



City of Kingston
Planning Committee
Addendum

2025-02
Thursday, January 9, 2025
6:00 p.m.
Council Chamber

Committee Composition

Councillor Cinanni; Chair
Councillor Chaves
Councillor Glenn
Councillor Oosterhof
Councillor Osanic
Councillor Stephen

Please provide regrets to Christine O'Connor, Committee Clerk at 613-546-4291, extension 1219 or cloconnor@cityofkingston.ca
Watch live on the [City of Kingston website](#) or register to receive the [Zoom](#) link.

Pages

8. Business

1. Recommendation Report - 999 Purdy's Mill Road

*1. Updated Exhibit A

4

The consent of the Committee is requested for the replacement of Exhibit A with an updated version of Exhibit A to Report PC-25-005).

2. Recommendation Report - 73 Sydenham Street

*1. Updated Exhibit A

10

The consent of the Committee is requested for the replacement of Exhibit A with an updated version of Exhibit A to Report PC-25-002.

***4. Recommendation Report - 234-242 University Avenue**

The consent of the Committee is requested to remove Business Item 4. Recommendation Report – 234-242 University Avenue from the agenda.

This item was withdrawn at Planning Committee Meeting 18-2024, held on Thursday, October 10, 2024, not deferred, as incorrectly stated on the agenda.

12. Correspondence

- *2. Correspondence received January 1, 2025, regarding 73 Sydenham Street 14**
- *3. Correspondence received January 6, 2025, regarding 999 Purdy's Mill Road 15**
- *4. Correspondence received January 9, 2025, regarding 999 Purdy's Mill Road 18**

Planning Committee Updates

Approved Site Plan Items

- D11-018-2023 – 1600 Rockwell Drive
- D11-039-2022 – 720 Princess Street
- D11-010-2023 – 70 Railway Street
- D11-021-2024 – 720 Innovation Drive
- D11-016-2024 – 1397 Sydenham Road
- D11-009-2023 – 595 Bagot Street
- D11-002-2024 – 156 Duff Street
- D11-017-2023 – 1580 Rockwell Drive
- D11-014-2023 – 290 Queen Street
- D11-024-2021 – 705 Development Drive

Applications Appealed to the Ontario Land Tribunal

1. 2 River Street – OLT-22-004597 – OPA/ZBA – 5-week Hearing commenced on February 5, 2024. Hearing concluded. Waiting on written decision.
2. 4085 Bath Road – OPA/ZBA – Verbally approved at November 22, 2024 Settlement Hearing.

Links to Land Use Planning Documents

Planning Act: <https://www.ontario.ca/laws/statute/90p13>

Provincial Policy Statement: <https://www.ontario.ca/page/provincial-policy-statement-2020>

City of Kingston Official Plan: <http://www.cityofkingston.ca/business/planning-and-development/official-plan>

City of Kingston Zoning By-Laws: <https://www.cityofkingston.ca/business/planning-and-development/zoning>

By-Law Number 2025-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Transfer of Lands into Kingston Zoning By-law; Zone Change from ‘UR2’ and ‘OS1’ to ‘UR1’, ‘UR3’, ‘URM2’, ‘OS1’, and ‘OS2’ Zone; Introduction of Exception Numbers ‘E179’, ‘E180’, ‘E181’, ‘E182’, and ‘E183’; Removal of Holding Overlay ‘H66’, ‘H98’, ‘H99’, ‘H100’, and ‘H170’, and addition of ‘H66’) (999 Purdy’s Mill Road)

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-Law”);

Whereas the subject lands are identified as “Not Subject to this By-law” on Schedule 1 of the Kingston Zoning By-law;

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-Law to incorporate the subject lands into the Kingston Zoning By-law and to introduce new exception numbers;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-Law Number 2022-62”, is amended as follows:
 - 1.1. Schedule 1 – Zoning Map is amended by removing reference to “Not Subject to this By-law” and changing the zone symbol from ‘UR2’ and ‘OS1’ to UR1’, ‘UR3’, ‘URM2’, ‘OS1’, and ‘OS2’, as shown on Schedule “A” attached to and forming part of this By-Law.
 - 1.2. Schedule E – Exception Overlay is amended by adding Exception ‘E179’, ‘E180’, ‘E181’, ‘E182’, and ‘E183”, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3. Schedule F – Holding Overlay is amended by removing Hold Number ‘H66’, ‘H98’, ‘H99’, ‘H100, and ‘H170’ and adding a new Hold Number

'H66", as shown on Schedule "C" attached to and forming part of this By-Law;

- 1.4. By adding the following Exception Numbers 'E179', 'E180', 'E181', 'E182', and 'E183' in Section 21 – Exceptions, as follows:

"E179. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The maximum **height** is the lesser of 45 metres or 15 **storeys**;
- (b) The maximum number of **dwelling units** is 210;
- (c) Where the provisions of this By-law permit **building** components to project above the maximum permitted **height** the following provisions take precedence:
 - (i) Maximum projection for mechanical and service equipment penthouse, elevator or stairway penthouses is 6.5 metres provided a minimum **setback** of 3.5 metres is provided from the edge of the roof;
 - (ii) Maximum projection for enclosed building components providing tenants with **amenity areas** and access to rooftop **amenity areas** or any mechanical equipment is 3.8 metres provided there is a minimum **setback** of 3.2 metres from the edge of the roof;
 - (iii) Maximum percent of the roof area permitted to be occupied by such projections is of 40%.
- (d) The minimum **rear setback** is 40 metres;
- (e) The minimum number of **visitor spaces** is 9;
- (f) Minimum **drive aisle width** is 6.5 metres; and
- (g) A 22.8 metre vegetated buffer which screens views of the **development** or creates natural spaces for **passive recreation** is required to be provided and maintained along the **rear lot line**.

E180. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The maximum **height** is the lesser of either 36.5 metres or 12 **storeys**;
- (b) The maximum number of **dwelling units** is 170;
- (c) Where the provisions of this By-law permit **building** components to project above the maximum permitted **height** the following provisions take precedence:

- (i) Maximum projection for mechanical and service equipment penthouse, elevator or stairway penthouses is 6.5 metres provided a minimum **setback** of 3.5 metres is provided from the edge of the roof;
- (ii) Maximum projection for enclosed building components providing tenants with **amenity areas** and access to rooftop **amenity areas** or any mechanical equipment is 3.8 metres provided there is a minimum **setback** of 3.2 metres from the edge of the roof;
- (iii) Maximum percent of the roof area permitted to be occupied by such projections is of 40%.
- (d) The minimum **rear setback** is 50 metres;
- (e) The minimum number of **visitor parking spaces** is 7;
- (f) Minimum **drive aisle width** is 6.5 metres; and,
- (g) A 22.8 metre vegetated buffer which screens views of the **development** or creates natural spaces for **passive recreation** is required to be provided and maintained along the **rear lot line**.

E181. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum **height** is the lesser of either 47.5 metres or 16 **storeys**;
- (b) The maximum number of **dwelling units** is 220;
- (c) Where the provisions of this By-law permit **building** components to project above the maximum permitted **height** the following provisions take precedence:
 - (i) Maximum projection for mechanical and service equipment penthouse, elevator or stairway penthouses is 6.5 metres provided a minimum **setback** of 3.5 metres is provided from the edge of the roof;
 - (ii) Maximum projection for enclosed building components providing tenants with **amenity areas** and access to rooftop **amenity areas** or any mechanical equipment is 3.8 metres provided there is a minimum **setback** of 3.2 metres from the edge of the roof;
 - (iii) Maximum percent of the roof area permitted to be occupied by such projections is of 40%.
- (d) The minimum **rear setback** is 39 metres;

- (e) The minimum setback of a **swimming pool** is 0.0 metres from a lot line abutting another **lot** in the URM2 zone, and 25 metres from a **rear lot line**.
- (f) Minimum number of **visitor spaces** is 10;
- (g) Minimum **drive aisle width** is 6.5 metres;
- (h) A 22.8 metre vegetated buffer which screens views of the **development** or creates natural spaces for **passive recreation** is required to be provided and maintained along the **rear lot line**.

E182. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following additional **uses** are permitted:
 - (i) **Financial institution;**
 - (ii) **Office;**
 - (iii) **Personal service shop;**
 - (iv) **Retail store;** and
 - (v) **Wellness clinic.**

E183. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum **height** is the lesser of 15.0 metres or four **storeys**;
- (b) **Dwelling units** in a **mixed-use building** are a permitted use;
- (c) The minimum floor to floor **height** of the **first storey** of a **mixed use building** is 4.5 metres, and in all other respects the provisions for an **apartment building** apply to a **mixed use building**;
- (d) **Mixed-use buildings** may only contain **non-residential uses** that are permitted in the CN Zone as per Table 15.1.2;
- (e) On a **lot** where the south **lot line** abuts a **street** the minimum **gross floor area** of **non-residential uses** is 385 square metres;
- (f) **Non-residential uses** are only permitted on the **first storey**;
- (g) **Non-residential uses** are only permitted up to a maximum of 1,000 square metres in **gross floor area**;
- (h) **Accessible spaces** are not required to be provided for a **non-residential use**;
- (i) A **short-term delivery space** is not required;
- (j) The **front lot line** is the eastern most **lot line**;

- (k) Minimum **front setback** is 3.0 metres;
- (l) Minimum **rear setback** is 3.0 metres;
- (m) Minimum **interior setback** is 4.0 metres;
- (n) Minimum **exterior setback** is 2.1 metres where a **street** is to the north of the **exterior lot line**, and 10.0 metres where a **street** is to the south of the **exterior lot line**; and
- (o) The lands located within Exception Number 183 will be treated as one **lot** for the purposes of calculating **lot coverage** and, maximum number of **dwelling units**;
- (p) Maximum **lot coverage** is 60%; and
- (q) Maximum number of **dwelling units** is 190.”

1.5. By adding the following Holding Overlay H66 in Section 22 – Holding Conditions as follows:

“**H66.** Prior to the removal of the Holding Overlay, the following conditions must be addressed to the satisfaction of the **City**:

- (a) All necessary studies, as determined by the **City**, have been completed and accepted by the City. Required studies may include but are not limited to studies related to servicing capacity, traffic, parking, soil, noise, natural heritage features, archaeological assessments, heritage impact assessments, environmental constraints;
- (b) All agreements required by the **City**, including development, site plan control and subdivision agreements, have been executed and registered on title, as appropriate;
- (c) The watermain loop connecting Old Mill Road to Sydenham Road is constructed and commissioned;
- (d) Downstream wastewater capacity has been confirmed to the satisfaction of the **City** and any necessary upgrades have been completed;
- (e) Confirmation of sufficient servicing capacity for the development;
- (f) A road linking Old Mill Road with Sydenham Road, by way of a further northward extension of Old Mill Road and an eastward extension of Cataraqui Woods Drive has been provided to the satisfaction of the **City**; and
- (g) All necessary approvals have been received from all other agencies and government bodies and any required Agreements have been executed by the Owner.”

2. The lands shown on Schedule "A" attached to and forming part of this By-Law are incorporated into the Kingston Zoning By-law and the provisions of City of Kingston By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, no longer apply to the lands.
3. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

By-Law Number 2025-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Introduction of Exception E185 (73 Sydenham Street and 145 William Street))

Passed:

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-law”);

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-law;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-law Number 2022-62”, is amended as follows:

1.1. Schedule E – Exception Overlay is amended by adding Exception ‘E185’, as shown on Schedule “A” attached to and forming part of this By-Law;

1.2. By adding the following Exception Number E185 in Section 21 – Exceptions, as follows:

“**E185.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, a **hotel** with an **accessory dwelling unit** is permitted, subject to the following provisions:

(i) A **banquet hall** is permitted as an **occasional use**;

(ii) A maximum of 7 guest rooms is permitted;

(iii) A **restaurant** with a maximum gross floor area of 60 square metres is permitted; and,

(iv) An **outdoor patio** with a maximum area of 55 square metres is permitted.

(b) Minimum **Setbacks**:

(i) The following minimum **setbacks** apply to the **building** existing on the date of passing of this site specific By-law:

(1) Minimum **rear setback** (North side): 1.4 metres;

- (2) Minimum **interior setback** (East side): 0 metres; and,
- (3) Despite subparagraph (i) above, any redevelopment of the lands subject to this Exception must comply with the applicable Zone **setback** requirements.

(c) **Dormer** Provisions:

- (i) The following **dormer** provisions apply to the **building** existing on the date of passing of this site specific By-law:
 - (1) The front wall of an existing **dormer** may be setback 0 metres from the **main wall**;
 - (2) The side wall of an existing **dormer** may be **setback** 0 metres from the edge of the roof on which it is located;
 - (3) The maximum cumulative length of all existing **dormers** on the same portion of a sloped roof may exceed 50% of the length of the roof on which it is located; and,
 - (4) Despite subparagraph (i) above, any redevelopment of the lands subject to this Exception must comply with the applicable Zone **dormer** provisions.

(d) Parking is permitted in the **front yard**.

(e) A **planting strip** is not required where an **interior lot line** or **rear lot line** of a **lot** used for a **non-residential use** abuts a **residential use** in the HCD3 Zone.

(f) Fire escapes may be **setback** 0 metres from the **interior lot line**.

(g) A maximum 55 square metre **outdoor patio** associated with the permitted **hotel use** may have a **separation distance** of 0 metres from a **lot** in the HCD3 Zone.”

- 2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson

Mayor



Schedule 'A' to By-Law Number

Addresses: 73 Sydenham St and 145
William St
File Number: D14-011-2024

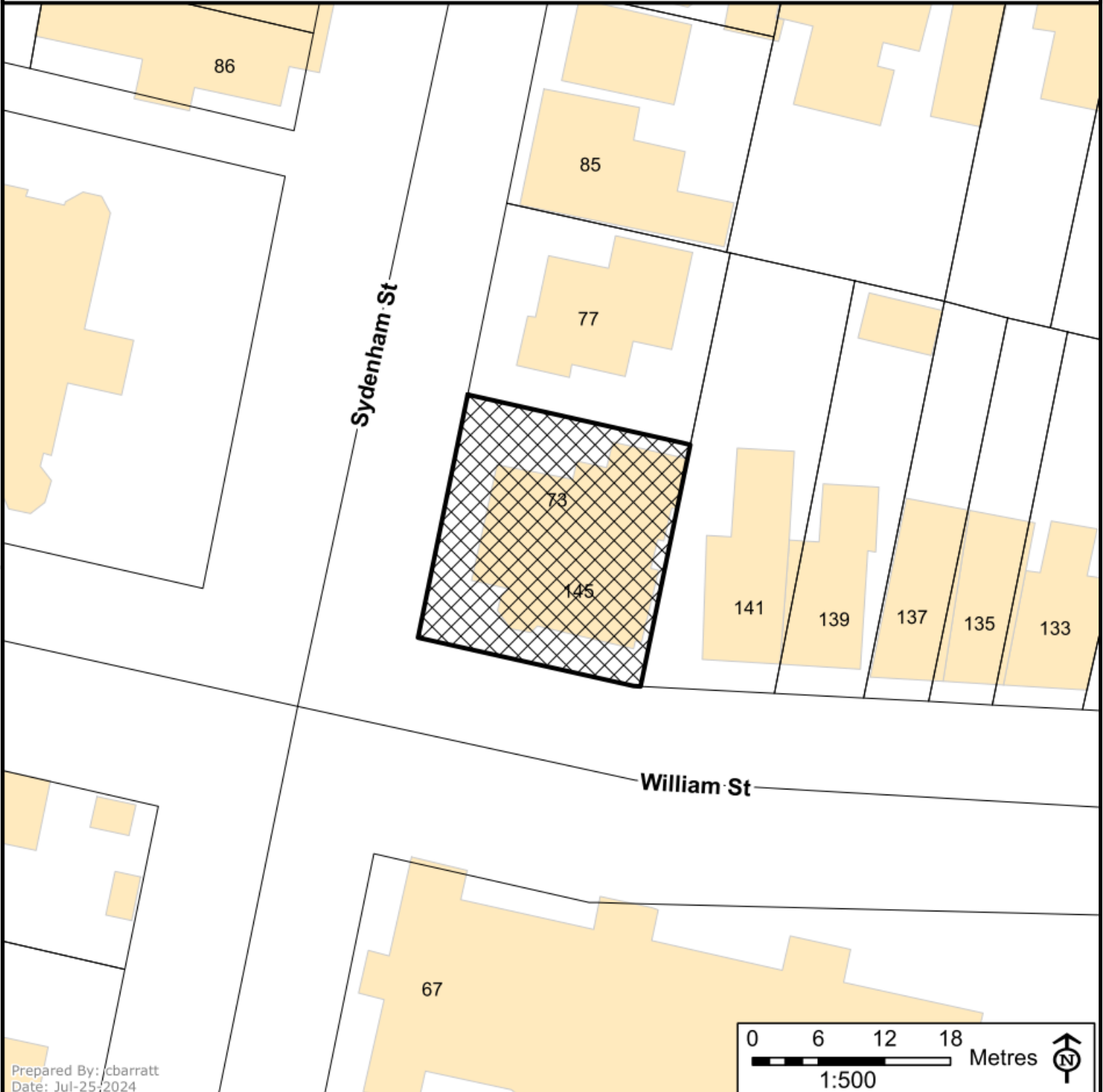
Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

Lands to be added as E185

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 202_.

Mayor Clerk



Prepared By: cbarratt
Date: Jul-25-2024

Disclaimer: This document is subject to copyright and may only be used for your personal, noncommercial use provided you keep it confidential. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the use of the information contained in this document. 2020 The Corporation of the City of Kingston.

Sydenham District



The Sydenham District Association

January 2, 2025

To: Amy Didrikson- City of Kingston Planning Services

From: Dan Corbett on behalf of the SDA Board of Directors

Reference: Zoning By -Law Amendment (D14-11-2024) for 73 Sydenham Street

This is to advise that the Sydenham District Association supports the request by The Secret Garden Inn (Jason O'Brien) for an amendment to the zoning by-law to provide for a restaurant open to the public within the existing building and on an outdoor patio already on the property. The SDA believes such an addition to the services offered by the Inn will enhance neighbourhood liveability and provide an attraction for more people to enjoy the ambiance of the District.

In previous communications with City Planning Services, the SDA has taken a proactive stance on supporting development that enhances the special character of historical buildings, landscapes and neighbourhoods that famously define Sydenham District. We appreciate the notifications for zoning amendments and proposed developments from City Planning Services and have taken time to comment on those developments where appropriate.

This zoning amendment will provide a very positive addition to the community.

Dan Corbett

Vice-Chair Board of Directors for the Sydenham District Association



January 6, 2024

Dear Mayor Patterson, City Councillors, and Planning Committee Members,

Subject: Cataraqi Cemetery Continuing Objections and Urgent Concerns Regarding Recommendation Report – 999 Purdy's Mill Road (File Number: D35-002-2020)

On behalf of the Cataraqi Cemetery Board of Directors, I am respectfully writing to express our continuing objection and our serious, urgent concerns about the proposed developments adjacent to Cataraqi Cemetery. The failures of the mitigating measure applied to the first three towers and the shortcomings of the recommendations presented in the Cultural Heritage Impact Study (CHIS) underscore the urgent need for a better approach. The application as presented should not be approved.

While we fully support the need for housing, the significant harm already caused by the first three towers to the cemetery's historical and cultural heritage, financial stability, and its mission to provide a tranquil resting place for Kingstonians is and remains unacceptable. Cataraqi Cemetery has been irrevocably injured due to poor mitigation measures and planning. You must not allow the same mistakes to be compounded with the planning for the three additional towers.

Cataraqi Cemetery is a designated cultural heritage landscape under Part IV of the Ontario Heritage Act. The landscape style and rural aspects of the cemetery are defining attributes viewsapes from within are important and the impact of the towers are an over bearing visual intrusion. Cataraqi Cemetery is also designated as a National Historic Site of Canada because it represents an exceptional example of rural style landscape cemetery. The CHIS cites the federal document, *Standards and Guidelines for the Conservation of Historic Places* in support of the rehabilitation of the Riley House. However, the CHIS completely omits the federal recommendations of section 4.1.5 of the same Standards and Guidelines document that covers "Visual Relationships" - specifically as it applies to the whole cemetery...

"A viewscape can include scenes, panoramas, vistas, visual axes and sight lines. In designed landscapes, a viewscape may have been established following the rules of pictorial composition: elements are located in the foreground, middle ground and background. A viewscape may also be the chief organizing feature when a succession of focal points is introduced to draw the pedestrian onward through a landscape. The scale of a cultural landscape can produce emotional responses in people. Large landscapes either intimidate or inspire us, while small landscapes tend to make us feel comfortable. The texture of a given surface can also affect the perception of scale. For example, a street or courtyard covered in cobblestones or brick seems smaller than the same area covered in asphalt, a much smoother surface. **The visual relationships between elements of natural or designed landscapes, or heritage districts, can influence the user experience. For example, a tall building in a low-rise heritage district may be perceived as out of scale**"

The current towers have clearly proven that the previously applied mitigation measures are insufficient causing burial lots along the boundary to become undesirable. This has strained our limited resources as a not-for-profit and registered charity. Maintaining the peace and tranquility of the cemetery as hallowed ground is crucial. Without sufficient revenue, the cemetery's upkeep and its role as a place of remembrance and the community's collective heritage are at risk. Under Ontario law, if any cemetery is unable to maintain itself, it can be abandoned, and responsibility for its care become a significant burden to the municipality. It is in the City of Kingston's best interest to ensure that it supports Cataraqi Cemetery in its not for profit charitable mission of caring for Kingston's dead and the heritage designated landscape in perpetuity.

Key unresolved concerns include:

1. **Zoning:** The original seven-story height limit, set in the 1970s to protect the cemetery, has been wholly disregarded. We question the legality of any zoning changes imposed by the former OMB.
2. **Privacy and Aesthetic Impact:** The towering buildings compromise the cemetery's purpose, serene environment, and heritage attributes.
3. **Environmental and Boundary Preservation:** Current green buffers to mitigate the impact of the first three towers are proven to be inadequate in mitigating noise, pollution, visual intrusion, physical intrusion (trespass).
4. **Financial Sustainability:** Loss of sales revenue threatens essential maintenance and operating funds and forecasts the cemetery as an eventual responsibility and burden to the City.

Proposed Mitigating Solutions:

1. **13 -Story Height Restrictions:** Limit the three new towers to 13 stories—a reasonable compromise balancing housing needs with heritage preservation and the cemetery's financial stability. The developer has already presented one tower at 13 stories; they are clearly on side with this height and we ask that it be applied to all three.
2. **Improved Green Buffers:** Increase the treed buffer area along the boundary by an additional 10 meters, use mature plantings with denser spacing for immediate screening, and construct better berms that improve screening and that actually prevent water from pooling on cemetery grounds. The Cemetery Board must be included and consulted on all landscaping plans for the shared boundary.
3. **Enhanced Boundary Fencing:** Improve upon the inadequate fencing to better control access/trespass, prevent property damage, and provide superior noise and visual screening. A 5-6 ft chain link fence is proving wholly inadequate,
4. **Community Benefits Charge (CBC):** Apply the mechanism of the CBC set at the maximum allowable levy, with a requirement that the City receive and hold a substantial portion to specifically assist the not-for-profit cemetery with ongoing or one-time maintenance, care, and replacement of the mature trees that are within the boundaries of this heritage-designated and historic site. The cemetery is a contributory woodland and many mature trees still suffer the effects of the "1998 Ice storm.

The Cataraqui Cemetery is a vital part of Kingston's heritage and a valued sanctuary for the community – both living and dead. The current towers are not a valid precedent to justify greater heights for future towers. Instead, the existing towers highlight the negative consequences of ineffective mitigation measures and regrettable planning.

We do support development in general, but mistakes cannot be repeated. We urge you to impose responsible and prudent planning measures that respect the cemetery's historical significance, financial stability, and sanctity while addressing community housing needs. Housing or the building preferences of one developer cannot come at the expense of the other community institutions providing essential services, underscoring the need for thoughtful, balanced, and decisive action. We are available to have open dialogue and work with City staff and Council.

Sincerely,



Craig Boals
General Manager
On behalf of the Cataraqui Cemetery Board of Director

CC: Members of City of Kingston Council and Planning Committee

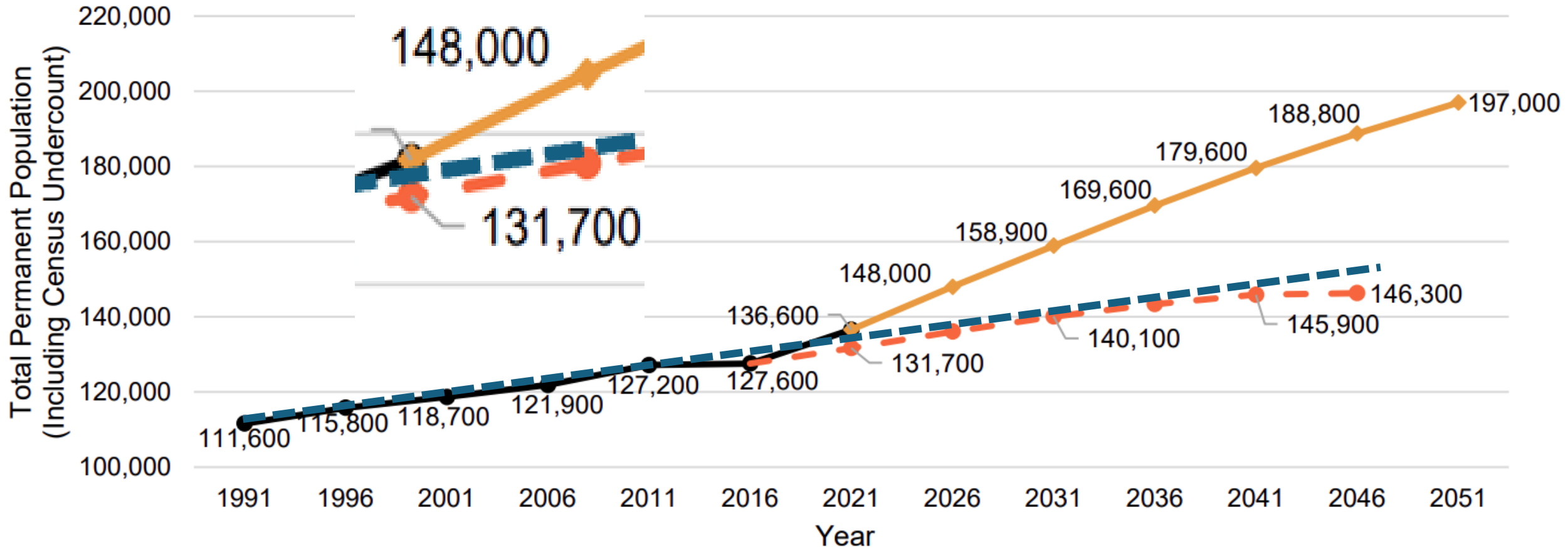


A true representation of the visual intrusion upon the cemetery. No mature trees. No masking provided by the berm with young plantings. Proof of failed concept and planning. These mistakes cannot be allowed to continue or used as the precedence to allow more even taller towers.

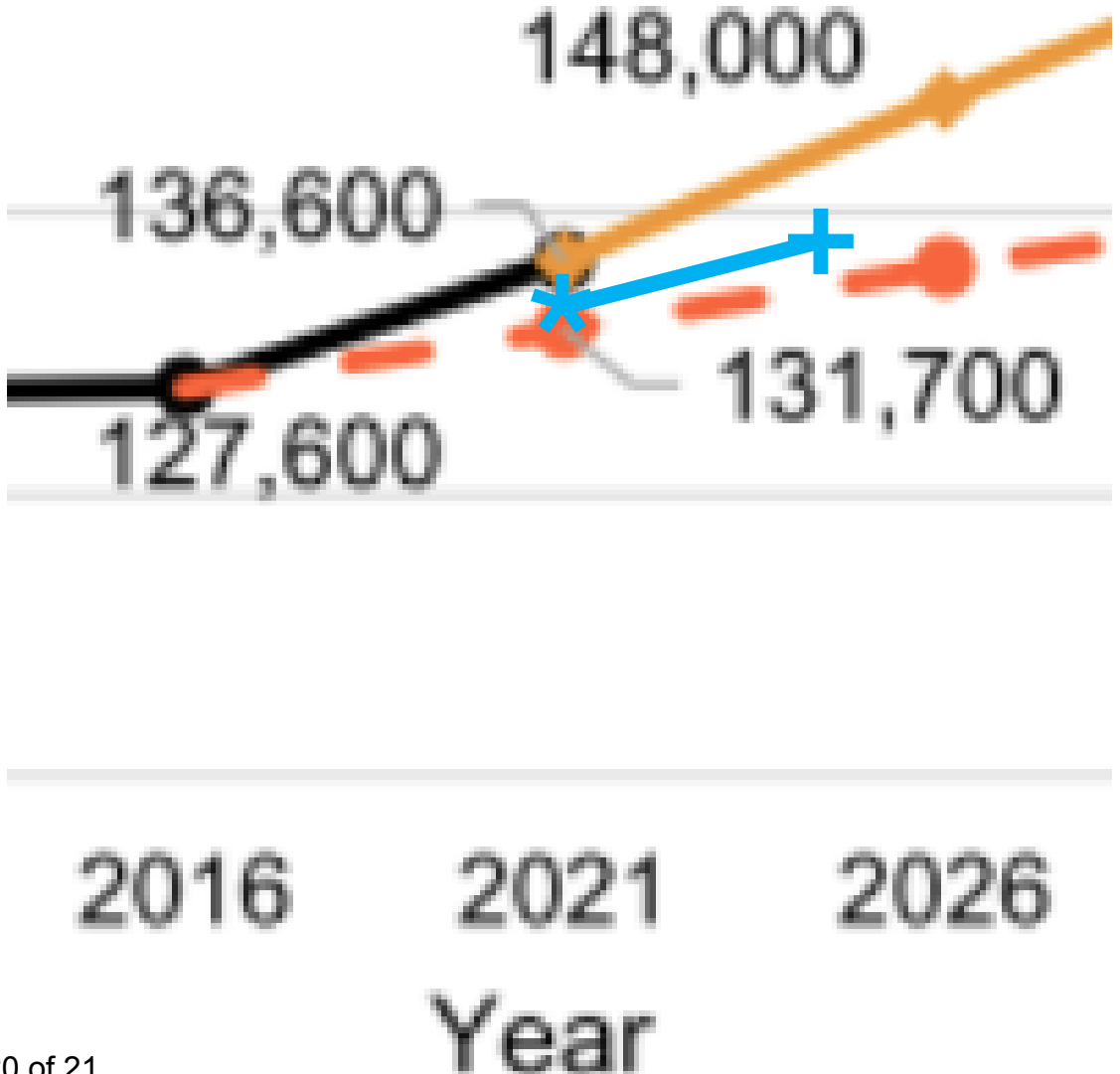
999 Purdy Mills – Need or Aspirational?

- The three additional towers proposed for 999 Purdy Mills will add 700 housing units. NONE of these will help Kingston's housing crisis, which is one of affordability.**
- It is well established that applying trickle-down economics to add affordable units does not work, especially in the current crisis.**
- The Mayor recently stated that Kingston has already reached the new housing required by the Province for 2031.**
- Housing requirements are directly proportional to population numbers. The City has opted for the 'Medium Growth' scenario put forward by Watson and Associates (updated in 2024).**

Figure 4-3
 City of Kingston, Population Scenario Forecast, 2001 to 2051
 Medium (Recommended) Growth Scenario



Medium Growth scenario overestimates population growth.



Year	Medium Growth Projection	Census
2021	136,600	*132,500
2024	144,000	+138,000
Growth Rate/yr	¹ 2.3%	1.8%

¹ '1.2% 2021 to 2051' is actually 2%

- **The new towers will result in removal of hundreds of mature trees that are part of one of the few remaining forests in urban Kingston.**
- **The sightline from the cemetery will be overshadowed by six towers two will be aligned in an attempt to break up this wall.**
- **They will include some commercial enterprises but no community gardens.**
- **This proposal does not fulfil Kingston's natural heritage or housing requirements. It does not address the City's earlier statement recognizing the climate crisis.**