



**City of Kingston
Report to Council
Report Number 26-117**

To: Mayor and Members of Council
From: Jennifer Campbell, Commissioner, Community Services
Jenna Morley, City Solicitor, Legislative Services
Resource Staff: Amy Elgersma, Director, Recreation & Leisure Services
Date of Meeting: April 21, 2026
Subject: Patterson Park

Council Strategic Plan Alignment:

Theme: 3. Build an Active and Connected Community

Goal: 3.1 Expand parks and recreation opportunities and participation.

Executive Summary:

This report provides an update regarding the status of lands known as Patterson Park and seeks direction related to clarifying title restrictions and enabling continued public recreational use. The lands have historically functioned as a public park despite a restrictive covenant registered in 1975 limiting their use to a water pumping and treatment facility.

The neighbouring landowner, INVISTA/Dupont, has agreed to the removal of the now-expired restrictive covenant in consideration for a new restrictive covenant that is intended to restrict the use of the lands to community use, recreational park use and recreational waterfront access. Staff are therefore proposing to seek deletion of the expired covenant from title and to approve a new covenant to provide legal clarity and support continued park use.

The park contains the designated Wartman House (circa 1840), and future work will include reviewing and updating the heritage designation to reflect current parcel conditions and long-term park use.

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In addition, recent operational matters related to parking, access and safety have been addressed through interim measures, with further improvements planned, including signage updates in 2026.

Recommendation:

That Council approve the registration of a new restrictive covenant on title to the Patterson Park lands that is intended to restrict the use of the lands to community use, recreational park use and recreational waterfront access.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

Jennifer Campbell,
Commissioner, Community
Services

ORIGINAL SIGNED BY CITY SOLICITOR

Jenna Morley, City Solicitor

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

Lanie Hurdle, Chief
Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Growth & Development Services

Neil Carbone, Commissioner, Corporate & Emergency Services Not required

David Fell, President & CEO, Utilities Kingston Not required

Desirée Kennedy, Chief Financial Officer & City Treasurer

Ian Semple, Commissioner, Transportation & Infrastructure Services

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Options/Discussion:**Background**

Prior to the amalgamation of the municipalities that now form the City of Kingston, ownership of the lands municipally known as Patterson Park (88 Sunny Acres Road) (Exhibit A) was transferred from Dupont of Canada Limited to the former Township of Kingston in 1975. Despite the conditions associated with this transfer, the lands have functioned for many years as a public park and are recognized as such in the City's Official Plan, Waterfront Master Plan, and Parks and Recreation Master Plan. The property also contains the Wartman House, a designated heritage structure under Part IV of the *Ontario Heritage Act*, which contributes to the cultural and historical value of the site.

Restrictive Covenant and Title Clarification

The original 1975 transfer included a restrictive covenant limiting the use of the lands to a water pumping and treatment facility and explicitly prohibiting use as a public park. The agreement also included a provision requiring the lands to be reconveyed to the original owner should the prescribed use not be fulfilled.

Legal Services has confirmed that the restrictive covenant and associated reconveyance right are no longer in force and the neighbouring landowner, INVISTA/Dupont, has agreed to the removal of the now-expired restrictive covenant. Staff are recommending that the expired covenant be formally removed from title. Doing so will provide legal clarity and ensure that the status of the lands reflects their long-standing use and recognition as a municipal park.

Proposed New Restrictive Covenant

As part of discussions with INVISTA/Dupont, it has been identified that there is shared interest in ensuring that the lands are not used for residential or other incompatible forms of development. While the City's intent is to continue operating the property as a public park, formalizing this intent through a new restrictive covenant would provide additional certainty for both the City and adjacent landowners.

Staff are therefore proposing to work collaboratively with INVISTA/Dupont to establish a new restrictive covenant on title that is intended to limit the use of the lands to community use, recreational park use and recreational waterfront access. Establishing a new covenant would ensure that the property remains dedicated to public open space and recreation, consistent with both policy direction and community expectations.

Heritage Considerations

The Wartman House remains designated under Part IV of the *Ontario Heritage Act* as described in By-Law Number 2005-133 and continues to reflect the rural character historically associated with the property. Given the evolving understanding of the parcel and its use, staff intend to

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undertake a future review of the heritage designation, to ensure that the designation runs to the appropriate parcel boundaries, and can continue to inform the context of the property as a municipal park while accurately reflecting the heritage value of the site.

Parking, Access and Safety Improvements

In 2024, concerns were raised by nearby residents regarding vehicles travelling through the Patterson Park parking lot and entering the park space itself. This activity created safety risks for park users and resulted in damage to the park grounds. In response, temporary barricades were installed to prevent unauthorized vehicle access into the park.

Over time, a portion of the property had also evolved into an informal parking area. This area, which remains unpaved, is prone to becoming muddy during wet conditions and contributed to ongoing maintenance and environmental concerns. To address this, Public Works undertook measures to restore the area by planting trees, thereby discouraging direct vehicle access to the waterfront and reinforcing the intended use of the space as parkland.

Temporary barricades will be removed where no longer required during the upcoming summer season; however, vehicle access within the park will continue to be restricted and parking within the park itself will remain limited. There is no budget allocated to formalize or construct permanent parking facilities within Patterson Park at this time. To support safe and appropriate access, additional parking has been identified and signed for along the east side of Sunny Acres Road. This is complemented by signage restricting parking on the west side of the roadway in order to maintain safe circulation and access for vehicles and emergency services.

Park Improvements and Signage

Patterson Park has been identified for inclusion in the City's 2026 park signage program. Through this program, the park will receive a new name sign as well as updated safety and waterfront access signage. These improvements are intended to enhance user experience, support safe use of the waterfront, and better reflect the park's identity within the City's broader park system.

Public Engagement

In 2025, the City received requests from members of the public to explore improvements to parking, signage and waterfront access at Patterson Park. This feedback has informed the interim measures implemented to address safety and access concerns, as well as the planned signage updates. Staff will continue to consider public input as future improvements and heritage-related updates are advanced.

Existing Policy/By-Law

Waterfront Master Plan

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Parks and Recreation Master Plan

City of Kingston Official Plan

Notice Provisions

None

Financial Considerations

Beyond staff time and a nominal filing fee (\$30), there are no direct financial implications associated with removal of the existing restrictive covenant or the addition of a new restrictive covenant.

Current parking and access measures have been implemented within existing operational budgets. There is no funding allocated at this time for construction of formal parking facilities.

Planned signage updates will be accommodated within the approved 2026 capital program.

Contacts:

Amy Elgersma, Director, Recreation & Leisure Services, 613-546-4291 extension 1351

Other City of Kingston Staff Consulted:

Brandon Forrest, Director, Business, Real Estate & Environment

Karen Santucci, Director, Public Works & Solid Waste

Kevin Gibbs, Director, Heritage Services

James Bar, Manager, Development Approvals, Planning Services

Exhibits Attached:

Exhibit A Patterson Park Reference Maps

Patterson Park Reference Maps

