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DENSITY BY DESIGN ISSUES & OPTIONS REPORT COMMENTS
DOWNTOWN KINGSTON! BIA
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Overview

IBI Group has been retained by Downtown Kingston! Business Improvement Area (“DKBIA”) to review the City of Kingston’s recently released “Density by Design: Kingston’s Mid-Rise and Tall Building Policies - Issues and Options Report” (the “Report”). Our review is specific to the downtown context and the interests of DKBIA.

Downtown Kingston! Business Improvement Area is an association of more than 700 businesses and property owners located in the Central Business District of the City of Kingston. The association promotes the downtown as a vibrant and healthy commercial, retail, residential, and entertainment centre of the region. One of DKBIA’s strategic goals is to advocate on behalf of business located in the downtown and represent their interests to the City of Kingston.

The recommendations put forth in the Report are generally seen as positive by DKBIA in that they appear to identify Kingston’s downtown as a place where intensification can be supported. The purpose of this letter is to emphasize DKBIA’s position that the downtown is the primary location where density should be supported and encouraged, including tall buildings, and to request that the City of Kingston identify and implement this direction through the Density by Design process.

Density by Design

Through its “Density by Design” project, the City of Kingston is seeking to develop mid-rise and tall building design guidelines and policies. The goal of these policies is to guide the future development of buildings taller than four storeys in Kingston. One of the intentions of the project is to identify appropriate locations for mid-rise and tall buildings, taking into account factors such as the built context, heritage resources, proximity to services and amenities, and transit-supportive locations.

The first formal public document of the Density by Design project is the recently released “Density by Design Issues and Options Report” (November 2019). The Report includes discussion and recommendations for policy approaches for mid-rise and tall buildings in the City. The Report is intended to stimulate continued discussion between Council, key stakeholders and the wider community about current and emerging issues related to mid and tall building development in the
City. The Report also outlines recommendations for future policy development, with the intention being to develop stand-alone design guidelines and implementing policies in the Official Plan.

**Recommendations for Downtown**

The Report discusses both broad City-wide considerations and also area-specific recommendations, including some directly applicable to the downtown, as identified and discussed below.

**Density in the Right Locations**

The Report identifies two scenarios for “Density in the Right Locations” and provides commentary on the preferred scenario and policy outcome. “Scenario One: Densification Anywhere within the Urban Boundary”, and “Scenario Two: Densification in the Right Places within the Urban Boundary”. The Report states that:

*When tall buildings and associated high-density are placed in well connected, mixed-use locations well serviced by attractive (frequent and well connected) public transit service and walking and biking infrastructure significant public benefits are achieved and problems are avoided. Car dependency is lessened with mode shift from driving to public transit, walking and biking, with resulting GHG/climate change, public health, infrastructure costs, equity and economic development benefits. (pg. 14).*

Given that Kingston’s downtown “checks all of the boxes” of Scenario Two, DKBIA is supportive of this second option and affirms that the downtown is the ideal location where density should be located as the Central Business District is well-connected, has a mix of uses, and is serviced by public transit and walking and biking infrastructure. The location of high density in the downtown would therefore help achieve the objective of reduced car dependency and the resulting social, economic and environmental benefits identified in the Report.

**Application of Current Policy Direction**

The Report speaks to the Application of Current Policy Direction and outlines options for future policy direction relating to the location of tall buildings and high density. The identified Option 1 involves the creation of an “Infill Green Light Strategy” which identifies, generally, strategic locations of the city that can accommodate density based on the parameters outlined in the Report. The Report states that "this strategy should consider all current/existing barriers and incentives to development, and ensure that barriers in Green Lit areas are removed and that existing and new incentives only apply to Green Lit areas of the city" (pg. 19). The intent of this option is to make it easier to develop in the right places, while limiting opportunities to develop in the wrong places. The alternative Option 2 involves making amendments to the existing policies and criteria for tall building/high-density to ensure that tall buildings and high density development only be permitted in locations where they will not be car dependent. The Report recommends Option 2 combined with an urgent and coordinated implementation of Option 1, being the Infill Green Light Strategy. The Report states that “the two will work together to allow the city to succeed in meeting its objectives of development in the most publically advantageous and least car-dependent locations” (pg. 20). DKBIA is supportive of this recommendation and requests that the City identify the downtown as a Green Lit area in order to facilitate high-density infill development. It is also requested that the eventual criteria for tall buildings development clearly identify the downtown as an appropriate location.
Policy Area Contexts

The Report recommends the creation of up to six (6) defined policy areas for the implementation of the tall-building policies, including:

1. CBD-Heritage Places;
2. CBD-Non Heritage Places;
3. Urban Waterfront Areas;
4. Street Oriented Urbanizing Places;
5. Large Site Urbanizing Places; and

In the Report, the downtown is classified primarily as CBD-Heritage, CBD-Non Heritage; and Urban Waterfront. Downtown Kingston! BIA is supportive of development throughout the downtown, and would caution against establishing what may appear to be “black and white” delineations within a compact downtown area where, for example, what is considered to be “heritage” or “non-heritage” can quickly become grey in the context of determining “impacts” on heritage areas. The DKBIA is supportive of policies that recognize and protect heritage resources, and that provide clarity to all parties, but the policies should be carefully tested to ensure that permissions contemplated for “non-heritage places” in the CBD are not compromised by the policies for “heritage places”. In the same vein, the policies should align with existing protections for heritage resources, and new tests for development of, or adjacent to, heritage resources should not just add “another layer” to those existing protections.

DKBIA has been consistent in its position that heritage resources and new high density development can co-exist, including development of buildings with considerable height. This position has been put forth at recent LPAT hearings regarding IN8’s 223 Princess Street applications and Homestead’s North Block applications, and DKBIA continues to maintain the opinions expressed in support of those proposals.

Integration of Commercial Uses

The Report recommends a policy addressing the integration of commercial uses, including direction regarding an appropriate range of commercial uses, floor heights, signage, entrances and other commercial-oriented criteria. DKBIA is supportive of integrating mandatory commercial uses into the tall-building policies, however, the Association is also cognizant of the fact that traditional downtowns are fragile and vulnerable to unfavourable vacancy rates, and would encourage the City to provide flexibility when requiring mandatory commercial frontages. Given the shifting of consumer shopping preferences with respect to online shopping versus brick-and-mortar retail, the priority of the City should be to encourage and incentivize residential in the downtown core to sustain the existing businesses and commercial inventory.

Building Height

The Report recommends an approach that “sets maximum heights within/across the CBD/downtown, while allowing maximum height to be considered on an area or site specific basis using urban design analysis across the rest of the city” (pg. 23). The Report identifies that clarity with respect to maximum heights is necessary within the CBD/downtown due to heritage sensitivities and currently unclear policy. The report states that potential height limits in various
sub-areas of the CBD will be proposed for further public input in the next phase of work. These sub-areas may include:

1. Lower Princess Street Character Area;
2. The “Hub” at Division Street and Princess Street; and
3. Portions of Queen Street and Brock Street.

The Report includes specific recommendations for the “North Block” and recommends that an economic analysis be conducted in order to determine if certain building heights and construction types are viable with or without design variables such as stepbacks.

As noted above, DKBIA supports policies that provide clarity to all stakeholders. DKBIA also supports the notion that tall buildings and heritage can co-exist, and that the downtown needs continued investment and new residential units to enable it to continue as a healthy Central Business District. With respect to the establishment of maximum heights within the CBD, we note that there are already maximums identified in many areas, with policies allowing for flexibility to increase those maximums based on specific criteria. We would suggest that some element of flexibility be retained to ensure that desirable projects are not unnecessarily prohibited or discouraged on the basis of “a numbers game”.

DKBIA is supportive of the completion of a detailed financial feasibility study, and encourages the City to consider the broader downtown and take into account preferences for unit type and size in Kingston so that downtown housing options remain attractive to all segments of the population.

**Building Design**

Included within the Report is an analysis of the issues and options as well as recommendations pertaining to building design. According to the Report, the facets of building design include building height, building width/floor plate size, upper floor building stepbacks, building setbacks, tower separation, podium design, building access, and architectural detailing. Although DKBIA is generally supportive of the recommendations included in the Report pertaining to building design, we caution against the development of policies that would be overly restrictive and that may indirectly disincentive the development of higher density in the downtown. Their position is consistent with the intent of the Density by Design process to develop policy that makes it easier to develop in the right places. DKBIA has some reservations that elements of the policy to incentivize development (e.g. “greenlighting”) may be undone by other elements, such as more stringent building design guidelines that may prove to make a project infeasible. In this respect, the “testing” of the proposed guidelines in policies through a detailed economic analysis is critical to the success of the Density by Design exercise.

**Opinion**

Downtown Kingston! BIA strongly supports residential intensification in Kingston’s downtown core, and its Board of Management has made the encouragement of residential intensification a strategic priority over its last two terms. DKBIA sees residential intensification as part of the long-term strategy to ensuring the continuing vitality, resilience and sustainability of Kingston’s downtown. Downtown Kingston is a full service Central Business District with shopping, dining, professional/personal services and residences within a highly walkable environment. This wealth of commercial and retail opportunity is integral to maximizing the benefits of high density residential developments, including meeting related economic, environmental and sustainability goals. Intensification of the downtown is expected to contribute to many desired outcomes,
including increased activity and expenditures downtown, higher attendance at events, more consistent activity levels in all four seasons, improved guest experiences, a strong identity, and an enhanced physical, social and business environment.

Kingston’s downtown is an ideal location for high-density as it is well serviced by Kingston Transit, is compact and highly walkable, and features a mix of uses including commercial, residential and institutional uses. The location of both mid-rise and tall buildings in the downtown would support the objectives of the Density by Design Issues and Options Report, particularly with respect to strategically locating density to address the climate emergency and maximize public benefits.

Summary

On behalf of Downtown Kingston! BIA, we encourage the City to identify the downtown as a prime location where density is supported, including tall buildings, and that the City implement this direction as part of the Density by Design process. We would also ask that the City provide DKBIA and ourselves with updates on this matter as information becomes available.

If you have any questions or wish to discuss this further, please do not hesitate to contact us.

Sincerely,

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