

From:
To: [Park, Tim](#)
Cc: [Mayor of Kingston](#); [Stroud, Peter](#); [Chapelle, Simon](#); [Osanic, Lisa](#); [Hill, Wayne](#); [Kiley, Robert](#); [Neill, Jim](#); [Hutchison, Rob](#); [Agnew, Paige](#); [Capener-Hunt, Lisa](#); [Bar, James](#); [Bolognone, John](#)
Subject: Re: Development at 39 Ellerbeck Street Kingston
Date: June 11, 2022 10:59:00 AM

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Hi again Mr. Park

We also invite any of the other recipients of our email exchange to attend the meeting Wednesday afternoon as well.

Roland Billings

Sent from my iPhone

On Jun 10, 2022, at 3:54 PM, Park, Tim <tpark@cityofkingston.ca> wrote:

Good afternoon Mr. Billings,

Thank you for your e-mail and bringing your concerns to our attention. We have reviewed the previous consent application, zoning, and the existing building permit in light of the points you raised below. The building is still under construction and requires inspections by the Building Department for milestones reached through the process.

The mutual driveway as shown on the original notice of decision was 1.78 metres on both properties (3.56 metres total), but this was later reduced and approved through the process to a total of 2.7 metres. This was deemed to meet the functional needs of the properties. There are no setbacks from a right-of-way in the zoning by-law so buildings can be built right up to the edge but no building features can encroach into the right-of-way.

When the application was approved in 2015, the Zoning By-Law at that time only allowed for one dwelling unit to be constructed in a zone compliant building due to the size of the lot. The report that accompanied the application was correct in its characterization of the permitted uses at that time. The City introduced second residential unit provisions in 2019 which enabled properties across the City the ability to have a second residential unit either within the primary building or in a detached accessory structure. There is currently no maximum number of bedrooms a property can have in the Zoning By-Law as these provisions are under appeal at the Ontario Land Tribunal. City staff are defending Council's approval to include a maximum number of bedrooms permitted in low rise residential developments at the hearing.

The drawings reviewed and submitted with the Building Permits met all applicable zone provisions. You are correct in the understanding of average building depth. Based on the materials submitted for review, the proposed building indicated is also zone compliant with the building depth zoning provision.

Review of the onsite works enabled by the issuance of a Building Permit is ongoing. With

the foundation complete, they will be submitting a building location survey prepared by an Ontario Land Surveyor. This will be used to determine compliance with the zoning by-law. Should the building not be in conformance, they will have to make changes to the building to comply.

Lisa Capener-Hunt, our Chief Building Official, and myself are willing to make ourselves available to meet with you and other concerned neighbourhood residents out front of 39 Ellerbeck at 4 pm on June 15th. Please advise if you would be available to meet at that time.

Regards,

Tim.

From: Roland Billings

Date: June 7, 2022 at 7:21:53 AM EDT

To: Mayor of Kingston <mayor@cityofkingston.ca>, "Stroud,Peter" <pstroud@cityofkingston.ca>, "Agnew,Paige" <pagnew@cityofkingston.ca>, "Bolognone,John" <jbolognone@cityofkingston.ca>, "Chapelle,Simon" <schapelle@cityofkingston.ca>, "Osanic,Lisa" <losanic@cityofkingston.ca>, "Hill,Wayne" <whill@cityofkingston.ca>, "Kiley,Robert" <rkiley@cityofkingston.ca>, "Neill,Jim" <jneill@cityofkingston.ca>, "Hutchison,Rob" <rhutchison@cityofkingston.ca>, "Partridge,Jason" <JPARTRIDGE@cityofkingston.ca>, Planning Outside Email <Planning@cityofkingston.ca>, "Fisher,Tim" <tfisher@cityofkingston.ca>

Subject: Development at 39 Ellerbeck Street Kingston

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Mayor Paterson

City of Kingston

Re: Report # D10-204/214-2015 and subsequent notice of decision dated November 25, 2015

We are writing to you today to let you know the displeasure that residents of Ellerbeck feel about the actions taken by the developer and the City of Kingston with regard to the severed lot now known as 39 Ellerbeck Street, and how they directly contradict the decision of the Committee of Adjustments as they were presented to the residents of Ellerbeck Street after concerns were raised about the development of the severed property at 37 Ellerbeck Street.

Specifically these are:

- 1) Notice of Decision item 4 - Mutual Drive Width- In the severance proposal and agreement, "A reciprocal shared right of way between the owners of the severed and retained parcels as per consent application D10-204-2015 shall be provided over the retained parcel to provide a 1.78 metre wide shared vehicle and pedestrian access from Ellerbeck Street to access the rear yard parking" The drawing provided with the decision shows a 1.78 m mutual drive from each of the original and severed properties, giving a total of 3.56 m of space for a driveway to access rear yard parking. As the construction started we thought the drive looked narrower than allowed, so we questioned the City of Kingston Planning

Department Official and were told that “by mutual consent” the two owners had agreed to reduce that width to 2.7 m. As the foundation walls were built, we were able to measure the distance from the new build at 39 Ellerbeck to the existing building at 37 Ellerbeck and found that the distance is exactly 2.7 m. The problem with that is there is not yet any final siding or brickwork on the new build and there are window sills on 37 Ellerbeck that further jut out 152 mm into the space that vehicles would need to travel.

- 2) Page 2 of the decision – item 2 – “The severed lot will not have any negative impacts on the adjacent residential uses or the neighbourhood as the lot is intended for single family dwelling development which is in keeping with the character and use of the neighbourhood. Any new development is subject to the setback and height requirements of the zoning bylaw.” The build at 39 Ellerbeck Street is currently at 3 full stories above an elevated basement with no roof on it yet and it dwarfs anything in the neighbourhood. We have been told repeatedly by the planning department that the development is a “two story single family dwelling”. Neighbours have expressed concern about a lack of privacy in both yards, and with elevated sight lines into their homes from this new build. We have been told by the planning department that the maximum height of the building will be 10.4 m. It is already more than 11 meters however, and does not yet have a roof. It will therefore exceed the maximum allowed height. The positioning of the building so close to the north property line will have a direct impact on that property because of the height and water, snow and ice run off.
- 3) Building depth -It is our interpretation of the bylaw that the new build cannot exceed the average depth of the adjacent properties. We were told by the planning department that, based on the dimensions supplied to the City by the developer, the new build at 39 Ellerbeck Street could be 55 feet long. Independently we measured the depth of the properties at the adjacent properties at 37 Ellerbeck and 43 Ellerbeck with the following results:
 - a. 37 Ellerbeck Street – 48’9”
 - b. 43 Ellerbeck Street – 55’2’
 - c. Average of those two – 52’8’
 - d. Difference between new build and the average – 2’4”

Trust and verify should be the rule in any case like this, but with that not being done, a new precedent has been set for future development adjacent to the new build.

- 4) Page 2 of the decision – item 5 –“The proposed new residential lot and shared rights of way within the residential neighbourhood will not change the use or character of the subject property or broader neighbourhood” . The new development at 39 Ellerbeck Street has the look and feel right now of an apartment building which is bigger than anything in the neighbourhood, and we feel will have a significant negative impact on the character and the use of the neighbourhood. In an area, and on a street where parking has already been significantly impacted by the addition of the Bader and Tett Centres, as well as the move of Queen’s facilities to the previous St. Mary’s of the Lake site, adding this build has further exacerbated parking concerns.

While this decision may have been well intentioned at the time, we wanted you to know that by ignoring the parameters of the decision made by the Committee of Adjustments, and misrepresenting to the concerned neighbours what could be built on the site through the drawing supplied by the City, we are now left to deal with a monstrosity on a severed

parcel of land built by an anonymous developer, where there appears to be no action willing to be taken to address our concerns. The driveway is too narrow to allow realistic twelve month access to the proposed parking behind the properties, the parking areas have not been developed, the tenants at 37 Ellerbeck have had no access to on-site parking since the fall of 2021, the building exceeds the height of anything in the neighbourhood already, privacy has been lost for all nearby properties, and the “character and use of the neighbourhood’ has been significantly compromised by this build. Our concerns were real in 2015, and we are now seeing that those concerns have been validated, to the detriment of the neighbourhood where we live. We encourage all recipients to come to the site to see what is being built, and see the negative impact the build has had and will certainly have in the future, and to take action where local building rules have been violated. We look forward to hearing your responses.

Roland and Susan Billings
31 Ellerbeck Street

Nora Fayed-Faulhaber
35 Ellerbeck Street
Alina Ayer
37 Ellerbeck Street

Steffen Davidson
37 Ellerbeck Street

Finn Macklin
37 Ellerbeck Street

Doug and Nancy Vivian
27 Ellerbeck Street

Andrea Risk and Joseph Newbigging
36 Ellerbeck Street

Rudy Mogl and Jan Maclean
34 Ellerbeck Street

Brenda and Gordon Stewart
43 ½ Ellerbeck Street

June, Catherine and Peter Morgan
44 Ellerbeck Street

Copy to Tim Fisher (Planning) Jason Partridge (Planning) Paige Agnew- Community Services Commissioner; Lisa Carpenter – Hunt Building Enforcement; Tim Park- Director Planning Services ; Councillor Peter Stroud; Committee of Adjustments members Vincent Cinanni, Paul Babin, Blaine Fudge, Greg Lightfoot, Somnath Sinha, Jordan Douglas Tekenos-Levy (care of John Bolognone - City Clerk); Planning Committee members Councillor Kiley, Councillor Hill, Councillor Chappelle, Councillor Hutchinson, Councillor O’Neill, Councillor Osanic



From: [Partridge,Jason](#)
To: [Bar,James](#)
Subject: FW: 39 Ellerbeck Street Development
Date: June 22, 2022 8:44:13 AM
Attachments: [image001.png](#)

From: Capener-Hunt,Lisa <lcapener-hunt@cityofkingston.ca>
Sent: June 21, 2022 4:59 PM
To: Roland Billings; Park,Tim <tpark@cityofkingston.ca>; Fisher,Tim <tfisher@cityofkingston.ca>; Partridge,Jason <JPATRIDGE@cityofkingston.ca>; Stroud,Peter <pstroud@cityofkingston.ca>; Kiley,Robert <rkiley@cityofkingston.ca>; Hill,Wayne <whill@cityofkingston.ca>; Chapelle,Simon <schapelle@cityofkingston.ca>; Hutchison,Rob <rhutchison@cityofkingston.ca>; Hutchison,Rob <rhutchison@cityofkingston.ca>; Neill,Jim <jneill@cityofkingston.ca>; Osanic,Lisa <losanic@cityofkingston.ca>; Mayor of Kingston <mayor@cityofkingston.ca>
Cc: Agnew,Paige <pagnew@cityofkingston.ca>
Subject: FW: 39 Ellerbeck Street Development

Mr. Billings,

We have provided responses below to your questions/concerns and also wanted to address 42 Beverly Street as you had provided a photograph of the 4 meters onsite. As discussed when we met on Ellerbeck Street June 15th and in email correspondence follow up later that evening, there are 4 meters at the property, which was confirmed by Tim and myself through a site visit immediately after leaving Ellerbeck Street. Although there are four meters, we inspected the interior to find three units and the fourth meter was put in place to support the basement amenity space. We have requested the owner remove the 4th buzzer to eliminate any confusion, however we do not have any enforcement mechanism to require the owner to do so.

We appreciate your input and if you have any further concerns with regards to the construction onsite or any of the responses below I would be happy to address them.

Thank you,



Lisa Capener-Hunt (she/her/hers)

Director, Building Services & Chief Building Official
Building & Enforcement Services
Community Services

City of Kingston



Located at: 1211 John Counter Boulevard
216 Ontario Street, Kingston, ON K7L 2Z3
613-546-4291 extension 3225
lcapener-hunt@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: Roland Billings
Sent: June 17, 2022 12:17 PM
To: Agnew,Paige <pagnew@cityofkingston.ca>; Park,Tim <tpark@cityofkingston.ca>; Capener-Hunt,Lisa <lcapener-hunt@cityofkingston.ca>; Fisher,Tim <tfisher@cityofkingston.ca>; Partridge,Jason <JPARTRIDGE@cityofkingston.ca>; Stroud,Peter <pstroud@cityofkingston.ca>; Kiley,Robert <rkiley@cityofkingston.ca>; Hill,Wayne <whill@cityofkingston.ca>; Chapelle,Simon <schapelle@cityofkingston.ca>; Hutchison,Rob <rhutchison@cityofkingston.ca>; Neill,Jim <jneill@cityofkingston.ca>; Osanic,Lisa <losanic@cityofkingston.ca>; Mayor of Kingston <mayor@cityofkingston.ca>
Cc: Roland Billings
Subject: 39 Ellerbeck Street Development

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June 17, 2022

Paige Agnew
Commissioner of Community Services

Re: Ellerbeck Street neighbourhood concerns about the 39 Ellerbeck Street Build

While we await your formal response to our concerns sent earlier this month, we feel it is necessary to send you our thoughts following a meeting on the street June 15th with Mr. Park and Ms Capener – Hunt from your department, and Councillor Peter Stroud, our district representative.

We feel that there is a significant transparency and clarity of communication issue within your department that translates into mistrust, confusion and suspicion to the public. If that seems too broad a brush, let us offer specific examples:

1. As part of the 2015 decision by the Committee of Adjustment a site drawing was supplied which stated “7.5m building depth to equal the average of the two buildings on

either side". All residents reading that believed that the maximum building depth would be 24'6" which is what 7.5 m converts to. Much to our surprise, the footings poured indicated a much larger building and the foundations built above those footings confirmed our suspicions. When questioned, the response from the planning department was that the 7.5 m distance was, in fact, the distance from the back of the property line, not the building size. This should have been communicated with the decision. If this is a standard note on decisions like that made in 2015, you should consider clarifying that drawing note.

The Committee of Adjustment site drawing depicted the maximum rear yard setback provision of the A zone which outlines:

- *The minimum rear yard requirement for any building permitted in the A zone shall not at any point throughout its length, be less than the greater of either (1) the height of the rear wall of the main building, or (2) 25 per cent of the lot depth; provided however, the depth of the rear yard need not exceed 7.5m.*

The 7.5 metre shown with the arrow starting at the back of the property and ending within the property indicated the maximum rear yard setback of 7.5 metres.

- 2) Building depth size was challenged as soon as the foundation walls started to go up since we could no longer see the house at 43 Ellerbeck when looking straight along the new build foundation wall. Mr. Park confirmed that the calculation for the depth of a new build is the average of the two adjacent properties, so that being the case, the new build cannot be longer than the longest of the two buildings. We were told that the building sizes of the two adjacent properties allowed a 55' building to be built AND that what we were seeing was an "optical illusion". When the new build was still foundations only and could have been corrected we measured the depth of both 37 and 43 Ellerbeck and confirmed that the new build was indeed longer than it should be and that information was conveyed to the planning department. Even yesterday our measurements were not accepted, but the measurements supplied by the developer to obtain the building permit were.

You are correct, under the current zoning bylaw the new build must be an average of the two adjacent buildings. The front wall of 39 Ellerbeck is not in line with the fronts of 37 and 43 Ellerbeck Streets, and the zoning only relates to the average length. The applicant provided 15 meters for 37 Ellerbeck and 20.3 m for 43 Ellerbeck with their application submission as an acknowledgement of correctness of information. The waiver by the applicant forms part of the application for a permit to construct or demolish a building that is prescribed by the province. At the time of permit issuance, they were in compliance with regulations, therefore we cannot legally withhold permit issuance under the Building Code Act.

We received the survey for 39 Ellerbeck on June 10, 2022 which verified the building depth at 16.74 meters (55 feet), less the unenclosed porch. Based on concerns raised during our site visit on June 15, 2022 we

requested surveys for the adjacent properties, which verified the dimensions for 37 and 43 Ellerbeck at 14.9 meters and 16.79 meters respectfully. With this new information, 39 Ellerbeck would be permitted a maximum building length of 15.85 m (52 feet) excluding the unenclosed porch. As we rely on acknowledgement from the applicant that the information submitted for permit is true to the best of their knowledge, we are addressing the mistaken, false or incorrect information submitted for permit with the owner directly through powers afforded the CBO under the Building Code Act. Proceedings under the Code and Act are not public.

- 3) Building height – Throughout this process we have been repeatedly told by representatives of the planning department that the maximum height allowed for this build is 10.4m. Even when challenged with measurements that the build had already exceeded 11 m more than 10 days ago, we were told yesterday that the building met code because it did not exceed 10.4 m. Yesterday we learned that height in the real world is not the same as the planning and building bylaw height, and that depending on the type of roof design, where the building height is measured varies. The overall building height does in fact more than exceed the 11 m we had reported, making it tower over any other building on the street, but by law height measuring, that makes it shorter. This is a transparency issue. We should have been told with our first inquiry immediately where the height is measured to. It makes it no more palatable at the end of the day, but at least that would have represented open, and transparent communication.

The height of buildings is determined under the zoning bylaw, which permits a maximum building height for any permitted residential building in the A Zone of 10.7m (35'-1") to the ridge line, which is the summit line of a roof; the line on which the rafters meet. Our apologies, I believe we stated the measurement was to the mid point of the mansard roof as per the general definition in bylaw 8499, and we were incorrect.

Maximum Residential Building Height – A Zone (Bylaw 8499)

- (1) The maximum permitted building height for any permitted residential building in the A Zone shall be 10.7m at the ridge line.*
- (2) The maximum permitted height of any exterior wall exclusive of end gable shall be 7.0m.*
- (3) A flat roof shall not be permitted above the 7.0m exterior wall.*

The height of the exterior wall (below the soffit of the mansard roof not yet constructed) in the submission for 39 Ellerbeck is 6.82 meters as per the 7 meter requirement in (2) above and the top of the roof from finished grade to the peak of the roof is 10.57 meters. The applicant is required to construct to the approved drawings submitted to building services forming permit issuance. We have requested the surveyor also confirm the as

built height.

- 4) Building description- Since the hole started to be dug in November EVERY communication with your department has described 39 Ellerbeck Street as “a two story single family home with a secondary suite in the basement.” Yesterday we were told the same thing while looking at a three story building with an elevated basement, until Mr. Park said finally in response to a question about how many units were in the building said two. First floor and basement, and the two upper floors as separate units. Not a “two story single family home with a secondary suite in the basement” as we have been told since November. Again, the issue is transparency and clear, factual communication. The comment “bait and switch” was used by some neighbours, indicating a belief that we were being told one thing from the start until now when the project is well along.

The current zoning bylaw permits a secondary suite to be the same size as the main unit, and does not restrict this to one storey at this time. At the time the consent was approved in 2015, a second unit was not a permitted use at this location, however the zoning to permit second residential units was changed in 2019 as a result of Provincial Policy. As noted on site, unit 1 includes the basement and the main floor, and unit 2 includes the second floor and attic space. As the applicant was in compliance with the zoning bylaw, this provision was not part of the COA application. The new consolidated zoning bylaw once in effect, will require secondary suites to be one storey.

- 5) Design – We were all quite surprised that no drawings of the building were brought to the meeting. We were not expecting to be given copies of the plan drawings, but as a courtesy we should have been shown or at least told building details that could answer our questions. This lack of transparency leads to suspicion that either the developer, the city of Kingston or both have something to hide from the public.

The survey for 39 Ellerbeck completed by an Ontario land surveyor was brought to site on June 15th and the construction plans were reviewed through cell phone with yourself. Staff offered to meet at 1211 John Counter Boulevard to review the submission further, and this offer still stands. Unlike Planning records, building permit records including drawings are not public knowledge and are subject to MFIPPA. Open files are not provided to anyone other than the Owner of the property as release of this information could interfere with any future prosecution.

Furter concerns brought up pertaining to the building permit record related to fire separations and unprotected openings with the close proximity to property lines. Responses for these items were provided during the site meeting and have been recapped below:

- The windows (unprotected openings) on the south wall of 39 Ellerbeck were reviewed in proximity to the property line (1.96m). The percentage of glazed openings are determined by the exterior

wall area in relation to the property line. The south wall is not required to be constructed as a fire separation and the allowable percentage of unprotected openings is 7.5% of the wall face which was calculated at 6.8% in compliance with the code. As the code addresses life/fire safety the area is taken to the underside of the top trusses (within the mansard roof) including the area that encloses the attic space to ensure protection of neighboring properties.

- The windows (unprotected openings) on the north side of 39 Ellerbeck were reviewed in proximity to the property line (skewed at .6 to .83 meters). The percentage of allowable unprotected openings is 0. As there are openings in this wall, the windows require fire shutters and this was indicated on the permit drawings. This wall is required to be constructed as a fire separation from the inside with 5/8" type X drywall. As the limiting distance is not less than 0.6 m from the building to the property line, exterior protection is not required.

The reason the survey is required by the building department prior to framing being inspected is to ensure that any areas that fall outside the permissions can be rectified prior to construction proceeding beyond this point. Building Officials have not completed a framing inspection at this time, however received and reviewed the survey as noted above.

- 6) The north side set back is only .6 m, making it impossible to complete construction that goes to that line without significant disruption to the property owners at 43 Ellerbeck Street. Should the work be done, there is then no room to effectively keep the property clean and maintained in that small a space, which will inevitably lead to accumulation of garbage and noxious weeds. We would suggest that the city consider a modification to this set back rule to make it at least 1.5 m to allow the safe set up of scaffolding and property maintenance. This is not intended to suppress development, but instead to incorporate practical needs during construction and post build into the process up front. No one at the meeting yesterday knew how the work would be done without significant personal concessions by the owners of 43 Ellerbeck Street, and potential property damage to their home.

At this time the current zoning regulations permit a minimum side yard width for one and two-family dwellings of 0.6 meters. The City will take your suggestions into consideration with regards to the distance to property lines.

- 7) There was no apparent consideration for negative neighbour impact at either the north or south side properties. The occupants of 37 Ellerbeck Street have not had access to park behind their property since early November and the builders have taken over their property for storage of material and equipment. The impact on 43 Ellerbeck is outlined in #6 above. Consideration for community impacts has to be part of the discussion with builders/ developers and communication plans with city residents.

We have asked the owner of 39 Ellerbeck to shift their construction fencing to allow access to the rear yard of 37 Ellerbeck, through the 2.7 meter easement adjacent both properties. This was restricted to maintain safety on site during framing and is the owners responsibility to provide notification to the neighboring property owners. The owner of 39 Ellerbeck has been asked to move the construction storage currently on 37 Ellerbeck to the other side of the survey markers. This work should be completed today.

- 8) Occupants vs Vehicles. We continue to be surprised at the naivety that double digit rooms (we assume) in an apartment building will yield only two vehicle parking needs. Although not directly in your purview, parking issues need to be a factor in development.

At this time the current zoning regulations require one parking space per dwelling unit, which was provided for this property. Reduced parking standards have been brought forward in the new zoning By-Law and are in line with Council's objective of encouraging alternative forms of transportation in response to Council's Climate Emergency declaration.

To Mayor Paterson and members of council on the Planning Committee copied in on this letter. We as a community were both surprised, and profoundly disappointed that no one other than Councillor Stroud responded to any of the correspondence regarding our concerns with this development even to acknowledge receipt of that correspondence, in spite of multiple communications and invitations to meet with us.

Roland Billings, Susan Billings, Gord Stewart, Brenda Stewart. Rudi Mogl, Jan MacLean, Nancy Vivian, Doug Vivian, June Morgan, Catherine Morgan, Peter Morgan, Tyler Rider, Anna Rider, Andrea Risk, Joey Newbigging, Nora Fayed-Faulhaber, Stefan Davidson, Finn Macklin, Alina Ayer

Copy to Tim Park, Lisa Capener-Hunt, Tim Fisher, Jason Partridge, Councillor Peter Stroud, Councillor Kiley, Councillor Hill, Councillor Chappelle, Councillor Hutchinson, Councillor Neill, Councillor Osanic.

From: [Mayor of Kingston](#)
To: [Eusebio, Annemarie](#)
Cc: [McLaren, Jeff](#)
Subject: FW: Concerns regarding proposed Canadian Tire expansion
Date: June 27, 2022 10:54:28 AM

Hi Annemarie,

Forwarding for your review, as I see you're the planner on file.

Many thanks,

Kayla

Kayla Stratford (she/her/hers)
Mayor's Office Assistant
Mayor's Office

City of Kingston
City Hall
216 Ontario Street Kingston, ON K7L 2Z3
613-546-4291 x 1411
kstratford@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.

-----Original Message-----

From: Ian Drummond
Sent: June 26, 2022 8:54 PM
To: McLaren, Jeff <jmclaren@cityofkingston.ca>; Mayor of Kingston <mayor@cityofkingston.ca>
Subject: Concerns regarding proposed Canadian Tire expansion

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Good day,

I wish to express my concerns regarding the application submitted by Canadian Tire for building the new store at the north-east corner of Sir John A MacDonald Blvd and Bath Rd.

I believe that the application (as currently proposed) is not a good location for the expansion for the following public safety reasons:

-Students from LCVI consistently cross between the school and the Kingston Centre: in order to get to school in the morning, access various restaurants and stores during lunch and spare periods, and to go home. With the proposed location being right in the path of their destinations, the students would be crossing between parked and moving cars, drastically increasing the risk of collision.

-the Kingston Centre is a major transit hub for Kingston Transit, with transit riders already having to traverse between the main transfer point and Princess Street and Bath Road for the Route 501/502, and the 701/702, respectively. By relocating the Canadian Tire to the proposed location, there will be drastic increase in vehicular traffic in the area; buses already experience delays due to traffic predominantly due to drivers that illegally use the designated bus turning lanes.

-related to transit, the proposed layout also appears to eliminate the current sidewalk leading from the pedestrian crossing on Sir John A MacDonald Blvd at Elmwood to the Transfer Point without replacement.

This pedestrian crossing is absolutely necessary to the residents of Hillendale, including myself, in order to get to and from the Kingston Centre safely in order to get groceries or get to transit. This is especially true for the many residents in the area that are elderly or otherwise require mobility devices.

-the proposed positioning of the fire and the delivery truck entrances are not located away from where pedestrians are likely to travel (based on the diagram on GlobalNews: <https://linkprotect.cudasvc.com?url=https%3a%2f%2fglobalnews.ca%2fnews%2f8920184%2fkingston-centre-canadian-tire-store-relocating%2f&c=E,1,4TaxZS6UKj9RUGzA0pco31GpwWQLGCttWeUhog0JcvB38e5Rszq8HAuuvdDgxxar5davFNo4WnaRqU2nn5VKePiiNPotqtTiktzgIuT8ezBZikh2w8bdPla8MGI&typo=1>).

-finally, less of a direct public safety concern, the Kingston Centre is bordered by three of the busiest roads in Kingston, especially during rush hour: Sir John A Macdonald Blvd, Princess Street, and Bath Road.

The likely effect of the proposed location would only serve to exasperate the current situation.

It is my personal belief that this project should be denied as currently proposed. I believe Canadian Tire would be better served to build a new location on the east side of its existing parking lot (adjacent to the Canadian Tire gas station), then tear down the current store to convert to a parking lot. With the other Canadian Tire locations out Princess and Gardiners, and the other out Division, Canadian Tire may need the third location at the Kingston Centre, but I do believe that the Canadian Tire relocation is not conducive to the Kingston Centre area as it is currently proposed. It is my sincere hope that the City will prompt Canadian Tire to take another look at the project from the perspective of pedestrians, transit users, and Kingston Centre patrons to scale back this project.

Thank you for your time, and would appreciate a follow-up if there is another avenue I should use to address these concerns.

Ian Drummond

237 Bath Road Apt 109, Kingston, ON K7M 2X8