Executive Summary:

The following is a comprehensive report recommending approval to the Planning Committee regarding applications for Official Plan and zoning by-law amendments submitted by Fotenn Consultants Inc. & IN8 (Sage Kingston) Developments Inc., on behalf of Kingston Terminal Properties Ltd., with respect to the subject site located at 652 Princess Street, 662-670 Princess Street & 551 Victoria Street.

The site is designated ‘Main Street Commercial’ and is within the Williamsville Special Policy Area in the City of Kingston Official Plan and currently zoned Williamsville Main Street Commercial Zone ‘C4-H (T1)’ in Zoning By-Law Number 8499, as amended. The Official Plan and zoning by-law amendment application requests permission to construct a 10-storey mixed use building with commercial and residential uses fronting onto Princess, Nelson and Victoria Streets.

The Williamsville Main Street is a 1.7 kilometre stretch along Princess Street that extends from the intersection of Princess Street and Division Street to the intersection of Princess Street and...
Bath Road. The Williamsville Main Street Study was initiated and defined geographically to focus on redeveloping several vacant and under-utilized properties.

A Statutory Public Meeting was held regarding the proposed Official Plan amendment and zoning by-law amendment on June 8, 2017. The applicant also met with the Williamsville Community Association on May 10, 2017 and June 5, 2018. The original application proposed the demolition of a listed heritage structure located on the property and the construction of a 10-storey, mixed use building with a total of 327 dwelling units. The second submission was revised to include the retention and adaptive re-use of the listed heritage structure with the construction of a 10-storey, mixed use building with a total of 329 dwelling units. The most recent submission continues to include the conservation and adaptive re-use of the listed heritage structure along with a proposed 10-storey, mixed use building with a total of 325 dwelling units. A heritage easement will be applied to the property to ensure the long-term protection of the cultural heritage resource.

The Princess Street frontage of the site spans the full block on the south side of Princess Street between Nelson and Victoria Streets. The proposed 10-storey mixed use building will contain 680 square metres of commercial space at-grade with an attached outdoor patio space for one of the commercial units. The proposal includes a total of 325 residential units, including 29 bachelor, 196 one-bedroom, 93 two-bedroom and 7 three-bedroom dwelling units. One level of underground parking and at-grade parking spaces behind the building provide 159 parking spaces and two loading spaces. 3 car share spaces will be included on the site for this development. The development also includes the provision of 325 bicycle parking spaces.

The applicant is requesting an Official Plan amendment with specific relief to the angular plane requirements for the proposed 10-storey mixed use building in the Princess Street Corridor Special Policy Area. The zoning by-law amendment requests relief to permit an increase in building height, removal of the angular plane provisions, reduction in the minimum amount of building frontage (Nelson Street), reduction in the number and size of required parking spaces, reduction in the number and size of loading spaces and barrier free parking spaces and reduction in the size of bicycle parking spaces. The reduction in building frontage on Nelson Street relates to the configuration of the lot and resulting configuration of a building on the lot that incorporates setbacks from the adjacent residential area.

The parkland dedication for this proposal will be provided as a cash contribution in lieu of providing a land dedication, in accordance with the Parkland Dedication By-Law Number 2013-107, the Cash-in-Lieu of Parkland would be used towards the future acquisition of parkland. In addition to parkland dedication, the City of Kingston will be receiving $230,029.50 from Community Benefit contributions from the applicant which will contribute toward the green street treatment of the priority and secondary green streets in the local area identified in the Official Plan.

The requested Official Plan and zoning by-law amendments are consistent with the applicable policies of the Provincial Policy Statement. The requested zoning by-law amendment conforms with the City of Kingston Official Plan, as amended, and proposes to increase the residential density within the serviced urban boundary and represents good land use planning.
Recommendation:

That it be recommended to Council that the applications for Official Plan and zoning by-law amendment (File Number D35-002-2017) submitted by Fotenn Consultants Inc. & IN8 (Sage Kingston) Developments Inc., on behalf of Kingston Terminal Properties Ltd., for the property municipally known as 652 Princess Street, 662-670 Princess Street & 551 Victoria Street, be approved; and

That the City of Kingston Official Plan, as amended, be further amended, amendment number 62, as per Exhibit A (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-18-043; and

That By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A and B to Amend Zoning By-Law Number 8499) to Report Number PC-18-043; 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-law; and

That the amending by-laws be presented to Council for all three readings; and

That Council approves the Community Benefits being sought under Section 37 of the Planning Act and authorizes the Mayor and Clerk, following the review and recommendation by staff, to execute a Community Benefits agreement with the applicant, in a form satisfactory to the Director of Legal Services.
Report to Planning Committee

June 21, 2018

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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:

Jim Keech, President & CEO, Utilities Kingston  Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer  Not required
Denis Leger, Commissioner, Corporate & Emergency Services  Not required
Options/Discussion:

Background and Decision Date
In accordance with By-Law Number 2007-43, these applications were subject to a pre-application meeting held on June 8, 2017, with the Planning Division and various other departments and agencies. Following this, a formal submission was made by the applicant and this application was deemed complete as of May 10, 2017 in accordance with the Planning Act.

In accordance with the Planning Act, these applications were subject to a decision by Council on or before November 6, 2017, which was 180 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 Local Planning Appeal Tribunal (LPAT).

The 180-day decision timeline for the application for Official Plan amendment may be extended by up to 90 days if the extension is initiated through written notice by either the applicant or the City of Kingston, and provided that both parties agree to the extension.

In order to address comments provided through the public meeting and staff technical review it has brought the review of the applications beyond the 180 day timeframe for a decision. The applicant and staff have worked through an iterative process to bring this application forward with a recommendation.

Application and Submission

Site Characteristics
The subject site consists of two separately assessed parcels of land, with frontage on Princess, Nelson and Victoria Streets and a combined site area of 4,495 square metres. Princess Street is identified as an Arterial Road, with Nelson and Victoria Streets identified as Local Roads in the Official Plan.

The property known as 652 Princess Street is currently vacant and the site known as 662-670 Princess Street and 551 Victoria Street contains 2 1/2-storey buildings with mixed-use commercial/residential uses and is a listed property on the City’s Heritage Properties Register. The original building located at the corner has been identified as having heritage value, with its historical/associative and contextual value derived from the building having an early presence in the commercial core of historic Williamsville and as the site of the Carnovsky Bakery. Although the entire parcel is listed under the Ontario Heritage Act, it is only the 2 1/2-storey Georgian-style, stucco clad building on the corner that has been identified by the City and by the applicant’s heritage consultant as having cultural heritage value. To accommodate the proposed development, the circa 1840 Carnovsky Bakery building is being retained and restored and the other existing buildings, including unsympathetic additions to the rear of the Carnovsky Bakery, known as 551 Victoria Street, are proposed to be demolished.

Surrounding land uses include commercial and mixed commercial/residential uses along Princess Street, including a gas station to the west at 676 Princess Street, a mixed use building to the northwest at 655 Princess Street, St. Luke’s Church to the north at 236 Nelson Street and
a mixture of single-unit, two-unit and multi-unit dwellings to the south. The vacant lands to the east on the opposite side of Nelson Street, known as 575 Princess Street, are the subject of Planning Act applications proposing a 10-storey mixed use building.

Application History/Chronology
First Submission Overview
The first submission consisted of a proposal for a 10-storey building with 327 residential units and 615 square metres of commercial space at-grade. The residential units ranged from bachelors to three-bedroom units. A total of 156 off-street parking spaces was proposed, including 42 surface spaces and 114 underground spaces, plus 12 off-site spaces to be located within a 400 metre radius of the property. The breakdown in parking spaces by corresponding use was 152 spaces for the residential use and 4 spaces for the commercial uses. Access to the surface and underground on-site parking was proposed through a rear lane connecting to both Nelson and Victoria Streets. The submission proposed to remove the heritage structure and recognize the former location of the building through its replacement with a ‘sculptural ghost and footprint’ of the circa 1840 building.

To accommodate the proposal, the Official Plan amendment requested to permit a building with a height of 33 metres and to specify that a height map would be introduced through the site-specific amending zoning by-law. The concurrently submitted zoning by-law amendment requested a site-specific zone for the site with zoning relief from a number of provisions, including building height, angular plane, parking, loading, bicycle parking and amenity area.

In support of the applications, the applicant submitted the following:

- Planning Rationale Report, prepared by Fotenn Consultants Inc.
- Urban Design & Shadow Study, prepared by Fotenn Consultants Inc.
- Stage 1 Archaeological Assessment, prepared by Abacus Archaeological Services
- Conceptual Site Plan, prepared by IBI Group Incorporated
- Elevation Plans, prepared by IBI Group Incorporated
- Floor Plans, prepared by IBI Group Incorporated
- Height Map, prepared by IBI Group Incorporated
- Cultural Heritage Impact Assessment, prepared by Metropolitan Design Ltd.
- Noise Impact Feasibility Study, prepared by JJ Acoustic Engineering Ltd.
- Perspectives, prepared by IBI Group Incorporated
- Floor Plate Diagrams, prepared by IBI Group Incorporated
- Site Servicing and Stormwater Management Report, prepared by IBI Group Incorporated
- Site Servicing Calculations, prepared by EMCAD Consulting Engineers
- Electrical Load Calculations, prepared by EMCAD Consulting Engineers
- Survey, prepared by IBI Group Incorporated
- Traffic Impact & Parking Study, prepared by IBI Group Incorporated
- Phase I Environmental Assessment, prepared by Pinchin Ltd.
- Arborist Report, prepared by ECO Tree Care
- Vegetation Management Plan by IBI Group Incorporated
Second Submission Overview
The key revision included in the second submission was the retention and adaptive re-use of the historic Carnovsky Bakery building. This was in response to comments received by the public at the June 8, 2017 Statutory Public Meeting. In addition, the overall height of the proposed building was reduced slightly from 33.5 metres to 32.9 metres. The number of proposed dwelling units increased slightly from 327 to 329. The details of the proposed Official Plan and zoning by-law amendments remained unchanged through this submission.

- Carnovsky Bakery - Building Condition Assessment, prepared by Metropolitan Design Ltd.
- Updated Cultural Heritage Impact Assessment, prepared by Metropolitan Design Ltd.
- Updated Conceptual Site Plan, Floor Plans, elevation and renderings, prepared by IBI Group Incorporated

Third Submission Overview
The third submission was further revised to address comments received through the technical review of the applications and comments received from the public. This submission continued to propose a 10-storey mixed use building with commercial and residential uses on the site. The proposed residential units ranged from bachelor units to three bedroom units. The proposed building height remains at 10-storeys, while modifications were made to the building's massing to reduce the scale of the structure and provide better transition from the building into the residential neighbourhood to the south. The applicant removed the request for off-site parking from the proposal. By modifying the composition of the dwelling units within the proposed development, a parking ratio of 0.5 parking spaces per dwelling unit was proposed, which is consistent with the Peer Review recommendations. The proposal met the minimum number of accessible parking spaces required in subsection 80.36(1)(4) of the Accessibility for Ontarians with Disabilities Act (AODA). In addition, the applicant increased the minimum number of bicycle parking spaces to a ratio of 1 space per dwelling unit. Further design changes were made to more sensitively address the interface of the existing heritage structure and the new building.

- Updated Conceptual Site Plan, Floor Plans, Elevation and Renderings, prepared by IBI Group Incorporated
- Updated Height Map
- Updated Planning Rationale/Zoning Justification Report, prepared by Fotenn Consultants Inc.
- Updated Shadow Study, prepared by Fotenn Consultants Inc.
- Updated Traffic Impact Assessment, prepared by IBI Group Incorporated
- Response to Peer Review of Cultural Heritage Impact Assessment, prepared by Metropolitan Design Ltd.

Fourth Submission Overview
The fourth and final submission provided additional documents and report addendums to facilitate staff finalizing its technical review. As part of the applicant’s efforts to achieve a 0.5 residential parking ratio on-site, the recommendation includes the provision of 3 car share spaces. The recommended zoning provisions are structured such that 1 car share space is
equivalent to 3 parking spaces, which is a ratio that is consistent with other recently approved developments.

- Planning Rationale Addendum – Updated Affordable Housing Analysis
- Shadowing Study Analysis to Accompany Updated Shadow Study provided with 3rd submission
- Gas Load Summary
- Updated Noise Feasibility Study
- Updated Traffic Impact Assessment

**Proposed Development Overview**
Table 1 below summarizes the evolution of the proposed development through the first, second, third and fourth submissions. The key performance standards are included to inform the modifications related to the changes in built form of the proposed building:

**Table 1 - Evolution of Proposed Development Through Submissions**

<table>
<thead>
<tr>
<th>Performance Standard</th>
<th>First Submission</th>
<th>Second Submission</th>
<th>Third Submission</th>
<th>Fourth Submission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Storeys</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Total Building Gross Floor Area (GFA) (square metres)</td>
<td>21,715</td>
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<td>Floor Area Index (FSI)</td>
<td>6.2</td>
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<tr>
<td>Building Height (metres)</td>
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<td>32.9</td>
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<td>Number of Bedrooms</td>
<td>442</td>
<td>442</td>
<td>432</td>
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<tr>
<td>Amenity Space (square metres)</td>
<td>7,085*</td>
<td>7,085*</td>
<td>3,250</td>
<td>3,250</td>
</tr>
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</table>
## Performance Standard

<table>
<thead>
<tr>
<th>Performance Standard</th>
<th>First Submission</th>
<th>Second Submission</th>
<th>Third Submission</th>
<th>Fourth Submission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicular Parking Spaces</td>
<td>Residential: 0.46 per unit</td>
<td>Residential: 0.46 per unit</td>
<td>Residential: 0.47 per unit</td>
<td>Residential: 0.5 per unit</td>
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<tr>
<td></td>
<td>Commercial: 1 per 150 square metres</td>
<td>Commercial: 1 per 150 square metres</td>
<td>Commercial: 1 per 150 square metres</td>
<td>Commercial: 1 per 150 square metres</td>
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<tr>
<td></td>
<td>Total: 156</td>
<td>Total: 156</td>
<td>Total: 159</td>
<td>Total: 159</td>
</tr>
<tr>
<td>Off-Site Parking Spaces</td>
<td>12</td>
<td>12</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bicycle Parking Spaces</td>
<td>292</td>
<td>292</td>
<td>325</td>
<td>325</td>
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<tr>
<td>Accessible Parking Spaces</td>
<td>16</td>
<td>16</td>
<td>9</td>
<td>9</td>
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<tr>
<td>Storeys of Underground Parking</td>
<td>1</td>
<td>1</td>
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<tr>
<td>Commercial GFA (square metres)</td>
<td>615</td>
<td>725</td>
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<tr>
<td>Rear Lane</td>
<td>Incorporated</td>
<td>Incorporated</td>
<td>Incorporated</td>
<td>Incorporated</td>
</tr>
</tbody>
</table>

(*The proposed amenity space of the first and second submissions were calculated based on previous zoning requirements (that also counted indoor private amenity areas) and were actually deficient based on the definitions and requirements of the now applicable Amenity Area Review.)

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 Policy Statement

The Provincial Policy Statement (PPS) (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 policies of the PPS are intended to ensure that land use planning at the local level achieves a balance between the following areas of provincial interest: public health and safety, protection of resources, sustainability and the quality of the natural and built environment. The following is an analysis of the proposed development with respect to the PPS policies that are organized into the following sections: building strong healthy communities, wise use and management of resources and protecting public health and safety.

1.1.1a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term:

The consolidation and redevelopment of the two underutilized parcels of the largely vacant site within a main street corridor that is targeted for mixed-use intensification supports the financial well-being of the City and Province.

1.1.1b) Accommodating an appropriate range and mix of residential, employment, institutional, recreation, parks and open space, and other uses to meet long-term needs:

The proposed redevelopment of the subject site with a mixed use building is consistent with the intended land use for the site from the Official Plan. The project includes 325 residential units (ranging from bachelors to three-bedroom units) and 680 square metres of commercial space. In accordance with the Planning Act and the City’s Parkland Dedication By-Law Number 2013-107, the development will include the provision of Cash-in-Lieu of Parkland that will assist the municipality in the provision of quality park space.

1.1.1e) Promoting cost-effective development patterns and standards to minimize land consumption and servicing costs:

The proposed mixed use building will develop an underutilized site with residential intensification within the urban boundary. This is a cost effective pattern of development and makes efficient use of the available water and sanitary servicing.

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted:

The proposed development seeks to add 325 residential units in a defined settlement area, within the urban boundary of the City, in the Williamsville Main Street area of the Princess Street Corridor. The introduction of a mixed use building and residential density in an underutilized and largely vacant site in this corridor represents a regeneration project within the defined settlement area and will contribute to the enhanced activity and vitality of the urban core of Kingston. The site is located in an area of the City where the City’s Official Plan targets new mixed use developments that connect abutting residential areas to the north and south.

Section 1.1.3.2, the PPS indicates that the following criteria are to be the basis of land use patterns within settlement areas:

a) Densities and a mix of land uses which:
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1. Efficiently use land and resources:

   The application proposes the redevelopment and intensification of an underutilized site in the City’s Williamsville Main Street Corridor. At its proposed and recommended density, the development is expected to make efficient use of planned and available municipal water and sanitary servicing.

2. Are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion:

   The proposed density and mix of land uses for the site will make efficient use of the available water and sanitary servicing capacity in this area of the City. The site has access to a range of public service facilities and amenities within the downtown core area such as public open space, the Kingston Memorial Centre Arena, two hospitals, fire protection, library branch, etc.

4. Support active transportation:

   There are many amenities within walking distance of the site; therefore, the introduction of the proposed density through this development will support opportunities for active transportation. The development will be incorporating a minimum of one bicycle parking space for each residential unit, while the site is immediately adjacent to recently implemented bicycle lanes along the Princess Street Corridor.

5. Are transit-supportive, where transit is planned, exists or may be developed:

   Princess Street is a main transit corridor in the City. The site is adjacent to express public transit service. The development includes a ratio of vehicular parking provision (0.5 spaces per dwelling unit) that is transit supportive. There are existing transit stops on the north and south sides of the intersection of Albert and Princess Streets.

1.1.3.3 Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Promoting Public Health and Safety:

   The applications have demonstrated appropriate conservation of built heritage and archaeological resources through the submission of a Stage 1 Archeological Assessment that has been reviewed/accepted to the satisfaction of the municipality and the Ministry of Tourism Culture and Sport and the adaptive reuse of the Carnovsky Bakery building.

   The site is not subject to any natural hazards, as defined by the PPS. The site has been identified through a Phase 1 Environmental Assessment as having contaminants and a Record of Site Condition will be required for the proposed residential use. Prior to the commencement of construction, a qualified person, in accordance with applicable legislation and to the satisfaction
of the City and the Ministry of Environment and Climate Change, is required to complete a Record of Site Condition.

1.6.6.1 Planning for sewage and water services shall direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing municipal services and integrates servicing in all stages of the planning process:

The proposal to develop the site with 325 residential units and approximately 680 square metres of commercial floor area will make efficient use of, and will contribute to the optimization of the use of existing municipal sanitary and water services available to the site. The application and supporting reports for the proposed mixed use building have been reviewed by a number of technical departments and agencies. The resulting comments have indicated that the proposed development can be serviced by existing municipal services, that the transportation network in the immediate and surrounding area has the capacity to accommodate the intensity of the proposed use and that the development is compatible and can function in a way that adds to the activity and vibrancy of the Williamsville Main Street area. This is consistent with the goals and objectives of both the PPS and the Official Plan.

1.6.7.2 & 1.6.7.5 Efficient use shall be made of existing and planned Infrastructure (transportation systems) & Transportation and land use considerations shall be integrated at all stages of the planning process:

The applicant has submitted a Traffic Impact Study (TIS), which has been reviewed to the satisfaction of the City’s Traffic Division and WSP Inc., who completed the Peer Review on behalf of the City. The Transportation Study completed in support of the proposed development considered parking along with the traffic resulting from the proposed development and the efficiency of the existing road network to accommodate the additional volume. The traffic analysis concludes that there are no operational concerns.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation:

The proposed mixed use building will include commercial amenities and other private residential amenities within the site (gym and rooftop amenity). The Williamsville Main Street Corridor is within walking distance of many recreational, employment, commercial, social and cultural amenities, which are all expected to contribute to a reduction in the number of vehicle trips. The walkability of the area and the requested parking reduction are also supportive of transit, which is readily available to the site.

1.7.1 Planning authorities shall support development that maintains and enhances the vitality and viability of downtowns and mainstreets:

The subject site has direct frontage on the mainstreet of Kingston, Princess Street. The proposed development of this site will enhance the vitality of the Williamsville Main Street area in a manner that is consistent with the future vision of the corridor. This is consistent with the
PPS and the City’s Official Plan policies which support and place a priority for growth in the identified ‘centres’ and ‘corridors’. The subject site is located within the ‘corridor’ of the Official Plan, which has been assigned the highest order of priority for residential growth.

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:

a) Promote compact form and a structure of nodes and corridors:

   The 10-storey mixed use development with 325 residential units will contribute to a compact form of development within an intensification corridor identified in the Official Plan.

b) Promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas:

   The subject site is adjacent to an express public transit route that provides connectivity to employment and institutional uses. The site also promotes active transportation, as it is within walking distances of other residential neighbourhoods, employment and institutional uses.

e) Improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion:

   The addition of a mixed use development with 325 residential units and 680 square metres of commercial space at this location provides opportunities for walking, cycling and public transit with relatively short commute times and ease of connectivity between housing and employment land uses.

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved:

The consolidated development site includes a listed property with a structure known as the Carnovsky Bakery. The development proposal includes the retention, adaptive re-use and built heritage restoration of this heritage building. This approach will conserve a built heritage resource that has been identified as having cultural heritage value by the community. The new design has been refined to include space around the heritage building and a revision of the roof from glass to a traditional solid covering, which better protects the built heritage resource. This separation with a new commercial use and exterior patio will allow members of the public to view and experience the conserved and restored heritage building and its tangible attributes from all four sides. The separation of the structure will result in the building being more readily understood from a streetscape vantage point as a distinct heritage resource that has been respectfully incorporated as part of a modern mixed use intensification project.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has
been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved:

The property located across the street (647 Princess Street) from the subject site and one located further east on the north side of Princess Street (613-637 Princess Street) are both designated heritage properties. The retention and intended limestone cladding restoration of the heritage building on the subject site will contribute to the conservation of the contextual heritage value of the adjacent site by maintaining an overall built heritage presence at this key commercial heritage intersection of Williamsville. The design of the new building incorporates stepbacks and sensitivity in materials that supports the retention of the built heritage value of the nearby heritage buildings at 635-637 and 647 Princess Street. The shadowing analysis has demonstrated that the proposed development does not create an unacceptable level of shadowing on the heritage properties located across the street. The retention of the Carnovsky Bakery building and its restoration, which will reveal its limestone and brick masonry, will help to reinforce the north and south frontages of this particular block of the Princess Street Corridor as a key node of the historic commercial core of Williamsville.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved:

The applications have demonstrated appropriate conservation of archaeological resources through the submission of a Stage 1 Archeological Assessment that has been reviewed/accepted to the satisfaction of the municipality and the Ministry of Tourism Culture and Sport.

3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects:

The site has been identified through the submitted Phase 1 Environmental Site Assessment as requiring additional environmental review. The completion of a Record of Site Condition by a qualified person in accordance with applicable legislation and to the satisfaction of the City and the Ministry of Environment and Climate Change is required prior to the commencement of any construction.

The proposed development is consistent with the Provincial Policy Statement and will contribute to the mix of low, medium and high density residential land uses in the surrounding area. The development can be supported by the existing and planned municipal infrastructure and public service facilities in the area. The mixed use development also further supports the express transit service offered along the Princess Street Corridor.

The proposed 10-storey mixed use building will add 325 new residential units to the housing stock of the City within the urban boundary. The proposal is consistent with the PPS in that it proposes residential growth within the urban boundary as identified in the City of Kingston Official Plan. The site is located in the Williamsville Main Street Corridor, which is an area
identified in the Official Plan for residential intensification. The proposal represents the redevelopment of underutilized properties fronting onto Princess Street which is consistent with the policies of the PPS.

**Official Plan Considerations**

The proposed Official Plan amendment has been reviewed in conjunction with the 2014 PPS Statement, Official Plan policies in effect at the time the application was submitted and the Williamsville Main Street Study for compatibility and functionality based upon the requested amendments to create a site-specific policy area to address the angular plane provisions of the Official Plan.

The Official Plan defines compatibility as “the ability of various land uses, building sites, or urban design treatments to co-exist with one another from both a functional and visual perspective through their arrangement, location, methods of buffering, massing or other means of providing transition that are able to successfully address undue adverse effects”.

The subject lands are located in a ‘Corridor’ as shown on Schedule 2 of the Official Plan. The Princess Street Corridor between the Central Business District Centre and the Cataraqui Centre will continue to evolve as a mixed land use development area with mixed use buildings containing residential, employment and retail uses. It is a priority transit route and is intended to be the focus of intensification involving higher building heights and densities, as identified in Section 10E. Princess Street Corridor Specific Policy Area.

The policies for the City Structure are established in Section 2, City Structure map of the Official Plan. Section 2 establishes the strategic policy direction for the City of Kingston and includes such matters as the City’s growth and intensification, the Urban Boundary and the fundamental urban structure as illustrated on Schedule 2. It is a statement of how the citizens want to see their City developed. Matters found in this section are considered of prime significance to the future development of the City and apply to all sections of the Official Plan.

Section 2.1 includes the Plan’s fundamental and over-arching policies for sustainable development. This section of the Plan states that most growth will occur within the Urban Boundary where development will achieve greater sustainability through:

- **Appropriate densities:**
  
  The proposed residential density of 325 units contributes to land use sustainability by achieving an appropriate balance between maximizing density in manner that achieves form compatibility with the subject site’s existing built environment.

- **Land use patterns that foster transit and pedestrian activity:**
  
  The proposed mixed use development will enhance the use of public transit and will create added pedestrian activity within the Williamsville corridor.

- **Enhanced accessibility for all residents, visitors and workers:**
The proposed development will be required to meet the accessibility requirements of the Ontario Building Code and provide 15% of accessible units. Accessible parking will be provided in accordance with the Accessibility for Ontarians with Disabilities Act (AODA). Further, the proposed at-grade commercial space is to be accessible.

- Opportunities for sharing resources such as parking, utilities and recreational or cultural assets, in the form of community gardens, as well as educational, recreational or cultural assets:

  The applicant has indicated that the provision of electric car charging is a possibility for this site that is anticipated to be explored through Site Plan Control. The recommended zoning amendment includes the requirement for 3 car share vehicles which will provide access to vehicles for residents of the development who may not have access to or the need for a vehicle on a regular basis. The development includes rooftop amenity space that is to be shared amongst the residents, making efficient use of rooftop space. The retention, adaptive reuse and restoration of the Carnovsky Bakery building as a commercial space with an abutting commercial patio ensures that residents of the proposed development and broader community will have continued access to the building to be able to appreciate, in person, the various cultural heritage values of the building. The applicant is providing Cash-in-Lieu of Parkland, which is a financial contribution towards additional public parkland.

- Direct new development and land uses to areas where they can best result in sustainable practices:

  The proposed development incorporates some green roof space, which will function as a component of managing the on-site stormwater. The proposed building also incorporates sustainable features such as high performance glazing, water and energy saving devices throughout the building, high efficiency central boilers and cooling units, and a living green wall in the central atrium.

- Promotion of employment opportunities that enhance local skills:

  The proposed commercial space is intended to include occupancy by restaurants, a café or similar uses that may incorporate the promotion of local products and employment.

- Maximize use of investments in infrastructure and public amenities:

  The proposed development is expected to contribute to increasing the number of users to recent municipal investments including the Memorial Centre and Tomlinson Aqua Park, along with Victoria Park, by introducing several hundred new residents within walking distance of each City-owned facility. Further, the development will contribute to supporting the above/below grade infrastructure in the Princess Street right-of-way (including bicycle lanes) and overall ridership of Kingston Transit.
• Strategies that will revitalize neighbourhoods and employment areas, and rehabilitate brownfield sites for re-use:

The Williamsville Main Street is a 1.7 kilometre stretch along Princess Street that extends from the intersection of Princess Street and Division Street to the intersection of Princess Street and Bath Road. The Williamsville Main Street Study was initiated and defined geographically to focus on redeveloping several vacant and under-utilized properties. The proposed development aligns with the vision of the Study that seeks to redevelop an under-utilized, vacant, brownfield site with a mixed use proposal that appropriately considers the adjacent buildings and neighbourhood.

• Parks that are planned to be accessible by urban residents within a 10 minute walk:

In accordance with the Planning Act and the City’s Parkland Dedication By-Law Number 2013-107, the proposed development will provide a cash-in-lieu payment (in lieu of the conveyance of actual land) at the Site Plan Control stage. Options for the creation of on-site public/private open space and public easements will be reviewed in detail through the Site Plan Control process. The site is located in close proximity to both the Memorial Centre and Victoria Park.

• An ecosystem approach to protecting the natural heritage system:

As the proposed development is located in the Urban Boundary, the proposal is adhering to the City of Kingston goals in protecting and preserving natural heritage features through reducing the need for urban sprawl in greenfield locations.

The proposed built form and mix of land uses is consistent with Section 2.1.4, which states that the ‘City promotes the development of mixed use buildings that contain commercial…uses on at least the ground floor and residential units on upper floors as part of its sustainability and intensification program along the Princess Street Corridor…’.

Section 2.2 of the Official Plan states that the City is divided into broad, structural elements which are intended to remain stable for the duration of the Plan. The site is located within the Princess Street Corridor between the Central Business District Centre and the Cataraqui Centre. The project is also consistent with Section 2.2.10 of the Plan, which indicated that the Princess Street Corridor ‘…will continue to evolve as a mixed land use development area with mixed use buildings containing residential, employment and retail uses…and will be the focus of intensification involving higher building heights and densities.’

The Princess Street Corridor in Williamsville is identified as a Special Policy Area as shown on Schedule PS-1 in the Official Plan. The subject lands are designated ‘Main Street Commercial’ and are within the Williamsville Special Policy Area in the City of Kingston Official Plan. The planned function of the Main Street Commercial designation is “to serve surrounding neighbourhoods with a broad range of uses”. Permitted commercial uses include retail, service and office uses that are suitable for a main street pedestrian format, and are intended to serve the surrounding neighbourhoods. Compatible residential uses are also permitted. For properties
within the 'Main Street Commercial' designation, land use on the ground floor is required to be commercial, unless otherwise identified in a Special Policy Area.

Section 2.3 of the Plan establishes the municipality’s strategic policies with respect to growth principles, stating that the City intends to increase the density in the urban boundary through compatible and complementary infill, the appropriate redevelopment of under-utilized and brownfield sites and the targeting of a density increase for large-scale vacant land development in the Princess Street Corridor. Further, Section 2.3.3 states that major development and an increase in net urban residential density will be directed to the compact, mixed land use development areas and to mixed use buildings proposed for properties fronting on the Princess Street Corridor providing support for transit, infrastructure and increased levels of economic activity in a pedestrian-oriented setting. The proposed development at 652 Princess Street, 662-670 Princess Street and 551 Victoria Street is consistent with the strategic policy direction of the Official Plan.

Section 2.4 of the Official Plan provides for the municipality’s strategic policy direction as it relates to the phasing of growth. With respect to residential density targets, Section 2.4.3(c) states that for mixed used building developments in the Princess Street Corridor, a minimum density of 75 units per net hectare is established as the target for new residential development to be pedestrian and transit supportive. There is no upper density limit established in the Plan. High density proposals will be reviewed based on their fit within the area, how the site functions within the local context, land use compatibility tests and through the implementation of mitigation measures and the evaluation of impacts. The proposed residential density is 724 units per net hectare, which exceeds the minimum density target of 75 dwelling units per net hectare. The mixed use building located in the Williamsville Main Street Study area on the Princess Street Corridor will assist in achieving the density targets of the Official Plan and is consistent with the intent of the Official Plan.

Section 2.4.6 provides the policy direction as it relates to the order of development, specifying that lands located in the Urban Boundary that have existing servicing capacity including infill opportunities, brownfield sites and other vacant or under-utilized properties have the first priority for development. The proposed development of the subject site meets all of the criteria described in Section 2.4.6. The servicing report submitted by the applicant has been reviewed by Utilities Kingston and it has been confirmed that there is adequate servicing capacity for the proposed infill development within the existing system and as part of planned and funded local capital improvements.

The Williamsville Main Street is divided into three character areas. The subject property is located within the Community Destination area (Section 10E.1.8). It is the intent that this area should serve as a primary destination for local residents, providing for community uses such as open spaces, community centres, daycares and commercial uses that focus on community amenities to serve the day-to-day needs of the local residents.

There are a number of policies in the City’s Official Plan to address compatibility, these policies are important to determine what constitutes good land use planning. Section 2.7.1 of the Official Plan defines ‘compatibility’ as the ability of various land uses, buildings, sites or urban design
treatments to co-exist with one another from both a functional and visual perspective through their arrangement, location (including in some instances their separation), methods of buffering, massing, or other means of providing transition that are able to successfully address undue adverse effects. The Plan further states in Section 2.7.2 that: only proposed land use changes that are compatible, or can be made compatible, with surrounding sites and land use designations will be approved and that all proposed land use changes will be required to be implemented in a manner that either eliminates or minimizes to an acceptable level any adverse effects on adjacent sites and surrounding land use designations (2.7.4).

Section 2.7.3 states that adverse effects created by one land use on another, or one building on others may include, but are not limited to:

a. Shadowing:

The applicant has submitted a sun shadow analysis that details the as-of-right versus the currently proposed 10-storey building.

Table 2 below focuses on five key reference points surrounding the subject site and analyzes the different shadow impacts resulting from the as-of-right built form and the current proposal that is being recommended for approval. The analysis was completed for the winter solstice (December 21), spring/fall equinoxes (March 22 & September 22) and the summer solstice (June 21) between the 8 hour period of 9:00 a.m. to 5:00 p.m.

Table 2 – Shadow Analysis Comparison: Number of Hours Without Shadows for the Spring/Fall Equinox (March 22 and September 22)

<table>
<thead>
<tr>
<th>Location Description</th>
<th>As-of-Right</th>
<th>Proposed 10-Storey Building</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>647 Princess Street (Yellow Deli) – OHA Designated Property</td>
<td>8</td>
<td>7.5</td>
<td>0.5</td>
</tr>
<tr>
<td>Princess Street Sidewalk</td>
<td>6</td>
<td>4.5</td>
<td>1.5</td>
</tr>
<tr>
<td>Victoria Street Sidewalk</td>
<td>8</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>Nelson Street Sidewalk</td>
<td>7</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>635-637 Princess Street (Martha’s Table) – OHA Designated Property</td>
<td>8</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>236 Nelson Street - St. Luke’s Church</td>
<td>8</td>
<td>8</td>
<td>0</td>
</tr>
</tbody>
</table>

The table demonstrates that there is very little difference in the number of hours without shadowing between the as-of-right and proposed building and that with respect to the public realm sidewalk area. The proposed building meets the general intent of the
minimum of 5 hours of sunlight onto adjacent sidewalks between the Spring/Fall Equinox that is included in Section 5.4 of the Williamsville Main Street Study. The submitted shadow study confirms that there are no shadow impacts of the proposed building on St. Luke’s Church located north of Princess Street at 236 Nelson Street, including its rooftop solar panel. Staff are satisfied that the proposed shadows are minimal and are consistent with other intensification projects in the urban area.

b. Loss of privacy due to intrusive overlook:

The building has been designed with the consideration of the adjacent lower density neighbourhood to the south on Nelson and Victoria Streets. It is important to note that the as-of-right zoning permissions that would permit the construction of a 6-storey building on the subject site could have an impact as it relates to intrusive overlook on the adjacent properties to the south. The proposed 10-storey building has been located on the site directly adjacent to Princess Street and providing a rear lane for vehicular access that provides greater separation between the rear wall of the building and the residential neighbourhood to the south. The current proposal includes landscaped areas with pergolas and privacy fencing on the property line to provide greater transition into the residential neighbourhood. The 9th and 10th floors of the building are stepped back to further reduce the potential for overlook.

c. Increased levels of noise, odour, dust or vibration:

While there will be impacts associated with site construction, once occupied, the proposed mixed use building is not anticipated to pose concerns regarding noise, dust, odour or vibration. The anticipated impacts related to noise, odour, dust or vibration are not substantially different than the impacts associated with constructing a building that complies with the as-of-right permissions.

A Noise Feasibility Study was completed by the applicant in support of the applications. Should the subject applications be approved, the applicant would be required to provide a detailed noise study as part of the Site Plan Control application to assess the impacts of any mechanical equipment associated with the building and to provide for acceptable mitigation to ensure that any off site impacts meet the minimum requirements of the Ministry of Environment and Climate Change.

d. Increased and uncomfortable wind speed:

Through the Site Plan Control process, an assessment of wind impacts on outdoor amenity areas will be required to identify any mitigation measures required through the design of the site.

e. Increased level of traffic that can disrupt the intended function or amenity of a use or area:

A traffic impact and parking study was submitted by the applicant in support of the subject applications. The study supports a 0.50 residential parking ratio that initially included 12
off-site residential spaces and a 1 space per 150 square metres of commercial/retail space. The study was peer reviewed by WSP Inc., and was reviewed internally by the Traffic Division and Transportation Services Department. The Peer Review raised concerns with the proposed residential off-site parking, given that a proposed location was not identified and that a 400 metre radius was proposed. The Peer Review also identified concerns with the calculations of traffic volumes and trip assignment. The municipal technical review identified concerns with respect to the report’s integration of active transportation considerations. In response to municipal technical comments and the Peer Review, the applicant submitted an updated traffic impact and parking study, which was reviewed to the satisfaction of the municipality.

The Transportation Department is currently working to complete an updated traffic analysis of the Williamsville Main Street Corridor to assess the developments proposed and approved in the corridor and consider strategies for the implementation of green streets and active transportation. The synchro model analysis for this development will be incorporated within the work the City of Kingston Transportation Department is undertaking in conjunction with WSP Consultants. Although this work has yet to be completed, staff acknowledge the recommendations from the City-led review will be brought forward to Council and include recommendations regarding the green streets and active transportation network for the Williamsville area.

f. Environmental damage or degradation:

The proposed building will redevelop what is currently considered a brownfield site in the urban boundary of the City. In order to allow residential use on the site, a Record of Site Condition is required which will ensure that the environmental condition of the property satisfies provincial requirements for residential use. In addition, the stormwater management report affirms that the project can achieve the municipal target for this area of the City and achieve a 20% reduction of the post-development runoff when compared to the pre-development runoff.

g. Diminished service levels because of social or physical infrastructure necessary to support a use or area are overloaded:

The servicing infrastructure in Princess Street has recently been upgraded through a significant investment by the municipality. The Official Plan identifies the Princess Street Corridor as an area for intensification and the new servicing that has been constructed contemplated these policies in its design. In addition the City has made recent investments in improving the parkland, waterfront and community facilities in the downtown core area such as the Memorial Centre, Victoria Park and Tomlinson Aqua Park. The proposed density will be of benefit to these investments.

h. Reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, historic quality or setting:
The proposed development has been amended to incorporate numerous mitigation strategies to address the interface between the proposed rear elevation and the lower density neighbourhood to the south on Nelson and Victoria Streets. Corner stepbacks from the 5th through the 8th floor have been incorporated at each end of the south facing elevation. Previously proposed balconies have been removed from these specific locations as well. A building stepback has been carried across the entirety of the 9th and 10th floors of the south facing elevation, significantly reducing the massing at the top floors of the development (Exhibit B - Height Map). The height map, which is included as a schedule to the zoning by-law amendment, addresses the complexity of the massing and building articulation. It has been included as a schedule to the site-specific by-law to ensure that the proposed articulation shown on the conceptual drawings is what is constructed and provides a level of detail that will assist in future interpretations and compliance reviews.

The most recent submission is proposing fencing along the rear of the site to provide for added privacy on and adjacent to the development. In addition, outdoor landscaped areas with pergolas and sitting areas have been included in this area of the site to provide additional landscaped open space for the residents of the development and soften the design of the rear of the site.

Based on the irregular parcel configuration, the setbacks of the proposed building from the rear lot line is variable. The proposed building setback from the rear lot line is at least 21.7 metres for the majority of the rear property line and is 11.8 metres closer to Victoria Street. This degree of physical separation of building form from the residential neighbourhood to the south is an important and effective mitigation measure for this development.

The proposed development also includes significant changes in the design of the at-grade residential units along the Victoria Street frontage to better integrate them with the adjacent public realm and the mostly low density residential streetscape. These units have entrances that are accessed by stairs at-grade to private terrace area including planters. This will provide a transition from the Victoria Street frontage to the higher density building and activate the pedestrian realm at this intersection.

i. Visual intrusion that disrupts the streetscape, building or cultural heritage resource:

The proposed mixed use building is consistent with the intent of the Williamsville Main Street Study. The proposed development will create a desired streetwall effect. The current proposal includes space around the retained heritage structure, allowing it to stand alone and be read as a two-and-a-half-storey building from the historic core commercial area of Williamsville. The retention of the heritage building provides a focal point at this location when viewed in the context of the intersection and the heritage building on the north side of Princess Street that contains the Yellow Deli establishment.

j. Architectural incompatibility in terms of scale, style, massing and colour:

Several improvements have been included in the development to address architectural compatibility. The Princess Street elevation includes seven vertical massing modules
through the first four storeys that incorporate brick material, articulation and fenestration patterns that anchor the building within the overall streetscape. Lighter materials are proposed to be employed on the upper floors to assist in minimizing the appearance of mass. The retention of the heritage building as a completely separate structure anchors the project within the evolving history of Williamsville.

The compatibility of the massing and scale of the rear elevation with respect to the adjacent residential neighbourhoods on Nelson and Victoria Streets is discussed in the previous section of this report.

k. The loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.

There are no significant views of cultural heritage resources and natural features in the area of the subject site that are identified in the Official Plan.

Section 2.7.4 states that mitigation measures between sites with different land use designations and between residential uses of different density will include one or more of the following measures that will be determined through required studies, established in the zoning by-law, or during consideration of applications under the Planning Act:

a. Ensuring adequate setbacks and minimum yard requirements;
b. Establishing appropriate transition in building heights, coverage and massing;
c. Requiring fencing, walls or berming to create a visual screen;
d. Designing the building in a way that minimizes adverse effects;
e. Maintaining mature vegetation and/or additional new landscaping requirements; and
f. Controlling access locations, driveways, service areas and activity areas.

Section 2.7.6 states that only development proposals that meet the long-term needs of the intended users or occupants will be supported. This policy requires proponents to demonstrate to the satisfaction of the City that the functional needs of the occupants or users will be met by providing:

a. Suitable scale, massing and density in relation to existing built fabric;
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;
c. Adequate land area and appropriate site configuration or provision for land assembly, as required;
d. Efficient use of municipal services, including transit;
e. Appropriate infill of vacant or under-utilized land; and
f. Clearly defined and safe:
   • Site access and building entry;
   • Pedestrian access to the building and parking spaces;
   • Amenity areas and play space; and
   • Parking and bicycle facilities.
The subject lands are designated ‘Main Street Commercial’ and are located in the Williamsville Special Policy Area in the City of Kingston Official Plan (Exhibit E – Official Plan, Land Use). The planned function of the Main Street Commercial designation is “to serve surrounding neighbourhoods with a broad range of uses”. Permitted commercial uses include retail, service and office uses that are suitable for a main street pedestrian format, and are intended to serve the surrounding neighbourhoods. Compatible residential uses are also permitted. For properties within the ‘Main Street Commercial’ designation, land use on the ground floor is required to be commercial, unless otherwise identified in a Special Policy Area.

The Main Street Commercial designation applies to areas that are pedestrian oriented, with a mix of uses such as retail, service and residential that are developed close to the sidewalk (Section 3.4.C.1). Automotive sales, gas stations and gas bars are discouraged uses in the Main Street Commercial designation (Section 3.4.C.3). Residential uses in upper storeys are permitted in accordance with the Special Policy Area provisions of Section 10 (Section 3.4.C.5).

The proposed residential density is 724 units per net hectare. The proposal meets the locational criteria for a high density residential use provided in Section 3.3.C.2 of the Official Plan. As per the list of criteria, the development is on the periphery of a low density residential neighbourhood, is adjacent to/in proximity to commercial areas, is located on an Arterial Road that is designed for public transit and is in proximity to parkland (i.e. Victoria Park and the Memorial Centre grounds). Section 3.3.C.3 require new high density residential projects to address the land use compatibility polices of Section 2.7, which are assessed earlier in this report.

Section 3.3.C.4 includes the following re-zoning requirements for high density residential land uses:

- The provision of adequate municipal servicing:
  The proposed development has been reviewed with respect to water and sanitary servicing. The existing water servicing capacity has been reviewed to be sufficient to service the proposal. With respect to sanitary, there are improvements to the municipal sanitary servicing required in the area of the site that are included in capital budgeting. The recommended zone includes a holding symbol to ensure a contact commitment to the capital works is signed prior to permitting the development to proceed.

- The provision of outdoor amenity areas, which will include a children’s play area, common areas and private areas to the satisfaction of the City:
  The zoning by-law no longer requires children’s play areas. The provision of amenity area for the proposed development in the form of common (indoor and outdoor) and private outdoor amenity areas (i.e. balconies) exceeds the current zoning requirements.

- The provision of adequate on-site parking for each residential unit and for visitors, primarily using above or below-grade parking structures as the City deems appropriate:
The applicant is proposing to achieve a minimum on-site residential parking ratio of 0.5 spaces per dwelling unit to be located at-grade, within a vertical car stacking system and within a single level of underground parking. Combined with the provision of 5 at-grade commercial parking spaces, there is the opportunity for space sharing to accommodate short-term visitors to the residential portion of the building.

- A design that encourages pedestrian activity, streetscape interest and does not impact negatively on neighbouring uses:

The analysis provided in later sections of this report concludes that the proposed design and density will foster pedestrian activity, provides for streetscape interest along its three frontages and through design interventions, has satisfactorily addressed the potential for adverse impacts on the adjacent residential neighbourhood to the south.

Section 3.4.C.8 identifies the portion of Princess Street that extends between the Central Business District at Division Street and the Kingston Centre on Schedule 2 as the 'Williamsville Main Street'. Its focus is to achieve a pedestrian-oriented form of development that supports the Princess Street transit corridor and sustainable growth. New development within the Williamsville Main Street is required to be consistent with the Williamsville Main Street Study that was completed in 2012, implemented by an Official Plan amendment in June 2013 and resulted in the Princess Street Corridor Special Policy Area as shown on Schedule PS-1, with corresponding policies in Section 10E of the Plan (Section 3.4.C.9).

The Williamsville Main Street is divided into three character areas. The site is located within the ‘Community Destination’ area (Section 10E.1.8). This area is intended to serve as a primary destination for local residents, providing for community uses such as open spaces, community centres, daycares and commercial uses that focus on community amenities to serve the day to day needs of the local residents.

The proposed mixed use commercial/residential development is permitted within the existing Main Street Commercial and Princess Street Corridor Special Policy Area.

Section 9 of the Official Plan contains policies that govern administration and implementation. Section 9.5.9 provides criteria which Planning Committee and Council are to have regard for when considering an application to amend the zoning by-law.

a. Conformity of the proposal with the intent of the Official Plan policies and schedules:

The conclusion of the assessment of the current development proposal with respect to the policies of the Official Plan is that the proposed redevelopment of the site strikes an appropriate balance between the various objectives of the Plan, such as targeting an increase in residential density to an area with available physical and social services and land use compatibility.

The proposed development does not comply with the Official Plan policies regarding angular plane, as such, the applicant is seeking an Official Plan amendment. The applicant
is proposing to regulate the proposed height, stepback, setbacks of the building through a height map schedule to the zoning amendment. Given the irregular shape of the site, the applicant has demonstrated that the above noted measures have been implemented in a manner that achieves land use compatibility as defined in the Plan, including an acceptable level of shadowing on sidewalks located across the street on the three frontages.

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:

The mixed use intensification of the site is intended by the Plan and the scale of the proposal has been carefully reviewed and refined through a multi-faceted approach to mitigation measures to achieve compatibility with its surroundings. All of the proposed mitigation measures that have been incorporated into the design work together to minimize adverse impacts that may be generated as a result of the relief sought in the angular plane provisions.

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 urban design guidelines adopted by the City for the area:

The site is a lot consolidation of three properties that all contribute to a full block face on Princess Street. The policies for the Williamsville special policy area and the guidelines established through the Main Street Study are generally achieved by this development. The supporting technical studies provided conclude that this development will have minimal impact on adjacent sites and that any impacts have been mitigated through the building design.

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:

The subject site, consisting of a full block face as a result of lot consolidation, presents an opportunity for the development as proposed that is contemplated by the Williamsville Main Street Study. The Williamsville Main Street Study identified this property as a site that could be capable of supporting an 8 to 10-storey building, subject to meeting a number of policy tests and ensuring general consistency with the guidelines of the Williamsville Main Street Study. Further to technical and Peer Review input, the project has evolved to incorporate effective mitigation strategies that have addressed potential adverse impacts. The building is being proposed in an area intended for mixed-use intensification and the proposed development will make efficient use of existing and planned municipal investments in infrastructure.

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:
The site contributes to the area by being self-sufficient with respect to the provision of on-site parking and loading at the rear of the building accessed by means of a through lane that exits onto both Nelson and Victoria Streets. The self-sufficiency also includes the provision of on-site amenity space that is compliant with the minimum zoning provisions.

f. The impact on municipal infrastructure, services and traffic:

The technical review of the Traffic Impact Study and Site Servicing Study with respect to the water, sanitary and road capacity has concluded that there are no concerns with the development as proposed. The development is positioned with respect to its proposed scale, the timing of the application and site location to make efficient use of the existing and planned infrastructure and services.

g. Comments and submissions of staff, agencies and the public:

Input has been received from the public and staff with respect to the subject applications for Official Plan and zoning by-law amendments, which are addressed within this report. Written and oral input from the public has been included as exhibits to this report (Exhibit P - Public Comments and Exhibit O - Public Meeting Minutes).

h. The degree to which the proposal creates a precedent:

Each application is reviewed on the basis of its own merits. The developer has provided a number of studies including urban design, noise, traffic and servicing for the proposed 10-storey mixed use development on this site. The proposed development is an intensification project in an area that is targeted for mixed use intensification in the Official Plan, on a site that is identified as having the potential to support an 8 to 10-storey building in the Williamsville Main Street Study, subject to meeting policy tests established in the Official Plan and guidelines of the Study to ensure that development proposals on such sites undergo a rigorous review to demonstrate consistency with fundamental community objectives with respect to land use compatibility.

Section 10E.1.2 contains the Guiding Principles for development in the Williamsville Main Street Area. These are as follows:

a. Ensure community vitality through a mix of uses that includes retail/commercial at-grade:

   The configuration of the proposed development includes 680 square metres of commercial/retail floor area at-grade with residential units to be located in the upper floors.

b. Improve the pedestrian and cyclist experience along Princess Street:

   The density of the proposed development and the incorporation of quality commercial space along the street frontage is expected to improve the pedestrian and cycling experience for this section of the Williamsville corridor. The ground floor along the Princess Street frontage is set back 1.5 metres from the second floor to provide a widened sidewalk.
and create a sheltered pedestrian corridor. The proposed building design, along with the inclusion of vegetative planters, will serve to enhance the at-grade appearance of the interface between the public and private realm along the corridor, along with providing weather protection for pedestrians as they walk by or access the commercial units.

c. Bicycle storage is provided for residents and the commercial establishments on the site:

Bicycle parking/storage is incorporated within the development for the residential use as required by the zoning by-law. The applicable zoning by-law does not require bicycle parking for commercial uses. Opportunities for short-term bicycle parking will be further reviewed through the Site Plan Control process.

d. Guide development at an appropriate scale and density that is compatible with the street width and the neighbourhood context:

The proposed 4-storey street wall along Princess Street has been broken down into seven vertical modules, which is an approach that fits with the neighbourhood context. Once other sites in the area are redeveloped within the context of the Williamsville land use policies, this will create a built form at the street wall location that is complementary to the existing street width of Princess Street. The residential density of the site has been incorporated into a built form that has been carefully designed to relate positively to its surroundings.

e. Encourage high quality architecture that is representative of the cultural heritage of Williamsville:

The proposed building is of a high standard of design consistent with the principles for development in the Williamsville area. The building incorporates elements of both modern and traditional design, which is distinct yet complementary to the cultural heritage of the subject site and the broader area. The applicant has made significant modifications to the proposal since the first submission to retain the existing heritage building on this site and incorporate the building into the overall design and function of the development.

f. Protect existing residential areas from negative impacts:

The building is designed to reduce impacts on adjacent residential lots through stepbacks, building articulation and façade treatment. The inclusion of a rear lane in the site design provides a greater setback for the building from adjacent properties to the south. Significant stepbacks in the building design have been included within the rear, south facing elevation to provide greater transition of building form and reduce potential overlook from the proposed building. In addition, there have been outdoor landscaped amenity areas provided at-grade to the rear of the building that also break up the area of parking and the adjacent residential lots to the south of the site.

g. Provide a sustainable framework for future development:
Sustainable features have been designed into the proposed building. The building includes the retention/restoration of a heritage building, green roof elements are being incorporated to minimize stormwater runoff and reduce the development’s contributions to the urban heat island effect. Bicycle parking/storage is included for each residential unit, supporting transportation options that do not rely on the motor vehicle. The design of the underground parking is being done to anticipate the future incorporation of electric vehicle charging stations and three car share vehicles will be included with this development and required through the zoning by-law for the site. Various sustainable lighting and motion sensor measures are being implemented to reduce energy consumption. The building materials will include recycled or recyclable materials. The air handling components selected for the building will be high efficiency. The components of the building envelope will exceed the required insulation and sealing standards. The glazing elements of the building will incorporate heat gain and loss reduction components.

In accordance with Section 10E.1.6, the subject site is located within the area defined as Character Area 2 – Community Destination in the Williamsville Study. Section 10E.1.8(a) defines this area to be centrally located within Williamsville Main Street and should serve as a primary destination for local residents. The area is to be targeted for community uses such as open spaces, community centres, daycares and commercial uses should focus on community amenities to serve the day-to-day needs of the local residents. With respect to the proposed development, the ground floor space along Princess Street is proposed to be commercial, with flexibility designed into the space to allow for 8 to 14 commercial units for specific uses such as a restaurant, café or similar type retail use that will function as a destination for residents of the proposed building and local residents. The commercial unit within the existing heritage structure includes an outdoor patio, providing an opportunity for local residents to meet in small groups to enjoy a commercial outdoor space within the heart of Williamsville. The walkway that is being provided between the restored heritage structure and new building will add to the pedestrian experience in this area of Williamsville where the existing sidewalk is constrained due to the proximity of the existing heritage structure close to Princess Street. It is the opinion of staff that the proposed development contributes to the goals of providing community amenities to local residents as outlined in the Community Destination Character Area of the Plan.

Section 10E.1.8(b) notes that some sites in this area may be suitable for buildings over 6-storeys. The Williamsville Main Street Study identifies the subject site as one of the sites that could potentially accommodate a taller building. Section 10E.1.29 of the Plan specifies that average lot depths equal to or greater than 36 metres are recommended to accommodate buildings of 6-storeys in height. The site was created through the consolidation of three smaller land parcels and the result is an irregularly shaped property. The average lot depth of the site exceeds 36 metres, ranging in depth from 39.5 metres at its narrowest point up to 74 metres. It is the opinion of staff, that the subject property can appropriately accommodate a building that exceeds 6-storeys in height based on the size, frontage and location of the site.

Section 10E.1.8(c) notes that ground floor commercial uses are required for properties on Princess Street directly abutting the intersections of Nelson Street, Victoria Street and Alfred Street. Other properties in the area may be developed with a mix of commercial/office and
residential at-grade. The site abuts the intersections of Princess and Victoria and Princess and Nelson. The proposed development includes 680 square metres of ground floor commercial space, including an allocation of commercial/retail space that wraps the corners at Nelson and Victoria Streets.

Section 10E.1.10, Public Realm Design, envisions a City road allowance that can balance vehicular, pedestrian and a high quality streetscape. Section 10E.1.11, Transit, identifies the Princess Street Corridor as a priority transit route and the focus of future intensification. The development brings vehicular movement to the back of the site through the use of a private thru lane. The development includes a 1.5 metre setback at-grade along Princess Street, with the second, third and fourth floors being setback 1.0 metre along the same frontage, and a 3 metre setback on Nelson and Victoria Streets, providing opportunities to enhance the pedestrian experience through the use of planters and seating areas, as is planned for all three frontages of this development. The proposed 3 metre ground floor setbacks on both Nelson and Victoria Streets exceed the minimum 1 metre front yard setback. The Princess Street elevation includes an overhang for the commercial frontage, which will be inviting to pedestrians in providing protection from weather elements. The proposed development includes a residential density that supports Princess Street as a priority transit route.

As outlined above, the proposed development meets and exceeds the minimum 1.0 metre front yard setback requirement prescribed in Zoning By-Law Number 8499, which ensures consistency with Sections 10E.1.12, 10E.1.13 and 10E.1.14 as it relates to maintaining an unobstructed pedestrian clearway, establishing a suitable land use transition zone and creating an appropriate boulevard for Princess Street.

The proposed development has frontage on Princess, Nelson and Victoria Streets. In accordance with Section 10E.1.16(b), this site configuration allows for the incorporation of a rear lane into the design that limits site vehicular access to Nelson and Victoria Streets. The majority of parking to support the proposed development is located in the single-storey underground parking facility, and the remaining surface parking and a vehicle vertical stacker system parking are located at the rear of the building not visible from Princess Street, consistent with Section 10E.1.17(a). The car stacker would be tucked into the rear of the building and allows vehicles to be vertically stored, making more efficient use of the site. Residents would have access to the car stacker and would have the ability to command the system to bring their car to grade-level and to return their vehicle to the system for parking/storage. The surface parking located at the rear of the building will be screened from the side streets using half walls, vegetation, a landscaping trellis and fencing elements. Staff will continue working with the applicant through the Site Plan Control application to ensure Section 10E.1.17 and 10E.1.18 of the Plan is satisfied (Exhibit G – Site Plan).

As per Section 10E.1.19 of the Plan, the applicant has successfully incorporated a rear access lane that connects Nelson Street to Victoria Street and limits the visibility of the loading, servicing and parking spaces from the public streetscape.

With respect to cultural heritage resources, Section 10E.1.22 affirms that they are a valued legacy of the City and constitute character-defining elements of the Williamsville Main Street.
that are intended to be conserved. New development and redevelopment must protect, enhance, support or adaptively re-use these resources. Development that may impact a cultural heritage resource shall be required to comply with Section 7 of the Official Plan. The proposed development includes the retention and restoration of the former Carnovsky Bakery building, which occupies a listed property within the overall consolidated project site. This initiative, along with the adaptive reuse of the building with a new restaurant/café commercial use with adjacent patio, will serve to enhance the heritage character of the heritage core of Williamsville by injecting new commercial vitality within an old space.

Policy 10E.1.23 of the Plan specifies that development in the Williamsville Main Street shall have regard for sustainable design such as stormwater management, green roofs and passive heating through proper building orientation. The proposed development seeks to rehabilitate an existing brownfield through the construction of a mixed use building. The site has been designed to reduce the existing stormwater generated by 20%, incorporate green roofed areas along with many other suitability measures within the new building components.

10E.1.24 requires that new development in the Williamsville Main Street be well articulated and have appropriately scaled façades. The policies go on to require:

a. Blank walls are to be avoided:

The proposed building has frontage on three public streets; the building has been designed so that there are no blank walls visible from Princess, Nelson or Victoria Streets.

b. New development should be generally designed with continuous streetwalls and façades, occupying the entire length of the property frontage:

The proposed building has been designed so that a continuous streetwall is established along Princess and Victoria Streets. Due to the irregular shape of the consolidated site, the building footprint also forms an irregular shape, with the shortest of the three street frontages being Nelson Street. The smaller length in streetwall frontage on this side of the proposed building allows for the space required for a 21.8 metre setback to the rear lot line in this location and functional elements such as the rear lane, surface parking and underground parking ramp. Landscaping and low level fencing will be required through the Site Plan Control process to ensure that there is screening of parking areas and a continuous street treatment along the Nelson street frontage.

c. The treatment of the ground floor should be highly transparent with strong visual connections between the street and the ground floor interior spaces.

d. The ground level units incorporate a significant level of glazing to foster a strong visual connection between the street, land use transition zone and the interior of the commercial units. Specific details regarding building finishes and at-grade building treatments will be reviewed in detail through the Site Plan Control process.
e. To encourage pedestrian interaction and enhance safety, façades facing Princess Street or adjacent to public open spaces should be composed of large areas of glazing, occupying a minimum of 60% of the ground floor frontage. Clear glass is preferable to promote the highest level of visibility. Permanent opaque coverings on windows and doors that prevent views into the ground floor of buildings are to be avoided.

The ground level units incorporate a significant level of glazing to foster a strong visual connection between the street, land use transition zone and the interior of the commercial units. Specific details regarding building finishes and at-grade building treatments will be reviewed in detail through the Site Plan Control process.

f. Where residential or office uses are included above commercial uses, a separate entrance should be provided.

The proposed building design has separate entrances dedicated to service the residential use occupying the upper floors. The residential lobby is accessed via a separate entrance that is adjacent to Victoria Street. Details regarding the design and prominence of the entrance will be reviewed through Site Plan Control.

g. Principal building entrances should be oriented to public spaces, and can be articulated and detailed in a variety of ways including double height glazing and weather protection features.

The principal residential building entrance is adjacent to an outdoor commercial patio and is accessed by traversing under a three-storey high vestibule which offers weather protection and creates space around the existing heritage structure.

h. Canopies, colonnades, awnings, recessed entrances, covered walkways and porticoes are recommended to provide weather protection to pedestrians and help articulate building elevations, but may not encroach into the public right-of-way.

The building design successfully incorporates continuous weather protection for pedestrians walking by the building on Princess Street to access an off-site location, for those who intend on shopping in the commercial spaces of the building and residents accessing or exiting the building from each of the dedicated residential entrances.

Section 10E.1.26 of the Plan requires that appropriate exterior building materials visible from Princess Street support the public realm and fit within the planned context for Williamsville. The proposed development incorporates a variety of building materials that in the opinion of staff are appropriate for the context of Williamsville. Section 10E.1.24 and 10E.1.26 of the Official Plan provides direction with respect to the level of glazing, types of building features and exterior building materials that are to be incorporated in projects within the Williamsville Main Street Corridor. The proposed development specifically includes the following:

Along the Princess Street façade:
Floors 1 – 4 are comprised of clear glass, masonry cladding (clay red brick), masonry cladding (beige clay brick), masonry cladding (light grey stone), metal panel cladding (corrugated [light grey] and flat [dark grey]), precast light grey concrete; and light and dark grey spandrel panels.

Floors 5 – 8 are comprised of masonry cladding (clay beige brick), masonry cladding (light grey stone), light grey corrugated metal panel cladding and transparent glass.

Floors 9 – 10 are comprised of light grey spandrel glass and transparent glass.

Along the Nelson Street façade, the proposed materials include:

Floors 1 – 4: clear glass, masonry cladding (clay red brick), masonry cladding (beige clay brick), masonry cladding (light grey stone), metal panel cladding (corrugated [light grey] and flat [dark grey]), precast light grey concrete; and light and dark grey spandrel panels.

Floors 5 – 8: are comprised of masonry cladding (clay beige brick), masonry cladding (light grey stone), light grey corrugated metal panel cladding and transparent glass.

Floors 9 – 10: are comprised of light grey spandrel glass and transparent glass.

Along the Victoria Street façade, the proposed materials include:

Floors 1 – 4: clear glass, masonry cladding (clay red brick), masonry cladding (beige clay brick), masonry cladding (light grey stone), metal panel cladding (corrugated [light grey] and flat [dark grey]), precast light grey concrete; and light and dark grey spandrel panels.

Floors 5 – 8: are comprised of masonry cladding (clay beige brick), masonry cladding (light grey stone), light grey corrugated metal panel cladding and transparent glass.

Floors 9 – 10: are comprised of light grey spandrel glass and transparent glass.

10E.1.27 of the Plan notes that building frontages that exceed 30 metres in width are required to be articulated to ensure that the façades are not perceived as one continuous building. The intent is to create the visual perception of multiple buildings along the length of the project. The applicant has refined the overall façade design along Princess Street so that seven vertical modules are incorporated within the Princess Street façade. Each module is differentiated with material and colour which assists in creating the visual appearance of multiple buildings from Princess Street and reducing the perceived mass of the building (Exhibit I – Elevations).

10E.1.28 of the Plan identifies the desire to support a vibrant pedestrian environment through the creation of a continuous streetwall. Section 10E.1.29 of the Plan outlines key policies for building heights in the Williamsville Main Street policy area. This section prescribes a minimum height requirement, continuous streetwall requirements and criteria to be utilized in evaluating which sites may accommodate taller buildings. In accordance with Section 10E.1.29(a) and
10E.1.29(b), the proposed development complies with the 4-storey building height minimum and the 3 to 4 storey continuous streetwall range.

The Williamsville Main Street Study identifies a portion of the subject lands (the property known as 652 Princess Street) to be a potential taller building site. The following Official Plan policies apply to the height of buildings in the Williamsville Main Street (Section 10E.1.29):

- All new buildings on Princess Street should achieve a minimum building height of 3 storeys (10.5 metres).

- The continuous streetwall will range between 3 to 4 storeys, depending on the adjacent properties, generally with buildings up to 6-storeys (20 metres):

  The applicant is proposing a continuous streetwall of 14 metres (4-storeys) which slightly exceeds the height range of 10.5 metres – 13.5 metres prescribed in the Official Plan. The policy language is "should" which allows for some flexibility. With the slight increase in overall streetwall height, the proposed podium base maintains its 3 to 4-storey appearance and function and meets the intent of the streetwall policy.

- Average lot depths equal to or greater than 36 metres are required to accommodate buildings 6-storeys in height:

  The subject lands well exceed the minimum average lot depth requirement to qualify as a possible location for a building that exceeds 6-storeys. The property ranges in lot depth from 39.5 metres to 74 metres.

- Buildings shall be no taller than 6-storeys unless the design of the building(s) can demonstrate a positive contribution to the community as a whole (i.e. gateway sites, landmark sites). In instances where minimal impacts occur on adjacent uses, additional height may be considered up to a maximum of 10-storeys (31.5 metres). Compatibility must be demonstrated through an Urban Design Study, and buildings taller than 6-storeys will be subject to a zoning by-law amendment, and may also be subject to Height and Density Bonusing. Taller buildings can be considered at key nodes and intersections to reinforce the prominence of these locations through appropriate massing, building projections, recesses at ground level, lower storeys design and open space treatments which make these buildings visually distinct. Sites will need to be deeper than 36 metres and demonstrate compatibility and functionality through an Urban Design Study. Only properties with minimal shadow impact, either on Princess Street or adjacent to existing residential areas, should be considered for buildings over 6-storeys:

  It is the opinion of staff that the quality of architectural design, incorporated into a full city block redevelopment site, with commercial uses at-grade is a positive contribution to the long-term development of the area and a step toward achieving the future development vision for the Williamsville Main Street area.
Initially, the proposal contemplated open space on the site at the intersection of Victoria Street and Princess Street with the existing heritage building to be demolished. Through the retention and adaptive reuse of the heritage building on the site, the area for the open space is no longer available for consideration as parkland. The restored heritage structure at a key intersection in Williamsville is a positive contribution to the broader community. In addition, the walkway proposed in front of the residential entrance behind the restored heritage building will provide an enhanced pedestrian environment in this area and the commercial patio will further enhance active uses at-grade.

The subject lands are located in the ‘Community Destination’ area of the Williamsville Main Street Study, and are identified in the study as a location where a building with a height in the range of 8 to 10-storeys could potentially be developed, subject to meeting the prescribed policy tests in the Official Plan and meeting the general intent of the Williamsville Main Street Study. The applicant has submitted an Urban Design Study in support of the subject applications that has been peer reviewed by Dillon Consulting. The conclusions of the applicant, Peer Review and staff with respect to analysis of shadowing impacts is that the development proposal does not generate any unacceptable levels of shadowing on Princess Street and existing adjacent residential areas.

The purpose of the angular plane provisions is to create desirable and attractive public spaces that are not adversely impacted by shadowing. The angular plane provisions require the buildings to be stepped back within a 45 degree angle to ensure sunlight access into public spaces along Princess Street. Angular plane and stepbacks also address the overall appearance, design and massing of the proposed buildings on the Princess Street Corridor and impacts on adjacent properties. Based on the diagrams in the Planning and Urban Design addendum, it is the opinion of staff that the proposed development meets the intent of the angular plane requirements and that appropriate transition is established between the proposed development and the existing lower density development abutting the site. A review of potential shadowing and overlook impacts are included earlier in this report and staff have concluded that these have been adequately addressed by the recommended proposal.

It is the opinion of staff that the quality of architectural design, incorporated into a full city block development site, with commercial uses at-grade and located in a prominent location provides a positive contribution to the Williamsville Main Street area with respect to achieving the future development vision.

- The upper storeys above the streetwall/building base will be set back from the streetwall on Princess Street a minimum of 1.5 metres to achieve the intent of the angular plane:

The height map confirms that the proposal is to achieve this objective. The building mass above the Princess Street podium forms an ‘L’ shape, with its two ends achieving a 1.5 metre stepback from the established streetwall of the podium.
Mechanical penthouses should be allowed to exceed the maximum allowable building height by up to 5 metres, provided they do not penetrate front or rear property angular planes:

A height map is recommended to apply to the property to address the necessary relief from the angular plane. The structure of the recommended zoning by-law amendment permits architectural and mechanical features to exceed the maximum permitted height specified in the height map, provided that such vertical projections do not exceed 5 metres, which is consistent with the above noted policy.

All new development shall fit within an angular plane taken from a height above the established grade of the front property line equivalent to 70% of the right-of-way width. Above this height, subsequent storeys must fit within a 45 degree angular plane (Section 10E.1.34). Section 10E.1.35 further states that “new development should be massed in a manner that does not overshadow adjacent existing development”. From the rear property line, all storeys must fit within a 45 degree angular plane. The combination of front and rear yard angular plane provisions on a lot with an irregular shape and three front yards, given the three road frontages, results in an irregularly shaped building that does not meet the intent of the provision. The Williamsville Main Street Study provides further guidance on the intent of the Angular Plane. With respect to the front angular plane the guideline indicates that “the success of Princess Street is contingent on the ability to create comfortable, attractive, public spaces. To accomplish this, new development should allow for a minimum of 5 hours of sunlight onto adjacent sidewalks between the Spring and Fall Equinox”. With respect to rear angular plane, the study states that “New development should be massed in a manner that does not overshadow adjacent existing development”.

Reading the design guidelines from the Study, together with the Official Plan policy, it is clear that the intent of the angular plane is to reduce the impact of building massing and shadowing on public spaces such as parkland and adjacent sidewalks. In addition, the rear yard angular plane is intended to address the transition of building form into adjacent residential areas and mitigate shadowing and overlook on adjacent residential uses. Angular plane and stepbacks also address the overall appearance, design and massing of the proposed buildings on the Princess Street Corridor and impacts on adjacent properties. Staff are of the opinion that the proposed building can meet the intent of this policy section, without restricting the building within a 45 degree angular plane requirement.

Stepbacks are incorporated into the design of the upper storeys of the building; however, the proposed building does not comply with the specific angular plane provisions of the Official Plan. An Official Plan amendment is required to address the angular plane policies of the Official Plan. To meet the intent of the angular plane policies, the proposed building incorporates stepbacks at various points in its height, and has addressed massing through design articulation and building setbacks.

The Urban Design Study submitted in support of the proposed development was peer reviewed by Dillon Consulting. The recommendations of the Peer Review noted concern regarding the
building height and degree of compliance with the angular plane requirements in the first submission. The applicant refined the overall building design, by incorporating additional stepbacks, articulation on each façade, including balcony design, location and material revisions and reductions in total gross floor area to ensure the proposal aligns with the intent of the angular plane policies of the Official Plan through the second and third submissions. While the redesign of elements of the building has been completed to address these concerns the proposed building still requires relief from the angular plane requirements of the Official Plan.

To ensure that the proposed building is constructed with the stepbacks and architectural articulation as proposed and presented to Council and the public, the recommended zoning by-law amendment has incorporated a height map as a schedule. The height map will regulate the maximum height of the building as well as regulating the requirements for the setbacks and stepbacks at the various levels. This approach to zoning has been used to ensure the details of a proposal are constructed as proposed and it is more efficient to implement the requirements through the height mapping rather than trying to create a zone that details each specific provision.

The intent of the front angular plane is to limit the scale of the proposed building and its impact on the pedestrian realm, primarily quantified through shadowing. Although the proposed building does not comply with the 45 degree angular plane requirements of the Official Plan, the proposed development adheres to the primary intent of the policy which seeks to protect the pedestrian environment through overshadowing (Exhibit J – Shadow Study). Due to the configuration of the mid-upper storeys of the building, there are negligible impacts on the Princess Street streetscape as it relates to shadowing. The proposed building has been designed specifically for the site which includes stepbacks (floors 5 - 9 and floors 9 - 10) this articulation that assists in reducing the scale of the proposed development.

The upper floors of the proposed building are clad with a lighter material and significant portions of the building will be clad in glazing to make the building more open and less imposing on the streetscape and abutting residential areas.

At the time of submission of the subject application, irregular parcel configurations and dated zoning by-law provisions/definitions result in some parcels in Williamsville in having no clearly defined rear lot line. The only defined rear lot line on the site was the lot line oriented in a north/south alignment, directly adjacent to the underground parking ramp. All other lot lines are considered front lot lines or interior side lot lines as defined in Zoning By-Law Number 8499. Based on the zoning requirements of Zoning By-Law Number 8499 at the time the application was deemed complete (2017), the as-of-right permissions applicable to height and angular plane allow:

- a maximum building height of 20 metres, subject to angular plane provisions;
- all buildings abutting a streetline shall fit within an angular plane taken from 13.5 metres above established finished grade at the streetline. Above this height, subsequent storeys shall fit within a 45 degree angular plane; and
all buildings shall fit within a 45 degree angular plane taken from the rear property line.

Although it was the intent of the Official Plan and the Williamsville Main Street Study to ensure appropriate setbacks and a rear angular plane were applied when a development abutted a lower density residential development, the zoning by-law amendment that implemented the zoning for this area did not contemplate the existing lot line definitions in the by-law. Through By-Law Number 2018-51, the City of Kingston amended Zoning By-Law Number 8499 to ensure that all buildings on a lot abutting a residential zone shall fit within a 45 degree angular plane measured at-grade from any side or rear lot line that abuts a residential zone. Although the amendment was approved and finalized prior to this recommendation, a transition clause was included ensuring that applications accepted and deemed complete prior to the passing of By-Law Number 2018-51 are reviewed for compliance with the former provisions.

To facilitate the proposed 10-storey mixed use building, the applicant is seeking relief from the required angular plane (Section 10E.1.34) provision that limits all new development to fitting within the 45 degree angular plane.

The proposed development achieves the intent of the policy in protecting overlook and providing appropriate transition to adjacent residential lots. The properties to the north of the site are developed with lower density homes fronting on Nelson and Victoria Streets. The proposed building is separated from the adjacent properties by setback ranging from 11.8 metres on the Victoria Street side to 21.8 metres on the Nelson Street side. This is a significant setback provided to allow for separation of the proposed building from the adjacent properties. In addition, the portions of the south facing elevation of the building have been designed to include multiple stepbacks to provide a greater building transition into the lower density neighbourhood and mitigate potential shadows on the existing lower density development form to the north of the site.

The building stepbacks are identified on the proposed height map (Schedule B to Exhibit B) and the proposed site plan drawings (Exhibit H – Proposed Floor Plans). The height map addresses the complexity of the massing and building articulation to ensure that the proposed articulation shown on the conceptual drawings is what is constructed and provides a level of detail that will assist in future zoning interpretations and zoning compliance reviews.

In accordance with Section 10E.1.40, the applicant is proposing that the floor-to-floor height of the ground floor is at least 4.5 metres. The proposed height will ensure the proposed commercial space at-grade is functional for a variety of uses and has continuous character along Princess Street. With respect to Section 10E.1.42, the proposed commercial spaces include frontage that wraps around the corner and is visible from each secondary street.

It is the conclusion of staff that the requested Official Plan amendment is consistent with the general intent of the Official Plan and the requested zoning by-law amendment conforms with the City of Kingston Official Plan, as amended, and proposes to increase the residential density within the serviced urban boundary and represents good land use planning.
Williamsville Main Street Study
The subject lands are within the defined study area of the Williamsville Main Street Study. The lands are identified on Schedule PS-1 in the Princess Street Corridor Special Policy Area as being within the Community Destination area, which extends from MacDonnell Street to Alfred Street.

The study identified the Williamsville Main Street as an area in transition. Given the location of the lands within the Princess Street Corridor and the policies of the Official Plan, there is an opportunity for intensification. The Williamsville Study Area identifies that the future vision for Princess Street is to support the Williamsville community vibrancy with new mixed-use development fronting Princess Street to establish an animated and vibrant streetscape.

The existing conditions of the Community Destination area are characterized by a significant number of vacant or underutilized sites and lack of continuity in the street design and building locations. The study notes this area to have the largest redevelopment potential with the deepest and the largest developable lots. The centrally located character area is noted to serve as a primary destination for local residents through redevelopment that includes ground floor commercial uses.

Through the Williamsville Main Street Study, the Community Destination area was identified as having the deepest and largest developable blocks in the study area. The subject lands are identified in the Study as having the potential to accommodate a building in the range of 8 to 10-storeys, subject to meeting policy tests prescribed within the Official Plan and the guidelines of the Williamsville Main Street Study. The applicant has assembled existing parcels to establish a developable block that spans an entire city block in length. The lands proposed to be developed exceed 36 metres in lot depth. The proposed building design provides a 4-storey continuous streetwall with additional stepbacks for multiple portions of the upper storeys which satisfy the recommendations of the study.

The Williamsville study allows for buildings up to 10-storeys on certain sites with the upper storeys stepped back from the streetwall a minimum of 1.5 metres to fit within the angular plane requirements. An Official Plan amendment is requested to permit the proposed building to encroach within the required angular plane for this area. The purpose of the angular plane provisions is to create desirable and attractive public spaces that are not adversely impacted by shadowing. The angular plane provisions require the buildings to be stepped back within a 45 degree angle to ensure sunlight access into public spaces along Princess Street. Angular plane and stepbacks also address the overall appearance, design and massing of the proposed buildings on the Princess Street Corridor and impacts on adjacent properties.

The proposed building does not fit within the 45 degree angular plane requirement, as prescribed in the Official Plan. The site fronts three municipal roads, Princess Street, Nelson Street and Victoria Street with an irregular interior side/rear lot line (Exhibit G – Conceptual Site Plan). Given the significant public street frontage and irregular rear lot line, designing a building to comply with the angular plane provisions would be extremely challenging and result in an irregularly shaped building that does not meet the intent of the provision. To meet the intent of the angular plane policies, the design and massing of the proposed building has been done in
such a way that introduces articulation, material and fenestration changes, stepbacks and setbacks. The building is designed to locate the principal tower massing toward the back of the podium area away from Princess Street. This further achieves the intent of the angular plan through transition in building form and mitigates potential shadowing on the Princess Street sidewalk.

Varied building materials have been utilized on each building façade to visually assist in breaking the massing of the proposed structure. Lighter materials, including glazing have been incorporated into the upper floors of the building in an attempt to make the building less visually imposing on the streetscape and abutting residential areas.

In summary, the requested Official Plan and zoning amendments are consistent with the guidelines of the Williamsville Main Street study.

Peer Review Considerations

Traffic Impact and Parking Study

In support of the original application, the Traffic Impact and Parking Study prepared by IBI Group Incorporated recommended a total of 156 parking spaces to support the proposed 327 residential units and 615 square metres of retail/commercial space.

The Traffic Impact and Parking Study was peer reviewed by WSP Inc. (Exhibit M – Traffic Impact & Parking Peer Review Report), who confirmed that the proposed parking ratio of 0.5 spaces per residential unit and 1 parking space per 150 square metres of gross leasable commercial floor area was deemed acceptable; however, the peer reviewer noted concerns with the proposed off-site residential parking for 12 spaces, particularly as is related to the 400 metre radius that was being proposed for the location of these spaces.

The peer reviewer also identified concerns with calculations of traffic volumes and trip assignment. The municipal technical review identified concerns with respect to the report’s integration of active transportation considerations. In response to municipal technical comments and the Peer Review, the applicant revised their study and the development proposal to eliminate the off-site residential parking, while still maintaining a 0.5 residential parking ratio. The applicant satisfactorily addressed the concerns with respect to traffic volumes, trip assignment and active transportation through two report updates that were submitted to the City and reviewed to the satisfaction of the City’s Traffic Division and Transportation Department. A second Peer Review was not undertaken for the two report updates. The report updates conclude that “for the 2023 future total operations (including background developments), the signalized operations at the Princess Street/Albert Street intersection are approaching capacity in the westbound direction. At the un-signalized intersections, operations are within capacity. The proposed site accesses are anticipated to operate within capacity”.

The City is currently working with WSP Inc. to undertake a study of the Princess Street Corridor and the surrounding residential neighbourhood of Williamsville. The intent of this work is to evaluate the current and ongoing development in the Williamsville corridor and surrounding neighbourhoods. Through this work it is anticipated that there will be recommendations brought
forward regarding the local road network, green streets and active transportation at the
neighbourhood level. These recommendations will be brought forward for Council’s
consideration through a separate process; however, it is important to note that this work is
occurring and the proposed development is included in this review.

Urban Design Report
In support of the first submission, an Urban Design Report prepared by Fotenn Consultants Inc.
was completed to support the proposed development of a 10-storey, mixed use building on the
south side of Princess Street (lands known municipally as 652 Princess Street, 662-670
Princess Street and 551 Victoria Street), with the demolition of the existing heritage building
located at the southeast corner of Princess and Victoria Streets. The study considered the
proposed 10-storey building and supported the overall height, scale and massing based
primarily on appropriate building stepbacks/transition to the adjacent neighbourhood along with
minimum shadow impacts.

The Urban Design Report was peer reviewed by Dillon Consulting who recommended that
although the proposed development appears appropriate for the site, certain areas of the
proposed development must be modified to ensure the policies of the Williamsville Main Street
Study and Official Plan are satisfied (Exhibit K – Urban Design Peer Review Report). These
comments are summarized below:

1. Remove the top 2-storeys of the proposal making it 8-storeys high and/or stepback the
storeys above the 4th floor podium from the southern side to meet the western most
angular plane.
2. If stepping back the upper floors, ensure consideration is given to potential
overshadowing impacts on Princess Street when stepping back the upper levels.
3. Utilize the unused space on the 4th floor podium.
4. Avoid overlooking of the southern residential properties by stepping back the upper
floors of the proposal.
5. Setback the mechanical penthouse so it is in compliance with the rear angular plane
requirement.
6. Slope the mechanical penthouse roof so it does not present a solid wall at the top of the
building to reduce its visual impact.
7. The removal of the upper two floors would allow for the mechanical penthouse to fit
better with the angular planes.
8. Provide a landscape plan. Provide landscaping around the building to heighten the
visual and green amenity. This includes the rear and sides of the building. Provide
hanging baskets, flowers or planting mounts onto the building colonnades, to reflect the
green character of the older Princess Street Corridor.
9. Demonstrate on the plans the location of the green areas and the access points to
them. Providing roof top gardens should not just be a visual detail, but also a functional
amenity space.
10. Identify the unnamed amenity space at the rear of the building. Provide amenity space
at the rear of the proposal and not just an at-grade parking area.
11. Provide amenity space in accordance with the requirements of the Amenity Area Review.

Substantial changes to the overall development plan resulted between the first and the third submissions. The applicant refined the overall development proposal and provided a third submission that addressed the commentary received from the public, staff and the peer reviewers.

Staff worked alongside Brent Toderian from Toderian Urbanworks in a technical advisory capacity to reinforce the technical comments from staff related to key principles such as Community Benefits, mixed use design, pedestrian streetscape experience and refined the final design with respect to key areas of façade articulation, building cladding and appropriate height and transition. It was the opinion of staff that the revisions incorporated in the second and third submission were explicit, and therefore did not require a subsequent Peer Review as it relates to Urban Design.

The applicant has refined the overall building to incorporate greater façade articulation along each of the Princess, Nelson and Victoria Street façades, removed floor area from the upper northwest corner of the building to assist with transition, provided updated shadow studies and additional information as it relates to the angular plane. The following summation relates to the urban design Peer Review comments provided through the second submission comments:

1. Although the development proposal does not include a reduction to 8-storeys, or a stepback above the 4th floor to fit within the rear angular plane, staff are satisfied with the continuous stepback provided at floors 9 and 10, along with significant corner stepbacks at each side of the south facing elevation.

2. The stepbacks incorporated in the development did not negatively impact shadows cast on the Princess Street right-of-way.

3. The revised development proposal includes 356.2 square metres of landscaped area above the fourth floor; a portion of which is being programmed to serve as part of the development’s provision of amenity space.

4. The revised development proposal includes continuous stepback provided at floors 9 and 10, along with significant corner stepbacks at each side of the south facing elevation and balcony revisions (type, location) to address the potential adverse impact of overlook.

5. The mechanical penthouse location has been shifted significantly and now meets the general intent of angular plane policies.

6. The applicant has incorporated landscaping into the revised submission, demonstrating a significant provision of landscaping that staff will work to refine and secure through Site Plan Control. Through the conceptual site plan drawings, the applicant has added numerous planters along all three street frontages. Staff will work to refine and secure...
these elements through Site Plan Control, including the financial security that the applicant is required to provide.

7. The revised plans identify the location of green areas and some are now intended to be developed as outdoor communal amenity areas that will assist in the development’s compliance with minimum zoning standards with respect to the provision of amenity space for a multi-residential development located along the Princess Street Corridor.

8. The applicant is now providing landscaping to the south of the surface parking area with four large seating areas planned. These areas are in addition to the applicant meeting their minimum zoning requirements for the provision of amenity space for this development.

9. The applicant is providing amenity space in accordance with the Amenity Area Review and current zoning standards with respect to the overall amount, and size and configuration of communal amenity space.

Heritage Impact Assessment
In support of the first submission, a Heritage Impact Assessment (HIA) prepared by Metropolitan Design was provided by the applicant. Letourneau Heritage Consulting Inc. was retained to Peer Review the HIA. Further to input received at the June 8, 2017 Statutory Public Meeting, the applicant submitted an updated HIA and amended the development proposal to retain and restore the former Carnovsky Bakery building (listed property), with the 4-storey podium of the proposed new building attached to it. At that time, planning staff also requested that the applicant complete a heritage Building Condition Assessment of the former Carnovsky Bakery building, which was subsequently received. The Building Condition Assessment was prepared by Metropolitan Design and concluded as follows:

- The heritage integrity of the original masonry shell is generally intact;
- Though the heritage architectural attributes have been altered to some degree, the simple, functional Georgian scale and proportions of this modest commercial building continue to be evident; and
- The contextual relationship of this building with the compatible stone buildings from the same Williamsville era, across Princess Street continues to exist.

The resulting HIA Peer Review identified numerous gaps in the heritage analysis that were recommended to be addressed though an updated report. With respect to the design and proposed integration of the modern new building with the existing heritage structure, the Peer Review report recommended striking a more appropriate balance between the two important policy objectives for the site: intensification and the conservation of cultural heritage resources. The Peer Review suggested achieving this through physically separating the heritage building from the remainder of the development through appropriate setbacks and to maintain a solid appearance to the roof as opposed to glass. The report recommended changes to the design and materiality of the podium base to move away from its ‘monolithic’ appearance.
The report recommended that the applicant’s heritage consultant complete a cultural heritage evaluation under Ontario Regulation 9/06 of the *Ontario Heritage Act* (OHA) of all existing buildings on site to determine if the other structures possess any cultural heritage value. The report recommended that the City consider Part IV designation of the property or a heritage easement under the OHA to ensure the long-term conservation of the cultural heritage resource on site. The Peer Review report also recommended that the City explore how it could use Section 37 of the *Planning Act* with respect to the heritage conservation of the site and that the City should consider the requirement of interpretive plaquing as part of the Kingston Remembers Program.

In response to the heritage Peer Review, urban design Peer Review and technical comments from staff, the applicant revised the proposal to provide for a solid roof for the heritage structure and to include physical separation around the building. The degree of physical separation will be enforced through the recommended height map in the zoning by-law amendment. In accordance with Section 10E.1.27 of the Official Plan and the Peer Review recommendations, the applicant incorporated significant change to the Princess Street podium to articulate and break up the podium façade into an architectural rhythm of 7 modules, creating the sense of having multiple buildings along the length of the main street frontage.

The applicant submitted a HIA addendum that was reviewed to the satisfaction of municipal heritage staff. The final HIA addendum was not peer reviewed. Staff are satisfied that the most recent addendum report satisfactorily addresses the analysis gaps identified in the Peer Review. The addendum includes an Ontario Regulation 9/06 evaluation of the additional existing buildings located on the site and concludes that the only edifice of cultural heritage value on the site is the building located on the corner known as the former Carnovsky Bakery.

In accordance with the Peer Review recommendations, staff will be pursuing a heritage easement of the property and will include requirements in the future Site Plan Control agreement to require the applicant to produce and install historical interpretive plaquing of the heritage building, subject to prior municipal design approval, in accordance with the Kingston Remembers Program. The project will include the restoration of the building by the applicant, which will be of benefit to the community, and is distinct from the Community Benefits detailed in this report that the applicant will be providing towards the green street treatment identified in the Official Plan.

Heritage Planning staff will be closely involved in the review of the Site Plan Control application, Site Plan Control agreement, heritage easement agreement and historical interpretive plaque to ensure that the key aspects of the detailed design are consistent with the zoning, Peer Review comments and municipal heritage comments.

**Community Benefits**

The *Planning Act* and the Official Plan provide the parameters for how communities may negotiate Community Benefits. Community Benefits are finalized through a Council-approved, site-specific amending zoning by-law that implements a proposed development.
Section 9.5.25 states that the City may approve a by-law authorizing an increase in height or density beyond what is permitted in the zoning by-law pursuant to the Planning Act; in return for facilities, services or matters benefitting the public. The section provides a listing of potential types or Community Benefits.

Section 9.5.26 of the Official Plan states that 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:

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;

b. 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;

c. There are adequate municipal services including water, sanitary sewers, stormwater management facilities and community services;

d. The transportation system can accommodate the increased density;

e. The site is suitable in terms of size and shape, to accommodate the necessary functions such as parking, landscaping and recreational facilities;

f. There is a reasonable planning relation between the Community Benefits and the proposed development;

g. 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

h. The development must constitute good planning and be consistent with the policies of this Plan.

These criteria have been reviewed in detail through the staff report. Through this assessment, it is the opinion of Planning staff that the recommended proposal for a 10-storey, mixed use building containing 325 dwelling units and 680 square metres of commercial/retail space at-grade is consistent with the policies of the Official Plan and represents good planning. With respect to the requirement for an appraisal for the value of the increased height and density, the City is utilizing the most recent appraisal completed in support of the proposed development at 223 Princess Street to complete the calculation of uplift value.

With respect to calculating Community Benefits and the applicable uplift value, the following table outlines the calculation and valuation applicable to the proposed 10-storey mixed use development:
### Table 3 – Community Benefits Calculation

<table>
<thead>
<tr>
<th>Proposed Building Height</th>
<th>10-storeys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Permitted Building Height</td>
<td>6-storeys</td>
</tr>
<tr>
<td>Proposed Gross Floor Area within Non-Permitted Storeys (7-10)</td>
<td>7,123.48 square metres</td>
</tr>
<tr>
<td>* Market Adjusted Value/Square Foot</td>
<td>$10.00</td>
</tr>
<tr>
<td>Uplift Value</td>
<td>76,676.5 square feet * $10.00 = $766,765.00</td>
</tr>
<tr>
<td>Value of Community Benefit (@30%) Uplift Value</td>
<td>$230,029.50</td>
</tr>
</tbody>
</table>

*The market adjusted value per square foot utilized for the calculations above is $10.00. This value was derived from a report dated June 29, 2016, authored by S. Rayner & Associates Ltd.*

Based on the uplift value and the percentage contribution of 30%, the City will be seeking Community Benefits to a value of $230,029.50. The details of the Community Benefits will be secured through an agreement entered into between the applicant and the City. The Community Benefits are entirely separate from the cash parkland contribution that the applicant will also be required to provide. The calculation of the required Cash-in-Lieu of Parkland contribution will be completed in accordance with the Planning Act and the City’s Parkland Dedication By-Law Number 2017-103.

Through discussions with the applicant, the Community Benefit value is to be utilized toward the green street treatment in the local area as identified in the Official Plan. Schedule PS-1 of the Plan identifies Frontenac Street as a priority green street and Nelson, Albert and Frontenac Streets as secondary priority green streets. Green streets are defined as tree-lined corridors that are meant to create important visual links and enhance the pedestrian/cyclist connections along the four streets connecting the Memorial Centre to Princess Street to Victoria Park. They are treated as important visual and physical links through the neighbourhood in the Williamsville Main Street in policy 10E.1.21 of the Official Plan. Where possible, the Official Plan identifies that planting should include double rows of trees on both sides of the street with enhanced landscaped treatments where they are appropriate. It is the opinion of staff that an appropriate nexus is established between the green street treatments and the additional height sought by the applicant in the proposed 10-storey, 325 unit, mixed use building located at 652 Princess Street, 662-670 Princess Street and 551 Victoria Street. A future public engagement process will provide direction with respect to the Community Benefit monetary contributions for the purposes of ‘greening’ the abutting street.
Zoning By-Law Considerations
The subject lands are zoned Williamsville Main Street Commercial Zone ‘C4-H (T1)’ in Zoning By-Law Number 8499, as amended (Exhibit F – Existing Zoning). The uses permitted in the ‘C4’ zone include: libraries, art galleries and museums; churches, community halls and parish halls; community centres; sanitariums or institutions for philanthropic or charitable uses, other than correctional uses, and other than for the treatment of inebriates or persons suffering from insanity or other mental disease, infectious disease or contagious disease; lay or religious fraternity houses or boarding houses where occupied by students, used exclusively for the purposes of habitation or congregational meetings and supervised by the authorities of a public educational institution; fraternal organizations or similar institutions of public character; hospitals as defined by the Public Hospitals Act; boarding houses and rooming houses; multiple family dwellings containing three or more dwelling units; retail stores or shops; undertakers’ establishments; offices for or in connection with businesses or professions; banks; hotels; offices for printing and publishing; restaurants; senior citizen apartments; theatres; bowling alleys, pool and billiard halls; shopping centres; laundries and dry cleaners; bakeries; community homes; places of amusement; crisis care shelters; residential care facilities; recovery homes; community support houses; and day care centres. The ‘(T1)’ permits a temporary surface parking lot as a permitted use. This temporary use must cease by October 6, 2018.

The applicant is proposing to change the zoning of the site to a new Special Williamsville Main Street Commercial ‘C4-556-H’ zone which incorporates relief from the following existing zoning provisions: increase in building height, removal of the angular plane provisions, reduction in the minimum amount of building frontage (Nelson Street), reduction in the number and size of required parking spaces, reduction in the number and size of loading spaces and barrier free parking spaces (which are consistent with provincial AODA regulations) and reduction in the vertical dimensions of bicycle parking spaces.

Table 4 – Zoning Requirements and Performance

<table>
<thead>
<tr>
<th>‘C4’ Zoning Provision</th>
<th>By-Law Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Building Height</td>
<td>Street wall height: 10.5 metres – 13.5 Metres</td>
<td>14 metres</td>
</tr>
<tr>
<td></td>
<td>20 metres</td>
<td>32.9 metres</td>
</tr>
<tr>
<td>Lot Frontage</td>
<td>Minimum 75% must be occupied by a building</td>
<td>Nelson Street: 22%</td>
</tr>
<tr>
<td>Front Angular Plane</td>
<td>45 degrees</td>
<td>Not Applicable (height map)</td>
</tr>
<tr>
<td>Rear Angular Plane</td>
<td>45 degrees</td>
<td>Not Applicable (height map)</td>
</tr>
<tr>
<td>Parking</td>
<td>347 spaces</td>
<td>159 spaces</td>
</tr>
<tr>
<td></td>
<td>0.5 spaces/dwelling unit</td>
<td></td>
</tr>
<tr>
<td>‘C4’ Zoning Provision</td>
<td>By-Law Requirement</td>
<td>Proposed</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>--------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>1 space/dwelling unit</td>
<td>(including 3 car share spaces at a ratio of 1:3)</td>
</tr>
<tr>
<td></td>
<td>1 space/28 square metres of commercial area</td>
<td>1 space/150 square metres of commercial area</td>
</tr>
<tr>
<td>Parking Stall Dimensions</td>
<td>2.7 metres x 6.0 metres</td>
<td>2.6 metres x 5.2 metres</td>
</tr>
<tr>
<td>Accessible Parking</td>
<td>13 spaces</td>
<td>9 spaces (consistent with AODA)</td>
</tr>
<tr>
<td>Accessible Parking Stall</td>
<td>Type A – 3.4 metres x 6.0 metres plus 1.5 metre walk aisle</td>
<td>Type A - 3.4 metres x 5.2 metres plus 1.5 metre walk aisle (consistent with AODA)</td>
</tr>
<tr>
<td>Dimensions</td>
<td>Type B – 2.7 metres x 6.0 metres plus 1.5 metre walk aisle</td>
<td>Type B – 2.7 metres x 5.2 metres plus 1.5 metre walk aisle (consistent with AODA)</td>
</tr>
<tr>
<td>Bicycle Parking Stall</td>
<td>1.8 metres x 0.6 metres &amp; 2.1 metre vertical clearance</td>
<td>1.0 metres x 0.4 metres vertical</td>
</tr>
<tr>
<td>Dimensions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loading Dimensions</td>
<td>3.5 metres x 10.5 metres</td>
<td>3.5 x 7.1 metres</td>
</tr>
</tbody>
</table>

The applicant has submitted a height map, which staff have included in the recommendation as a schedule to the zoning by-law amendment. The height map addresses the complexity of the massing and building articulation to ensure that the proposed building height, setbacks, stepbacks and articulation shown on the conceptual drawings are what is constructed. Utilizing a height map will assist in future interpretations, compliance reviews and is consistent with the approach used for other development applications within the City of Kingston.

The application requests zoning relief with respect to the percentage of the Nelson Street frontage that is occupied by a building. The zoning by-law minimum is 75%, whereas the development proposal exceeds the minimum requirement on Princess and Victoria Streets, but can only provide 22% on Nelson Street. This is due to the triangular, irregular shape of the development parcel and due to the applicant’s efforts to develop a building footprint that would still incorporate significant setbacks from the lower density residential neighbourhood to the south. Given these constraints and considerations, staff support the requested relief and will work with the applicant through Site Plan Control to implement buffering and building definition elements along the open portion of the Nelson Street frontage to define and to give a presence to the edge between the private property and the land use transition (pedestrian) area.
With respect to parking, Zoning By-Law Number 8499 requires a ratio of 1 parking space per dwelling unit, equating to 325 parking spaces. With respect to the commercial use, 1 parking space per 28 square metres of floor area is required, equating to 22 parking spaces. As currently proposed, the development requires 347 parking spaces. The Traffic Impact and Parking Studies submitted in support of the first submission was peer reviewed by WSP Inc. The Peer Review concluded that a ratio of 0.5 parking spaces per unit is appropriate. The parking spaces will be located in a single level of underground parking and surface parking at the rear of the building, including 23 stacker spaces and 3 car share spaces. The car stacker would be tucked into the rear of the building and allows vehicles to be vertically stored, making more efficient use of the site. Residents would have access to the car stacker and would have the ability to command the system to bring their car to grade-level and to return their vehicle to the system for parking/storage. The car share spaces will be implemented through the recommended zoning based on the ratio of 1 car share space being equivalent to 3 parking spaces. The recommended parking ratio of 0.5 parking spaces per dwelling unit is site-specific as it contemplates the number of dwelling units and the locational characteristics of the development. The recommended ratio is considered appropriate in striking a balance between meeting the functional needs of the proposed mixed use development and being supportive of active transportation and public transit.

In addition to reducing the minimum number of required parking spaces, the applicant is seeking relief to reduce the minimum parking stall dimension. Zoning By-Law Number 8499 requires a minimum parking stall dimension of 2.7 metres in width by 6.0 metres in length. The applicant is proposing to reduce the minimum parking stall dimension to 2.6 metres in width by 5.2 metres in length. No concerns were identified with this request within the Traffic Impact and Parking Study submitted by the applicant and the resulting Peer Review conducted by WSP Inc. The applicant is proposing a 6.0 metre drive aisle on the site, including within the underground parking garage, which provides sufficient space for vehicle maneuverability in relation to the proposed 5.2 metre long parking stalls. Accompanied with the 6.0 metre wide drive aisle, the proposed parking space dimensions are consistent with other developments within the City of Kingston.

In 2016, Council approved zoning by-law amendments that modified all 5 existing zoning by-laws to ensure they effectively implement the accessible parking standards required under the AODA. In cooperation with the City of Kingston Municipal Accessibility Advisory Committee, the existing zoning by-laws were updated to include performance standards as they relate to differentiating Type A and Type B accessible parking spaces.

The applicant is proposing to accommodate 9 barrier free parking spaces, 5 being Type A and 4 being Type B. Based on the zoning matrix above, the applicant is seeking to reduce the number of accessible parking spaces from 13 spaces to 9 spaces. Although relief is proposed to reduce the minimum number of accessible parking spaces by 4 spaces, the 9 proposed accessible spaces comply with the AODA requirements as per Section 80.36 of the Integrated Accessibility Standards under Ontario Regulation 191/11.

The proposed 9 barrier free parking spaces (5 Type A and 4 Type B) meet the AODA requirements with respect to the minimum number of spaces, minimum parking stall width and
minimum access aisle adjacent to each space. The proposed 5 Type A barrier free parking spaces will be 3.4 metres in width, 5.2 metres in length and located adjacent to a 1.5 metre wide access aisle. The proposed 4 Type B accessible parking spaces are 2.7 metres in width, 5.2 metres in length and located adjacent to a 1.5 metre wide walk aisle. Staff support the applicant’s proposed reduction as it relates to the number of barrier free parking spaces, minimum width of the Type B parking space and the parking stall length for both Type A and Type B spaces as the proposal complies with the minimum requirements prescribed by the AODA.

The application requests relief in the minimum dimensions of loading spaces provided for the development. The requested loading space dimensions are 3.5 metres wide x 8.5 metres wide for the first space and 3.5 metres wide x 7.1 metres long for the second space. As the loading spaces do not abut any municipal rights-of-way and are supported by a private 6 metre wide drive aisle with through access to both side streets, staff do not have concerns with the proposed relief.

The application does not require any relief from the minimum amenity space requirements prescribed in Zoning By-Law Number 8499. With respect to amenity space, the applicant is proposing to incorporate a ground level lobby, atrium, lounge and a gym. In addition to amenity space at-grade, the applicant is proposing an area of communal outdoor amenity space on the 1st, 5th and 10th floors, respectively. In addition to meeting the minimum amenity space requirements prescribed by the zoning by-law, the applicant is including additional amenity space in the form of private balconies and an amenity space to the south of the at-grade parking area and underground parking ramp that consists of green space and four large seating areas.

The Official Plan is the document in which the City of Kingston sets out its land use planning goals and policies that guide physical development, the protection of natural and cultural heritage, resource management and necessary supporting infrastructure. The Official Plan manages and directs change with the high level policies that are meant to be implemented through other, more detailed and specific municipal by-laws, such as a zoning by-law. The zoning by-law is a separate document that is an implementation tool to put the Official Plan’s general policies into specific requirements that can be measured and applied to the individual properties across the City. Zoning by-laws must conform with the policies of the Official Plan; however, due to the general nature of the Official Plan policies it is important to note that there is not only one way to conform with the policies through the zoning by-law. The existing Williamsville Main Street Commercial Zone ‘C4-H (T1)’ conforms with the Official Plan. Based on the considerations noted in this report, staff are satisfied that the proposed application for a zoning by-law amendment to allow the construction of a 10-storey mixed use building in the Special Williamsville Main Street Commercial ‘C4-556-H’ zone is consistent with the Provincial Policy Statement and also conforms with the policies of the Official Plan, as amended.

Other Applications
1978 – 652 Princess Street, File Number: A-SPC-3.0088-78
A Site Plan Control application for a restaurant.

1998 – 668 Princess Street, File Number U.COA.144-98
Application for the creation of a new lot. The application was denied by the Committee of Adjustment.

Applications for Official Plan amendment and zoning by-law amendment for a 9-storey mixed use building with 83 residential units, 96 parking spaces and ground floor commercial space. The applications were abandoned by the applicant.

2005 – 652 Princess Street, File Number D11-015-2005
A Site Plan Control application for the development of a 2-storey commercial building with 2, 102 square metres of gross floor area. The applications were closed after a period of inactivity.

2017 – 652 Princess Street and 662, 668 & 670 Princess Street & 551 Victoria Street
A Site Plan Control application (File Number D11-014-2017) has been submitted for the proposed development.

Technical Analysis
These applications have 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 these applications remain at this time.

Public Comments
The following is a summary of all of the public input received to date, including the public submissions received at the Public Meeting held on June 8, 2017 and the additional public submissions received since this time. All original public comments are available in Exhibit P of this report.

- Question/Comment: The building height should be revised to 8-storeys to fit better with its context.

  Response: The Williamsville Main Street study identifies the site as having the potential to accommodate a 10-storey building, given its overall size, depth and location within the Community Destination in the Study, subject to consistency with the applicable policy tests that are prescribed by the Official Plan to demonstrate land use compatibility and consistency with the objectives of the Williamsville Main Street Study by providing high quality and strategic urban design. The Official Plan indicates that height beyond 6-storeys may be warranted if the design of the building can demonstrate a positive contribution to the community as a whole and that additional height up to a maximum of 10-storeys can be considered where there are minimal impacts on adjacent uses. The analysis of this report indicates that the proposed development meets the Plan’s land use tests with respect to land use compatibility, including acceptable levels of shadowing. The retention and restoration of the heritage building coupled with making efficient use of servicing through mixed use intensification along a main street corridor represents a positive contribution to the community.
• Question/Comment: The proposal should include heritage conservation instead of the requested demolition of a listed property.

Response: The proposed development now includes the retention, restoration and adaptive re-use of the listed heritage building known as the former Carnovsky Bakery.

• Question/Comment: Due to recent issues at the OMB level, the application should ensure that it includes a shadow study with a sufficient level of detail and analysis.

Response: The applicant has provided an updated shadow study with accompanying analysis that provides shadowing information for the as-of-right zoning and the proposed building from 0900 hours to 1700 hours for the winter, spring/fall equinox and summer solstice. Shadowing impacts on nearby heritage properties and the public realm (sidewalks) can be ascertained through the study.

• Question/Comment: The proposal will result in the need for existing residential and commercial tenants to relocate.

Response: With a vacancy rate of 0.7%, the proposal would add much needed residential units to the local market. If approved, the proponent would be required to abide by the Landlord Tenant Act with respect to moving forward with the proposed development.

• Question/Comment: The proposal will mean that some nearby residences will not receive any sunlight.

Response: The updated shadow study submitted by the applicant demonstrates that there are minor impacts to private residences on the abutting block face of Victoria Street in the morning hours (0900 hours -1000 hours) that are similar to those that would be generated by the as-of-right building.

• Question/Comment: There are already many residential unit vacancies and therefore an additional development is not warranted.

Response: Recently collected data by the Canada Mortgage and Housing Corporation (CMHC) indicates that the City of Kingston currently has a vacancy rate of 0.7%, which is the lowest vacancy rate in Ontario.

• Question/Comment: The development will have a negative impact on the Nelson Street residential area and the general quality of life of the Williamsville neighbourhood.

Response: The current proposal includes numerous improvements to further mitigate potential adverse impacts to the residential areas to the south, including perimeter wood fencing, landscaping, building stepbacks and balcony revisions. The proposal maintains a setback of approximately 21 metres from the rear property line that abuts the Nelson Street properties. There are no shadow impacts posed by the building on the Nelson Street residential area.
• Question/Comment: The proposal should not receive relief from minimum parking and amenity space requirements. The proposed relief in commercial parking is impractical.

Response: The recommended residential and commercial parking ratios were supported by a parking study provided by the applicant that was the subject of a third party Peer Review. The approved residential and commercial parking ratios are consistent with recent approvals on nearby sites. The applicant has revised the development proposal to adhere to the Council endorsed Amenity Area Review Study and the corresponding updated zoning standards.

• Question/Comment: The requested off-site parking at a maximum distance of 400 metres of the site is not appropriate.

Response: The applicant is no longer proposing any off-site parking and is proposing to meet a 0.5 residential parking ratio on site.

• Question/Comment: The proposal lacks a parkette.

Response: Although the applicant originally proposed the provision of a parkette through the proposed demolition of the listed heritage structure found on site; public, staff and Peer Review input recommended the retention of the heritage building, which sits at a zero lot line at the corner of Princess and Victoria Streets. Through technical input from Parks Development staff, planning staff will be working with the applicant at the site plan stage to possibly secure a public parkland easement over areas in and around the heritage building, including the proposed patio. This would be in addition to the required cash-in-lieu payment from the applicant, in accordance with the Planning Act and Parkland Dedication By-Law Number 2013-107.

• Question/Comment: The proposal does not provide a sufficient amount of bicycle parking.

Response: The applicant is proposing to adhere to a 1:1 ratio for bicycle parking that meets the minimum requirements from the Zoning By-Law Number 8499.

• Question/Comment: Has the MAAC reviewed the proposed reduction in the amount and dimensions of barrier free parking spaces? Shrinking the size would generally mean that an accessible van would could not be accommodated.

Response: The proposal meets the minimum number of accessible parking spaces and the parking space dimensions required in subsection 80.36(1)(4) of the Accessibility for Ontarians with Disabilities Act (AODA).

• Question/Comment: Traffic calming measures are encouraged to be implemented on Nelson Street.
Response: The City is currently working with WSP Inc., to undertake a study of the Princess Street Corridor and the surrounding residential neighbourhood of Williamsville. The intent of this work is to evaluate the current and ongoing development in the Williamsville corridor and surrounding neighbourhoods. Through this work it is anticipated that there will be recommendations brought forward regarding the local road network, green streets and active transportation at the neighbourhood level. These recommendations will be brought forward for Council consideration through a separate process; however, it is important to note that this work is occurring and the proposed development is included in this review.

Effect of Public Input on Draft By-Laws
Based on the public input received, the applicant has significantly amended the originally proposed building. Table 1 summarizes the differences between the first submission, second and most recent submission, indicating the changes to key performance standards of the proposed development. The key changes includes reductions in total gross floor area, height, number of dwelling units and increases in number of parking spaces, including 3 car share spaces on the site, bicycle parking along with a more refined built form that appropriately transitions to adjacent lower scale development with more defined façade articulation.

A fundamental change to the proposal is the retention, restoration and adaptive reuse of the heritage structure on the property. The building is to be restored to a limestone cladding that exists beneath the stucco. The building will become a new commercial use with an adjacent patio, and now acts as a historic visual anchor to the project, with the old and the proposed new development of the site speaking to the evolution of mixed use development along the historic Williamsville corridor.

As noted above and identified in Table 1, quantifiable change in the proposed development was made through the processing of the development application. Additional change that is more visual or qualitative occurred through increased stepbacks and building articulation along each public road frontage. The introduction of ground floor oriented units on Victoria Street is significant in introducing a ground oriented residential use along the frontage and activating this streetscape with residential terraces.

Significant effort was made in reducing the perceived height of the proposed building through modifications to the colour, material and articulation. Residential floor area on the upper storeys was removed to provide more appropriate transition to the existing lower scale buildings south of the subject property with respect to shadowing and overlook.

Along Princess Street, extensive work regarding the façade colour, material and articulation was completed to break the continuous city block streetwall into smaller visual elements that allow the building to appear as smaller individual buildings.

Lighter building materials were added to the upper storeys to assist in reducing the visual mass of the proposed building from a distance. Variations in colour of masonry brick have been incorporated along the Princess Street façade to provide visual consistency in materiality yet differentiate each portion of the building. Glazing augmented with articulations of masonry brick
and awnings contribute to establishing a high quality pedestrian experience within the streetscape.

The proposed site-specific by-law includes provisions to ensure that the performance standards such as maximum number of dwelling units, maximum number of bedrooms, off-street vehicular parking minimums, car share parking and required floor area of commercial space are adhered to. Further, as part of the Official Plan amendment, the height map is included in the recommendation to regulate the complexity of building height for each specific storey of the proposed building and capture the substantial articulation included on each façade of the proposed building.

**Conclusion**

The proposed 10-storey building is consistent with the Provincial Policy Statement and the general intent of the Official Plan and Williamsville Main Street Study. Through consideration of the applications planning rationale, technical studies along with the applicable provincial and municipal legislation, it is concluded that the proposed Official Plan and zoning by-law amendment represents desirable development and constitutes good land use planning.

The proposed development incorporates a building design, massing, façade articulation and materials that contribute to the redevelopment of the Williamsville Main Street area. The proposed building includes a number of ground floor commercial units to serve the residents of the buildings and the neighbourhood. The proposed development will enhance the street wall and pedestrian experience along Princess Street and contribute to the long-term viability of redeveloping the Williamsville Corridor.

In conclusion, staff recommend approval of the application for Official Plan amendment and zoning by-law amendment for the redevelopment of the site bound by Princess, Nelson and Victoria Streets.

If the applications are approved by Council, staff will continue to work with the applicant to refine details of the development through the active Site Plan Control process (File Number D11-014-2017).

**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

**Municipal**

City of Kingston Official Plan

Williamsville Main Street Study (2012)
Zoning By-Law Number 8499
Parkland Dedication By-Law Number 2013-107

Notice Provisions:

A Public Meeting was held respecting these applications on June 8, 2017. Pursuant to the requirements of the Planning Act, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to 131 property owners (according to the latest Assessment Rolls) within 120 metres of the subject properties and a courtesy notice was placed in The Kingston Whig-Standard.

A notice of Regular Meeting was provided by advertisement in the form of signs posted on the subject site in advance of the Regular Meeting. In addition, regular meeting notices were sent by mail to 131 property owners (according to the latest Assessment Rolls) within 120 metres of the subject properties. The notice of regular meeting was also mailed and/or emailed to all persons who provided oral comments at the Statutory Public Meeting and/or provided written correspondence and/or who requested to receive notification from the municipality with respect to the applications.

If the applications are approved, a Notice of Adoption and a Notice of Passing will be circulated in accordance with the provisions of the Planning Act.

At the time of the writing of this report, 8 pieces of correspondence have been received and all planning related matters have been addressed within the body of this report. 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:
Not applicable

Contacts:
Paige Agnew, Director, Planning, Building & Licensing Services 613-546-4291 extension 3252
Laura MacCormick, Deputy Director, Planning Division 613-546-4291 extension 3223
Marnie Venditti, Manager, Development Approvals 613-546-4291 extension 3256
Lindsay Lambert, Senior Planner 613-546-4291 extension 2176
Other City of Kingston Staff Consulted:

Not applicable

Exhibits Attached:

Exhibit A  Draft By-Law and Schedule A to Amend the Official Plan
Exhibit B  Draft By-Law and Schedules A & B to Amend Zoning By-Law Number 8499
Exhibit C  Key Map
Exhibit D  Neighbourhood Context (2015)
Exhibit E  Official Plan, Land Use
Exhibit F  Zoning By-Law Number 8499, Map 19
Exhibit G  Conceptual Site Plan
Exhibit H  Proposed Floor Plans
Exhibit I  Proposed Elevations
Exhibit J  Shadow Study
Exhibit K  Urban Design Peer Review Report
Exhibit L  Heritage Impact Peer Review Report
Exhibit M  Traffic Impact & Parking Peer Review Report
Exhibit N  Public Notice Notification Map
Exhibit O  Public Meeting Minutes
Exhibit P  Public Comments
By-Law Number 2018-XXX

A By-Law To Amend The Official Plan For The City Of Kingston Planning Area
(Amendment Number 62, 652 Princess Street 662-670 Princess Street & 551 Victoria Street)

Passed: [Meeting Date]

Whereas a public meeting was held regarding this amendment on __________;

Now Therefore the Council of The Corporation of the City of Kingston, in accordance
with the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P13, hereby
enacts as follows:

1. The Official Plan for the City of Kingston is hereby amended by the following map
change which shall constitute Amendment Number 62 to the Official Plan for the
City of Kingston.

(a) Amend Schedule ‘3-D’, ‘Site Specific Policies’, of the City of Kingston Official
Plan, so as to designate the properties located at 652 Princess Street 662-670
Princess Street & 551 Victoria Street, as shown on Schedule ‘A’ to By-Law
Number 2018-____, as ‘Site Specific Policy Area Number 65’.

2. That the City of Kingston Official Plan, as amended, be further amended by
adding the following new Site Specific Policy as Section 3.17.65:

652 Princess Street 662-670 Princess Street & 551 Victoria Street, Schedule 3-D,
SSP Number 65

3.17.65 The properties located at 652 Princess Street 662-670 Princess Street & 551
Victoria Street shown on Schedule 3-D as Area 65 are intended to
accommodate a 10 storey mixed-use building and a standalone existing
heritage building known as the former Carnovsky Bakery. The site may be
developed subject to the following:

a. A height map shall be introduced through the zoning by-law to define the
form of the building (including mechanical penthouse[s]) traditionally
addressed through angular plane requirements;

b. The policies in Section 10E of the Official Plan with respect to angular
plane shall not apply to the properties located in Special Policy Area 65;
and

c. Commercial use(s) shall wrap the corners of Princess and Victoria Streets
and Princess and Nelson Streets. In the remaining frontage beyond the
Princess/Victoria commercial wrap, ground floor residential uses are
permitted along Victoria Street.
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 24 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]

__________________________
John Bolognone
City Clerk

__________________________
Bryan Paterson
Mayor
SCHEDULE 'A' TO BY-LAW
Official Plan Amendment Number 62

Applicant: Fotenn Consultants Inc. & IN8 (Sage Kingston) Developments Inc.
Owner: Kingston Terminal Properties Ltd.
File Number: D35-002-2017
Addresses: 652, 662-670 Princess Street & 551 Victoria Street

Certificate of Authentication
This is Schedule 'A' to By-Law Number______
passed this ____ day of ______ 2018

____________________    __________________
Mayor                                    Clerk

Certificate of Authentication
This is Schedule 'A' to By-Law Number______
passed this ____ day of ______ 2018

____________________    __________________
Mayor                                    Clerk
By-Law Number 2018-XX

A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston” (Zone Change from Williamsville Main Street Commercial ‘C4-H (T1)’ zone to Williamsville Main Street Commercial ‘C4.556-H’ zone, 652 Princess Street, 662-670 Princess Street & 551 Victoria Street)

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 8499, as amended, of the former City 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 8499 of The Corporation of the City of Kingston, entitled “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:

1.1. Map 19 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from Williamsville Main Street Commercial ‘C4-H (T1)’ zone to Williamsville Main Street Commercial ‘C4.556-H’ zone, as shown on Schedule ‘A’ attached to and forming part of By-Law Number 2018-XX.

1.2. By Adding the following section ‘C4.556’ in Part VIII – Exceptions To Various Zone Classifications as follows:

“556 652 Princess Street, 662-670 Princess Street & 551 Victoria Street

Notwithstanding the provisions of Sections 4, 5 and 23C to the contrary, the lands designated ‘C4.556’ on Schedule ‘A’ hereto, the following regulations shall apply:
(a) For the purposes of the ‘C4.556’ zone, the following definitions shall apply:
   (i) ‘Bedroom’ shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater does not include:
      a. Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen);
      b. Common areas open to all occupants of the unit; and
      c. Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
   (ii) ‘Car Share’ shall mean the practice where a number of people share the use of one or more motor vehicles that are owned by a car sharing company or organization, such car share vehicles to be made available for short term rental, including hourly rental.

(b) Building Height
   (i) No part of the building shall exceed the height limits in metres as shown on Schedule ‘B’, attached hereto and forming part of this By-Law.
   (ii) The angular plane requirements shall not apply.

(c) Yards
   (i) For Nelson Street only, a minimum of 22 percent of the frontage shall be built to the 3.0 metres (minimum), for the height of the streetwall.

(d) Yards Projections
   (i) Stairs are permitted to project into the front yard adjacent to Victoria Street with a minimum setback of 0.0 metres.

(e) Density
   (i) The maximum number of residential dwelling units shall be 325.
   (ii) The maximum number of bedrooms shall be 432. For the purposes of the ‘C4.556’ zone, a studio/bachelor dwelling unit shall be considered a 1 bedroom dwelling unit.
   (iii) The ground floor shall contain a minimum of commercial gross floor area of 680 square metres.

(f) Ground Floor Height
   (i) The minimum ground floor height shall be 4.5 metres.

(g) Off-Street Parking
   (i) A minimum parking ratio of 0.5 parking spaces per residential unit is provided.
(ii) A minimum parking ratio of 1 space per 150 square metres of gross leasable area for any commercial use is provided.

(iii) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.

(iv) A vertical stacked parking structure or facility is permitted to be located within the south elevation of the building.

(v) 3 Car Share parking spaces shall be provided and maintained on site.

(vi) 1 Car Share parking space shall be equivalent to 3 regular off-street parking spaces.

(h) Off-Street Accessible Parking

(i) A minimum of 9 accessible parking spaces are provided; 5 Type A and 4 Type B spaces.

(ii) Type A spaces shall have minimum dimensions of 3.4 metres wide by 5.2 metres long.

(iii) Type B spaces shall have minimum dimensions of 2.7 metres wide by 5.2 metres long.

(iv) An access aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long and marked with high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B spaces.

(v) Accessible parking spaces shall have a minimum vertical clearance of 2.75 metres.

(i) Bicycle Parking

(i) Vertical bicycle parking stalls shall have a minimum dimension of 1.0 metres by 0.4 metres.

(j) Loading

(k) A minimum of two loading spaces shall be required;

(ii) One space shall have minimum dimensions of 3.5 metres wide by 8.5 metres long and the second space shall have minimum dimensions of 3.5 metres wide by 7.1 metres long.

Holding Symbol

(i) The '(H)' Holding Symbol shall be removed in accordance with the provisions of Section 5.39 of this By-Law and subject to the following specific requirement:

a. Confirmation from Utilities Kingston of a contract being awarded and signed for sanitary system upgrades.
2. This by-law shall come into force and take effect on the day it is passed subject to and in accordance with the provisions of the Planning Act, R.S.O. 1990, c. P. 13 as amended from time to time.

Given all Three Readings and Passed: [Meeting Date]

John Bolognone
City Clerk

Bryan Paterson
Mayor
SCHEDULE 'A'
TO BY-LAW NUMBER

Applicant: Fotenn Consultants Inc. & IN8 (Sage Kingston) Developments Inc.
Owner: Kingston Terminal Properties Ltd.
File Number: D35-002-2017
Addresses: 652, 662-670 Princess Street & 551 Victoria Street

LEGEND
Reference By-Law 8499, Map 19
- Rezoned from C4-H(T1) to C4.556-H

Certificate of Authentication
This is Schedule 'A' to By-Law Number ____, passed this ______ day of __________ 2018.

_________________     _____________________
Mayor                                       Clerk
SCHEDULE 'B'
TO BY-LAW NUMBER

Applicant: Fotenn Consultants Inc. &
IN8 (Sage Kingston) Developments Inc.
Owner: Kingston Terminal Properties Ltd.
File Number: D35-002-2017
Addresses: 652, 662-670 Princess Street & 551
Victoria Street

LEGEND

Reference By-Law 8499, Map 19
Applies to Lands Zoned C4-556-H

Certificate of Authentication
This is Schedule 'B' to By-Law Number ____,
passed this _____ day of ___________ 2018.

_________________     _____________________
Mayor                                       Clerk

PREPARED BY: J. Partridge
DATE: 6/6/2018

Planners and Licensing Services
a department of
Community Services

وبرיק 251
PLANNING COMMITTEE

KEY MAP

Applicant: Fotenn Consultants Inc. & IN8 (Sage Kingston) Developments Inc.
Owner: Kingston Terminal Properties Ltd.
File Number: D35-002-2017
Addresses: 652, 662-670 Princess Street & 551 Victoria Street

LEGEND

Subject Property
Property Boundaries

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Applicant: Fotenn Consultants Inc. &
IN8 (Sage Kingston) Developments Inc.
Owner: Kingston Terminal Properties Ltd.
File Number: D35-002-2017
Addresses: 652, 662-670 Princess Street & 551 Victoria Street

LEGEND

- Subject Property
- Property Boundaries

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Applicant: Fotenn Consultants Inc. & IN8 (Sage Kingston) Developments Inc.
Owner: Kingston Terminal Properties Ltd.
File Number: D35-002-2017
Addresses: 652, 662-670 Princess Street & 551 Victoria Street

LEGEND

- Subject Property
- Residential
- Main Street Commercial
- Open Space
Exhibit F

PLANNING COMMITTEE
ZONING BY-LAW 8499, Map 19

Applicant: Fotenn Consultants Inc. & IN8 (Sage Kingston) Developments Inc.
Owner: Kingston Terminal Properties Ltd.
File Number: D35-002-2017
Addresses: 652, 662-670 Princess Street & 551 Victoria Street

LEGEND

- Consolidated Zoning
- Subject Properties
- Property Boundaries

PREPARED BY: J.Partridge
DATE: 5/16/2017

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2015 The Corporation of the City of Kingston.
Exhibit G

**Exhibit G**

- Exhibit G
- 256
- 3.5x8.5m & 3.5x7.1m
- 5 (1 per 150 m²)
- 159 (111 U/G)
- 154
- 325
- 4.5m
- A
- 2555
- Hor.-1.8x0.6m; Ver.-1.0x0.4m
- 1.0m
- ENGINEER AND MAY NOT BE REPRODUCED WITHOUT THEIR PERMISSION AND UNLESS THE THIS DRAWING ARE FOR THE USE ON THE SPECIFIED PROJECT ONLY AND SHALL NOT BE USED OTHERWISE WITHOUT WRITTEN PERMISSION OF THE ARCHITECT/ENGINEER.
- WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS.
- CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND OF ANY REPORT ANY DISCREPANCIES TO THE ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
- SHOP DRAWINGS SHALL BE SUBMITTED TO THE ARCHITECT/ENGINEER FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION.
- ZONING
- THESE DRAWINGS SHALL NOT BE SCALED.
- ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER RELATED DOCUMENTS.
652 PRINCESS STREET
SHADOW ANALYSIS

Prepared for IN8 Developments Inc.

Prepared by FOTENN Consultants Inc.
223 McLeod Street
Ottawa, ON K2P 0Z8

April 13, 2018

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<tr>
<td>Date Created</td>
<td>13 April 2018</td>
</tr>
<tr>
<td>Prepared by</td>
<td>EL</td>
</tr>
<tr>
<td>Reviewed by</td>
<td>RP</td>
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1.1 DECEMBER 21

As-of-Right Building Shadow: 9:00am
As-of-Right Building Shadow: 10:00am
Proposed Building Shadow: 9:00am
Proposed Building Shadow: 10:00am
As-of-Right Shadow Outline
Proposed Shadow Outline

Exhibit J
1.2 MARCH / SEPTEMBER 22

As-of-Right Building Shadow: 9:00am (DST)

Proposed Building Shadow: 9:00am (DST)

As-of-Right Building Shadow: 10:00am (DST)

Proposed Building Shadow: 10:00am (DST)

Exhibit J
Exhibit J
1.3 JUNE 21

As-of-Right Shadow Outline
Proposed Shadow Outline

Exhibit J

As-of-Right Building Shadow: 9:00am (DST)
Proposed Building Shadow: 9:00am (DST)

As-of-Right Building Shadow: 10:00am (DST)
Proposed Building Shadow: 10:00am (DST)
As-of-Right Shadow Outline

Proposed Shadow Outline

Exhibit J
Exhibit J

As-of-Right Shadow Outline
Proposed Shadow Outline

As-of-Right Building Shadow: 3:00pm (DST)
Proposed Building Shadow: 3:00pm (DST)

As-of-Right Building Shadow: 4:00pm (DST)
Proposed Building Shadow: 4:00pm (DST)
Commercial Confidentiality Statement

This document contains trade secrets or scientific, technical, commercial, financial and labour or employee relations information which is considered to be confidential to Dillon Consulting Limited (“Dillon”). Dillon does not consent to the disclosure of this information to any third party or person not in your employ. Additionally, you should not disclose such confidential information to anyone in your organization except on a “need-to-know” basis and after such individual has agreed to maintain the confidentiality of the information and with the understanding that you remain responsible for the maintenance of such confidentiality by people within your organization. If the head or any other party within any government institution intends to disclose this information, or any part thereof, then Dillon requires that it first be notified of that intention. Such notice should be addressed to: Dillon Consulting Limited, 235 Yorkland Boulevard, Suite 800, Toronto, Ontario M2J 4Y8, Attention: President.
July 20, 2017

Planning, Building & Licensing Services
City of Kingston
1211 John Counter Boulevard
Kingston, ON  K7L 2Z3

Attention:  Ms. Lindsay Lambert, MCIP, RPP
Senior Planner

Subject Line

Dear Ms. Lambert:

Dillon Consulting Limited is pleased to submit this Urban Design Peer Review for the proposed development of 652 Princess Street in the City of Kingston.

This review provides an urban design assessment of the proposal, a review of the urban design report prepared by Fotenn Consultants Inc., and presents a series of recommendations regarding next steps.

Sincerely,

DILLON CONSULTING LIMITED

Michelle McCarthy, MCIP, RPP
Project Manager

Encl.

Our file: 17-5977
# Table of Contents

## 1.0 Introduction

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## 2.0 Peer Review

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## 3.0 Conclusion

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1.0 Introduction

This Urban Design Peer Review has been prepared by Dillon Consulting Limited (Dillon), in response to the Urban Design Report prepared by Fotenn Consultants (‘the Report’) for the development of the land located at 652 and 662-670 Princess Street and 551 Victoria Street. This review is provided on behalf of the City of Kingston. The proposed development would see the redevelopment of the site to include a 10-storey mixed use building, with frontages on 3 streets. The ground floor would accommodate commercial uses, with residential units provided on the floors above. This peer review is intended to provide an assessment of the urban design considerations of the proposal and to determine whether the development is a suitable urban design outcome for the subject site.

1.1 Subject Site

Location

The subject site is located on Princess Street, between Victoria Street and Nelson Street. The site is centrally located within the Community Destination character area, as stated in the Williamsville Main Street Study. The site is located approximately 850m west/north-west of the old downtown area of Kingston and about 1.3km north-west of Queen’s University. It is located close to services, employment areas and forms part of the commercial corridor of Princess Street.
Description

The subject site is approximately 4,495m² in size and currently consists of a parking lot, open green space, a 2-storey mixed use building and a heritage property. The subject site has 3 frontages: 89.5m along Princess Street, 77m along Victoria Street and 39m along Nelson Street. The rear of the subject site abuts a residential area, with the residential properties having frontages onto Victoria and Nelson Streets. As the subject site takes up an entire block, it has 2 corner locations, where Victoria and Nelson Street intersect with Princess Street.

The site has the following interfaces:

- **North:** Princess Street runs along the north of the site. Across Princess Street are a mixture of commercial land uses, including a 2-storey café, a car sales building with car park and a 1-storey pawn shop.
- **East:** Nelson Street is east of the subject site. Across Nelson Street is an empty lot, which is currently undergoing a deep excavation. North-east of the site, along Princess Street are further one to 2-storey commercial buildings.
- **South:** The southern interface of the site abuts a residential area, and is immediately next to 527 Victoria Street and 182 Nelson Street. The site runs along the northern property line of these buildings.
- **West:** Victoria Street is west of the subject site. Across Victoria Street is a service station and a residential building, at 542 Victoria Street. North-west of the site is a newer 5 to 6-storey corner development.

Background Documents

1.2 City of Kingston Official Plan (2015)

The subject site is located within the urban boundary of the Official Plan (OP). The OP identifies the subject site as being along the ‘Princess Street Corridor’ and therefore considers the site as a location for future development. Section 10E.1 forms part of the OP’s secondary plan and specifically focuses on the area identified as the Williamsville Main Street area. The secondary plan identifies site specific requirements to guide the future development outcome of the area surrounding the subject site. The plan highlights several guiding principles for new development, including creating a mixture of uses, improving the pedestrian and cycling experience, creating opportunities to green the public realm, guiding development at an appropriate scale and density, creating high quality architectural outcomes and protecting existing residential areas from negative development impacts.
**Williamsville Main Street Study (2012)**

The Williamsville Main Street Study is the background study document which informed the OP secondary plan. The study lists the subject site as being within a specific character area, identified as character area 2: ‘Community Destination’ and shown in Figure 2: Character Area 2 in Williamsville Main Street Study. This area, and specifically the subject site, has been identified as an area in transition, with the opportunity for intensification and additional residential units to occur.

![Figure 2: Character Area 2 in Williamsville Main Street Study](image)

The Community Destination area is described as being a future primary destination for all residents. The area between Victoria Street and Albert Street is poised to become an area with a strong ground floor commercial strip, meaning the subject site is in the middle of an area intended to be the future main activity centre for the immediate vicinity.

A part of the study discusses the future height expectations of some specific site locations. While most of the lands in area 2 are listed as being suitable for 6-storey buildings, some sites, including the majority of the subject site, are listed as potential 8 to 10-storey locations. These sites need to demonstrate that they will have little impact on surrounding areas and that the building would serve as a positive landmark in the local area. The subject site is considered to be underutilised and a short term opportunity for revitalisation. The heritage building however, located at the corner of Victoria Street and Princess Street, is not included in this height estimation and is listed as a site which is not under-utilized.
Zoning By-Law – C4-H

The subject site is zoned as C4-H – Williamsville Main Street Commercial. The zone states that buildings should be a maximum of 20m, approximately 6 storeys, (subject to angular plane provisions), yet this is discretionary, as some sites, including the subject site, have been identified as being able to accommodate taller buildings, given they have minimal impact on the surrounding area.

Amenity Area Review Study (2015)

This Amenity Area Review Study, prepared by Dillon Consulting in 2015, recommended revisions to existing policy and zoning regulations related to the provision of amenity space in multi-unit residential developments. The recommendations were recently incorporated into the City’s updated draft Zoning By-Law as an amendment. The review highlights the challenge of ensuring adequate amenity space is provided in new developments, as many proposals have sought to reduce the amenity requirement through Zoning By-law Amendments. The study states that outdoor amenity space and surrounding landscaping does not constitute justification for reducing the internal amenity requirements for new developments, due to their functional differences to residents and those within the wider context of the area. The study discusses the multiple definitions of amenity and how the City needs to harmonise a definition of amenity space across all City documents and policy. The review recommends a number of modifications to Kingston’s amenity area requirements to better incorporate functional amenity areas.

Site Context

Existing Built Form

The surrounding area is predominantly low rise in nature. Princess Street is made up of a mixture of one and 2-storey buildings with the exception of the 5 to 6-storey building located on the corner of Victoria and Princess Street, which occupies almost the entire city block. Further afield, there are some taller apartment buildings, to the west and north-west of the subject site; otherwise the predominant built form is low rise residential buildings.
Peer Review

2.1 Description

The proposal is for a 10-storey, mixed use building. The lot area is approximately 4,495 m$^2$ and will accommodate a building approximately 33.5 m tall. A total of 615 m$^2$ of commercial space is to be provided and a total of 327 apartment units. The proposal is made up of a series of stepbacks to stagger the buildings height. This will include a 4-storey podium with a continuous street wall, an additional 4 storeys in an 'L' shape, and an additional 2 storeys stepped back above that.

2.2 Urban Design Analysis

This peer review provides an assessment of the Report for the proposed development of 652 Princess Street. The Report draws on several urban design characteristics to support the development, based on the vision and guiding urban design principles found in the Williamsville Main Street Study (Appendix C). The proposal is compliant on numerous urban design considerations and this peer review agrees with the assessment of some of the urban design considerations proposed in the Report. These include:

- Future vision conformance;
- Provides a mixture of retail and commercial at grade;
- Improves pedestrian experience;
- Encourages high quality architecture;
- Responds to the City Destination Character;
- Has strong façade design and articulation;
- Provides weather protection;
- Shields blank walls;
- Does not cause overshadowing issues;
- Building massing is articulated through a broken up rhythm;
- No balconies are found on the first 3 floors; and
- Has a continuous street wall height between 2 and 4 storeys.

This peer review acknowledges the proposals compliance with these however it is noted that the proposal is not compliant with some of the urban design guidelines, or the current Zoning requirements. A Zoning By-Law Amendment would therefore be required to facilitate the development as proposed. These issues are discussed in more detail below.
Angular Planes

In the Kingston OP, section 10E.1.34 states that the storeys above the initial street wall height “must fit within a 45 degree angular plane.” With regards to the rear of the proposal, section 5.5 of the Williamsville Study states that from the rear property line “all storeys must fit within a 45 degree angular plane.” The purpose of the angular plane, according to the OP, Design Guidelines and the Zoning By-Law is to reduce overshadowing impacts, minimize the impact of height, create a transition between high rise and low rise residential areas, and to mitigate the pedestrian perception of height.

The proposal encroaches into the angular plane mandatory requirement from all sides. From Nelson Street, the upper 3 floors encroach, from Victoria Street, the upper 3 floors encroach, from Princess Street the top floor encroaches and from the rear, the upper 6 floors and upper 3 floors encroach as the rear has 2 angular planes through a varied rear lot depth.

The Report acknowledges that the proposal isn’t compliant with the angular planes requirement. It states that this is justified however as “with the appropriate setbacks and breakdown of the massing, the building meets the intention of the angular plane, providing a decline of heights toward the northern street frontage on Princess.” The Report states further that the rear angular plane is justified as the “building design ensures the structure appropriately transitions to the lower density neighbourhood to the south ... (as the) ... rear yard setback exceeds the 8m requirement with 11.7m and 21.5m.” The visual diagram of the proposal on page 18 of the Report articulates that the different materials serve to reduce the visual mass of the building, as they are lighter.

The encroachment of the proposed development into the angular planes can be considered an acceptable urban design outcome from the Victoria, Princess and Nelson Street interfaces as they do not abut existing residential areas, and their encroachment is minimal. However, the rear encroachment of the angular plane is not considered to be justified. The Zoning By-Law states that all new development shall fit within the angular plane so as to “reduce the building mass next to established areas” (Zoning By-Law 23C.4). The larger rear setback does not aid in the reduction of the building massing, nor does it aid in the creation of a transition from high rise to low rise areas, regardless of the size of the rear setback. Therefore, the proposal does not meet the intention of the angular plane in this regard. Further, while providing a lighter pallet for the upper floors is a positive architectural and design outcome, there is no policy or design guidance which stipulates that a lighter material colour warrants encroaching into the angular plane.
The proposal encroaches into the rear angular plane. This needs to be addressed to reduce the impact on the southern interface. A 10 storey building could be located here if it was designed to fit between the two angular plane lines.

Figure 3: Rear Angular Plane

Height

The Williamsville Main Street Study section 4.3 (Community Destination) identifies the subject site as the location for an 8 to 10-storey building, due to its location in the centre of the Princess Street corridor. The site is further identified as a place suited for a landmark building. The height of the building does not have any negative overshadowing or projection impacts on the residential buildings located south of the subject site.

Although the proposal is on a site listed as an area where an 8 to 10-storey building would be desired, it far exceeds the height to fit within the angular planes from the rear of the building, as discussed above. A building of 10 storeys could be located on the subject site, if it complied with the angular planes. The lack of rear stepbacks at different podium heights at the rear of the building results in a building height which is not compliant with the desired design outcome for the area. As demonstrated in Figure 3, there is an area of the site where 10 storeys could be permissible, but this would require a redesign of the upper 6 storeys to fit within the angular planes. The current shape of the proposal makes it difficult to achieve this however.

The Report further discusses the impact of the building height while addressing the urban design requirement 5.2 'Building Heights' in the Appendix C urban design principles. Section 5.3 of the Williamsville Study states that, "The maximum allowable height on Princess Street will be no taller than the width of the right-of-way." The Report acknowledges that the building height is taller than the width of the right-of-way and says "The site is within the Area 2 Community
Destination Character Area and the Right of Way is wide enough to support 17 metres in height. Though the building exceeds this height limit, various setbacks, building stepbacks, façade articulation, and use of materials mitigates the impacts of the building mass and shadowing on the adjacent neighbourhood." While this comment could be considered true for the north, east and western façades, it is not accurate for the rear of the building. There are limited stepbacks from the rear, minimal façade articulation and the impact of the buildings height is not mitigated. The change in material colour may serve to reduce the impact of the building from Princess Street due to the stepped podium heights, but it does not achieve this from the rear. Also, as stated above, there is no policy or Zoning justification for building material and/or colour to be used as a tool to reduce massing.

While the site is listed as one which can accommodate up to 10 storeys, the encroachment of the angular plane as well as the height exceeding the width of the right-of-way is not an acceptable design outcome for the site.

Figure 4: Proposed building heights in Williamsville Main Street Study

Massing
The OP and Williamsville study state that there should be a continual streetwall between 3 and 4 storeys (Kingston OP 10E.1.29 and Williamsville Study 5.1 and 5.2). Further, the building massing above this is to fit within the angular planes requirement.

The proposal has incorporated design techniques to minimise the visual bulk of the building. The first 4 floors are part of a 4-storey street wall, in line with the design requirements of the area, calling for a continuous 3 to 4-storey street wall. These lower floors are broken up
through façade articulation in order to create a visually interesting streetscape, instead of a continuous block. This serves to reduce the overall bulk and appearance of the building from a close up, interactive pedestrian experience. Above this, the ‘L’ shaped apartment block serves to reduce the overall visual impact of the building from Princess Street. The setback on the upper floors ranges from 1.5m, at the edge of each end of the ‘L’ shape, to a large 21.9m at the furthest point. This serves to create the architectural impression of the upper floors of the building as being part of another development, behind the first floors. This is further demonstrated through the change in material used; the lighter colour, contrasted with the red brick, serves to create a distinct separation between the upper floors and lower floors, reducing the overall visual bulk.

As for the other streets however, the bulk of the building is very apparent from both Victoria Street and Nelson Street, as the upper floors are only set back 3m. From both Victoria and Nelson Street, the building appears large and so the pedestrian experience is markedly different than from Princess Street. It is likely however that the eastern and western abutting sites will have larger developments in the future and therefore, the massing of the building from these sides will be transitional at a later stage.

However, this is not the case from the rear. As stated above, the encroachment of the angular planes and the building exceeding the right-of-way creates a large visual impression. The proposals’ massing does not transition to the low density residential zone at the rear and does not incorporate design tools to reduce the massing through stepbacks.

![Figure 5: Rear proposal facade and massing](image)

Massing at the rear of the proposal is very prominent and the lack of stepbacks does little to deter from the visual bulk to the southern residential area.
**Mechanical Penthouse**

The Kingston OP and Zoning By-Law state that "Mechanical penthouses should be allowed to exceed the maximum allowable building height by up to 5 metres, provided they do not penetrate front or rear property angular planes" (Kingston OP 10E.1.29 and Zoning By-Law 23C.3).

The mechanical penthouse for the proposal does exceed the allowable building height, but this is deemed to be appropriate in the OP and the zone. However, part of the mechanical penthouse encroaches into the angular plane from Nelson Street and almost all of it encroaches into the angular plane from the rear property line. This is acceptable from Nelson Street, but it is not compliant from the rear property line.

There is no mention of the mechanical penthouse, or its non-compliance in the Report.

**Amenity Areas and Green Space**

Amenity areas, as stated in the OP (Section 3.3 and 10E.1.2 and 1.23) and Williamsville Design Guidelines (Section 5.1, 7.3 and 7.7), are to be provided for high density residential developments, and to be “large enough to be useful to residents of all residential units” (Kingston OP 3.3.9.). This includes common areas and private areas for residents and according to the definition of zone C4 can be “landscaped open space, patios, private amenity areas, balconies, communal lounges ... but does not include any area occupied at grade by a building’s service areas, parking areas, parking aisles, or driveways” (Zoning By-Law 23C.4). The Zoning By-Law says that the required amenity space is:

- Studio – 14m²
- 1 bedroom – 18.5m²
- 2 bedroom – 40m²
- 3 bedroom – 65m²

The proposal includes amenity areas inside on the ground floor. These are listed as an atrium, a gym and an additional area which has not been given a use. The amount of amenity space in the proposal is stated in Section 3.1 of the Report. This is shown as a total of 7,085m² with 445m² as shared interior amenity and 6,640m² as private amenity. According to the zone, the proposal falls short of the required amenity space by 1,344m².

The City of Kingston has also incorporated the recommendations of the Amenity Area Review Study, prepared in 2015 into its draft Zoning By-Law update. This review states that amenity space should be calculated by unit rather than by the number of bedrooms. It also redefines amenity area as "an outdoor area exterior to the residential building, or interior area common to all residential units within a residential building, which is designed and intended primarily for
the leisure and recreation of the occupants of the building" (Amenity Area Review 2015). This excludes the living rooms, dens and other internal areas as being included in the total amenity space. It recommends that the area for amenity should be “10m² / dwelling unit in the mixed commercial / residential use zones in the downtown area” (Amenity Area Review Study, Section 8). The proposal therefore has a total of 1,935m² of amenity space as per this new definition (445m² shared interior, 610m² for terraces and 880m² for balconies). As a result, the proposal would be 1,335m² short of meeting the proposed future amenity requirements (3,270m² for this proposal at 10m² per dwelling).

The Report also states with regards to outdoor amenity space that the “development provides outdoor amenity space at the corner of Victoria and Princess Street through the colonnade plaza located at the entrance of the building. The large rear yard setback provides opportunity for outdoor amenity space abutting the residential neighbourhood to the south.” However, the rear of the proposal is identified as being used as an at grade parking lot and there is no amenity identified for this area. Further, the structure at the corner of Princess and Victoria Street is described as the entrance foyer and does not typify a standard amenity use. Also despite the Report stating there is outdoor amenity space in the comments for the Williamsville Appendix C table (page 36), it shows in Section 3.1 (Development Statistics), as well as on the conceptual site drawing (Exhibit E) that there is 0m² of outdoor exterior amenity space provided for the proposal.

Green space is also an important amenity requirement. The OP and design guidelines state that residential buildings should “identify opportunities to green the public and private realm” (Kingston OP 10E.1.2). This includes providing green roofs where “at least 75% of flat rooftop surfaces should comprise green roofs and roof gardens” (Williamsville Study Section 7.7). The Report states that “there is a green roof on the podium roof and upper roof” yet this is not identified on the drawings or proposal renderings. While a green roof may be proposed, there is no access point demonstrated for either the podium or the upper roof areas. Further, there has been no landscaping plan submitted with the application.
Green space and outdoor amenity space is not identified on drawings. These areas should be highlighted.

Figure 6: Outdoor amenity space and green areas
### Urban Design Issues and Recommendations

#### Substantive Issues

The following issues are identified in the table below, with reference to policy, the design guidelines and the Zoning By-Law, along with a series of recommendations and best practices.

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<thead>
<tr>
<th>Issue</th>
<th>Kingston Official Plan</th>
<th>Williamsville Study</th>
<th>Zoning By-Law</th>
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</thead>
<tbody>
<tr>
<td>Angular Planes</td>
<td><strong>10E.1.34</strong></td>
<td>5.5 Angular Planes</td>
<td><strong>23C.3 Regulations</strong></td>
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**23C.4 (b)**

Angular Plane – A plane that projects up at a 45 degree angle from a specific line, such as a property line or a specific storey of a building, which is used to reduce the building mass and shadowing.
metres. Stepbacks should be provided above the established streetwall height, with additional stepbacks provided where warranted to allow new development to fit within front and rear property angular planes.

Impacts next to established areas, such as a public right-of-way or low density residential neighbourhood.

### Recommendations

While the rear of the proposal does not overshadow the southern residential area, the proposal still needs to meet the requirements of the 2 rear angular planes, as stated in the policy, design guidelines and Zoning. The angular plane serves to reduce the building mass in areas next to low density residential neighbourhoods, so as to minimize the impact of height, mitigate pedestrian perceptions and transition between areas.

To meet the conditions of the rear angular plane, the following recommendations are offered:

- Remove the top 2 stories of the proposal, making it 8 storeys high; and/or
- Step back the stories above the 4th floor podium from the southern side to meet the western most angular plane.
- If stepping back the upper floors, ensure consideration is given to potential overshadowing impacts on Princess Street when stepping back the upper levels.
- Utilise the unused space on the 4th floor podium.

**Note:** Not all recommendations are required. A combination of the recommendations could be created to meet the angular plane.
<table>
<thead>
<tr>
<th>Issue</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Height and Massing</td>
<td>10E.1.29 (d) building(s) can demonstrate a positive contribution to the community as a whole (i.e. gateway sites, landmark sites). In instances where minimal impacts occur on adjacent uses, additional height may be considered up to a maximum of 10 storeys (31.5 metres). Compatibility must be demonstrated through an Urban Design Study, and buildings taller than 6 storeys will be subject to a Zoning By-Law Amendment, and may also be subject to Height and Density Bonusing. (e) Taller buildings can be considered at key nodes and intersections to reinforce the prominence of these locations through appropriate massing, building projections, recesses at ground level, lower storey design and open space treatments which make these buildings visually distinct.</td>
<td>5.3 Building Heights Typical, the maximum allowable height of buildings on Princess Street will be no taller than the width of the right-of-way, which equates to 6 storeys (20 metres). (This) is also in contrast to the existing Zoning By-Law, which states that the maximum allowable height shall be twice the right-of-way width, which in this case equates to 40 metres. In order to achieve the maximum allowable height, buildings must be further articulated through a number of other regulations including stepbacks, angular planes and setbacks.</td>
<td>23C.3 (a) Height All buildings / structures shall have a maximum height of 20 metres, subject to angular plane provisions. All buildings / structures abutting a streetline shall fit within an angular plane taken from a height of 13.5 metres above the established grade at the streetline. Above this height, subsequent storeys shall fit within a 45 degree angular plane (refer to Appendix “A” to this By-Law for reference purposes).</td>
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</table>
Sites will need to be deeper than 36 metres and demonstrate compatibility and functionality through an Urban Design Study. Only properties with a minimal shadow impact, either on Princess Street or adjacent to existing residential areas, should be considered as suitable for buildings over 6 storeys.

**Recommendations**

- Reduce the height of the building from 10 storeys to 8 storeys to fit within the angular planes from the rear of the building (and/or)
- Stepback the building from the rear to avoid encroachment of the angular planes and reduce the building massing.
- Avoid overlooking of the southern residential properties by stepping back the upper floors of the proposal.
- Ensure consideration is given to potential overshadowing impacts on Princess Street when stepping back the upper levels.

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<tr>
<td>Mechanical Penthouse</td>
<td><strong>10E.1.29 Building Height</strong></td>
<td><strong>5.3 Building Heights</strong></td>
<td><strong>23C.3 Regulations</strong></td>
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<tr>
<td></td>
<td>Mechanical penthouses should be allowed to exceed the maximum allowable building height by up to 5 metres, provided they do not penetrate front or rear property angular planes.</td>
<td>Mechanical penthouses should be allowed to exceed the maximum allowable building height by up to 5 metres, provided they do not penetrate front or rear property angular planes.</td>
<td>Notwithstanding Section 5.14, mechanical penthouses shall be permitted to exceed the maximum allowable building height by up to 5 metres, provided they do not penetrate front or rear property angular planes.</td>
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</table>
## Recommendations

- Setback the mechanical penthouse so it is compliant with the rear angular plane requirement.
- Slope the mechanical penthouse roof so it does not present a solid wall at the top of the building to reduce its visual impact.
- The removal of the upper 2 floors would allow for the mechanical penthouse to fit better with the angular planes.

### Issue: Amenity Areas and Greenspace

<table>
<thead>
<tr>
<th>Recommendation</th>
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<th>Williamsville Study</th>
<th>Zoning By-Law</th>
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<tr>
<td>3.3.9. (f) conversion to multiple residential units - the amenity area must be large enough to be useful to residents of all residential units</td>
<td>5.1 Private Realm Design Quality - For new developments, outdoor amenity areas (i.e. gardens, courtyards, and forecourts) should be provided at the front, side or rear yard, or on the roof of buildings, and should be located adjacent to indoor amenity spaces.</td>
<td>23C.4 (a) Amenity Area – The area situated within the boundaries of any residential development site intended for recreational purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, children’s play areas, and similar uses, but does not include any area occupied at grade by a building’s service areas, parking areas, parking aisles, or driveways.</td>
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<td>3.3.C.4 high density residential development (b) the provision of outdoor amenity areas, which will include a children’s play area, common areas and private areas to the satisfaction of the City</td>
<td>7.3 Relationship of Buildings Buildings should achieve a sustainable ‘look’ through architectural detailing, choice of materials and exposed building systems. This can be achieved by incorporating the following features: (d) Green roofs</td>
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<td>10E.1.2 (c) Identify opportunities to green the public and private realm.</td>
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<td>10E.1.23 (b) Green roofs are encouraged for all new developments and may be considered by the City as a percentage of a</td>
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City of Kingston
652 Princess Street - Urban Design Peer Review
July 2017 - 17-5977

Dillon Consulting
### 7.7 Roof tops
The majority of flat rooftop surface area should comprise green roofs. At least 75% of flat rooftop surface areas should comprise green roofs and roof gardens.

Notwithstanding Section 5.27, no play space shall be required.

### 5.27 Amenity Areas and Play Space for Multiple Family Dwellings
(a) amenity areas ... shall be provided for each unit as follows:
- Bachelor: 14m²
- 1 bedroom: 18.5m²
- 2 bedroom: 40m²
- 3 bedroom: 65m²
- 4 bedroom: 90m²
- 5 bedroom: 123m²

#### Amenity Area Review Study

**Section 8: Recommendations**

The following definition of amenity areas is recommended: “an outdoor area exterior to the residential building, or interior area common to all residential units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building.”

The following are recommended as the new amenity area space requirements:
- 10m²/dwelling unit in the mixed commercial / residential use zones in the downtown area and along the Princess Street corridor; and,
- 18.5m²/dwelling unit in the rest of the city.

**Recommendations**

- Provide a Landscape Plan.
- Demonstrate on the plans the location of the green areas and the access points to them. Providing roof top gardens should not just
be a visual detail, but also a functional amenity space.

- Provide landscaping around the building to heighten the visual and green amenity. This includes the rear and sides of the building.
- Provide hanging baskets, flowers or planting mounts onto the building colonnades, to reflect the green character of the older Princess Street corridor.
- Identify the unnamed amenity space inside the building.
- Provide amenity space at the rear of the proposal and not just an at-grade parking area.
- Provide amenity space in accordance with the requirements of the Amenity Area Review.

**Technical Issues**

Moving forward, we also recommend the following additional changes to the proposal design and drawings:

- Provide a list of the building materials to be used. A legend should be shown on the elevation drawings detailing the type of material and where it will be used.
- Provide a description and/or use of the amenity space listed on the ground floor.
- Demonstrate functional use of entrance area beyond the frame of the old building footprint.
- On the South Elevation drawing, state what the white spaces represent compared to the darker spaces.
Conclusion

The proposal is compliant with a majority of the desired outcomes for the subject site. It is respectful of the existing surrounding character and responsive to the old Princess Street neighbourhood and creates a visual and interactive streetscape along Princess Street, which is broken up through an articulated façade. The first 4 storeys of the proposal are considered to be a positive design outcome for the public realm and the subject site.

The proposal does not however comply with the urban design controls around building height and massing. The encroachment into the angular planes from the rear needs to be addressed. The Report states that this is acceptable due to the varying materials use and the large rear setback, however this peer review believes that the bulk and massing of the building has not been reduced and does not provide a transition to the rear low density area, nor does it reduce the visual impact of the building to these residences.

It is therefore the recommendation of this review that the proposal in its current form undertakes a review of its height and re-evaluates the design of the building above the 4th floor podium.
REPORT:

PEER REVIEW REPORT:

“668-670 PRINCESS STREET – CARNOVSKY BAKERY CULTURAL HERITAGE IMPACT ASSESSMENT (CHIA)”

December 2017
Letourneau Heritage Consulting Inc. Project # LHC0066
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**Figure 1:** Map showing the site (outlined in blue) and the general surrounding area. (Source: Adapted from Google Maps, 2017).......................................................................................................................................................................................... 4  

**Figure 2:** Map showing the location of the cultural heritage resource on the property (outlined in red). (Source: Adapted from STAGE 1 ARCHAEOLOGICAL ASSESSMENT of 652 and 662-670 Princess Street, ACABUS Archaeological Services, 2017, P. 22).......................................................................................................................................................................................... 5  

**Figure 3:** Map showing the overall development site (outlined in red) and adjacent heritage properties. (Source: Adapted from Google Maps, 2017).......................................................................................................................................................................................... 6  

**Figure 4:** Image showing the proposed project from the corner of Princess and Victoria Streets. (Source: Metropolitan Design Ltd., 2017).......................................................................................................................................................................................... 7  

**Figure 5:** Image showing the proposed project from the corner of Princess and Victoria Streets. (Source: Metropolitan Design Ltd., 2017).......................................................................................................................................................................................... 7
1.0 INTRODUCTION

The City of Kingston retained Letourneau Heritage Consulting Inc. (“LHC”) to perform a peer review of the Heritage Impact Statement (HIS) prepared for a proposed development at located at 652, 662, 668, 670 Princess Street and 551 Victoria Street (Kingston, Ontario). The review focused upon the property parcel listed under Section 27 of the Ontario Heritage Act and identified within the City of Kingston’s Heritage Register as 662-670 Princess Street. The purpose of this document is to provide a careful examination of the CHIS [sic] prepared by Donald Loucks of Metropolitan Ltd for In8 (Sage Kingston) Developments Inc., and determine if it has considered all applicable federal, provincial, and City requirements, and to assess the proposed development within a heritage planning framework.

This peer review analysis is two-fold. Firstly, the HIS is reviewed for compliance with municipal heritage requirements and heritage policy frameworks (gap analysis). Secondly, the HIS is reviewed for the efficacy of its argument, discussing whether it reflects heritage conservation best practice (including the conservation of the identified heritage values and heritage attributes of a subject property, any adjacent properties, and the overall heritage character if located within a HCD or CHL).

The following were reviewed as part of the development of this document:

- The 2014 Provincial Policy Statement;
- The Ontario Heritage Act;
- The Planning Act;
- The City of Kingston Official (2017);
- The City of Kingston: Kingston’s Strategic Plan (2015);
- The City of Kingston: Kingston Culture Plan (2010);
- The City of Kingston Heritage Impact Statement Requirements;
- The Williamsville Main Street Study (2012);
- The City of Kingston’s Heritage Register (dated March 27, 2017);
- The Ontario Heritage Act designation by-law for adjacent property 647 Princess Street;
- The Cultural Heritage Impact Assessment (CHIS)[sic] prepared by Donald Loucks of Metropolitan Ltd for In8 (Sage Kingston) Developments Inc. (Original and Revised).

1.1 Focus of Heritage Planning Analysis

The analysis below provided within this document was based upon two main heritage planning questions:

- Were there any errors, omissions, substantive or procedural issues with the HIS?
- What works should be undertaken to mitigate any potential impact on the identified heritage attributes of the property and adjacent heritage properties?
1.2 Summary of Conclusions

Based upon the policy review, intensification of this property is envisioned. The question remains how the intensification addresses cultural heritage resources on the property and in the vicinity. The Province of Ontario and City of Kingston have a number of requirements for the conservation of cultural heritage resources; further, the City of Kingston has clear requirements for the preparation of Heritage Impact Statements (HIS). While there have been initial steps to address the conservation of cultural heritage resources on the property (as seen in the revision to the original HIS), additional work is still required to respond to requirements of the Province and the City. Based upon this review, it was found that the revised HIS prepared for the property known as 662-670 Princess Street contains a series of issues and errors, and does not currently conform with relevant Provincial and City policies and guidelines or heritage conservation best practices. The HIS focuses only on the building on the property identified as 668-670 Princess Street, but the listing within the City of Kingston's Heritage Register identified the listed property as 662-668 Princess Street, suggesting both buildings may have cultural heritage value or interest. The HIS also does not adequately recognize, or conserve, the heritage attributes of the adjacent properties. A series of recommendations have been made as part of this report on how the HIS can be additionally revised and provides some recommendations for the City of Kingston.

1.3 Definitions

Definitions are based upon those provided within City of Kingston Official Plan (2017) where applicable, as well as the Provincial Policy Statement (2014) and Ontario Heritage Act (1990).

Alter means to change in any manner and includes to restore, renovate, repair or disturb and “alteration” has a corresponding meaning; (“transformer”, “transformation”) (Ontario Heritage Act, 1990)

Adjacent Lands In terms of evaluating potential impacts of development and site alteration on protected heritage properties, means:

a. contiguous (abutting properties);

b. a property that is separated from a heritage property by a narrow strip of land used as a right-of-way, walkway, green space, park and/or easement and where the recognized heritage attributes of a protected property would be impacted by the proposed development and/or site alteration; and/or

c. those properties whose heritage attributes were identified within the following: • a designation by-law enacted under the Ontario Heritage Act;
   • a heritage easement enacted under the Ontario Heritage Act;
   • a Heritage Conservation District Plan;
   • a World Heritage Site Management Plan;
   • a National Historic Site’s Commemorative Integrity Statement, Management Plan, Federal Heritage Buildings Review Office report, or Reasons for Designation;
   • City of Kingston’s Official Plan; or
   • Properties listed on a municipal registrar with recognized heritage attributes that would be impacted by the proposed development or site alteration. (City of Kingston, 2017)

Built heritage resource means a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers (City of Kingston, 2017).
**Conserved** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments (PPS, 2014).

**Cultural heritage landscape** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association (PPS, 2014).

**Cultural heritage resources** are the legacy of physical artifacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations. Cultural heritage resources include human work, a place that gives evidence of human activity or has spiritual or cultural meaning, natural sites and “living heritage” such as stories, practices and traditions which has been determined to have cultural heritage value or interest. Cultural heritage resources encompass both tangible and intangible cultural heritage resources including: protected heritage properties; built heritage resources; cultural heritage landscapes; archaeological resources; paleontological resources, osteological/bio-archaeological resources; artifacts; monuments; and both documentary and material heritage (City of Kingston, 2017).

**Development** means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act* (PPS, 2014).

**Heritage attributes** the principal features or elements that contribute to a protected heritage property’s cultural heritage value or interest, and may include the property’s built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property) (City of Kingston, 2017).

**MTCS** refers to the Ministry of Tourism, Culture and Sport.

**MTO** refers to the Ministry of Transportation.

**OHA** refers to the *Ontario Heritage Act*. 
2.0 INTRODUCTION TO SITE

2.1 Site Context

The proposed development is located at 652, 662, 668, 670 Princess Street and 551 Victoria Street (Kingston, Ontario) as per public notices provided on the property. 668-670 Princess Street is located at the southeast corner of Princess and Victoria Street and is one of two parcels that make up the development site. The property at 662-670 Princess Street features two buildings: a 2½ storey building with a mix of ground floor retail, and (vacant) residential units above with a civic address of 668-670 Princess Street, and a two-storey brick building with a civic address of 662-666 Princess Street. The property is listed under Section 27 of the Ontario Heritage Act. Surrounding the site are residential properties to the south, commercial properties directly to the north, and a mix of residential and commercial properties east and west of the site along the Princess Corridor. The property is situated within Area 2 of the Princess Street Corridor Specific Policy Area Williamsville Main Street, as per schedule PS-1 provided in the City of Kingston Official Plan of 2017. 668-670 Princess, and the adjoining properties for the proposed development, were at one time at the core of Williamsville, and the intersection of Princess and Victoria served as an important node for the community. Given the context of the location of the site(s) for the proposed development, it is critical to consider the implications of new developments situated on top of, and overlooking this area.

![Figure 1: Map showing the site (outlined in blue) and the general surrounding area.](Source: Adapted from Google Maps, 2017).
Figure 2: Map showing the location of the cultural heritage resource on the property (outlined in red). (Source: Adapted from STAGE 1 ARCHAEOLOGICAL ASSESSMENT of 652 and 662-670 Princess Street, ACABUS Archaeological Services, 2017, P. 22).
2.2 Adjacent Heritage Properties

There are three recognized heritage properties near the site, which are illustrated within Figure 3. Two of these properties (identified as 1 and 2 on the figure below) would be considered adjacent according to the City of Kingston’s definition. Only the property known municipally as 647 Princess Street, identified as number (1) within Figure 2, is designated under Section 29, Part IV of the *Ontario Heritage Act* as per City of Kingston By-Law 2016-209. The properties 620 (3) and 635/637 (2) Princess are both listed properties of cultural heritage value as per the Kingston Heritage Register (Section 27 of the *Ontario Heritage Act*).

![Figure 3: Map showing the overall development site (outlined in red) and adjacent heritage properties. (Source: Adapted from Google Maps, 2017).](image)

2.3 Proposed Development

According to the completed HIS for 668-670 Princess Street, IN8 Developments Inc. is proposing a mixed-use building of ten-storeys, with a majority of ground floor commercial along Princess Street. The building is slated to consist of a four-storey podium, a tower stepped back from the fifth floor, and a further step back from the ninth floor. Parts of existing building with the civic address of 668-670 Princess Street will be incorporated into the new building. The building with the civic address of 662-666 Princess Street will be demolished. There will be a total of 327 residential units with commercial space at the ground level along Princess, Victoria and Nelson Streets. As noted, the property addresses involved with the proposed include 652, 662, 668, and 670 Princess, as well as 551 Victoria as shown within Figure 3. Several iterations of the design have been prepared by the development proposed, and assessed through two heritage impact statements. The design has moved from a physical interpretation of the limestone building on site via a structural outline to retention of a portion of the exterior walls.
Figure 4: Image showing the proposed project from the corner of Princess and Victoria Streets. (Source: Metropolitan Design Ltd., 2017).

Figure 5: Image showing the proposed project from the corner of Princess and Victoria Streets. (Source: Metropolitan Design Ltd., 2017).
3.0  HIS PURPOSE AND FUNCTION

The objective of an HIS is to provide a critical and objective review of a proposed development or site alteration from a heritage conservation planning perspective. An HIS is a comprehensive document designed to clearly articulate the cultural heritage values of a property, respond to a proposed intervention, outline steps to mitigate impact (including do nothing if appropriate), and provide recommendations to conserve the identified heritage value and attributes of the property and/or any adjacent properties (or if within a Heritage Conservation District (HCD) or a cultural heritage landscape (CHL), the area as a whole). It considers a project not only in terms of its heritage conservation principles and how to guide a cultural heritage resource through the process of change, but also examines it from a planning and regulatory perspective. Its purpose is not to justify a particular course of action, but to evaluate its appropriateness and compliance. As applied to a site-specific development application, “an HIS enables planners and decision-makers to determine with objectivity whether it is in the public interest for a proposed development to proceed. If it does proceed, then the HIS determines how best to mitigate any adverse impacts that might ensue. If, however, effective mitigation is not feasible, then the HIS provides a rationale and framework to make major revisions to the proposal or to abort it entirely”1

As defined by the City of Kingston, a Heritage Impact Statement is a required study to be submitted for development proposals where there is the potential to impact to protected heritage properties. Such analysis, which is to be prepared by a qualified heritage conservation professional, must address properties identified in the City of Kingston’s Inventory of Heritage Properties (which includes both listed and designated properties), as well as any as-yet unidentified cultural heritage resource(s) found as part of the site assessment. This could be the result of development or site alteration on the property itself or on adjacent properties, and should be prepared by a heritage professional (i.e. member of Canadian Association of Heritage Professionals). The authority for the Heritage Impact Statement is derived from the Ontario Heritage Act, Section 2(d) of the Planning Act, and Section 2.6 of the Provincial Policy Statement, 2005.

The City of Kingston provides a series of requirements for a prepared HIS, which include:

a. Present owner contact information for property proposed for development.

b. Property description and documentation of cultural heritage resources on or adjacent (both sides of the street) to the site including:
   i. current photographs, from each elevation, and/or measured drawings.
   ii. a location plan with indications of existing heritage resources, on or adjacent to the subject property, at an appropriate scale.
   iii. historical photos, drawings, or other archival material that may be available or relevant.

c. Statement of significance of the cultural heritage resources on or adjacent to the subject property (historical, architectural, contextual) drawing on either the Designation By-law or any relevant legal agreement.

d. Heritage assessment of the subject property’s existing conditions.

e. A brief outline of the proposed development and its context focusing on how it will impact the heritage resources on or adjacent to the site.
   i. This outline should address such issues as setbacks, massing, the relationship to built heritage features, and recommended building materials. Conceptual drawings, including proposed materials, should be included where appropriate.

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ii. This outline should also address the influence of the development on the setting, character, and use of lands in this part of Kingston including how activities -- such as deliveries, parking and pedestrian flow -- may change and outline the potential impact of these changes.

f. Summary of conservation objectives for recognized cultural heritage resources on or adjacent to the site, including how retained historical elements or properties will be protected during any construction/demolition. (See also the National Parks Service document Preservation Tech Notes: Protecting a Historic Structure during Adjacent Construction. available online)

i. This summary should include a discussion of conservation principles to be used. Conservation principles can be found within the following documents:

   - Parks Canada - Standards and Guidelines for the Conservation of Historic Places in Canada (available online);
   - Mark Fram - Well Preserved: The Ontario Heritage Foundation’s Manual of Principles and Practice for Architectural Conservation;
   - Ministry of Culture (Ontario) - Eight Guiding Principles in the Conservation of Historic Properties (available online); and
   - Public Works Canada - Canada’s Federal Heritage Buildings Review Office Code of Practice (available online).

  - The extent to which any proposed demolition represents a loss of culture heritage significance and its impact on the streetscape and sense of place.

h. The ability of the proposed development to reinstate or enhance the cultural heritage value of the site.

i. Identification of additional studies required and how their recommendations are incorporated into the schedule of work (i.e., a Bracing Plan for façade retention, archaeological assessment).

j. The qualifications and background of the person(s) completing the Heritage Impact Statement.

   i. The Statement should also include references for any literature cited, and a list of people contacted during the study and referenced in the report.

Negative impacts on a cultural heritage resource(s) as stated in the Ontario Heritage Tool Kit include, but are not limited to:

- Destruction of any, or part of any, significant heritage attributes or features;
- Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- Shadows created that alter the appearance of a heritage attribute or change the viability of an associated natural feature or plantings, such as a garden;
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;
- A change in land use (such as rezoning a church to a multi-unit residence) where the change in use negates the property's cultural heritage value; and,
- Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource, including archaeological resources.
4.0 POLICY REVIEW AND EVALUATION OF HIS (COMPLETENESS)

The policy review assessed key Provincial and Municipal documents and analysis was focused upon the application of each to heritage planning and was not a comprehensive planning review. The purpose of this review is to understand which policies should have been considered as part of any complete planning assessment and to enable the reviewer to consider if the planning rationale and HIS being considered accurately reflects the existing framework. The full heritage policy review has been attached as Appendix B.

Attached as Appendix C is a detailed review of the revised HIS as submitted to the City of Kingston based upon the City's Terms of Reference. In particular, the HIS is reviewed for its compliance with municipal heritage requirements and heritage policy frameworks (gap analysis). Based upon this review of the completeness of the HIS, it was found that it does not meet a number of the identified requirements of the City of Kingston's HIS Terms of Reference. Among the missing information is the following:

- Information concerning the development site;
- Updated information on the cultural heritage resources on site and adjacent/nearby;
- It does not have a policy analysis (including the specific heritage conservation policies within the Official Plan and Williamsville-specific policies);
- Requires revisions to the SCVHI to bring it into compliance with the OHA format;
- Lacks a detailed analysis of 662-666 Princess Street (the brick building on site);
- Needs to better reference supporting studies such as Laurie Smith's heritage assessment and John Cooke's structural analysis as well as providing a discussion of agreement/disagreement with those studies;
- Provides little discussion of setbacks, massing, relationship to built heritage features, and recommended building materials, as required in the City’s HIS template;
- Does not reference to the conservation principles proposed to be employed, nor to the federal *Standards and Guidelines for the Conservation of Historic Places in Canada* or to the Province of Ontario's *Eight Guiding Principles for the Conservation of Historic Properties*, or to the other sources recommended in the City;
- Does not discuss alternatives to the current proposal and why the proposed integration of the façade into the new podium base is the preferred option; and,
- Does not provide the qualifications of the person completing the assessment and a list of people contacted during the study.

As such, revisions would be necessary to bring the HIS into compliance.
5.0 EVALUATION OF HERITAGE PLANNING JUSTIFICATION

Drawing upon the policy analysis attached Appendix B, and drawing upon the above analysis in Section 4 (and in Appendix C) concerning compliance with the City of Kingston’s HIS Terms of Reference, the applicable heritage planning framework, and heritage conservation best practices, it was found that due to gaps in the analysis, the submitted HIS currently does not provide an adequate heritage planning justification.

As noted above, it is not consistent with the requirements of the City’s HIS Terms of Reference. It also does not provide a detailed analysis that considered both the heritage planning framework governing the project, as well as how the project is consistent with heritage conservation best practices. There is no discussion of alternative approaches, and the document needs to read as more of an analysis. Among the issues identified:

1. There was no discussion of the applicable policies and guidelines for Williamsville as described within the relevant policy documents (as outlined within Appendix A). There was insufficient consideration of the applicable cultural heritage policies, and additional analysis is required to demonstrate how the proposed project meets those policies. For example, the HIS has limited discussion on how the proposed development will impact the heritage resources on or adjacent to the site. While, as mentioned, intensification is envisioned for this site, the HIS also does not demonstrate the existing proposal for a 10-storey building adjacent to the designated heritage property along Princess Street will have a minimal impact. Further, the existing policy framework requires that projects demonstrate through shadow studies, context mapping and three-dimensional context and building modelling. While these may have been considered by the author as part of due diligence, this work is not evident. While there may be legitimate reasons why the project is unable to meet all or some of the relevant heritage policies, there must be a discussion of why those policies should not be considered within the context of this project. Essentially, the burden of proof is on the applicant (particularly the heritage planning consultant) to demonstrate the reasons why compliance is not possible, and why the overall project is in the public interest. The report should include mitigation strategies when conservation is not possible.

2. There were errors in the identification of adjacent heritage properties. One of the properties identified in the HIS as listed is, in fact, designated under Section 29, Part IV of the OHA. Also, the City of Kingston’s Heritage Register listed 662-670 as the property’s civic address, and the parcel includes two buildings; there is no discussion of 662-666 Princess Street within the report. This identification is critical as the HIS should discuss the potential impact on these properties based upon their identified SCHVI and heritage attributes.

3. The HIS inadequately references two key reports: the heritage assessment of the property by Laurie Smith Consulting, and the Structural Condition Assessment prepared by John Cooke. These reports could have resulted in significant changes to the findings of the HIS, yet there was no discussion concerning why the author did not reference them in their entirety or why the recommendations of these reports were not followed. Again, there may be valid reasons, but these are not evident within the existing text. Further, none of the research for the HIS refers to the full history property, yet it was described in detail in the Williamsville local history (Williamsville Book Committee, 2004).

4. The HIS states that further work will be required, but does not specify what this would entail. For example, these could include a documentation and salvage plan, conservation plan, interpretation plan, and/or a temporary protection plan. This discussion should be expanded.

5. While the HIS does reference the project’s context, the heritage planning rational does not sufficiently demonstrate how the project will serve to reinforce the fact that this intersection was the core of the village of Williamsville. As stated, the Williamsville Main Street Study mapping on pages 10 and 27 shows the subject site as having “height potential” of 8-10 storeys, but the existing buildings on the property are also
shown as “heritage properties” (because of being identified in the heritage supporting study, as having potential heritage significance, and as evaluated subsequently by Laurie Smith Consulting) and are excluded from the building footprint shown for new development. Based upon this work, an argument could be made the whole envelope of the existing buildings should be excluded from the new building and the new building should be stepped back from it. This is particularly germane if 662-666 Princess Street has cultural heritage value as the stepback would need to be even greater. 662-666 Princess Street needs to be assessed to determine if it has any cultural heritage value or interest, and if so, the design should be modified to reflect these findings.

6. The proposed approach of maintaining the façade of 668-670 Princess Street is not adequate in terms of the project’s overall scale. There is no discussion of setbacks, stepbacks, and the three dimensionality of the built heritage resources on site. There is no consideration of options, including those outlined within the Cooke report. These issues would need to be addressed.

Based upon our review of the proposed project, it is our professional opinion that the submitted HIS should be revised to address the above identified issues.
6.0 CONCLUSIONS

As discussed, intensification is envisioned for this property. The question remains whether the HIS has considered whether the proposed intensification project has sufficiently addressed cultural heritage resources. At this time, the HIS as submitted has not applied the required policies (as discussed above and including the Official Plan and Williamsville area-specific policies) and heritage conservation methodologies, and has not demonstrate that what is proposed is a logical outcome of this analysis. While this may be the case, the HIS does not include the background information to this end.

The project has not demonstrated how alternatives were considered (and if they were feasible). It needs to better engage with the findings of previous reports, such as Laurie Smith’s report on the heritage value of the property and John Cooke report’s recommendations on conserving the structure. It does not consider the property in its entirety, instead only focusing on one building on site: 668-670 Princess Street. The analysis has also not demonstrated how the development is in keeping with the heritage character of the neighbourhood and the potential impact on adjacent heritage properties (in terms of shadowing and visual impact.)

In order to address these identified issues, the following revisions need to be made to the report:

- The HIS should be restructured to address all of the requirements of the City of Kingston’s Terms of Reference for the preparation of Heritage Impact Statements;
- Updated information on the cultural heritage resources on site and adjacent/nearby need to be incorporated and considered as part of the analysis;
- The report needs to add a heritage planning policy analysis section and respond to the specific heritage conservation policies within the Official Plan and Williamsville-specific policies;
- The SCVHI needs to be revised to bring it into compliance with the OHA format;
- There needs to be a greater discussion of the potential cultural heritage value and interest of 662-666 Princess Street (the brick building on site) and this should include the preparation of an O.Reg 9/06 Assessment of this building (particularly as it is technically part of a property identified within the City’s Heritage Register);
- The report needs to better reference supporting studies such as Laurie Smith’s heritage assessment and John Cooke’s structural analysis as well as providing a discussion of agreement/disagreement with those studies;
- The analysis of conservation approaches needs to specifically reference heritage conservation best practice, and consider the federal Standards and Guidelines for the Conservation of Historic Places in Canada; the Province of Ontario’s Eight Guiding Principles for the Conservation of Historic Properties, and other sources recommended in the City. If the author feels that these are not applicable, there should be a discussion concerning why they were not considered;
- The HIS needs to provide, in greater detail, the further work that will be required. It should consider the applicability of a documentation and salvage plan, a conservation plan, an interpretation plan, and/or a temporary protection plan. This should include how to interpret the history of the property and Williamsville;
- The report needs to discuss in greater detail how the project will serve to reinforce the fact that this intersection was the core of the village of Williamsville;
- The report needs to discuss alternatives to the current proposal and why the recommended approach is the preferred option based upon the existing heritage planning policy and heritage conservation best practices; and,
- The HIS needs to add in the qualifications of the person completing the assessment and a list of people contacted during the study.

In terms of moving forward, in addition to these recommendations, it is recommended that the HIS consider how to conserve both existing buildings (if possible and if 662-666 Princess Street has cultural heritage value). Based upon
a review of the policy, it is the authors’ professional opinion, that the existing policy both envisions intensification and cultural heritage protection. To this end, there needs to be a discussion concerning how to visually and possibly physically separate the existing buildings that have cultural heritage value or interest from the proposed development. This could be achieved by a physical separation around the existing buildings (at a minimum above ground). The roofs of any conserved buildings need to be solid (rather than glass) so that they read as a complete/whole structure, and there needs to be greater stepbacks around the retained buildings. Ultimately, any conserved buildings must be legible as 3-dimensional forms distinct from the new construction.

Related to this point, there must be a greater discussion of the relationship and engagement of the podium base with the surrounding context, including any cultural heritage resources. This should include considering the materiality and design of the podium base to make it less monolithic and more reflection of the traditional smaller scale of the Williamsville Area. Integrating both structures (if both have cultural heritage value or interest) would help to address this issue of scale. This discussion should refer directly to the Williamsville Main Street Study urban design guidelines. Ultimately, the proponent will need to complete a 9/06 evaluation of all buildings on the site and build in recommendations for existing buildings and proposed works based on the results of those evaluations.

The City should consider requiring a heritage easement or designating the property to conserve the identified structures under Section 29, Part IV of the Ontario Heritage Act. This is recommended to ensure the long-term conservation of the cultural heritage resources on site.

Lastly, it is recommended that the City take steps to ensure the conservation of these cultural heritage resources as part of its planning recommendation via an OHA heritage designation (or adoption of an easement). This would also make funds available such as heritage grants and/or tax relief. In addition, as cultural heritage conservation is a public benefit, the City should explore how it can use Section 37 provisions of the Planning Act. The City should also look at interpretive plaquing as part of the Kingston Remembers Program.

7.0 SIGNATURE

LETOURNEAU HERITAGE CONSULTING INC.

Marcus R Létourneau, PhD, MCIP, RPP, CAHP
Principal | Letourneau Heritage Consulting Inc.

Carl Bray, PhD, OALA, CSLA, MCIP, RPP, CAHP
Senior Associate | Letourneau Heritage Consulting Inc.
8.0 SUMMARY OF RESOURCES/SOURCES CITED.

Legislation/Policy/Planning


City of Kingston. 2016. Heritage Impact Statement Requirements. Provided by Heritage and Urban Design Division with the City of Kingston.

City of Kingston. 2017. City of Kingston Heritage Register. Online: https://www.cityofkingston.ca/documents/10180/39676/Heritage+Properties+Register/5c73e32e-29db-4c8a-a67a-9fa708faf940

Laurie Smith Heritage Consulting. 2013. 668-670 Princess Street, “Carnovsky Bakery”. Provided by Heritage and Urban Design Division with the City of Kingston.

Metropolitan Design Ltd. 2017. 668-670 Princess Street – Carnovsky Bakery CULTURAL HERITAGE IMPACT ASSESSMENT (CHIA).


Metropolitan Design Ltd. 2017. 668-670 Princess Street – Carnovsky Bakery CONDITION ASSESSMENT.


Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest under Ontario Heritage Act, R.S.O. 1990, c. O.18.
Historical Research


Appendix A
Authors’ Biographies
Marcus Létourneau, PhD, MCIP, RPP, CAHP - Principal of LHC

Dr. Létourneau is the Principal of Letourneau Heritage Consulting Inc. He is also a Senior Associate with Bray Heritage and Creative Museum Solutions; an Adjunct Assistant Professor in the Department of Geography and Planning at Queen’s University; and, a Contributing Associate for the Heritage Resources Centre at the University of Waterloo. He teaches heritage planning at the University of Waterloo. Marcus currently serves as President of the Kingston Historical Society, Immediate Past President of Ontario Association of Heritage Professionals, as Board Member for the Friends of the Rideau, and on the Interim Board of Directors for the Heritage Resources Centre at the University of Waterloo. He is a professional member of the Canadian Institute of Planners (MCIP), a Registered Professional Planner (RPP) and a full Canadian Association of Heritage Professionals (CAHP) member.

Marcus was previously the Manager for the Sustainability and Heritage Management Discipline Team (Ottawa/Kingston) and a Senior Cultural Heritage Specialist for Golder Associates Limited (2011-2015). His other positions included: serving as a contract professor at Carleton University in both the Department of Geography and Environmental Studies and School of Canadian Studies (Heritage Conservation); as the senior heritage planner for the City of Kingston (2004-2011) where he worked in both the Planning & Development and Cultural Services Departments; and, in various capacities at Queen’s University at Kingston (2001-2007). He previously served on the Board of Directors for Community Heritage Ontario.

Marcus has a PhD in Cultural/Historical Geography; a MA in Cultural Geopolitics; BA (Hons) in Geography with a History Minor; a Diploma in Peace and Conflict Studies; a Professional Certificate in Heritage Conservation Planning; a Certificate in Museum Studies; and training in Marine/ Foreshore Archaeology. Marcus brings over 20 years of experience to his practice including in academic, the public sector, and the private sector. His practice is particularly focused on heritage legislation, process, and heritage planning. He has been involved in over 175 projects either the project manager and as the senior heritage planner. He has been qualified as an expert heritage witness at the OMB, CRB, and for a judicial inquiry for the Public Lands Act.

Carl Bray, PhD, CSLA, CAHP, MCIP, RPP, Senior Associate LHC

Dr. Bray is a landscape architect and heritage planner with graduate degrees in urban design and cultural geography. He has over 35 years of professional experience in both the public and private sectors and has successfully completed projects across Canada and in the US, the Caribbean and Great Britain. He is an Adjunct Professor at Queen’s University in the Department of Geography and the graduate School of Urban and Regional Planning. He has provided consulting services for federal, provincial and municipal agencies, for private development companies, and for non-profit agencies and First Nations communities. He leads or is part of multi-disciplinary teams that encompass a wide range of specialist skills including architecture, landscape architecture, land use planning, environmental engineering, museum planning, management consulting, and archaeology.

David Nanton, MPl, B.A, Junior Heritage Planner, LHC

Mr. Nanton is an emerging heritage professional and is a recent graduate of the SURP program at Queen's University. He previously worked as a Junior Project Manager with Cewe Infrastructure, as a Project Planner with Seismic 2000 Construction, as a Project Coordinator with Mutual Construction, and as a Planning Analyst with MXD Development Strategists. He joined LHC in 2017, and has worked on projects such as the Ontario Place SCP, the Kingston Edward Hotel OMB hearing, and a peer review of 5, 7, and 9 Dale Avenue (Toronto).
Appendix B
Policy Review
1.0 PROVINCIAL LEGISLATION/POLICY

In Ontario, cultural heritage is considered a matter of provincial interest and cultural heritage resources are managed under Provincial legislation, policy, regulations and guidelines. For example, while the OHA addresses cultural heritage, including the management of provincial properties directly, the Planning Act through the Provincial Policy Statement (PPS) 2014 also addresses cultural heritage as an area of provincial interest. Other provincial legislation deals with cultural heritage indirectly or in specific cases. The Environmental Assessment Act and Environmental Protection Act use a definition of “environment” that includes cultural heritage resources and The Funeral, Burial and Cremation Services Act addresses historic cemeteries and processes for identifying graves that may be prehistoric or historic. These various acts and policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide the framework that must be considered for any recommendations.

1.1.1 Planning Act

The Planning Act is the primary document for municipal and provincial land use planning in Ontario. This Act sets the context for provincial interest in heritage. It states under Part I (2, d):

“The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest”.

Details about provincial interest as it relates to land use planning and development in the province are outlined in the Provincial Policy Statement which is used under the authority of Part 1 (3).

1.1.2 Provincial Policy Statement (2014)

The PPS sets the policy foundation for regulating the development and use of land in Ontario. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the PPS. The document asserts that cultural heritage and archaeological resources provide important environmental, economic and social benefits, and directly addresses cultural heritage in Sections 1.7.1d and 2.6.

Section 1.7 of the PPS on long-term economic prosperity encourages cultural heritage as a tool for economic prosperity by “encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes”.

Section 2.6 of the PPS articulates provincial policy regarding cultural heritage and archaeology.

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

2.6.5 Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.

The PPS makes the consideration of cultural heritage equal to all other considerations in relation to planning and development within the province.

In accordance with Section 3 of the Planning Act, a decision of the Council of a municipality, a local board, a planning board, a Minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” this Provincial Policy Statement.

Section 4.7 of the PPS states that official plans are the most important vehicle for implementation of the Provincial Policy Statement. Comprehensive, and that integrated and long-term planning is best achieved through official plans. Additionally, it states that official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Significant, in regard to cultural heritage and archaeology, means resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Within this PPS it states that criteria for determining significance for cultural heritage resources are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (49).

1.1.3 Ontario Heritage Act

The Ontario Heritage Act is directly concerned with heritage conservation within Ontario and serves to give municipalities and the provincial government powers to conserve Ontario’s heritage. The Act has provisions for conservation of heritage at the individual property level, as a heritage district, and/or through easements. Any properties protected by the Ontario Heritage Act (under Section 27 or 29 Part IV; Part V; Part VI; or easement), when required either by legislation or municipal policy, will need to be evaluated against the Statement of Cultural Heritage Value or Interest for the property, and where required, any interventions on these designated properties will also require municipal approval.

Regulation 9/06 spells out criteria for determining cultural heritage value or interest under Section 29 of the OHA. These criteria are used in determining if an individual property is a cultural heritage resource. The regulation has three criteria, each with three sub-criteria:

1. The property has design value or physical value because it,
   i. is a rare, unique, representative or early example of a style, type, expression, material or construction method;
   ii. displays a high degree of craftsmanship or artistic merit, or
   iii. demonstrates a high degree of technical or scientific achievement.

2. The property has historical value or associative value because it,
   i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
   ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
   iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
   i. is important in defining, maintaining or supporting the character of an area;
   ii. is physically, functionally, visually or historically linked to its surroundings, or
   iii. is a landmark.

1.2 City of Kingston

The City of Kingston has a series of documents that provide policies that pertain to cultural heritage resources, including the City of Kingston Official Plan (2017), Kingston’s Strategic Plan (2015), the Kingston Culture Plan (2010), the City of Kingston Heritage Impact Statement requirements, the City of Kingston’s Heritage Register (March 27th, 2017), as well as the Williamsville Main Street Study prepared for the City of Kingston (2012). Collectively, these documents provide guidance and direction for cultural heritage resources.

1.2.1.1 Kingston’s Strategic Plan (2015)

Kingston’s Strategic Plan (SP) provides direction for Kingston to pursue in order to achieve its goal of becoming one of the most sustainable cities in Canada, and one that offers smart economy-based jobs, and that meets the prioritized needs of the community. Regarding heritage resources and conservation, the SP states that heritage is to be protected, and that efforts should be made to increase awareness and civic pride in the designated properties and cultural resources that are significant to the history of the city. The SP does not explicitly discuss cultural heritage resources or their conservation, guidance for which is provided within the Kingston Culture Plan and the Official Plan.

1.2.1.2 Kingston Culture Plan (2010)

The Culture Plan identifies ways in which the City can invest in its cultural resources to create wealth for the benefit of artists and residents alike, develop strategies to attract and retain students and young professionals and increase the population base, and for ways to manage its heritage resources and build the creative experiences that are the basis of an authentic tourism strategy. The Culture Plan goes on to state that Kingston's most compelling cultural asset is having a historical narrative, which makes the need for identification and retention of cultural heritage resources of utmost importance. The Plan states that Kingston benefits from the existing unique identity, which is in part expressed through the built heritage resources.

1.2.1.3 Kingston Official Plan (2017)

The City of Kingston Official Plan (OP) provides the policy framework to guide future development and growth, and sets out land use planning goals and policies that guide physical development, protection of natural and cultural heritage, resource management, and necessary supporting infrastructure. Additionally, the OP provides a series of policies for the management and conservation of cultural heritage resources, as well as policies for Williamsville.

Section 2.3.4 of the OP, Special Policy Areas, states Specific Policy Areas, identified in Schedule 13 to the Plan, are those areas which are largely developed and are experiencing fundamental change. Planning for such change may occur by way of a special area study (e.g., Williamsville Main Street Study), used to set expectations for guiding development and land use change.
Section 2.7.3 of the OP, Land Use Compatibility Matters, provides a series of policies to be considered in relation with achieving compatible development and land use change. Policies of interest include:

a. shadowing;
b. loss of privacy due to intrusive overlook;
c. 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;
d. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;
e. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;
f. visual intrusion that disrupts the streetscape or buildings;
g. degradation of cultural heritage resources;
h. architectural incompatibility in terms of scale, style, massing and colour; or,
i. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.

A policy presented within Section 2.8.8 states that cultural heritage resources will be conserved, managed and promoted for their contribution to the City’s unique identity, history and sense of place in such a way as to balance heritage concerns with environmental and accessibility issues.

Section 3.4.C.9 states that new development within the Williamsville Main Street shall be consistent with the Williamsville Main Street Study (2012), which provides urban design guidelines for the area and shall conform to the policies for the Princess Street Corridor Specific Policy Area: Williamsville Main Street in Section 10E of this Plan.

As per Section 10E, Princess Street Corridor Specific Policy Area, this area, which includes the site, is to be an area of major development and an increase in net urban residential density directed to the compact, mixed land use development areas along the Princess Street Corridor.

Section 10E.1 states that the Williamsville Main Street, which extends between the westerly limit of the Central Business District at Division Street and the Bath Road/Concession Street intersection, is a major component of the Princess Street Corridor, and it is intended to be a focus of development in a pedestrian-oriented form that will provide support for the Princess Street transit corridor and more sustainable means of growth.

Guiding Principles for the Williamsville main Street are provided in Section 10.E.1.2, which include:

a. Ensure community vitality through a mix of uses that includes retail/commercial at grade.
b. Improve the pedestrian and cyclist experience along Princess Street.
c. Identify opportunities to green the public and private realm.
d. Guide development at an appropriate scale and density that is compatible with the street width and neighbourhood context.
e. Encourage high quality architecture that is representative of the cultural heritage of Williamsville.
f. Protect existing residential areas from adverse effects.
g. Provide a sustainable framework for future development, including phasing-in of development so that it does not compromise the long-term servicing strategy for Williamsville.

In addition to these area-specific policies, there are other policies of the Official Plan that also apply to the Williamsville Main Street. Where there is a conflict between these area-specific policies and other policies of the Official Plan, the area-specific policies will prevail. These include the following:

- Urban Design Guidelines 10E.1.5. New development within the Williamsville Main Street shall be consistent with the urban design guidelines developed through the Williamsville Main Street Study (2012).
- Character Areas 10E.1.6. The Williamsville Main Street is divided into three character areas, which are shown on Schedule PS-1. Each of the three areas is distinct and reflects the cultural heritage, development typology, and predominant land uses of the street and the adjacent residential neighbourhoods. Therefore, each area is intended to fulfill a different role in the City and the community. The three character areas are: Area 1 – City Destination (Bath Road/Concession Street to Macdonnell Street); Area 2 – Community Destination (Macdonnell Street to Alfred Street); and, Area 3 – The Gateway (Alfred Street to Division Street).
- Community Destination 10E.1.8. The following policies apply to Character Area 2 – Community Destination (Macdonnell Street to Alfred Street)
  a. His area is centrally located within the Williamsville Main Street and should serve as a primary destination for local residents. The area should be targeted for community uses, such as open spaces, community centres, and daycares, and commercial uses should focus on community amenities to serve the day to day needs of the local residents.
  b. Some sites in this area may be suitable for buildings over six (6) storeys.
  c. Ground floor commercial uses are required for properties on Princess Street directly abutting the intersections of Nelson Street, Victoria Street, and Alfred Street. Other properties in the area may be developed with a mix of commercial/office and residential at grade. (Added by By-Law Number 2013-147, OPA Number 21)

- Additionally, Section 10E.1.43. of the OP states that the implementation of this Specific Policy Area will be undertaken in accordance with the policies of Section 9 of the Official Plan, and with regard to the recommendations and guidelines of the Williamsville Main Street Study (2012). (Added by By-Law Number 2013-147, OPA Number 21) (Amended by By-Law Number 2017-57, OPA Number 50)

Figure B1.: Princess Street Corridor Special Policy Area Williamsville Main Street Map, Schedule PS-1 (site outlined in red) (City of Kingston Official Plan 2017).
Addition policies relevant to the proposed development and review of the HIS are found within Sections 7.2.5 through 7.2.7 which address the development and site alteration on adjacent lands to protected heritage properties. 7.2.5 states that 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.

While the review of the OP including relevant Archaeological policies, these are not discussed explicitly within this document. A completed Stage 1 Archaeological Assessment was performed for the subject property, which was also reviewed for the purpose of the document with details and key findings provided within Section 4.2.1.5 below. The Stage1 Archaeological Assessment would be subject to review and acceptance by the Ministry of Tourism, Cultural, and Sport.

**Heritage Resource Policies**

Heritage resources have been identified in Section 7, Cultural Heritage and Archaeology, of the City of Kingston Official Plan. The City of Kingston is well known for its cultural heritage resources including buildings, districts, and landscapes which create a unique sense of place and identity and continuity for the community. The following chart outlines and considers all relevant policies within Section 7, as well as those provided in Section 10, Specific Policy Areas and Secondary plans, which are relevant.

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<tr>
<th>Section 7</th>
<th>City of Kingston - Cultural Heritage Policies</th>
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<td>7.1 - Built Heritage Resources</td>
<td>7.1.1. The Evaluation Criteria for assessing the cultural heritage value or interest of built heritage resources has been established by the Province of Ontario under Ontario Regulation 9/06. The identification and evaluation of built heritage resources must be based on the following core values: a. design value or physical value; b. historical value or associative value; or, c. contextual value. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>This should apply as a O.Reg 9/06 assessment was undertaken for the property by Laurie Smith Consulting, and any additions/subtractions from this assessment should also be undertaken using the same methodology. This is also the case for 662-666 Princess Street. As it is included on the property and the listing within the City of Kingston’s Heritage Register is 662-670 Princess Street, its potential cultural heritage value or interest should have been considered and/or discussed.</td>
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<td>7.1.2. The City will recognize and conserve its built heritage resources and will promote the maintenance and development of an appropriate setting within and around all such sites. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>This would apply, as any HIS would need to demonstrate how built heritage resources are being conserved, and how development of an appropriate setting with surrounding sites is achieved.</td>
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<td>7.1.3.</td>
<td>The City will designate all city-owned built heritage resources of merit under the <em>Ontario Heritage Act</em> and prepare strategies for their care, management, and stewardship. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>This does not apply.</td>
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<td>7.1.4.</td>
<td>The City will acquire heritage easements, and enter into development agreements for the conservation of built heritage resources where appropriate. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>This may apply to this project if a Section 37 agreement is proposed.</td>
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<td>7.1.5.</td>
<td>The City will maintain a Register of Built Heritage Resources that are considered significant and have been publicly identified by one or more of the following means: a. designated under the <em>Ontario Heritage Act</em>; b. protected by a heritage conservation easement entered into under the <em>Ontario Heritage Act</em>; c. designated by the National Historic Sites and Monuments Board as a National Historic Site or National Park; d. identified as a UNESCO World Heritage Site; e. identified by the Province of Ontario; f. identified by the Federal Heritage Building Review Office as a Classified or Recognized Federal Heritage Building, or listed under the <em>Historic Railway Station Protection Act</em> or the <em>Historic Lighthouse Protection Act</em>; and/or, g. endorsed by the Council of The Corporation of the City of Kingston as having cultural heritage value or interest. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>This would apply as any completed HIS would review the available register to acknowledge all built heritage resources considered significant which the proposed development or site alteration may impact. The should be a discussion concerning the status of 662-666 Princess Street.</td>
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<td>7.1.6.</td>
<td>The City will protect and conserve built heritage resources in accordance with the best available cultural resource management protocols and Charters including, but not limited to, the following: a. UNESCO and International Council on Monuments and Sites (ICOMOS) Conventions and Charters; b. the Standards and Guidelines for the Conservation of Historic Places in Canada, as</td>
<td>This policy would apply as any completed HIS would need to show that it reviewed best available cultural resource management approaches, and how these were considered for the protection and conservation</td>
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<td>7.1.7.</td>
<td>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 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. (Amended by By-Law Number 2011-89, OPA Number 6) (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>This policy would apply. As stated within this policy, the heritage impact statement must be created to the satisfaction of the City for any development proposal which has the potential to impact a built heritage resource. The prepared statement must include information and assessment including alternative development approaches or mitigation measures to address an impact to the built heritage resources.</td>
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<td>7.1.8.</td>
<td>In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a built heritage resource or a cultural heritage landscape is found to be necessary as determined by Council, thorough archival documentation is required to be undertaken by the proponent and made available to the City for archival purposes.</td>
<td>This would apply. If the HIS states that demolition (whole or partial) is the preferred approach, this should be addressed.</td>
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<td>7.1.9.</td>
<td>The above-noted archival documentation must be prepared by a qualified person and include at least the following as appropriate, or additional</td>
<td>As above</td>
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<th>matters as specified by the City: a. architectural measured drawings; and, b. photographs, maps and other available material about the built heritage resource in its surrounding context. (Amended by By-Law Number 2017-57, OPA Number 50)</th>
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| 7.1.10. 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 policies of this Section. This may include the following: 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; 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; c. using zoning by-law provisions as appropriate, to conserve identified built heritage resources; d. using the provisions of Section 37 of the Planning Act in order to maintain the integrity of identified built heritage resources; 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; 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; 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; h. in partnership with Kingston’s Indigenous Peoples of Canada community, a Protocol outlining the working relationship with them and the City will be designed, approved and implemented; and i. using heritage easements as a |
| This would apply, as a completed HIS would be required to consider the legislation, policies, and programs employed by the City to conserve built heritage resources. This would include any area specific policies. |
7.11. The City will conserve and protect built heritage resources and implement and enforce the policies of this Section by undertaking the following:

a. designing and constructing, in conformity with policies of this Section, any public, capital and maintenance works involving or adjacent to built heritage resources;

b. cooperating with neighbouring municipalities, other levels of government, conservation authorities, local boards, not-for-profit organizations, corporations and individuals in the conservation of built heritage resources within the municipality;

c. developing implementation strategies to participate in cultural heritage initiatives offered by other levels of government;

d. using fiscal tools and incentives to facilitate heritage conservation including but not limited to the Community Improvement Plan, Façade Improvement Program, and Height and Density provisions pursuant to the *Planning Act*, grants and loans pursuant to the *Ontario Heritage Act*, and the heritage property tax reduction/rebate program pursuant to the *Municipal Act*;

e. updating the City’s by-laws, regulations and standards to ensure consistency with the policies of this Section and the requirements of the *Ontario Heritage Act*;

f. identifying, documenting and designating built heritage resources, as appropriate, in secondary plans or other city plans or studies, such as the Master List of Properties of Potential Heritage Value and implementing measures to protect and enhance any identified valued built heritage resources through the conditions of development approval; and,

g. enhancing opportunities for public awareness of built heritage resources by initiating and supporting promotional and educational City programs or by promoting the programs of other agencies, governments or groups. (Amended by By-Law Number 2017-57, OPA Number 50)

This would apply if the City was to provide financial support or incentives.
<p>| 7.1.12. | In the event that human remains or cemeteries are identified or encountered during assessment, site alteration or development, all work must immediately cease and the site must be secured. The appropriate provincial and municipal authorities must be notified. Required provisions under the <em>Funeral, Burial and Cremation Services Act</em>, <em>Ontario Heritage Act</em>, along with other applicable protocol or policy must be followed. Where there are First Nation and Métis burials, they will be addressed in partnership with all appropriate First Nations communities. Licensed archaeologists will assess the property, and may be required to recommend conservation strategies. (Amended by By-Law Number 2017-57, OPA Number 50) | This is a standard clause applied to all development applications. |
| 7.1.13. | The cultural heritage districts, areas and corridors, and the protected views and fortifications, are all shown on Schedule 9 of this Plan. In addition, Schedule DH-4 shows protected views of City Hall. (Amended by By-Law Number 2017-57, OPA Number 50) | Not applicable. |
| 7.2 - Protected Heritage Properties | The City must lead the community in the management of its cultural heritage resources by providing good examples of proper heritage stewardship in the care and management of the municipally owned heritage properties. It is the intent of this Plan to require that: a. the City protect and maintain all City-owned cultural heritage resources in accordance with a high standard of heritage conservation; b. City-owned built heritage resources be integrated into the community and put to adaptive re-use, where feasible and practical; c. in the event that the ownership status of a City-owned built heritage resource changes, the City must register a heritage easement on title to ensure that the continuous care of, and public access to, these resources are maintained; and, d. when the potential change in use or function of a City-owned built heritage resource is being contemplated, the potential adverse impacts must be carefully considered and mitigated, and preparation of a | Not applicable. |</p>
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<td>7.2.1. heritage impact statement by a qualified person may be required. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
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<td>7.2.2. The City will prepare a Commemorative Integrity Statement and Management Plan for the National Historic Sites located on City-owned properties. (Amended by By-Law Number 2011-89, OPA Number 6)</td>
<td>Not applicable.</td>
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<td>7.2.3. All options for on-site retention of protected heritage properties must be exhausted before resorting to relocation. The following alternatives must be given due consideration in order of priority: a. on-site retention in the original use and integration with the surrounding or new development; b. on-site retention in an adaptive re-use; c. relocation to another site within the same development; and, d. relocation to another sympathetic site within the City. A heritage impact statement will be required as part of a proposal to relocate a protected heritage property. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>Not applicable.</td>
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<td>7.2.4. The City may establish minimum standards for the maintenance of the heritage attributes of protected heritage properties in accordance with the Ontario Heritage Act and the Ontario Building Code. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>Not applicable.</td>
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<td>7.2.5. 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.</td>
<td>This policy would apply, as a completed HIS would need to demonstrate within the prepared heritage impact statement that the heritage attributes of adjacent protected heritage properties will be conserved.</td>
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<td>7.2.6. The City must administer the <em>Accessibility for Ontarians with Disabilities Act</em>, the Ontario Building Code and related codes and regulations to permit maximum conservation and re-use of built heritage resources while still ensuring the health and safety of the public. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>This policy could potentially be applied.</td>
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<td>7.2.7. The City may permit accessibility and energy efficiency retro-fits on heritage properties. These retro-fits must be completed in accordance with Policy 7.2.6. (Added by By-Law Number 2017-57, OPA Number 50)</td>
<td>This policy could potentially be applied.</td>
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<td><strong>7.3 - Cultural Heritage Landscapes</strong></td>
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<tr>
<td>7.3.1. The City intends to undertake a cultural heritage landscape study, which may result in an amendment to this Plan.</td>
<td>Not applicable.</td>
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<td>7.3.2. It is the City's intent to conserve its cultural heritage landscapes.</td>
<td>Not applicable.</td>
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<td>7.3.3. The City may use parkland dedication provisions to secure a cultural heritage landscape.</td>
<td>Not applicable.</td>
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<td>7.3.4. Significant cultural heritage landscapes will be designated pursuant to the <em>Ontario Heritage Act</em> or as areas with cultural heritage character as set out in this Plan. They may also be concurrently designated by the Federal Government through the National Historic Sites and Monuments Board. (Amended by By-Law Number 2017-57, OPA Number 50)</td>
<td>Not applicable.</td>
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<td>7.3.5. The City will investigate areas and landscapes of specific heritage character that are described as cultural heritage character areas in this Plan. After detailed study, these areas may not</td>
<td>This policy would not apply.</td>
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| **Exhibit L**
| **Appendix B**
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| 7.3.6. Where an area or landscape of specific heritage character is not designated, but is recognized for a specific heritage character, the following may be required: a. a heritage impact statement where construction, alteration, demolition, or addition to a property located within a cultural heritage character area is proposed; b. the protection of viewplanes, such as those related to City Hall, Kingston fortifications, and the harbor; and, c. notification to relevant public agencies and appropriate First Nations groups of the existing and potential cultural heritage resources at an early planning stage to ensure that the objectives of heritage conservation are given due consideration in any public work project or assessment that may be undertaken. (Amended by By-Law Number 2011-89, OPA Number 6) (Amended by By-Law Number 2017-57, OPA Number 50) |

| 7.3.7. Areas other than those recognized for a specific heritage character may have a distinctive character and may at a future time be considered as having cultural heritage value or interest. To ensure that potential future cultural heritage value or interest is not eroded, the City will encourage all development to be sympathetic to the neighbourhood as per the policies of Section 8. (Added by By-Law Number 2017-57, OPA Number 50) |

| **10.E - Princess Street Corridor Specific Policy Area (10.E.1 - Williamsville Main Street)** |

| 10E.1.3. The uses permitted in the Williamsville Main Street shall be those uses that are in accordance with the land use designations shown on Schedule 3-A of this Plan. (Added by By-Law Number 2013-147, OPA Number 21). |

This policy would apply.
10E.1.4. In addition to these area-specific policies, there are other policies of the Official Plan that also apply to the Williamsville Main Street. Where there is a conflict between these area-specific policies and other policies of the Official Plan, the area-specific policies will prevail. (Added by By-Law Number 2013-147, OPA Number 21)  
This policy would apply.

10E.1.5. New development within the Williamsville Main Street shall be consistent with the urban design guidelines developed through the Williamsville Main Street Study (2012). (Added by By-Law Number 2013-147, OPA Number 21) (Amended by By-Law Number 2017-57, OPA Number 50)  
This would apply, as all new development within the Williamsville Main Street shall be consistent with the urban design guidelines contained within the Study of 2012.

10E.1.6. The Williamsville Main Street is divided into three character areas, which are shown on Schedule PS-1. Each of the three areas is distinct and reflects the cultural heritage, development typology, and predominant land uses of the street and the adjacent residential neighbourhoods. Therefore, each area is intended to fulfill a different role in the City and the community. The three character areas are: Area 1 – City Destination (Bath Road/Concession Street to Macdonnell Street); Area 2 – Community Destination (Macdonnell Street to Alfred Street); and, Area 3 – The Gateway (Alfred Street to Division Street). (Added by By-Law Number 2013-147, OPA Number 21)  
This would apply, as the site is located within Area 2, and thus the intended roles for these areas, as defined by the City, are to be respected.

10E.1.8. The following policies apply to Character Area 2 – Community Destination (Macdonnell Street to Alfred Street) a. This area is centrally located within the Williamsville Main Street and should serve as a primary destination for local residents. The area should be targeted for community uses, such as open spaces, community centres, and daycares, and commercial uses should focus on community amenities to serve the day to day needs of the local residents. b. Some sites in this area may be suitable for buildings over

This policy would apply.
<table>
<thead>
<tr>
<th>10E.1.10. As the Williamsville Main Street portion of the Princess Street Corridor develops, the road allowance should be redesigned in order to balance demand for vehicular and pedestrian traffic, as well as to enhance the aesthetic quality of the street, transforming it into an attractive and vibrant destination. (Added by By-Law Number 2013-147, OPA Number 21) (Amended by By-Law Number 2017-57, OPA Number 50).</th>
</tr>
</thead>
<tbody>
<tr>
<td>This policy would apply.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10E.1.20. Cultural heritage resources are a valued legacy of the City and constitute character-defining elements of the Williamsville Main Street that are intended to be conserved. New development must protect, enhance, support or adaptively re-use these resources. Development that may impact a cultural heritage resource shall be required to comply with Section 7 of the Official Plan. (Added by By-Law Number 2013-147, OPA Number 21) (Amended by By-Law Number 2017-57, OPA Number 50).</th>
</tr>
</thead>
<tbody>
<tr>
<td>This policy would apply. Cultural Heritage resources has a broader definition than protected heritage resources.</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>10E.1.29. The following policies apply to the height of buildings in the Williamsville Main Street: a. All new buildings on Princess Street should achieve a minimum building height of 3 storeys (10.5 metres). b. The continuous streetwall will range between 3 to 4 storeys, depending on the adjacent properties, generally with buildings up to 6 storeys (20 metres). c. Average lot depths equal to or greater than 36 metres are recommended to accommodate buildings of six (6) storeys in height. d. Buildings shall be no taller than 6 storeys unless the design of the building(s) can demonstrate a positive contribution to the community as a whole (i.e. gateway sites, landmark sites). In instances where minimal impacts occur on adjacent uses, additional height may be considered up to a maximum of 10 storeys.</th>
</tr>
</thead>
<tbody>
<tr>
<td>This policy would apply. The urban design guidelines identify this site as suitable for 8-10 storeys.</td>
</tr>
</tbody>
</table>
storeys (31.5 metres). Compatibility must be demonstrated through an Urban Design Study, and buildings taller than 6 storeys will be subject to a Zoning By-Law Amendment, and may also be subject to Height and Density Bonusing. e. Taller buildings can be considered at key nodes and intersections to reinforce the prominence of these locations through appropriate massing, building projections, recesses at ground level, lower storey design and open space treatments which make these buildings visually distinct. Sites will need to be deeper than 36 metres and demonstrate compatibility and functionality through an Urban Design Study. Only properties with a minimal shadow impact, either on Princess Street or adjacent to existing residential areas, should be considered as suitable for buildings over six (6) storeys. f. The upper storeys above the streetwall/building base will be set back from the streetwall as described by the urban design guidelines of the Williamsville Main Street Study (2012) and in accordance with the zoning by-law to fit with the recommended angular plane identified below. g. Mechanical penthouses should be allowed to exceed the maximum allowable building height by up to 5 metres, provided they do not penetrate front or rear property angular planes. (Added by By-Law Number 2013-147, OPA Number 21) (Amended by By-Law Number 2017-57, OPA Number 50).

| 10E.1.31. New development should be set back a minimum of 1.0 metre from the front property line. The sidewalk and front façade of developments fronting onto Princess Street should generally be continuous, except where building forecourts, gardens, or other public access is required. New development should be built to the setback line as described by the urban design guidelines of the Williamsville Main Street Study (2012) and in accordance with the zoning by-law. (Added by By-Law Number 2013-147, OPA Number 21) (Amended by By-Law Number 2017-57, OPA Number 50). | This policy would not apply. |
10E.1.45. Any application for new development will be reviewed during the site plan control review process in terms of its compatibility with the architectural character of the area in which it is located, having regard to the Williamsville Main Street Study (2012). (Added by By-Law Number 2013-147, OPA Number 21).

This policy would apply.

Implementation Policies

As identified within the definition of Conserved found in Section 1 of the Kingston Official Plan, the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact statement, and that mitigative measures and/or alternative development approaches can be included in these plans and assessments. This is consistent with Section 10E.1.43. of the OP, provided above, which again states that the implementation of this Specific Policy Area will be undertaken in accordance with the policies of Section 9 of the Official Plan, and with regard to the recommendations and guidelines of the Williamsville Main Street Study (2012). (Added by By-Law Number 2013-147, OPA Number 21) (Amended by By-Law Number 2017-57, OPA Number 50).

1.2.1.4 Williamsville Main Street Study

The Williamsville Main Street Study, prepared by Brook McIlroy Inc. in association with Bray Heritage, MMM and MRC for the City of Kingston in 2012, provides a vision for the area for ways to improve the streetscape to accommodate the desired transition of the area into a vibrant mixed-use corridor for the City along Princess Street. This document also provides a series of guiding principles for development along and within the Williamsville neighbourhood. The Williamsville Main Street Study, as per Section 3.4.C.9, is intended to provide urban design guidelines for the area, and developments shall conform to the policies for the Princess Street Corridor Specific Policy Area. As such, there is significance in the policies established by the City of Kingston, as well as those provided within the Williamsville Main Street Study, that are intended to guide new development within the Williamsville community.

Section 8 of the Study, Implementation Strategy, states that the vision for Williamsville will need to be implemented in three ways. First, through policy and process amendments, including the application of provincial policy tools, second through integrated and collaborative design review processes, and third through City and local leadership commitment to the vision and its phasing plan which is intended to guide redevelopment.

The Study provides a description of available planning tools to the City for implementation of the plan including height and density bonusing. The study states that adding additional height and density needs to be considered on a site-by-site basis as it would have to exceed the existing prescribed zoning. If a development proposal requests additional density, then the application will require a planning rationale and an urban design study to rationalize the additional height.

Building heights are described within Section 5.3 of the study, which states that the maximum allowable height of buildings on Princess Street will be no taller than the width of the right-of-way, which equates to 6 storeys (20 metres). Additionally, the study states that Average lot depths equal to or greater than 36 metres should be required to accommodate 6 storey buildings, allowing for appropriate stepbacks and massing. The study also states that in instances where minimal impacts occur on adjacent uses, additional height may be considered up to a maximum of 10 storeys (31.5 metres). This will be demonstrated through an urban design study as described in Section 8.2.1. Height and Density Bonusing of this Implementation Plan.
Section 8.3.10 of the study, Criteria to Accommodate Taller Buildings, states that the design, massing and location of taller buildings within the study area needs to be carefully considered. The concept plan identifies sites that can potentially accommodate taller buildings but this height is not necessarily guaranteed as a part of this planning process. City staff will need to take the appropriate design review steps to consider the massing, choice of materials, proportion and site design of each proposed taller building. Further, this section states that only in instances where there is a minimal impact on the adjacent uses, additional height may be considered up to a maximum of 10 storeys (31.5 metres). This will be demonstrated to the City by the designers and developers through shadow studies, context mapping and three-dimensional context and building modelling as a component of an urban design study. Buildings with heights greater than 6 storeys (or exceeding a density of 123 / net hectare) will be subject to Section 37 of the Planning Act and will require an urban design study.

An Urban Design Guidelines Checklist is provided in Appendix C, section 4.3 of the 2012 Study. It requires all future development to support the vision of Character Area 2 as well as both the public and private realm character of the Area, as identified in the Study. This character is described in the early sections of the study and in the supporting heritage study (cited below). Mapping on pages 10 and 27 shows the subject site as having “height potential” of 8-10 storeys, but the existing buildings on the property are also shown as “heritage properties.” As such, they would be excluded from the building footprint shown for new development.

In a supporting study prepared by Bray Heritage for the Williamsville Main Street Study, the cultural heritage resources of the study area were inventoried and recommendations made for their conservation. These recommendations informed the policies and guidelines of the Study. In addition, an historical analysis of the evolution of the study area revealed that vacant portion of the subject property had a storied history.  

1.2.1.5 Stage 1 Archaeological Assessment - 652 and 662-670 Princess Street

The Stage 1 Archaeological Assessment performed for the site of the proposed development was completed by ABACUS Archaeological Services in January of 2017, and provided the following key findings:

- The subject property area is within a 1 km radius of 9 registered archaeological sites
- The subject property is 1.5 km away from the Lake Ontario Shoreline
- The subject property is identified within the City of Kingston Archaeological Master Plan as having potential for Euro-Canadian archaeological resources based upon its presence within the late 19th century greater historic municipality of Kingston; and finally
- The subject property has been assessed and determined to contain a low potential for significant archaeological resources. No further work is required within the study area. The property should be considered clear of archaeological concern.

3 To quote from that supporting study (Bray Heritage, 2012):

One property in the study area gives an idea of the changes in local economic and cultural character that occurred from the period of early growth through to the present. The property at #650 Princess, at the southwest corner of Princess and Nelson Streets, went through many changes before ending up as a vacant lot today. Its development began in 1874, with the construction of Williamsville Public School, a substantial stone structure that was the only public school in the area until it was replaced by Rideau Public School in 1926. The former school building was then converted to a factory, the Crescent Wire & Iron Works Ltd., recently relocated from downtown Kingston. In 1931, the building was destroyed by fire after which the plant manager died when parts of the building collapsed while he was examining the ruins. In 1946, Edwards Ford car dealership and a gas station were constructed on the site, only to suffer a disastrous fire in 1963. Although the dealership was rebuilt, it closed in 1970, part of the exodus of dealerships to the suburbs. The building then appears to have been converted to a restaurant which went through several owners until it closed in 1999, only to burn in 2003. The building was then demolished.
1.2.1.6 Standards and Guidelines for the Conservation of Historic Places in Canada

The City of Kingston, as per Section 7.1.6 of the Official Plan, has adopted Parks Canada’s Standards and Guidelines for the Conservation of Historic Places in Canada as a tool to help guide change to cultural heritage resources. It provides an overview to the conservation decision-making process; conservation treatments; standards for appropriate conservation, and guidelines for conservation. In the context of the Standards and Guidelines, conservation is understood to embrace several key concepts including preservation, rehabilitation, and restoration. These terms are defined as follows:

- **Conservation**: all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life. This may involve Preservation, Rehabilitation, Restoration, or a combination of these actions or processes;
- **Preservation**: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an historic place, or of an individual component, while protecting its heritage value;
- **Rehabilitation**: the action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component, while protecting its heritage value; and,
- **Restoration**: the action or process of accurately revealing, recovering or representing the state of an historic place, or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value (Parks Canada, 2011).

1.2.1.7 Eight Guiding Principles in the Conservation of Built Heritage Properties

The City of Kingston references the Eight Guiding Principles in the Conservation of Built Heritage Properties (1997), compiled by the Ministry of Tourism, Culture and Sport, as a tool to help guide change to cultural heritage resources. These principles are intended to provide a basis for decisions concerning “good practice” in heritage conservation:

1. **Respect for documentary evidence**: do not restore based on conjecture. Conservation work should be based on historic documentation such as historic photographs, drawings, or physical evidence.
2. **Respect for the original location**: do not move buildings unless there is no other means to save them. Site is an integral component of a building or structure. Change in site diminishes the cultural heritage value considerably.
3. **Respect for historic materials**: repair/conserve—rather than replace building materials and finishes, except where absolutely necessary. Minimal intervention maintains the heritage content of the built resource.
4. **Respect for original fabric**: repair with like materials. Repair to return the resource to its prior condition, without altering its integrity.
5. **Respect for the building’s history**: do not restore to one period at the expense of another period. Do not destroy later additions to a building or structure solely to restore to a single time period.
6. **Reversibility**: alteration should be able to be returned to original conditions. This conserves earlier building design and technique, e.g. When a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.
7. **Legibility**: new work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new.
8) **Maintenance**: with continuous care, future restoration work will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided.
Appendix C

HIS Review: Completeness
Review of Completeness: City of Kingston HIS Terms of Reference

The following section evaluates the completeness of the HIS, and how it conforms to the City requirements, as outlined in the City's HIS Terms of Reference. An analysis of the overall rationale and argument will follow in a subsequent section. Inserted lower case letters refer to the applicable sections in the TOR: the other categories refer to standard components found in other municipal HIS requirements.

<table>
<thead>
<tr>
<th>Section: Required Contents / Format</th>
<th>(a) The HIS is missing the following basic information that would be expected in a property description:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Introduction to Development Site</td>
<td>• Plan of survey</td>
</tr>
<tr>
<td></td>
<td>• Lot size and dimensions</td>
</tr>
<tr>
<td></td>
<td>• Name of contact person and email address (not just the organization name and address)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section: Required Contents / Format</th>
<th>(b) The HIS is missing the following information on the cultural heritage resources on site and adjacent/nearby:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) Background Research and Analysis</td>
<td>• Copy of the Part IV designation by-law for 647 Princess (the HIS describes it as &quot;Listed&quot;)</td>
</tr>
<tr>
<td></td>
<td>• Appendix containing full report by Laurie Smith (9/06 evaluation)</td>
</tr>
<tr>
<td></td>
<td>• A discussion concerning the potential cultural heritage value of 662-666 Princess Street (which is part of the property.)</td>
</tr>
<tr>
<td></td>
<td>• Information regarding nearby properties on Heritage Register (635/637 and 647 Princess: reference to the Listed property at 620 Princess is missing also)</td>
</tr>
<tr>
<td></td>
<td>• There is no policy analysis. The HIS fails to note that the property is within Area 2 of the Princess Street Corridor Specific Policy Area Williamsville Main Street (as in Schedule PS-1 and Section 3.4 C9 in the 2017 City OP). Other relevant policies in OP are also not addressed and there is not sufficient discussion on these policies and how they would apply to this project. In particular, the HIS should have specifically addressed the following policies and more clearly demonstrate how the propose project ensures that the cultural heritage resources (on-site and adjacent) will be conserved:</td>
</tr>
<tr>
<td></td>
<td>o  2.7.3 (a), (b), (h), (i), (j), and (k)</td>
</tr>
<tr>
<td></td>
<td>o  7.1.6-7.1.10</td>
</tr>
<tr>
<td></td>
<td>o  7.2.5</td>
</tr>
<tr>
<td>Section: Required Contents / Format</td>
<td>(c) Statement of Significance</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>(c) Statement of Significance</td>
<td>The HIS provides a version of a SCHVI but not in the standard format, and does not refer to the 9/06 evaluation prepared by Laurie Smith, except to quote selected sections (attributes mostly) and add a new category of “intangible” attributes (some of which would actually fall under the category of historical/associative values) The HIS thus does not provide a SOS that would meet the City’s HIS requirements. As noted above, there was no discussion concerning the potential cultural heritage value of 662-666 Princess Street.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section: Required Contents / Format</th>
<th>(d) Assessment of Existing Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>(d) Assessment of Existing Condition</td>
<td>The assessment of existing conditions relies solely on a structural condition assessment prepared by John Cooke engineer, yet the HIS does not credit the assessment to Cooke (Metropolitan is the only name on the HIS and on the submitted condition assessment, although Cooke’s report is appended to the assessment). The HIS thus meets only some of the City’s requirements for a “heritage assessment” of the property. As per above, there is no discussion of 662-666 Princess Street.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section: Required Contents / Format</th>
<th>(e) Description of the Proposed Development or Site Alteration</th>
</tr>
</thead>
<tbody>
<tr>
<td>(e) Description of the Proposed Development or Site Alteration</td>
<td>The HIS provides a summary of the proposed development but in terms that appear to advocate for its construction rather than describe its components objectively. There is little discussion of setbacks, massing, relationship to built heritage features, and recommended building materials, as required in the City’s HIS template. It also does not place it within the appropriate policy and legislative framework, such as</td>
</tr>
</tbody>
</table>
not mentioning the Williamsville Special Character policies or the guidelines of the Williamsville Main Street Study. There is no assessment of the influence of the development on the character and functioning of the area beyond a description of the supposed benefits of the development. The HIS omits a discussion of 662-666 Princess Street.

**Section: Required Contents / Format**

(f) **Impact of Development or Site Alteration**

There is no reference to the conservation principles proposed to be employed, nor to the federal *Standards and Guidelines for the Conservation of Historic Places in Canada* or to the Province of Ontario’s *Eight Guiding Principles for the Conservation of Historic Properties*, or to the other sources recommended in the City HIS template. Although there is some discussion of the ability of the proposed development to reinstate or enhance the cultural heritage value of the site, there is little discussion of the effect of partial demolition on the loss of cultural heritage significance and its impact on the streetscape and sense of place, as in the City’s HIS template. There is no discussion of the approach to be used for façade retention during construction. It is insufficient to state that “The detailed cleaning and stone rehabilitation, the structural stabilization and the method of integration into the new construction will be the subject of further work as approvals proceed and the design and construction documents are prepared.” Methodological approaches should be outlined in the HIS, as well as the recommended approach.

**Section: Required Contents / Format**

(g) **Considered Alternatives and Mitigation Strategies**

No alternatives were considered and the proposed integration of the façade into the new podium base is presented as the mitigation strategy. The proposed approach would significantly change the appearance of the built heritage resource, and have a significant impact on its heritage attributes. It also does not consider the recommended actions as outlined in the Cooke Structural Condition assessment. Further, it does not contemplate the retention of, or assess the value of, the other building on site, 662 Princess Street. This is critical as the formal listing on the City of Kingston’s Register for the property is 662-670, implying that both buildings on the property may be significant.

**Section: Required Contents / Format**

(h) **Conservation Strategy**

The strategy is summarized but little detail is provided in response to the repairs and conservation actions recommended in the structural condition.
assessment. There is mention of “further work” to be done to provide details, but there is no mention of a Conservation Plan to follow, or details of the additional studies required or how their recommendations would be incorporated into a schedule of work. It does not address how the building will be conserved during construction. It also does not directly address conservation best practices. Again, there is no discussion of 662-666 Princess Street.

<table>
<thead>
<tr>
<th>Section: Required Contents / Format</th>
<th>(i) There is no description of the qualifications of the person completing the assessment, nor a list of people contacted during the study (Smith is referenced in the report, but not City staff or Cooke the engineer).</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Appendices</td>
<td></td>
</tr>
</tbody>
</table>
September 14, 2017

Lindsay Lambert, MCIP, RPP
Senior Planner
Planning, Building, and Licensing Services
City of Kingston
1211 John Counter Boulevard
Kingston, ON K7K 6C7

Lindsay Lambert, MCIP, RPP, Senior Planner
Dear Ms. Lambert:

Subject: 652 Princess Street Traffic and Parking Study Peer Review

WSP was retained to prepare this Peer Review of the Traffic Impact and Parking Study for 652 Princess Street in the City of Kingston prepared by IBI Group and submitted to the City of Kingston on March 28, 2017.

Sage Prestige Condos seeks approval of a development that consists of a 10-storey condominium and/or rental residence with 327 units and 6,620 ft² of ground floor retail space. A Traffic Impact and Parking Study was required by the City in the development application approval process.

The purpose of this peer review is to identify any inconsistencies in the Study, and to provide an opinion if the current Study can be deemed a satisfactory analysis of the traffic and parking conditions within the study area road network during the five-year horizon period.

WSP proposed eight main components of the peer-review:

1. A review of the methodology used for the study;
2. A review of the study assumptions used and whether they are consistent with available information;
3. A review of the analysis parameters used and whether they are in accordance with generally accepted industry practice;
4. Suitability of recommended mitigation measures;
5. Whether the analyses support the documented findings and conclusions;
6. The conformance to the City’s minimum vehicular on street and off street parking requirements, shared parking formula, and bicycle parking standards; and
7. Adequacy of parking supply.
The following documents were considered as part of this review:

- Traffic Impact and Parking Study for 652 Princess Street, prepared by IBI Group and dated March 28, 2017;
- Williamsville Parking Strategy Future Development Considerations, prepared by BA Group and dated November 6, 2015;
- City of Kingston Public Parking Policy Study and Cash-In-Lieu of Parking By-Law Update, prepared by MMM Group and dated May 2014; and
- City of Kingston Official Plan (March 2017).

**TRAFFIC IMPACT AND PARKING STUDY REVIEW**

**Existing Traffic Volumes**

The volume counts recorded in Section 2.2 of the Study were collected during separate years (2012 and 2013) and a 1.3% growth rate was applied to forecast the 2017 traffic volumes. The volumes obtained were collected from the City of Kingston and the forecast methodology was based on the standards provided by the City. Traffic counts typically are considered “current” for two or three years. The consultant should provide justification that the applied growth rate to the older volume data would accurately represent current conditions or should collect new traffic volume data for use in the analyses.

There are discrepancies in the volumes noted at the studied intersections. In Exhibit 2-2, on Princess Street between Nelson Street and Victoria Street, there is an imbalance upwards of 176 vehicles during the A.M. peak hour and 133 vehicles during the P.M. peak hour. This issue is further noted on Princess Street between Albert Street and Nelson Street where the imbalances range from 186 to 411 additional vehicles in the A.M. and 96 to 119 additional vehicles in the P.M. The discrepancies are shown in Figure 1 for vehicle volumes on Princess Street between Nelson Street and Albert Street and Figure 2 for vehicle volumes on Princess Street between Victoria Street and Nelson Street. Given the proximity of intersections on Princess Street, these imbalances are cause for concern as it is very unlikely that these trips could be absorbed by land uses between the intersections. The unbalanced traffic volumes lead us to question the accuracy of the subsequent analyses in the TIS. It is recommended that these volumes are either balanced or checked for error in data depending on the extent of inconsistency.
Figure 1: Vehicle Volume Discrepancies between Nelson Street and Albert Street

Figure 2: Vehicle Volume Discrepancies between Victoria Street and Nelson Street
Background Traffic Volumes

In the background traffic analysis (Section 3.2), the vehicle traffic volumes were calculated using solely a growth rate of 1.3%, and did not consider trips generated by background developments surrounding the site. WSP conducted an inventory of current development applications on Princess Street between Concession Street and Division Street and found five relevant proposed developments totaling 1,283 units and 42,683ft² of commercial space. WSP performed a high level trip generation and distribution exercise and found approximately 350 trips in the A.M. peak hours and 450 trips in the P.M. peak hours which were unaccounted for and would direct affect the proposed site location and surrounding road network. These additional trips should be accounted for within the analysis. A list of the background developments WSP considered is included below in Table 1.

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>STATUS OF PLANNING ACT APPLICATION(S)</th>
<th>RESIDENTIAL UNITS</th>
<th>COMMERCIAL GFA</th>
<th>BUILDING HEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>493-497 Princess Street, 19-23 Chatham Street &amp; 2, 10 Creighton Street</td>
<td>Awaiting Decision From OMB (OPA/ZBA)</td>
<td>195</td>
<td>462 sq. m</td>
<td>11 storeys</td>
</tr>
<tr>
<td>460-468 &amp; 480 Princess Street &amp; 327 University Avenue</td>
<td>Awaiting Decision From OMB (OPA/ZBA)</td>
<td>204</td>
<td>1,035 sq. m</td>
<td>11 storeys</td>
</tr>
<tr>
<td>575 Princess Street</td>
<td>OPA/ZBA In Process</td>
<td>371</td>
<td>939 sq. m</td>
<td>10 storeys</td>
</tr>
<tr>
<td>630 Princess Street</td>
<td>Site Plan Approval is Pending</td>
<td>31</td>
<td>353.6 sq. m</td>
<td>5 storeys</td>
</tr>
<tr>
<td>652 Princess Street</td>
<td>OPA/ZBA In Process</td>
<td>327</td>
<td>615 sq. m</td>
<td>10 storeys</td>
</tr>
<tr>
<td>720 Princess Street</td>
<td>Site Plan Approved</td>
<td>70</td>
<td>n/a</td>
<td>2-6 storeys</td>
</tr>
</tbody>
</table>
Site Traffic Volumes

In Section 3.2 of the report, it was noted that since the exact use of the proposed commercial component of the development has not been identified, the Study used ITE land use code 710 (General Office) to perform the trip generation calculation. The use of General Office needs to be justified as the ITE land use code of Speciality Retail (826) is considered to be more suitable for the proposed development. Speciality Retail is also the more conservative land use code for preparing trip generation in this situation. A cross-comparison of these land use codes was completed as a component of this review. To appropriately conduct this comparison, Speciality Retail was calculated per ITE standards, with a 30% pass-by trip reduction applied. Even with the reduction, Speciality Retail resulted in more trips than the General Office land use code. In the A.M. period, Speciality Retail resulted in an increase of 7-14 inbound trips and 15-22 outbound trips, depending on the applied pass-by percentage. In the P.M. period, Speciality Retail added an additional 4-6 inbound trips and 0-2 outbound trips, depending on applied pass-by percentage. The comparison is shown in Table 2. Although this discrepancy does not significantly impact the analysis, it does provide a conservative alternative to the proposed General Office code, and the impact of the potential additional trips should be considered within the study.

Table 2 Comparison of Trip Generation Based on Land Use Code

<table>
<thead>
<tr>
<th></th>
<th>General Office Land Use Code (0% Pass-by)</th>
<th>Speciality Retail Land Use Code (30% Pass-by)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SITE TRIPS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AM IN</td>
<td>9</td>
<td>23</td>
</tr>
<tr>
<td>AM OUT</td>
<td>1</td>
<td>23</td>
</tr>
<tr>
<td>PM IN</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>PM OUT</td>
<td>8</td>
<td>10</td>
</tr>
</tbody>
</table>

Within Exhibit 3-6, not all potential movements in and out of the site are considered. For the analysis to be comprehensive and complete with consideration to all factors impacting trip assignment, volumes should be assigned to all logical ingress and egress points from the site. Particularly noted in this Exhibit, no volumes were assigned to the Victoria Street and Princess Street intersection westbound left movement entering the site or northbound right movement exiting the site. At the intersection of Nelson Street and Princess Street, no volumes were assigned to the northbound left movement exiting the site or the eastbound right movement entering the site. The noted movements are highlighted in yellow in Figure 3. The changes resulting from this shift in trip distribution should be noted in the analysis.
Parking Study

Commercial Parking Reduction Rate Justification

The applied parking rate reduction in the Study noted in Section 4 is considered acceptable in this review as it is consistent with comparable area development rate reductions and is generally appropriately justified within the report (Section 4.4). The report currently proposes a parking standard which accounts for 47% of the by-law minimum requirement for residential and 18% of the by-law minimum requirement for commercial.

Commercial Reduction Rate

Given the expected commercial tenancy of the development and comparable recently approved developments which support a reduction of this extent, WSP concurs that the commercial reduction rate is acceptable. Further, the Williamsville Parking Study expected a commercial parking deficiency in the longer term of approximately 85 spaces, and the proposed parking space provision is generally in keeping with the expected rate (Table 3), given the actual size of the commercial provided was approximately 615 m². Further, the recommendation of the Williamsville study was to address the deficiencies in residential parking for the corridor, as opposed to commercial.

Table 3: Williamsville Parking Study estimated parking rates for development site

<table>
<thead>
<tr>
<th>MAP #</th>
<th>USE</th>
<th>GFA/# UNITS</th>
<th>ZBL REQUIREMENT</th>
<th>EST. PARKING SUPPLY</th>
<th>EST. PARKING DEFICIENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>L-16</td>
<td>Residential</td>
<td>186</td>
<td>140</td>
<td>121</td>
<td>-19</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td>1,849 m²</td>
<td>46</td>
<td>9</td>
<td>-37</td>
</tr>
</tbody>
</table>
Residential Reduction Rate

Through an analysis of similar development parking demands (Exhibit 4-3) WSP agrees that it can be reasonably assumed a reduction of approximately 0.50 spaces per unit is acceptable for this area. Further, the Williamsville Parking Study notes this corridor as a parking deficient area and most developments are expected to underachieve the required parking minimum. However, the proposed parking rate (0.46 spaces per unit) is still an under-provision of the lowest acceptable rate of 0.50 spaces per unit.

To account for the under-provision, in Section 4.5 of the study, a total of 12 additional off-site parking spaces are allocated at an undefined off site location, which is recommended to be within a 400 metre distance from the site. This is considered an unacceptable provision for off-site parking as no location is provided and there is no justification or validation that the parking requirements will be properly supplemented. This concern is confirmed through the Williamsville Parking Review where the subject development is listed as a long term development within Zone 2 of the study area (See Figure 4 below). The Williamsville Study notes that within the short term for Zone 2, the available on-street parking is expected to surpass capacity due to the parking shortages from proposed short-term developments. It is not reasonable to expect these additional 12 spaces could be accounted for with the existing on-street parking. An additional site should be identified within the report to account for the 12 overflow spaces, per the recommendation of the Williamsville study for residential parking shortages in Zone 2.
In addition, the Williamsville Parking Study also recommends implementing a cash-in-lieu policy for this area based on MMM Group’s City of Kingston Public Parking Policy Study and Cash-In-Lieu of Parking By-Law Update (2014). The proponent should discuss with the City alternative solutions for off-site parking if implementing an off-site lot is not feasible.

**Student Occupancy as a Justification for Residential Parking Reduction Rate**

The parking rate reduction proposed is considered acceptable in this review as it is consistent with comparable area development rate reductions. However, Section 4.4.2 of the review accounts for the presumed student occupancy as a justification for the reduced parking. Although surrounding area developments and the general location do seem to favour student populations, it is not reasonable to justify a parking reduction on this observation due to policy 3.3.D.12. in the Official Plan, which requires all developments to be built for wider rental markets.
“3.3.D.12. Any new or redeveloped residential uses intended for student accommodation must be designed and built to be viable for a wider rental market...”

Justifying the reduction based on student occupancy (and the likelihood for student occupants to not own a vehicle) is not aligned with the direction of the Official Plan. The overall reduction may be acceptable given the nature of the area, however it should not be based on the assumed occupancy of the building.

CONCLUSION

This review concludes that the issues in the current analysis will cause notable changes to the reported volumes for all phases of the study (existing, future background and future total). Background traffic volumes need to be balanced, traffic volumes from additional background developments need to be added, the most appropriate land use codes need to be applied to the proposed development and development traffic needs to be assigned to all reasonable ingress and egress movements. Incorporating these changes to traffic volumes and trip assignment may result in the studied intersections operating at improved or worsened levels of service. It is recommended that this study is revised to address the concerns raised by this review to more accurately reflect the impact of the proposed development on surrounding traffic conditions.

Additionally, the parking supply is considered insufficient as the proposed 12 parking spaces within an undefined off-site location 400 metres of the site is not considered reasonable for this context and does not align with the recommendations of the Williamsville Parking Study. An available off-site location should be identified in the report. Moreover, the justification for the reduction should be revised to comply with Official Plan policy.

We trust that the findings of this traffic peer review will address your requirements. Please contact me at 905-882-4211 extension 6573 if you have any questions or need any clarifications.

Respectfully submitted,

Brett Sears, MCIP, RPP
Project Manager
Transportation – Planning and Advisory Services

cc: John Grieve, WSP
cc: Marnie Venditti, City of Kingston
Committee Members Present
Councillor Schell; Chair
Councillor McLaren
Councillor Neill
Councillor Osanic

Committee Members Absent

Staff Members Present
Ms. Agnew, Director, Planning, Building & Licensing Services
Ms. Lambert, Senior Planner
Ms. Rae, Senior Legal Counsel
Mr. Sands, Senior Planner
Mr. Thompson, Committee Clerk
Ms. Venditti, Manager, Development Approvals
Mr. Wicke, Senior Planner

Others Present
Members of the public were present

Introduction by Committee Chair
Councillor Schell, Chair, explained the purpose of the meeting and read the rights and obligations afforded to the Committee members and members of the public during public meetings.

Public Meeting
Held Pursuant to the Planning Act
6:30 p.m.
Application for Official Plan and Zoning By-Law Amendment

366
The following is a Public Meeting report to the Planning Committee regarding applications for an Official Plan & zoning by-law amendment submitted by FOTENN Consultants Inc. and IN8 (Sage Kingston) Developments Inc. on behalf of Kingston Terminal Properties, with respect to the subject site located at 652 Princess Street & 662, 668, 670 Princess Street & 551 Victoria Street. This report describes the proposed applications and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The subject lands are designated ‘Main Street Commercial’ and are located in the Williamsville Special Policy Area in the Official Plan and are zoned Williamsville Main Street Commercial ‘C4- H (T1)’ Zone in Zoning By-Law Number 8499.

The applicant is proposing to develop a 10 storey mixed residential/commercial building containing 327 residential units and 615 square metres of commercial space. A total of 156 parking spaces are proposed to be provided on-site, 4 of which are proposed to be dedicated to commercial use. Of the total 156 parking spaces, 114 are proposed to be located in a single level of underground parking.

To accommodate the proposal, the applicant is requesting to amend the Official Plan to establish a new site-specific policy area for the subject lands to address the proposed height and angular plane. With respect to zoning, the applicant is requesting a new site-specific Williamsville Main Street Commercial ‘C4-X’ zone for the site which incorporates relief from the following zoning provisions: increase in streetwall height and maximum building height; removal of the angular plane provisions; reduction in the minimum required off-street parking spaces, reduction in the minimum parking design standards for standard and barrier-free spaces; reduction in amenity space requirements; reduction in the number and design standards for loading spaces and bicycle parking spaces; and an increase in the maximum distance from the subject site for the location of off-street parking spaces.

The development includes the removal of the buildings located at 662, 668, 670 Princess Street and 551 Victoria Street, which is a listed property on the City’s Heritage Properties Register.

The applications propose an increase in the existing height and density provisions for the subject properties. Staff are also seeking input from the community through this Public Meeting process with respect to potential community benefits related to the proposed development.

**File Number: D35-002-2017**
**Address: 652 Princess Street & 662, 668, 670 Princess Street & 551 Victoria Street**
**Application Type: Official Plan & Zoning By-Law Amendment**
**Owner: Kingston Terminal Properties**
**Applicant: FOTENN Consultants Inc. and IN8 (Sage Kingston) Developments Inc.**
Councillor Schell, Chair, called the public meeting regarding the Application for Official Plan and Zoning By-Law Amendment - 652 Princess Street & 662, 668, 670 Princess Street & 551 Victoria Street to order at 6:32 p.m.

Mr. Keene, FOTENN spoke to the details of the report and conducted a PowerPoint presentation. A copy of the presentation can be obtained by contacting the City Clerk’s Department.

Pursuant to the requirements of the Planning Act, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Kingston Whig-Standard on May 30, 2017.

Ms. Lambert informed the Committee that correspondence has been received regarding the application and is included in the agenda and addendum.

Councillor Schell sought further explanation regarding community benefits. Ms. Lambert provided the Committee with background information with respect to community benefits. She noted that a guide regarding community benefits which has yet to be finalized is available on the City of Kingston’s website.

Councillor Neill stated that a community meeting was held at the Memorial Centre and mentioned that there was concern regarding the loss of the heritage aspects of the property. He indicated that some recognition of the heritage aspects of the property would serve this area of Kingston well. He commented that it would be beneficial if a design rendering which respects the heritage aspects of the property was provided. He expressed concern regarding the proposed number of parking spaces.

Councillor Neill commented that some aspects of the Williamsville Main Street Study have been incorporated into the design such as the service road. He indicated that the Study also speaks to the appropriateness of an eight to ten storey building along the Princess Street corridor. He stated that he is not overly concerned regarding the proposed angular plane.

The agent commented that the importance of the heritage aspects of the property is not being taken lightly. He stated that the aspects of the application related to heritage are being reviewed by staff as well as a third party.
The agent provided additional clarification regarding the proposed angular plane. He mentioned that the updated Official Plan speaks to urban design in relation to the concept of angular planes. He noted that the property in question is the largest site in Williamsville.

Councillor Neill questioned if every bedroom will be equipped with a window. The agent responded that while the design has not been finalized it is anticipated that each bedroom will have a window.

Councillor Neill clarified that the neighbourhood association invited residents to review the plans prior to the Planning Committee holding a public meeting regarding this matter. He commented that now that the application is before the Committee he will refrain from interacting directly with the developers. Councillor Schell reiterated that the aforementioned meeting was not organized by the City of Kingston.

Councillor Osanic sought further clarification regarding parking. The agent spoke to the requested parking reduction. He mentioned that it is proposed that an additional twelve parking spots will be located offsite within four hundred meters of the property.

Councillor Osanic questioned if visitor parking will be provided. The agent replied that visitor parking will be addressed as part of the overall parking requirements.

Councillor Osanic requested that the design of the façade be reviewed further during the site plan process. The agent responded that it is intended that the lower four floors will be a brick façade. He indicated that the upper floors are proposed to be a light colour which resembles the window colour. He stated that the peer review of the urban design study may help inform which design changes may be necessary.

The Chair afforded members of the public with an opportunity to provide comment.

Mr. Dixon, 495 Alfred Street stated that he is generally supportive of intensification along arterial roads and nearby Queen’s University. He mentioned that he would be pleased if the applicant was proposing a building 75% the size of the current proposal. He commented that an eight storey building would be appropriate. He indicated that he is in agreement with Councillor Neill with respect to the importance of the preservation of the heritage aspects of the property. He referenced page seventeen of the Report and spoke to the 1.5 metre setback from Princess Street. He commented that he is supportive of the service road. He mentioned that at a recent OMB hearing regarding
the University Suites there were many problematic aspects of the shadow study. He stated that a shadow study with the appropriate level of detail is required.

Mr. Marr, 551 Victoria Street stated that in addition to the discussion regarding the proposed design of the building, it is important to note that this development will force some residents and businesses to relocate. He commented that a drop in centre has been operating at this location for five years. He indicated that off street parking lots and trees will also be lost to accommodate this proposal. He mentioned that he hopes the people living in this area can easily find somewhere else to live.

Ms. Yull, 59 Baiden Street expressed concern that neighbouring properties will not receive any sunlight due to the height of the proposed building. She commented that there are already many empty units in Kingston and suggested that there is not a need for another large building. She stated that the proposal should be downsized as the proposed building would not be similar to anything else in the area.

Ms. Burfoot and Ms. Schmolka spoke to the application for Official Plan and Zoning By-Law amendment. A transcript of their statement is attached to the original set of minutes located in the City Clerk’s Department.

Mr. John McLeod expressed concern that the proposal will destroy the Nelson Street residential neighbourhood. He commented that the site is located directly across the street from a five storey building. He mentioned that there has been an increase in noise and thefts in the neighbourhood in recent years. He was of the opinion that another high density development would further negatively impact the neighbourhood. He commented that Council should adhere to the Official Plan and Zoning By-Law as there is not a need for a ten storey building.

Ms. Vanden Hock, 179 Toronto Street spoke to amount of work and community involvement that went into the Williamsville Main Street Study. She commented that residents took the Williamsville Main Street Study and Official Plan review process seriously. She stated that there was a desire to ensure that the Williamsville Main Street Study was incorporated into the Official Plan. She stated that the developers should not ignore the aforementioned policy documents. She expressed concern regarding parking and indicated that people are already parking on Nelson, Victoria and Toronto streets. She stated that more than 0.5 parking spaces per unit is required. She commented that the proposed twelve offsite parking spots will likely be too far from the building to be considered useful. She spoke to the proposed amenity space and reduction in bike parking spaces. She was of the opinion that the community benefits associated with the project may not be of actual benefit to Kingston. She stated that the heritage aspects of the property must be preserved. She noted that residents do not support the ghosting proposal. She suggested that green space should be
incorporated into the parkette. She indicated that the angular plane and parking requirements should not be reduced. She commented that she does not support the proposed two-tone colour.

Mr. Don Revell, 269 Kingscourt Avenue spoke to the heritage designation of the Princess Street United Church. He mentioned that his family has been living in Williamsville for over 175 years and spoke to the Williamsville Revisited Book. He noted the heritage buildings in the area and stated that the old bakery should not be demolished.

Mr. Gavin Anderson spoke to the application for Official Plan and Zoning By-Law amendment. A transcript of his statement is attached to the original set of minutes located in the City Clerk’s Department.

Mr. Jenkins commented that the proposal ignores the wellbeing of the neighbourhood. He stated that the proposal is ill conceived and not a good fit for the surrounding area. He indicated that the proposed building is too tall and does not complement the neighbourhood. He noted that the proposal does not include enough amenity space.

Mr. Robert Grant, 515 Victoria Street indicated that he is opposed to the application. He expressed concern regarding the impact of increased density on the neighbourhood. He suggested that the Planning Committee should request that major changes be made to the application.

Ms. Cruise, 530 Victoria Street spoke to the additional noise which will occur during construction in addition to the noise created by the eventual tenants of the building. She commented that the neighbourhood is filled with families and students and indicated that many people will be negatively impacted by this proposal. She stated that she is concerned that the proposed building will impact neighbouring properties from receiving sunlight. She suggested that a five storey building should be built which conforms to the Zoning By-Law. She indicated that a ten storey building is too tall for Kingston.

Mr. John Grenville spoke to the application for Official Plan and Zoning By-Law amendment. A transcript of his statement is attached to the original set of minutes located in the City Clerk’s Department.

Ms. Ronda Candy, representing 629 Princess Street expressed concern regarding parking. She commented that the proposed building could impact quality of life in the neighbourhood. She mentioned that infrastructure will need to be approved to accommodate the building. She stated that if the application is approved Williamsville will soon be lined with five storey buildings. She noted that it is not fair to assume that
all businesses do not need their parking spaces after six p.m. She reiterated that parking will be an issue. She questioned what impact this development will have on property values.

Ms. Sharon Deline, 14 Durham Street spoke to the size of the proposed building in relation to the Patry building. She stated that she doubts this building will be a great source of tax revenue for the City as infrastructure improvements are required to accommodate the development.

Ms. Kessler, 167 Nelson Street spoke to the numerous families living in the area. She mentioned that many people walk in the neighbourhood because it’s a safe community. She commented that if the development proceeds many families will leave the neighbourhood due to the increased density. She suggested that only reasonably sized developments should be permitted.

Mr. Jay Patry noted that approximately five hundred people live across the street from the proposed site and only require parking for one hundred and ten cars. He mentioned that only approximately forty of the one hundred and forty bike park spaces are utilized as well. He noted that the City would benefit from a property tax standpoint if this proposal was constructed. He indicated that while ten storeys may be a bit too tall the buildings appearance is nice. He referenced the recent discussions regarding an interim control by-law and stated that development must occur along Princess Street to prevent further erosion of neighbourhoods. He expressed concern regarding the retail aspect of the proposal. He stated that it will be be difficult to fill the proposed commercial space. He commented that he believes this proposal is good for Kingston.

The agent thanked members of the public for their comments. He commented that a full response to all the comments will be provided to staff.

The agent provided additional information regarding the requirement for an additional setback from the right of way in Williamsville. He mentioned that the shadow study will take into account daylight savings time.

The agent commented that in regards to the concerns for displaced residents, the current landlords will likely try to find new residences for the impacted residents.

The agent noted that multiple owners will be responsible for upkeep of the building.

The agent was of the opinion that while this building will not resemble anything else in the area, the building would implement several aspects of the Williamsville Main Street Study. He commented that numerous development applications in Williamsville indicate
that the Study was a success. He commented that he looks forward to a third party review of the application.

The agent stated that the proposed parking reduction will be subject to peer review. He provided clarification regarding the possibility of utilizing offsite parking.

The agent indicated that he believes that intensification along Princess Street will help save Kingston’s neighbourhoods. He stated that intensification is expected in Williamsville.

The agent reiterated that the heritage aspects of the application will be peer reviewed.

The agent spoke further to the angular plane concept. He commented that further studies regarding this matter will be conducted.

The agent explained that there is a holding provision on the site in question until the necessary infrastructure services are upgraded.

The agent provided the Committee with further information regarding the proposed amenity space which includes an atrium and gym. He commented that he hopes that the residents of the proposed building will become part of the neighbourhood.

The agent is in agreement that all bedrooms should be equipped with windows and stated that this comment is well received.

The agent reiterated that all of the comments received during the public meeting will be addressed with staff.

Councillor Neill suggested that residents contact By-Law and Licensing staff if they are experiencing any issues related to construction noise at night.

Councillor Neill noted that there is neighbourhood consultation associated with the community benefit process. He reiterated that there is a need to consult the whole community regarding this matter.

Councillor Neill expressed the importance of peer reviews for a project of this size.

Councillor Neill noted that moving forward as per policy, new parking lots are not permitted along the Princess Street corridor. He mentioned that perhaps a parking structure located nearby could be considered.
Councillor Neill mentioned that a project of this size would generate significant property tax for the City of Kingston.

The public meeting regarding the application for Official Plan and Zoning By-Law Amendment - 652 Princess Street & 662, 668, 670 Princess Street & 551 Victoria Street adjourned at 8:40 p.m.

Public Meeting
Held Pursuant to the Planning Act
6:30 p.m.
Application for Zoning By-Law Amendment

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment submitted by Michael Willis-O’Connor, with respect to the subject site located at 270 Frontenac Street. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The applicant is proposing to demolish an existing single family dwelling and develop a three-storey semi-detached dwelling. A semi-detached dwelling is a permitted use in the site specific A.417 zone. This proposal requires relief from the minimum lot area for two dwelling units and relief from minimum aggregate site yard requirement.

File Number: D14-004-2017
Address: 270 Frontenac Street
Application Type: Zoning By-Law Amendment
Owner/Applicant: Michael Willis-O’Connor

Councillor Schell, Chair, called the public meeting regarding the Application for Zoning By-Law Amendment - 270 Frontenac Street to order at 8:41 p.m.

Mr. Zaback, Shoalts and Zaback Architects Ltd., spoke to the details of the report and conducted a PowerPoint presentation. A copy of the presentation can be obtained by contacting the City Clerk’s Department.

Pursuant to the requirements of the Planning Act, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 110 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Kingston Whig-Standard on June 2, 2017.
Mr. Sifat informed the Committee that no correspondence has been received regarding the application.

Councillor Neill requested that staff address whether this application constitutes sound infill development in the comprehensive report.

Councillor Neill questioned if the zoning by-law will define the number of permitted bedrooms. Ms. Venditti responded that this matter will be outlined in the comprehensive report. The agent indicated that the design would not easily accommodate additional bedrooms.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

The public meeting regarding the application for Zoning By-Law Amendment - 270 Frontenac Street adjourned at 8:45 p.m.

Public Meeting
Held Pursuant to the Planning Act
6:30 p.m.
Application for Zoning By-Law Amendment

The applicant is proposing to amend the existing site-specific ‘R12-4-H’ zone that applies to the area of the Riverview Subdivision identified as Phase B in the Draft Plan of Subdivision (File Number D12-068-2012). The ‘R12-4-H’ zone permitted a reduced minimum lot frontage requirement, which is no longer applicable based on the proposed parcel configuration.

In 2015, the lands were subject to a zoning by-law amendment (File Number D14-109-2015) that created the site-specific ‘R12-4-H’ zone which reduced the minimum lot frontage requirement to 10.8 metres for a corner lot and 9.0 metres for other lots within the Riverview Subdivision. The proposed site-specific ‘R12-4-H’ zone applied to thirty (30) lots within the entire Riverview Subdivision, twelve (12) of which are located within Riverview Phase B.
A portion of the lands (Riverview Subdivision - Phase A) were approved through the Final Plan of Subdivision application (File Number D12-021-2015). The applicant is currently proposing to develop Riverview Subdivision - Phase B, which is currently subject to an application for Final Plan of Subdivision (File Number D12-001-2017). Phase B is located in the northeast corner of the subdivision and includes a total of 86 dwelling units (56 single-detached dwellings and 30 row dwellings).

As part of the zoning by-law amendment application, the applicant is proposing to lift the Holding Symbol (-H) provision that applies to the lands within Riverview Phase B.

File Number: D14-011-2017
Address: 1232 Highway 15 (Riverview Phase B)
Application Type: Zoning By-Law Amendment
Owner/Applicant: Tamarack (Rideau) Corporation

Councillor Schell, Chair, called the public meeting regarding the Application for Zoning By-Law Amendment - 1232 Highway 15 (Riverview Phase B) to order at 8:46 p.m.

Mr. Leclerc-Desjardins, Fotenn Consultants Inc., spoke to the details of the report and conducted a PowerPoint presentation. A copy of the presentation can be obtained by contacting the City Clerk’s Department.

Pursuant to the requirements of the Planning Act, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 187 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Kingston Whig-Standard on May 30, 2017.

Mr. Sands informed the Committee that no correspondence has been received regarding the application.

Councillor Neill suggested that consideration should be given to rain gardens and permeable hard surfaces to address storm water.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

The public meeting regarding the application for Zoning By-Law Amendment - 1232 Highway 15 (Riverview Phase B) adjourned at 8:52 p.m.
Regular Planning Committee Meeting Number 13-2017

Meeting to Order

The Chair called the meeting to order at 8:53 p.m.

Approval of the Agenda

Moved by Councillor Neill
Seconded by Councillor Osanic

That the agenda be amended to include the addendum, and as amended, be approved. Carried

Confirmation of Minutes

Moved by Councillor Osanic
Seconded by Councillor McLaren

That the minutes of the Planning Committee Meeting Number 12-2017 held on Thursday May 18, 2017 be approved. Carried

Disclosure of Pecuniary Interest

There were none.

Delegations

There were none.

Briefings

There were none.
Business

a) File Number: D14-006-2017
   Address: 538 O’Connor Drive
   Application Type: Zoning By-Law Amendment
   Applicant: Sue Vanderveer, Cartronics Auto Electric Ltd.
   Agent: Fotenn Consultants Inc.

Moved by Councillor Neill
Seconded by Councillor McLaren

That it be recommended to Council that the application for a zoning by-law amendment (File Number D14-006-2017) submitted by Fotenn Consultants Inc., on behalf of Sue Vanderveer, Cartronics Auto Electric Ltd., for the property municipally known as 538 O’Connor Drive, be approved; and

That By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law to Amend Zoning By-Law Number 76-26) to Report Number PC-17-048; 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-law; and

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

Carried

Motions

There were none.

Notices of Motion

There were none.

Other Business

There was none.

Correspondence

There was none.

Date and Time of Next Meeting

The next meeting of the Planning Committee is scheduled for Thursday June 15, 2017 at 6:30 p.m.
Adjournment

Moved by Councillor McLaren
Seconded by Councillor Osanic

That the meeting of the Planning Committee adjourn at 8:55 p.m.

Carried
this email is in reference to the 10 storey mixed residential and commercial building at Princess and Victoria area.

I do own a home on Durham street (20) and this area is a safe, quiet, and family oriented area. A building of this size will certainly increase the traffic.....cause parking issues on the nearby streets .....and there is no nearby parks or recreational areas to entertain this new population.
And, so I am against this plan amendment and zoning by-law amendment.
Gloria Cunningham
June 8, 2017

Ms. Liz Schell, Chair, Planning Committee
City of Kingston
216 Ontario Street
Kingston, ON
K7L 2Z3

Re: Public Meeting Report No. PC-17-053, 652 Princess Street & 662, 668, 670 Princess Street and 551 Victoria Street: Kingston Terminal Properties

Dear Ms. Schell

The Frontenac Heritage Foundation (FHF) is a not-for-profit group of volunteers dedicated to the preservation of structures and sites of cultural and historical interest across the region. The group, currently with about ninety members, was founded in 1972, and for 45 years, the organization has provided input on proposals being considered by the City of Kingston.

Before Planning Committee is a Public Meeting report regarding applications for Official Plan and Zoning By-law amendments submitted by FOTENN and IN8 developments Inc. on behalf of Kingston Terminal Properties. The board of the Frontenac Heritage Foundation has three major concerns with the proposed development:

1) 668 – 670 Princess Street is currently a listed property under the Ontario Heritage Act, but through the review done by Laurie Smith in 2013 following the completion of the Williamsville Urban Design Guidelines, the recommendation was to designate this property. While the property was listed by the City in 2016, it is not clear why the City has not taken the step to designate the subject parcel. Now, through a development application, to suggest that the building would be demolished, and replaced with a ghost-like metal frame is a truly sad comment on how the City regards its heritage buildings.

2) The last paragraph on page 2 of Report PC-17-053 states that “The applications propose an increase in the existing height and density provision for the subject properties...” To our knowledge, there is no established process for assigning height and density (bonusing) provisions, and in our view, the proposed development does not meet many of the subsections of Section 9.5.26 which refer to when height and density provisions should be allowed.
3) Lastly, there has been a lack of attention to the Williamsville urban design guidelines as reflected in the City's Official Plan. Angular planes are not being met, as well as other urban design provisions, and this will have an impact on the adjacent stable residential neighbourhood. We look forward to reviewing the Urban Design Study being prepared to support this development, and we would like to reserve the right to provide comments on possible community benefits when that review has been completed.

Thank you for your attention.

Sincerely,

Edward Grenda, Secretary
Frontenac Heritage Foundation
P. O. Box 27, Kingston, ON K7L 4V6

cc. L. Lambert (via email)
Hello Councillor Neill

This email is in regards to the proposed development at 652 Princess Street. I am supportive of the redevelopment of upper Princess Street with new commercial and residential uses; however, the design of the buildings needs to incorporate street landscaping, proper commercial space access, and a high quality design and use of materials. In considering the proposed development, my main concern has to do with new traffic generated by the development and the existing high speeds of traffic on Nelson Street between Princess Street and Mack Street.

This block of Nelson Street is straight and with the recent on-street parking limitations that have been imposed, our block has become a wide thoroughfare where motorists are comfortable to travel at great speeds from stop sign to stop sign. As part of this development I strongly encourage the City to include street calming measures, such as landscaped curb extensions at the beginning and mid-block locations. Speed humps may also be needed to properly slow traffic. There are a number of young children living on this block which drivers are not expecting in this area of the city. This creates a very unsafe situation, especially as there is no boulevard or parked cars between the sidewalk and street on the East side of Nelson.

Thank you for considering this minor request for traffic calming features to accompany the new development. These measures will help to alleviate the impacts of the development on the community and mitigate existing safety concerns, which are only likely to increase with the new traffic resulting from the proposed development.

Best,
Kathryn Morrissey

149 Nelson Street
June 8, 2017

Submission to Planning Committee

Re: 652 Princess Street, 662, 668, & 670 Princess Street, and 551 Victoria Street
PC 17-053

Dear Members of Planning Committee:

As per Planning Committee Report PC-17-053: “The subject lands are designated ‘Main Street Commercial’ and are located in the Williamsville Special Policy Area in the Official Plan and are zoned Williamsville Main Street Commercial ‘C4- H (T1)’ Zone in Zoning By-Law Number 8499.”

I have four questions regarding the Williamsville Main Street Study – Urban Design Guidelines that were adopted by Council on February 21, 2012.

1. Did any of revisions in the Official Plan or in any zoning by-laws made after February 21, 2012, amend, add, or delete anything in the Williamsville Main Street Study – Urban Design Guidelines?
2. Was the investment in the Williamsville Main Street Study – Urban Design Guidelines money well-spent?
3. Do the Williamsville Main Street Study – Urban Design Guidelines represent good urban planning and land use?
4. Will the City defend the Williamsville Main Street Study – Urban Design Guidelines when considering this application and any subsequent OMB appeal made by the developer?

I believe that the answers to these questions must inform Planning Committee as it weighs the applicant’s request for relief from, by my count, two Official Plan requirements and nine zoning by-law requirements. The applicant is also proposing to demolition one heritage building.

From my perspective, the Williamsville Main Street Study – Urban Design Guidelines stand unamended as City policy, was money well-spent, do represent good urban planning and land use, and must be respected in assessing the merits of this application and defended if need be in any future OMB appeal.

Please reject this request and insist that the developer work within the principles and rules set out in the Williamsville Main Street Study – Urban Design Guidelines.

Thank you.

Gavin Anderson
702 Newmarket Lane
Kingston ON K7K 0C8
June 8, 2017

Submission to Planning Committee

Re: 652 Princess Street, 662, 668, 670 Princess Street, 551 Victoria Street
PC 17-053

Dear Members of the Planning Committee:

Building Kingston’s Future Inc. is an Ontario-incorporated, not-for-profit corporation whose objects include “promoting the value of the City of Kingston’s stated goal of being a “smart and livable” city by promoting human scale streetscapes, access to the waterfront, active transportation, and resilience.”

We have reviewed the Staff Report and Planning Rationale for the referenced project and offer these comments and questions for your consideration.

The Williamsville Main Street Study

The Williamsville Main Street Study was completed in 2012 after extensive work by consultants to the city and multiple community meetings. It was integrated into the city’s Official Plan by By-Law Number 2013-147, OPA Number 21.

The recent Official Plan review, which made over 1500 changes to the Plan, did not include revisions to this section of the Official Plan. One must therefore conclude that the public, city staff, and elected officials all agreed with the Official Plan’s provisions regarding building height, stepbacks, angular plane, and so on. The vision for this section of the city, the guiding principles, and the stated goals are:

Official Plan 10.E Princess Street Corridor Special Policy Area

Goal: To have a cohesive plan for the future development of the properties along the Princess Street Corridor, which takes into consideration sustainability, the protection of natural and cultural heritage features, intensification targets, appropriate built form, active transportation, and economic development.

It is disrespectful to the Official Plan and the public process that brings it into effect to see this development application requesting 11 variances to the zoning by-law, which incorporates the principles and clear direction of the Official Plan.
It is distressing to read that this site is categorized as being in the “Queen’s neighbourhood” in the staff report, page 6, and the nearby parks listed as Victoria Park and Breakwater Park. This site is clearly part of the Williamsville Main Street Study area and should be referred to that way.

We question the reasons for demolishing a listed heritage property, built in 1849 and which housed the Carnovsky Bakery. Substituting a ‘sculptural ghost and footprint’ seems inadequate compensation for the loss.

**Height** – allowed maximum building height 20 m – proposed building height 32.9 m. This is a 65% increase in height and is not acceptable and completely out of scale with the streetscape that was approved for the Princess Street Corridor.

**Angular plane** – Please review the consultant documents that led to the planning rules for the Princess Street corridor. The point behind angular plane requirements is to keep building heights in check and proportional. The relief requested should be denied.

**A livable city**

Nothing upsets the calm and sense of security in a neighbourhood more than people driving around residential streets looking for parking. This driving around also contributes to greenhouse gases and is not a sustainable approach.

This proposal asks for a reduction in off-street parking from 349 spaces to 168 spaces and asks that 12 of those required spaces be provided off-site. (page 9 and page 33, Planning Rationale)

This represents an unacceptable reduction of 163 residential spaces for a building that is proposed to have 327 residential units.

As well, the 12 off-site spots are proposed to be within 400m of the site instead of the now required 60m. When there is a closer spot on the street, inevitably a driver will take it. This will not be solved by a permit system.

Overall, increased parking pressure on the neighbouring residential streets will inevitably lead to complaints to city councillors, by-law officers, and the police as
driveways get blocked and people get angry about more traffic on their street and not having the access to their homes that they previously enjoyed.

That’s why a new building is supposed to provide adequate parking on-site.

For **commercial parking**, the applicant is requesting **a reduction of 18 spaces** from 22 spaces to 4 spaces, and a reduction in loading spaces from 2 to 1. This is completely impractical. It is proposed that the building provide 615 square metres of commercial space. Presumably, several people will be working in these commercial spaces. Where will they park? On the street, forcing customers or clients to park further away? On the residential streets.

Ground-floor commercial is part of the vision for the Princess Street Corridor in Williamsville. It must be supported by adequate parking.

There is also a request for relief from the zoning by-law requirements with respect to the **size of the parking spaces including barrier-free parking spaces**. Has the city’s Municipal Accessibility Advisory Committee reviewed this request and accepted these changes? In general, shrinking the width of parking spaces makes it more difficult for people using walkers etc. to manoeuvre, and reducing their length means that people using an accessible van cannot park there.

The bicycle parking reduction requested is both in number of spaces – from 327 to 292 (35) – and in the size of the spaces from 1.8 m to 1 m and .6 m to .4 m.

- How is this bicycle parking to be provided?
- Does it enable people with an E-bike to use a parking spot?
- Does it propose hanging bicycles? How will this work for some people who do not have the strength or height to lift a bike into place?
- What are the security measures to prevent damage from other adjacent bicycles, theft of accessories or the bicycle, and tampering?
- Is there a repair workbench within the building?

When a bicycle is a primary means of transportation it is essential that parking is secure and accessible.

Finally, the consultants who worked with the city on the Williamsville Main Street Study and resulting planning rules are highly regarded in the Province. They carefully calculated how to encourage development that would revitalize the neighbourhood and still be profitable for developers.
What is the value of a public process to establish a vision for a street and
neighbourhood when the established rules are then ignored at the first opportunity?

Given the significant relief requested and the lack of respect for the principles in the
Official Plan and the Williamsville Main Street Study, it is our expectation that the city’s
recommendations will be meaningful should the proposal be approved. Could you, as
our elected representatives, please respect the Study and the vision that we all shared,
and require the applicants to follow the Official Plan and zoning by-laws?

Sincerely,

Annette Burfoot and Vicki Schmolka

on behalf of

Building Kingston’s Future Inc.

19 Pine Street

Kingston K7K 1W2
Remarks by John Grenville. 8 June 2017
Re: Proposed Development at 652 Princess Street

Good evening; my name is John Grenville. I live at 24 Jenkins Street in wonderful Williamsville District. Tonight I am also speaking on behalf of Sue Bazely, Hart Cantelon and Joan Bowie, all residents of Williamsville District.

Before I make any comments, I want to state that we all supported the Williamsville Main Street Study during the public consultation in 2011 and 2012 largely because of the protection of stable neighbourhoods north and south of the main street. The **angular plane and stepbacks** were the major elements that protected the neighbourhoods. The angular plane not only affects the availability of sunlight but also contributes to a comfortable pedestrian scale, provides a transition to low-rise residential on the north and south sides of Princess Street, and ensures privacy through minimal overlock.

The planning rationale notes quite rightly that the Williamsville Main Street Study allows buildings up to 10 storeys. However, one of the key elements in the successful design of taller buildings is the **angular plane**. This development proposal takes advantage of the 10 storey part of the study but conveniently ignores the angular plane requirement.

The main street study also recognizes the importance of trees and green streets and encourages **parkettes**. Assuming 5% of the land will be given over to the City as part of the parkland dedication, this will provide approximately 2400 square feet. There is NO parkette currently but we are hoping that the City planning staff will follow through with the City’s policy of “parkland first.”

The provision of sufficient **parking** is an issue. The parking study concludes that providing 0.5 spaces per unit is adequate. A large part of the justification of point 5 spaces per unit is that the building will be occupied by students who have a lower rate of vehicle ownership. Whether this is the right number or not, this completely ignores the future occupants of the building which may or may not be students. The parking study for the adjacent development immediately across Nelson Street concluded that 0.76 spaces per unit are needed. At another property the peer review of the parking report for a development a block away concluded that 0.5 spaces for one-bedroom units was adequate but that 2-bedroom and 3-bedroom units needed 0.8 spaces and 1.0 spaces per unit. The proposal for 0.5 spaces per unit also ignores the study commissioned
by the City to examine parking in the Princess Street area. The City’s own study on parking ratios concluded that new development should provide 0.75 spaces per unit. The developer’s parking study also suggested that during peak times the parking overflow can be absorbed on Princess and Albert Street. The City’s study of street parking availability concluded that there will be a shortage of on-street parking in the future—a future shortage of almost 150 on-street parking spaces for this part of Princess Street. For a new development to use the street for overflow parking will exacerbate what is already forecast as a problem.

The proposal for the listed heritage building on the property is inappropriate. My working career was spent in the heritage sector. I have seen steel frames for buildings erected to represent buildings that had disappeared long ago but I have never seen a proposal to demolish a heritage building and replace it with a steel frame. I wanted to show you what this heritage building could look like if the modern cladding is removed. This drawing was done by Jennifer McKendry, an architectural historian who is very familiar with the heritage of the Williamsville Main Street. If it is appropriate to replace this building with a steel frame, the City would have a hard time saying that this was not an acceptable practice anywhere in the City. Since the City sees itself as the place where “history and innovation thrive” it is important that built heritage on its main street receive protection as part of development.

The last issue that I would like to comment on is the matter of the height and density bonus. The advisory notice to nearby residents asked for ideas on what the community benefit might be. We would like to make a recommendation for what the community benefit might be but it is premature until we know what will happen to the ideas that are submitted. Ever since the development at the corner of Victoria and Princess was given a height and density bonus in 2013, I have been asking what process the City is following. The Planning Committee has yet to recommend a process that can be approved by Council.

Let me conclude by re-stating that development of the Williamsville Main Street is critical to the success of our neighbourhoods and it is something that we support. However, in its current form the development that is in front of you tonight needs further work. There is sufficient concern that we suggest that the Planning Department needs to request a peer review of the urban design study, the parking study and probably the heritage impact assessment.
668-670 Princess Street at Victoria
Drawings of its potential contribution as a heritage building by Jennifer McKendry
8 June 2017
Please consider the attached drawings as my means of supporting the retaining and restoring of the important, mid-19th century, stone building at 668-670 Princess at Victoria. They are meant to suggest the potential of the building as a contribution to the city’s heritage. Top drawing seen from Princess and bottom one seen from Victoria.

Thanks,

Jennifer McKendry
Architectural Historian
1 Baiden Street, Kingston ON K7M 2J7
Canada
www.mckendry.net articles on architecture, antiques & collecting

Good morning Jennifer,

The subject property is listed on the City Heritage Register.

Information on this application is available through the DASH program. If you have any question or wish to submit comments on this application please contact the planner of file, Lindsay Lambert.

Thanks
Ryan

Ryan J. Leary, MCIP, RPP
Senior Planner, Heritage
Planning, Building & Licensing Services
City of Kingston
1211 John Counter Boulevard,
216 Ontario Street Kingston, ON K7L 2Z3
613-546-4291 extension 3233
668-670 Princess Street at Victoria
Drawings of its potential contribution as a heritage building by Jennifer McKendry
8 June 2017

upper left from Princess St
lower left from Victoria St
I have reviewed the Williamsville Main St Study and find it very detailed and promising.

I believe it would be great to develop this area and attract more residents to the area by doing this in line with the Main St Plan.

I have reviewed the designs for 652 Princess St and can partially see how they follow the study – but there are enough differences to raise some serious concerns.

Based on my review: I oppose this building in its current design for the following reasons:

- The development at 652 Princess St. ignores the streetscape concepts in the Main St. study.
- It also ignores the pedestrian sense of this community. For example the commercial sites all have the same frontage, there are no awnings, no variety that makes things different and worth a visit. The look and feel is all wrong according to the Main St study.
- There is little respect for community gathering spaces or green spaces.
- The Main Street study shows some nice diagrams of what this area could look like but the developer in their presentation seemed to ignore these diagrams.
- Decrease in bike parking is inconsistent with the city’s developing Active Transportation Plan which is encouraging more bike usage.
- The heritage site should be preserved and advertised as a heritage site as we are known as a Heritage City.
- None of the developer’s diagrams show the city street as they envision it. (Like the Main St plan does). This would be helpful so we know how they see people using the commercial area and how it fits in with the Main St Study.
- There is no indication that the developer is working with other developers in the area so that the whole neighbourhood is considered not just one site. Perhaps if
the developers got together and developed a complete plan for the whole 
neighbourhood they would get better buy in from the community. Can the city 
ask all the developers in this area to come together and lay out a whole plan for 
the Princess St. that matches the Main St Study?
-I share the concerns about who will rent/buy these units – but I am sure the 
developer has done a market survey or they would not be proceeding.
- I believe a 6-8 story building would be better suited for this area.
-The developer has not even offered any community benefits, which appears to 
be a sign of bargaining in bad faith.
- The neighbourhood houses around this massive structure will lose a lot of 
sunshine, blue sky and view – with no benefits.
-If the developments along Princess St are done according to the Main St plan, 
property value in the neighbourhood would rise, bringing in more wealth to the 
neighbourhood and thus increasing revenue for the commercial sites and more 
demand for the units.

Just a note about the comments from the owner of another high rise on Princess 
St. that I would like to dispute:
- Comment: no need for as much bike parking as it is not all used in his 
building.
  I do not know if the owner ever walks around his building, if he did he 
would see bikes locked to all kinds of structures outside the building – 
because the developer did not provide outdoor bike parking facilities 
and/or the indoor bike parking may have too many restrictions re guest 
bike parking. Also the city’s active transportation plan is looking at 
increasing bike usage – thus new developments (which will be there for 
many years) must think of the future bike usage and thus facilities for more 
bikes not less.
- Comment: he was concerned re commercial usage because he had trouble 
renting his commercial space.
  A view of his building shows that his commercial space is below street level 
and thus not attractive for street level retail. (I am not sure how he got 
away with not having street level commercial areas).
- Comment: that this is a nice looking building
  From the man who built a brick wall, a dead zone and a micro weather area 
–too hot in summer and too windy in the winter along Princess St.
Surely the City can learn what NOT to do from the results of this high rise on Princess St.

**Questions for the City:**
Could the city work with the developer to develop a conceptual design for a building on this lot that follows the Main St Plan as an idea for the community and for developers?
Could the city bring all developers together to get a conceptual design of what the whole street will look like not just each site?
Could the city use the new draft Public Engagement Framework for the Implementation Plan of the Williams Main St. Study? Contact Debbi Miller at the City.