



Union Park 40 Sir John A Macdonald Boulevard – Block 2

Planning Justification Report
Official Plan Amendment and Zoning By-law Amendment
July 16, 2026

Prepared for Siderius Developments Ltd.

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1.0 Introduction

Fotenn Planning + Design has been retained by Siderius Developments Ltd. (the Applicant) to prepare this Planning Justification Report in support of applications for Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 40 Sir John A. Macdonald Boulevard – Block 2 and Block 7 (the "subject site") in the City of Kingston. For the purposes of this report, all references to "Block 2" shall be deemed to include Block 7, unless otherwise specified. The subject site is an approximately 0.65-hectare parcel located at the southwest corner of the intersection of Sir John A. Macdonald Boulevard and Union Street. The purpose of the applications is to facilitate the adaptive re-use of the former Prison for Women building by permitting a broader range of commercial uses, including a public market and office uses.

The subject site forms part of the larger Union Park Kingston redevelopment, which previously received approvals for an Official Plan Amendment, Zoning By-law Amendment, Heritage Easement Agreement, Brownfield Site Agreement, and Plan of Subdivision. The approved Union Park Kingston development includes a private internal street, the Prison for Women Memorial Garden to be constructed and maintained by the Prison for Women Memorial Collective Inc., and a privately owned publicly accessible park and walking path. Although the overall redevelopment vision remains unchanged, the implementation of the City's new Official Plan has been paused until 2027. As a result, the proposed changes to Block 2 are being advanced under the existing Official Plan framework, requiring an Official Plan Amendment.

The vision for Union Park is to create a compact, mixed-use community that integrates residential, commercial, employment, institutional and open space uses while preserving the site's significant cultural heritage resources. The proposed adaptive re-use of Block 2 is consistent with this vision. While the building was originally approved to contain residential units, updated market analysis has demonstrated that a broader range of commercial uses is more appropriate. The proposed office, public market, and complementary commercial uses will activate the heritage building, create employment opportunities, expand access to local goods and services, and complement the residential, seniors' housing, hotel, and open space uses planned throughout the broader Union Park Kingston development.

The City of Kingston has identified the supporting materials required to evaluate the applications. The following documents have been submitted in support of the proposed Official Plan Amendment and Zoning By-law Amendment:

- / Conceptual Site Plan;
- / Floor Plans, Elevations, and Renderings;
- / Servicing Report;
- / Noise Impact Addendum;
- / Traffic Impact and Parking Study;
- / Heritage Impact Assessment;
- / Application forms submitted through the City's Development Application Submission Hub (DASH);
- / Application fees; and
- / This Planning Justification Report.

The purpose of this report is to evaluate the proposed development and demonstrate that the requested Official Plan Amendment and Zoning By-law Amendment represent good planning, are appropriate for the subject site, and conform with the applicable provincial, regional, and municipal planning policy framework.

1.1 Development Applications

The subject site is designated Residential on Schedule 3-A – Land Use and is subject to Site-Specific Policy Area (SSP) 71 on Schedule 3-D of the City of Kingston Official Plan. The site is zoned Urban Multi-Residential 4 Exception 99 (URM4-E99) and is subject to Holding Overlay 150 (H150) under City of Kingston Zoning By-law 2022-62.

The proposed development consists of the adaptive re-use of the former Prison for Women building to permit office, market, and additional commercial uses. An Official Plan Amendment is required to redesignate Block 2 from Residential to Mixed Use, while also amending SSP 71 to permit a mix of commercial and residential uses on Block 2. A Zoning By-law Amendment is also required to rezone the site to Mixed Use 1 (MU1) and to establish site-specific zoning permissions and performance standards to facilitate the proposed adaptive re-use of the heritage building.

A future Site Plan Control application will address detailed site design elements, including landscaping, parking, servicing, lighting, signage, and heritage conservation measures.

2.0 Site Context and Surrounding Area

2.1 Site Context and Surrounding Area

The property is located at the southwest corner of the intersection of Sir John A Macdonald Boulevard and Union Street. The Kingston Penitentiary and the Prison for Women (both closed) form their own Kingston Penitentiary Neighbourhood, abutting the boundaries of the Alwington, Sunnyside and Portsmouth neighbourhoods. Union Park Kingston has an area of approximately 3.28 hectares, with approximately 175 metres of frontage on Sir John A Macdonald Boulevard, approximately 199 metres of frontage on Union Street, and approximately 73 metres of frontage on King Street West. Block 2 has an area of 0.65 hectares, with 59 metres of frontage along Sir John A Macdonald Boulevard.

The subject site is currently developed with a building designated under Part IV of the *Ontario Heritage Act*, which is no longer in use, but previously functioned as the Prison for Women. The Prison for Women was officially opened on the subject site in 1934. The building experienced a variety of physical changes throughout its decades of use as a federal penitentiary for women, which are visible in its external façade and within its walls still today. The architectural uniqueness of these features, such as the cupola, the fenestration, and the materials used in its erection, have contributed to the site's heritage designation under Part IV of the *Ontario Heritage Act*. The eventual closure of the Prison for Women in 2000 removed the use of the penitentiary, however the historical and emotional significance that the building serves for Canadian history, and for the women who spent a portion of their lives within this building, is lasting. The former Prison for Women building consists of an Administration Block, Cell Block, a more modern Annex Wing and various modern smaller additions. The building is functionally obsolete, has internal designated substances, and has sat idle and unattended to for over 21 years.



Figure 1: View of Former Prison for Women Administration Block (right) and Annex Wing (left) from the east side of Sir John A Macdonald Boulevard (Source: Fotenn Planning + Design).

The lands surrounding the subject site consist primarily of institutional and residential uses. Properties along Sir John A Macdonald Boulevard in proximity to the site consist of institutional uses. Union Street consists of Queen's University's

West Campus, across from the subject site to the north, as well as residential uses to the west. The subject site abuts the Correctional Service of Canada Museum and Steam Plant to the south, and the Kingston Penitentiary is located south of the subject site on the south side of King Street West which now serves as a tourist destination. Residential and open space uses such as Portsmouth Olympic Harbour and Aberdeen Park can be found along King Street West, southwest of the subject site.

The site benefits from its proximity to various community services and employment uses such as Queen's University, St. Lawrence College, Corrections Canada Regional Training Centre, the Donald Gordon Centre. The site is located in proximity to commercial uses including those in Portsmouth Village west of the site, the Kingston Centre shopping complex north of the site, and the City's Downtown Central Business District northeast of the site. The site is also located in proximity to multiple parks including Aberdeen Park, Garrigan Park, Oakridge Park, and Woodland Park. The site is also in proximity to waterfront access via the Portsmouth Olympic Harbour.

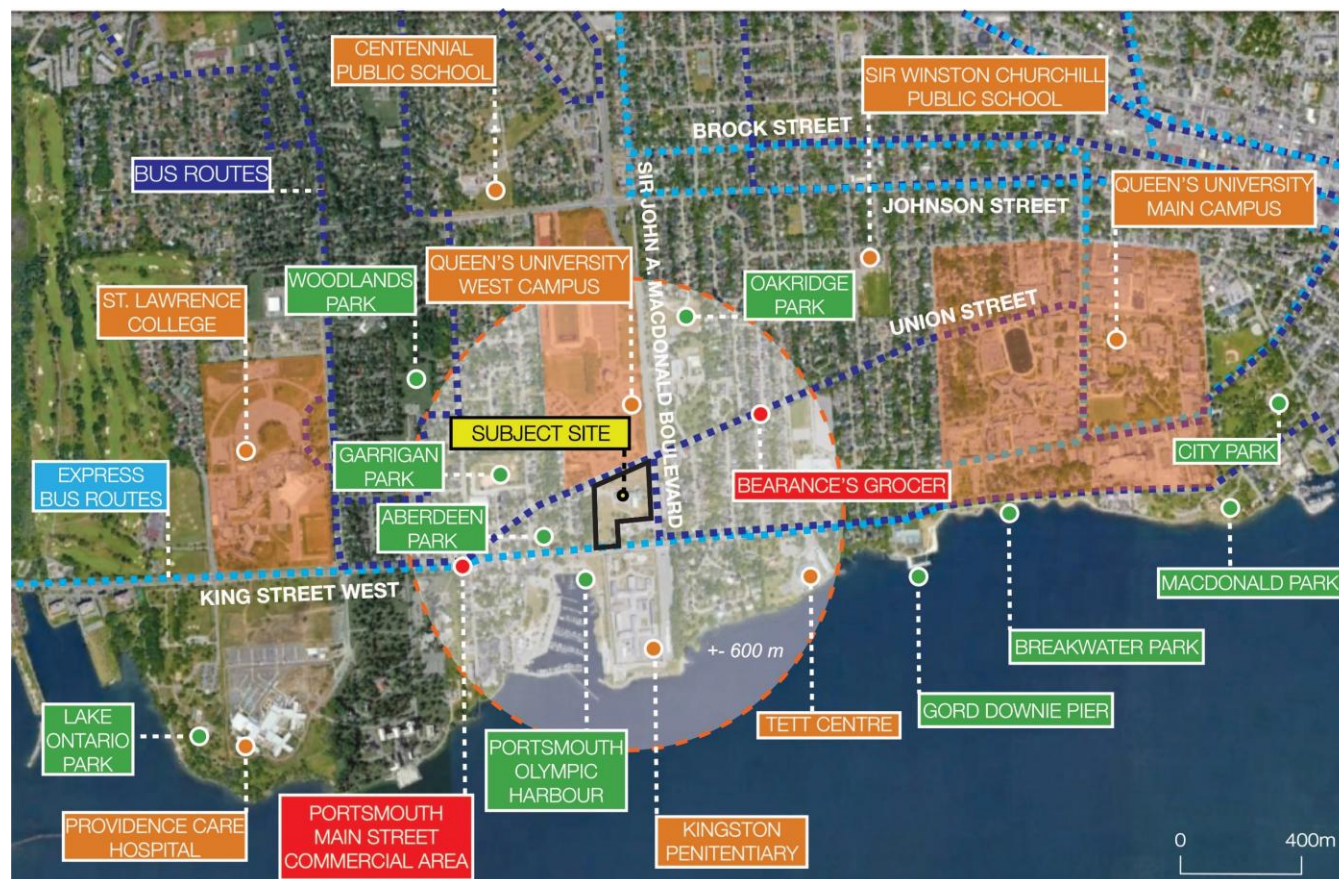


Figure 2: Surrounding context (Source: Kingston K-Maps)

The surrounding area contains a mix of built form including single detached dwellings, multi-family residential dwellings, and largescale institutional buildings including dormitories, apartments and penitentiary buildings. Immediately surrounding the site, Queen's University's West Campus contains student residence buildings administration buildings, sports facilities and fields and classrooms with heights ranging from four to 16 storeys, the Portsmouth neighbourhood to the west consists of building heights ranging from one to two storeys, and the Alwington neighbourhood to the east consists of building heights of one to two storeys.

The following uses are immediately adjacent to the subject lands:

- / **North side of Union Street:** Institutional (Queen's University West Campus)
- / **East side of Sir John A Macdonald Boulevard:** Institutional (Corrections Canada, open lawn, vacant heritage building and parking)

- / **South:** Institutional (Penitentiary Museum, steam plant and Kingston Penitentiary)
- / **West:** Residential (one- and two-storey dwellings)

Existing vehicle access is located on Union Street at the northwest boundary of the property. The main pedestrian entrance is located on Sir John A Macdonald Boulevard, aligning with the front door of the building, although there is generally no restriction to pedestrian access. Sidewalks are located on both sides of Sir John A Macdonald Boulevard adjacent to the site, along the north and a portion of the south side of Union Street, and along the north and south sides of King Street West. The intersections of Sir John A Macdonald Boulevard and Union Street and the intersection of Sir John A Macdonald Boulevard and King Street West are signalized and include pedestrian crossings.

The subject site is well served by Kingston Transit with multiple transit stops on Union Street and King Street West. Kingston Transit Routes 1 and 2 currently operate on Sir John A Macdonald Boulevard and Union Street and Express Routes 501/502 operate on and serve King Street West. These transit routes provide access to the downtown, St. Lawrence College, Queen's University Main Campus, the Montreal Street Park & Ride, and the City's west end.

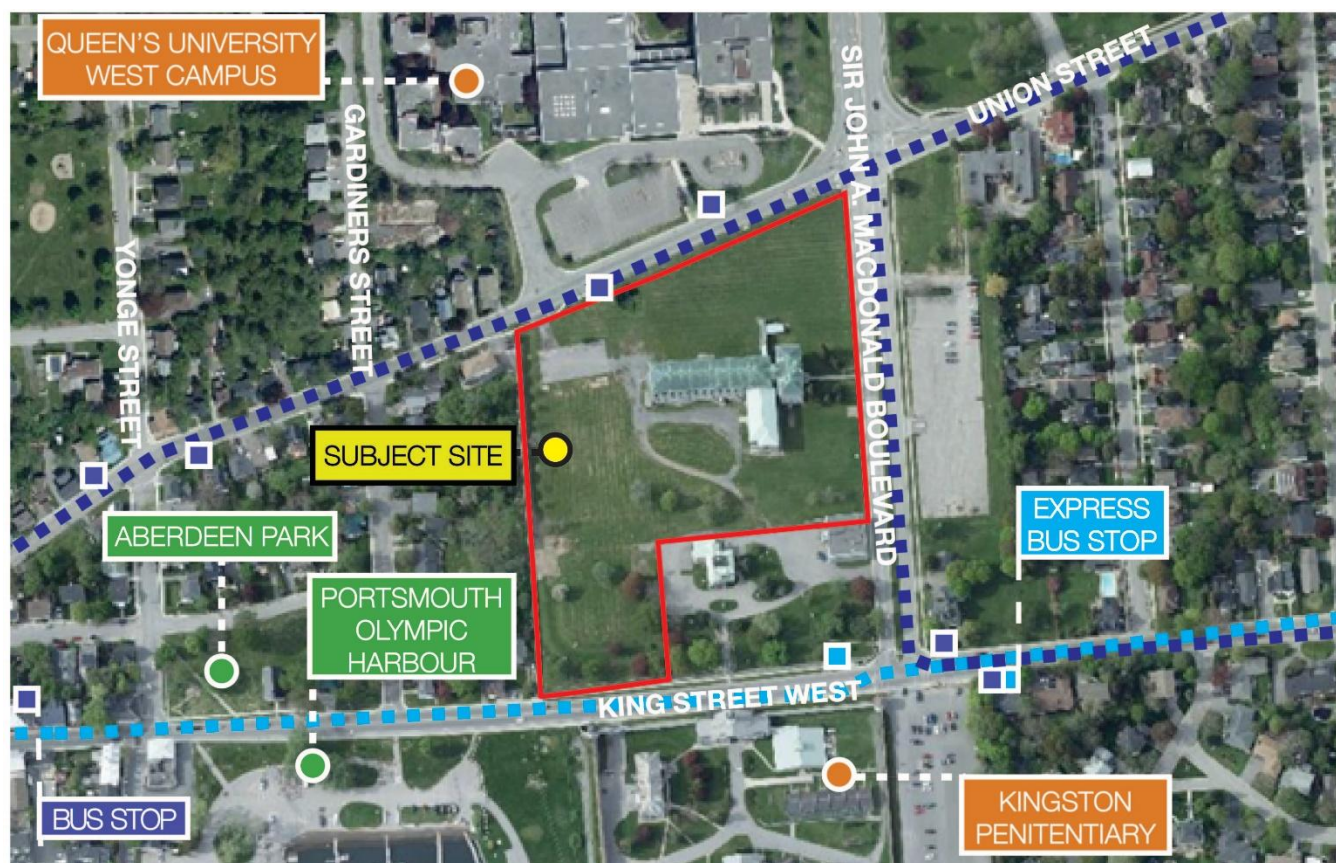


Figure 3: Immediate context (Source: Kingston K-Maps)

3.0 Development Proposal

Union Park Kingston is a carefully designed compact community with a healthy mix of uses, context-sensitive buildings, and well-formed, pedestrian-friendly open spaces. The intent is to animate the area by seamlessly integrating a mix of residential, commercial, and open space uses. The proposed plan derives from the desire to preserve and respect the heritage and context of the site through the respectful integration of modern content.

Union Park Kingston provides a gateway into Portsmouth Village, the Penitentiary District National Historic District, Queen's University, and downtown Kingston. It seeks to acknowledge and reflect the neighbourhood's full history while also turning the focus towards the future. The proposal intends to create a pedestrian pathway to permanently connect Union Street and King Street West and to better connect neighbourhoods such as Portsmouth Village and Sydenham Ward. The project will bring new housing, employment, and neighbourhood commercial opportunities to one of Kingston's most storied and oldest neighbourhoods.

The applicant is seeking to facilitate the adaptive re-use of Block 2 to accommodate a ground-floor year-round public market with multiple vendors and office uses on the upper floors. This concept supports the broader vision for Union Park Kingston as a complete mixed-use community, incorporating a complementary mix of commercial, residential, and open space uses.

The following is a breakdown of the Blocks, as well as their proposed use:

- / Block 1: Residential/Commercial (future residential/ retail)
- / Block 2: Commercial (Office and Market use)
- / Block 3: Residential and/or Retirement home
- / Block 4: Hotel/ Residential
- / Block 5: Open Space (West Yard public-private park)
- / Block 7: Park (P4W memorial garden)

It should be noted that although commercial uses are proposed for Block 2 as part of the subject applications for OPA and ZBA, existing permissions for residential uses are intended to be carried forward. This will allow for a mix of uses on Block 2, providing flexibility to respond to future market conditions while ensuring the long-term viability of the heritage building.

3.1 Land Use

The overall vision for Union Park Kingston remains unchanged and will continue to incorporate a mix of residential, commercial, and open space uses. The proposed application applies only to Block 2 and seeks to facilitate the adaptive re-use of the former Prison for Women building by permitting a broader range of commercial uses. The envisioned concept includes a ground-floor public market with multiple vendors and office uses on the upper floors, complementing the residential, commercial, and open space uses already proposed within Blocks 1, 3, 4 and 5 along Union Street and Sir John A. Macdonald Boulevard. Together, these commercial uses will contribute to vibrant, active streetscapes, provide opportunities for residents and visitors to meet daily needs within the community, and reinforce the mixed-use character of Union Park while supporting walkability, active transportation, and the efficient use of existing infrastructure.

3.2 Site Design

Block 2

Block 2 consists of the former Prison for Women complex, including the Administration Block and Cell Block. The sensitive rehabilitation and adaptive re-use of this significant heritage resource remains a central component of the overall vision for Union Park.

Located generally at the centre of the subject site, Block 2 has an area of approximately 6,480 square metres and approximately 59 metres of frontage along Sir John A. Macdonald Boulevard. The proposed application seeks to facilitate the adaptive re-use of the former Prison for Women building by permitting a broader range of commercial uses while retaining the existing residential permissions. The envisioned concept includes a ground-floor public market with multiple vendors and possibly a commercial kitchen and office uses on the upper floors; however, residential uses will continue to be permitted, providing flexibility to respond to future market conditions while ensuring the long-term viability of the heritage building.

The proposed development will introduce approximately 1,068 square metres of public market space on the ground floor of the Exchange, accommodating 32 market stalls available for lease by local vendors. The market is designed as a double-height interior volume that will serve as a vibrant community destination. The administrative portion of the building will include market storage, market offices, commercial kitchen and other supporting administrative functions.

The primary pedestrian entrance is located on the south side of the building, providing direct access from the surface parking area. A service area is located on the north side of the building, and additional pedestrian entrances to the Exchange are provided on both the north and south sides to enhance accessibility and circulation. There is an outdoor patio area and room for food trucks to be parked on the north side of the building as well.

The second, third, and fourth floors will accommodate office uses within the administrative portion of the building, supporting a range of employment opportunities as part of the adaptive re-use of the heritage building. In total, approximately 2,650 square metres of office gross floor area is proposed. Market and office area figures are based on rentable floor area per SZA Architects Drawing A1 (Schedule of Areas), dated July 3, 2026.

The existing buildings are currently unoccupied, unheated, and in a deteriorated condition, making adaptive re-use essential to their long-term conservation. Substantial interior rehabilitation will be required to accommodate future occupancy while preserving the building's significant heritage attributes.

The Administration Wing and Cell Block will be retained and rehabilitated, while the Annex Wing (which is not structurally capable of being retained) and other modern additions will be removed. Key heritage features, including the distinctive roof forms and cupola, will be restored and preserved. Overall, the proposed adaptive re-use has been carefully designed to respect and conserve the cultural heritage value of the former Prison for Women while enabling its long-term conservation through flexible residential and commercial permissions.

The proposed commercial permissions complement the broader Union Park Kingston development, which continues to provide a mix of residential, commercial, and open space uses. By retaining the existing residential permissions while expanding the range of permitted commercial uses, the proposed amendments provide flexibility to respond to changing market conditions without altering the overall vision for Union Park Kingston.

Block 7

Block 7 is a 158 square metre portion of the subject lands with frontage on Sir John A. Macdonald Boulevard. This block is proposed to accommodate a memorial garden that recognizes and interprets the history of the former Prison for Women site. The memorial garden will provide a publicly accessible space for reflection and commemoration, contributing to the preservation and interpretation of the site's cultural heritage while enhancing the public realm along Sir John A. Macdonald Boulevard.

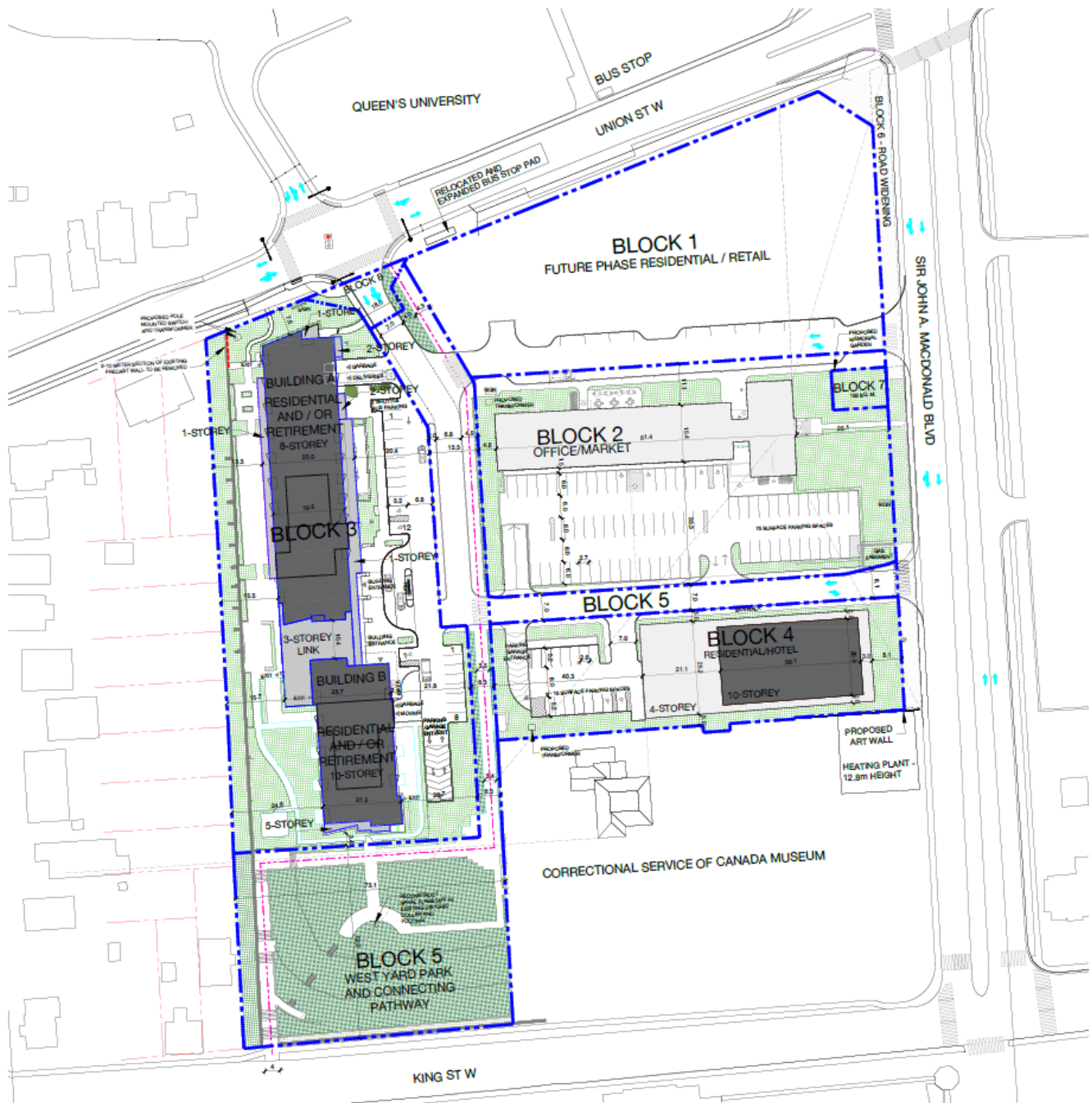


Figure 4. Concept Plan (prepared by Fotenn Planning + Design)

3.3 Parking

The proposed development includes a total of 135 vehicle parking spaces, comprising 75 surface parking spaces, including four accessible spaces, and 60 underground parking spaces, including two accessible spaces. The underground parking will be located on one level and accessed from the Block 5 internal roadway south of the subject site.

The surface parking lot is located south of the existing building and is accessed via the Block 5 private internal roadway. While a portion of the surface parking lot extends into the front yard within an established heritage view plane, the potential visual impact has been minimized through the site design. The parking area will be screened from views along Sir John A. Macdonald Boulevard through strategic landscaping. In addition, the site's natural topography allows the surface parking lot to sit below the grade of the existing building, reducing the visibility of parked vehicles and preserving the heritage view plane.



Figure 5. Rendering of parking lot, prepared by Shoalts and Zaback Architects Ltd.

As part of their due diligence process the Applicant has reviewed the market feasibility for the development, which identified a need for approximately 150 parking spaces to support the proposed market and the balance of the building. To balance this parking demand with the design objectives of Union Park Kingston while minimizing impacts on the surrounding landscape and heritage setting, a total of 135 parking spaces are proposed.

A total of 29 bicycle parking spaces are provided on the site, comprising 10 long-term bicycle parking spaces, and 19 short-term bicycle parking spaces.

3.4 Open Space

The large setback to be maintained from Sir John A Macdonald Boulevard on Block 2 provides a substantial landscaped open space which reinforces the openness of the site, highlights the historic building, and provides opportunities for informal gathering and recreation. As well, a Prison for Women Memorial Collective garden is proposed to provide an entrance feature from Sir John A Macdonald Boulevard. The 158 square metre garden is to be located on Block 2 in a prominent location in front of the building. These open spaces, along with the exterior amenity spaces to be provided on each block, will create a well-designed pedestrian network through the subject site as well as connections to the broader open space network, including nearby parks and the waterfront.



Figure 6. Rendering of subject site, prepared by Shoalts and Zaback Architects Ltd.

3.5 Access and Circulation

Block 2 will be accessed from the internal private road network, which connects to Union Street and Sir John A. Macdonald Boulevard via three vehicular entrances. The block will also be connected to the broader Union Park development through an integrated network of sidewalks, pathways, and multi-use trails, supporting pedestrian connectivity and active transportation throughout the site.

4.0 Supporting Studies

The following studies were prepared in support of the subject application for Official Plan Amendment. The findings of each study/report are summarized, below. For further details or information on each of the supporting studies, please refer to the original materials.

4.1 Heritage Impact Assessment

A Heritage Impact Assessment was prepared in support of the proposed development to evaluate the impacts of the adaptive re-use of the former Prison for Women. The assessment reviews the proposal in the context of the existing Heritage Easement Agreement and the *Standards and Guidelines for the Conservation of Historic Places in Canada*, concluding that the proposed development is consistent with both and will conserve the property's cultural heritage value and character-defining attributes. The Heritage Easement Agreement establishes the framework for the conservation of the site, including the retention and restoration of the Administration Building, Cell Block, and other significant heritage features. The proposed rehabilitation includes the retention and restoration of these heritage resources, the removal of the non-significant Annex Wing, and limited exterior interventions necessary to accommodate the proposed public market and office uses. The assessment concludes that the adaptive re-use represents an appropriate balance between heritage conservation and long-term economic viability, while preserving important views, maintaining the building's role as the focal point of the Union Park development, and ensuring compatibility with the surrounding context. A Conservation Plan will be prepared to guide the detailed restoration works and ensure continued compliance with the Heritage Easement Agreement.

4.2 Traffic Impact & Parking Study

A Transportation Impact Study was prepared by TYLin to evaluate the transportation impacts associated with the adaptive re-use of Block 2 of the former Prison for Women for commercial uses. The study assessed the proposed public market and office uses, including anticipated traffic generation, site access, parking supply, loading operations, and active transportation facilities. The proposed development is estimated to generate approximately 205 vehicle trips during the weekday AM peak hour and 271 vehicle trips during the weekday PM peak hour. The transportation assessment concludes that the surrounding road network and all study intersections will continue to operate at acceptable levels of service under future traffic conditions, with the additional peak-hour traffic being accommodated by the existing transportation network. Vehicular access will be provided from Union Street via Hargreaves Way and by two right-in/right-out driveways on Sir John A. Macdonald Boulevard, ensuring safe and efficient site access. The study also concludes that the proposed parking supply of 135 vehicle parking spaces, including 75 surface parking spaces and 60 underground parking spaces, is sufficient to accommodate the anticipated demand associated with the proposed public market and office uses. In addition, the development will provide 29 bicycle parking spaces, comprising 19 short-term and 10 long-term spaces, in accordance with the City of Kingston Zoning By-law.

4.3 Servicing Report

A Servicing Report prepared by Josselyn Engineering Inc. confirms that Block 2 can be adequately serviced by existing and planned municipal infrastructure. The report concludes that the site is located within Kingston's serviced urban area and that the proposed development can be accommodated through the approved servicing strategy for Union Park Kingston. Existing servicing connections to the adjacent correctional facility will be abandoned and replaced with new municipal service connections in accordance with City standards. Block 2 will be serviced by a new sanitary connection to the Union Street sewer and a new water service connection to the existing 600 mm watermain on Sir John A. Macdonald Boulevard. Existing hydrant capacity exceeds the required fire flow requirements for the development, and the available municipal utility infrastructure is sufficient to support the proposed uses. Stormwater management will continue to be addressed through the approved stormwater management strategy and future site plan approval.

4.4 Noise Impact Addendum

A Noise Impact Review Letter was prepared by Pinchin Ltd. to assess whether revisions to the Block 2 concept plan affect the conclusions of the previously completed Noise Impact Feasibility Study (2021). The review considered the revised site plan, including the reduced building footprint resulting from the future planned removal of a portion of the former Annex Wing and the proposed adaptive re-use of the building for public market and office uses, while retaining the potential for future residential uses. The review concludes that these revisions do not result in significant changes to the findings or recommendations of the 2021 Noise Impact Feasibility Study. Should any portion of Block 2 be developed for residential use in the future, the previously recommended mitigation measures, including the provision of central air conditioning and the implementation of a Type C warning clause to address road traffic noise, will continue to apply. Overall, the review confirms that the previous noise assessment remains valid and that no additional noise mitigation measures are required as a result of the revised Block 2 proposal.

5.0 Policy and Regulatory Review

5.1 Planning Act

Planning Act, R.S.O 1990, c. P.13 The Planning Act (the “Act”) is provincial legislation which establishes the framework and rules for land use planning in the province of Ontario. The Act outlines rules and requirements for a range of matters, including the roles and responsibilities of municipal governments in the planning process and the broader rules regarding land use planning in the Province, among other things.

Part I, Section 2 of the Act outlines matters of provincial interest which municipalities and the Tribunal shall have regard to. Relevant matters of provincial interest include the following:

- d) The conservation of features of significant architectural, cultural, historical, or scientific interest;*
- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- h) The orderly development of safe and healthy communities;*
 - i. The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- j) The adequate provision of a full range of housing, including affordable housing;*
- k) The adequate provision of employment opportunities;*
- l) The protection of the financial and economic well-being of the Province and its municipalities;*
- m) The co-ordination of planning activities of public bodies;*
- o) The protection of public health and safety;*
- p) The appropriate location of growth and development;*
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- r) The promotion of built form that,*
 - i. is well-designed,*
 - ii. encourages a sense of place, and*
 - iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.*

The proposed development has regard for the matters of provincial interests outlined under Section 2 of the Planning Act, as discussed herein. The proposal will support adaptive reuse of underutilized lands within the City’s Urban Boundary, will efficiently utilize existing municipal services, will support active and public transit modes, and will support the creation of a high-quality sense of place that is safe for current and future residents of the area.

It is our opinion that the proposed development has proper regard for the criteria found in Part 1 (Section 2) of the Planning Act.

5.2 Provincial Policy Statement

The 2024 Provincial Planning Statement (PPS) came into effect on October 20, 2024. The PPS provides policy direction on matters of provincial interest as they relate to land use planning and development in Ontario municipalities. The PPS provides policy direction for issues such as the efficient use of land and infrastructure, the protection of natural and cultural heritage resources, maintaining a housing stock that appropriately addresses the demographic and economic

diversity of households, supporting long-term economic prosperity, and preserving natural resources for future uses. Policies of the 2024 PPS that are directly relevant to the proposal are discussed below, with the policy cited in *italics*. Chapter 2 of the PPS provides direction pertaining to building strong and healthy communities, housing, directing growth towards settlement areas, and supporting economic development.

2.1.6. Planning authorities should support the achievement of complete communities by:

- a) *accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated childcare facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*

The overall vision for Union Park continues to incorporate a mix of residential, commercial, and open space uses. The proposed amendments for Block 2 will expand the range of permitted commercial uses while retaining the existing residential permissions, providing flexibility to respond to changing market conditions. The proposed commercial uses will support the residential neighbourhood planned throughout Union Park by providing local services and amenities, while contributing to a vibrant, walkable community that is well-served by public transit and nearby parks, open spaces, and community facilities.

- b) *improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*

The proposed development promotes accessibility for people of all ages and abilities through inclusive physical design features, including barrier-free parking, accessible walkways, and accessible entrances. The development will meet all applicable criteria of the Accessibility for Ontarians with Disabilities Act (AODA). The location of the site further enhances accessibility for people of all ages and abilities by offering convenient access to public transit services.

- c) *improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

The proposed amendments support the creation of a complete community by permitting a broader range of commercial uses within Block 2 while retaining the existing residential permissions. The proposed commercial uses will provide services and amenities for residents of Union Park Kingston and the surrounding neighbourhood, support the long-term adaptive re-use and conservation of the heritage building, and contribute to a vibrant, inclusive, and walkable mixed-use community.

2.2.1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) *establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and,*
 - 2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
- c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.*

- d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

The overall Union Park Kingston development continues to support provincial and municipal housing objectives by delivering a range of residential housing options as part of a complete mixed-use community. The proposed amendments for Block 2 retain the existing residential permissions while expanding the range of permitted commercial uses, providing flexibility to respond to changing market conditions without compromising the overall vision for Union Park Kingston. The site is fully serviced by existing municipal infrastructure and is well-supported by public transit, parks, community facilities, and a range of nearby amenities, making it an appropriate location for the proposed mix of residential and commercial uses.

- 2.3.1 *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

The subject site is appropriately located in the urban settlement area as per Schedule 2 of the City's OP, where growth is intended to be focused.

- 2.3.2. *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*
 - a) *efficiently use land and resources;*
 - b) *optimize existing and planned infrastructure and public service facilities;*
 - c) *support active transportation;*
 - d) *are transit-supportive, as appropriate; and*

The proposed amendments represent an efficient use of an existing heritage building by permitting a broader range of commercial uses while retaining the existing residential permissions. Block 2 forms part of the broader Union Park development, which is located within an established urban area that is well-served by existing municipal infrastructure, public transit, parks, community facilities, and a range of nearby amenities. As confirmed through the approved servicing strategy for Union Park, the site can be accommodated by existing and upgraded municipal water, wastewater, and stormwater infrastructure, supporting the long-term adaptive re-use of the building and the continued development of the community.

- 2.3.3. *Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

While retaining the existing residential permissions, the proposed expansion of commercial permissions will provide flexibility to respond to changing market conditions and introduce additional services and amenities that support the residential uses throughout Union Park. Located within an established urban area with access to existing municipal infrastructure, public transit, and community amenities, the proposed amendments represent an appropriate and efficient evolution of the approved development vision.

- 2.8.1. *Planning authorities shall promote economic development and competitiveness by:*
 - a) *providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
 - d) *encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*

Although Block 2 is not located within a designated employment area as defined in the PPS, the proposed amendments will expand the range of permitted commercial uses within the heritage building, creating opportunities for employment while supporting its long-term adaptive re-use. The envisioned commercial uses, including a ground-floor public market and office space, will introduce new employment opportunities, support local businesses, and provide services and amenities for residents of Union Park Kingston and the surrounding community.

- 2.9.1. *Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:*
 - a) *support the achievement of compact, transit-supportive, and complete communities;*

The proposed amendments will support a compact, mixed-use community by introducing a broader range of commercial uses within Block 2 while retaining the existing residential permissions. Located within an established urban area, the site is well-served by public transit, active transportation infrastructure, and a variety of nearby amenities. The proposed

commercial uses will provide convenient services for residents of Union Park Kingston and the surrounding community, encouraging walking, cycling, and transit use while reducing the need for vehicle trips.

- b) *incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;*
- c) *support energy conservation and efficiency;*
- d) *promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and*
- e) *take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.*

The proposed development will support green infrastructure and energy conservation through sustainable design strategies and measures incorporated where feasible. Details regarding sustainable design measures will be explored in greater detail through the future detailed site plan approval process.

Chapter 3 of the PPS provides direction for locating and sustaining development through a servicing hierarchy and other mitigation measures.

- 3.6. 2. *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.*

Block 2 will be serviced by a new water service connection to the existing 600 mm municipal watermain on Sir John A. Macdonald Boulevard. The proposed servicing forms part of the approved servicing strategy for Union Park Kingston, with each development block receiving an independent water service connection to the existing municipal water distribution system. While adequate water servicing is available, the City has recently advised the owner that existing sanitary servicing constraints in the immediate area currently limit the broader Union Park development to approximately 239 residential units until planned infrastructure upgrades are completed in 2028. The owner is actively working with the City and Utilities Kingston to permit construction to commence prior to the completion of these upgrades, with occupancy deferred until 2028, or until the servicing constraints have been resolved shortly thereafter. Accordingly, the proposed development has been designed to proceed in accordance with the availability of municipal servicing capacity.

- 3.6. 8. *Planning for stormwater management shall:*

- b) *minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*
- c) *minimize erosion and changes in water balance including through the use of green infrastructure;*
- d) *mitigate risks to human health, safety, property and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces;*
- f) *promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*
- g) *align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.*

Stormwater generated by the proposed development can be accommodated through the approved stormwater management strategy submitted in 2020 and existing municipal stormwater infrastructure, with no anticipated servicing constraints.

- 3.9.1. *Healthy, active, and inclusive communities should be promoted by:*

- a) *planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) *planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*

The proposed development supports a healthy, active, and inclusive community by incorporating accessible design features such as wide sidewalks, barrier-free entrances, and commercial ground-floor uses that promote pedestrian activity, social interaction, and connectivity. The site offers convenient access to transit, essential services, parks, and public spaces. On-site outdoor and indoor amenities further support recreation for people of all ages and abilities.

Chapter 4 provides policy direction regarding the wise use and management of resources, such as natural heritage resources, water, agricultural, and cultural heritage resources, among other things

4.6.3. *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.*

The subject site contains the former Prison for Women, which is protected by a Heritage Easement Agreement and designated on the City of Kingston Heritage Register. The proposed redevelopment of Block 2 is intended to facilitate the adaptive reuse of the former Prison for Women by permitting a broader range of commercial uses. The proposed development is consistent with the Heritage Easement Agreement and has been designed to conserve the site's cultural heritage value while avoiding adverse impacts on adjacent heritage resources. While the proposed surface parking encroaches into the protected viewplanes established by the Heritage Easement Agreement, the parking area has been carefully designed to minimize its visual impact. Enhanced landscaping will screen the parking from key viewpoints, ensuring that the heritage building remains the dominant visual focal point within the protected view corridor. As such, the intent of the protected viewplanes is maintained while accommodating the functional parking needs of the development.

The policies of Chapter 5 regulate development in relation to areas of natural or human-made hazards where there is risk to public health or safety, or of property damage. The subject site is not within or in proximity to any identified areas of natural or human-made hazards.

5.3 City of Kingston Official Plan

The City of Kingston's official plan (OP) describes goals, policies and objectives intended to guide the City's development over the planning horizon identified in the plan. The OP was approved in January 2010 and was subsequently updated as part of the five-year review process in August 2017. The May 31, 2025, consolidation of the OP is the most readily available version as of the time of writing of this report.

The following sections of the Official Plan are reviewed below:

- / Section 2: Strategic Policy Direction;
- / Section 3: Land Use Designations & Policy;
- / Section 4: Transportation & Infrastructure;
- / Section 5: Protection of Health & Safety;
- / Section 6: The Environment & Energy;
- / Section 7: Cultural Heritage & Archaeology;
- / Section 8: Urban Design; and
- / Section 9: Administration & Implementation.

Section 2: Strategic Direction

Section 2 of the Official Plan contains policies that are intended to accomplish the City's strategic goals, these including: the development of a cohesive city structure, the optimization of growth and the promotion of sustainable development. The subject site is located within a Housing District, as identified on Schedule 2 City Structure. The following policies are directly related to the proposed development and have been included in *italics*:

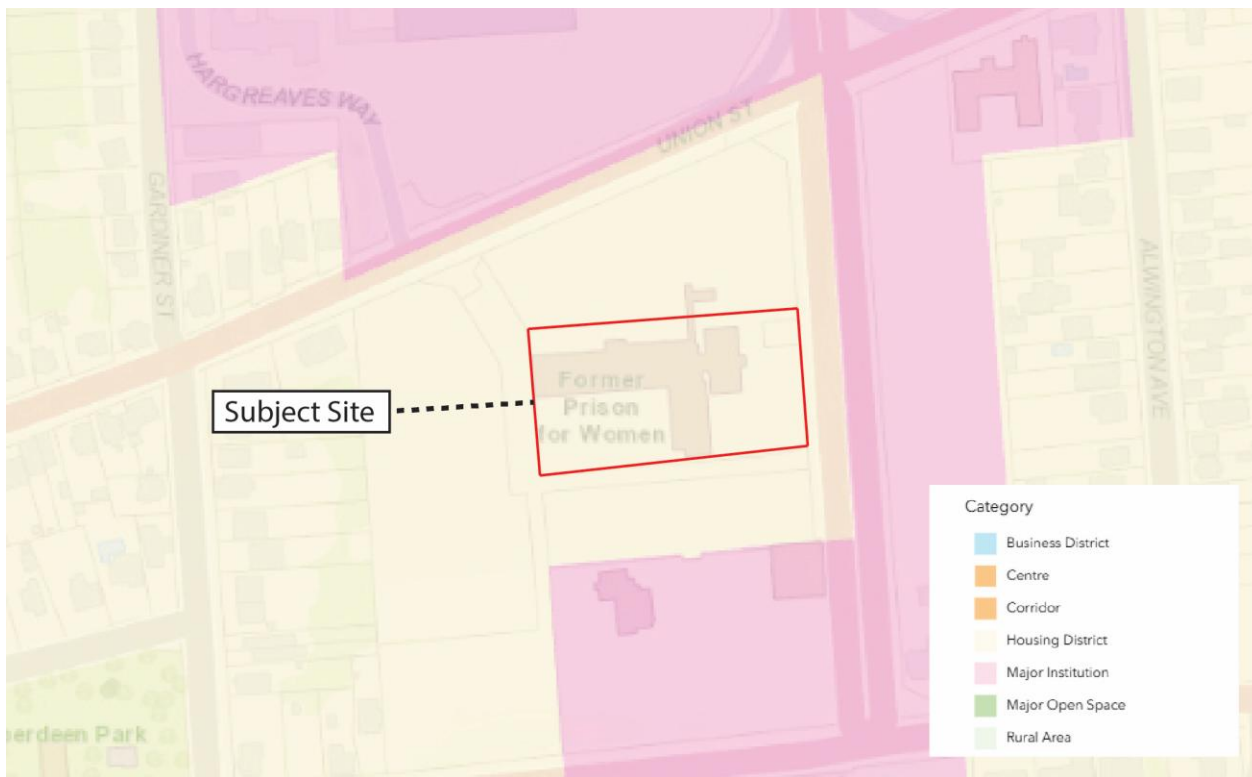


Figure 7: Schedule 2 City Structure (Source: Kingston K-Maps)

Section 2.1.1 provides policies related to the focus of growth in urban areas.

2.1.1 Most growth will occur within the Urban Boundary, shown on Schedule 2, where development will be directed to achieve greater sustainability through:

a. appropriate (minimum) densities

The proposed development to permit a broader range of commercial uses will support the intensification of the site, while also supporting a contextually appropriate residential density within the greater Union Park Kingston development.

b. land use patterns that foster transit and active transportation;

The subject site is located within a well-served area with convenient access to a wide range of restaurants, shops, recreational facilities, places of worship, schools, and other community amenities, contributing to a walkable and accessible neighbourhood. The Union Park Kingston development as a whole will enhance the community by introducing a mix of commercial uses that support the daily needs of residents and visitors. In addition, the subject site is well served by Kingston Transit, providing residents and community members with safe, reliable, and convenient access to the broader Kingston area through an extensive transit network.

c. enhanced access to public amenities and spaces for all residents, visitors and workers;

The proposed development will enhance the pedestrian streetscape along all frontages through thoughtful design, landscaping, and the integration of street furniture, representing a significant improvement of an underutilized lot.

d. direction of new development and key land uses to areas where they can best result in sustainable practices;

The proposed development promotes sustainability by appropriately intensifying underutilized land within a fully serviced and developed area, while incorporating green infrastructure and sustainable architectural design.

- f. promotion of employment opportunities and alliances that enhance local skills, educational resources and the use of local products, including food;*

The proposed development will support local employment by providing 3,718 square metres of office and commercial space into the subject site. Additionally, the proposed ground-floor market will promote local businesses, artisans, and products, supporting the local economy while creating an active and vibrant community destination.

- g. maximized use of investments in infrastructure and public amenities;*

The proposed intensification represents an efficient use of land, enhancing the neighbourhood through the addition of new commercial uses and high-quality urban design.

- h. strategies that will revitalize both neighbourhoods and employment areas, and rehabilitate brownfield sites for re-use;*

The subject site currently contains an underutilized and functionally obsolete building within the Union Park Kingston development. The proposed Official Plan Amendment and Zoning By-law Amendment will permit a broader range of commercial uses while retaining residential uses, facilitating the adaptive re-use of the existing building. The proposal will revitalize the site by introducing new employment opportunities, expanding local services and amenities, and creating a more active mixed-use destination that supports the surrounding neighbourhood and contributes to the local economy.

- i. parks that are planned to be accessed by urban residents within a ten minute walk and situated in locations that lessen the need for pedestrians to cross an arterial road or major highway;*

The site contains the 158 square metre Prison for Women Memorial Garden, and Block 5 of the Union Park Kingston development includes an additional public park. The proposed development is also located in close proximity to other parks and open spaces, all of which can be accessed without crossing an arterial road or major highway, providing safe and convenient access to recreational amenities.

- j. where possible, the preservation of mature trees for shade and their other beneficial ecological and community effects;*

All mature trees will be preserved on site, with the addition of new landscaping and vegetation surrounding the surface parking lot.

- k. climate positive development;*

- l. promotion of green infrastructure to complement infrastructure;*

The proposed development supports climate-positive growth by intensifying underutilized lands, promoting higher density growth, supporting public transit and active transportation modes, and supporting the efficient use of existing municipal infrastructure. Opportunities to incorporate green infrastructure into the design of the building and site servicing will be explored through the site plan control process.

- m. encouraging a mix of land uses that provide for employment, education, personal service and convenience retail in close proximity to residential land uses, subject to compatibility matters as outlined in Section 2.7; and,*

The proposed development will facilitate the adaptive re-use of an existing heritage building by permitting a broader range of commercial uses while maintaining residential uses on the site. Expanding the range of permitted commercial uses will increase access to goods, services, and employment opportunities, support the day-to-day needs of residents and visitors, and contribute to a more vibrant and complete community. The proposal has been designed to be compatible with the surrounding area, consistent with Section 2.7 of the Official Plan, by respecting the site's heritage attributes, maintaining the established built form, and ensuring that the expanded commercial uses integrate appropriately with the surrounding neighbourhood.

- n. an ecosystem approach to protecting the natural heritage system.*

There are no identified natural heritage features on or adjacent to the subject site.

2.1.4 In reviewing development applications, the City will promote sustainability through:

- a. encouragement of green building design to reduce greenhouse gases by adopting:*

- *energy efficient construction;*
- *renewable sources of energy for lighting and heating;*
- *natural lighting;*
- *design that reduces water consumption;*
- *design which minimizes discharge into the sanitary sewers; and*
- *design which reduces or eliminates discharge into the storm sewers through incorporating stormwater management practices including low impact design and stormwater re-use.*

The proposed development will incorporate green building design through a variety of techniques, which will be determined through the future detailed Site Plan Control process. The design of the site is intended to provide ample natural lighting across the site. More detailed design and construction elements will be addressed through the future site plan control and building permit process, in consultation and collaboration with the City of Kingston.

- b. *design, landscaping, and streetscaping practices that promote protection from undesirable sun, wind, or other conditions and reduces the negative effects of urban summer heat;*
- c. *design, landscaping, and streetscaping practices that reduce the quantity of impermeable surfaces;*

The proposed development will incorporate sustainable design measures that minimize environmental impacts and improve site resiliency. The detailed design of sustainability features will be refined through the future Site Plan Control process in consultation with City staff.

- f. *design which promotes a reduction of automobile trips, active transportation and transit, including secured public access to bicycle storage and parking;*
- g. *the creation of a mix of uses that support increased access to healthy foods;*

The proposed development supports the City's sustainability objectives by facilitating the adaptive re-use of an existing building and expanding opportunities for commercial uses within a walkable, mixed-use area. The subject site is well served by Kingston Transit and is within walking distance of restaurants, shops, personal service establishments, public open spaces, places of worship, and other community amenities, reducing reliance on the automobile. By broadening the range of permitted commercial uses, the proposal will enhance access to local goods, services, and employment opportunities while supporting a complete, vibrant, and sustainable downtown community.

- i. *design that reduces municipal costs associated with the provision of infrastructure and municipal service delivery over the long term;*

The proposed development represents the adaptive re-use of an existing building within a fully serviced urban area, making efficient use of existing municipal infrastructure and services. By accommodating additional commercial uses without requiring significant new infrastructure, the proposal supports efficient municipal service delivery and reduces the long-term costs associated with extending infrastructure to new development areas.

- k. *development that suits the demographic and/or socio-economic needs of the community.*

The proposed development will broaden the range of permitted commercial uses within the Union Park Kingston community, increasing access to goods, services, employment opportunities, and community amenities. The adaptive re-use of the existing building will create a vibrant mixed-use destination that responds to the needs of residents, workers, and visitors while supporting the continued revitalization of the underutilized site within the City of Kingston.

Section 2.1.5 discusses City Initiatives:

2.1.5. In the design and operation of City buildings, land, equipment and facilities, the City will seek to lead by example through initiatives that promote sustainability, including but not limited to:

- a. *use of energy efficient design and green building practices, and the application of the City's Municipal Green Building Policy;*
- d. *use of streetscape design that coordinates movement of pedestrians, cyclists and transit, and addresses accessibility matters through the application of universal design principles;*
- e. *use of sustainable practices, products, landscaping, green infrastructure and materials;*
- g. *adaptive re-use and promotion of cultural heritage resources;*

The applicant intends to consider the City's green development standards through the use of energy efficient building practices and building materials, as well as sustainable and accessible design practices throughout the development process. Pedestrian experiences will be paramount in the development of the subject site, through the enhancement of the streetscape and the introduction of additional sidewalks, pedestrian pathways, and street furniture. Substantial areas of landscaping will also be added throughout the site. The proposal will result in the adaptive re-use of the former Prison for Women building and promotion of a cultural heritage resource in the City.

Section 2.2.5 provides policy direction for lands within the Housing District designation on Schedule 2.

- 2.2.5 *Housing Districts are planned to continue to mature and adapt as the City evolves in a manner that ensures land use compatibility while supporting the construction of new housing. Re-investment and upgrading will be encouraged through minor infilling and minor development. Housing Districts will be designated for residential uses of different types, but will also contain areas of open space, community facilities and commercial uses.*

The proposed development conforms with the intent of the Housing District designation by facilitating the adaptive re-use of an existing building while maintaining compatibility with the surrounding neighbourhood. The proposal will expand the range of permitted commercial uses within an established residential subdivision, providing additional services and amenities that support the day-to-day needs of residents. By encouraging reinvestment in an underutilized building and introducing complementary commercial uses without altering the site's overall character, the proposal contributes to the continued evolution of the Housing District as a complete, livable, and mixed-use community.

- 2.3.7 *The City will promote and protect employment areas and pursue increased levels of job creation in the commercial, institutional and industrial sectors in order to foster a diversified and vigorous economic base with a range of opportunities for its residents.*

The proposed development will facilitate the adaptive re-use of an existing building by introducing office and market uses, along with a broader range of complementary commercial uses. These uses will create new employment opportunities, support local businesses and entrepreneurs, and increase access to goods and services for residents and visitors. The proposal will contribute to a diverse and resilient local economy while making productive use of an underutilized building within the Urban Boundary.

- 2.3.8 *Cultural heritage resources will continue to be valued and conserved as part of the City's defining character, quality of life, and as an economic resource that contributes to tourism in both the urban and rural portions of the City.*

The subject site is of significant cultural heritage value, both as an individually designated property under Part IV of the *Ontario Heritage Act* (By-law No. 2007-167) and as a contributing component of the broader penitentiary cultural heritage landscape in the City of Kingston. A Heritage Impact Assessment has been prepared in support of the proposed applications to evaluate the adaptive re-use of the former Prison for Women for commercial and residential permissions. The assessment concludes that the proposal is consistent with the existing Heritage Easement Agreement and the *Standards and Guidelines for the Conservation of Historic Places in Canada*, and that it will conserve the property's cultural heritage value and character-defining attributes. The proposal includes the retention and rehabilitation of the Administration Building and Cell Block, the removal of the non-significant Annex Wing, and the preservation of important heritage viewplanes. The adaptive re-use of the building as a public market and office space will ensure the long-term conservation and viability of this important heritage resource while continuing to commemorate the site's history and reinforce its contribution to Kingston's cultural identity and tourism economy. The proposed surface parking area has been carefully designed to minimize its visual impact. Enhanced landscaping will screen the parking from key viewpoints, ensuring that the heritage building remains the dominant visual focal point within the protected view corridor.

2.4.1 *The City supports sustainable development of a compact, efficient, urban area with a mix of land uses and residential unit densities that optimize the efficient use of land in order to:*

- a. *reduce infrastructure and public facility costs;*
- b. *reduce energy consumption and greenhouse gas emissions;*
- c. *support active transportation and viable public transit;*
- d. *conserve agriculture and natural resources within the City; and*
- e. *reduce reliance on private vehicles.*

The proposed development supports the sustainable and efficient use of land through the adaptive re-use of an existing building within Kingston's built-up area. By expanding the range of permitted commercial uses, including office and market uses, the proposal will increase access to employment opportunities, goods, and services in a walkable, mixed-use neighbourhood. The subject site is well served by Kingston Transit and is located within walking distance of a variety of community amenities, supporting active transportation, reducing reliance on private vehicles, and making efficient use of existing municipal infrastructure and public facilities. As the proposal is located within the Urban Boundary, it also contributes to accommodating growth within the existing urban area, reducing pressure for development on agricultural lands and natural resources.

2.4.5. *The City has established the following minimum targets for intensification to occur within the Urban Boundary.*

- b. *It is the intent of the City that ten percent (10%) of new non-residential development occur through intensification.*

The proposed development supports the City's non-residential intensification objectives through the adaptive re-use of an existing building for office, market, and other commercial uses within the Urban Boundary.

Section 2.7 provides policies related to land use compatibility principles.

2.7.1. *Development and/or land use change must demonstrate that the resultant form, function and use of land are compatible with surrounding land uses.*

2.7.2. *The demonstration of compatible development and land use change must consider the potential for adverse effects and matters that have the potential to negatively impact the character, planned function and/or ecological integrity of an area, and the health and safety of humans. Where there exists a potential for negative impacts, a land use compatibility study, focused specifically on the identified land use compatibility matters, will be required.*

The proposed adaptive re-use of Block 2 will maintain the long-established built-form of the heritage building and will therefore be compatible with the surrounding area. Although no changes to the existing built-form are proposed, the proposal will introduce a public market, office uses, and additional commercial uses within the former Prison for Women building, while retaining residential permissions to provide long-term flexibility. These uses complement the surrounding residential, institutional, commercial, and open space uses and contribute to the mixed-use vision for Union Park Kingston. The adaptive re-use conserves the site's cultural heritage value through the retention and rehabilitation of the designated heritage building, while supporting a vibrant, pedestrian-oriented destination that is appropriately serviced by existing municipal infrastructure.

The proposed adaptive re-use of Block 2 has been evaluated through the supporting technical studies to ensure compatibility with surrounding land uses and to assess the potential for adverse effects. Supporting studies, including a Heritage Impact Assessment, Transportation Impact Study, Servicing Report, and Noise Impact Review, conclude that the proposed development can be accommodated without resulting in adverse impacts on surrounding properties, municipal infrastructure, cultural heritage resources, or the transportation network. The proposed public market and office uses are compatible with the surrounding land uses and appropriate mitigation measures, where required, will be implemented through future Site Plan Control. As such, the proposed development will not negatively impact the character, planned function, ecological integrity, or health and safety of the surrounding area.

Section 2.7.3 provides criteria for land use compatibility that must be analyzed when assessing new development proposals:

a. shadowing;

No changes to the height or massing of the existing building are proposed. As a result, no new shadow impacts are anticipated. The Sun Shadow Study prepared by Fotenn in 2020 remains applicable to the proposed development and concluded that the development would not result in any significant adverse shadow impacts on surrounding properties or the public realm.

b. loss of privacy due to intrusive overlook;

As the proposed development consists of the adaptive re-use of an existing building, no changes are proposed to the building's location, height, or massing. The proposal is limited to expanding the range of permitted commercial uses within the existing structure and, therefore, will not introduce any new overlook or privacy impacts on adjacent properties. Existing building setbacks, the retained heritage wall, and established landscaping will continue to provide separation between the subject site and neighbouring properties.

c. increased levels of light pollution, noise, odour, dust or vibration;

The proposed development consists of the adaptive re-use of an existing building and is not anticipated to generate adverse impacts related to noise, light, odour, dust, or vibration, as stated in the Noise Impact letter. Any new mechanical equipment associated with the proposed office, market, or other commercial uses will be addressed through the Site Plan Control process, as required, to ensure compatibility with surrounding uses.

d. increased and uncomfortable wind speed;

A Wind and Snow Assessment was completed in 2020 for the Union Park development to evaluate potential wind and snow conditions across the site. Since that time, only minor refinements have been made to the overall building footprint, including the proposed changes to Block 2. As these changes do not materially alter the overall massing or built form of the development, the findings of the assessment remain applicable. The recommended mitigation measures, including wind control features where appropriate, will continue to ensure comfortable pedestrian conditions throughout the site.

e. 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;

A Transportation Impact Study has been prepared in support of the proposed development and concludes that the surrounding transportation network has sufficient capacity to accommodate the traffic generated by the proposed public market and office uses. The study estimates that Block 2 will generate approximately 205 vehicle trips during the weekday AM peak hour and 271 vehicle trips during the weekday PM peak hour, with all study intersections continuing to operate at acceptable levels of service. The proposed development will provide safe vehicular access from Union Street via Hargreaves Way and two right-in/right-out driveways on Sir John A. Macdonald Boulevard, together with secure bicycle parking, pedestrian connections, and convenient access to Kingston Transit. As such, the proposed development is not anticipated to adversely affect the function of the surrounding transportation network, active transportation facilities, or transit services.

f. environmental damage or degradation;

Schedule 7A and 8A Natural Heritage of the Official Plan does not identify any natural features within the subject site or surrounding area.

g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;

The Servicing and Stormwater Management Report, originally prepared in 2020 and updated in support of this application, concludes that the existing municipal services can accommodate the proposed development with only minor upgrades to service connections. The subject site is well served by transit, parks, schools, post-secondary institutions, health care facilities, and other community amenities. The proposed development will introduce a broader range of commercial uses while retaining significant open space areas and will not diminish existing municipal service levels.

- h. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;*

The proposed redevelopment will be contained within the boundaries of the subject site and landscape buffering and large setbacks will assist in mitigating adverse effects on surrounding properties. The heritage value of the site will be maintained and available to future residents and visitors, and outdoor areas will be furnished and landscaped so to provide safe and comfortable amenity space. The design of the proposed development incorporates CPTED principles which will help promote safety. No negative impacts to individual safety are anticipated to occur as a result of the development.

- i. visual intrusion that disrupts the streetscape or buildings;*

The proposed development preserves the heritage character of the existing building and maintains identified heritage viewplanes. The existing front yard parking area will be appropriately screened through landscaping and site design, minimizing its visual presence and ensuring that views of the heritage building remain the dominant feature from the public realm. The proposal maintains the established relationship between the building and the street while introducing active commercial uses that contribute to a vibrant and pedestrian-oriented environment.

- j. degradation of cultural heritage resources;*

The proposed development will implement the recommendations of the Heritage Impact Assessment through the adaptive re-use, retention, and ongoing conservation of the existing heritage building and associated cultural heritage resources. The proposed office, market, and other commercial uses have been designed to complement the heritage character of the former Prison for Women while preserving its cultural significance and commemorative value. The proposed front yard parking area will be appropriately screened through landscaping and site design to minimize its visual presence, maintain key views of the heritage building, and ensure that it does not adversely affect the property's cultural heritage value or identified heritage attributes.

- k. architectural incompatibility in terms of scale, style, massing and colour; or,*

The proposed development consists of the adaptive re-use of an existing heritage building and does not propose changes to its scale, massing, or architectural character. Any exterior alterations associated with the introduction of commercial uses will be sensitive to the heritage attributes of the building and will complement the existing materials, form, and architectural style, ensuring compatibility with the surrounding context.

- l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.*

A Heritage Impact Assessment has been prepared to evaluate the impacts of the proposed adaptive re-use on the cultural heritage value of the former Prison for Women and its surrounding context. The assessment concludes that the proposal will preserve significant views of the designated heritage resource through the retention and rehabilitation of the Administration Building and Cell Block, the removal of the non-significant Annex Wing, and the maintenance of established heritage viewplanes. While a portion of the surface parking is proposed within the front yard, it will be screened through landscaping to minimize its visual impact and maintain the prominence of the heritage building along Sir John A. Macdonald Boulevard. In addition, the site's natural topography allows the surface parking lot to sit below the grade of the existing building, reducing the visibility of parked vehicles and preserving the heritage view plane. The proposed development will conserve and enhance the site's cultural heritage value while ensuring that significant heritage views remain protected.

- m. adverse effects on neighbouring properties related to stormwater management or drainage.*

The Servicing and Stormwater Management Report prepared and submitted in 2020 concluded that the proposed development would not result in adverse stormwater management or drainage impacts on neighbouring properties. Since the completion of the report, the annex wing is now planned to be removed, reducing the overall building footprint and increasing permeable area on the site. As a result, stormwater conditions are anticipated to improve, and the proposed development is not expected to adversely affect neighbouring properties or the capacity of the existing municipal stormwater system.

Section 2.7.4 of the Official Plan contains policies regarding mitigation measures for achieving development and land use compatibility. Section 2.7.4 requires that some or all of the following mitigation measures be implemented if land use compatibility concerns are identified:

a. ensuring adequate setbacks and minimum yard requirements;

The proposed development complies with all required building setbacks and minimum yard requirements. While the Zoning By-law generally prohibits parking and loading within a front yard, the proposed location is appropriate due to the unique configuration of the site, which has frontage on all four streets, resulting in all yards being considered front yards. The proposed parking and loading areas have been carefully sited to support the adaptive re-use of the designated heritage building while maintaining appropriate building setbacks, preserving heritage features, and providing safe and functional site circulation.

b. establishing appropriate transition in building heights, coverage, and massing;

The proposed development maintains the existing height, building footprint, and massing of the heritage building. As no increases in height or building coverage are proposed, the established transition to surrounding development is maintained, ensuring continued compatibility with adjacent properties.

c. requiring fencing, walls, or berming to create a visual screen;

The proposed development incorporates existing and proposed landscaping and additional screening elements where appropriate to provide visual separation between the subject site and adjacent properties. The south front yard parking area will also be screened through landscaping to minimize its visibility from the public realm while preserving views of the heritage building.

d. designing the building in a way that minimizes adverse effects;

The proposed development consists of the adaptive re-use of an existing heritage building and does not involve changes to the building's height, massing, or overall form. The introduction of office, market, and other commercial uses within the existing structure has been designed to minimize potential adverse effects on adjacent properties while maintaining compatibility with the surrounding neighbourhood and preserving the site's cultural heritage resources.

e. maintaining mature vegetation and/or additional new landscaping requirements;

The proposed development will retain existing mature vegetation where feasible and incorporate additional landscaping throughout the site. Existing trees and landscaped areas will continue to contribute to the site's heritage character, provide visual screening, and enhance the public realm, while new landscaping will complement the adaptive re-use of the heritage property.

f. controlling access locations, driveways, service areas and activity areas; and,

Union Park Kingston is accessed by one vehicular entrance from Union Street and two vehicular entrances from Sir John A. Macdonald Boulevard. Internal roadways and clearly defined pedestrian pathways provide safe and efficient connections throughout the site, linking building entrances, parking areas, and the surrounding municipal road network. The proposed development will maintain the existing access, driveway, service, and activity areas associated with Block 2, and no changes to the established site circulation are proposed. The Traffic Impact Study concluded that the development will not adversely affect site access and that emergency and service vehicles will continue to have safe and efficient access to the property.

g. regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.

On-site parking is proposed to be provided through a combination of surface and underground parking. Surface parking associated with the heritage building will be appropriately screened through landscaping to minimize its visual presence and preserve views of the heritage building. Lighting, garbage storage facilities, signage, and other accessory elements will be sensitively designed and located through the Site Plan Control process to ensure compatibility with surrounding uses and the site's cultural heritage resources.

All development in the City is required to meet the functional needs of users in the long-term to protect property owners, users and occupants. The following functional needs are listed in Section 2.7.6:

a. suitable scale, massing and density in relation to existing built fabric;

The proposed development consists of the adaptive re-use of the former Prison for Women building on Block 2 through the introduction of office, market, and other complementary commercial uses. No changes are proposed to the building's height, massing, or orientation, ensuring that the recommendations of the Heritage Impact Assessment continue to be implemented and that appropriate setbacks and transitions to surrounding properties are maintained. The proposal will support the surrounding transit network, commercial and employment uses, and the continued revitalization of the Union Park community by introducing new employment opportunities and local services within a highly accessible location.

- 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;*

The proposed development will retain and enhance the existing landscaped character of the site through the preservation of mature vegetation where feasible and the introduction of additional landscaping. New landscape treatments will screen surface parking associated with Block 2, enhance the public realm, support the City's tree planting objectives where appropriate, and complement the heritage character of the former Prison for Women building.

- c. adequate land area and appropriate site configuration or provision for land assembly, as required;*

The subject site has an area of approximately 0.65 hectares and is an appropriate size to accommodate the proposed development. The development will be configured in a manner that provides connectivity between blocks, as well as sufficient pedestrian, vehicle, and cycling infrastructure throughout the site.

- d. efficient use of municipal services, including transit;*

The Servicing Report and Traffic Impact Study indicate sufficient municipal servicing, and infrastructure is available to support the proposed development. The subject site is surrounded by Kingston Transit routes and is served by nearby transit stops.

- e. appropriate infill of vacant or under-utilized land; and,*

The proposal represents the infill and intensification of an existing underutilized, culturally significant site within the City's urban boundary. The subject site is in proximity to transit, open space, commercial, retail and employment uses. The subject site is an appropriate location for the development of residential, commercial, and open space uses.

- f. clearly defined and safe:*

- *site access;*

Vehicle site accesses are clearly defined on Union Street and Sir John A Macdonald Boulevard with driveways separated from pedestrian traffic movement. Pedestrian pathways will be provided throughout the subject site and clearly defined to ensure safe separated pedestrian access.

- *pedestrian access to the building and parking spaces;*

Pedestrian access to the site will be available from Union Street, Sir John A Macdonald Boulevard and King Street West via defined pedestrian pathways. Pedestrian pathways through the subject site will provide access to parking areas.

- *building entry; and,*

The proposed adaptive re-use of Block 2 will maintain a clearly defined and accessible main entrance that is oriented toward the internal parking area and pedestrian network. There is a secondary accessible entrance on the north side of the building as well. The entrances will be appropriately identified and designed to provide safe and convenient access for visitors, employees, and patrons while supporting the heritage character of the existing building.

- *parking and secure and appropriate bicycle facilities.*

A total of 135 parking spaces will be provided to serve the proposed office, market, and commercial uses in Block 2. The parking area will be appropriately screened through landscaping to preserve the heritage character of the site and minimize visual impacts. In addition, 29 secure bicycle parking spaces will be provided in convenient and accessible locations to support active transportation and encourage cycling by employees and visitors.

Section 2.8 provides direction for protection of resources including cultural heritage resources.

- 2.8.8 *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. Care will be taken not to put the existing UNESCO World Heritage Designation of the Rideau Canal, Fort Henry and the Kingston Fortifications at risk by working with partners to implement the Rideau Corridor Landscape Strategy.*

Cultural heritage resources will be conserved, managed, and promoted for their contribution to the City's unique identity, history, and sense of place while balancing heritage conservation, accessibility, and long-term sustainability. The subject site is designated under Part IV of the *Ontario Heritage Act*, is protected by a Heritage Easement Agreement, and forms part of the broader penitentiary cultural heritage landscape within the City of Kingston. A Heritage Impact Assessment has been prepared to evaluate the proposed adaptive re-use of Block 2 and concludes that the proposal is consistent with the Heritage Easement Agreement and the *Standards and Guidelines for the Conservation of Historic Places in Canada*. The proposal includes the retention and rehabilitation of the Administration Building and Cell Block, the removal of the non-significant Annex Wing and modern additions, and the preservation of important heritage viewplanes. While a portion of the surface parking is proposed within the front yard and within viewplanes 1 and 7, the Heritage Impact Assessment concludes that it is necessary to support the long-term viability of the adaptive re-use and recommends landscape screening to minimize its visual impact and maintain the prominence of the heritage building within the established heritage viewplane.

Section 2.9 provides policy direction for economic development. Section 2.9.3 provides direction related to tourism and the relevant subsections have been assessed below:

- 2.9.3. *In recognition of the many cultural heritage resources and natural heritage features and areas that attract tourists to the City, and the contribution of the tourist industry to the City's economy, the City will support the implementation of the Kingston Culture Plan and the Integrated Cultural Heritage and Cultural Tourism Strategy and a range of initiatives designed to expand the City's tourism potential, following sustainable tourism practices, including*
- a. fostering the City's reputation as a centre for cultural heritage in North America through support for the cultural heritage resources of the City including specific conservation and enhancement programs or projects, in consultation with Heritage Kingston, Tourism Kingston, agencies of other levels of government responsible for cultural heritage resources and community partners and stakeholders;*
 - b. enhancing cultural tourism by continuing to invest in, develop, market and sustain the range of historical and cultural assets in Kingston to benefit residents and visitors alike;*
 - c. improving parking for vehicles and bicycles, transit, hospitality uses and facilities, and accessibility to the Central Business District;*
 - k. continuing to support the City-owned museums and local museum organizations;*
 - l. supporting cultural vitality and creative place-making across Kingston through innovative arts-based programs and initiatives, including public art;*

The subject site is designated under part IV of the *Ontario Heritage Act* and located in proximity to the Corrections Canada Penitentiary Museum, located at 555 King Street West, and the St. Lawrence Parks Commission's Kingston Penitentiary Museum, also located on King Street West. The site serves as a tourism site in conjunction with the surrounding museums. The proposed development will result in the rehabilitation of the Administration Building and Cell Block, which may contribute to visitors to the site. The Applicant recognizes the opportunity for this development to have a positive cultural and economic impact on tourism in Kingston and aims to ensure that tourism can be conducted smoothly and efficiently in and around the site.

Section 3: Land Use Designations and Policy

Section 3 of the Official Plan contains policies that apply to the land use designations identified on Schedule 3-A – Land Use. The subject site is currently designated Residential and is subject to Site-Specific Policy Area 71. The proposed Official Plan Amendment seeks to redesignate Block 2 to Mixed Use while carrying forward the existing site-specific policies under Site Specific Policy (SSP) 71, with minor amendments to reflect the proposed expansion of permitted commercial uses.

The subject site is proposed to be designated as Mixed Use, which falls within the broader category of Commercial designations in the Official Plan. Section 3.4 outlines the policy direction for commercial uses generally, whereas Section 3.4.H provides policy direction specifically as it pertains to the Mixed Use designation.

- 3.4.10. *Outside of the Central Business District, proponents of any new or expanded Commercial designation that proposes commercial development greater than 5,000 square metres in floor area, including an expansion of a Commercial designation or a proposal requiring a zoning by-law amendment to increase the floor area within a current Commercial designation by 5,000 square metres or more, must submit a market justification study and impact assessment, site plan, a transportation study undertaken to the satisfaction of Council, and other studies that the City deems necessary as outlined in Section 9.12.*

As discussed, the proposed OPA seeks to redesignate Block 2 from Residential to Mixed Use. The proposed development includes expanded commercial uses permitted within the Mixed Use designation, while also retaining permissions for residential uses. As the proposed commercial uses are under 5,000 square metres in area, a market justification study is not required.

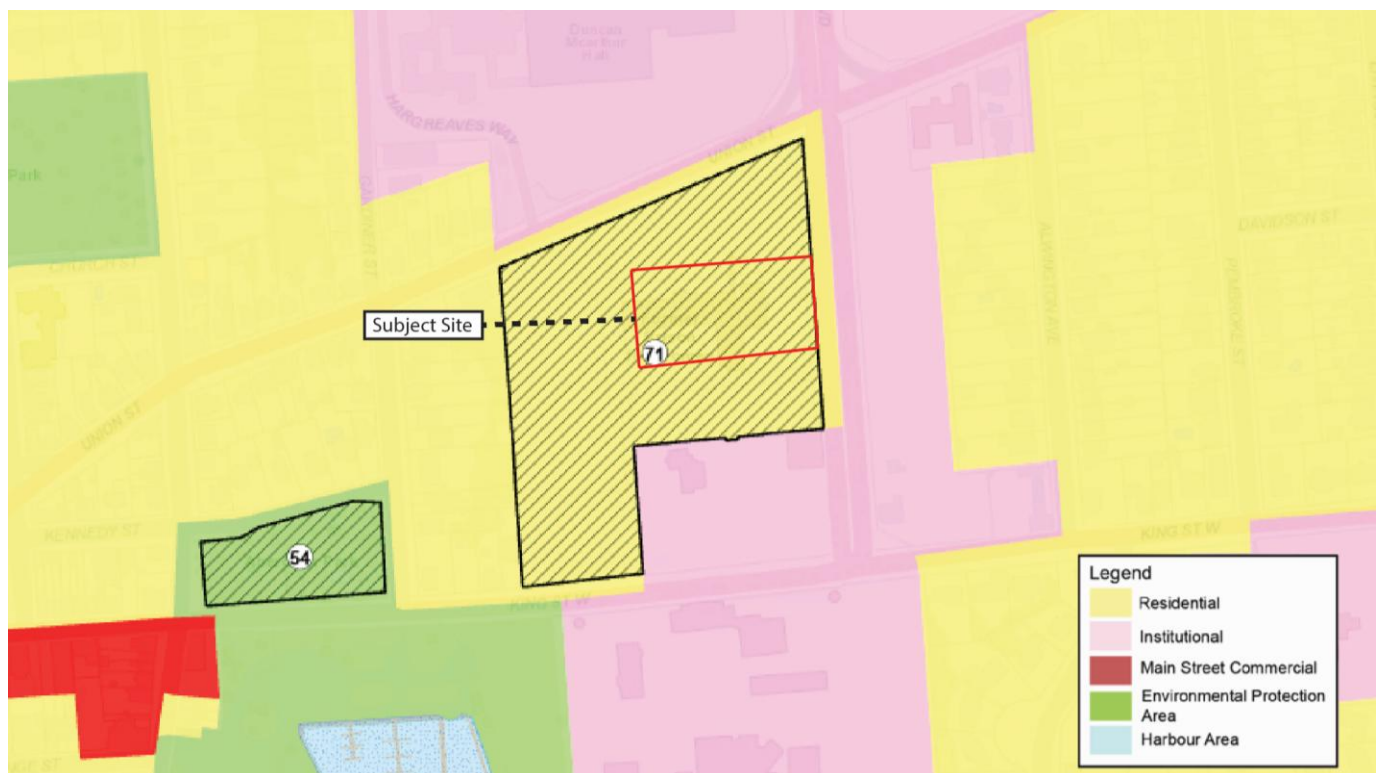


Figure 8: Land Use Designation, Official Plan Schedule 3-A (Source: Kingston K-Maps)

Section 3.4.H of the OP discusses the Mixed-Use Designation:

- 3.4.H.1. *The Mixed Use designation will permit a broad range of residential, commercial and light industrial uses while maintaining land use compatibility. Some uses within the Mixed Use designation may not be appropriate for all locations and as such, the zoning by-law may limit uses in certain areas to maintain land use compatibility.*

The proposed development expands the range of permitted commercial uses within Block 2 to include a public market, office uses, and other complementary commercial uses, while retaining the existing residential permissions. The proposal maintains land use compatibility and supports the overall vision for Union Park as a complete mixed-use community that integrates residential, commercial, employment, and open space uses. The adaptive re-use of Block 2 will enhance this mix by introducing a unique public market and new office space, creating employment opportunities, supporting local businesses, and providing additional amenities for residents and visitors.

- 3.4.H.2.** *A full range of residential housing options will be permitted, however more intensive forms of housing are encouraged, preferably in the form of mid- rise or high-rise buildings, subject to the policies of Sections 2.6 and 2.7 of this Plan.*

While residential uses are not currently proposed for Block 2, the proposed Official Plan Amendment and Zoning By-law Amendment will retain the existing residential permissions to provide flexibility for future development. Subject to market conditions, the current concept envisions a ground-floor public market with office uses on the upper floors, while allowing residential uses to be introduced in the future if warranted. Section 2.7 of the OP is reviewed in detail above, however Section 2.6 has not been reviewed at this time given that residential uses are already approved for the subject lands and the proposal seeks only to add permissions for commercial uses.

- 3.4.H.4.** *A variety of commercial uses are contemplated, such as retail stores, restaurants, personal services, professional offices, creativity centres, recreational, entertainment, and other similar uses intended to provide support and services to the community. Automobile related uses, such as automobile sales, service or repair shops will be directed to alternate land use designations to foster the evolution of the pedestrian realm within the Mixed Use designation.*

The uses contemplated under Policy 3.4.H.4 are supported, provided they do not exceed 5,000 square metres of gross floor area, in accordance with Policy 3.4.10 above. The proposed development complies with this requirement by introducing a ground-floor public market and office uses on the upper floors, with a total gross floor area below the 5,000 square metre threshold. Residential permissions will also be retained to provide flexibility in response to future market conditions while supporting the long-term adaptive re-use of the former Prison for Women.

- 3.4.H.5.** *Small-scale, light industrial uses with low risk of noise impacts, heavy truck traffic and fugitive emissions, such as workshops, warehousing, and other similar uses that can operate entirely within an enclosed building, may be permitted by the zoning by-law, subject to the policies of Section 2.7. Outdoor storage of goods and materials is not permitted.*

While light industrial uses are not proposed, certain ancillary activities associated with the operation of the public market, such as the loading, unloading, storage, and movement of goods, may resemble light industrial functions. These activities will occur entirely within the enclosed building or designated service areas and are intended solely to support the operation of the market. Outdoor public market use is contemplated and supported through Zoning By-law provision 4.15.3, in which public markets may be located within the parking area as a temporary use within a MU zone. No outdoor storage of goods or materials is proposed, and the development will remain compatible with surrounding uses.

Block 2 is subject to Site Specific Policy Number 71. All site-specific policies are outlined under Section 3.17 of the OP.

- SSP 3.17.71** *The lands identified as Residential on Schedule 3-A and identified on Schedule 3-D as Site Specific Policy Area Number 71, located on the southwest corner of Sir John A Macdonald Boulevard and Union Street, are intended to be developed as a carefully designed, compact urban village with a healthy mix of uses, a pedestrian-friendly public realm, context-sensitive buildings, and well-informed open spaces. The lands are suitable to accommodate a mix of uses. Mid-rise and high-rise built form is permitted, subject to the land use compatibility, urban design and cultural heritage resource management policies of this Plan and in a manner that protects the site's protected heritage attributes.*

The history of the site and the protected heritage attributes shall be considered, celebrated, respected and complemented by new development. It is the intent that these lands be developed in accordance with the Residential policies of this Plan, the following specific policies, and the implementing site-specific zoning:

- a. *Development is required to conform with the recommendations and requirements set forth in the Heritage Conservation Strategy, prepared by Commonwealth Historic Resource Management and Barry Padolsky, dated September, 2022, including the following:*
 - i. *A detailed documentation of the former prison building, and in particular, the existing interior features of the cellblock and the architectural heritage attributes noted in*

the heritage designation by-law, shall be completed using a combination of high-resolution photographs, scaled drawings and/or laser scans, both prior to and throughout the construction process, in order to maintain an accurate record of intervention.

- ii. *The owners and the City shall enter into a Heritage Easement Agreement(s), pursuant to Section 37 of the Ontario Heritage Act, to set out the requirements for maintaining the specific heritage features, attributes, and resources of significance for the former Prison for Women property, including the West Yard.*
- iii. *A Heritage Impact Statement(s) (HIS) shall be required in accordance with City requirements as part of the site plan control submissions for each Block and prior to gaining Ontario Heritage Act approval. The HIS will provide independent professional analysis of the proposal and focus on the finer grain impacts and recommend appropriate mitigation measures and alternatives.*

The proposed development conforms with the recommendations and requirements of the Heritage Assessment (September 2022) and the subsequent Heritage Impact Assessment prepared in support of this application. The proposed adaptive re-use has been designed to conserve the cultural heritage value and character-defining attributes of the former Prison for Women through the retention and rehabilitation of the Administration Building and Cell Block, the removal of the non-significant Annex Wing, and the preservation of important heritage viewplanes. Detailed documentation of the heritage resource will be completed prior to and throughout construction to record existing conditions and interventions. The property is subject to a Heritage Easement Agreement under the *Ontario Heritage Act*, which establishes the framework for the ongoing conservation and maintenance of the site's significant heritage attributes. In accordance with the Official Plan, a Heritage Impact Statement has been prepared in support of the proposed Official Plan Amendment and Zoning By-law Amendment, and any future Site Plan Control applications will include additional heritage review, as required, to evaluate detailed design and ensure continued conformity with the Heritage Easement Agreement and the recommendations of the Heritage Conservation Strategy.

- b. *The subdivision shall integrate a mix of residential, neighbourhood commercial and open spaces uses. The permitted uses include a hotel at the south-east corner of the site, subject to requirements under the Planning Act that shall include the review and acceptance of a Market Justification and Impact Assessment by the City;*

The proposed development conforms with the intent of this policy by supporting the overall vision for Union Park Kingston as a mixed-use community integrating residential, commercial, institutional and open space uses. The proposed adaptive re-use of Block 2 introduces a public market, office, and complementary commercial uses while retaining residential permissions to provide flexibility in response to future market conditions. These uses will complement the residential, open space, and hotel uses permitted elsewhere within the approved Union Park Kingston development. The proposed commercial uses will create employment opportunities, provide neighbourhood-serving amenities, and contribute to the long-term viability of the former Prison for Women through its adaptive re-use, thereby reinforcing the mixed-use character envisioned for the subdivision.

- c. *The rehabilitated and adaptively reused former Prison for Women shall serve as the focal point of the subdivision. To this end, open space shall be integrated between this focal point and new buildings through well designed yards and landscaped areas, pedestrian pathways, terraces/patios, cultural heritage interpretive features and similar public realm uses;*

The proposed Official Plan Amendment seeks to delete and replace section 3.17.71(c) in its entirety with the following (new proposed text is underlined):

"The rehabilitated and adaptively reused former Prison for Women shall... A mix of residential and commercial uses is envisioned for these lands, with broad permissions intended to support a flexible, vibrant, and complete mixed-use community."

The additional policy language serves to clearly state the intent to accommodate a mix of commercial and residential uses in the former Prison for Women building. Details pertaining to the specific mix of uses will be clearly outlined through the associated implementing Zoning By-law Amendment.

Despite the proposed amendment, the development conforms with the broad intent of section 3.17.71(c) by ensuring that the rehabilitated former Prison for Women remains the focal point of Block 2 and the broader Union Park Kingston development. The adaptive re-use of the designated heritage building for a public market and office uses will introduce an active community destination while preserving its cultural heritage value. Open space, landscaping, pedestrian walkways, and the Memorial Garden will reinforce the prominence of the heritage building and provide opportunities for gathering, interpretation, and reflection. Although a portion of the surface parking is proposed within the front yard, it has been carefully designed and will be screened through landscaping to minimize its visual impact and maintain the established heritage viewplanes. Together, these elements create a high-quality public realm that celebrates the site's history while supporting its long-term conservation and adaptive re-use.

- d. New buildings will be set back from the street frontages and separated on site to ensure identified heritage views are protected within the site, from Sir John A Macdonald Boulevard, Union Street, King Street West, the West Yard, and Portsmouth Olympic Harbour;*

The proposed development conforms with this policy by retaining and adaptively reusing the former Prison for Women while preserving the identified heritage view corridors. The removal of the non-significant Annex Wing and modern additions enhances views of the heritage building from Sir John A. Macdonald Boulevard and within the site, while the retention of the Administration Building and Cell Block maintains the building's prominence as the focal point of Union Park Kingston. Although a portion of the surface parking is proposed within the front yard, it has been carefully designed and will be screened through landscaping to minimize visual impacts and maintain the established heritage viewplanes 1 and 7. The Heritage Impact Assessment concludes that the proposal will conserve the site's cultural heritage value and ensure that important views of the former Prison for Women continue to be protected.

- e. Building separation between the rehabilitated Prison for Women and new buildings shall be maximized, considering setbacks from Sir John A Macdonald Boulevard and Union Street, an emphasis on open space, landscaped areas, and provisions for entrances, lanes, surface parking and other functional requirements;*

The proposed development conforms with this policy by maintaining the former Prison for Women as the dominant heritage feature on the site while maximizing open space around the building where appropriate. The removal of the non-significant Annex Wing and modern additions increases the separation between the heritage building and surrounding site features, improving views and creating additional landscaped open space. Functional elements, including pedestrian walkways, entrances, surface parking, and servicing areas, have been carefully integrated into the site design to support the adaptive re-use of the building while minimizing their visual impact. Although a portion of the surface parking is located within the front yard, it has been designed with landscape screening to preserve the prominence of the heritage building and maintain the established heritage viewplanes, consistent with the recommendations of the Heritage Impact Assessment.

- f. Visual compatibility between new and existing buildings on the site and with the historic Correctional Service campus, is required. New buildings shall incorporate a strong podium base which related to the height, massing, verticality of fenestration and datum lines of the original Prison for Women building, not including the Annex Wing;*

No new buildings are proposed, as the proposal is limited to the rehabilitation and adaptive re-use of the existing former Prison for Women building. The development retains the building's existing height, massing, architectural expression, and character-defining heritage attributes, while the removal of the non-significant Annex Wing enhances the prominence and visual integrity of the original heritage resource. As such, the proposal conserves the cultural heritage value of the property and remains consistent with the intent of the Heritage Impact Assessment.

- g. Building materials reflective of the architecture of the rehabilitated Prison for Women, such as limestone, iron and glass, shall be incorporated into podium designs of new buildings, while greater opportunity for diversity and distinction in design and materiality should be provided above the podium;*

The proposal is limited to the rehabilitation and adaptive re-use of the existing former Prison for Women building. The rehabilitation will preserve and restore the building's existing limestone masonry, architectural detailing, and other character-defining heritage attributes in accordance with the Heritage Easement Agreement and the recommendations of the Heritage Impact Assessment, ensuring the continued conservation of the site's cultural heritage value.

- h. *To ensure the maximum open space possible, parking should be provided underground to the greatest extent possible. It is recognized that some surface parking is desirable and necessary to service the buildings on-site.*

The proposed development conforms with this policy by maximizing underground parking while recognizing the operational needs of the adaptive re-use. A total of 135 parking spaces are proposed, including 60 underground parking spaces and 75 surface parking spaces. While a portion of the parking is located within the front yard, the Heritage Impact Assessment concludes that this parking is necessary to support the long-term viability of the public market and office uses within the former Prison for Women. The surface parking has been carefully designed and will be screened through landscaping to minimize its visual impact, maintain the established heritage viewplanes, and preserve the prominence of the designated heritage building. The proposed parking arrangement appropriately balances functional requirements, heritage conservation, and the provision of open space.

Section 4: Infrastructure & Transportation

Section 4 of the Official Plan provides policy direction associated with infrastructure and transportation systems in the City. Section 4.1 provides general policies associated with infrastructure and transportation:

- 4.1.1. New development will proceed only if the City is satisfied that adequate services, roads, and utilities are available, or can be made available, to serve the proposal adequately. In determining the adequacy of servicing, utility systems, or the transportation system, the City will consider not only the proposal, but also the potential for development that exists in the same service area.*

The Servicing Report and the Traffic Impact Study prepared in support of the applications presently (and previously, in 2020) demonstrate that adequate municipal servicing infrastructure and capacity to support the proposed development, subject to minor upgrades, as well as the existing road network and proposed signalized intersection access to the site will have sufficient capacity to support the proposed development.

Section 4.2 provides policies related to municipal water and sewage. The proposed development is located within the City's Urban Boundary and will be serviced by municipal water and sewage services. A Servicing Report has been prepared which confirms that adequate municipal capacity is available to service the proposed development.

Section 4.3 contains policies related to stormwater management. A Stormwater Management Report was prepared for the Union Park Kingston development in 2020 and concluded that appropriate stormwater management measures can be implemented on the subject site. Since the report was completed, only minor refinements have been made to the development, including the removal of the Annex Wing, which has reduced the overall building footprint and is anticipated to improve stormwater performance. Accordingly, the 2020 Stormwater Management strategy remains applicable to the proposed development. Any detailed stormwater management measures will be finalized through the Site Plan Control process.

Section 4.6 provides policies related to transportation systems and seeks to provide for the safe, efficient, and convenient movement of people and goods throughout the City, and between the City and more distant destinations. The following policies relate specifically to facilitating active transportation within the City:

- 4.6.1. As described in Section 2.5.11 of this Plan, the City intends to foster sustainability within the community and to reduce reliance on the automobile by satisfying travel demand through the efficient use of the existing infrastructure, and by providing the facilities and services to encourage walking, cycling and transit as priority universally accessed modes of travel, before expanding the City's road infrastructure.*

The proposed development supports the City's transportation objectives by adaptively re-using an existing building within a fully serviced, mixed-use area. The subject site is well served by Kingston Transit and is within walking distance of a range of community amenities, encouraging walking, cycling, and transit while making efficient use of existing transportation infrastructure.

- 4.6.11. The City may require the proponent of any development to prepare a traffic impact analysis or a transportation study to the satisfaction of the City to address the requirements of Sections 4.6.1*

through 4.6.10, and to assess the influence of development on active transportation movement, vehicular flows and traffic volumes, and transportation demand management. Any such analyses will assess the impact of the proposal on the roadways and, if needed, will recommend improvements necessary to accommodate the proposal, to discourage excessive through traffic, provide traffic calming measures, and maintain satisfactory service levels for all modes of transportation on public streets. The City may determine that such analyses may be subject to a peer review at the cost of the proponent. In addition, the Province may require a property owner and/or the City to undertake, at their cost, a traffic impact analysis and subsequently the design and construction of warranted highway improvements related to a proposed development, as a requirement for the issuance of Provincial permits.

A Transportation Impact Study has been completed by TYLin, which concluded that the surrounding road network and all study intersections will continue to operate at acceptable levels of service under future traffic conditions, with the additional peak-hour traffic being accommodated by the existing transportation network. The study also concludes that the proposed parking supply of 135 vehicle parking spaces, including 75 surface parking spaces and 60 underground parking spaces, is sufficient to accommodate the anticipated demand associated with the proposed public market and office uses. In addition, the development will provide 29 bicycle parking spaces, comprising 19 short-term and 10 long-term spaces. For more details, please refer to the original study.

4.6.47. *It is the intention of this Plan to encourage a balance between providing sufficient parking to address existing or future requirements, and not oversupplying parking to the detriment of public transit usage or active transportation.*

A Transportation Impact and Parking Study has been prepared which assessed the proposed uses and parking supply necessary to support the uses and users, while not providing excessive unnecessary parking spaces. As discussed above, the Applicant has reviewed the market feasibility for the development and identified a need for approximately 150 parking spaces to support the proposed market and the balance of the building. To balance this parking demand with the design objectives of Union Park while minimizing impacts on the surrounding landscape and heritage setting, a total of 135 parking spaces are proposed. The proposed parking supply strikes a balance between providing necessary parking while also relying on means of movement by transit and active transportation.

Section 5: Protection of Health and Safety

The purpose of Section 5 is to ensure that natural and human-made hazards are considered and protected against as part of the development process. The policies of this section seek to ensure that adequate separation exists to protect sensitive uses from sources of pollution. Policies include minimum separation distances from mines, landfills, aggregate extraction, and livestock facilities, as well as remediation of brownfield sites and setbacks from floodplains and erosions hazards. Phase I and II Environmental Site Assessments were conducted by XCG Consulting Limited in 2020 which indicate there is no groundwater remediation necessary on the subject site and there are no expected concerns of contaminated run-off from the subject site to surrounding lands. As well, no noxious uses are proposed as part of this redevelopment and no uses are proposed that would introduce new hazards or sources of pollution.

Section 6: The Environment and Energy

Section 6 provides policies for the protection and maintenance of ecological features and functions. This section also describes policies for energy conservation and protection, including the promotion of landscaped open spaces and tree planting to moderate summer and winter micro-climate conditions. The subject site is not located in proximity to any identified natural heritage features identified on Schedule 7-A Natural Heritage Area 'A' of the Official Plan or Schedule 7-B Natural Heritage 'B' of the Official Plan, therefore no impacts are anticipated to the natural environment as a result of the proposed development.

Section 6.2 provides policy direction related to energy conservation and production with the goal *"To minimize greenhouse gas emissions and to be a leader in energy conservation, energy efficiency, and sustainable energy production, with a strong focus on the development of renewable energy systems that are appropriate in type and scale, and that minimize impacts on the natural environment and surrounding land uses."* The proposed development of Union Park Kingston seeks to integrate design techniques, building materials, and energy systems which promote sustainable and environmentally conscious methods.

- 6.2.1 *The City promotes the design and orientation of development that:*
- a. *maximizes passive solar energy gain and minimizes energy loss from prevailing winds;*
 - b. *incorporates innovative building materials that helps development reduce its ecological footprint;*
 - c. *explores opportunities for renewable energy systems on a site-specific or district-wide basis;*
 - d. *is considered either low carbon or carbon neutral;*
 - e. *enhances the feasibility of district energy;*
 - f. *enhances the feasibility of non-automotive transportation including active transportation; and,*
 - g. *at the district scale, attempts to achieve climate positive development.*

Through future detailed design work associated with the development, environmentally conscious and considerate building and design methods will be integrated, where feasible.

- 6.2.2. *The City promotes landscaping and tree planting programs that help to moderate summer and winter micro-climatic conditions.*

The proposed development will incorporate large areas of open space and landscaping which will assist in moderating micro-climate conditions. Extensive landscaping and vegetation will be established on site to support the use of the subject site.

- 6.2.8. *The City encourages the retrofitting of existing residential and commercial building stock through consideration of incentives, planning and financial instruments that it may choose to implement and the City supports partnerships with utilities and other levels of governments to that end.*

The proposed development will result in the rehabilitation and retrofitting of the former Prison for Women building located on proposed Block 2, which is currently vacant and functionally obsolete. Although a portion of the building will be removed, the majority of the building, including the Administration Wing and Cell Block will be retained and retrofitted with mixed uses.

Section 7: Cultural Heritage and Archaeology

Section 7 of the Official Plan outlines policies “*To conserve and enhance built heritage resources within the City so that they may be accessed, experienced and appreciated by all residents and visitors, and retained in an appropriate manner and setting, as a valued public trust held for future generations.*” (Section 7.1). The subject site is designated under Part IV of the *Ontario Heritage Act*, the Prison for Women has status as a ‘Recognized’ federal heritage building, resulting from a 1989 Federal Heritage Building Review building report. Additionally, the subject site contains a Heritage Easement. A Heritage Impact Assessment has been submitted in support of the proposed development.

Section 7.1 provides policy direction for built heritage resources in the City of Kingston. This section indicates that the City has numerous built heritage resources that include significant buildings, structures, monuments and heritage conservation districts valued for the important contribution they make to understanding the City’s history, events and people.

- 7.1.6. *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 amended from time to time; and,*
 - c. *the Ontario Ministry of Tourism, Culture and Sport’s eight guiding principles in the conservation of built heritage properties.*

A Heritage Impact Assessment was prepared in support of the proposed development to assess the proposed adaptive re-use against the Heritage Easement Agreement and the site’s identified cultural heritage resources. The Assessment concludes that the proposed development will conserve the heritage attributes of the former Prison for Women through the retention and rehabilitation of the existing building and will not result in adverse impacts to the property’s cultural heritage value or surrounding heritage resources.

Section 7.3 provides policy direction for cultural heritage landscapes. The southern portion of Union Park Kingston contains frontage on King Street West is located within the City of Kingston's Heritage Corridor Area as identified on Schedule 9 Heritage Areas, Features and Protected Views of the Official Plan.

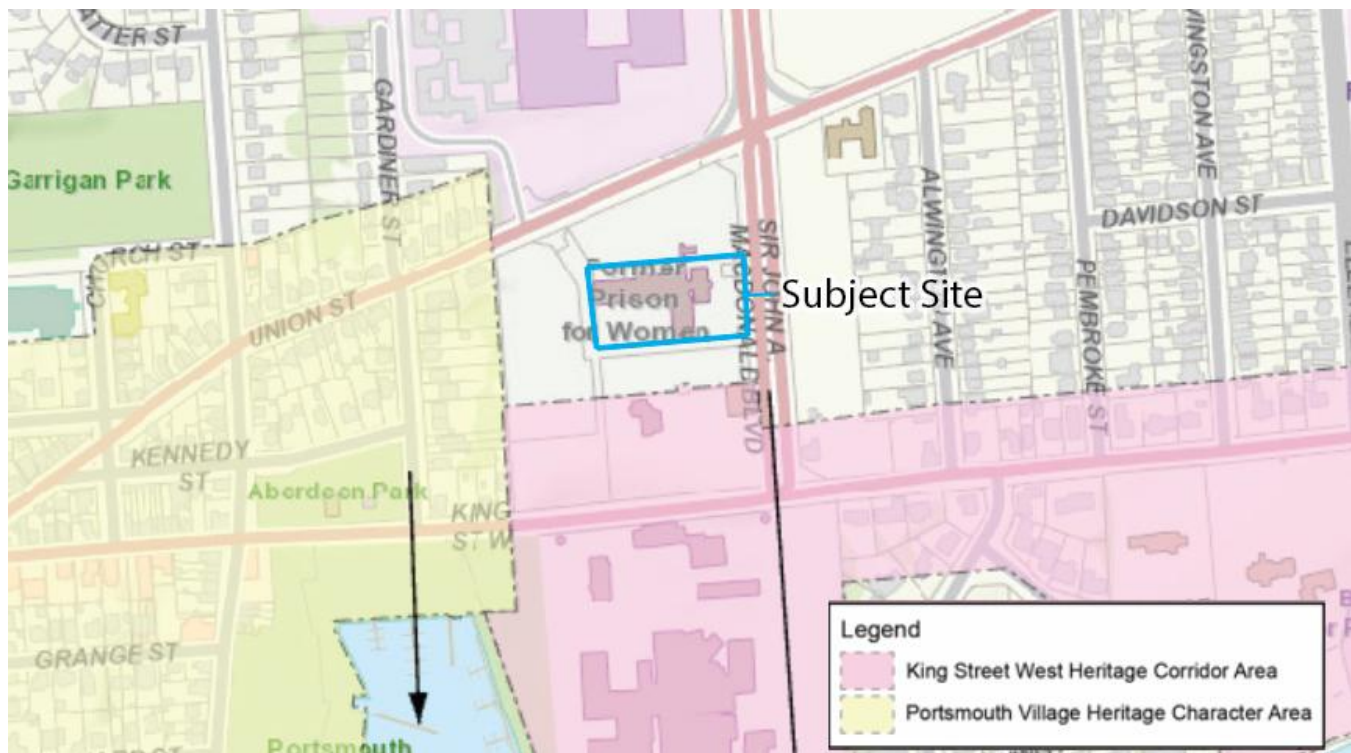


Figure 9: Schedule 9 Heritage Areas, Features and Protected Views (Source: Kingston K-Maps)

Section 7.3.D.2 contains applicable policies for this area, which is identified as the King Street West Heritage Character Area:

7.3.D.2 *The King Street West Heritage Character Area, shown on Schedule 9, is a scenic corridor linkage between the Old Sydenham Heritage Conservation District (Barrie Street) and Portsmouth Village Heritage Character Area. Its cultural heritage value includes the entry to the former Vice-Regal residence at Alwington Place, a number of protected heritage properties, including the Tett Centre for Creativity and Learning, St. Helen's, Stone Gables and Kingston Penitentiary, as well as an important cultural heritage streetscape marked by mature trees, wide boulevards and views of the water. Planning for the roadway and first tier of lots abutting the roadway requires:*

- a. *maintaining the arterial road function of King Street West in the context of preserving and enhancing the heritage corridor and the serial visual experiences that occur along its length;*
- b. *analyzing the traffic impacts that may affect the heritage character of the Area;*
- c. *undertaking a coordinated approach with respect to any streetscape or public infrastructure improvements within the Area;*
- d. *maintaining the public walkways, Waterfront Pathway and the Lake Ontario Waterfront Trail to encourage active transportation and public use of the Area;*
- e. *designing and siting development of private landholdings in a manner that is compatible with the cultural heritage value and heritage attributes of the Area; and,*
- f. *preserving and supplementing mature tree cover wherever possible through a program of tree replacement.*

The subject site is not located within the King Street West Heritage Character Area; however, Block 5, which forms part of the broader Union Park Kingston development, is located within the Heritage Character Area and was addressed through

the 2020 planning approvals. Since that time, a Heritage Conservation Strategy was prepared in 2022 to provide additional guidance regarding the conservation of the former Prison for Women and the protection of significant heritage view corridors surrounding Union Park. The proposed surface parking within the south front yard has the potential to affect Viewpoints 1 and 7 identified in the Heritage Conservation Strategy. However, the Heritage Impact Assessment concludes that the parking is necessary to support the long-term viability of the adaptive re-use of the former Prison for Women and can be accommodated without adversely affecting the site's cultural heritage value. The parking area has been carefully designed and will be screened through landscaping to minimize its visual impact, maintain the established heritage viewplanes, and preserve the prominence of the designated heritage building within the surrounding heritage landscape. The removal of the non-significant Annex Wing and modern additions further enhances views of the heritage building, offsetting the visual presence of the surface parking and reinforcing the former Prison for Women as the focal point of the Union Park development.



Figure 10. Viewpoints surrounding the subject site (prepared by Commonwealth Historic Resource Management)

Section 8: Urban Design

Section 8 describes the City of Kingston urban design policies, which includes design recommendations to encourage compatibility in existing developed areas and compact mixed-use land use patterns in newly developing areas. The goal of this section is to provide a framework for providing and maintaining a safe, efficient, accessible, and harmonious environment. The role of the built and natural environments is recognized as aspects that contribute to an area's sense of place and community significance.

Section 8.4 provides policies related to the accessibility and safety of buildings:

- a. *providing for age-friendly needs and the requirements of people with disabilities, and others requiring access supports through improved amenities such as parking, benches, and washrooms, clear signage, visual or auditory indicators, and other means as appropriate;*

The proposed adaptive re-use of Block 2 will incorporate barrier-free access, accessible parking spaces, accessible washrooms, and universally accessible entrances to support all users of the public market and office uses. Clear signage and accessible pedestrian connections will be provided throughout the site.

- b. *improving public security through enhanced lighting, visibility of public areas, provision of entrance locations in well-traveled areas, and ease of access for emergency personnel or vehicles;*

Site and building entrances will be clearly defined and within well travelled areas. Lighting will be provided along the exterior of each building as well as within each of the surface parking areas. Lighting plans are anticipated to be required as part of the future detailed applications for Site Plan Control.

- c. *clearly defining building entrances and avoiding designs that would create areas that are hidden from public view and thus potentially available for criminal activity;*

The primary entrance to the public market will be located on the front of the building, adjacent to the parking area, with additional entrances provided on the east, west, and north faces. The entrances are highly visible and designed to promote natural passive surveillance.

- d. *arranging public uses and amenities within a convenient walking distance;*

The proposed public market and office uses are centrally located within Union Park Kingston and are within convenient walking distance of surrounding residential neighbourhoods, transit routes, and the site's open spaces.

- e. *providing adequate walkway widths, visually permeable materials and structures, and landscaping elements that do not obstruct sightlines in the design of streetscapes, transportation facilities, or public buildings and places; and,*

Well delineated and unobstructed pedestrian pathways are proposed throughout the subject site providing connection from road frontages and between buildings. Proposed landscaping will not impact sightlines of the streetscape, parking areas or buildings.

- f. *promoting safe environments by applying Crime Prevention Through Environmental Design (CPTED) concepts and principles in the design of buildings, site layout and landscaping of development sites.*

The proposal will incorporate the principles of CPTED, including natural surveillance, natural access control and territorial reinforcement which will ensure the security of the development.

Section 8.5 provides policies for new developments regarding streetscapes and public spaces:

- a. *preserving human scale in locations that are pedestrian-oriented and establishing an appropriate street wall height by controlling building heights through an implementing zoning by-law, requiring building step-backs, having entrances at street level, providing street furniture, and other means as appropriate;*

The adaptive re-use of the former Prison for Women preserves the established street wall and heritage character along Sir John A. Macdonald Boulevard. The proposed public market activates the ground floor, while the office uses above contribute to a pedestrian-oriented streetscape. Street furniture and landscaping will further enhance the public realm.

- b. *providing shade through natural or built means to provide comfortable outdoor environments and provide protection from ultraviolet radiation;*

New landscaping and tree planting will be incorporated throughout Block 2 to provide shade and improve the pedestrian environment, which will be further refined during SPC stage.

- c. *protecting views to the water, City Hall and other significant buildings or landscapes;*

The Heritage Impact Assessment confirms that important heritage view corridors will be maintained. Although surface parking is proposed within the front yard, it will be screened through landscaping to preserve views of the former Prison for Women and maintain the established heritage viewplane.

- d. *siting new buildings and structures in a manner that repeats and complements the siting and spacing of existing buildings, structures or landscaped areas in order to continue a pattern that is characteristic of surrounding neighbourhoods and heritage areas;*

The proposal retains and rehabilitates the former Prison for Women while respecting the established heritage context through compatible site design, landscaping, and building relationships.

- e. *the strategic use of building separation, landscaping and buffers to mitigate inharmonious elements of the built or natural environment, such as railways, service areas, or incompatible uses;*

The subject site is not adjacent to any railways, service areas or incompatible uses and therefore the proposed development does not require mitigation measures.

- f. *designing public spaces or requiring the design of common spaces in private projects to have a clear sense of definition, and provide sufficient amenity, accessibility and security to encourage public use and linkage to other public areas;*

Common interior and exterior and private exterior amenity spaces will be provided throughout the site and clearly marked. The site includes barrier free parking spaces and will comply with AODA requirements. The proposal will also incorporate the principles of CPTED, including natural surveillance, natural access control and territorial reinforcement which will ensure the security of the development.

- g. *preserving and enhancing the context of special buildings, streetscapes, landscapes and sites that have been identified as having architectural, or cultural heritage value or interest; and,*

The subject site is designated under Part IV of the *Ontario Heritage Act*, the former Prison for Women has status as a 'Recognized' federal heritage building, resulting from a 1989 Federal Heritage Building Review building report and the 'West Yard' portion of the property is part of the Kingston Penitentiary National Historic Site of Canada. The proposed development will rehabilitate the former Prison for Women and introduce commercial uses, and identified heritage views will be protected through the proposed development.

- h. *encouraging innovative methods to minimize the visual impact of utility features, either by containing utility features within streetscape elements or by screening them from view.*

Utility infrastructure will be located and screened where feasible to minimize visual impacts on the heritage building and surrounding streetscape.

Section 8.6 outlines policies that must be addressed by new development:

- a. *siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing, setbacks, access, landscaped treatment, building materials, exterior design elements or features;*
- b. *protecting natural heritage features and areas and cultural heritage landscapes through the siting, design and review of new development;*

The proposed adaptive re-use has been designed in accordance with the recommendations of the Heritage Impact Assessment and Heritage Easement Agreement. The retention of the heritage building, removal of the non-significant Annex Wing, and complementary site improvements ensure compatibility with the surrounding neighbourhood while conserving the site's cultural heritage value.

- c. *promoting innovation in building design to create an interesting and varied built environment, to increase sustainability by improving energy efficiency, and to deliver barrier-free accessibility;*

The proposed building design and materials will promote innovation and interest in the streetscape along Sir John A Macdonald. Rehabilitation of the former Prison for Women will increase the development's sustainability through adaptive reuse of an existing building for commercial purposes. Through future detailed design work, energy efficiency of each building will be closely examined. Barrier free parking spaces will be incorporated, and overall, the buildings will comply with AODA standards to deliver barrier-free accessibility.

- d. *achieving compatibility in land use and with a predominant architectural style, street pattern or site arrangement where that style or arrangement forms a valuable component of the existing neighbourhood or the cultural heritage value or interest of the identified area. Section 2.7 provides additional policy in this regard; and,*

Land uses surrounding the subject site are generally residential, open space and institutional. Low rise residential uses and taller institutional buildings are located in proximity to the site. The proposed public market and office uses are compatible with the evolving mixed-use character envisioned for Union Park and complement the surrounding residential, institutional, and open space uses. High quality building materials will ensure interest in the development and streetscape. The policies of Section 2.7 have been reviewed above.

- e. *encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.*

The proposed development will incorporate a Memorial Garden to further foster a sense of community and to achieve a sense of place.

Schedule 9 – Heritage Areas, Features and Protected Views of the City's Official Plan identifies a Protected View from Sir John A Macdonald Boulevard south of the subject site to the waterfront. Section 8.8 of the Official Plan provides policy direction for protected views:

- 8.8 *Protected views identified on Schedule 9 on streets that terminate at the water must be preserved by:*
- a. *restricting or not allowing development of buildings and structures that would interrupt sightlines;*
 - b. *requiring that the siting, massing and design of buildings and structures in areas adjacent to protected views maintain the views;*
 - c. *encouraging the development of facilities, amenities, signage and design themes at locations where the Waterfront Pathway or the Lake Ontario Waterfront Trail meets the protected views, which will enhance the use of this area and appreciation of the view; and,*
 - d. *ensuring that any installation of structures or facilities in public open space areas adjacent to the protected views complements the view.*

The Heritage Impact Assessment confirms that the proposed adaptive re-use preserves protected views to the former Prison for Women and maintains the heritage view corridor toward Lake Ontario. The proposed front yard parking has been carefully designed with landscape screening to minimize its visual presence and maintain the prominence of the heritage building within the established viewplane.

Section 8.11 of the Official Plan identifies Sir John A Macdonald Boulevard is a principal entrance to the City for vehicular traffic from Highway 401 and therefore is considered to be a “gateway to the City”. Site design along the “gateway” roads listed in 8.11 shall satisfy the following objectives:

- a. *buildings are oriented to enhance the relationship of the buildings to the road;*

The proposed development will retain and rehabilitate the former Prison for Women, preserving its prominent presence along Sir John A. Macdonald Boulevard. The adaptive re-use of the heritage building as a public market and office space will enhance the streetscape by introducing active commercial uses while maintaining the building's historic relationship with the roadway.

- b. *vehicular parking, except for visitor parking and parking for people with a disability, are provided on the sides and rear of the buildings;*
- c. *joint access or shared driveways are required, in conjunction with parking to the side and rear of buildings, in order to make the area available at the front of buildings for landscaping;*

The proposed development includes 60 underground parking spaces and 75 surface parking spaces. While a portion of the surface parking is located within the front yard to support the adaptive re-use of the heritage building, the parking area has been carefully designed and will be screened with landscaping to minimize its visual impact and maintain the established heritage viewplane. Vehicular access will be provided from Union Street via Hargreaves Way and by two right-in/right-out driveways from Sir John A. Macdonald Boulevard, providing safe and efficient access while minimizing impacts on the gateway corridor.

- d. *service areas, including loading, garbage and storage areas, are not exposed to the roads. Where this is not practical, such areas should be screened from public view by appropriate landscaping and/or fencing;*
- e. *screening for outdoor storage areas is integrated with the building; and,*
- f. *landscaping on the site is planned to ensure a continuous landscaped area between the buildings and the road.*

The proposed loading and service area is located on the north side of the building and has been designed to minimize visibility from the public streets. No outdoor storage is proposed. Landscaping will provide screening for parking and service areas while maintaining a continuous landscaped edge along Sir John A. Macdonald Boulevard. These measures will reinforce the gateway character of the corridor, preserve important views of the former Prison for Women, and ensure that the adaptive re-use enhances the public realm.

Section 9: Administration & Implementation

The purpose of Section 9 is to establish the policies for administering and implementing the Official Plan. The proposed Official Plan Amendment applies solely to Block 2 of the Union Park development and seeks to redesignate the subject site from Residential to Mixed Use on Schedule 3-A Land Use, while establishing a revised site-specific policy area to facilitate the adaptive re-use of the former Prison for Women with a broader range of commercial uses while retaining residential permissions. Section 9.3.2 provides the criteria against which Official Plan Amendments are evaluated:

9.3.2. *Every application for amendment to this Plan will be evaluated on the basis of the following general considerations and any others that are pertinent to the particular application:*

- a. *the conformity of the proposed amendment to the general intent and philosophy of this Plan, particularly the vision and planning principles, including sustainability, stability and compatibility outlined in Section 2, and consistency with provincial policy;*

The proposed Official Plan Amendment conforms with the intent of the Official Plan by facilitating the adaptive re-use of the former Prison for Women through a mix of commercial and residential permissions. The proposed Mixed Use designation recognizes the site's location within the urban boundary, supports the conservation of a designated cultural heritage resource, promotes the efficient use of existing municipal infrastructure, and introduces employment and community-serving commercial uses while retaining residential permissions to provide long-term flexibility. The proposal is consistent with provincial policy and represents appropriate redevelopment of an underutilized heritage property.

- b. *the availability and suitability of land already designated for the proposed use, and the need for (or market feasibility of) the proposed use;*

The Applicant's market analysis has demonstrated that Block 2 is better suited to commercial uses than the previously approved residential concept. The proposed public market and office uses provide a viable long-term adaptive re-use strategy for the former Prison for Women while complementing the residential and open space uses planned throughout Union Park. The site is well suited to these uses given its frontage on Sir John A. Macdonald Boulevard, access to transit, surrounding residential neighbourhoods, and proximity to downtown Kingston.

- c. *the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses, including cultural heritage resources and natural heritage features and areas;*
- d. *the ability of the City's infrastructure to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure improvements in other areas of the City;*

Compatibility, neighbourhood stability, and municipal servicing have been assessed through the supporting technical studies submitted with this application. The proposed adaptive re-use maintains the cultural heritage value of the former Prison for Women, introduces compatible commercial uses, and can be accommodated by the existing municipal infrastructure without requiring significant upgrades.

- e. *the financial implications (both costs and revenues) to the City;*

The proposed amendment will facilitate the rehabilitation and long-term occupation of a vacant heritage building, generating new employment opportunities, commercial activity, and assessment without requiring significant municipal infrastructure investment.

- f. the degree to which approval of the amendment would establish an undesirable precedent; and,*

The proposed amendment is site-specific and responds to the unique circumstances of the former Prison for Women, including its cultural heritage significance, Heritage Easement Agreement, and adaptive re-use objectives. It will not establish an undesirable precedent for other properties within the City.

- g. consistency with the Provincial Policy Statement and provincial legislation and guidelines.*

The proposed Official Plan Amendment supports the adaptive re-use of a designated heritage resource, efficient use of existing infrastructure, intensification within the urban boundary, and the introduction of employment and commercial opportunities. The proposal is consistent with provincial policy and represents good land use planning.

Section 9.5.9 lists the matters to which Planning Committee must have regard when considering applications for Zoning By-law Amendment:

- a. conformity of the proposal with the intent of the Official Plan policies and schedules;*

The proposed Zoning By-law Amendment is being submitted concurrently with an Official Plan Amendment to redesignate Block 2 to Mixed Use. The proposed MU1 Zone with a site-specific exception implements the proposed Official Plan policies by permitting a broader range of commercial uses while retaining residential permissions, supporting the long-term adaptive re-use of the former Prison for Women.

- 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 proposed public market, office, and complementary commercial uses are compatible with the surrounding residential, institutional, commercial, and open space uses. The Heritage Impact Assessment confirms that the adaptive re-use will conserve the cultural heritage value of the former Prison for Women while introducing appropriate new uses that activate the site and support its long-term conservation.

- 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 proposed uses, building height, setbacks, and additional zoning provisions reflect the intended built form and will be compatible with the surrounding residential and institutional uses.

- 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 proposed commercial uses are appropriate for this location given the site's visibility, frontage on Sir John A. Macdonald Boulevard, proximity to transit and surrounding neighbourhoods, and the need to establish a financially viable long-term use for the former Prison for Women. The proposed amendment facilitates the continued conservation and occupation of the heritage building while complementing the broader Union Park Kingston development.

- 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 proposed development will incorporate necessary on-site parking, loading, open space and amenity area.

- f. the suitability of the density relative to the neighbourhood and/or district, in terms of units per hectare, bedrooms per hectare, floor space index, and/or employees per hectare, as applicable;*

While residential development is no longer proposed for Block 2, residential permissions are being retained to provide flexibility over time. The proposed commercial uses will increase employment opportunities and support the mixed-use vision for Union Park Kingston while making efficient use of an existing heritage building within the urban boundary.

g. the impact on municipal infrastructure, services and traffic;

The supporting Servicing Report and Transportation Impact Study conclude that the proposed adaptive re-use can be accommodated by existing municipal infrastructure and the surrounding road network. The anticipated traffic associated with the public market and office uses can be accommodated without significant transportation improvements.

h. comments and submissions of staff, agencies and the public; and,

An Open House and a statutory meeting before Planning Committee will be held which will provide an opportunity for receiving and responding to comments from the Public and Committee members. The application will also be reviewed on its technical merits by City staff and a second public hearing will be held when the application returns to Planning Committee with a recommendation from City staff.

i. the degree to which the proposal creates a precedent.

The proposed site-specific zoning recognizes the unique heritage, physical, and operational characteristics of Block 2 and facilitates the adaptive re-use of the former Prison for Women. The amendment is tailored to this property and does not establish an undesirable precedent for other lands within the City.

It is our professional planning opinion that the proposed Official Plan Amendment and proposed development are appropriate and conform to the policies of the City of Kingston Official Plan.

5.4 Proposed New City of Kingston Official Plan

The City of Kingston has been undertaking a comprehensive review of its Official Plan to establish a new planning framework that reflects updated provincial policy, growth forecasts, and community priorities. While the draft Official Plan proposes a revised land use framework that generally supports a broader mix of residential, commercial, institutional, and open space uses within the urban area, the City has paused the Official Plan review process until 2027. As a result, the existing City of Kingston Official Plan remains the applicable policy document for the purposes of this application.

Notwithstanding this, the proposed adaptive re-use of Block 2 is generally consistent with the direction of the draft Official Plan, as it introduces a mix of residential commercial, and institutional permissions within an existing urban area, supports employment opportunities through office and public market uses, conserves a significant cultural heritage resource through adaptive re-use, and contributes to the creation of a complete, compact, and mixed-use community.

6.0

Proposed Official Plan Amendment

To accommodate the proposed adaptive re-use of Block 2, an Official Plan Amendment is required to redesignate the subject lands and amend the text of SSP 71 so that the broader mix of commercial and residential uses can be permitted. The following amendments are proposed, along with the rationale for each.

The proposed redesignation of Block 2 from Residential to Mixed Use on Schedule 3-A, and the corresponding amendment to SSP 71 on Schedule 3-D, are required to permit the proposed office, public market, and commercial uses within the adaptively reused former Prison for Women building. The proposed text amendments to Section 3.17.71 are intended to integrate this broader mix of uses into the existing SSP 71 policy framework while continuing to advance the overall vision for Union Park as a compact, mixed-use community. As currently worded, SSP 71 contemplates the subject lands as a focal point developed with a predominantly residential mix of uses. The proposed amendment retains the emphasis on the former Prison for Women building as the focal point of the broader Union Park Kingston community, while broadening the range of permitted commercial uses to reflect updated market demand. In doing so, the amendment maintains the integration of open space, pedestrian connections, and cultural heritage conservation contemplated by SSP 71, while ensuring the focal point functions as an active, animated destination that generates pedestrian activity and complements the surrounding residential, seniors' housing, hotel, and open space uses planned throughout Union Park Kingston.

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 changes which shall constitute Amendment No. ___ to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule 3-A of the Official Plan for the City of Kingston, so as to designate 40 Sir John A Macdonald Boulevard – Blocks 2 and 7 as 'Mixed Use', as shown on Schedule 'A'.
 - (b) **Amend** Schedule 3-D of the Official Plan for the City of Kingston in part, so as to designate 40 Sir John A Macdonald Boulevard - Blocks 2 and 7 on Site Specific Policy Area 71 as 'Mixed Use', as shown on Schedule 'B'.
 - (c) **Amend** Section 3.17.71. with the following:
 - i) **Delete and replace** the first paragraph as follows:

The lands identified as Residential and Mixed Used on Schedule 3-A and identified on Schedule 3-D as Site Specific Policy Area Number 71, located on the southwest corner of Sir John A Macdonald Boulevard and Union Street, are intended to be developed as a carefully designed, compact urban village with a healthy mix of uses, a pedestrian-friendly public realm, context-sensitive buildings, and well-informed open spaces. The lands are suitable to accommodate a mix of uses. Mid-rise and high-rise built form is permitted, subject to the land use compatibility, urban design and cultural heritage resource management policies of this Plan and in a manner that protects the site's protected heritage attributes.
 - ii) **Delete and replace** subsection (b) with the following:

The rehabilitated and adaptively reused former Prison for Women shall serve as the focal point of the subdivision. To this end, open space shall be integrated between this focal point and new buildings through well designed yards and landscaped areas, pedestrian pathways, terraces/patios, cultural heritage interpretive features and similar public realm uses. This area of the site contains the broadest and most flexible uses allowing both residential and broader commercial uses than the rest of the site to support a flexible, vibrant, and complete mixed-use community;

iii) **Delete and replace** subsection (c) with the following:

Surrounding the broad mixed used established at the focal point of the heritage building, the subdivision shall integrate a mix of residential, neighbourhood commercial and open spaces uses. The permitted uses include a hotel at the south-east corner of the site, subject to requirements under the Planning Act that shall include the review and acceptance of a Market Justification and Impact Assessment by the City;

6.1 Rationale

Based on the policies outlined above, the following site-specific amendments are required to accommodate the proposed development. The following section outlines a brief description and rationale for each requested amendment.

1) Schedule 3-A – Redesignation from Residential to Mixed Use

The proposed redesignation of Blocks 2 and 7 from Residential to Mixed Use on Schedule 3-A is required to permit the broader range of office, public market, commercial, institutional, and complementary uses proposed within the adaptively reused former Prison for Women building. The existing Residential designation does not adequately reflect the intended function of Block 2 as the focal point of the Union Park Kingston community or provide the flexibility necessary to support the long-term adaptive re-use of the heritage building. The Mixed Use designation will facilitate a broader range of uses that respond to evolving market demand, contribute to the ongoing viability of the former Prison for Women, and establish an active destination that complements the surrounding residential, seniors' housing, hotel, and open space uses planned throughout Union Park Kingston.

2) Schedule 3-D – Amendment to Site Specific Policy Area 71

The corresponding amendment to Schedule 3-D is required to recognize the Mixed Use designation within Site Specific Policy Area 71 and ensure consistency between the land use schedules and the site-specific policy framework. The amendment maintains Blocks 2 and 7 within SSP 71 while recognizing their intended mixed-use function within the broader Union Park Kingston community. This approach ensures that the subject lands remain subject to the detailed urban design, open space, pedestrian connectivity, and cultural heritage conservation objectives established through SSP 71.

3) Section 3.17.71 – Introductory Paragraph

The proposed amendment to the introductory paragraph of Section 3.17.71 recognizes both the Residential and Mixed Use designations that apply within SSP 71 and updates the policy to expressly contemplate a mix of uses. The amendment maintains the existing vision for a carefully designed, compact urban village characterized by a pedestrian-friendly public realm, context-sensitive built form, and well-designed open spaces. The revised wording also reinforces that future development and adaptive re-use will remain subject to the land use compatibility, urban design, and cultural heritage resource management policies of the Official Plan and will protect the site's identified heritage attributes. Accordingly, the amendment broadens the range of contemplated land uses without altering the fundamental planning and design objectives established for Union Park Kingston.

4) Section 3.17.71(b) – Former Prison for Women as the Focal Point

The proposed amendment to subsection (b) retains the former Prison for Women as the focal point of the subdivision while recognizing its rehabilitation and adaptive re-use. The amendment continues to require the integration of open space, landscaped areas, pedestrian pathways, terraces and patios, and cultural heritage interpretive features between the heritage building and surrounding development. The revised policy permits a broader and more flexible mix of residential, commercial, and complementary uses at the focal point of the site. This flexibility is necessary to support the long-term viability and adaptive re-use of the former Prison for Women and allows the building to respond to changing market conditions. The broader range of uses will also animate the heritage building, generate pedestrian activity, and reinforce its role as an active focal point and destination within Union Park Kingston.

5) Section 3.17.71(c) – Mix of Uses Surrounding the Focal Point

The proposed amendment to subsection (c) clarifies the relationship between the mixed-use focal point established at the former Prison for Women and the surrounding areas of Union Park Kingston. The revised policy recognizes that the broadest mix of uses is intended at the heritage focal point, while the surrounding subdivision will continue to

accommodate a mix of residential, neighbourhood commercial, hotel, and open space uses. This policy structure supports a logical distribution and transition of land uses across Union Park Kingston, with the most flexible mix of uses concentrated within the adaptively reused heritage building. The amendment maintains the broader vision for a complete, compact, mixed-use community and retains the existing requirement for a Market Justification and Impact Assessment associated with the proposed hotel use.

7.0

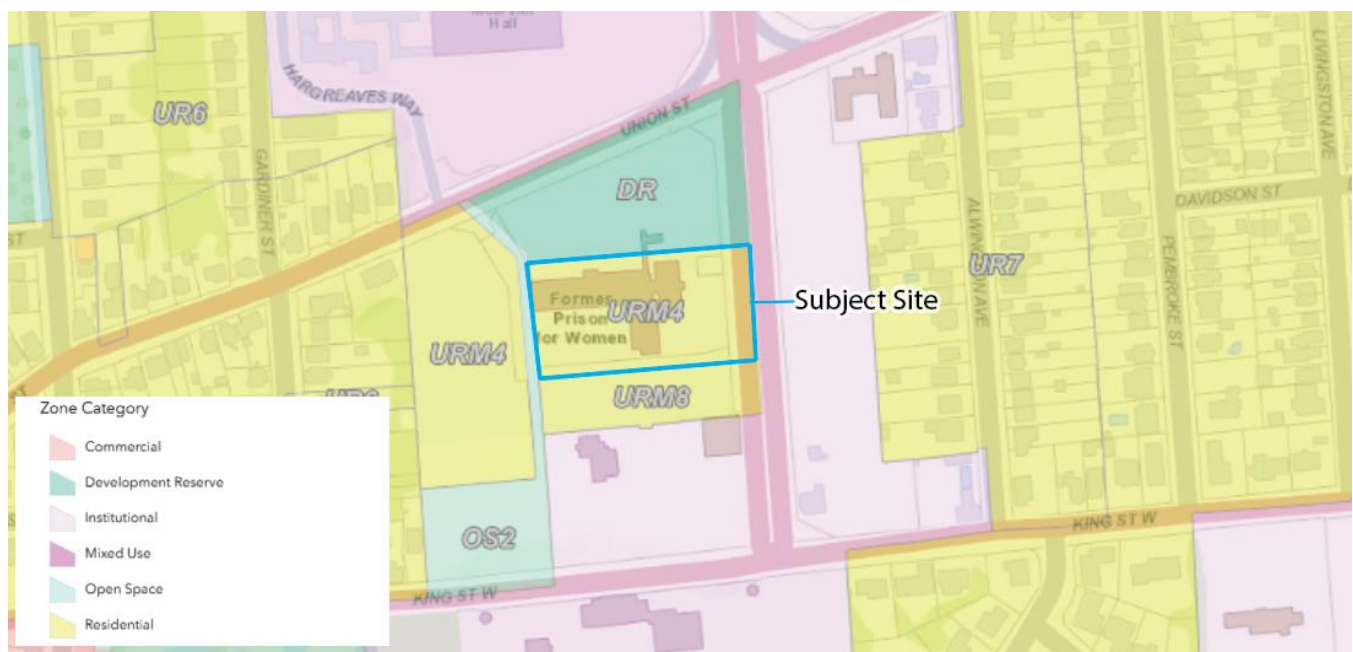
Existing and Proposed Zoning

The subject site is regulated by City of Kingston Zoning By-law No. 2022-62 and is currently zoned Urban Multi-Residential 4 Exception 99 (URM4-E99). The proposed public market, office, and complementary commercial uses are not permitted within the existing URM4-E99 Zone. Accordingly, the applications propose to rezone the subject site to the Mixed Use 1 (MU1) Zone with a site-specific Exception Overlay EXX to facilitate the proposed adaptive re-use of the former Prison for Women building.

The proposed development aligns with the general intent and purpose of the MU1 Zone by permitting a mix of commercial and residential uses within an existing heritage building. While the current concept includes a public market and office uses, the existing residential permissions will be retained to provide flexibility for future market conditions. As the proposal does not fully comply with certain provisions of the MU1 Zone, a site-specific exception is required to establish appropriate permissions and performance standards that recognize the existing heritage building and support its long-term conservation. The following section provides a detailed review of the proposed MU1 zoning provisions and the site-specific amendments required to facilitate the proposed development.

It should also be noted that the site is subject to Holding Overlay 150 (H150). In accordance with Section 5.6 of the Zoning By-law, no new development is permitted on a lot that is subject to a Holding Overlay. The conditions associated with a Holding Overlay must be addressed to the satisfaction of the City in order to advance new developments to the construction phase. The conditions associated with H150 are outlined under Part 5, Section 22 of Zoning By-law 2022-62.

At this time, not all conditions associated with H150 can be cleared. As such, the existing holding provision is intended to be retained through the proposed Zoning By-law Amendment. No changes to the existing conditions are proposed. The conditions of the Holding Overlay are anticipated to be cleared at a future date, as part of the detailed Site Plan Control Process.



The following Tables (A and B), below, review the proposed development against the applicable provisions of Zoning By-law 2022-62.

Table A: Zoning Matrix - review of proposed development against existing URM4-E99 Zone and MU1 Zone.

By-law Section	Existing URM4-E99 Zone	By-law Section	MU1 Zone	Proposed	Complies?
Table 12.1.2.	Permitted Use - Apartment building - House - Townhouse - Community centre - Day care centre - Elementary school - Library - Museum - Place of worship - Secondary school E99. A) In addition to an apartment building, a park, outdoor gallery and museum are also permitted B) A minimum of 157.9 square metres (1,700 square feet) of lot area must be devoted to the park, outdoor gallery and museum C) No food concessions or retail stores are permitted as part of the museum use E) Appurtenances are not considered a building	10.1.2.	Permitted Use Residential - Apartment building - Dwelling unit in a mixed use building - Stacked townhouse - Townhouse Non-residential - Banquet Hall - Catering service - Community centre - Club - Creativity centre - Day care centre - Entertainment establishment - Financial institution - Fitness centre - Grocery store - Funeral establishment - Hotel - Laboratory - Laundry store - Library - Museum - Office - Personal service shop - Place of worship - Production studio - Public market - Recreation facility - Research establishment - Restaurant - Retail store - Special needs facility - Wellness clinic Workshop ¹	Residential Uses - Apartment building - Dwelling unit in a mixed-use building - Stacked townhouse - Townhouse Non-Residential Uses - Banquet hall - Catering service - Community centre - Club - Creativity centre - Day care centre - Entertainment establishment - Financial institution - Fitness centre - Grocery store - Laboratory - Library - Museum - Office - Personal service shop - Place of worship - Production studio - Public market - Recreation facility - Research establishment - Restaurant - Retail store - Special needs facility - Wellness clinic Additional Site-Specific Permitted Uses Requested The following uses are not permitted in the MU1 Zone	No

By-law Section	Existing URM4-E99 Zone	By-law Section	MU1 Zone	Proposed	Complies?
				and are proposed to be added through the site-specific exception EXX: - Conference centre - Institutional Use - Trade show facility E99 provisions are to be carried forward with slight modification as follows: A) In addition to the above noted uses, a park, outdoor gallery are also permitted B) A minimum of 157.9 square metres (1,700 square feet) of lot area must be devoted to the park, outdoor gallery and museum E) Appurtenances are not considered a building	
Table 12.5.1.	1. Minimum lot area (square metres) (a) house: 335.0 (b) semi-detached house, townhouse: 270.0 per lot	Table 10.6.1.	1. Minimum lot area (square metres): -	6,480 square metres	Yes
	2. Minimum lot frontage 18.0 m		2. Minimum lot frontage (metres): -	59 metres	Yes
	-		3. Minimum Streetwall height (metres): 10.5	Streetwall shall not apply to this site.	No
	-		4. Minimum floor to floor height of first storey (metres): 4.5	3.6 metres – existing condition	Yes
	E99. e) The maximum height of a building is 20 metres i) A cupola, occupying less than 10% of the roof area, is permitted above the maximum height projection on the building it is located		5. Maximum height: The lesser of: (a) 20 metres (b) 6 storeys	Carried forward from E99 e) The maximum height of a building is 20 metres	No

By-law Section	Existing URM4-E99 Zone	By-law Section	MU1 Zone	Proposed	Complies?
				A cupola, occupying less than 10% of the roof area, is permitted above the maximum height projection on the building it is located	
	4. Minimum front setback 7.5 m		6. Minimum front setback (metres) 3.0	North: 6 metres South: 27 metres East: 25.1 metres West: 1.5 metres (previously established by variance)	No
	E99. f) The minimum rear setback is 4 metres		7. Minimum rear setback (metres): 10.0	N/A	Yes
	6. Minimum exterior setback 7.5 m		8. Minimum exterior setback (metres): 3.0	N/A	Yes
	7. Minimum interior setback (metres) (a) non-residential buildings: equal to half the height of the building (b) residential buildings that are 1 storey: 1.8 (c) residential buildings that are 2 storeys: 3.0 (d) residential buildings that are greater than 2 storeys: 3.0 metres plus 1.2 metres for each additional storey above 2 (e) Despite (b), (c) and (d), for townhouses, where a common party wall is located along a lot line, then 0 metres		9: Minimum interior setback (metres) 3.0	N/A	Yes
	–		10. Minimum stepback (metres): (a) Front lot line and exterior lot line: i. storey 5 to 6: minimum 3.0 metres from the exterior wall of the 4th storey	N/A Building is 4 storeys	Yes
	8. Minimum landscaped open space 30%		11. Minimum landscaped open space: 15%	34%	Yes
	10. Maximum number of dwelling units per lot including accessory houses		12. Minimum lot coverage: 55%	21.3%	No

By-law Section	Existing URM4-E99 Zone	By-law Section	MU1 Zone	Proposed	Complies?
	(a) house, semi-detached house, townhouse: 4.0 (b) all other permitted uses: see density requirement above				
	9. Maximum density apartment building: 69 dwelling units per net hectare		13. Maximum residential density: 175 dwelling units per net hectare	N/A	Yes
	–	10.6.2	Front Setback of Streetwall 1. A minimum of 75% of the streetwall of a building must be built to the minimum required front setback for the height of the streetwall.	Streetwall is not applicable to this building.	No
	–		2. Buildings are required to have ground floor commercial uses on the first storey where any portion of the lot aligns with the area identified as “Required Ground Floor Commercial” on Schedule 3 of this By-law.	Ground floor commercial use is not required on Schedule 3 if the entire building is developed as a residential use.	Yes
			3. Where ground floor commercial uses are required by Subclause 2., the entire streetwall of the first storey, excluding areas devoted to a lobby or other shared entrances/exits for other permitted uses, must be occupied by commercial uses. Portions of the floor area of the first storey that do not have an exterior wall facing a street line may be occupied by uses that service the building such as loading spaces, waste management facilities and rooms, mechanical rooms, bike parking facilities and other similar uses.	Streetwall is not applicable to this building.	No
	–		4. The main pedestrian entrance to the building must be located on the main wall facing the front lot line.	This development is an entire block with all frontages presenting on a street.	Yes

By-law Section	Existing URM4-E99 Zone	By-law Section	MU1 Zone	Proposed	Complies?
	E99. g) For balconies, the maximum horizontal projection from the main wall is 4.6 metres		5. Balconies are only permitted above the second storey, to a maximum projection of 1.5 metres from the main wall.	Carry forward provisions from E99. For balconies, the maximum horizontal projection from the main wall is 4.6 metres	No
	–		6. Parking structures are not permitted to occupy any part of a main wall facing a street line.	N/A	Yes
	–		7. Loading spaces, parking spaces and parking lots are not permitted in a front yard or exterior yard.	As this development occupies an entire block, Parking and loading located in front yards	No
	–		8. Where a lot is adjacent to a lot in a UR Zone, a Commercial Zone or an Employment Zone, within the required rear setback, a minimum 2.0 metre wide planting strip must be provided along the full length of the rear lot line and must comply with Subclause 4.16.1.2.	N/A	Yes
	–		9. Residential uses that legally existed prior to the passage of this By-law are deemed to be permitted uses and must comply with the provisions of the UR5 Zone.	N/A	Yes

Table B: Zoning Matrix - review of proposed development against Sections 3, 4 and 7 of Zoning By-law 2022-62.

Section	Requirement	Proposed MU1-EXX	Complies
Section 3: Definitions			
3.6.17.	In the case of one lot that occupies an entire block, every lot line is a front lot line.	Block 2 contains only front lot lines	Yes
Section 4: General Provisions			
4.3.1.	A minimum of 18.5 square metres of amenity area must be provided for each dwelling unit on a lot with four or more dwelling units in a stacked townhouse, apartment building or mixed use building. Where a stacked townhouse is configured in a manner that each dwelling unit is located on its own individual lot, this requirement does not apply.	10 square metres per dwelling unit is proposed for residential use	No
4.3.3.	Amenity areas, or any part thereof, must be designed and located so that the length does not exceed four times the width.	N/A	Yes
4.3.4.	Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 54.0 square metres.	Carry forward the provisions from E99. H) Communal amenity area must be aggregated into one area or grouped into an area of not less than 40 square metres	No
4.15.3.	Public markets are permitted as an occasional use on any lot in a Mixed Use Zone, Commercial Zone, Institutional Zone or the OS1, OS2, HCD2, RC, HAM Zones. A public market may be located in a parking lot such that it temporarily prevents the use of a portion of the parking spaces, drive aisles or driveways of another use on the same lot, provided that the public market does not obstruct access to a fire route.	Complies	Yes
4.18.1	The height provisions of this By-law do not apply to: 1. Barn, corn crib, grain elevator, farm implement shed, feed or bedding storage, silo or other similar building when used in conjunction with an agricultural use; 2. A public bridge or other similar public infrastructure; 3. Chimney and parapets; 4. Hydroelectric transmission tower; 5. Individual farm windmill;	Complies	Yes

Section	Requirement	Proposed MU1-EXX	Complies
	6. Municipal water tower; 7. Non-commercial radio, television or telecommunications equipment; 8. and Belfry, clock tower, cupola, ornamental domes, spires or steeples on a place of worship or a building containing a public use.		
Section 6: Specific Use Provisions			
6.7.1	An outdoor patio is permitted as an accessory use on a lot containing a permitted commercial or hospitality use, or on the roof of a building on such lot, and must comply with the following provisions: 1. Where the lot has a lot line that is adjacent to a lot in an Urban Residential Zone, HCD1 Zone or HCD3 Zone: (a) A minimum separation distance of 3.0 metres is required between an outdoor patio and such lot line; and (b) A continuous, solid privacy fence with a minimum height of 1.8 metres must be provided along the portion of such lot line adjacent to the outdoor patio; 2. Outdoor patios are permitted to occupy parking spaces, excluding required accessible spaces, car-share spaces or visitor spaces; and 3. Despite Section 7, no additional loading spaces or parking spaces are required for an outdoor patio.	Outdoor patio permitted	Yes
6.17.3.	Food trucks must comply with the following provisions: 2. Requirements established in the Business Licensing By-law; Food trucks are only permitted: (a) on a lot where the applicable Zone permits a restaurant; (b) in a public park; (c) as an accessory use on a lot where the applicable Zone permits commercial, employment and institutional uses as principal uses;	Food truck is permitted	Yes

Section	Requirement	Proposed MU1-EXX	Complies
Section 7: Parking, Loading, and Bike Parking Provisions			
7.1.13.	Despite Clause 7.1.1.: 2. For a lot that contains a designated heritage building, no parking spaces, visitor spaces or car-share spaces are required. Where parking spaces are provided, accessible spaces must be provided based on the ratio required by Subsection 7.2. before other parking spaces may be provided.	Noted	Yes
Table 7.1.1. & E99	Required Number of Parking, Visitor and Car-Share Spaces All other uses: - Site Specific Exception E99. J) A maximum of 2.1 parking spaces per dwelling unit is permitted k) A maximum of 15 surface parking spaces is permitted	135 spaces provided, with 75 surface parking spaces included. Site Specific Exception E99 carried forward and amended further A maximum of 2.1 parking spaces per dwelling unit is permitted A maximum of 75 surface parking spaces is permitted	No
Table 7.2.2	Effective Parking Ratio: PA2, PA3: 2 per 100 square metres of gross floor area $\frac{3,718}{100} \times 2 = 74.36$	Complies	Yes
7.2.3.	The minimum number of accessible spaces required by the following Subclauses must be provided on the same lot as the use or building: 2. Where the number of parking spaces in Clause 7.2.2. is between 13 and 100 parking spaces, 4% of the number of parking spaces in Clause 7.2.2. must be accessible spaces; 3 accessible spaces required	6 accessible spaces provided	Yes

Section	Requirement	Proposed MU1-EXX	Complies
7.2.6	The calculation of the required number of Type A and Type B accessible spaces must comply with the following provisions: 2. Where an odd number of accessible spaces is required by Clause 7.2.3., an equal number of Type A and Type B accessible spaces must be provided, but the additional accessible space, the odd-numbered space, may be either a Type A or a Type B accessible space;	3 x Type A spaces provided 3 x Type B spaces provided	Yes
7.2.7	Accessible spaces must comply with the following minimum widths: 1. The minimum width of a Type A accessible space is 3.4 metres; and E99. L) The minimum length of all parking spaces and accessible aisles is 5.2 metres and the minimum width of a Type B accessible space is 2.6 metres	Complies	Yes
7.2.9.	An accessible aisle must be provided for each accessible space and may be shared by a maximum of two accessible spaces. Accessible aisles must: (a) Have a minimum width of 1.5 metres; (b) Extend the full length of the accessible space; and (c) Be marked with high tonal contrast diagonal lines where the surface is asphalt, concrete or some other hard surface.	Complies	Yes
7.3.7	Long-term Bike Space Requirements 1. Must be provided in a secure, weather-proof enclosure with controlled access where a bicycle may be parked and secured for the long-term in a stable position with at least one point of contact with the frame of the bicycle;	Complies	Yes
	2. Are not permitted in a dwelling unit or on the balcony of a dwelling unit;	Complies	Yes
	3. Must be provided in a location that has access directly to a street line by way of a continuous pathway consisting of:	Complies	Yes

Section	Requirement	Proposed MU1-EXX	Complies
	(a) A hallway, aisle, sidewalk or walkway; (b) An elevator that permits bikes to the satisfaction of the City; (c) A ramp, which may be provided as a wheel ramp along the side of a set of stairs if such ramp is a minimum of 0.15 metres wide and does not cut into the stair tread; and/or (d) A drive aisle or driveway.		
	4. A maximum of 75% of the required long-term bike spaces are permitted to be provided as vertical bike spaces	Complies	Yes
Table 7.3.2	Long-Term Bicycle Parking Requirement = 0.1 spaces per 100 m ² GFA: $\frac{3,718}{100} \times 0.1 = 3.72$ Short-Term Bicycle Parking Requirement = 0.2 spaces per 100 m ² GFA: $\frac{3,718}{100} \times 0.2 = 7.44$	19 short-term bike parking provided 10 Long-term bike parking provided	Yes
7.3.9	The short-term bike spaces required by Clause 7.3.1.:	Complies	Yes
	1. Must be provided as horizontal bike spaces; 2. Must be provided at grade or on the first storey in a location that is accessible to the general public by way of a continuous pathway consisting of: (a) A hallway, aisle, sidewalk or walkway; (b) An elevator that permits bikes to the satisfaction of the City; (c) A ramp, which may be provided as a wheel ramp along the side of a set of stairs if such ramp is a minimum of 0.15 metres wide and does not cut into the stair tread; and/or (d) A drive aisle or driveway; and	Complies	Yes
	3. Must be provided in an easily accessible and well lit location no more than 15.0 metres walking distance from a pedestrian entrance to	Complies	Yes

Section	Requirement	Proposed MU1-EXX	Complies
	the building. Where multiple tenants separately occupy spaces or units in one building, and the bike spaces are provided as one central bike facility as per Clause 7.3.2., this requirement does not apply.		
7.3.10	Horizontal bike spaces must: 1 Have minimum dimensions of 0.6 metres wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.9 metres;	Complies	Yes
	2. Be provided with a bike rack where a lock is capable of securing the bicycle frame and front wheel; and	Complies	Yes
	3. Be accessed by an aisle with a minimum width of 1.2 metres where 4 or more bike spaces are provided in a common bike storage area.	Complies	Yes
7.3.11.	Vertical bike spaces must: 1. Have minimum dimensions of 0.6 metres wide by 1.8 metres vertical length, where the bike, when secured on the storage rack is provided with a minimum horizontal clearance from the wall of 1.2 metres;	Complies	Yes
	2. Be equipped with a storage rack that supports the bike without having the bike suspended by its wheels, and where a lock is capable of securing the bike frame and front wheel to the rack; and	Complies	Yes
	3. Be accessed by an aisle with a minimum width of 1.2 metres where 4 or more bike spaces are provided in a common bike storage area.	Complies	Yes
7.3.12.	Stacked bike spaces must: 1. Have minimum dimensions of 0.6 metres wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.2 metres;	Complies	Yes
	2. Be equipped with a storage rack where a lock is capable of securing the bike frame and front wheel to the rack;	Complies	Yes
	3. Be equipped with a lift mechanism providing floor level access to both bike spaces; and	Complies	Yes

Section	Requirement	Proposed MU1-EXX	Complies
	4. Be accessed by an aisle with a minimum width of 1.2 metres where 4 or more bike spaces are provided in a common bike storage area.	Complies	Yes
7.3.14.	Where a lot or building is required to provide long-term bike spaces for any nonresidential use, end-of-trip bike facilities must be provided at the following ratios: 1. Where 5 to 60 long-term bike spaces are required, 1 end-of-trip bike facility;	Complies	Yes
	2. Where 61 to 120 long-term bike spaces are required, 2 end-of-trip bike facilities;	Complies	Yes
	3. Where 121 to 180 long-term bike spaces are required, 3 end-of-trip bike facilities; and	Complies	Yes
	4. Where more than 180 long-term bike spaces are required, 4 end-of-trip bike facilities.	Complies	Yes
7.3.15.	Where end-of-trip bike facilities are required by Clause 7.3.14., clothing lockers must be provided at a minimum ratio of 1 clothing locker for every 1 long-term bike space required. Such clothing lockers must: 1. Have a minimum height of 0.9 metres, a minimum width of 0.3 metres and a minimum depth of 0.45 metres; and	Complies	Yes
	2. Be provided with a secure enclosure where a private lock can be affixed.	Complies	Yes
Table 7.4.1 & E99	Minimum Parking Space Width: 2.6 metres Minimum Drive Aisle Width: 6.7m, except that 6.0m is permitted for any road that is not directly used to access a parking space E99. L) The minimum length of all parking spaces and accessible aisles is 5.2 metres and the minimum width of a Type B accessible space is 2.6 metres	Parking Spaces = 2.7m x 6.0m Drive Aisle Width = 6.0m	No

Section	Requirement	Proposed MU1-EXX	Complies
7.4.2	The minimum vertical clearance for all parking spaces, driveways and drive aisles, except for accessible spaces, is 2.1 metres. The minimum vertical clearance for all parking spaces, driveways and drive aisles, except for accessible spaces, is 2.1 metres.	Complies	Yes
7.4.5.	Where parking spaces are accessed by a drive aisle, and such drive aisle is a deadend, a 1.5 metre deep turnaround area must be provided at the dead-end for the full width of the drive aisle, with a 1.0 metre radius between parking spaces and the turnaround area.	Complies	Yes
7.4.10 & E99	In the urban area, on a lot with all uses other than those specified in Clauses 7.4.8. and 7.4.9., the following provisions must be complied with: 1. Where the side of a parking space is obstructed by any part of a fixed object such as a wall, column, bollard, fence or pipe within 0.3 metres of the side of the parking space, measured at right angles, and more than 1.0 metre from the front or rear of the parking space, the minimum width of the parking space must be increased by 0.3 metres for each side that is obstructed;	Complies	Yes
	E99. M) The maximum driveway width is 7.2 metres	6.0 m	Yes
	3. Parking spaces must be located in a permitted parking structure, driveway or parking lot; and	Complies	Yes
	4. Parking spaces and parking lots are permitted in the front yard, exterior yard, interior yard or rear yard, provided they comply with sight triangle provisions.	Complies	Yes
Table 7.5.1.	Number of Required Loading Spaces Commercial Uses More than 2,500.0 to 7,500.0 square metres: 2 Loading Spaces Required	1 loading space included	No

Section	Requirement	Proposed MU1-EXX	Complies
7.5.5.	The minimum dimensions of a loading space are 3.5 metres wide by 9.0 metres long, with a minimum vertical clearance of 4.2 metres.	Complies	Yes
7.5.7.	A loading space must abut the use or building that requires the loading space.	Complies	Yes
7.5.8.	Access to loading spaces must be provided by means of one or more unobstructed aisles which must: 1. Have a minimum unobstructed width of 3.5 metres and a minimum vertical clearance of 4.2 metres;	Width: approx. 7 m	Yes
	2. Provide sufficient space to permit the maneuvering of vehicles on the lot so as not to obstruct, or otherwise cause a traffic hazard on, an adjacent street; and	Complies	Yes
	3. Lead directly from the loading space to a street.	Complies	Yes

7.1 Proposed Site-Specific Amendments

Based on the zoning matrixes outlined above, the following site-specific amendments are required to accommodate the proposed development. The following section outlines a brief description and rationale for each requested amendment.

1) Permitted Uses (Table 10.1.2.)

The proposed site-specific permitted uses will provide additional flexibility to support the long-term adaptive re-use and viability of the former Prison for Women building, while retaining existing residential permissions. The proposed uses are consistent with the vision of the City's emerging Official Plan, which contemplates the property as a mixed-use destination accommodating a broad range of commercial, institutional, employment, and community-oriented uses. A conference centre and trade show facility will accommodate meetings, exhibitions, and community events, complementing the broader mix of residential, commercial and institutional activities envisioned for Union Park. A department store will provide additional retail opportunities that serve residents, employees, and visitors while contributing to a complete mixed-use community. Collectively, these additional permissions provide flexibility to respond to future market demands while supporting the continued conservation and productive use of this significant heritage property.

2) Location of Parking and Loading (Table 10.6.1.)

The proposed surface parking and loading within the front yard is appropriate given the unique constraints associated with the adaptive re-use of the former Prison for Women, a designated heritage resource. The existing building configuration and heritage attributes significantly limit opportunities to relocate parking elsewhere on the site without adversely affecting the heritage building or requiring substantial alterations to the site. The proposed parking supply is necessary to support the viability of the public market, office, and complementary commercial uses and has been informed by the accompanying Traffic Impact and Parking Study.

Due to the site's configuration, with frontage on all four streets, all yards are deemed front yards under the Zoning By-law. As a result, any location for parking or loading on the site would be considered to be within a front yard, making compliance with this provision impractical. The proposed design locates the surface parking area to the south of the building and the loading space to the north, representing the most functional and least intrusive arrangement while maintaining efficient site circulation.

The parking area has been carefully designed to minimize its visual impact on the heritage setting. Landscape screening will be provided to soften views of the parking area and maintain the prominence of the former Prison for Women building within the streetscape and established heritage view planes. Furthermore, the removal of the non-significant Annex Wing has increased open space on the site and improved views of the heritage building, offsetting the visual presence of the front yard parking. As demonstrated in the accompanying Heritage Impact Assessment, the proposed parking arrangement will not adversely affect the cultural heritage value or character-defining attributes of the property and supports the long-term conservation and viable adaptive re-use of the building.

3) Streetwall provisions and Height (Table 10.6.1.)

Given the location and orientation of the existing former Prison for Women building within the centre of the subject site, the streetwall provisions of Table 10.6.1 are not applicable in this context. The building is set back from the surrounding public streets and represents an established heritage built form that does not exhibit a conventional streetwall condition. As the proposal seeks to adaptively reuse the existing building rather than introduce new development along a public street frontage, relief from the streetwall provisions is appropriate and reflects the existing site context and heritage character of the property.

The previous site-specific zoning amendment also established special height provisions to recognize the existing cupola as a defining architectural feature of the former Prison for Women building. These provisions are proposed to be carried forward through the current amendment to maintain consistency with the previously approved zoning framework and appropriately recognize the existing heritage building and its established height and architectural features. No substantive change to the existing height or massing of the heritage building is proposed.

4) Front Yard Setback (Table 10.6.1.)

The existing western stairwell, if retained as part of the adaptive re-use of the former Prison for Women building, is located approximately 1.7 metres from the western property line. In 2025, a minimum setback of 1.5 metres was approved through a minor variance to recognize the existing site and building conditions. A minimum western front yard setback of 1.5 metres is therefore proposed to be carried forward through the current amendment. The proposed setback will provide flexibility for the retention and adaptive re-use of the existing heritage building and associated stairwell, while maintaining an appropriate separation from the property line. The amendment generally reflects the previously approved setback and will not result in a substantive change to the established built form or relationship of the building to the surrounding lands.

5) Minimum Lot Coverage (Table 10.6.1.)

The proposed reduction in minimum lot coverage is appropriate given the adaptive re-use of the designated former Prison for Women. The retained heritage building, removal of the non-contributing Annex Wing, and provision of surface parking, landscaped open space, and a memorial garden result in a lower building footprint than typically anticipated by the Zoning By-law. The reduced lot coverage enhances the heritage setting by increasing open space, improving views of the heritage building, and supporting its long-term conservation. The proposed development maintains the cultural heritage value of the property while providing the site elements necessary to support its continued adaptive re-use.

6) Surface Parking (Exception 99.K)

The proposed increase in the maximum number of permitted surface parking spaces from 15 to 75 is appropriate and reflects the adaptive re-use of the former Prison for Women building for a public market, office, and complementary commercial uses. Unlike the previously approved residential concept, the proposed commercial uses are expected to generate greater short-term visitor demand and require additional parking to support customers, employees, vendors, and service vehicles. The proposed parking supply has been informed by the accompanying Traffic Impact and Parking Study, which concludes that the parking demand can be accommodated on-site without adversely affecting the surrounding transportation network.

The proposed surface parking area is largely located within the existing developed portion of the site and will be appropriately screened through landscaping to minimize its visual impact and preserve key views of the heritage building. No expansion of the heritage building is proposed, and the additional parking supports its long-term adaptive re-use while remaining compatible with the heritage character of the site. Providing sufficient on-site parking will also reduce the potential for parking spillover onto adjacent streets and support the successful operation of the proposed commercial uses.

7) Drive Aisle Width (Table 7.4.1)

The proposed development seeks to reduce the minimum drive aisle width where access is provided to a parking space from 6.7 metres to 6.0 metres. The proposed reduction is appropriate as it will not negatively impact safety or maneuverability of vehicles and will facilitate a more compact parking layout. This will in turn minimize the amount of paved surface area required to accommodate parking.

8) Loading Spaces (Table 7.5.1.)

The proposed reduction in loading spaces from two to one is appropriate given the nature of the proposed uses and the adaptive re-use of the existing heritage building. The public market, office, and complementary commercial uses are anticipated to generate relatively modest loading demand, with deliveries occurring intermittently throughout the day rather than simultaneously. The shared loading space has been designed to accommodate the expected service vehicles and will be managed operationally to ensure efficient scheduling of deliveries. The accompanying Traffic Impact and Parking Study confirms that the proposed loading arrangement is sufficient to support the anticipated operations without adversely affecting internal circulation, adjacent streets, or surrounding properties. The reduction also minimizes alterations to the heritage site and allows for a more efficient site layout while maintaining the long-term functionality of the development.

9) Amenity Area Configuration (Exception 99. H)

Should a residential component be introduced as part of the adaptive re-use of the site, the special communal amenity area provisions established through Exception E99 are proposed to be carried forward. These provisions permit communal amenity area to be aggregated into one area or grouped into areas of not less than 40 square metres, providing flexibility in the location and configuration of amenity space within the existing heritage building and broader site.

10) Minimum Amenity Area

A minimum amenity space requirement of 10 square metres per dwelling unit is also proposed to reflect the mixed-use nature of the development and the constraints associated with the adaptive re-use of the former Prison for Women. The proposed requirement will ensure that sufficient amenity space is provided for future residents, while allowing flexibility to integrate residential uses alongside the broader commercial and institutional uses contemplated for the site. 10 sq m per unit is consistent with the approval on the other development blocks as well.

11) Holding Provision (H150)

The existing H150 Holding Overlay is proposed to be maintained and carried forward through the amendment. The Holding Overlay continues to be appropriate but a slight wording change is required to apply it to the development broadly, and not only the original proposal for residential use only. H150 ensures that, prior to the establishment of the development, applicable municipal and financial requirements, servicing capacity, required agreements, and applicable heritage approvals and studies are addressed to the satisfaction of the City. The continued application of H150 provides an appropriate mechanism to permit the development in principle while ensuring that the necessary technical, servicing, and cultural heritage matters are addressed prior to their establishment.

8.0 Conclusion

Siderius Developments Ltd. is seeking approval of an Official Plan Amendment and Zoning By-law Amendment to facilitate the adaptive re-use of Block 2 at 40 Sir John A. Macdonald Boulevard, which contains the Part IV heritage designated former Prison for Women. The proposed applications will permit a broader range of commercial uses within the existing heritage building, while retaining residential permissions to provide flexibility for future market conditions. The adaptive re-use of the building as a public market, office, and complementary commercial uses will reactivate this long-vacant heritage resource, support employment opportunities, and ensure its long-term conservation through a viable and sustainable use.

The requested Official Plan Amendment will redesignate Block 2 from Residential to Mixed Use and establish updated site-specific policies that permit the proposed range of commercial uses while maintaining the heritage conservation objectives established for the site. The associated Zoning By-law Amendment will rezone the property from Urban Multi-Residential 4 Exception 99 (URM4-E99) to Mixed Use 1 (MU1) with a site-specific exception to implement the proposed land uses and establish appropriate performance standards that recognize the unique constraints and opportunities associated with the adaptive re-use of a designated heritage property.

The proposal is consistent with the Provincial Planning Statement, 2024, has regard for the matters of provincial interest set out in the *Planning Act*, and conforms with the applicable policies of the City of Kingston Official Plan. Although the City's new Official Plan has been placed on hold until 2027 and is therefore not yet in force, the proposed development is also aligned with its overarching policy direction by supporting a mix of residential, commercial, and institutional uses within the urban area, encouraging the adaptive re-use of existing buildings, promoting employment and economic activity, and conserving a significant cultural heritage resource.

Overall, the proposed Official Plan Amendment and Zoning By-law Amendment represent appropriate and orderly planning for the subject lands. The proposal will facilitate the long-term conservation and adaptive re-use of the former Prison for Women, support the continued evolution of Union Park Kingston as a complete mixed-use community, make efficient use of existing municipal infrastructure, and preserve one of Kingston's most significant heritage resources. Accordingly, the applications represent good planning and are in the public interest.

If you have any questions or should you require any additional information, please do not hesitate to contact the undersigned at 613.542.5454.

Respectfully,



Miles Weekes, MCIP, RPP
Senior Planner



Mike Keene, MCIP RPP
Principal



Elena Karakas, BURPI
Planner

Appendix A

Proposed Official Plan Amendment

By-Law Number 2026-__

A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment Number __, known municipally as 40 Sir John A Macdonald Boulevard)

Passed: [Date]

Whereas on [Date] Fotenn Planning + Design, on behalf of Siderius Developments Ltd., submitted an application for Official Plan Amendment for the property municipally known as 40 Sir John A Macdonald Boulevard; and

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 changes which shall constitute Amendment No. __ to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule 3-A of the Official Plan for the City of Kingston, so as to designate 40 Sir John A Macdonald Boulevard – Blocks 2 and 7 as ‘Mixed Use’, as shown on Schedule ‘A’.
 - (b) **Amend** Schedule 3-D of the Official Plan for the City of Kingston in part, so as to designate 40 Sir John A Macdonald Boulevard - Blocks 2 and 7 on Site Specific Policy Area 71 as ‘Mixed Use’, as shown on Schedule ‘B’.
 - (c) **Amend** Section 3.17.71. with the following:
 - i) **Delete and replace** the first paragraph as follows:

The lands identified as Residential and Mixed Used on Schedule 3-A and identified on Schedule 3-D as Site Specific Policy Area Number 71, located on the southwest corner of Sir John A Macdonald Boulevard and Union Street, are intended to be developed as a carefully designed, compact urban village with a healthy mix of uses, a pedestrian-friendly public realm, context-sensitive buildings, and well-informed open spaces. The lands are suitable to accommodate a mix of uses. Mid-rise and high-rise built form is permitted, subject to the land use compatibility, urban design and cultural heritage resource management policies of this Plan and in a manner that protects the site’s protected heritage attributes.
 - ii) **Delete and replace** subsection (b) with the following:

The rehabilitated and adaptively reused former Prison for Women shall serve as the focal point of the subdivision. To this end, open space shall be integrated between this focal point and new buildings through well designed yards and landscaped areas, pedestrian pathways, terraces/patios, cultural heritage interpretive features and similar public realm uses. This area of the site contains the broadest and most flexible uses allowing both residential and broader commercial uses than the rest of the site to support a flexible, vibrant, and complete mixed-use community;
 - iii) **Delete and replace** subsection (c) with the following:

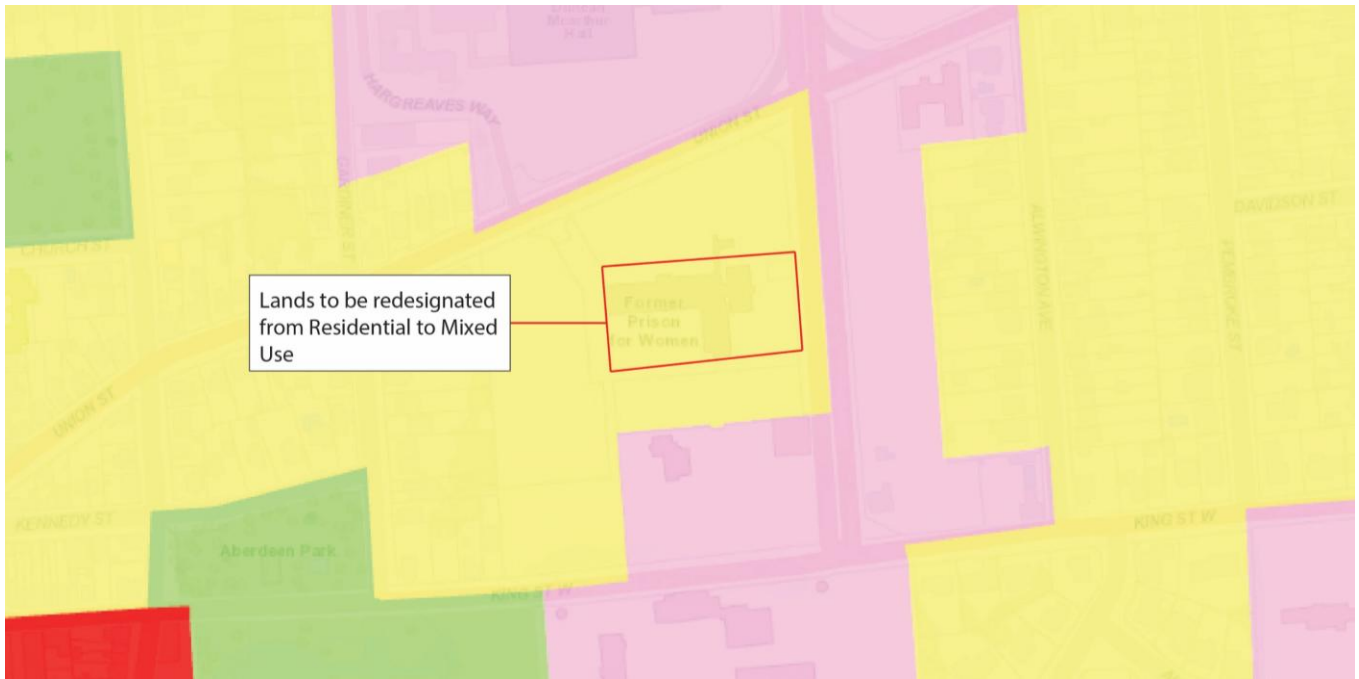
Surrounding the broad mixed used established at the focal point of the heritage building, the subdivision shall integrate a mix of residential, neighbourhood commercial and open spaces uses. The permitted uses include a hotel at the south-east corner of the site, subject to requirements under the Planning Act that shall include the review and acceptance of a Market Justification and Impact Assessment by the City;

Given all Three Readings and Passed: [Date]

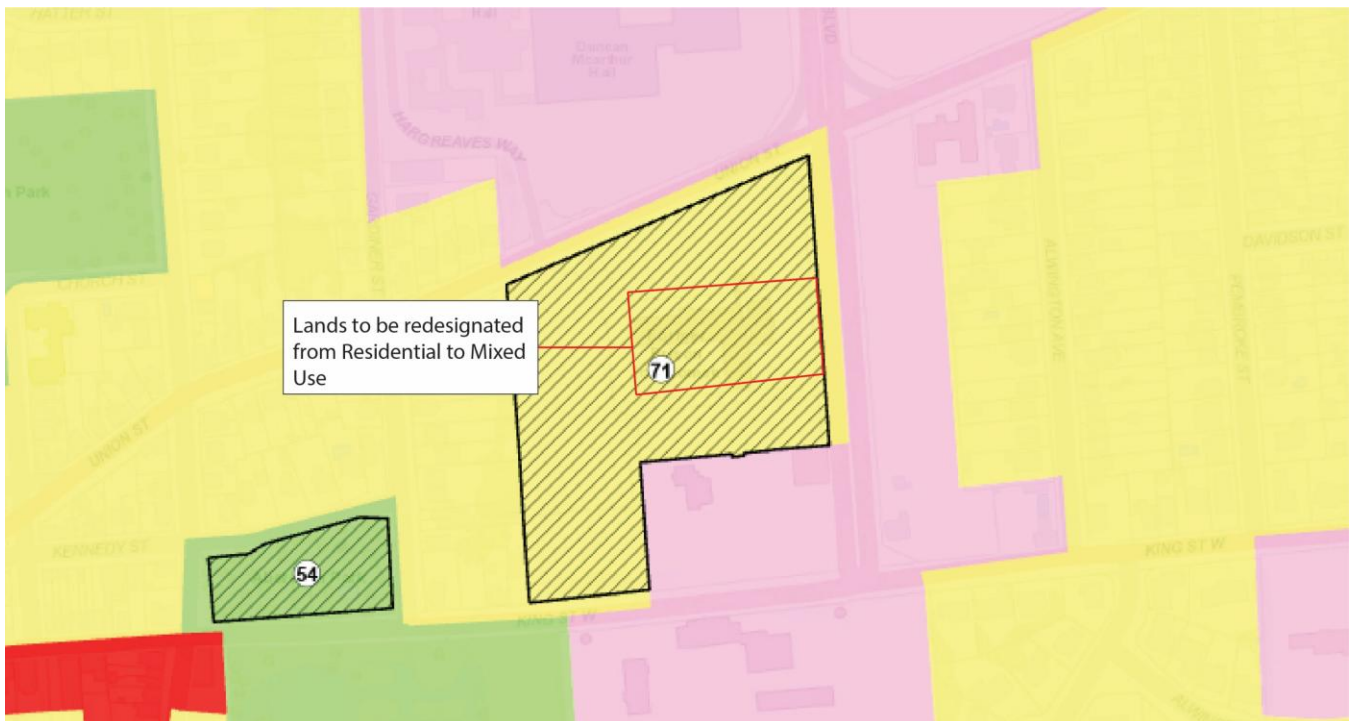
John Bolognone
City Clerk

Bryan Paterson
Mayor

Schedule A



Schedule B



Appendix B

Proposed Zoning By-law Amendment

By-Law Number 2026-XX

A By-Law to Amend Kingston Zoning By-Law Number 2022-62, “Kingston Zoning By-law Number 2022-62” (Zone Change from ‘URM4’ to ‘MU1’ Zone and Introduction of Exception Number EXX (40 Sir John A. Macdonald Boulevard))

Passed: [Meeting Date]

Whereas the Council of the Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-law Number 2022-62” (the “Kingston Zoning By-law”);

Whereas the subject lands are identified as “Urban Multi-Residential 4 Exception 99” on Schedule 1 of the Kingston Zoning By-Law;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-law Number 2022-62”, is amended as follows:
 - 1.1 Schedule 1 – Zoning Map is amended by removing reference to “Urban Multi-Residential 4 Exception 99”, and by adding the zone symbol ‘Mixed Use 1’ as shown on Schedule “A” attached to and forming part of this By-law;
 - 1.2 Schedule E – Exception Overlay is amended to add Exception Number EXX, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3 By adding the following exception number EXX in Section 21—Exceptions, as follows:

“EXX. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- a. Additional permitted uses: conference centre, institutional use, and trade show facility;
- b. In addition to the uses identified in clause (a) above, a park and outdoor gallery are permitted;
- c. A minimum of 157.9 square metres (1,700 square feet) of lot area must be devoted to the park, outdoor gallery and museum;
- d. The maximum height of a building is 20 metres;
- e. A cupola, occupying less than 10% of the roof area, is permitted above the maximum height projection on the building it is located;
- f. Appurtenances are not considered a building;
- g. Streetwall provisions do not apply to the current building;
- h. Minimum lot coverage: 21%;
- i. Front yard setback on the western side shall be a minimum of 1.5 m;
- j. For balconies, the maximum horizontal projection from the main wall is 4.6 metres;
- k. Maximum number of surface parking spaces – 75 spaces;
- l. Minimum drive aisle width – 6.0 metres;
- m. A maximum of 2.1 parking spaces per dwelling unit is permitted;
- n. Minimum number of loading spaces – 1 loading space;
- o. Loading spaces, parking spaces and parking lots may be permitted within a front yard;
- p. Communal amenity area must be aggregated into one area or grouped into an area of not less than 40 square metres;
- q. Minimum amenity area of 10 square metres per dwelling unit.

1.4 Schedule 1 – Zoning Map is further amended by retaining the Holding Overlay 150 (H150) symbol on the lands subject to this Exception. The conditions for the removal of the Holding Overlay 150 (H150), as set out in Part 5, Section 22 of Zoning By-law Number 2022-62, shall continue to apply except that the words “for a residential use” are deleted.

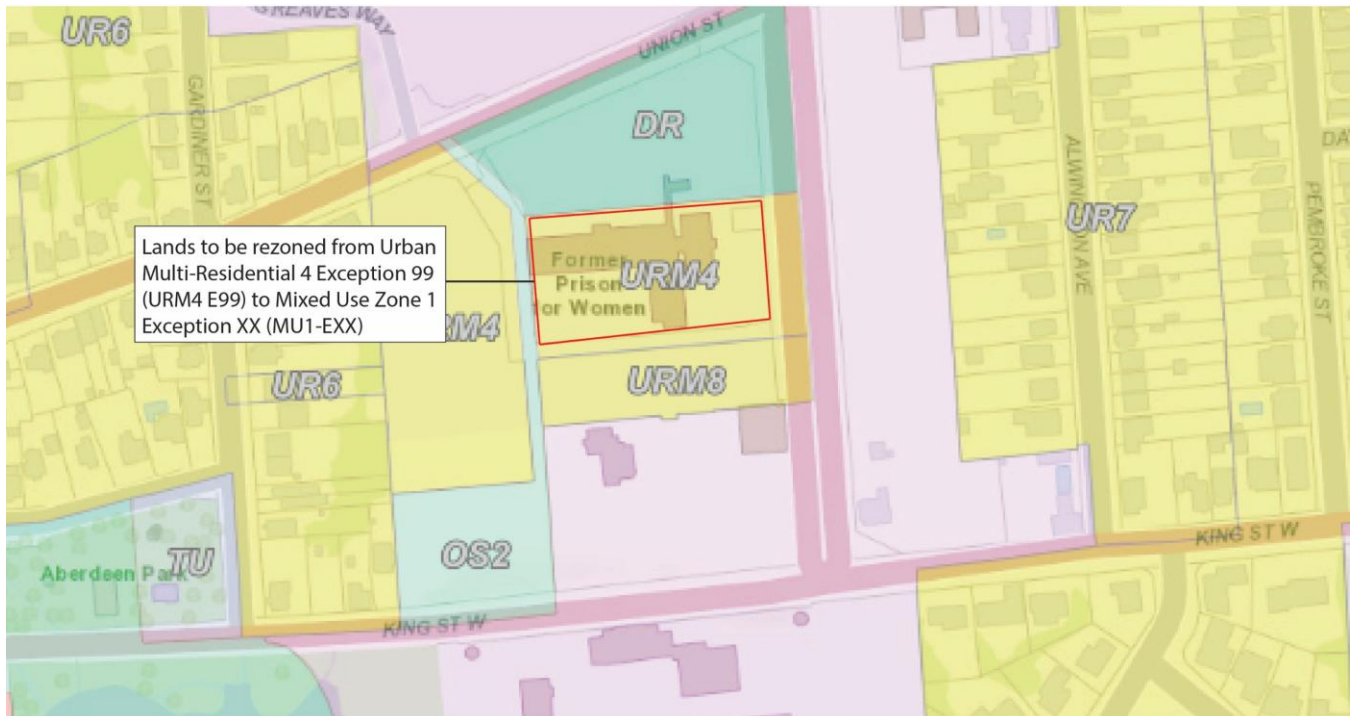
2. That this By-Law shall come into force in accordance with the provisions of the Planning Act.

Given all Three Readings and Passed: [Meeting Date]

John Bolognone
City Clerk

Bryan Paterson
Mayor

Schedule A



Schedule B

