



**CITY OF KINGSTON**  
**INFORMATION REPORT TO PLANNING**  
**COMMITTEE**

**Report No.: PC-13-027**

---

**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:** April 4, 2013

**SUBJECT:** Central Accommodation Review:  
Review of Previous Studies and Initiatives

---

**EXECUTIVE SUMMARY:**

Residential intensification in Kingston Central has received a great deal of attention over the years. An on-going concern is the development of residential additions and new buildings that are out-of-scale and character with the surrounding neighbourhood. Supply and demand pressures for residential accommodations are also part of this issue, as this area of the City tries to accommodate a large population of post-secondary students, as well as other residents looking to live in Kingston's central core.

As set out in Report No. PC-12-024, which detailed the approach of the Central Accommodation Review, this report examines a number of past studies and initiatives, which help to inform discussion and current research. The recommendations and conclusions of the following six studies/reports are reviewed, as well as how the various recommendations of each were implemented:

1. Student Housing Review – Phases I to III;
2. Interim Control Area Study – 1991: A Study of the Regulation of Residential Building Size in Inner-City Neighbourhoods;
3. Residential Intensification Near the Queen's Main Campus: Analysis of Committee of Adjustment Applications, 1993-2002;
4. Residential Intensification in the Area Around Queen's University;
5. Downtown Residential Review (DRR); and,
6. Student Accommodation Discussion Paper.

**RECOMMENDATION:**

This report is for information purposes.

**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 &amp; Emergency Services</i>	N/R
Jim Keech, <i>President and CEO, Utilities Kingston</i>	N/R

***(N/R indicates consultation not required)***

**OPTIONS/DISCUSSION:**

The issue of residential accommodations in the central core of the City of Kingston has received significant attention for many years. Since the 1970's, various reports and working committees have been developed that recommended a variety of planning and non-planning approaches to address the issues arising from continued residential development in Kingston Central. Part of the issue includes maintaining a residential supply to accommodate a large population of post-secondary students in the City.

As set out in Report No. PC-12-024, which detailed the approach of the Central Accommodation Review (CAR), the purpose of this report is to provide background information on past studies that examined the issue of residential development in the City's urban core. As part of the CAR, staff have examined the following six studies/reports:

1. Student Housing Review – Phases I to III;
2. Interim Control Area Study – 1991: A Study of the Regulation of Residential Building Size in Inner-City Neighbourhoods;
3. Residential Intensification Near the Queen's Main Campus: Analysis of Committee of Adjustment Applications, 1993-2002;
4. Residential Intensification in the Area Around Queen's University;
5. Downtown Residential Review (DRR); and,
6. Student Accommodation Discussion Paper.

Each study or report that was reviewed is described below, and includes a summary of the conclusions and recommendations, as well as a description of the actions taken on proposed recommendations. This information is presented to provide context and an historical account of current challenges. In order to properly frame a strategy to respond to current problems, it is necessary to recall previous work so that the applicable lessons may be extracted from it.

**A. Student Housing Review – Phases I to III**

Date Completed:

Phase I, Background & Concept Report, 1990

Phase II, Planning Implementation Report, 1992

Phase III, General Municipal Implementation Report, 1992

Completed by:

City of Kingston Planning Department

Study Area:

Not applicable

Purpose of the Study:

In 1990, as a result of the issues arising from a development proposal that was considered out-of-scale, Planning Committee directed the Planning Department to review alternative approaches to prevent the further development of residential additions that would compromise the integrity of existing neighbourhoods. The purpose of the review was to focus on student housing as a specific type of residential land use activity, identify the land use impacts created by the concentration of student housing, and to propose land use planning approaches to deal with the issues that had arisen from this specialized land use activity.

As a response to the request from Planning Committee, the Planning Department produced a three phase Student Housing Review (1990-1992). Phase I of this review presented a profile of student housing in Kingston and identified the current planning framework and mechanisms to address the issues that had arisen from student housing as a specific residential land use activity in Kingston. Phase II outlined an implementation plan and identified Official Plan and Zoning By-Law amendments that would be necessary as a result of the findings of Phases I and II. Phase III identified an implementation plan for issues that were outside of land use planning, such as property standards and garbage control.

Summary of Conclusions and Recommendations:

As a result of public consultation with the community and students, concerns were identified with respect to the approach taken in the review process. The approach was considered discriminatory due to the separate treatment of students and the fact that the *Municipal Act* at that time did not allow municipalities to license student accommodation. Furthermore, the approach relied on the definition of 'family' and amendments to the *Planning Act* prohibited by-laws from distinguishing between related and unrelated persons. As a result of these issues, in 1994, City Council approved the recommendation that the Student Housing Review Phase II file be closed with no further action to be taken.

Implementation:

None of the proposed amendments were implemented (and they would not be permitted under current legislation).

**B. Interim Control Area Study – 1991: A Study of the Regulation of Residential Building Size in Inner-City Neighbourhoods**Date Completed:

October 1992

Completed by:

City of Kingston Planning Department

Study Area:

The area affected by Interim Control By-Law No. 91-323 was shown on Map 3 in the study, and a copy of that map is included as Exhibit 'A' to this report.

Purpose of the Study:

In addition to the Student Housing Review described above, City Council also enacted an Interim Control By-Law in 1991, which temporarily froze development in a prescribed area (refer to Exhibit 'A') that was determined to be under significant pressure for large additions to existing houses. The temporary freeze on development was meant to allow time for the Planning Department to complete a study on the regulation of building size in downtown neighbourhoods.

The purpose of the study was to assess the size of residential buildings in the study area with a view towards proposing changes to the overall regulatory framework controlling building additions to ensure that:

- New additions would be compatible in terms of scale, bulk and massing with study area building size standards; and,
- The policies of the City's Official Plan with respect to new development in certain residential neighbourhoods were appropriately implemented in the City's land use control mechanisms.

Summary of Conclusions and Recommendations:

The study made four key recommendations to amend Zoning By-Law No. 8499, in order to address the concern of out-of-scale additions to existing residential buildings:

1. There should be a new maximum building depth regulation to limit permitted building depth in accordance with the neighbourhood standard in relation to the depth of adjacent buildings;
2. The residential maximum building height regulation should be revised to recognize the building silhouette that predominates in the 'A' Zone, and encourage a pitch roof configuration that is characteristic of residential buildings in the area;
3. There should be a new floor space index regulation incorporated into the zoning by-law based on the relationship between the existing lot coverage and building height regulations; and,
4. The changes proposed for Zoning By-Law No. 8499 should apply to all of the 'A' Zone, and not just the Interim Control By-Law study area.

Implementation:

The recommendations were implemented through an amendment to Zoning By-Law No. 8499. By-Law No. 93-200 amending the 'A' Zone regulations was approved by Council on June 29, 1993. The by-law was appealed to the Ontario Municipal Board (OMB), but the Board dismissed the appeal and upheld Council's decision (OMB Order No. R 930428).

**C. Residential Intensification Near the Queen's Main Campus: Analysis of Committee of Adjustment Applications, 1993-2002**Date Completed:

June 2002

Completed by:

City of Kingston Planning Division

Study Area:

The study area for this report was the same as for the Interim Control Area Study – 1991: A Study of the Regulation of Residential Building Size in Inner-City Neighbourhoods (refer to Exhibit 'A').

Purpose of the Report:

This report was presented at a joint meeting of the Planning Committee and Committee of Adjustment. Planning Committee hosted the joint meeting to discuss a motion passed by the Committee of Adjustment. The Committee of Adjustment wanted the Planning Committee and Council to consider the possibility of a neighbourhood study or Interim Control By-Law to suspend intensification of development in a defined area.

The report reviewed the previous work done by the City on the issue, including the zoning by-law amendments that had been made as a result of the Interim Control Area Study of 1991. The report also provided an analysis of Committee of Adjustment applications in the study area between 1993 and 2002.

Summary of Conclusions and Recommendations:

The analysis done of the Committee of Adjustment applications indicated that there had been a relatively high degree of residential intensification activity in the area near the Queen's University Main Campus. However, the analysis also indicated that the revisions to the 'A' Zone following the 1991 Interim Control Area Study had been effective, since any minor proposal for intensification that had not met the zoning by-law defined community standard had been required to seek approval through an open public meeting held by the Committee of Adjustment, at which residents in the neighbourhood had an opportunity to review and comment on the proposal.

Implementation:

Staff was directed to prepare a report back to Planning Committee that would provide a range of options that might help to mitigate the negative impacts of residential intensification in the area around Queen's University.

**D. Residential Intensification in the Area Around Queen's University**

Date Completed:

November 2002

Completed by:

City of Kingston Planning Division

Study Area:

The study area for the report illustrated various walking distances from Queen's University Main Campus and was shown on Map 1 in Appendix 1 of the document, and a copy of that map is included as Exhibit 'B' to this report.

Purpose of the Report:

The purpose of the report was to provide the Planning Committee with a comprehensive range of options that might help mitigate the negative impacts of residential intensification in the area around Queen's University, and to enhance the benefits this form of development can bring to the area and stakeholders.

The report included a review of the following components: the Student Housing Review and Interim Control Area Study from the early 1990s; existing Official Plan policies and zoning regulations; property standards and building inspection work being undertaken by the Building and Licensing Division; and, the experience with residential intensification of a number of other Ontario municipalities that host post-secondary institutions.

Summary of Conclusions and Recommendations:

The report recommended that Planning Committee direct staff to establish a working committee consisting of representatives from Queen's University, the community, and City staff to address the issue of residential intensification around the Queen's University main campus, and to re-examine the previous studies conducted by the City regarding the issue of residential intensification.

Implementation:

The recommendation of this report resulted in the creation of the Downtown Residential Review (DRR) Working Committee.

**E. Downtown Residential Review (DRR)**Date Completed:

- Downtown Residential Review (DRR) Working Committee Report: Discussion and Recommendations on Residential Intensification Issues in Downtown Kingston Neighbourhoods, August 2003
- Downtown Residential Review – Technical Review of Recommendations, November 2004

Completed by:

Downtown Residential Review Working Committee and City of Kingston Planning Division

Study Area:

The study area for the DRR included the neighbourhood areas shown on Map 2 in Appendix 'B' of both the DRR Working Committee report and the DRR Technical Review of Recommendations report, and a copy of that map is included as Exhibit 'C' to this report.

Purpose of the Study:

The DRR Working Committee was originally formed as a result of the report entitled *Residential Intensification in the Area Around Queen's University*, which was presented to Planning Committee on November 7, 2002. By recommendation of the Planning Committee, Staff established the DRR Working Committee consisting of representatives from Queen's University (administration and students), St. Lawrence College, the community (including residents, tenants, landlords, and developers), and City staff to address the issue of residential intensification in the downtown.

The mandate of the Committee was to provide input into the discussion of relevant planning and development issues surrounding residential intensification in the City of Kingston's downtown neighbourhoods and to assist in the formulation of future recommendations to Planning Committee and Council.

The issues primarily related to the ongoing submission of development applications and the resultant neighbourhood concerns over the impact of building additions, expansions, etc., on the character and quality of life in downtown neighbourhoods, given the continued housing demand from both the student and general population. The overall goal was to ensure that any intensification that happens within the core downtown area is carried out in a proper and responsible manner that ensures a high quality living environment.

The purpose of the Technical Review report was for staff to consider the merits of each of the DRR recommendations and provide input into their modification, where deemed appropriate. By doing so, the technical review and analysis would provide input into the future direction for the implementation of the final set of DRR recommendations.

The recommendations are divided into short term, mid to long term, and non-planning and development issues. The following is a summary of all of the recommendations from the DRR, including any modifications made through the technical review.

Summary of Short Term Recommendations:

- 1.1 Dormer Addition and/or Expansion – A zoning by-law amendment was proposed to clarify existing dormer provisions by providing additional detail, such as setbacks and size requirements, to allow for architectural and aesthetic detailing. The DRR recommendation was approved with minor staff modifications for compliance with the *Ontario Building Code*. Implemented through changes to the 'A' Zone provisions of Zoning By-Law No. 8499 by By-Law No. 2005-212.
- 1.2 Maximum Building Depth Requirement – The main purpose of this recommendation was to provide an area calculation to create an "upset limit" on the footprint size of a proposed addition. However, the depth and area calculations are not comparable units of measurement that can be used in the same provision, and this recommendation was not approved. It was recommended that there were other zoning regulations in the downtown



neighbourhoods that could be reviewed, including: lot coverage (building area), building depth, and Floor Area Ratio (FAR) / Floor Space Index (FSI).

- 1.3 Definition of 'Dwelling Unit' – The purpose of the recommendation was to limit the number of bedrooms per residential unit to that typically associated with standard residential dwellings. The definition in Zoning By-Law No. 8499 was only amended to include a provision for a 'private amenity area', as it was determined that further research was required before limiting the number of habitable rooms/bedrooms in relation to the number of dwelling units permitted in a residential zone(s). This research should include the specific geographic area that the provision would apply to, and a review of the density/number of units permitted in the area. The City encourages intensification in existing areas through the Urban Growth Strategy and Official Plan and shouldn't limit the number of rooms in a dwelling unit without examining the number of units permitted per property in a zone.
- 1.4 Definition of 'Common Room' – The purpose of the recommendation was to ensure that every residential dwelling has a designated interior common area. The DRR recommendation was approved with a staff modification of defining such space as a 'private amenity area'. Implemented through changes to Zoning By-Law No. 8499 by By-Law No. 2005-212.
- 1.5 Amenity Area Requirements for Multiple Family Dwellings in the 'B' Zones – The main purpose was to encourage the creation of units with fewer bedrooms by reducing the amenity area per unit requirement. A staff amendment to the DRR recommendation was approved, to allow for a reduction in amenity area requirements for multi-unit dwellings with 2 to 4 bedrooms for all forms of intensification. Additional amenity area space would be required for units with 5 bedrooms or more, and a provision was included that requires multi-unit buildings in the 'A' Zone to comply with the amenity area calculations. A review was not conducted to see whether such a provision is warranted for other residential areas/zones. Implemented through changes to Zoning By-Law No. 8499 by By-Law No. 2005-212.
- 1.6 Parking Requirements for Multiple Family Dwellings in the 'B' Zones – The purpose of the recommendation was to encourage the creation of more units with fewer bedrooms by reducing the number of required parking spaces per dwelling unit, but including instead a provision for bicycle parking spaces. The original DRR recommendation was approved, applying the regulation only to conversions and not to other forms of intensification. The provision of one bicycle parking space per dwelling unit was added to Zoning By-Law No. 8499 (By-Law No. 2005-212), but the auto parking space provisions were not altered by staff through the Zoning By-Law Amendment. It was felt that it would be premature to modify parking requirements for only specific portions of the downtown neighbourhoods, and for only certain types of development, without a comprehensive review to support such changes.

- 
- 1.7 Definition of 'Bicycle Parking Area' – The purpose of the recommendation was to facilitate the use of more sustainable transportation, and to complement the proposed parking requirements mentioned above in Section 1.6. The original DRR recommendation was approved, with the modification that the definition apply only to 'residential' bicycle parking areas. Implemented through changes to Zoning By-Laws No. 8499 and No. 96-259 by By-Laws No. 2005-212 and No. 2005-213.
- 1.8 Prohibition of New Floor Area in Multiple Unit Dwellings in the 'A' Zone – The main purpose was to strengthen the wording of the existing provision in order to prohibit the creation of additional floor area or dwelling units within existing multi-unit dwellings located in the 'A' Zone (for one and two unit dwellings). The recommendation was approved, and will require such future proposals to apply for a re-zoning as opposed to a minor variance. Implemented through changes to Zoning By-Law No. 8499 by By-Law No. 2005-212.
- 1.9 Removal of all reference to 'Family' throughout the Zoning By-Laws – The purpose of the recommendation was to bring municipal zoning by-laws into compliance with the provincial *Planning Act*. The staff recommendation was approved, which involves the removal of the term 'Family' from all future zoning by-laws. As an interim solution, since the term 'Family' is so prevalent in the documents, the definition will be modified to reflect a 'Family' as being "one or more persons residing together and comprising a single domestic household, sharing all areas of a dwelling unit." Implemented through changes to Zoning By-Laws No. 8499, No. 76-26, and No. 32-74.
- 1.10 Ensuring Built Development is in Accordance with Approved Drawings and Conditions of Approval – A staff recommendation was approved, which would see an additional condition of approval for Committee of Adjustment (COA) decisions. Where new construction is proposed, the applicant would be required to provide the Building and Licensing Division with a copy of the decision of the COA and a copy of the plans submitted with the COA application when applying for their building permit.

#### Summary of Mid to Long Term Recommendations:

- 2.1 Design Guidelines – A recommendation by the DRR to create design guidelines for the area of concern to clarify the City's design objectives, and to help integrate new development into the neighbourhoods while protecting the architectural integrity of the area. Recommended by staff, subject to the allocation of appropriate resources.
- 2.2 Designation of Buildings and Heritage Districts – A recommendation by the DRR for additional resources to continue and accelerate the Kingston Municipal Heritage Committee's designation program. Recommended by staff, subject to the allocation of appropriate resources.
- 2.3 Licensing of Lodging Houses – Implementation of a licensing system for lodging houses and/or rental units to allow for regular inspections. Most of the rental housing in the City

---

does not meet the definition of a lodging house (recent court precedent in Waterloo), and the licensing of rental units was prohibited by provincial legislation at the time. Therefore, it was not recommended by staff.

- 2.4 Minimum Distance Separation (MDS) for Residential Accommodation – The purpose of the recommendation was to institute MDS in conjunction with a licensing mechanism for lodging houses and/or rental units. Not recommended by staff as it could be seen as trying to regulate housing (not permitted by provincial legislation); could be considered discriminatory (i.e. limiting the number and location of rental / affordable accommodation); and would have the effect of dispersing accommodation, which would be contrary to the goal of intensification.
- 2.5 Definition of ‘Basement’ and ‘Cellar’ – The main purpose of the recommendation was to try and provide additional living space by utilizing basements in dwellings. In order to be habitable, basements must be more than 50% above-grade. Cellars are considered to be less than 50% above-grade and are not permitted as habitable space. Staff did not recommend modifying the definitions at the time, for health and safety reasons. Staff did recommend examining the issue of accessory apartments as an additional means of housing.
- 2.6 ‘Back Lot’ and ‘Centre Block’ Development – The purpose of the recommendation was to provide additional residential units by utilizing deep rear yards or centre areas of residential blocks. Staff recommendations: development in back lots can be accommodated by existing Official Plan policies and can be evaluated on an individual basis; development in centre blocks would require land assembly and an area-specific concept plan; and, design guidelines would be particularly useful in shaping these types of development.
- 2.7 ‘Area 8’ Concept Plan – An area defined by the DRR as being bound by Princess St. to the north, Alfred St. to the west, Clergy St. to the south, and Barrie St. to the east, and having the potential for future development and intensification. Not recommended by staff at the time, as it would be a large-scale project that would require additional resources, including an urban designer.
- 2.8 Design Review Panel – A proposal for an advisory panel to review design plans for development applications and public projects, and to help formulate urban design policies and criteria. Recommended by staff only when the City has the appropriate resources for such a committee, i.e. an appropriate staff resource (urban designer) and design guidelines (as a standardized means by which to evaluate proposals).

#### Non-Planning & Development Issues:

The purpose of this section was to provide information about those issues discussed during the DRR that were not directly related to planning and development, but were part of the larger existing issues in the area. Support was indicated for the following: proactive by-law

enforcement, particularly property standards; information for students on municipal issues; and, an on-going Town & Gown Committee.

Implementation:

As noted in some of the above recommendations, there were some Zoning By-Law amendments that were passed in 2005 that incorporated many of the short term recommendations of the DRR and the revisions proposed by the Planning Division through the Technical Review.

**F. Student Accommodation Discussion Paper**

Date Completed:

October 2007

Completed by:

City of Kingston Planning and Development Department

Study Area:

Not applicable

Purpose of the Study:

To review the studies and initiatives undertaken up until that time regarding the issue of accommodating post-secondary students in the central portion of the City, specifically with regard to the development of over-sized additions and new buildings on residential properties.

The report analyzed Committee of Adjustment applications from January 2003 to July 2007; reviewed the 2006/2007 enrolment numbers and forecasts for each of the three post-secondary institutions; reviewed on-campus student accommodation, the off-campus student housing supply, and off-campus student accommodation programs; and, provided an update on the mid to long-term recommendations of the DRR.

The following is a summary of the updates to the DRR's mid to long recommendations:

- Design Guidelines – At the time of the report, funds had been allocated from the capital budget to undertake the design guidelines.
- Designation of Buildings and Heritage Districts – Since the original DRR recommendation, additional staff resources for cultural heritage had been hired, and there were also significant changes to the *Ontario Heritage Act* and *Provincial Policy Statement* with respect to cultural heritage resources. The report included a list of all of the heritage initiatives being undertaken at that time, including a number of initiatives involving the designation of properties and a proposed Heritage Conservation District for Sydenham Ward.

- 
- Licensing of Lodging Houses – In September 2006, Council passed By-Law No. 2006-213, which permits the City to license, regulate and govern certain businesses, including lodging houses. A lodging house includes every premise “in which four or more persons, exclusive of staff, are lodged, with or without meals, in return for a fee.” This does not include any premises with self-contained residential units. Therefore, lodging houses do not reflect the prominent type of rental unit in the City.

Amendments to the *Municipal Act, 2001*, which came into effect on January 1, 2007, allow municipalities to license any business or activity that is considered appropriate in pursuing the public good. The implementation of a residential rental licensing by-law would allow for the enforcement of applicable health and safety provincial legislation through inspections as a requirement to receive a license. The report noted that in order to evaluate the merits of a rental accommodation by-law in the City of Kingston, a separate report dedicated to the issue is required to evaluate the recommendation in the detail it deserves. It should be noted that such a by-law would require significant resources to administer the licensing program, as well as staff time to perform site inspections. Issues such as licensing fees, cost recovery, license renewal procedures and the impacts of licensing on the rental market should be part of a more in-depth analysis of a residential rental licensing program.

- Minimum Distance Separation (MDS) for Residential Accommodation – During the technical review of the DRR report, it was determined that having MDS for certain types of residential accommodations could be discriminatory in nature; could affect affordable housing; would disperse accommodation, which would be contrary to the goal of intensification; and, could be outside the municipality’s jurisdiction. For these reasons, MDS was not investigated further.
- Definition of ‘Basement/Cellar’ – At the time of the DRR report, staff did not recommend permitting residential units in cellars for health and safety reasons, but did recommend a review of the issue of accessory apartments. At the time of the 2007 update, it was anticipated that the issue of accessory apartments would be discussed as part of the Official Plan Review.
- ‘Back Lot’ and ‘Centre Block’ Development – No additional work or recommendations were made from the time the Technical Review of the DRR Report was undertaken.
- ‘Area 8’ Concept Plan – Staff anticipated requesting a capital budget allocation in 2008 to complete the work on this concept plan.
- Design Review Panel – No further recommendation were made with respect to a design review panel, but funds had been allocated to complete the recommended design guidelines.

Summary of Conclusions and Recommendations:

The Student Accommodation Discussion Paper made three main recommendations:

1. The Planning and Development Department, during the Official Plan Comprehensive Review, should examine the Student Housing policies of Section 4.7.4 of the former City of Kingston Official Plan, and include similar policies in the new Official Plan;
2. The Planning and Development Department should pursue the design guidelines and concept plan recommended by the DRR; and,
3. The Student Accommodation Discussion Paper should be forwarded to the Building and Licensing Department and the Culture and Heritage Department for their information, as some of the issues reviewed in the report are outside the jurisdiction of the Planning and Development Department.

Implementation:

The Official Plan policies with respect to student accommodation were carried over, with some slight modifications, to Sections 3.3.D.10 to 3.3.D.13 of the new Official Plan.

The Kingston Residential Intensification/New Community Design Guidelines were undertaken in 2009 and 2010, and were approved in principle in July 2010.

**Current Update on Outstanding Issues**Design Guidelines

With the addition of a planning resource with urban design expertise, staff are in the process of editing the Kingston Residential Intensification/New Community Design Guidelines into two sets of working guidelines that are concise and simple for users/builders to use.

Designation of Buildings and Heritage Districts

With the allocation of additional staff resources to the Heritage and Urban Design Division of the Planning and Development Department, staff are advancing the Department's program for prioritizing the designation of new properties, and updating designation by-laws for others, and also undertaking the update of existing Heritage Conservation District Plans (Market Square and Barriefield) and undertaking new Plans (Old Sydenham). In addition, a new mandate was approved for the Municipal Heritage Committee by Council in June 2012, and this broadens the Committee's role by blending built heritage issues with cultural matters.

Licensing of Residential Rental Units

As part of the Central Accommodation Review (CAR), staff will be providing a report on how other Ontario municipalities with post-secondary institutions have been utilizing controls, such as the licensing of residential rental units, to control development.

Minimum Distance Separation (MDS) for Residential Accommodation

There have been recent legal cases where the Ontario Human Rights Commission has successfully challenged a number of Ontario municipal zoning by-laws for regulations related to MDS for various types of residential accommodations (e.g. group homes). For this reason, staff does not recommend pursuing the use of MDS to regulate housing.

Habitable Space in Cellars vs. Basements

The issue of whether to allow habitable space in cellars (more than 50% below grade) as of right is something that will be examined in greater detail as part of the Comprehensive Zoning By-Law Review.

Back Lot Development

Policies respecting this issue have been carried forward into the Official Plan.

Area 8 Concept Plan

Area 8 has been addressed by both the completion of the Kingston Residential Intensification / New Community Design Guidelines (2010), and the "Residential Intensification in Kingston's Near-University Neighbourhoods" report (2009) that was completed by students at the Queen's University School of Urban and Regional Planning.

**EXISTING POLICY/BY LAW:**

The relevant policies and regulations that were in place at the time that each of the studies/reports were written are discussed as part of sub-sections A through F described above in the Options/Discussion section of the report.

**NOTICE PROVISIONS:**

N/A

**ACCESSIBILITY CONSIDERATIONS:**

The report is available in alternate formats upon request.

**FINANCIAL CONSIDERATIONS:**

N/A

**CONTACTS:**

Grant C. Bain, Director, Planning and Development Department, 613-546-4291, ext. 3252  
Cherie Mills, Manager, Policy Planning, 613-546-4291, ext. 3289  
Sonya Bolton, Senior Policy Planner, 613-546-4291, ext. 3237

**OTHER CITY OF KINGSTON STAFF CONSULTED:**

Shirley Bailey, Manager, Heritage and Urban Design

**EXHIBITS ATTACHED:**

Exhibit 'A' - Interim Control Area Study – Map of Study Area

Exhibit 'B' - Study Area for Report entitled Residential Intensification in the Area Around Queen's University

Exhibit 'C' - Downtown Residential Review (DRR) Study Area





Interim Control Area Study

Map 3

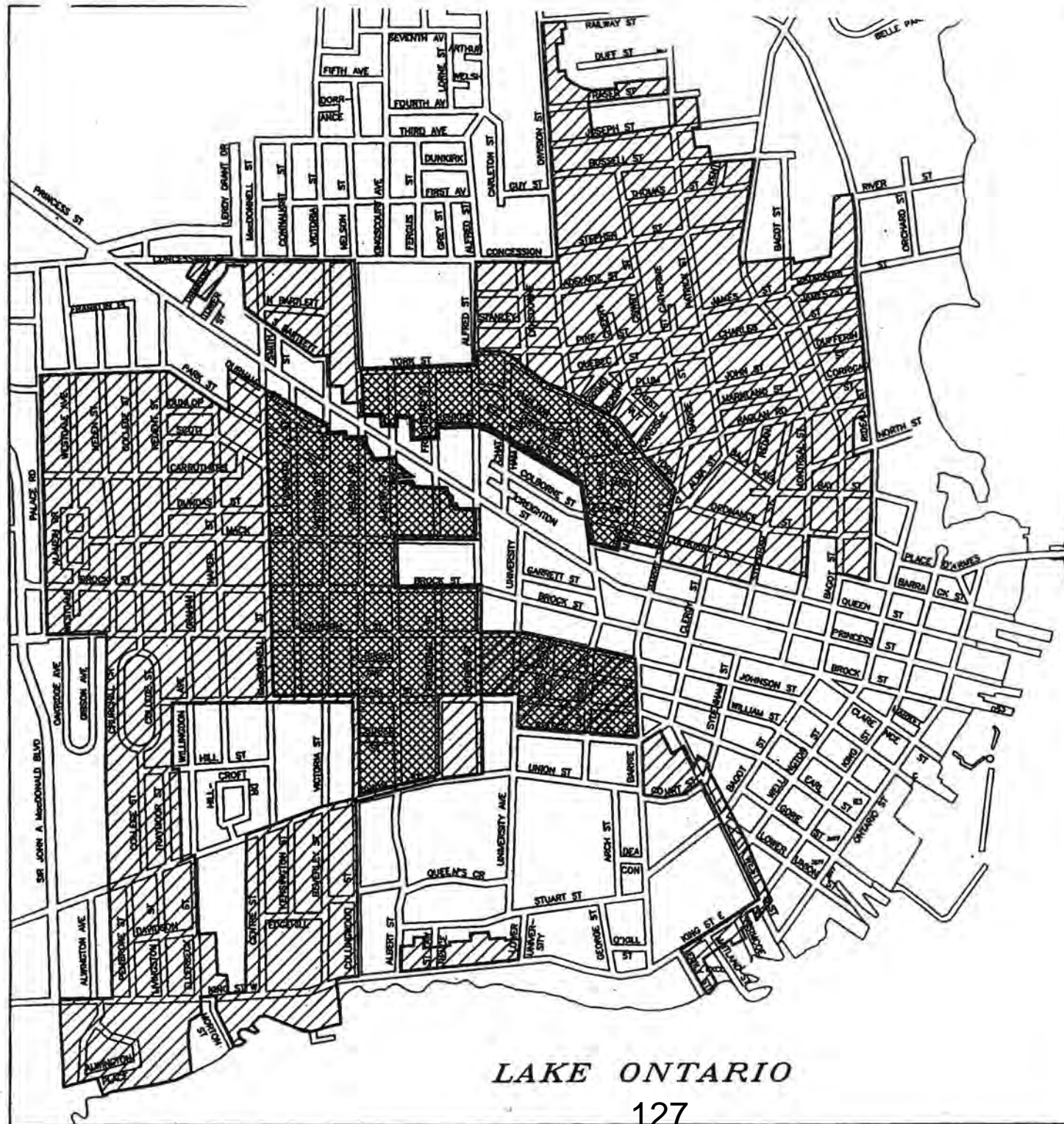
Interim Control Area in Relation to the "A" Zone



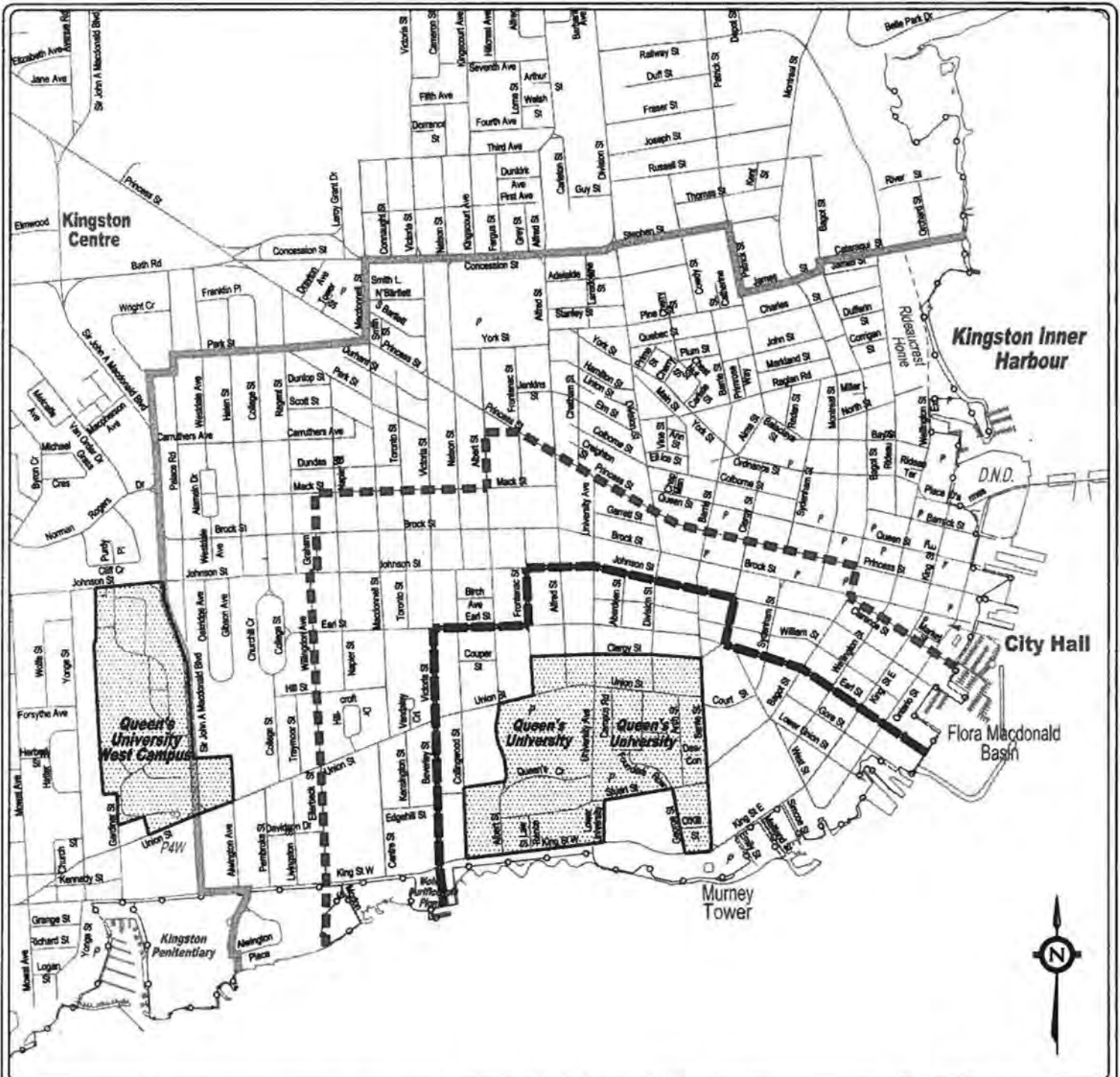
"A" ZONE



INTERIM CONTROL AREA



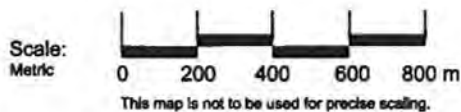
LAKE ONTARIO



The Corporation of the City of Kingston  
Key Map

**Appendix 'A' - Map 1**  
**Walking Distance to**  
**Queen's University Main Campus**

**Planning Division**  
a division of  
Planning &  
Development  
Services

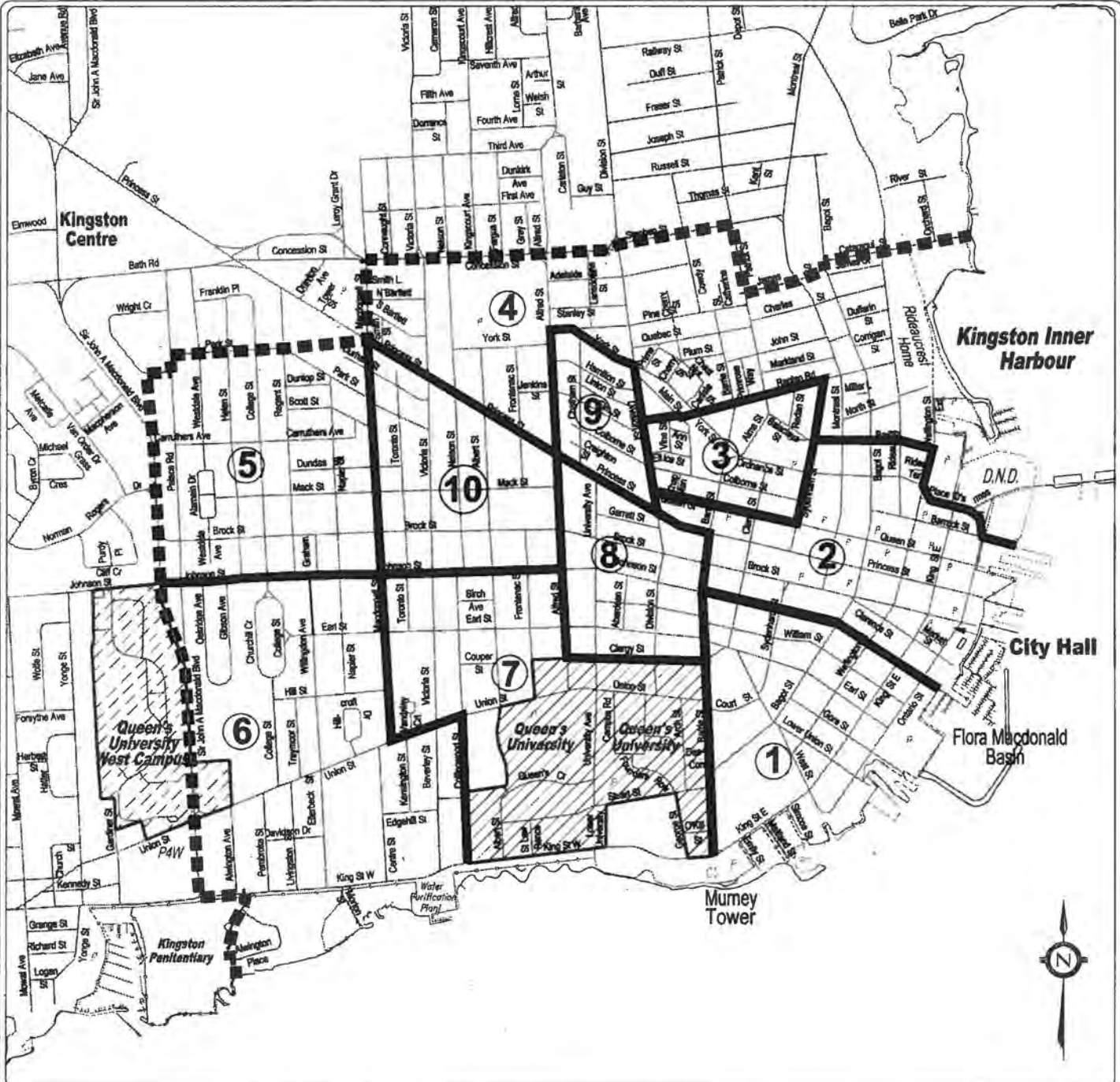


Source: Queen's University, Queen's Accommodation Listing Service  
Student Housing Map, [www.queensu.ca/dsao/housing/areamap.htm](http://www.queensu.ca/dsao/housing/areamap.htm)

Legend:

- 5 min. walk
- 10 min. walk
- 20 min. walk

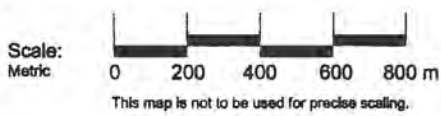
Prepared by: T. Gravel Date: October 15, 2002  
Revised by: LF, TF Date: May 12, August 17, 2004



The Corporation of the City of Kingston  
Key Map

**Appendix 'B' - Map 2  
DRR Neighbourhood Areas**

**Planning Division**  
a division of  
Planning &  
Development  
Services



**Legend:**  
■ ■ ■ ■ ■ Boundary of DRR Study Area

Source: Queen's University, Queen's Accommodation Listing Service Student Housing Map, [www.queensu.ca/dsao/housing/areamap.htm](http://www.queensu.ca/dsao/housing/areamap.htm)

Prepared by: T. Gravel Date: October 15, 2002  
Revised by: T. Fisher, LF Date: August 17, 2004

K:\004\DRR-Downtown Residential Review\Map2 DRR Neighbourhood Areas