



**City of Kingston  
Information Report to Council  
Report Number 18-009**

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**To:** Mayor and Members of Council  
**From:** Lanie Hurdle, Commissioner, Community Services  
**Resource Staff:** Paige Agnew, Director, Planning, Building & Licensing Services  
**Date of Meeting:** December 5, 2017  
**Subject:** Homestead Land Holdings Limited, North Block – Official Plan & Zoning By-Law Amendment Applications (D09-039-2015 & D14-146-2015)

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**Executive Summary:**

On June 8, 2017, the applicant (Homestead Land Holdings Limited) appealed the proposed Official Plan amendment and zoning by-law amendment applications to the Ontario Municipal Board, based on the approval authorities' failure to make a decision within the prescribed period of time. Per the *Planning Act*, the approval authority (Council) has 180 days to make a decision once an Official Plan amendment has been deemed complete and 120 days to make a decision once an application for zoning by-law amendment has been deemed complete.

An Ontario Municipal Board (OMB) Pre-Hearing was held on November 22<sup>nd</sup>, 2017. At the pre-hearing three additional parties requested status in the hearing, and nine individuals requested participant status. A second pre-hearing teleconference is scheduled for February 2, 2018 at 11:00 a.m.

For the properties at 51-57 Queen Street and 18 Queen Street & 282 Ontario Street, the applicant is proposing to construct two mixed use apartment buildings. Each building is proposed to contain 200 residential dwelling units with a podium and tower design. It is proposed that there will be a total of 400 residential units, with associated on-site vehicular parking, bicycle parking and apartment complex amenities. Commercial space is proposed on the ground floor within the podium of both buildings fronting onto King Street.

Upon receiving the second submission and associated supporting information on May 26, 2017, staff are working to finalize the second technical review. As part of the technical review, the Urban Design Study and Heritage Impact Statement Addendums are being Peer Reviewed by

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WSP. At the time of writing this report, final Peer Review comments have not yet been received. Based on the review that has been completed to date additional consideration needs to be given to the height and massing of the buildings, architectural details, finished landscaping at grade and streetscape improvements, further podium design refinement to address the scale of the residential tower, improvements to the public realm and further detailing of Community Benefits.

The following recommendation was reported out in open session at the November 21, 2017 Council Meeting:

**That** Council direct staff to continue negotiations and report back in closed session on potential terms of settlement for the applications for Official Plan and zoning by-law amendments at 51-57 Queen Street and 18 Queen Street & 282 Ontario Street, as per the proponent's second submission and related Peer Review; and

**That** Council direct staff to provide a public report at the December 5, 2017 Council meeting to inform the community of the status of the applications for an amendment to the Official Plan and zoning by-law for the lands located at 51-57 Queen Street and 18 Queen Street & 282 Ontario Street by Homestead Land Holdings Limited."

**Recommendation:**

This report is provided for information purposes only.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

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**Lanie Hurdle, Commissioner, Community Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

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**Gerard Hunt, Chief Administrative Officer**

**Consultation with the following Members of the Corporate Management Team:**

Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Denis Leger, Commissioner, Corporate & Emergency Services	Not required
Mark Van Buren, Acting Commissioner, Transportation & Infrastructure Services	Not required

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**Options/Discussion:****Proposed Development**

The applicant, Homestead Land Holdings Limited, is proposing to develop two mixed use buildings, each containing 200 dwelling units:

**Building 1: 51-57 Queen Street**

- 17 storey building (58 metres), with a podium and tower design;
- 200 residential units (87 one-bedroom units and 113 two-bedroom units);
- 237 parking spaces, 100 bicycle parking spaces and apartment complex amenities; and
- Ground floor commercial uses along King Street.

**Building 2: 18 Queen Street & 282 Ontario Street**

- 19 storey building, with a podium and tower design;
- 200 residential units (53 one-bedroom units and 147 two-bedroom units);
- 245 parking spaces, 100 bicycle parking spaces and apartment complex amenities; and
- Ground floor commercial uses along King Street.

The proposed changes between submission one and submission two for building 1 (51-57 Queen Street) include a reduced total building height (68 metres to 58 metres), reduced number of storeys from 21 storeys to 17 storeys, removal of the proposed parking garage, the inclusion of commercial uses along King Street, reduced tower floorplate area, removal of the layby along Queen Street and incorporation of a proposed rear lane connecting Wellington Street and King Street. Plans showing the changes between submission one and two are attached to this report (Exhibits A through D).

The proposed changes between submission one and submission two for building 2 (18 Queen Street & 282 Ontario Street) include a reduced total building height (69 metres to 65 metres), reduced number of storeys from 21 storeys to 19 storeys, podium height reduced from 7 storeys to 5 storeys, reduced tower floorplate area, removal of the layby along Queen Street and incorporation of a proposed rear lane connecting King Street and Ontario Street. To illustrate the proposed changes, the applicant has provided an illustration and site plan (Exhibits A through D).

The applicant is proposing to amend the Official Plan to remove the mandatory commercial frontage along Ontario Street, Wellington Street and Queen Street; remove the identified 'Courtyard/Open Area Opportunity' shown on Schedule DH-3; permit increased height; and permit 100% residential uses on a portion of 51-57 Queen Street.

To accommodate the proposal, the applicant is also proposing to amend various provisions of Zoning By-Law Number 96-259 including required yards on Wellington Street, Queen Street, King Street and Ontario Street; angular plane provisions; build-to-plane provisions; maximum density provisions; minimum children's play area requirements; standard and barrier free parking space dimensions; bicycle parking space sizes and number of spaces required; minimum loading space requirements; and amending yard projections.

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**Chronology**

Both applications were submitted/received at the City of Kingston on November 27, 2015. The applications (File Numbers D09-039-2015 & D14-146-2015) were deemed complete and confirmed to the applicant by letter dated December 15, 2015.

The Statutory Public Meeting was held at City Hall on February 18, 2016, while staff continued to review the applications through the technical review process. Comments were received from the Peer Reviewer selected to review the Urban Design Study and Heritage Impact Statement on April 14, 2016 and provided to the applicant on May 10, 2016. Upon receipt of the Peer Review comments, the applicant revised the overall development plan and resubmitted for a second technical review on May 26, 2017. On June 8, 2017, the City Clerk's Office received the Ontario Municipal Board (OMB) appeals under subsection 34(11) of the *Planning Act*.

A second Non-Statutory Public Meeting was held August 3, 2017. At this meeting, the applicant presented the revised development proposal to staff, members of the Planning Committee and the public. Input regarding potential Community Benefits was received at the August 3<sup>rd</sup> meeting.

The following recommendation was reported out in open session at the November 21, 2017 Council Meeting:

**“That** Council direct staff to continue negotiations and report back in closed session on potential terms of settlement for the applications for Official Plan and zoning by-law amendments at 51-57 Queen Street and 18 Queen Street & 282 Ontario Street, as per the proponent's second submission and related Peer Review; and

**That** Council direct staff to provide a public report at the December 5, 2017 Council meeting to inform the community of the status of the applications for an amendment to the Official Plan and zoning by-law for the lands located at 51-57 Queen Street and 18 Queen Street & 282 Ontario Street by Homestead Land Holdings Limited.”

The Ontario Municipal Board (OMB) Pre-Hearing was held on November 22<sup>nd</sup>, 2017. At the pre-hearing three additional parties requested status in the hearing, and 9 individuals requested participant status. A second pre-hearing teleconference is scheduled for February 2, 2018 at 11:00 a.m.

The typical OMB process involves a sequence of events as follows:

- Appeal filed with the OMB;
- Notice of OMB Pre-Hearing;
- OMB Pre-Hearing;
- OMB Hearing; and
- Written decision delivered.

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**OMB – Pre-Hearings**

The OMB may choose to hold a meeting before an actual hearing, as is the case with the appeals with respect to the proposed amendment applications at the subject property. This meeting is called a 'pre-hearing'. A decision to proceed with a pre-hearing is usually invoked if there is a sense that the matter is expected to be long or complicated. The following topics are usually discussed at pre-hearings:

- Identification of issues, parties and participants;
- Organization of complicated matters;
- Decisions as to which documents should be exchanged; and
- Determination of procedures before and during the hearing.

With respect to the anticipated timing of the OMB Hearing date, as there are a number of appeals across the province that are currently before the OMB, it takes an approximate average of one year from the pre-hearing for the hearing date.

**OMB – Party Status**

The City of Kingston is a 'party' to these appeals. At OMB Hearings, parties have a responsibility to:

- Provide an overview of what the appeal is about;
- Submit all necessary documentation as exhibits at the hearing (this includes any maps, case law, document books, etc.);
- Present their case using exhibits, witnesses and other evidence;
- To cross-examine the other parties' witnesses and evidence; and
- At the end of the hearing, give final arguments or a summary of all the evidence.

**OMB – Participant Status**

A participant is an individual, group or corporation that may choose to attend only part of the proceedings but makes a statement to the Board on all or some of the issues in the hearing. Participants do not provide evidence or witnesses, and cannot be asked to pay costs.

Participants have a responsibility to:

- Attend on the first day of the hearing before it begins;
- Provide their name and address to the Board;
- Give a statement to the Board about the matter being dealt with at the hearing;
- Give their statement at a later date if the hearing has been scheduled for multiple days; and
- Follow the procedures set out in a procedural order from a prehearing. These procedures may set out when to appear at a hearing and when to provide participant statements to the parties.

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**OMB – Additional Resources**

The OMB has a digital Guide Book, which is a helpful resource for interested members of the public with respect to key details involving process, what to expect, how to prepare for a hearing, etc. The OMB Guide Book may be accessed through the following link to the OMB website: [OMB Guide Book](#).

**Technical Review**

On December 14, 2015 the applications (D09-039-2015 & D14-146-2015) were circulated for technical review. On May 10, 2016, Peer Review comments regarding the Urban Design Study and Heritage Impact Statement were provided to the applicant. Upon receipt of the Peer Review comments, the applicant revised the overall development plan and resubmitted for second technical review on May 26, 2017. On June 8, 2017 the second submission was circulated for technical review. At this time, staff are continuing to work with internal and external agencies and Peer Reviewers to finalize second technical comments.

Several studies have been completed and submitted in support of these applications. As part of the second submission, the studies were revised to reflect the proposed design changes. Below is a summary of the technical studies.

## First and Second Submission Overview:

- Stage 1 Archaeological Assessment of the Parking Lot at 18 Queen Street & 282 Ontario Street:

The report prepared by Ground Truth Archaeology Limited completed a Stage 1 Archaeological Assessment of the 0.43 hectare parcel which is located on an Archaeologically Sensitive Area. The report concludes that the subject property should be considered to have high potential for intact significant archaeological resources; therefore, a Stage 2 assessment should proceed.

- Stage 1 Archaeological Assessment of the Lower Drury Parking Lot at 51-57 Queen Street:

The report prepared by Abacus Archaeological Services completed a Stage 1 Archaeological Assessment of the 4,350 square metre lot which is located on an Archaeologically Sensitive Area. Research indicates a high potential for archaeological resources and that a Stage 2 assessment should precede future development.

- Stage 2 Archaeological Assessment of the Lower Drury Parking Lot – Volume I of II & Volume II of II:

The report prepared by Ground Truth Archaeology Limited completed a Stage 2 Archaeological Assessment of approximately 60% of the parking lot, which revealed significant archaeological deposits dating to before the mid-19<sup>th</sup> century. In conclusion, areas of the Stage 2 Archaeological Assessment identified areas of significance with cultural heritage value or interest that require a Stage 4 investigation.

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- Phase One Environmental Site Assessment – 18 Queen Street & 282 Ontario Street:

The report was completed to develop a thorough understanding of the history of the site and surrounding area, to identify Areas of Potential Environmental Concern (APECs) for the site. Historic site uses include a gasoline service station, garage and adjacent former coal gasification plant and bus garage. Overburden material on the site is generally very shallow (less than 3 metres) and consists of imported sand and gravel fill over a thin layer of silty clay and limestone bedrock. The shallow groundwater table is located within the limestone bedrock near the bedrock surface. Based on the results of the Phase One Environmental Site Assessment (ESA), a Phase Two ESA followed either by site remediation, risk assessment or a combination of these is required before a Record of Site Condition may be submitted.

- Phase One Environmental Site Assessment – 51-57 Queen Street:

The report was completed to develop a thorough understanding of the history of the site and surrounding area, and to identify APECs for the site. A former street railway shed, machine shop, iron foundry, auto wreckers and fuel & builder supply are 'Potentially Contaminating Activities' (PCAs) that have the potential to contaminate the subsurface soils and groundwater beneath the site. Historic operations east of the site included a coal gasification plant with below grade gas holders, tanks and piping excavated into the limestone bedrock. Overburden material on the site is generally very shallow (less than 3 metres) and consists of imported sand and gravel fill over a thin layer of silty clay and limestone bedrock. The main concerns for the site are in regards to coal tar contamination within the bedrock or groundwater; a Phase Two ESA investigation is required.

- Noise Impact Feasibility Study – 51-57 Queen Street and 18 Queen Street & 282 Ontario Street:

The reports were completed by Pinchin Ltd. to assess the anticipated noise impacts from nearby roads and surrounding commercial operations. The assessment of environmental noise impacts recommended that applicable noise control measures be included so that the Ministry of the Environment and Climate Change (MOECC) noise guidelines are satisfied at affected façades. The recommended noise control measures are typical of residential developments in urban areas.

- Planning Rationale & Zoning Justification (& Addendum):

The report(s) completed by IBI Group Incorporated provide an overview of the proposed development, policy framework, relief requested and appropriateness of the proposed development within the North Block. The report considers the Provincial Policy Statement, City of Kingston Official Plan and Zoning By-Law Number 96-259, as amended. The report concludes that the development is of a type and design that will complement the built form of the area and the character of the downtown. The proposed



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development is considered appropriate for the North Block District and represents good planning.

- Servicing Report – 51-57 Queen Street and 18 Queen Street & 282 Ontario Street:

The reports completed by Josselyn Engineering Inc. determined the perimeter municipal servicing available and determined available capacity within the existing sanitary, storm and water works to service the site. The report also determined location and availability of other utility servicing including Bell, gas, hydro and communications. Further, the report assessed the stormwater management requirements for the proposed development. The reports detailed conclusions and recommendations with respect to each utility service.

- Sunshade Study:

A Sunshade Study Analysis, completed by Roderick Lahey Architect Inc., to illustrate the proposed shadows as a result of the buildings proposed at 51-57 Queen Street and 18 Queen Street & 282 Ontario Street.

- North Block Development – Traffic Impact Study:

The report completed by AECOM predicted traffic operations at intersections surrounding the proposed mixed use buildings. The analysis showed that intersections will continue to function at an acceptable level of service. The proposed development will only nominally change operations at intersections throughout the study area. Overall, no mitigation measures are deemed required as a result of the proposed development on Block 3 and Block 5.

- Heritage Impact Statement (& Addendum):

The report was completed by MTBA Associates Inc. to evaluate the potential impact of the proposed development of the mixed use buildings on Blocks 3 and 5 on the heritage character value of those parcels and the adjacent designated historic resources. The report concludes that the proposed buildings are generally respectful of the individually-designated Part IV resources due to the podium-with-setback-tower approach design. The proposed development is said to not have a harmful impact on the Heritage Conservation District and its character-defining elements. The report concludes the proposed development has limited impact on the Heritage Value as defined by the Statements of Significance established by the City of Kingston.

- Urban Design Report (& Addendum):

The report was completed by MTBA Associates Inc. to consider how the proposed developments on Block 3 and 5 fit within the existing urban character of the surrounding context. The report concludes that city building often requires net benefits be weighed from a balance of competing objectives. The study concludes that the proposed redevelopment and revitalization of Blocks 3 and 5 of the North Block demonstrates

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appropriate Urban Design conditional on minor modifications and improvements to occur at the Site Plan Control stage.

- Wind Study - 51-57 Queen Street (Block 3) and 18 Queen Street & 282 Ontario Street (Block 5):

The letter prepared by RWDI considers the potential pedestrian wind conditions around the proposed development located on Block 5 based on a review of the local wind climate, proposed building design and wind-tunnel tests for buildings in the area. The report concludes that the proposed building will not significantly increase wind speeds along nearby sidewalks. It is recommended that entrances and seating areas be located away from the buildings corners. Further, should wind activity exceed comfortable levels on upper level terraces, taller guardrails/parapets could be installed to assist.

Architectural Elevations, Floor Plans and a Site Plan drawing were submitted for technical review as part of the first and second technical submissions. An additional rendering was completed to illustrate the changes between the original submission and the proposed modifications submitted as part of the second submission (Exhibits A through D).

Upon receipt of the first submission, staff completed a technical review that included a Peer Review of both the Urban Design Study and the Heritage Impact Statement. Several comments and concerns were noted through this review and were provided to the applicant for consideration. Based on the technical comments, input from the Planning Committee and members of the public, the applicant revised the building plans. The second technical submission, received by staff on May 26, 2017 and presented to the Planning Committee and members of the public on August 3, 2017, appears to have addressed several concerns noted in the first technical review comments.

At this time, staff are continuing to work through the technical review of the second submission. Both the Urban Design Study and Heritage Impact Statement Addendums have been provided to WSP for Peer Review. At the time of writing this report, final Peer Review comments have not yet been received. Based on the review that has been completed to date additional consideration needs to be given to the height and massing of the buildings, architectural details, finished landscaping at grade and streetscape improvements, further podium design refinement to address the scale of the residential tower, improvements to the public realm and further detailing of Community Benefits.

### **Public Correspondence**

Two Public Meetings were held at City Hall in regards to the proposed development at 51-57 Queen Street and 18 Queen Street & 282 Ontario Street. The Statutory Public Meeting was held on Thursday, February 18, 2016. Eighty-two (82) members of the public signed in at the Public Meeting while twenty eight (28) members of the public provided oral submissions. The meeting minutes are attached as Exhibit I. Several commenters explained their juxtaposition of supporting intensification projects within the urban boundary and specifically the downtown core with the 'out of character scale, massing and height of the proposed residential towers'.

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A second Public Meeting was held on Thursday, August 3, 2017 to provide an overview of the changes in the overall development plan, allow public input for Council's consideration and seek input with respect to potential Community Benefits related to the proposed development. Thirteen (13) members of the public signed in at the Public Meeting while ten (10) members of the public provided oral submissions. The meeting minutes are attached as Exhibit J. Similar to the comments received at the previous February 18, 2015 Public Meeting, comments in support and opposition were heard. Supporters note that the downtown core requires additional development to ensure a robust Central Business District is maintained while others noted concerns regarding the lack of consistency with carefully crafted Official Plan policies regarding protecting and preserving Heritage Conservation and establishing compatible built forms.

Upon deeming the development applications complete in accordance with the *Planning Act* on December 15, 2016, staff have continued to receive written correspondence. Similar to the oral submissions heard at the Public Meetings, the commentary includes both letters of support and opposition. To date, approximately 90 pieces of written correspondence have been received.

### **Community Benefits**

In accordance with Section 37 of the *Planning Act* and Sections 9.5.25 – 9.5.30 of the Official Plan, the city will be seeking possible Community Benefits if any increase in height or density is permitted.

As identified in Section 9.5.25 of the Official Plan, possible Community Benefits include: providing parkland dedication beyond what is already required by the Official Plan; improving access to public transit facilities; providing public areas, pathways and connections to external public pathways/trail systems; providing public and/or underground parking; providing community and open space facilities such as small parks, day care centres, community centres, recreation facilities, cultural facilities; and providing public art.

To date, several suggestions in regards to potential Community Benefits have been provided from the public:

- Affordable housing;
- Daycare;
- Public Art Gallery;
- Plaque or book illustrating early maps of area installed in the public realm;
- Not-for-profit uses at grade;
- Public observation deck on podium that views RMC, Fort Henry and Wolfe Island;
- Long-term reduced rent for public art gallery;
- Central spot for information for visual arts in Kingston; and
- The Community Benefit should be something that is negotiated to be paid over time, not a one-time benefit.

With respect to Community Benefits, staff are in the process of having an appraisal prepared to determine the uplift value of the additional proposed height for these buildings. The value associated with the Community Benefit is derived from the proposed increase in height and is based on the uplift value. Uplift value is defined to be the portion of the proposed building which

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exceeds the as-of-right height permitted through the existing zoning requirements. Based on the proposed development of a 19 storey multi-unit residential building at 18 Queen Street & 282 Ontario Street and a 17 storey multi-unit residential building at 51-57 Queen Street, the Community Benefit calculations are outlined below:

**18 Queen Street & 282 Ontario Street**

Maximum Permitted Building Height	8 storeys
Proposed Building Height	19 storeys
As-of-Right Gross Floor Area	28,040.60 square metres
Proposed Gross Floor Area	28,199.5 square metres
Proposed Gross Floor Area within non-permitted storeys (9-19)	10,106.7 square metres = 108,787.6 square feet
* Market adjusted value/square foot	\$10.00
Uplift Value	108,787.6 square feet * \$10.00 = \$1,087,876.1
<b>Value of Community Benefit (@20%-30%)</b>	<b>\$217,575.20 - \$326,362.83</b>

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**51-57 Queen Street**

Maximum Permitted Building Height	8 storeys
Proposed Building Height	17 storeys
As-of-Right Gross Floor Area	31,052.00 square metres
Proposed Gross Floor Area	22,573.30 square metres
Proposed Gross Floor Area within non-permitted storeys (9-19)	8,108.9 square metres = 87,283.5 square feet
* Market adjusted value/square foot	\$10.00
Uplift Value	87,283.5 square feet * \$10.00 = \$872,834.7
<b>Value of Community Benefit (@20%-30%)</b>	<b>\$174,566.90 - \$261,850.41</b>

\*The market adjusted value per square foot utilized for the calculations above is \$10.00. This value was derived from a report dated June 29, 2016 authored by S. Rayner & Associates Ltd. As part of the on-going technical review and processing of the development applications, staff are working with a Certified Appraiser to obtain a more up-to-date report with respect to the market adjusted value per square foot of the proposed structures. This has the ability to alter the figures quoted in the table above and potentially change the value of Community Benefit sought by city staff.

**Existing Policy/By-Law:****Provincial Policy Statement**

The Provincial Policy Statement (2014) provides policy direction on matters of provincial interest related to land use planning and development, which are intended to be complemented by local policies addressing local interests.

The subject properties are within the City of Kingston Urban Boundary, which is an area identified in the Official Plan for residential intensification. Applicable policies in the Provincial Policy Statement include, but are not limited to: policies which encourage development patterns that minimize land consumption and servicing costs and are transit-supportive (Sections 1.1.1a),d),e), 1.1.3.1 and 1.1.3.2a) 5.); policies promoting opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas (Section 1.1.3.3); policies encouraging the optimization of existing infrastructure (Sections 1.6.3 a) and 1.6.6.1 a) 1.); policies which encourage active transportation (Section 1.6.7.4); and policies which encourage an appropriate range and mix of housing (Sections 1.1.1b) and 1.4).

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**Official Plan Considerations**

The subject properties are designated 'Central Business District' and subject to Site Specific Policy Number 22 in the City of Kingston Official Plan (Exhibits E and F). The lands are also shown on Schedule DH-3 – Areas of Pedestrian Focus, as having mandatory commercial frontage and including opportunities for courtyards/open space (Exhibit G).

The goal of the Central Business District designation is to “provide for the broadest range of commercial activity that is suitable to the Central Business District setting, in order to support the traditionally diverse role and pedestrian oriented activity focus of the city’s architecturally valuable downtown core”.

Section 3.4.A.1 states that while the broadest practical range of commercial use is permitted and encouraged, particular priority commercial functions will be protected, including:

- a. Specialty and comparison shopping that attracts and serves residents from throughout the city and broader regions;
- b. Business and professional offices, civic activities and related business service uses;
- c. Food, convenience shopping, personal and medical services, and similar functions that reinforce and support the attractiveness of the Central Business District for residential purposes; and
- d. Hospitality and tourist uses, entertainment facilities, cultural venues, and other attractions that serve both residents and visitors.

Complementary uses such as cultural, recreational, entertainment, institutional, community or municipal services, medium and high density residential, open space facilities, and parking lots and structures may also be permitted as complementary uses (Section 3.4.A.2).

Site Specific Policy Number 22 (Exhibit F) applies to the North Block Central Business District, where the subject properties are located. The policy reads as follows:

The Official Plan recognizes the special status of the North Block Central Business District Area as an area in the city core which was assessed in the context of an Urban Design Study, analyzing the potential for long-term intensification and redevelopment of the subject four and a half city blocks. The area is currently underdeveloped, but does contain large areas of parking that serve the downtown and a number of commercial uses, such as grocery stores, that provide key anchors to the downtown and support residents living in the area.

It is the policy of Council to encourage the development of lands within the North Block special policy area in accordance with the approved development framework established for the Central Business District policies of this Plan, to establish a general policy approach to guide the area’s transition and gradual intensification, and to provide direction to the formulation and review of any proposed land use change and/or development proposal.

Existing policies support a mix of uses in the area, with a predominance of commercial uses on the ground floor. The following provisions are intended to guide the gradual intensification in the future:

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- a. With respect to building heights, the provisions of Section 10A apply, including the Public Meeting requirements, except that for building heights in excess of 25.5 metres, an Urban Design Study will be required to show that the development would not overshadow surrounding buildings, that it would be compatible with the scale and massing of buildings which provide the built form context of the surrounding areas, and that it satisfies all other Official Plan policies.
- b. Development must strengthen pedestrian access by incorporating interlinking connections through and between the subject blocks, as well as outward from the area, with particular attention to improving connections towards Princess Street, and to including improved linkages to the proposed waterfront pathway on the harbour side of Ontario Street. In particular, a pedestrian connection will be sought to link Queen Street to Princess Street.
- c. In order to encourage a more pedestrian friendly form of retail development along King Street, the ground floor building face may be set back from the sidewalk to allow for an arcade form of development, characterized by a covered pedestrian walkway with supporting columns.
- d. Reduction of amenity space requirements as required in the Downtown and Harbour Zoning By-Law may be considered, subject to the provision of alternate common amenity space, such as on rooftops, in internal courtyards, or mid-block walkways designed to improve pedestrian movement.
- e. The waterfront views are to be maintained along the municipal rights-of-ways of Queen and Barrack Streets as shown on Schedule 9.
- f. As redevelopment takes place over time, the intent of these policies is to support the replacement of parking lots with above-grade parking structures, subject to the same build-to planes, minimum building height and minimum lot coverage provisions, as currently apply to other building forms in the area. Large structures such as a parking garage or a transportation terminal will be subject to design considerations in accordance with the policies of this Plan. Design considerations may include a façade treatment that will be harmonious with the intended massing and rhythm of design elements of the more traditional residential or office uses planned for the area.
- g. Traffic studies and parking impact studies that examine circulation in the immediate area of a development proposal, and the on and off-site traffic impacts, are required for each development proposal.
- h. Heritage buildings within the study area must be protected and conserved in accordance with Section 7 of this Plan; deviations from this require consultation with Heritage Kingston and approval of city Council.
- i. Archaeological protection must take place, as set out in Section 7 of this Plan, and in accordance with the recommendations of the Stage One Archaeological Assessment

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included as Appendix C in the Urban Design Guidelines for the North Block Central Business District (2004).

- j. This Official Plan sets out policies for fostering improved environmental quality and requiring site remediation of contaminated sites. The policies and the area subject to the Community Improvement Plan were updated in 2005 in order to start the implementation of Kingston's brownfields program. When proposing a change in land use, the owner must file a Record of Site Condition to demonstrate that the proposed land use is appropriate and in accordance with provincial legislation.
- k. These parcels of land are subject to an 'H' Holding Symbol under Section 36 of the *Planning Act* and in accordance with the policies of Section 9 of this Plan.

The Downtown and Harbour Special Policy Area in Section 10A of the Official Plan provides guidelines for development and redevelopment in the city's Downtown Area. The following are a selection of policies from Section 10A which affect the subject properties:

- A broad mix of uses will be encouraged in the Downtown Area and in much of the Harbour Area (shown on Schedule DH-1), including the widest range of commercial use, as well as civic, institutional, open space, recreation and higher density residential use provided that such uses are supportive of the vitality, human scale, pedestrian activity, historic fabric and function of this Centre (Section 10A.1.1);
- To add to the accessibility and vitality of the area, new and improved pedestrian linkages to the waterfront and between blocks in the Downtown will be promoted in accordance with Schedule DH-3 (Section 10A.1.4) (Exhibit G);
- Parking will be managed in a manner that is supportive of the function of the Downtown and Harbour Area and also of its pedestrian focus. New parking structures will be located, where possible, on the fringe of the Downtown and Harbour Area, and will be designed to complement the historic character, and the neighbouring buildings and adjacent streetscapes or walkways through design, massing and streetscape features. New surface parking lots will be discouraged (Section 10A.1.7);
- Commercial uses that attract and serve residents from throughout the city and broader region are encouraged to locate in the Downtown and Harbour Area, particularly on Prime Pedestrian Streets as shown on Schedule DH-3 (Section 10A.2.5);
- Ground floor commercial use is required along street frontage identified for Mandatory Commercial Frontage on Schedule DH-3. Retail use is preferred on these streets but commercial activity also includes offices, hospitality uses, services and professional uses;
- Office use will be encouraged in the Downtown Area, either as independent buildings or as ground floor or upper storey uses. In recognition of the importance of office use to the support of the Downtown, Council may limit the size or extent of such uses in other locations in the city (Section 10A.2.7);
- Medium and High Density Residential uses are encouraged in the Downtown, either above commercial ground floor space as mixed use buildings in the Central Business District or as independent buildings on the periphery of the Central Business District, on streets where ground floor retail is not mandatory as shown on Schedule DH-3.



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Specialized residential uses including senior citizen accommodations, boarding houses, crisis care facilities, supportive housing, hostels and similar uses are also permitted in the Central Business District in accordance with the above conditions (Section 10A.2.12);

- Where independent residential buildings are permitted in the Central Business District (on streets where ground floor retail is not mandatory), they will contribute to the pedestrian amenity of the area through design that provides access and common areas adjacent to the street and avoids the creation of driveways crossing Prime Pedestrian Streets shown on Schedule DH-3. In addition, any residential use of the ground floor must be constructed to be physically capable of conversion to a commercial use in the future by providing access directly at the level of the sidewalk, having adequate ceiling height, stair locations and partition wall layout that enables a future conversion of the ground floor level for commercial use (Section 10A.2.12);
- Confederation Park, Market Square and the Waterfront Pathway constitute major open space resources within the Downtown and Harbour Area that form significant elements of its identity and pedestrian linkage through the area. Additional public areas and pedestrian linkages will be acquired, developed or enhanced as opportunities arise and may take the form of urban square, courtyards or passageways between buildings (Section 10A.2.15);
- Above and below grade parking structures are permitted in the Downtown and Harbour Area but parking at grade is generally prohibited to encourage uses that animate the street to be built at ground level. It is the intent of the Official Plan that parking structures are designed in such a manner that the pedestrian function, streetscape façade, and views of the Downtown and Harbour Area are not impaired, in accordance with the Downtown and Harbour Area Architectural Guidelines, and other policies of the Official Plan (Section 10A.2.17);
- Public and private laneways, courtyards and other rights-of-ways are important for delivery access and emergency service in the Downtown. Many laneways and some courtyards also contribute to the charm and unique character of the core, providing convenient pedestrian routes and exceptional commercial settings. The city intends to maintain and expand the system of pedestrian links and commercial use of courtyards in the development of new projects (Section 10A.3.8);
- While striving to maintain character-defining buildings, the city may support new buildings that are of a scale and massing complementary to buildings in the surrounding area. For the North Block and environs sub-area and the Harbour Area as show on Schedule DH-1:
  - Streetwall buildings with a 'build-to-plane' up to 17 metres, to be specified in the zoning by-law;
  - A minimum building height of approximately 8.5 metres with a two-storey height or the appearance of two-storeys;
  - A height between ground floor and second floor of 4.25 metres or alignment with the second floor of adjacent buildings; if these are considered to reflect the character of the area as established in the Downtown and Harbour Area Architectural Guidelines; and
  - A maximum height (after employing angular plane setbacks) of 25.5 metres;Notwithstanding the above provision related to height, if a site-specific Urban Design Study, presented to the public, clearly indicates to the satisfaction of the city, that a taller

December 5, 2017

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building is compatible with the massing of surrounding buildings, does not create unacceptable amounts of shadowing, and meets the land use compatibility policies of Section 2.7 of the Official Plan, a greater height within a specified building envelope may be permitted (Section 10A.4.6 and 10A.4.7);

- Above grade parking structures located in the Downtown will be encouraged to be complementary to the massing and treatment of related buildings along the streetscape through the use of one or more of the following means:
  - Design of office or retail space that will wrap the parking structure along the street, particularly along Prime Pedestrian Streets or appropriate areas of the Waterfront Pathway as shown on Schedule DH-3;
  - Façade design which is compatible with elements and spacing of elements of adjacent buildings in order to provide a continued rhythm along the street;
  - Restricted or prohibited vehicular access from Prime Pedestrian Streets;
  - Pedestrian access to be encouraged from Prime Pedestrian Streets rather than a side street; and
  - Any exterior face that abuts pedestrian walkways or a courtyard will have design elements that bring the structure into the pedestrian realm, to assist in the way in which it blends with the design elements and massing of surrounding buildings (Section 10A.4.10);
- The site on the south side of Queen Street between King and Ontario Street (18 Queen Street and 282 Ontario Street) is part of the North Block Site Specific Policy Area shown on Schedule 3-D, and is potentially able to accommodate new large scale development that will maintain the character of the district if certain provisions are maintained. In addition to the policies of Section 3.18.22, proposals are encouraged to:
  - Build at the street edges or align with the façade of existing character defining buildings, especially along Princess Street where a continuous retail frontage at grade along the street is a character-defining and historic element of the street;
  - Limit vehicle access to the Queen Street frontage; and
  - Explore the potential of creating an additional mid-block walkway and courtyard as set out in Schedule DH-3 (Section 10A.5.2);
- The site on the north side of Queen Street between Wellington Street and King Street (51-57 Queen Street) is part of the North Block Site Specific Policy Area, shown on Schedule 3-D, and is able to accommodate new large-scale development and maintain the character of the sub-area if the proposal conforms to current zoning heights, angular planes and other provisions. Heritage detailing is not required. Development of this site is subject to the site specific policies of Section 3.18.22 of the Official Plan (Section 10A.5.4).

As the applicant is proposing to amend the Official Plan to remove the mandatory commercial frontage along Ontario Street, Wellington Street and Queen Street; remove the identified 'Courtyard/Open Area Opportunity' shown on Schedule DH-4; permit increased height; and permit 100% residential uses on a portion of 51-57 Queen Street, an amendment to the Official Plan is required.

December 5, 2017

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**Zoning By-law Considerations**

The subject properties are zoned Specific Central Business System C1-22(H) Zone in Zoning By-Law Number 96-259, as amended (Exhibit H). The 'C1-22' zone permits a variety of commercial uses including an adult entertainment parlour, amusement arcade, arena, art gallery, bank or financial establishment, convenience store, day care centre, department store, food store, hotel, medical clinic, mixed commercial/residential development, office, parking structure and a restaurant. Non-commercial permitted uses include community home, community support house, crisis care shelter, recovery home and residential care facility.

To accommodate the proposal, the applicant is also proposing to amend various provisions of the zoning by-law including amending required yards on Wellington Street, Queen Street, King Street and Ontario Street; amending angular plane provisions; amending build-to-plane provisions; amending maximum density provisions; amending minimum children's play area requirements; amending standard and barrier free parking space dimensions; amending a minimum number of bicycle parking space sizes and form; amending permitted yard projections and permit residential uses on the ground floor. A zoning by-law amendment application is required to permit these changes.

**Previous & Current Applications**

2004 – An Official Plan amendment (File Number D09-009-2004) and zoning by-law amendment (File Number D14-038-2004) to implement the recommendations of a Council initiated Urban Design Guidelines for the North Block Central Business District study.

**Notice Provisions:**

Not applicable

**Accessibility Considerations:**

Not applicable

**Financial Considerations:**

Not applicable

**Contacts:**

Paige Agnew, Director, Planning, Building & Licensing Services 613 546-4291 extension 3252

Marnie Venditti, Manager, Development Approvals 613 546-4291 extension 3256

Jason Sands, Senior Planner 613 546-4291 extension 3277

**Other City of Kingston Staff Consulted:**

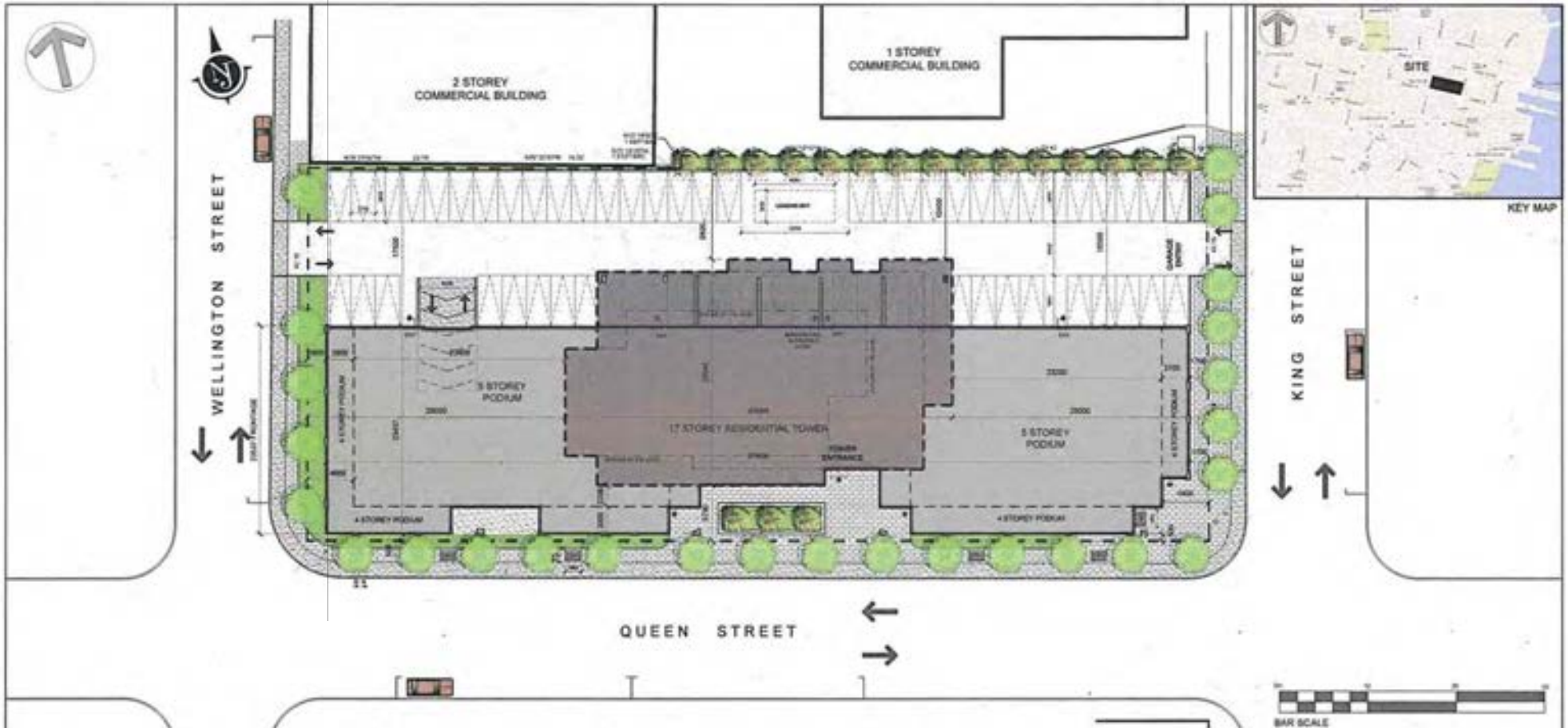
Robert McLachlan, Utilities Engineer

December 5, 2017

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**Exhibits Attached:**

- Exhibit A Conceptual Drawings (51-57 Queen Street)
- Exhibit B Conceptual Drawings (18 Queen Street & 282 Ontario Street)
- Exhibit C Elevation/Angular Plane Comparison (51-57 Queen Street)
- Exhibit D Elevation/Angular Plane Comparison (18 Queen Street & 282 Ontario Street)
- Exhibit E Official Plan Designation
- Exhibit F Existing Official Plan – Schedule 3-D
- Exhibit G Existing Official Plan – Schedule DH-3
- Exhibit H Existing Zoning
- Exhibit I 2016 Statutory Public Meeting Minutes
- Exhibit J 2017 Non-Statutory Public Meeting Minutes



PROJECT STATISTICS	EDUCITY + MOBILITY (DEVELOPING)	CAR PARKING	BICYCLE PARKING	AMENITY SPACE	LOT COVERAGE	GROSS BUILDING AREA
<p><b>PROJECT STATISTICS</b></p> <p>ADDRESS: 51-57 Q. ST. N.</p> <p>SITE AREA: 4,800 SQ. FT. (0.11 AC)</p> <p>PROPOSED RANGE (ZONING DIST. 2): 100' (MAX) 10' (MIN)</p> <p>BUILDING HEIGHT - AT ROAD FRONTAGE: 17 STOREY (MAX)</p> <p>BUILDING HEIGHT - TOWER: 10 STOREY (MAX)</p> <p>BUILDING HEIGHT - TOWER PODIUM: 5 STOREY (MAX)</p> <p>BUILDING HEIGHT - TOWER PODIUM: 4 STOREY (MAX)</p> <p>DEVELOPER: Roderick Lahey Architect Inc.</p> <p>ARCHITECT: Roderick Lahey Architect Inc.</p> <p>DATE: May 23, 2017</p>	<p><b>EDUCITY + MOBILITY (DEVELOPING)</b></p> <p>CARING (M1) (1.4 x 4.5): 40</p> <p>PARKING SPACE SIZE: 37 x 15.5</p> <p>PARKING SPACE SIZE (SMALL CAR): 20 x 10.5</p> <p>SPECIAL VEHICLE PARKING - TYPE A: 1</p> <p>SPECIAL VEHICLE PARKING - TYPE B: 1</p> <p>SPECIAL VEHICLE ACCESS BAY: 1</p> <p>RAIL WIDTH: 3' 0"</p> <p>BICYCLE PARKING SPACE (SIDE ENTRANCE): 10 x 11</p> <p>BICYCLE PARKING SPACE (SIDE ENTRANCE): 10 x 11</p>	<p><b>CAR PARKING</b></p> <p>REQUIRED: 1 PER UNIT (20 UNITS) 20</p> <p>COMMERCIAL RETAIL: NOT REQUIRED 0</p> <p>TOTAL: 20</p> <p>PROVIDED: 4 BICYCLE (10 x 11) 4</p> <p>RECYCLED RUBBER: 1 (10 x 11) 1</p> <p>MAINTENANCE GARAGE: 1 (10 x 11) 1</p> <p>TOTAL: 22</p> <p><b>CAR PARKING</b></p> <p>PARKING SPACE SIZE: 37 x 15.5</p> <p>STANDARD SPACE (1.4 x 4.5): 20</p> <p>SMALL SPACE (1.4 x 4.5): 0</p> <p>SMALL SPACE (1.4 x 4.5): 0</p> <p>SMALL SPACE (1.4 x 4.5): 0</p>	<p><b>BICYCLE PARKING</b></p> <p>REQUIRED: 1 PER UNIT (20 UNITS) 20</p> <p>COMMERCIAL RETAIL: NOT REQUIRED 0</p> <p>TOTAL: 20</p> <p>PROVIDED: 4 BICYCLE (10 x 11) 4</p> <p>RECYCLED RUBBER: 1 (10 x 11) 1</p> <p>MAINTENANCE GARAGE: 1 (10 x 11) 1</p> <p>TOTAL: 22</p>	<p><b>AMENITY SPACE</b></p> <p>RECYCLED RUBBER: 1 (10 x 11) 1</p> <p>MAINTENANCE GARAGE: 1 (10 x 11) 1</p> <p>TOTAL: 2</p> <p><b>AMENITY SPACE</b></p> <p>RECYCLED RUBBER: 1 (10 x 11) 1</p> <p>MAINTENANCE GARAGE: 1 (10 x 11) 1</p> <p>TOTAL: 2</p>	<p><b>LOT COVERAGE</b></p> <p>PERMITTED: 100% (MAX)</p> <p>REQUIREMENT: 100% (MAX)</p> <p>ACTUAL: 100% (MAX)</p> <p>TOTAL: 100% (MAX)</p> <p><b>UNIT STATISTICS</b></p> <p>1-BEDROOM: 87</p> <p>2-BEDROOM: 142</p> <p>TOTAL: 229</p> <p><b>COMMERCIAL AREA</b></p> <p>COMMERCIAL RETAIL: 2,700 SQ. FT.</p>	<p><b>GROSS BUILDING AREA</b></p> <p>RECYCLED RUBBER: 1,000 SQ. FT.</p> <p>MAINTENANCE GARAGE: 1,000 SQ. FT.</p> <p>TOTAL: 2,000 SQ. FT.</p> <p>1-BEDROOM: 1,000 SQ. FT.</p> <p>2-BEDROOM: 1,000 SQ. FT.</p> <p>TOTAL: 2,000 SQ. FT.</p> <p>1-BEDROOM: 1,000 SQ. FT.</p> <p>2-BEDROOM: 1,000 SQ. FT.</p> <p>TOTAL: 2,000 SQ. FT.</p>

**RODERICK LAHEY**  
ARCHITECT INC.

**SITE PLAN**  
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PLOT DATE: Tuesday, May 23, 2017

**51 - 57 QUEEN STREET (BLOCK 3)**

KINGSTON, ONTARIO

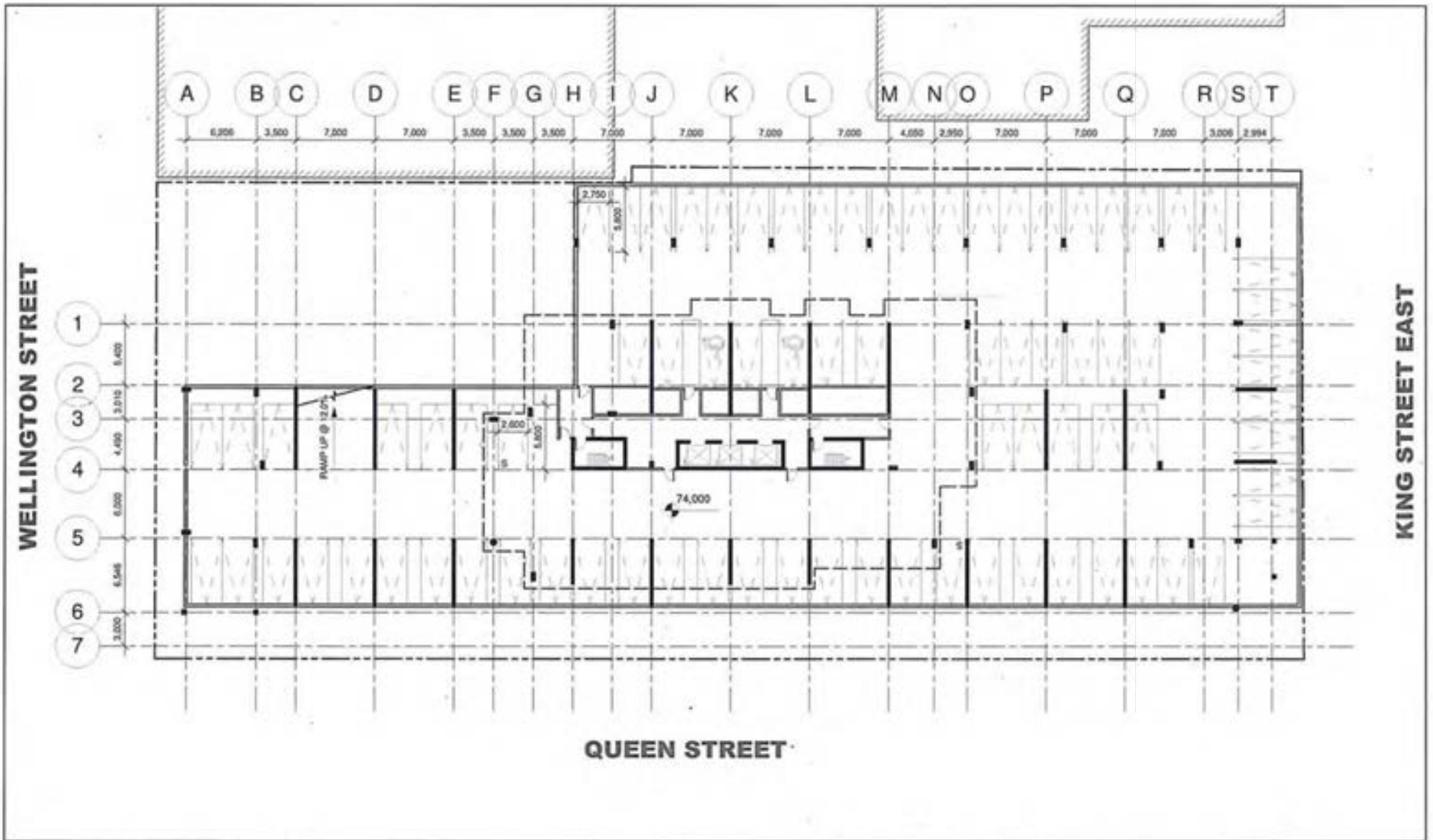


01

PHD # 101







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ARCHITECT INC

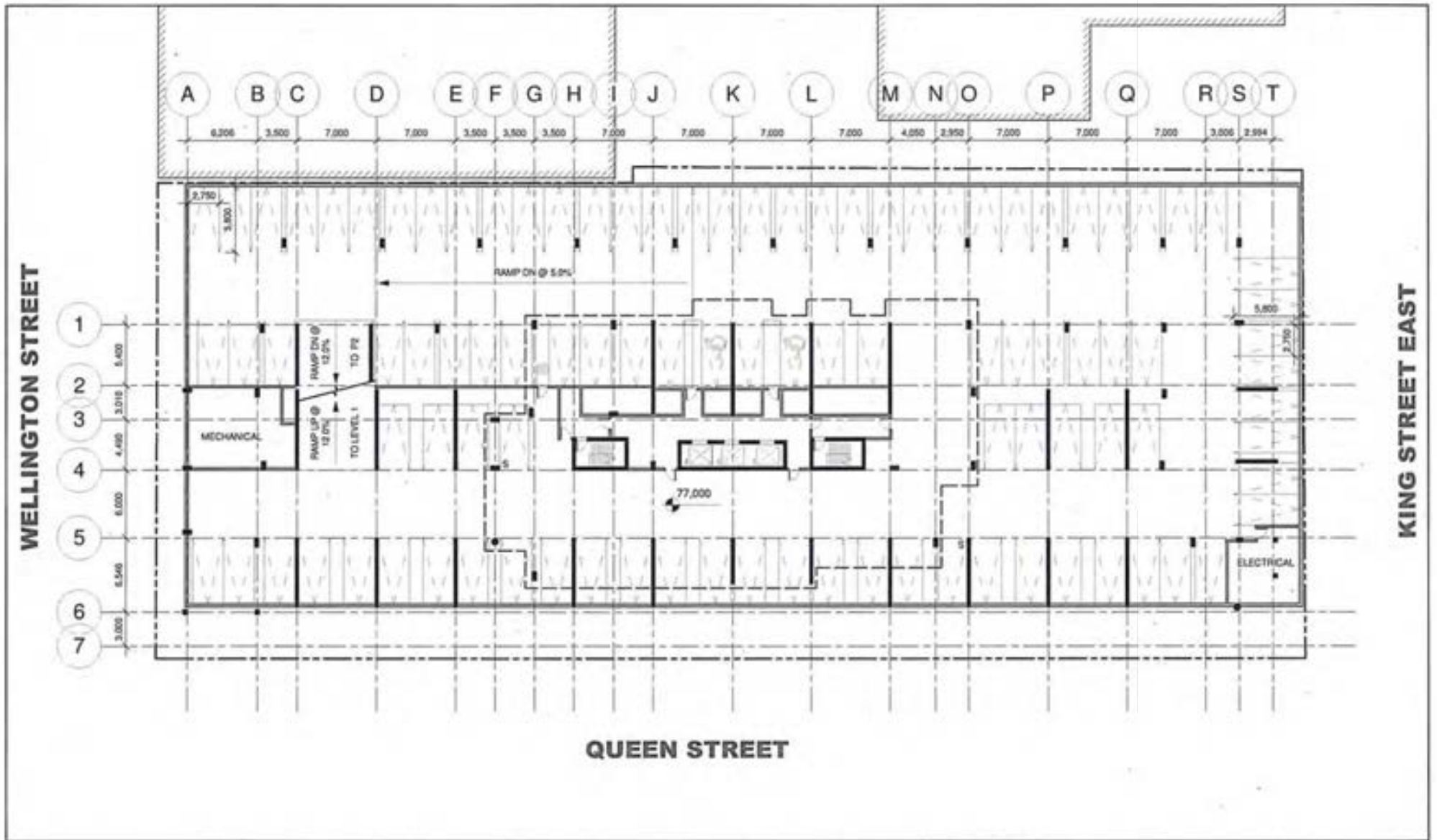
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Tuesday May 23, 2017

51 - 57 QUEEN STREET (BLOCK 3)  
KINGSTON, ONTARIO

**HOMESTEAD**



03



**RODERICK LAHEY**  
ARCHITECT INC.

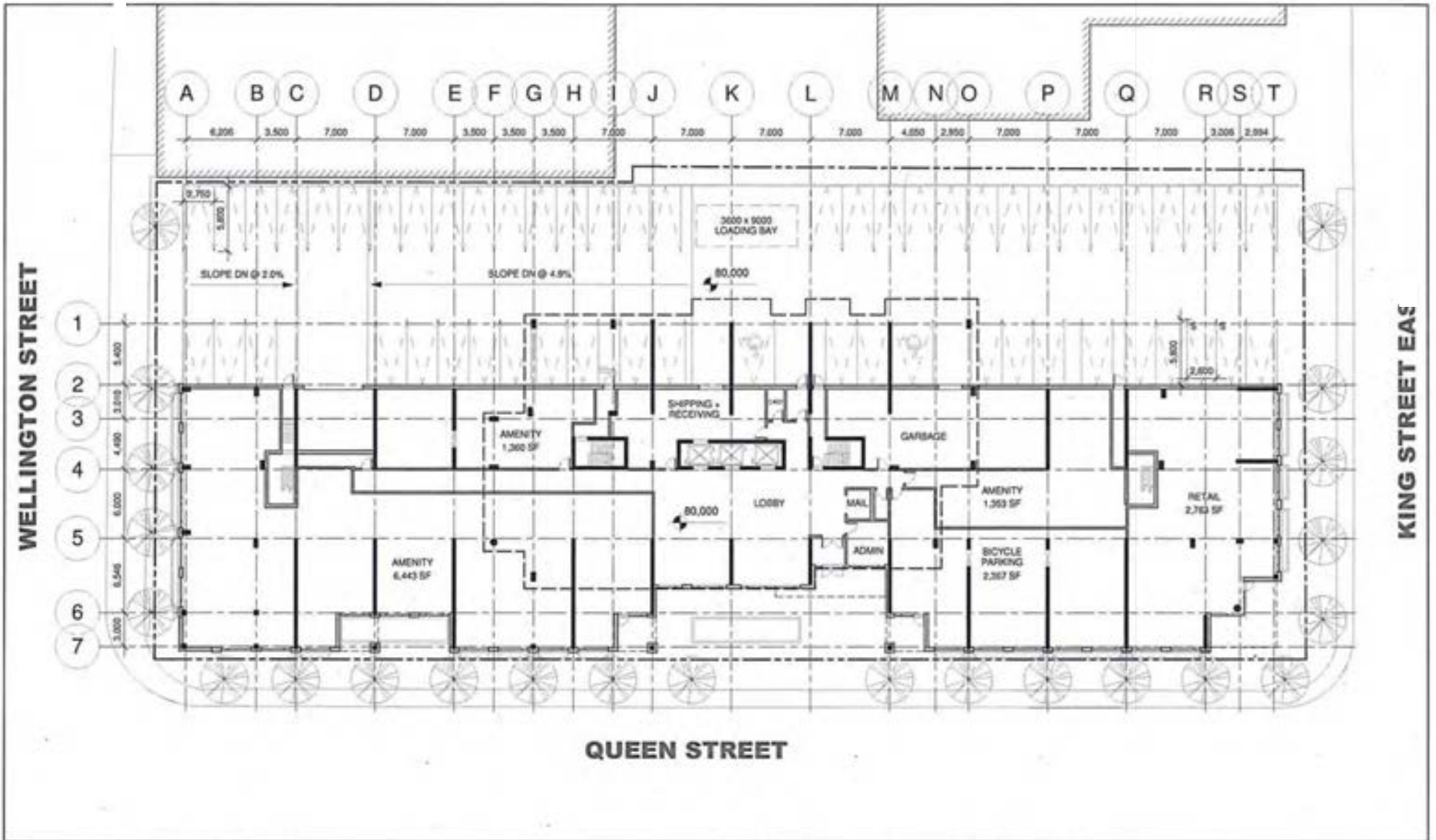
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Tuesday May 23, 2017

51 - 57 QUEEN STREET (BLOCK 3)  
KINGSTON, ONTARIO



04





QUEEN STREET

**RODERICK LAHEY**  
ARCHITECT INC

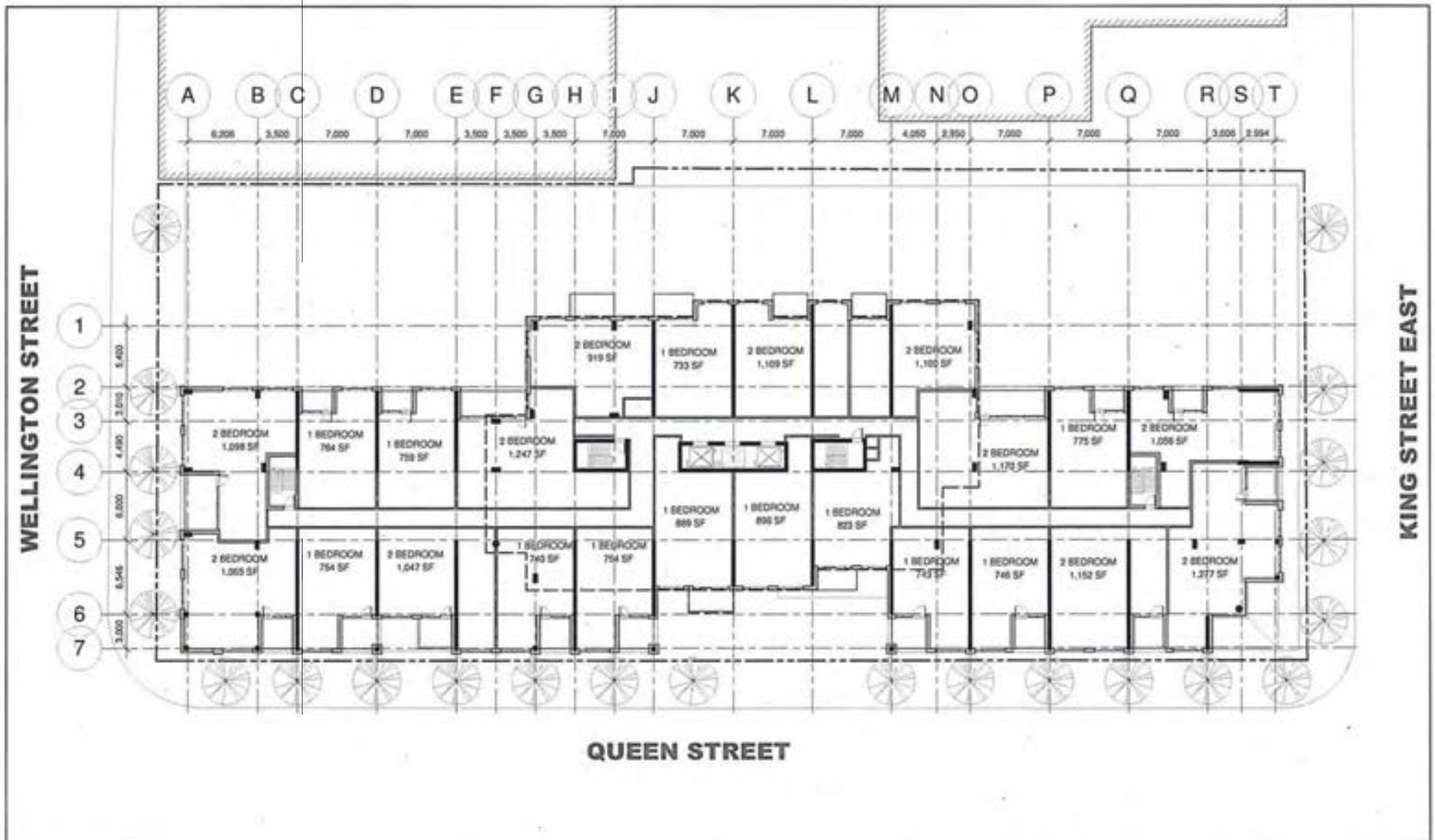
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51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO

**HOMESTEAD**

05



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ARCHITECT INC.

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Tuesday May 23, 2017

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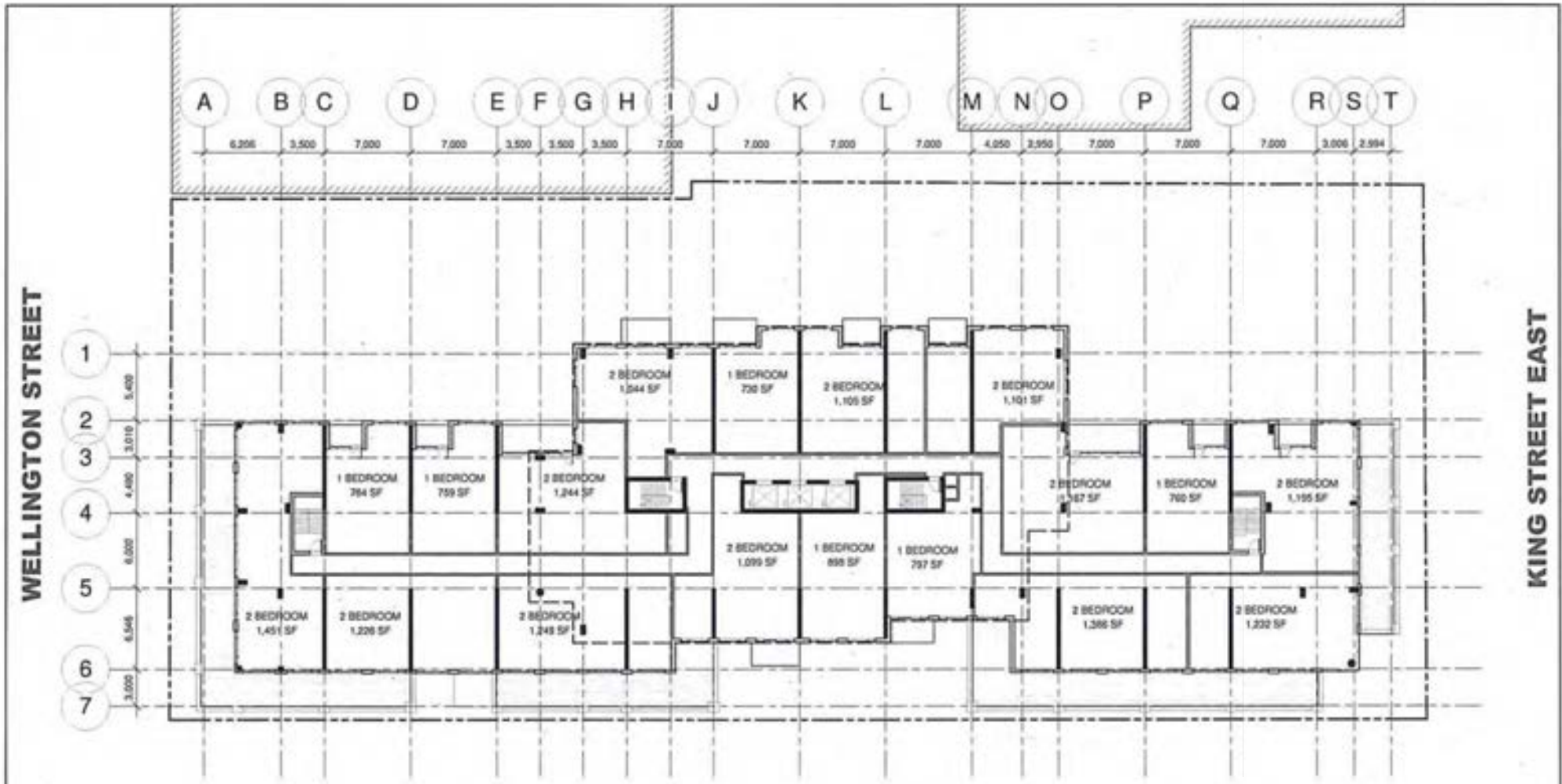
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**HOMESTEAD**

06

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ARCHITECT INC

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Tuesday May 23, 2017

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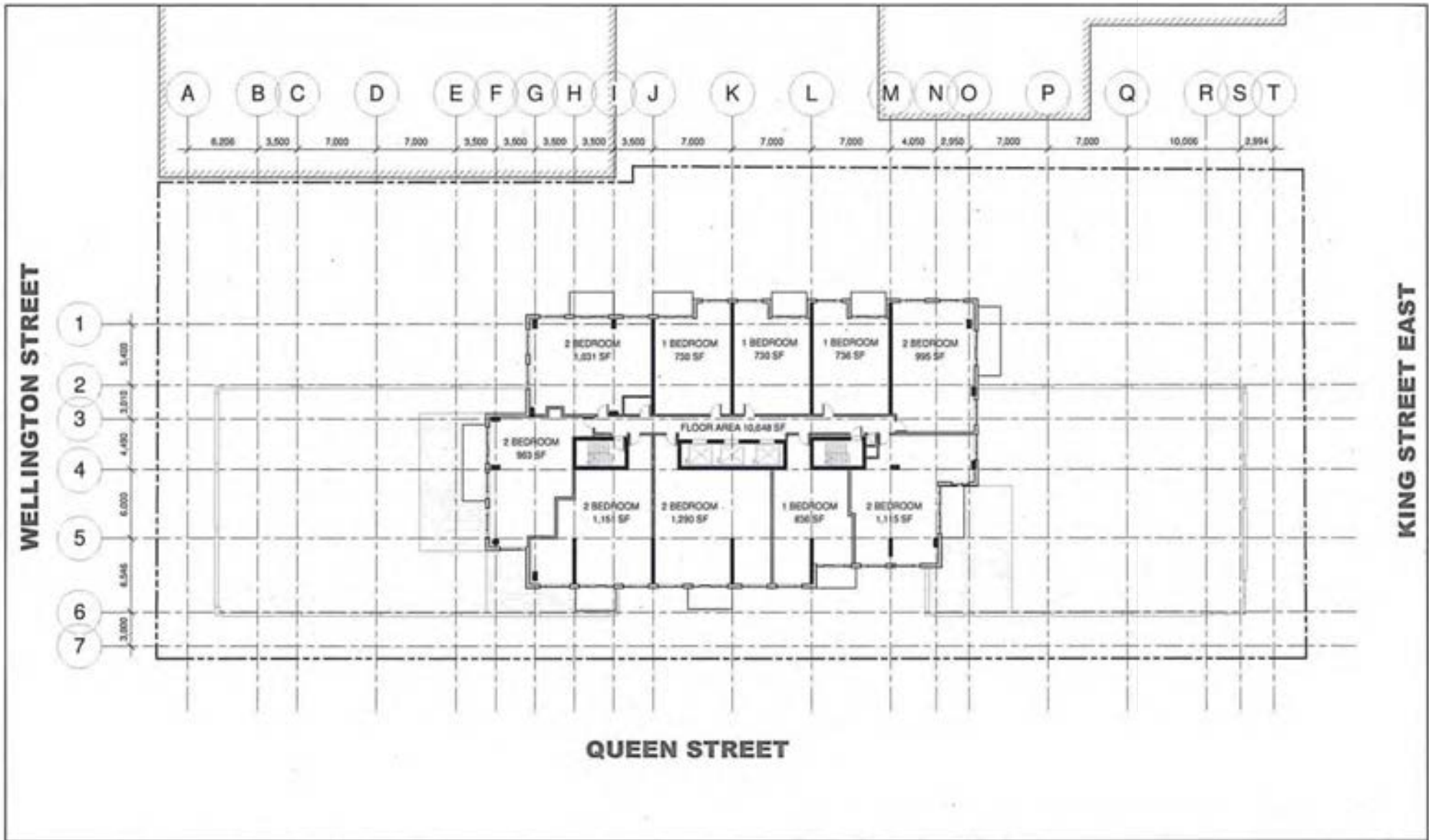
KINGSTON, ONTARIO

**HOMESTEAD**



07





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ARCHITECT INC

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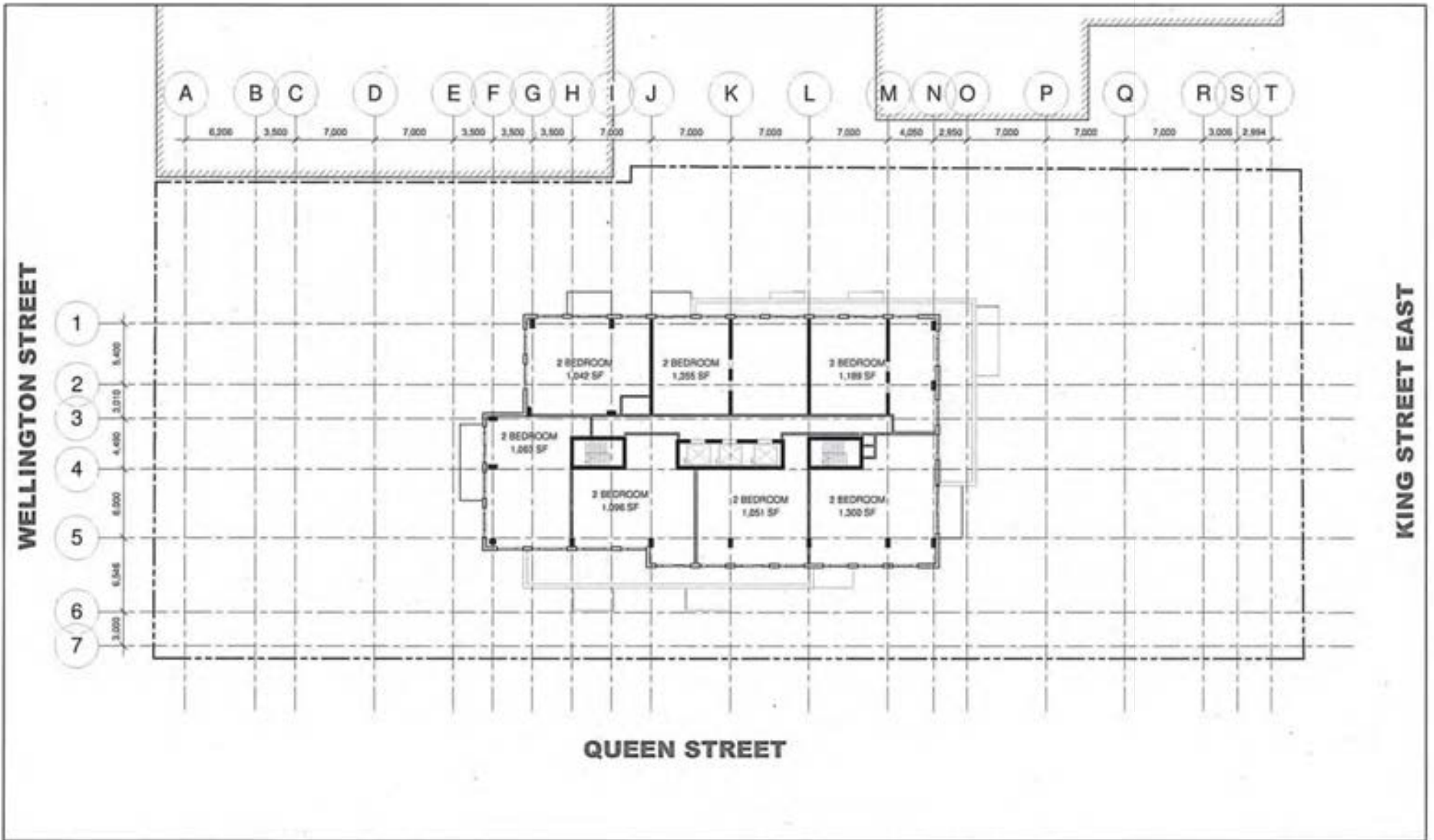
51 - 57 QUEEN STREET (BLOCK 3)  
KINGSTON, ONTARIO



08

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QUEEN STREET

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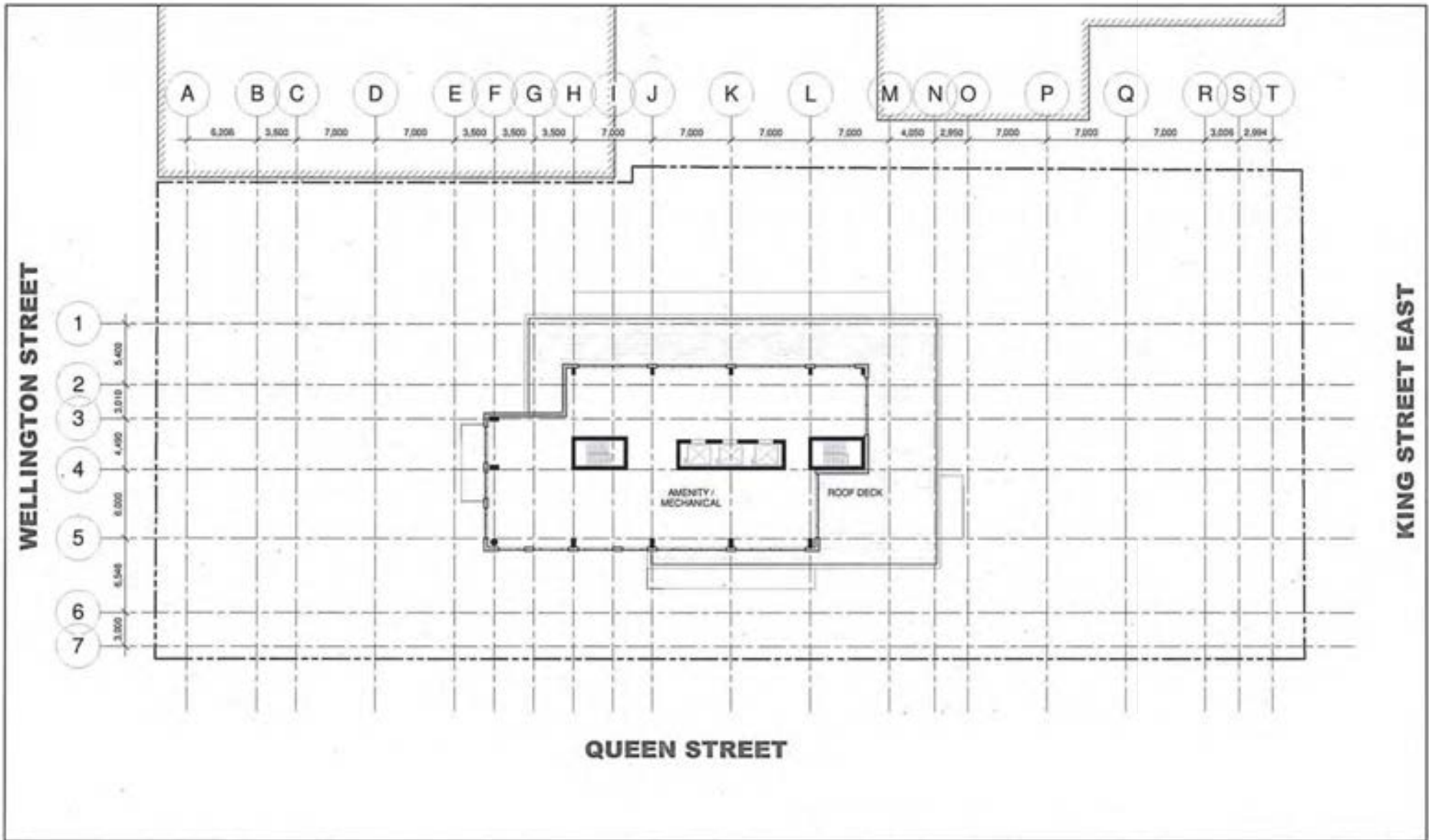
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Tuesday May 23, 2017

51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO



09



**RODERICK LAHEY**  
ARCHITECT INC

LEVEL 17  
SCALE 1:200  
Tuesday May 23, 2017

51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO



10





**RODERICK LAHEY**  
ARCHITECT INC

**SOUTH ELEVATION**  
SCALE 1:300  
Tuesday May 23, 2017

**51 - 57 QUEEN STREET (BLOCK 3)**  
KINGSTON, ONTARIO

**HOMESTEAD**

**11**

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WEST ELEVATION



EAST ELEVATION

**RODERICK LAHEY**  
ARCHITECT INC

EAST & WEST ELEVATIONS

SCALE 1:300

Tuesday May 23, 2017

51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO

**HOMESTEAD**

12





**RODERICK LAHEY**  
ARCHITECT INC

NORTH ELEVATION  
SCALE 1:300  
Tuesday May 23, 2017

51 - 57 QUEEN STREET (BLOCK 3)  
KINGSTON, ONTARIO

**HOMESTEAD**

13

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VIEW FROM SOUTHEAST



VIEW FROM SOUTHWEST



VIEW FROM NORTHEAST



VIEW FROM NORTHWEST

**RODERICK LAHEY**  
ARCHITECT INC

BUILDING PERSPECTIVES  
SCALE

Tuesday May 23, 2017

51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO

**HOMESTEAD**

14





VIEW LOOKING EAST ON QUEEN STREET



VIEW LOOKING WEST ON QUEEN STREET



VIEW LOOKING SOUTH ON WELLINGTON STREET



VIEW LOOKING SOUTH ON KING STREET

**RODERICK LAHEY**  
ARCHITECT INC

STREET VIEWS  
SCALE

Tuesday May 23, 2017

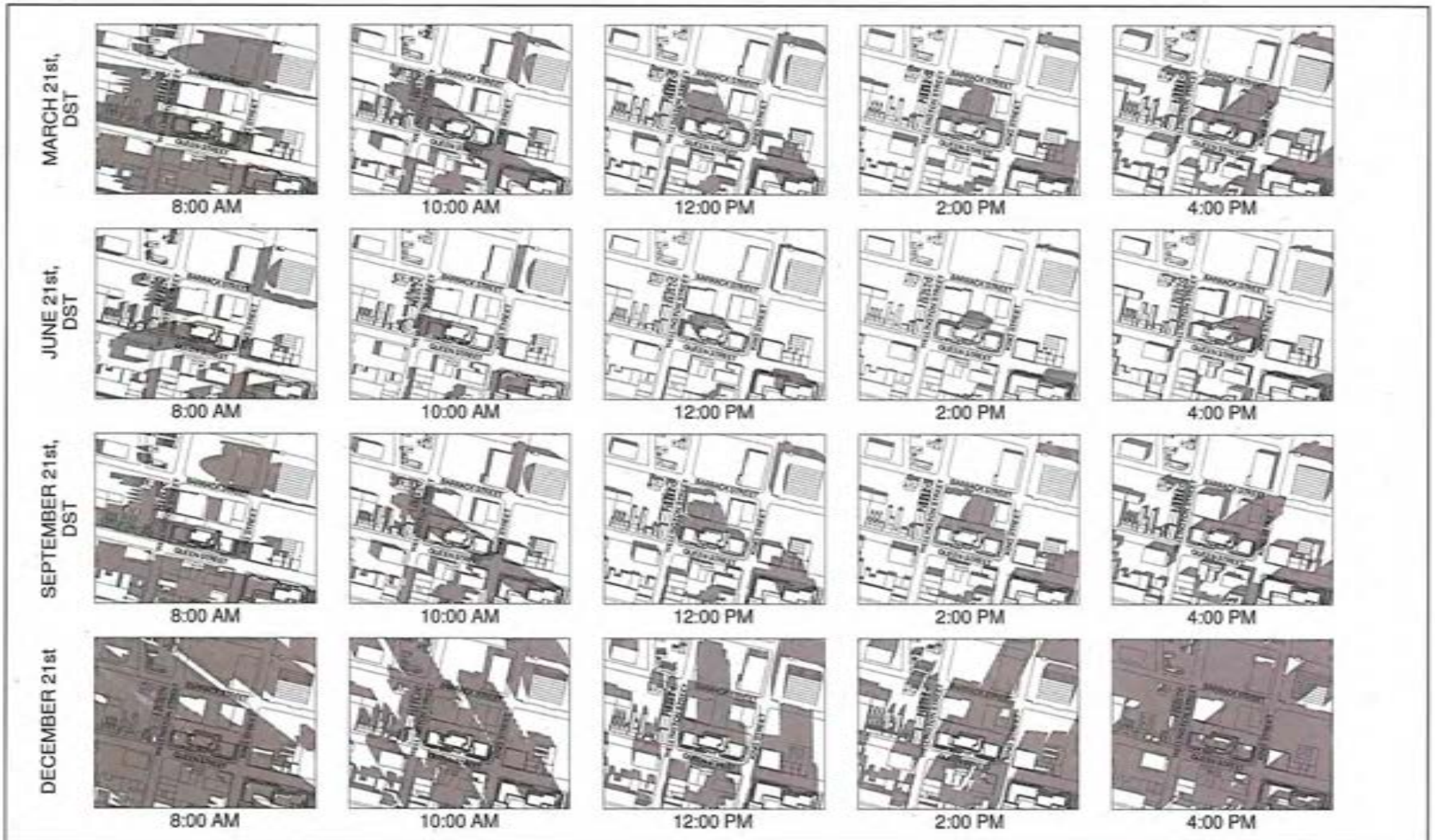
51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO

**HOMESTEAD**

15





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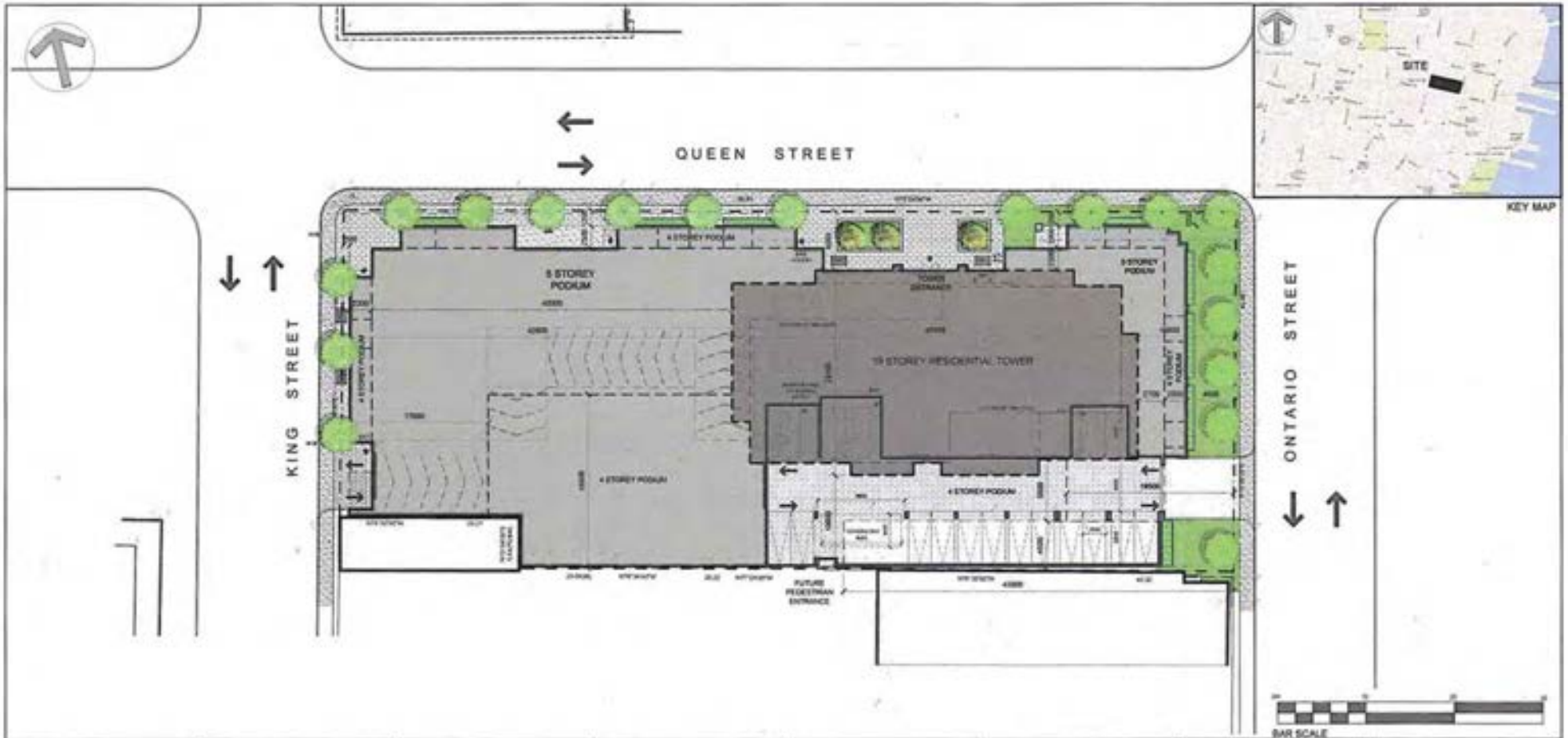
SHADOW STUDY  
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Tuesday May 23, 2017

51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO

**HOMESTEAD**

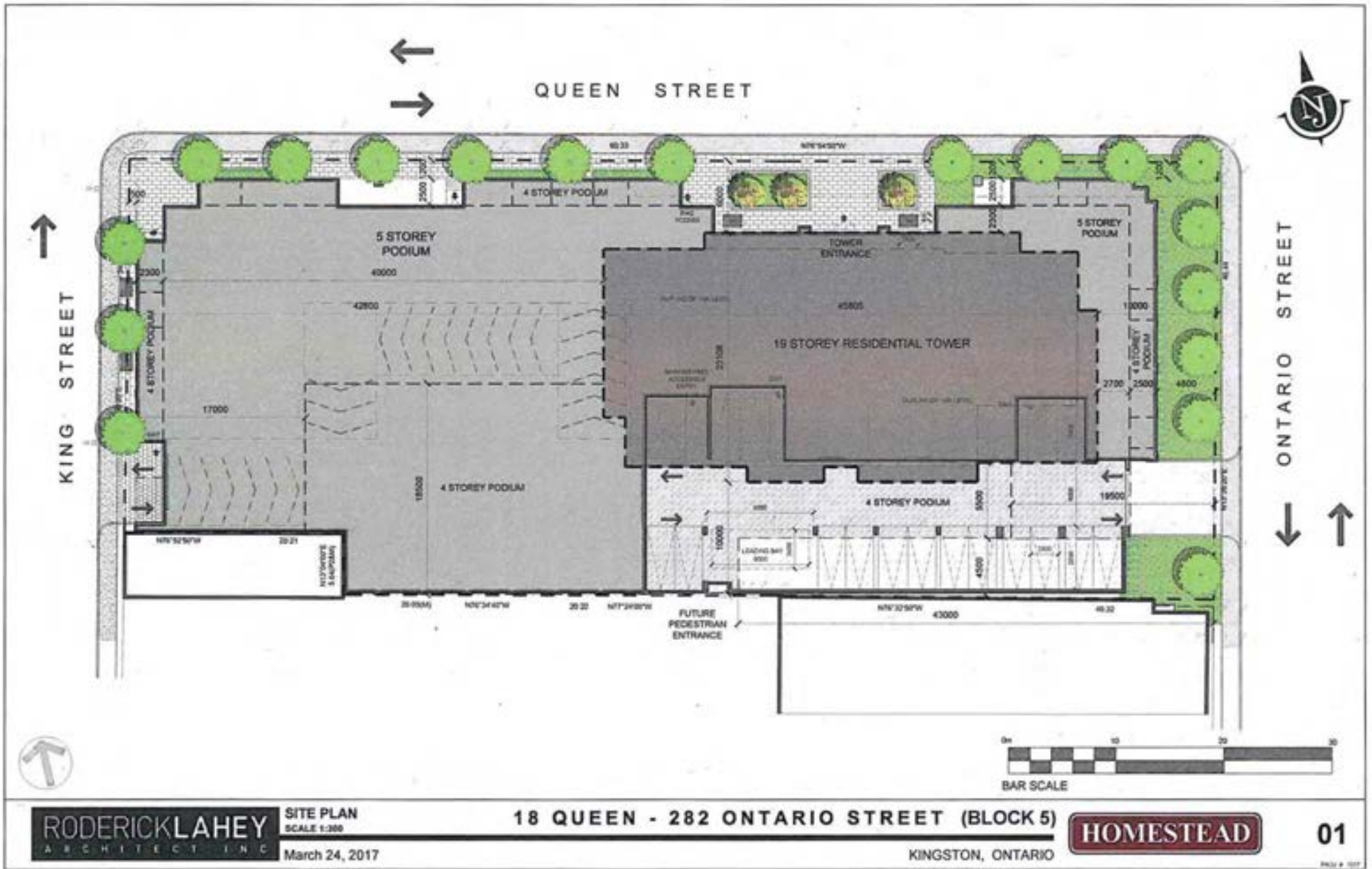


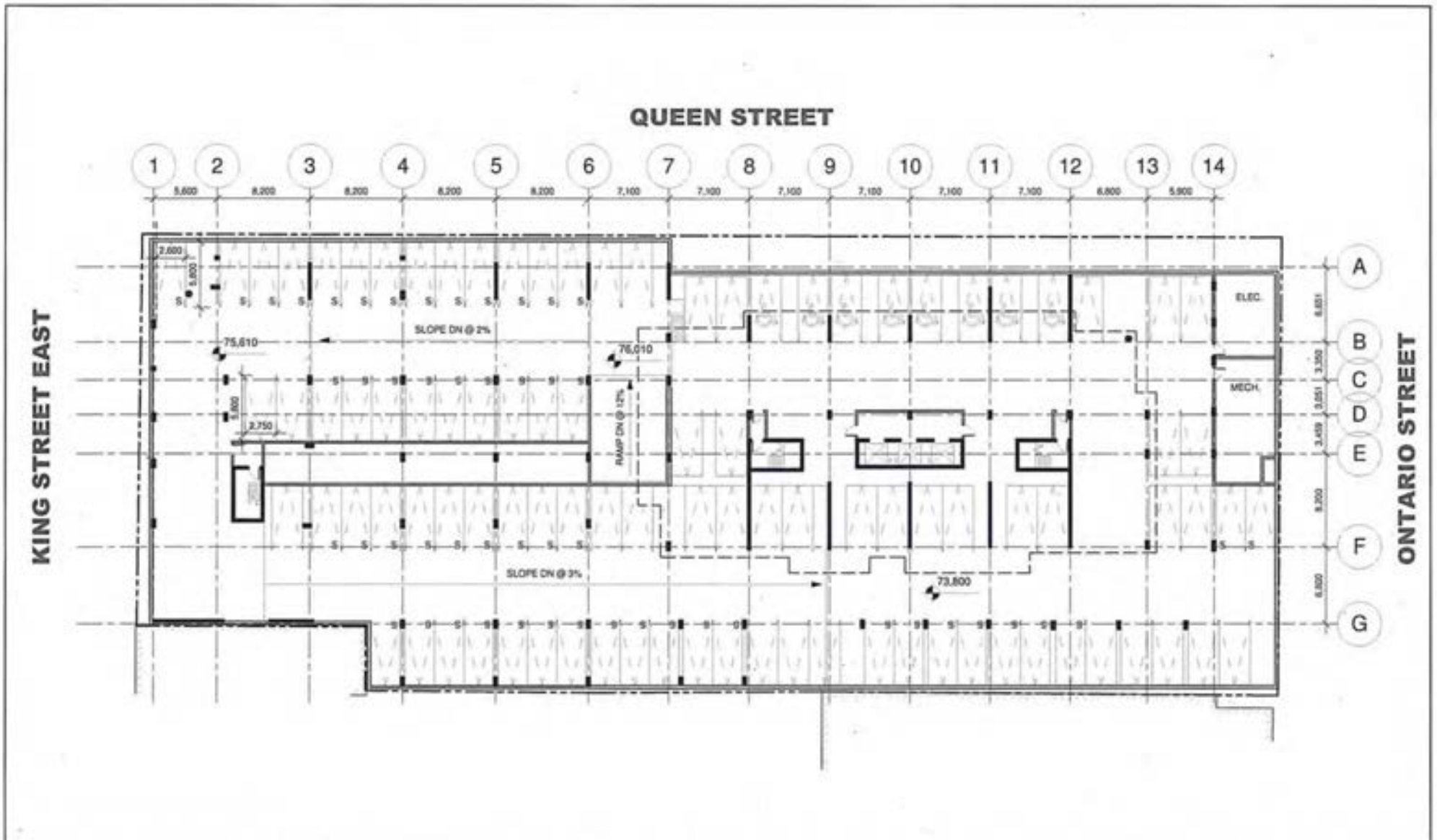


PROJECT STATISTICS	VEHICLE PARKING - REQUIRED	BIKE PARKING - REQUIRED	AMENITY SPACE - REQUIRED	UNIT STATISTICS	INDIGENOUS AREA (RESIDENTIAL TOWER)
<b>PROJECT STATISTICS</b> SITE AREA: 21,200 sq ft FINISHED GRADE (2014) (SQ FT): 20,800 sq ft BUILDING HEIGHT - TOWER: 18 STORIES BUILDING HEIGHT - PODIUM: 4 STORIES FRONT YARD SETBACK (ONSITE): 5.0M SIDEYARD SETBACK (ONSITE): 3.0M REAR YARD SETBACK: 3.0M	<b>VEHICLE PARKING - REQUIRED</b> REQUIRED: 100 SPACES PROVIDED: 100 SPACES TOTAL: 100 SPACES	<b>BIKE PARKING - REQUIRED</b> REQUIRED: 10 SPACES PROVIDED: 10 SPACES TOTAL: 10 SPACES	<b>AMENITY SPACE - REQUIRED</b> REQUIRED: 1,000 sq ft PROVIDED: 1,000 sq ft TOTAL: 1,000 sq ft	<b>UNIT STATISTICS</b> TOTAL UNITS: 100 COMMERCIAL AREA: 1,000 sq ft	<b>INDIGENOUS AREA (RESIDENTIAL TOWER)</b> TOTAL AREA: 10,000 sq ft BUILDING AREA: 8,000 sq ft COMMON AREA: 2,000 sq ft

**RODERICK LAHEY ARCHITECT INC.** | **SITE PLAN** | **18 QUEEN - 282 ONTARIO STREET (BLOCK 5)** | **HOMESTEAD** | **01**  
 SCALE 1:200 | PLOT DATE: Tuesday, May 23, 2017 | KINGSTON, ONTARIO







**RODERICK LAHEY**  
ARCHITECT INC

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Tuesday May 23, 2017

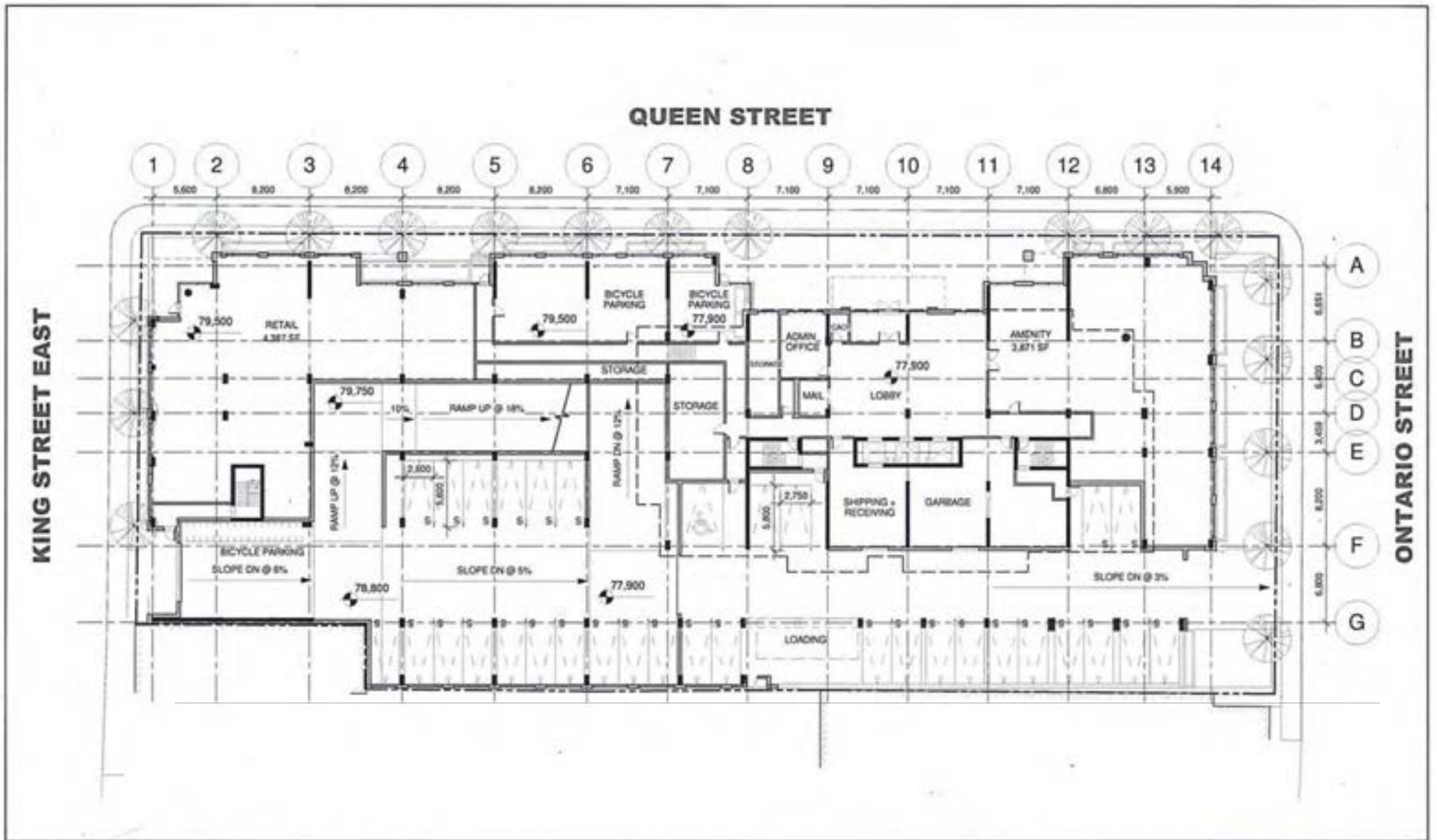
18 QUEEN - 282 ONTARIO STREET (BLOCK 5)

KINGSTON, ONTARIO

**HOMESTEAD**



03



**RODERICK LAHEY**  
ARCHITECT INC

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Tuesday May 23, 2017

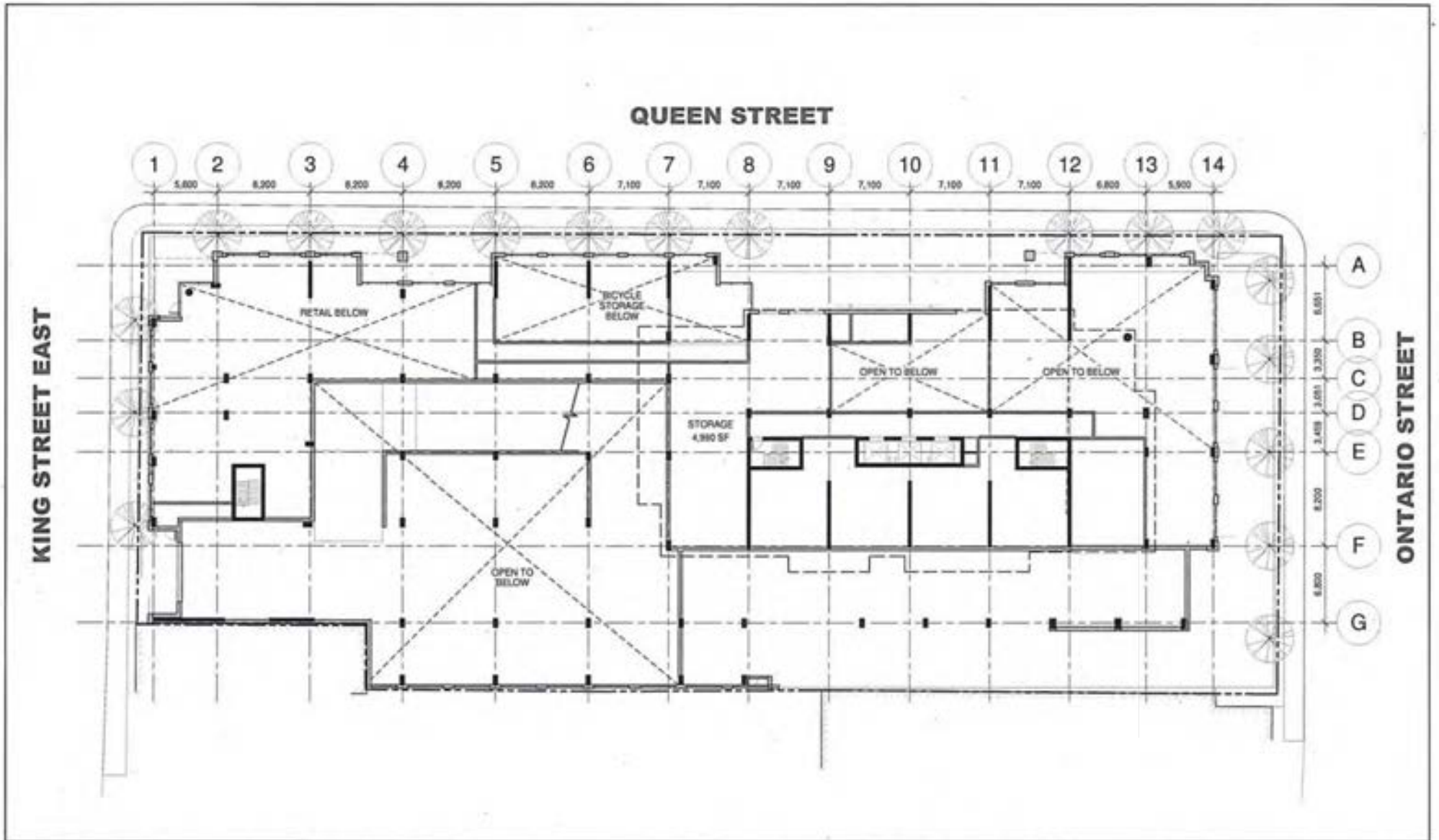
18 QUEEN - 282 ONTARIO STREET (BLOCK 5)

KINGSTON, ONTARIO

**HOMESTEAD**

04





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ARCHITECT INC

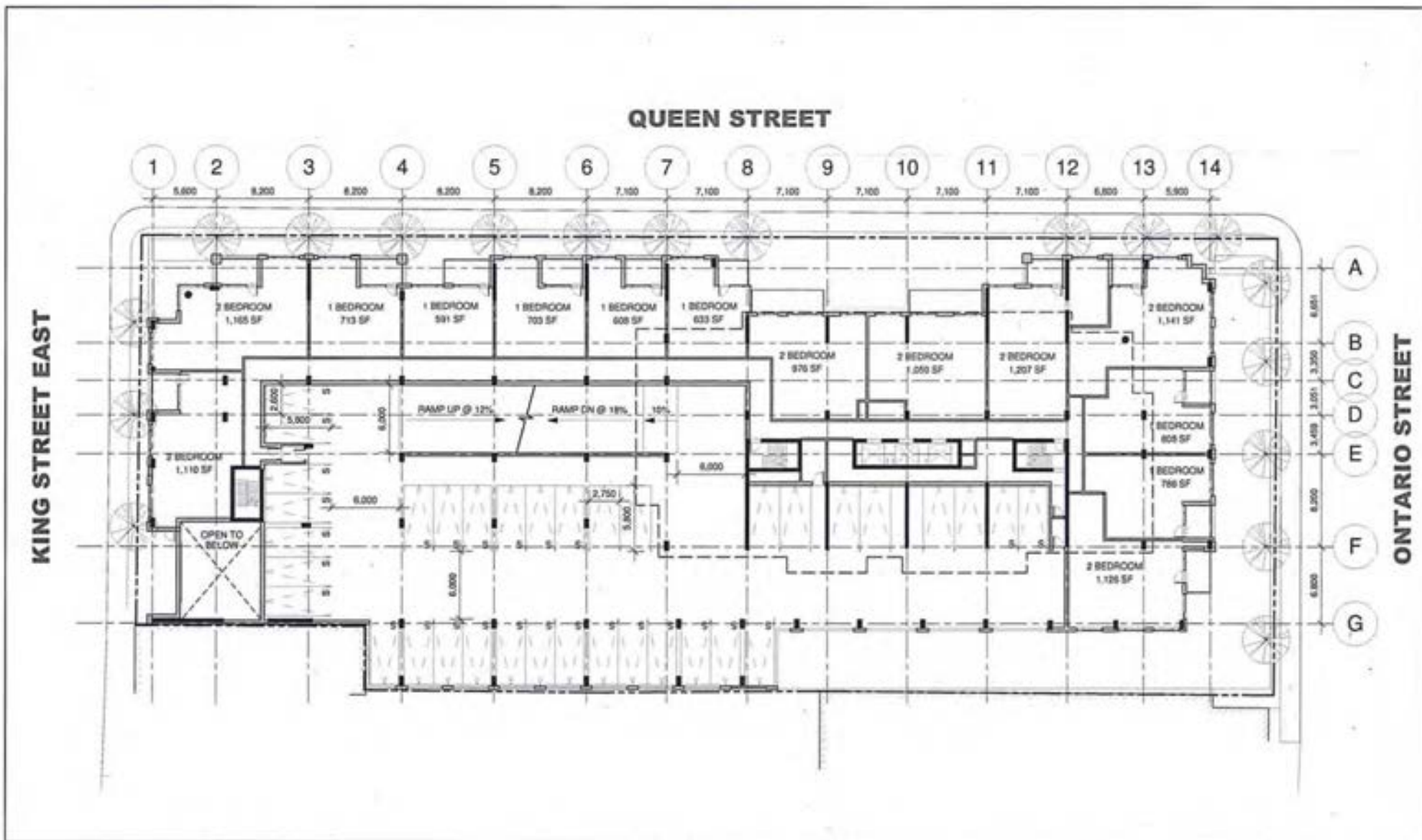
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Tuesday May 23, 2017

18 QUEEN - 282 ONTARIO STREET (BLOCK 5)

KINGSTON, ONTARIO



05



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ARCHITECT INC

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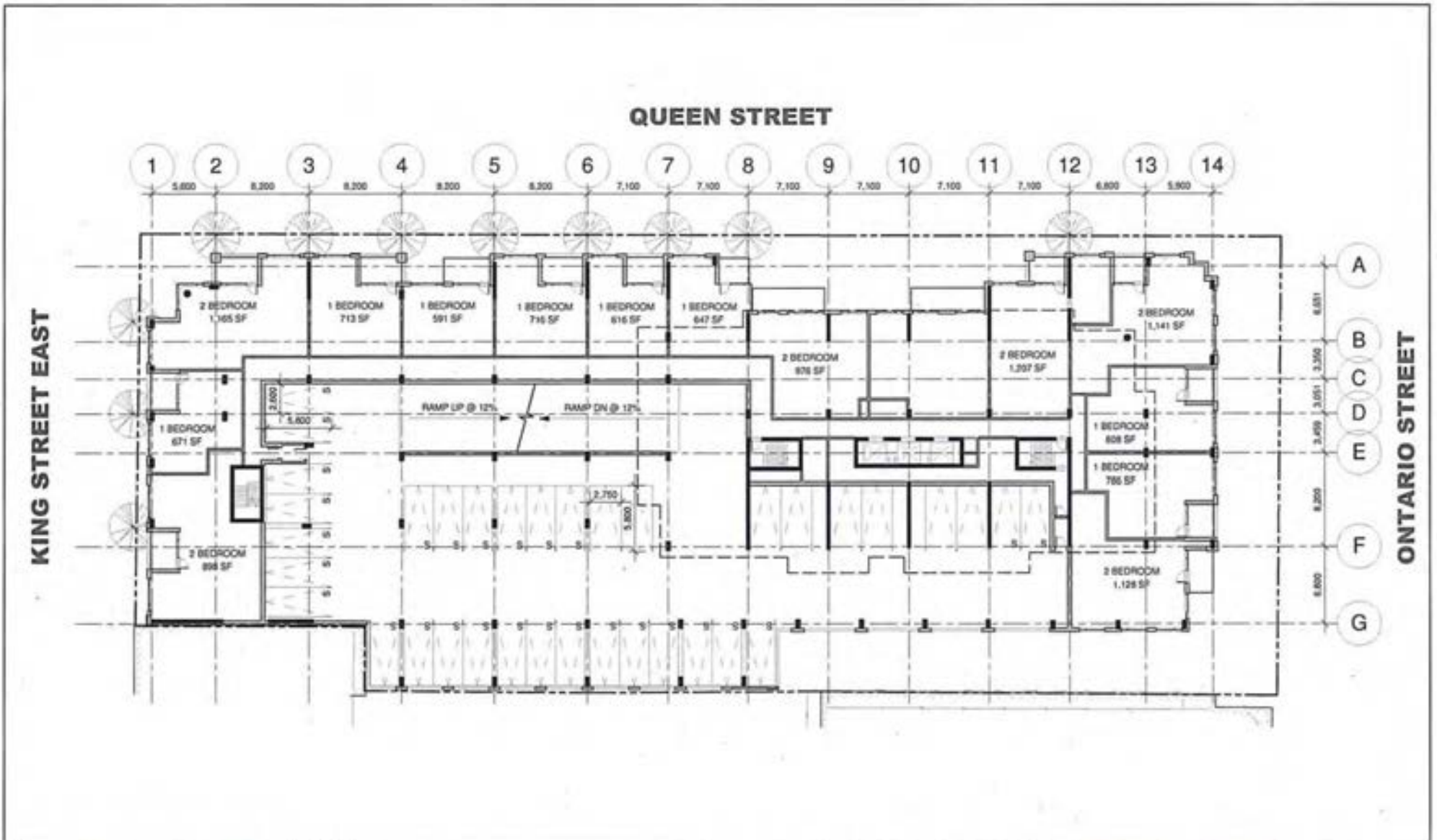
**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**

KINGSTON, ONTARIO

**HOMESTEAD**



**06**



**RODERICK LAHEY**  
ARCHITECT INC

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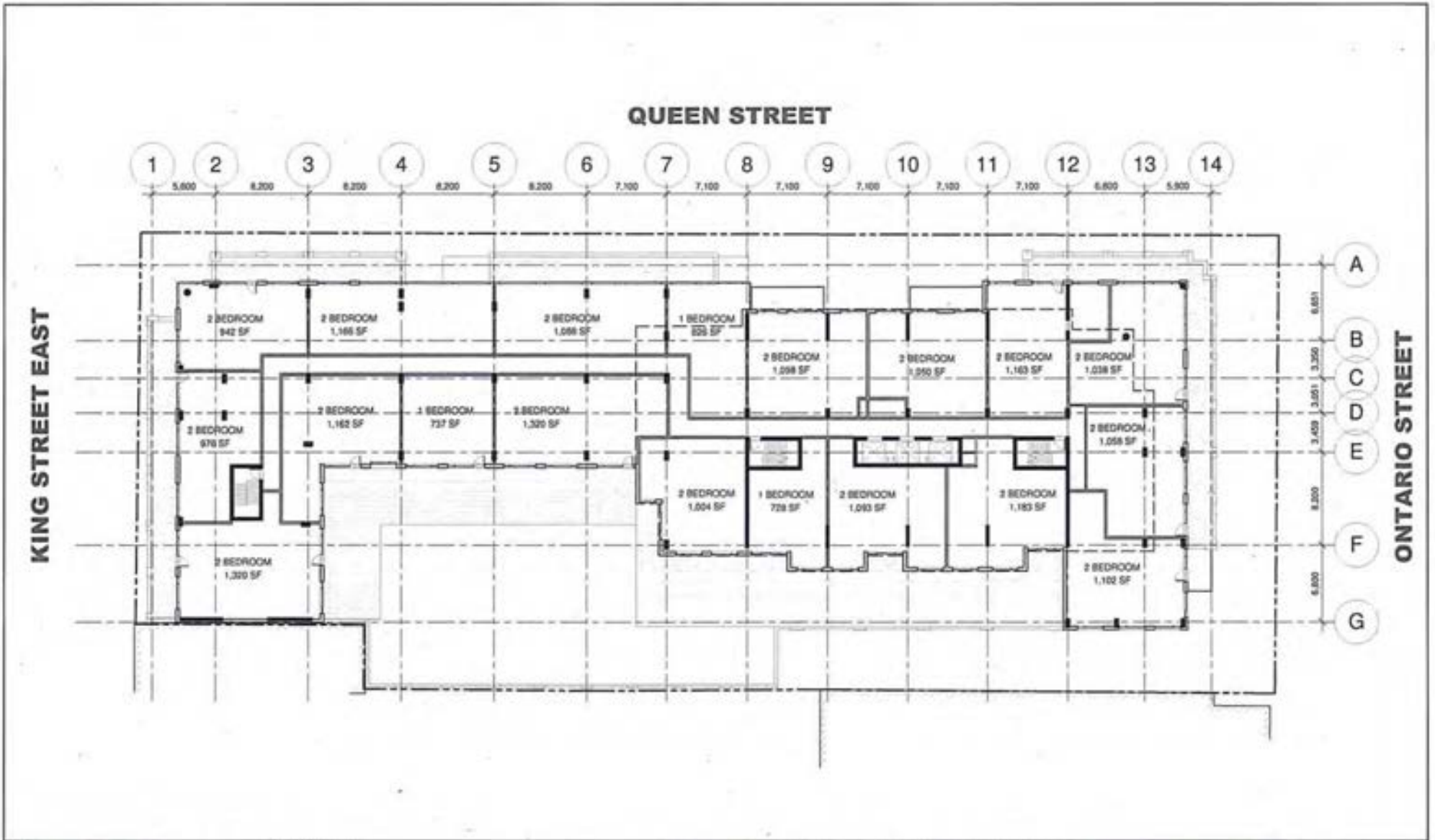
18 QUEEN - 282 ONTARIO STREET (BLOCK 5)

KINGSTON, ONTARIO



07





**RODERICK LAHEY**  
ARCHITECT INC

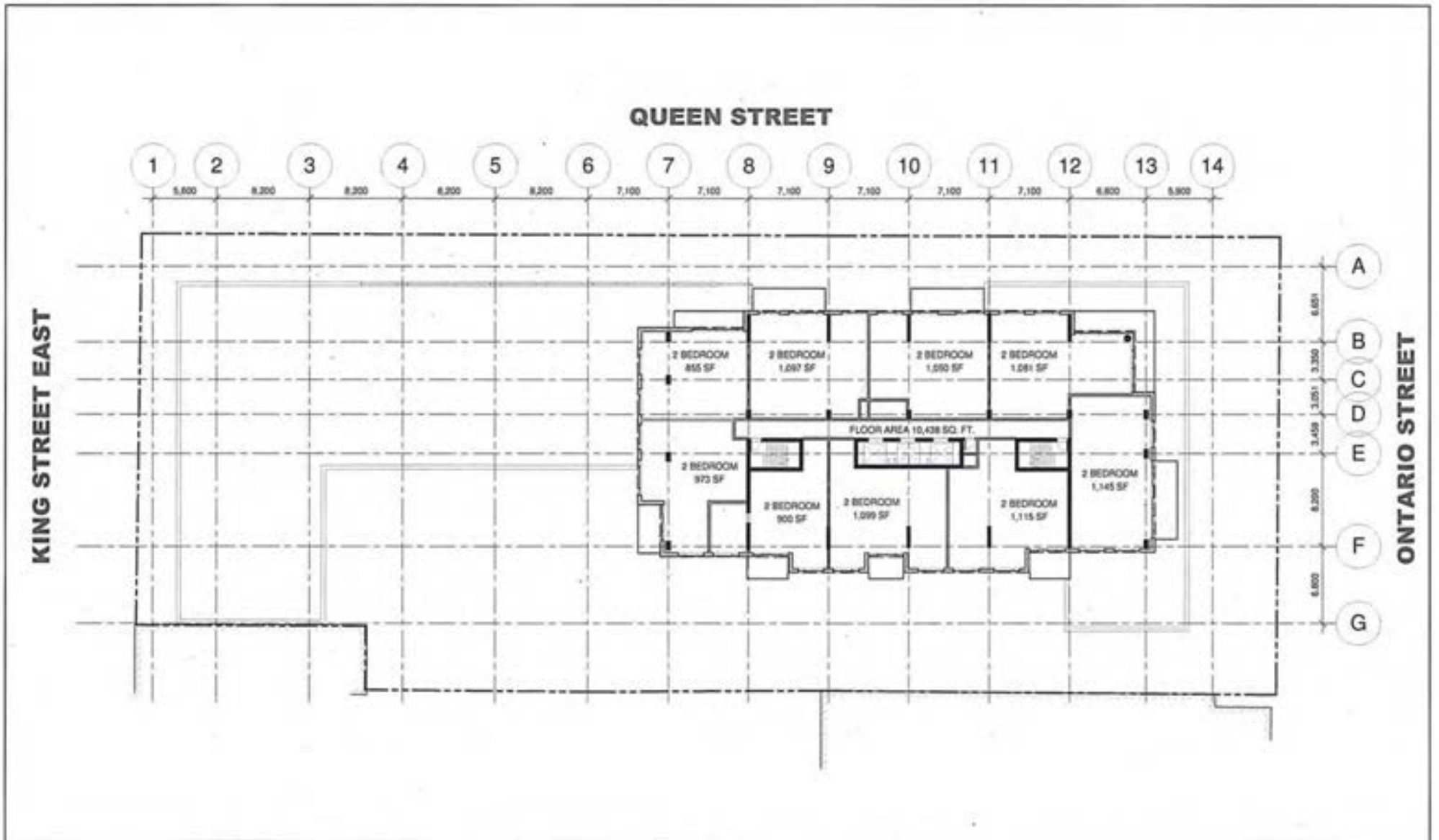
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Tuesday May 23, 2017

18 QUEEN - 282 ONTARIO STREET (BLOCK 5)

**HOMESTEAD**



08

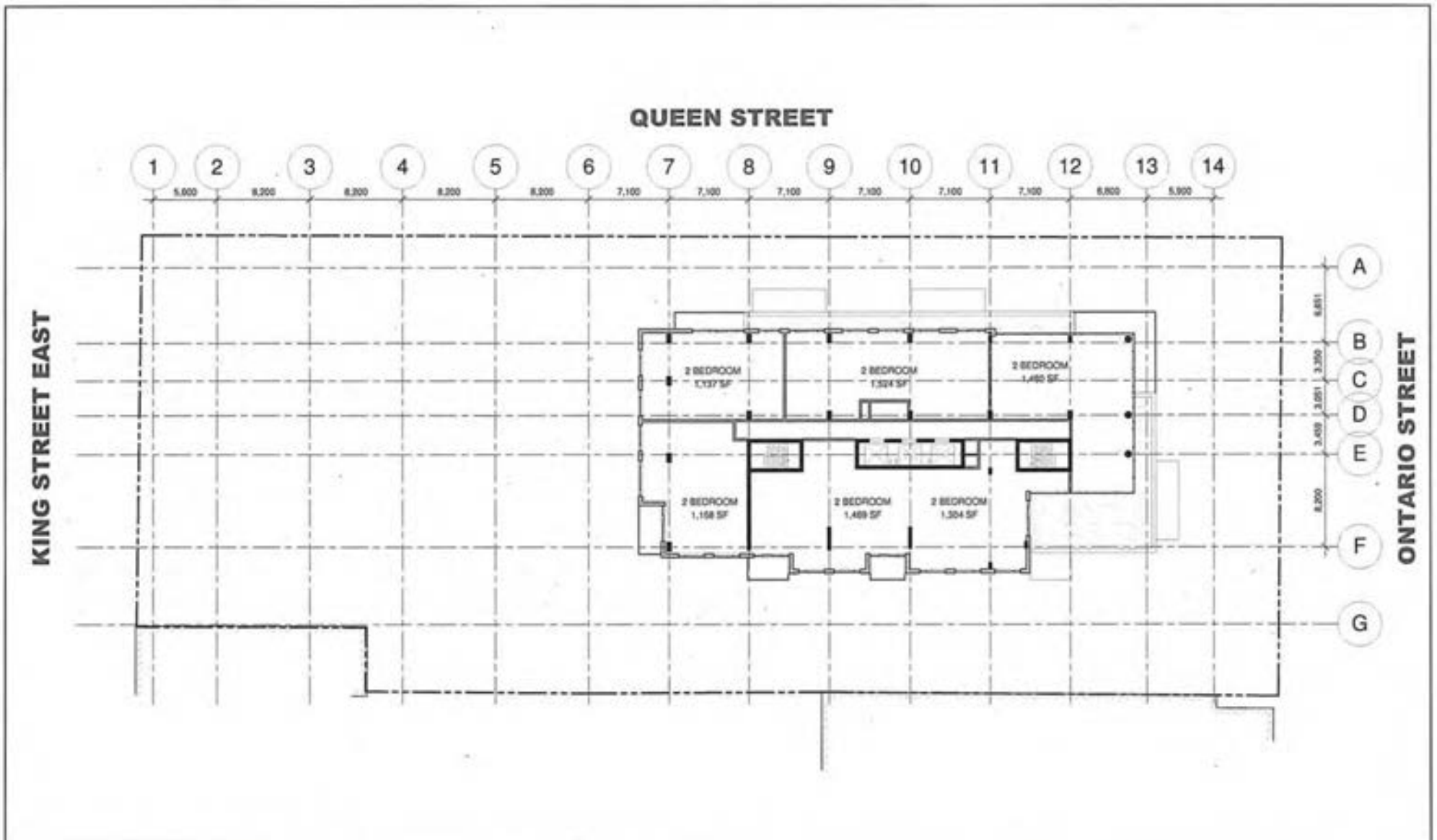


**RODERICK LAHEY**  
ARCHITECT INC  
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Tuesday May 23, 2017

**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**  
KINGSTON, ONTARIO

**HOMESTEAD** 09

PAPER SIZE: Tabloid PLOT DATE: 23-May-2017 4:58:15 PM PLOT SCALE: 1:1 WRLAI-NAS\Users\FolderRedirections\jdekraker\My Documents\1517 - 18 Queen-282 Ontario - Central Model- May 19\_jdekraker.rvt



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ARCHITECT INC

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Tuesday May 23, 2017

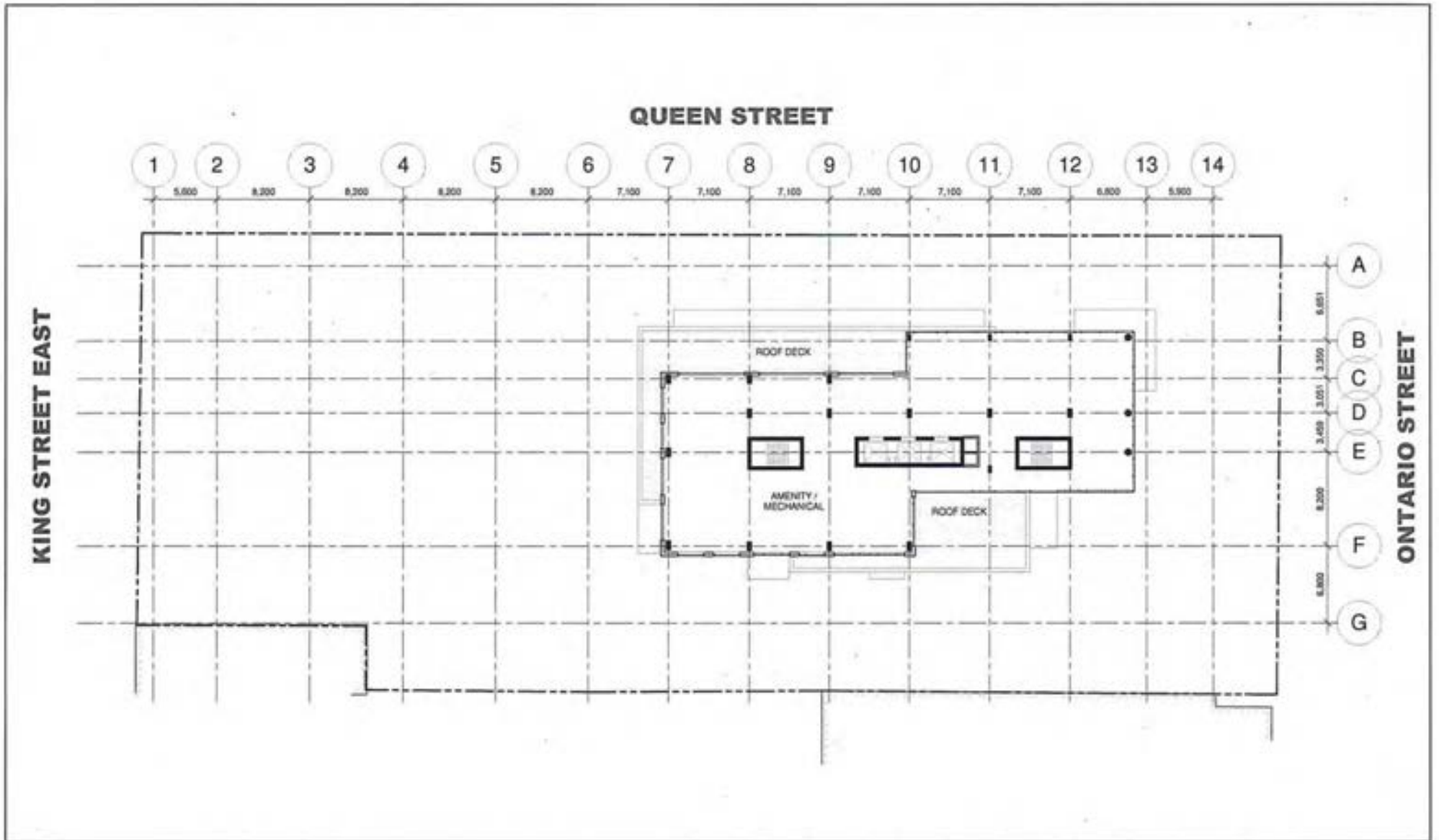
**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**

KINGSTON, ONTARIO

**HOMESTEAD**



**10**



**RODERICK LAHEY**  
ARCHITECT INC

LEVEL 19  
SCALE 1:300  
Tuesday May 23, 2017

18 QUEEN - 282 ONTARIO STREET (BLOCK 5)

KINGSTON, ONTARIO



11





**RODERICK LAHEY**  
ARCHITECT INC.

**NORTH ELEVATION**  
SCALE 1:300  
Tuesday May 23, 2017

**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**

KINGSTON, ONTARIO

**HOMESTEAD**

**12**

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**EAST ELEVATION**

**WEST ELEVATION**

**RODERICK LAHEY**  
ARCHITECT INC

**EAST & WEST ELEVATIONS**  
SCALE 1:300  
Tuesday May 23, 2017

**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**

KINGSTON, ONTARIO

**HOMESTEAD**

**13**







VIEW FROM NORTHEAST



VIEW FROM SOUTHWEST



VIEW FROM SOUTHEAST



VIEW FROM NORTHWEST

**RODERICK LAHEY**  
ARCHITECT INC

BUILDING PERSPECTIVES  
SCALE  
Tuesday May 23, 2017

**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**

KINGSTON, ONTARIO

**HOMESTEAD**

**15**





VIEW LOOKING WEST ON QUEEN STREET



VIEW LOOKING SOUTH ON KING STREET



VIEW LOOKING NORTH ON ONTARIO STREET



VIEW LOOKING EAST ON QUEEN STREET

**RODERICK LAHEY**  
ARCHITECT INC

STREET VIEWS  
SCALE  
Tuesday May 23, 2017

18 QUEEN - 282 ONTARIO STREET (BLOCK 5)

KINGSTON, ONTARIO

**HOMESTEAD**

16





**RODERICK LAHEY**  
ARCHITECT INC.

SHADOW STUDY  
SCALE  
Tuesday May 23, 2017

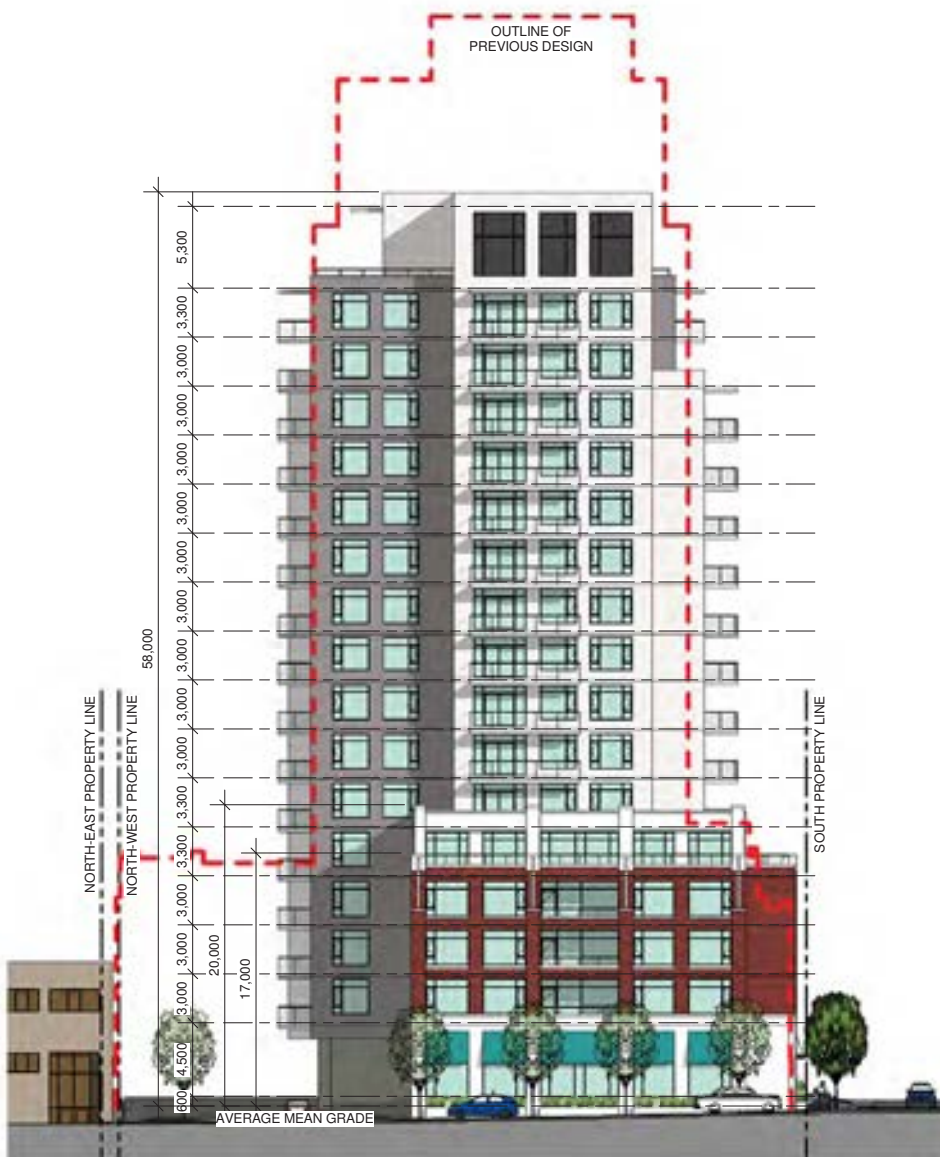
18 QUEEN - 282 ONTARIO STREET (BLOCK 5)

KINGSTON, ONTARIO

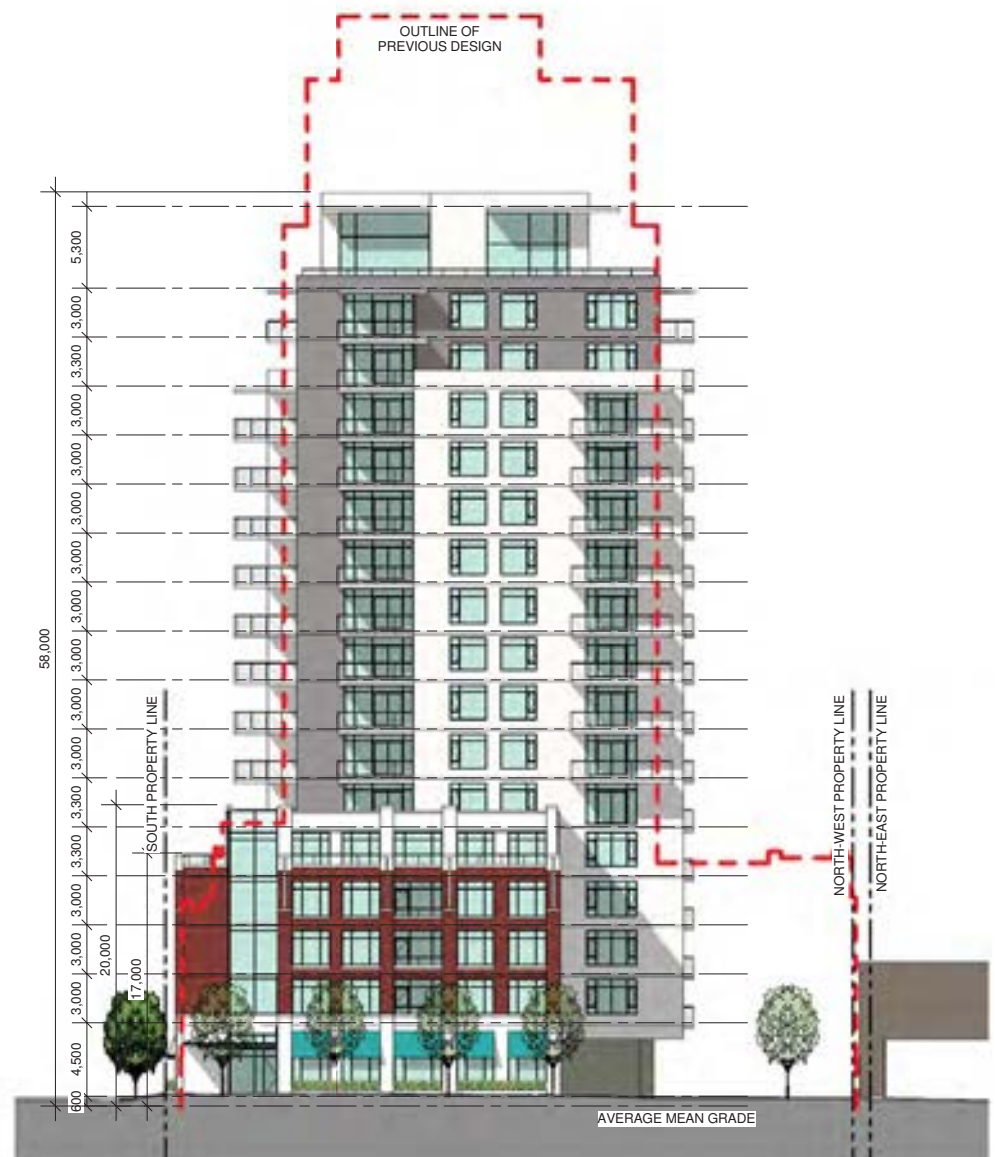








WEST ELEVATION



EAST ELEVATION

**RODERICK LAHEY**  
ARCHITECT INC

EAST+ WEST ELEVATIONS COMPARISON  
SCALE 1 : 300

Thursday June 15, 2017

51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO

**HOMESTEAD**

14



**RODERICK LAHEY**  
ARCHITECT INC

**NORTH ELEVATION COMPARISON**  
SCALE 1 : 300

Thursday June 15, 2017

**51 - 57 QUEEN STREET (BLOCK 3)**

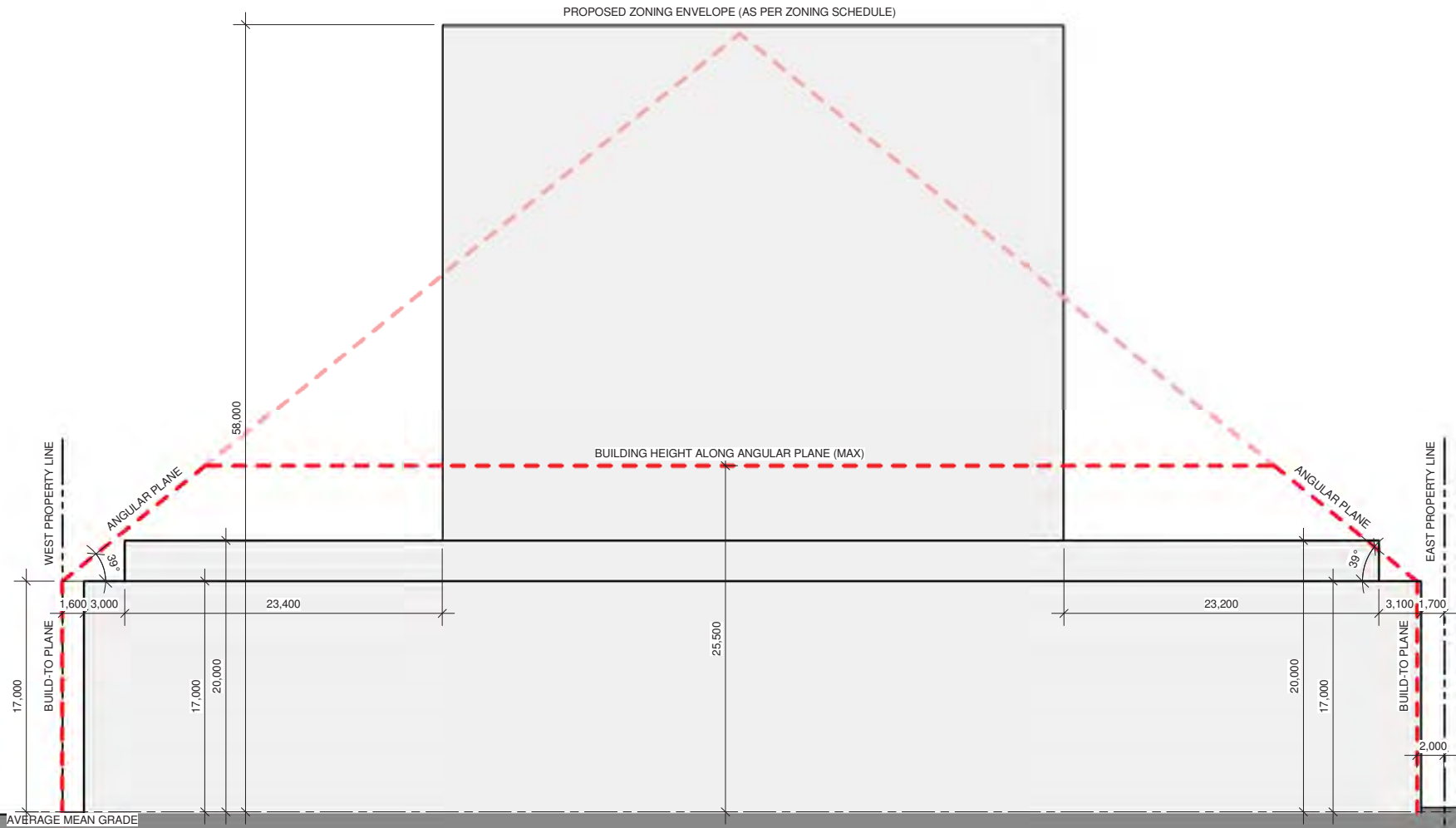
KINGSTON, ONTARIO





WELLINGTON STREET

KING STREET EAST



**RODERICK LAHEY**  
ARCHITECT INC

ANGULAR PLANES SOUTH ELEVATION  
SCALE 1 : 300

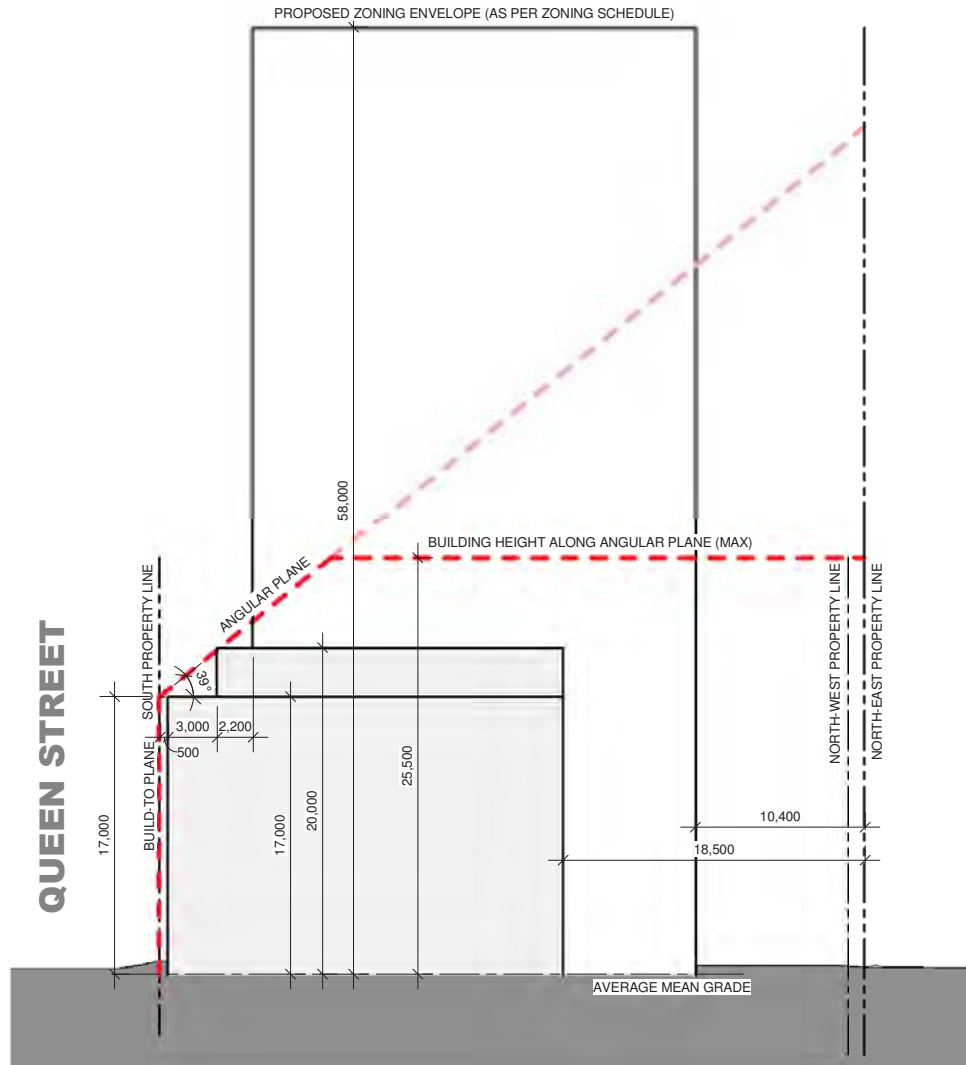
Thursday June 15, 2017

51 - 57 QUEEN STREET (BLOCK 3)

KINGSTON, ONTARIO



17



**RODERICK LAHEY**  
ARCHITECT INC

**ANGULAR PLANE EAST ELEVATION**  
SCALE 1 : 300

Thursday June 15, 2017

**51 - 57 QUEEN STREET (BLOCK 3)**

KINGSTON, ONTARIO





**RODERICK LAHEY**  
ARCHITECT INC

**NORTH ELEVATION COMPARISON**  
SCALE 1 : 300  
Thursday June 15, 2017

**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**

KINGSTON, ONTARIO

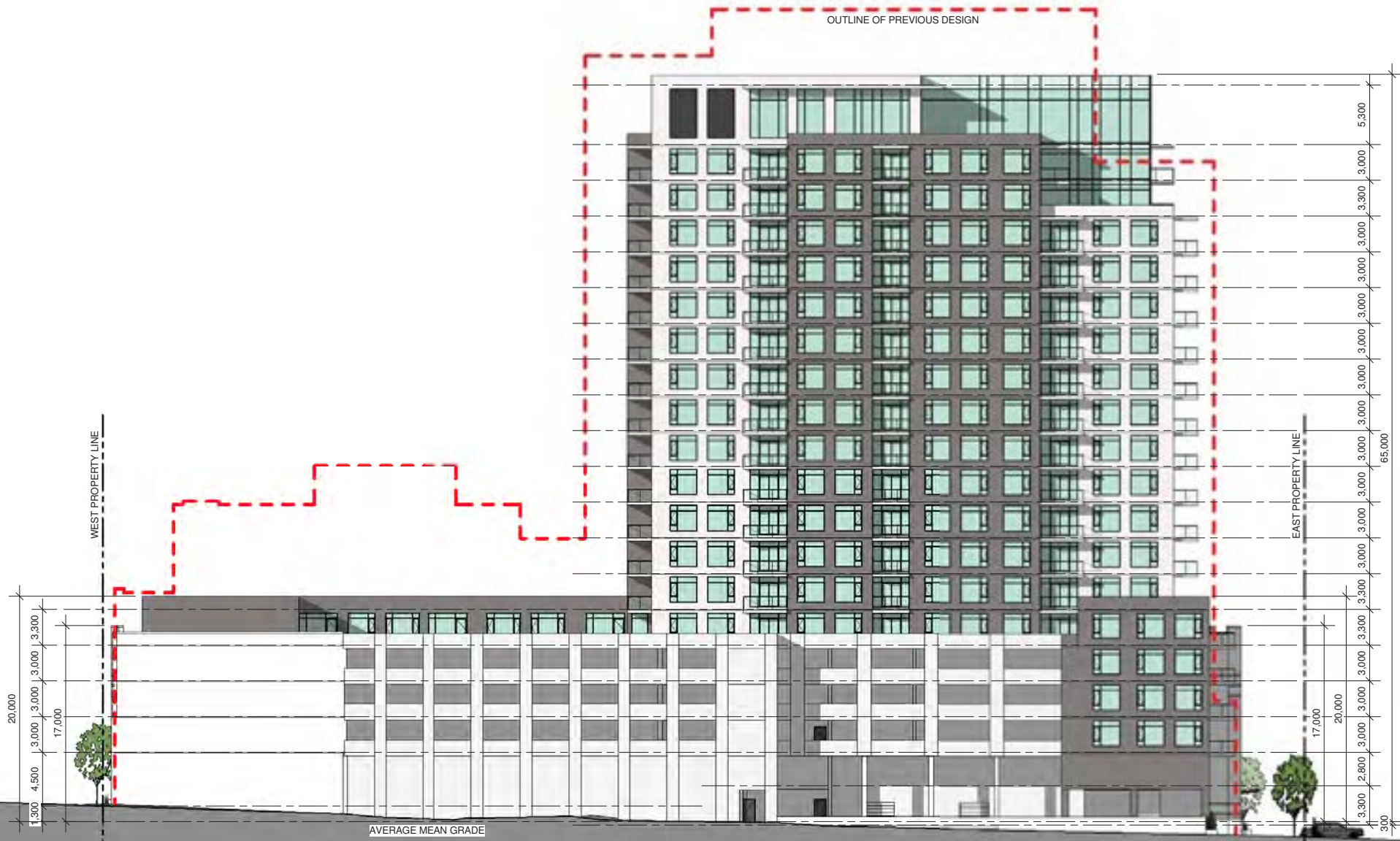


**13**









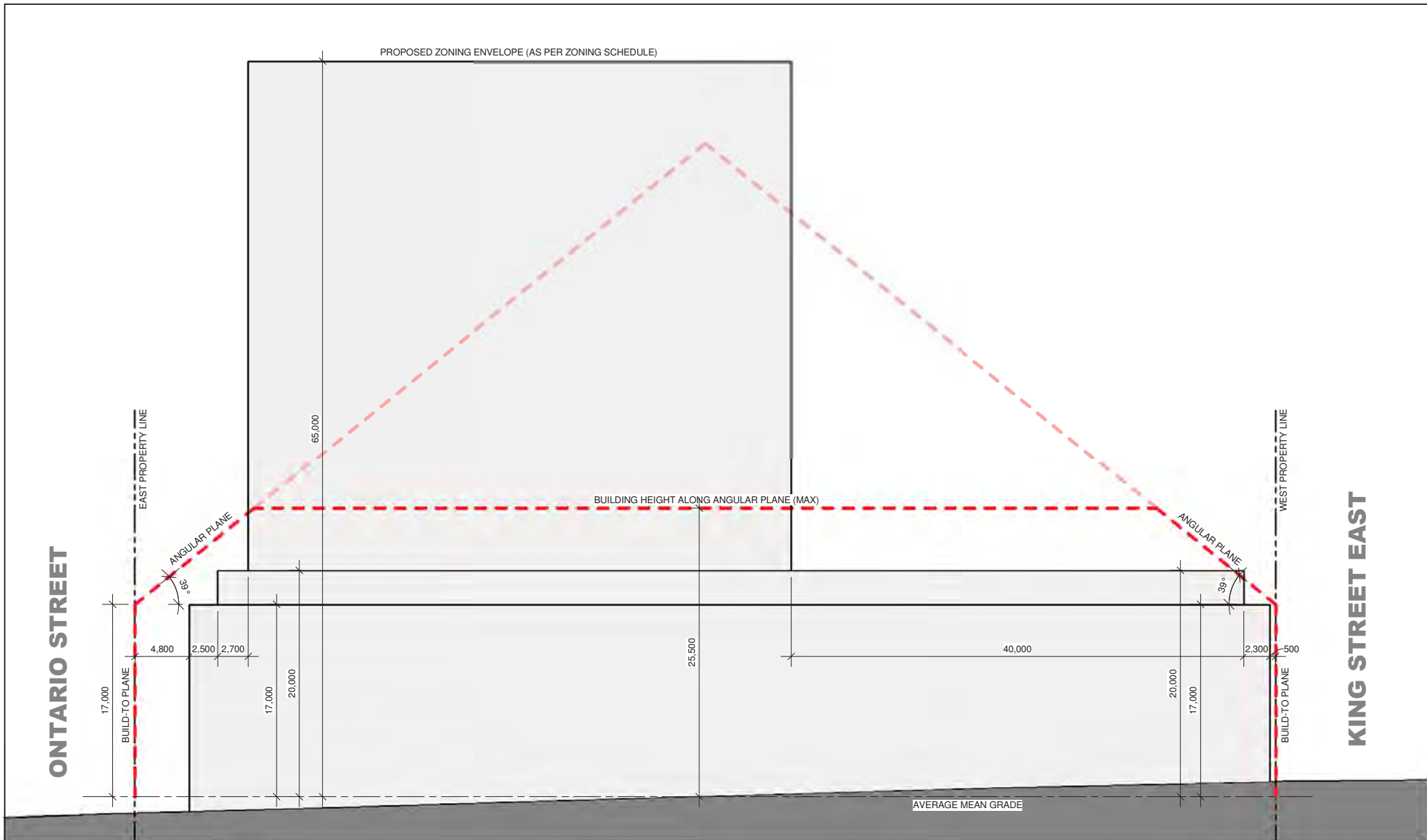
**RODERICK LAHEY**  
ARCHITECT INC

**SOUTH ELEVATION COMPARISON**  
SCALE 1 : 300  
Thursday June 15, 2017

**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**

KINGSTON, ONTARIO





**RODERICK LAHEY**  
ARCHITECT INC

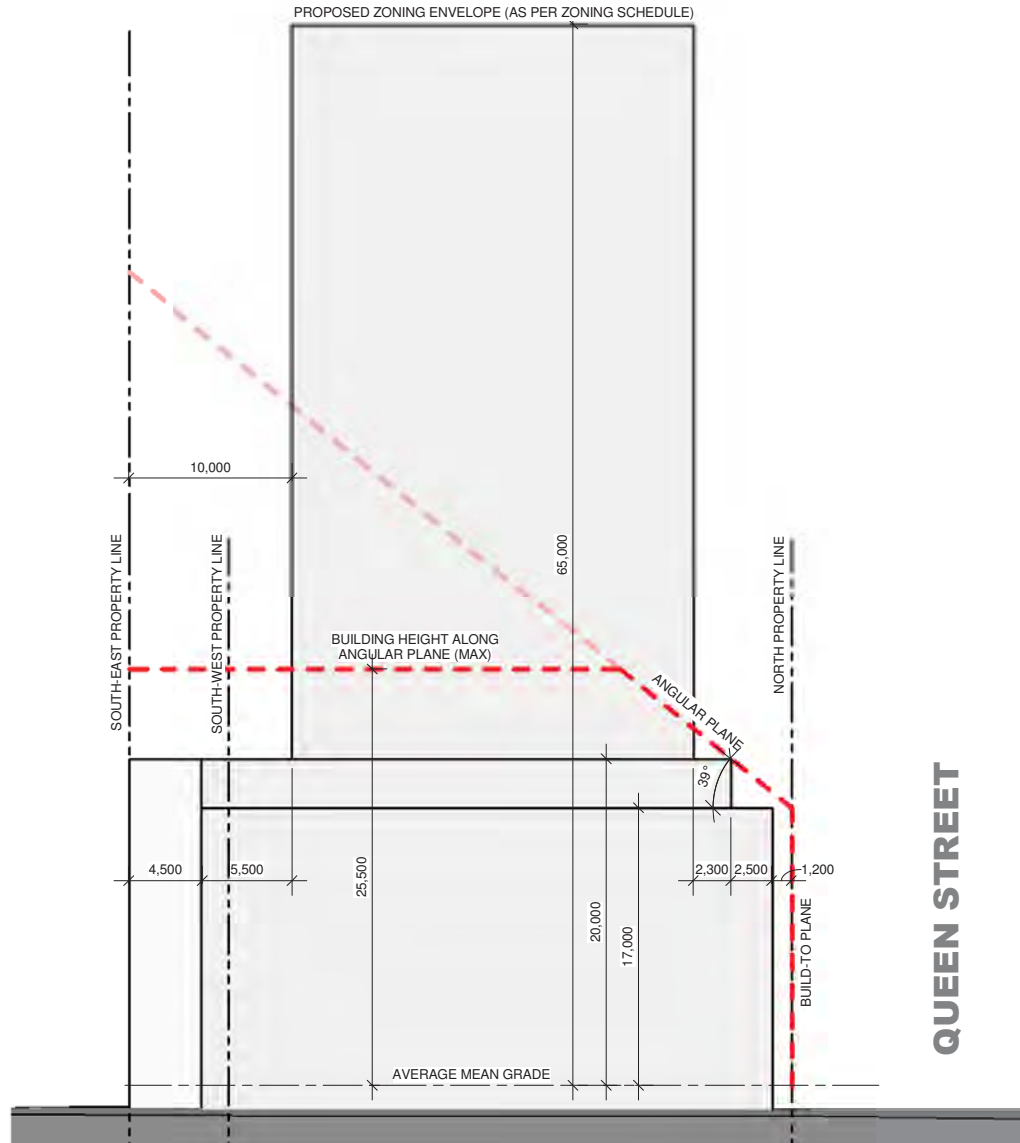
**ANGULAR PLANES NORTH ELEVATION**  
SCALE 1 : 300  
Thursday June 15, 2017

**18 QUEEN - 282 ONTARIO STREET (BLOCK 5)**

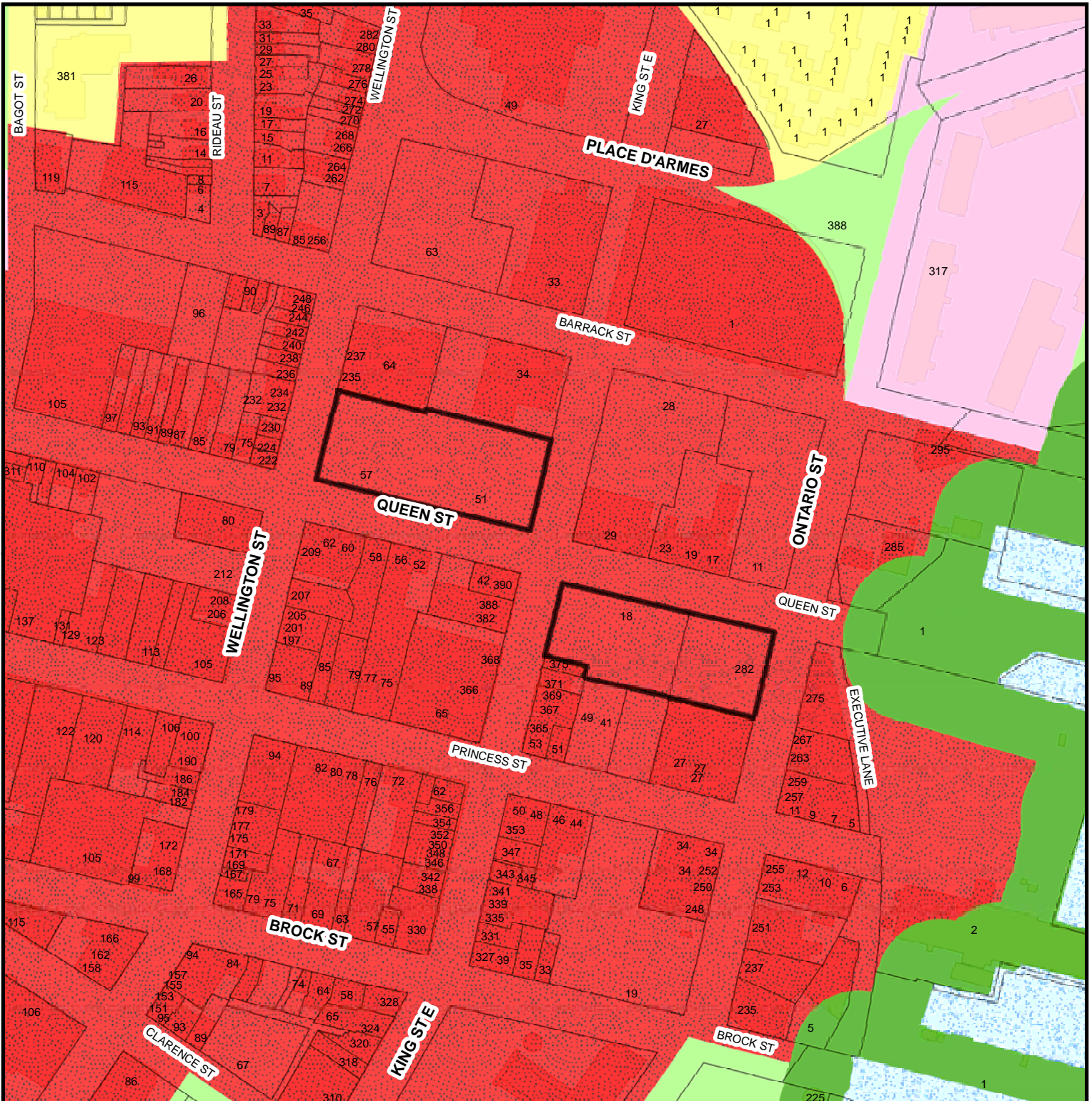
KINGSTON, ONTARIO



**18**



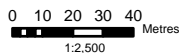











Planning, Building & Licensing Services  
a department of Community Services

PLANNING COMMITTEE  
**OFFICIAL PLAN, Existing Land Use**

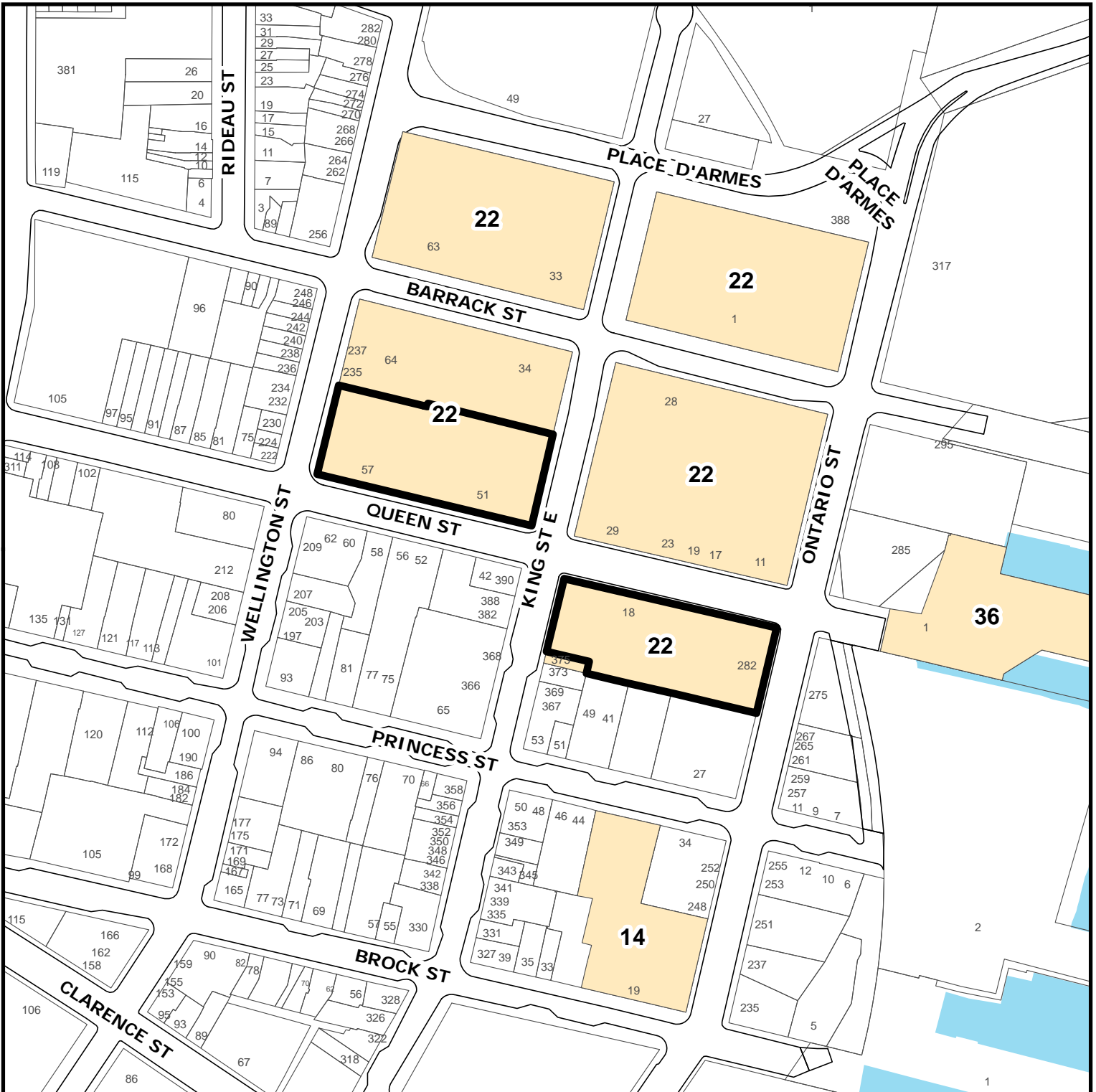
Applicant: Homestead Land Holdings Limited  
File Numbers: D09-039-2015; D14-146-2015  
Address: 51-57 Queen Street, 18 Queen Street & 282 Ontario Street  
Legal Description: Various



**LEGEND**

-  Subject Properties
-  Residential
-  Central Business District
-  Institution
-  Open Space
-  Environmental Protection Area
-  Harbour Area; Water Area

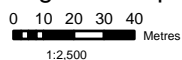







Planning, Building & Licensing Services  
 a department of  
 Community Services

PLANNING COMMITTEE  
**Official Plan, Schedule 3-D**  
**Existing Site Specific Policies**

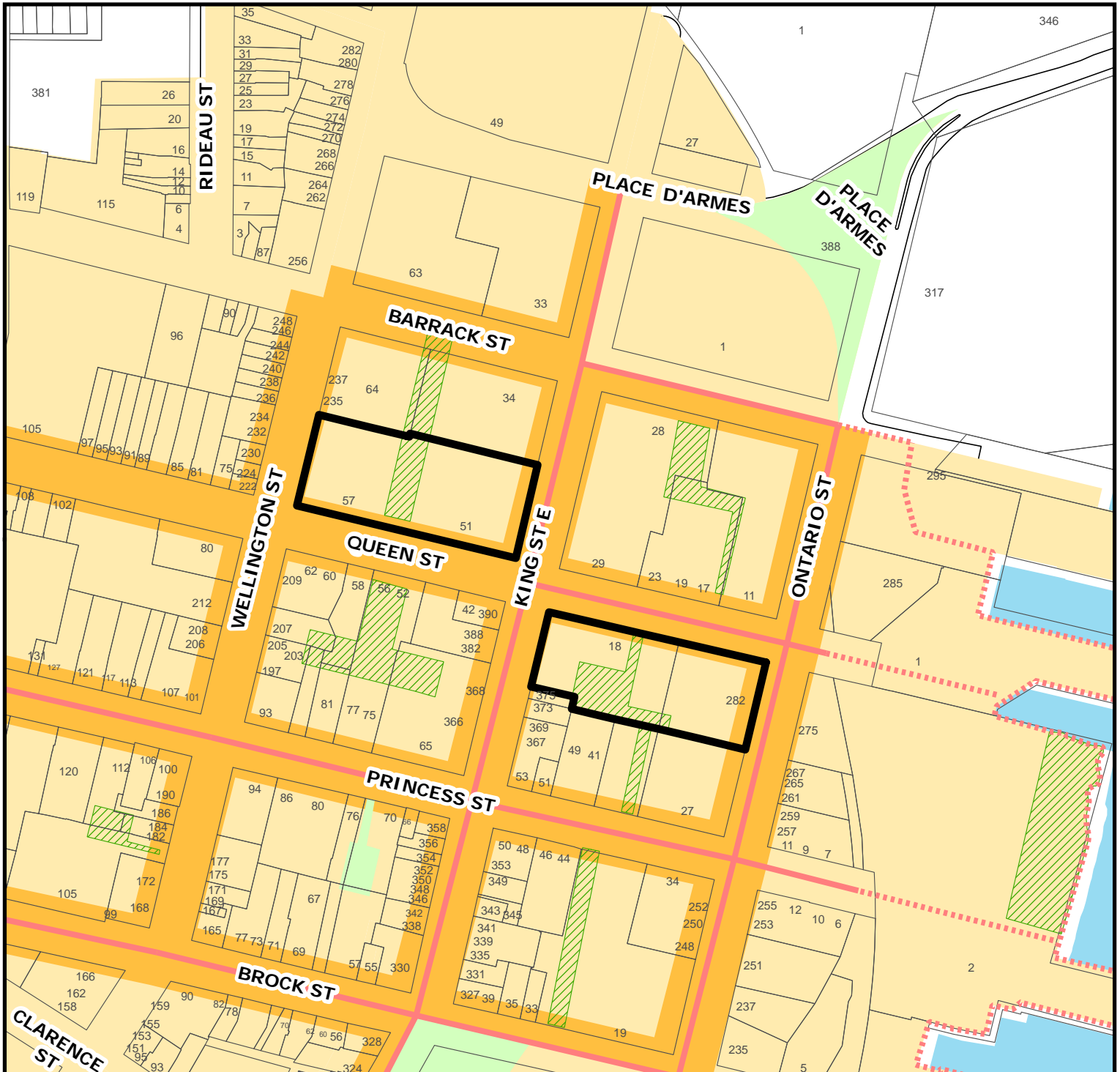
Applicant: Homestead Land Holdings Limited  
 File Numbers: D09-039-2015; D14-146-2015  
 Address: 51-57 Queen Street, 18 Queen Street &  
 282 Ontario Street  
 Legal Description: Various



**Legend**

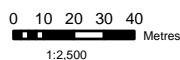
-  Subject Properties
-  Site Specific Policy Area
-  Property Boundaries





PLANNING COMMITTEE  
**Official Plan, Schedule DH-3**  
**Areas of Pedestrian Focus**

Owner/Applicant: Homestead Land Holdings Limited  
 File Numbers: D09-039-2015; D14-146-2015  
 Address: 51-57 Queen Street, 18 Queen Street & 282 Ontario Street  
 Legal Description: Various



**LEGEND**

- Subject Properties
- Prime Pedestrian Streets
- Priority Pedestrian Walkways
- Existing Courtyard/Open Area
- Courtyard/Open Area Opportunity
- Mandatory Commercial Frontage
- Downtown and Harbour Area

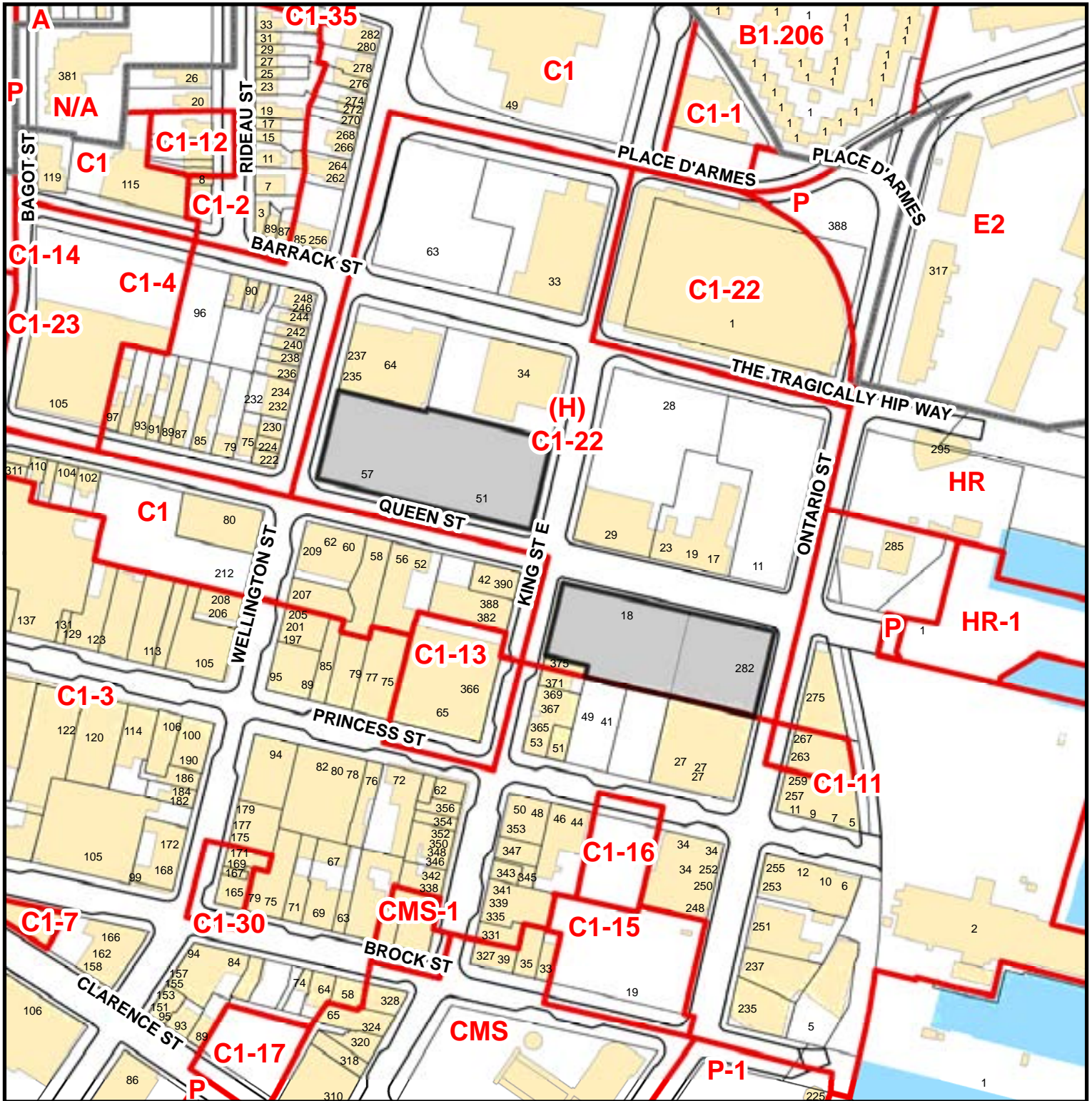


Planning, Building  
 & Licensing Services  
 a department of  
 Community  
 Services

PREPARED BY: J.Partridge  
 DATE: 12/16/2015

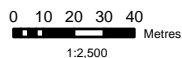
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PLANNING COMMITTEE  
**ZONING BY-LAW 96-259, Map 1**

Owner/Applicant: Homestead Land Holdings Limited  
 File Numbers: D09-039-2015; D14-146-2015  
 Address: 51-57 Queen Street, 18 Queen Street &  
 282 Ontario Street  
 Legal Description: Various



**LEGEND**

- Subject Properties
- Consolidated Zoning
- Property Boundaries





**City Of Kingston  
Planning Committee  
Meeting Number 05-2016  
Minutes  
Thursday February 18, 2016 at 6:30 p.m.  
Council Chamber, City Hall**

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**Committee Members Present**

Councillor Schell, Chair  
Councillor Neill, Vice Chair  
Councillor Allen  
Councillor M<sup>c</sup>Laren  
Councillor Osanic  
Councillor Turner

**Members Absent**

**Staff Members Present**

Mr. Adams, Senior Planner  
Ms. Blumenberg, Committee Clerk  
Mr. Bolognone, City Clerk  
Ms. Forfar, Manager, Development Approvals  
Ms. Hurdle, Commissioner, Community Services  
Mr. Newman, Manager, Policy Planning  
Ms. Lambert, Senior Planner  
Ms. Nicholson, Director, Legal Services & City Solicitor  
Mr. Sands, Intermediate Planner  
Ms. Venditti, Senior Manager, Client Relations & Development Services

**Others Present**

Approximately 150 members of the public.

## Introduction By Committee Chair

Councillor Schell, Chair, explained the purpose of the meeting and read the rights and obligations afforded to the Committee members and members of the public in these public meetings.

**Public Meeting  
Held Pursuant to the Planning Act  
6:30 p.m.  
Application for Zoning By-Law Amendment**

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment for a property municipally known as 358 Victoria Street. This report describes the purpose and effect of the requested application and includes an overview of the relevant policies and regulations that apply to the subject property.

The subject property is designated 'Residential' in the Official Plan, and is zoned One-Family Dwelling and Two-Family Dwelling Zone 'A' in Zoning By-Law Number 8499.

The applicant is proposing to amend the zoning by-law to permit a second residential dwelling unit within the existing one-family dwelling. The second dwelling unit is approximately 137 square metres in size and is proposed to be located within the basement (cellar). The second dwelling unit is proposed to occupy approximately 43% of the existing structure. There are no additions or other exterior changes proposed to the existing building to accommodate the application. The overall development proposal includes zoning relief for the minimum lot area requirement, habitation within a cellar, front yard and building depth to recognize the location of the existing dwelling, parking in tandem and the detached garage side yard setback to recognize its existing location.

**Application for Zoning By-Law Amendment  
358 Victoria Street**

Councillor Schell, Chair, called the public meeting regarding the application for a Zoning By-Law Amendment for 358 Victoria Street to order at 6:40 p.m.

Ms. Cirella spoke to the details of the application and conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the City Clerk's Department.

Pursuant to the requirements of the *Planning Act*, a notice of the statutory Public Meeting was provided by advertisement in the form of a sign posted on the subject site 20 days in advance of the Public Meeting. A "Notice of Public Meeting" regarding these applications was also sent by pre-paid first class mail to all property owners within 120 metres of the



subject property. There were approximately 61 property owners notified by mail. In addition, a courtesy notice was published in *The Kingston Whig-Standard*.

Mr. Sands, Intermediate Planner informed the Committee that one piece of correspondence regarding this application was received.

Councillor Neill expressed concern regarding parking due to the increase of units. Ms. Cirella responded that the building currently has five bedrooms and no tenants have vehicles. She noted that due to the location and available transit, two parking spaces will suffice.

Councillor Neill asked about the difference between basement apartments and cellar apartments, he asked for assurance that the ceiling heights will be adequate in the cellar dwelling. Mr. Sands responded that staff will review height requirements through the technical review process with the Building department to ensure it meets the Fire Code.

In response to a question from Councillor Neill regarding the percentage of the total gross floor area, Mr. Sands replied that secondary suites are supposed to be 40% or less. He advised that this application occupies approximately 43% of the total gross floor area and classifies as a secondary unit as opposed to a secondary suite.

Councillor Osanic inquired about the entrance to the cellar, especially during winter. Ms. Cirella responded that a guard and canopy will be added to the entrance to prevent snow from entering the stairs.

In response to a question from Councillor Osanic regarding bicycle parking and garbage Ms. Cirella replied that there is a shed in the back that can be used for garbage and bicycle storage.

Councillor Osanic asked if there would be one hot water tank for the house. Ms. Cirella stated that there will be a separate furnace and hot water tank for each residential unit.

Councillor M<sup>c</sup>Laren inquired about mitigating techniques for carbon monoxide poisoning. Ms. Cirella stated she will contact Councillor M<sup>c</sup>Laren with an answer on carbon monoxide.

Councillor Schell opened the floor for members of the public to provide comments.

There were no comments from the public.

The public meeting regarding the application for a Zoning By-Law Amendment for 358 Victoria Street adjourned at 6:53 p.m.

**Public Meeting  
Held Pursuant to the Planning Act  
6:30 p.m.  
Application for Zoning By-Law Amendment**

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment for a property municipally known as 462 Barrie Street. This report describes the purpose and effect of the requested application and includes an overview of the relevant policies and regulations that apply to the subject property.

The subject property is designated 'Residential' in the Official Plan, and is zoned One-Family Dwelling and Two-Family Dwelling Zone 'A' in Zoning By-Law Number 8499. The application is proposing to amend the zoning by-law to permit a third residential dwelling unit within the existing two unit semi-detached dwelling by reconfiguring the interior to establish three, self-contained one bedroom residential dwelling units. There are no additions or other exterior changes proposed to the existing building to accommodate the application. The overall development proposal includes zoning relief for the minimum lot area requirement, bicycle parking space width from 0.6 metres to 0.3 metres, and a reduction in the total number of parking spaces from three to two.

**Application for Zoning By-Law Amendment  
462 Barrie Street**

Councillor Schell, Chair, called the public meeting regarding the application for a Zoning By-Law Amendment for 462 Barrie Street to order at 6:54 p.m.

Ms. Lee, spoke to the details of the application and conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the City Clerk's Department.

Pursuant to the requirements of the *Planning Act*, a notice of the statutory Public Meeting was provided by advertisement in the form of a sign posted on the subject site 20 days in advance of the Public Meeting. A "Notice of Public Meeting" regarding these applications was also sent by pre-paid first class mail to all property owners within 120 metres of the subject property. There were approximately 78 property owners notified by mail. In addition, a courtesy notice was published in *The Kingston Whig-Standard*.

Mr. Sands, Intermediate Planner informed the Committee that one piece of correspondence regarding this application was received.

Councillor Neill commented that Queens did a study looking at preference for student housing and the study concluded that students prefer smaller number of bedrooms with better quality dwellings.

Councillor Schell opened the floor for members of the public to provide comments.

There were no comments from the public.

The public meeting regarding the application for a Zoning By-Law Amendment for 2357-462 Barrie Street adjourned at 6:59 p.m.

**Public Meeting  
Held Pursuant to the Planning Act  
6:30 p.m.  
Application for Zoning By-Law Amendment**

The following is a Public Meeting report to the Planning Committee for an application for zoning by-law amendment for the property municipally known as 169 Union Street. This report describes the purpose and effect of the requested zoning by-law amendment and includes an overview of the relevant policies and regulations that apply to the subject property.

The subject property is currently designated 'Residential' in the City of Kingston Official Plan and zoned One-Family Dwelling and Two-Family Dwelling zone "A" in Zoning By-Law Number 8499.

The subject property contains an existing building which was formerly used as a daycare facility. The location was closed in 2014. The proposed zoning by-law amendment is requested to establish a site-specific Neighbourhood Commercial Zone 'C1' to allow the use of the ground floor of the building as a professional dentist office and use of the second and third floors of the building for residential purposes. The applicant is also requesting zoning relief for the size of regular and barrier free parking spaces. No exterior alterations are proposed to the existing building.

**Application for Zoning By-Law Amendment  
169 Union Street**

Councillor Schell, Chair, called the public meeting regarding the application for a Zoning By-Law Amendment for 169 Union Street to order at 7:00 p.m.

Mr. Mike Keene, FoTenn Consultants, spoke to the details of the application and conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the City Clerk's Department.

Pursuant to the requirements of the *Planning Act*, a notice of the statutory Public Meeting was provided by advertisement in the form of a sign posted on the subject site 20 days in advance of the Public Meeting. A "Notice of Public Meeting" regarding these applications was also sent by pre-paid first class mail to all property owners within 120 metres of the subject property. There were approximately 44 property owners notified by mail. In addition, a courtesy notice was published in *The Kingston Whig-Standard*.



Ms. Forfar, Manager, Development Approvals informed the Committee that four pieces of correspondence regarding this application were received.

Councillor Neill spoke in favour of the application and the commitment to retain the heritage characteristics of the building. He expressed concern with parking since there will be employees and customers who need parking. Mr. Keene responded that the parking spaces currently available meet the parking requirements for the area, and the applicant is not requesting parking relief.

Councillor Osanic expressed concern regarding tree removal. Mr. Keene replied that an inventory of the trees was conducted, and that when designing the layout of the parking spaces, the developer was conscious of the trees. He stated that the large tree will most likely be retained, however some trees will be subject to removal.

In response to a question from Councillor Turner regarding if additional trees will be planted, Mr. Keene responded that tree planting is a site plan item, but he stated that he will suggest to the client that additional trees be added to the landscape plan. He advised that when trees are eliminated, the City's by-law requires funds to be paid to the City so tree planting is always encouraged.

Councillor Schell opened the floor for members of the public to provide comments.

Mr. Dixon stated that the application is a smart business plan. He inquired about amenity space and if it will be shared with the business and residential tenants. Mr. Keene replied that the amenity space requirement is 250 square metres and there is 800 square metres of space. He noted that the space will be open to be used by staff or tenants.

The public meeting regarding the application for a Zoning By-Law Amendment for 169 Union Street adjourned at 7:19 p.m.

**Public Meeting**  
**Held Pursuant to the Planning Act**  
**6:30 p.m.**  
**Application for Official Plan Amendment & Zoning By-Law Amendment**

The following is a Public Meeting report to the Planning Committee regarding applications for Official Plan amendment and zoning by-law amendment for properties known as 51-57 Queen Street, 18 Queen Street and 282 Ontario Street. This report describes the purpose and effect of the requested applications and includes an overview of the relevant policies and regulations that apply to the subject properties.

The applicant, Homestead Land Holdings Limited, is proposing to develop two 21 storey buildings, both with a podium and tower design. It is proposed that there will be a total of 380 residential units, with associated parking, bicycle parking and apartment complex amenities. A municipal parking garage is proposed on the eastern portion of the podium at 51-57 Queen Street, and commercial space is proposed along the King Street frontage at 18 Queen Street and within the podium.

**Application for Official Plan Amendment & Zoning By-Law Amendment**  
**51-57 Queen Street, 18 Queen Street & 282 Ontario Street**

Councillor Schell, Chair, called the public meeting regarding the application for an Official Plan and Zoning By-Law Amendment for 51-57 Queen Street, 18 Queen Street & 282 Ontario Street to order at 7:21 p.m.

Mr. Mark Touw, IBI Consultants, Mr. Rod Lahey, Principal & Project Architect, Roderick Lahey Architects Inc and Mr. Mark Brandt, Senior Conservation Architect & Urbanist, MTBA Associates Inc. spoke to the details of the application and conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the City Clerk's Department.

Pursuant to the requirements of the *Planning Act*, a notice of the statutory Public Meeting was provided by advertisement in the form of a sign posted on the subject site 20 days in advance of the Public Meeting. A "Notice of Public Meeting" regarding these applications was also sent by pre-paid first class mail to all property owners within 120 metres of the subject property. There were approximately 131 property owners notified by mail. In addition, a courtesy notice was published in *The Kingston Whig-Standard*.

Mr. Adams, Intermediate Planner informed the Committee that approximately 70 pieces of correspondence regarding this application were received.

Councillor Neill inquired about the downtown harbour architectural study and expressed concern regarding if the guidelines are being implemented into the design due the height and density requested in the application. He asked what the community benefits are with a 21 storey structure.

Mr. Brandt replied that designs evolve over time, and that the angular plane of the design was based on the podium height.

Mr. Touw added that in terms of angular plane, there have been recent examples where the Official Plan amendments wiped out the angular plane provisions. He stated that it is an example of how certain projects allow for sections to have provisions because they still provide a development that respects other policies that apply.

Mr. Touw spoke about the community benefits of the application, such as bonusing options for additional height, and that the North Block area has been unutilized for many decades with heavy industrial contamination and it takes a particular person or developer with a vision and risk, to step up and re-develop this type of area. He advised that there is a public parking component being proposed which comes at a cost to developers.

Councillor Allen spoke about the above ground design of the parking lot and suggested that parking be below ground to take a few storeys off the building. He stated that the proposed height is a big jump in the immediate area, and asked about how height was justified with the streetscape. Councillor Allen noted the importance of walkability and having an active streetscape.

Mr. Lahey responded that above grade parking has been incorporated into the design and a relief in the amount of parking spaces was not sought because there is a significant office component which adds to the number of necessary parking spaces. He stated that the viability of commercial was examined and there is a desire to do a mixed use building to create downtown viability and walkability. Mr. Lahey advised that once people can take advantage of being downtown, it will create tremendous activity.

In response to the height increase question, Mr. Lahey responded that the area is one of transition, and that planning is meant to be a forward looking exercise.

In response to a question from Councillor Turner regarding community use of the terrace, Mr. Lahey replied that it would be impractical for the community to use the terrace, however there is potential for areas of the parking garage to have community use components.

Councillor M<sup>c</sup>Laren asked about the parking study. Mr. Touw replied that the parking study conducted is specific to the proposal and that staff have the capacity to review it through the technical review process.

Councillor M<sup>c</sup>Laren referenced the Williamsville Study and that angular plane s are a key design feature. Mr. Touw replied that identifying angular plane s is a standard provision which can vary based on individual projects. He advised that planning cannot be done based on precedent and whether types of development have been approved in how policies can be interpreted.

Councillor M<sup>c</sup>Laren inquired about the mix use building and asked if it could create a market for storefronts as opposed to office space. Mr. Touw responded that the developer



would be open to discussing business and building residential that supports existing businesses that will create additional activity in the downtown core.

In response to a question from Councillor M<sup>c</sup>Laren regarding variety of housing as well as the heritage impact of the application, Mr. Brandt responded that the Official Plan states that there should be a variety of types of houses and the proposed application provides an exceptional quality and alternative types of housing to the area. He stated that the application is in line with the integrated marketing strategy that focuses on the authenticity of Kingston. Mr. Brandt added that the setback of the building and the distance of the two towers from City Hall and market square provide an appropriate level of separation for that height.

In response to a question from Councillor Osanic regarding bicycle parking, Mr. Lahey replied that there is opportunity to increase the amount of spaces available. He noted that there has to be flexibility in how the spaces are provided to give tenants a 1 to 1 ratio of bike parking.

Councillor Schell opened the floor for members of the public to provide comments.

Mr. Fortier spoke in favour of the application and about his personal history of living and doing business in the area with heritage properties. He stated he is a heritage resource conservation advocate, and understands how much Kingstonians cherish built heritage. Mr. Fortier urged the committee to be innovative, and that economic vitality is integral for preserving built heritage. He spoke in favour of intensification and that the design of the proposed application would not overwhelm the heritage characteristics of the downtown core.

Mr. Anderson spoke in favour of urban intensification as an essential component of the long term health of Kingston. He stated that the Official Plan recognizes the liabilities with high rise buildings, and that there should be a height restriction. Mr. Anderson noted that the design study produced by the developer lacks credibility, and asked that an independent design study be commissioned to prove that the design would not detract from the heritage characteristics, and liveability quality of downtown.

Mr. Grenda, President, Frontenac Heritage Foundation expressed concern with the streetscape that is being adjusted or changed as a result of the construction of these two proposed buildings. He stated that the proposal is too large for the area and could overwhelm existing heritage buildings.

Ms. McKendry advised that the location for the application is not suitable for the proposed height of the structures. She spoke about the importance of scale, and the negative impact the application could have on the downtown due to the 21 proposed storeys.

Ms. Burfoot advised that Darmstadt, a city in the state of Hesse in Germany is a City Kingston could use as an example. She stated that the City has a "women in planning" committee and that the land use planning of Darmstadt is known for its openness and scale in height.

Mr. Dixon commended the design of the application and noted that the height relief requested by the applicant is triple the existing level. He inquired about the brownfield condition, and if the design could be more reflective of the UNESCO heritage designation of Kingston. Mr. Dixon advised that a LEED gold designation be sought for the site, and asked for a small parquette to be created on the property. He stated that St. Lawrence College has been seeking a downtown presence and suggested that be incorporated as a future tenant of this project.

Mr. Nimelman spoke in favour of the proposal. He asked about assurance that the proposal would not be an added burden to downtown parking.

Mr. Dossett focused on the commercial aspect of the application. He advised that the height diminishes the presence of City Hall on the street scape. He suggested that the proponents provide clearer visuals, and include components that could draw people to Queen or Wellington Street.

Mr. Smith, Chair of Downtown Kingston BIA spoke about economic vitality and businesses that have left the downtown. He expressed support for the height of the structures. He stated that there has been significant public investment on the downtown, and this proposal encourages people to live, work, and play downtown. Mr. Smith commended the design and detail of the parking garage.

Mr. Kostogiannis spoke in favour of the application. He advised that if the City emphasizes sustainability, it has to embrace intensification. Mr. Kostogiannis noted that the proposal could reduce store vacancies and add to the vitality of downtown. He stated that the proposal does not diminish the supply of municipal parking, and stated that people do not make a decision to visit a place based on building height.

Mr. Ward spoke about encouraging high rise residential developments in the downtown core. He stated that Canada pledged to cut its emissions by 30%, and Kingston pledged to cut down emissions by 20% by 2030. He stated that Canada accounts for 2% of total GHG emissions energy consumption, and that real estate is the largest sector contributing to GHG. Mr. Ward advised that high rise buildings consume 40% less water and create less waste than single family homes. He urged the City to support sustainable real estate developments in a meaningful manner, and encourage parquettes' and bike lanes to be built along with the development. Mr. Ward spoke about affordable housing and how this development can impact rental figures.

Mr. Van Leuken, representing Braebury Properties, expressed concern regarding shading that will be caused due to the development. He stated that Braebury installs solar rooftops installation and the company is wary of the shadowing which could result in loss of revenue. He stated that the proposal will have a negative impact on the Royal Block properties and its tenants.

Mr. Pater read an email from Mr. Campbell, Kingston By Design, and noted that he wants to see a vibrant economically sustainable downtown with fewer cars. He advised that development cannot be restricted to 19<sup>th</sup> century heights, and that the proposal is an

alternative to sprawl that will not bring more cars to the core. Mr. Pater advised that the application will not compromise the 19<sup>th</sup> century charm of downtown Kingston, and the modern design can coexist with the heritage characteristics of downtown. He stated that small downtown businesses are struggling and increasing the population of people living in the downtown will enhance economic vitality and promote growth.

Mr. Patry expressed support for the project and design elements. He stated that if the City requires more rental stock, the height needs to be one that allows for efficiencies and uses. Mr. Patry noted that the amount of parking is in the City's best interest, as well as the high quality bike parking proposed. He advised that commercial space cannot be forced, many stores are vacant in the downtown and developing space for people to live downtown will revitalize the existing commercial businesses. Mr. Patry explained that property taxes help pay for heritage grants to preserve heritage buildings, and that the community expects more services, and the City needs developments to help pay for them.

Ms. MacDonald expressed concern regarding height and that the application is setting a precedent that will change the face of downtown Kingston. She stated that the height would create shadowing, and that intensification does not mean high rise towers. Ms. MacDonald advised that people make a decision to visit a place based on the historical aspects, and the application has the potential to alter what Kingston is known for.

Mr. Soper stated that intensification is needed; however it does not need to take form with monumental structures. He advised that buildings need to reflect aspects of a City, or a people, or culture, and this design does not do that. Mr. Soper noted that the size will dominate the City and does not enhance culture or add vitality to the downtown. He suggested that the City could hold a public visioning exercise to gather input on what the downtown could look like to create a place that is reflective of community needs.

Ms. Bratt spoke to her personal history of living in Kingston, and her hope that there will be viable prospects so her children choose to live in Kingston too. She noted that change is difficult; however it needs to be embraced and new developments like the one proposed have the ability to ignite new opportunities.

Ms. Deline asked if the structures have been tested to endure earthquakes.

Ms. Schmolka conducted a PowerPoint presentation. A copy of the PowerPoint can be obtained by contacting the City Clerks department. She spoke about peer review studies and suggested that a housing affordability analysis, and housing issues report be commissioned for this application. Ms. Schmolka advised that there is unrealized potential and other locations that could be better suited for this type of development.

Ms. Finley spoke about the importance of heritage, and advised that Kingston should aim to be the Quebec City of Ontario. She stated that Kingston should retain its human scale which makes it attractive to residents' and tourists. Ms. Finley inquired if the 2004 Urban Design Guidelines were used when developing the design.



Mr. Ritchie advised that vibrant downtowns should have all periods of architecture present. He stated that market research in Kingston exemplifies that people travel downtown for the authentic experience, and noted that economics, cultural vitality, and affordable housing are all benefits of the proposed project. He advised that all ages of architecture should be celebrated and modern structures can frame heritage buildings in a way that showcases heritage.

Mr. Gventer emphasized the issue of affordability and that it should be considered in the development. He noted that core housing needs need to be addressed, and the City needs to disperse affordable housing throughout the City to integrate people. He urged staff to negotiate with the developers to add an affordable housing component to the development.

Ms. Foot expressed concern for the development with regards to height and stated that higher density can take many forms. She stated that Kingston's greatest asset is its small town feel, and inquired about amenity space.

Moved by Councillor Neill  
Seconded by Councillor M<sup>c</sup>Laren

**That** the Planning Committee waive the rules of By-Law Number 2010-1, "Council Procedural By-Law", in order to extend the meeting past 11:00 pm to complete the agenda.

**Carried**

Mr. Tasler expressed concern with height.

Mr. Hahn stated that there are long term ramifications with these types of developments. He noted that there are more appropriate human scale development options for intensification and revitalizing the downtown.

Ms. Farrar spoke about the divisiveness that has been created with this application and urged the City to engage the community about how people imagine the downtown.

Ms. Hamilton advised that the proposal is in an area of transition. She spoke to her personal history of living downtown, however due to costs and lack of suitable parking she might have to move out of downtown. Ms. Hamilton stated that she would like the option of living in a high rise apartment with good property management, and safe parking.

Mr. Kirk asked if the brownfield condition on the property could prevent certain uses.

Mr. Touw thanked the community for their time, comments and passion in Kingston. He stated that more detailed answers can be given to the public through written correspondence. He spoke about process and that planning documents need to be updated and reviewed. Mr. Touw informed the public and committee that the comments made will be considered by the applicant, and they will work with City staff to ensure the application meets community needs. Mr. Touw stated that all of the information regarding the application such as peer reviewed studies are available on DASH.

Mr. Lahey stated that the buildings will be energy efficient, and there is increased green space, and a parquette area on Ontario Street. He stated that high rise buildings enhance neighbourhoods and will generate downtown activity. Mr. Lahey stated that the Ontario Building Code regulates earthquake zones and the buildings will be built to withstand earthquakes.

Mr. Brandt advised that in a heritage impact assessment the focus is on density of properties, and some areas of the proposal are not designated under the Heritage Act and as such; do not have protection under provincial legislation. He noted that many of the public concerns expressed are covered under the mitigating measures recommended.

Ms. Venditti, Senior Manager, Client Relations & Development Services stated that all documentation pertaining to this application will be available through DASH.

The public meeting regarding the application for an Official Plan and Zoning By-Law Amendment for 51-57 Queen Street, 18 Queen Street & 282 Ontario Street adjourned at 11:39 p.m.

**Regular Planning Committee Meeting Number 05-2016**

**Meeting to Order**

Councillor Schell called the meeting to order at 11:40 p.m.

**Approval of the Agenda**

Moved by Councillor Neill  
Seconded by Councillor Turner

**That** the agenda be amended to include the addendum, and as amended, be approved.

**Carried**

**Confirmation of Minutes**

Moved by Councillor Neill  
Seconded by Councillor Allen

**That** the minutes of the Planning Committee Meeting Number 04-2016 held on Thursday February 4, 2016 be approved.

**Carried**

**Disclosure of Pecuniary Interest**

There were none.

**Delegations**

There were none.

**Briefings**

There were none.

**Business**

**a) Application for Official Plan Amendment, Zoning By-Law Amendment 23 Soccer Lane**

With the consent of the Planning committee, this staff report was withdrawn to a future Planning committee meeting.

**Motions**

There were none.

**Notices of Motion**

There were none.

**Other Business**

There was none.

**Correspondence**

Please see addendum.

**Date of Next Meeting**

The next meeting of the Planning Committee is scheduled for Thursday March 3, 2016 at 6:30 p.m.

**Adjournment**

Moved by Councillor Allen  
Seconded by Councillor Turner

**That** the meeting of the Planning Committee adjourn at 11:43 p.m.

**Carried**





City Of Kingston  
Planning Committee  
Meeting Number 16-2017  
Confirmed Minutes  
Thursday August 3, 2017 at 6:30 p.m.  
Council Chamber, City Hall

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**Committee Members Present**

Councillor Schell; Chair  
Councillor Holland (withdrew from meeting at 8:48 p.m.)  
Councillor M<sup>c</sup>Laren  
Councillor Neill  
Councillor Osanic  
Councillor Turner

**Regrets**

None

**Staff Members Present**

Ms. Agnew, Director, Planning, Building & Licensing Services  
Ms. Didrikson, Intermediate Planner  
Ms. Hurdle, Commissioner, Community Services & Deputy CAO  
Ms. Lambert, Senior Planner  
Mr. Ochej, Committee Clerk  
Ms. Rae, Senior Legal Counsel  
Mr. Sands, Senior Planner  
Mr. Sifat, Intermediate Planner  
Ms. Venditti, Manager, Development Approvals

**Others Present**

Members of the public were present

### Introduction by Committee Chair

Councillor Schell, Chair, explained the purpose of the meeting and read the rights and obligations afforded to the Committee members and members of the public during public meetings.

**Public Meeting  
 Held Pursuant to the Planning Act  
 6:30 p.m.  
 Application for Zoning By-Law Amendment**

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment submitted by Michael Hickey on behalf of Gunnar and Pauline Heissler, with respect to the subject site located at 85 Sydenham Street. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The lands are designated Residential in the City of Kingston Official Plan and are zoned 'B' (Three to Six Dwelling Zone) in Zoning By-Law Number 8499, as amended.

The applicant is proposing to construct a two-storey addition to an existing detached garage which will contain a two-bedroom dwelling unit. The subject property, which is 417 square metres in area, is developed with a single-detached dwelling containing one three-bedroom dwelling unit with a detached garage. An amendment is required to the zoning by-law to permit the proposal, including relief from provisions such as the minimum required lot area to allow two dwelling units on the property and relief from maximum lot coverage.

The property is designated under the *Ontario Heritage Act* (Part IV designation) and as part of the Old Sydenham Heritage Conservation District (Part V designation). A Heritage Permit was granted for the proposed addition to the garage in 2015 (File Number P18-363-025-2015).

The proposal requires Site Plan Control approval. An application has been submitted and is currently under review (File Number D11-020-2017).

**File Number: D14-014-2017  
 Address: 85 Sydenham Street  
 Application Type: Zoning By-Law Amendment  
 Owner: Gunnar and Pauline Heissler  
 Applicant: Michael Hickey  
 (See Report PC-17-066)**

Councillor Schell, Chair, called the public meeting regarding the Application for Zoning By-Law Amendment – 85 Sydenham Street to order at 6:38 p.m.

Mr. Michael Hickey, Agent, spoke to the details of the application and provided the Committee with a hard copy presentation. A copy of the presentation can be obtained by contacting the City Clerk's Department.

Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 76 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property (Exhibit G – Public Notice Notification Map). A courtesy notice was also placed in The Kingston Whig-Standard.

Ms. Didrikson informed the Committee that one item of correspondence had been received regarding the application.

Councillor Schell, regarding the height of the proposed structure, inquired as to whether or not Heritage Kingston requested the proposed structure to be lower than the height of the current house on the property. Ms. Didrikson responded that the heritage permit granted by Heritage Kingston allows the proposed structure to be 0.25 metres higher than the house situated on the property.

The Chair afforded members of the public the opportunity to provide comment.

Mr. Frank Dixon, 495 Alfred St, stated that he had no objections to the application, but that he would like to have seen a more detailed presentation from the agent.

Mr. Hickey responded by outlining the approval process that the application has undergone.

The public meeting regarding the application for Zoning By-Law Amendment – 85 Sydenham Street adjourned at 6:58 p.m.

**Public Meeting  
 Held Pursuant to the Planning Act  
 6:30 p.m.  
 Application for Zoning By-Law Amendment**

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment submitted by Susan Zambonin on behalf of Habitat for Humanity Greater Kingston & Frontenac, with respect to the subject site located at 46 Cowdy Street. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The applicant is proposing to demolish an existing church, redevelop 3 semi-detached dwellings and a community outreach centre. A site-specific zone is required to facilitate this proposal.



**File Number: D14-021-2017**  
**Address: 46 Cowdy Street**  
**Application Type: Zoning By-Law Amendment**  
**Owner: Habitat for Humanity Greater Kingston & Frontenac**  
**Applicant: Susan Zambonin**  
**(See Report PC-17-070)**

Councillor Schell, Chair, called the public meeting regarding the Application for Zoning By-Law Amendment – 46 Cowdy Street to order at 6:59 p.m.

Ms. Susan Zambonin, Applicant, spoke to the details of the report and conducted a PowerPoint presentation. A copy of the presentation can be obtained by contacting the City Clerk's Department.

Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 74 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Kingston Whig-Standard on July 28, 2017.

Mr. Sifat informed the Committee that one item of correspondence had been received regarding the application.

Councillor Neill sought details regarding the amount of time it has been since Habitat for Humanity had built a house in Kingston. Ms. Zambonin responded that it had been seven years since Habitat for Humanity built a house in Kingston. Councillor Neill expressed his support for the application.

The Chair afforded members of the public the opportunity to provide comment.

Ms. Deborah Dowker, 836 Littlestone Cr, expressed her support for the application, stating that Habitat for Humanity provides safe, quality homes for families. She described the process by which families receive a home through Habitat for Humanity.

Ms. Alex Rowse-Thompson, 121 Stephen St, expressed support for the application and suggested that changes be made to the side yard set backs to reduce the impact of shadowing, and to improve privacy, for neighbouring properties. She requested that consideration be given to the addition of windows or a variation of external materials on the side of the buildings and to the preservation of mature trees on the site.

Mr. Frank Dixon, 495 Alfred St, inquired if consideration was given to retrofitting the church currently on site and using it as a residential space.



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Ms. Zambonin responded that the Anglican Diocese requested the church to be removed and a smaller community building put in its place as the current church building does not meet their needs. Ms. Zambonin stated that a balance needs to be struck regarding the preservation of mature trees, as the families who will own the house will be paying fair market value and there is a need to maintain an affordable property value.

The public meeting regarding the application for Zoning By-Law Amendment – 46 Cowdy Street adjourned at 7:14 p.m.

**Public Meeting  
Held Pursuant to the Planning Act  
6:30 p.m.  
Application for Zoning By-Law Amendment**

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment submitted by FOTENN Consultants Inc. on behalf of 1517849 Ontario Limited (O/A Greene Homes), with respect to the subject site located at 1707, 1709, 1711, 1713 and 1715 Executive Avenue. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The subject lands are designated 'Residential' in the City of Kingston Official Plan. The applicant is proposing to amend the maximum front yard setback of the existing Special Residential Type 2 'R2-36' zone in Zoning By-Law Number 76-26 to permit the construction of wider dwellings on three pie-shaped lots plus a lot on either side of this grouping, for a total of five currently vacant lots. The subject vacant lots are located within the Midland Park Phase 4, Stages 2-4 Subdivision (Registered Plan 13M-104).

**File Number: D14-023-2017  
Address: 1707, 1709, 1711, 1713 and 1715 Executive Avenue  
Application Type: Zoning By-Law Amendment  
Owner: 1517849 Ontario Limited (O/A Greene Homes)  
Applicant: FOTENN Consultants Inc.  
(See Report PC-17-067)**

Councillor Schell, Chair, called the public meeting regarding the Application for Zoning By-Law Amendment – 1707, 1709, 1711, 1713 and 1715 Executive Avenue to order at 7:15 p.m.

Ms. Jennifer Garrah, FOTENN Consultants Inc., spoke to the details of the report and conducted a PowerPoint presentation. A copy of the presentation can be obtained by contacting the City Clerk's Department.

Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 62

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property owners (according to the latest Assessment Rolls) within 120 metres of the subject property (Exhibit G – Public Notice Notification Map). A courtesy notice was also placed in The Kingston Whig-Standard on July 25, 2017.

Ms. Lambert informed the Committee that no items of correspondence had been received regarding the application.

There were no comments or questions from the Committee.

The Chair afforded members of the public an opportunity to provide comment.

There were no comments or questions from members of the public.

The public meeting regarding the application for Zoning By-Law Amendment – 1707, 1709, 1711, 1713 and 1715 Executive Avenue adjourned at 7:22 p.m.

**Public Meeting  
Held Pursuant to the Planning Act  
6:30 p.m.  
Official Plan & Zoning By-Law Amendment**

The following is a Public Meeting report to the Planning Committee regarding applications for an Official Plan & zoning by-law amendment submitted by Homestead Land Holdings Limited with respect to the subject sites located at 51-57 Queen Street, 18 Queen Street and 282 Ontario Street.

The applicants have amended the proposed buildings from what was presented at the February 18, 2016 Planning Committee meeting. Based on the modifications to the proposal, a second Public Meeting has been scheduled to present the revised proposal. Homestead Land Holdings Limited is proposing to develop two mixed use apartment buildings, each containing 200 residential units with a podium and tower design. It is proposed that there will be a total of 400 residential units, with associated on-site vehicular parking, bicycle parking and apartment complex amenities. Commercial space is proposed on the ground floor within the podium of both buildings fronting onto King Street. Specific changes include a reduction in the total height of the proposed buildings, reduced building floorplate area, increase in the total number of dwelling units, removed the on-site parking garage originally proposed at 51 Queen Street and modified podium heights/setbacks for both proposed buildings. This report describes the changes proposed with respect to the development applications and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

On June 8, 2017, the applicant (Homestead Land Holdings Limited) appealed the proposed Official Plan amendment and zoning by-law amendment applications to the Ontario Municipal Board (OMB), based on the approval authorities' failure to make a decision within the prescribed period of time. Per the *Planning Act*, the approval



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authority (Council) has 180 days to make a decision once an Official Plan amendment has been deemed complete and 120 days to make a decision once an application for zoning by-law amendment has been deemed complete.

As the Official Plan amendment and zoning by-law amendment applications have been appealed to the OMB, the purpose of the meeting scheduled for August 3, 2017 is to allow for public input for Council's consideration and is not a Statutory Public Meeting. A Statutory Public Meeting was held February 18, 2016.

The subject properties are designated 'Central Business District' and subject to Site Specific Policy Number 22 in the Official Plan, and are zoned Specific Central Business System C1- 22(H) Zone in Zoning By-Law Number 96-259, as amended.

The applications propose an increase in the existing height and density provisions for the subject properties. Staff are also seeking input from the community through this Public Meeting process with respect to potential Community Benefits related to the proposed development that might be requested from the applicant.

**File Number: D09-039-2015 & D14-146-2015**  
**Address: 51-57 Queen Street, 18 Queen Street & 282 Ontario Street**  
**Application Type: Official Plan & Zoning By-Law Amendment**  
**Owner/Applicant: Homestead Land Holdings Limited**  
**(See Report PC-17-063)**

Councillor Schell, Chair, called the public meeting regarding the Application for Official Plan & Zoning By-Law Amendment for 51-57 Queen Street, 18 Queen Street & 282 Ontario Street to order at 7:23 p.m.

Mr. Mark Touw, IBI Group, Mr. Roderick Lahey, Roderick Lahey Architects, and Mr. Mark Brandt, MTBA Associates spoke to the details of the report and conducted a PowerPoint presentation. A copy of the presentation can be obtained by contacting the City Clerk's Department.

A courtesy notice for this Non-Statutory Public Meeting was placed in The Kingston Whig- Standard.

Mr. Sands informed the Committee that one item of correspondence had been received regarding the application.

Councillor Neill inquired as to why angular plane was not utilized to help mitigate streetscape issues. Mr. Lahey responded that the use of an angular plane in this proposal would shift focus to the podium, which was not desirable, and that the set back of the tower is an attempt to address streetscape issues. He added that the building on Block 3 is centred on the property in order to address streetscape issues.

Councillor Neill expressed support for retail readiness on the ground floor and sought details on the design of retail space on the first floor. Mr. Lahey clarified that some retail space will be included on the first floor on the King Street portion of Block 3, and the remaining ground floor space will be used for amenities. He added that the applicant is looking to introduce a commercial aspect into the project; however the design will be able to accommodate any future retail needs.

Councillor Neill sought clarification on the number of units and expressed concern with the availability of parking given the retail and commercial aspects of the application. Mr. Lahey stated that the parking garage in the original application would have been owned by the City and independent of the residential portion of the application, and that the unit count has increased due to alterations to the floor space from the area that was originally taken up by the parking garage.

Councillor Neill expressed concern with the reduction in bicycle parking for the application. Mr. Lahey stated that this issue can be examined in further detail during the site plan approval process, and that the applicant is open to creating additional bicycle parking spaces. Mr. Brandt added that in addition to dedicated bicycle parking spaces, there will be general storage availability for all units where bicycles may be stored.

Councillor Osanic inquired about consultation with Kingston Fire & Rescue regarding the application, and the ability of fire vehicles to reach the upper floors of the buildings. Mr. Lahey responded that fire trucks can generally reach a height of six-to-eight floors. He discussed the building code requirements for high-rise buildings, in particular the sprinkler and alarm system requirements.

Councillor Osanic asked if any affordable or accessible housing units will be included in the application. Mr. Lahey responded that all units will be rented at market value.

Councillor Osanic stated her preference for the inclusion of affordable housing units as part of the community benefits aspect of the application.

Councillor Schell discussed the change in architectural detailing for the application and inquired if those details will be maintained. Mr. Lahey stated it is the applicant's intention to maintain the architectural detailing that was presented previously to the Committee.

Councillor Schell suggested that including artistic renderings of the old maps used in the Agent's PowerPoint presentation in common areas in the buildings be considered under community benefits.

The Chair afforded members of the public an opportunity to provide comment.

Ms. Annette Burfoot, Building Kingston's Future, spoke to her written comments regarding the application for an Official Plan & Zoning By-Law Amendment for 51-57 Queen Street, 18 Queen Street & 282 Ontario Street, a copy of which may be obtained by contacting the City Clerk's Department.



Mr. Doug Ritchie, Managing Director, Downtown Kingston!, discussed the lack of properties in Kingston that can maximize the economic and environmental benefits of high-density buildings. He discussed the benefits of the application to the business community via the proximity of residents to businesses, as well as the importance of scenic walkability and proximity to transit and employment opportunities. He concluded by stating recent upgrades to utilities in the downtown core make increased density possible and that the application would be a benefit to the downtown area.

Ms. Diana Kwiatkowski, 1612 Grousewood Ln, expressed concern regarding the timing of discussion on community benefits, as the application has not yet been approved. He stated that the height and density of the application are far too great and would negatively impact the heritage aspects of Kingston.

Mr. Gavin Henderson, 702 Newmarket Ln, urged the members of the Committee to uphold the principles of the Official Plan. He expressed concern with the precedent that would be set if the application were to be approved and with the impact the increase in units in the downtown area would have to potential development in other areas of Kingston. Regarding community benefits, Mr. Henderson stated that he would like to see a community benefit that is paid off over time, such as the inclusion of a community space with discounted rent.

Ms. Delova, 38 St. Lawrence Av, Wolfe Island expressed concern with the impact that the building will have on traffic flows in the downtown, particularly with access to the Hotel Dieu Hospital and Kingston General Hospital. She stated that the architectural heritage district of downtown Kingston needs be properly maintained and that the density of the building is not appropriate for downtown. She expressed concern with the proposed inclusion of social housing and with the fire safety of the application.

Mr. Jack Gilfillan, 1200 Trailhead Pl, stated that downtown businesses need the support of additional residents living in the downtown area, and that the application would allow for an increase in property tax revenue. He added that the application is building housing that would be of benefit to senior citizens that no longer wish to live in single-family homes.

Mr. Donald Mitchell, 43 Gibson Av, stated that the long term viability of the amenity space needs to be ensured by the applicant, and expressed concern with the impact that the application may have on the capacity at Artillery Park and other community spaces in the area. He requested information on how the property can improve, if possible, the heritage aspects of downtown, the availability of jobs in the area of future residents, and how the community benefits associated with the application would directly impact members of the community. Mr. Mitchell concluded his statements by expressing support for the inclusion of affordable housing, and accessibility measures in all public areas included in the application.

Ms. Vicki Schmolka, 702 Newmarket Ln, conducted a PowerPoint presentation regarding the application for an Official Plan & Zoning By-Law Amendment for 51-57

Queen Street, 18 Queen Street & 282 Ontario Street. A copy of the presentation may be obtained by contacting the City Clerk's Department.

Mr. Frank Dixon, 495 Alfred St, stated that the maximum height under the Official Plan should be more clearly indicated in the application. He suggested the creation of a downtown development plan to help guide downtown development. Mr. Dixon stated that the information contained within the shadow study was not clear and that the architectural design for the application could be more appealing. He stated that a more detailed traffic study should be produced and that data regarding the current use of the properties as parking lots be made available to the public. Regarding community benefits, Mr. Dixon stated he would be in favour of including affordable housing in the application.

Mr. Ed Smith, 519 Grandtrunk Av, discussed the evolution of buildings in Kingston, stating that intensification would continue this evolution as Kingston moves into the future. He discussed the loss of public parking with removal of the parking garage from the application, and expressed support for the inclusion of office space in the application. Mr. Smith concluded by stating that the application would contribute to the economic stability of downtown Kingston.

Mr. Brandt, quoting the heritage impact study, stated that the proposed development does not impose itself so strongly upon the City Hall and Market Square Heritage Conservation District that it prevents the viewer or attendee from comprehending the heritage value, nor does it cause a change to the character defining elements of the district as defined by the district's own study.

Mr. Lahey stated that the applications aides in fostering walkability in the downtown area. He thanked the members of the public for their comments regarding community benefits.

Regarding building height and envelope, Mr. Touw referenced the Official Plan's site specific policy area for the North Block, stating that its provisions allow for a maximum height above 25.5 metres, given certain urban design study criteria are met. He stated that traffic and utilities capacity studies have been conducted and are available to the public. Regarding community benefits, Mr. Touw stated that the applicant will take into consideration the comments from members of the public and the Committee. Regarding amenity space, he stated that adequate space will be maintained in the event that some amenity space is converted to commercial use.

Councillor Neill expressed concern with the timing of the community benefits discussion, stating that it may be premature to have the discussion taking place before a comprehensive report is available. He stated that he would prefer to see the planning rationale for applications before a discussion takes place regarding community benefits.

Ms. Agnew responded that a challenge to the community benefits process is the requirement that it be implemented through the amending zoning by-law, and not afterwards, as per legislation. In response to comments regarding the City of Toronto, Ms. Agnew provided an overview of the City of Toronto process for community benefits, stating that the community benefits discussion begins at the start of an application, not after approval. Ms. Agnew concluded by stating that for the City, community benefits discussions must occur as part of the consultation leading to a planning recommendation and amending by-law, which may or may not be supported by Council.

Councillor Neill stated that the current community benefits process leads to criticism of the process as a trade-off for changes to building envelope, which is not the intent of the process. Ms. Agnew clarified that staff do not view community benefits as a trade-off and that staff first examine applications to see if they represent good planning, then look at opportunities for benefits as part of a recommendation to supersede zoning or Official Plan designations for a property.

Councillor Neill sought clarity on the approval process for the application given the appeal by the applicant to the Ontario Municipal Board (OMB). Ms. Venditti stated that the approval authority on the application now lies with the OMB. Regarding the internal process, she stated that the application had been resubmitted and will undergo a technical review, the incorporation of public input, finalization of the peer review process for heritage and urban design, and submission to Council for additional direction.

Councillor Neill inquired if the potential for community benefits had been lost due to the OMB appeal. Ms. Venditti stated that the potential for community benefits had not been lost.

Councillor Turner stated that a perpetual benefit to the application would be the increased tax revenue arising from the redevelopment of the property. She expressed concern with the lack of support from the public for intensification, adding that the shifting demographics in Kingston is indicative of the need for more housing and full time residents living in the downtown area.

The public meeting regarding the application for Official Plan & Zoning By-Law Amendment - 51-57 Queen Street, 18 Queen Street & 282 Ontario Street adjourned at 9:41 p.m.

#### **Regular Planning Committee Meeting Number 16-2017**

#### **Meeting to Order**

The Chair called the meeting to order at 9:42 p.m.

**Approval of the Agenda**

Moved by Councillor Neill  
Seconded by Councillor Turner

That the agenda be amended by moving the Public Meeting for Official Plan & Zoning By-Law Amendment - 51-57 Queen Street, 18 Queen Street & 282 Ontario Street to the end of the Public Meeting portion of the agenda, and to include the addendum, and as amended, be approved.

**Carried**

**Confirmation of Minutes**

Moved by Councillor Osanic  
Seconded by Councillor Turner

That the minutes of the Planning committee Meeting Number 15-2017 held on Thursday July 6, 2017 be approved.

**Carried**

**Disclosure of Pecuniary Interest**

There were none.

**Delegations**

There were none.

**Briefings**

There were none.

**Business**

- a) **File Number: D14-017-2017**  
**Subject: Removal of Conversion Provisions Zoning By-Law Number 8499**  
**Address: Area Regulated by Zoning By-Law Number 8499**  
**Application Type: Zoning By-Law Amendment**  
**Applicant: The Corporation of the City of Kingston**

Moved by Councillor Neill  
Seconded by Councillor Osanic

That the following recommendation be approved and forwarded to Council on August 8, 2017 for consideration:



**That** it be recommended to Council that the city-initiated application for a zoning by-law amendment (File Number D14-017-2017) be approved; and

**That** By-Law Number 8499 of The Corporation of the City of Kingston, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit A (Draft By-Law to Amend Zoning By-Law Number 8499) to Report Number PC-17-064; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

**That** the amending by-law be presented to Council for all three readings.

**Carried**

- b) **File Number: D14-018-2017**  
**Subject: Amenity Area and Landscaped Open Space Provisions**  
**Address: City-wide**  
**Application Type: Zoning By-Law Amendment**  
**Applicant: The Corporation of the City of Kingston**

Moved by Councillor Neill

Seconded by Councillor Osanic

**That** the following recommendation be approved and forwarded to Council on August 8, 2017 for consideration:

**That** it be recommended to Council that the city-initiated application for a zoning by-law amendment (File Number D14-017-2018) be approved; and

**That** By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit A (Draft By-Law to Amend Zoning By-Law Number 8499) to Report Number PC-17-065; and

**That** By-Law Number 96-259, entitled "Downtown and Harbour Zoning By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit B (Draft By-Law to Amend Zoning By-Law Number 96-259) to Report Number PC-17-065; and

**That** By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit C (Draft By-Law to Amend Zoning By-Law Number 76-26) to Report Number PC-17-065; and

**That** By-Law Number 97-102, entitled "The Cataraqui North Zoning By-Law" as amended, be further amended, as per Exhibit D (Draft By-Law to Amend Zoning By-Law Number 97-102) to Report Number PC-17-065; and

**That** By-Law Number 32-74, Entitled "Township of Pittsburgh Zoning By-Law", as amended, be further amended, as per Exhibit E (Draft By-Law to Amend Zoning By-Law Number 32-74) to Report Number PC-17-065; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-laws; and

**That** the amending by-laws be presented to Council for all three readings.

**Carried**

- c) **File Number: D14-016-2017**  
**Address: 285 Holden Street – Woodhaven Subdivision Stage 3 Phase 3**  
**Application Type: Zoning By-Law Amendment**  
**Owner/Applicant: Tamarack (Catarqui West 2) Corporation & Barr Homes**

Moved by Councillor Osanic  
Seconded by Councillor McLaren

**That** the following recommendation be approved and forwarded to Council on August 8, 2017 for consideration:

**That** it be recommended to Council that the application for a zoning by-law amendment (File Number D14-016-2017) submitted by Tamarack (Catarqui West) Corporation, on behalf of Tamarack (Catarqui West 2) Corporation & Barr Homes, for the property municipally known as 285 Holden Street – Woodhaven Subdivision Stage 3 Phase 3, be approved; and

**That** By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 76-26) to Report Number PC-17-069; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

**That** the amending by-law be presented to Council for all three readings.

**Carried**

**Motions**

There were none.

**Notices of Motion**

There were none.

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**Other Business**

There was none.

**Correspondence**

See addendum.

**Date and Time of Next Meeting**

The next meeting of the Planning Committee is scheduled for Tuesday August 29, 2017 at 6:30 p.m.

**Adjournment**

Moved by Councillor Turner  
Seconded by Councillor Neill

**That** the meeting of the Planning Committee adjourn at 9:44 p.m.

**Carried**