



**City of Kingston  
Report to Planning Committee  
Report Number PC-16-063**

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**To:** Chair and Members of Planning Committee  
**From:** Lanie Hurdle, Commissioner, Community Services  
**Resource Staff:** Paige Agnew, Director, Planning, Building & Licensing Services  
**Date of Meeting:** June 16, 2016  
**Subject:** Public Meeting and Comprehensive Report  
**File Number:** D18-002-2015  
**Address:** 700 Gardiners Road  
**Application Type:** Proposed Amendment to the Brownfields Community Improvement Plan  
**Owner:** Taggart (Gardiners) Corporation  
**Applicant:** FoTenn Consultants Inc.

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**Executive Summary:**

The following is a combined Public Meeting and comprehensive report recommending approval to the Planning Committee regarding an application for an amendment to the Brownfields Community Improvement Plan submitted by FoTenn Consultants Inc., on behalf of Taggart (Gardiners) Corporation, with respect to the subject site located at 700 Gardiners Road.

The subject property is within the boundaries of Kingston's Brownfield Community Improvement Plan (CIP) but is not within a designated Project Area. The addition of this new Project Area will allow the property owner to apply to the City for financial assistance through the Brownfields CIP Program. A decision regarding financial assistance for the subject property through the Brownfields CIP Program will be entirely at the discretion of Council, and will be the subject of a separate report.

The current proposal on the property is for 1,018 dwelling units, which equates to a net residential density of 54.4 units per net hectare, on the residential portion of the proposal. Through the ongoing review of the applications for Official Plan amendment, zoning by-law amendment and Draft Plan of Subdivision, staff have advised the applicant that minimum density provisions will be included with any possible future recommendation to approve the proposal.

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**Recommendation:**

**That** the following recommendation be approved and forwarded to Council on June 21, 2016 for consideration:

**That** the application for an amendment to create a new Community Improvement Project Area in the City of Kingston Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C (File Number D18-002-2015), submitted by FoTenn Consultants Inc., on behalf of Taggart (Gardiners) Corporation, for the property municipally known as 700 Gardiners Road, be approved; and

**That** it be recommended to Council that By-Law Number 2005-40 “A By-Law to Designate Brownfields Project Areas 1A, 1B and 1C as Community Improvement Project Areas”, as amended, be further amended as per Exhibit C (Draft By-Law and Schedule A to add a new Community Improvement Project Area) to Report Number PC-16-063; and

**That** it be recommended to Council that By-Law Number 2005-41 “A By-Law to Adopt the Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C”, as amended, be further amended as per Exhibit D (Draft By-Law and Schedule A to add site-specific policies to the Brownfields CIP) to Report Number PC-16-063; and

**That** the amending by-laws be presented to Council for all three readings.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

**Lanie Hurdle, Commissioner, Community Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Gerard Hunt, Chief Administrative Officer**

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

Cynthia Beach, Corporate & Strategic Initiatives

Denis Leger, Transportation, Facilities & Emergency Services

Not required

Jim Keech, President and CEO, Utilities Kingston

Not required

Desiree Kennedy, Chief Financial Officer & City Treasurer

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**Options/Discussion:**

**Background**

This report provides information on a proposed amendment to the City of Kingston Brownfields Community Improvement Plan (CIP) which is the subject of this Public Meeting and comprehensive report. The application to create a new project area within the CIP for 700 Gardiners Road (Exhibit A – Key Map) was submitted on August 13, 2015, by FoTenn Consultants on behalf of Taggart (Gardiners) Corporation. A Public Meeting was held on November 5, 2015 to solicit feedback on the proposal to create a new CIP Project Area (proposed mapping change). This second Public Meeting is being held to present the proposed text amendment to the Brownfields CIP that will accompany the proposed mapping change in the document (Exhibit B – Text Changes to the Brownfields CIP).

To provide clarity, applications for a Draft Plan of Subdivision, Official Plan amendment and zoning by-law amendment were submitted earlier in 2015 and are also currently being reviewed. A Public Meeting for these applications was held on July 2, 2015. The intent of these applications is to develop a subdivision with a mix of uses including high, medium and low density residential uses, commercial uses, institutional uses and open space. A second Public Meeting is also being held for these applications on June 16, 2016 (Report Number PC-16-062).

The current proposal on the property is for 1,018 dwelling units, which equates to a net residential density of 54.4 units per net hectare, on the residential portion of the proposal. Through the ongoing review of the applications for Official Plan amendment, zoning by-law amendment and Draft Plan of Subdivision, staff have advised the applicant that minimum density provisions will be included with any possible future recommendation to approve the proposal.

Land Use Table					
Use	Lot, Block	Area (square metre)	Area (%)	Units	Density
Residential (Single Detached)	Lots 1-234	96,906	23.8	234	24.1 units / ha (upha)
Residential (Row House)	Blocks 235-289	48,061	11.8	184	38.3 upha
Residential (Apartment/Other)	Blocks 290-292	29,950	7.3	450	150.3 upha
Residential (Retirement / Medium Density)	Block 293	12,108	3.0	150	123.9 upha
Residential (Urban Net) – Res (U.N.)	Lots/Blocks 1-293	187,025	45.9	1,018	54.4 upha

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In anticipation of a new Project Area, an application for financial assistance under the Brownfield CIP Program has also been submitted for the property and is the subject of a separate report.

### Application and Submission

Taggart (Gardiners) Corporation is proposing to create a new project area within the City of Kingston Community Improvement Plan (CIP) in accordance with Section 5.4(h) of the CIP and Section 28(5) of the *Planning Act*. The subject lands are located within the Community Improvement Area as shown on Schedule 10 to the City of Kingston Official Plan, but are not currently located within the three defined Project Areas within the CIP. If the subject property is included as a new Project Area, it will allow the applicant to apply for financial assistance under the City's Brownfields Program. As stated in Section 5.1.1 of the CIP, "the financial incentives are intended to mitigate the costs associated with rehabilitating and developing these properties and buildings as viable alternatives to greenfield development".

In support of the application, the applicant has submitted the following:

- Planning Letter, prepared by FoTenn Consultants
- Community Improvement Plan Report, prepared by Paterson Group
- Demonstration Report, prepared by FoTenn Consultants

Anyone who attends the Planning Committee Public Meeting may present an oral submission, and/or provide a written submission on the proposed amendment. 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 does not make oral submissions at a Public Meeting, or does not make written submissions to the City of Kingston before a decision has been made on the application by City Council, the person or public body is not entitled to appeal the decision to the Ontario Municipal Board and may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

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

Alex Adams, Senior Planner  
The Corporation of the City of Kingston  
Planning, Building & Licensing Services  
216 Ontario Street  
Kingston, ON K7L 2Z3  
613-546-4291 extension 3219  
[aadams@cityofkingston.ca](mailto:aadams@cityofkingston.ca)

The Planning Committee will consider a recommendation from the Planning Division, respecting the subject application, at this meeting. The Committee will make its recommendation to City Council at this meeting. The decisions of City Council will be final unless appealed.

All persons who made oral or written submissions, or have requested notification in writing, have been given written notice of this meeting of the Planning Committee at which the subject application will be considered.

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**Site Characteristics**

The subject property is approximately 40.75 hectares (100 acres) in size and is located east of Gardiners Road and south of Taylor-Kidd Boulevard, and is municipally known as 700 Gardiners Road (Exhibit A - Key Map).

The property has frontage onto Taylor-Kidd Boulevard, an arterial road, and is also bounded by a hydro corridor on the southern and eastern boundary. Commercial uses are adjacent to the property on the west side. Existing residential neighbourhoods are present on the north side of Taylor-Kidd Boulevard and the east side of the hydro corridor.

The property was formerly a Nortel facility which contained a large industrial building. Most of the building has been demolished within the past year, with a small section remaining at the west of the property. The majority of the site is now vacant.

**Provincial Policy Statement**

The Provincial Policy Statement (2014) 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 Provincial Policy Statement (PPS) requires that planning authorities identify appropriate locations and promote opportunities for intensification and redevelopment, including brownfields sites (Section 1.1.3.3). The PPS also states that long-term economic prosperity should be supported by promoting the redevelopment of brownfield sites (Section 1.7.1.e).

**Official Plan Considerations**

The subject property is located in a 'Business District' as shown on Schedule 2 of the Official Plan. However, the submitted official plan amendment application (Report Number PC-16-062) is proposing to change the property to a 'Housing District'. The subject property is designated 'General Industrial' in the City of Kingston Official Plan (Schedule 3-A). The Official Plan amendment application is proposing to change the designation to 'Residential', 'Institutional', 'Open Space' and 'District Commercial' designations.

The strategic policy direction in Section 2 of the Official Plan supports growth within the urban boundary through intensification, including the redevelopment of brownfield sites (Section 2.3.2).

The Official Plan describes a Community Improvement Plan (CIP) as a tool under the *Planning Act* that allows a municipality to direct funds and implement policy initiatives towards a specifically defined community improvement project area.

The Official Plan also defines a Community Improvement Project Area as "a municipality, or an area within a municipality, where in the opinion of Council, community improvement is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings, or for any other environmental, social or community economic development reason."

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Schedule 10 of the Official Plan identifies the urban area of the City as a Community Improvement Area, and states that this area may be designated, in whole or in part, by by-law, as one or more defined Community Improvement Project Areas for which detailed Community Improvement Plans (CIPs) will be prepared. Section 9.8.5.o of the Official Plan indicates that a CIP may be established when there is “the presence of lands or buildings that may require detailed environmental site assessments or designated substances surveys and the implementation of appropriate and necessary remediation. This is the authority used by the City to establish the *Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C*.

### **Community Improvement Plan**

The purpose of the City of Kingston’s CIP is to facilitate the implementation of the City’s Brownfields Program and its key financial components. The Brownfields Program provides tax assistance and grants to eligible properties for the rehabilitation of environmentally compromised land and/or buildings through an appropriate Remedial Work Plan. The Brownfields Program is intended to form an integral part of the development process of a site and as such is intimately linked to the land use planning and development process.

Each application for Brownfields Program financial assistance for a property located within a defined Project Area is reviewed on a site-specific basis. The maximum amount of the financial assistance cannot exceed the cost to rehabilitate the property. As a result, the eligible rehabilitation costs are a central component of the Brownfields Program. The program is designed to encourage private sector investment, development and construction activity on contaminated properties. The financial incentives are intended to mitigate the costs associated with rehabilitating and developing these properties in order to “level the playing field” between greenfield and brownfield development by compensating proponents for the added complexity, cost, and time required on brownfield development projects.

The CIP is the vehicle used to implement the City’s Brownfields Program. The CIP details the eligible rehabilitation costs and the various financial components of the program. It also outlines the criteria that must be met for a property owner to qualify for any of the grant or tax assistance components. As noted above, the maximum amount of the financial assistance (grants and tax assistance) cannot exceed the cost to rehabilitate the property. Therefore, a property may not qualify for 100 percent of the Brownfields Program benefits. It is noted that City Council adopted new Program Administration Guidelines that recognize that providing 100 percent of the Brownfields CIP benefits in all situations is not consistent with one of the original premises of the Brownfields CIP in terms of “levelling the playing field” between brownfield sites and greenfield development. In accordance with the revised Program Administration Guidelines, a sliding scale approach will be used in the review of each eligible application so that benefits are proportional to the degree of environmental encumbrance relative to the value of the proposed redevelopment project and to the area of land that requires remediation as a percentage of the total site area.

The effect of adding a new Project Area to the Community Improvement Plan with respect to the property at 700 Gardiners Road is that it would enable the applicant to apply for tax assistance and grants under the City of Kingston’s Brownfield Program. However, the approval of a new Project Area and the provision of financial assistance to an eligible property in an approved Project Area will be entirely at the discretion of Council (Section 9.8.4 in the Official Plan).

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Section 1.3 of the City of Kingston's Community Improvement Plan (CIP) references a number of undesirable outcomes of not supporting brownfield revitalization as a rationale for the CIP. Brownfield sites are often strategically located in the core areas of cities, with access to existing infrastructure and services, and often in proximity to water and other transportation networks. Left abandoned or vacant, brownfield sites represent lost property tax revenue, lost residential accommodation and lost employment opportunities. This can trigger a downward spiral in the neighbourhoods in which these properties are located, causing an out-migration of both businesses and residents, thereby further reducing tax revenues. If these businesses and residents move away from the core area out toward undeveloped greenfield lands, there is additional pressure placed on the municipality to extend infrastructure and services.

Vacant and neglected brownfield sites can also present serious health and safety issues related to deteriorating buildings and/or surface debris present on the site.

Any proposed new Project Area within the City of Kingston's Brownfield CIP should also support achievement of many of the goals set out in Section 1.4 of the CIP:

- A cleaner, healthier, safer and more livable environment;
- An increase in employment, economic activity and investment;
- The implementation of previous studies;
- The implementation of the City's Urban Growth Strategy;
- The rehabilitation of land for a new use;
- Better use of existing infrastructure, services and facilities;
- The revitalization of the City's waterfront and the downtown;
- The revitalization of the Williamsville Main Street area;
- Intensification and the creation of new housing;
- The redevelopment of currently underutilized or vacant lands; and
- The encouragement of the design and construction of environmentally high performance buildings (LEED designation).

There are currently three separate Project Areas identified in the Community Improvement Plan, all located in Kingston Central. As the subject property is not located within one of the three approved Project Areas, the applicant has filed the CIP application to add a new Project Area.

### **Zoning By-Law Considerations**

The subject property is zoned as site-specific Light Industrial Zone 'M2-31' in Zoning By-Law Number 76-26, as amended. Through the submitted zoning by-law amendment application (Report Number PC-16-062) the applicant is proposing to change the zoning into six different site-specific zones. These zones will permit high density residential uses, medium density residential uses, low density residential uses, general shopping mixed use commercial uses, institutional uses, senior citizen apartment uses and open space uses.

### **Other Applications**

2015 – A Draft Plan of Subdivision application (File Number D12-022-2015) was submitted and is currently being reviewed. A Public Meeting was held on July 2, 2015 and a second Public Meeting is being held on June 16, 2016.



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2015 – An official plan amendment application (File Number D09-030-2015) was submitted and is currently being reviewed. A Public Meeting was held on July 2, 2015 and a second Public Meeting is being held on June 16, 2016.

2015 – A zoning by-law amendment application (File Number D14-120-2015) was submitted and is currently being reviewed. A Public Meeting was held on July 2, 2015 and a second Public Meeting is being held on June 16, 2016.

2010 – A zoning by-law amendment application (File Number D14-191-2010) was approved (By-Law Number 2010-224) which permitted recreational uses within the now demolished structure, along with professional and business service offices; daycare; restaurant; financial institution; personal services establishment; convenience commercial; trade show uses; and renewable energy sources.

There have also been previous applications on the former larger landholding which has now been developed separately as commercial uses along Gardiners Road.

### 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 technical issues with this application remain at this time.

Environment & Sustainable Initiatives (E&SI) staff have reviewed the detailed technical and cost estimate information provided by the applicant in support of their request for a new Project Area within the City of Kingston's Brownfield Community Improvement Plan (CIP). Based on their analysis, the following conclusions have been made with respect the property at 700 Gardiners Road:

- a. The subject property has been underutilized for at least ten years and was the site of industrial activities that have left a legacy of contaminated soil and groundwater on portions of the property that is incompatible with re-use of the site for uses that are more sensitive than industrial. Any proposed re-use for parkland, residential, institutional or commercial where sensitive uses are permitted will require significant remediation effort and the production of a Record of Site Condition (RSC) compliant with *Ontario Regulation 153* before issuance of building permits can occur.
- b. The legacy of contamination is predominantly associated with volatile organic compounds within soils, groundwater and bedrock and is composed of trichloroethylene (TCE) and perchloroethylene (PCE) which are technically challenging and often expensive and time consuming to assess and remediate.
- c. Based upon appraisals commissioned by the City and the applicant, the purchase price paid by the current owner appears to have been abated somewhat below market value. We assume that this abatement of price is largely due to the environmental liabilities present on the property which include the additional burden of a Directors Order from the Ministry of Environment and Climate Change which requires that assessment and remediation take place.
- d. A review of cost estimates for environmental remediation provided by the applicant indicates that environmental remediation of the property to support an RSC that will support the proposed redevelopment with a mix of commercial, institutional and residential uses, could cost up to \$11.6 million and, notwithstanding the purchase price

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- abatement, our analysis indicates that approximately \$8.5 million of these costs could typically be eligible for rebate through the existing Brownfields CIP Program rules if the property were located within an existing Project Area and was approved by Council.
- e. Based upon our review of estimated market value of the property, purchase price and likely Eligible Rehabilitation Costs, we estimate that an unfunded environmental liability of approximately \$3.0 million exists on the property and that funding of this liability through a Brownfield CIP Program would not constitute a double payment of remediation costs (i.e. payment by the municipality for costs already discounted through the purchase price).
  - f. Based upon the redevelopment plans put forth so far there appears to be the potential for a significant property tax uplift that would be sufficient to fund the rebate of Eligible Rehabilitation Costs of up to \$3.0 million within a 10-year window as per the conditions of the current CIP and that it is more likely that repayment of eligible costs could happen in less than 5 years.
  - g. Redevelopment of the property appears to satisfy the definition of urban infill at a neighbourhood scale as it is a conversion from a former use, is relatively central to the urban centre of the City, and is well serviced at its peripheries by road, transit, water, sewer and other utilities and amenities and is of sufficient size to accommodate a variety of different land uses.
  - h. Remediation of the property will also remove an arguably undesirable environmental risk posed by the presence of volatile organic compounds within the subsurface where they are mobile and could potentially affect adjacent property.
  - i. The size, configuration and environmental condition of the property make it fairly unique within Kingston and creation of a site-specific Project Area for the property would not likely be setting significant precedent for other properties within Kingston that are outside of the boundaries of existing Brownfields CIP Project Areas.
  - j. Aside from environmental clean-up and economic development through new construction and increased property tax assessment, the proposed project does not commit to other forms of community benefit that could be realized in exchange for access to brownfield funding. Through completion of the Kingston Climate Action Plan, the City is becoming increasingly engaged in energy planning and reducing our community's greenhouse gas emissions which are elements of community benefit that are permitted to be incorporated into community improvement plans in Ontario via the *Planning Act*.
  - k. In addition to, and in anticipation of the application for a new CIP Project Area, the Applicant has also applied for brownfields funding for their proposed remediation and redevelopment. E&SI Department staff have reviewed this information and it is sufficient for the City to proceed with a Report to Council with recommendations should the property become eligible through the creation of a new Project Area. This will be addressed through a separate report.

The E&SI Department notes that the creation of a new site-specific Project Area for the 700 Gardiners Road property would be an appropriate method for incenting remediation and redevelopment of the property and realizing additional community benefits using rebates derived from future property tax revenues. They recommend that any new Project Area created for the property be subject to the rules in place within the existing CIP and Project Areas with the following exceptions:

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- a. That the rebate of Eligible Rehabilitation Costs through the Tax Increment Rebate Grant Program (TIRGP) be capped at \$3 million within the entire new Project Area;
- b. That the new Project Area not include municipal and education tax cancellations made through the Brownfield Financial Tax Incentive Program (BFTIP) portion of the CIP;
- c. That the new Project Area not include the Initial Study Grant Program portion of the CIP; and
- d. That “financing costs” not be included as an Eligible Rehabilitation Cost.

The date at which Eligible Rehabilitation Costs can be incurred should remain as the date at which City Council approves an application for brownfield funding made by the property owner within an approved CIP Project Area.

### **Public Comments**

A Public Meeting was held on November 5, 2015 with respect to this application. There were no comments received from the public at the meeting and no written correspondence has been received.

### **Conclusion**

In conclusion, staff recommends approval of the amendment to the Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C to add a new Community Improvement Project Area 2 for the property located at 700 Gardiners Road.

Staff are satisfied with the rationale for including the new Project Area in the Brownfields CIP, based on a review of the environmental issues on the property. The remediation and redevelopment of the site with a mix of residential, commercial, institutional and open space uses will intensify an underutilized site, provide services and amenities to surrounding neighbourhoods, and will utilize services such as transit, and require minimal extension of infrastructure such as roads.

No objections or major concerns were raised through either the technical circulation or the public consultation process. The amendment conforms to and is consistent with the applicable policies in the Provincial Policy Statement and the City of Kingston Official Plan.

Approval of this addition of a new Community Improvement Project Area for 700 Gardiners Road does not necessarily mean that financial assistance will be granted; that will be the subject of a separate report from staff.

### **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 Policy Statement, 2014

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**Municipal**

City of Kingston Official Plan

Zoning By-Law Number 76-26

City of Kingston Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C

**Notice Provisions:**

A Public Meeting was held respecting this application on November 5, 2015 and a second Public Meeting is being held on June 16, 2016. Pursuant to the requirements of the *Planning Act*, notices of the statutory Public Meetings were provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meetings. In addition, notices were sent by mail to 114 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property and a courtesy notice was placed in *The Kingston Whig-Standard*.

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

At the time of the writing of this report, no pieces of correspondence have been received. Any correspondence received after the publishing of this report will be included as an addendum to the Planning Committee Agenda.

**Accessibility Considerations:**

Not applicable

**Financial Considerations:**

There are no financial considerations for this Public Meeting. Inclusion of this property as a new Project Area within the City of Kingston Brownfields Community Improvement Plan would enable the property owner, Taggart (Gardiners) Corporation, to apply for tax assistance and grants. The provision of financial assistance in a community improvement plan will be at the discretion of Council.

**Contacts:**

Paige Agnew, Director, Planning, Building & Licensing Services 613-546-4291 extension 3252

Marnie Venditti, Senior Manager, Client Relations & Development Services 613-546-4291 extension 3256

Stacey Forfar, Manager, Development Approvals 613-546-4291 extension 3252

Alex Adams, Senior Planner 613-546-4291 extension 3219

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**Other City of Kingston Staff Consulted:**

The application was circulated to the relevant internal departments and external agencies for review and comment. The responses to the technical circulation have been addressed in the technical review and included within this comprehensive report.

Paul MacLatchy, Director, Environment & Sustainable Initiatives Department

Nathan Richard, Project Manager, Brownfields, Environment & Sustainable Initiatives Department

Stephen Dickey, Director, Financial Services Department

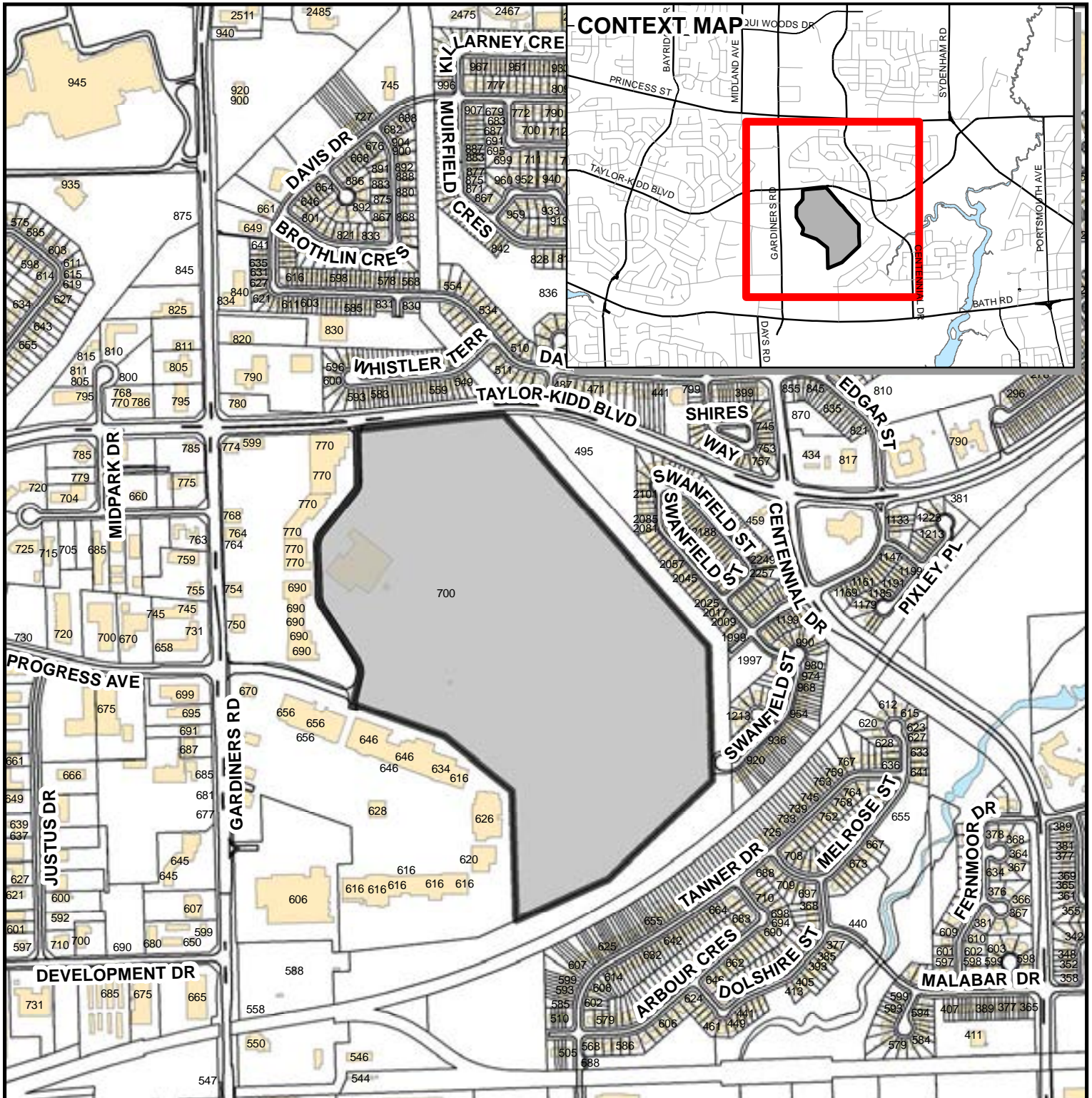
**Exhibits Attached:**

Exhibit A Key Map

Exhibit B Proposed Draft Text Changes to the Brownfields Community Improvement Plan

Exhibit C Draft By-Law and Schedule A to Add a New Community Improvement Project Area

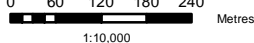
Exhibit D Draft By-Law and Schedule A to Add Site-Specific Policies to the Brownfields CIP





Planning, Building & Licensing Services  
 a department of  
 Community Services

PLANNING COMMITTEE  
**KEY MAP**

Applicant: FoTenn Consultants Inc.  
 Owner: Taggart (Gardiners) Corporation  
 File Number: D18-002-2015  
 Address: 700 Gardiners Road  
 Legal Description: CON 2 PT LOTS 10 11 AND  
 12;RP 13R13052 PART 1 RP;13R14926 PART 5



**LEGEND**

-  Subject Property
-  Property Boundaries



## **Proposed Draft Text Changes to the Brownfields Community Improvement Plan**

### **3.0.A Community Improvement Project Area 2 (700 Gardiners Road)**

#### **3.0.A.1 Project Area Description**

The property known municipally as 700 Gardiners Road is approximately 40.75 hectares in size and is located east of Gardiners Road and south of Taylor-Kidd Boulevard (refer to Map 1). The site is bounded to the west by the RioCan Centre, one of Kingston's largest retail and commercial areas, and surrounded by residential neighbourhoods on the other three sides making up part of the Gardiners/Meadowbrook neighbourhood (City of Kingston Neighbourhood Profiles 2011). The subject property is a large under-developed and under-utilized parcel of land within the urban area of the City.

Located in Kingston's west end, much of the surrounding area is characterized by low density suburban neighbourhoods with some higher density clusters near arterial roads and commercial areas. Though there are no existing connections to the adjacent residential neighbourhoods, the site has a large frontage of approximately 275 metres on Taylor-Kidd Boulevard. Additionally, there are hydro corridors along the southern and eastern boundaries, as well as a CN railway running east to west to the south of the hydro corridor.

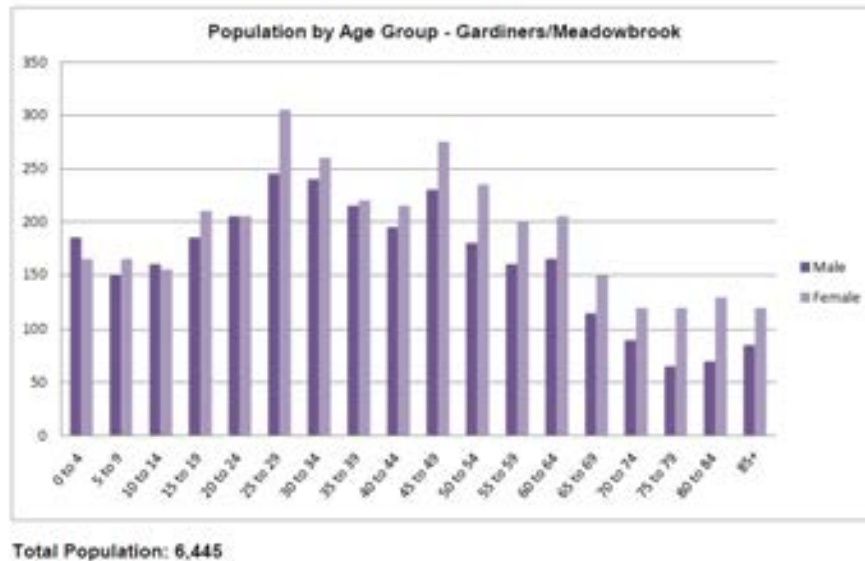
#### **3.0.A.2 General Characteristics – Area and Population**

Community Improvement Project Area 2 covers a total of 40.75 hectares and is located in the centre of the Gardiners/Meadowbrook neighbourhood. According to neighbourhood data from the 2011 census, the Gardiners/Meadowbrook neighbourhood has a total population of 6,445 persons (refer to Table 5). The average number of persons in private households is 2.2 and the Gardiners/Meadowbrook neighbourhood surrounding the site consists of housing types that includes single detached houses (34 percent), semi-detached dwellings (19 percent), mid-rise apartment buildings (19 percent), as well as several other housing styles.

The residential area located to the north of the site across Taylor-Kidd Boulevard includes single and semi-detached units that back onto the four lane arterial road, as well as larger apartment style buildings near the Cataraqui Town Centre. To the east of the site runs a hydro corridor that acts as a barrier and informal trail between a newer residential area, characterized by single detached homes and row houses, and the proposed Community Improvement Project Area. To the west of the site is the RioCan Centre, one of Kingston's major retail and commercial areas that includes a variety of amenities. To the south of the site is the CN railway that acts as a barrier between the

site and another residential area that includes some larger apartment buildings, as well as single and semi-detached homes.

**Table 5: Population by Age Group for the Gardiners/Meadowbrook Neighbourhood (2011 Census, Statistics Canada)**



The road network around the site includes three major arterial roads: Gardiners Road to the east, Taylor-Kidd Boulevard to the north, and Centennial Drive to the west. The site itself is currently accessed by RioCan Drive, a private road. In addition, two local roads, Wheathill Street and Swanfield Street, stemming from the residential neighbourhood to the east of the area, terminate at the eastern edge of the site. There are also some informal trail networks located on the periphery of the site; most of which follow the hydro corridors along the southern and eastern edges of the site.

Many of the community facilities and amenities present in the area are located along the fringe of the Gardiners/Meadowbrook neighbourhood or just outside of the neighbourhood boundaries. Several schools are located in the neighbourhood and nearby area including Frontenac Secondary School, Truedell Public School, Archbishop O’Sullivan Catholic School, and Saint Marguerite Bourgeoys Catholic School. Additionally, several retirement and long-term care facilities are located in the area including Trillium Retirement and Care Community, Kingsdale Chateau, Royal Place Retirement Residence, The Rosewood Retirement Residence, and Fairfield Manor West. There are four municipal parks located within 1000 metres of the site, however, the nearest municipal park space is located approximately 200 metres north of the site, across Taylor-Kidd Boulevard.



### 3.0.A.3 History and Context

The site's modern industrial history began in 1971 with the construction of a manufacturing plant operated by Northern Telecom. In 1995, the plant was sold to Cable Design Technologies; however, Northern Telecom continued its operations under lease until 2003. The majority of the site now lies vacant as most of the 48,000 m<sup>2</sup> building that was located on the site has been demolished with the exception of a 3700 m<sup>2</sup> section of the building that continues to be occupied by a business.

After Northern Telecom's departure from the site, it was discovered that the site had been contaminated by chemicals used during the manufacturing process of wire and cabling. Some soils located on site have been shown to contain levels of petroleum hydrocarbons (PHCs) that exceed applicable Ministry of Environment and Climate Change standards. Furthermore, there is evidence of concentrations of PHCs and volatile organic compounds (VOCs) exceeding Ministry of Environment and Climate Change standards in groundwater samples throughout the site. Remediation and further investigation of the site will be required.

### 3.0.A.4 Existing Land Use

The subject property is located in a 'Business District' (Official Plan Section 2.2.7.) which is primarily intended to accommodate employment opportunities. As per the City of Kingston's Official Plan, the site is designated General Industrial, which is intended to accommodate a variety of uses including: manufacturing; assembly; fabrication; processing; construction; transportation; storage and warehousing; wholesale; communication and utilities facilities; heavy equipment and truck repair; compatible institutional uses; municipal work yards; as well as sewage and water treatment facilities.

The site is zoned site-specific Light Industrial Zone 'M2-31' as per Zoning By-Law Number 76-26. The uses permitted in the 'M2-31' zone include: an assembly plant; a contractors or tradesman's shop; a dry-cleaning or laundry plant; a fabricating plant; a manufacturing plant; a processing plant; a public use; a retail lumber outlet; a service shop; a transportation depot; a warehouse; a renewable and/or alternative energy source use; trade show use; recreational use; professional and business office; a daycare; a restaurant; a financial institution; a personal service establishment; and a convenience commercial use.

### 3.0.A.5 Development Potential

An application is currently underway for a proposal to redevelop the site as a neighbourhood in-fill style development with a combination of mixed use commercial, institutional, open space, and residential uses. The proposed redevelopment will require

an Official Plan amendment that would re-designate the property from a 'Business District' to a 'Housing District' in order to accommodate different residential use types, as well as associated uses such as open space, community facilities and neighbourhood commercial elements. The proposal will require alterations to the land use designations from 'General Industrial' to 'Residential', 'District Commercial', 'Open Space', and 'Institutional'. Furthermore, the proposal also requires a change to the zoning such that the zoning is changed from a Light Industrial Zone 'M2-31' to six different site-specific zones that would permit high density residential; medium density residential; low density residential; general shopping mixed use commercial uses; institutional uses; and open space uses.

It is important to highlight what can be achieved through infill of vacant and underutilized properties, as their redevelopment can be achieved without altering the fabric of existing neighbourhoods. The existing site offers access to existing services such as transit, would introduce new amenities and services to the surrounding neighbourhoods, and would require minimal infrastructure investments, including roads, because of the proximity to existing infrastructure connections.

Should all of the vacant land be developed in accordance with the designations within the proposed Official Plan amendment, and the site is developed according to its site-specific zoning, a development scenario can be created that illustrates a possible outcome in terms of the number of employment positions created. Additionally, although the lands are currently designated General Industrial, the character of the surrounding area is mostly residential with some commercial and retail elements, thus a re-designation and re-zoning of the lands could open up the possibility of residential and mixed use developments on the site.

The proposed redevelopment aims to provide approximately 450 high density residential units in the form of apartment style residences, as well as approximately 418 low density residential units in the form of single detached and row house homes. In addition, the proposal would see the introduction of close to 50,000 square metres of commercial space to serve the residents of the site and the surrounding area. A school has been planned for the site in order to accommodate the increase in population resulting from the influx of residential units to the neighbourhood. Furthermore, a high density 150 unit senior residence is proposed for the site along with over 37,000 square metres of open space in the form of parks, public walkways and trails, and storm water management features.

### **5.0.A Brownfields Program Components and Eligibility Criteria for Community Improvement Project Area 2 (700 Gardiners Road)**

The policies of Section 5.0 of this CIP apply to Community Improvement Project Area 2 (700 Gardiners Road) with the following exceptions:

- a) The rebate of the Eligible Rehabilitation Costs through the Tax Increment-Based Rehabilitation Grant Program (TIRGP) will be capped at \$3.0 million within the entire area identified as Community Improvement Project Area 2;
- b) Community Improvement Project Area 2 will not include municipal and education tax cancellations made through the Brownfield Financial Tax Incentive Program (BFTIP);
- c) Community Improvement Project Area 2 will not be eligible for the Initial Study Grant; and
- d) “Financing costs” will not be included as an Eligible Rehabilitation Cost for Community Improvement Project Area 2.

**By-Law Number 2016-XXX**

**A By-Law To Amend By-Law Number 2005-40 “A By-Law to Designate Brownfields Project Areas 1A, 1B and 1C as Community Improvement Areas” (700 Gardiners Road)**

**Passed:** [Meeting Date]

**Whereas** a public meeting was held regarding this amendment on November 5, 2015 and June 9, 2016;

**Now Therefore** the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 28 of the *Planning Act*, R.S.O. 1990, c.P13, hereby enacts as follows:

1. Schedule ‘A’ to By-Law Number 2005-40 of The Corporation of the City of Kingston, being a By-Law to Designate Brownfields Project Areas 1A, 1B and 1C as Community Improvement Project Areas, be amended by adding the new Project Area 2 as shown on Schedule ‘A’ attached hereto.
2. By-Law Number 2005-40 of The Corporation of the City of Kingston be re-named as “A By-Law to Designate Brownfields Project Areas 1A, 1B, 1C and 2 as Community Improvement Project Areas”.
3. This by-law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the *Planning Act*, provided that no Notice of Appeal is filed to this by-law in accordance with the provisions of Section 17, Subsection 5 of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

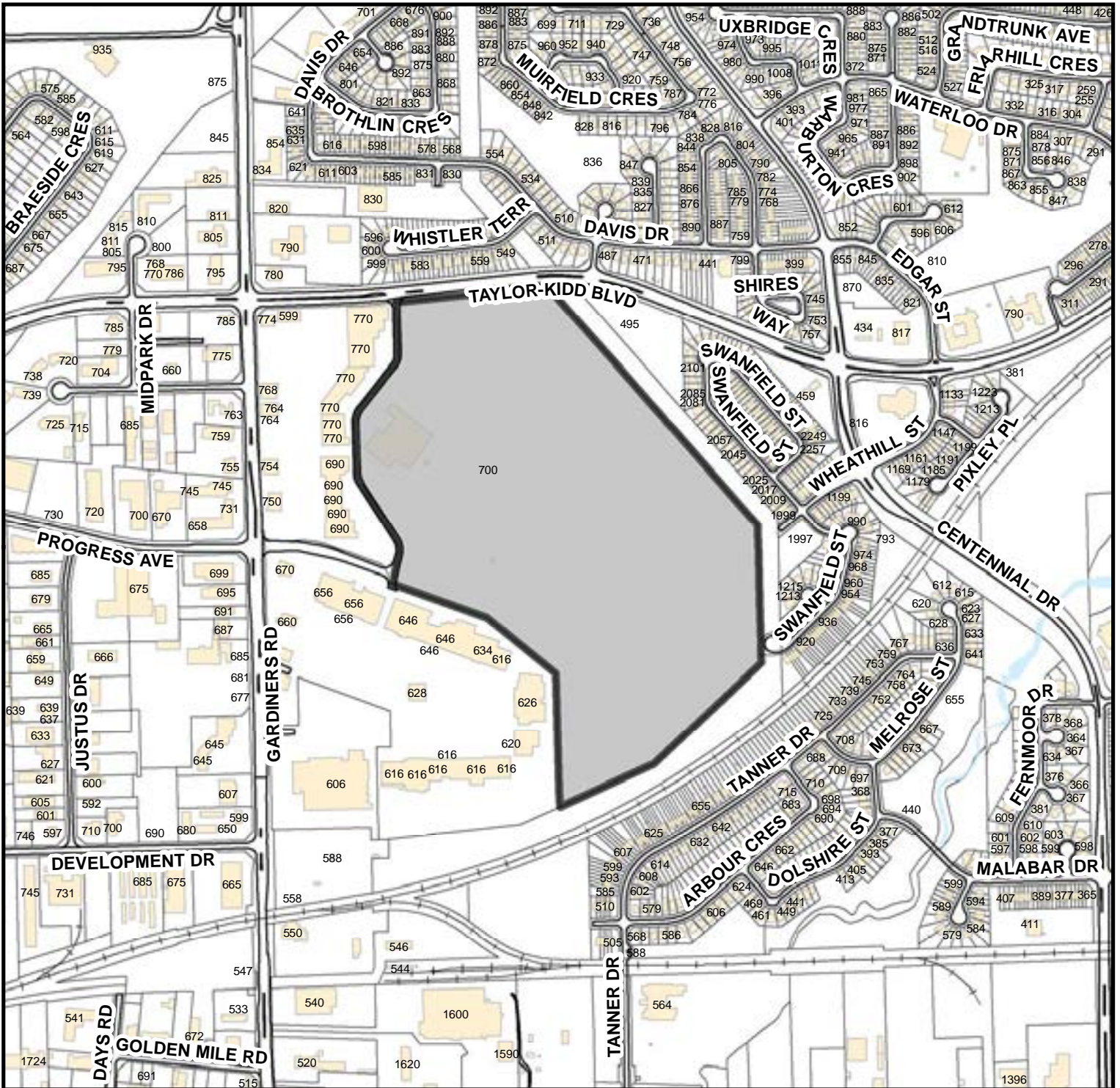
Given all Three Readings and Passed: [Meeting date]

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**John Bolognone**  
City Clerk

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**Bryan Paterson**  
Mayor



**SCHEDULE 'A'  
TO BY-LAW NUMBER**




Planning, Building  
& Licensing Services

a department of  
Community  
Services

Applicant: Taggart (Gardiners) Corporation  
File Number: D18-002-2015  
Address: 700 Gardiners Road  
Legal Description: CON 2 PT LOTS 10 11 AND  
12;RP 13R13052 PART 1 RP;13R14926 PART 5

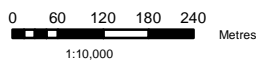
**LEGEND**

**Reference By-Law 2005-40**

 Area to be added as a new Community Improvement Project Area

**Certificate of Authentication**

This is Schedule 'A' to By-Law Number \_\_\_\_\_,  
passed this \_\_\_\_\_ day of \_\_\_\_\_ 2016.



**By-Law Number 2016-XXX**

**A By-Law To Amend By-Law Number 2005-41 “A By-Law to Adopt the Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C” (700 Gardiners Road)**

**Passed:** [Meeting Date]

**Whereas** a public meeting was held regarding this amendment on November 5, 2015 and June 9, 2016;

**Now Therefore** the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 28 of the *Planning Act*, R.S.O. 1990, c.P13, hereby enacts as follows:

1. Schedule ‘A’ to By-Law Number 2005-41 of The Corporation of the City of Kingston, being a By-Law to Adopt the Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C, be amended by adding the new Section 3.0.A and 5.0.A as shown on Schedule ‘A’ attached hereto.
2. By-Law Number 2005-41 of The Corporation of the City of Kingston be re-named as “A By-Law to Adopt the Community Improvement Plan for Brownfields Project Areas 1A, 1B, 1C and 2”.
3. This by-law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the *Planning Act*, provided that no Notice of Appeal is filed to this by-law in accordance with the provisions of Section 17, Subsection 5 of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the by-law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

Given all Three Readings and Passed: [Meeting date]

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**John Bolognone**  
City Clerk

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**Bryan Paterson**  
Mayor

## Schedule A to By-Law Number 2016-XXX

### 3.0.A Community Improvement Project Area 2 (700 Gardiners Road)

#### 3.0.A.1 Project Area Description

The property known municipally as 700 Gardiners Road is approximately 40.75 hectares in size and is located east of Gardiners Road and south of Taylor-Kidd Boulevard (refer to Map 1). The site is bounded to the west by the RioCan Centre, one of Kingston's largest retail and commercial areas, and surrounded by residential neighbourhoods on the other three sides making up part of the Gardiners/Meadowbrook neighbourhood (City of Kingston Neighbourhood Profiles 2011). The subject property is a large under-developed and under-utilized parcel of land within the urban area of the City.

Located in Kingston's west end, much of the surrounding area is characterized by low density suburban neighbourhoods with some higher density clusters near arterial roads and commercial areas. Though there are no existing connections to the adjacent residential neighbourhoods, the site has a large frontage of approximately 275 metres on Taylor-Kidd Boulevard. Additionally, there are hydro corridors along the southern and eastern boundaries, as well as a CN railway running east to west to the south of the hydro corridor.

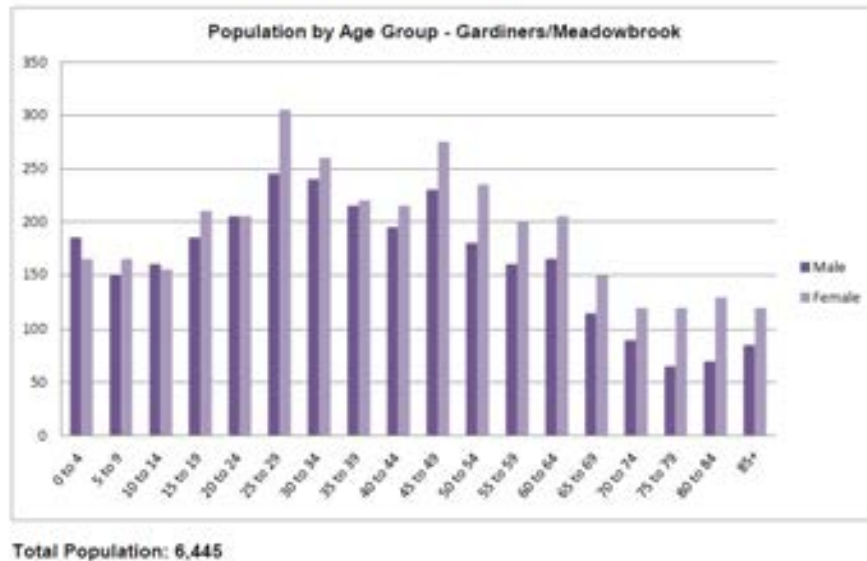
#### 3.0.A.2 General Characteristics – Area and Population

Community Improvement Project Area 2 covers a total of 40.75 hectares and is located in the centre of the Gardiners/Meadowbrook neighbourhood. According to neighbourhood data from the 2011 census, the Gardiners/Meadowbrook neighbourhood has a total population of 6,445 persons (refer to Table 5). The average number of persons in private households is 2.2 and the Gardiners/Meadowbrook neighbourhood surrounding the site consists of housing types that includes single detached houses (34 percent), semi-detached dwellings (19 percent), mid-rise apartment buildings (19 percent), as well as several other housing styles.

The residential area located to the north of the site across Taylor-Kidd Boulevard includes single and semi-detached units that back onto the four lane arterial road, as well as larger apartment style buildings near the Cataraqui Town Centre. To the east of the site runs a hydro corridor that acts as a barrier and informal trail between a newer residential area, characterized by single detached homes and row houses, and the proposed Community Improvement Project Area. To the west of the site is the RioCan Centre, one of Kingston's major retail and commercial areas that includes a variety of amenities. To the south of the site is the CN railway that acts as a barrier between the

site and another residential area that includes some larger apartment buildings, as well as single and semi-detached homes.

**Table 5: Population by Age Group for the Gardiners/Meadowbrook Neighbourhood (2011 Census, Statistics Canada)**



The road network around the site includes three major arterial roads: Gardiners Road to the east, Taylor-Kidd Boulevard to the north, and Centennial Drive to the west. The site itself is currently accessed by RioCan Drive, a private road. In addition, two local roads, Wheathill Street and Swanfield Street, stemming from the residential neighbourhood to the east of the area, terminate at the eastern edge of the site. There are also some informal trail networks located on the periphery of the site; most of which follow the hydro corridors along the southern and eastern edges of the site.

Many of the community facilities and amenities present in the area are located along the fringe of the Gardiners/Meadowbrook neighbourhood or just outside of the neighbourhood boundaries. Several schools are located in the neighbourhood and nearby area including Frontenac Secondary School, Truedell Public School, Archbishop O’Sullivan Catholic School, and Saint Marguerite Bourgeoys Catholic School. Additionally, several retirement and long-term care facilities are located in the area including Trillium Retirement and Care Community, Kingsdale Chateau, Royal Place Retirement Residence, The Rosewood Retirement Residence, and Fairfield Manor West. There are four municipal parks located within 1000 metres of the site, however, the nearest municipal park space is located approximately 200 metres north of the site, across Taylor-Kidd Boulevard.



### **3.0.A.3 History and Context**

The site's modern industrial history began in 1971 with the construction of a manufacturing plant operated by Northern Telecom. In 1995, the plant was sold to Cable Design Technologies; however, Northern Telecom continued its operations under lease until 2003. The majority of the site now lies vacant as most of the 48,000 m<sup>2</sup> building that was located on the site has been demolished with the exception of a 3700 m<sup>2</sup> section of the building that continues to be occupied by a business.

After Northern Telecom's departure from the site, it was discovered that the site had been contaminated by chemicals used during the manufacturing process of wire and cabling. Some soils located on site have been shown to contain levels of petroleum hydrocarbons (PHCs) that exceed applicable Ministry of Environment and Climate Change standards. Furthermore, there is evidence of concentrations of PHCs and volatile organic compounds (VOCs) exceeding Ministry of Environment and Climate Change standards in groundwater samples throughout the site. Remediation and further investigation of the site will be required.

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The site is zoned site-specific Light Industrial Zone 'M2-31' as per Zoning By-Law Number 76-26. The uses permitted in the 'M2-31' zone include: an assembly plant; a contractors or tradesman's shop; a dry-cleaning or laundry plant; a fabricating plant; a manufacturing plant; a processing plant; a public use; a retail lumber outlet; a service shop; a transportation depot; a warehouse; a renewable and/or alternative energy source use; trade show use; recreational use; professional and business office; a daycare; a restaurant; a financial institution; a personal service establishment; and a convenience commercial use.

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An application is currently underway for a proposal to redevelop the site as a neighbourhood in-fill style development with a combination of mixed use commercial, institutional, open space, and residential uses. The proposed redevelopment will require

an Official Plan amendment that would re-designate the property from a 'Business District' to a 'Housing District' in order to accommodate different residential use types, as well as associated uses such as open space, community facilities and neighbourhood commercial elements. The proposal will require alterations to the land use designations from 'General Industrial' to 'Residential', 'District Commercial', 'Open Space', and 'Institutional'. Furthermore, the proposal also requires a change to the zoning such that the zoning is changed from a Light Industrial Zone 'M2-31' to six different site-specific zones that would permit high density residential; medium density residential; low density residential; general shopping mixed use commercial uses; institutional uses; and open space uses.

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The proposed redevelopment aims to provide approximately 450 high density residential units in the form of apartment style residences, as well as approximately 418 low density residential units in the form of single detached and row house homes. In addition, the proposal would see the introduction of close to 50,000 square metres of commercial space to serve the residents of the site and the surrounding area. A school has been planned for the site in order to accommodate the increase in population resulting from the influx of residential units to the neighbourhood. Furthermore, a high density 150 unit senior residence is proposed for the site along with over 37,000 square metres of open space in the form of parks, public walkways and trails, and storm water management features.

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