



**City of Kingston  
Information Report to Council  
Report Number 19-295**

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**To:** Mayor and Members of Council  
**From:** Lanie Hurdle, Interim Chief Administrative Officer  
**Resource Staff:** Paige Agnew, Director, Planning, Building & Licensing Services  
**Date of Meeting:** November 19, 2019  
**Subject:** Former Davis Tannery Lands – Update & Next Steps

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**Executive Summary:**

The purpose of this report is to provide Council with an update regarding the proposed development concept for the former Davis Tannery lands located at 2 River Street and 50 Orchard Street.

Over the past year, staff have been working alongside the applicant with the assistance of Brent Toderian (TODERIAN UrbanWORKS), to refine the development concept to achieve variation in building height and massing, increased building articulation, improved public realm, and to improve the way in which the proposed buildings interact with the cultural heritage significance of the Rideau Canal. The development concept has also evolved to provide greater setbacks from the Rideau Canal with a naturalized shoreline. This report provides a summary of the changes made from the original application to the present design with information related to some public engagement sessions the property owner will be hosting over the next month to provide an opportunity for the community and Council to be updated on the design evolution for the property. Revised conceptual design drawings are attached as an exhibit to this report which are the result of a collaboration between the applicant and City staff.

Subject to additional feedback from Council and the public on the revised development concept, the property owner intends to revise the current planning applications and proceed through the formal review process including an additional Public Meeting in 2020 to be facilitated through the Planning Committee

**Recommendation:**

This report is for information purposes only.

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**Authorizing Signatures:**

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**Lanie Hurdle, Interim Chief  
Administrative Officer**

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

Peter Huigenbos, Acting Commissioner, Community Services	Not required
Brad Joyce, Acting Commissioner, Corporate Services	Not required
Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Sheila Kidd, Commissioner, Transportation & Public Works	Not required

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**Options/Discussion:****Background and Initial Applications**

On December 27, 2017, applications for Official Plan amendment, zoning by-law amendment, draft plan of subdivision and amendment to the Community Improvement Plan were submitted by IBI Group Incorporated on behalf of Jay Patry Enterprises Inc., with respect to the lands located at 2 River Street, 50 Orchard Street and an adjacent unaddressed water lot (File Number D35-009-2017). The property located at 2 River Street is the site of the former Davis Tannery, which was a lead smelting operation and leather tannery. The property has been vacant since the buildings were demolished in the 1980s. Over time, the lands have become dominated by younger trees and non-native invasive species. The lands are heavily contaminated as a result of the past industrial activity and require significant remediation before they are redeveloped. A residential dwelling is located at 50 Orchard Street which is proposed to be demolished.

The subject lands are located north of River Street, south of Belle Park and east of the K&P Trail within the North King's Town Secondary Plan area and the Inner Harbour neighbourhood. Surrounding uses include low and medium density residential, industrial, commercial, offices and parkland. The subject lands are located along the western shore of the Great Cataraqui River/Rideau Canal, which is designated as a National Historic Site and a Canadian Heritage River and inscribed as a UNESCO World Heritage Site (Exhibits A and B). A portion of the Greater Cataraqui Marsh Provincially Significant Wetland is located on and adjacent to the lands. Several cultural heritage resources are in close proximity, including the Woolen Mill and the Bailey Broom Factory.

The applications, as initially submitted, propose the following:

- The division of the subject lands into four development blocks and open space and parkland blocks;
- Four 6-storey buildings with a total of 1,509 residential units and 4,961 square metres of ground floor commercial area on the four development blocks, with each building being completed as a separate phase;
- Two new public roads and an extension to Orchard Street;
- Private and public park space including a proposed plaza/pavilion style park; and
- A boathouse for the Kingston Rowing Club on the water lot.

The subject lands have a total lot area of approximately 13 hectares. The proposed redevelopment applies to a 9 hectare area of the subject lands.

The subject lands are included within Project Area 1A in the [Brownfields Community Improvement Plan](#) (CIP). An amendment to the CIP is proposed to create a special project area to enable the proposed development to be eligible for additional financial incentives that are not currently included in the CIP.

A Public Meeting with respect to the applications was held on March 8, 2018. The review of the *Planning Act* applications were paused to provide the property owners and staff the opportunity

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to engage in design conversations that better align with Council and public feedback, the City's policy framework and public interest goals around waterfront access, cultural heritage and climate change emergency.

### **Revised Development Concept**

The built form, as initially proposed, included 6-storey apartment-style buildings, which wrap around above-grade garage structures and interior courtyards housing amenity space (Exhibit C). As part of the technical review of the applications and the recommendations of the Heritage Impact Statement Peer Review, staff recommended to the applicant that the scale, height and massing of the buildings be revisited to achieve a built form that complements the surrounding cultural heritage resources and is in accordance with the urban design policies of Section 8 of the Official Plan. Several meetings and design workshops were held with the applicant, technical agencies and Brent Toderian over the past year to refine the development concept to achieve a variation in building height and massing, improve the public realm, and to improve the way in which the proposed buildings interact with the cultural heritage significance of the Rideau Canal.

The revised development concept represents months of technical negotiations with the applicant and includes:

- Building heights reduced to 4 and 5 stories on the water side of the development to reduce visual intrusion from the Cataraqui River and impact on adjacent cultural heritage resources;
- Potential for additional height, up to 8 storeys, above internal parking garages;
- Intentional use of wood frame construction in a mid-rise form format to assist with the City's climate change goals;
- Increased building articulation;
- Segmented building design to better define distinct sections, as opposed to the uniformity of the large blocks of 6-storey buildings;
- Building breaks/cut-throughs providing connections into the inner courtyards;
- Potential commercial courtyard patio spaces;
- More specific location of commercial spaces at grade to integrate mix of uses in support of a 'complete community';
- An increased floor to ceiling height for the commercial uses on the ground floor;
- Potential flex residential space at-grade;
- The interaction of the buildings with public space designed to positively influence the pedestrian experience;
- Greater distance between the building face and the water's edge with water setbacks ranging from approximately 30 to 50 metres;
- Naturalized water's edge rather than hard edge;
- Connections through the site for active transportation – along trail, between building blocks; and
- Reduced paved width of right-of-way to the south to limit potential for traffic impacts on the local road to the south.

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Concept plans and renderings showing the revised development concept are included in Exhibit D.

The greater water setbacks and the revised building design and heights on the water side are intended to better address the cultural heritage significance of the Rideau Canal. The revised development concept has also been reviewed through a climate change lens. The applicant is considering hybrid concrete and wood-frame buildings. It is recognized that wood-frame construction has many advantages, including its nature as a renewable resource, its significantly lower carbon footprint than concrete, and its reduced construction cost. The proposed revisions have given staff a level of comfort to present the overall vision of development on the subject lands to Council. Staff will continue to work with the applicant on some of the other aspects of the proposed development through the technical review process of the *Planning Act* applications.

### **Brownfields**

The property was acquired by Jay Patry Enterprises Inc. from Rideau Renewal Inc. (RRI) in 2018 following RRI's acquisition of the property through a City-led failed tax sale request for proposals process in 2006 and subsequent inability to proceed with redevelopment as originally proposed. The property was the historic home to industrial smelting and tannery operations and uncontrolled filling that has left a legacy of profoundly contaminated soils and groundwater over the majority of the approximately 13 hectare site. Provincial law requires that the environmental contamination on the property must be remediated with a Record of Site Condition (RSC) completed before redevelopment for residential or parkland purposes can proceed.

A preliminary review of the applicant's proposed development indicates that the costs for environmental remediation to achieve an RSC will be approximately \$66 million.

In order to support a feasible redevelopment of what is arguably the largest and most contaminated brownfield property within the City of Kingston, an amendment to the current Brownfields CIP will be required to create a special project area for the subject lands that will increase financial benefit levels and timelines so that a greater recovery of environmental remediation costs can be achieved.

The proposed amendment to the Brownfields CIP will be considered through the City's Planning Committee following the preparation of a comprehensive report by staff, and will be subject to the standard appeal process in accordance with the *Planning Act*.

### **Next Steps**

Two public open houses are proposed to be held by the applicant in early December to present the revised development concept and the evolution of the design since the March 8, 2018 Public Meeting. The dates proposed by the applicant for the open houses are Thursday, December 5, 2019 to be hosted in Memorial Hall prior to Planning Committee, and Tuesday, December 10, 2019 at a location to be determined by the applicant. These events will be widely advertised to the community.

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Staff intend to bring forward a second report to Council in December to seek direction on an enhanced approach to Brownfields funding for the development and a modified approach to Community Benefits and tree compensation. These modified approaches will be critical to make any redevelopment on the former Davis Tannery viable.

The current planning applications will be formally amended by the applicant to reflect the revised development concept and will continue through the formal *Planning Act* process in 2020. These applications will undergo an additional Statutory Public Meeting through the Planning Committee. The design of the proposed buildings, the way in which the buildings interact with the cultural heritage significance of the Rideau Canal, and climate change considerations are, and will continue to be, important components in the review of the subject applications.

**Existing Policy/By-Law:****Provincial***Planning Act*

Provincial Policy Statement, 2014

**Municipal**

City of Kingston Official Plan

Zoning By-Law Number 8499

City of Kingston Brownfields Community Improvement Plan

**Notice Provisions:**

Not applicable

**Accessibility Considerations:**

Not applicable

**Financial Considerations:**

Not applicable

**Contacts:**

Sukriti Agarwal, Acting Planning Initiatives Manager 613-546-4291 extension 3217

**Other City of Kingston Staff Consulted:**

Paul MacLatchy, Environment Director, Real Estate &amp; Environmental Initiatives

**Exhibits Attached:**

Exhibit A Key Map

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Exhibit B Neighbourhood Context

Exhibit C Original Development Concept

Exhibit D Revised Development Concept





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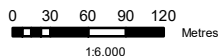
a department of  
Community  
Services

### KEY MAP

File Number: D35-009-2017/D09-005-2018  
Address: 2 River Street & 50 Orchard Street

### LEGEND

-  Subject Property
-  Property Boundaries





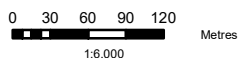


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## NEIGHBOURHOOD CONTEXT

File Number: D35-009-2017  
Address: 2 River Street & 50 Orchard Street



## LEGEND

-  Subject Property
-  Property Boundaries





*(Kingston Harbour)  
(Not Controlled)*

**SITE PLAN DATA:**

**PHASE I:**  
6 STORY - 25 m height  
TOTAL NO OF UNITS : 400 UNITS  
PARKING:  
GARAGE PARKING : 548 SPACES  
(1.37 SPACE/UNIT)  
GROSS S.F.:  
RESIDENTIAL : 42,744 S.M.  
PARKING : 16,374 S.M.  
LEASING : 318 S.M.  
AMENITY SPACE : 5,518 S.M.

**PHASE II:**  
6 STORY - 25 m height  
TOTAL NO OF UNITS : 472 UNITS  
PARKING:  
GARAGE PARKING : 548 SPACES  
(1.16 SPACE/UNIT)  
GROSS S.F.:  
RETAIL : 320 S.M.  
RESIDENTIAL : 50,242 S.M.  
PARKING : 16,374 S.M.  
AMENITY SPACE : 6,996 S.M.

**PHASE III:**  
6 STORY - 25 m height  
TOTAL NO OF UNITS : 371 UNITS  
PARKING:  
GARAGE PARKING : 455 SPACES  
(1.23 SPACE/UNIT)  
GROSS S.F.:  
RETAIL : 1,979 S.M.  
RESIDENTIAL : 38,847 S.M.  
PARKING : 13,645 S.M.  
AMENITY SPACE : 6,324 S.M.

**PHASE IV:**  
6 STORY - 25 m height  
TOTAL NO OF UNITS : 265 UNITS  
PARKING:  
GARAGE PARKING : 341 SPACES  
(1.29 SPACE/UNIT)  
GROSS S.F.:  
RETAIL : 2,344 S.M.  
RESIDENTIAL : 26,892 S.M.  
PARKING : 10,575 S.M.  
AMENITY SPACE : 5,509 S.M.

**TOTAL:**  
TOTAL NO OF UNITS : 1,509 UNITS  
RETAIL : 4,643 S.M.

**TOTAL PARKING :** 2134 (1.41 / UNIT)  
GARAGE PARKING : 1892  
SURFACE PARKING : 236

**AREAS:**  
TOTAL AREA OF SITE : 128,206 S.M.  
TOTAL DEVELOPABLE AREA : 98,368 S.M.  
AREA OF PROPOSED PRIVATE LAND : 57,784 S.M.  
PLAZA PARK AREA : 8,034 S.M.  
WATERFRONT PARK AREA : 10,233 S.M.  
NORTH GREEN SPACE AREA : 9,044 S.M.  
TOTAL PUBLIC ROAD : 13,340 S.M.  
TOTAL WETLAND AREA : 28,560 S.M.  
RIGHT OF WAY DEDICATION : 6,838 S.M.

**AREA & DENSITY OF PARCEL FOR EACH PHASE:**  
PHASE I : 13,280 S.M. - 302 du/net ha  
PHASE II : 15,778 S.M. - 299 du/net ha  
PHASE III : 16,076 S.M. - 263 du/net ha  
PHASE IV : 12,670 S.M. - 243 du/net ha  
TOTAL : 57,784 S.M. - 261 du/net ha

**TOTAL PROPOSED LOT COVERAGE : 30%**

SCALE 1:1500



**ARCHITECTURAL SITE PLAN (ENLARGED)**  
**GROUND FLOOR PLAN**

**A 202**

**DAVIS TANNERY LANDS**  
**PATRY INC. DEVELOPMENTS**  
CITY OF KINGSTON, CANADA

05/12/2014

HPA#13397



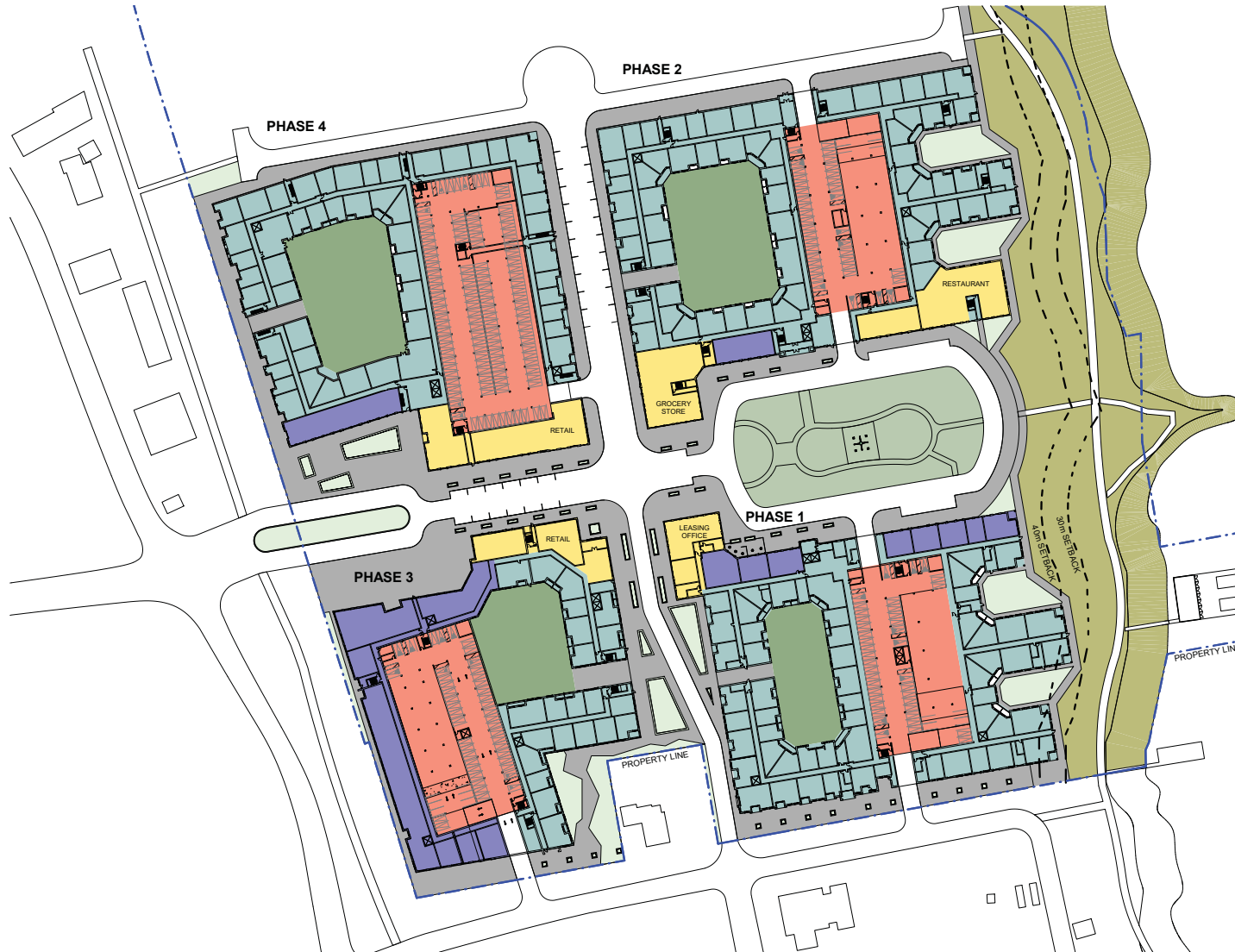
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# CONCEPT AREA DIAGRAMS



**SUMMARY**

1400 to 1500 UNITS PROPOSED  
TARGET 1 PARKING SPACE PER UNIT

**COMMERCIAL AND FLEX AREAS**

COMMERCIAL GFA 5,450 m<sup>2</sup>  
FLEX GFA 7,150 m<sup>2</sup>

**LANDSCAPE AREAS**

PUBLIC WATERFRONT PARK 14,400 m<sup>2</sup>  
CENTRAL PLAZA PARK 3,700 m<sup>2</sup>

**LEGEND**

- AMENITY COURTYARD
- COMMERCIAL
- FLEX
- LANDSCAPE
- OUTDOOR AMENITY
- PARKING
- PUBLIC PARK
- RESIDENTIAL
- SIDEWALKS/PLAZA SPACE

GROUND FLOOR

PHASE NUMBER	NUMBER OF STOREYS	HEIGHT (m)	BUILDING AREA (m <sup>2</sup> )	GROSS AREA (m <sup>2</sup> )
PHASE 1	6 & 8 STOREYS	21.50 & 28.50	10,300	64,300
PHASE 2	6 & 8 STOREYS	21.50 & 28.50	11,350	70,650
PHASE 3	6 STOREYS	21.50	8,350	49,900
PHASE 4	6 STOREYS	21.50	10,800	64,850



TRUE NORTH

# CONCEPT AREA DIAGRAMS



- LEGEND**
- AMENITY COURTYARD
  - COMMERCIAL
  - FLEX
  - LANDSCAPE
  - OUTDOOR AMENITY
  - PARKING
  - PUBLIC PARK
  - RESIDENTIAL
  - SIDEWALKS/PLAZA SPACE

2ND FLOOR

TYPICAL FLOOR PLAN - 3RD & 4TH FLOORS

# CONCEPT AREA DIAGRAMS



TYPICAL FLOOR PLAN - 5TH & 6TH FLOORS



**NOTE:**  
 2 FLOORS OF RESIDENTIAL UNITS LOCATED  
 ON TOP OF THE PARKING GARAGE

TYPICAL FLOOR PLAN - 7TH & 8TH FLOORS

- LEGEND**
- AMENITY COURTYARD
  - COMMERCIAL
  - FLEX
  - LANDSCAPE
  - OUTDOOR AMENITY
  - PARKING
  - PUBLIC PARK
  - RESIDENTIAL
  - SIDEWALKS/PLAZA SPACE

# AERIAL VIEW





# AERIAL VIEW



# VIEW FROM SOUTH



# VIEW FROM WATERFRONT

(CAMERA LOCATION: 200m FROM RIVER BANK)



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DAVIS TANNERY LANDS

**A005**

2019-11-04

# VIEW FROM SOUTHEAST



# PEDESTRIAN VIEW



VIEW OF PHASE 1 FROM CENTRAL PLAZA



ENLARGED VIEW OF PHASE 1 COMMERCIAL SPACE