

From: [REDACTED]
To: [Clendening,Ian](#)
Cc: [REDACTED]; [Osanic,Lisa](#); [REDACTED]; [Cinanni,Vincent](#); [Hannah,Allison](#)
Subject: Re: Urgent - Councilor Questions 10 Catarauqui
Date: January 27, 2025 12:40:41 PM
Attachments: [attachment-1.png](#)
[attachment-2.png](#)
[attachment-3.png](#)

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Ian et al.

Sorry for the lengthy email but hopefully it addresses some of the questions that have come up today. I'm available throughout the day to answer any questions via email or over the phone. [REDACTED]

I've included notes to the questions below that were sent to us from Ian C. at the City. I think this is a more detailed answer and provides more context for those with questions. Can you please share these answers?

Lesley/Tara (Turtles Kingston) - if you have any comments on the notes below or any inconsistencies please chime in. If you have anything to add for the committee meeting tonight, you can respond here and I'm sure Ian will be sure to get them incorporated or you can always attend the meeting.

Vicki S. - I've copied you here since you had sent an email this morning asking about a couple of the same issues. You had also made mention of the increased unit count and balconies in your email so I wanted to address those here too. With respect to the increased unit count, the zoning that is in place today allows for a 50 unit building up to six stories. Since this zoning was established in the 90's when apartment suites were larger we are looking to build a similar size of overall building but with unit sizes that meet the demand and price point of today's residents. In the middle of a major housing crisis and shortage, we are keen to provide an efficient design that meets the needs of our city with minimal change from the in-place legacy zoning. Essentially, we are trying to build a similar size of overall building but with more affordable unit sizes.

With respect to balconies, this increase is matched with the increased unit count so that residents can have meaningful outdoor space.

You had also noted the reduction in setback from the water. It's noted and described below but just so that everyone is on the same page, the building is not moving closer to the water, the 7m reduction has been requested for the outdoor patio space. It is not an essential piece of this development and we are OK to remove it or alter it if it is agreed that this is the best path forward but we think it adds a very nice publicly accessible space along our waterfront, something that I think our City is in short supply of. I've attached a picture outlining the location of the proposed building, patio, and associated setbacks so that we are all on the same page.

Questions that we received from Ian:

Turtles come right up to the fence that City Flats has put up. Are we saying that with this 23m setback City Flats is asking for, that the fence (which I think marks the City Flats outer property limit) will now be moved 7 metres closer to the water? **The property line of 10 Catarauqui goes right up to the water's edge. The City of Kingston has an easment over the area along the water where the pathway is and this will be maintained forever. The fence is ~20m back from the water and was put there to provide enough buffer to the planned remediation/soil removals as well as the eventual construction works on-site and is no way tied to the property line, any set backs, or location of the eventual building. This is not where the building will sit. As a rough guide, the building will be about 10m back from the existing fence (assuming that the fence is at about 20m from the water). The fence was put up there in coordination with Turtles Kingston in order to keep turtles from nesting in the area that needs to be remediated (soils removed). Once the building is built there will be no fence. It is there so that as work begins turtles are excluded from the area and protected from any construction machinery/traffic.**

We are working through, along with suggestions from Turtles Kingston, some landscape designs that incorporate turtle friendly designs. A couple of main things that have come up include: areas that are un-shaded for turtle nesting (they need areas with prolonged sunlight for nesting), turtle gardens which would be protected from pedestrian traffic, and some ideas that would allow turtles to more safely navigate the area including exclusions from the already existing parking lot. These are all works in progress but we are working alongside Turtle Kingston to incorporate their ideas.

The turtles are going to lose 7 metres of their egg laying habitat? Already this past summer, turtles were CLIMBING the fence trying to get into the fenced area because that's where they have laid eggs in the past. So now really, City Flats is asking that the fence be moved 7 metres closer to the water? **This is not the case. As noted above, the fence is there to exclude the turtles temporarily in order to safely manage the remediation/soil removals on the property without endangering any nests. In the meantime, we have been working with Turtles Kingston to protect existing nests and provide other nesting friendly areas. We are not asking for the building to move closer to the water. The building will not be within 30m of the water. There is however a hardscaped patio that is proposed for one area in front of the building. We aren't steadfast that this is a must have and if it is a negative impact we would remove it or reduce the size of it. We envision this area as a place where residents and the community can enjoy a publicly accessible space overlooking the water. Perhaps a cafe or studio would occupy this retail space. Tara/Lesley - please feel free to provide your thoughts here.**

The substrate for turtle egg laying has to be a mixture of sand and fine gravel.

"Turtles like to lay their eggs in sandy or loose soils of sand and gravel free from vegetation or with minimal vegetation cover."

Saying that there will be a pollinator garden is not Turtle Egg Laying substrate. <https://thinkturtle.ca/nesting-turtles#:~:text=Typically%2C%20turtles%20nest%20in%20substrates,or%20with%20minimal%20vegetation%20cover>.

After our discussion with Turtles Kingston last week it is clear that we need to revisit the conceptual landscape plan to incorporate more turtle friendly spaces including potential turtle gardens with sand based nesting areas protected from pedestrian traffic. This detailed design work will follow after the minor variance and we are committed to incorporating best practices as guided by Turtles Kingston included areas with full sun exposure for turtle nesting.

Their egg laying substrate must be FREE of Vegetation. The eggs need the HEAT of the sun in order for the hatching to mature. Vegetation will shade the eggs. It's as simple as that. The rain garden and native wildflower meadow plantings will not be the sand/loose gravel that the turtle eggs need for viability. **Agreed, See note above.**

Example image of turtle garden:



passive recreation. The proposed encroachment to a distance of 23 metres maintains the intent of the Kingston Zoning By-law as the existing area is area currently occupied by manicured grass, while the proposed outdoor patio areas will be offset by other features such as a rain garden and native wildflower meadow plantings. These features have an added benefit of helping conceal turtle nesting sites from predators and reduce human interactions with turtle nests providing thereby fulfilling the intent of the waterbody separation distance.

Overlay of building on google maps with setbacks.

