



**City of Kingston  
Report to Planning Committee  
Report Number PC-25-005**

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**To:** Chair and Members of the Planning Committee  
**From:** Paige Agnew, Commissioner, Growth & Development Services  
**Resource Staff:** Tim Park, Director, Planning Services  
**Date of Meeting:** January 9, 2025  
**Subject:** Recommendation Report  
**File Number:** D35-002-2020  
**Address:** 999 Purdy's Mill Road  
**District:** District 2 - Loyalist-Cataraqui  
**Application Type:** Zoning By-Law Amendment and Draft Plan of Subdivision  
**Owner/Applicant:** Homestead Land Holdings Limited

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**Council Strategic Plan Alignment:**

Theme: 1. Support Housing Affordability

Goal: 1.1 Promote increased supply and affordability of housing.

**Executive Summary:**

The following is a report recommending approval to the Planning Committee regarding an application for a zoning by-law amendment and draft plan of subdivision submitted by Homestead Land Holdings Limited, with respect to the subject site located at 999 Purdy's Mill Road. This report describes the proposed application and includes an analysis of how the development complies with the relevant policies and regulations within the City of Kingston.

The subject property is located north of John Counter Boulevard and immediately north of Phases 1 and 2 of the Purdy's Mill Road Subdivision, and immediately south of a hydro corridor which traverses parallel to a planned extension of Cataraqui Woods Drive. To the west the property abuts against the Cataraqui Cemetery and to the east the subdivision is proposed to extend to the limits of the floodplain associated with the Little Cataraqui Creek.

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The subject property is designated Residential in the Official Plan and abuts against lands designated Environmental Protection Area which is also illustrated as projecting into a small segment of the subject property. The subject lands are variously zoned Residential Type 4, R4-1, R4-3, R4-12, and R4-14 in Zoning By-Law Number 76-26; and, Urban Residential Zone 2 (UR2) and Protected Open Space Zone (OS1) in Zoning By-Law 2022-62.

The applicant is proposing a residential subdivision consisting of the extension of Old Mill Road and four new streets (Streets 'A', 'B', 'C', and 'D'). Opposite to the extension of Old Mill Road the subdivision would accommodate a variety of high density residential including three blocks of high-rise apartment buildings along the west side measuring 13, 16 and 17 storeys (inclusive of rooftop mechanical and amenity area), four blocks of four-storey, mid-rise buildings on the east side, including one having a commercial component on the ground floor. The extension of Old Mill Road would connect with a planned extension of Cataraqi Woods Drive. Within the interior of the subdivision, Streets 'A', 'B', 'C', and 'D' would provide access to 109 low-rise residential lots. The proposed draft plan of subdivision also includes two blocks for parkland, one block for stormwater management, and a block to accommodate the existing, designated, heritage building situated at the southwest corner of the site.

To facilitate the proposed development, the applicant is seeking to rezone the subject lands to the Urban Multi-Residential Zone 2 (URM2) within the Kingston Zoning By-law, as in the case of the mid- and high-rise buildings, and the Urban Residential Zone 1 (UR1) and the Urban Residential Zone 3 (UR3), as in the case of the heritage building and low-rise residential lots respectively. Exception Overlays are proposed to address the specific built form of development contemplated including allowances for the 17, 13, and 16 storey high-rise buildings and the four-storey mid-rise buildings which form a spine along the extended Old Mill Road. The five Holding Overlays which currently relate to the property are proposed to be consolidated into a single overlay with new language requiring that, in addition to the standard conditions, connections to the City's road and water/wastewater infrastructure must be made thereby ensuring the development is conditional upon the linkage with Cataraqi Woods Drive which is currently subject to an Environmental Assessment to identify the details of the planned extension.

The revised proposal is broadly similar to the initial application however subsequent to the feedback received through the Technical Review process and the comments received during the public meeting on May 7, 2020, the development has been revised to:

- Reduce the height of the three high-rise apartment buildings from 19 storeys to 17, 13, and 16 storeys (measured inclusive of rooftop mechanical and amenity area storey);
- Reorienting the high-rise apartment buildings to better incorporate existing vegetation and topography;
- Replacement of eight townhouse blocks with four four-storey apartment including commercial unit along Old Mill Road to better transition to lower density areas and maintain transit supportive densities;
- Inclusion of two park blocks to provide greater resident amenity;

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- Protection of the large Burr Oak tree which has a 1.2 metre diameter at breast height as feature in park block; and,
- Additional lands added to subdivision to allow for connected walkway along open space feature.

It is important to note that proposals are to be assessed under the City's Official Plan policies in place at the time the application was made, and the provincial policy in place at the time a decision is made (i.e., the Provincial Planning Statement, 2024). The proposal is consistent with both the Provincial Planning Statement and Kingston Official Plan as the proposed subdivision makes efficient use of existing or planned infrastructure at an appropriate density for an infill development project of this type. The development is compatible with the surrounding area including the natural and built heritage features. It will contribute towards the creation of healthy, liveable communities that offer a range of housing options that are also supported by both public transit and active transportation. It therefore represents good land use planning by providing additional housing in a compatible manner within an area of the City with full municipal services.

**Recommendation:**

**That** the Planning Committee recommends to Council:

**That** the applications for zoning by-law amendment and draft plan of subdivision (File Number D35-002-2020) submitted by Homestead Land Holdings Limited, on behalf of Homestead Land Holdings Limited, for the property municipally known as 999 Purdy's Mill Road, be approved; and

**That** Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedules A, B, and C to Amend Zoning By-Law Number 2022-62) to Report Number PC-25-005; and

**That** Kingston Zoning By-Law Number 76-26, as amended, be further amended, as per Exhibit B (Draft By-Law to Amend Zoning By-Law Number 76-26) to Report Number PC-25-005; and

**That** the draft plan of subdivision be subject to the conditions as per Exhibit C (Draft Plan of Subdivision Conditions) to Report Number PC-25-005; 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-law be presented to Council for all three readings.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,  
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief  
Administrative Officer**

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

Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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**Options/Discussion:**

**Statutory Public Meeting**

This recommendation report forms the basis of a statutory public meeting at Planning Committee. Anyone who attends the statutory public meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before City Council makes a decision on the application.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Ontario Land Tribunal, but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Kingston before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Planning Committee will consider the recommendations in this report and make its recommendation to City Council at this meeting.

Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Ian Clendening  
The Corporation of the City of Kingston  
Planning Services  
216 Ontario Street  
Kingston, ON K7L 2Z3  
613-546-4291 extension 3126  
iclendening@cityofkingston.ca

**Background and Decision Date**

In accordance with By-Law Number 2007-43, these applications were subject to a pre-application meeting held on April 13, 2018, with Planning Services and various other departments and agencies. Following this, a complete application submission was made by the applicant on March 14, 2020 and a public Meeting was held on May 7, 2020.

In accordance with the *Planning Act*, this application is subject to a decision by Council on or before July 12, 2020, which is 120 days after a complete application was received. In the absence of a decision by Council in this timeframe, the applicant may exercise their right to appeal to the Ontario Land Tribunal (OLT).

The applicant has been working with staff to address the concerns raised by the public regarding the development's compatibility with the abutting Cataraqui Cemetery and to address

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technical comments regarding site servicing and connectivity with planned expansions to the City's road and water/wastewater systems. At this time all outstanding comments have been addressed.

### **Site Characteristics**

The subject lands proposed for development represent an approximately 18 hectare portion of the applicant's broader land holding which measures approximately 56 hectares in size and extends some 250 metres further eastwards from the eastern limit of the subject lands. The subject lands are located approximately 700 metres north of John Counter Boulevard and immediately north of Phases 1 and 2 of the Purdy's Mill Road Subdivision which consists of three 15 storey apartment buildings (inclusive of the rooftop mechanical and amenity area storey), and 50 residential lots. The eastern limits of the subject lands are generally demarcated by the floodplain associated with the Little Cataraqui Creek. To the west the subject lands abut the Cataraqui Cemetery while to the north there is a hydro corridor.

The City is currently in the process of completing an Environmental Assessment for the extension of Cataraqui Woods Drive, and associated water and wastewater services, reflecting a portion of the 'future collector road' anticipated in Schedule 4 – Transportation Network, of the City's Official Plan and located immediately north of the subject lands. The extension would extend Cataraqui Woods Drive eastwards, beyond its current terminus at Sydenham Road, and connect with the proposed subdivision road network and associated water and wastewater services.

The interior of the subject lands can broadly be described as an open meadow with the site having a history of disturbance from both farming and aggregate extraction. There is an approximate 1.2 hectare fringe of trees which generally straddles a 50 metre width along the western edge of the subject lands and accounts for the majority of the site's 1,118 trees.

The subject lands are designated Residential with the exception of a minor segment designated as Environmental Protection Area which measures approximately 340 square metres in area and is mapped in the area of the tributary watercourse at the south edge of the subject lands. The subject property is variously zoned Residential Type 4, R4-1, R4-3, R4-12, and R4-14 in the former Zoning By-Law Number 76-26; and, Urban Residential Zone 2 (UR2) and Protected Open Space Zone (OS1) in Zoning By-Law 2022-62.

There are commercially designated lands approximately 600 metres walking distance south of the subject lands and 600 metres northeast which would connect with the subject lands upon the extension of Cataraqui Woods Drive. Active transportation in the area is supported by sidewalks which flank the east side of Old Mill Road connecting the subject lands with John Counter Boulevard further south which has sidewalks on both sides as well as accommodating buffered bike lanes in both directions and two Kingston Transit routes. It is in this area, approximately 700 metres south of the site that the VIA rail station is located.

Subject to the extension of Cataraqui Woods Drive, the site would also be linked with the multi-use path which currently exists west of Sydenham Road.

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### Proposed Application and Submission

The proposed development has been revised to consist of 109 lots intended for single-detached, semi-detached or townhouses, three blocks for mid-rise apartments, one block to accommodate the existing heritage building, one block for a mid-rise mixed-use building, and 3 blocks for high-rise apartments. In addition to the residential uses, the proposed subdivision would include two parkland blocks, a stormwater management block and a network of open space and walkway blocks providing connectivity throughout. The subdivision is planned to be developed with the extension of Old Mill Road which would connect with Cataraqui Woods Drive while also creating four new local streets. Overall, the development is intended to create 890 homes as outlined below:

- 206 homes in the 15 storey apartment (Block 114)
- 164 homes in the 12 storey apartment (Block 115)
- 216 homes in the 16 storey apartment (Block 116)
- 49 homes in each of the three four-storey apartments (Blocks 111-113)
- 37 homes in the mixed-use building (Block 110); and
- 110 homes in the residential lots (Lots 1-109 and Block 124)

The zoning by-law amendment is proposing to incorporate those portions of the subject land which remain subject to the former Kingston Township Zoning By-law 76-26 into the Kingston Zoning By-law. Subject to approval, the lands accommodating a high-rise and mid-rise built form would be zoned Urban Multi-Residential Zone 2 (URM2) while the lands accommodating a low-rise built form would be zoned variously Urban Residential Zone 3 (UR3) and Urban Residential Zone 1 (UR1), as in the case of the heritage designated property. Exception overlays are intended to address specific built form provisions to ensure appropriate mitigation and flexibility in use.

Since the initial submission, the development has been revised to:

- Reduce the height of the three high-rise apartment buildings from 19 storeys to 17, 13, and 16 storeys (measured inclusive of rooftop mechanical and amenity area storey)
- Reorienting the high-rise apartment buildings to better incorporate existing vegetation and topography
- Replacement of eight townhouse blocks with four four-storey apartment including commercial unit along Old Mill Road to better transition to lower density areas and maintain transit supportive densities
- Introduction of commercial use within the southern mid-rise apartment block.
- Inclusion of two park blocks to provide greater resident amenity
- Protection of the large Burr Oak tree which has a 1.2 metre diameter at breast height as feature in park block
- Additional lands added to subdivision to allow for connected walkway along open space feature

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In support of the application, the applicant initially submitted the following plans and studies:

- Planning Justification Report;
- Conceptual Site Plan – Apartment Blocks;
- Architectural Floor Plans and Elevations – Apartment Blocks;
- Draft Plan of Subdivision;
- Servicing Report;
- Stormwater Management Report;
- Tree Inventory & Preservation Plan;
- Traffic Impact Report;
- Urban Design Report;
- Noise Impact Study;
- Environmental Impact Assessment;
- Phase 1 Environmental Impact Assessment;
- Sun & Shadow Study; and
- Cultural Heritage Impact Statement

Since the initial submission, the applicant has revised their proposal and has updated several of the above noted studies as well as providing the following information:

- Appendix to Cultural Heritage Impact Statement - Riley House & Cemetery Views Package
- Landscape Design Concept & Rational;
- Architectural Floor Plans and Elevations – Mid-rise Blocks; and,
- Grading Plan

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

### **Provincial Planning Statement**

The Provincial Planning Statement (PPS) 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 lands constitute a designated growth area as described by the PPS and are located within a settlement area. Under the PPS, settlement areas are intended to be the focus of growth and developed based on densities and a mix of land uses which efficiently use land and resources.

For large and fast-growing municipalities, such as Kingston, the PPS encourages a minimum of 50 residents and jobs per gross hectare within designated growth areas while the policy document highlights that this target represents a minimum standard and encourages planning authorities to go beyond this minimum. Based on the persons per unit by residential unit type



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identified in the City's Development Charges Background Study (2019), the proposed development can be expected to achieve approximately 100 residents and jobs per gross hectare. Accordingly, the proposed development meets the minimum densities set out in the PPS while using a mix of housing types and land uses to facilitate the development of complete communities. Of note, the relatively higher density in comparison to the minimums set out in the PPS is largely the result of this phase of development extending to the limit of the Little Cataraqui Creek which will have to be factored into the net lands and associated densities in future phases given this feature is not intended to be used to accommodate either residents or jobs.

With respect to the natural hazards and natural heritage features which are found within the area, the subdivision design and layout has been configured so as to ensure that the development is directed away from hazard lands and there is no negative impact to the natural heritage features as required by the Provincial Planning Statement. All residential lots have been situated outside of the limits of the floodplain elevation of Little Cataraqui Creek with building envelopes provided to allow for a further 15 metre separation from the hazard. The applicant also submitted an Environmental Impact Assessment which was further updated with the latest submission. The study found that the subject lands have no natural heritage significance, but concluded that the adjacent lands contain significant valleyland, riparian corridor, significant wildlife habitat, and fish habitat. Through the review the study concluded negative impacts to these features and functions are not expected and set out recommendations to be implemented through the subdivision agreement to ensure mitigation.

Finally, with regards to cultural heritage features, the site abuts the Cataraqui Cemetery, a National Historic Site, and hosts the Riley House, a designated heritage building. The PPS requires built heritage resources and cultural heritage landscapes to be conserved. The applicant has submitted appendices to the Cultural Heritage Impact Assessment which analyzed the development in the context of the revised submission. Through reductions in height, the reorientation of the buildings which takes into account the native tree cover and topography, the study found that the development is compatible with the cultural heritage features.

A detailed review of the applicable policies is attached in Exhibit E.

### **Official Plan Considerations**

The subject lands are designated Residential with the subdivision projecting generally to the limits of the floodplain associated with the Little Cataraqui Creek. The sole exception being that of a minor segment of the subject property which measures approximately 340 square metres in area and is designated as Environmental Protection Area. The City's Residential designation is intended to respond to the housing needs of the City's citizens by retaining and augmenting a broad range of housing at all levels of affordability within a safe, convenient and stable setting, organized primarily into neighbourhoods.

The proposed plan of subdivision has been planned to utilize existing municipal infrastructure while also connecting with the City's planned extension to Cataraqui Woods Drive which would

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also allow the development to loop the water servicing allowing for reduced customer impacts in the event of future repairs and improved winter performance. The road connection to Cataraqui Woods Drive will also reduce the impacts of vehicle traffic at the intersection of Old Mill Road and John Counter Boulevard.

While access to existing transit service along John Counter Boulevard is at the limits of walkability being approximately 700 metres south, the proposed linkage between Old Mill Road and Cataraqui Woods Drive, would afford future consideration of transit service along Old Mill Road and beyond. By continuing the higher density built form, which exists immediately south, as well as the medium density mixed-use buildings proposed on the east side of the extended Old Mill Road the proposed development has been designed to integrate with transit and the broader transportation system. Guidelines established by the province suggest a minimum density of 45 units per hectare to facilitate 'very frequent bus service' whereas the proposed development achieves approximately 49 units per hectare over the 18 hectares proposed to be subdivided.

The redesigned proposal aligns with the Official Plan requirements that there be no negative impacts on the natural heritage features or areas and is compatible with the adjacent land uses. Specifically, the applicant has provided an Environmental Impact Assessment which confirmed that no negative impacts to adjacent significant features and functions are anticipated subject to mitigation measures which would form conditions of the subdivision approval. With regards to the compatibility to the adjacent land uses, it is understood that as the development represents a continuation of the built form of the residential development further south and would therefore likely not have a significant impact, that the greatest concern for compatibility is in regards to the cemetery to the west.

The applicant has significantly revised the high rise apartment buildings along the western portions of the subdivision in an effort to mitigate adverse impacts upon the abutting cemetery. Specifically, the revised proposal has reduced the height of the south, central, and northern apartment buildings variously by two, six, and three storeys respectively, while also reorienting the buildings to mitigate the perception of a 'wall of buildings'. Additionally, both the reduction in height and the reorientation of the buildings has been informed from, and take advantage of, the existing topography and vegetation conditions of the site. As such, while two of the three apartment buildings' setbacks have decreased since the first submission, the effect of doing so has substantially reduced the extent of the building wall facing the cemetery, while the staggered building envelopes create a more varied built form. Despite the revisions cemetery visitors will be able to see the apartment buildings from certain views, however; as noted in the Appendix to the Cultural Heritage Impact Statement, the overall impact is minor enough that it does not prevent the on-site viewer from understanding the value of the historic place nor detract from the viewers enjoyment of the historic resource in material or meaningful ways (See Exhibit L - Excerpt of Cemetery Views Package).

The subject lands meet the Official Plan criteria for the development of high density residential being that the apartment buildings are a continuation of the built form of the existing apartment buildings immediately south while the mid-rise buildings on the east side of the extended Old

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Mill Road introduces a transition to the lower density lots further east. As the proposed development is situated to more than 100 metres north of the existing residential area there are no anticipated impacts as a result of shadows or overlook. The high density blocks are located within walking distance of both areas designated for commercial use owing to both the proximity to the commercial designations adjacent to Taylor Kidd Boulevard, as well as the planned connection to Cataraqi Woods Drive and Sydenham Road where additional commercial designations exist. Through the provision of parkland and open space each of the high density blocks would meet the walking distance criteria for these features. Given that the subdivision approval is conditional upon the extension of Cataraqi Woods Drive which would extend as a Collector Road to the northern limits of the property and the fact that this project has been planned as part of the transportation network laid out in Schedule 4 - Transportation, the development complies with the intent of this policy. It is also worth noting that the right-of-way width along the Old Mill Road extension is proposed at 26 metres, which would be sufficient to accommodate a collector road should future needs arise.

The goal of the Environmental Protection Area designation is to preserve the City's natural heritage system which consists of lakes, rivers, wetlands, and other natural features and has been developed based on available mapping. The Official Plan recognizes that the actual boundary of these features, and by extension, the designation, may not be accurate and as such minor adjustments may be permitted without amendment to the Plan. The Cataraqi Region Conservation Authority has reviewed the proposed subdivision and has no issue with development occurring within the small area designated as Environmental Protection Area or the broader subdivision area within the Residential designation.

The proposed draft plan of subdivision and the uses contemplated within it are consistent with the City's Official Plan. The revised layout prevents adverse impacts upon the adjacent cemetery, and natural heritage features, through a combination of site layout and vegetative buffers. The densities and mix of built forms and the inclusion of a commercial component make the development transit supportive. A detailed review of the applicable policies is attached in Exhibit G.

### **Zoning By-Law Discussion**

The subject property is currently split between the Former Kingston Township Zoning By-law 76-26, with a portion of the lands along the western boundary zoned for higher density residential uses (R4-1, R4-3, R4-12, and R4-14); and, zoned Urban Residential Zone 2 (UR2) and Protected Open Space Zone (OS1) in the Kingston Zoning By-Law 2022-62 (Exhibit I – Existing Zoning). As Red Exceptions, the lands zoned site specific R4 Zones are also subject to the provisions of the Kingston Zoning By-law and the Urban Multi-Residential Zone 2 (URM2) Zone.

Various amendments are proposed to the site's zoning which would incorporate the entirety of the subject lands into the Kingston Zoning By-law while also applying zones and exception overlays to allow for the development contemplated as described in detail below.

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Through the zoning by-law amendment, the high-rise residential apartment blocks will be rezoned to the URM2 zone. Each block will have their own Exception Overlay which would permit the height and allow for minor reductions in the required drive aisle width and visitor parking requirements, as well as permitting a pool common to the buildings to have a zero metre setback. Additional provisions are also proposed to enhance the typical setback requirements so as to ensure compatibility with the adjacent cemetery and provide adequate buffering.

The following tables summarize the proposed Exception Overlays for the three high-rise apartment buildings.

**Table 1 – Zoning Comparison Table URM2 & Exception Overlay (High-rise Apartments)**

<b>Zone Provision and Section Reference</b>	<b>Required (URM2)</b>	<b>Proposed (E179) (North High-Rise)</b>	<b>Proposed (E180) (Centre High-Rise)</b>	<b>Proposed (E181) (South High-Rise)</b>
Maximum height Table 12.1.2	12.5 metres	The maximum height is the lesser of 44 metres or 15 storeys	The maximum height is the lesser of 35.5 metres or 12 storeys;	Maximum height is the lesser of 46.5 metres or 16 storeys
Maximum number of dwelling units	n/a	Maximum of 210 dwelling units	Maximum of 170 dwelling units	Maximum of 220 dwelling units

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Zone Provision and Section Reference	Required (URM2)	Proposed (E179) (North High-Rise)	Proposed (E180) (Centre High-Rise)	Proposed (E181) (South High-Rise)
Projections Above Maximum Height Section 4.18.	building components are permitted to project a maximum of 5.0 metres above the maximum height subject to:  maximum area of 30% of the roof area;  a minimum setback from the edge of the roof equal to the vertical height of such building component	40% of rooftop area subject to:  5.6 metres above the maximum height for elevator overrun  3.8 metres above the maximum height for amenity area and mechanical equipment	40% of rooftop area subject to:  5.6 metres above the maximum height for elevator overrun;  3.8 metres above the maximum height for amenity area and mechanical equipment	40% of rooftop area subject to:  5.6 metres above the maximum height for elevator overrun;  3.8 metres above the maximum height for amenity area and mechanical equipment
Minimum rear setback Table 12.1.2	Greater of 7.5 metres or 25% of the lot depth (~30 metres)	40 metres	50 metres	39 metres
Required Number of Parking, Visitor and Car-Share Spaces Table 7.1.1.	Minimum number of visitor spaces in PA5 is 0.06 per dwelling unit	The minimum number of visitor spaces is 9 (versus 12 otherwise required)	The minimum number of visitor parking spaces is 7 (versus 10 otherwise required)	Minimum number of visitor spaces is 10 (versus 13 otherwise required)

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<b>Zone Provision and Section Reference</b>	<b>Required (URM2)</b>	<b>Proposed (E179) (North High-Rise)</b>	<b>Proposed (E180) (Centre High-Rise)</b>	<b>Proposed (E181) (South High-Rise)</b>
Minimum Parking Space and Drive Aisle Dimensions Table 7.4.1.	6.7 metre drive aisle for the portion of the drive aisle used to access a parking space	Minimum drive aisle width is 6.5 metres.	Minimum drive aisle width is 6.5 metres.	Minimum drive aisle width is 6.5 metres.
Swimming Pools Section 4.2.1	The minimum setback is 1.5 metres from a swimming pool to any lot line;	No change	No change	The minimum setback of a swimming pool is:  (i) 0.0 metres from a lot line abutting another lot in the URM2 zone  (ii) 25 metres from a rear lot line.
Minimum Vegetative Buffer	n/a	22.8 metres along the rear lot line	22.8 metres along the rear lot line	22.8 metres along the rear lot line

The high-rise buildings have been significantly reconfigured since the initial proposal and while the height of the buildings is considerably taller than otherwise permitted within the URM2 zone, the increase in height is balanced by increases of between ten and 20 metres in the required rear setback to ensure appropriate separation from the cemetery preventing overlook undue massing which would detract from the experience of the cemetery visitors. The requirement for a 22.8 metre deep vegetative buffer along the rear lot line which further reduces the impact of the apartment buildings and takes advantage of the significant native tree cover between the proposed buildings and the limits of the Cataraqui Cemetery.

The restriction on height is supplemented by a restriction on the number of units within each of the apartment buildings to ensure that buildout of the apartment does not exceed the number planned for within the reports and studies which were prepared to demonstrate the functionality and serviceability. While the maximum units exceed that which are currently proposed, this disparity is the effect of intentional rounding up in the proposed unit count to allow for minor

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changes in configuration which could account for market conditions or building preferences between approval and ultimate build-out while still being consistent with the underlying studies.

In addition to the height increases, the applicant seeks to allow for a rooftop mechanical and amenity area storey which exceeds the Kingston Zoning By-law's standard allowance for such projections provided they are set back a distance equal to the height of the feature and they do not occupy more than 30 percent of the rooftop area. Each of the three high-rise buildings include a marginal encroachment of 0.25 metres into the setback from the building wall given the height of the projecting storey and additional allowance for the coverage of 40% while the elevator overrun projects a further 1.5 metres from the mechanical and amenity storey. The rooftop mechanical and amenity area storey is recessed from the edge of the roof between 3.5 and 13.7 metres depending on the orientation, akin to the apartment buildings to the south helping these buildings present as 16, 12, and 15 storey buildings respectively when viewed from the street level.

Specific relief regarding visitor parking and drive aisle widths are sought to allow for the functioning of the parking arrangement and represents a nominal decrease of 3 visitor spaces each building and 0.2 metres in drive aisle width. Overall, the reduction will not compromise the sites' functionality.

To allow for a pool facility shared amongst multiple buildings, the applicant is seeking a reduction from the typical setback of 1.2 metres from such a pool to a lot line, while simultaneously recognizing a much larger setback of 25 metres from the rear lot line than such a feature would otherwise be afforded. The Exception Overlay provisions allow the site to function in a manner that respects the intended users of the site and those of the abutting property.

Similar to the enhanced setback provisions for the swimming pool, the Exception Overlay also establishes a minimum 22.8 metre vegetative buffer to ensure the continued buffering provided by the treed area which separates the high-rise apartment blocks from the cemetery. Between this buffering and the height reduction and reorientation of the buildings the proposed buildings are anticipated to co-exist with the abutting cemetery without having an adverse impact on the experience of cemetery users.

With respect to the proposed mid rise apartment blocks, the zoning by-law amendment seeks to zone the three blocks URM2 with an Exception Overlay to permit the four-storey built form as well as to ensure the provision of a commercial amenity within the southernmost block.

The following table summarize the proposed Exception Overlays for the four mid-rise apartment buildings.

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**Table 2– Zoning Comparison Table URM2 & Exception Overlay (Mid-rise Apartments)**

Zone Provision and Section Reference	Required (URM2)	Proposed (E183) (Mid-Rise Blocks)
Maximum height Table 12.1.2	12.5 metres	Maximum height is 18.0 metres.
Dwelling unit in a mixed use building Table 12.1.2	Not Permitted	Dwelling units in a mixed-use building are a permitted use.
n/a	n/a	The provisions for apartment buildings apply to mixed use buildings.
n/a	n/a	Mixed-use buildings may only contain non-residential uses that are permitted in the CN Zone as per Table 15.1.2.
n/a	n/a	On Block 110 the minimum gross floor area of non-residential uses is 385 square metres.
n/a	n/a	Non-residential uses are only permitted on the first storey and subject to:  (i) Maximum gross floor area is 1,000 square metres.
Effective Ratios to Calculate Required Accessible Spaces Table 7.2.2.	Minimum of 1 ‘Type A’ Accessible Spaces (based on GFA between 385 and 1,000 square metres)	No accessible spaces are required to be provided for a non-residential use.
n/a	n/a	The front lot line is the eastern most lot line.



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<b>Zone Provision and Section Reference</b>	<b>Required (URM2)</b>	<b>Proposed (E183) (Mid-Rise Blocks)</b>
Minimum front setback Table 12.3.1.	6.0 metres or average of the existing front setbacks of the adjacent buildings, to a minimum of 3.0 metres	Minimum front setback is 3.0 metres.
Minimum rear setback Table 12.3.1.	The greater of 6.0 metres or 25% lot depth	Minimum rear setback is 3.0 metres.
Minimum interior setback Table 12.3.1.	6.0 metres	Minimum interior setback is 4.0 metres.
Minimum exterior setback Table 12.3.1.	6.0 metres	Minimum exterior setback is: (i) Where a street is to the north of the exterior lot line 2.1 metres. (ii) Where a street is to the south of the exterior lot line 10.0 metres.
n/a	n/a	For the purposes of the following zoning requirements, Blocks 110-113 will be treated as one lot, and the following provisions apply: (i) Maximum lot coverage is 60%. (ii) Maximum number of dwelling units is 190.

The four-storey built form for the blocks along the east side of the proposed Old Mill Road extension are intended to afford a gentle transition from the high-rise buildings to the west and the low-rise residential built form further east. The inclusion of a modest commercial component within the development is intended to ensure that the future residents, as well as those in the existing neighbourhood to the south, have the opportunity for commercial amenity for the local needs.

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Given the relatively small size of the commercial space of between 300 and 1,000 square metres, and the underground parking of the mid-rise blocks, the amendment also seeks to waive the requirement for one accessible space otherwise associated with the commercial use. Based on the layout of the proposed mid-rise blocks which features the use of shared entrances to underground parking, the site design affords a large amount of on-street parking opportunities. Specifically, along the west side of Street B, which affords vehicular access to the mid-rise buildings, there would be only two 6.5 metre wide entrances along the 300 metres of street frontage which would mitigate any impact from the parking reduction. It is also worth noting that the proposed buildings are intended to be pedestrian scale and street oriented with proposed reductions in the front setback to 3 metres which would mitigate any inconvenience associated with on-street customer parking including for those with accessibility needs.

With respect to the proposed low rise residential lots, the zoning by-law amendment seeks to zone the majority of lots UR3 with the exception being the property which accommodates the heritage building which is intended to be zoned UR1. In order to allow for a greater level of flexibility in the future programming of the heritage block an exception overlay is proposed to afford the site a greater suite of permitted uses to help ensure this building can continue to thrive as an important part of the planned community. The residential lots would be fully zone compliant with the proposed UR3 zoning which is the zoning currently applied to the residential lands further west of the subject lands.

The following table summarizes the proposed Exception Overlay for the heritage block which will be zoned Urban Residential Zone 1 (UR1).

**Table 3 – Zoning Comparison Table UR1 & Exception Overlay (Heritage Block)**

Zone Provision and Section Reference	Required (UR1)	Proposed (E182) (Heritage Block)
Permitted Uses Table 11.1.2. – Permitted Uses in the Urban Residential Zones	Residential Uses: single detached house  Non-residential Uses: community centre elementary school library museum place of worship secondary school	The following additional uses are permitted: (i) Financial institution (ii) Office (iii) Personal service shop (iv) Retail store (v) Wellness clinic

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The proposed addition of non-residential uses beyond the standard allowances for home occupations and more institutional uses which are permitted as-of right have been put forward for the Riley Farmhouse as a means of providing the flexibility for the property to evolve in a manner which reflects the community which has, and will continue to, evolve around it. The additional uses recognize that the heritage building is situated on a larger lot which measures more than one hectare in size which, while protecting the heritage viewsapes, creates additional opportunities for the future of the site and could provide additional commercial amenity for area residents.

Finally, a single Holding Overlay will be applied to the entirety of the subdivision by consolidating the various existing holding provisions into a single Holding Overlay H66, which includes the more relevant requirement that among other servicing requirement, “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 Catarauqui Woods Drive has been provided to the satisfaction of the City” thus ensuring the connectivity of the subdivision with the broader area and the installation of servicing necessary for the orderly development of the lots.

### **Draft Plan of Subdivision Conditions**

The draft plan conditions are enclosed as Exhibit C. The conditions contain standard requirements reflective of an infill subdivision within the built-up area of the City as well as some conditions which are unique to this development. Some of the more notable conditions include:

- Condition 11 (c) and (h) requires the submission of an updated Master Servicing Report, to the satisfaction of the Municipality; and, that the owner satisfy all technical, financial and other requirements of the Municipality regarding the establishment of a watermain loop from Old Mill Road to Sydenham Road necessary to service the lands at the Owner’s expense. The Master Servicing Report is required to include review of wastewater and water design for the existing development and the future buildout of the catchment, including scenario to review potential for Employment Lands being converted to Residential and is intended to ensure proper sizing of the infrastructure necessary to service the proposed development.
- Condition 12 (c) requires the owner, at its cost, construct a permanent interpretive/educational display on Block 124 at a location acceptable to the City’s Heritage Services Department. This requirement is intended to ensure the long term recognition and community understanding of the heritage property.
- Conditions 15 and 16 require the provision of a Tree Preservation Plan and a Street Tree Planting Plan both of which are standard conditions of subdivision either however are included in this list due to the large number of trees on the subject lands and the importance of maintaining a vegetative buffer between the cemetery and the high-rise buildings. The Tree Inventory updated April 19, 2024 found a total of 1,137 trees on the subject lands of which 19 were identified as dead. Of the 1,118 live trees, 630 are planned to be removed to accommodate the development. 475 of the remaining 488 trees are located at the western side of the subject lands where they will provide a visual buffer. Under the terms of the draft

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plan approval, where a tree is not retained or replaced, cash compensation would be required for the value of the trees to be removed.

- Condition 21 requires the owner to design and install curbside concrete pads measuring 10 metres by 4 metres at the east and west sides of Old Mill Road at the intersections of 'Street A' and 'Street B', which are intended to facilitate future transit opportunities in the area should the need arise and without cost to the City to install this infrastructure.

### **Other Applications**

Subject to Draft Plan Approval the owner will be required to meet the Conditions of Draft Plan Approval in order to apply for Final Plan of Subdivision. The high- and medium-density buildings would require Site Plan Control where site layout and design would be considered in greater detail. Community Benefits Charges would be applicable to the high-rise buildings pursuant to the City's Community Benefits Charge By-law (2023-143).

### **Technical Analysis**

This application has been circulated to external agencies and internal departments for review and comment. All comments on the proposal have been addressed and no outstanding issues with this application remain at this time.

### **Public Comments**

The following is a summary of the public input received to date, including a summary of the feedback received at the Public Meeting on May 7, 2020. All original written public comments are available in Exhibit M of this report.

- Question: How can the buildings be considered compatible with the cemetery?

Response: As noted throughout the body of this report, the compatibility with the abutting cemetery was a significant driver of the revised proposal. Numerous cemeteries coexist in an urban context including in large urban areas such as Toronto and Ottawa where tall apartments can be seen from within the cemetery, as well as in mid-sized cities such as Kitchener Mount Hope Cemetery in Waterloo. The revised submission prevents the buildings from creating a wall of buildings through the strategic placement and orientation which takes into consideration the topography of the site and the existing canopy of vegetation. The view renderings prepared by the applicant have demonstrated that observed from the cemetery, the buildings will not have a significant impact and would not detract from the cemetery user's enjoyment of the historic resource.

- Comment: What impact will there be on the watercourse and wetland within the development area.

Response: The extent of the subdivision lands has been informed by the natural heritage features and natural hazards such as the eastern limit being bounded by the limits of the

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floodplain associated with including the Little Cataraqui Creek. Along the southern limits a small watercourse forms from the surface drainage associated with a small section of the cemetery lands and in the area of the Riley Farmhouse. The applicant has submitted an update to the Environmental Impact Study that reflects field work undertaken from 2018 to 2024 demonstrating that the development can proceed without adverse impacts on the natural environment. The study has been reviewed by the Cataraqui Region Conservation Authority who has no outstanding concerns with the development.

- Question: Is the City liable for impacts to the Cemetery business due to its planning decision and/or declining water well levels?

Response: There are many situations where a municipality will exercise its legislative role in changing the rights associated with a property whether in a more permissive or more restrictive capacity. Where acting in good faith, a Council's land use planning decisions would be immune from any claim of tort. As stated in *Governmental Liability, the Tort of Negligence and the House of Lords Decision in Anns v. Merton London Borough Council*:

“zoning and sub-division both call for a balancing of the developer's interest against the public interest and hence are quasi-judicial in nature. The faculty of judgment is inherent in the process of orderly development and hence there should be no liability on the City's part for authorizing the replot.”

Of additional note, the proposed development is not anticipated to have any impact on groundwater levels as all lots would be serviced by municipal water/wastewater.

### **Effect of Public Input on Draft By-Law and Draft Conditions**

As highlighted throughout the body of this report, as a result of public input received during the public meeting, the applicant has provided significant modifications to the design and layout of the subdivision. The reduced height and reorientation of high-rise apartment buildings have significantly reduced the impact as viewed from the cemetery. Further, the development has been amended to include two park blocks and more protection has been afforded to the trees on-site including the protection of a very large Burr Oak tree which will form a prominent feature of one of the park blocks.

### **Conclusion**

The proposed Zoning By-Law amendment application will permit the orderly development of residential land within the City's urban area. The development, while not invisible to, is compatible with the cemetery to the west and the impact of the additional apartments in their reconfigured form will not detract from the enjoyment of the historic resource associated with the cemetery in a material or meaningful way. The subdivision has been designed in a manner which provides the necessary density and mix of units and uses which support complete communities as well as affording opportunities for transit in the future.

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This application is consistent with the Provincial Planning Statement, conforms to the intent of the Official Plan, and represents good land use planning, and as such the application is recommended for approval.

**Existing Policy/By-Law:**

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

**Provincial**

*Planning Act*

Provincial Planning Statement, 2024

**Municipal**

City of Kingston Official Plan

Zoning By-Law Number 2022-62

**Notice Provisions:**

Pursuant to the requirements of the *Planning Act*, notice of the statutory public meeting was provided 20 days in advance of the public meeting in the form of a notice placed in The Kingston Whig-Standard on December 20, 2024 and a sign posted on the subject property

If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

At the time of writing of this report, no additional pieces of written public correspondence have been received and all planning related matters have been addressed within the body of this report. Any public correspondence received after the publishing of this report will be included as an addendum to the Planning Committee agenda.

**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

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

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Ian Clendening, Senior Planner, 613-546-4291 extension 3126

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

- Exhibit A Draft By-Law and Schedule A, B, & C to Amend Zoning By-Law Number 2022-62
- Exhibit B Draft By-Law to Amend Zoning By-Law Number 76-26
- Exhibit C Proposed Draft Plan of Subdivision Conditions
- Exhibit D Key Map
- Exhibit E Neighbourhood Context
- Exhibit F Consistency with the Provincial Policy Statement
- Exhibit G Official Plan, Land Use
- Exhibit H Conformity with the Official Plan
- Exhibit I Zoning By-Law Number 2022-62, Schedules 1, E & F
- Exhibit J Proposed Plan of Subdivision
- Exhibit K Details and Elevations of High- and Mid-Rise buildings
- Exhibit L Excerpt of Cemetery Views Package
- Exhibit M Site Photographs
- Exhibit N Public Comments

**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 44 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 5.6 metres provided a minimum **setback** of 8 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 3.5 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 35.5 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 5.6 metres provided a minimum **setback** of 8 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 3.5 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 46.5 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 5.6 metres provided a minimum **setback** of 8 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 3.5 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]

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



**Schedule 'A'  
to By-Law Number**  
Address: 999 Purdy's Mill Road  
File Number: D35-002-2020

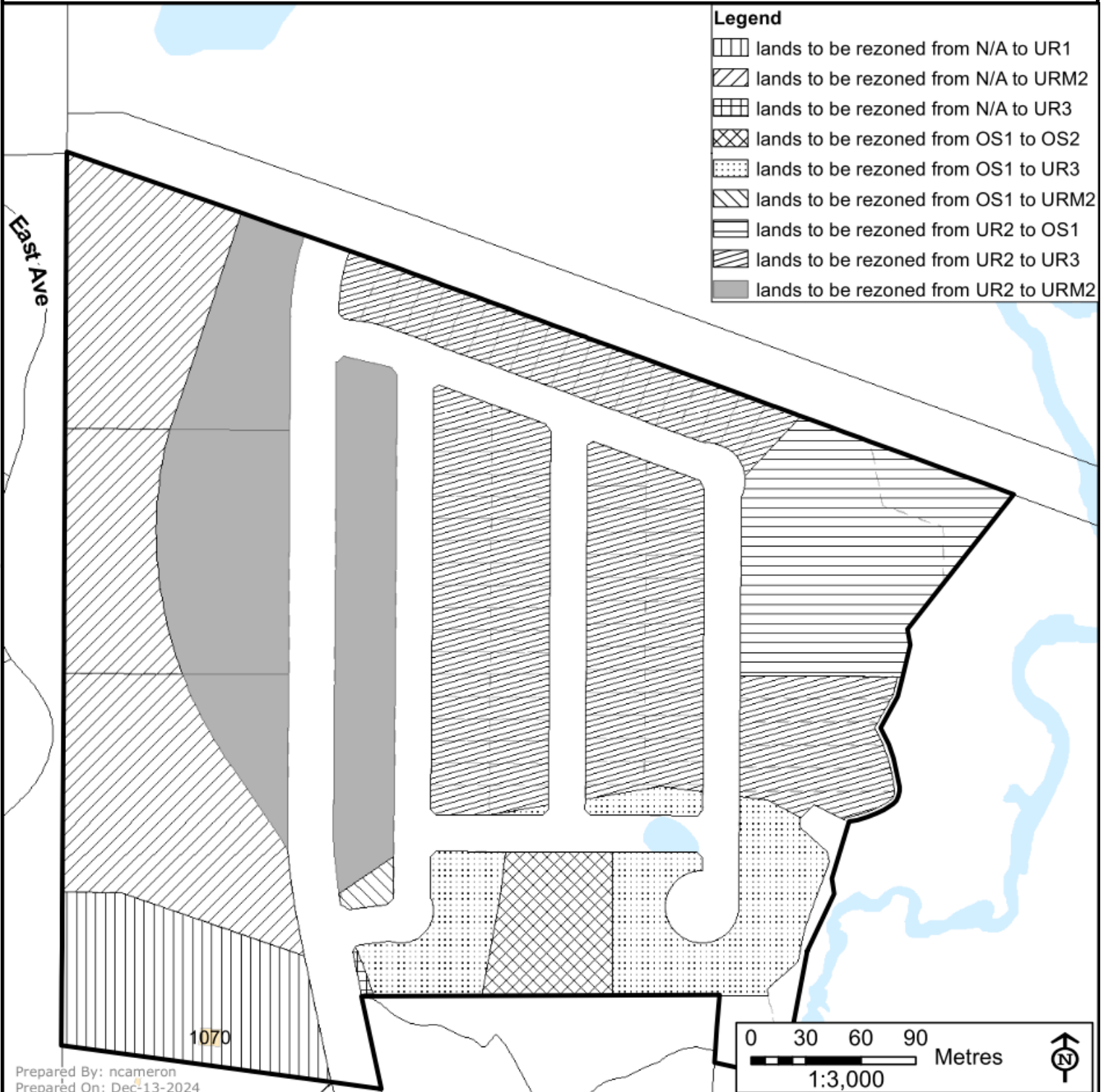
**Kingston Zoning By-Law 2022-62  
Schedule 1 - Zoning Map**

**Certificate of Authentication**

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



Prepared By: ncameron  
Prepared On: Dec-13-2024



# Schedule 'B' to By-Law Number

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

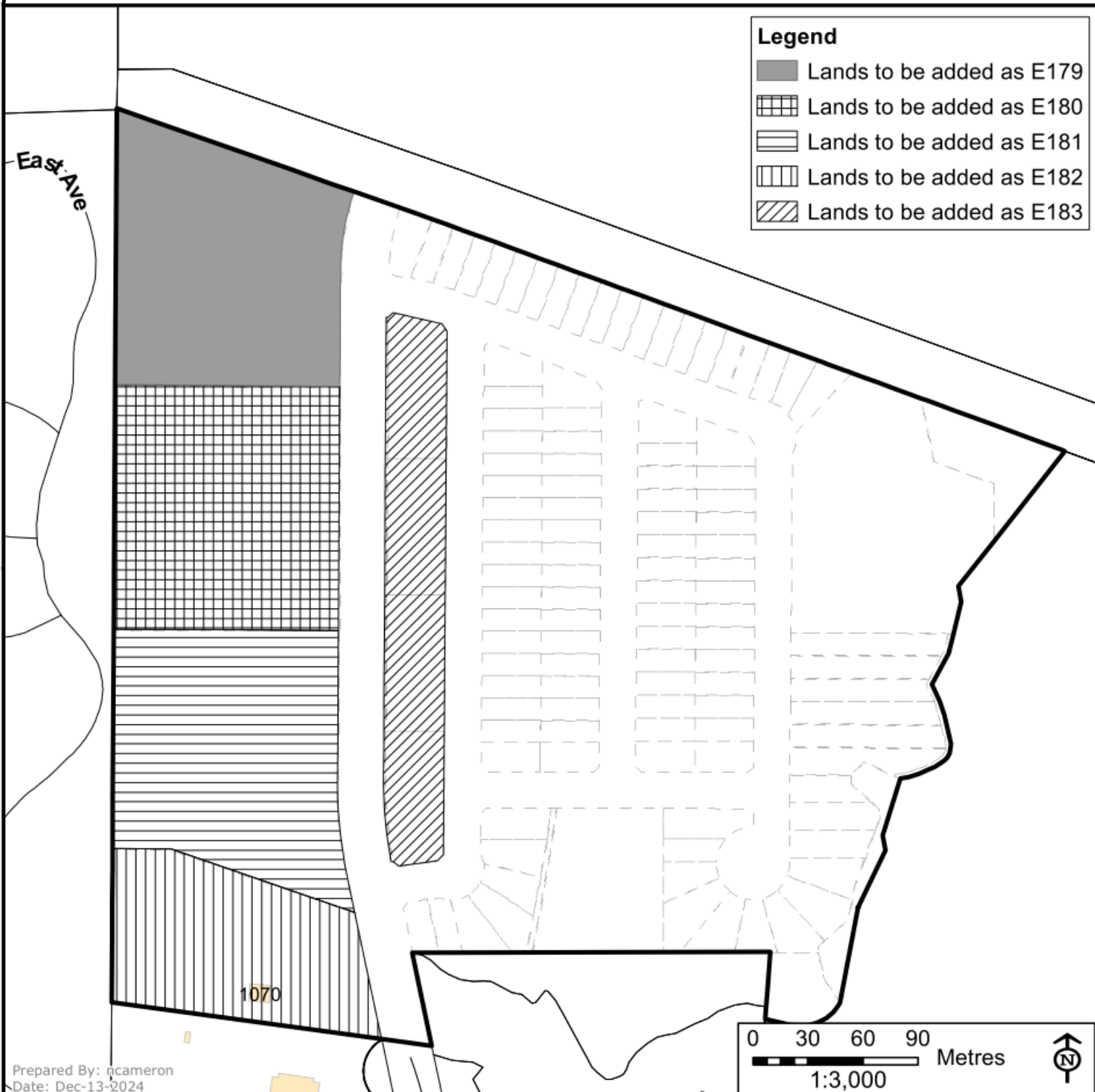
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File Number: D35-002-2020

## Certificate of Authentication

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



### Legend

- Lands to be added as E179
- Lands to be added as E180
- Lands to be added as E181
- Lands to be added as E182
- Lands to be added as E183

Prepared By: mcameron  
Date: Dec-13-2024



Planning  
Services

### Schedule 'C' to By-Law Number

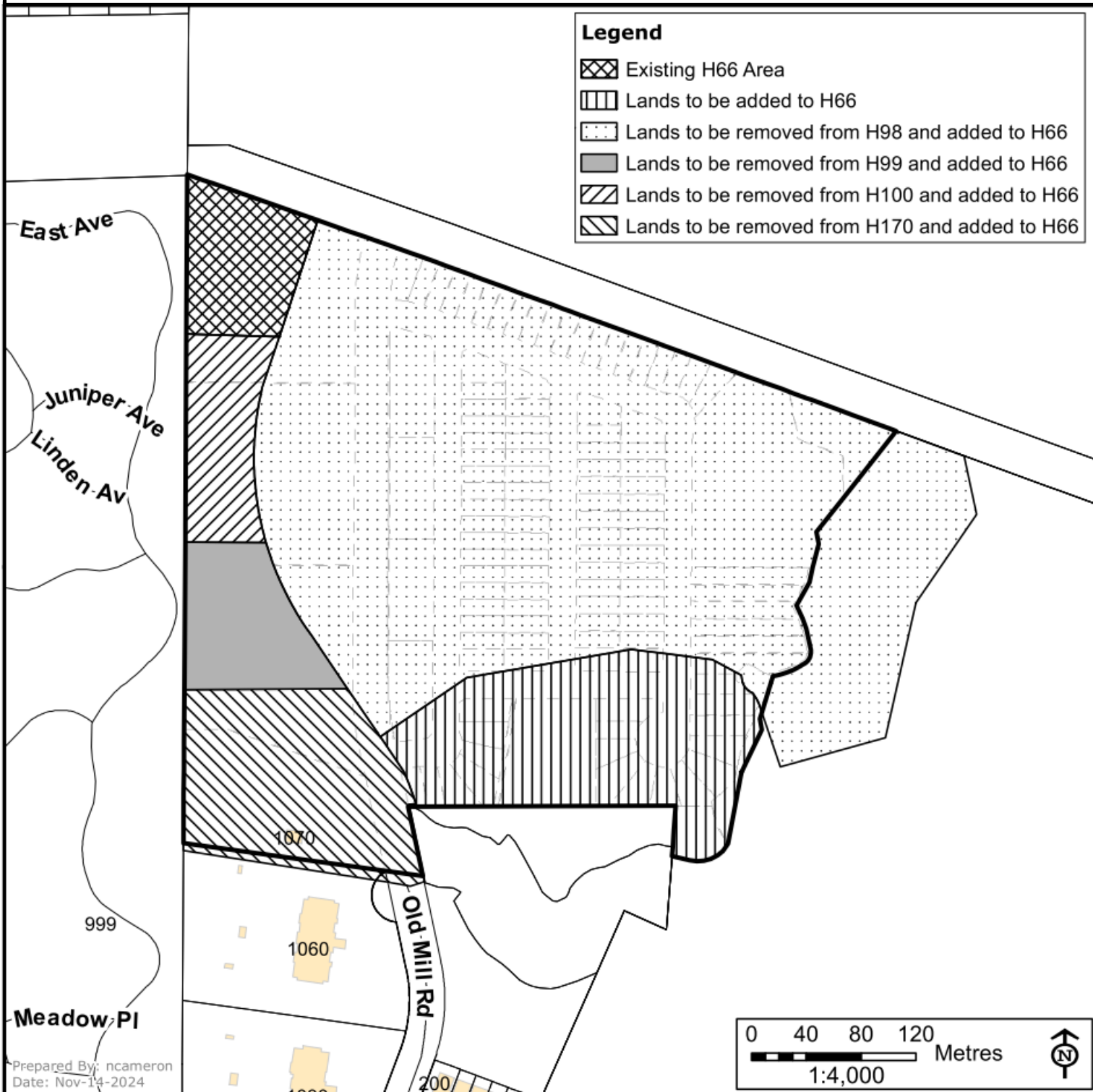
Address: 999 Purdy's Mill  
File Number: D35-002-2020

### Kingston Zoning By-Law 2022-62 Schedule F - Holding Overlay

#### Certificate of Authentication

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

\_\_\_\_\_  
Mayor Clerk



Prepared By: ncameron  
Date: Nov-14-2024

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**By-Law Number 2025-XX**

**A By-Law to Amend By-Law Number 76-26, “A By-law to regulate the use of lands and the size and location of buildings on select properties within the former Township of Kingston” (Delete Rows R4-1, R4-3, R4-12, and R4-14) (999 Purdy’s Mill Road)**

**Passed:** [Meeting Date]

**Whereas** by Order of the Minister of Municipal Affairs and Housing, The Corporation of the Township of Kingston, The Corporation of the Township of Pittsburgh and The Corporation of the City of Kingston were amalgamated on January 1, 1998 to form The Corporation of the City of Kingston as the successor municipal corporation and pursuant to the Minister’s Order, any by-laws of the former municipality passed under the *Planning Act* continue as the by-laws covering the area of the former municipality now forming part of the new City; and

**Whereas** the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 76-26, as amended, of the former Township of Kingston;

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

1. By-Law Number 76-26 of The Corporation of the City of Kingston, entitled “A By-law to regulate the use of lands and the size and location of buildings on select

properties within the former Township of Kingston”, as amended, is hereby further amended as follows:

- 1.1. By deleting the following rows within Table 1 “Zones and Red Exceptions Subject to this By-law” in their entirety:

R4-1	<p>Notwithstanding the provisions of Section 15(1) and 15(2) hereof to the contrary, the lands designated R4-1 on Schedule "A" hereto shall be used for no purpose other than an apartment dwelling house and the following provisions shall apply: (i) Height of Building (maximum): 18.3 metres, provided that the total number of storeys in any such building shall not exceed 6. (ii) Dwelling Units Per Lot (maximum): 74 units, provided that the total number of units in the R4-1 Zone shall not exceed 464. (iii) Rear Yard Depth (minimum): Notwithstanding any provision of this By law to the contrary, the minimum required rear yard depth for any lot which abuts the Cataraqui Cemetery shall be 30.5 metres to the easterly most property boundary of the Cataraqui Cemetery. (Note: The following provisions apply to those lands in Auden Park which are zoned R4 1, Lot 6, Concession I: Auden Park R4 1 Notwithstanding any provisions of Section 15(2) hereof to the contrary, the lands designated as R4-1 on Schedule "A" hereto shall be developed in accordance with the following provision: (iv) Number of Dwelling Units (maximum): The maximum number of dwelling units permitted shall not exceed a number that would generate more than 275 persons. The total number of</p>	URM2
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	<p>persons generated by any development proposal shall be determined by calculating the sum of the totals which result from multiplying the total number of each type of dwelling unit by the number of persons generated by such type of dwelling unit, in accordance with the following table: Dwelling Unit Type Number of Persons Generated per Unit Bachelor 1.0 1 bedroom 1.5 2 bedroom 2.5 3 bedroom or greater 3.5 plus 1.0 for each additional bedroom The following is an example only and does not form part of this By law: an apartment proposal containing 20 one bedroom units and 14 two bedroom units would generate, <math>20 \times 1.5 = 30</math> <math>14 \times 2.5 = 35</math> 65 persons</p>	
R4-3	<p>Notwithstanding the provisions of Sections 15(1) and 15(2) hereof to the contrary, the lands designated R4-3 on Schedule "A" hereto shall be used for no purpose other than an apartment dwelling house and the following provisions shall apply: (i) Dwelling Units Per Lot (maximum): 29 units</p>	URM2

<p>R4-14</p>	<p>Notwithstanding the provisions of Sections 15(1) and 15(2) hereof to the contrary, the lands designated R4-14 on Schedule "A" hereto shall be used for no purpose other than an apartment dwelling house and the following provisions shall apply:</p> <ul style="list-style-type: none"> <li>(i) Dwelling Units Per Lot (maximum): 29 units</li> <li>(ii) Rear Yard Depth (minimum)</li> </ul> <p>Notwithstanding any provision of this By law to the contrary, the minimum required rear yard depth for any lot which abuts the Cataraqui Cemetery shall be 22.8 metres so that no main building wall is located closer than 22.8 metres to the easterly most property boundary of the Cataraqui Cemetery.</p>	<p>URM2</p>
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<p>R4-12</p>	<p>Notwithstanding the provisions of Section 15(1) and 15(2) hereof to the contrary, the lands designated R4-12 on Schedule "A" hereto shall be used for no purpose other than an apartment dwelling house and the following provisions shall apply:</p> <p>(i) Height of Building (maximum): 18.3 metres, provided that the total number of storeys in any such building shall not exceed 6.</p> <p>(ii) Dwelling Units Per Lot (maximum): 65 units</p> <p>(iii) Rear Yard Depth (minimum): Notwithstanding any provision of this By law to the contrary, the minimum required rear yard depth for any lot which abuts the Cataraqui Cemetery shall be 22.8 metres so that no main building wall is located closer than 22.8 metres to the easterly most property boundary of the Cataraqui Cemetery.</p>	<p>URM2</p>
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2. That this By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

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## Conditions Of Draft Plan Approval

### 1) **Approved Draft Plan:**

That this approval applies to the Draft Plan of Subdivision, prepared by Hopkins Chitty Land Surveyor's Inc., dated October 21, 2024 (the "Plan"), and which shows the following:

- a) 109 residential lots (Lots 1 - 109);
- b) 4 blocks for medium-density residential (Block 110 - 113);
- c) 3 blocks for high-density residential (Block 114 - 116);
- d) 3 blocks for open space (Block 117; 119; and, 123);
- e) 1 block for stormwater management (Block 118);
- f) 2 blocks for parkland (Block 120 and 121);
- g) 1 block for walkway (Block 122);
- h) 1 block for heritage designated residential (Block 124);
- i) 3 blocks for 0.3 metre reserves (Block 125 - 128); and,
- j) 5 blocks for roads (Old Mill Road; and, Streets 'A' - 'D').

### 2) **Streets and Civic Addressing:**

- a) That the road allowances included in the Plan shall be shown and dedicated as public highways.
- b) That the road allowances within the Plan shall be designed in accordance with the City's engineering standards and shall be dedicated to the City free and clear of all charges and encumbrances. The streets, lots and blocks on the Plan shall be designed to coincide with the development pattern on adjacent properties.
- c) **That Prior to Final Plan Approval**, the Owner shall submit proposed street names for approval by the City's Planning Services Department and shall be included on the first submission of the engineering drawings. The streets within the Plan shall be named to the satisfaction of the City, in consultation with the Planning Services Department, in accordance with the City's Civic Addressing and Road Naming By-law.
- d) **That Prior to Final Plan Approval**, the Owner shall provide confirmation that **civic addresses** have been assigned to the proposed lots and blocks by the City's Planning Services Department, in accordance with the City's Civic Addressing and Road Naming By-Law. The Owner is advised that the civic addresses are tentative until such time that the final plan of subdivision is registered and the final lot layout has been confirmed.



- e) For lots with more than one road frontage, the lots will be addressed on the road frontage on which primary vehicular access is situated. Prior to applying for a building permit the Owner shall confirm with the Planning Services Department the appropriate road frontage where primary vehicular access is to be provided and shall confirm the approved civic address in order to comply with the City's Civic Addressing and Road Naming By-Law and emergency response requirements.
- f) That the Owner shall agree that the location and design of any **construction access** shall be approved by the City and/or the appropriate authority.

**3) Reserves and Easements:**

- a) Any dead end or open side of a road allowance within the Plan shall be terminated with a 0.3 metre reserve to be conveyed to the City free and clear of all charges and encumbrances.
- b) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority free of all charges and encumbrances.
- c) **That Prior to Final Plan Approval** the Owner shall dedicate to the City free and clear of all charges and encumbrances a 0.3 metre reserve on blocks 125 to 128.

**4) Financial Requirements:**

- a) That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City concerning all provisions of municipal services but not limited to including fencing, lighting, landscaping, sidewalks, roads, installation of underground services, provisions of drainage and noise mitigation where required.
- b) **That Prior to Final Plan Approval**, the Owner shall submit for the City's approval a detailed breakdown of the construction costs for the works associated with the development of the Plan, including any cash surcharges or special levies. The construction costs shall be prepared and stamped by a professional engineer. The cost estimate shall be submitted in the City's standard format for incorporation into both the Pre-Servicing Agreement and Subdivision Agreement.
- c) That the Owner shall bear the expense of all off site works resulting from the approved public works design where such works are not subsidized under the Policies and By-Laws of the City.
- d) That the Owner agrees to reimburse the City for the cost of any Peer Reviews of the Studies / Reports submitted in support of the Plan.

**5) Subdivision Agreement:**

- a) That the Owner shall enter into the City's standard Subdivision Agreement which shall list all approved plans and municipal conditions as required by the City for the development of the Plan.

- b) The Subdivision Agreement between the Owner and the City be registered against the lands to which it applies once the Plan of Subdivision has been registered.
- c) That the Subdivision Agreement shall contain all necessary warning clauses and notices to purchasers resulting from, but not necessarily restricted to, the design and provision of services, including the requirement to provide and maintain private site-specific works as necessary.

**6) Holding Provisions:**

- a) That the City shall require the use of 'H-' Holding Provisions in accordance with Section 36 of the *Planning Act*. The terms for the removal of the Holding 'H-' Holding Symbol shall be in accordance with Section 22 of the Kingston Zoning By-law (By-law Number 2022-62) and shall require the following:
  - (1) the watermain loop connecting Old Mill Road to Sydenham Road be constructed and commissioned;
  - (2) downstream wastewater capacity has been confirmed and any necessary upgrades have been completed;
  - (3) confirmation of sufficient servicing capacity for the development;
  - (4) that all necessary approvals have been received from all other agencies and government bodies and any required Agreements have been executed by the Owner.

**7) Engineering Drawings:**

- a) **That Prior to Final Plan Approval**, the Owner shall submit for approval, subdivision design drawings, including design plans for all public works and services, prepared and certified by a Professional Engineer and designed pursuant to the City's Subdivision Design Guidelines to the satisfaction of the City. The drawings shall form part of the Subdivision Agreement.
- b) **That Prior to Final Plan Approval**, the Owner shall submit a digital listing of the approved subdivision design drawings in the City's standard format for incorporation into the Pre-Servicing Agreement and Subdivision Agreement.

**8) Revisions to Draft Plan:**

- a) That any further subdivision of Blocks or additional road patterns on the Plan shall be completed to the satisfaction of the City.
- b) **That Prior to Final Plan Approval** of any part of the Plan, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.

- c) That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), these may be reflected in the Final Plan to the satisfaction of the City.

**9) Phasing:**

- a) That Final Plan Approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees.
- b) That the phasing of the development shall be reflected in the Subdivision Agreement and on the approved subdivision design drawings to the satisfaction of the City, taking into account the temporary termination of underground services, interim grading, interim stormwater management, operations and maintenance vehicle access and access for emergency vehicles.
- c) That the phasing of the development shall be proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services.
- d) That all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

**10) Zoning By-Law Compliance:**

- a) That the lands within the Plan shall be appropriately zoned by a Zoning By-Law which has come into effect in accordance with the provisions of the *Planning Act*.
- b) **That Prior to Final Plan Approval**, the Owner shall submit a Surveyor's Certificate which confirms that the lots and blocks within the Plan conform to the minimum lot frontage and lot area requirements of the applicable Zoning By-Law.

**11) Required Studies:**

- a) **That Prior to Final Plan Approval**, the Owner shall submit a **Geotechnical Study**, prepared by a Professional Engineer, to the satisfaction of the City. The recommendations of the Geotechnical Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the recommendations from the Geotechnical Study to the satisfaction of the City.
- b) **That Prior to Final Plan Approval**, the Owner shall demonstrate that the soil and groundwater quality of the property is compatible with a residential land use as defined by the generic criteria listed within the Guideline for Use at Contaminated Sites in Ontario (MOE, rev. 1997).

The acceptable method for this demonstration would be a **Phase I Environmental Site Assessment (ESA)** performed in accordance with CSA

standard Z768-01 and any required follow up investigations (Phase II ESA) or remediation. The recommendations of the applicable Environmental Site Assessment shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the City.

Should site remediation be required to meet the applicable soil and ground water criteria set out in applicable guidelines, the Owner shall submit to the City **Prior to Final Plan Approval**, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment, Conservation and Parks.

The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria.

- c) **That Prior to Final Plan Approval**, the Owner shall provide an updated **Master Servicing Report**, prepared by a qualified Professional Engineer to the satisfaction of the Municipality. The Master Servicing Report shall include a review of wastewater and water design for the existing development and the future buildout of the catchment, including scenario to review potential for Employment Lands being converted to Residential.
- d) **That Prior to Final Plan Approval** all recommendations of the **Master Servicing Report** shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the City.
- e) **That Prior to Final Plan Approval**, the Owner shall submit a **Traffic Impact Report** prepared by a professional engineer to the satisfaction of the City. The Subdivision Agreement shall contain provisions for the Owner to design, construct and financially secure the costs of any off site road improvements as are deemed necessary by the recommendations to the satisfaction of the City's Director of Transportation Services.
- f) **That Prior to Final Plan Approval**, a **Stormwater Management Report** and implementing plans for the development shall be prepared by a qualified Professional Engineer, to the satisfaction of the City, and Cataraqui Region Conservation Authority. Such plans shall be included in the Subdivision Agreement. The Owner shall carry out the recommendations of the report, at their expense, to the satisfaction of the City and the Cataraqui Region Conservation Authority.
- g) **That Prior to Final Plan Approval**, the Owner shall submit a detailed **Noise Impact Study** prepared to the satisfaction of the City and the Ministry of Environment. The recommendations of the Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions

whereby the Owner agrees to implement the Study recommendations to the satisfaction of the City.

- h) **That Prior to Final Plan Approval**, the Owner shall satisfy all technical, financial and other requirements of the Municipality regarding the establishment of watermain loop from Old Mill Road to Sydenham Road necessary to service the lands at the Owner's expense.

## 12) Heritage Preservation / Archaeological Assessment:

- a) That the Subdivision Agreement shall contain provisions that in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.
- b) That the Subdivision Agreement shall contain provisions that in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Office of the Chief Coroner as a part of the Ontario Ministry of the Solicitor General (1-877-991-9959), the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.
- c) **That Prior to Final Plan Approval**, the Owner shall, at its cost, construct a permanent interpretive/educational display on Block 124 at a location acceptable to the City's Heritage Services Department. The Owner shall provide the City's Heritage Services Department with the conceptual design of the display and a draft of the text for review and written approval, prior to installation.

## 13) Stormwater Management:

- a) **Following the Registration of the Final Plan of Subdivision**, Block 118 shall be deeded to the City for Stormwater Management purposes. The design of the pond's open space, including any connecting paths, shall be subject to approval by the City.
- b) **That Prior to Final Plan Approval**, the Owner shall submit lot grading and drainage plans, and erosion and sediment control plans prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City and the Cataraqui Region Conservation Authority. The approved plans shall be included in the Subdivision Agreement between the Owner and City.

- c) That as part of the plans provided for the design and layout of Block 118, a connective pathway shall be incorporated in accordance with accepted City standards linking the pathway on Block 119 with the public road network.
- d) **Prior to Final Plan Approval and Prior to any Works Commencing on the Site**, the Owner shall submit for approval by the City and the Cataraqui Region Conservation Authority (CRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
  - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
  - ii) the location and description of all outlets and other facilities;
  - iii) storm water management techniques which may be required to control minor and major flows;
  - iv) supporting calculations to demonstrate that the drainage ditch from the Cataraqui Cemetery through Block 114 into Little Cataraqui Creek will be sufficient to convey 100-year peak flows.
  - v) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
  - vi) overall grading plans for the subject lands;
  - vii) storm water management practices to be used to treat storm water, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat; and
  - viii) The final stormwater management plan should include a section that speaks to Low Impact Development (LID) stormwater management features that may be suitable for incorporation into the final stormwater system design. This section should refer to specific site conditions including geotechnical investigation for soil depths and final site grading.
- e) That the Owner shall agree to maintain all storm water management and erosion and sedimentation control structures operating and in good repair during the construction period.

**14) Parkland Conveyance / Open Space / Environmental Protection Areas:**

- a) That the Owner conveys up to 5% residential and up to 2% commercial of the land included in the Plan of Subdivision to the City for functional park or other public recreational purposes. Where the subdivision exceeds 15 units per residential hectare of land, the Owner shall convey lands for recreational purposes at a rate of one hectare (2.5 acres) for each 300 dwelling units.

Alternatively, the City may require cash-in-lieu for all or a portion of the conveyance.

- b) That the Parkland conveyance required in clause (a) may be reduced by the extent of over-dedication provided in “Purdy’s Mill Phase 2 Stages 1 and 2 Subdivision” (City of Kingston File Number: D12-005-2016), totaling 0.972 hectares.
- c) That lands to be conveyed to the City for park or other public recreational purposes shall be subject to the following conditions:
- i) That Prior to Assumption of the park, the Manager of Culture, Parks and Recreation shall be in receipt of a clearance memo from the Manager of Environment indicating that the park site is environmentally clean.
  - ii) That the Owner shall enter into a Site Access Agreement with the City to permit City staff to access the park site to complete pre-engineering, survey and design works for the park. This Agreement shall terminate once the City is deeded the land as part of Final Plan Approval.
  - iii) That Prior to the Commencement of any Clearing, Grubbing or Construction Work within 10 metres of the park blocks defined on the Draft Plan, the Owner shall:
    - (1) Install snow fencing around the periphery of the park site to protect the site. The City will be responsible for the maintenance of the fence and its removal.
    - (2) Post signage to City specifications, on all accessible sides of each park block, which indicates:
      - the future use of the block as a park; and
      - that no construction storage shall occur on this parcel of land nor shall any construction debris be dumped on this site.
  - iv) That Prior to the Transfer of Deeds for the Parkland to the City, the Manager of Culture, Parks and Recreation or designate shall inspect the park site to ensure that the park is in a clean/natural state. The conditions on the site must be satisfactory to the Manager of Culture, Parks and Recreation prior to transfer of title and the removal of the snow fencing. Should the park blocks be in an unsatisfactory state, the Owner shall be held responsible for restoring the site to the City’s satisfaction.
- d) **That Prior to Final Plan Approval**, the Owner shall prepare a **Landowner Information Package**, to the satisfaction of the City and the Cataraqui Region Conservation Authority, which shall be distributed to all prospective purchasers and shall be appended to their Agreements of Purchase and Sale or Lease. Text

shall be included in the Subdivision Agreement between the Owner and the City, to the satisfaction of the City and the Cataraqui Region Conservation Authority, to require a Notice to Purchasers that the Landowner Information Package has been prepared to provide information about the Riley House and environmental sensitivity of Little Cataraqui Creek and responsible landowner stewardship practices. The Landowner Information Package shall be registered on title of the subject property.

#### 15) Tree Inventory / Landscape Plan

- a) That prior to any grubbing/clearing or construction on parcels of land not defined as roadways or servicing easements on the draft plan, the Owner shall receive final approval from the City for a **Tree Preservation Plan** prepared for the subject lands. The final approved tree inventory plan shall be prepared by a certified arborist (ISA approved), and shall set out the surveyed locations of all trees on the site. The tree inventory shall list the species, caliper size, condition, crown radius and indicate whether the tree is to be retained or removed. If trees 6 inches (150 milometers) or more in diameter are to be removed from the subject lands, the developer will abide by the conditions of the tree removal permit under the Tree Conservation By-Law which may, at the Supervisor of Forestry's discretion, include a tree preservation plan, a tree replacement plan or cash compensation for the value of the trees to be removed. If the tree is to be removed a rationale for this action must be noted. If significant trees or groups of trees are identified to be retained in the tree inventory, a Tree Preservation Plan will be required prior to final approval at the discretion of the City. This plan shall be reviewed and approved by the City and be included as a schedule to the Subdivision Agreement. Requirements for the tree preservation plan are noted in the subdivision design guidelines produced by the City.
- b) **That Prior to Final Plan Approval**, the Owner shall submit a **Street Tree Planting Plan** prepared by a Landscape Architect to the satisfaction of the City.

#### 16) Canada Post - Community Mail Boxes:

- a) **That Prior to Final Plan Approval**, the Owner shall, in consultation with and to the satisfaction of Canada Post, identify the location of community mail boxes within the Plan, and shall identify such locations on drawings for approval by the City.
- b) **That Prior to Final Plan Approval**, the Owner shall, in consultation with and to the satisfaction of the City, provide detailed design plans for the community mail boxes including a landscape plan showing street furniture and complimentary architectural features.



- c) That the Owner shall provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
- d) **That prior to Final Plan Approval**, the Owner shall enter into a Community Mailbox Developer Agreement and pay the Address Activation Fee with Canada Post Corporation for the installation of Community Mail Boxes as required by Canada Post.
- e) That the Owner shall identify in all offers of purchase and sale, or lease for all lots and blocks within this Plan that mail delivery will be provided via a community mail box, provided that the Owner has paid for the activation and equipment installation of the community mail box, and the locations of all community mail boxes within this Plan. A Notice to Purchasers shall also be included in the Subdivision Agreement to this effect.

**17) Bell Canada Requirements:**

That the Owner shall meet the following conditions of Bell Canada:

- a) that the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunications services; and,
- b) that the Owner shall be requested to enter into an Agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the City, or if no such conditions are imposed, the Owner shall advise the Municipality of the arrangements for servicing.
- c) The Owner is hereby advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the Municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

**18) Enbridge Gas Requirements:**

- a) That the Owner shall provide Enbridge Gas the necessary easement and/or agreements required by Enbridge Gas for the provision of gas services for this project, in a form satisfactory to Enbridge.

**19) Hydro One Requirements**

- a) **Prior to Final Plan Approval**, the Owner shall submit to Hydro One the lot grading and drainage plan, showing existing and final grades, for review and approval. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.
- b) Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the transmission corridor. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.
- c) Temporary fencing must be placed along the transmission corridor at the Owner's expense prior to construction, and permanent fencing must be erected along the common property line at the Owner's expense after construction is completed.
- d) The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the Owner. The developer will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the subdivision.
- e) Any proposed secondary land use on the transmission corridor is processed through the Provincial Secondary Land Use Program (PSLUP). The developer must contact HONI at (905) 946-6232 to discuss all aspects of the subdivision design, ensure all of HONI's technical requirements are met to its satisfaction, and acquire the applicable agreements.

**20) Utilities Kingston Requirements**

- a) **Prior to Final Plan Approval**, the Owner shall satisfy all technical, financial and other requirements of Utilities Kingston regarding the design, installation, connection and/or expansion of water distribution services and sanitary sewer collection services, or any other related matters.
- b) **Prior to Final Plan Approval**, the Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or

proposed systems in surrounding Plans, all in accordance with Municipal standards and specifications.

- c) **Prior to Final Plan Approval**, the Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of Utilities Kingston and the City.
- d) **Prior to Final Plan Approval**, the prior to final Plan Approval the Owner shall satisfy all technical, financial and other requirements of Utilities Kingston regarding the establishment of wastewater capacity necessary to service the lands at the Owners expense in accordance with the following:
- e) **Prior to Final Plan Approval**, the Owner shall, subject to the written approval of Utilities Kingston, acquire independent third party professional engineering services to review the estimated wastewater flows generated by this development along with the estimated flows from all contributing areas within the sanitary sewer shed and undertake an impact assessment of those existing and proposed flows on the current rated capacity as established in the ECA of the John Counter Blvd Pumping Station
- f) **Prior to Final Plan Approval**, the Owner shall, through the independent third party professional engineering services, identify all required capital improvements, upgrades or works necessary to meet the standard operating practices of Utilities Kingston for wastewater pumping stations that address the total proposed and existing wastewater flows, and
- g) **Prior to Final Plan Approval**, the Owner shall apply for and obtain any amended ECA, subject to the City of Kingston Consolidated Linear Infrastructure ECA (CLI-ECA 018-W601), to satisfy the new requirements of this existing facility; and
- h) **Prior to Final Plan Approval**, the Owner shall either:
  - i) construct the identified required upgrades or works to the John Counter Blvd Pumping Station as part of the obligations contained in the Subdivision Agreement to be registered against the lands; or
  - ii) provide financial securities in a form of an Irrevocable Letter of Credit or in a form satisfactory to the City of Kingston for 100% of the total estimated cost to complete the required upgrades or works, inflated at a rate of X% [this number needs to be confirmed with our finance teams] per year from 2024 to 2032.
- i) Text shall be included in the Subdivision Agreement between the Owner and the City, to the satisfaction of the City, wherein the Owner shall agree that at the time Utilities Kingston, at its sole and unfettered discretion, decides to undertake

the required upgrades or works at the John Counter Boulevard Pumping Station, to either: replace the letter of credit with a certified cheque equal to the greater value of the letter of credit or of the Construction Contract as payment for the works; or, acknowledge that the City shall have the right to cash the letter of credit as payment for the required works.

### **21) Kingston Transit**

- a) Prior to Final Plan Approval, the Owner shall design and install curbside concrete pads measuring 10 metres by 4 metres at the east and west sides of Old Mill Road at the intersections of 'Street A' and 'Street B', the exact location of which shall be to the satisfaction of the City. The City shall also collect securities for these works through the Subdivision Agreement.

### **22) Cataraqui Region Conservation Authority**

- a) That the Subdivision Agreement shall contain text to the satisfaction of the City and the CRCA notifying the Owner that permission will be required under Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits, prior to commencing excavation, rough grading, stockpiling, etc. within 15 metres of the regulatory flood plain of Little Cataraqui Creek and within 30 metres of any other watercourse or wetland on or near the subject lands.
- b) That the Subdivision Agreement shall contain text to the satisfaction of the City and the CRCA to provide notice to purchasers of Lots 14 through 25 that site alteration and construction (including but not limited to buildings, structures, filling and grading) on these lots will require permission from CRCA under Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits prior to commencing these activities.

### **23) Warning Clauses:**

That the Owner shall cause the following warning clauses to be included in all agreements of purchase and sale, or lease for all lots / blocks within this Plan.

- a) within the entire subdivision plan:
  - "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
  - "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
- b) abutting any open space, woodlot or storm water facility:
  - "Purchasers and/or tenants are advised that the adjacent open space, woodlot or storm water management facility may be left in a naturally vegetated condition and receive minimal maintenance."

- 
- c) abutting a park block:
    - “Purchasers and/or tenants are advised that the lot abuts a public park”, and that noise and lighting should be expected from the designed active use of the park.”
  - d) abutting any open space:
    - “Purchasers and/or tenants are advised that the adjacent open space may be left in a naturally vegetated condition and receive minimal maintenance.”
  - e) Block 124:
    - “Purchasers and/or tenants are advised that the property is designated under Part IV of the Ontario Heritage Act and pursuant to By-Law 2024-176. Alterations and new construction (including but not limited to buildings, structures, signage, etc.) on this lot may require permission from City under the Ontario Heritage Act.”

**24) Model Homes:**

- a) That where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an Agreement with the Municipality, setting out the conditions, and shall fulfill all relevant conditions of that Agreement prior to issuance of a building permit.

**25) General Conditions:**

- a) **That Prior to Final Plan Approval**, the Applicant will submit a detailed account of how each Condition of Draft Plan Approval has been satisfied.
- b) That the Owner shall pay any and all outstanding application fees to the Planning Services Department, in accordance with the Municipality’s Fees and Charges By-Law.
- c) That when requesting Final Approval from the Municipality, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor’s certificate stating that the lots/blocks thereon conform to the frontage and area to the requirements of the Zoning By-Law.
- d) That the Owner agrees to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
- e) That the Owner agrees that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing prior to assumption of the works by the Municipality.

- f) **That Prior to Final Plan Approval**, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent, built or proposed, that have been designed and oversized by others to accommodate the subject plan.
- g) That the Owner shall agree to erect fencing in the locations and of the types as shown on the approved subdivision works drawings and as required by the Municipality.
- h) The Owner shall agree that no building permits, with the exception of model homes, will be applied for until the Municipality is satisfied that adequate access, municipal water, sanitary and storm services are available.

**26) Clearance Letters:**

- a) **That Prior to Final Plan Approval**, the approval authority shall advise that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
- b) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by the Cataraqui Region Conservation Authority the method by which Conditions 11(e); 13(b), (c); and (d); 14(d); and, 22 have been satisfied.
- c) **That Prior to Final Plan Approval**, the City is to be advised in writing by Canada Post the method by which Condition 16 has been satisfied.
- d) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Bell Canada the method by which Condition 17 has been satisfied.
- e) **That prior to Final Plan Approval**, the City is to be advised in writing by Enbridge Gas the method by which Condition 18 has been satisfied.
- f) **That prior to Final Plan Approval**, the City is to be advised in writing by Hydro One the method by which Condition 19 has been satisfied.

**27) Lapsing Provisions:**

- a) That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of **three (3) years from the date of issuance of Draft Plan Approval** if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.
- b) That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the approval authority for an extension to this Draft Plan Approval. The extension period shall be for a maximum of two (2) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered

at the discretion of the approval authority where there are extenuating circumstances.

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**Notes To Draft Plan Approval:**

- 1) It is the Applicant's responsibility to fulfill the foregoing Conditions of Draft Plan Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Planning Services Department of the City of Kingston.
- 2) **Prior to Final Plan Approval**, the Applicant shall submit to the City of Kingston for review four (4) draft copies of all Reference Plans and Surveys and three (3) draft copies of the Final M-Plan.
- 3) When requesting final approval, such a request must be directed to the Planning Services Department and be accompanied with:
  - a) Eight (8) mylars and four (4) paper prints of the completed Final M-Plan,
  - b) Four (4) copies of all Reference Plans and (4) copies of all Conveyance Documents for all easements and lands being conveyed to the Municipality; and,
  - c) A Surveyor's Certificate to the effect that the lots and blocks on the Plan conform to the Zoning By-Law.
- 4) All measurements in subdivision final plans must be presented in metric units.
- 5) Hydro One advises that an electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating **"DANGER – Overhead Electrical Wires"** in all locations where personnel and construction vehicles might come in close proximity to the conductors.
- 6) The Final Plan approved by the Municipality must be registered within thirty (30) days or the Municipality may, under Subsection 51(59) of the *Planning Act*, withdraw its approval.

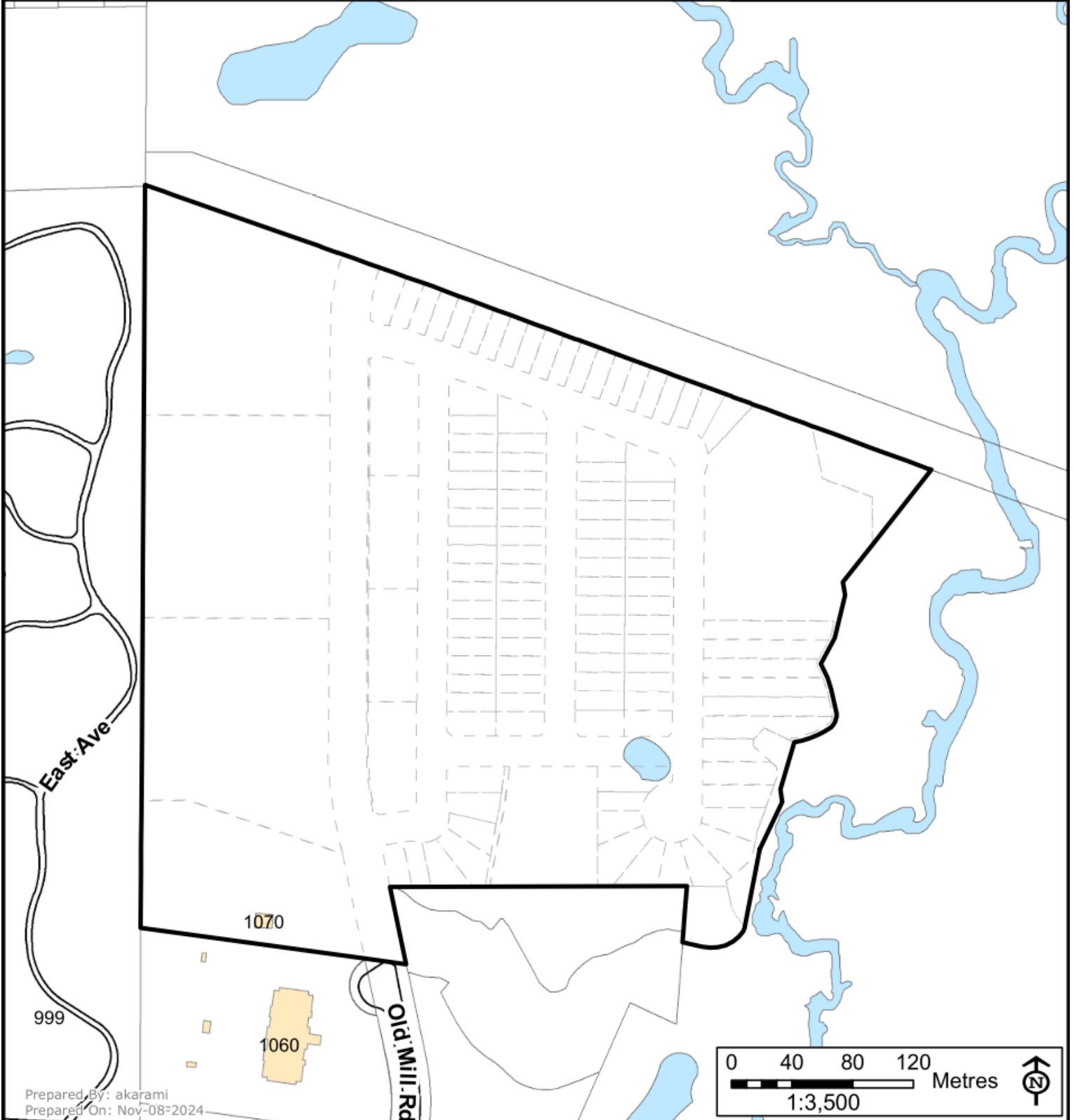
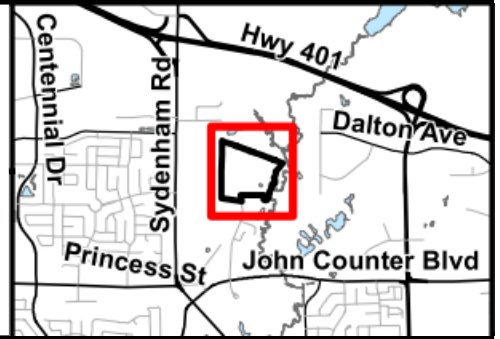




# Planning Committee Key Map

Address: 999 Purdy's Mill  
File Number: D35-002-2020  
Prepared On: Nov-08-2024

 Subject Lands



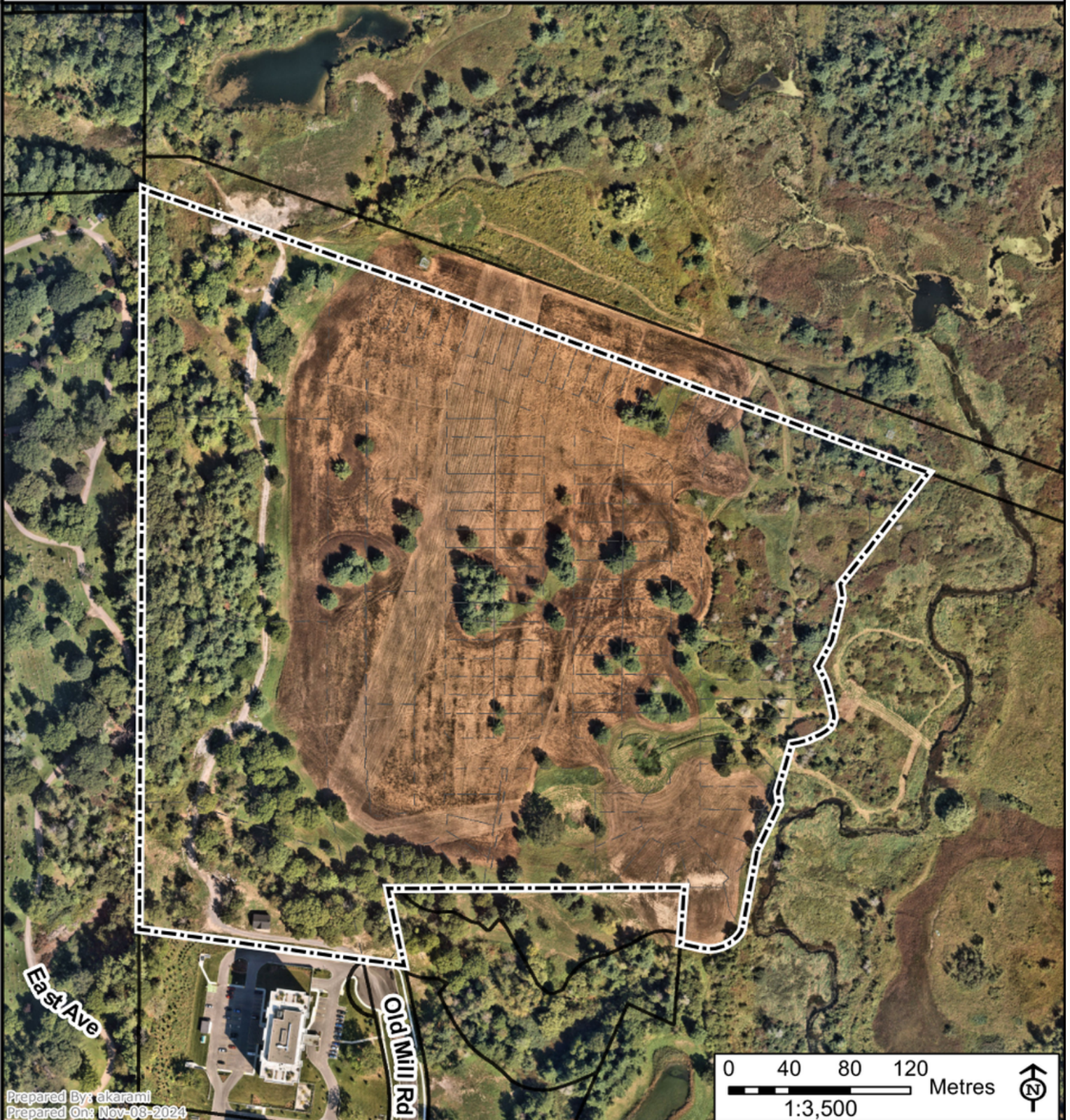
Prepared By: akarami  
Prepared On: Nov-08-2024



# Planning Committee Neighbourhood Context

Address: 999 Purdy's Mill  
File Number: D35-002-2020  
Prepared On: Nov-08-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: akarami  
Prepared On: Nov-08-2024

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**Demonstration of How the Proposal is Consistent with the Provincial Planning Statement (2024)**

Policy	Conformity with the Policy
<b>2.1 Planning for People and Homes</b>	
<p><b>2.1.4.</b> To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <ul style="list-style-type: none"> <li>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and</li> <li>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.</li> </ul>	<p>The development affords a range and mix of housing at an appropriate density which will help fulfill the projected needs of the city in a draft approved state until such time as the developer proceeds to final registration.</p>
<b>2.2 Housing</b>	
<p><b>2.2.1.</b> Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</p> <ul style="list-style-type: none"> <li>b) permitting and facilitating: <ul style="list-style-type: none"> <li>2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas)</li> </ul> </li> </ul>	<p>The development represents intensification and provides a range and mix of housing through the provision of high- and mid-rise residential apartments as well as low-rise residential lots intended to accommodate single- and semi-detached homes. The mid-rise development includes a commercial component, while the heritage block is afforded additional non-residential uses, both of which are intended to encourage active transportation and being transit-supportive.</p>

Policy	Conformity with the Policy
<p>for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;</p> <p>c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and</p> <p>d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.</p>	
<b>2.3 Settlement Areas and Settlement Area Boundary Expansions</b>	
<p><b>2.3.1.1.</b> Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.</p>	<p>The development is located within the settlement area and would help the City accommodate a larger share of anticipated growth within this area.</p>
<p><b>2.3.1.2.</b> Land use patterns within settlement areas should be based on densities and a mix of land uses which:</p> <p>a) efficiently use land and resources;</p> <p>b) optimize existing and planned infrastructure and public service facilities;</p> <p>c) support active transportation;</p>	<p>The site makes use of an underutilized parcel of land making efficient uses of resources and infrastructure.</p> <p>The transit-supportive nature of the development which includes the higher density, mix of unit types, and inclusion of commercial uses also encourages active transportation.</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<ul style="list-style-type: none"> <li>d) are transit-supportive, as appropriate; and</li> <li>e) are freight-supportive.</li> </ul>	
<p><b>2.3.1.3.</b> Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.</p>	<p>See Section 2.2.1.</p>
<p><b>2.3.1.3.</b> Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.</p>	<p>The proposed development would help the City meet its planned targets for intensification within the built-up areas as set out in the Official Plan.</p>
<p><b>2.9 Energy Conservation, Air Quality and Climate Change</b></p>	
<p><b>2.9.1.</b> Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:</p> <ul style="list-style-type: none"> <li>a) support the achievement of compact, transit-supportive, and complete communities;</li> <li>b) incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;</li> <li>c) support energy conservation and efficiency;</li> <li>d) promote green infrastructure, low impact development, and active transportation, protect</li> </ul>	<p>See Section 2.2.1.</p> <p>The proposed development maximizes the retention of trees on site which serve a dual purpose of providing vegetative screening from the Cataraqui Cemetery. Green infrastructure, in the form of a stormwater a management pond has been provided on site and the subdivision is complimented with a network of paths and open space trials.</p>

Policy	Conformity with the Policy
<p>the environment and improve air quality; and</p> <p>e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.</p>	
<b>3.1 General Policies for Infrastructure and Public Service Facilities</b>	
<p><b>3.1.1.</b> Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.</p> <p>Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:</p> <p>a) are financially viable over their life cycle, which may be demonstrated through asset management planning;</p> <p>b) leverage the capacity of development proponents, where appropriate; and</p> <p>c) are available to meet current and projected needs.</p>	<p>The subdivision has been designed at a density which will help leverage the City's infrastructure assets.</p>
<b>3.5 Land Use Compatibility</b>	
<p><b>3.5.1.</b> Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with</p>	<p>The applicant has submitted a Noise Impact Study which established mitigation strategies for the sensitive (i.e., residential) land use to ensure compliance with provincial guidance set out in NPC-300. The recommendations will form a part of the amending subdivision agreement.</p>

Policy	Conformity with the Policy
provincial guidelines, standards and procedures.	
<b>3.5.2.</b> Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.	See 3.5.1.
<b>3.6 Sewage, Water and Stormwater</b>	
<b>3.6.2.</b> Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	The subject lands make use of municipal servicing.
<b>3.6.8.</b> Planning for stormwater management shall:  a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and	Stormwater has been addressed through appropriate stormwater management controls including a stormwater management pond at the northeast corner of the site and will be vegetated.

Policy	Conformity with the Policy
<p>financially viable over their full life cycle;</p> <p>b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;</p> <p>c) minimize erosion and changes in water balance including through the use of green infrastructure;</p> <p>d) mitigate risks to human health, safety, property and the environment;</p> <p>e) maximize the extent and function of vegetative and pervious surfaces;</p> <p>f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and</p> <p>g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.</p>	
<p><b>3.9 Public Spaces, Recreation, Parks, Trails and Open Space</b></p>	
<p><b>3.9.1.</b> Healthy, active, and inclusive communities should be promoted by:</p> <p>a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active</p>	<p>See Section 2.2.1.</p>



Policy	Conformity with the Policy
<p>transportation and community connectivity;</p> <p>b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;</p> <p>c) providing opportunities for public access to shorelines; and</p> <p>d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.</p>	
<p><b>4.1 Natural Heritage</b></p>	
<p><b>4.1.1.</b> Natural features and areas shall be protected for the long term.</p>	<p>The applicant has submitted an Environmental Impact Study which has demonstrated that the site can be developed without adverse impacts to the surrounding natural features subject to mitigation measures which will be set out in the subdivision agreement.</p>
<p><b>4.1.2.</b> The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.</p>	<p>See Section 4.1.1. and 2.9.1.</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p><b>4.1.5.</b> Development and site alteration shall not be permitted in:</p> <ul style="list-style-type: none"> <li>a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;</li> <li>b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;</li> <li>c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;</li> <li>d) significant wildlife habitat;</li> <li>e) significant areas of natural and scientific interest; and</li> <li>f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 4.1.4.b),</li> </ul> <p>unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.</p>	
<p><b>7.</b> Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.</p>	<p>The Environmental Impact Study has demonstrated that the site can be developed in a compatible way with the surrounding natural features. A butternut health assessment was conducted which found one 'Category 3' butternut tree for which the placement of the high-rise buildings were redesigned to achieve a 25 metre building setback.</p>
<p><b>8.</b> Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4,</p>	<p>See Section 4.1.1.</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p>4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.</p>	
<p><b>4.2 Water</b></p>	
<p><b>4.2.2.</b> Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.</p>	<p>The site will be serviced with municipal water and wastewater. There is no anticipated impact on the hydrologic function of any ground water resources.</p>
<p><b>4.6 Cultural Heritage and Archaeology</b></p>	
<p><b>4.6.1.</b> Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.</p>	<p>The applicant has submitted a Cultural Heritage Impact Study which was supplemented by the submission of two Appendices which addressed the revised proposal in the context of the Cataraqi Cemetery National Historic Site of Canada and the Riley Farmhouse.</p> <p>In regards to the Cataraqi Cemetery , the report stated that “the rotation of two of the three proposed buildings as well as the reduction of storeys across all three buildings has significantly reduced visual impact from every view presented [ . . . ] the distance from the eastern property line, the lower topographical level on the development site, the thick layer of tree-plantings and the repetitive format of the new buildings, all contribute to the natural screening or reduced visual intrusion upon the historic resources of the Cataraqi Cemetery.” And that, the “overall impact is minor enough that it does</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
	<p>not prevent the on-site viewer from understanding the value of the historic place; nor does it restrict or detract from the viewers enjoyment of the historic resource in material or meaningful ways.”</p> <p>In regards to the Riley Farmhouse, the report stated that “The existing topography and vegetation conditions has resulted in minimal and acceptable levels of visual impact of the Phase Two proposed buildings upon the Riley House historic place.</p>
<p><b>4.6.2.</b> Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.</p>	<p>The site has been cleared of archaeology</p>
<p><b>4.6.3.</b> Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.</p>	<p>See Section 4.6.1</p>
<p><b>6.1 General Policies for Implementation and Interpretation</b></p>	
<p><b>6.</b> Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.</p>	<p>The Zoning By-law amendment will incorporate those portions of the subject lands within the former zoning by-law into the Kingston Zoning By-law 2022-62.</p>

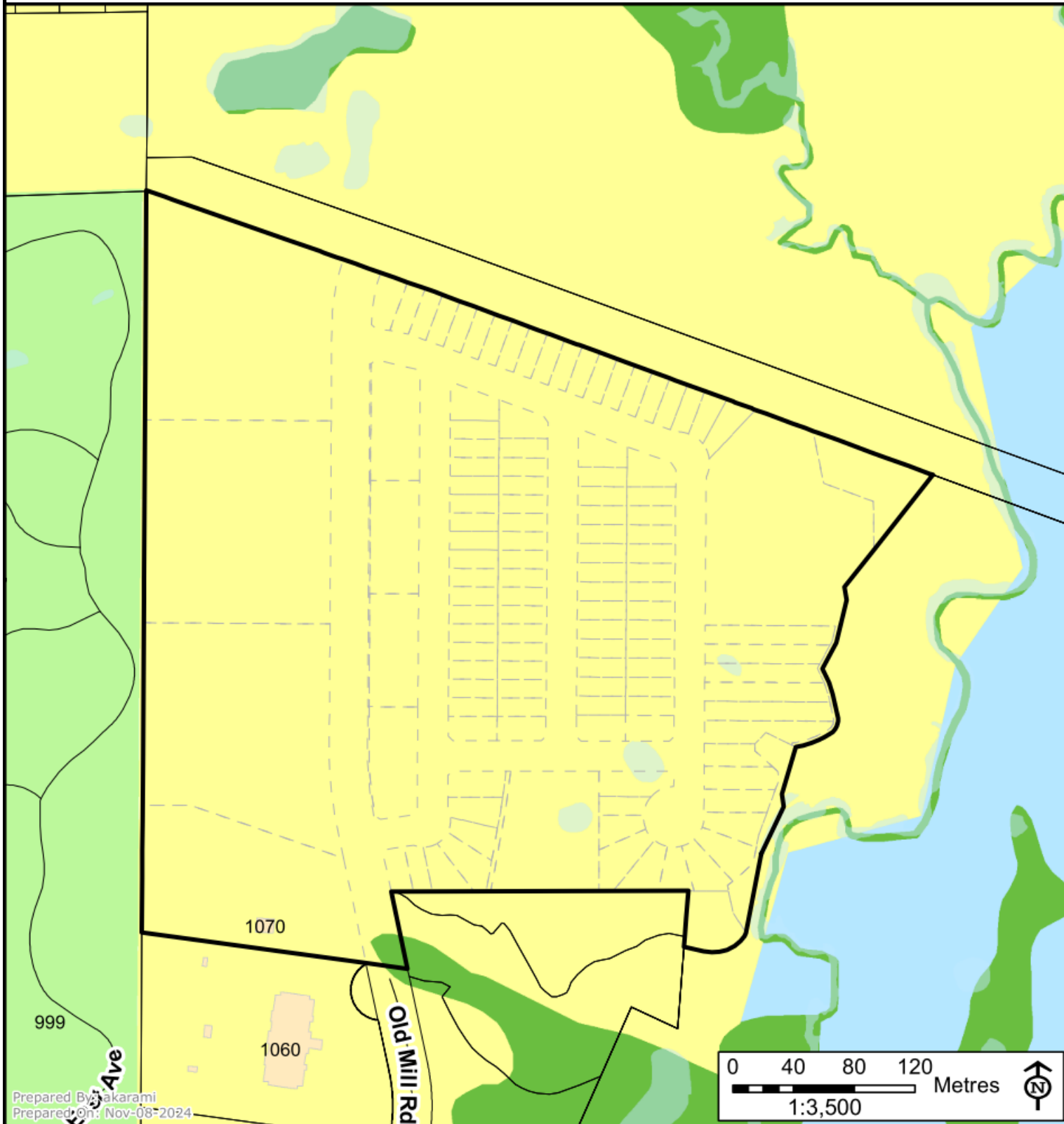


Planning Services

Planning Committee  
Official Plan, Existing Land Use

Address: 999 Purdy's Mill  
File Number: D35-002-2020  
Prepared On: Nov-08-2024

-  Subject Lands
-  ENVIRONMENTAL PROTECTION AREA
-  GENERAL INDUSTRIAL
-  OPEN SPACE
-  RESIDENTIAL



Prepared By: Sakarami  
Prepared On: Nov-08-2024

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**Demonstration of How the Proposal Conforms to the Official Plan**

Policy	Conformity with the Policy
<b>Section 2: Strategic Policy Direction</b>	
<p><b>2.1.1</b> Most growth will occur within the Urban Boundary, shown on Schedule 2, where development will be directed to achieve greater sustainability through:</p> <ul style="list-style-type: none"> <li>a. appropriate (minimum) densities;</li> <li>b. land use patterns that foster transit and active transportation;</li> <li>c. enhanced access to public amenities and spaces for all residents, visitors and workers;</li> <li>d. opportunities for sharing resources such as parking, utilities, and the land base for locally grown produce, in the form of urban agriculture, as well as educational, recreational or cultural assets;</li> <li>e. direction of new development and key land uses to areas where they can best result in sustainable practices;</li> <li>f. promotion of employment opportunities and alliances that enhance local skills, educational resources and the use of local products, including food;</li> <li>g. maximized use of investments in infrastructure and public amenities;</li> <li>h. strategies that will revitalize both neighbourhoods and employment areas, and rehabilitate brownfield sites for re-use;</li> <li>i. parks that are planned to be accessed by urban residents within a ten minute walk and situated in locations that lessen the need for</li> </ul>	<p>The proposed subdivision is located within the City’s Urban Boundary and achieves a net density of 60 units per hectare through a range of housing types.</p> <p>The density together with the mix of unit types and the inclusion of commercial components foster transit use and active transportation.</p> <p>The subdivision provides for two park blocks which total 0.63 hectares in size as well a variety of open space and connective walkways intended to service the area residents in a manner which promotes access and enjoyment of the area’s natural features.</p> <p>The site’s high-rise and mid-rise blocks take advantage of shared recreational assets and parking, respectively, with the blocks providing a shared pool, and shared driveway entrances making better use of resources.</p> <p>The Zoning amendment has incorporated broader permission for non-residential use on the heritage block which is intended to help this larger lot evolve in manner which can capitalize on its historic attributes.</p> <p>The development ensures that the city’s investments in infrastructure and public amenities are maximized by providing density in an infill context and also providing linkages to Cataraqui Woods Drive the extension of which has been a</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p>pedestrians to cross an arterial road or major highway;</p> <ul style="list-style-type: none"> <li>j. where possible, the preservation of mature trees for shade and their other beneficial ecological and community effects;</li> <li>k. climate positive development;</li> <li>l. promotion of green infrastructure to complement infrastructure;</li> <li>m. encouraging a mix of land uses that provide for employment, education, personal service and convenience retail in close proximity to residential land uses, subject to compatibility matters as outlined in Section 2.7; and,</li> <li>n. an ecosystem approach to protecting the natural heritage system.</li> </ul>	<p>planned transportation project set out in the City's Official Plan.</p> <p>The Subdivision's parks provide outdoor amenity to area residents with less than a ten minute walk.</p> <p>The layout of the subdivision and the configuration of the high-rise apartments have gone to great lengths to preserve the natural tree canopy including a large.</p> <p>Green infrastructure has been incorporated into the subdivision in the form of a storm water management pond at the northeast corner of the site. In addition to controlling for water quality and quantity, the future landscaping and vegetation of this green infrastructure provides shading, aesthetic, safety, pollutant removal and other benefits.</p> <p>The subdivision hosts a range of building types as well as land uses. A commercial component within the southern mid-rise building as well as increased commercial uses allowed on the heritage designated property will allow opportunities for personal service and convenience retail in close proximity to the residents of the proposed subdivision.</p>
<p><b>2.2.4</b> The Urban Boundary shown by the dashed line on Schedule 2 has been established to recognize the substantially built up areas of the City where major sewer, water and transportation infrastructure has been planned. The land within the Urban Boundary will be the focus of growth and development in the City and contains sufficient land to accommodate the projected growth for a planning horizon of 2036. The Area</p>	<p>The subject lands are within the urban boundary and the subdivision capitalizes on the planned extension of Cataraqui Woods Drive as well as making use of existing services. The development will help achieve its goal of accommodating the projected growth within the urban boundary.</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p>Specific Phasing area within the Urban Boundary is subject to site-specific urban growth management policies. The Special Planning Area sites are also within the Urban Boundary and are now committed to a substantial land use but could accommodate future growth.</p>	
<p><b>2.2.5</b> Housing Districts are planned to remain stable in accordance with Section 2.6 of this Plan, but will continue to mature and adapt as the City evolves. Re-investment and upgrading will be encouraged through minor infilling and minor development (i.e., that which can integrate compatibility within the prevailing built form standards of height, density and amenity that are generally found in the neighbourhood). Housing Districts will be designated for residential uses of different types, but will also contain areas of open space, community facilities and commercial uses.</p>	<p>The subject lands represent undeveloped lands within an identified Housing District and integrate compatibly with the prevailing built form in terms of height, density and amenity that are found in the neighbourhood, being a continuation of the prior phases immediately south.</p>
<p><b>2.3.1</b> The focus of the City's growth will be within the Urban Boundary, shown on Schedule 2, where adequate urban services exist, or can be more efficiently extended in an orderly and phased manner, as established by this Plan. Kingston's Water Master Plan and Sewer Master Plan will guide the implementation of the infrastructure planning.</p>	<p>While the site makes use of existing services, the development relies upon the planned connection to Catarqui Woods Drive to the north of the site as a means of providing a 'looped' connection of water services to reduce customer impacts in the event of future repairs and improve winter performance of the system and meeting access requirements established in the City's subdivision design guidelines.</p>
<p><b>2.3.2</b> In 2013, residential density within the City's Urban Boundary was 25.7 units per net hectare. The City intends to increase the overall net residential and non-residential density within the Urban Boundary through compatible and</p>	<p>The proposed development achieves a density of 60 units per net hectare (50 per gross hectare) helping to increase the density within the urban</p>



<b>Policy</b>	<b>Conformity with the Policy</b>
<p>complementary intensification, the development of under-utilized properties and brownfield sites, and through the implementation of area specific policy directives tied to Secondary Planning Areas and Specific Policy Areas, as illustrated in Schedule 13.</p>	<p>boundary in a compatible manner (see also Section 7.1.7).</p>
<p><b>2.4.1</b> The City supports sustainable development of a compact, efficient, urban area with a mix of land uses and residential unit densities that optimize the efficient use of land in order to:</p> <ul style="list-style-type: none"> <li>a. reduce infrastructure and public facility costs;</li> <li>b. reduce energy consumption and greenhouse gas emissions;</li> <li>c. support active transportation and viable public transit;</li> <li>d. conserve agriculture and natural resources within the City; and</li> <li>e. reduce reliance on private vehicles.</li> </ul>	<p>The proposed development relies predominantly on existing infrastructure while also creating four new roads and the extension of Old Mill Road which would be local roads developed through the subdivision process.</p> <p>The development proposes a mix of uses and unit types and achieves minimum densities which are all critical to support the introduction of viable transit service in the future and the subdivision agreement would require the provision of concrete pads for ready adoption of this service.</p> <p>Through directing residential growth to the urban area, the proposed development reduces the pressures on the City's agricultural and natural resources. The subdivision is bound by the limit of the flood plain associated with the Little Cataraqui Creek and the Environmental Impact study has demonstrated that there would be no negative impacts as a result of the proposed development.</p> <p>The subdivision includes commercial space which is intended to address some of the amenity needs of the future residents and has been designed in a transit supportive manner which is intended to reduce the reliance on private vehicles.</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p><b>2.4.5</b> The City has established the following minimum targets for intensification to occur within the Urban Boundary.</p> <p>a. It is the intent of the City that 40 percent (%) of new residential development occur through intensification.</p> <p>b. It is the intent of the City that ten percent (10%) of new non-residential development occur through intensification.</p>	<p>The proposed development will help the City achieve its goal of achieving residential and non-residential growth through intensification.</p>
<p><b>2.6.1</b> It is the intent of this Plan to promote development in areas where change is desired while protecting stable areas from incompatible development or types of development and rates of change that may be destabilizing.</p>	<p>The proposed development is not anticipated to have any effect on the existing stable residential areas given the similar built form and the location of this phase being to the north of the existing residential area which prevents shadows and overlook.</p>
<p><b>2.6.3</b> Stable areas will be protected from development that is not intended by this Plan and is not compatible with built heritage resources or with the prevailing pattern of development in terms of density, activity level, built form or type of use. The following types of intensification are generally considered appropriate within stable areas:</p> <p>a. infill development that is limited and designed to complement the area's existing built form, architectural and streetscape character, and level of activity;</p> <p>b. on lands designated Residential, intensification through the development of second residential units that is undertaken in accordance with Section 3.3.11 is considered to be compatible with stable areas;</p>	<p>The subdivision represents infill development within the urban boundary which takes advantage of a large vacant tract of land which had a history of site disturbance from farming and aggregate extraction. The mix of high- mid and low rise development continues the built form of the surrounding area through the extension of Old Mill Road and internal low-rise residences which flank the areas open space and natural features.</p> <p>Given the above and the comments throughout, the development is not anticipated to have an adverse impact on the surrounding stable residential areas</p> <p>The apartment buildings have been designed to be compatible with the surrounding uses including the</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p>c. on lands designated Residential, intensification through conversion within the existing building envelope provided it is demonstrated the conversion is compatible with existing development taking into account the policies of Section 2.7; and</p> <p>d. intensification that requires a zoning by-law amendment or minor variance in support of factors that may affect the intensity of use (e.g., density, building height, reduction in parking and/or amenity areas, etc.) provided it can be demonstrated that the proposal will:</p> <ul style="list-style-type: none"> <li>• complement existing uses in the area;</li> <li>• support a transition in density and built form;</li> <li>• support active transportation and public transit; and</li> <li>• be compatible with existing development taking into account the policies of Section 2.7 of this Plan.</li> </ul>	<p>natural features to the east through the transition to the site's low-rise built form to the continuation of the high-rise built form along Old Mill Road. Considerable attention has been paid to the compatibility with the abutting cemetery to the west of the site (see also Section 7.1.7) with the buildings taking advantage of the topography and natural vegetation to reduce the extent of visual intrusion into the Cataraqui Cemetery.</p> <p>The development achieves transit supportive goals including the mix of uses, unit types, and of sufficient density to allow future contemplation of transit (see also Section 2.1.1).</p> <p>The environmental impact study has demonstrated that the site can be developed in a compatible way with the surrounding natural features. A butternut health assessment was conducted which found one 'Category 3' butternut tree for which the placement of the high-rise buildings were redesigned to achieve a 25 metre building setback.</p> <p>The applicant submitted a Traffic Impact Study to the satisfaction of City staff which demonstrated the additional residences can be accommodated without adverse impact on the road network.</p> <p>Through the use extension of services along Cataraqui Woods Drive, services will be 'looped' to ensure future service levels will be maintained.</p>
<p><b>2.7.1</b> Development and/or land use change must demonstrate that the resultant</p>	<p>Land Use Compatibility Principles – Compatible Development and Land Use Change</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p>form, function and use of land are compatible with surrounding land uses.</p>	
<p><b>2.7.3</b> The land use compatibility matters to be considered under Section 2.7.2 include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a. shadowing;</li> <li>b. loss of privacy due to intrusive overlook;</li> <li>c. increased levels of light pollution, noise, odour, dust or vibration;</li> <li>d. increased and uncomfortable wind speed;</li> <li>e. increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;</li> <li>f. environmental damage or degradation;</li> <li>g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;</li> <li>h. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;</li> <li>i. visual intrusion that disrupts the streetscape or buildings;</li> <li>j. degradation of cultural heritage resources;</li> <li>k. architectural incompatibility in terms of scale, style, massing and colour; or,</li> <li>l. the loss or impairment of significant views of cultural heritage resources</li> </ul>	<p>The high-rise buildings have been reconfigured to prevent adverse impact upon the surrounding land use including the Cataraqui Cemetery (see also Section 7.1.7). The Cemetery Views package submitted as an Appendix to the Cultural Heritage Impact Study has demonstrated that there will not be adverse loss of privacy due to overlook or other visual intrusion (Exhibit L - Excerpt of Cemetery Views). The report concludes that while visible from certain vantage points, the presence of the buildings would not prevent the normal user of the site from understanding the value of the historic place. The redevelopment similarly affords protection from the Riley House (see also Section 2.1.1).</p>

Policy	Conformity with the Policy
<p>and natural features and areas to residents.</p>	
<p><b>2.7.6</b> Only development proposals that meet the long-term needs of the intended users or occupants will be supported. Proponents, whether developing individual buildings on a single site, or multiple buildings being built at one time or phased over time, will be required to demonstrate to the satisfaction of the City that the functional needs of the occupants or users will be met by providing:</p> <ol style="list-style-type: none"> <li>a. suitable scale, massing and density in relation to existing built fabric;</li> <li>b. appropriate landscaping that meets or improves the characteristic green space amenity of the site and surroundings and enhances the City’s tree planting program;</li> <li>c. adequate land area and appropriate site configuration or provision for land assembly, as required;</li> <li>d. efficient use of municipal services, including transit;</li> <li>e. appropriate infill of vacant or under-utilized land; and,</li> <li>f. clearly defined and safe:             <ul style="list-style-type: none"> <li>• site access;</li> <li>• pedestrian access to the building and parking spaces;</li> <li>• amenity areas;</li> <li>• building entry; and,</li> <li>• parking and secure and appropriate bicycle facilities.</li> </ul> </li> </ol>	<p>See Sections 2.1.1. and 7.1.7.</p>

Policy	Conformity with the Policy
<b>Section 3 – Land Use Designations &amp; Policy</b>	
<p><b>3.3.8</b> Within the Urban Boundary, intensification through moderate increases in building height or density may be considered at the edge of neighbourhoods, provided that the development is adjacent to one or more of the following: transit routes, community facilities, areas of open space, or mixed use Centres or Corridors, as identified on Schedule 2.</p>	<p>The development is extensively serviced by open space and is within walking distance to lands designated for commercial. While transit is slightly outside of the typical walking distance of 600 metres, the development is highly transit supportive which would facilitate future integration of that service.</p>
<p><b>3.3.10</b> The City’s affordable housing initiatives are designed to support development of housing that is affordable for low and moderate income households and to help households transition out of core housing need. Affordable initiatives are designed to provide a full range of housing in terms of tenure, affordability, accessibility, and locations in different urban residential neighbourhoods, to increase choice for low and moderate income households. Such initiatives include:</p> <ul style="list-style-type: none"> <li>a. a minimum target that 25 percent of all new housing in the City be affordable to low and moderate income households.</li> <li>b. in accordance with Section 9.5.25 of this Plan, where an increase in height, density or both, is requested, the City will place a high priority on the provision of affordable housing where community benefits are requested. This affordable housing contribution may take the form of affordable housing construction on-site, the conveyance of land near the proposed development site, or cash-in-lieu for the purpose of constructing</li> </ul>	<p>The residential development will bring additional units to the market helping put downward pressure on housing prices.</p>

Policy	Conformity with the Policy
<p>affordable housing, with each site negotiated on an individual basis;</p> <p>a. Municipal Non-Profit Housing Corporation or other not-for-profit housing associations that may acquire, assemble, rehabilitate or dispose of lands, buildings or structures for the purpose of providing residential units;</p> <p>d. the use of surplus lands owned by the municipality and other governmental agencies be considered for affordable housing as promoted in Section 9.9.4 of this Plan;</p> <p>e. promoting the development of not-for-profit housing projects by cooperative and not-for-profit housing organizations;</p> <p>f. the use of upper storey space in mixed use commercial development through such mechanisms as reduced parking requirements, financial incentives, or other programs;</p> <p>g. participation in programs of higher levels of government, and conformity with legislation of higher levels of government;</p> <p>h. other initiatives suggested through the City of Kingston 10-Year Municipal Housing and Homelessness Plan (2013), as may be amended from time to time;</p> <p>i. monitoring the development and availability of affordable housing, including by:</p> <ul style="list-style-type: none"> <li>• tracking the percentage and number of new affordable housing units, with reference to the 25 percent target</li> </ul>	

Policy	Conformity with the Policy
<p>and information provided as required in Section 9.12.2.c.;</p> <ul style="list-style-type: none"> <li>• tracking the number of affordable housing units that receive affordable housing capital funding;</li> <li>• tracking the number of building permits issued for second residential units; and,</li> <li>• other methods as may be developed;</li> </ul> <p>j. encouraging intensification and a mix of densities in new communities as a way to promote affordability; and,</p> <p>k. promoting the use of second residential units as affordable housing.</p>	
<p><b>3.3.C.1</b> High density residential land uses primarily include apartments and mixed use buildings with commercial on the ground floor and a residential density of 75 units per net hectare or more, unless an approved secondary plan establishes other provisions.</p>	<p>The high- and mid-rise buildings represent high density development.</p>
<p><b>3.3.C.2</b> The density of a residential use is a function of the number of units per net hectare and is not always indicative of built form. Proposals for new high density residential that are not in keeping with the established built form of adjacent development must demonstrate compatibility with regard to both land use and built form considerations in accordance with the policies of Section 2.7 and Section 8.</p>	<p>The buildings are in keeping with the established built form. See also Section 7.1.7</p>
<p><b>3.3.C.3</b> Proposals for new high density residential use which require a zoning by-law amendment or minor variance in support of factors that affect built form and the intensity of</p>	<p>The subject property meets the locational criteria as it is on the periphery of a medium/high density residential area and conforms to the policies, is within walking distance of areas designated for Commercial</p>



Policy	Conformity with the Policy
<p>use shall generally satisfy the following locational criteria:</p> <p>a. The subject property is located:</p> <ul style="list-style-type: none"> <li>• within a Centre or Corridor;</li> <li>• within an area subject to a Secondary Plan or a Specific Policy Area Plan provided such Plan permits high density residential use; or</li> <li>• on the periphery of a low or medium density residential neighbourhood provided the proposal demonstrates conformity to the policies of Sections 2.6 and 2.7 of this Plan, where applicable;</li> </ul> <p>b. the property is within walking distance of areas designated for commercial use (i.e., any of the uses within the Commercial Hierarchy except for Neighbourhood Commercial);</p> <p>c. the property is within walking distance of parkland, open space or community facilities; and;</p> <p>d. the property is located on an existing arterial or collector road.</p>	<p>and will be within walking distance of the open space planned as part of the subdivision and the collector road (Cataraqui Woods Drive) which is being extended as part of the City's planned transportation network.</p>
<p><b>3.3.C.4</b> Proposals for new high density residential use must be justified by a site-specific urban design study that demonstrates compatibility in accordance with the policies of Section 2.7, and conformity to the urban design policies of Section 8. The Study must consider, amongst other matters, architectural compatibility in terms of scale, style, massing and colour.</p>	<p>The applicant has provided a Cultural Heritage Impact Study and a Landscape Design Rational which have demonstrated compatibility to the surrounding features. The built form and style is a continuation of the abutting lands to the south.</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p><b>3.3.C.6</b> New high density residential development must be designed to ensure a transition in density and built form, particularly along the periphery of Centres and Corridors, and areas for which a Secondary Plan or Specific Policy Area Plan has been established.</p>	<p>The introduction of the four-storey mid rise is intended to help transition the high-rise to low-rise.</p>
<p><b>Section 4 – Infrastructure &amp; Transportation</b></p>	
<p><b>4.1.1</b> New development will proceed only if the City is satisfied that adequate services, roads, and utilities are available, or can be made available, to serve the proposal adequately. In determining the adequacy of servicing, utility systems, or the transportation system, the City will consider not only the proposal, but also the potential for development that exists in the same service area.</p>	<p>City staff have reviewed the development and are comfortable that services exist, or in the case of the Cataraqui Woods Drive extension, soon will exist as a part of planned network upgrades.</p>
<p><b>Section 6 – The Environment &amp; Energy</b></p>	
<p><b>6.1.8</b> The Province of Ontario’s “Natural Heritage Reference Manual,” as amended from time to time, specifies the adjacent lands for each category of natural heritage features and areas.</p> <p>Development and site alteration are not permitted on adjacent lands to Natural Heritage “A” or “B” features shown on Schedules 7 and 8 respectively, unless it has been demonstrated that there will be no negative impacts on the natural heritage features and areas or on their ecological functions. In the review of any development or site alteration, an environmental impact assessment will be required as follows, unless otherwise directed by the City in consultation with the Cataraqui Region Conservation Authority:</p>	<p>The applicant has submitted an Environmental Impact Study which confirmed that the development can proceed without adverse impacts on the natural environment. There was a total of seven Butternut trees on the site which were likely planted (as opposed to grown natively) and the applicant has submitted a Butternut Health Assessment for each. The study found one ‘Category 3’ Butternut Tree which has been accommodated by a reorientation of the central building which allows for a 25 metre Tree Protection Zone. Other mitigation strategies would be included in the Subdivision Agreement and Site Plan Agreement.</p>

Policy	Conformity with the Policy
<ul style="list-style-type: none"> <li>a. within 120 metres of a provincially significant wetland, significant coastal wetlands and other coastal wetlands;</li> <li>b. within 50 metres of locally significant wetlands;</li> <li>c. within 120 metres of fish habitat;</li> <li>d. within 120 metres of significant woodlands;</li> <li>e. within 120 metres of significant valleylands;</li> <li>f. within 120 metres of areas of natural and scientific interest – life science;</li> <li>g. within 50 metres of areas of natural and scientific interest – earth science;</li> <li>h. within 120 metres of significant wildlife habitat;</li> <li>i. within 120 metres of the habitat of endangered species and threatened species, in accordance with the Endangered Species Act, and as tracked by the Ministry of Natural Resources and Forestry “Natural Heritage Information Centre”; and</li> <li>j. within 120 metres of habitat of aquatic species at risk, in accordance with the Species At Risk Act and as tracked by the Federal Department of Fisheries and Oceans.</li> </ul>	
<b>Section 7 – Cultural Heritage &amp; Archaeology</b>	
<p><b>7.1.7</b> The City may require that a heritage impact statement be prepared by a qualified person to the satisfaction of the City for any development proposal, including a secondary plan, which has the potential to impact a built heritage resource. The scope of the heritage</p>	<p>The applicant has submitted a Cultural Heritage Impact Study which was supplemented by the submission of two Appendices which addressed the revised proposal in the context of the Cataraqui</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p>impact statement is determined in consultation with the City and must include information and assessment relevant to the circumstances, including alternative development approaches or mitigation measures to address any impact to the built heritage resource and its heritage attributes. A heritage impact statement may be required where construction, alteration, demolition, or addition to a property located within a heritage conservation district or heritage area is proposed. The City may also require a heritage impact statement for any requests to de-designate a protected heritage property; such statements must include an assessment of the current cultural heritage value of the property and any impacts that de-designating the property will have on the cultural heritage value of the area.</p>	<p>Cemetery National Historic Site of Canada and the Riley Farmhouse.</p> <p>In regards to the Catarauqui Cemetery, the report stated that “the rotation of two of the three proposed buildings as well as the reduction of storeys across all three buildings has significantly reduced visual impact from every view presented [ . . . ] the distance from the eastern property line, the lower topographical level on the development site, the thick layer of tree-plantings and the repetitive format of the new buildings, all contribute to the natural screening or reduced visual intrusion upon the historic resources of the Catarauqui Cemetery.” And that, the “overall impact is minor enough that it does not prevent the on-site viewer from understanding the value of the historic place; nor does it restrict or detract from the viewers enjoyment of the historic resource in material or meaningful ways.”</p> <p>In regards to the Riley Farmhouse, the report stated that “The existing topography and vegetation conditions has resulted in minimal and acceptable levels of visual impact of the Phase Two proposed buildings upon the Riley House historic place.</p>
<p><b>7.1.10</b> Conserving built heritage resources forms an integral part of the City’s planning and decision-making. The City uses the power and tools provided by legislation, policies and programs, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act and the Municipal Act in implementing and enforcing the</p>	<p>The development intends to incorporate the Riley House into the future subdivision through the use of a larger lot which measures 1.1 hectares and affording additional permitted uses which are intended to help this unique asset evolve in a variety of ways while still protecting its cultural heritage value and enhancing the recognition and</p>

Policy	Conformity with the Policy
<p>policies of this Section. This may include the following:</p> <ul style="list-style-type: none"> <li>a. designating real property under Part IV, or V of the Ontario Heritage Act, or encouraging the Province to designate real property under Part VI of the Ontario Heritage Act;</li> <li>b. requiring, as a condition of any approval, the retention of any built heritage resources found within a plan of subdivision, a plan of condominium, or on any parcel created by consent, or other land division approval;</li> <li>c. using zoning by-law provisions as appropriate, to conserve identified built heritage resources;</li> <li>d. using the provisions of Section 37 of the Planning Act in order to maintain the integrity of identified built heritage resources;</li> <li>e. using site plan control provisions of Section 41 of the Planning Act to ensure that new development on adjacent properties is compatible with the adjacent identified built heritage resources;</li> <li>f. using design guidelines to provide for sympathetic development of adjacent lands that are not designated, but which could impact the site of the built heritage resource;</li> <li>g. ensuring that archaeological resources are evaluated and conserved prior to any ground disturbance, in accordance with the City's Archaeological Master Plan and provincial regulations;</li> <li>h. in partnership with Kingston's Indigenous Peoples of Canada</li> </ul>	<p>importance of this feature. The requirement for a commemorative plaque forms a condition of the subdivision's draft plan approval.</p> <p>The lands have been cleared of archaeology.</p>

Policy	Conformity with the Policy
<p>community, a Protocol outlining the working relationship with them and the City will be designed, approved and implemented; and</p> <p>i. using heritage easements as a means to protect significant built heritage resources, where appropriate.</p>	
<p><b>7.2.5</b> The City may permit development and site alteration on adjacent lands to a protected heritage property where the proposed development and site alteration has been evaluated, and it has been demonstrated through the preparation of a heritage impact statement that the heritage attributes of the protected heritage property will be conserved.</p>	<p>See Section 7.1.7 and 7.1.10</p>
<p><b>7.4.2</b> The City will permit development and site alteration on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved. In general, preservation of the resources “in situ” is the preferred method, but in some cases the conservation can occur by removal and documentation. Where significant archaeological resources are preserved “in situ”, only development and site alteration that maintains the heritage integrity of the site is permitted.</p> <p>The investigation and conservation of archaeological resources shall be completed in consultation with all appropriate First Nations, Métis and Inuit communities.</p>	<p>The site has been cleared of archaeology.</p>
<p><b>Section 8 – Urban Design</b></p>	
<p><b>8.2</b> The Design Guidelines for New Communities establish the following</p>	<p>Through the use of walking paths and open space which integrates</p>

Policy	Conformity with the Policy
<p>guiding principles that should be used to ensure the development of successful communities:</p> <ul style="list-style-type: none"> <li>a. foster attractive communities and a sense of place;</li> <li>b. create compact, accessible, mixed-use communities;</li> <li>c. provide a variety of housing types;</li> <li>d. provide access and visibility to open spaces;</li> <li>e. encourage environmentally sustainable development;</li> <li>f. create a street network for active transportation and transit;</li> <li>g. integrate and highlight cultural heritage resources; and,</li> <li>h. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.</li> </ul>	<p>with the surrounding natural features, the site fosters an attractive community and sense of place. The site achieves transit supportive densities in a mix of housing types and land uses. The development is environmentally sustainable and facilitates active transportation. See Sections 2.1.1. and 7.1.7.</p>
<p><b>8.6</b> The City requires the design of new development to be visually compatible with surrounding neighbourhoods and areas of cultural heritage value or interest through its site plan control review, preparation of zoning standards, and urban design guidelines, as appropriate, that address the following:</p> <ul style="list-style-type: none"> <li>a. siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing, setbacks, access, landscaped treatment, building materials, exterior design elements or features;</li> <li>b. protecting natural heritage features and areas and cultural heritage</li> </ul>	<p>See Sections 2.1.1. and 7.1.7.</p>

Policy	Conformity with the Policy
<p>landscapes through the siting, design and review of new development;</p> <p>c. promoting innovation in building design to create an interesting and varied built environment, to increase sustainability by improving energy efficiency, and to deliver barrier-free accessibility;</p> <p>d. achieving compatibility in land use and with a predominant architectural style, street pattern or site arrangement where that style or arrangement forms a valuable component of the existing neighbourhood or the cultural heritage value or interest of the identified area. Section 2.7 provides additional policy in this regard; and,</p> <p>e. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.</p>	
<b>Section 9 - Administration &amp; Implementation</b>	
<p><b>9.5.9</b> When considering an application to amend the zoning by-law, the Planning Committee and Council will have regard to such matters as:</p> <p>a. conformity of the proposal with the intent of the Official Plan policies and schedules;</p> <p>b. compatibility of the proposal with existing uses and zones, sensitive uses, the natural heritage system, cultural heritage resources, and compatibility with future planned uses in accordance with this Plan;</p> <p>c. compatibility of proposed buildings or structures with existing buildings and structures, with zoning standards of adjacent sites, with any future planned standards as provided in this Plan, and with any</p>	<p>As set out throughout, the proposed subdivision and Zoning By-law amendment conforms with the policies of the Official Plan.</p> <p>The site is compatible with the abutting residences, cemetery, and natural heritage features.</p> <p>The proposal is warranted in part because it helps address the housing crisis and the known deficiency in rental housing within the City.</p> <p>Through the submission of the Environmental Impact Study and Cultural Heritage Study, the applicant has confirmed the suitability of the site for the proposed uses.</p> <p>City staff have reviewed the proposed servicing strategy and the</p>



Policy	Conformity with the Policy
<p>urban design guidelines adopted by the City for the area;</p> <ul style="list-style-type: none"> <li>d. the extent to which the proposal is warranted in this location and the extent to which areas zoned for the proposed use are available for development;</li> <li>e. the suitability of the site for the proposal, including its ability to meet all required standards of loading, parking, open space or amenity areas;</li> <li>f. the suitability of the density relative to the neighbourhood and/or district, in terms of units per hectare, bedrooms per hectare, floor space index, and/or employees per hectare, as applicable;</li> <li>g. the impact on municipal infrastructure, services and traffic;</li> <li>h. comments and submissions of staff, agencies and the public; and,</li> <li>i. the degree to which the proposal creates a precedent.</li> </ul>	<p>Traffic Impact study and are confident that there exists sufficient capacity without an impact on existing service levels.</p> <p>The density of the development at 60 units per net hectare (50 per gross hectare) is appropriate and meets the City's intensification targets.</p> <p>The development would not create an undue precedent.</p>
<p><b>9.5.25</b> The City may approve a by-law authorizing an increase in height or density beyond that allowed in the zoning by-law pursuant to the Planning Act, in return for facilities, services or matters benefiting the public, including the following:</p> <ul style="list-style-type: none"> <li>a. providing a wide range of clearly specified and designed housing types, including affordable housing and housing for seniors and individuals with special needs;</li> <li>b. providing parkland dedication beyond what is already required by this Plan;</li> </ul>	<p>Community Benefits Charges would be applicable and would be assessed pursuant to the Planning Act and the City's Community Benefits Charge By-law (2023-143).</p>

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<ul style="list-style-type: none"> <li>c. protecting features of the natural heritage system, such as woodlands, beyond the parkland dedication requirements of the Planning Act;</li> <li>d. improving access to public transit facilities;</li> <li>e. providing universally accessible public areas, pathways, and connections to external public pathways/trail systems;</li> <li>f. providing public and/or underground parking;</li> <li>g. providing community and open space facilities such as small parks, day care centres, community centres, recreation facilities, cultural facilities;</li> <li>h. conserving cultural heritage resources;</li> <li>i. protecting or enhancing significant views;</li> <li>j. providing public art;</li> <li>k. providing green technology and sustainable architecture and alternative construction methods such as “green roofs” and LEED<sup>R</sup> certified buildings;</li> <li>l. providing streetscape improvements in accordance with Council-endorsed documents such as the Downtown Action Plan and that also enhance accessibility and wayfinding; and,</li> <li>m. including local improvements identified in community design plans, community improvement plans, secondary plans, capital budgets or other implementing plans or studies.</li> </ul>	

Policy	Conformity with the Policy
<p><b>9.5.26</b> Each proposal for an increase in height and density must be assessed on a case by case basis, and be supported by such additional information and studies as deemed appropriate by the City, in order that Council ensures that:</p> <ul style="list-style-type: none"><li>a. the development resulting from the application of increased height and density does not impose adverse effects on neighbouring uses, and meets the general intent and purpose of the land use compatibility principles in Section 2.7 and the urban design principles as outlined in Section 8 of this Plan;</li><li>b. the development resulting from the application of increased height and density ensures that identified cultural heritage resources are conserved, as demonstrated through the completion of a heritage impact statement where required by the City;</li><li>c. the proposed increased height and density provision supports the strategic planning approach to guide and respond to development applications for change in areas of the City, as outlined in the policies of Section 2.6 of this Plan regarding stable areas and areas in transition;</li><li>d. there are adequate municipal services including water, sanitary sewers, stormwater management facilities and community services;</li><li>e. the transportation system can accommodate the increase in density;</li><li>f. the site is suitable in terms of size and shape, to accommodate the</li></ul>	<p>See Section 9.5.25</p>

Policy	Conformity with the Policy
<p>necessary on-site functions such as parking, landscaping and recreational facilities of universal design;</p> <p>g. there is a reasonable planning relationship between the community benefits and the proposed development;</p> <p>h. the value of the increased height and density is appraised by the developer and the value of the benefit to be provided is assessed compared to the increased value to the developer, so that there is an equitable relationship between the established value of the increased height and density and its value to the community; and,</p> <p>i. the development must constitute good planning and be consistent with the policies of this Plan.</p>	
<p><b>9.5.27</b> Community benefits may be provided off-site, if they are located in close geographic proximity to the subject property. It must be demonstrated that the community benefits will have a positive impact on the immediate area experiencing the increased height or density provision.</p>	<p>See Section 9.5.25</p>
<p><b>9.5.28</b> Community groups will be consulted on the development application and the proposed benefit as part of the statutory public consultation process.</p>	<p>See Section 9.5.25</p>
<p><b>9.5.29</b> The owner will be required to enter into an agreement relating to the provision of facilities, land, or matters for which the bonus has been established in the by-law.</p>	<p>See Section 9.5.25</p>

<b>Policy</b>	<b>Conformity with the Policy</b>
<p><b>9.5.30</b> The increase in density or height will be approved through an amendment to the zoning by-law.</p>	<p>See Section 9.5.25</p>
<p><b>9.6.4</b> Plans of subdivision must conform to the policies of this Plan, and to the Provincial Policy Statement, as amended, and other requirements of senior levels of government. Council must be satisfied that:</p> <ul style="list-style-type: none"> <li>a. the proposed subdivision can be adequately supplied with municipal infrastructure and services in an economic manner if located within the Urban Boundary, or if located outside any settlement areas, the proposal is adequately supplied with individual on-site water and sewage services;</li> <li>b. the proposed subdivision has been designed to integrate compatibly with transit and the broader transportation system, adjacent existing and planned land uses, and both the natural heritage system, and cultural heritage resources;</li> <li>c. the plan of subdivision has been designed so there are no negative impacts on the natural heritage features or areas and designed to avoid natural and human-made hazards;</li> <li>d. the proposed development addresses issues of energy conservation and sustainability;</li> <li>e. the proposed subdivision is necessary, timely and in the public interest; and,</li> <li>f. the design of the proposed plan of subdivision meets accepted design principles and standards of the City, and has had adequate regard for</li> </ul>	<p>As outlined throughout, the site has adequate services through existing infrastructure, and the internal infrastructure which the developer would be responsible for providing. The subdivision links to a planned extension of Cataraqui Woods Drive and would be transit supportive should the City extend services through this area.</p> <p>The subdivision is timely and in the public interest by providing housing, including rental housing, at a time of significant need and in a manner which is compatible with the surrounding area.</p>

Policy	Conformity with the Policy
any urban design guidelines, land acquisition programs, or other policy initiatives that are relevant to the area.	

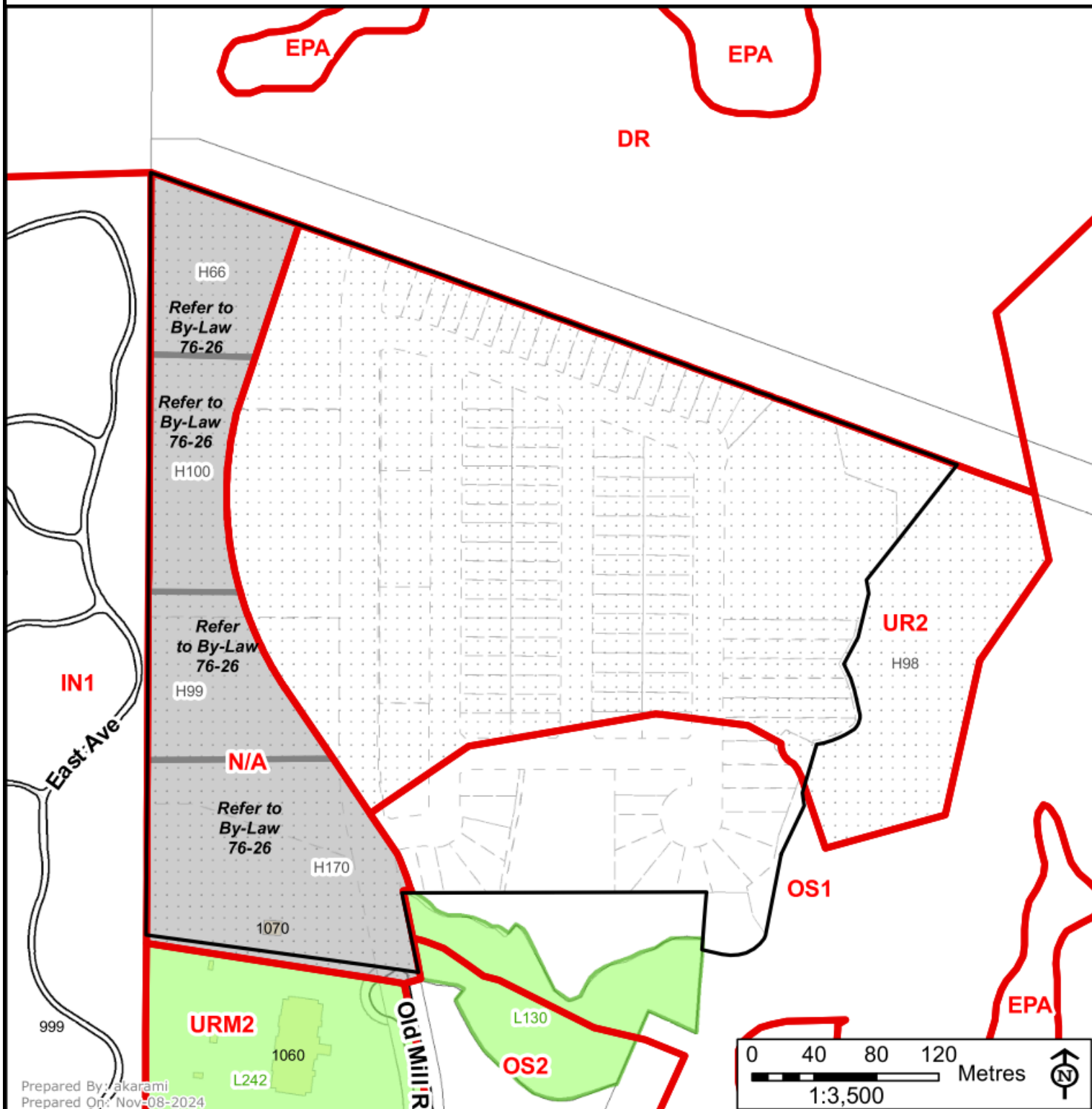


Planning Services

Planning Committee  
Existing Zoning  
Kingston Zoning By-Law 2022-62

Address: 999 Purdy's Mill  
File Number: D35-002-2020  
Prepared On: Nov-08-2024

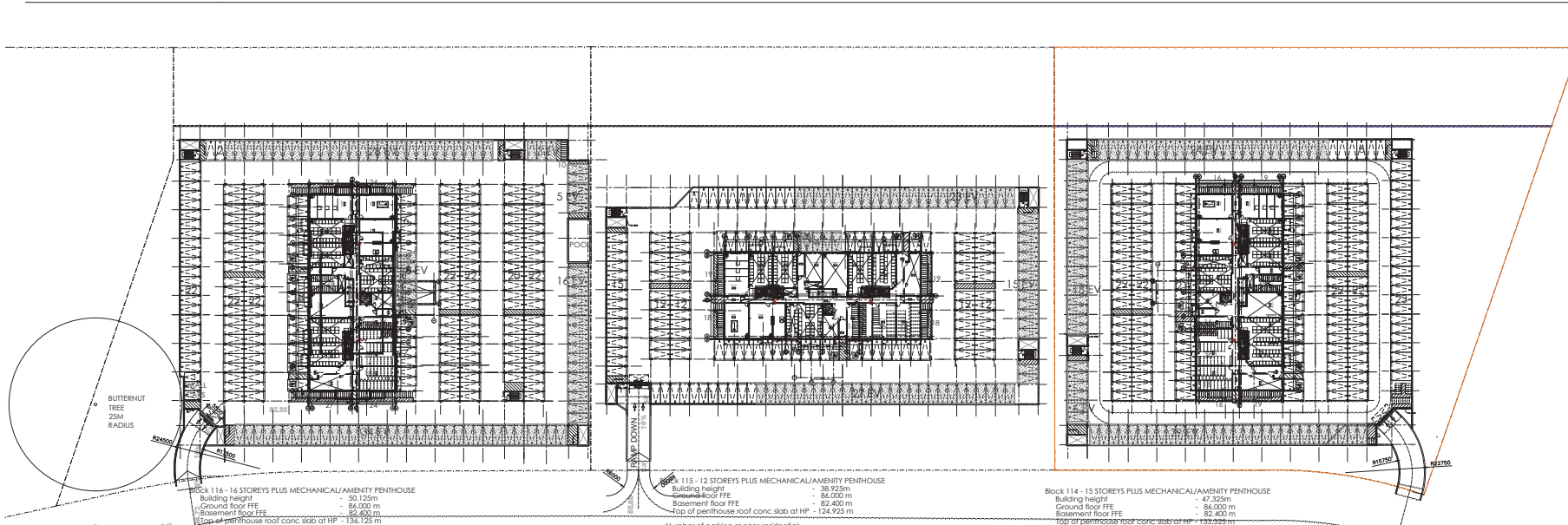
- Subject Lands
- Schedule 1 Zoning Map Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay Holding Overlay (HXXX)



Prepared By: akarami  
Prepared On: Nov-08-2024







**Block 116 - 16 STOREYS PLUS MECHANICAL/AMENITY PENTHOUSE**  
 Building height - 50.125m  
 Ground floor FFE - 86,000 m  
 Basement floor FFE - 82,400 m  
 Top of penthouse roof conc slab at HP - 136,125 m

Number of bicycle spaces: 220  
 - Provided: long term 0.9x220=198 Bicycle Spaces underground  
 - Provided: short term 0.1x220=22 P.S. on grade

Number of parking spaces: 1.5 x 220=330 P.S.  
 - Provided: 50 P.S. on grade and 280 P.S. underground  
 - Provided: 14 P.S. for Visitors (4 CAR-SHARE P.S. included)  
 - Provided: 94 EV roughed-in P.S.

Number of barrier free parking spaces  
 Required: 2 + 2% of 330 P.S. = 9 B.F. P.S.  
 Provided: 2 B.F. P.S. Van Accessible on grade (Type A)  
 2 B.F. P.S. Accessible on grade (Type B)  
 6 B.F. P.S. Accessible Underground (3 type A+3 type B)

**Block 115 - 12 STOREYS PLUS MECHANICAL/AMENITY PENTHOUSE**  
 Building height - 38.925m  
 Ground floor FFE - 86,000 m  
 Basement floor FFE - 82,400 m  
 Top of penthouse roof conc slab at HP - 124,925 m

Number of parking spaces residential:  
 - Provided: 1.5 x 164 = 246 Parking Spaces  
 - Provided: 55 P.S. on grade and 191 P.S. underground  
 - Provided: 11 P.S. for Visitors (4 CAR-SHARE P.S. included)  
 - Provided: 71 EV roughed-in P.S.

Number of barrier free parking spaces  
 Required residential: 2+2% of 246 P.S. = 7 B.F. P.S.  
 Provided: 2 B.F. P.S. Van Accessible on grade (Type A)  
 2 B.F. P.S. Accessible on grade (Type B)  
 6 B.F. P.S. Accessible Underground (3 type A+3 type B)

Number of bicycle spaces residential: 164  
 - Provided: long term 148 Bicycle Spaces underground  
 - Provided: short term 16 P.S. on grade

**Block 114 - 15 STOREYS PLUS MECHANICAL/AMENITY PENTHOUSE**  
 Building height - 47.325m  
 Ground floor FFE - 86,000 m  
 Basement floor FFE - 82,400 m  
 Top of penthouse roof conc slab at HP - 136,125 m

Number of parking spaces  
 - Provided: 1.5 x 206 = 309 Parking Spaces  
 - Provided: 74 P.S. on grade and 235 P.S. underground  
 - Provided: 14 P.S. for Visitors (5 CAR-SHARE P.S. included)  
 - Provided: 79 EV roughed-in P.S.

Number of barrier free parking spaces  
 Required: 2 + 2% of 309 P.S. = 8 B.F. P.S.  
 Provided: 2 B.F. P.S. Van Accessible on grade  
 2 B.F. P.S. Accessible on grade  
 6 B.F. P.S. Accessible Underground

Number of bicycle spaces: 206  
 - Provided: long term 185 Bicycle Spaces underground  
 - Provided: short term 21 P.S. on grade

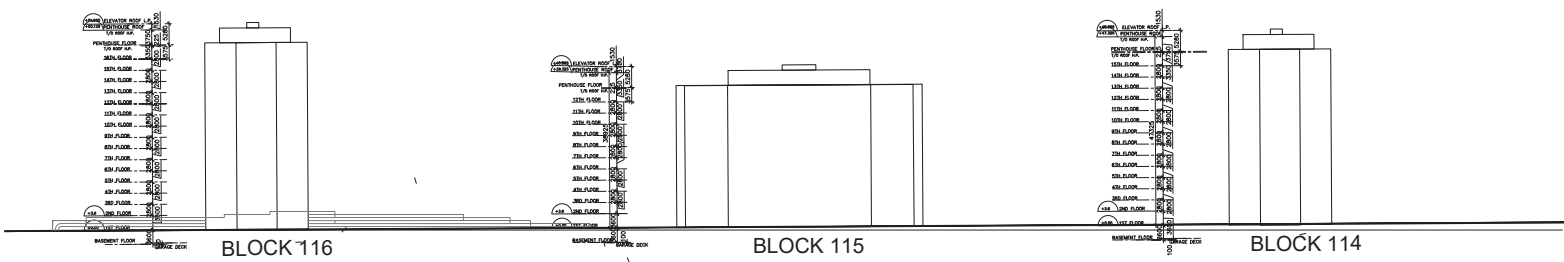
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REV	DATE	DESCRIPTION
0	20221001	ISSUED FOR CONCEPTUAL DESIGN
1	20230602	ISSUED FOR ZONING APPLICATION
2	20230615	ISSUED FOR ZONING APPLICATION
3	20230818	ISSUED FOR ZONING APPLICATION
5	20240201	ISSUED FOR REVIEW

**LEGEND**

- Indicates Visitor Parking
- Accessible parking spaces - with aisle dimensions
- Car-share parking spaces - dimensions
- Parking spaces - with EV rough-in
- Standard parking spaces - dimensions
- Secure bike lockers - with access to standard electrical outlet
- Enhanced larger bicycle parking spaces - with access to standard electrical outlet
- Long term bicycle parking spaces - with access to standard electrical outlet
- Horizontal bicycle space long or short term.

1 UNDERGROUND GARAGE, PLANS BLOCK 116,115 & 114  
 SCALE 1 : 500



2 STREETSCAPE BLOCK 116, 115 & 114  
 SCALE 1 : 500



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PURDY'S MILL - NORTH  
 586 UNITS  
 OLD MILL APARTMENTS  
 BLOCK 116, 115 AND 114  
 OLD MILL ROAD  
 KINGSTON - ONTARIO

CONCEPTUAL OVERALL UNDERGROUND GARAGE PLAN

Sheet No.	876	Checked by	
Scale	1:500	Date	OCTOBER 2022
Project No.	1824	Revision	5
Drawing Title	A050		

**DRYWALL GENERAL NOTES:**

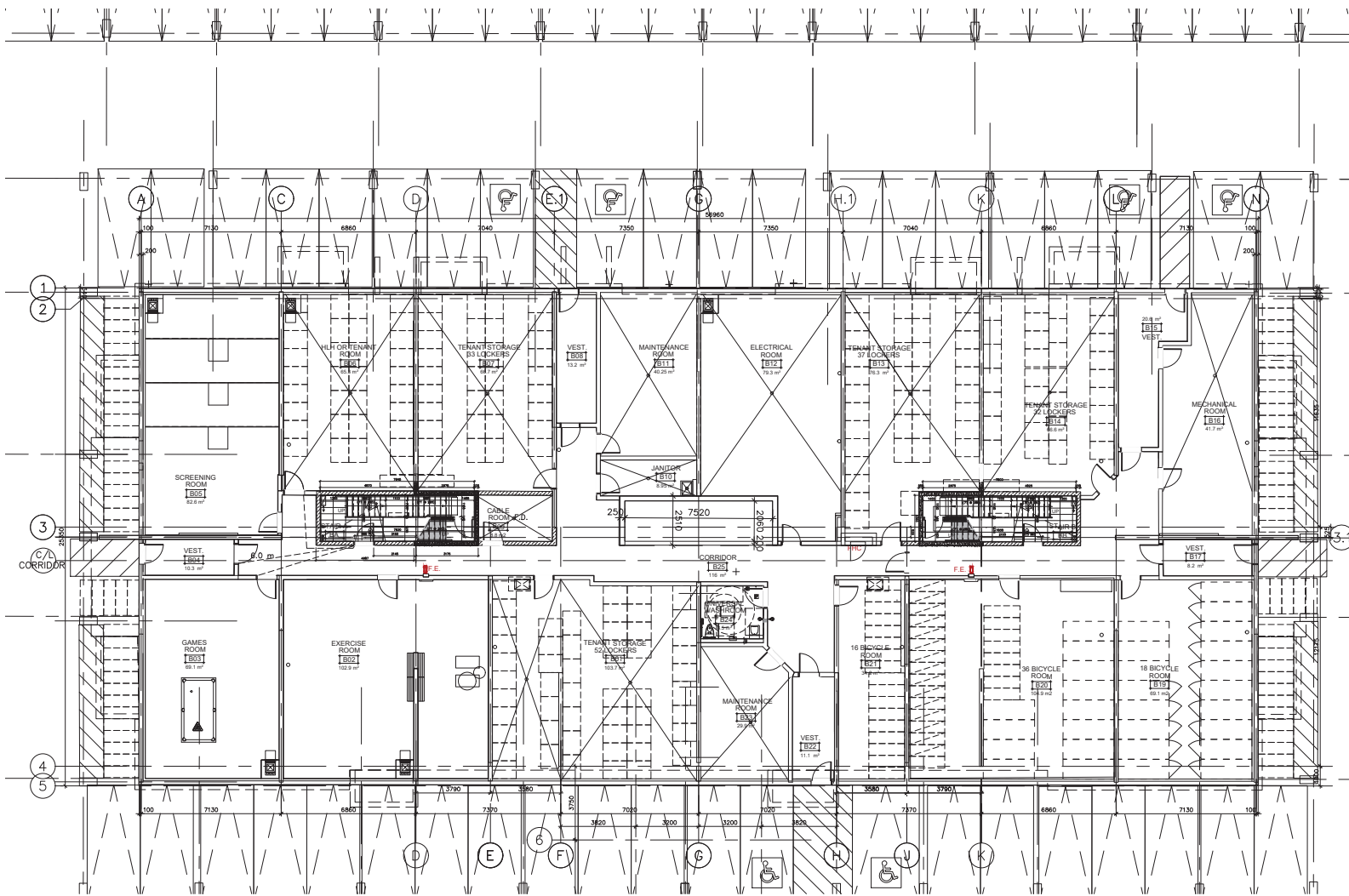
- FOR PARTITION TYPE SCHEDULE SEE ARCHITECTURAL DRAWING 700.
- ALL PARTITIONS ARE PS U/A OTHERWISE (DRYWALL WILL BE APPLIED INSIDE ON ONE OR BOTH SIDES OF JOINT OR ON ONE AS PER PARTITION LOCATION). ROOMS SUCH AS GAME RM, BILLIARD ROOM, SCREENING RM, W.C. CORRIDOR AND LOBBIES WILL BE DRYWALL.
- PARTITION P2 IS ONLY USED ON THE PERIMETER WALL SEPARATING BASEMENT FROM THE GARAGE. P2 INDICATOR IS ALWAYS LOCATED ON THE PLAN ON THE SIDE WHERE THE ISOLATION AND DRYWALL CONNECTIONS ARE TO BE PROVIDED. TEMPORARY 2' PARKING SPACES UNTIL CONNECTION IS ACHIEVED.
- PARTITION TYPE P4 IS THE PIPE CHASE ENCLOSURE AS NOTED ON PLANS.

**GENERAL NOTES:**

1. DRIVING SURFACE CONSTRUCTION
    - 50mm ASPHALT WEARING SURFACE
    - 150mm COMPACTED GRANULAR 'A'
    - 200mm COMPACTED GRANULAR 'B'
  2. PROVIDE THE PROTECTION OF BASE COLUMNS AND WALLS FROM SALT WATER (TYPICAL). SICA GUARDS, TYPICAL ON APPROVED EQUAL WATERPROOFING EXTEND MIN. 500 ABOVE DRIVING SURFACE AND 300 HORIZONTALLY ON FOOTING.
  3. CONCRETE HEATED RAMP WITH NON-SLIPPERY FINISH. CHEVRON PATTERN IS A GRAPHIC REPRESENTATION OF DIRECTION RAMP SLIDE.
  4. 6.2m WIDE X 2.8m HIGH ARCHWAY FOR FUTURE BLOCK 9 AND BLOCK 7 GARAGES CONNECTION TO BE TEMPORARY INFILL TO THE HOMESTEAD LANDHOLDINGS SPECIFICATION. PROVIDE TEMPORARY 2' PARKING SPACES UNTIL CONNECTION IS ACHIEVED.
- 7. ABBREVIATIONS:**  
 TD - TRENCH DRAIN  
 CB - CATCH BASIN  
 PS - PARKING SPACE

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0	2022/10/31	ISSUED FOR CONCEPTUAL DESIGN
1	2023/04/15	ISSUED FOR ZONING APPLICATION
2	2023/08/18	ISSUED FOR SITE PLAN APPLICATION
2	2023/08/18	ISSUED FOR ZONING APPLICATION



**SYMBOLS**

- Secure bike lockers - with access to standard electrical outlet 1m x 2.6m
- Enhanced larger bicycle parking spaces - with access to standard electrical outlet 1m x 2.6m
- Long term bicycle parking spaces - with access to standard electrical outlet 0.6 m x 1.8 m
- Horizontal bicycle space long or short term 0.6 m x 1.8 m

**1** BASEMENT PLAN BLOCK 115  
 SCALE: 1 : 100



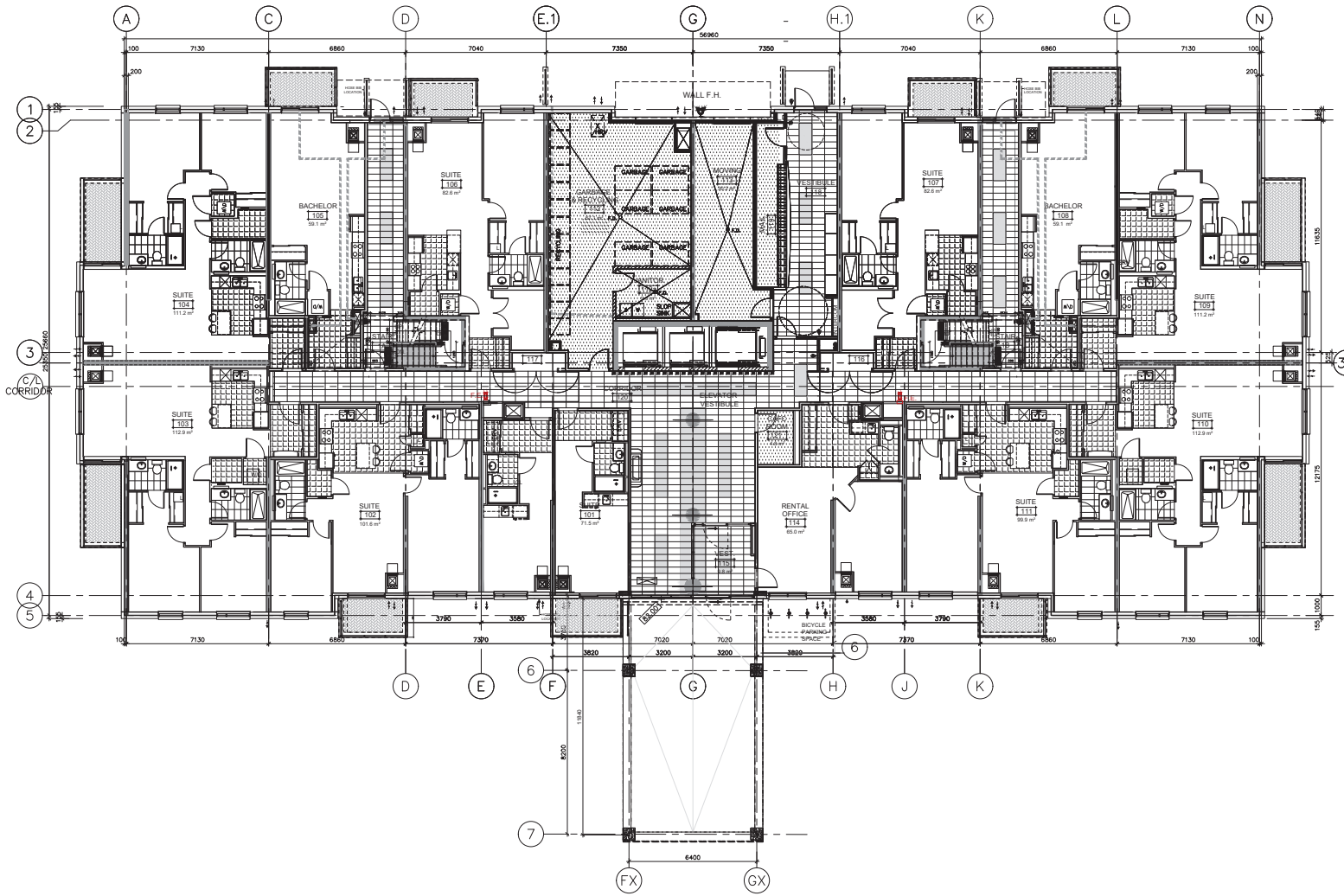
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**PURDY'S MILL - NORTH**  
 164 UNITS  
 OLD MILL APARTMENTS  
 BLOCK 115  
 OLD MILL ROAD  
 KINGSTON - ONTARIO

**CONCEPTUAL BASEMENT PLAN**  
 BLOCK 115

Drawn By:	BTK	Checked By:	
Scale:	1:100	Date:	OCTOBER 2022
Project No.:	1824	Revision:	3
Drawing No.:			A100



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Revisions and Issues

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3	2024/02/21	RE-ISSUED FOR ZONING APPLICATION

LEGEND

	12"x24" CERAMIC FLOOR TILE
	12"x24" CERAMIC ACCENT OR TACTILE FLOOR TILE
	FLOOR TILE IN SUITE
	CARPET TILE
	PAINTED CONCRETE FLOOR
	ELEVATORS LOBBY ACCENT WALL TILE, BASEMENT, GROUND FLOOR, 11TH FLOOR & ROOFTOP
	F.E. FIRE EXTINGUISHER
	STAND PIPE



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Project  
**PURDY'S MILL - NORTH  
BLOCK 116, 115 & 114  
OLD MILL APARTMENTS**

OLD MILL ROAD,  
KINGSTON, ONTARIO  
Drawing

CONCEPTUAL  
FIRST FLOOR PLAN

Drawn By	Checked By
BTX	
Scale	Date
1:100	OCTOBER 2022
Project No.	Revision
1824	3
Drawing No.	A102

**1** FIRST FLOOR PLAN  
SCALE: 1 : 100

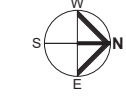
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BLOCK 116



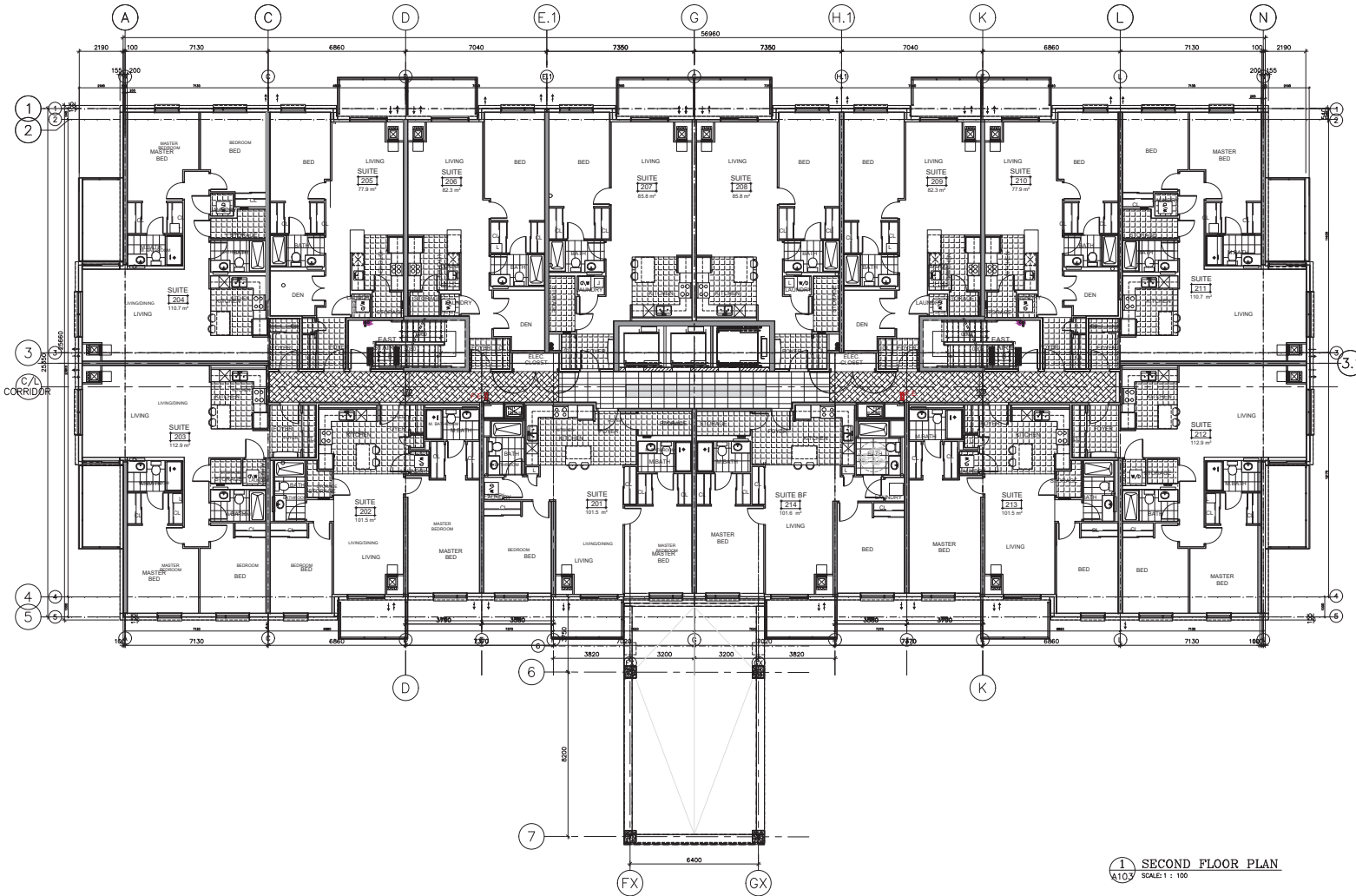
BLOCK 115



BLOCK 114

LEGEND

	12"x12" CERAMIC FLOOR TILE
	1/2"x1/2" CERAMIC ACCENT OR TACTILE FLOOR TILE
	FLOOR TILE IN SUITE
	CARPET TILE
	PAINTED CONCRETE FLOOR
	ELEVATORS LOBBY ACCENT WALL TILE (ELEVATOR, GROUND FLOOR, 11TH FLOOR & PENTHOUSE)
	F.E. FIRE EXTINGUISHER
	STAND PIPE



**1 SECOND FLOOR PLAN**  
SCALE: 1 : 100



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Project  
**PURDY'S MILL - NORTH**  
**BLOCK 116, 115 & 114**  
**OLD MILL APARTMENTS**

OLD MILL ROAD  
KINGSTON, ONTARIO

CONCEPTUAL  
SECOND FLOOR PLAN

Drawn By	Checked By
BTX	
Scale	Date
1:100	OCTOBER 2022
Project No.	Revision
1824	3
Drawing No.	A103

# Exhibit K

## Report Number PC-25-005

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3	2024/02/21	RE-ISSUED FOR ZONING APPLICATION



LEGEND

- 12"x24" CERAMIC FLOOR TILE
- 12"x24" CERAMIC ACCENT OR TACTILE FLOOR TILE IN SUITE
- FLOOR TILE
- CARPET TILE
- PAINTED CONCRETE FLOOR
- ELEVATORS LOBBY ACCENT WALL, TILE BANQUET, GROUND FLOOR, 11TH FLOOR & PORCHES
- F.E. FIRE EXTINGUISHER
- STAND PIPE



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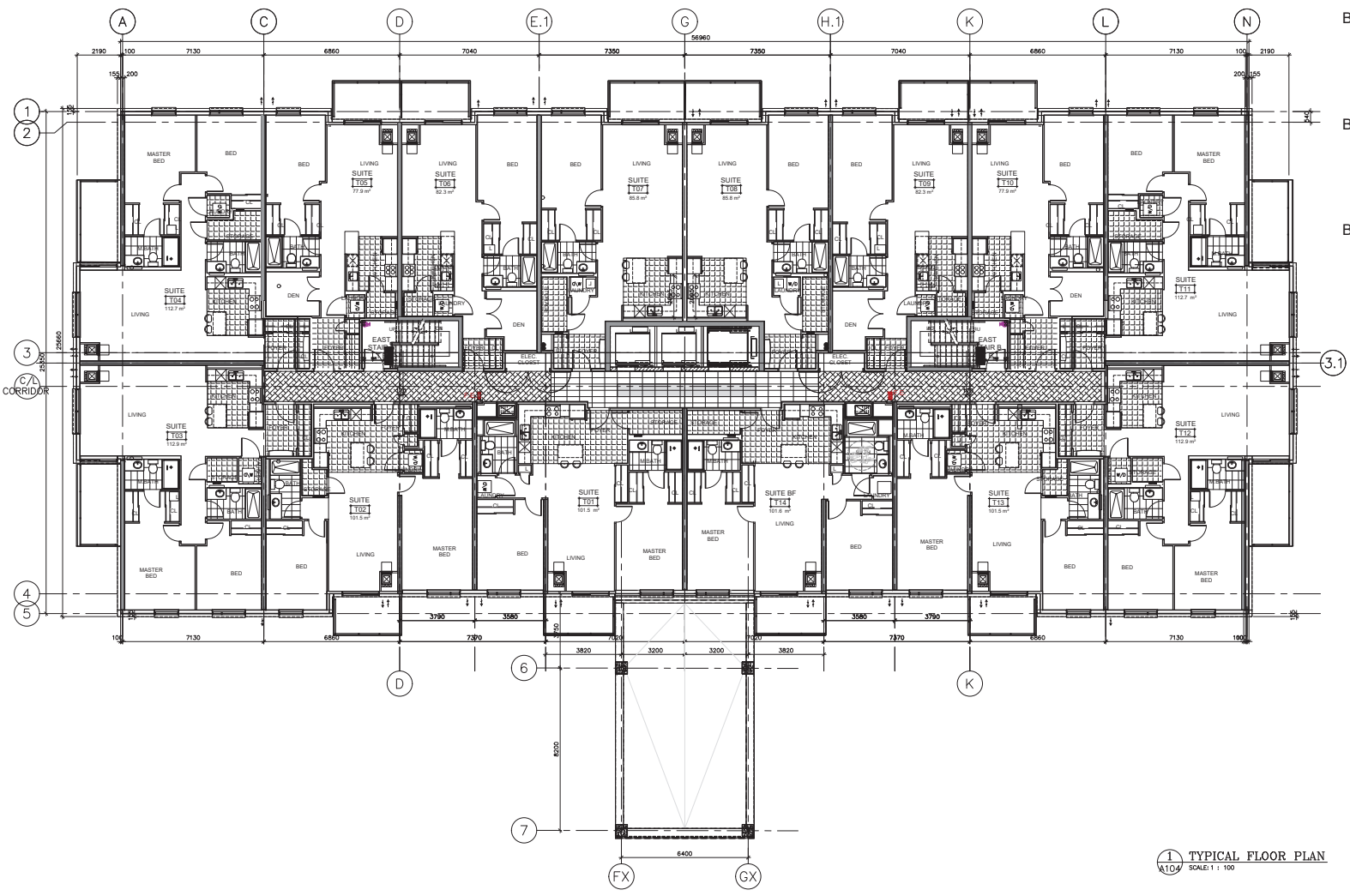
Project  
**PURDY'S MILL - NORTH**  
**BLOCK 116, 115 & 114**  
**OLD MILL APARTMENTS**

OLD MILL ROAD  
 KINGSTON, ONTARIO

CONCEPTUAL  
 TYPICAL FLOOR PLAN

Drawn By	Checked By
BTX	
Scale	Date
1:100	OCTOBER 2022
Project No.	Revision
1824	3
Drawing No.	A104

1 TYPICAL FLOOR PLAN  
 A104 SCALE: 1 : 100



# Exhibit K

## Report Number PC-25-005

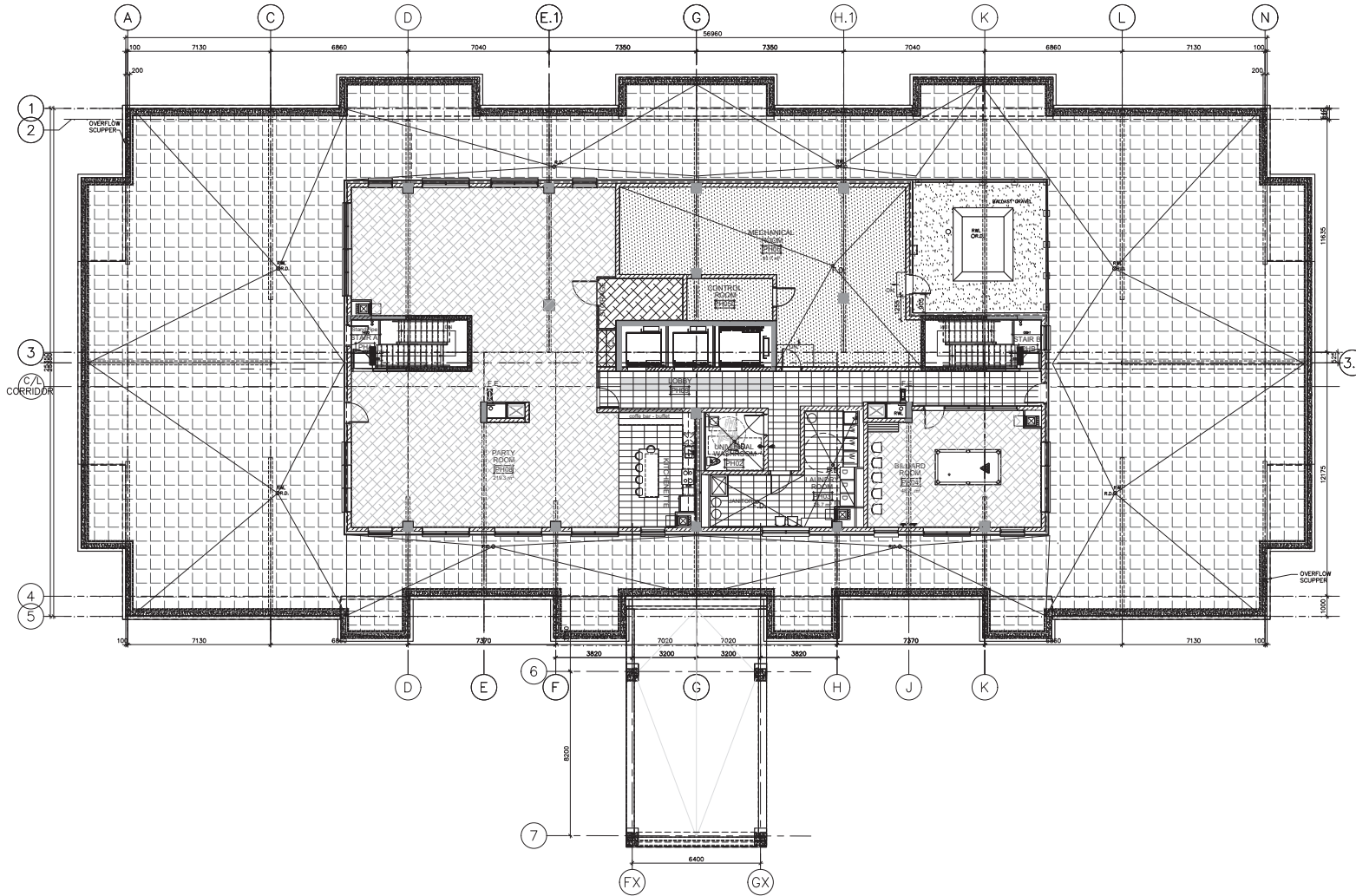


BLOCK 116

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Project  
**PURDY'S MILL - NORTH  
BLOCK 116  
OLD MILL APARTMENTS**

OLD MILL ROAD  
KINGSTON, ONTARIO

CONCEPTUAL  
PENTHOUSE FLOOR PLAN

Drawn By	Checked By
BTX	
Scale	Date
1:100	OCTOBER 2022
Project No.	Revision
1824	3
Drawing No.	
	A105

**1** PENTHOUSE FLOOR PLAN  
SCALE: 1 : 100

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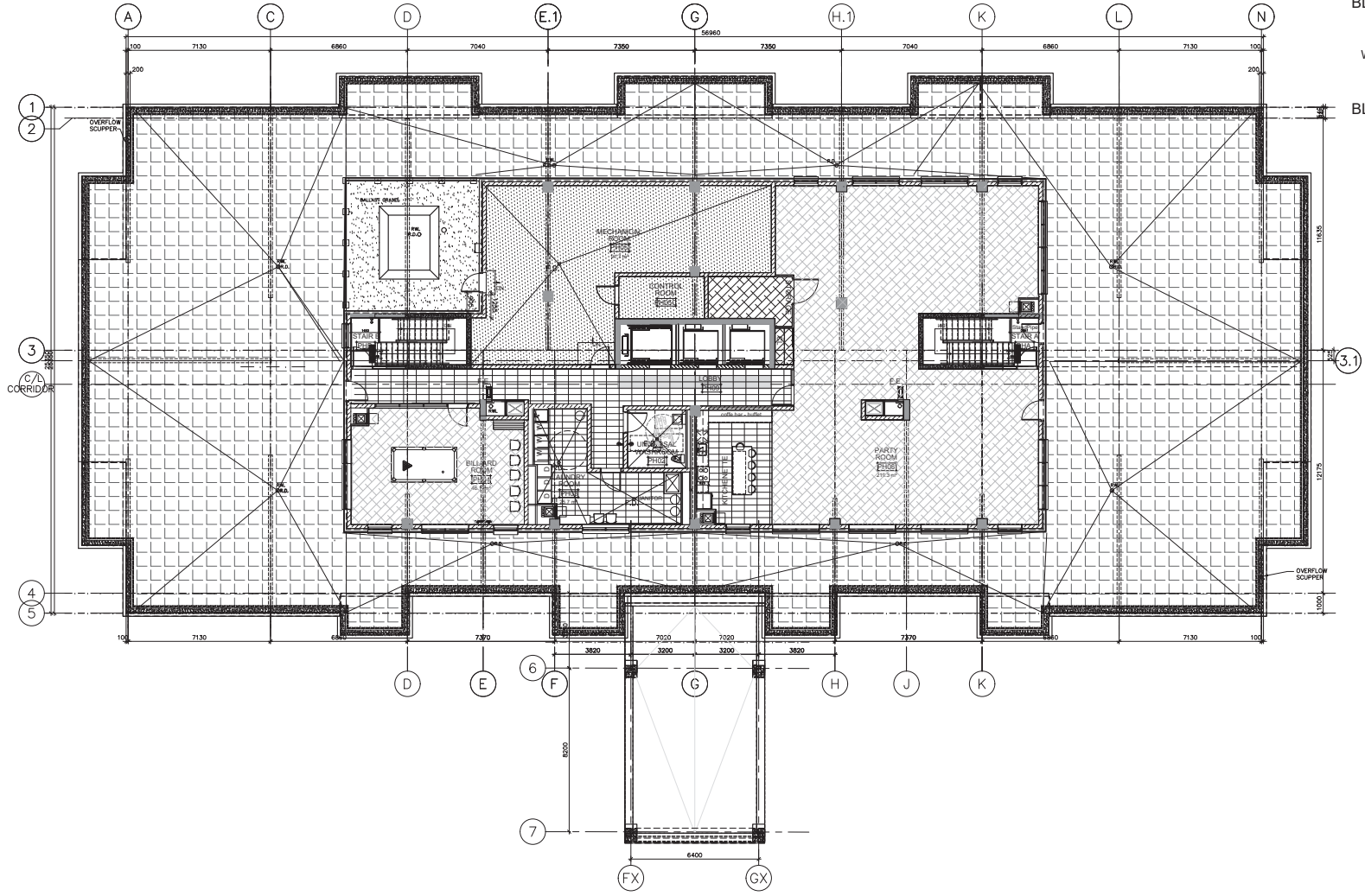
BLOCK 115



BLOCK 114

Revisions and Issues

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**Project**  
PURDY'S MILL - NORTH  
BLOCK 115 & 114  
OLD MILL APARTMENTS

OLD MILL ROAD  
KINGSTON, ONTARIO

**CONCEPTUAL  
PENTHOUSE FLOOR PLAN**

Drawn By	Checked By
BTX	
Scale	Date
1:100	OCTOBER 2022
Project No.	Revision
1824	3
Drawing No.	
	A105.2

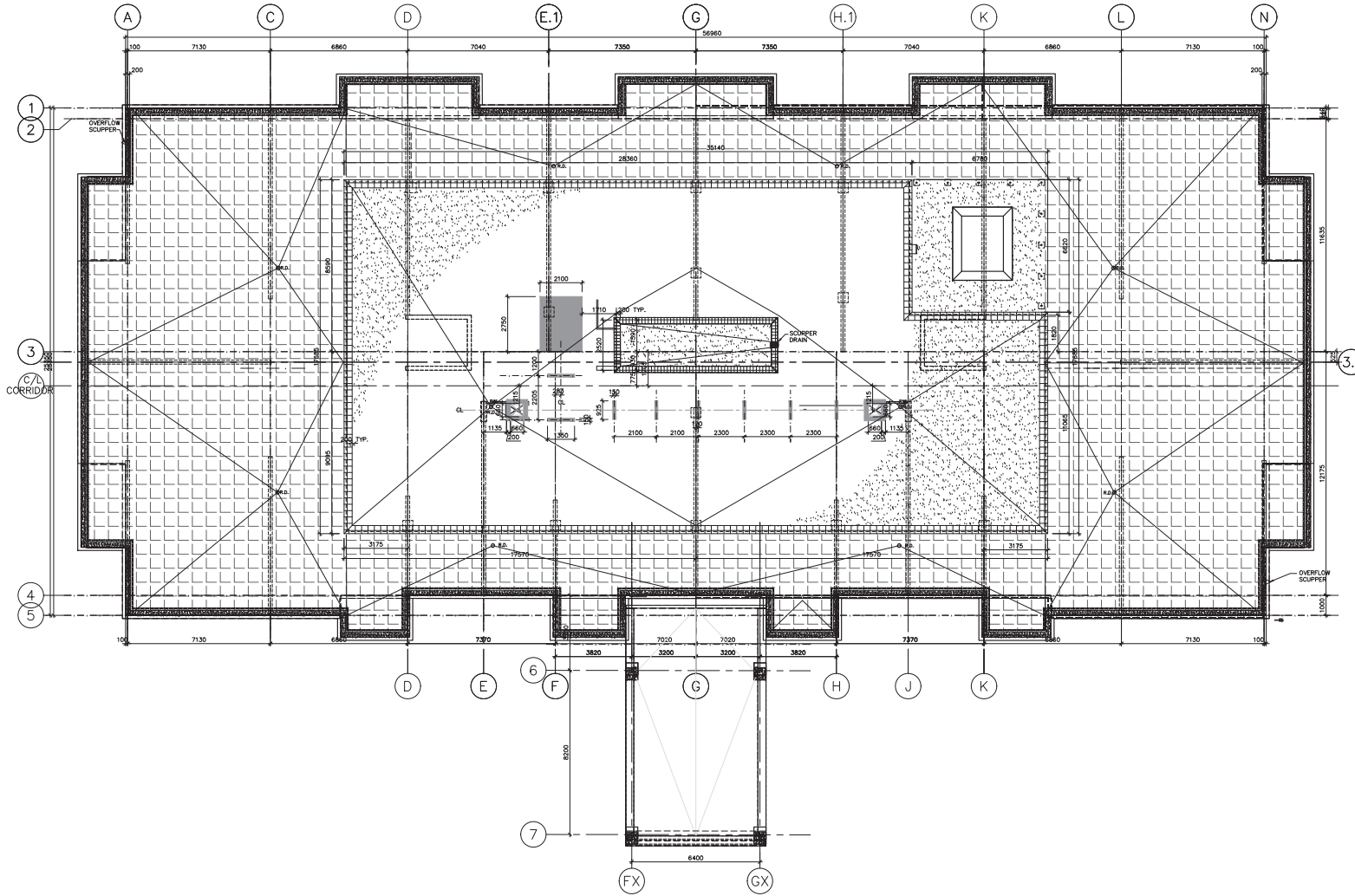
**1** PENTHOUSE FLOOR PLAN  
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**Project**  
PURDY'S MILL - NORTH  
BLOCK 116  
OLD MILL APARTMENTS

OLD MILL ROAD  
KINGSTON, ONTARIO  
Drawing

**CONCEPTUAL  
ROOF PLAN**

Drawn By	Checked By
BTk	
Scale	Date
1:100	OCTOBER 2022
Project No.	Revision
1824	3
Drawing No.	A106

**1 ROOF PLAN**  
SCALE: 1 : 100



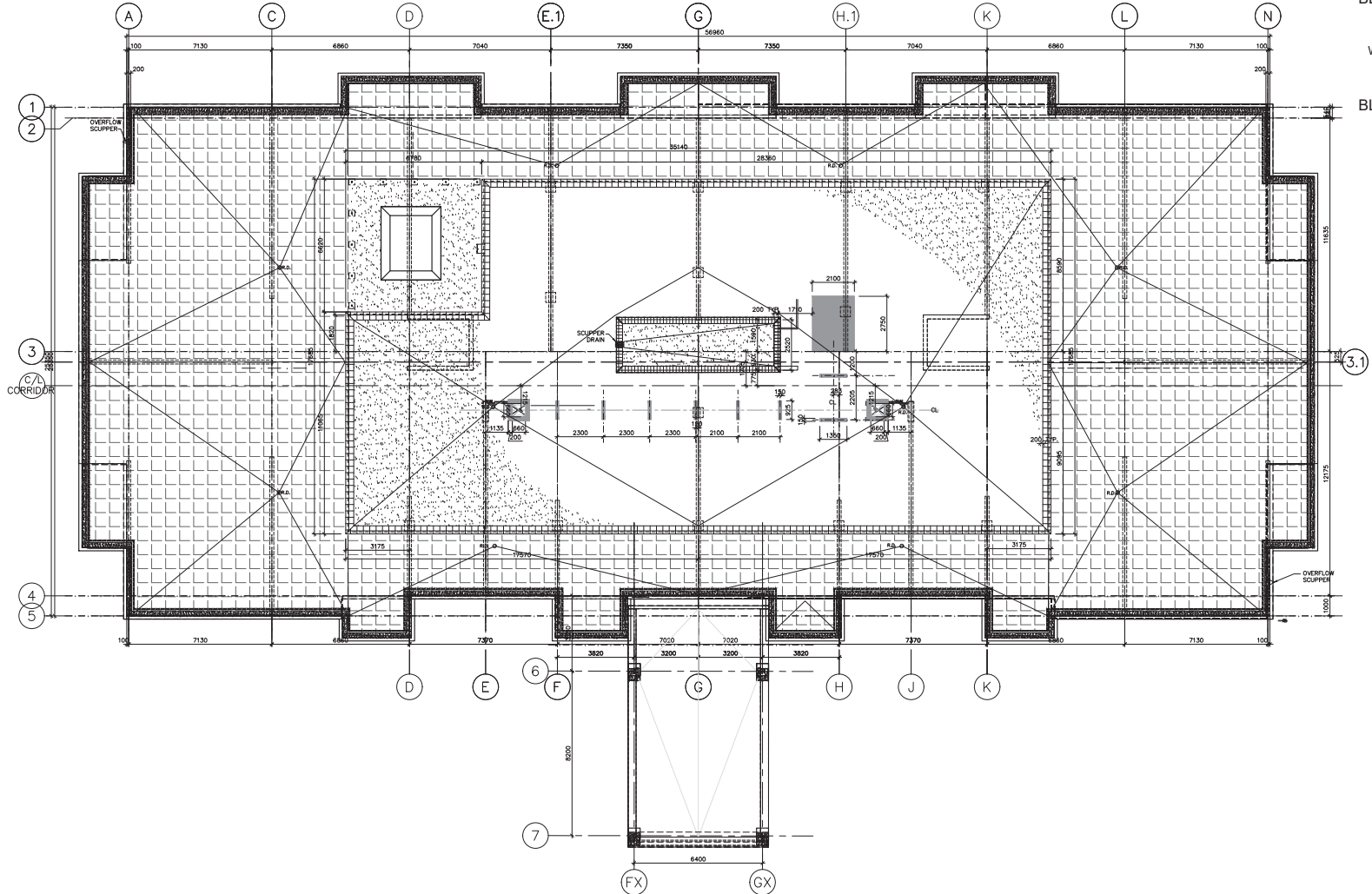
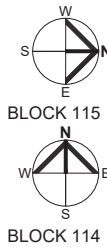
# Exhibit K

## Report Number PC-25-005

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**Project**  
 PURDY'S MILL - NORTH  
 BLOCK 115 & 114  
 OLD MILL APARTMENTS

OLD MILL ROAD  
 KINGSTON, ONTARIO  
 Drawing

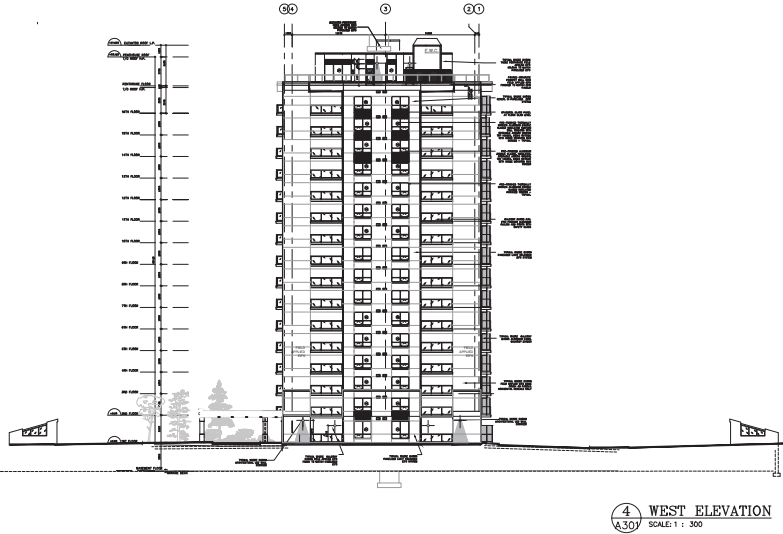
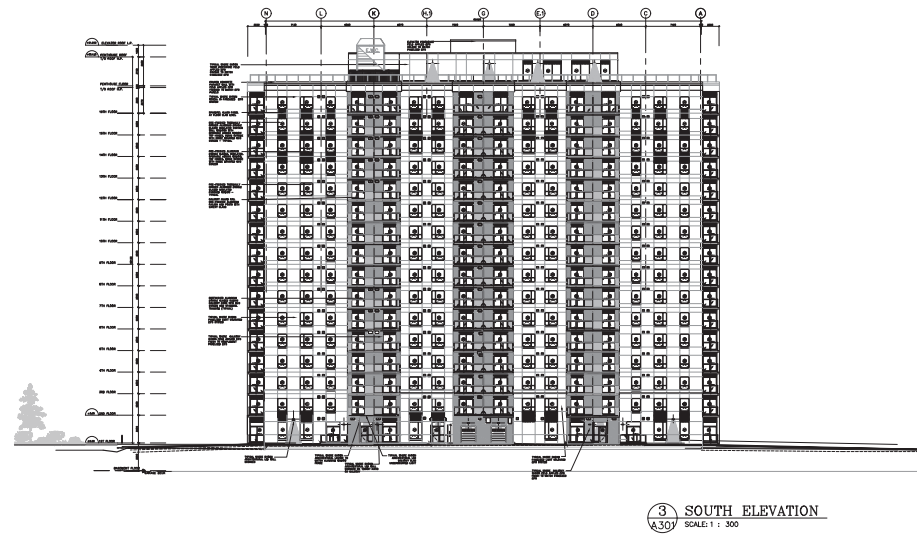
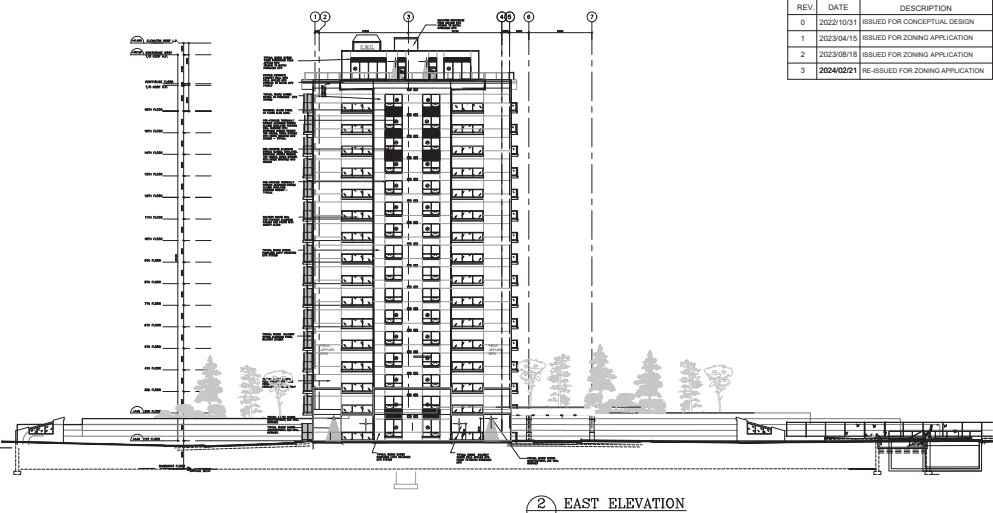
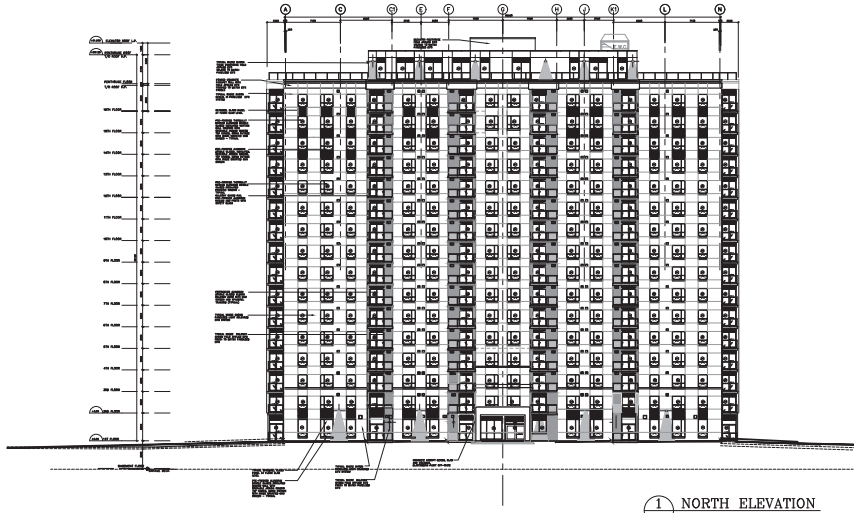
**CONCEPTUAL  
 ROOF PLAN**

Drawn By	Checked By
BTX	
Scale	Date
1:100	OCTOBER 2022
Project No.	Revision
1824	3
Drawing No.	A106,2

**1 ROOF PLAN**  
 SCALE: 1 : 100

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**Project:**  
 PURDY'S MILL - NORTH  
 BLOCK 116  
 OLD MILL APARTMENTS

OLD MILL ROAD  
 KINGSTON, ONTARIO

**17 STOREY, 216 UNITS  
 APARTMENT BUILDING  
 ELEVATIONS**

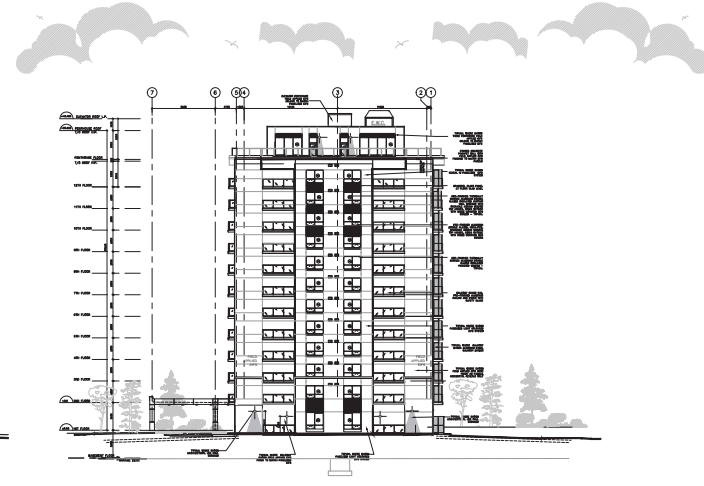
Drawn By	Checked By
BTX	
Scale	Date
1:300	OCTOBER, 2023
Project No.	Revision
1824	3
Drawing No.	A301

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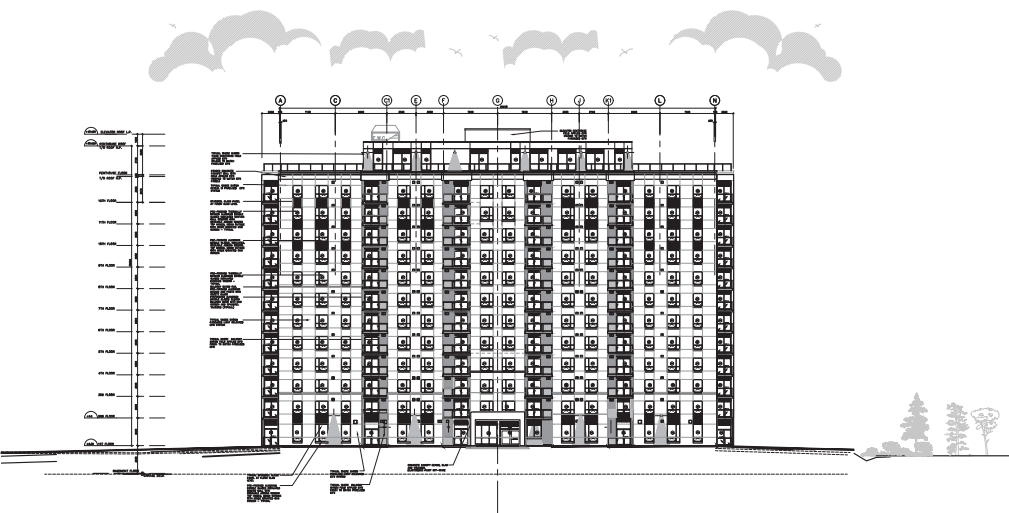
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1	2023/04/15	ISSUED FOR ZONING APPLICATION
2	2023/08/18	ISSUED FOR ZONING APPLICATION
3	2024/02/21	RE-ISSUED FOR ZONING APPLICATION



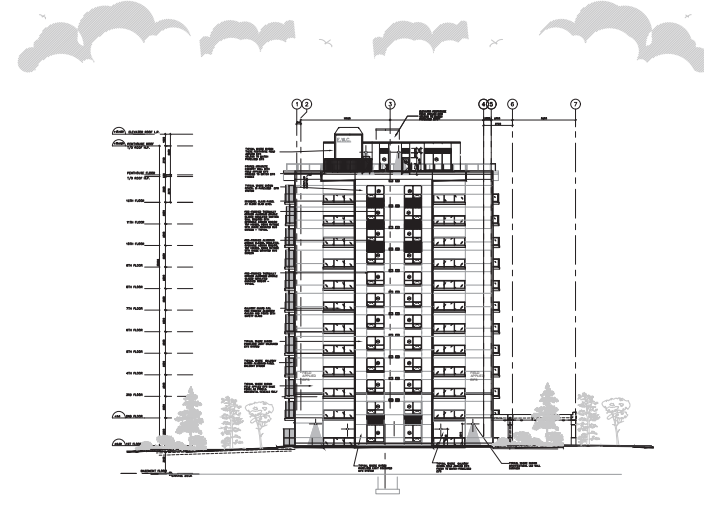
**1 WEST ELEVATION**  
 SCALE: 1 : 300



**2 NORTH ELEVATION**  
 SCALE: 1 : 300



**3 EAST ELEVATION**  
 SCALE: 1 : 300



**4 SOUTH ELEVATION**  
 SCALE: 1 : 300



**Project:**  
 PURDY'S MILL - NORTH  
 BLOCK 115  
 OLD MILL APARTMENTS

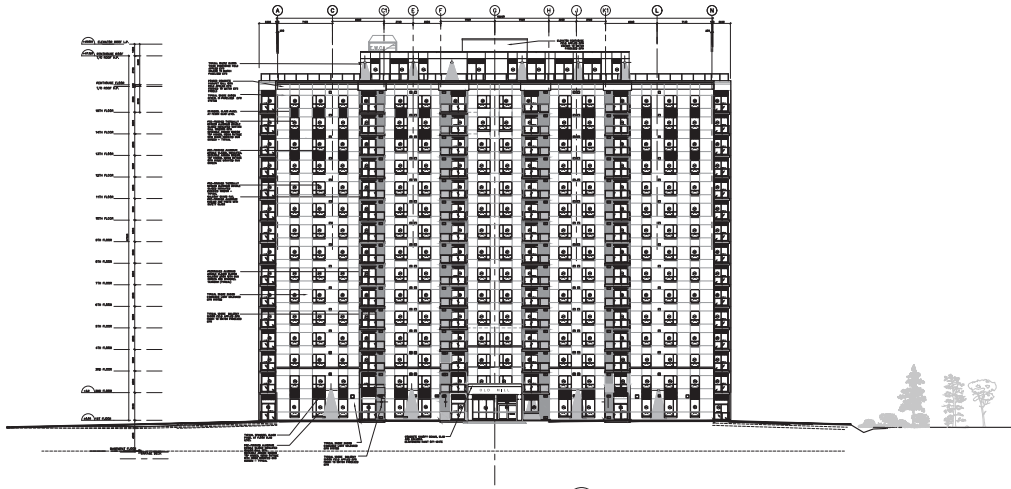
OLD MILL ROAD  
 KINGSTON, ONTARIO

**13 STOREY, 164 UNITS  
 APARTMENT BUILDING  
 ELEVATIONS**

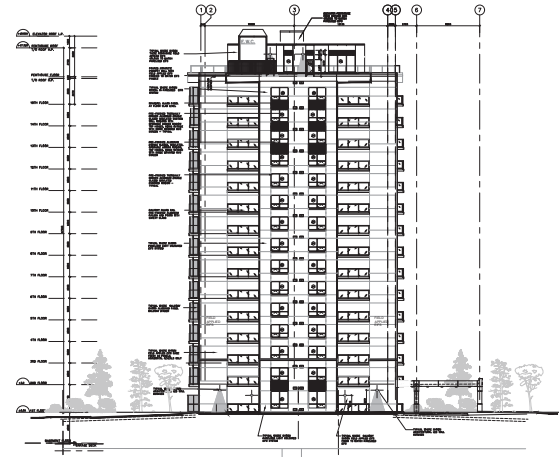
Drawn By	Checked By
BTX	
Scale	Date
1:300	OCTOBER, 2023
Project No.	Revision
1824	3
Drawing No.	<b>A302</b>

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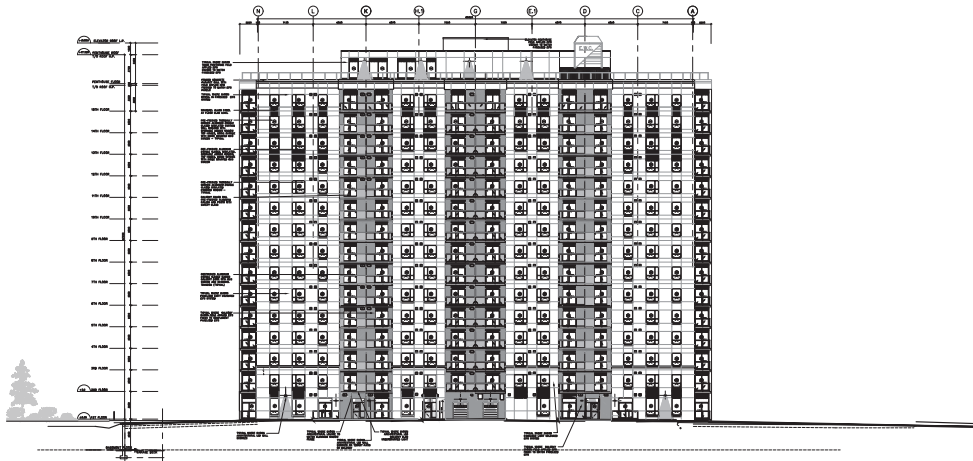
Revisions and Issues		
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0	2022/10/01	ISSUED FOR CONCEPTUAL DESIGN
1	2023/04/10	ISSUED FOR ZONING APPLICATION
2	2023/08/18	ISSUED FOR ZONING APPLICATION
3	2024/02/21	RE-ISSUED FOR ZONING APPLICATION



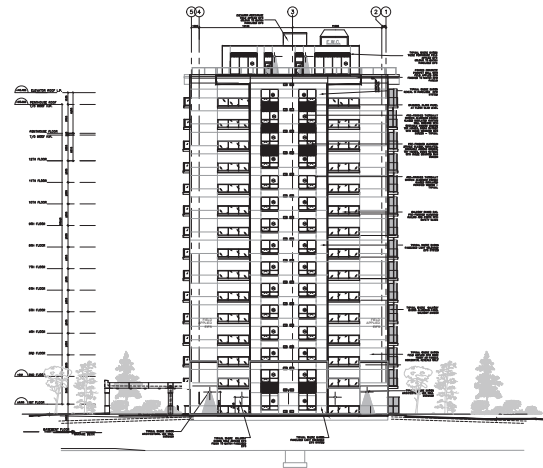
1 SOUTH ELEVATION  
 A303 SCALE: 1 : 300



2 WEST ELEVATION  
 A303 SCALE: 1 : 300



3 NORTH ELEVATION  
 A303 SCALE: 1 : 300



4 EAST ELEVATION  
 A303 SCALE: 1 : 300



**Alexander Wilson  
 Architect Inc**  
 Admiralty Place  
 133-20 Gore Street  
 Kingston, ON K7L 2L1  
 T: 613-545-3744  
 F: 613-545-1411

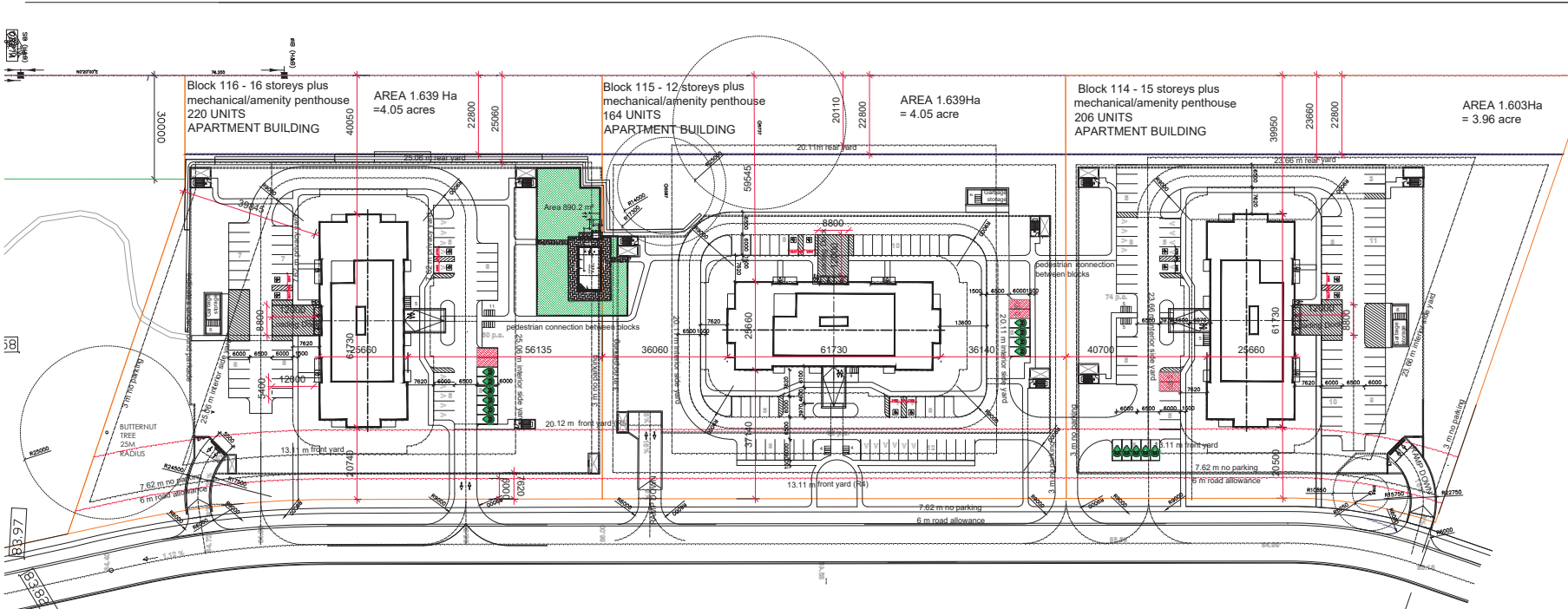


**Project:**  
 PURDY'S MILL - NORTH  
 BLOCK 114  
 OLD MILL APARTMENTS

OLD MILL ROAD  
 KINGSTON, ONTARIO

**Drawing:**  
 16 STOREY, 206 UNITS  
 APARTMENT BUILDING  
 ELEVATIONS

Drawn By	Checked By
BTX	
Scale	Date
1:300	OCTOBER, 2023
Project No.	Revision
1824	3
Drawing No.	A303



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REV	DATE	DESCRIPTION
0	2022/10/31	ISSUED FOR CONCEPTUAL DESIGN
1	2023/02/02	ISSUED FOR ZONING APPLICATION
2	2023/04/15	ISSUED FOR ZONING APPLICATION
3	2023/08/18	ISSUED FOR ZONING APPLICATION
5	2024/02/01	ISSUED FOR REVIEW

### LEGEND

- Indicates Visitor Parking
- Accessible parking spaces - with 9.0m dimensions
- Type A Van
- Car-share parking spaces - dimensions
- Parking spaces - with EV rough-in
- Standard parking spaces - dimensions
- Secure bike lockers - with access to standard electrical outlet
- Enhanced larger bicycle parking spaces - with access to standard electrical outlet
- Long term bicycle parking spaces - with access to standard electrical outlet
- Horizontal bicycle space long or short term.



**PURDY'S MILL - NORTH**  
586 UNITS  
OLD MILL APARTMENTS  
BLOCK 116, 115 AND 114  
OLD MILL ROAD  
KINGSTON - ONTARIO

### CONCEPTUAL OVERALL SITE PLAN

REV	DATE	DESCRIPTION
1	2024/02/01	ISSUED FOR REVIEW

Scale: 1:500 Date: OCTOBER 2022  
Drawing No: 1824 Revision: 5  
Project No: ASP01

#### SITE STATISTICS for Block 116 - 16 storeys plus mechanical/amenity penthouse 220 Units Apartment Building with Commercial Unit

- LOT AREA: 1.639 Ha
- Site: 16,387.2 m<sup>2</sup> 100.00 %  
Asphalt: 2,760.7 m<sup>2</sup> 16.97 %  
Walkways: 671.3 m<sup>2</sup> 4.10 %  
Blgd footprint: 1,467.1 m<sup>2</sup> 8.95 %  
Open space: 11,468.1 m<sup>2</sup> 69.98 %  
Underground garage: 10,292.5 m<sup>2</sup> 62.81 %
2. Lot Minima/Maximum Density: 100/200  
Proposed 134.23 units per Ha
3. Number of Parking Spaces  
**RESIDENTIAL**  
Provided: 1.5 P.S. per Unit  
Underground: 280 p.s.  
Grade: 50 P.S.  
Total: 330 P.S.  
Visitors and accessible parking spaces included  
Barrier free parking required: 9 P.S.  
Provided: 2 B.F. P.S. Van Accessible A on grade  
2 B.F. P.S. Accessible B on grade  
6 B.F. P.S. Accessible (A&B) underground
4. Gross Building Area = 24,045.2 m<sup>2</sup>  
16 x 1,467.1 = 571.6
5. Building Height = 50.125 m  
Ground floor FFE: 86.0 m  
Top of penthouse roof conc slab HP: 136.125m
6. 220 Units (1-Bach, 93-1Bed, 126-2Bed)  
17 Storey Apartment Building  
Dwelling Units Area (Minima) By-Law Provided  
Bachelor Unit: 37.0 m<sup>2</sup> 57.7 m<sup>2</sup>  
1 Bedroom Unit: 55.0 m<sup>2</sup> 71.5 m<sup>2</sup>  
2 Bedroom Unit: 65.0 m<sup>2</sup> 99.9 m<sup>2</sup>
7. Lot frontage onto Old Mill Road = 155.28 m
8. Amenity areas:  
Inside, Balconies & Roof Terrace: 2,933.00 m<sup>2</sup>  
Landscape area: 11,468.10 m<sup>2</sup>  
Total amenity area provided: 14,401.10 m<sup>2</sup>  
Amenity area required 18.5m<sup>2</sup> per Unit = 4,070.0 m<sup>2</sup>
9. Setbacks: By-Law 76-26 Section 5 (20)  
(iii) Other Road - 33 feet, plus the minimum front yard depth or exterior side yard width required for such use in the zone where it is located. (10 ft = 33 ft = 13.11m)

#### SITE STATISTICS for Block 115 - 12 storeys plus mechanical/amenity penthouse 164 Units Apartment Building

- LOT AREA: 1.639 Ha
- Site: 16,385.1 m<sup>2</sup> 100.00 %  
Asphalt: 4,684.0 m<sup>2</sup> 28.59 %  
Walkways: 1,190.0 m<sup>2</sup> 7.26 %  
Blgd footprint: 1,467.1 m<sup>2</sup> 8.95 %  
Open space: 9,044.0 m<sup>2</sup> 55.20 %  
Underground garage: 7,687.8 m<sup>2</sup> 46.92 %
2. Lot Minima/Maximum Density: 100/200  
Proposed 100.05 units per Ha
3. Number of Parking Spaces  
**RESIDENTIAL**  
Provided: 1.5 P.S. per Unit  
Underground: 201 p.s.  
Grade: 45 P.S.  
Total: 246 P.S.  
Visitors and accessible parking spaces included  
Barrier free parking required: 7 P.S.  
Provided: 2 B.F. P.S. Van Accessible A on grade  
2 B.F. P.S. Accessible B on grade  
6 B.F. P.S. Accessible (A&B)
4. Gross Building Area = 18,176.8 m<sup>2</sup>  
12 x 1,467.1 = 571.6
5. Building Height = 36.925 m  
Ground floor FFE: 86.0 m  
Top of penthouse roof conc slab HP: 124.925m
6. 164 Units (1-Bach, 69-1Bed, 94-2Bed)  
13 Storey Apartment Building  
Dwelling Units Area (Minima) By-Law Provided  
Bachelor Unit: 37.0 m<sup>2</sup> 57.7 m<sup>2</sup>  
1 Bedroom Unit: 55.0 m<sup>2</sup> 71.5 m<sup>2</sup>  
2 Bedroom Unit: 65.0 m<sup>2</sup> 99.9 m<sup>2</sup>
7. Lot frontage onto Old Mill Road = 134.04 m
8. Amenity areas:  
Inside, Balconies & Roof Terrace: 2,544.52 m<sup>2</sup>  
Landscape area: 9,044.00 m<sup>2</sup>  
Total amenity area provided: 11,588.52 m<sup>2</sup>  
Amenity area required 18.5m<sup>2</sup> per Unit = 3,034 m<sup>2</sup>
9. Setbacks: By-Law 76-26 Section 5 (20)  
(iii) Other Road - 33 feet, plus the minimum front yard depth or exterior side yard width required for such use in the zone where it is located. (10 ft = 33 ft = 13.11m)

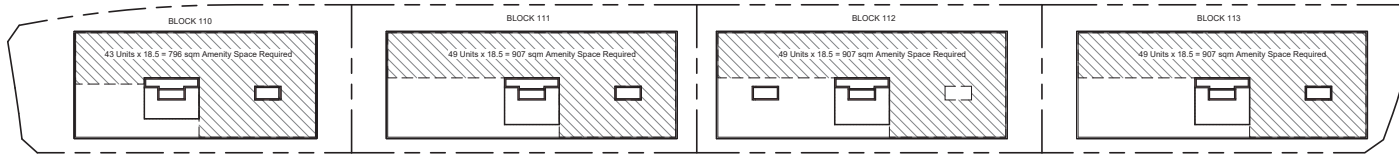
#### SITE STATISTICS for Block 114 - 15 storeys plus mechanical/amenity penthouse 206 Units Apartment Building

- LOT AREA: 1.603 Ha
- Site: 16,026.1 m<sup>2</sup> 100.00 %  
Asphalt: 3,540.0 m<sup>2</sup> 22.09 %  
Walkways: 717.3 m<sup>2</sup> 4.48 %  
Blgd footprint: 1,467.1 m<sup>2</sup> 9.15 %  
Open space: 10,301.7 m<sup>2</sup> 64.28 %  
Underground garage: 8,758.1 m<sup>2</sup> 54.65 %
2. Lot Minima/Maximum Density: 100/200  
Proposed 128.51 units per Ha
3. Number of Parking Spaces  
**RESIDENTIAL**  
Provided: 1.5 P.S. per Unit  
Underground: 236 p.s.  
Grade: 74 P.S.  
Total: 309 P.S.  
Visitors and accessible parking spaces included  
Barrier free parking required: 9 P.S.  
Provided: 2 B.F. P.S. Van Accessible A on grade  
2 B.F. P.S. Accessible B on grade  
6 B.F. P.S. Accessible (A&B)
4. Gross Building Area = 22,578.1 m<sup>2</sup>  
15 x 1,467.1 = 571.6
5. Building Height = 47.325 m  
Ground floor FFE: 86.0 m  
Top of penthouse roof conc slab HP: 114.325m
6. 206 Units (1-Bach, 87-1Bed, 118-2Bed)  
16 Storey Apartment Building  
Dwelling Units Area (Minima) By-Law Provided  
Bachelor Unit: 37.0 m<sup>2</sup> 57.7 m<sup>2</sup>  
1 Bedroom Unit: 55.0 m<sup>2</sup> 71.5 m<sup>2</sup>  
2 Bedroom Unit: 65.0 m<sup>2</sup> 99.9 m<sup>2</sup>
7. Lot frontage onto Old Mill Road = 107.42 m
8. Amenity areas:  
Inside, Balconies & Roof Terrace: 2,831.28 m<sup>2</sup>  
Landscape area: 10,301.70 m<sup>2</sup>  
Total amenity area provided: 13,115.98 m<sup>2</sup>  
Amenity area required 18.5m<sup>2</sup> per Unit = 3,811 m<sup>2</sup>
9. Setbacks: By-Law 76-26 Section 5 (20)  
(iii) Other Road - 33 feet, plus the minimum front yard depth or exterior side yard width required for such use in the zone where it is located. (10 ft = 33 ft = 13.11m)

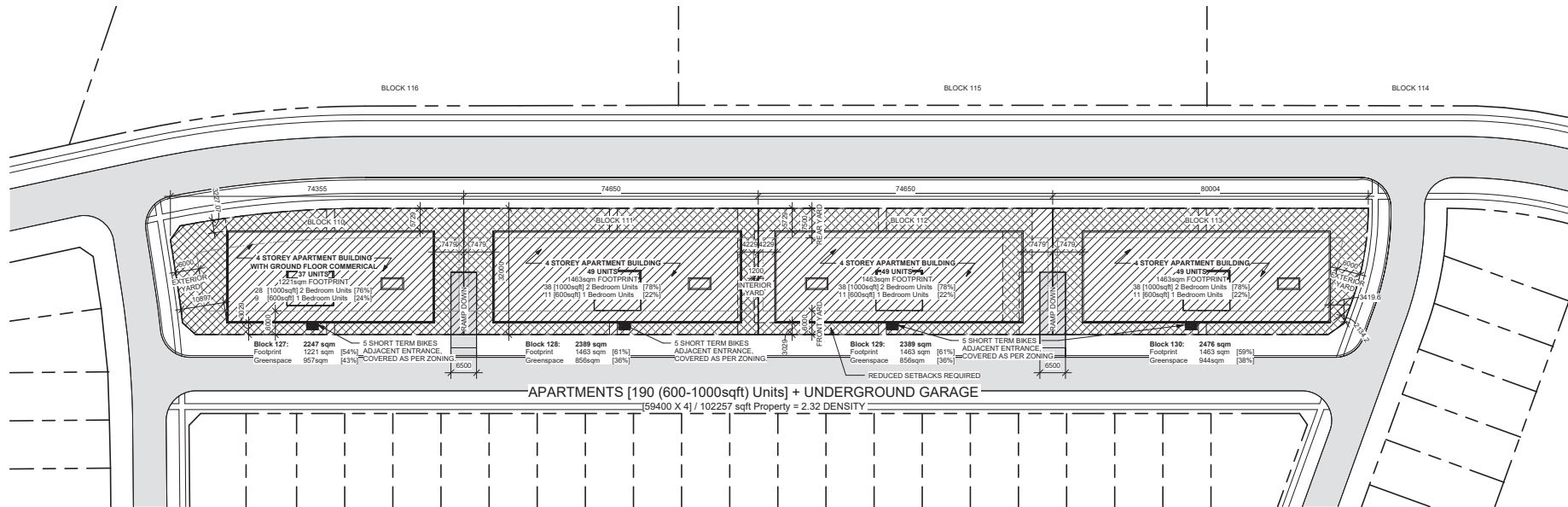
**OVERALL SITE BLOCK 116, 115 & 114**  
SCALE: 1:500

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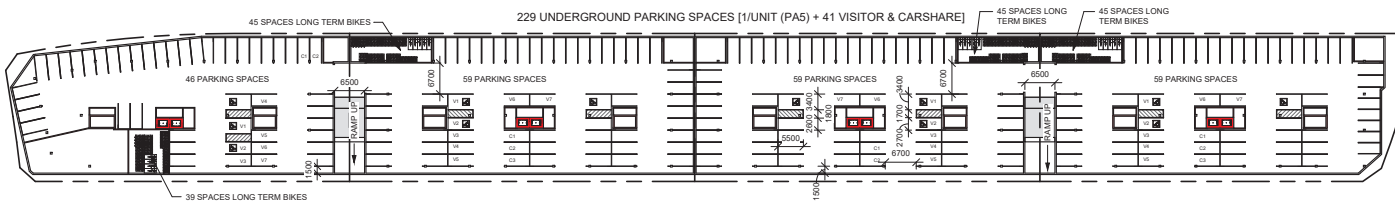
Revisions		
Revision Number	Revision Date	Revision Description
1	2023-04-18	ISSUED FOR ZBA
2	2023-08-01	ISSUED FOR ZBA.11



3 ROOF PLAN  
1: 500



2 SITE PLAN  
1: 500



1 GARAGE LEVEL  
1: 500

PARKING	BEG.	SPACES	VISITOR	CARSHARE	TOTAL
BLOCK 110	48	37	7	2	46
BLOCK 111	59	49	7	3	59
BLOCK 112	58	50	7	2	59
BLOCK 113	59	49	7	3	59
TOTAL	222	184	28	10	222

BICYCLE PARKING	BEG.	LONG TERM	SHORT TERM	TOTAL
BLOCK 110	38	34	4	38
BLOCK 111	50	45	5	50
BLOCK 112	50	45	5	50
BLOCK 113	50	45	5	50

Alexander Wilson Architect Inc  
 Admiralty Place  
 103-20 Gore Street  
 Kingston, Ontario, K7L 2L1  
 T: 613.545.3744 ext 213  
 F: 613.545.1411

Project  
**OLD MILL HOUSING**

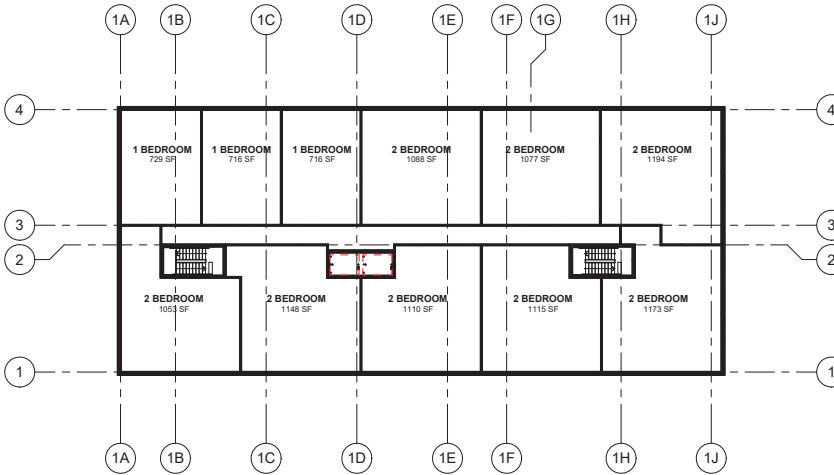
Drawing  
**SITE PLAN**

Drawn By: \_\_\_\_\_ Checked By: \_\_\_\_\_  
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 Project No: 2303 Revision: 2  
 Drawing No: **A001**

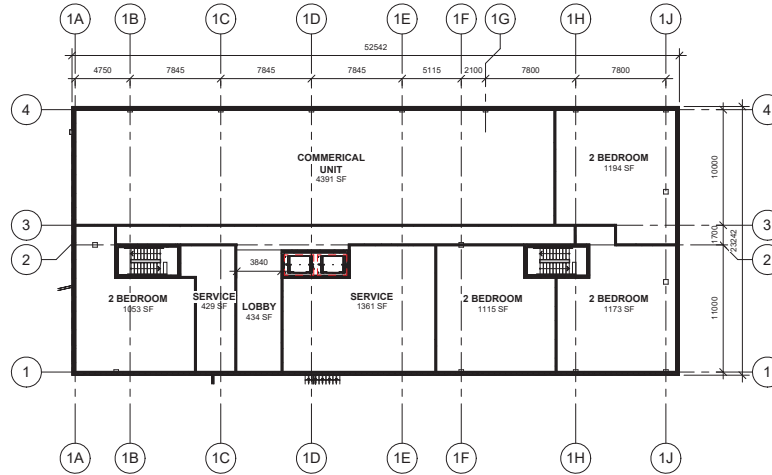
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 CODE.

28 (1000sqft) 2 Bedroom Units [76%]  
 9 (600sqft) 1 Bedroom Units [24%]  
 49 Units Total

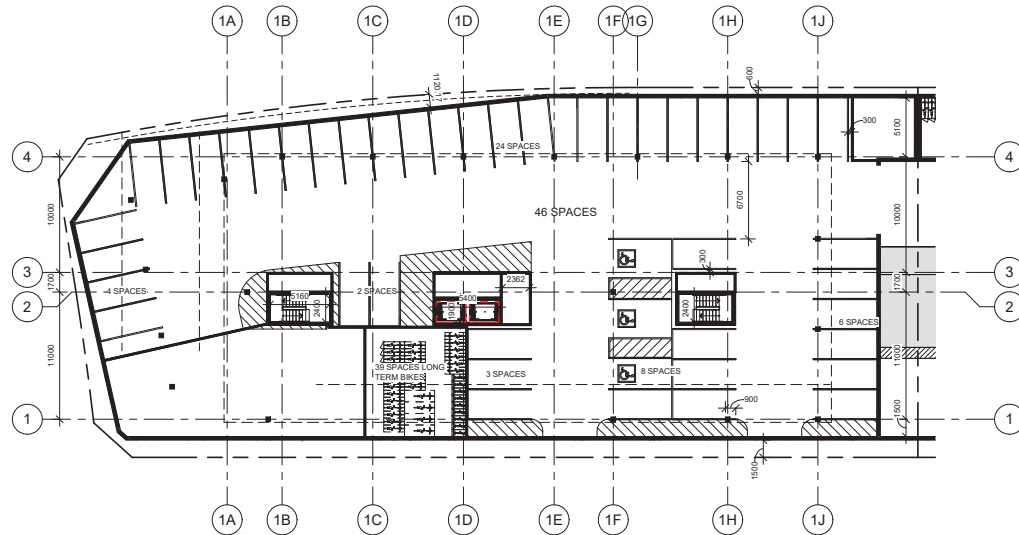
Revisions		
Revision Number	Revision Date	Revision Description



3 SECOND FLOOR PLAN  
 1 : 200



2 GROUND FLOOR PLAN  
 1 : 200



1 GARAGE FLOOR PLAN  
 1 : 200

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 Admiralty Place  
 103-20 Gore Street  
 Kingston Ontario, K7L 2L1  
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Project: **OLD MILL HOUSING**

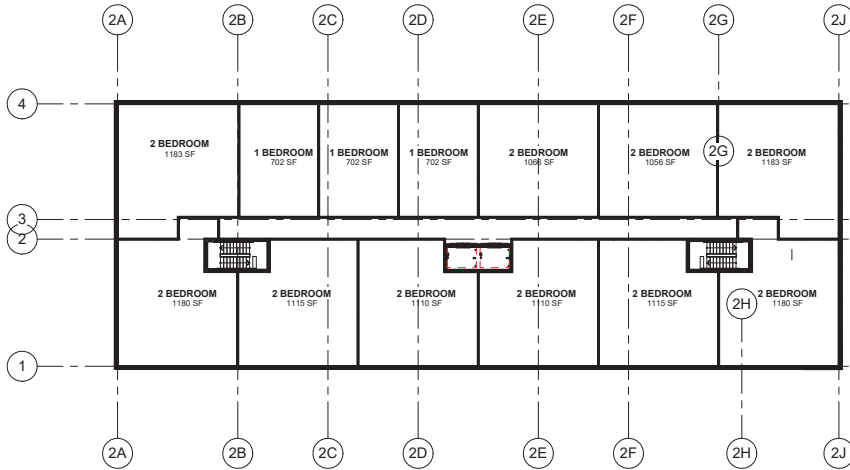
Drawing: **BLOCKS 110 TYPICAL FLOOR PLANS**

Drawn By: \_\_\_\_\_ Checked By: \_\_\_\_\_  
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 Project No: 2303 Revision: \_\_\_\_\_  
 Drawing No: **A101**

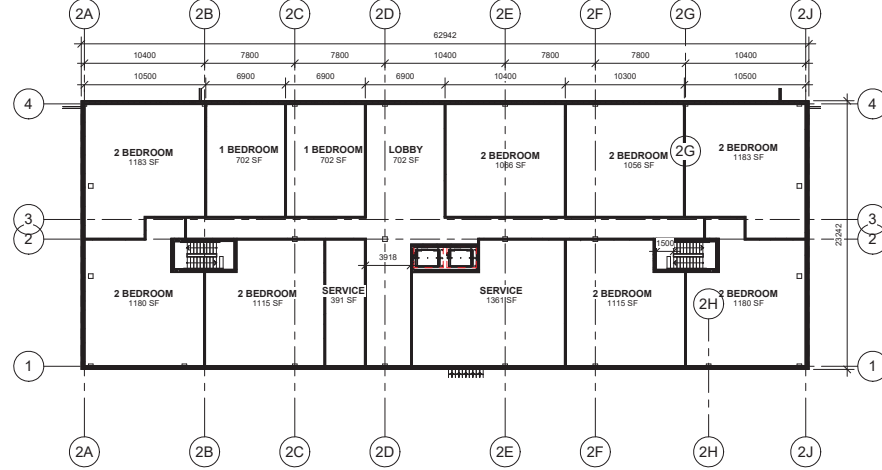
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38 [1000sqft] 2 Bedroom Units [78%]  
 11 [600sqft] 1 Bedroom Units [22%]  
 49 Units Total

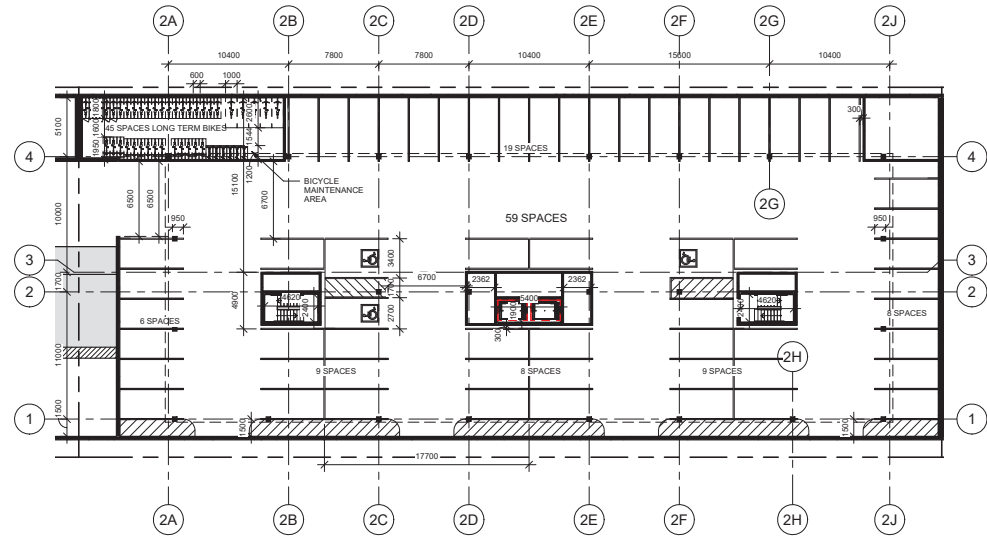
Revisions		
Revision Number	Revision Date	Revision Description



3 SECOND FLOOR PLAN  
 1 : 200



2 GROUND FLOOR PLAN  
 1 : 200



1 GARAGE FLOOR PLAN  
 1 : 200

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 F: 613.545.1411

Project  
**OLD MILL HOUSING**

Drawing  
**BLOCKS 111-113  
 TYPICAL FLOOR PLANS**

Drawn By: \_\_\_\_\_ Checked By: \_\_\_\_\_  
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 Drawing No: **A102**



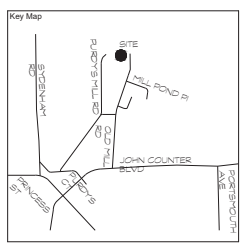


**HOMESTEAD**

Seal:

North:

No.	Issues and Revisions	Date
1.	ISSUED FOR COORDINATION	2023-02-09



**Project Notes**  
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The contractor shall check and verify all dimensions and report any discrepancies, error, or omissions to the Landscape Architect prior to commencing work.  
Base plan information taken from Site Plan provided by Company Name: ALEXANDER WILSON ARCHITECTS INC. Dated: 2022-12-07

Wentworth Landscapes  
13392 Loyalist Parkway RR.1, Picton ON K0K 2T0  
613.476.1181

Consultants



Client: HOMESTEAD LAND HOLDING LTD

Project: PURDY'S MILL - RILEY HOUSE

Project Location: 1060 OLD MILL RD KINGSTON, ON

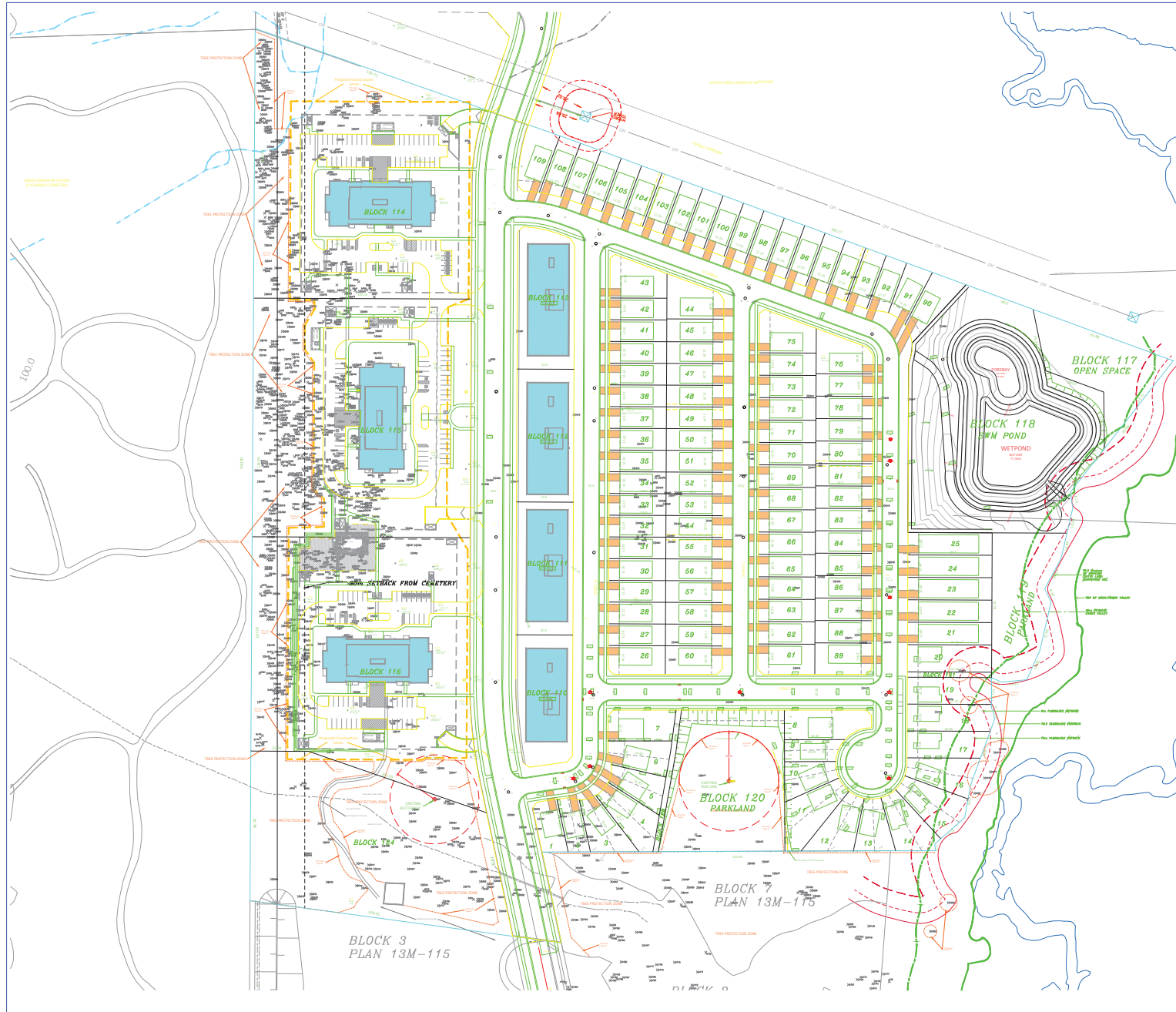
Drawing Title: LANDSCAPE PLAN

Scale: 1:400	Plot Date: 2023-02-09
Date: 2023-02-08	Designed By: S.W.
Drawn By: E.B.	Approved By: S.W.
Project Number: 22059-DC	Drawing Number: L1



G:\Shared\Drawings\Commercial\Department01 - PROJECTS\2022\20200505.DC - Purdy's Mill - Riley House - 1060 Old Mill Rd - 1.L1 Landscape Plan.dwg

# Exhibit K Report Number PC-25-005



## TREE PROTECTION PLAN Tree Protection Zone (TPZ) Fencing



**Dogwoods**  
 Charlie Cavanagh NPD  
 Horticulturist  
 ISA Certified Arborist  
 0N-1833A  
 Dogwoods Inc.  
 613-328-8067

Rev.	By	Date	Description

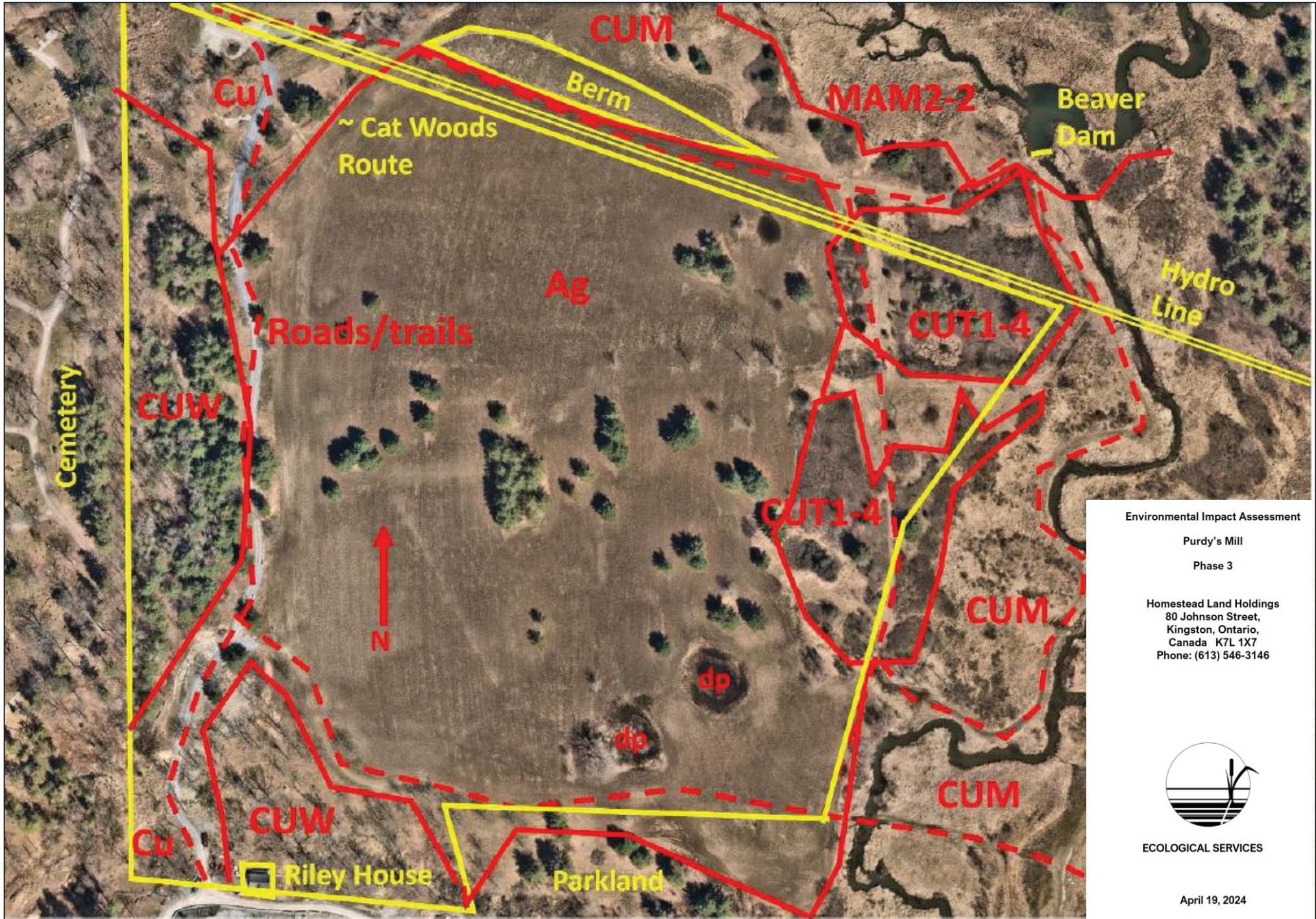
**JE** Josselyn Engineering Inc.

1225 GARDINERS ROAD  
 SUITE 105  
 KINGSTON, ONTARIO K7P 2R9  
 TEL : 613-634-9278  
 FAX : 613-634-9138  
 E-MAIL : rjosselyn@josselyn.ca

OWNER: HOMESTEAD LAND HOLDINGS  
 PROJECT: PURDY'S MILL SUBDIVISION PHASE 3

DRAWING TITLE: GRADING PLAN

Designed by: M.J.	Date: NOVEMBER 24, 2023	Project No: 1436	Drawing No: LG2
Drawn by: M.J.	Scale: 1:500		
Checked by: M.J.			



Environmental Impact Assessment

Purdy's Mill

Phase 3

Homestead Land Holdings  
80 Johnson Street,  
Kingston, Ontario,  
Canada K7L 1X7  
Phone: (613) 546-3146



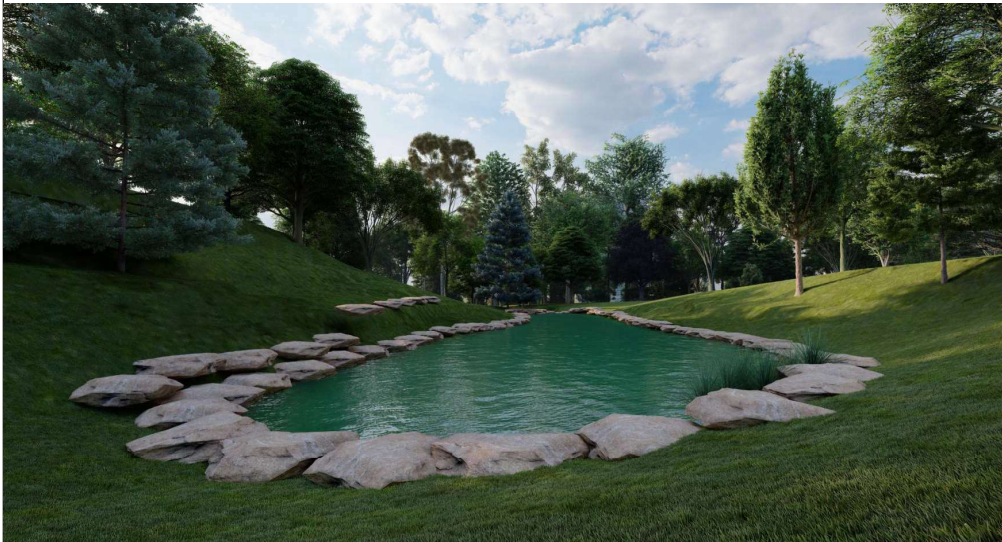
ECOLOGICAL SERVICES

April 19, 2024



# VIEW 1 POND (E) WEST AVE & SPRUCE AVE

REPRODUCED VIEW

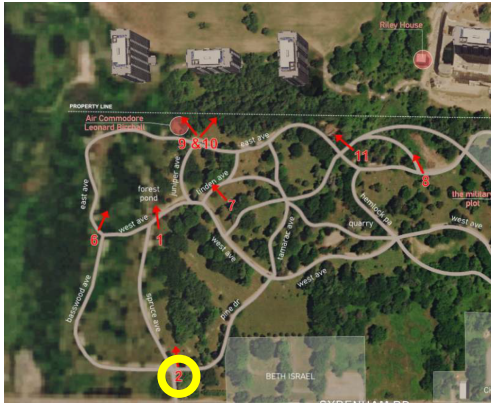


LEFT TO RIGHT: BLDG 6 (2022) 15+1  
storeys, BLDG 5 (2022) 11+1 storeys

# VIEW 2 NORTH GATE (E) SYDENHAM RD & SPRUCE AVE

CHARACTER DEFINING ELEMENT

REPRODUCED VIEW



Purdy's Mills 2022 - Phase 2

VIEW 2 - PHOTO



Purdy's Mills 2022 - Phase 2

VIEW 2 - 2022 DESIGN - RENDER



LEFT TO RIGHT: BLDG 6 (2022) 15+1 stores, BLDG 5 (2022) 11+1 stores

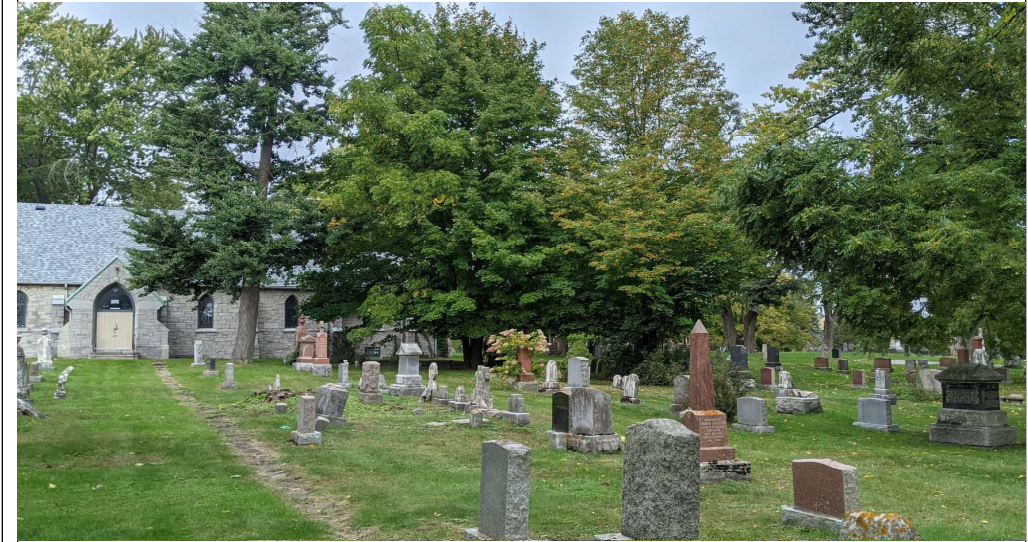
Purdy's Mills 2022 - Phase 2

VIEW 2 - 2022 DESIGN - RENDER + BLDG OUTLINES

# VIEW 3 QUAKER BURIAL GROUND (NE) CHRIST CHURCH & SYDENHAM RD

CHARACTER DEFINING ELEMENT

REPRODUCED VIEW



LEFT TO RIGHT: BLDG 6 (2022) 15+1 storeys, BLDG 5 (2022) 11+1 storeys, BLDG 4 (2022) 16+1 storeys, BLDG 3 14+1, BLDG 2 14+1

# VIEW 4 VAULTS (NE) MAPLE AVE AT OFFICE

CHARACTER DEFINING ELEMENT

REPRODUCED VIEW



LEFT TO RIGHT: BLDG 3 14+1, BLDG 2 14+1



# VIEW 5 SOUTH GATE & LODGE (N) PURDY'S MILLS RD

CHARACTER DEFINING ELEMENT

REPRODUCED VIEW



LEFT TO RIGHT: BLDG 6 (2022) 15+1 stores, BLDG 5 (2022) 11+1 stores, BLDG 4 (2022) 16+1 stores, BLDG 3 14+1, BLDG 2 14+1, BLDG 1 14+1

# VIEW 6 EAST AVE NORTH (E) WEST AVE & BASSWOOD AVE

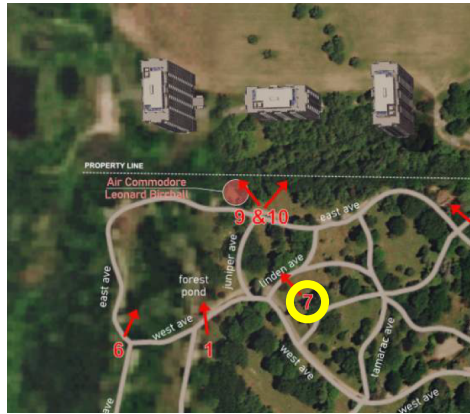
REPRODUCED VIEW



LEFT TO RIGHT: BLDG 6 (2022) 15+1 stores, BLDG 5 (2022) 11+1 stores, BLDG 4 (2022) 16+1 stores

# VIEW 7 EASTERN 1 (NE) WEST AVE & LINDEN AVE

NEW VIEW  
REPLACEMENT FOR PREVIOUS VIEW 7 TO ALLOW FOR MORE VARIETY OF VANTAGE POINTS



LEFT TO RIGHT: BLDG 6 (2022) 15+1 stores, BLDG 5 (2022) 11+1 stores

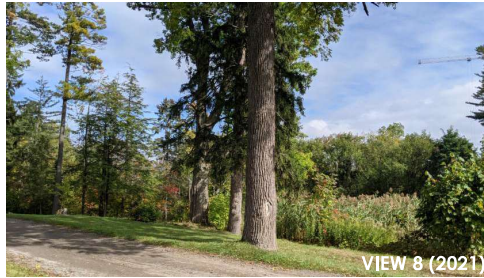
# VIEW 8 EASTERN 2 (NE) EAST AVE & MILITARY PLOT

NOTABLE AREA OF EXPOSURE

REPRODUCED VIEW

\*A NEW PHOTO REFERENCE HAS BEEN TAKEN TO BETTER UNDERSTAND THE VIEWS IN RELATION TO

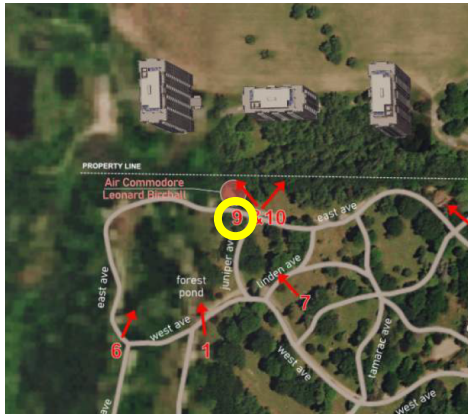
THE EXISTING BUILDINGS.



LEFT TO RIGHT: BLDG 6 (2022) 15+1 storeys, BLDG 5 (2022) 11+1 storeys, BLDG 4 (2022) 16+1 storeys, BLDG 3 14+1

# VIEW 9 EASTERN 3 (NE) EAST AVE & LINDEN AVE

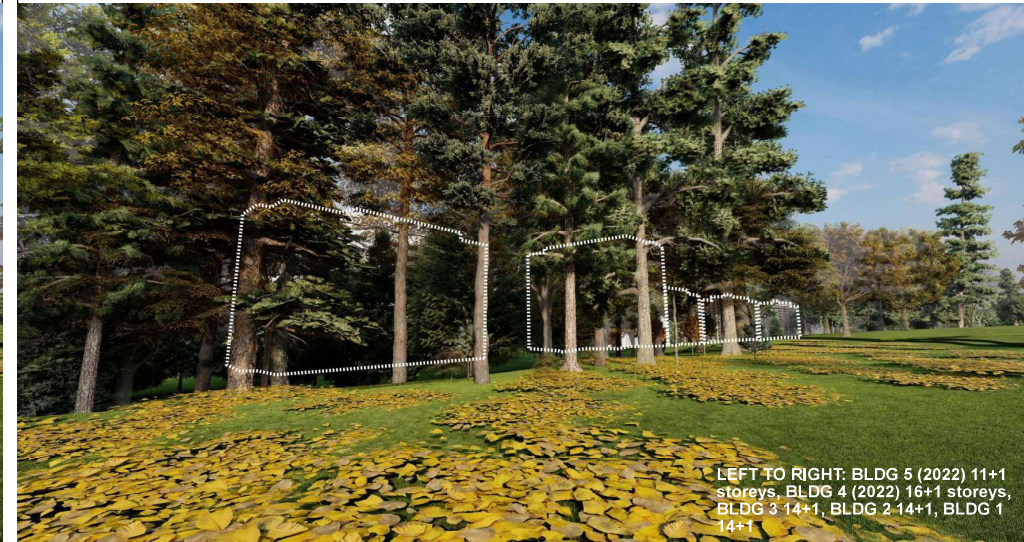
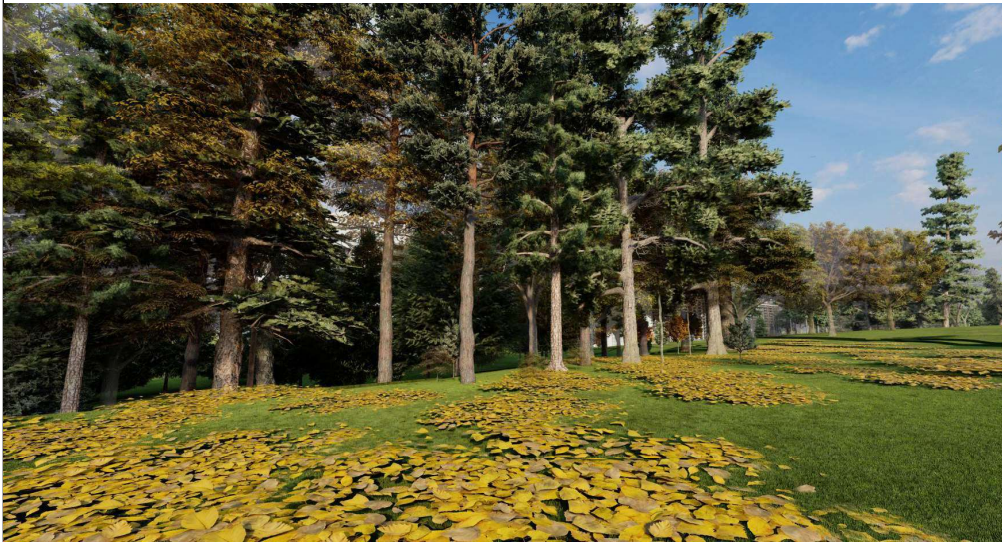
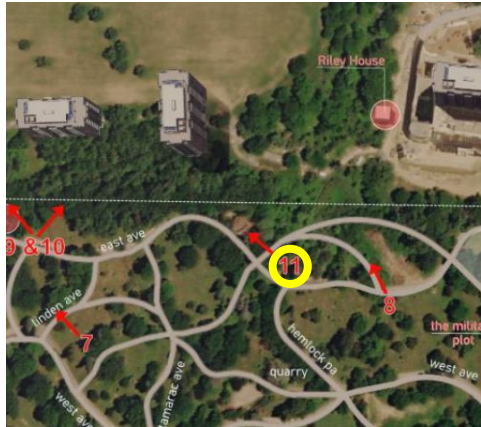
NEW VIEW



LEFT TO RIGHT: BLDG 6 (2022) 15+1 storeys, BLDG 5 (2022) 11+1 storeys

# VIEW 10 EASTERN 4 (SE) EAST AVE & JUNIPER AVE

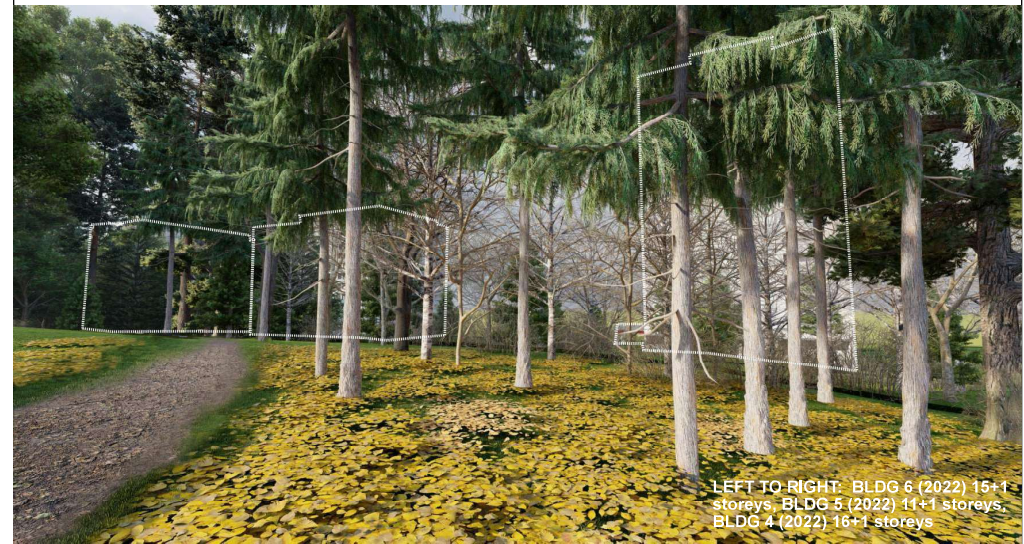
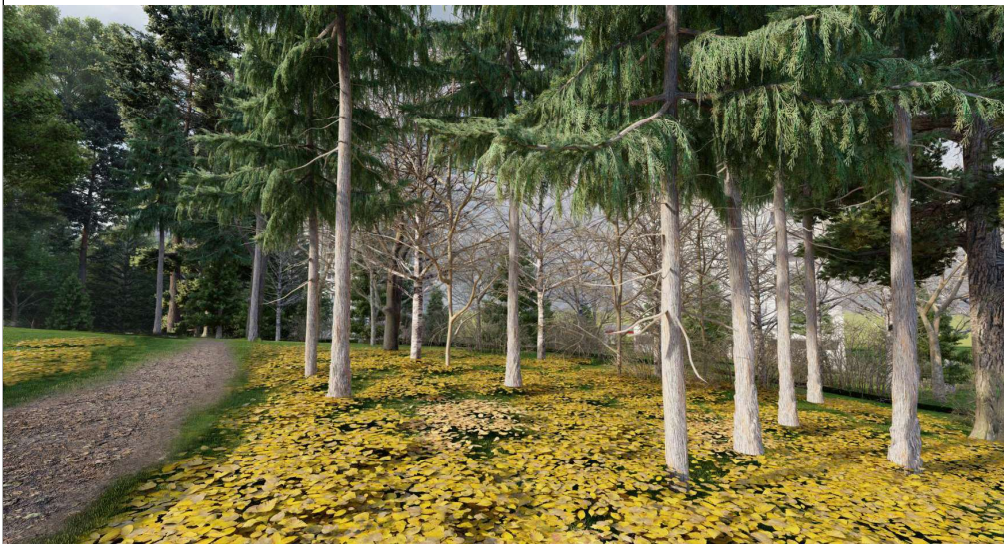
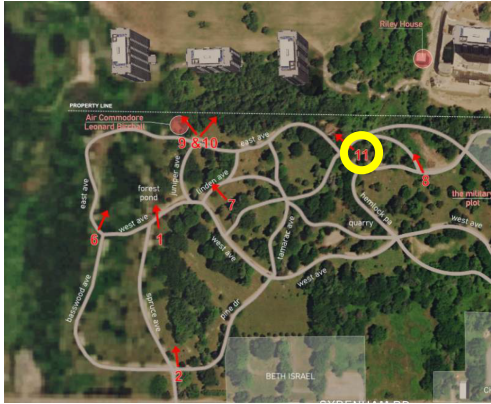
NEW VIEW



LEFT TO RIGHT: BLDG 5 (2022) 11+1 storeys, BLDG 4 (2022) 16+1 storeys, BLDG 3 14+1, BLDG 2 14+1, BLDG 1 14+1

# VIEW 11 EASTERN 5 (NE) EAST AVE & HEMLOCK AVE

## NEW VIEW



LEFT TO RIGHT: BLDG 6 (2022) 15+1 storeys, BLDG 5 (2022) 11+1 storeys, BLDG 4 (2022) 16+1 storeys

**Site Photos**

**View of current terminus of Old Mill Road looking north towards the Riley House and existing 14 storey apartment**





**View south end of subject lands looking north towards Phase 1 & 2 lands and  
Cataraqi Cemetery**



View along perimeter of northern tree line looking north towards Hydro line



**View Looking north towards Cataraqui Cemetery from edge of tree line**



View of subject lands looking south towards Phase 1 & 2



**Clendening, Ian**

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**From:** Lambert,Lindsay  
**Sent:** July 7, 2020 9:32 AM  
**To:** 'Konstantinos Panageotopoulos'; Craig Boals  
**Cc:** Park,Tim; Chapelle,Simon  
**Subject:** RE: CATARAQUI CEMETERY

Hello Mr. Panageotopoulos,

Thank you very much for your email. My apologies for the delay in my response.

Unfortunately, due to health and safety concerns around COVID-19, staff were and continue to be quite limited in terms of our ability to conduct site visits.

We will provide the peer reviewer with access to the questions and concerns that you have outlined in this email, as well as the other public submissions that we have received with respect to these applications to date. We will provide them with the photographs that you have submitted to date, to assist in their understanding of the site when deciduous foliage is absent.

The peer reviewer is required to provide an independent professional assessment as to whether the CHIS update has, in its findings and recommendations, correctly applied and interpreted all of the applicable federal, provincial and municipal cultural heritage planning policies and legislation that apply to the subject site and adjacent sites.

Staff look forward to having the peer reviewer selected so that we can move forward in having them and staff attend the subject property and the Cemetery property to meet with you and to conduct their on-site analyses.

I would also like to advise that I have been assigned the site plan control application for the third building within Phase 2 of the Purdy's Mill Subdivision on the property municipally known as 1060 Old Mill Road (File: D11-020-2020). If you have any questions or concerns with respect to that application, please contact me. If you are interested, you can access the DASH public portal to review the status of the application and the supporting documents provided by the applicant.

Sincerely,  
Lindsay

**Lindsay Lambert MCIP, RPP**

Senior Planner  
Planning Services  
Community Services

City of Kingston  
Located at: 1211 John Counter Boulevard  
216 Ontario Street, Kingston, ON K7L 2Z3  
613-546-4291 ext. 2176



[llambert@cityofkingston.ca](mailto:llambert@cityofkingston.ca)

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**From:** Konstantinos Panageotopoulos [REDACTED] >  
**Sent:** Friday, June 19, 2020 1:48 PM  
**To:** Craig Boals [REDACTED] >; Lambert,Lindsay <llambert@cityofkingston.ca>  
**Cc:** Park,Tim <tpark@cityofkingston.ca>; Chapelle,Simon <schapelle@cityofkingston.ca>  
**Subject:** Re: CATARAQUI CEMETERY

Hello Lindsay,

Thank you for your response.

The Board of Trustees had hoped that planing department staff would have initiated a site visit prior to our inquiry about a site visit.

Particularly, because a full appreciation of the concerns we have in regards to the views to and from the existing and proposed towers will be more difficult to ascertain now that the trees have regained their foliage. In addition, concerns about water (spring run off and rain) management could be shown.

Although the effect is not the same, we do have photographs that demonstrate our concerns.

You have noted that the planing department is in the process of setting up a peer review of the heritage impact assessment.

As we are uncertain of when we will meet, I have a few comments and questions relating to the peer review.

The peer review of the first CHIS failed to address a number of significant facts and I have little faith that a peer review of the updated CHIS will come to a different conclusion.

Does planing department have the ability to question the results of a peer review?

Does the planing department have the ability to stipulate that the peer review will be required to exceed the limited and subjective analysis of the CHIS and CHIS update?

Will the following items of concern be thoroughly addressed or allowed to be simply dismissed as they were in the peer review of the first CHIS?

- High rise development around Mount Pleasant Cemetery in Toronto occurred well before the implementation of the Ontario Heritage Act came into existence. The precedence of development was already set. Is there an example of new high rise development beside a cemetery that had no existing high rise development beside it and was protected under the OHA?

- Flooding along the property is a continuing issue. As the Site Specific Objective #3 was recommended in the CHIS and CHIS update, will the impact of how the flow of water along the whole property line is managed be addressed?
  
- Site Specific Objective #7 recommended in the CHIS and CHIS update deals with restricting the evolution of the site. The cemetery is a working living history site that relies on a sense of place to generate income to support operations and heritage conservation. The view of towers has proven to devalue our product. Will the peer review address this?
  
- Since the non growing season lasts 2/3 of the year, will views to and from the cemetery from various elevations in cemetery be examined?
  
- The drop in elevation at fence line does not equate to the difference of adding 4-6 extra storeys (compared to first phase of towers). Will renderings from various elevations in the cemetery be available for the peer review to consider?
  
- Since the impact of masking by planting trees on a berm or other location would take at least 20 - 40 years to be achieved, will that be addressed?
  
- Will the impact on cultural practises related to grieving, memorialization and religious customs be examined?
  
- As numerous heritage attributes listed in the designation bylaw were not mentioned in the CHIS update, will they be examined?
  
- There are numerous pages on the National Heritage Site designation of Sir John A. Macdonald's gravesite. The whole cemetery has a NHS designation. Will that be examined?
  
- Will the impact of construction noise and blasting over a possible 5-10 years be addressed?

I look forward to meeting with you and planing staff to in the near future.

Keep well!

Kind regards,

KC (Gus) Panageotopoulos  
President  
The Cataraqui Cemetery Company

**From:** Craig Boals [REDACTED] >  
**Sent:** June 15, 2020 2:50 PM  
**To:** Lambert,Lindsay <llambert@cityofkingston.ca>  
**Cc:** Park,Tim <tpark@cityofkingston.ca>; 'Gus Panageotopoulos' [REDACTED] >  
**Subject:** RE: CATARAQUI CEMETERY

Hi Lindsay,

We welcome the opportunity to meet with any one who wishes a site visit. Please let us know when the time comes. As for our "people mover", we no longer have the vehicle and any visit might have to be either on foot or lead in separate vehicle.

Thank you for the update.

Regards,

## Craig Boals

Director of Operations

### Cataraqui Cemetery and Funeral Services & Cataraqui Cemetery NHSC

The Cataraqui Cemetery Company · EST. 1850

927 Purdy's Mill Rd., Kingston, ON, K7M 3N1

[www.cataraquicemetery.ca](http://www.cataraquicemetery.ca)

### Cemetery · Funeral · Cremation · Monuments

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**From:** Lambert,Lindsay <llambert@cityofkingston.ca>  
**Sent:** June 15, 2020 2:46 PM  
**To:** Craig Boals [REDACTED]  
**Cc:** Park,Tim <tpark@cityofkingston.ca>  
**Subject:** RE: CATARAQUI CEMETERY

Hi Craig,

Thank you for your email.

Planning staff are in the process of setting up a peer review of the heritage impact assessment. Once the peer reviewer is retained, I was thinking of reaching out to you to set up a site visit. Staff have been restricted in terms of conducting site visits due to COVID-19 restrictions, however hopefully we will be able to engage in a site visit in the near future, as it forms a critical part of staff's review of the Planning Act applications for the adjacent site. The peer reviewer will also be required to conduct a site visit of the cemetery property as part of the scope of work for their independent review. May I reach out to you when the time comes to set up this site visits to meet with you on the property to review the site with you and any other interested members of the Board? I recall a previous site visit that I participated which involved cemetery staff accompanying staff on golf carts to get a more extensive understanding of the cemetery property. Is this possible again? I think that this would be of particular benefit to my Manager, Tim Park, as he has been in his role for about a year now, having moved from the GTA to Kingston around that time.



Lindsay



**Lindsay Lambert MCIP, RPP**

Senior Planner  
Planning Services  
Community Services

City of Kingston  
Located at: 1211 John Counter Boulevard  
216 Ontario Street, Kingston, ON K7L 2Z3  
613-546-4291 ext. 2176  
[llambert@cityofkingston.ca](mailto:llambert@cityofkingston.ca)

---

**From:** Craig Boals [REDACTED] >  
**Sent:** Friday, June 12, 2020 11:30 AM  
**To:** Lambert,Lindsay <[llambert@cityofkingston.ca](mailto:llambert@cityofkingston.ca)>  
**Subject:** CATARAQUI CEMETERY

Hi Lindsay,

Have you or other planning staff had the chance to do site visit yet?

**Craig Boals**

Director of Operations

**Cataraqui Cemetery and Funeral Services  
& Cataraqui Cemetery NHSC**

The Cataraqui Cemetery Company · EST. 1850  
927 Purdy's Mill Rd., Kingston, ON, K7M 3N1  
[www.cataraquicemetery.ca](http://www.cataraquicemetery.ca)



**Cemetery · Funeral · Cremation · Monuments**

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**Clendening, Ian**

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**From:** Thompson, James  
**Sent:** June 1, 2020 1:54 PM  
**To:** Lambert, Lindsay  
**Cc:** Park, Tim  
**Subject:** Fw: Homestead Development On Eastern Boundary Of The Cataraqui Cemetery

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**From:** Ochej, Derek <dochej@cityofkingston.ca>  
**Sent:** Monday, June 1, 2020 1:52 PM  
**To:** Thompson, James <jcthompson@cityofkingston.ca>  
**Subject:** FW: Homestead Development On Eastern Boundary Of The Cataraqui Cemetery  
Official correspondence for the next Planning Committee meeting. Can you also share with the planner for the file?  
Derek

---

**From:** Mayor of Kingston <mayor@cityofkingston.ca>  
**Sent:** June-01-20 1:37 PM  
**To:** Ochej, Derek <dochej@cityofkingston.ca>  
**Subject:** FW: Homestead Development On Eastern Boundary Of The Cataraqui Cemetery

Hello Derek,  
Are you able to forward this onto someone on the Planning Committee. Mayor Paterson said this should go to them.  
Thank you in advance.  
Kindly,



**Brooke Porco**  
Mayor's Office Assistant  
Mayor's Office  
City of Kingston  
City Hall  
216 Ontario Street Kingston, ON K7L 2Z3  
613-546-4291 x 1411  
[bporco@cityofkingston.ca](mailto:bporco@cityofkingston.ca)



**From:** K.C.(Gus) Panageotopoulos [REDACTED]  
**Sent:** Saturday, May 02, 2020 5:06 PM  
**To:** Mayor of Kingston  
**Subject:** Homestead Development On Eastern Boundary Of The Cataraqui Cemetery

Dear Mayor Patterson,

As you were the Chair of the Planning Committee when the City of Kingston approved Homestead Land Holdings request to build three 14 storey towers along the eastern boundary of the Cataraqui Cemetery in 2014, you are familiar with arguments The Cataraqui Cemetery Company put forward regarding the protection of the rich cultural heritage asset and financial instability the development would have on the cemetery.

On May 7, 2020 a new application to build three 18 storey (plus penthouse and utility storey) towers will be the subject of a Public Meeting.

By building three more towers that are 30% higher and 30% closer to the eastern boundary of the cemetery, the plan will effectively wall in the cemetery.

In 2014, it may have been difficult to fully appreciate the cemetery's position. The case put forward by Homestead on paper may have made sense at that time.

Today, the visual impact of the existing towers and the proposed towers have a significant impact on the cemetery.

Section 2.9 of the the Official Plan speaks to economic development. The Goal states **“To protect and support a strong and diversified economic base within the City to provide jobs for its citizens and new opportunities for investment within Kingston in a manner that achieves compatible development and land use without generating negative impacts or adverse effects.”**

Section 2.9.1 b) states “providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses that **support a wide range of economic activities and complementary uses, and takes into account the needs of existing and future businesses.**

The Cataraqui Cemetery Company is unlike any other business. We can not pick up and relocate if a neighbouring development has a negative impact on the quality of our product and eventually, a significant impact on our financial stability.

As a not for profit corporation, The Cataraqui Cemetery Company faces numerous financial challenges in order to ensure that regular daily operations occur and funds are put in trust to provide for the upkeep of the cemetery in the future.

There is no doubt that the visual impact of the exiting towers and the three new towers that Homestead wants to build have a significant impact on the financial stability of the cemetery.

Although views from the cemetery were not deemed as having cultural heritage importance in the CHIS, the picturesque views since 1853 have been strongly associated with the appeal of the cemetery as a natural sanctuary within the ever expanding urbanization of the city.

Our clients, the bereaved and visitors can not draw an imaginary curtain to block out how they feel walled in and overlooked.

The visual impact of the towers on a year long basis is impacting the sale of rights of interment for lots in the sight line of the towers.

Having to manage the masking of the towers which lack aesthetic appeal will be challenging. The cemetery will in time, need to develop the limited existing green barrier so rights of internment can be provided for future generations.

At present it cost just over one million dollars a year to operate the cemetery. Should the cemetery fall into financial stress and not have the ability to provide for the upkeep of the grounds, there is a realistic chance that the cemetery could become a burden to the city and the tax payer.

In this era of conflict between pro development and pro heritage conservation, you are on record stating that there is a need for compromise.

The significance of the cemetery as a rich cultural heritage asset was dismissed in 2014. In Section 7.2 of CHIS, the author stated “The proposed interventions could not be classified as “very intrusive” and so, does not warrant further analysis for potential impact assessment on the overall cemetery.”

The CHIS lists a summary of site specific conservation objectives. In respect to financial impact, one line now has considerable weight.

g, To ensure the design does not restrict future evolution of the historic places (i.e. should they be retained and rehabilitated and mothballed or adaptively reused) in such a way that that significant negative impact is likely a result.

After decades of opposing high rise development beside the eastern boundary of the cemetery, the cemetery submitted to compromise. Despite assurances that mitigation efforts would address our concerns, the reality is that the visual impact of the existing towers and future towers will have a significant negative impact on the financial stability of the cemetery.

The cemetery is not opposed to development. However, the Board of Trustees believe that it has to be designed in a manner that ensures no further detrimental consequences to the cemetery.

Benjamin Franklin said “Show me your cemeteries and I will tell you what kind of people you have”.

This time, the circumstances are different. You have the opportunity to demonstrate your belief that compromise can benefit all parties.

I will send a separate email with images to demonstrate the points I have made in this informal email.

In order to have a full appreciation of the impact the towers have on the cemetery in the non growing season, I encourage you to visit the cemetery and walk the grounds prior to the end of this coming week.

Kind regards,  
Gus Panageotopoulos

**Clendening, Ian**

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**From:** Morgan Fletcher [REDACTED] >  
**Sent:** May 7, 2020 11:57 AM  
**To:** Thompson, James; Lambert, Lindsay  
**Cc:** Alexandra Whyte; David Donnelly  
**Subject:** Correspondence for May 7 Meeting re: City File Number D35-002-2020 - 999 Purdy's Mill Road  
**Attachments:** 2020 05 07 Donnelly Law Letter re Cataraqui Cemetery Company .pdf; Attachment 1 to Donnelly Law Letter re Cataraqui Cemetery May 7, 2020.pdf

Dear Mr. Thompson and Ms Lambert,  
Please find attached:

- 1) A letter from Donnelly Law on behalf of the Cataraqui Cemetery Company, for the Meeting of May 7, 2020 on the above-noted matter; and
- 2) Attachment 1 to the letter.

Would you be so kind as to add this correspondence to the material to be presented at tonight's Planning Committee meeting? Many thanks.

Best,

**Morgan Fletcher**, HBSc, JD  
Student-at-Law  
[Donnelly Law](#)  
276 Carlaw Ave., Suite 203  
Toronto, ON  
M4M 3L1

Office: [REDACTED]

**\*Please Note:** In response to COVID-19 recommendations made by Toronto Public Health on March 16, our office will be closed as of March 18, 2020. We will be continuing to work remotely, but all in-person meetings are cancelled at this time. As we will have limited access to phone messages moving forward, we request that you utilize e-mail correspondence as your primary contact method with our office at this time.\*



May 7, 2020

Ms Lindsay Lambert, Senior Planner  
Planning Services, Community Services  
City of Kingston  
216 Ontario Street  
Kingston, ON K7K 2Z3

*Sent via email to: [jcthompson@cityofkingston.ca](mailto:jcthompson@cityofkingston.ca)*

Dear Ms Lambert,

**Re: Zoning By-Law Amendment & Draft Plan of Subdivision,  
City File Number D35-002-2020, 999 Purdy's Mill Road**

Donnelly Law (“we” or the “Firm”) represents The Cataraqui Cemetery Company in the above-noted matter. This letter is submitted on behalf The Cataraqui Cemetery Company as a formal objection to the Application for Zoning By-Law Amendment & Draft Plan of Subdivision, 999 Purdy's Mill Road (the “Application”).

The Application seeks City of Kingston approval for three high-rise towers at a height of 18 storeys (plus penthouse/amenities and roof top mechanics storey). As proposed, these towers are 200% taller than the current zoning allows, 30% taller than the three towers approved in 2014 and 12 m closer to the cemetery than the existing Tower 1. The Application includes 126 single detached units and 40 townhomes, and 675 apartments, totalling 842 units, making it one of the largest developments in Kingston history, and should therefore be considered extremely carefully and sensitively.

It is our client’s primary submission that approval of this Application is not consistent with the Provincial Policy Statement (“PPS”), does not conform to the Kingston Official Plan (“KOP”) and is incompatible with long-established, neighbouring land uses, particularly the Cataraqui Cemetery. The Cemetery is a National Historic Site, and is designated under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18.

The Cataraqui Cemetery Company has a legal commitment to 16,000 interment rights holders at the cemetery as well as to the 45,000 plus individuals and their families already buried on the site. Established in 1850, The Cataraqui Cemetery Company is the only not-for-profit option that serves the community's essential needs for the disposition of the dead.

There are four primary reasons for this submission.

First, as a matter of fact, the potential disruption arising from the Application's incompatible built form and associated activities has already dissuaded potential cemetery clients from contracting with the Cataraqui Cemetery Company.

Notwithstanding the fact the Application has not yet been approved, let alone built, this should be a red flag to Kingston City Council and Staff that the development should not be approved in its current form. We are researching future legal liability for the cemetery and City, if the development disrupts existing legal agreements between our client and current or future rights of interment holders.

If the Cataraqui Cemetery fails because the towers intrude on the cemetery, as is possible if new rights of interment (plots) cannot be sold, according to section 60(7) of the *Cemeteries Act (Revised)*, R.S.O. 1990, c. C.4, it is the City of Kingston that legally is obliged to assume the company, with all its liabilities and maintenance obligations. Without income, the cemetery will be a financial liability of approximately \$1.million to the City each year.

KOP section 2.9.1. b. states "providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses that support a wide range of economic activities and complementary uses, and takes into account the needs of existing and future business." [emphasis added] It is respectfully submitted that the business and aesthetic needs of the Cataraqui Cemetery have not been addressed.

Second, the Ontario Municipal Board and its successor the Local Planning Appeal Tribunal have found twice recently in Kingston that high rise development must be compatible with its surroundings. Council and Staff must pay particular attention to protecting the viability of existing uses, such as the Cataraqui Cemetery, from incompatible development before approving new development.

The principles for protecting built heritage resources were articulated in the case *Queen Spadina Residences Corporation v. Toronto (City)*, 92 O.M.B.R. 39 at para 9. The proponent had submitted an application to build a 17-storey high-rise in a historic neighbourhood. The decision states:

The Board finds that the proposed 17-storey building which can be described as a tall slab-like structure represents an overdevelopment and over-

intensification of the subject site. The proposed building height and its massing are not compatible with the existing physical character of the surrounding area. In particular, the Board finds that the proposal does not fit harmoniously with the existing built form and streetscape along Spadina north of Queen Street. Spadina Avenue is a unique street both in its unusually wide width (ROW of 38 m measured at subject site) and its historical physical character of low and mid-rise legacy warehouse structures.

The matter of the appropriate height and scale of the development has already been decided in a decision upon which many property owners have relied. In 1978, an OMB ruling limited the height of a building to a maximum of 6 storeys, for which the land is currently zoned. Three very tall, modern towers do not belong here.

Third, both the PPS and KOP direct Council to conserve significant cultural heritage resources, while the KOP obliges Council to retain heritage resources with the City as a valued public trust. If approved, the towers will produce:

- a. unacceptable shadowing;
- b. loss of privacy due to intrusive overlook;
- c. reduction in the ability to enjoy a property, or the normal amenity associated with it, including outdoor areas, heritage or setting;
- d. degradation of cultural heritage resources; and
- e. architectural incompatibility in terms of scale, style, massing and colour.

The proposed height will present negative shadowing upon attributes that are defined as having significance in the *Ontario Heritage Act*, Part IV heritage designation. They include its prominent historic location, size and Rural Cemetery style, making it a landmark within the community; its Picturesque qualities and features, notably: its uneven topography of rolling hills, ravines, swales, streams, three ponds and naturalistic landscape; its curvilinear roads and islets of irregular curved shapes and differing sizes; its numerous late 19th century zinc, iron and concrete statues, vases and flowerpots; the variety of mature native and non-native flowers, shrubs and trees, which reflect 19th century horticultural practices and grave markers featuring a variety of stone types, size and designs, monuments, obelisks and burial plot enclosures of stone and/or iron. The loss of privacy due to overlook presents a negative impact on the ability to enjoy the cemetery as a place of solitude, solace, meditation and grieving.

Other than the three towers approved in 2014, no other building surrounding the cemetery surpass 2 storeys.

Section 2.6.1 of the Provincial Policy Statement states “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”



Section 7.3.B.2. KOP states “Cemeteries are sensitive and important cultural heritage resources, and include vegetation and landscapes of physical/design, historical/associative and contextual values.”

Section 7.1.OP states the Goal is “To conserve and enhance built heritage resources within the City so that they may be accessed, experienced and appreciated by all residents and visitors, and retained in an appropriate manner and setting, as a valued public trust held for future generations.”

The Catarauqui Cemetery National Historic Site was established in 2011. On August 12, 2014 a Kingston By-law (“2014-117”) designated the cemetery under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18. The cemetery is zoned as open space and is the site of a contributory forest.

The Cultural Heritage Impact Statement (“CHIS”) authored in 2014 by the Applicant’s heritage consultant Mark Brant Associates states “Contextually, the cemetery is seen as important due to its functional, visual and historic links to its surroundings,” which is drawn from By-law 2014-117.

The impacts to the cemetery as a cultural heritage asset is then inexplicably dismissed in Section 7.2. of the 2014 CHIS. The author Mr. Brant states “The proposed interventions could not be classified as “very intrusive” and so, does not warrant further analysis for potential impact assessment on the overall cemetery.”

With respect, this is an absurd conclusion, unjustified or anchored to any empirical evidence concerning the Catarauqui Cemetery and its unique surroundings. The 2019 updated CHIS also virtually ignores the visual impacts to the entirety of the cemetery, with the exception of the gravesite of Sir John A. MacDonald, itself a national historic site, which is at the opposite end of the cemetery to the proposed development.

The difference in elevation between the cemetery and development site does not assist in masking the towers, as alleged. The highest elevations of the cemetery are located in the northern section of the grounds and will actually allow for clear views of the towers over the existing mature tree tops. Vegetation screening is not effective mitigation, given the obvious fact trees are bare of foliage for 7 months of the year. The visual impact the towers will have in multiple seasons is missing.

The CHISU only states “As in the case of the south lands development, the community can decide if greater visual impact in winter is acceptable. Based on the south lands experience, the consultants recommend that it is.” There is no visual evidence, survey work or anything else justifying this conclusion, which is a significant omission.

The cemetery is not a seasonal business. Be it winter or summer, prospective clients, the bereaved, visitors and tourists can not draw an imaginary curtain to block out the dramatic impact the views of the three proposed towers will have on the sense of place that has served to define the site for multiple generations.

The CHISU failed to address the fact that the height of the towers will present intrusive overlook upon the multitude of attributes that are defined as having significance in the Part IV heritage designation. In particular, statuary, vases, flower pots, the variety of mature native and non-native flowers, shrubs and trees, which reflect 19th century horticultural practices and grave markers featuring a variety of stone types, size and designs, and monuments are totally reliant on sunshine and illumination, during the day.

In addition, the overshadowing shows no respect for religious or cultural practices of graves facing east towards the rising sun. The loss of privacy due to intrusive overlook presents a negative impact on the ability to enjoy the cemetery as a place of solitude, solace, meditation and most importantly, grieving.

Other than the three towers approved in 2014, no other building surrounding the cemetery surpasses 2 storeys. Adding three new towers will effectively wall in the eastern boundary of the cemetery, and especially, if viewed at a 45-degree angle while travelling on East Avenue.

Finally, the Application evaluation process has been flawed. Council should be extremely reluctant to approve this Application based on the information before it. Specifically, there are no renderings showing the extreme intrusion the towers will represent. During the Ontario Municipal Board Chair in *Burfoot v Kingston (City)*, *PL161069* (Princess Tower) hearing, the Chair was critical of the developer and Planning Staff for not including renderings of the tower's impact in various locations throughout the City.

In addition, how many times has Planning Staff interviewed cemetery operators and toured the affected cemetery regarding this Application? How many times has Staff met with and/or collaborated with the Applicant and its consultants? A Freedom of Information Act application has been initiated to discover the extent of this engagement, as our previous experience tells us that Kingston Planning Staff are overly solicitous of developers, and dismissive of residents. Yet again, Staff is treating the *Planning Act* s. 37 community benefit charges as an afterthought. The Cemetery Board is looking to Council to be included in future community benefits discussions.

Based on the foregoing, we urge Council to direct Staff to properly canvass potentially affected stakeholders, including the cemetery before making its decision.

Council should also direct staff to convene a second public meeting, to be conducted in person, and not using the flawed, video link process.

### Conclusion

Approving one of the largest and tallest developments in Kingston's history adjacent to one of its most prized, designated heritage resources is a mistake.

Council has at least four primary reasons for denying the Application. First, the proposed development will most certainly undermine the financial viability of The Cataraqui Cemetery Company, and potentially create a significant financial liability for the City. Second, the scale of the development is obviously incompatible with the surrounding neighbourhood. Third, the development clearly is inconsistent with the PPS and KOP as it relates to protecting a designated cultural heritage resources, and sets the City on course for yet another unsuccessful LPAT adjudication (costing taxpayers yet another unknown amount). Fourth, the matter of incompatibility and visual intrusion has not been properly studied. Staff have failed to attend the site with the owner or conduct even an interview.

Throughout the past 160 years, clients made decisions to be buried at Cataraqui Cemetery because the scale of the surrounding environment and the Picturesque environment in the cemetery are dual factors that contribute to character that creates a sense of place that is appealing for loved ones to rest. Adhering to the PPS and KOP requires a decision to deny the Application approval; even if the Planning Committee is inclined to approve the development, this approval cannot be granted without a meaningful evaluation of the proposed project, which is sorely lacking. A proper, second public meeting conducted in a manner that allows real public engagement is also a minimum expectation of our client and the community.

Please do not hesitate to contact me by email at [david@donnellylaw.ca](mailto:david@donnellylaw.ca), cc'ing [alexandra@donnellylaw.ca](mailto:alexandra@donnellylaw.ca) and [morgan@donnellylaw.ca](mailto:morgan@donnellylaw.ca) should you have any questions concerning this correspondence.

Yours Truly,

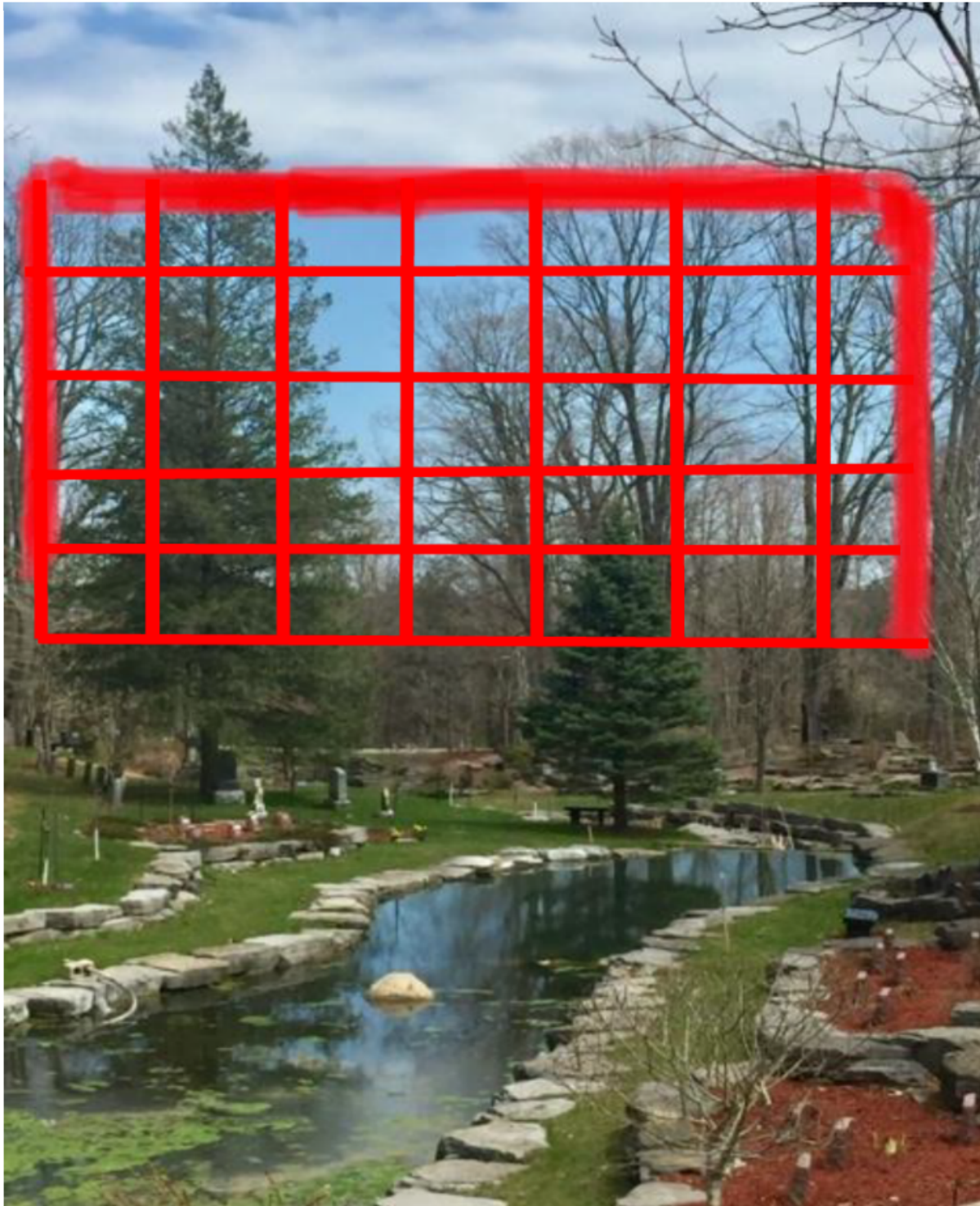


David R. Donnelly

Attachment (1)

cc. Client  
Cataraqui Cemetery Company Board of Trustees  
Members of Planning Committee

Attachment 1



**View toward the proposed location of Phase 3, towers 4, 5 and 6 – Actual views from May 2020.**

**View to proposed location of tower 6 from forest pond.**

Photo Credit: The Cataraqui Cemetery Company, May 2020.

**Clendening, Ian**

---

**From:** Bill Jennings [REDACTED] >  
**Sent:** April 29, 2020 2:39 PM  
**To:** Lambert,Lindsay  
**Subject:** Re: 999 Purdy's Mills Rd

Lindsay:

Thank you for your response and information. I have tried to open the downloads regarding the Tree Survey but it is not comprehensible. I assume because I am running Apple Safari so will try to download something else.

I look forward to the developers response. I have phoned Homestead and also sent an email without response. This looks like an excellent site for development of the type proposed and my hope is that as much of its existing natural elements (trees etc) can be retained to act as a natural buffer to Cataraqui cemetery and other surrounding areas and to enhance the future neighbourhood with mature trees rather than simply cutting them all down. Even some weed trees are better than no trees.

Bill Jennings

On Apr 29, 2020, at 12:43 PM, Lambert,Lindsay <[llambert@cityofkingston.ca](mailto:llambert@cityofkingston.ca)> wrote:

Hello Mr. Jennings,

I have asked the developer to provide me with a response regarding your tree questions. I will update you as soon as I hear back from him. I will provide some information regarding the subdivision process and the City's Tree By-Law at that time as well.

The developer is required to submit a tree inventory with an application for draft plan of subdivision. Please use the link below to the City's DASH portal if you would like to view the tree survey and tree inventory. <https://apps.cityofkingston.ca/dash/CityofKingston-v2.aspx> . Once on the page, click supporting information as noted in the screen capture below to access documents such as the stormwater management report, environmental impact assessment and the proposed plans, etc.

<image009.png>

If the draft plan is approved, the developer would be required to submit a tree preservation plan as part of the final plan of subdivision application and would be required to provide compensation for trees that are removed through a calculation formula that has been established through the tree by-law.

The public meeting will be held on line on May 7. Please advise if you would like me to send you details on how to access the meeting. Please note that if you intend to speak at the public meeting to provide comments on the proposed applications, you are required to pre-register with the Clerk's Department. Please advise if you would like more details on how to do this.

Sincerely,  
Lindsay

<image002.png>

**Lindsay Lambert MCIP, RPP**

Senior Planner

Planning Services

Community Services

City of Kingston

Located at: 1211 John Counter Boulevard

216 Ontario Street, Kingston, ON K7L 2Z3

613-546-4291 ext. 2176

[llambert@cityofkingston.ca](mailto:llambert@cityofkingston.ca)

<image004.jpg> <image006.jpg> <image008.jpg>

---

**From:** Bill Jennings [REDACTED]  
**Sent:** Sunday, April 26, 2020 3:11 PM  
**To:** Lambert,Lindsay  
**Subject:** 999 Purdy's Mills Rd

Mr. Lambert:

The Public Notice indicates that you are the assigned planner for the subdivision planned for 999 Purdy's Mills Rd. (D35-002-2020), so perhaps you can give me some information.

While walking through the Cataraqui Cemetery recently, I noticed that what appeared to be almost all of the trees bordering the east side of the cemetery had been marked with red tape. In some cases these trees were within just feet of existing graves. I phoned the cemetery and it said it assumed all these trees were to be cut. Looking beyond these trees is open area with clumps of mature pine trees which also appear to be marked in the same way. I also saw a Notice of Public Meeting (#D35-002-2020) about the large subdivision planned for the area by Homestead Land Holdings.

My questions are:

1. Is the intention to 'clear cut' the area (all marked trees)?
2. Does Homestead have the legal right to do this?
3. Does the City have any power to prevent or alter this especially given the City's existing policies intended to protect trees as outlined in the Official Plan, Tree Bylaw or any other way?

Thank you:

Bill Jennings  
85 McMichael St. Kingston

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received in error, or if you wish to stop receiving communications from the City of Kingston, please notify us by reply E-mail and delete the original message.

**Clendening, Ian**

---

**From:** Bill Jennings [REDACTED]  
**Sent:** April 26, 2020 3:11 PM  
**To:** Lambert, Lindsay  
**Subject:** 999 Purdy's Mills Rd

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Mr. Lambert:

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Thank you:

Bill Jennings  
85 McMichael St. Kingston



**Clendening, Ian**

---

**From:** John Armstrong [REDACTED] >  
**Sent:** April 17, 2020 9:30 AM  
**To:** Lambert,Lindsay  
**Subject:** Fwd: Homestead /Cemetery D35-002-2020

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning Lindsay,

I was in touch with Simon Chapelle in mid March regarding the limestone field farm house in the Old Mills development area and the issue of the cutting of a line of oak trees along the border of the cemetery on Homestead lands. I am concerned about the limestone house having known the more recent history of it .

I note in your call for comments that Homestead still plans to protect and maintain the limestone home. Great. As for the trees I remain concerned that they be protected in any future development in this area. They are marked with red tape which in the forestry world suggests 'designated' for cutting. The lands in this area and flood plain have been essentially clear cut by Homestead and further cutting would be unacceptable.

Thank you for an opportunity to comment,

John Armstrong  
477 Sydney Street  
Kingston

Sent from J Armstrong's  
iPad

Begin forwarded message:

**From:** John Armstrong [REDACTED] >  
**Date:** March 19, 2020 at 4:05:22 PM EDT  
**To:** Chapelle Simon <schapelle@cityofkingston.ca>  
**Subject:** Homestead /Cemetery

Hi Simon

Thank you for getting back. I've looked at the trees again. Easy to spot if you would like an historic walk. East fence line of cemetery just a bit past construction Easiest to see on cemetery side.

Mainly hardwood about to be cut/oak.

This is the field limestone house which was a part of the bargaining on height of the apartments. It is quite old dating to early 1840s perhaps earlier?

Was to have been renovated as a meeting place for residents of the area.



John

Sent from John's iPhone 🎵

**Clendening, Ian**

---

**From:** Craig Boals [REDACTED] >  
**Sent:** April 16, 2020 4:03 PM  
**To:** Lambert,Lindsay  
**Cc:** 'Gus Panageotopoulos'; Bob Lemmon; Chapelle,Simon; Park,Tim  
**Subject:** RE: D35-002-2020 - 999 Purdy's Mill Rd. - Cataraqui Cemetery request for information  
**Attachments:** 18 storey + penthouse + roof mechanical revised.png

My apologies.... the diagram I presented had an error. I miscalculated the representation of the 45 meter height of the first 3 apartment buildings. The existing buildings are 45 meters (14 storeys including amenities room and mechanical) not 16 storey as originally marked.

Attached is the revised diagram.

**Craig Boals**

Director of Operations

**Cataraqui Cemetery and Funeral Services  
& Cataraqui Cemetery NHSC**

The Cataraqui Cemetery Company · EST. 1850

927 Purdy's Mill Rd., Kingston, ON, K7M 3N1

[www.cataraquicemetery.ca](http://www.cataraquicemetery.ca)

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---

**From:** Craig Boals  
**Sent:** April 16, 2020 2:50 PM  
**To:** Lambert,Lindsay <llambert@cityofkingston.ca>  
**Cc:** 'Gus Panageotopoulos' <panageotopoulos\_@hotmail.com>; Bob Lemmon <blemmon@cataraquicemetery.ca>; Chapelle,Simon <schapelle@cityofkingston.ca>; Park,Tim <tpark@cityofkingston.ca>  
**Subject:** RE: D35-002-2020 - 999 Purdy's Mill Rd. - Cataraqui Cemetery request for information

Hi Lindsay,

Thank you for the information. I have downloaded the relevant docs from the Dash portal and I am reading through the material. Your email mentions that due to the mechanical foot print and that it exceeds the threshold... it is technically the 19th storey. Upon review of the architectural drawings, I count 20 storeys. 18 storeys + penthouse + roof mechanical. Please confirm that the penthouse and the roof mechanical add 2 extra stories (1 storey each) in addition to the 18 storeys for a total height of 58.975 meters. I screen captured figure 3 from the Urban Design report to illustrate my question regarding building height.

Regards,

**Craig Boals**

Director of Operations

**Cataraqui Cemetery and Funeral Services**

**& Cataraqui Cemetery NHSC**

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**From:** Lambert,Lindsay <[llambert@cityofkingston.ca](mailto:llambert@cityofkingston.ca)>

**Sent:** April 15, 2020 3:28 PM

**To:** Craig Boals <[cboals@cataraquicemetery.ca](mailto:cboals@cataraquicemetery.ca)>

**Cc:** 'Gus Panageotopoulos' [REDACTED]; Bob Lemmon [REDACTED];  
Chapelle,Simon <[schapelle@cityofkingston.ca](mailto:schapelle@cityofkingston.ca)>; Park,Tim <[tpark@cityofkingston.ca](mailto:tpark@cityofkingston.ca)>

**Subject:** RE: D35-002-2020 - 999 Purdy's Mill Rd. - Cataraqui Cemetery request for information

Good afternoon Mr. Boals,

Please use the City's DASH portal to access information with respect to the subject Planning Act applications. Here is a link to the project page for the subject applications:

<https://apps.cityofkingston.ca/dash/CityofKingston-v2.aspx> . Once on the page, click supporting information as noted in the screen capture below to access documents such as the stormwater management report, environmental impact assessment and the proposed plans, etc.

Please note that each of the three proposed apartment buildings can be considered as 19 storeys, as the surface area of the mechanical floor exceeds the threshold under the Building Code and can therefore be considered as an additional storey.

I was not the planner on the file at the time of the initial rezoning and draft plan of subdivision that was approved by Council in 2014. In reviewing the approval documents for these previous applications I do not see any conditions of approval stipulating a required timing of the development of the commercial property. There is no mechanism under the Planning Act to invoke conditions in an approval to compel the timing of the development of a separate piece of private property. To move forward with the development of the commercial property, the applicant would be required to file an obtain Planning Act approval for a holding symbol removal application and a site plan control application. To date, we have not received either of these applications. I have not spoken with the owner about their intentions, however it would seem to be logical to advance the development of the commercial block after the JCB bridge and associated pedestrian and cycling infrastructure is completed, along with the additional density and off-site connection of Cataraqui Woods Drive to Old Mill Road that is proposed to be added through the 3<sup>rd</sup> phase.

**Record D35-002-2020:  
OPA, ZBA, DPC, DPS  
Record Status: In Technical Review**


Record Info ▼

Record Details

Processing Status

Related Records

ation



Please note that we have scheduled a public meeting for May 7. Due to the COVID-19 situation, this meeting will be held online. Details of the public meeting are being published in the Whig this Friday. If you are interested in participating, please access the Planning Committee page on the City's website which will contain instructions on how to do so. It is my understanding that interested members of the public will have an opportunity to provide comments and/or questions through zoom or by telephone. Written comments on the proposed applications can be forwarded to my attention in advance and I will ensure that they get distributed to the Committee members through the agenda or addendum.

<https://www.cityofkingston.ca/city-hall/committees-boards/planning-committee>

Lindsay

**Lindsay Lambert MCIP, RPP**

Senior Planner  
Planning Services  
Community Services



City of Kingston  
Located at: 1211 John Counter Boulevard  
216 Ontario Street, Kingston, ON K7L 2Z3  
613-546-4291 ext. 2176  
[llambert@cityofkingston.ca](mailto:llambert@cityofkingston.ca)



**From:** Craig Boals [REDACTED]  
**Sent:** Monday, April 13, 2020 11:25 AM  
**To:** Lambert,Lindsay  
**Cc:** 'Gus Panageotopoulos'; Bob Lemmon; Chapelle,Simon  
**Subject:** D35-002-2020 - 999 Purdy's Mill Rd. - Cataraqi Cemetery request for information

Hi Lindsay,

My Board of Directors has asked me to look into the notice that we received regarding zoning by-law amendment and draft plan of subdivision, City File Number D35-002-2020; Location 999 Purdy's Mill Rd..

My Board has particular interest regarding any development that immediately abuts onto cemetery property. See attached photo of the area of our immediate interest. To that end, please forward the relevant information related to the Special Residential Type 5 Zones for the apartment blocks as we are assuming at this point that they are planned to abut the cemetery.

The Notice specifically mentions "18 storeys". We are particularly interested to learn the rationale for an increased height that is proposed to exceed the 14 storey limit that was previously established for the first 3 buildings in the area and if similar mitigating considerations are proposed. I would also like to review the heritage impact study that specifically relates to impacting the cultural heritage value of the landscaped cemetery...including but not limited to the defined heritage feature of Forest Pond and the Picturesque views of that impacted area. We are also interested in reviewing the hydrological and/or environmental reports that specifically relate to water run off from the cemetery as well as water flow easterly from the Forest Pond area of the cemetery and what impact construction would have on water levels of Forest pond and other defined water features (including but not limited to Lilly Pond).

Due to Covid -19, I trust that you are able to forward the necessary files electronically for our review. Additionally we wish to be duly informed of any dates for public meetings regarding this application and of any/all relevant dates related to the review and approval/denial process associated with this application.

We seek your clarification regarding the commercial property at the intersection of Old Mill Rd and John Counter Blvd. See attached photo for the general area. It remains our understanding that the property in question was specifically zoned for commercial development that is supportive of the intensification of the area. It was also our understanding that this property was to be developed concurrently with first 3 buildings as condition of by-law amendment and draft plan approval. Are there any immediate plans or intentions to develop this property to support the residents as originally negotiated?

Your attention to this matter is very much appreciated.

Respectfully,

**Craig Boals**

Director of Operations

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**Clendening, Ian**

---

**From:** Craig Boals [REDACTED]  
**Sent:** April 13, 2020 11:25 AM  
**To:** Lambert,Lindsay  
**Cc:** 'Gus Panageotopoulos'; Bob Lemmon; Chapelle,Simon  
**Subject:** D35-002-2020 - 999 Purdy's Mill Rd. - Cataraqui Cemetery request for information  
**Attachments:** Area of concern that abuts Cataraqui Cemtery April 13, 2020.jpg; Commercial Property at NW cornerof Old mill and John Counter.png

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Respectfully,

**Craig Boals**  
Director of Operations



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## Re: Images Of Homestead Development At Eastern Boundary Of The Cataraqui Cemetery



**From:** K.C.(Gus) Panageotopoulos []

**Sent:** May 2, 2020 5:02 PM

**Subject:** Images Of Homestead Development At Eastern Boundary Of The Cataraqui Cemetery

**The images below compare the images in the 2020 CHIS with views of the same location in May 2020.**

Despite claims that the difference in elevation and masking provided by trees will eliminate any visual impact, the reality is that not unlike the first phase, the second phase of towers will be equally intrusive.

Other than views from the gravesite of Sir John A. Macdonald, the updated CHIS has failed in addressing views beyond those along East Avenue.

The updated CHIS failed to show any images of the visual impact in the non growing season.

29 A "bald spot" at the south end of East Avenue, looking north towards Tower 1. Recently planted trees will eventually mask the view of the building. (MTBA, 2019)





View north along East Avenue May 2020

**30** Tower 1 is quite visible from the south end of East Avenue. Recently planted deciduous and coniferous trees on the berm are also visible beyond the cemetery fence and will eventually mask the tower from this view. (MTBA, 2019)





View towards tower 1 May 2020

32 At the north end of East Avenue, looking east towards the proposed site of Tower 6. The majority of trees in the background (red circles) are on the subject property beyond the boundary of the cemetery, if removed, would open views out to Tower 6 . (MTBA, 2019)



View towards proposed Tower 6 location May 2020



View to same site a little further up the hill demonstrating that the view of proposed Tower 6 location becomes more intensive as you travel further into the centre of the cemetery. The 5th to 19th storey would be clearly visible.

**The following images are from other locations in the cemetery**



View from north end of the cemetery towards proposed location for Towers 4 and 6. The views of the 5th to 19th storey will be visible.





View to Tower 2 from opposite side of the cemetery May 2020



View to Tower 1 from opposite side of the cemetery May 2020



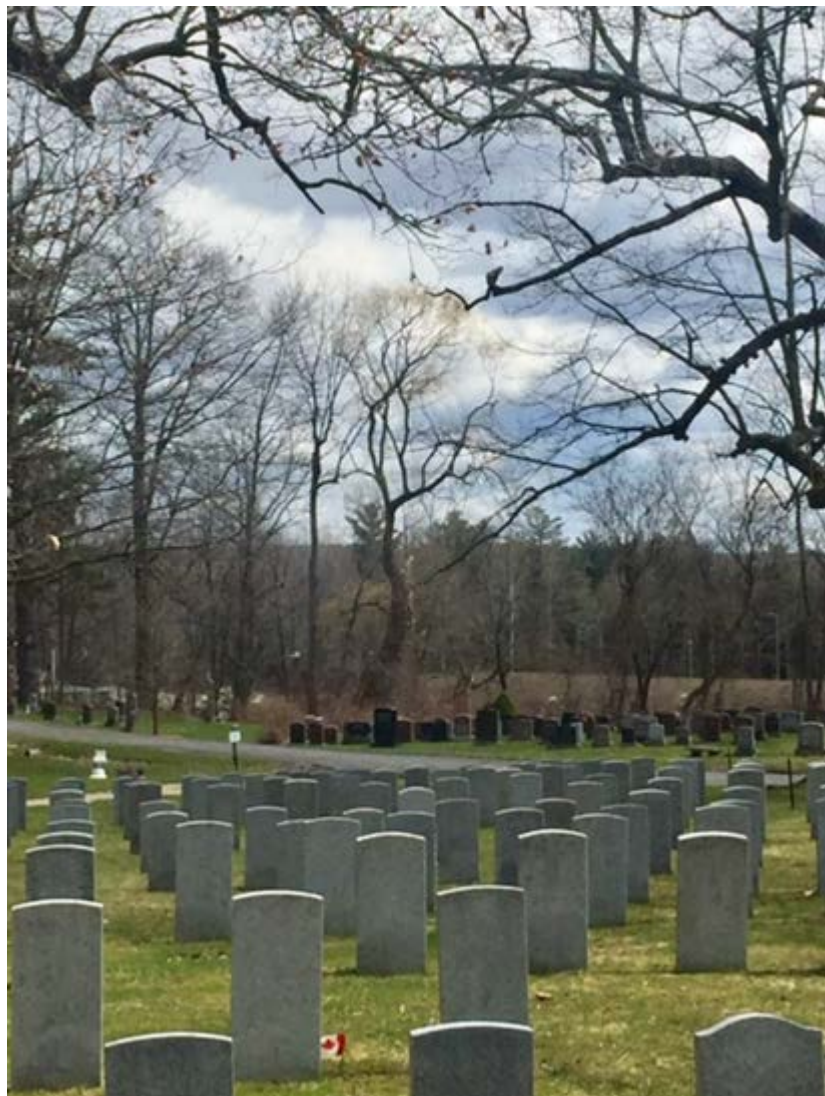
View to Tower 2 and 1 from Military section May 2020



View from Military section towards Tower 2 May 2020



View of Tower 2 and location for Tower 3 May 2020



View from Military section to proposed location of Towers 4 and 5

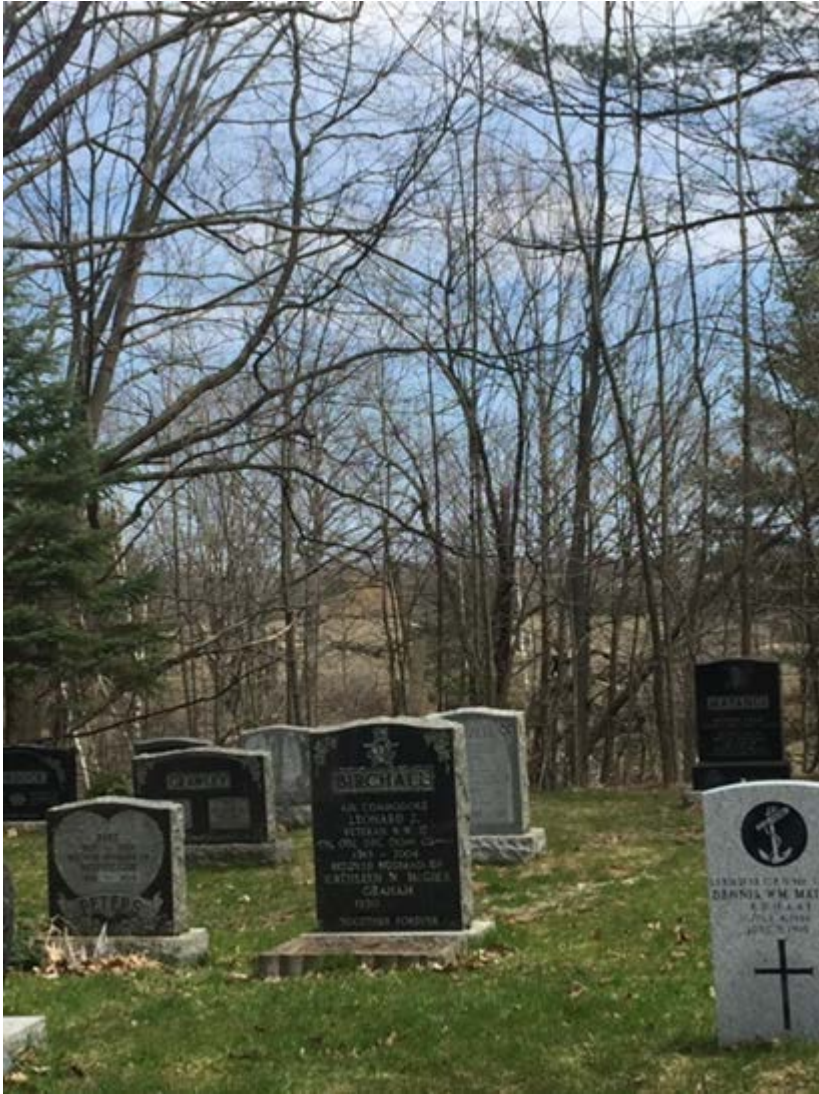


View over section B towards towers Tower 1 and 2 May 2020



View of Tower 1 from East Avenue May 2020





View eastward from East Avenue towards the gravesite of Air Commodore Birchall the vista across the valley. Tower 6 will overshadow this war hero by blocking open skies above the Saviour of Ceylon.

There are many more images that can be used to substantiate the point that the proposed towers will be as intrusive as the first 3 towers. Despite claims that the topography would hide the towers, the reality is that they will be highly visible from the eastern boundary and as one travels up towards higher ground in the cemetery, the views will have a greater negative impact.