



CITY OF KINGSTON
REPORT TO PLANNING COMMITTEE

Report No.: PC-12-024

TO: Chair and Members of Planning Committee

FROM: Cynthia Beach
Commissioner, Sustainability and Growth

RESOURCE STAFF: Grant C. Bain,
Director, Planning and Development Department

DATE OF MEETING: June 7, 2012

SUBJECT: Central Accommodation Review Proposal

EXECUTIVE SUMMARY:

The issues surrounding the Central Accommodation Review focus on the continuing impact of the residential built form, of the intensification process and of the quality of the housing developing in the central area of the City of Kingston. These ongoing issues are particularly related to accommodating the residential needs of the Queen’s University and St. Lawrence College student body. While these issues are not new; they have not disappeared; and they are an ongoing concern to a number of area residents and members of City Council.

The current initiative to address these issues has flowed out of a number of recent development applications and discussions at Planning Committee that have focussed on the Committee’s concerns regarding the level of intensification, the density of the proposals in the campus neighbourhoods, the number of bedrooms per dwelling unit, and the form and character of the proposed infill or intensification projects.

The question of imposing an interim control by-law on the geographical area that would fall within the central residential area was carefully assessed. It was determined that an interim control by-law, a land use planning tool, was not the best mechanism for generating a study or temporarily controlling the issues of concern. As a result, an alternative approach to addressing the situation was developed that goes beyond land use planning. This alternative focus and methodology forms the basis of the proposed Central Accommodation Review.

The Planning and Development Department are able to address the planning matters involved in the Central Accommodation Review. However, there are such other issues as licensing and human rights responsibilities that will require the expertise of other Departments. In order to address these other issues, a project team is proposed that will be led by the Planning and

Development Department and include representatives from Building and Licensing and Legal Services. This team has already had a preliminary meeting to discuss the review approach and methodology.

The Central Accommodation Review proposes to examine such matters as the following:

- An assessment of past reviews undertaken by the City of the residential components of the central area neighbourhoods;
- An updated review of the mechanisms being considered and used in other municipalities to address similar concerns;
- A listing of the various alternative planning approaches, as well as other mechanisms that may be helpful in addressing the issues; and
- A program for developing an implementation strategy for the City of Kingston.

These topics would be dealt with in a series of technical papers or reports that would be both descriptive and analytic in nature. The technical papers and reports would be submitted to Planning Committee as they are completed.

The timing of the project, if it were to proceed, is difficult to project given that the complexity of the issues has not been fully assessed. As well, the project would have to be scheduled and conducted within the current Planning and Development Department committed work program and the City's strategic priorities. An initial estimate of timing would be completion of the project by early 2013 if a full staff complement is available.

RECOMMENDATION:

THAT the Planning and Development Department be authorized and directed to undertake the Central Accommodation Review as proposed in this report being Report No. PC-12-024; and

THAT a project team consisting of members of the Planning and Development Department, the Building and Licensing Department and the Legal Services & City Solicitor's Department be convened to assist in undertaking the Central Accommodation Review; and

THAT the Central Accommodation Review be completed in sections and reported to Planning Committee in the form of a series of descriptive and analytical technical papers and/or reports; and

THAT \$7,000 from the Working Fund Reserve be added to the Planning and Development operating budget in each of 2012 and 2013 to cover costs for advertising and printing.

AUTHORIZING SIGNATURES:

ORIGINAL SIGNED BY COMMISSIONER Cynthia Beach, P.Eng., MCIP, RPP, Commissioner, Sustainability and Growth
ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER Gerard Hunt, Chief Administrative Officer

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

Lanie Hurdle, <i>Community Services</i>	N/R
Denis Leger, <i>Transportation, Properties & Emergency Services</i>	N/R
Jim Keech, <i>President and CEO, Utilities Kingston</i>	N/R

(N/R indicates consultation not required)

k:\d04_residential planning & development\central accomodation review 2012\pc-12-024_central accommodation review prop.doc

OPTIONS/DISCUSSION:

INTRODUCTION

A number of residents and members of City Council have expressed a growing concern regarding the continuing impact of development on the built form, on the intensification process, and on the quality of the housing found in the central area of the City of Kingston. These ongoing issues are particularly related to accommodating the residential needs of the Queen's University and St. Lawrence College student body. While this is not a new challenge, it has become even more evident with a number of the recent development applications that have been submitted to the City for review and approval.

The current initiative to address these issues has flowed out of a number of discussions at Planning Committee that have focussed on the Committee's concerns regarding the level of intensification, the density of the proposals in the campus neighbourhoods, the number of bedrooms per dwelling unit, and the form and character of the infill or intensification projects.

These applications are proposing new developments, and additions and/or conversions that will result in a built form and an increase in the current residential density that has a direct impact on the surrounding neighbourhoods. The built form issue raises questions about the design of the new buildings, the additions and the conversions and their fitting in with the adjacent and neighbourhood residential buildings and structures. The issue regarding the quality of the structures raises questions about the residential buildings and dwelling units appropriately providing for the functional needs of both the intended future residents and the residents of the surrounding neighbourhood.

PURPOSE

The purpose of this report is to propose a planning approach for reviewing the central area residential accommodation built form, housing quality and density issues. This review would involve preparing a number of technical papers that would be researched and presented by the Planning and Development Department for consideration by the Planning Committee and City Council. These papers would deal with such matters as the following:

- An assessment of past reviews undertaken by the City of the residential components of the central area neighbourhoods;
- An updated review of the mechanisms being considered and used in other municipalities to address similar concerns;
- A listing of the various alternative planning approaches, as well as other mechanisms that may be helpful in addressing the situation; and
- A program for developing an implementation strategy for the City of Kingston.

It is proposed that the overall study would be referred to as the Central Accommodation Review and focus not only on the neighbourhoods around Queen's University but also the neighbourhoods around St. Lawrence College.

PROJECT TEAM

The City's central area residential accommodation review and study would involve investigating factors and mechanisms that go beyond a purely land use planning exercise. It will also include such approaches as licensing and must be cognizant of the implications for human rights and avoid issues such as those associated with discrimination. In order to ensure that all of these matters are dealt with appropriately, a study team approach is proposed.

The Planning and Development Department would be responsible for taking the lead role in the study. The Director of Planning and the Manager of Policy Planning would be responsible for the overall study program and its progress. The rest of the team would include the following:

- The Manager of Development Approvals and/or a designated Senior Planner;
- The Director of Building and Licensing and/or designated representatives as required;
- The Director of Legal Services & City Solicitor and/or a designated representative; and,
- Other staff such as Heritage and Housing staff on an as needed basis.

This team approach would ensure that the expertise brought to the project by the various team members would be available throughout the review program. As well, the team approach would ensure that none of the many factors being reviewed and their implications for the City are overlooked. The team has already met once to discuss the study and share some preliminary ideas.

PROJECT BACKGROUND

In 2004 and 2005, the Downtown Residential Review (DRR) Report looked at a number of elements affecting the neighbourhoods located within the radius of a twenty minute walking distance from the Queen's University campus. Although the DRR Report did not specifically focus on the residential areas around St. Lawrence College, there was a representative from the College on the DRR Committee.

The Near Campus Neighbourhoods Advisory Committee is active as an advisory committee to City Council. It monitors the residential situation in the neighbourhoods around the University, continues to address the concerns of residents and looks for solutions. This committee meets on a quarterly basis and provides a means of communication for issues encompassing neighbourhood relations and to emphasize the importance of building partnerships within the near campus neighbourhoods.

Members of Council recently approached the Planning and Development Department to discuss their ongoing concerns with respect to the impact of a number of the development applications for residential buildings in the central area which appear to be targeted at the student residential market. These development proposals and applications are being brought forward to the Planning Committee for approval. The applications invariably cannot meet the provisions of Zoning By-law No. 8499 and involve zoning by-law amendments. The zoning applications allow the proposed developments to be built to a variety of site specific standards rather than to a set of common community zoning provisions. As a result of these proposed variations, it is difficult to measure the cumulative planning impact of these development proposals on the surrounding neighbourhoods.

The Williamsville Study has stimulated an interest in providing higher density housing along Princess Street. This housing form would not only support a high frequency transit route but also has the potential to provide for student accommodation at higher densities. This concept was presented and discussed at the Williamsville public meetings and as part of the study. However, there was no clear indication emerging from any of the owners of the vacant lands along the Princess Street corridor that they had any interest in pursuing that idea. The results of the study will be implemented over the next year in terms of Official Plan amendments, zoning by-law amendments and the preparation of a Community Improvement Plan, mainly to stimulate brownfield's development.

A number of Councillors requested a meeting with Planning and Development Department staff in order to discuss their central area accommodation issues and concerns. They suggested that an interim control by-law might be an appropriate planning mechanism for controlling some of the growth. Further meetings were held to discuss the goals and objectives of the study which would be required by adopting an interim control by-law. The Planning and Development Department then undertook to investigate the suggested interim control by-law and its implications.

It was found that interim control would be a cumbersome approach based on the following:

- The planning study that is required by *The Planning Act* is limited to planning mechanisms only and does not permit investigating such other mechanisms as licensing;
- The interim control by-law would not limit additional new developments, additions and/or conversions (will not limit outright the number of bedrooms) without imposing a development freeze on the whole study area including some properties that might be encouraged to develop;
- The timeframe for completing the study would not be realistic given the complexity of the issues and the two year time limit imposed on the by-law by *The Planning Act*;
- The identified study area that would be too large in geographical area and would encompass too many properties to be manageable;

- There would be a very high potential for an appeal to the interim control by-law which would have to be dealt with simultaneously with the planning study in order to meet the legislated time limit; and,
- The project would require a major commitment of the City's planning staff resources in order to prepare and process the by-law, to undertake the necessary planning study and to respond to any appeals.

The interim control by-law and its planning study are not listed in Kingston's Strategic Plan 2011-2014 as a Council priority nor is it part of the Planning and Development Department's established planning program and responsibilities. In order to accommodate an interim control by-law, the Planning and Development Department might well have to shift much of the planning resources away from other currently scheduled projects.

As a result of discussion, it was agreed that the Planning and Development Department would investigate other approaches to addressing the identified concerns.

PROPOSED REVIEW METHODOLOGY

The Planning and Development Department has already done some preliminary research and has looked at a number of ways to undertake the Central Accommodation Review. The accommodation issue review would have to investigate the forces driving the City's residential intensification as well as its associated impact on the built form, and the housing quality of the central residential areas. The review would also examine the ongoing intensification as an issue that is particularly related to accommodating the residential needs of the Queen's University and St. Lawrence College student body. A study methodology was identified that would address the obvious issues and would meet the concerns of the members of Council. This initial study approach involves addressing the following key study components:

1. Define the Problem, the Scope and the Goals and Objectives

- Review the balance between student housing demand and student housing supply for both Queen's and St. Lawrence students;
- Assess the impact of demand and supply growth on current neighbourhoods (single detached conversions, large additions and family flight); and,
- Focus on how the City can control the growing supply - both through form and quality of student housing provided by the university, the college and by private enterprise.

2. Review of the Previous Work Done and the Available Policies and Regulations

- Review the current Official Plan policies;
- Review Zoning By-law No. 8499 regarding the regulations of the 'A' and 'B' zones;
- Assess the direction of the PPS regarding housing policies and intensification;
- Review and assess such past and current studies and reviews as:

- a) Student Housing Reviews Phase 1 – Background and Concept, 1990,
 - b) The Student Accommodation Review Phase II – Planning Implementation Report 1992,
 - c) The Interim Control Area Study – 1991,
 - d) The Downtown Residential Review – Technical Review of Recommendations, 2004, and
 - e) Zoning By-law Amendments, 2005;
- Consider the direction of the Residential Intensification/New Community Design Guidelines, 2010 and their potential for guiding the built form of new developments and/or redevelopment proposals;
 - Consider the impacts of the City’s Heritage components including the designated buildings, structures and areas, the preparation of heritage impact assessments, and the Old Sydenham Ward proposed Heritage Conservation District Plan.

3. Further Student Housing Research

- Identify student housing supply trends;
- Discuss student growth with Queen’s and St. Lawrence College; and
- Develop some student housing indicators possibly using such sources as any available housing registries at the university and college, any student mailing lists and/or student tracking by postal codes.

4. Review the Approaches Taken By Other Municipalities

- Compile the data gleaned from tracking the experiences of Guelph, Waterloo, Oshawa, Hamilton, and London; and
- Outline how the other municipalities may have tried to use such controls as zoning and licensing.

5. Identify Alternative Approaches and Discuss Pros and Cons and Implications of Each

- Revising the ‘A’ and ‘B’ zone regulations of Zoning By-law No. 8499;
- Limiting the number of bedrooms per dwelling unit;
- Defining a number of student building types in a zoning approach;
- Licensing student dwellings and houses; and
- Other alternatives that may be identified through research.

6. Process Going Forward

- Present the best of the planning and alternative mechanisms; and,
- Consider the alternatives for developing an implementation strategy for the City of Kingston.

It is proposed that the study be conducted in a comprehensive manner that is designed to cover all of the elements and components that need to be addressed. Usually, this type of study would be presented to Planning Committee in a single report or study document. However, it is proposed that the various components listed above be divided into manageable segments that would be reported individually as a series of technical papers or separate reports.

These technical papers and reports would be both descriptive and analytic in nature and would be designed to build on each other in a logical fashion. Each report would present information that would contribute to the overall understanding of the problem as defined and lead to the recommendations. When finished, the papers and reports could be assembled in a single document for ease of reference and to guide the implementation program and steps.

PROJECT TIMING

It is proposed that, as they are completed, the various technical papers or reports addressing the various components of the review would be submitted to the Planning Committee. However, it is very difficult to establish a definitive timeline until the components of the project are adequately defined and the complexity of the issues is researched and known. At this point in the process of organizing the project, some preliminary research has been done. However, the study topics and methodology proposed in this report are only preliminary and are based only on a current understanding of the desired goals and objectives of the review.

As well as defining the project in greater detail, it also has to be scheduled into the current Planning and Development Departmental work program. Much of the Department's work program is set out in Kingston's Strategic Plan 2011-2014, as adopted by City Council. The Department's current work priorities include such policy planning program projects as the following:

- the Zoning By-law Review Issues and Strategy Study that is underway;
- the Implementation of the Williamsville Study;
- the update to the year 2031 of the City's population projections;
- the revision and implementation of the Residential Intensification / New Community Design Guidelines;
- the update of the Kingston Transportation Master Plan;
- the initiation of secondary planning; and,
- an industrial land review;

Along with these major efforts come such ongoing tasks as reviewing development applications from a policy context, monitoring the City's population projections, dealing with renewable energy applications, implementing the Tree By-law and the Civic Addressing By-law and responding to requests from the public for planning information. The Department also responds to requests from other City Departments for technical and planning support for projects that require planning information or that have planning implications. All of these policy planning

tasks are conducted amid the ongoing development application program which also demands staff resources.

Should this project proceed, it would become a Planning and Development Department commitment and under ideal conditions, it is estimated that the project would take until early 2013. This time estimate is based on the Planning Policy group being at a full staff complement and that the other current Planning Policy priorities can be re-arranged. If the timing or progress of this project or the timing of any of the other current project objectives is altered, the changes would be identified and brought forward by the Planning and Development Department for discussion and consideration by the Planning Committee and Council.

It is sometimes suggested that planning consultants be retained to do the work. However, it takes a great deal of staff effort to engage and work with the consultants including the following:

- define the project;
- prepare a request for proposals;
- receive and review the proposal submissions;
- interview and evaluate selected firms;
- enter into the contract;
- assist the consultant with research and background information;
- organize and respond to the public and Council comments and concerns;
- manage the timing, cost and progress over the course of the project; and,
- ensure that the consultant's final product meets the terms of the contract.

The parameters of the Central Accommodation Review project and the proposed review methodology were carefully weighed against retaining consulting assistance. After careful consideration, staff recommend that retaining consultants to do this project would not save enough time to make the consulting process helpful in speeding along the completion of the study.

CONCLUSION

The issues surrounding the continuing impact of the intensification, built form and quality of housing in the central area of the former City of Kingston particularly as it relates to accommodating the residential needs of the Queen's University and St. Lawrence College student body are still of concern. The proposed Central Accommodation Review is a project that is important to the City, the University and College students and administrators and the residents of the affected neighbourhoods. Given the varied nature of the issues, the project must involve a multi-disciplinary team and cannot be carried solely by the Planning and Development Department.

The importance of the exercise is not in question. However, whether or not this is the time to proceed with the project should be considered within the context of the other Departmental

priorities established by Council. The question of retaining consultant assistance has been considered and does not appear to offer any advantage in speeding the review along. The Planning and Development staff, with the support of the other project team members, would conduct the research, prepare the reports, involve any stakeholders and present the reports to the Planning Committee as they are completed. The approach to the project has been laid out by the methodology outlined in this report. As well, there are a number of key elements identified in this report that would need to be addressed.

EXISTING POLICY/BY LAW:

Kingston's Strategic Plan 2011-2014 – Corporate Work Plan;
The Provincial Policy Statement;
The City of Kingston Official Plan;
Zoning By-law No. 8499; and,
Intensification/New Community Design Guidelines, 2010.

NOTICE PROVISIONS:

N/A

ACCESSIBILITY CONSIDERATIONS:

This report is available in accessible formats upon request.

FINANCIAL CONSIDERATIONS:

As noted, the work proposed in the report would be undertaken by staff resources within the Planning & Development Department in consultation with the project team. Financial resources from the department's existing operating budget will be required to undertake the necessary public engagement and consultation activities required to support the work.

Staff are requesting that \$7,000 from the Working Fund Reserve be added to the Planning and Development operating budget in each of 2012 and 2013 to cover costs for advertising and printing.

CONTACTS:

Hugh Gale, Senior Special Projects Planner, Planning & Development, 613-546-4291, ext. 3288
Cherie Mills, Manager, Policy Planning, Planning & Development, 613-546-4291, ext. 3289
Grant C. Bain, Director, Planning & Development, 613-546-4291, ext. 3252

OTHER CITY OF KINGSTON STAFF CONSULTED:

Marnie Venditti, Manager of Development Approvals

Terry Willing, Director of Building and Licensing
Mark McLaughlin, Senior Legal Counsel

EXHIBITS ATTACHED:

N/A