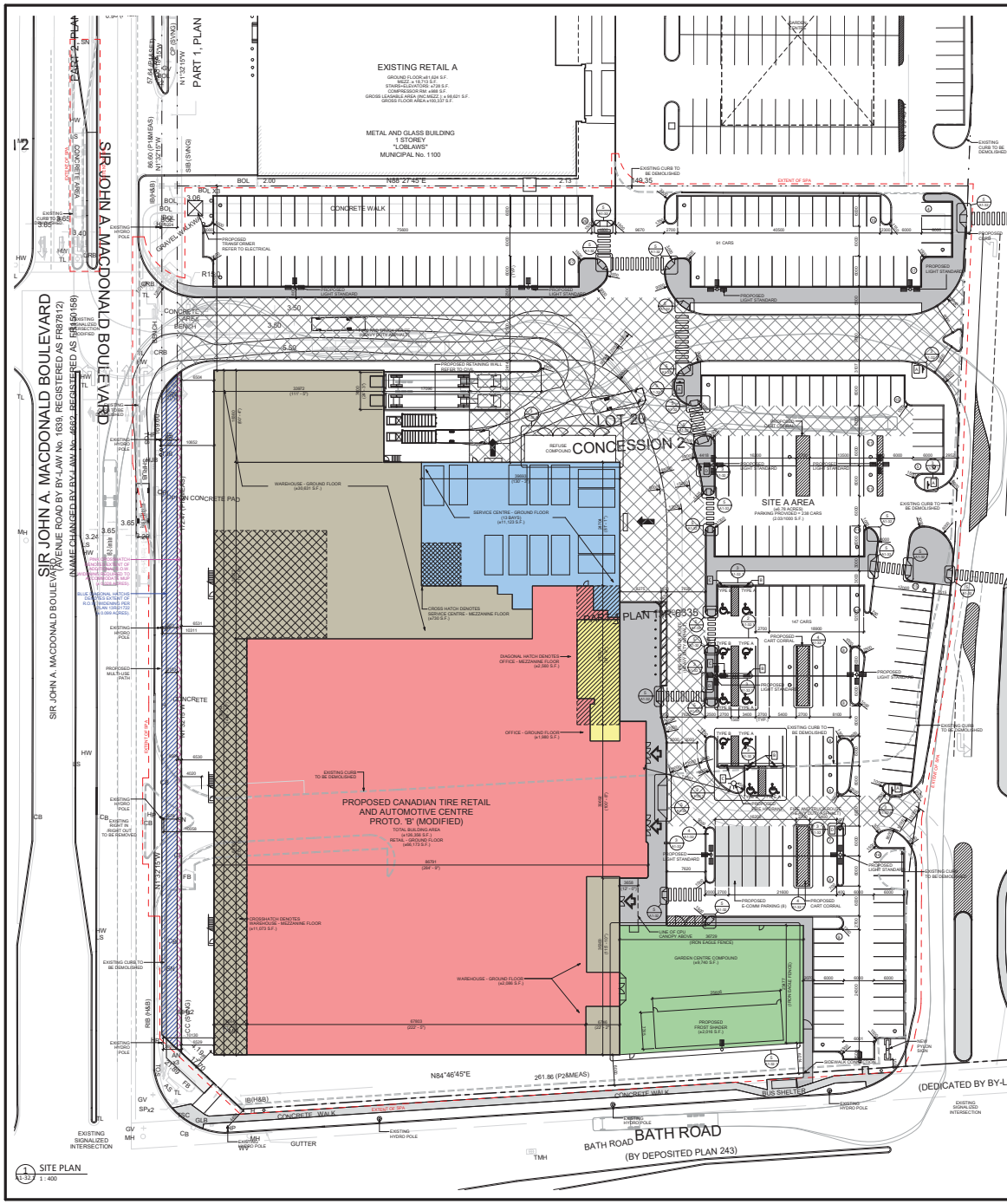
DRAWING: OVERALL SITE PLAN

PROJECT NO: 15.311  
PROJECT DATE: 2022-11-03  
DRAWN BY: JHL  
CHECKED BY: RCH  
SCALE: As Indicated

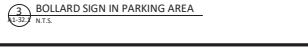
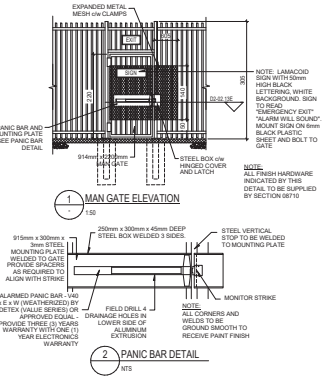
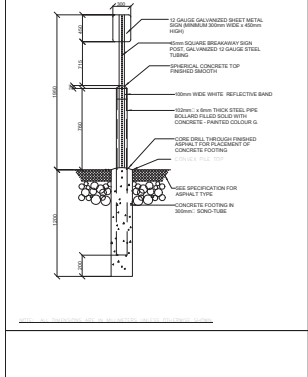
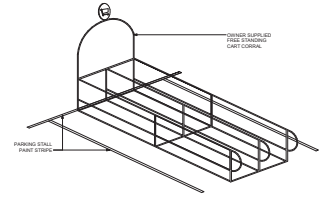
DRAWING NO: A1-32

**COLOUR LEGEND**

- RETAIL
- WAREHOUSE
- OFFICE
- SERVICE CENTRE
- GARDEN CENTRE
- WAREHOUSE MEZZANINE
- OFFICE MEZZANINE
- SERVICE CENTRE MEZZANINE



SYMBOL	SIGN	DESCRIPTION
A		"STOP" SIGN RED (R10-1) SIGN WHITE REFL. LEGEND & BORDER, RED REFL. BACKGROUND
B		"DISABLED PARKING PERMIT" SIGN RED REFL. INTERIORITY SYMBOL, BLUE REFL. SYMBOL OF ACCESS & SYMBOL BORDER, BLACK SYMBOL, LEGEND & BORDER, WHITE REFL. BACKGROUND
C		"VAN ACCESSIBLE" SIGN HAND TO SIGN WHITE SYMBOL, BLUE REFL. BACKGROUND
D		"FIRE ROUTE" SIGN ORANGE SIGN RED REFL. INTERIORITY SYMBOL, BLACK SYMBOL, WHITE REFL. FIRE ROUTE ON BLACK BACKGROUND, BLACK LEGEND & BORDER, WHITE REFL. BACKGROUND



NO.	DATE	DESCRIPTION	BY
1	2022-05-10	ISSUED FOR SPA	RCH
2	2022-05-03	ISSUED FOR COORDINATION	RCH
3	2022-04-15	ISSUED FOR SPA	RCH
4	2021-03-21	ISSUED FOR SPA	RCH
5			BT



**PROJECT**  
151 BATH ROAD  
KINGSTON, ONTARIO  
SPA-2018-0032

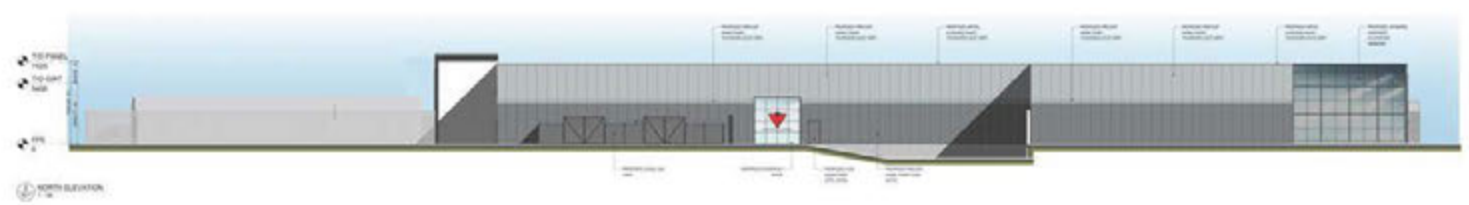
**SITE PLAN**

**PROJECT NO.** 15.311  
**PROJECT DATE** 2022-11-03  
**DRAWN BY** JHL  
**CHECKED BY** RCH  
**SCALE** As Indicated  
**DRAWING NO.** A1-32.1

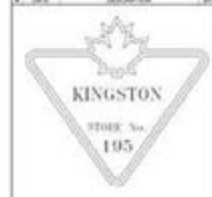
**TURNER  
FLEISCHER**

Turner Fleischer Architects Inc.  
47 JAMES ROAD  
TORONTO, ONT. M5R 2C4  
T 416 593 6222  
www.turnerfleischer.com

NOTE:  
THE TREE PLANTING ILLUSTRATIONS ARE SHOWN  
WITH 1 YEAR GROWTH AFTER PLANTING.



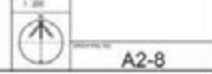
1. MATERIAL SCHEDULE FOR CONSTRUCTION	23
2. FINISH SCHEDULE FOR CONSTRUCTION	24
3. FINISH SCHEDULE FOR CONSTRUCTION	25
4. DATE	26



PROJECT:  
**1040-1100 PRINCESS STREET**  
KINGSTON, ONTARIO  
K7M 1G6

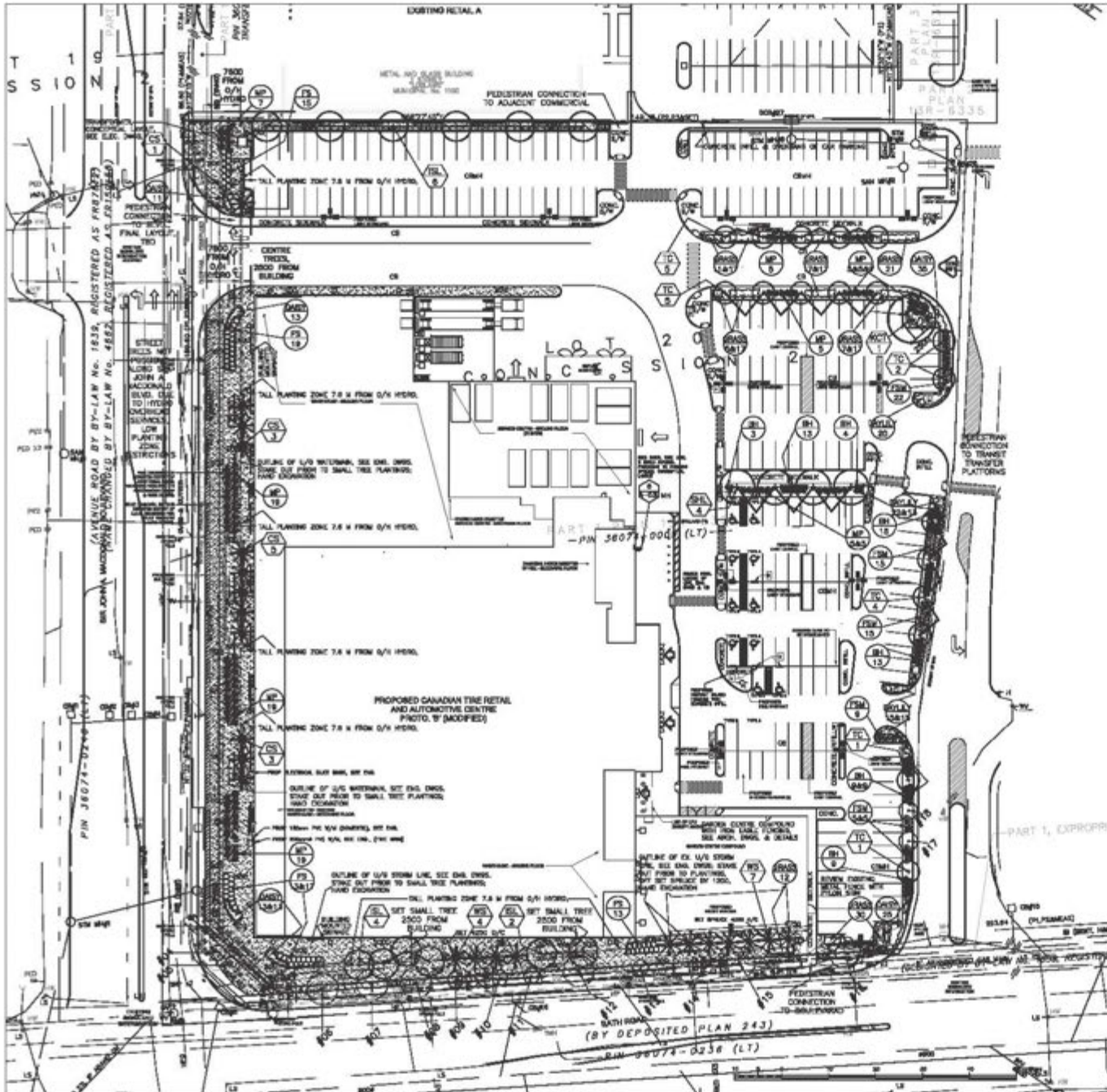
DESIGN:  
**ELEVATIONS**

DATE:	10.21.22
PROJECT:	1040-1100 PRINCESS STREET
CLIENT:	AKA
DESIGNER:	AKA
SCALE:	1:100
PROJECT NO.:	AKA-22-055
PROJECT NAME:	AKA-22-055



A2-8





PROVIDE TWO YEAR WARRANTY ON PLANTING MATERIALS FROM DATE OF ACCEPTANCE.  
LIST OF PLANT MATERIAL

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	HEIGHT	SPREAD	CALIPER	ROOT SPACING	REMARKS	
KCT	1	CYNOGLADUS DICUCUS	KENTUCKY CORNFEE TREE	350 CM	60 MM	WB	AS INDICATED	TRUE TO FORM	
ISL	20	SYRINCA RETICULATA 'MOYRI SILK'	MORY SILK TREE	LILAC 250 CM	60 MM	WB	AS INDICATED	TRUE TO FORM	
TC	18	TILIA CORDATA CORINTHAN	TILIA CORDATA 'CORZAM'	350 CM	60 MM	WB	AS INDICATED	TRUE TO FORM	
WS	11	PICEA GLAUCA	WHITE SPRUCE	200 CM	CM	WB	AS INDICATED	TRUE TO FORM	
CS	13	PICEA PLANGENS	COLORADO SPRUCE	200 CM	CM	WB	AS INDICATED	TRUE TO FORM	
MP	101	PINUS MUGO	MUGO PINE	80 CM	POT	1.2 M	O/C	CLIP CANDLES	
BH	75	DERRELLIA LONICERA	BUSH HONEYSUCKLE	60 CM	POT	1.2 M	O/C	MINIMUM 4 STEMS	
FS	77	SORBARIA SCORIBIFOLIA	FALSE SPIRAEA	60 CM	POT	1.2 M	O/C	MINIMUM 4 STEMS	
FSM	71	RHUS AROMATICA	FRAGRANT SUMAC	50 CM	POT	1.0 M	O/C	MINIMUM 4 STEMS	
GRASS	181	CALAMAGROSTIS CANADENSIS	CANADA BLUEJOINT		2 GAL.	POT	0.8 M	O/C	2 YEAR PLANTS
DATILLY	85	HEMEROCALLIS 'STELLA D' ORO'	'STELLA D' ORO' DAY-LILY		2 GAL.	POT	0.8 M	O/C	2 YEAR PLANTS
DASTY	110	RUDBECKIA HERTA	G-LORIOSA DAMSY		2 GAL.	POT	0.8 M	O/C	2 YEAR PLANTS

THIS DRAWING SHALL BE USED ONLY FOR PRESERVATION, REMOVALS, & FOR LAYOUT INSTALLATION OF LANDSCAPE MATERIALS & WORK  
A-01 TREE PRESERVATION PLAN  
A-02 LANDSCAPE PLAN  
A-03 LANDSCAPE CONSTRUCTION NOTES & DETAILS



**IT IS THE CONTRACTOR'S RESPONSIBILITY TO:**

1. Determine the location of existing services and verify necessary utility work before any excavation.
2. Use proper drainage as required to avoid any water or other liquids at the site unless otherwise specified.
3. Report all discrepancies to the landscape architect and make any necessary adjustments to the work.

**LANDSCAPE LEGEND**

- INDICATES APPROXIMATE LOCATION OF EXISTING TREES TO REMAIN, AS INDICATED BY SITE SURVEY REPORT
- INDICATES PROPOSED DECIDUOUS TREE DETAIL 2, DWG A-02
- INDICATES PROPOSED CONIFEROUS TREE DETAIL 3, DWG A-03
- INDICATES PROPOSED BURLYBERRY DETAIL 4, DWG A-03
- INDICATES PROPOSED BODDED AREA WITH 15 CM SPACING, FINE SHADE, SEE LANDSCAPE CONSTRUCTION NOTES
- INDICATES PROPOSED TREE BACK MODEL 101-10000, 10 SPACES, WITH 2 METERS SPACING DETAIL 5, DWG A-03
- INDICATES PROPOSED END, NOVEL CONCRETE PAVEMENT, SIDEWALK & CURBS, SEE NOTES & END DWG B & C, SCALE 1:50 CONFORM TO, OBTAIN PROVISIONAL SIDEWALK DRAWINGS
- INDICATES PROPOSED TREE VARIETY, SEE PLAN LIST
- INDICATES PROPOSED QUANTITY OF PLANTING
- INDICATES PROPOSED BURLYBERRY VARIETY
- INDICATES PROPOSED QUANTITY OF PLANTING
- INDICATES PROPOSED CONSTRUCTION METHOD, NUMBER
- INDICATES SHADING NO OF STEMS

**PRELIMINARY**

APRIL 26, 2022	ISSUE REVIEW & REVISION	DM
FEB. 14, 2022	ISSUE FOR THE SITE PLAN	DM
APR. 15, 2022	ISSUE FOR SPA	DM

DATE: REV. DESCRIPTION: DRN

REVISION RECORD

**CDM DETECH**  
CONSULTING ENGINEERS & ARCHITECTS INC.  
1000 SHEPPARD AVENUE EAST, SUITE 100, SCARBOROUGH, ONTARIO M1B 2Y1  
TEL: (416) 291-1234 FAX: (416) 291-1235

**DWK**  
LANDSCAPE ARCHITECT  
1886 BUCKINGHAM AVENUE, SUITE 101  
KINGSTON, ONTARIO K7L 5M9  
TEL: (613) 338-1111 FAX: (613) 338-1112  
WWW.DWKLANDSCAPE.COM

**KINGSTON ONTARIO**  
151 BATH ROAD  
SUITE 101  
K7L 5M9

**NOT FOR CONSTRUCTION**  
APRIL 26, 2022

**CHORDON TREE NURSERY LIMITED**  
151 BATH ROAD  
KINGSTON, ONTARIO  
CITY FILE NUMBER: 000-080-2020

PROJECT: PROPOSED RETAIL DEVELOPMENT  
151 BATH ROAD  
KINGSTON, ONTARIO

SCALE: 1:400

DATE: APRIL 26, 2022

NO. OF SHEETS: 19-1741

LANDSCAPE PLAN **A02L**

**Site Photos**

View from Sir John A. Macdonald Boulevard



View from Bath Road

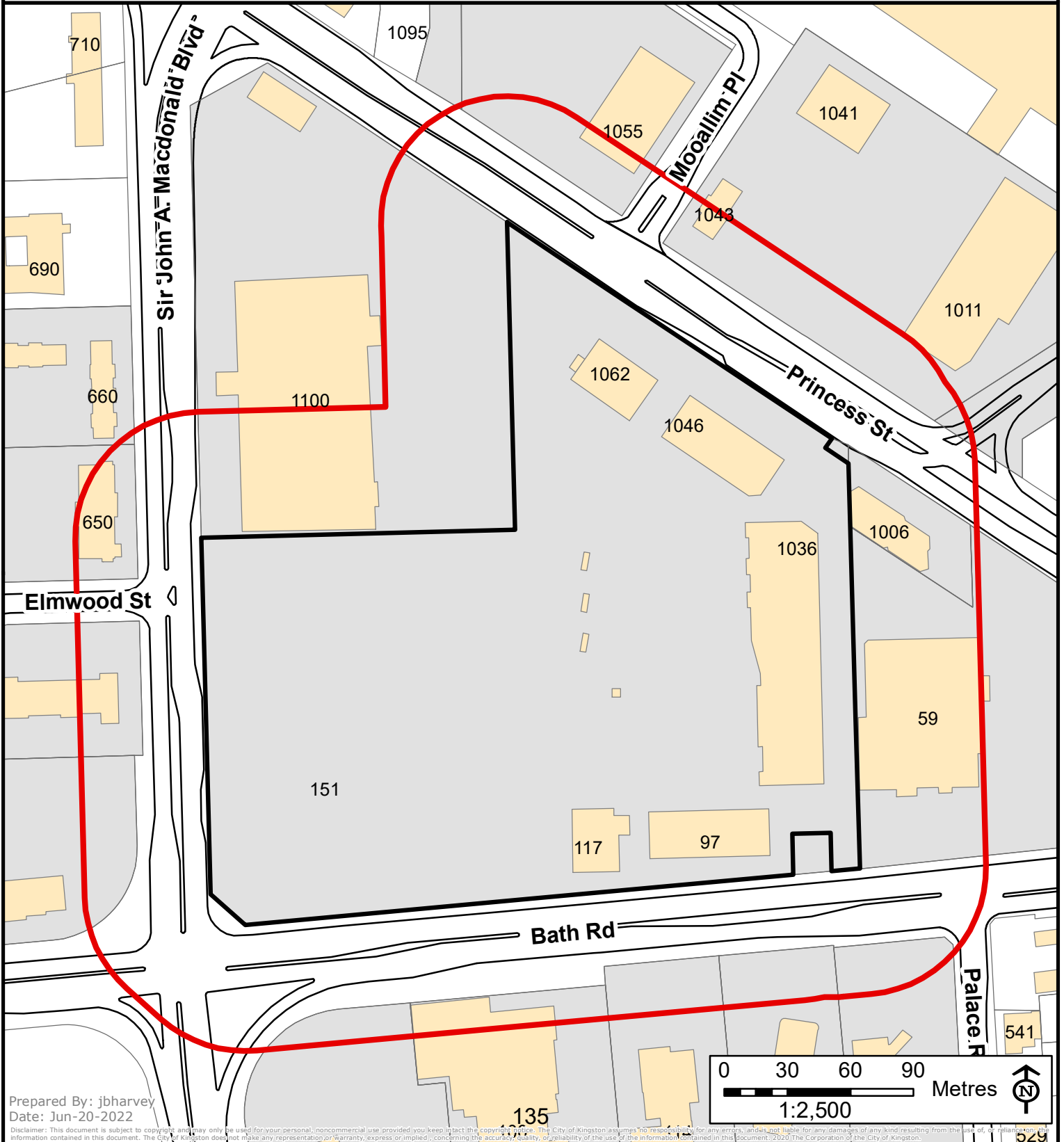




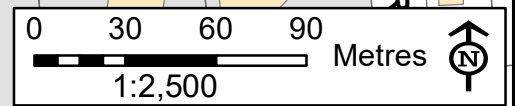
# Committee of Adjustment Public Notice Notification Map

Address: 151 Bath Road  
File Number: D13-042-2021

- 60m Public Notification Boundary
- Subject Lands
- Property Boundaries
- 18 Properties in Receipt of Notice (MPAC)



Prepared By: jbharvey  
Date: Jun-20-2022



**From:** [Eusebio, Annemarie](#)  
**To:** [Boehme, Ryan N.](#)  
**Cc:** [ca"; Bar, James](#)  
**Bcc:** [Building Permits](#)  
**Subject:** RE: canadian tire variance application - public comment (220610-000433)  
**Date:** June 28, 2022 2:30:51 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Hello Councillor Boehme,

Thank you for your e-mail.

We have received a minor variance application to construct a new Canadian Tire store at the property known as 151 Bath Road. The purpose of the minor variance is to reduce the front yard setback of the building from Bath Road and Sir John A. Macdonald Boulevard and to reduce the number of parking spaces and loading spaces. It is anticipated that this minor variance application will be presented at the Committee of Adjustment meeting on July 18, 2022.

We have reviewed the inquiry from a Kingston resident as noted below. The inquiry is to consider the installation of solar panels on the roof of the proposed Canadian Tire building to be a requirement of approval for the minor variance application. Through the review of any minor variance application, there may be conditions that are required to be met prior to receiving a building permit. Such conditions may include the submission of a site servicing plan or a grading plan to the satisfaction of City requirements. The conditions imposed by the Committee of Adjustment have to be reasonably tied to the proposal. At this time, the City does not have a policy in place that requires large format retail stores (or any business for that matter) to require solar panels on the roof of buildings. Further, there are no regulations related to the requirement for green energy production for applications under the Ontario Planning Act. As such, the installation of solar panels on the roof of the Canadian Tire building would not be considered a requirement for this minor variance application.

Please contact me if you have any questions.

Thank you.

Annemarie



**Annemarie Eusebio, B.A., MCIP, RPP (she/her/hers)**

Intermediate Planner  
Planning Services  
Community Services  
City of Kingston  
1211 John Counter Boulevard  
216 Ontario Street Kingston, ON K7L 2Z3  
613-546-4291 extension 3183  
[aeusebio@cityofkingston.ca](mailto:aeusebio@cityofkingston.ca)



The City of Kingston acknowledges that we are on the traditional homeland of the Anishinaabe, Haudenosaunee and the Huron-Wendat, and thanks these nations for their care and stewardship over this shared land.

---

**From:** Cynthia <[cmacintyre@cityofkingston.ca](mailto:cmacintyre@cityofkingston.ca)>  
**Sent:** Wednesday, June 15, 2022 10:51 AM  
**To:** Planning Outside Email <[Planning@cityofkingston.ca](mailto:Planning@cityofkingston.ca)>  
**Subject:** FWD: canadian tire variance application

**The following request has been submitted to the City of Kingston.**

**Please respond directly to the customer with a BCC to [buildingpermits@cityofkingston.ca](mailto:buildingpermits@cityofkingston.ca) within 5 business days. Remember to include the SR reference number in the body of the email.**

**Service Request Reference #:** 220610-000433  
**Service Request Type:** Service feedback - Building  
**Date Created:** 06/10/2022 05:44 PM  
**Disposition:**  
**Severity:** No Value

**Internal Comments:**

220610-000433 CRM has been forwarded for your attention.

---

**Customer Comments:**

**Customer Name:** Ryan Boehme

**Customer Contact:** [rboehme@cityofkingston.ca](mailto:rboehme@cityofkingston.ca)

**Customer Address:** No Value, , ,

**Mobile Phone:** No Value

**Home Phone:** No Value

**Office Phone:** No Value - Ext.

**Subject:**

canadian tire variance application

**Customer By Service Email (Ryan Boehme) (06/10/2022 05:44 PM)**

Hi Arthur,

I'm not sure if we can force that under our current rules. I have ccd staff though so

they can look into this idea and get back to us.

Thanks for the suggestion and writing in with it.

Ryan

Ryan Boehme  
(he/him/his)  
City of Kingston  
Pittsburgh District Councillor

Sent from my Bell Samsung device over Canada's largest network.

----- Original me

From: Arthur Silver

Date: 2022-06-09 1:05 p.m. (GMT-06:00)

To: "Boehme, Ryan N." <[rboehme@cityofkingston.ca](mailto:rboehme@cityofkingston.ca)>

Subject: canadian tire variance application

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Hello,

Going past Bath Road and Macdonald and seeing the notice that Canadian Tire has applied for relief from certain municipal requirements so that it can build a new large store at that site, I wondered if the City of Kingston might be able to use such a request as an opportunity to do something to resist climate change. I note that the government of France has recently introduced a new law requiring all supermarkets (and I suppose similar large-surface flat-roofed stores such as Canadian Tire) to install solar panels on their roofs. Could a municipal government like Kingston make such installation a requirement for granting the variance that Canadian Tire wants?

- Arthur Silver

Highway 2

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