



CATARAQUI

CEMETERY AND FUNERAL SERVICES

The Cataraqi Cemetery Company
927 Purdy's Mill Road
Kingston, ON
K7M 3N1
Tel. 613-546-6545
Web: cataraquicemetery.ca

January 6, 2024

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

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

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

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

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

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

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

Key unresolved concerns include:

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

Proposed Mitigating Solutions:

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

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

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

Sincerely,



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

CC: Members of City of Kingston Council and Planning Committee

Appendix



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