



**City of Kingston
Planning Committee
Meeting Number 20-2023
Agenda**

**Thursday, November 16, 2023 at 6:00 p.m.
Hosted at City Hall in Council Chamber**

Please provide regrets to Iain Sullivan, Committee Clerk at 613-546-4291, extension 1864 or isullivan@cityofkingston.ca

Committee Composition

Councillor M^cLaren, Chair
Councillor Chaves
Councillor Cinanni
Councillor Glenn
Councillor Oosterhof
Councillor Osanic

The meetings being held tonight are public meetings held under the Planning Act.

Notice of Collection – Personal information collected as a result of the public meetings are collected under the authority of the Planning Act and will be used to assist in making a decision on this matter. Persons speaking at the meeting are requested to give their name and address for recording in the minutes. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Additionally, interested members of the public can email the Committee Clerk or the assigned planner if they wish to be notified regarding a particular application. Questions regarding this collection should be forwarded to the Director of Planning Services.

The first portion of tonight's meeting is to present planning applications in a public forum as detailed in the community meeting report. This report does not contain a staff recommendation and therefore no decisions will be made this evening. Each application in the community meeting report will be presented individually and following each presentation by the applicant, the meeting will be opened to the public for comments and questions.

The second portion of tonight's meeting is to consider public meeting reports. These reports do contain a staff recommendation and the recommendation is typically to approve (with conditions) or to deny. After the planner's presentation, Committee members will be able to ask questions of staff, followed by members of the public. Following the question-and-answer period, this Committee then makes a recommendation on the applications to City Council who has the final say on the applications.

Following Council decision, notice will be circulated in accordance with the Planning Act. If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision.

Community Meeting

The purpose of the Community Meeting is to provide the applicant with an opportunity to present a potential development proposal in the early stages of the development process and to seek feedback from the public and members of Planning Committee before a complete application is submitted to the City. Anyone who attends a Community Meeting may present an oral submission, and/or provide a written submission on the proposals being presented.

The Report of the Commissioner of Growth & Development Services (PC-23-046) is attached.

Schedule Pages 1 – 4

Details of the development proposals to be presented at the Community Meeting are listed below.

Exhibit A

File Number: D14-016-2020

Address: 835-859 Princess Street and 290 Concession Street

Owner: Kenlar Investment Inc.

Applicant: Kenlar Investment Inc.

Schedule Pages: 5 – 36

1. Meeting to Order

2. Approval of the Agenda

3. Confirmation of Minutes

- a) **That** the minutes of Planning Committee Meeting Number 18-2023, held Thursday, October 26, 2023 and the minutes of Planning Committee Meeting Number 19-2023, held Wednesday, November 1, 2023, be approved.

4. Disclosure of Pecuniary Interest

5. Delegations

6. Briefings

7. Business

a) **Subject: Recommendation Report**

File Number: D14-006-2023

Address: 214 Concession Street

District: District 9 – Williamsville

Application: Zoning By-Law Amendment

Owner: Rusty Land Holdings Ltd.

Applicant: Fotenn – Alex Cleave

The Report of the Commissioner of Growth & Development Services (PC-23-044) is attached.

Schedule Pages 37 – 79

Recommendation:

That the Planning Committee recommends to Council:

That the application for a zoning by-law amendment (File Number D14-006-2023) submitted by Fotenn – Alex Cleave, on behalf of Rusty Land Holdings Ltd, for the property municipally known as 214 Concession Street, be approved ; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-23-044; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

b) Subject: Recommendation Report

File Number: D14-011-2023

Address: 3525 Burnt Hills Road

District: District 1 – Countryside

Application: Zoning By-Law Amendment

Owner: John Dunbar Estate

Applicant: Arcadis Professional Services (Canada) Inc.

The Report of the Commissioner of Growth & Development Services (PC-23-045) is attached.

Schedule Pages 80 – 173

Recommendation:

That the Planning Committee recommends to Council on November 21, 2023:

That the application for a zoning by-law amendment (File Number D14-011-2023) submitted by Arcadis Professional Services (Canada) Inc., on behalf of John Dunbar Estate, for the property municipally known as 3525 Burnt Hills Road, be approved; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-23-045; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

8. Motions

9. Notices of Motion

10. Other Business

11. Correspondence

12. Date of Next Meeting

The next meeting of the Planning Committee is scheduled for Thursday, December 7, 2023 at 6:00 p.m.

13. Adjournment

1. Approved Site Plan Items:

- D11-046-2020 – 870 Centennial Drive
- D11-005-2023 – 44 Barbara Avenue
- D11-020-2021 – 151 Bath Road
- D11-022-2022 – 18 Queen Street
- D11-040-2022 – 2069 Battersea Road
- D11-022-2022 – 18 Queen Street
- D11-035-2019 – 145 Dalton Avenue
- D11-031-2022 – 752 W King Street West
- D11-032-2022 – 2724 Princess Street
- D11-025-2022 – 801 Development Drive

2. Applications Appealed to the Ontario Land Tribunal:

1. 2 River Street – OLT-22-004597 – OPA/ZBA – 5-week Hearing set starting January 30, 2024.
2. 275 & 283 Queen Street – OLT-22-004553 – ZBA – Three party settlement agreement approved by Council. Settlement being presented to the OLT at November 22, 2023 meeting.
3. 1533 McAdoos Lane – Site Plan Control – Appeal record submitted to the OLT.

3. Links to Land Use Planning Documents:

Planning Act: <https://www.ontario.ca/laws/statute/90p13>

Provincial Policy Statement: <https://www.ontario.ca/page/provincial-policy-statement-2020>

City of Kingston Official Plan: <http://www.cityofkingston.ca/business/planning-and-development/official-plan>

City of Kingston Zoning By-Laws: <https://www.cityofkingston.ca/business/planning-and-development/zoning>



**City of Kingston
Report to Planning Committee
Report Number PC-23-046**

To: Chair and Members of the Planning Committee
From: Paige Agnew, Commissioner, Growth & Development Services
Resource Staff: Tim Park, Director, Planning Services
Date of Meeting: November 16, 2023
Subject: Community Meeting Report
File Number: D14-016-2020

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.1 Promote increased supply and affordability of housing.

Executive Summary:

The following is a Community Meeting Report enclosing information about the following application that will be subject to a Community Meeting at Planning Committee, with a presentation by the applicant:

- Address: 835-859 Princess Street and 290 Concession Street (File Number D14-016-2020, Application Types: zoning by-law amendment and official plan amendment)

2023-11-16 6:00:00 PM

Page 2 of 4

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

2023-11-16 6:00:00 PM

Page 3 of 4

Options/Discussion:

Non-Statutory Public Meeting

The purpose of the Community Meeting is to provide the applicant with an opportunity to present a potential development proposal in the early stages of the development process and to seek feedback from the public and members of Planning Committee before a recommendation report is brought forward to the Committee at the subsequent Public Meeting. Anyone who attends a Community Meeting may present an oral submission, and/or provide a written submission on the proposals being presented.

A Community Meeting Form (completed by the applicant) and a standard map package showing the location of the subject site, and relevant Official Plan land use designation and zoning information for each proposal is included as an exhibit to this report, as follows:

- 835-859 Princess Street and 290 Concession Street, File Number D14-016-2020 (Exhibit A)

This zoning by-law amendment was submitted in 2020 and went for a first public meeting on July 15, 2021. Since that meeting the site has changed ownership and the project undergone significant changes. Following technical review, an Official Plan amendment to accompany the current zoning by-law amendment may be required, the details of which are included in Exhibit A. All documents have been included for this Community Meeting to get feedback early in the process for the new design.

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using “Look-up a Specific Address”. If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

Statutory Public Meeting

A statutory Public Meeting for each application will be scheduled at a later date and further Notice regarding the Public Meeting will be provided in accordance with the *Planning Act*.

Existing Policy/By-Law

Planning Act

Provincial Policy Statement, 2020

City of Kingston Official Plan

Kingston Zoning By-Law Number 2022-62

2023-11-16 6:00:00 PM

Page 4 of 4

By-Law Number 2007-43, A By-Law to require Development Proponents to Pre-Consult with The Corporation of the City of Kingston respecting Planning Matters

Notice Provisions

Notices were sent by mail to all property owners (according to the latest Assessment Rolls) within 120 metres of the subject properties and a notice sign was posted on the subject properties.

Accessibility Considerations

None

Financial Considerations

None

Contacts:

James Bar, Manager, Development Services, 613-546-4291 extension 3213

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Community Meeting Form, Application material and Map Package for 835-859 Princess Street and 290 Concession Street (File Number D14-016-2020)



City of Kingston Community Meeting Form

Note to Applicant: This Form is to be completed by the Applicant and is intended to provide a detailed description of the site, locational context and the proposed application as the basis for a Community Meeting at Planning Committee. The only supplementary information that will be provided by Staff for the Community Meeting is a map package (location, Official Plan, zoning, etc). Please keep residents and members of Planning Committee in mind when completing this form by ensuring that all information is thorough, detailed and understandable. Where a field is not applicable to the site or proposal, please indicate "N/A". Since this Form will be attached as an exhibit to a staff report, this Form must be completed in a manner that is accessible. Please refrain from using formatting or tables that are not accessible. If this form is completed in a manner that is not accessible, it may result in delays to the timing of the Community Meeting and may require staff to make amendments or adjustments prior to attaching the form as an exhibit to a staff report.

Owner/Application Information

Owner: Kenlar Investment Inc

Applicant (if Owner is not the Applicant):

Site Characteristics

Site address: 835-859 Princess Street & 290 Concession Street

Site area: 0.68 hectares

Description of existing use and buildings on site (height, floor area, units, bedrooms, parking spaces, setbacks, etc): The site is currently developed with a two-storey and five-storey commercial building along the Princess Street and Drayton Avenue frontages and a separate one-storey commercial building along the Concession Street frontage.

Official Plan designation: Main Street Commercial and District Commercial

Zoning by-law (zone and other relevant schedules and overlays): Williamsville Zone 1 (WM1) and Arterial Commercial (CA) and are subject to Holding Number 68 (H68)

Existing number of trees: 0

Number of existing trees to be retained: 0

Description of heritage status (not a heritage building, listed, designated or located in a heritage conservation district): not a heritage building

Description of Surrounding Uses and Buildings

East: Directly east of the site are one- to two-and-a-half-storey single detached dwellings and a two-storey commercial building. Farther east is a one-storey department store, a five-storey commercial office building, and a public surface parking lot.

West: West of the site is a one- to four-storey commercial office building and beyond that is the Kingston Centre, a low-rise commercial shopping centre.

North: Immediately north of the site is a three-storey commercial building and beyond that, four apartment buildings ranging from 11 to 16 storeys.

South: Immediately to the south of the site are one- and two-storey commercial buildings and beyond that are four-storey, six-storey, and 13-storey apartment buildings and single detached dwellings.

Description of Proposal

Summary description of the proposal (use, height, floor area, setbacks, units, bedrooms, condominium, rental, affordability level, parking and bike spaces, will existing building or any existing features be retained/renovated/demolished etc.): It is the owner's intention to redevelop the subject lands with a six-storey, 280-unit mixed-use building with a combination of commercial and residential uses on the ground floor and residential uses in the upper floors. To facilitate this, the upper storeys of the existing commercial buildings fronting on Princess Street will be converted to residential uses while the ground-floor commercial uses are maintained, and the existing one-storey commercial building with frontage on Concession Street is proposed to be demolished. Additional storeys are proposed for both existing Princess Street buildings as well as horizontal additions extending to the north.

Type of Application: OPA/ZBA

Proposed use: Mixed-use (commercial and residential)

Proposed number and type of residential units and bedrooms (if residential): 280-residential units and 7 commercial units

Proposed gross floor area (of each use): 533 square metres of commercial and 20,464 square metres of residential gross floor area is proposed across 7 commercial and 280 residential units.

Proposed height: 6 storeys and 20 metres.

Proposed setbacks:

Front: Front lot line on Princess Street:

(i) first storey: 2.4 metres (existing two-storey building), 3.5 metres (existing five-storey building)

(ii) storeys 2 to 4: 2.4 metres (existing two-storey building and proposed addition), 1.8 metres (existing five-storey building)

Interior: 5.7 metres

Exterior: 0 metres (existing)

Rear: 5.5 metres

Proposed number of vehicular parking spaces (include breakdown of occupant, visitor, car-share, accessible, etc):

- Surface parking = 58
- Underground parking = 92
- Total parking = 150
- Standard parking = 2.6m x 5.5m
- Small parking = 2.4m x 4.8m (7.3%)
- Accessible parking = 4.1 x 6m (6.6%)
- Standard bike parking = 177

Proposed number of bicycle parking spaces: 196

Proposed landscaped open space: 1,436 square metres

Proposed amenity area (if residential): 3,054.9 square metres

Proposed number of trees to be planted: To be determined

Description of how the application conforms with the Official Plan: The proposed high-density residential and commercial uses of the site are permitted per OP Sections 3.4.C.2, 3.4.C.5., 3.4.D.8, 10E, and 10E.1.3. An Official Plan Amendment is being requested for policies 10E.1.30.a and 10E.1.30.b, which require specific setbacks where a building faces a street and a low rise residential building, respectively. Please see the Planning Justification Report prepared by Arcadis Professional Services (Canada) Inc.

If located in an area that is subject to Official Plan policies related to source water, natural heritage system, natural heritage features and areas, hazards, cultural heritage resources, areas of archaeological potential, or areas of archaeological significance, description of how the proposal will conform with the policies: Not applicable.

Description of amendment(s) required to the Zoning By-law: Reliefs requested for the Front Setback and Front Setback of Streetwall, Rear Setback, Exterior Setback, Minimum and Maximum Setbacks, Maximum Residential Density, Projecting Balcony Location and Percentage of the Main Wall, Ground Floor Commercial Uses, Parking Requirements (Car Share and Visitor), Drive Aisle Width, Bike Parking, Projections Above Maximum Height, Amenity Area Size, Planting Strip. Please see the Planning Justification Report prepared by Arcadis Professional Services (Canada) Inc. for specific sections and justifications.

Other information that would be valuable for a Community Meeting:

List of Drawings/Studies Submitted

- Planning Justification Report prepared by Arcadis Professional Services (Canada) Inc.
- Urban Design Study prepared by Arcadis Professional Services (Canada) Inc.
- Noise Impact Study prepared by J.E.Coulter Associates Ltd
- Servicing Report prepared by Josselyn Engineering
- Stormwater Management Report prepared by Josselyn Engineering
- Traffic Impact Study prepared by HDR
- Site Plan
- Architectural Elevations and Floorplans

Community Meeting Form Prepared by: Kenlar Investment Inc.

Date: October 30, 2023

By-Law Number 2023-XXX

**A By-Law To Amend The City Of Kingston Official Plan (Amendment Number ____,
835-859 Princess Street and 290 Concession Street)**

Passed: [Meeting Date]

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 City of Kingston Official Plan is hereby amended by the following map change which shall constitute Amendment Number ____ to the Official Plan for the City of Kingston.
 - a. **AMEND** Schedule ‘3-D’, ‘Site Specific Policies’, of the City of Kingston Official Plan, so as to designate the property located at 841 Princess Street, as shown on Schedule ‘B’ to By-law Number 2023-____, as Site Specific Policy Area Number ____.

- 2. That the City of Kingston Official Plan, as amended, be further amended by adding the following new Site Specific Policy as Section _____:

“841 Princess Street, Schedule 3-D, SSP Number_____

3.17.____ That where stepbacks are required above the 4th floor where a building faces a street and above the 2nd floor where a building is adjacent to a low-rise residential building, as per Sections 10E.1.30.a and 10E.1.30.b, respectively, the following restrictions shall apply:

- a. A stepback above the 3rd floor is provided on Drayton Avenue; and
- b. A stepback above the 3rd floor is provided adjacent to low-rise residential buildings on Drayton Avenue.”

- 3. This by-law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the *Planning Act*, provided that no Notice of Appeal is filed to this by-law in accordance with the provisions of Section 17, Subsection 24 of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

Given all Three Readings and Passed: [Meeting date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Schedule 'A' to By-Law Number

Official Plan - Schedule 3-D

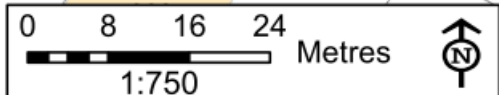
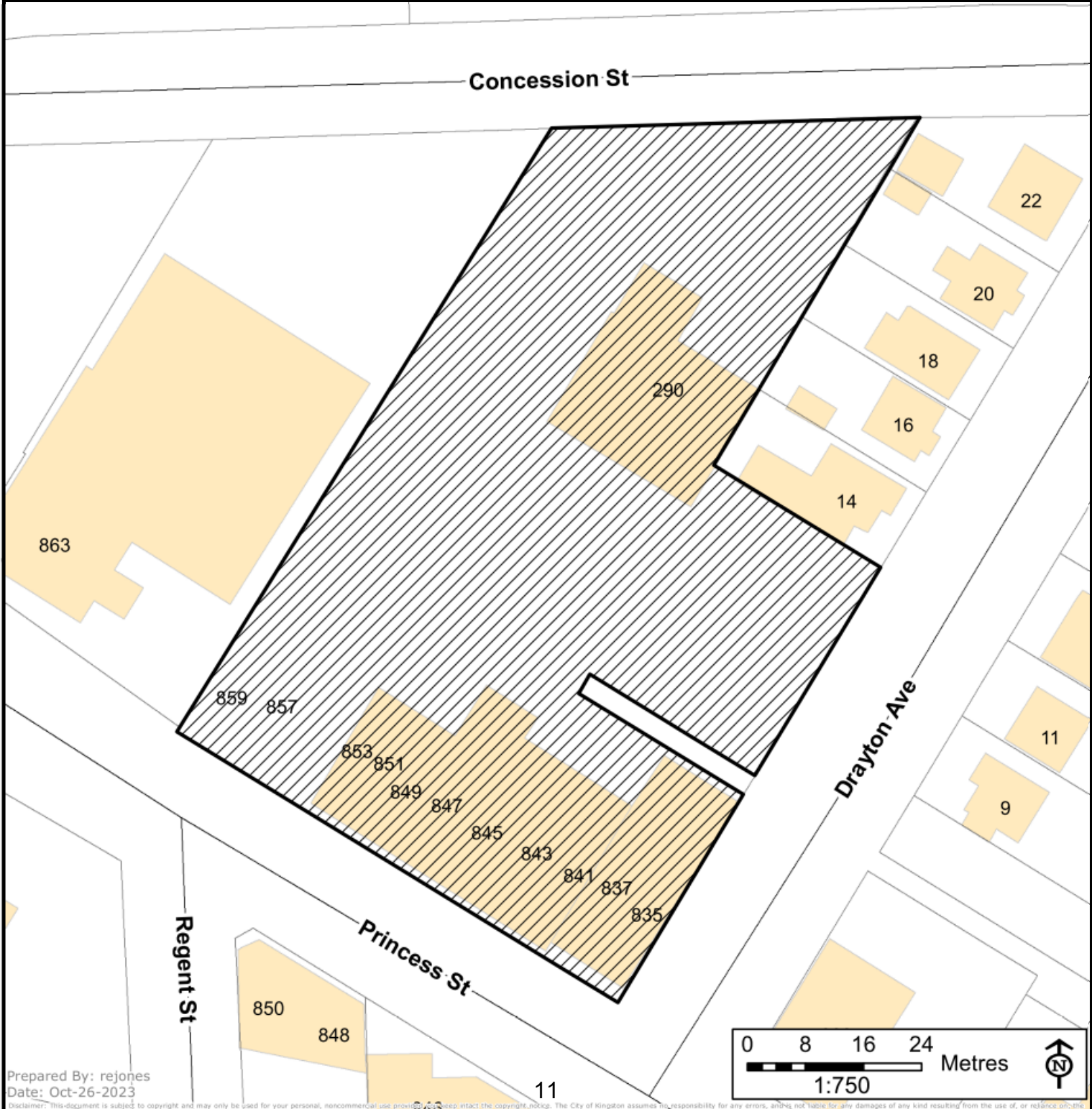
Lands Subject to Site Specific Policy Number XX

Address: 835-859 Princess Street & 290
Concession Street
File Number: D14-016-2020

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2022.

Mayor Clerk



Prepared By: rejones
Date: Oct-26-2023

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By-Law Number 2023-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Change to WM1 and Introduction of Exception Number E__, 835-859 Princess Street and 290 Concession Street)

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 “WM1”, “CA” and are subject to “Holding Number 68” on Schedule 1 of the Kingston Zoning By-law;

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend 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 adding the zone symbol “WM1” to Schedule 1, as shown on Schedule ‘X’ attached to and forming part of this By-law;
 - 1.2. Schedule E – Exception Overlay is amended by adding Exception ‘E__’, as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.3. By adding the following Exception Number E__ in Section 21 – Exceptions, as follows:
 - “E__”. Notwithstanding the provisions of the WM1 Zone, the following provisions shall apply:
 - (a) The minimum front setback on Princess Street shall be 2.4 metres (existing two-storey building) and 1.8 metres (existing five-storey building);
 - (b) The minimum rear setback (Concession Street) shall be 5.5 metres;

- (c) The minimum and maximum exterior setback shall be 0 metres;
- (d) The minimum stepback from the front lot line (Princes Street) shall be 3.5 metres from the 5th storey of the existing building to the 6th storey addition;
- (e) The minimum stepback from the exterior lot line (Drayton Avenue) shall be 2 metres at the 4th storey of the proposed addition and 2 metres stepback from the 5th storey of existing building to 6th storey addition;
- (f) The maximum residential density shall be 413 dwelling units per net hectare;
- (g) The minimum percentage of the streetwall built to the minimum required front setback shall be 0%;
- (h) Projecting balconies are permitted at the second storey facing western and northeastern lot lines;
- (i) A portion of the ground floor frontage on Princess Street is permitted to be occupied by amenity space;
- (j) The minimum number of car-share parking spaces shall be 4 spaces;
- (k) The minimum number of visitor parking spaces shall be 24 spaces;
- (l) The minimum drive aisle width where parking spaces are perpendicular shall be 6 metres;
- (m) The minimum number of long-term bike parking spaces shall be 179 spaces;
- (n) The minimum number of horizontal bike parking spaces shall be 19 horizontal spaces;
- (o) The minimum number of required long-term larger horizontal bike spaces shall be zero;
- (p) The minimum number of required long-term bike lockers shall be 19 spaces with no electrical outlets;
- (q) The minimum number of required long-term bike spaces provided with access to a standard electrical outlet shall be zero;
- (r) The amenity area requirement can include at-grade landscaped area where the length exceeds four times the width;

- (s) A minimum 2-metre-wide planting strip shall be provided along the northern and eastern interior lot lines;
 - (t) The mechanical and service equipment penthouse may be located 2 metres from the roof edge at the southeastern corner on Drayton Avenue; and
 - (u) Projecting balconies are permitted to occupy a maximum of 59% of the horizontal length of each face of the main wall of each storey.
2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk






Bryan Paterson
Mayor

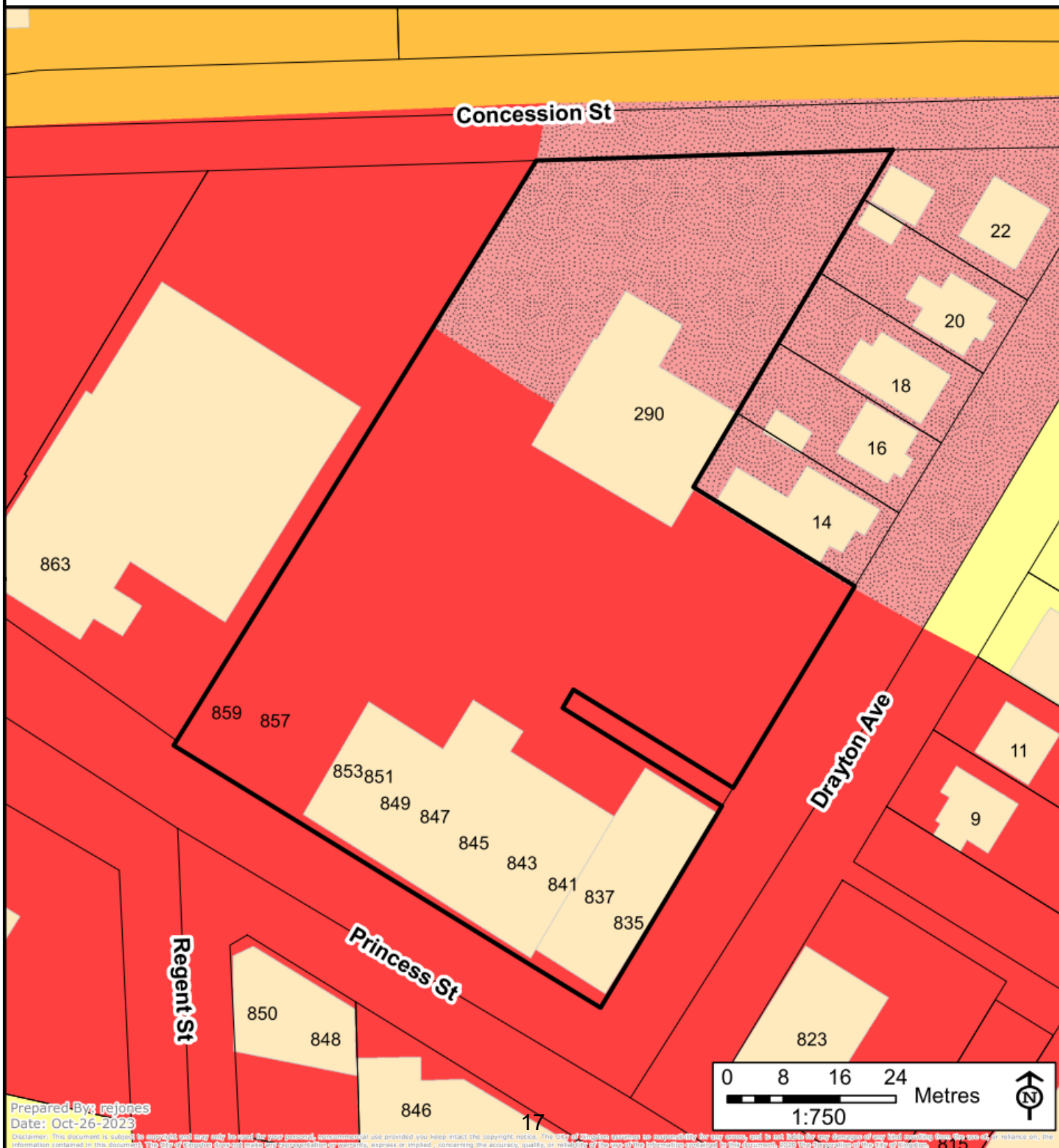


Planning Services

Planning Committee Official Plan, Existing Land Use

Address: 835-859 Princess Street &
290 Concession Street
File Number: D14-016-2020

-  Subject Lands
-  ARTERIAL COMMERCIAL
-  DISTRICT COMMERCIAL
-  MAIN STREET COMMERCIAL
-  RESIDENTIAL



Prepared By: rejones
Date: Oct-26-2023

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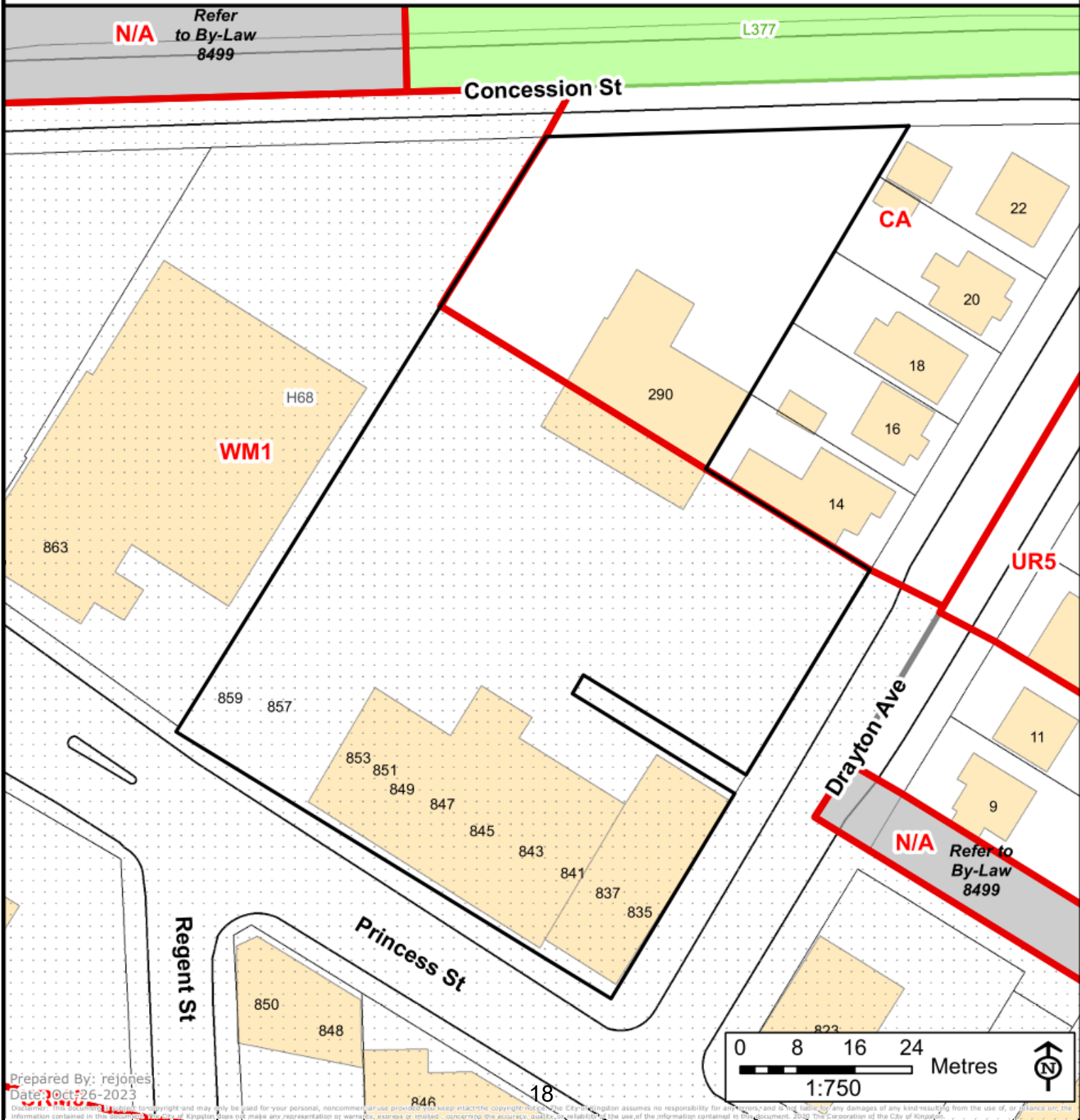


Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

Planning Services

Address: 835-859 Princess Street & 290 Concession Street
File Number: D14-016-2020

- Subject Lands
- Schedule 1 Zoning Map Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay
- Holding Overlay (HXXX)








Planning Services

Planning Committee Neighbourhood Context (2023)

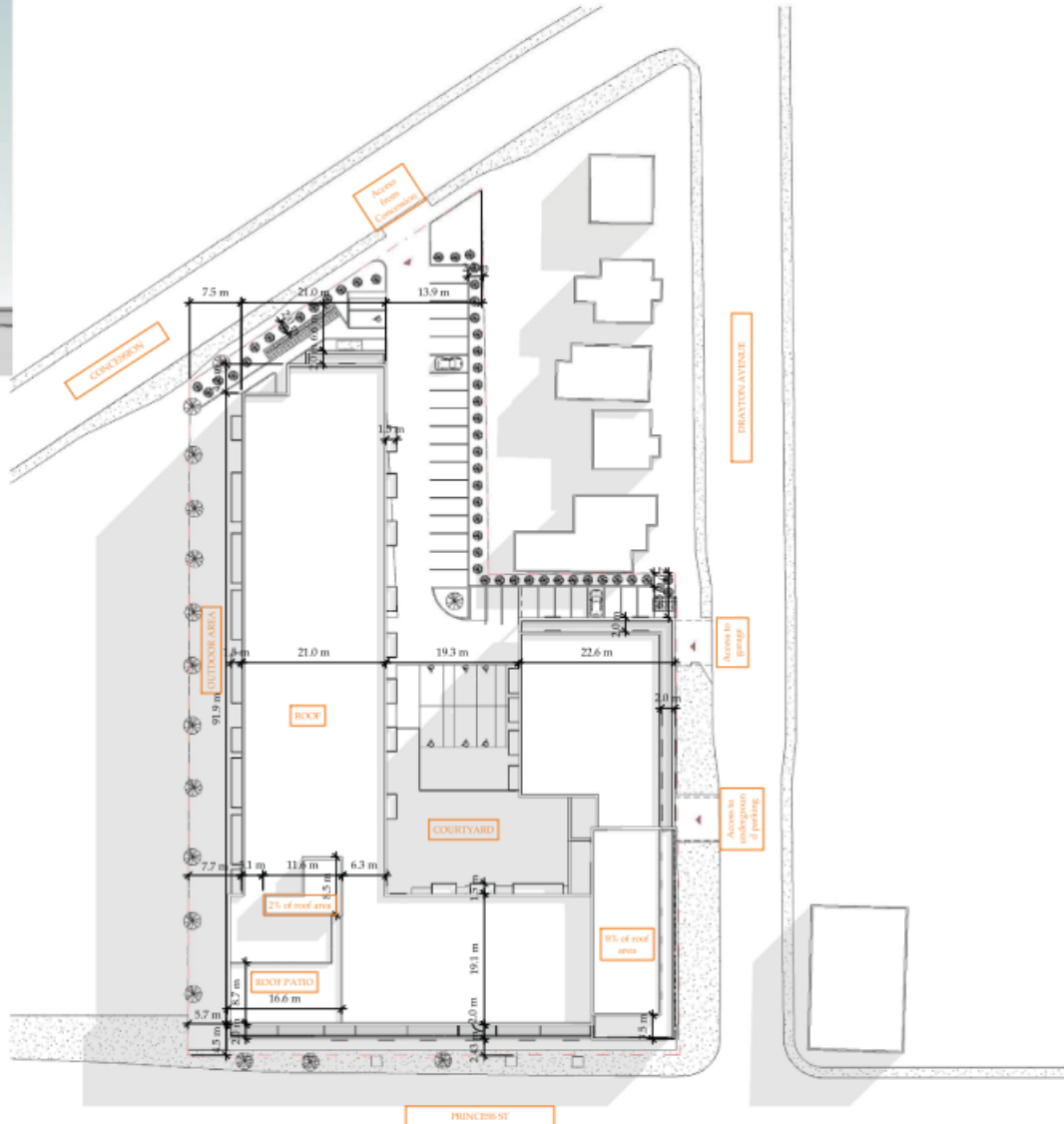
Address: 835-859 Princess Street & 290
Concession Street
File Number: D14-016-2020

-  Subject Lands
-  Property Boundaries
-  Proposed Parcels



Prepared By: rejonas
Date: Oct-26-2023

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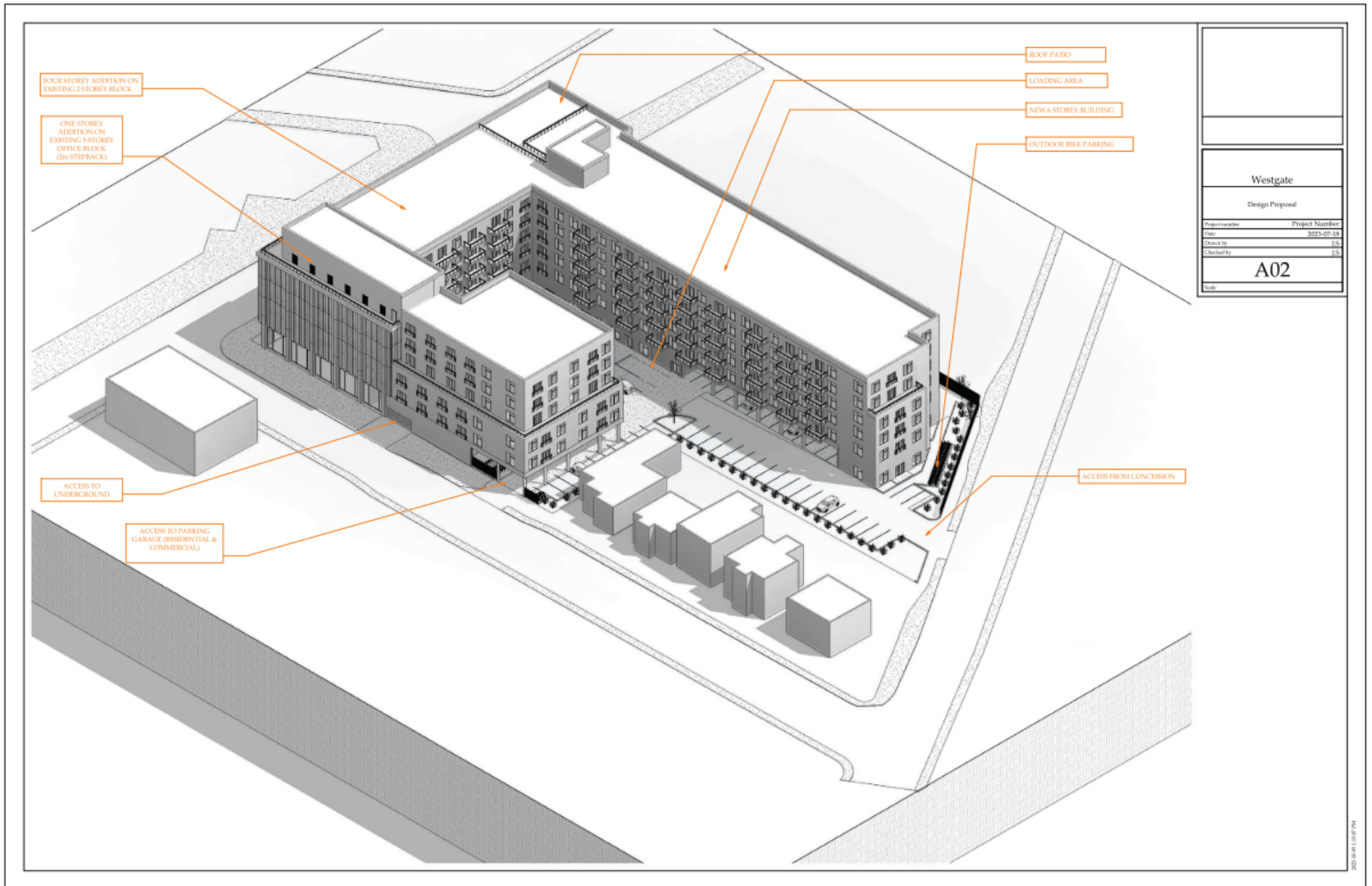
280 UNITS APARTMENT BLOCK

- Lot Area = 73,102 sf (6791m²)
- Lot Coverage = 43.5%
- Landscape Area = 18505.8 sf (1436m²) (25.3%)
- Building GFA = 226,010.8 sf (20997m²)
- Building Footprint = 31,778 sf (2952.m²)
- Total Residential Units = 280
- Commercial GFA = 5,746 sf (533m²)
- Indoor Amenity = 8,528 sf (792.2m²)
- Outdoor Amenity = 10,151.5 sf (943.1m²)
- Roof top Amenity = 1,614.6 sf (150m²)
- Balcony area = 10382.5 sf (964.5m²)
- Private terrace area = 2206 sf (204.9m²)
- Total Amenity = 32,882.6 sf (3054.9m²)

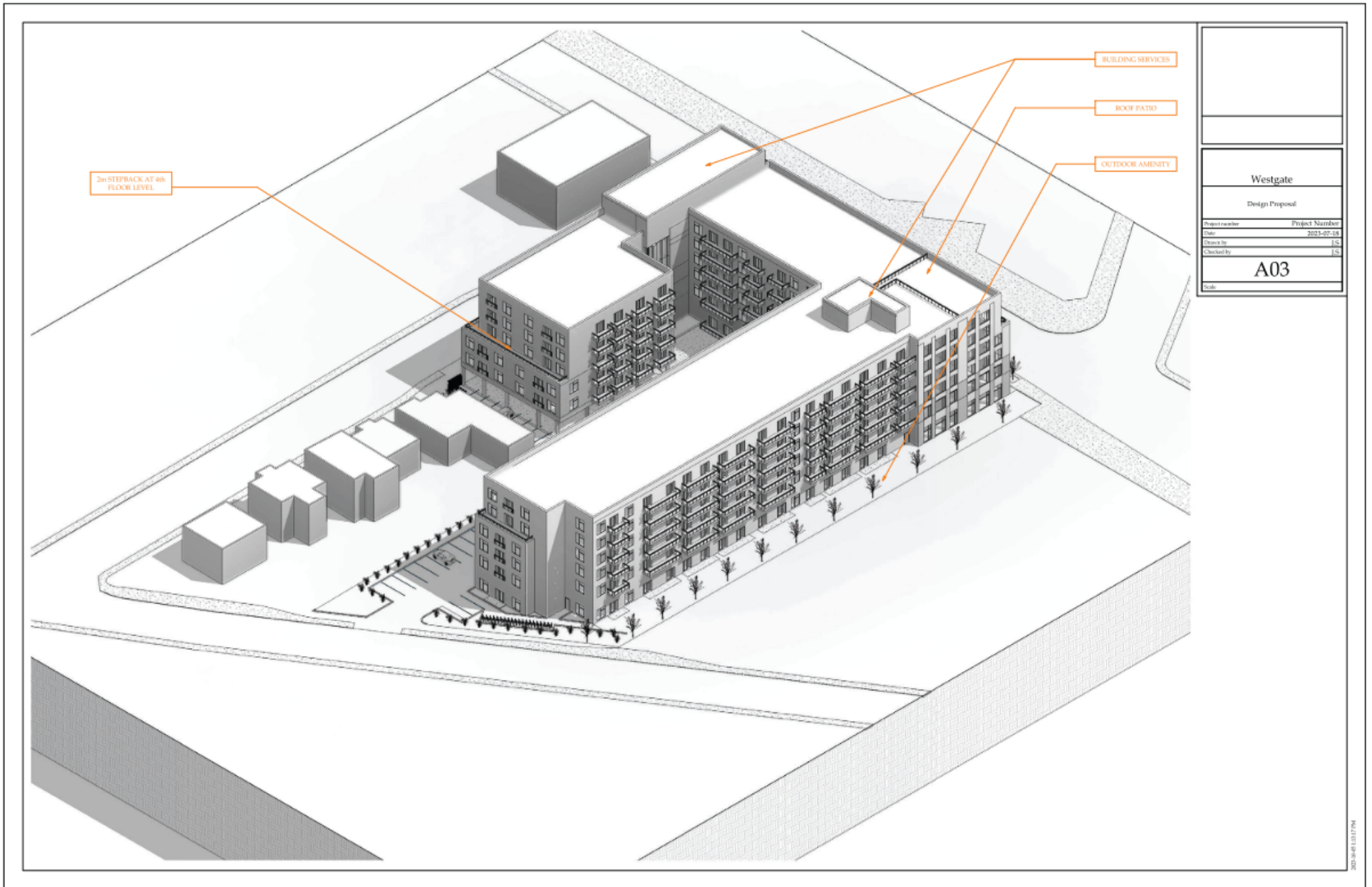
PARKING

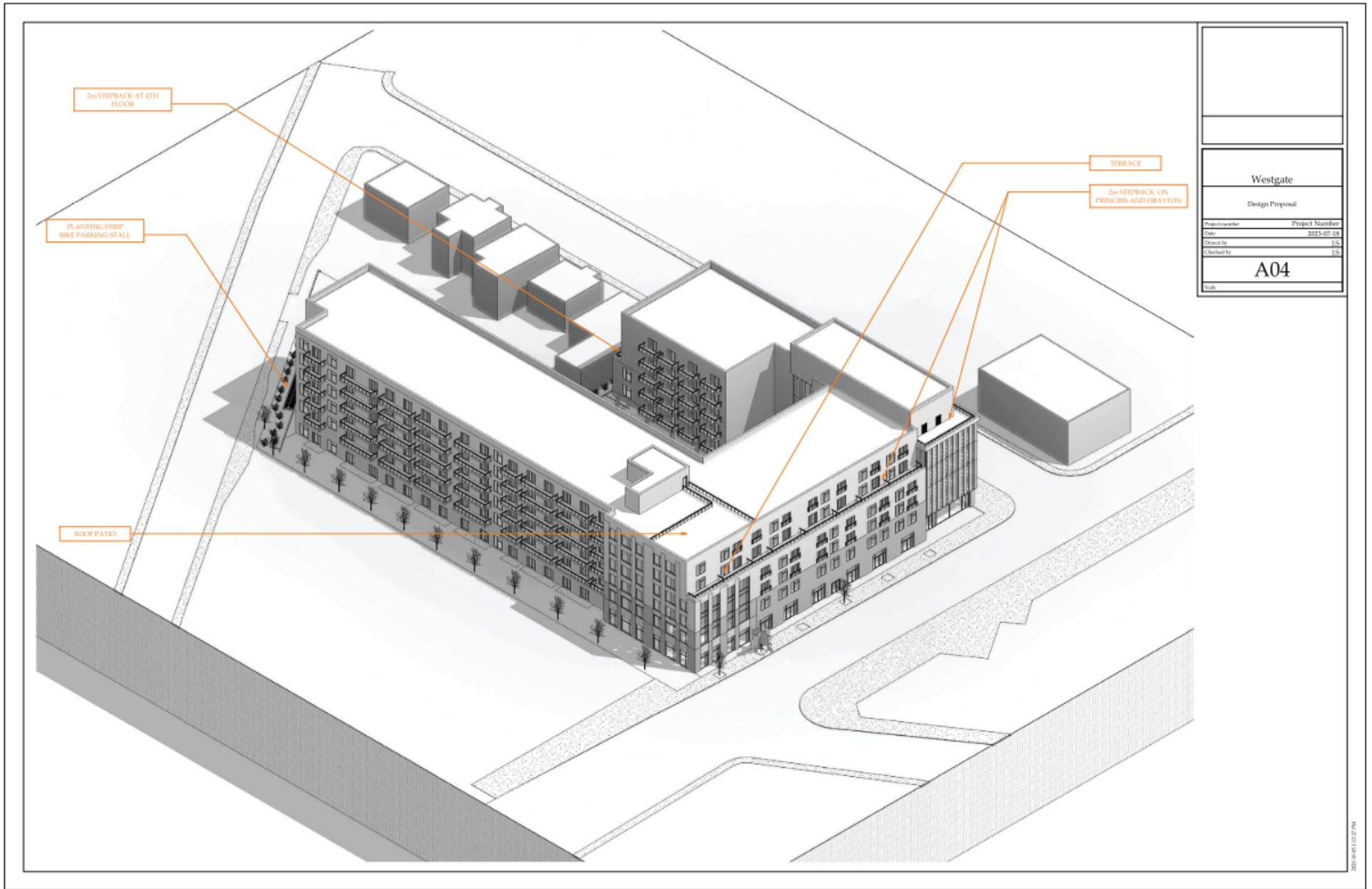
- Surface parking = 58
- Underground parking = 92
- Total parking = 150
- Standard parking = 2.6m x 5.5m
- Small parking = 2.4m x 4.8m (7.3%)
- Accessible parking = 4.1 x 6m (6.6%)
- Standard bike parking = 177
- Secure bike Storage = 19
- Total bike parking = 196

Westgate	
Design Proposal	
Project Number	Project Number
Date	2023-07-24
Drawn by	JLS
Checked by	JLS
A01	
Scale	1:300



Westgate	
Design Proposal	
Project Number	Project Number
Date	2023-07-24
Drawn By	J.S.
Checked By	T.S.
A02	
Title	



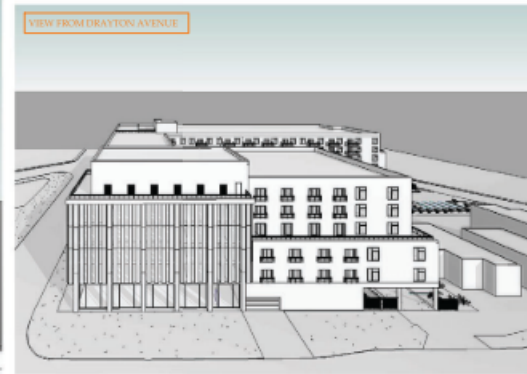




VIEW FROM CONCESSION STREET



VIEW FROM PRINCESS/ DRAYTON AVENUE



VIEW FROM DRAYTON AVENUE



CONCESSION STREET SIDEVIEW

Westgate	
Design Proposal	
Project Number	Project Number
Date	2023-07-14
Drawn By	JLS
Checked By	JLS
A05	
Title	

Westgate	
Elevation	
Project number	Project Number
Date	2023-07-14
Drawn by	LS
Checked by	LS
A06	
Scale	1" = 10'-0"

VIEW FROM PRINCESS STREET



2023-06-07 1:33:44 PM

Westgate	
Elevation	
Project number	Project Number
Date	2023-07-14
Drawn by	LS
Checked by	LS
A07	
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VIEW FROM DRAYTON



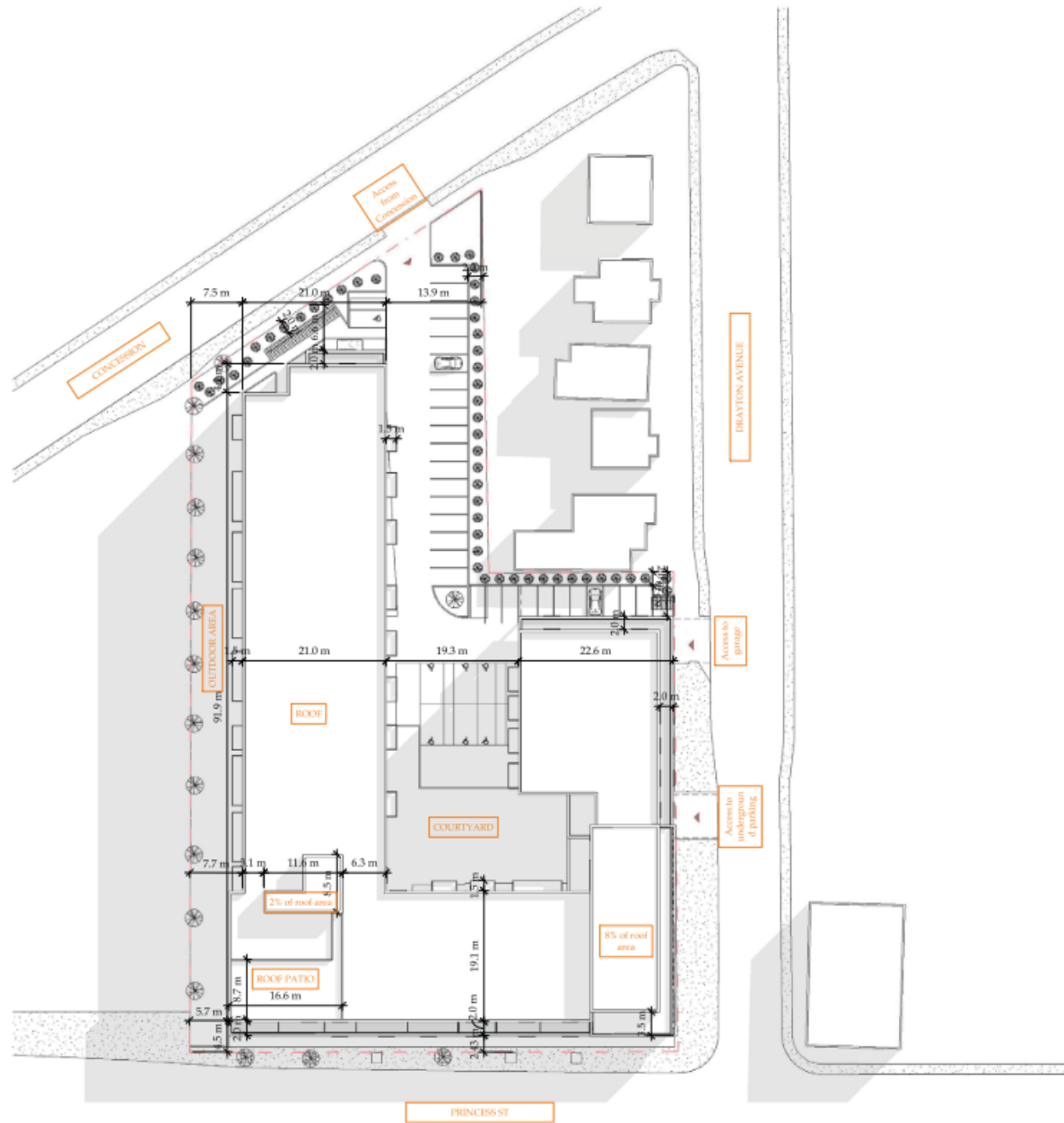
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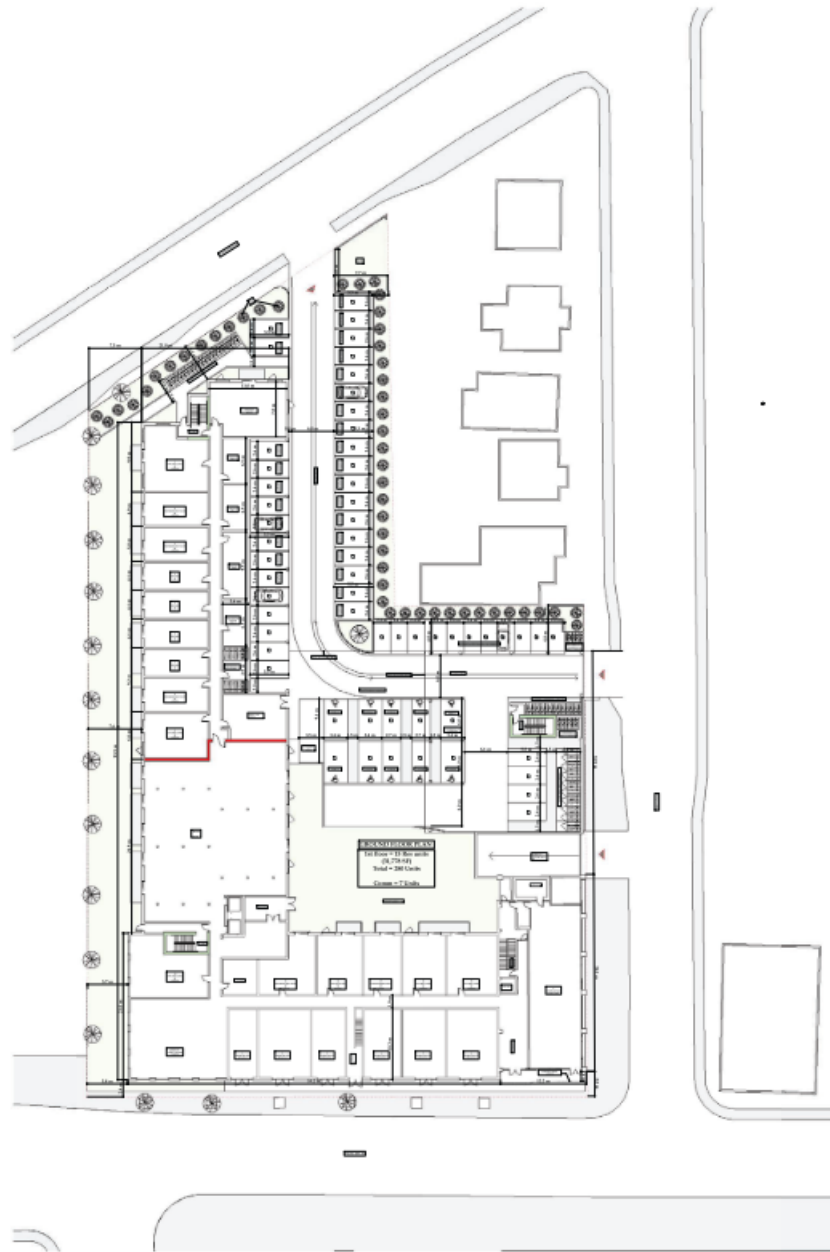
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Elevation	
Project Number	Project Number
Date	2023-07-24
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Checked by	J.S.
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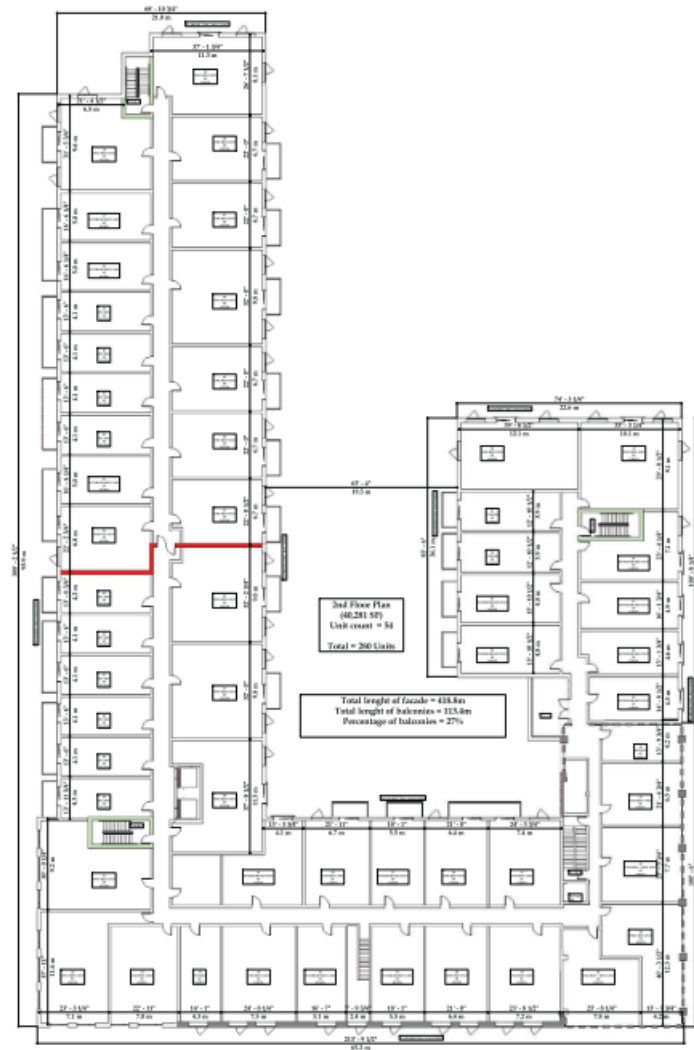
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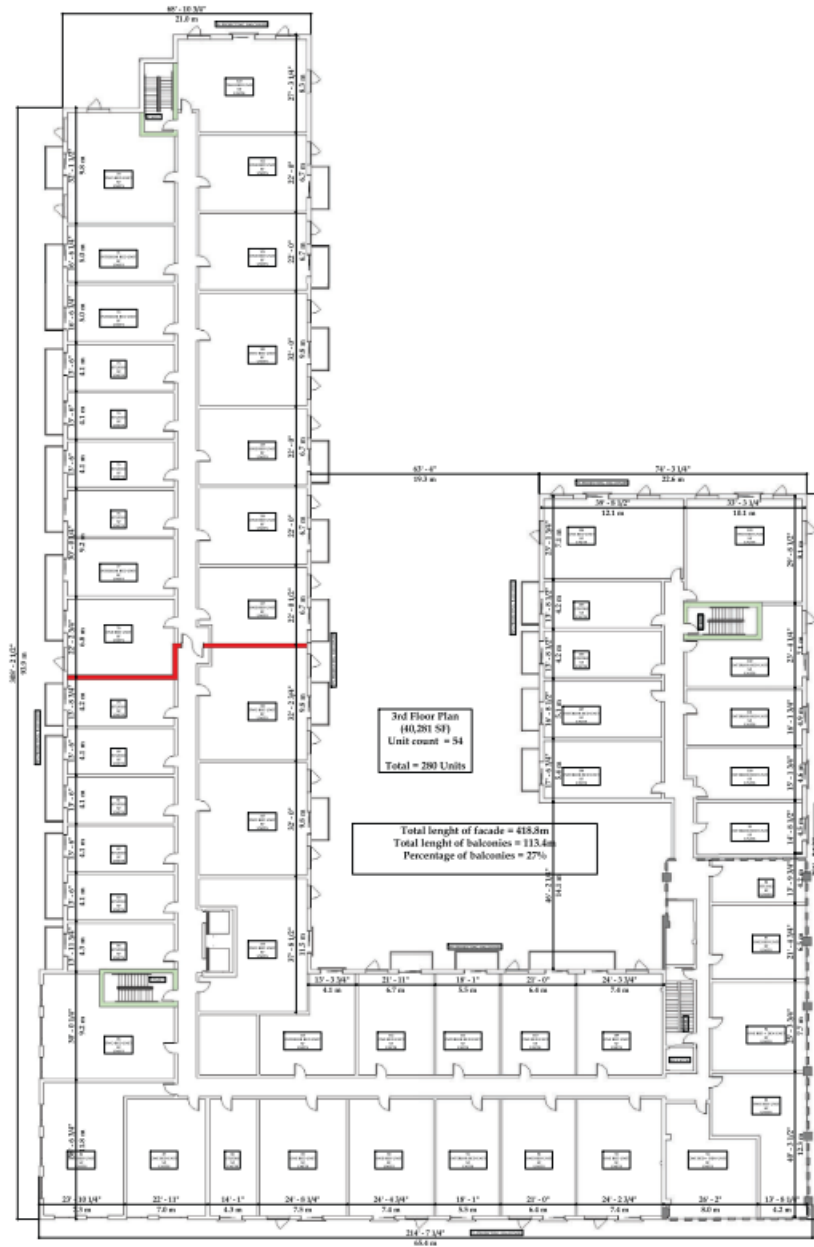


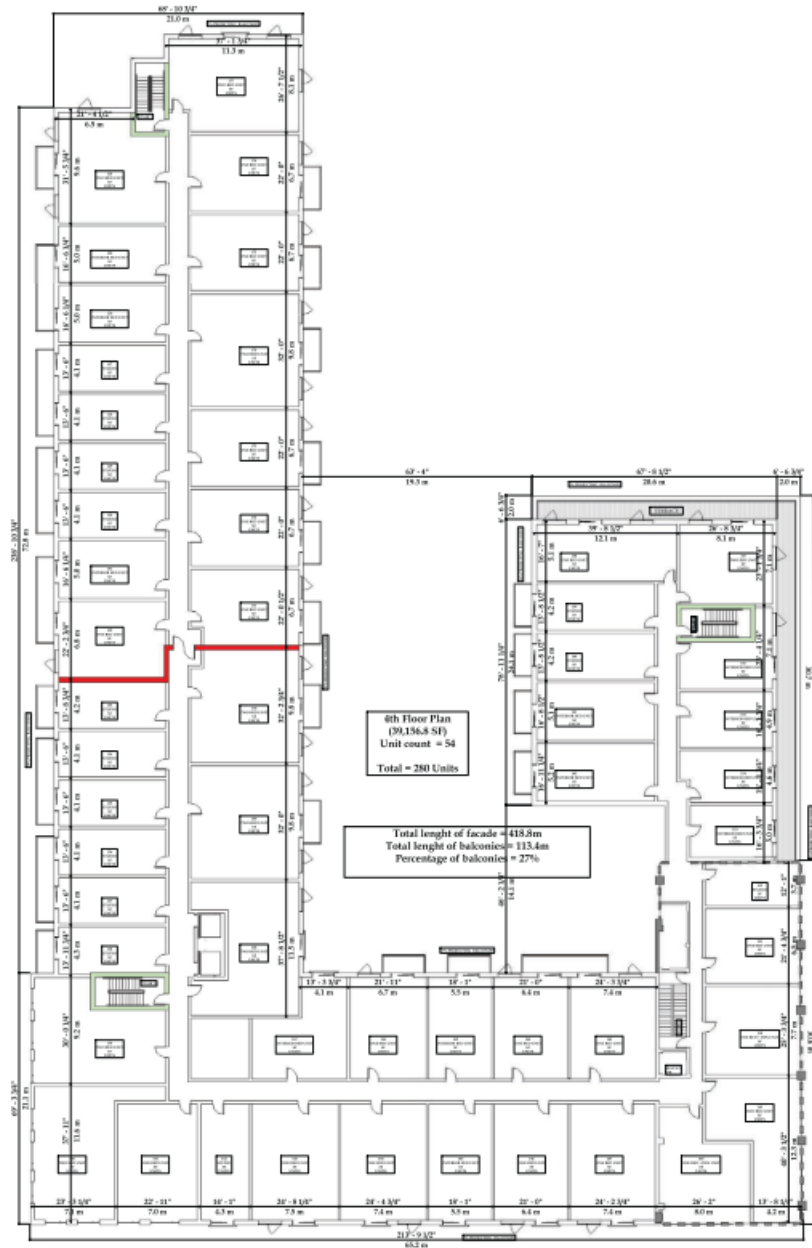
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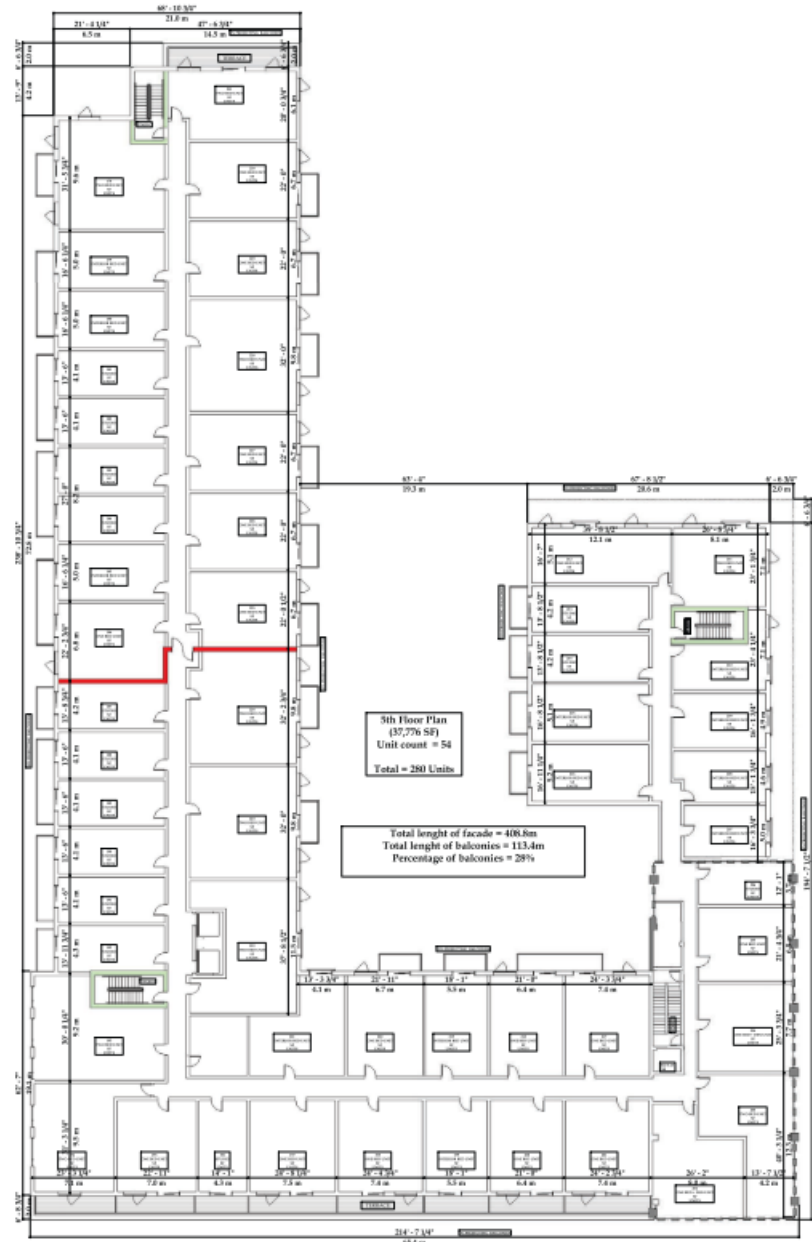


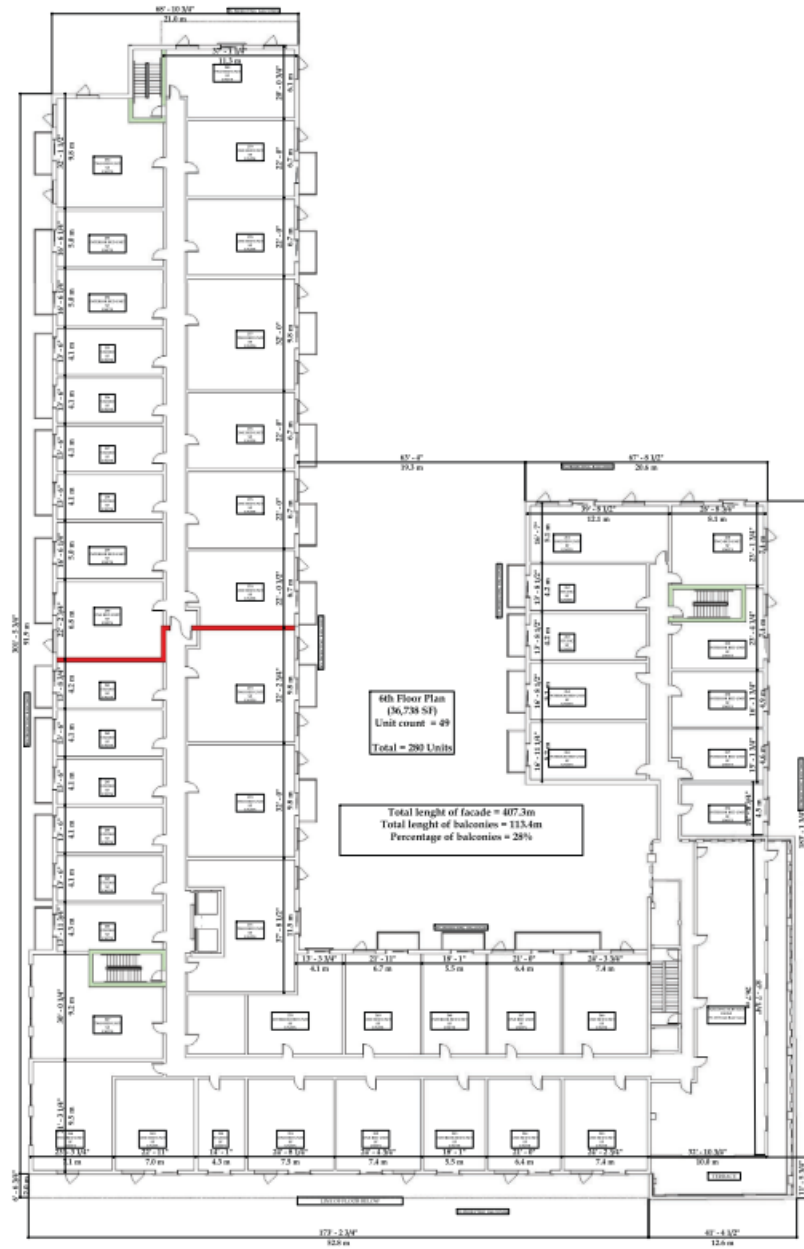


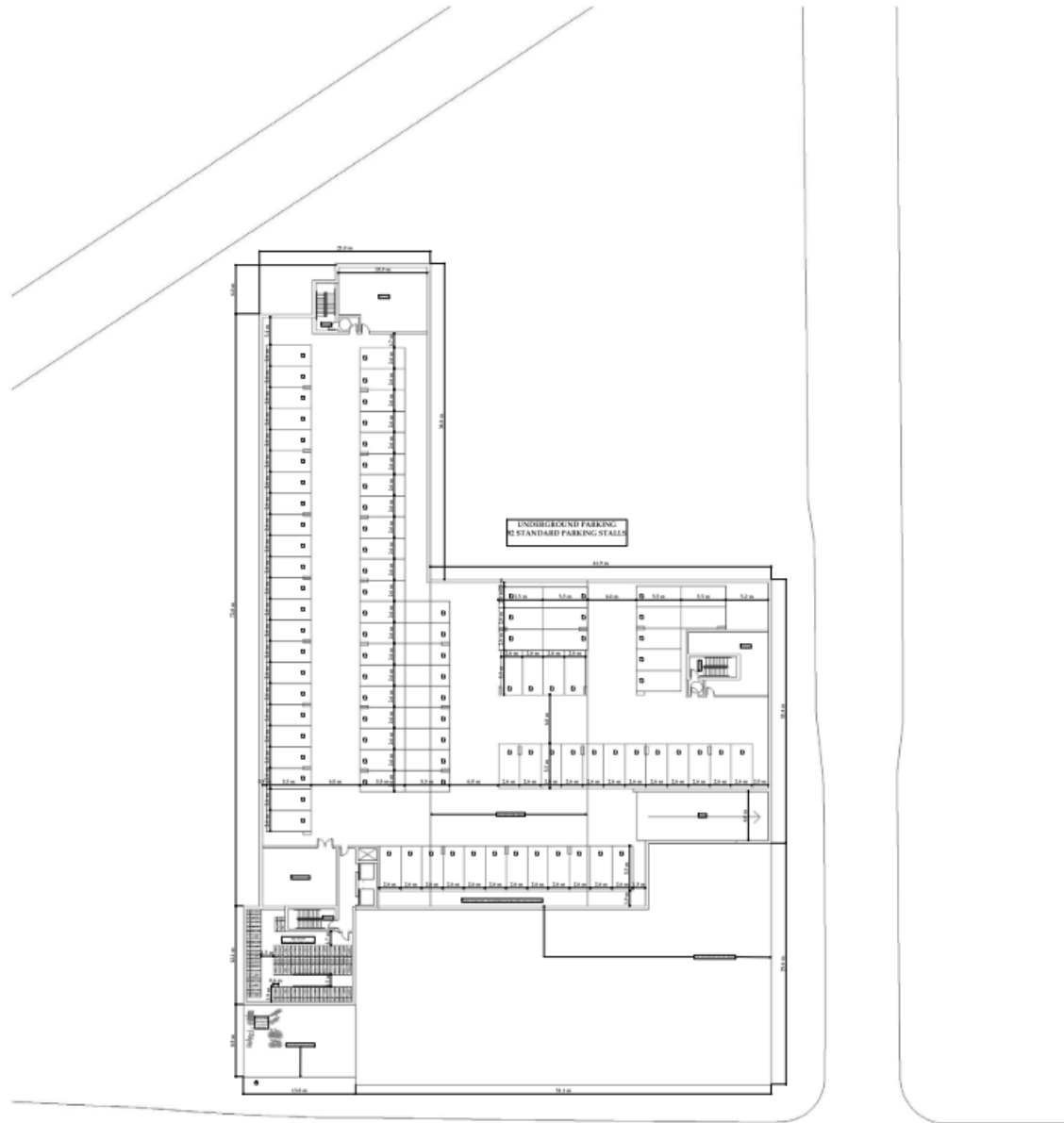










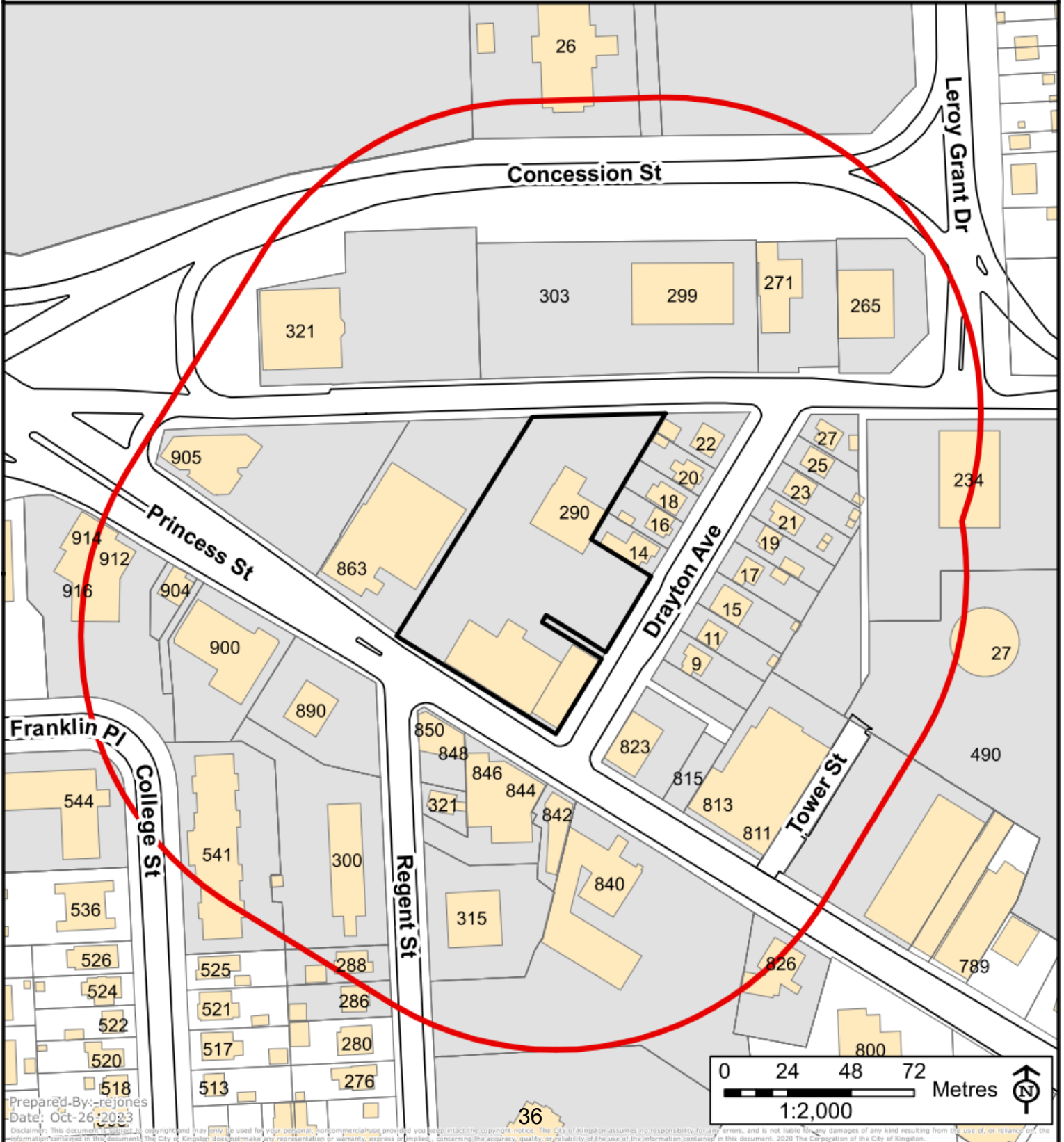




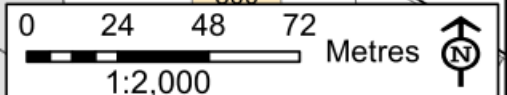
Planning Committee Public Notice Notification Map

Address: 835-859 Princess Street &
290 Concession Street
File Number: D14-016-2020

- 120m Public Notification Boundary
- Subject Lands
- Property Boundaries
- 54 Properties in Receipt of Notice (MPAC)



Prepared By: rejoncs
Date: Oct-26-2023



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**City of Kingston
Report to Planning Committee
Report Number PC-23-044**

To: Chair and Members of the Planning Committee
From: Paige Agnew, Commissioner, Growth & Development Services
Resource Staff: Tim Park, Director, Planning Services
Date of Meeting: November 16, 2023
Subject: Recommendation Report
File Number: D14-006-2023
Address: 214 Concession Street
District: District 9 - Williamsville
Application Type: Zoning By-Law Amendment
Owner: Rusty Land Holdings Ltd
Applicant: Fotenn – Alex Cleave

Council Strategic Plan Alignment:

Theme: 5. Drive Inclusive Economic Growth

Goal: 5.3 Diversify Kingston's economic base.

Executive Summary:

The following is a recommendation report recommending approval to the Planning Committee regarding an application for a zoning by-law amendment submitted by Fotenn – Alex Cleave, on behalf of Rusty Land Holdings Ltd, with respect to the subject site located at 214 Concession Street.

The proposed zoning by-law amendment would rezone the site to the Neighbourhood Commercial (CN) zone under Zoning By-Law Number 2022-62 to permit an office use in within the existing building. The existing residential unit on the second floor is to remain and no changes to the

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exterior of the building are proposed through this application aside from the establishment of 4 bicycle parking spaces.

The recommended by-law includes a Holding Overlay which relates to servicing and site plan control requirements. Through technical review of the application Utilities Kingston has identified that new commercial uses introduced with the CN zone may require a MISA manhole be provided. All new uses, excluding the proposed office, will be subject to a hold to address this requirement through a site plan application. The proposed office will not require the manhole.

The site has been functioning as a mixed-use commercial and residential space for some time, it was converted into a community hall use in 2012 including children's occupational therapy and various room rentals. Prior to this the space was functioning as a church. The re-zoning to CN is not anticipated to have any compatibility issues and conforms with the criteria for neighbourhood commercial development outlined in the City of Kingston Official Plan and represents good land use planning.

Recommendation:

That the Planning Committee recommends to Council:

That the application for a zoning by-law amendment (File Number D14-006-2023) submitted by Fotenn – Alex Cleave, on behalf of Rusty Land Holdings Ltd, for the property municipally known as 214 Concession Street, be approved ; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-23-044; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

Statutory Public Meeting

This recommendation report forms the basis of a statutory public meeting at Planning Committee. Anyone who attends the statutory public meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before City Council makes a decision on the application.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Kingston before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Planning Committee will consider the recommendations in this report and make its recommendation to City Council at this meeting.

Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Lindsay Sthamann, Intermediate Planner
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3287
lsthmann@cityofkingston.ca

Background and Decision Date

In accordance with By-Law Number 2007-43, this application was subject to a pre-application meeting held on February 28, 2023, with Planning Services and various other departments and agencies. Following this, a complete application submission was made by the applicant on June 28, 2023.

In accordance with the *Planning Act*, this application is subject to a decision by Council on or before September 26, 2023, which is 90 days after a complete application was received. In the absence of a decision by Council in this timeframe, the applicant may exercise their right to appeal to the Ontario Land Tribunal (OLT).

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Site Characteristics

The subject property is municipally addressed as 214 Concession Street and is approximately 379 square metres with 12 metres of frontage on Concession Street (Exhibit B – Key Map).

The site is currently developed with a building encompassing the majority of the lot frontage. The lower levels of the building are vacant, formerly used as a children's occupational therapy clinic and community hall and the top floor of the building contains an existing 3-bedroom residential unit. The driveway is to the west of the building, extending between the building and the west property line. The driveway also extends to the rear of the building and leads to one parking space in the rear yard. The building has an existing commercial entrance on the ground floor from Concession Street. The residential unit is on the second floor of the building and is accessed from the rear of the building via an exterior staircase. There is a balcony serving the residential unit that projects into the rear yard. The space to the rear of the building provides landscaped amenity area.

Concession Street is designated as an Arterial Road. The lands east and west of the site are a mix of residential and commercial development along Concession Street as well as open space at the Memorial Centre (Exhibit C – Neighbourhood Context). Existing commercial uses in the area include a convenience store, automotive repair shop, and restaurant, while residential uses are a mix of single-detached dwellings, townhouses, and low-rise apartment buildings. North of the street is mostly residential development. Immediately south of the site is a former community centre that has been converted to a nightly drop-in. Further south are residential uses, with a commercial corridor along Princess Street which is a 344-metre walk south from the site along MacDonnell Street. The site is well served by Kingston Transit, as there are bus stops for numerous bus routes in the vicinity.

Proposed Application and Submission

The applicant is proposing to convert the ground floor and basement of the existing building into a law office. The existing residential unit on the 2nd floor is to remain. No exterior changes to the site are proposed aside from the addition of 4 required bike parking spaces. The one existing parking space is to remain and continue to serve the existing residential unit (Exhibit H – Concept Plan).

To facilitate the introduction of the office use the applicant has proposed to rezone the property from Urban Residential Zone 5 (UR5) to Neighbourhood Commercial Zone (CN). No site-specific relief is sought under this amendment, the proposal complies with the provisions of the CN zone.

The application also proposes to establish a Holding Overlay to ensure that the additional permitted uses in the CN zone would go through a Site Plan application prior to development. The only new use proposed to be permitted without the need to lift the holding symbol is the office use.

In support of the application, the applicant has submitted the following:

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- Concept Plan (Exhibit H)
- Floor Plans
- Serviceability Brief & Servicing Plan
- Survey
- Gas Load Summary
- Sewer Discharge Form
- Owner's Authorization
- Planning Justification Letter
- Parking Assessment

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using "Look-up a Specific Address". If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

Provincial Policy Statement

The Provincial Policy Statement (2020) provides policy direction on matters of provincial interest related to land use planning and development, which are intended to be complemented by local policies addressing local interests.

The lands are located within a settlement area as defined by the Provincial Policy Statement. These areas are to be the focus of growth, developed with a mix and range of land uses. Through their submission materials, the applicant has demonstrated that the development builds a strong healthy community, is a wise use and management of resources, and protects public health and safety. The proposed development will enable the redevelopment of an underutilized commercial building and retention of the residential unit. The proposed Neighbourhood Commercial zoning will allow for a wide range of uses. It will promote economic development by providing opportunities for a diversified economic base, including maintaining a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. The proposal is compact, mixed-use development that incorporates compatible employment opportunities to support liveable and resilient communities.

A detailed review of the applicable policies is attached in Exhibit D - Consistency with the Provincial Policy Statement.

Official Plan Considerations

The subject property is designated Residential in the Official Plan according to Schedule 3 (Exhibit E – Official Plan Land Use). Adjacent to and nearby lands are designated both Residential and Arterial Commercial. Small-scale convenience commercial uses are permitted within the Residential designation and rezoning to Neighbourhood Commercial does not require an Official Plan amendment. The CN zone is intended to be located within the Residential designation.

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The planned function of the neighbourhood commercial land use is to provide convenience goods and services that are generally within walking distance of the market being served in the immediate residential neighbourhood. These uses are permitted within Residential designated areas and are not designated on Schedule 3 of the Official Plan. Neighbourhood commercial uses are typically small plazas or freestanding establishments. In older areas of the City, neighbourhood commercial uses are also found in mixed-use buildings containing one or more residential units above the commercial floor space.

The site has been functioning as a mixed-use commercial and residential space for some time as a community centre, children’s occupational therapy clinic, and residential use. The re-zoning to CN is not anticipated to have any compatibility issues and conforms with the criteria for neighbourhood commercial development of the Official Plan.

A detailed review of the applicable policies is attached in Exhibit F - Conformity with the Official Plan.

Zoning By-Law Discussion

The site is subject to the Kingston Zoning By-Law Number 2022-62 and is zoned UR5 - Urban Residential 5. The UR5 zone permits residential uses including a single-detached house and a duplex, as well as a range of complementary community uses including community centre, elementary school, library, museum, place of worship, and secondary school. The proposed use of the site as an office with single dwelling unit in a mixed-use building is not currently permitted.

A zoning by-law amendment is required to permit the proposed office use. The applicant is proposing to change the zone from UR5 to CN. The CN zone permits an office and other low intensity commercial uses that are anticipated to be compatible with surrounding residential uses and are permitted in the Residential designation of the Official Plan. For this proposal an exception overlay with site specific provisions is not required. A comparison of the permitted uses in the current UR5 zone and the proposed CN zone is in the following table.

Table 1 – UR5 and CN Zone Permitted Uses

UR5 Permitted Uses (existing zone)	CN Permitted Uses (proposed zone)
	Dwelling unit in a mixed use building
Duplex	
Single-Detached House	
Community Centre	Community Centre
	Day Care Centre (accessory only)
Elementary School	
	Financial Institution
	Fitness Centre
	Grocery Store
	Laundry Store

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Library	Library
Museum	Museum
	Office
	Personal Service Shop
Place of Worship	Place of Worship
	Restaurant
	Retail Store
Secondary School	
	Wellness Clinic

The applicant is proposing to apply a Holding Symbol to the subject property to address servicing concerns from Utilities Kingston. All uses permitted within the CN zone (identified in the above table), aside from the office and dwelling unit, will be subject to a Hold Removal. In order to lift the Holding Symbol a site plan application will be required. Site plan will allow further input from Utilities Kingston, including the requirement for a MISA manhole, as well as more detailed Planning review of any changes to the building or site layout. The office proposed with this application will not be subject to the holding symbol.

The proposed zoning by-law amendment, as submitted by the applicant, is included as Exhibit A.

Other Applications

There are no other Planning applications associated with this proposal. A Building Permit will be required for the conversion to office space.

Technical Analysis

This application has been circulated to external agencies and internal departments for review and comment. All comments on the proposal have been addressed and no outstanding issues with this application remain at this time.

Public Comments

At the time of finalization of this report no public comments have been received.

Effect of Public Input on Draft By-Law

At the time of finalization of this report no public comments have been received.

Conclusion

Planning Services staff recommend approval of the proposed zoning by-law amendment at 214 Concession Street. The proposed development would allow for an office use in the basement and ground floor of the existing building while retaining the dwelling unit on the second floor. The proposal for neighbourhood commercial uses on the site meet the criteria for small scale

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commercial in the Official Plan. The holding symbol will be used to confirm that any future proposed uses permitted in the new CN zone can be fully reviewed through a site plan control application. The proposed development is consistent with the Provincial Policy Statement, conforms to the City of Kingston Official Plan, and represents good land use planning.

Existing Policy/By-Law:

The proposed amendment was reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes would be consistent with the Province’s and the City’s vision of development. The following documents were assessed:

Provincial

Planning Act

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Zoning By-Law Number 2022-62

Notice Provisions:

Pursuant to the requirements of the *Planning Act*, notice of the statutory public meeting was provided 20 days in advance of the public meeting in the form of a sign posted on the subject property and by mail to 140 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. In addition, a courtesy notice placed in The Kingston Whig-Standard on November 7, 2023.

If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

At the time of writing of this report, 0 pieces of written public correspondence have been received and all planning related matters have been addressed within the body of this report. Any public correspondence received after the publishing of this report will be included as an addendum to the Planning Committee agenda.

Accessibility Considerations:

None

Financial Considerations:

None

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Contacts:

James Bar, Manager, Development Approvals, 613-546-4291 extension 3213

Lindsay Sthamann, Intermediate Planner, 613-546-4291 extension 3287

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Draft By-Law, Schedule A, and Schedule B to Amend Zoning By-Law Number 2022-62
- Exhibit B Key Map
- Exhibit C Neighbourhood Context
- Exhibit D Consistency with the Provincial Policy Statement
- Exhibit E Official Plan, Land Use Map
- Exhibit F Conformity with the Official Plan
- Exhibit G Zoning By-Law Number 2022-62 Map
- Exhibit H Proposed Site Plan
- Exhibit I Site Photographs
- Exhibit J Public Notice Notification Map

By-Law Number 2023-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Zone Change from ‘UR5’ to ‘CN’ Zone and Addition of Holding Overlay H229 (214 Concession Street))

Passed:

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 Council of The Corporation of the City of Kingston deems it advisable to amend 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 changing the zone symbol from ‘UR5’ to ‘CN’, as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.2. Schedule F – Holding Overlay is amended by adding Hold Number ‘H229’, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3. By adding the following Hold Number H229 in Section 22 – Holding Conditions, as follows:

“H229. Prior to the removal of the Holding Overlay the following conditions must be addressed to the satisfaction of the City:

- (a) The following uses will require execution and registration of a site plan control agreement on title:

- **Community Centre;**
- **Creativity Centre;**
- **Day Care Centre;**
- **Financial Institution;**
- **Fitness Centre;**
- **Grocery Store;**

- **Laundry Store;**
- **Library;**
- **Museum;**
- **Personal Service Shop;**
- **Place of Worship;**
- **Restaurant;**
- **Retail Store;** and
- **Wellness Clinic.**

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

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



**Schedule 'A'
to By-Law Number**
Address: 214 Concession St.
File Number: D14-006-2023

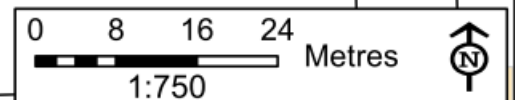
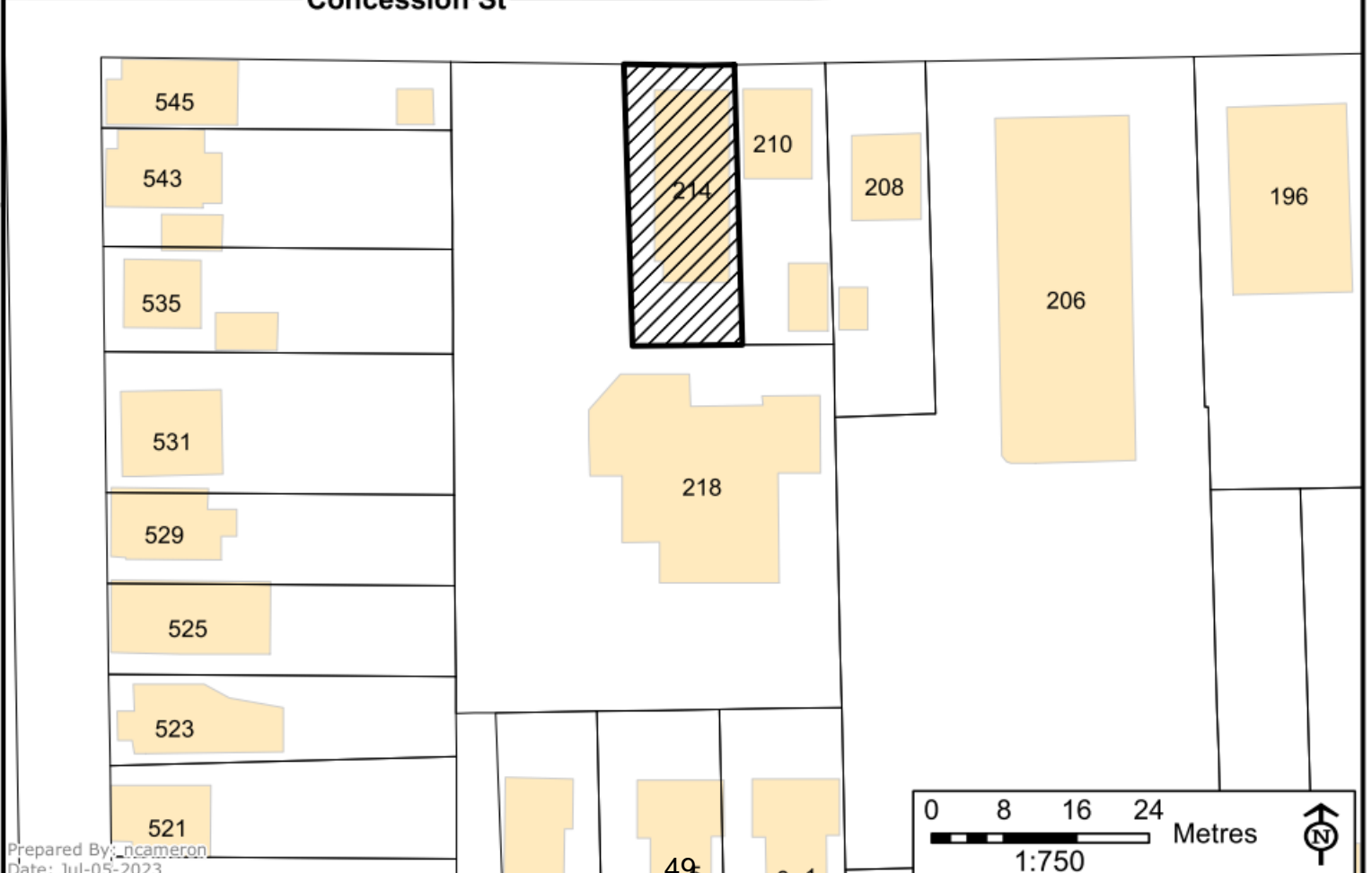
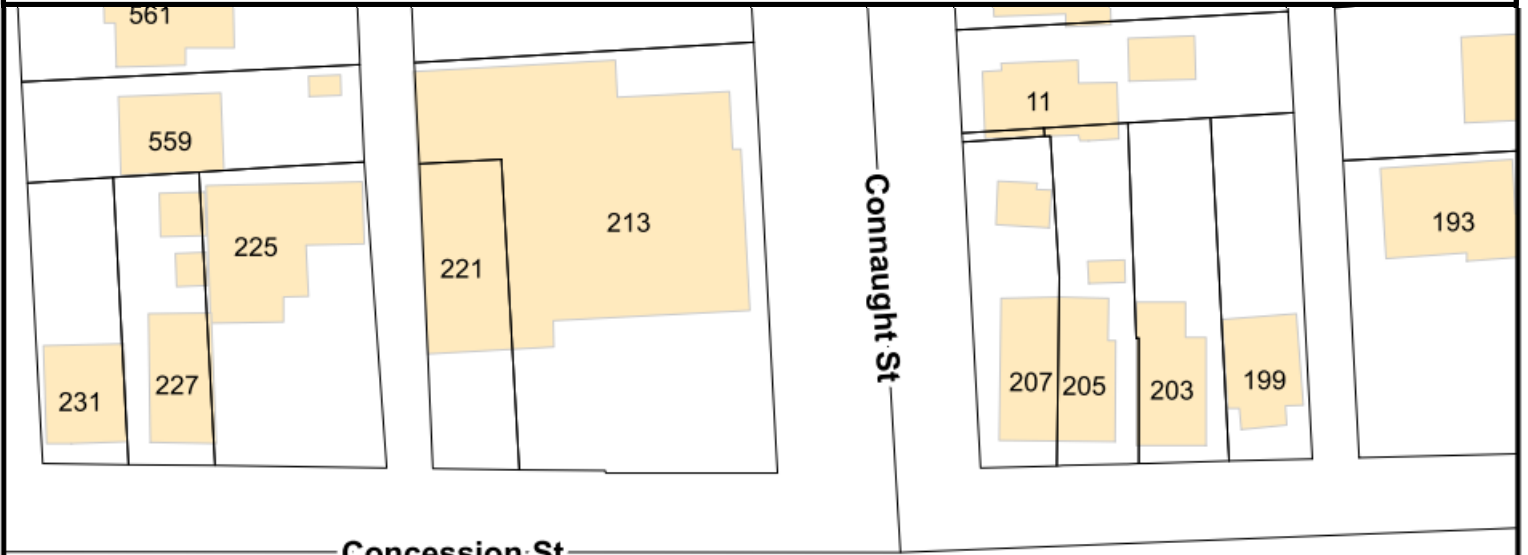
**Kingston Zoning By-Law 2022-62
Schedule 1 - Zoning Map**

Lands to be Zoned CN

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2023.

Mayor Clerk





Planning
Services

Schedule 'B' to By-Law Number

Address: 214 Concession St.
File Number: D14-006-2023

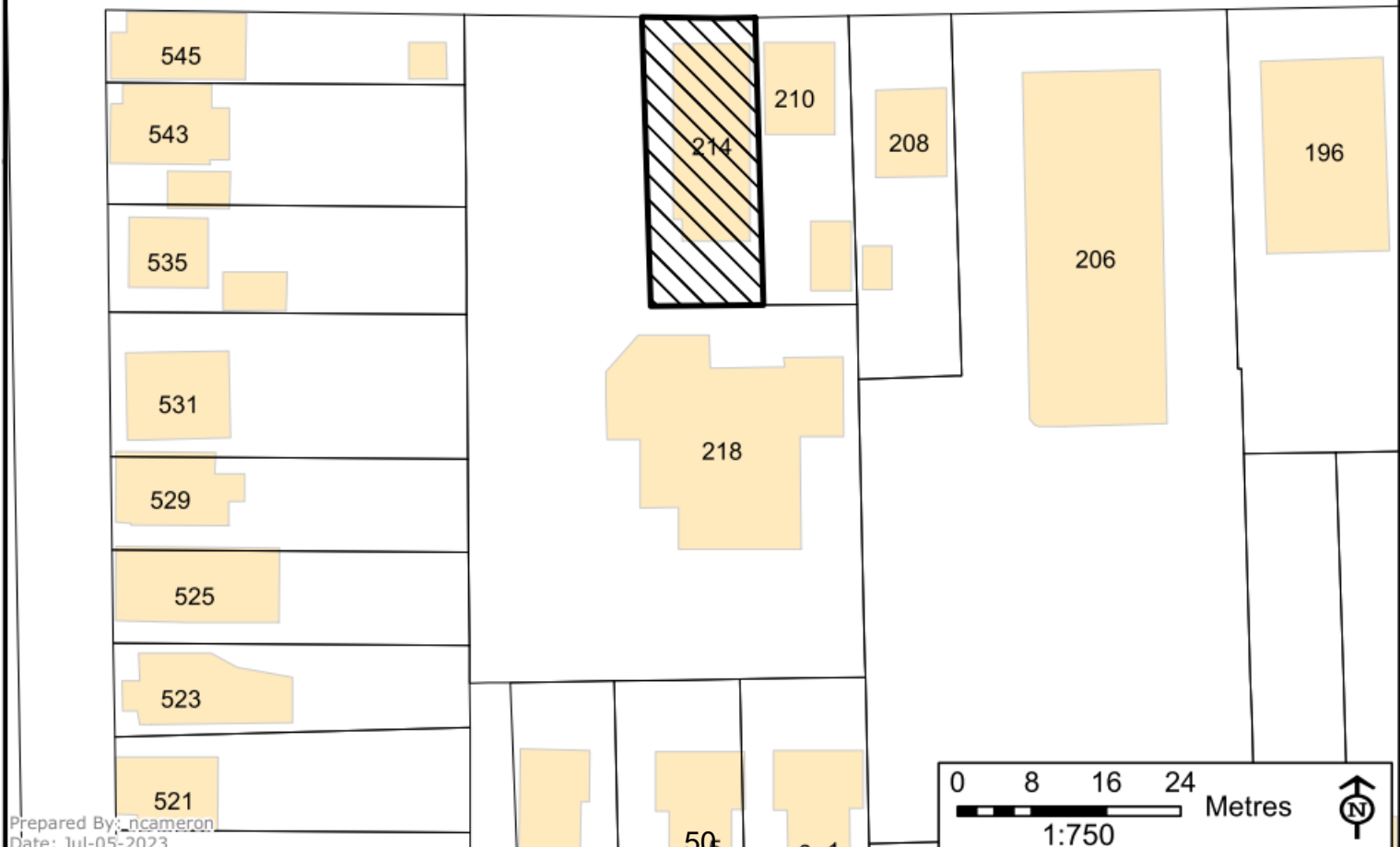
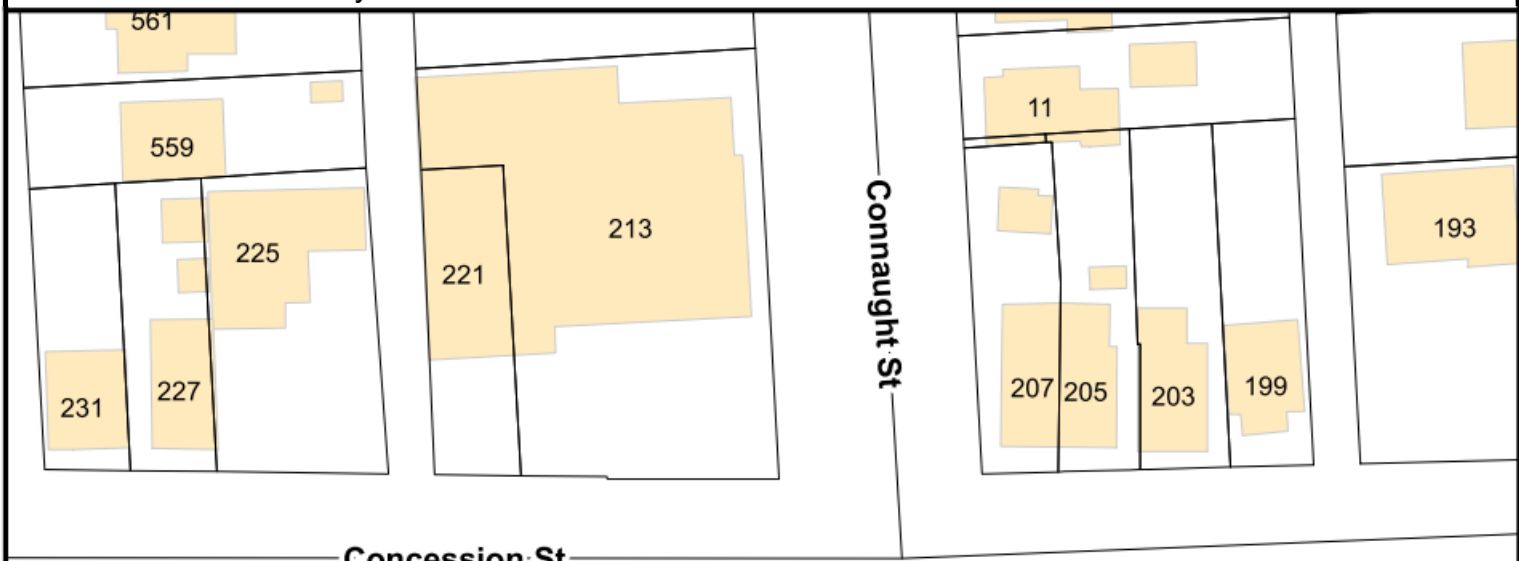
Kingston Zoning By-Law 2022-62 Schedule F - Holding Overlay

 Lands to be added as H229

Certificate of Authentication

This is Schedule 'C' to By-Law Number _____, passed this _____ day of _____ 2023.

Mayor Clerk





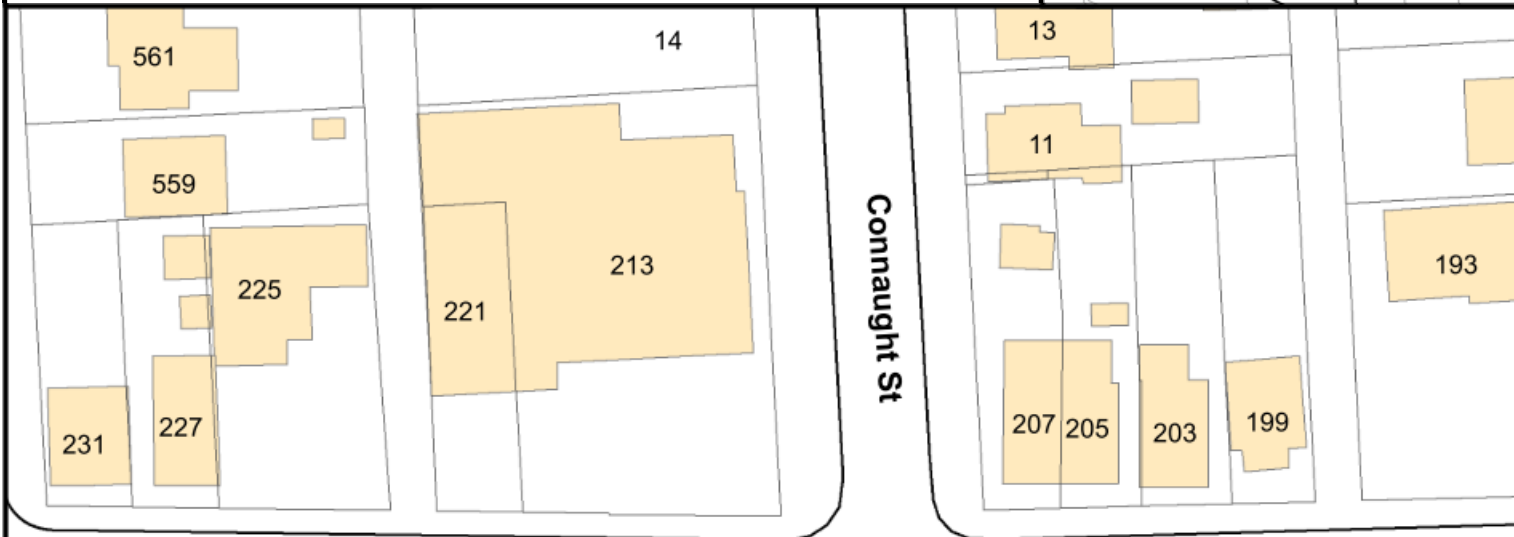
Planning Committee

Key Map

Address: 214 Concession St

File Number: D14-006-2023

 Subject Lands



Concession St





Planning Committee
Neighbourhood Context (2023)

Address: 214 Concession St
File Number: D14-006-2023

- Subject Lands
- Property Boundaries
- Proposed Parcels



Demonstration of How the Proposal is Consistent with the Provincial Policy Statement

Policy Number	Policy	Category	Consistency with the Policy
1.1.1.a	Healthy, livable, and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.	Building Strong Healthy Communities	The proposed development is located on a serviced parcel located within the urban boundary.
1.1.1.b	Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing, and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries, and long-term care comes), recreation, park and open space, and other uses to meet long-term needs.	Building Strong Healthy Communities	The proposed development will contribute to the range of commercial employment available in the city and maintain the existing residential unit on site.
1.1.1.c	Avoiding development and land use patterns which may cause environmental or public health and safety concerns.	Building Strong Healthy Communities	The proposed development is not expected to result in any environmental or public health and safety concerns.

Policy Number	Policy	Category	Consistency with the Policy
1.1.1.d	Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas.	Building Strong Healthy Communities	The proposed development seeks to redevelop an existing site located within the Settlement Area of the City of Kingston and does not restrict the ability to expand the settlement area.
1.1.1.e	Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.	Building Strong Healthy Communities	The proposed development seeks to expand the list of permitted uses on an existing serviced lot located in close proximity to an express transit route.
1.1.1.g	Ensuring the necessary infrastructure and public service facilities are or will be available to meet current and projected needs.	Building Strong Healthy Communities	The subject lands are serviced with existing municipal water and wastewater servicing. Supporting materials have demonstrated that there is sufficient capacity to accommodate the proposed development.

Policy Number	Policy	Category	Consistency with the Policy
1.1.1.i	Preparing for the regional and local impacts of a changing climate.	Building Strong Healthy Communities	The proposed development supports efforts to combat the changing climate regionally and locally by developing in a compact form, resulting in less land consumption when compared to lower density built form. Furthermore, the site is located in close proximity to express transit and helps to encourage alternative transportation options.
1.1.3.1	Settlement areas shall be the focus of growth and development.	Building Strong Healthy Communities	The proposed development is located within the settlement area.

Policy Number	Policy	Category	Consistency with the Policy
1.1.3.2	Land use patterns within settlement areas shall be based on densities and a mix of land uses which: a) efficiently use land and resources; b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; c) minimize negative impacts to air quality and climate change, and promote energy efficiency; d) prepare for the impacts of a changing climate; e) support active transportation; f) are transit-supportive, where transit is planned, exists or may be development; and g) are freight-supportive. Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.	Building Strong Healthy Communities	The proposed development redevelops a property that is municipally serviced, located within close proximity to express transit service and walkable. It encourages a mix of land uses. The nature of the development reduces the need for unjustified expansion of the urban boundary and service infrastructure and promotes more environmentally responsible development.
1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.	Building Strong Healthy Communities	The recommended zoning amendment promotes intensification in a compact and efficient form. There are no known risks to public health and safety resulting from the proposed development.

Policy Number	Policy	Category	Consistency with the Policy
1.3.1	<p>Planning authorities shall promote economic development and competitiveness by:</p> <ul style="list-style-type: none"> a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; d) encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities, with consideration of housing policy 1.4; and e) ensuring the necessary infrastructure is provided to support current and projected needs. 	Building Strong Healthy Communities	The recommended zoning amendment increases the mix of commercial uses available on the site while maintaining the residential use to diversify the economy.

Policy Number	Policy	Category	Consistency with the Policy
1.6.6.2	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. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	Building Strong Healthy Communities	This proposal is located on a site with access to both Municipal Water and Wastewater services and will connect to those services. Supporting materials have demonstrated that sufficient capacity is available to accommodate the proposed development.

Policy Number	Policy	Category	Consistency with the Policy
1.6.6.7	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term; b) minimize, or, where possible, prevent increases in contaminant loads; c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including 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; and f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development. 	Sewage, Water and Stormwater	No changes to stormwater management on site are proposed.

Policy Number	Policy	Category	Consistency with the Policy
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	Building Strong Healthy Communities	The proposal is located on a serviced site which has capacity for the proposed development. As demonstrated through submitted supporting materials, the future development will not result in sufficient traffic levels to merit any transportation demand management strategies.
1.6.7.4	Land use patterns, densities and mixes of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	Building Strong Healthy Communities	The proposed development will contribute to the mix of residential types and the mix of uses available in the area. The site is located near an express transit stop as well as a range of restaurants and retail uses located on Princess Street.




Policy Number	Policy	Category	Consistency with the Policy
1.8.1	<p>Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which: a) promote compact form and a structure of nodes and corridors; b) promote the use of active transportation and transit in and between residential employment (including commercial and industrial) and institutional uses and other areas; e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and, g) maximize vegetation with settlement areas, where feasible.</p>	Building Strong Healthy Communities	<p>The proposed development is for a compact form of development with a mix of uses. The proposal includes only the minimum number of required parking spaces in addition to 4 spaces for bicycles. Furthermore, the site is located in close proximity to express transit service which connects to nearby recreational and retail/commercial, and potential employment uses.</p>
2.6.2	<p>Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.</p>	Wise Use and Management of Resources	<p>The site is identified as having composite archaeological potential, however as no ground disturbance is proposed no further work or reporting is required for the subject property.</p>

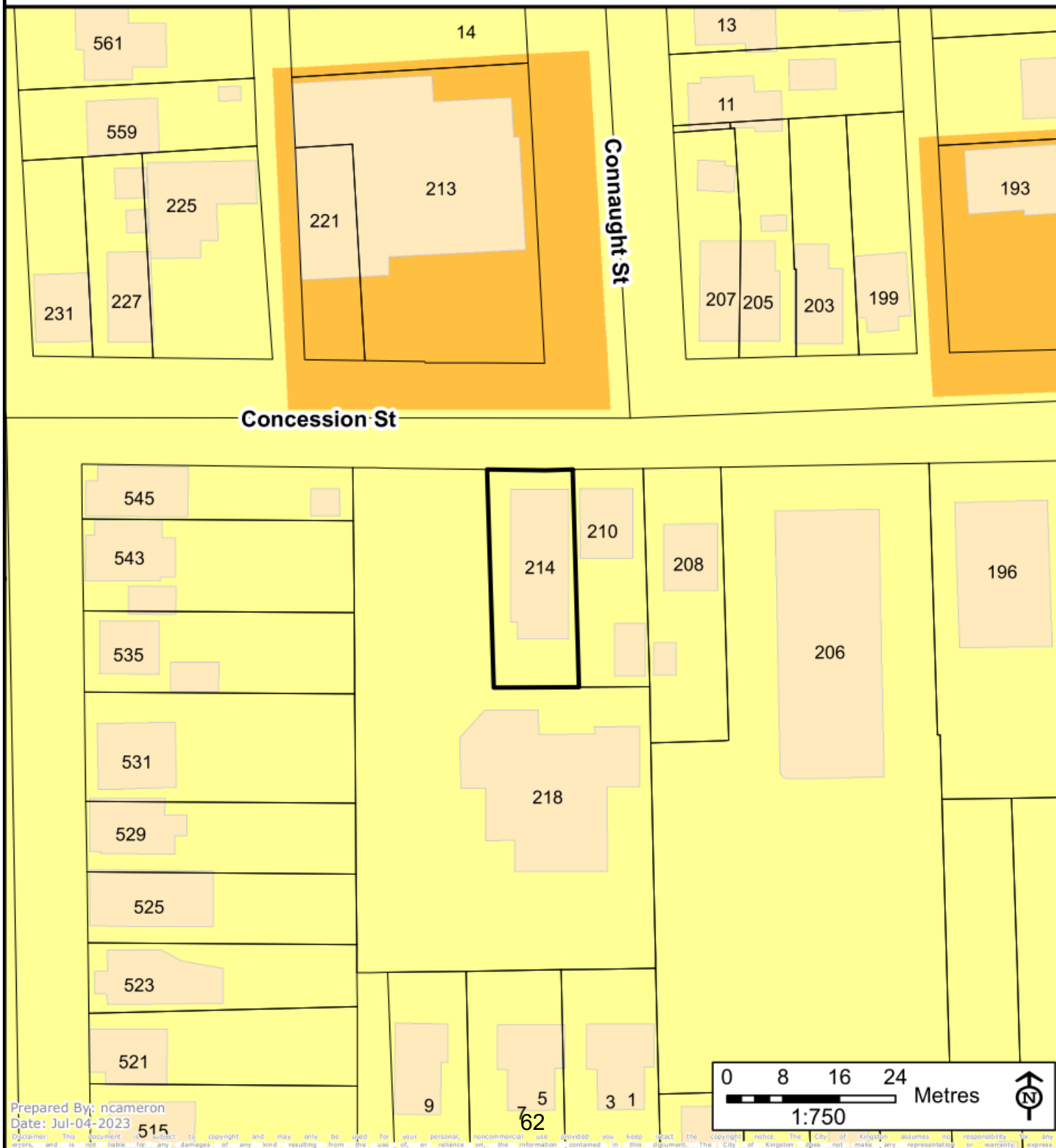


Planning Services

Planning Committee Official Plan, Existing Land Use

Address: 214 Concession St
File Number: D14-006-2023

-  Subject Lands
-  ARTERIAL COMMERCIAL
-  RESIDENTIAL



Demonstration of How the Proposal Conforms to the Official Plan

Policy	Category	Conformity with the Policy
<p>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:</p> <ul style="list-style-type: none"> b. land use patterns that foster transit and active transportation; e. direction of new development and key land uses to areas where they can best result in sustainable practices; h. strategies that will revitalize both neighbourhoods and employment areas, and rehabilitate brownfield sites for re-use; j. where possible, the preservation of mature trees for shade and their other beneficial ecological and community effects; k. climate positive development; 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; 	<p>Urban Areas – Focus of Growth</p>	<p>The proposed development is appropriate in regards to the strategic policy direction in the Official Plan regarding growth management.</p> <p>The proposal is consistent with policy direction and a sustainable land use pattern that directs development within walking distance of transit stops and a range of commercial, employment, institutional and open space uses, that will foster active transportation and transit usage. Minimal on-site parking will foster transit and active transportation.</p> <p>The proposed redevelopment of the subject property does not seek to remove any existing mature trees.</p> <p>The proposed development is for a mixed-use building with commercial and residential.</p>
<p>2.1.4. In reviewing development applications, the City will promote sustainability through:</p> <ul style="list-style-type: none"> d. construction and operational practices that minimize waste and maximize re-use of resources; e. practices that conserve or recycle materials, energy, or other resources; 	<p>Development Review</p>	<p>The proposed development intends to renovate the existing building, minimizing waste, maximizing re-use of resources, and reduces municipal costs associated with the provision of infrastructure.</p> <p>The proposal is for a mixed use building with minimal parking spaces to reduce automobile</p>

Policy	Category	Conformity with the Policy
<p>f. design which promotes a reduction of automobile trips, active transportation and transit, including secured public access to bicycle storage and parking;</p> <p>g. the creation of a mix of uses that support increased access to healthy foods;</p> <p>i. design that reduces municipal costs associated with the provision of infrastructure and municipal service delivery over the long term;</p> <p>k. development that suits the demographic and/or socio-economic needs of the community.</p>		<p>trips. All required bicycle parking will be provided.</p>
<p>2.3.1. The focus of the City's growth will be within the Urban Boundary, shown on Schedule 2, where adequate urban services exist, or can be more efficiently extended in an orderly and phased manner, as established by this Plan. Kingston's Water Master Plan and Sewer Master Plan will guide the implementation of the infrastructure planning.</p>	<p>Growth Focus</p>	<p>The subject property is located within the Urban Boundary. The proposed is on municipal water and sewer services. A Servicing Brief was submitted with the subject application which concludes that the existing servicing will adequately meet the needs of the proposal. Utilities Kingston is the supplier of water and sewer service in the area and has reviewed the application through the technical review process and have not identified any concerns with servicing capacity to accommodate the development.</p>
<p>2.3.11. In order to implement the Strategic Direction of the Kingston Transportation Master Plan, active transportation will be aggressively promoted with greater emphasis on pedestrians, cyclists and transit, and accessibility for all residents and visitors.</p>	<p>Transportation</p>	<p>Re-development on the subject property will facilitate active transportation through proximity to transit stops, connections to municipal sidewalks. Bicycle parking is proposed to comply with the Zoning By-law and the one existing parking space is to remain to serve the residential unit.</p>

Policy	Category	Conformity with the Policy
<p>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:</p> <ul style="list-style-type: none"> 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. 	<p>Phasing of Growth - Vision</p>	<p>The proposal optimizes the efficient use of land through a mixed-use development in the Urban Boundary on full municipal services and will support the use of active transportation and public transit, through existing connections available to the property, to ultimately reduce reliance on private vehicles and reduce greenhouse gas emissions. There are no natural heritage features, such as significant woodland or wetland features, on the subject property.</p>
<p>2.5.10. In order to foster sustainability within the City and reduce reliance on the automobile, the City will make efficient use of the existing infrastructure and provide the facilities and services to encourage active transportation and transit as priority modes before providing new road infrastructure in order to satisfy travel demand. While the automobile will continue to be the primary mode of transportation in the City, other, more active forms of transportation will be aggressively promoted to maximize existing road capacity and improve environmental conditions.</p>	<p>Strategic Direction to Promote Active Transportation</p>	<p>The proposal does not require new road infrastructure and will foster the use of transit and active transportation through the subject property's location in relation to existing bus routes, and walkable location.</p>
<p>2.5.11. The use of transit will be supported and encouraged through the development of</p>	<p>Transit Priority</p>	<p>The mixed-use proposal will support transit usage through</p>

Policy	Category	Conformity with the Policy
<p>mixed-use areas and mixed-use buildings, the development of Corridors and more intense mixed-use Centres, and through the increase of densities within newer areas, compatible uses and infill with complementary uses, and appropriate development of underutilized and brownfield sites.</p>		<p>proximity to numerous transit stops and minimal parking.</p>
<p>2.6.1. It is the intent of this Plan to promote development in areas where change is desired while protecting stable areas from incompatible development or types of development and rates of change that may be destabilizing.</p>	<p>Protecting Stable Areas – Stable Areas</p>	<p>The subject property within the urban boundary. The proposed development is compatible with the surrounding neighbourhood, as demonstrated in the review of Section 2.7.3. No changes to the exterior of the building are proposed.</p>
<p>2.6.2. Stable areas are those which are fulfilling their intended function and generally have the following neighbourhood characteristics:</p> <ul style="list-style-type: none"> a) a well-established land use pattern in terms of density, type of use(s) and activity level; b) a common or cohesive architectural and streetscape character, in terms of massing and built form, architectural expression, age of building stock, and street cross-section; c) a stable pattern of land ownership or tenure; d) a consistent standard of property maintenance with relatively little vacancy in land or building occupancy; e) a limited number of applications for development that would alter the established pattern of land assembly and built form; and, 	<p>Protecting Stable Areas – Stable Areas</p>	<p>The proposal will permit the existing commercial use on the ground floor of the existing building. The streetscape will not change as a result of the application, renovations will only be done to the interior of the existing building. The application will not alter the lot configuration. The proposed mixed use can be supported by existing infrastructure. A holding symbol has been proposed on additional commercial uses that would require servicing upgrades. This part of Concession Street has an established land use pattern of mixed commercial and residential uses.</p>

Policy	Category	Conformity with the Policy
f) a sufficient base of social and physical infrastructure to support existing and planned development.		
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.	Compatible Development and Land Use Change	The application demonstrates that the proposed development will be compatible with surrounding land uses, in terms of form and function. The built form is compatible with surrounding properties and no changes are proposed.
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.	Compatible Development and Land Use Change	The proposed development will be compatible with surrounding land uses as detailed under Section 2.7.3. A Planning Justification Report was submitted with the application, which speaks to land use compatibility and the potential for adverse effects in conformity with section 2.7.2.
2.7.3. The land use compatibility matters to be considered under Section 2.7.2 include, but are not limited to: a. shadowing; b. loss of privacy due to intrusive overlook; c. increased levels of light pollution, noise, odour, dust or vibration; d. increased and uncomfortable wind speed; e. increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the	Land Use Compatibility Matters	The existing building envelope will not change as a result of the application. No new buildings are proposed to be constructed on site. Bike parking facilities will be placed at the rear of the site maintaining a compliant setback from the property lines. No increase in shadowing, loss of privacy, increased levels of light pollution, noise, odour, dust or vibration or wind are anticipated with the continued mixed use of the property. The existing parking space which serves the residential unit

Policy	Category	Conformity with the Policy
<p>functionality of active transportation or transit;</p> <p>f. environmental damage or degradation;</p> <p>g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;</p> <p>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;</p> <p>i. visual intrusion that disrupts the streetscape or buildings;</p> <p>j. degradation of cultural heritage resources;</p> <p>k. architectural incompatibility in terms of scale, style, massing and colour; or</p> <p>l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.</p>		<p>will remain. A parking study has been prepared by Forefront Engineering which supports the proposed use of an office on site.</p> <p>Ground disturbance of the site is not proposed.</p> <p>There are no natural heritage features on or adjacent to the subject property, and the proposed mixed use is not anticipated to result in environmental damage or degradation.</p> <p>The applicant has demonstrated through the submission of a Servicing Brief that there is available physical servicing capacity within the municipal system to accommodate the development, and Utilities Kingston has not identified any capacity constraints in this location. A servicing report has been submitted by the applicant. Certain uses will require a holding symbol to address technical requirements should they be proposed in the future.</p>
<p>2.10.1. In order to improve the resiliency and ensure the long-term prosperity of the community the City intends to:</p> <p>b. consider the potential impacts of climate change and extreme weather events when planning for infrastructure, including green infrastructure, and assessing new development;</p> <p>d. explore opportunities to achieve climate positive development.</p>	<p>Resiliency</p>	<p>The proposal will promote a reduction of automobile trips and ultimately greenhouse gas emissions through locating mixed use development in proximity to transit stops and a range of commercial, and employment within walking distance.</p> <p>As the proposed development is intended to occur within the existing building the greenspace amenity of the site will be</p>

Policy	Category	Conformity with the Policy
		maintained and mature trees will be preserved.
3.3.2 Where appropriate and compatible, small-scale convenience commercial uses are allowed by zoning within apartment buildings or on a site specific basis on a low or medium density residential site. Section 3.4.F provides detailed policies for neighbourhood commercial uses.	General Residential Policies	Small scale commercial is proposed in the existing building while the upper residential unit will remain. See section 3.4.F
3.3.6 Existing Housing Districts as shown on Schedule 2 are considered stable, unless otherwise identified by this Plan. Only minor changes in the predominant pattern of housing type, height or density, are permitted in accordance with Section 2.6.	General Residential Policies	No changes to the existing built form are proposed.
3.4.3 Small-scale, local commercial uses such as a convenience shop, coffee shop, hairdresser or barber may be permitted within Residential designations, and in the zoning by-law in accordance with Sections 3.3.2 and 3.4.F of this Plan, or as an accessory use in other designations. Such small-scale activities are not shown on Schedule 3.	Commercial Uses	The site is within a Residential designation and small-scale neighbourhood commercial uses are proposed. The site does not need to be re-designated to permit the neighbourhood commercial zone.
3.4.14 If demand is not warranted or sufficient infrastructure is not available, lands may be zoned with a Holding (“H”) symbol until warranted by improvements in municipal services or other infrastructure. Alternatively, such	Commercial Uses	A holding symbol is proposed to address and use with a higher servicing requirement if it is proposed in the future.

Policy	Category	Conformity with the Policy
applications may be denied as premature.		
3.4.F.1 Neighbourhood commercial uses include a limited range of local retail uses or personal services intended to provide convenience goods and services to a limited market. Small take-out restaurants and live-work units are also permitted.	Neighbourhood Commercial	The proposal would be to permit an office on the ground floor that is meant to provide services to a limited market. All uses permitted in the CN zone are intended to be limited in compliance with 3.4.F.1.
3.4.F.3 Neighbourhood commercial uses are typically small plazas or freestanding establishments. In older areas of the City, neighbourhood commercial uses are also found in mixed-use buildings containing one or more residential units above the commercial floor space. A cluster of neighbourhood commercial uses will include no more than four individual uses on independent sites.	Neighbourhood Commercial	The proposal intends to permit a mixed use building with a residential unit above the commercial floor space.
3.4.F.4 The number of locations and size of neighbourhood commercial establishments that are permitted will be strictly limited and will be sufficient only for the convenience needs of the local area. Neighbourhood commercial uses are not intended to be used to expand any other Commercial designation of this Plan.	Neighbourhood Commercial	The proposed Neighbourhood Commercial zone controls the size, nature, and type of uses permitted.
3.4.F.5 Neighbourhood commercial uses will generally be located on the corner of a collector street. The residential amenity of the surrounding neighbourhood will be maintained or enhanced through	Neighbourhood Commercial	Concession Street is an Arterial Road. While not on the corner of a collector, the site is expected to function similarly in that consistent traffic is expected and higher order roads are generally expected to

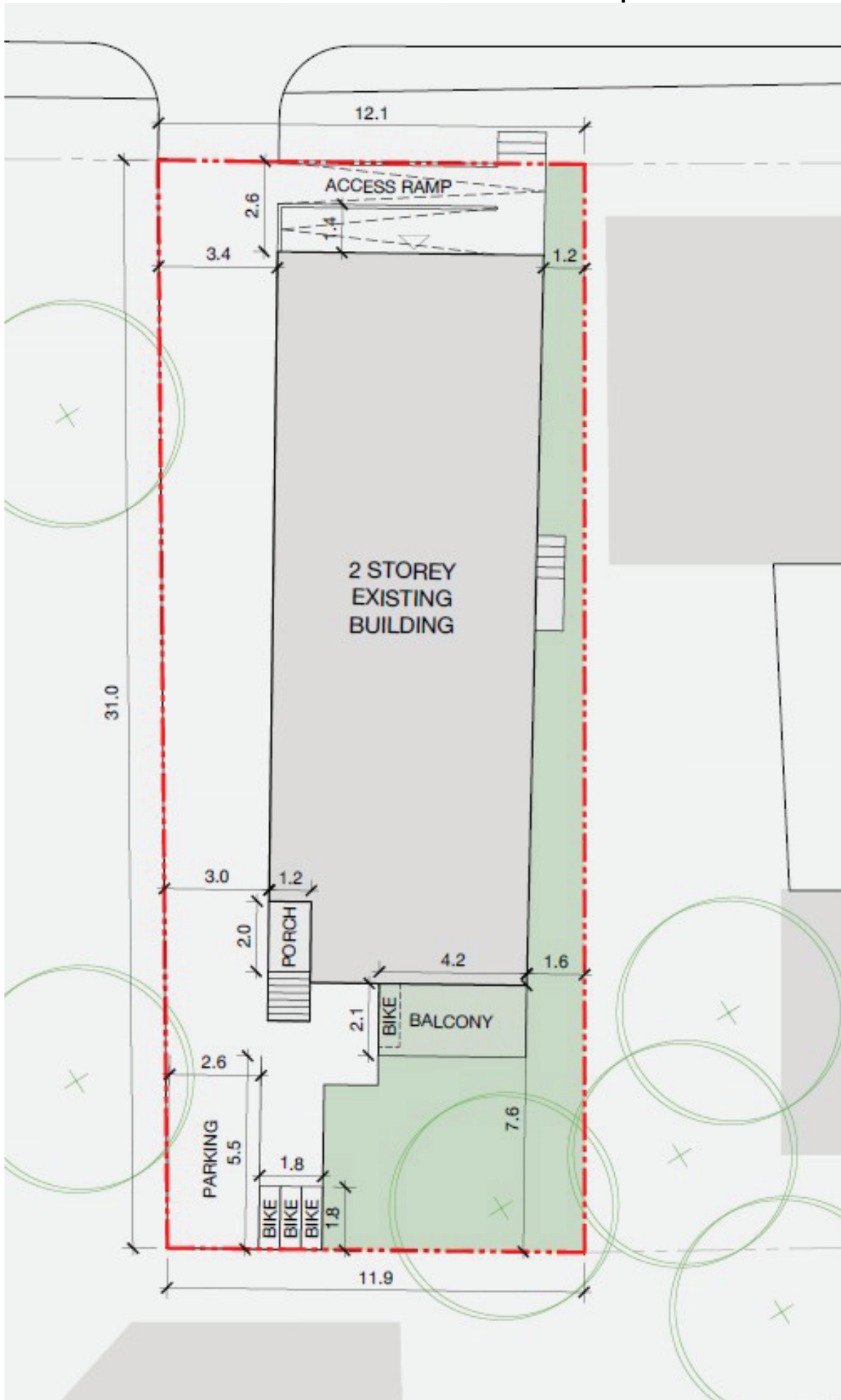
Policy	Category	Conformity with the Policy
<p>design, accessibility, limited size of uses, siting of parking or service areas, landscaping, lighting, and access locations. Such matters will be regulated through site plan control review.</p>		<p>accommodate increased development including a mix of land uses.</p>
<p>3.4.F.6 Any proposal for a new neighbourhood commercial use in a Residential designation shall be assessed subject to the following considerations:</p> <ul style="list-style-type: none"> a. the proposed commercial use must demonstrate compatibility with adjacent residential uses as outlined in Section 2.7 of this Plan; b. buffering may be required between a proposed neighbourhood commercial use and abutting residential uses; c. advertising and associated signs and exterior lighting must be designed and situated on the site so as to be compatible with adjoining residential uses; d. the placement of all signage must be in accordance with the City's Sign By-law; e. outdoor storage of goods and materials is not permitted; f. parking is encouraged to be located at the rear or side of buildings; g. the principal entrance must be oriented to the street; h. building and site design must complement and contribute to a safe and desirable neighbourhood character; and i. a convenient, accessible and appealing streetscape is encouraged between the front of the building and the street curb. 	<p>Neighbourhood Commercial</p>	<ul style="list-style-type: none"> a) As no exterior changes are proposed and the site already functions with commercial uses no compatibility issues are anticipated. See Section 2.7. b) The commercial use will not include any on-site parking and its operations are confined to the interior of the existing building. c) and d) Advertising and signs will be regulated by the City's Sign By-law. e) Open storage is not proposed nor permitted in the Neighbourhood Commercial zone. f) Parking for the residential unit will be located at the rear. g) The principal entrance for the commercial use is oriented to the front at Concession Street. h) There are no changes to the building and minimal changes to site design. Bicycle parking spaces will be added at the rear. i) The existing ramp to the commercial entrance of the building will be maintained. No changes to the streetscape are proposed.

Policy	Category	Conformity with the Policy
<p>3.4.F.8. Where a new neighbourhood commercial use is proposed, the proponent may be required to prepare a limited or scoped market justification study and impact assessment for Council’s consideration that:</p> <ul style="list-style-type: none"> a. describes the proposed use, proposed floor area, parking and site plan arrangement; b. sets out the market area and population proposed to be served; and, c. includes an inventory of all commercial uses within, and close to, the proposed market area, including their uses and floor area. 	<p>Neighbourhood Commercial</p>	<p>A market study was not required for this proposal.</p>
<p>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.</p>	<p>Transportation – Strategic Direction</p>	<p>See Section 2.5.11</p> <p>The subject property is in a walkable location with sidewalk connections to numerous commercial, and employment and open space uses.</p>
<p>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.</p>	<p>Parking</p>	<p>As parking spaces are not required according to the Kingston Zoning By-Law for an office use, parking spaces proposed on-site for the new development are at the discretion of the applicant. The location parking space for the single residential unit is not proposed to change. When a lot or building had insufficient</p>

Policy	Category	Conformity with the Policy
		parking on the date of the passing of the Zoning By-law that deficiency does not need to be made up when a use is changed unless the change of use has the effect of requiring additional parking space. No additional parking spaces are required with this change of use.
4.6.48. Parking areas will be provided for any land use in the City as specified by the zoning by-law. Special provisions to accommodate those with disabilities will be provided in all zones.	Parking	No amendments are required to the requirements for Parking Area 3, which applies to the subject property according to the Zoning By-Law. When a lot or building had insufficient parking on the date of the passing of the Zoning By-law that deficiency does not need to be made up when a use is changed unless the change of use has the effect of requiring additional parking space. No additional parking spaces are required with this change of use. However, should a change of use be proposed in the future, accessible parking will be required in accordance with the Kingston Zoning By-Law.
4.6.61. The zoning by-law will be used to regulate the supply of accessible parking as required by provincial legislation. The location of accessible parking spaces shall provide enhanced accessibility through a consideration of factors including, but not limited to, the distance between parking spaces and accessible building entrances, security of the parking area, lighting of the area, protection from the	Accessible Parking	See Section 4.6.48. above.

Policy	Category	Conformity with the Policy
weather, and ease of maintenance.		
6.2.1. The City promotes the design and orientation of development that: f. enhances the feasibility of non-automotive transportation including active transportation.	Energy Conservation and Production - General	See Section 2.5.11 and 4.6.1.
9.5.7. Amendments to the zoning by-law will be made only after public notice and consultation as required by the Planning Act and consultation with affected authorities or agencies.	Amendments to the Zoning By-law	Public notices have been provided in accordance with the requirements in the Planning Act, and the technical review has occurred in consultation with affected authorities and agencies.
<p>9.5.9. When considering an application to amend the zoning by-law, the Planning Committee and Council will have regard to such matters as:</p> <ul style="list-style-type: none"> a. conformity of the proposal with the intent of the Official Plan policies and schedules; 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; 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; d. the extent to which the proposal is warranted in this 	Planning Committee / Council Considerations	<p>The proposal conforms with the intent of the Official Plan policies and schedules as detailed in this table.</p> <p>The proposed mixed use development is compatible with existing residential uses in the adjacent neighbourhood. There are no natural heritage features on the subject property.</p> <p>The redevelopment, enabled through the recommended Zoning By-Law amendment, will be contained within the existing building.</p> <p>Intensification is warranted and desirable in this location, in accordance with numerous strategic growth management policies, as a property in the Urban Boundary on full municipal services, within walking distance of a complementary mix of land uses, on the edge of an established neighbourhood.</p>

Policy	Category	Conformity with the Policy
<p>location and the extent to which areas zoned for the proposed use are available for development;</p> <p>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;</p> <p>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;</p> <p>g. the impact on municipal infrastructure, services and traffic;</p> <p>h. comments and submissions of staff, agencies and the public; and,</p> <p>i. the degree to which the proposal creates a precedent.</p>		<p>The proposed mixed use development is suitable for and is able to meet all applicable Zoning By-Law requirements.</p> <p>The mixed-use development with one residential unit is a suitable density relative to the neighbourhood.</p> <p>The subject site is on full municipal services, and will benefit from existing transit stops in the surrounding area. Adverse impacts on the capacity of these services is not anticipated as a result of the introduction of the office use on the subject property.</p> <p>The application has been circulated for technical review and there are no outstanding technical comments pertaining to the zoning by -law amendment. Comments received from members of the public and Planning Committee are reviewed in staff's comprehensive report.</p> <p>The recommended zoning by-law amendment will establish a Neighbourhood Commercial zone to permit an office use. The zone acknowledges the past use of the building and will not set an undesirable precedent.</p>



Site Photos (Google Street View dated Aug 2021)

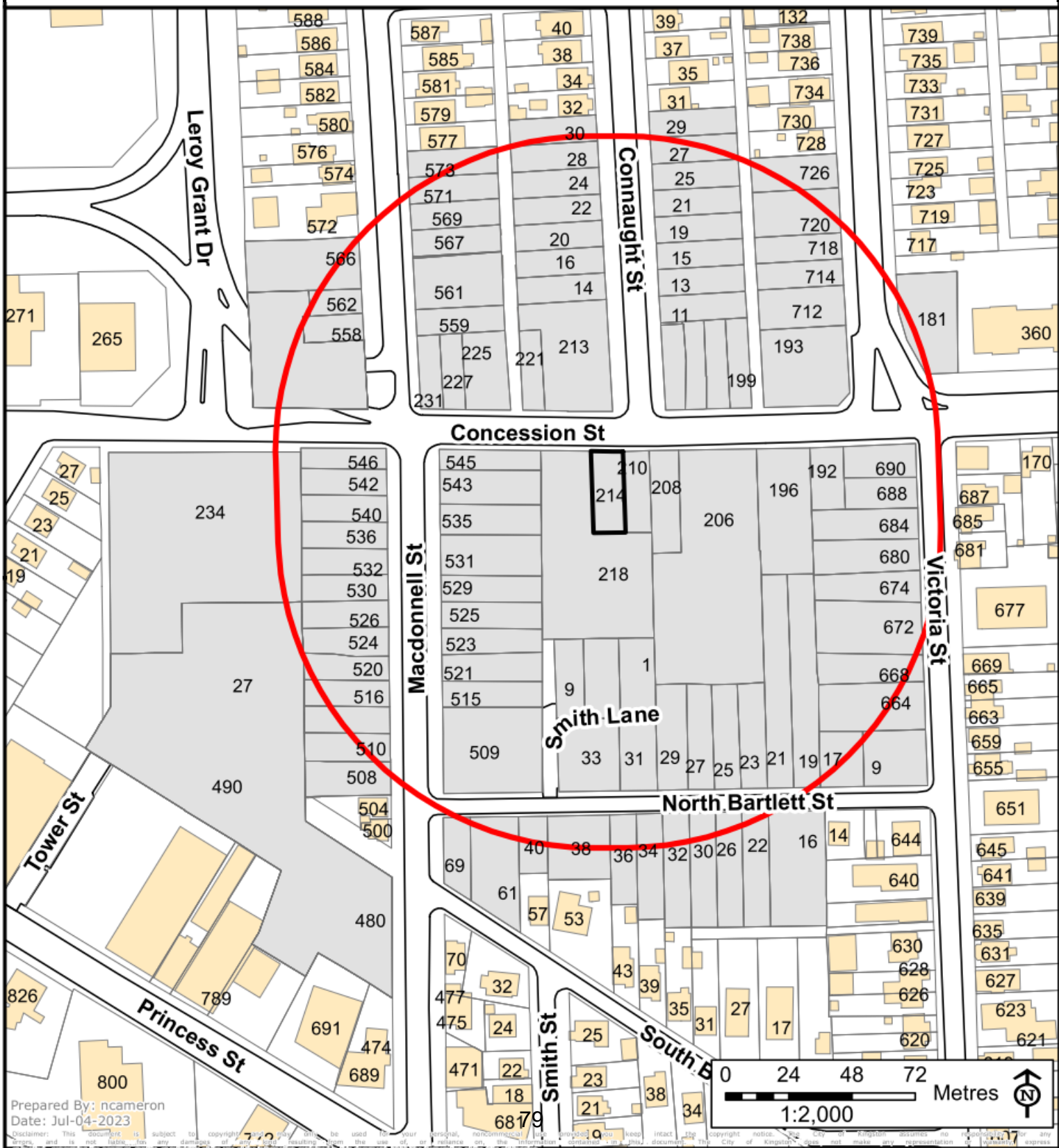




CITY OF KINGSTON
Public Notice Notification Map

Address: 214 Concession St
File Number: D14-006-2023

- 120m Public Notification Boundary
- Subject Lands
- Property Boundaries
- 110 Properties in Receipt of Notice (MPAC)



Prepared By: ncameron
Date: Jul-04-2023

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**City of Kingston
Report to Planning Committee
Report Number PC-23-045**

To: Chair and Members of the Planning Committee
From: Paige Agnew, Commissioner, Growth & Development Services
Resource Staff: Tim Park, Director, Planning Services
Date of Meeting: November 16, 2023
Subject: Recommendation Report
File Number: D14-011-2023
Address: 3525 Burnt Hills Road
District: Countryside
Application Type: Zoning By-Law Amendment
Owner: John Dunbar Estate
Applicant: Arcadis Professional Services (Canada) Inc.

Council Strategic Plan Alignment:

Theme: 2. Lead Environmental Stewardship and Climate Action

Goal: 2.3 Maintain the City's natural heritage and environmental assets.

Executive Summary:

The following is a report recommending approval to the Planning Committee regarding an application for a zoning by-law amendment submitted by Arcadis Professional Services (Canada) Inc., on behalf of John Dunbar Estate, with respect to the subject site located at 3525 Burnt Hills Road.

The large property is located on the south side of Burnt Hills Road, east of the Rideau Canal (known locally as Cranberry Lake), and west of Highway 15, with additional frontage on Leo Lake Road to the south. The property was subject to a recent technical consent application ([D10-015-2023](#)) which was provisionally approved.

November 16, 2023

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The subject site is designated 'Rural' and 'Environmental Protection Area' in the Official Plan and is mainly zoned General Rural Area (RU) with some areas zoned Environmental Protection Area (EPA) in Kingston Zoning By-Law Number 2022-62.

The applicant is proposing a zoning by-law amendment to implement a Holding Overlay for the property at 3525 Burnt Hills Road as a condition of a recent consent application. The technical consent provided provisional approval for the creation of a new lot to separate the portion of the existing rural property currently being used for residential purposes with an existing dwelling from the larger land area, which is the parcel subject to this zoning by-law amendment application, and which is proposed to continue to be used for agricultural and conservation purposes. No development is currently proposed for the retained agricultural parcel.

The Holding Overlay would ensure that if residential development is proposed on the retained lands in the future, an application for hold removal will be required. All necessary studies and agreements, as determined by the City, are required prior to the removal of the Holding Overlay. Required studies and agreements may include but are not limited to the following: an archaeological assessment; a Heritage Impact Statement; and environmental impact assessment; a hydrogeological assessment; a noise study; an aggregate impact assessment; sanitary confirmation; and a development agreement.

The recommended zoning by-law amendment would allow for the continued use of the existing property for agricultural and conservation uses, thereby maintaining the integrity of the natural heritage and the economic viability of the parcel as productive agricultural lands, until such time as residential development may be proposed in the future. The proposal, as assessed through the technical review process, is consistent with the Provincial Policy Statement, conforms to the Official Plan, and represents good land use planning. The application is recommended for approval.

Recommendation:

That the Planning Committee recommends to Council on November 21, 2023:

That the application for a zoning by-law amendment (File Number D14-011-2023) submitted by Arcadis Professional Services (Canada) Inc., on behalf of John Dunbar Estate, for the property municipally known as 3525 Burnt Hills Road, be approved; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-23-045; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

November 16, 2023

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation, & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

Statutory Public Meeting

This recommendation report forms the basis of a statutory public meeting at Planning Committee. Anyone who attends the statutory public meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before City Council makes a decision on the application.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Planning Committee will consider the recommendations in this report and make its recommendation to City Council at this meeting.

Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Chris Wicke, Senior Planner
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3242
cwicke@cityofkingston.ca

Background and Decision Date

In accordance with By-Law Number 2007-43, this application was subject to a pre-application. A Public Meeting will be held at Planning Committee on November 16, 2023.

Following the pre-application process, a complete application was submitted by the applicant and was deemed to be complete as of August 30, 2023.

In accordance with the *Planning Act*, this application is subject to a decision by Council on or before November 28, 2023, which is 90 days after a complete application was received. In the absence of a decision by Council in this timeframe, the City will be required to refund the fees that were paid by the applicant on the subject application and the applicant may exercise their right to appeal to the Ontario Land Tribunal (OLT).

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Site Characteristics

The subject property, which is the retained portion of a recent application for consent, is municipally addressed as 3525 Burnt Hills Road, and it has an area of approximately 85 hectares with 287 metres of frontage on Burnt Hills Road and 871 metres on Leo Lake Road. The property is designated 'Rural' and 'Environmental Protection Area' in the Official Plan. It is mainly zoned General Rural Area 'RU' with some areas zoned Environmental Protection Area 'EPA' in Zoning By-Law Number 2022-62. The lot that has been provisionally approved for severance has a frontage of 439 metres on Burnt Hills Road and an area of approximately 4.9 hectares.

Accessory structures related to agricultural use located centrally on the subject property were removed in 2022. The northern half of the subject property is farmed while the southern half is primarily natural terrain including wetland, vegetated areas and exposed bedrock. The Rideau Canal, known locally as Cranberry Lake, is located to the west of the subject property.

The subject property is surrounded by a mix of residential, agricultural and natural heritage uses (Exhibit C – Neighbourhood Context Map (2023)). A Minimum Distance Separation (MDS) Report has been provided as part of the Planning Justification which examines the surrounding agricultural uses and concludes that there are barns within 750 metres of the subject property that resulted in four MDS I calculations. None of the generated setbacks were in proximity to the proposed lot. Concerns raised by a neighbouring property owner regarding potential impacts on their agricultural operation were addressed.

Access to the site is via private vehicle – the area is not served by Kingston Transit.

Proposed Application and Submission

The applicant is proposing a zoning by-law amendment to implement a Holding Overlay for the property at 3525 Burnt Hills Road as a condition of a recent consent application ([D10-015-2023](#)). The technical consent provided provisional approval for the creation of a new lot to separate the portion of the existing rural property with an existing dwelling from the larger land area, which is the parcel subject to this application for zoning by-law amendment, and which is proposed to continue to be used for agricultural and conservation purposes. No development is proposed for the retained parcel.

The Holding Overlay would ensure that if residential development is proposed on the retained lot in the future, an application to remove the Holding Overlay will be required. All necessary studies and agreements, as determined by the City, are required prior to the removal of the Holding Overlay.

In support of the application, the applicant has submitted the following:

- a) A Planning Report prepared by Arcadis, dated March 27, 2023; and
- b) A survey of the property.

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All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using “Look-up a Specific Address”. If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

Provincial Policy Statement

The Provincial Policy Statement (2020) provides direction on matters of provincial interest related to land use planning and development, which are intended to be complemented by local policies addressing local interests.

The lands are located in a rural area and not within a settlement area as defined by the Provincial Policy Statement. Rural areas are systems of land that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. The rural land in question includes agricultural uses and natural heritage features and is in proximity to aggregate resource areas in the vicinity.

This proposal will enable the continued use of the subject property for agricultural and conservation uses, while ensuring that any future residential development is subject to a comprehensive review with consideration for the various elements detailed previously. In addition to the agricultural and conservation uses that support a healthy and viable rural area, this is an area of heritage significance given its proximity to the Rideau Canal UNESCO World Heritage Site, further contributing to the rural character of the area and preserving opportunities for leveraging historical, cultural and natural assets. As no housing or other development is proposed, this application supports the goal that rural settlement areas shall be the focus of growth and development. In addition, the proposal is compatible with nearby housing, and it will not place demands on rural infrastructure and public services.

The continuation of the agricultural use supports a diversified rural economic base, and the retention of natural features contributes to the conservation of biodiversity and retention of the ecological benefits provided by nature. Ultimately, the proposal is compatible with the rural landscape and can be sustained by rural service levels. It contributes to a strong healthy community, is a wise use and management of resources, and protects public health and safety.

Through this application, the proposal ensures that in the future there will be the opportunity to evaluate development through the appropriate studies to ensure that there will be no negative impacts on natural heritage, archeological resources, cultural heritage, local agricultural practices or other land uses adjacent to the subject property.

The application is consistent with the direction of the PPS. A detailed review of the applicable policies is attached in Exhibit D.

Official Plan Considerations

The subject property is designated Rural and Environmental Protection Area in the Official Plan on Schedule 3C (Exhibit E – Official Plan, Land Use). Permitted uses in the Rural designation

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include a wide range of rural uses including agriculture and associated uses, limited residential development, and other compatible land uses. Environmental Protection Areas are intended to be maintained in their natural and undisturbed habitat but may be used in some instances as passive recreational spaces in consultation with the appropriate technical agencies. Some portions of the site are identified as having natural heritage features including watercourses, significant and contributory woodlands, riparian corridors, unevaluated wetlands as indicated on Schedule 7 – Natural Heritage Area A and Schedule 8 – Natural Heritage Area B.

The proposal represents a compatible and appropriate manner of retaining the existing agricultural and conservation uses on the retained parcel while permitting the severance of an existing residential dwelling in an area characterized by agricultural, residential and conservation uses on a property located in the rural area and removed from settlement areas. Through the requirement for future supporting technical studies, the applicant has demonstrated a willingness to retain the natural and cultural heritage of the property, which is located adjacent to the Rideau Canal UNESCO World Heritage Site and has been identified as having both archaeological potential and species at risk. The site is also in proximity to aggregate resources and active agricultural livestock operations, and this application minimizes the potential for conflict with these activities.

The proposal to require additional studies when residential development is proposed is consistent with policy direction of the Official Plan with respect to protection of natural heritage and cultural heritage resources, support for local agriculture, and directing that the appropriate studies are undertaken to ensure that any future development of the land appropriately consider factors such as nearby mineral resource operations, natural hazards, environmental features, appropriate servicing and compatibility with existing development. The changes enabled through the zoning by-law amendment will continue the use of the property for agricultural and conservation purposes.

A detailed review of the applicable policies of the Official Plan is attached in Exhibit F.

Zoning By-Law Discussion

The site is subject to the Kingston Zoning By-Law Number 2022-62 and mainly zoned General Rural Area (RU) with Environmental Protection Areas (EPA) zoned along the shoreline of the Rideau Canal and over some smaller inland features (Exhibit G - Existing Zoning). The subject property currently contains an active agricultural operation and natural heritage features that are intended to be conserved. As mentioned previously, there were agricultural buildings as well, but these structures were demolished in 2022.

The parent zones for the property are not changing and residential development is not proposed for the retained lot at this time. Though the Consent application approvals process, additional studies have been identified which are required prior to any new residential development on the retained lands. The intent here is for any future owner to complete all required studies to ensure that the important features of the property are being maintained where a suitable building envelope has been identified.

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With the large size of the property, completing the studies up front would be cost prohibitive, and some studies may not even be required depending on the desired building location. One such example is the Aggregate Impact Assessment which would only be required if someone built within the sand and gravel influence areas near Burnt Hills Road, or near the Wollastonite mining area at the east end of the site nearest Highway 15.

This approach ensures that future studies will be completed and tailored to the specific location a future owner intends to build a residential use to reduce cost and duplication of efforts.

The requirements to remove the Holding Overlay are as follows:

- c) Archaeological Assessment: The Master Plan indicates that the subject property has composite archaeological potential. Archaeological clearance of the property is required.
- d) A Heritage Impact Statement: At the request of the Rideau Waterway Development Review Team (Parks Canada and Cataraqui Conservation), a Heritage Impact Statement will be required for the retained lot.
- e) Environmental Impact Assessment: As the lands have been identified as containing species at risk as per provincial mapping, an Environmental Impact Assessment is required to demonstrate that development and land use change will not result in negative impacts to the ecological function of the natural heritage features.
- f) Hydrogeological Assessment: A hydrogeological assessment is required to confirm that adequate potable water is available for the retained lot. The assessment will need to be completed to the City's standard for a Level II hydrogeological investigation. The assessment must be performed by a well driller licensed to practice in Ontario and contain basic hydrogeological information that demonstrates quality, quantity, well construction, and potential for interference with existing users of the groundwater resource. Confirmation is required that of a well that is constructed to provincial regulation 903 standards. The well water must meet health related parameters without treatment.
- g) Noise Study: If development is proposed to occur within these the influence area of any Mineral Resource designation as per Schedule 3 and / or Mineral Reserve Area as per Schedule 12 of the Official Plan, the applicant must demonstrate that there will be no impact on the proposed development due to the potential noise emissions from the Mineral Resource Area and / or Mineral Reserve Area.
- h) Aggregate Impact Assessment: If development is proposed within the influence area of any Mineral Resource designation as per Schedule 3 and / or Mineral Reserve Area as per Schedule 12 of the Official Plan, the applicant is required to provide an Aggregate Impact Assessment to evaluate mutual protection from encroachment by incompatible uses for either sensitive land uses or the extraction and processing activities in areas protected for mineral resource protection.
- i) Sanitary Confirmation: Prior to development, the applicant is to provide confirmation that the retained land site is suited to contain a Class 4 Sewage System.
- j) Development Agreement: At the time of the application for hold removal, the owner shall enter into a development agreement satisfactory to the City to be registered on title to the retained lands. All legal costs associated with the preparation and registration of the agreement shall be borne by the owner. The applicant shall provide a copy of the registered

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executed agreement to the Secretary-Treasurer, Committee of Adjustment, prior to the issuance of the consent certificate. The agreement shall contain conditions to ensure that the recommendations resulting from the studies required as part of the zoning by-law amendment and subsequent hold removal are implemented.

The recommended zoning by-law amendment is included as Exhibit A.

Other Applications

The property at 3525 Burnt Hills Road was recently subject to an application under the *Planning Act* for consent (File Number D10-015-2023). As the application for consent met the requirements of the zoning by-law in terms of permitted uses and zoning provisions, this was advanced as a technical consent. It was given provisional approval on August 9, 2023, subject to the conditions listed in the Notice of Decision.

Technical Analysis

This application has been circulated to external agencies and internal departments for review and comment. All comments on the proposal have been addressed and no outstanding issues with this application remain at this time.

Public Comments

The following is a summary of the public input received to date. The previous application related to this property was a technical consent (File Number D10-015-2023), which is an approval delegated to staff. As such, there was no public meeting; however, notice was provided in accordance with the Planning Act, and two queries were received from members of the public.

Firstly, clarification was sought about the nature of the proposed consent; and secondly, the other was a request that the Minimum Distance Separation calculation consider an additional building that was previously unevaluated as it is currently derelict but has the potential in future to house livestock. The agricultural building was found to be under the size required to be considered as part of an MDS calculation. The party that submitted the second comment further requested notice of a hold removal in the future and that the deed for the subject property include wording prohibiting the owner from complaining about normal farm practices (Exhibit J – Public Comments). In consultation with Legal Services, it was determined that the appropriate mechanisms for addressing this include the application of MDS calculations and the addition of a standard clause in a future development agreement for the retained lands.

As this report is being provided at the same meeting as the Statutory Meeting, additional public comments received prior to the meeting are provided as an addendum. No additional correspondence has been received.

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Effect of Public Input on Draft By-Law

To date, one public comment has been received by phone and one in writing for this application, both from the same party. This led to a review of the Minimum Distance Separation calculation and the conclusion that one building that was not included in the calculation is under the required size for consideration and was appropriately excluded. A development agreement is already stipulated as a requirement of the Holding Overlay.

Conclusion

The recommended zoning by-law amendment is a condition of approval for the severance of an existing residential dwelling. The amendment will apply a Holding Overlay on the retained parcel to ensure the continued use of the existing property for agricultural and conservation uses, thereby maintaining the integrity of the natural heritage and the economic viability of the parcel as productive agricultural lands, until such time as residential development may be proposed in the future.

The removal of the Holding Overlay would require studies to ensure any and all appropriate measures are taken prior to future changes to the use of the land. The subject site is located in the rural area outside of the Urban Boundary, with only the potential for private services at this time, on a property zoned for a range of rural and environmental protection uses. The proposal will maintain the natural and cultural heritage attributes on site, as well as the existing productive agricultural activity.

Through the implementation of the requirement for future plans and agreements, the application will ensure that any future proposed residential development will be compatible with surrounding land uses and will address functional needs of residents. The proposal is consistent with the Provincial Policy Statement, conforms to the Official Plan, and represents good land use planning. The application is recommended for approval.

Existing Policy/By-Law:

The proposed amendment was reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes would be consistent with the Province's and the City's vision of development. The following documents were assessed:

Provincial

Planning Act

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

November 16, 2023

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Zoning By-Law Number 2022-62

Notice Provisions:

Pursuant to the requirements of the *Planning Act*, notice of the statutory public meeting was provided 20 days in advance of the public meeting in the form of a sign posted on the subject property and by mail to 15 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. In addition, a courtesy notice was placed in The Kingston Whig-Standard on November 7, 2023.

If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

At the time of writing of this report, no public correspondence has been received and all planning related matters have been addressed within the body of this report. Any public correspondence received after the publishing of this report will be included as an addendum to the Planning Committee agenda.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

James Bar, Manager, Development Approvals, 613-546-4291 extension 3213

Chris Wicke, Senior Planner, 613-546-4291 extension 3242

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62

Exhibit B Key Map

Exhibit C Neighbourhood Context Map (2023)

Exhibit D Consistency with the Provincial Policy Statement

Exhibit E Official Plan, Land Use

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- Exhibit F Conformity with the Official Plan
- Exhibit G Zoning By-Law Number 2022-62
- Exhibit H Site Photographs
- Exhibit I Public Notice Notification Map
- Exhibit J Public Comments

By-Law Number 2023-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-law Number 2022-62” (Introduction of Holding Overlay (3525 Burnt Hills Road))

Passed:

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

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend 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 F – Holding Conditions is amended by adding Holding Overlay ‘H226’ as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.2. By adding the following Holding Overlay H226 in Section 22 – Holding Conditions, as follows:

“**H226.** Prior to the removal of the Holding Overlay, studies and agreements including, but not limited to, the following must be addressed to the satisfaction of the **City**:

 - (a) Archaeological Assessment;
 - (b) Heritage Impact Statement;
 - (c) Environmental Impact Assessment;
 - (d) Hydrogeological Assessment;
 - (e) Noise Study;
 - (f) Aggregate Impact Assessment;
 - (g) Sanitary confirmation; and / or
 - (h) Development Agreement.

This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk


Bryan Paterson
Mayor



Schedule 'A' to By-Law Number

Address: 3525 Burnt Hills Road
File Number: D14-011-2023

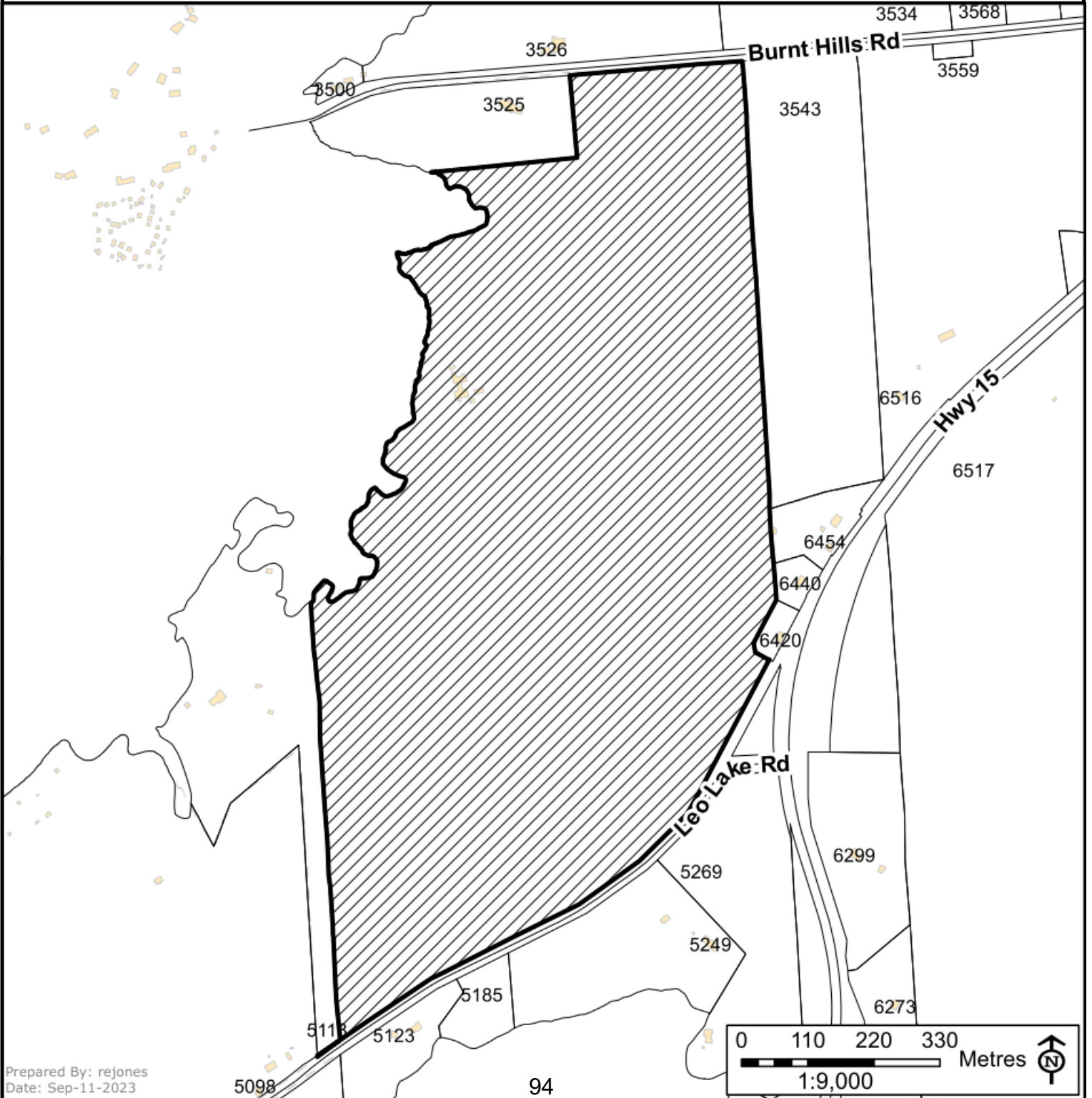
Kingston Zoning By-Law 2022-62 Schedule F - Holding Overlay

 Lands to be added as HXXX

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2023.

Mayor Clerk



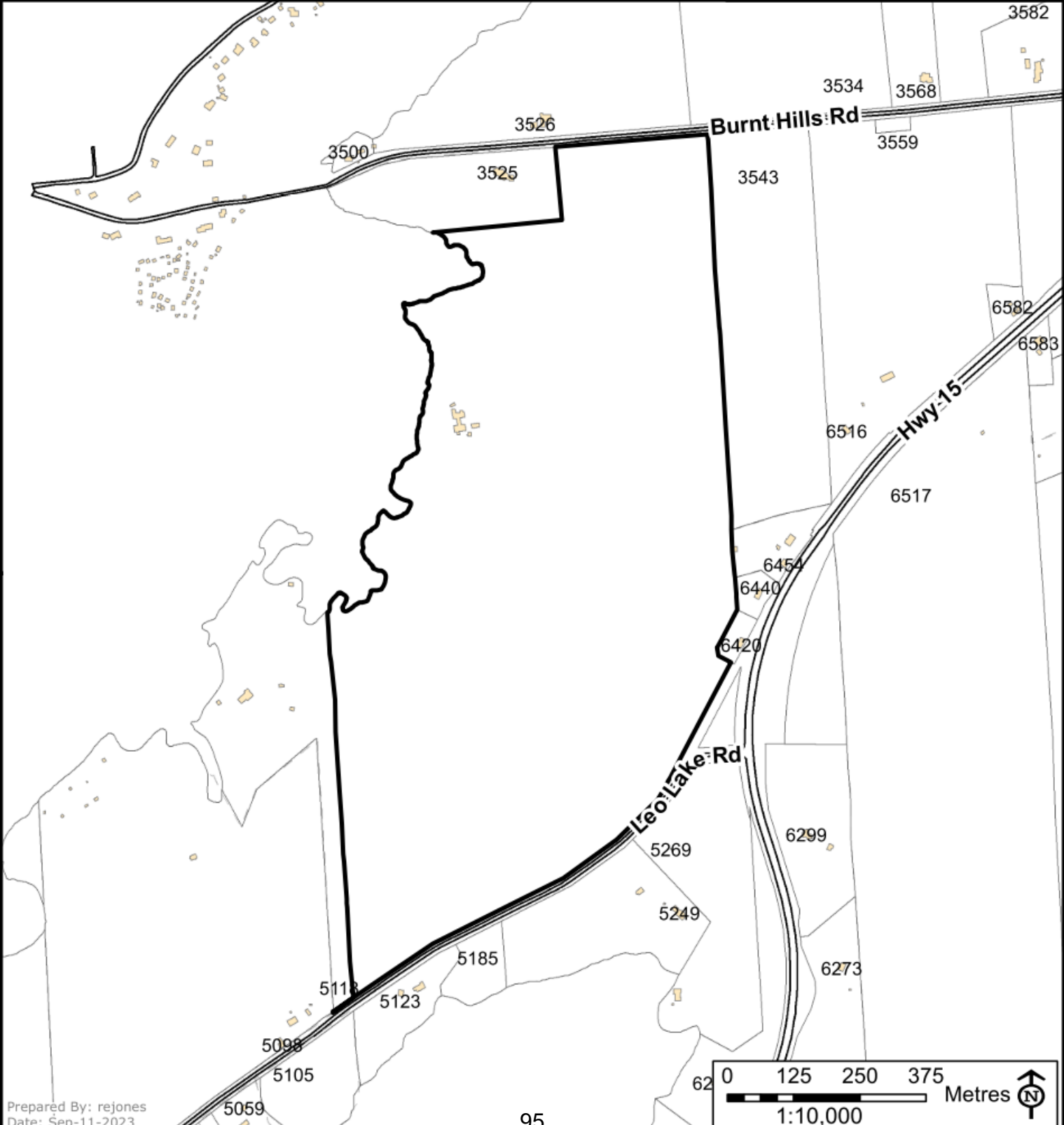


Planning Committee

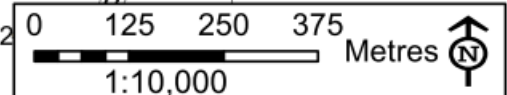
Key Map

Address: 3525 Burnt Hills Road
File Number: D14-011-2023

 Subject Lands



Prepared By: rejones
Date: Sep-11-2023

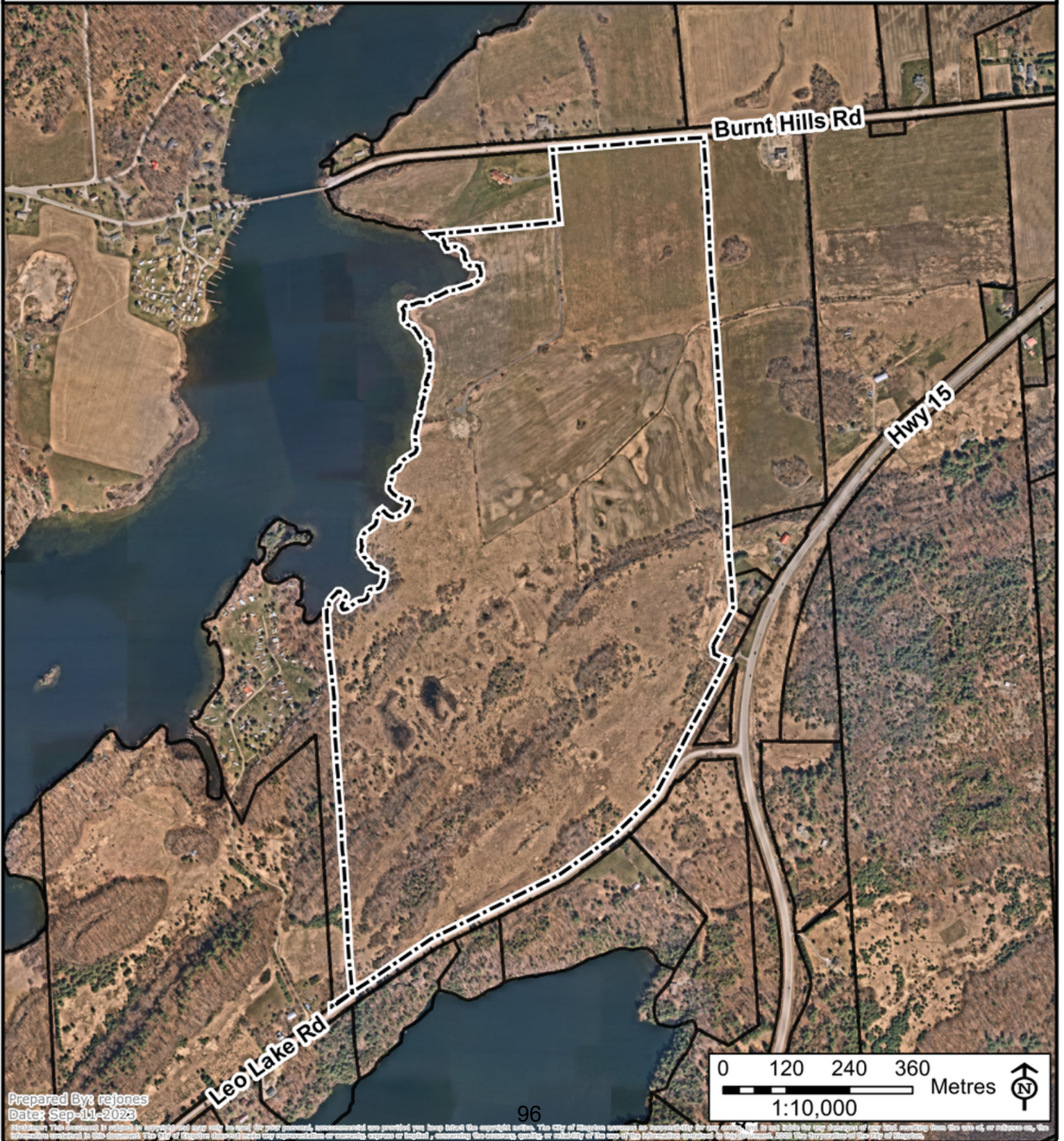


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Planning Committee
Neighbourhood Context (2023)
Address: 3525 Burnt Hills Road
File Number: D14-011-2023

- Subject Lands
- Property Boundaries
- Proposed Parcels



Demonstration of How the Proposal is Consistent with the Provincial Policy Statement

Policy Number	Policy	Category	Consistency with the Policy
1.1.1	<p>Healthy, livable and safe communities are sustained by:</p> <ul style="list-style-type: none"> a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; e) promoting the integration of land use planning, growth management, transit- 	Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns	<p>The application proposes the implementation of a Holding Overlay on a parcel of land that is characterized by agricultural and conservation uses. This is being done as a condition of a technical consent which has been provisionally approved to sever a much smaller parcel of land on which there is an existing residential dwelling.</p> <p>The proposal will permit the continued use of the land for agricultural and natural heritage uses.</p> <p>The subject property is located outside of the City's Urban Boundary in an area that is reliant on private servicing. This proposal will not impact future expansion of a settlement area.</p> <p>The proposed amendment retains the existing uses and minimizes land consumption for low density residential development.</p> <p>The proposal will conserve the natural</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;</p> <p>h) promoting development and land use patterns that conserve biodiversity; and</p> <p>i) preparing for the regional and local impacts of a changing climate.</p>		<p>and cultural heritage attributes of the property and heritage character of the adjacent UNESCO World Heritage Site. In terms of preparing for a changing climate, the proposed holding overlay both retains natural heritage and supports local agricultural production. The proposal does not seek to alter the landscape on the property.</p>
1.1.3.1	Settlement areas shall be the focus of growth and development.	Settlement Areas	The subject property is located outside of the City of Kingston's Urban Boundary, and it is not located in or near an area defined as a settlement area. No new development is proposed. The proposed amendment will result in a Holding Overlay being applied to the subject land which will ensure that the existing agricultural and natural heritage

Policy Number	Policy	Category	Consistency with the Policy
			uses can continue and that no new development will take place until such time as the identified studies are undertaken, thereby ensuring the appropriate review of the land prior to the approval of any future proposal.
1.1.4.1	<p>Healthy, integrated and viable rural areas should be supported by:</p> <ul style="list-style-type: none"> a) building upon rural character, and leveraging rural amenities and assets; b) promoting regeneration, including the redevelopment of brownfield sites; c) accommodating an appropriate range and mix of housing in rural settlement areas; d) encouraging the conservation and <i>redevelopment</i> of existing rural housing stock on rural lands; e) using rural <i>infrastructure</i> and public service facilities efficiently; f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; g) providing opportunities for sustainable and diversified tourism, including leveraging 	Rural Areas in Municipalities	<p>The proposed holding overlay will retain the rural character of the area by both supporting the existing economic base through continued agricultural use of the land while retaining the existing natural assets and biodiversity on the site.</p> <p>Any future residential development will have to demonstrate its appropriateness through the required studies.</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>historical, cultural, and natural assets; h) conserving biodiversity and considering the ecological benefits provided by nature; and i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.</p>		
1.1.4.2	<p>In <i>rural areas</i>, rural <i>settlement areas</i> shall be the focus of growth and development and their vitality and regeneration shall be promoted.</p>	Rural Areas in Municipalities	<p>No new development is proposed as part of this application. A lot was created for an existing dwelling; any future residential development will require further study.</p>
1.1.4.3	<p>When directing development in rural <i>settlement areas</i> in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.</p>	Rural Areas in Municipalities	<p>No new development is proposed on the subject lands. Pre-existing agricultural uses and conservation uses will continue on the subject lands, thereby ensuring they continue to contribute to both the local economy and the natural systems of the area. No new services or infrastructure are required.</p> <p>The proposed holding overlay retains the character of the rural area by requiring future development to undergo the appropriate studies prior to the holding overlay being removed. This includes</p>

Policy Number	Policy	Category	Consistency with the Policy
			consideration for archaeological and heritage characteristics, environmental and natural hazard characteristics, servicing requirements, noise, and aggregate resources.
1.1.5.1	When directing development on <i>rural lands</i> , a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.2	On rural lands located in municipalities, permitted uses are: a) the management or use of resources; b) resource-based recreational uses (including recreational dwellings); c) residential development, including lot creation, that is locally appropriate; d) <i>agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices</i> , in accordance with provincial standards; e) home occupations and home industries; f) cemeteries; and g) other rural land uses.	Rural Lands in Municipalities	See 1.1.4.3

Policy Number	Policy	Category	Consistency with the Policy
1.1.5.3	Recreational, tourism and other economic opportunities should be promoted.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.4	Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.5	Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this <i>infrastructure</i> .	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.6	Opportunities should be retained to locate new or expanding land uses that require separation from other uses.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.7	Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.8	New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.	Rural Lands in Municipalities	No new land uses are being proposed at this time.
1.2.6.1	<i>Major facilities</i> and <i>sensitive land uses</i> shall be planned and developed to avoid, or if avoidance is not possible,	Land Use Compatibility	The proposed holding overlay will require that future development undergo the

Policy Number	Policy	Category	Consistency with the Policy
	<p>minimize and mitigate any potential <i>adverse effects</i> from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.</p>		<p>appropriate studies. This includes consideration for noise, aggregate resources, environmental and natural hazard characteristics, and other studies as required.</p>
1.2.6.2	<p>Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and <i>development</i> of proposed adjacent <i>sensitive land uses</i> are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:</p> <ul style="list-style-type: none"> a) there is an identified need for the proposed use; b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations; c) <i>adverse effects</i> to the proposed <i>sensitive land use</i> are minimized and mitigated; and d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated. 	Land Use Compatibility	See 1.2.6.1

Policy Number	Policy	Category	Consistency with the Policy
1.5.1	<p>Healthy, active communities should be promoted by:</p> <p>a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate <i>active transportation</i> and community connectivity;</p> <p>b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for <i>recreation</i>, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;</p> <p>c) providing opportunities for public access to shorelines; and</p> <p>d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.</p>	Public Spaces, Recreation, Parks, Trails and Open Space	The proposal will retain the existing uses of the land, and the holding overlay will require additional study prior to any future development. As such, the existing open space, shoreline, and environmentally protected areas on the property will remain unchanged with the exception of activity from the continued agricultural use of the property.
1.6.1	<p>Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.</p> <p>Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth</p>	Infrastructure and Public Service Facilities	No additional infrastructure is required for the implementation of this zoning by-law amendment as no development is proposed. No facilities, public or private, are currently in place on the existing lands as they are used for agricultural and conservation uses. In

Policy Number	Policy	Category	Consistency with the Policy
	<p>management so that they are:</p> <ul style="list-style-type: none"> a) financially viable over their life cycle, which may be demonstrated through asset management planning; and b) available to meet current and projected needs. 		<p>future, if development is proposed, studies will be required to confirm private servicing availability.</p>
1.6.6.1	<p>Planning for sewage and water services shall:</p> <ul style="list-style-type: none"> a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing: <ul style="list-style-type: none"> 1. municipal sewage services and municipal water services; and 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible; b) ensure that these systems are provided in a manner that: <ul style="list-style-type: none"> 1. can be sustained by the water resources upon which such services rely; 2. prepares for the impacts of a changing climate; 3. is feasible and financially viable over their lifecycle; and 4. protects human health and safety, and the natural environment; c) promote water conservation and water use efficiency; d) integrate servicing and land use considerations at 	Sewage, Water and Stormwater	<p>See 1.6.1.</p> <p>In future, any proposed development will be required to have the appropriate studies completed by a qualified person in support of the application and providing confirmation that the proposal can adequately manage stormwater in accordance with City requirements.</p> <p>As per the conditions of the proposed Holding Overlay, further study will be required regarding servicing prior to any future development on the site.</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>all stages of the planning process; and e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.</p>		
1.6.6.3	<p>Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.</p>	Sewage, Water and Stormwater	Please see 1.6.6.1.
1.6.6.4	<p>Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site</p>	Sewage, Water and Stormwater	Please see 1.6.6.1

Policy Number	Policy	Category	Consistency with the Policy
	<p>conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.</p>		
1.6.6.7	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term; b) minimize, or, where possible, prevent increases in contaminant loads; c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including 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; and f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development. 	Sewage, Water and Stormwater	<p>As no development has been proposed for the site, no requirements are currently in place for a stormwater management report. Please see 1.6.61. for additional details.</p>

Policy Number	Policy	Category	Consistency with the Policy
1.6.7.1	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	Transportation Systems	The proposal is located in a rural area where no public transportation services are available. As no development is proposed for the site, the amendment will not result in any changes to the existing transportation system.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	Transportation Systems	See 1.6.7.1.
1.7.1	Long-term economic prosperity should be supported by: b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce; c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities; d) maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets; e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character,	Long-Term Economic Prosperity	No new development is proposed for the lands subject to the proposed holding overlay. The severance for the existing residential dwelling has been provisionally approved, and the proposed holding overlay is a condition of approval. On the retained lands, existing agricultural uses will continue, as will the existing natural heritage landscape. No new public services or infrastructure are required. The proposal minimizes negative impacts and considers ecological benefits by retaining the natural features of the land.

Policy Number	Policy	Category	Consistency with the Policy
	including built heritage resources and cultural heritage landscapes; k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;		
1.8.1	Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which: f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and g) maximize vegetation within settlement areas, where feasible.	Energy Conservation, Air Quality and Climate Change	No new development is proposed as part of this application, and existing agricultural and conservation uses will continue.
2.1.1	Natural features and areas shall be protected for the long term.	Natural Heritage	Portions of the site are zoned and designated as environmental protection areas. Beyond the use of the lands for agricultural purposes, the balance of the subject lands will remain as conservation uses, retaining the existing natural heritage systems and ecological function. Natural Heritage Schedules 7 and 8 of the Official Plan identify

Policy Number	Policy	Category	Consistency with the Policy
			<p>unevaluated wetlands, riparian corridors, and contributory woodlands on the subject property. In addition, provincial natural heritage mapping identifies the presence of species at risk in the vicinity.</p> <p>The property has not been thoroughly evaluated for its natural heritage features. The holding overlay would ensure that an environmental impact assessment would be carried out prior to any future development.</p>
2.1.2	<p>The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.</p>	Natural Heritage	See 2.1.1
2.1.3	<p>Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.</p>	Natural Heritage	See 2.1.1

Policy Number	Policy	Category	Consistency with the Policy
2.1.4.	Development and site alteration shall not be permitted in: a) significant wetlands in Ecoregions 5E, 6E and 7E1; and b) significant coastal wetlands.	Natural Heritage	There are unevaluated wetlands on the subject property. As per 2.1.1., the holding overlay would require further study of environmental features prior to any future development.
2.1.5	Development and site alteration shall not be permitted in: a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1; b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1; c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1; d) significant wildlife habitat; e) significant areas of natural and scientific interest; and f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.	Natural Heritage	See 2.1.1. and 2.1.4.
2.1.6	Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.	Natural Heritage	See 2.1.1.

Policy Number	Policy	Category	Consistency with the Policy
2.1.7	Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.	Natural Heritage	See 2.1.1
2.1.8	Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.	Natural Heritage	See 2.1.1.
2.1.9	Nothing in policy 2.1 is intended to limit the ability of agricultural uses to continue.	Natural Heritage	See 2.1.1. Agricultural uses are existing on the subject lands and are proposed to continue.
2.2.1	Planning authorities shall protect, improve or restore the quality and quantity of water by: a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development; b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;	Water	The subject lands are in an area that is subject to private servicing for water. No new development is proposed, and thus there is no anticipated impact on water resources. Prior to any future development, hydrogeological and stormwater analysis will be required as part of the holding overlay to ensure that sufficient

Policy Number	Policy	Category	Consistency with the Policy
	<p>c) evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level;</p> <p>d) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;</p> <p>e) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;</p> <p>f) implementing necessary restrictions on development and site alteration to:</p> <ol style="list-style-type: none"> 1. protect all municipal drinking water supplies and designated vulnerable areas; and 2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions; <p>g) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;</p> 		<p>water quality and quantity are available and that no impacts are created. The existing agricultural and conservation uses will not create any new impacts on groundwater features, hydrologic function, or natural heritage features. There are no proposed changes to the shoreline areas.</p>

Policy Number	Policy	Category	Consistency with the Policy
	h) ensuring consideration of environmental lake capacity, where applicable; and i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads,		
2.2.2.	Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.		See 2.2.1
2.5.1	Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.	Mineral Aggregate Resources	In proximity to the site there is an area designated Wollastonite Mineral Resource Area as per Schedule 3 of the Official Plan and another area identified as a Sand and Gravel Area – Tertiary as per Schedule 12 of the Official Plan. If future development is proposed to occur within the influence area these mineral resource areas (a 500 m and 300 m radius,

Policy Number	Policy	Category	Consistency with the Policy
			<p>respectively), the applicant is required to provide a noise study to demonstrate that there will be no impact on the proposed development due to the potential noise emissions from the Mineral Resource Area and / or Mineral Reserve Area.</p> <p>In addition, if development is proposed within the influence area of any Mineral Resource designation as per Schedule 3 and / or Mineral Reserve Area as per Schedule 12 of the Official Plan, the applicant is required to provide an Aggregate Impact Assessment as per Section 3.16.C to evaluate mutual protection from encroachment by incompatible uses for either sensitive land uses or the extraction and processing activities in areas protected for mineral resource protection.</p>
2.5.2.4	Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be	Mineral Aggregate Resources – Protection of Long-Term Resource Supply	See 2.5.1

Policy Number	Policy	Category	Consistency with the Policy
	<p>incompatible for reasons of public health, public safety or environmental impact. Existing <i>mineral aggregate operations</i> shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the <i>Planning Act</i>. Where the <i>Aggregate Resources Act</i> applies, only processes under the <i>Aggregate Resources Act</i> shall address the depth of extraction of new or existing <i>mineral aggregate operations</i>. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.</p>		
2.5.2.5	<p>In known <i>deposits of mineral aggregate resources</i> and on <i>adjacent lands, development</i> and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:</p> <ul style="list-style-type: none"> a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed. 	Mineral Aggregate Resources – Protection of Long-Term Resource Supply	See 2.5.1

Policy Number	Policy	Category	Consistency with the Policy
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	Cultural Heritage and Archaeology	<p>Heritage Services was consulted with respect to this lot addition application. There are no identified built heritage concerns. The Archaeological Master Plan indicates that the subject property at 3525 Burnt Hills Road has composite archaeological potential. If development is proposed in the future, an archaeological assessment will be required as part of removal of the holding overlay.</p> <p>As the subject property is located on Cranberry Lake, part of the Rideau Canal National Historic Site and UNESCO World Heritage site, it was further reviewed by the Rideau Waterway Development Review Team. The Rideau Canal National Historic Site is valued in part for its historic, ecological and visual associations with shore lands and communities along the waterway which contribute to the unique historical environment of the Canal. As such, RWDRT have requested that a</p>

Policy Number	Policy	Category	Consistency with the Policy
			Heritage Impact Statement will be required for the retained lot to assess and mitigate potential impacts on protected heritage property in the future in the event of proposed development.
2.6.2	Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.	Cultural Heritage and Archaeology	See 2.6.1
2.6.3	Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.	Cultural Heritage and Archaeology	See 2.6.1
3.1.	Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of: a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards	Natural Hazards	No development is proposed at this time. If development is proposed in the future, natural hazards will be assessed by Cataraqui Conservation as part of development review. Beyond the proximity of the lands to a waterway, there are currently no specific natural hazards

Policy Number	Policy	Category	Consistency with the Policy
	<p>and/or dynamic beach hazards; b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and c) hazardous sites.</p>		<p>identified on the subject lands.</p>
<p>3.1.8</p>	<p>Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.</p>		<p>See 3.1</p>

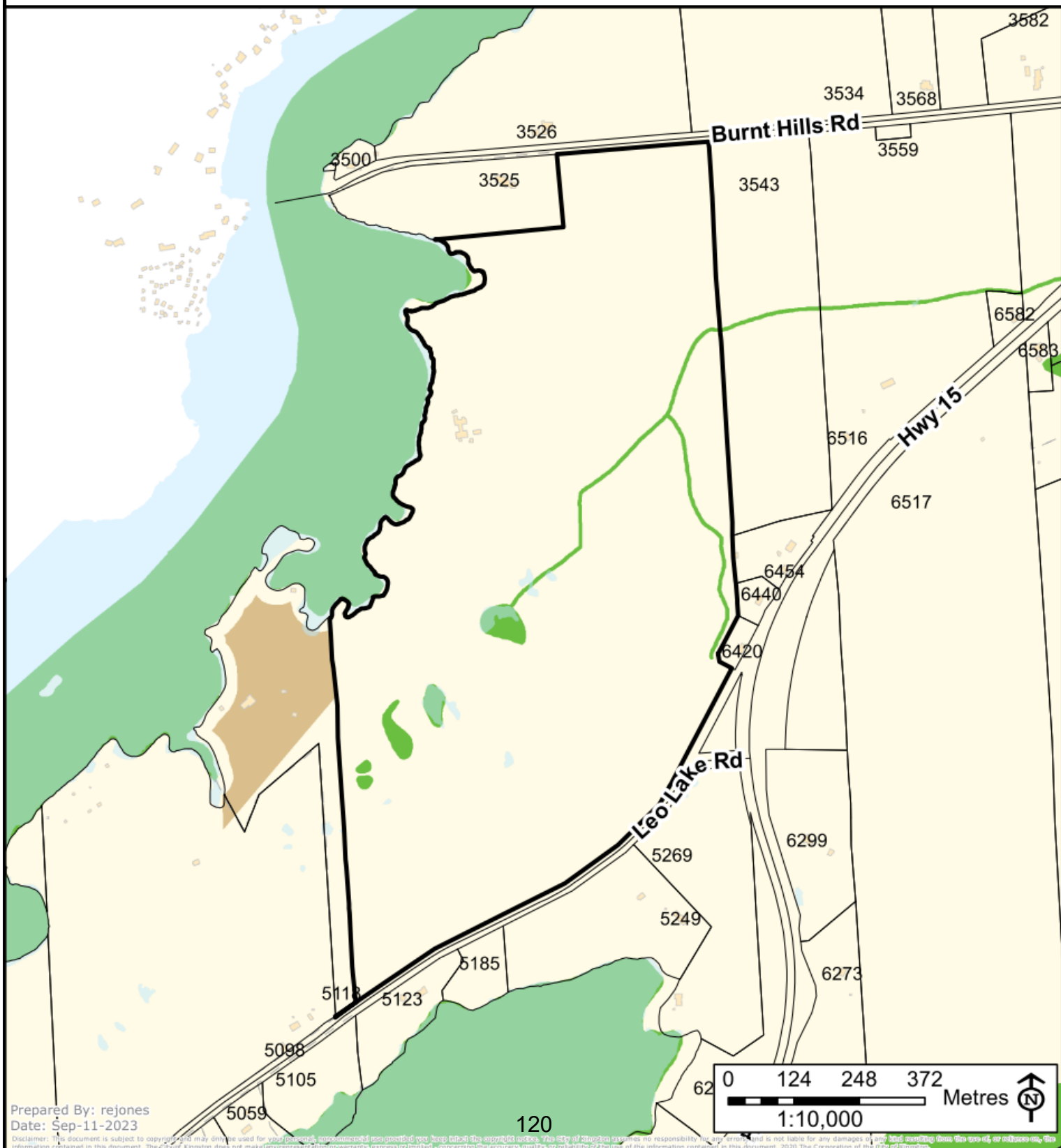


Planning Services

Planning Committee
Official Plan, Existing Land Use

Address: 3525 Burnt Hills Road
File Number: D14-011-2023

-  Subject Lands
-  ENVIRONMENTAL PROTECTION AREA
-  RURAL
-  RURAL COMMERCIAL



Demonstration of How the Proposal Conforms to the Official Plan

Policy	Category	Conformity with the Policy
<p>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:</p> <ul style="list-style-type: none"> a. appropriate (minimum) densities; b. land use patterns that foster transit and active transportation; d. opportunities for sharing resources such as parking, utilities, and the land base for locally grown produce, in the form of urban agriculture, as well as educational, recreational or cultural assets; e. direction of new development and key land uses to areas where they can best result in sustainable practices; g. maximized use of investments in infrastructure and public amenities; h. strategies that will revitalize both neighbourhoods and employment areas, and rehabilitate brownfield sites for re-use; j. where possible, the preservation of mature trees for shade and their other beneficial ecological and community effects; k. climate positive development; 	<p>Urban Areas – Focus of Growth</p>	<p>The proposal is located outside of the Urban Area. No new development is proposed. The area that is reliant on private servicing with limited public infrastructure in the vicinity and no need for new public investment.</p> <p>The application proposes the implementation of a Holding Overlay on a parcel of land that is characterized by agricultural and conservation uses. This is being done as a condition of a technical consent which has been provisionally approved to sever a much smaller parcel of land on which there is an existing residential dwelling. The proposal will permit the continued use of the retained land for agricultural and natural heritage uses.</p> <p>This proposal will not impact future expansion of a settlement area. The proposed amendment retains the existing uses and minimizes land consumption for low density residential development. The land use pattern is not expected to change.</p> <p>The proposal will permit the continued use of the land base for local agriculture. It will also conserve the natural and cultural heritage attributes of the property, including the preservation of mature trees, as well as heritage character</p>

Policy	Category	Conformity with the Policy
		<p>of the adjacent UNESCO World Heritage Site. In terms of preparing for a changing climate, the proposed holding overlay is a climate positive proposal as it both retains natural heritage and supports local agricultural production and does not seek to alter the landscape on the property in a way that would be environmentally detrimental.</p>
<p>2.1.2. Within Rural Areas, as shown on Schedule 2, growth will be limited and the natural assets, functions, and occupations that contribute to the general sustainability of the City as a whole will be supported through:</p> <ul style="list-style-type: none"> a. the protection of groundwater sources; b. an ecosystem approach to protecting the natural heritage system; c. the protection of surface water features, including inland lakes and rivers, Lake Ontario and the St. Lawrence River; d. the extraction of mineral resources and the rehabilitation of depleted mineral mining operation sites, which must occur in a manner that is sensitive to the existing uses in the general area and in accordance with appropriate provincial legislation; e. limiting the types of permitted development to those that support and are compatible with a resource 	<p>Rural Areas – Limited Growth</p>	<p>No new growth is proposed in the rural area as a result of this application.</p> <p>The proposal will contribute to the general sustainability of the City as a whole by retaining the existing agricultural and conservation uses. In so doing, the lands will assist with the protection of groundwater resources and the natural heritage system, it will avoid impacts on surface water features, it will retain the future potential for the extraction of mineral resources, it will not introduce any new development, and it will continue the existing agricultural practices that support the local economy.</p>

Policy	Category	Conformity with the Policy
<p>based local economy and sustainable practices; and f. promotion of agricultural opportunities, practices, and alliances that enhance agricultural employment as well as local food production, distribution, and consumption as an integral part of the local economy and the City's sustainability goals.</p>		
<p>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. 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;</p>	<p>Development Review</p>	<p>No new development is proposed for the lands subject to the proposed holding overlay.</p> <p>The severance for the existing residential dwelling has been provisionally approved, and the proposed holding overlay is a condition of approval.</p> <p>On the retained lands, existing agricultural uses will continue, as will the existing natural heritage landscape. No new structures, uses, public services or infrastructure are required. The proposal minimizes negative impacts and considers ecological benefits by retaining the natural features of the land.</p> <p>To ensure its appropriateness, prior to the removal of the proposed holding overlay through a zoning amendment, any new development will be subject to studies including, but not limited to, an archaeological assessment, a heritage impact statement, an environmental impact assessment, hydrogeological assessment, noise study,</p>

Policy	Category	Conformity with the Policy
<p>c. design, landscaping, and streetscaping practices that reduce the quantity of impermeable surfaces; d. construction and operational practices that minimize waste and maximize re-use of resources; e. practices that conserve or recycle materials, energy, or other resources; 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; h. the use of materials that have been extracted or recovered locally; i. design that reduces municipal costs associated with the provision of infrastructure and municipal service delivery over the long term; k. development that suits the demographic and/or socio-economic needs of the community.</p>		<p>aggregate impact assessment, sanitary confirmation, and a development agreement. Considerations regarding incorporation of sustainable principles for building will also be addressed at that time.</p>
<p>2.2.4. The Urban Boundary shown by the dashed line on Schedule 2 has been established to recognize the substantially built up areas of the City where major sewer, water and transportation infrastructure has been planned. The land within the Urban Boundary will be the focus of growth and</p>	<p>Urban Boundary</p>	<p>This application is located outside of the urban boundary.</p>

Policy	Category	Conformity with the Policy
<p>development in the City and contains sufficient land to accommodate the projected growth for a planning horizon of 2036. The Area Specific Phasing area within the Urban Boundary is subject to site-specific urban growth management policies. The Special Planning Area sites are also within the Urban Boundary and are now committed to a substantial land use but could accommodate future growth.</p>		
<p>2.2.14. Rural Areas are comprised of a mix of land uses that support a diversification of the economic base, housing, and employment opportunities. These areas are comprised of lands protected for agricultural uses and agricultural-related uses, being designated Prime Agricultural Area or Rural Lands, as appropriate. Rural Areas also contain natural heritage features, many of which fall within the Environmental Protection Area and Open Space designations, as well as natural resources, designated Mineral Resource Area. The protection of the area's natural features will help to conserve biodiversity while maintaining water quality and the ecological benefits provided by nature. Lands designated Rural Commercial and Rural Industrial also support the rural economy</p>	<p>Rural Areas</p>	<p>The subject property is mainly designated as Rural – it is not identified as prime agricultural lands. The existing agricultural use of the property is intended to continue.</p> <p>It is also designated Environmental Protection Area and does contain identified natural heritage features which are also intended to be conserved.</p> <p>There are active and identified mineral resource areas in the vicinity of the subject property.</p> <p>No new development is being proposed, and the existing agricultural and conservation uses are to continue.</p>

Policy	Category	Conformity with the Policy
<p>within Rural Areas. These lands are distinct from rural settlement areas, designated Hamlets, which accommodate a mix of land uses that also support the rural community. The Estate Residential designation captures limited areas of residential land use in Rural Areas.</p>		
<p>2.2.15. In Rural Areas, there are sites that have significance to more than one function or provide protection to more than one resource. Where there is a conflict, the City will be strongly guided by:</p> <ul style="list-style-type: none"> a. the priorities expressed in the Provincial Policy Statement and other legislation or policy of the Province; b. the strategic and fundamental planning principles expressed in this section of this Plan; and c. the particular circumstances of the site in the context of existing development and the overall policies of this Plan. 	<p>Rural Areas</p>	<p>The existing function of the subject lands is both agricultural and conservation. No new uses are proposed at this time, and as such, there are no anticipated conflicts between functions.</p>
<p>2.3.1. The focus of the City's growth will be within the Urban Boundary, shown on Schedule 2, where adequate urban services exist, or can be more efficiently extended in an orderly and phased manner, as established by this Plan. Kingston's Water Master Plan and Sewer Master Plan will guide the implementation of the infrastructure planning.</p>	<p>Growth Focus</p>	<p>The subject property is located outside of the Urban Boundary. No new development is proposed, and as such, no new services are required.</p>

Policy	Category	Conformity with the Policy
<p>2.3.2. In 2013, residential density within the City’s Urban Boundary was 25.7 units per net hectare. The City intends to increase the overall net residential and non-residential density within the Urban Boundary through compatible and complementary intensification, the development of underutilized properties and brownfield sites, and through the implementation of area specific policy directives tied to Secondary Planning Areas and Specific Policy Areas, as illustrated in Schedule 13.</p>	<p>Intensification</p>	<p>See 2.3.1</p>
<p>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.</p>	<p>Cultural Heritage</p>	<p>Heritage Services was consulted with respect to this lot addition application. There are no identified built heritage concerns. The Archaeological Master Plan indicates that the subject property has composite archaeological potential. If development is proposed in the future, an archaeological assessment will be required as part of removal of the holding overlay.</p> <p>As the subject property is located on Cranberry Lake, part of the Rideau Canal National Historic Site and UNESCO World Heritage site, it was further reviewed by the Rideau Waterway Development Review Team (RWDRT). The Rideau Canal National Historic Site is valued in part for its historic, ecological and visual associations with shore lands</p>

Policy	Category	Conformity with the Policy
		and communities along the waterway which contribute to the unique historical environment of the Canal. As such, RWDRT have requested that a Heritage Impact Statement will be required for the retained lot to assess and mitigate potential impacts on protected heritage property in the future in the event of proposed development.
<p>2.3.10. The Rideau Canal system and the associated fortifications, which include Fort Henry and the four Martello Towers of Fort Frederick, Murney, Shoal, and Cathcart, are designated as a World Heritage Site by the United Nations Educational, Scientific and Cultural Organization (UNESCO). It is the City's intention to protect and enhance this natural and cultural heritage asset and develop, in a sustainable way, the tourism potential which may arise from this inscription.</p>	UNESCO World Heritage Designation	The subject property is adjacent to the Rideau Canal National Historic Site and UNESCO World Heritage site. See Section 2.3.8 for details.
<p>2.3.11. In order to implement the Strategic Direction of the Kingston Transportation Master Plan, active transportation will be aggressively promoted with greater emphasis on pedestrians, cyclists and transit, and accessibility for all residents and visitors.</p>	Transportation	As no new development is proposed, no change in anticipated regarding active transportation.
<p>2.3.12. The planning for the lands shown as Rural Areas on Schedule 2 of this Plan must balance the resource</p>	Rural Areas	The proposal epitomizes this policy by balancing the use of the lands for agriculture and natural heritage with retention

Policy	Category	Conformity with the Policy
<p>protection objectives for agriculture, aggregates and minerals with the environmental objectives of the natural heritage features and areas and watershed management and the social objectives of protecting rural communities and the rural way of life.</p>		<p>of potential for nearby aggregates. As no new development is proposed and future studies will be required prior to that possibility, this application effectively protects the existing rural character of the lands and the surrounding area.</p>
<p>2.3.14. Areas of known minerals and mineral aggregate resources and areas of mineral and aggregate potential will be protected for future extraction under the Aggregate Resources Act and the Mining Act. It is the City's intent that the land area will be rehabilitated once the resource is depleted.</p>	<p>Mineral Resources</p>	<p>In proximity to the site there is an area designated Wollastonite Mineral Resource Area as per Schedule 3 of the Official Plan and another area identified as a Sand and Gravel Area – Tertiary as per Schedule 12 of the Official Plan. If future development is proposed to occur within the influence area these mineral resource areas (a 500 m and 300 m radius, respectively), the applicant is required to provide a noise study to demonstrate that there will be no impact on the proposed development due to the potential noise emissions from the Mineral Resource Area and / or Mineral Reserve Area.</p> <p>In addition, if development is proposed within the influence area of any Mineral Resource designation as per Schedule 3 and / or Mineral Reserve Area as per Schedule 12 of the Official Plan, the applicant is required to provide an Aggregate Impact Assessment as per Section 3.16.C to evaluate mutual protection from encroachment by incompatible uses for either</p>

Policy	Category	Conformity with the Policy
		sensitive land uses or the extraction and processing activities in areas protected for mineral resource protection.
<p>2.3.15. Significant natural heritage features and areas and linkages comprising the natural heritage system will be protected utilizing an ecosystem approach.</p>	<p>Natural Heritage System</p>	<p>Portions of the site are zoned and designated as environmental protection areas. Beyond the use of the lands for agricultural purposes, the balance of the subject lands will remain as conservation uses, retaining the existing natural heritage systems and ecological function. Natural Heritage Schedules 7 and 8 of the Official Plan identify watercourses, unevaluated wetlands, riparian corridors, and significant and contributory woodlands on the subject property. In addition, provincial natural heritage mapping identifies the presence of species at risk in the vicinity.</p> <p>The property has not been thoroughly evaluated for its natural heritage features. The holding overlay would ensure that an environmental impact assessment would be carried out prior to any future development.</p>
<p>2.3.16. Shorelines of lakes and rivers are a valued visual, environmental, and recreational resource to be protected, and acquired, where feasible, to form a linked, public open space system.</p>	<p>Shoreline Protection</p>	<p>The proposal will retain the existing uses of the land, and the holding overlay will require additional study prior to any future development. As such, the existing open space, shoreline, and environmentally protected areas on the property will remain unchanged with the exception</p>

Policy	Category	Conformity with the Policy
		of activity from the continued agricultural use of the property.
<p>2.3.17. The City supports the City of Kingston and County of Frontenac Municipal Housing Strategy (2011) and the City of Kingston 10-Year Municipal Housing and Homelessness Plan (2013) in order to increase affordable housing in the City, and for it to be located primarily within the Urban Boundary in accordance with the directions of the Municipal Housing Strategy Locational Analysis Study (2012).</p>	Principles of Growth – Affordable Housing	No new residential units are proposed as part of this application.
<p>2.3.18. Through the prevention and removal of barriers for persons with disabilities, and the application of universal design principles, the City supports and promotes opportunities for all people to access the City and make contributions as citizens. The application of universal design principles in development and renovation is promoted. The City also encourages owners of private properties with public access to do the same.</p>	Accessibility	No development is proposed. Any future development will be required to incorporate any applicable accessibility requirements of the Ontario Building Code.
<p>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:</p> <p>a. reduce infrastructure and public facility costs;</p>	Phasing of Growth - Vision	<p>No new residential units are proposed as a result of this application. As such, there are no new servicing or infrastructure requirements.</p> <p>Agricultural lands and natural features are being retained as a result of this proposal.</p>

Policy	Category	Conformity with the Policy
<p>b. reduce energy consumption and greenhouse gas emissions;</p> <p>c. support active transportation and viable public transit;</p> <p>d. conserve agriculture and natural resources within the City; and</p> <p>e. reduce reliance on private vehicles.</p>		
<p>2.4.3. It is the intent of this Plan to achieve an increase in the City’s net urban residential densities through promoting intensification and requiring minimum densities for residential development.</p>	Residential Density	No new residential units are proposed as a result of this application.
<p>2.4.4. New residential development and new secondary plans are subject to the following policies and minimum densities:</p> <p>a. for the existing built-up residential areas, a net <i>urban residential density</i> of 22 dwelling units per net hectare is established as the overall minimum density, except where specifically increased in subsections (b), (c), and (d) below;</p> <p>d. a moderate increase in density will be permitted adjacent to Centres and Corridors so as to accommodate a transition in density from areas intended to support high density residential to those supporting low and medium densities, provided the proposal demonstrates conformity to</p>	Minimum Residential Density	No new residential units are proposed as a result of this application.

Policy	Category	Conformity with the Policy
the policies of Section 2.6 and 2.7 of this Plan.		
<p>2.4.5. The City has established the following minimum targets for intensification to occur within the Urban Boundary.</p> <p>a. It is the intent of the City that 40 percent (%) of new residential development occur through intensification.</p>	Intensification Targets	No new residential units are proposed as a result of this application.
<p>2.4.6. Urban development within the City will proceed in a planned and orderly manner. The Order of Development will be as follows:</p> <p>a. lands located within the Urban Boundary that have servicing capacity currently in place, including infill opportunities, brownfield sites and other vacant or under-utilized properties have the first priority for development;</p>	Order of Development – Urban Boundary	No new development is proposed as a result of this application. As such, there are no new servicing or infrastructure requirements.
<p>2.5.1. Development within the City will be coordinated with land use planning and phased according to the City’s ability to provide adequate transportation access and municipal infrastructure, including full water, sewer and stormwater management services within the urban area. The lands within the Urban Boundary, except for the Special Planning Areas, are the priority development areas. Special Planning Areas shown on Schedule 2 anticipate long-term infrastructure planning.</p>	Phasing	The lands are located outside of the urban boundary. No new development is proposed as a result of this application. As such, there are no new servicing or infrastructure requirements.

Policy	Category	Conformity with the Policy
<p>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.</p>	<p>Compatible Development and Land Use Change</p>	<p>As no new land uses or development are proposed, the subject lands will continue to be compatible with surrounding land uses, in terms of form and function.</p>
<p>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.</p>	<p>Compatible Development and Land Use Change</p>	<p>See 2.7.1</p>
<p>2.7.3. The land use compatibility matters to be considered under Section 2.7.2 include, but are not limited to:</p> <ul style="list-style-type: none"> a. shadowing; b. loss of privacy due to intrusive overlook; c. increased levels of light pollution, noise, odour, dust or vibration; d. increased and uncomfortable wind speed; 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; f. environmental damage or degradation; 	<p>Land Use Compatibility Matters</p>	<p>See 2.7.1</p>

Policy	Category	Conformity with the Policy
<p>g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;</p> <p>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;</p> <p>i. visual intrusion that disrupts the streetscape or buildings;</p> <p>j. degradation of cultural heritage resources;</p> <p>k. architectural incompatibility in terms of scale, style, massing and colour; or</p> <p>l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.</p>		
<p>2.7.4. Mitigation measures may be used to achieve development and land use <i>compatibility</i>. Such measures may include one or more of the following:</p> <p>a. ensuring adequate setbacks and minimum yard requirements;</p> <p>b. establishing appropriate transition in building heights, coverage, and massing;</p> <p>c. requiring fencing, walls, or berming to create a visual screen;</p> <p>d. designing the building in a way that minimizes <i>adverse effects</i>;</p> <p>e. maintaining mature vegetation and/or additional</p>	<p>Mitigation Measures</p>	<p>The proposed holding overlay is intended to ensure that any future development proposal will have any required mitigation measures identified as part of the process of having the hold overlay removed.</p>

Policy	Category	Conformity with the Policy
<p>new landscaping requirements;</p> <p>f. controlling access locations, driveways, service areas and activity areas; and,</p> <p>g. regulating location, treatment and size of <i>accessory uses</i> and structures, lighting, parking areas, garbage storage facilities and signage.</p> <p>Planning Act tools including zoning by-law standards, site plan control, development agreements and other measures will be used to implement mitigative measures that achieve compatible land use change and development.</p>		
<p>2.7.5. In some cases, distance separation will likely be the recommended form of mitigation, particularly:</p> <p>a. between heavy industrial uses (Class I, Class II and Class III Industrial Facilities), sewage treatment facilities, electricity generation facilities and electricity transmission and distribution systems, transportation and infrastructure corridors, airports, rail facilities, marine facilities, mineral aggregate resources and operations, and residential or other sensitive uses;</p> <p>b. between intensive land uses and sensitive environmental areas; and,</p> <p>c. between intensive livestock operations, permanent manure storage,</p>	<p>Distance Separation</p>	<p>See Section 2.3.14 regarding distance separation for mineral aggregate resources.</p> <p>See Section 2.3.15 regarding separation from environmental areas.</p> <p>A Minimum Distance Separation calculation for existing livestock uses in the vicinity was undertaken as part of the supporting studies for the severance of the existing residential dwelling, which is provisionally approved. No conflicts were identified.</p>

Policy	Category	Conformity with the Policy
<p>or resource extractive operations and sensitive uses, sensitive environmental features, or sensitive environmental functions. When identifying a required distance separation related to livestock operations, the minimum distance separation formulae will be used.</p>		
<p>2.7.6. Only development proposals that meet the long-term needs of the intended users or occupants will be supported. Proponents, whether developing individual buildings on a single site, or multiple buildings being built at one time or phased over time, will be required to demonstrate to the satisfaction of the City that the functional needs of the occupants or users will be met by providing:</p> <ul style="list-style-type: none"> a. suitable scale, massing and density in relation to existing built fabric; 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; c. adequate land area and appropriate site configuration or provision for land assembly, as required; d. efficient use of municipal services, including transit; e. appropriate infill of vacant or under-utilized land; and, 	<p>Functional Needs</p>	<p>As no new land uses or development are proposed, the subject lands will continue to be compatible with surrounding land uses, in terms of form and function.</p>

Policy	Category	Conformity with the Policy
<p>f. clearly defined and safe: site access; pedestrian access to the building and parking spaces; amenity areas; building entry; and parking and secure and appropriate bicycle facilities.</p>		
<p>2.7.8. Issues of compatibility are critical in Rural Areas, as the long term protection of normal farm practices is a priority. This is reflected in the mutual separation of livestock operations and sensitive uses but also in addressing unique rural issues such as allowing the transport of farm machinery, tillage of land, and regular livestock husbandry techniques.</p>	<p>Land Use Compatibility in Rural Areas</p>	<p>See Section 2.7.5 No new development is proposed and as such, no conflicts are anticipated between the existing land uses.</p>
<p>2.8.1. The City recognizes that the ecological functions of the natural heritage system and the biodiversity of its components are inter-related and function together to contribute to sustaining human health and economic welfare, as well as providing habitat for plant and animal communities. The City, in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, and Fisheries and Oceans Canada, as appropriate, intends to protect significant elements of the natural heritage system, as more specifically discussed in Sections 3.10 and 6 of this Plan, and illustrated on Schedules 3, 7 and 8 and the</p>	<p>Natural Heritage System</p>	<p>See Section 2.3.15 regarding ecological functions of the natural heritage systems.</p>

Policy	Category	Conformity with the Policy
<p>secondary plans included in Section 10 of this Plan. It is the intent of the City to support and participate in stewardship programs in partnership with conservation organizations.</p>		
<p>2.8.2. Forests and trees are recognized as a critical part of the City’s health and character. Kingston will take steps to achieve the Environment Canada guideline of 30 percent minimum forest coverage in the urban area and maintain the existing forest coverage outside the Urban Boundary, as well as achieve a doubling of the urban forest cover by 2025.</p>	<p>Minimum Forest Coverage</p>	<p>This property is outside of the Urban Boundary.</p> <p>Outside of normal farm practices, no trees are anticipated to be removed.</p> <p>See Section 2.3.15 for additional information regarding the natural heritage systems.</p>
<p>2.8.3. The City recognizes the importance of its waterfront areas along Lake Ontario, the St. Lawrence River, the Great Cataraqui River and the many inland lakes and waterbodies that define the landscape character. As further outlined in Section 3.9 of this Plan, the City seeks to protect and enhance a 30 metre naturalized buffer, also known as a “ribbon of life”, along the waterfront. The continued acquisition of waterfront lands will accordingly be pursued by the City to ensure the long term protection of the resource and the amenity that it brings to residents and visitors alike.</p>	<p>Protection of Waterfront Areas</p>	<p>There are no proposed changes to the shoreline areas.</p>

Policy	Category	Conformity with the Policy
<p>2.8.4. Water is a resource that must be protected. In order to maintain the quality and quantity of water, the City will restrict development and site alteration near sensitive surface water or groundwater features and in areas of medium to very high groundwater sensitivity and will implement the policies of the Cataraqui Source Protection Plan as required.</p>	<p>Water Quality and Quantity</p>	<p>The subject lands are in an area that is subject to private servicing for water. No new development is proposed, and thus there is no anticipated impact on water resources. Prior to any future development, hydrogeological and stormwater analysis will be required as part of the holding overlay to ensure that sufficient water quality and quantity are available and that no impacts are created. The existing agricultural and conservation uses will not create any new impacts on groundwater features, hydrologic function, or natural heritage features. There are no proposed changes to the shoreline areas.</p>
<p>2.8.5. Stormwater runoff will be managed on site where feasible, and runoff may be required to be stored, treated and directed away from the natural heritage system. Its quantity will be required to be controlled to prevent impact on downstream areas. Stormwater connections are not permitted in areas where combined sewer infrastructure exists in the City.</p>	<p>Protection of Resources - Stormwater Management</p>	<p>No new land uses or development are proposed. In future, stormwater management may be examined as a required study as part of an application to remove the proposed holding overlay.</p>
<p>2.8.6. The City has designated Prime Agricultural Areas and has defined the long term expansion of its Urban Boundary to conserve such areas to provide greater investment security for farmers. Uses that support the agricultural industry will be</p>	<p>Prime Agricultural Areas</p>	<p>The subject lands are not identified as a prime agricultural area.</p> <p>The existing agricultural use of the property is proposed to continue without disruption from development.</p>

Policy	Category	Conformity with the Policy
located in close proximity to the use, preferably on lands of lower soil capability in the Rural Lands designation. As further outlined in Section 3.11 of this Plan, lot creation is discouraged in a Prime Agricultural Area designation.		No new impacts are anticipated on the surrounding agricultural operations.
2.8.7. Areas containing identified mineral deposits and mineral aggregate resources will be protected for their present or future use, and efforts will be taken to avoid any land use conflicts arising from mining or quarry operation.	Mineral Resource Areas	See 2.3.14
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	See 2.3.8 and 2.3.10
2.10.1. In order to improve the resiliency and ensure the long-term prosperity of the community the City intends to: b. consider the potential impacts of climate change and extreme weather events when planning for infrastructure, including green	Resiliency	No new development is proposed as part of this application, and existing agricultural and conservation uses will continue.

Policy	Category	Conformity with the Policy
<p>infrastructure, and assessing new development; d. explore opportunities to achieve climate positive development.</p>		
<p>2.10.2. It is the intent of this Plan to protect public health and safety by generally directing development away from natural hazards.</p>	<p>Natural Hazards</p>	<p>No development is proposed at this time. If development is proposed in the future, natural hazards will be assessed by Cataraqui Conservation as part of development review. Beyond the proximity of the lands to a waterway, there are currently no specific natural hazards identified on the subject lands.</p>
<p>3.9.2. The protection of a 30 metre naturalized buffer along a waterbody, also referred to as a “ribbon of life”, can help to enhance water quality, minimize soil erosion, provide plant and animal habitat, establish connectivity and wildlife corridors, and contribute to the overall health of shoreline ecosystems, particularly fish habitat. The buffer may also be used to screen views of development from the water, and to create natural spaces for passive recreation. This is intended to be a text-based policy and these lands are not required to be shown on a schedule of this Plan to receive protection under this policy. Generally, the “Ribbon of Life” and “riparian corridor”, as identified in Section 6.1.3, apply to the same lands.</p>	<p>“Ribbon of Life”</p>	<p>No impacts are anticipated on the “ribbon of life”.</p> <p>The proposal will retain the existing uses of the land, and the holding overlay will require additional study prior to any future development. As such, the existing shoreline, open space, and environmentally protected areas on the property will remain unchanged with the exception of activity from the continued agricultural use of the property.</p>

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<p>3.10.2. Uses within the Environmental Protection Area are limited to those related to open space, conservation or flood protection, and must be approved in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, and/or Parks Canada as appropriate. Such uses include water quality management uses, necessary flood control structures or works, erosion control structures or works. Recreational or educational activities, generally of a passive nature, may be permitted in suitable portions of Environmental Protection Areas only if such activity will have no negative impacts on natural heritage features and areas, does not involve the use of structures or buildings, and is not subject to natural hazards. Where an Environmental Protection Area designation is solely tied to a local area of natural and scientific interest, or a locally significant wetland, consideration may be given to new mineral mining operations or mineral aggregate operations and access to minerals or mineral aggregate resources, subject to compliance with provincial and federal requirements.</p>	<p>Environmental Protection Areas – Permitted Uses</p>	<p>See 2.3.15</p>

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<p>3.10.11. Applications for development in an Environmental Protection Area, and/or the adjacent lands to an Environmental Protection Area, will be required to submit an environmental impact assessment in accordance with the policies of Section 6. Section 6.1.8 defines the adjacent lands distances that relate to the various components making up an Environmental Protection Area.</p>	<p>Environmental Impact Assessment</p>	<p>See 2.3.15</p>
<p>3.12.1. The City recognizes the role of Rural Lands in contributing to agricultural production, forestry and mineral resources, natural areas and wildlife habitat, providing opportunities for rural economic development, outdoor recreation, and supporting the appreciation of natural areas that provide a contrast and respite from urban life.</p>	<p>Rural Lands - Function</p>	<p>See 2.1.2</p>
<p>3.12.2. Permitted uses in Rural Lands include all agricultural uses, agriculture-related uses, and on-farm diversified uses as permitted in the Prime Agricultural Area designation, sports and outdoor recreation activities in accordance with Section 3.12.4, and detached dwellings in accordance with Section 3.12.10 and that are compatible with adjacent land uses. Limited non-farm growth is permitted in Rural Lands if it</p>	<p>Rural Lands – Permitted Uses</p>	<p>See 2.1.2. Only the existing agricultural and conservation uses are proposed for the property at this time.</p>

Policy	Category	Conformity with the Policy
<p>does not limit or interfere with agricultural use, agriculture-related uses, on-farm diversified uses or a broader range of rural uses, and if it meets the environmental objectives of this Plan.</p>		
<p>3.12.6. All new or expanding livestock operations and applicable non-farm development will be required to comply with the minimum distance separation formulae.</p>	<p>Rural - MDS Formulae</p>	<p>A Minimum Distance Separation calculation for existing livestock uses in the vicinity was undertaken as part of the supporting studies for the severance of the existing residential dwelling, which is provisionally approved. No conflicts were identified.</p>
<p>3.12.10. New residential development in the Rural Lands designation is generally discouraged and single detached dwellings are only permitted in accordance with the following criteria:</p> <ul style="list-style-type: none"> a. on existing lots of record; b. as minor infilling of development, subject to the policies of Section 9.6 of this Plan; c. on a lot with a minimum lot area of at least 1 hectare; d. on a lot that is in compliance with all of the policies governing area of influence as set out in Section 9.6 of this Plan; e. on a lot that will be buffered along the boundary where the Rural Lands designation abuts the Prime Agricultural Area designation; f. on a lot that meets the private individual on-site well and sewage services policies of Section 4.4 of this Plan; 	<p>Rural – Development on Existing Lots</p>	<p>No new development is proposed at this time.</p>

Policy	Category	Conformity with the Policy
<p>g. subject to the appropriate conditions of approval as set out in Section 9.6.17 of this Plan; and, h. for existing lots of record on private roads, development must meet the policies of Section 4.6.62 of this Plan.</p>		
<p>3.16.9. Protection of mineral resources and mineral aggregate resources for long term use and extraction is a priority of the City and a new designation that places land in a Mineral Resource Area designation on Schedule 3 is permitted in consultation with the Province. Aggregate operations vary depending whether the operation is a pit, quarry, or a quarry below the water table, and the related scale of operation and provincial requirements will vary accordingly. Depending on the type of operation proposed, and the proximity of sensitive uses or environmental features involved, the City will consider the following:</p> <ul style="list-style-type: none"> a. the location of the proposed site and its impact on adjoining communities; b. the size, scale and nature of the proposed use; c. the compatibility of the proposed use with adjacent existing and planned land uses and designations; d. the ease of access of the proposed site with respect to road patterns and traffic volumes, and the impact that 	<p>Mineral Resource Area – Official Plan Amendment</p>	<p>See Section 2.3.14.</p>

Policy	Category	Conformity with the Policy
<p>increased truck traffic may have on communities or residents along those routes, and on the transportation system itself;</p> <p>e. the proposed landscaping and buffering to minimize the potential for adverse effects;</p> <p>f. the determination and assessment of potential negative impacts to natural heritage features and areas as demonstrated through the completion of an environmental impact assessment, prepared in accordance with the policies of Section 6 of this Plan;</p> <p>g. an archaeological assessment, in accordance with the Ministry of Tourism and Culture’s screening criteria; and,</p> <p>h. information and studies that demonstrate that the quantity and quality of the groundwater and surface water, as well as the natural drainage in the area, are not adversely affected.</p>		
<p>3.16.A.5. This Plan recognizes the concept of an influence area surrounding the Mineral Resource Area designation (Schedule 3) and the Mineral Reserve Area overlay (Schedule 12) in order to offer mutual protection from encroachment by incompatible uses for either sensitive land uses or the extraction and processing activities in areas protected for mineral resource</p>	<p>Mineral Resource Area – Wollastonite – Minimum Separation Distance</p>	<p>See Section 2.3.14.</p>

Policy	Category	Conformity with the Policy
<p>protection. As the effect of such an influence area may vary with each situation, each proposal will be considered on its own merits based on information regarding such matters as compatibility, environmental impact assessment, groundwater, noise, dust, vibration and other appropriate matters, without amendment to this Plan. Until such time as a detailed study recommends otherwise, however, a distance of 500 metres from the boundary of the designation will be considered as an influence area.</p>		
<p>3.16.A.6. Development proposed within the 500 metres of a Mineral Resource Area – Wollastonite designation will only be permitted under the following conditions:</p> <ul style="list-style-type: none"> a. resource use would not be feasible; b. the proposed development will not prevent the extraction of the mineral resource(s); c. the proposed land use or development serves a greater long term public interest; d. public health and safety concerns, environmental impacts and land use impacts have been adequately addressed; and, e. other potential adverse effects on the mineral resource operation have been addressed and mitigated. 	<p>Mineral Resource Area – Wollastonite – Development within 500 metres</p>	<p>See Section 2.3.14.</p>

Policy	Category	Conformity with the Policy
<p>3.16.C.1. Reserve Areas for both mineral deposits and mineral aggregate resources are shown as an overlay on Schedule 12 of this Plan. These Reserve Areas possess significant mineral and mineral aggregate resource potential for the extraction of minerals, sand, gravel, bedrock and other aggregates, and the municipality intends to protect these areas for possible future extraction purposes. These are shown as a Wollastonite Reserve Area, Aggregate Bedrock Reserve Areas, and Sand and Gravel Resource Areas on Schedule 12.</p>	<p>Mineral Resource Reserve Areas</p>	<p>See Section 2.3.14.</p>
<p>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.</p>	<p>Infrastructure & Transportation – New Development</p>	<p>No development is proposed as part of this application.</p> <p>No new services are required.</p>
<p>4.2.10. Permitted development beyond the Urban Boundary and outside the Future Development Areas may generally proceed by means of individual on-site water and sewage services subject to Section 4.4 of this Plan.</p>	<p>Municipal Services Beyond Urban Boundary</p>	<p>No development is proposed as part of this application.</p> <p>This is an area where only private services are available, and prior to any future development, demonstration of feasibility will be required.</p>

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<p>4.3.1. Stormwater management techniques must be used in the design and construction of all new development to control both the quantity and quality of stormwater runoff. The degree of control will depend on the conditions in the downstream receiving water bodies. This is to minimize the negative impacts of development on the downstream receiving water bodies, the aquatic environment, and fish habitat.</p>	<p>Stormwater Management - Purpose</p>	<p>No development is proposed as part of this application. Prior to any future development, demonstration of stormwater feasibility will be required.</p>
<p>4.4.1. A Groundwater Supply Assessment in accordance with Ministry of the Environment and Climate Change guidelines and the City's standards for Hydrogeological Assessments will be required for any development that is proposed for an area without municipal services.</p>	<p>Groundwater Supply Assessment</p>	<p>No development is proposed as part of this application. Prior to any future development, demonstration of water quality and quantity through a hydrogeology study will be required.</p>
<p>4.4.3. The City may request that a hydrogeological study be undertaken in any location and will provide guidance on the scope of the study. The hydrogeological study must be submitted to the City for approval and must satisfy provincial regulations, guidelines and municipal policies, as amended. Where a property has been identified with more than one level of constraint due to groundwater sensitivity, the more stringent level must apply.</p>	<p>Hydrogeological Study Required</p>	<p>See 4.4.1</p>
<p>5.4. Land uses must be separated or regulated to</p>	<p>Minimizing Impacts</p>	<p>No development is proposed as part of this application.</p>

Policy	Category	Conformity with the Policy
<p>avoid or effectively minimize any potential health and safety threat, or adverse effects associated with an adjacent area of hazard or area that creates a potentially damaging emission. In assessing the risk associated with natural hazards, the City will consider the potential impacts of climate change.</p>		<p>Prior to any future development, review of natural hazards will be required.</p>
<p>5.5. New development and site alteration in the regulatory floodplain is prohibited, except those uses that by their nature must be located within the regulatory floodplain. Areas that may be subject to flooding hazards are illustrated in Schedule 11-A Constraint Mapping. The City will work with the Cataraqui Region Conservation Authority to identify and assess new areas that may be prone to flooding hazards. Periodic updates to floodplain mapping may be undertaken in consultation with the Cataraqui Region Conservation Authority and any other agency having jurisdiction without an amendment to this Plan.</p> <p>Where there is existing development within the regulatory floodplain, development and site alteration may be permitted in consultation with the Cataraqui Region Conservation Authority, and subject to risk mitigation measures (i.e., floodproofing).</p>	<p>Regulatory Floodplain</p>	<p>See 5.4</p>

Policy	Category	Conformity with the Policy
<p>5.6. New development and site alteration must be located outside areas that are susceptible to erosion hazards, described as including the sum of:</p> <ul style="list-style-type: none"> a. an amount for toe erosion or the erosion that takes place at the bottom of a slope; b. stable slope which can vary from 1:1 for bedrock shorelines to 3:1 for all other situations; c. an erosion access allowance of a minimum of 6 metres from the top of the stable slope or 10 metres from the top of the bank, whichever is greater; and, <p>For the Lake Ontario and St. Lawrence River shorelines, stable slope and erosion access allowances will be defined through consultation with the Conservation Authority.</p> <p>Where there is existing development within the erosion hazard areas, development and site alteration may be permitted in consultation with the Cataraqui Region Conservation Authority, and subject to risk mitigation measures.</p>	Erosion Hazard	See 5.4
<p>5.7. Development shall generally be directed to areas outside the lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Risk factors for wildland fires include types and age of</p>	Wildland Fires	See 5.4

Policy	Category	Conformity with the Policy
<p>forest/vegetation, amount of underbrush and ladder fuels, and topography. Locations of potential wildland fire hazard areas have been identified by the Ministry of Natural Resources and Forestry and are shown in Appendix A.</p>		
<p>5.21. The City of Kingston recognizes the importance of noise management. Any proposed development that has a sensitive use within the potential influence area as described in the Province’s D-6 Guideline or between the 25 to 30 NEF contours requires a detailed noise study to the satisfaction of the City. The study must be conducted by a qualified person in accordance with Ministry of the Environment and Climate Change guidelines or any such further guidance or requirement implemented by the City, as applicable, address all sources of noise affecting the site, and include recommendations for mitigation to meet the applicable noise criteria.</p>	<p>Noise Study</p>	<p>See 5.4</p>
<p>6.1.1. The City will protect and encourage the stewardship and restoration of the natural heritage system identified on Schedules 7 and 8 by directing development away from natural heritage features and areas. Further, land use and development within the adjacent lands to natural heritage features and areas will be regulated by the</p>	<p>Natural Heritage System - Intent</p>	<p>See 2.3.15</p>

Policy	Category	Conformity with the Policy
<p>City to protect the ecological function of the natural heritage system. Environmental impact assessments may be required to demonstrate that development and land use change will not result in negative impacts.</p>		
<p>6.1.2. Areas identified as Natural Heritage “A” on Schedule 7 are designated Environmental Protection Area on Land Use Schedule 3 and the Land Use Schedules of the secondary plans in Section 10. In these areas, development or site alteration will not be permitted unless the feature or area is solely associated with a local area of natural and scientific interest, or a locally significant wetland, in which case consideration may be given to new mineral mining operations or mineral aggregate operations and access to minerals or mineral aggregate resources, subject to compliance with provincial and federal requirements.</p> <p>Natural Heritage “A” features include the following:</p> <ul style="list-style-type: none"> • areas of natural and scientific interest (ANSIs); • fish habitat; • provincially significant wetlands, significant coastal wetlands and locally significant wetlands; • Snake and Salmon Islands, located in Lake Ontario, as shown in Schedule 3-A; and, 	<p>Natural Heritage “A” Features and Areas</p>	<p>See 2.3.15.</p>

Policy	Category	Conformity with the Policy
<ul style="list-style-type: none"> • rivers, streams and small inland lake systems. 		
<p>6.1.3. Areas identified as Natural Heritage “B” on Schedule 8 will be treated as an overlay to land use designations on Schedule 3 and the land use designations of the secondary plans in Section 10. In these areas, development and site alteration will not be permitted unless it has been demonstrated that there will be no negative impacts on the natural heritage features or areas or ecological functions. Natural Heritage “B” features include:</p> <ul style="list-style-type: none"> • significant woodlands; • significant valleylands; • significant wildlife habitat; • unevaluated wetlands and coastal wetlands; • linkages and corridors; and, • riparian corridors. 	Natural Heritage “B” Features and Areas	See Section 2.3.15
<p>6.1.4. Development and site alteration will not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.</p>	Species at Risk	See Section 2.3.15
<p>6.1.5. Development and site alteration will not be permitted in fish habitat or habitat of aquatic species at risk, except in accordance with provincial and federal requirements.</p> <p>Development and site alteration will not be permitted adjacent to the habitat of aquatic species at risk unless</p>	Species at Risk	See Section 2.3.15

Policy	Category	Conformity with the Policy
<p>an environmental impact assessment demonstrates that there will be no negative impacts on natural heritage features and areas or ecological functions, and that Species At Risk Act (SARA) and Endangered Species Act (ESA) provisions have been addressed. The environmental impact assessment must be completed in consultation with Fisheries and Oceans Canada. They will also provide guidance on how projects must be carried out to remain in compliance with the SARA (i.e., by modifying the project to avoid impact, development of appropriate mitigation, or acquiring a SARA permit to carry out the activities). The Ministry of Natural Resources and Forestry will provide guidance on how projects must be carried out to remain in compliance with the ESA.</p>		
<p>6.1.8. The Province of Ontario’s “Natural Heritage Reference Manual,” as amended from time to time, specifies the adjacent lands for each category of natural heritage features and areas.</p> <p>Development and site alteration are not permitted on adjacent lands to Natural Heritage “A” or “B” features shown on Schedules 7 and 8 respectively, unless it has been demonstrated that there will be no negative impacts on</p>	<p>Adjacent Lands</p>	<p>See Section 2.3.15</p>

Policy	Category	Conformity with the Policy
<p>the natural heritage features and areas or on their ecological functions. In the review of any development or site alteration, an environmental impact assessment will be required as follows, unless otherwise directed by the City in consultation with the Cataraqui Region Conservation Authority:</p> <ul style="list-style-type: none"> a. within 120 metres of a provincially significant wetland, significant coastal wetlands and other coastal wetlands; b. within 50 metres of locally significant wetlands; c. within 120 metres of fish habitat; d. within 120 metres of significant woodlands; e. within 120 metres of significant valleylands; f. within 120 metres of areas of natural and scientific interest – life science; g. within 50 metres of areas of natural and scientific interest – earth science; h. within 120 metres of significant wildlife habitat; i. within 120 metres of the habitat of endangered species and threatened species, in accordance with the Endangered Species Act, and as tracked by the Ministry of Natural Resources and Forestry “Natural Heritage Information Centre”; and j. within 120 metres of habitat of aquatic species at 		

Policy	Category	Conformity with the Policy
risk, in accordance with the Species At Risk Act and as tracked by the Federal Department of Fisheries and Oceans.		
6.1.11. Where lands shown as part of the natural heritage system on Schedules 7 and 8 are held in private ownership, nothing in this Plan will be construed to imply that such lands are open for the use of the general public or will be acquired by the City or other public agency. Various ways of preserving and managing the ecological resource through stewardship, partnerships, land trusts, environmental easements, acquisition or other means are encouraged.	Private Ownership	See Section 2.3.15
6.1.12. The City encourages a wide variety of land stewardship options, including protecting lands through easements, purchase, tax incentives, and dedication to land trusts to preserve and enhance the natural heritage system, and its adjacent lands, across the City. The City will encourage efforts with neighbouring municipalities, public agencies and private landowners to manage and improve the ecological sustainability of the natural heritage system as a whole.	Land Stewardship	See Section 2.3.15
6.1.14. The “Guidelines for Environmental Impact Assessment” prepared by the Cataraqui Region	Environmental Impact Assessment	See Section 2.3.15

Policy	Category	Conformity with the Policy
<p>Conservation Authority, as amended from time to time, or other guidelines used by the City to supplement the CRCA Guidelines, will guide the preparation of environmental impact assessments. In general, an environmental impact assessment must:</p> <ul style="list-style-type: none"> a. be undertaken by a qualified person with current knowledge in the field of biology, ecology, hydrology or other specialty as required by the specific circumstances; b. use appropriately scaled maps to show topography, existing uses and buildings, and all existing natural heritage features and areas and cultural heritage resources, whether or not they have been deemed significant for the subject site and areas adjacent to it; c. use appropriately scaled maps with topographic contours to show proposed uses, proposed site alteration and/or development; d. provide a thorough inventory of flora and fauna and related habitat communities to be completed over a seasonal time span that is appropriate; e. provide relevant information on geology (significant landforms), hydrology or hydrogeology; f. summarize the best information available collected from other agency or scientific sources and discuss the 		

Policy	Category	Conformity with the Policy
<p>natural heritage features and areas, and the associated ecological functions;</p> <p>g. review the ecological functions of the natural heritage features and areas identified including habitat needs and the contribution of the site to the natural heritage system;</p> <p>h. evaluate any unevaluated wetlands in accordance with the Ontario Wetland Evaluation System;</p> <p>i. assess the cumulative impacts of the development proposal and any other existing or known future proposals in the vicinity; and</p> <p>j. assess the impact of the proposed development or site alteration on the various attributes of the natural heritage system during and after construction, and:</p> <ul style="list-style-type: none"> • recommend measures designed to ensure there is no disturbance of the feature, and that will result in no negative impact; • review alternative options and identify any monitoring requirements; and, • provide a professional conclusion as to whether the proposal is acceptable, considering potential impacts to natural heritage features and areas, related functions, and any proposed measures needed to protect the natural heritage feature(s) or area(s) affected, consistent with the 		

Policy	Category	Conformity with the Policy
Provincial Policy Statement and the policies of this Plan.		
6.1.17. Nothing in this Section is intended to limit the ability of existing agricultural uses to continue. Existing agricultural uses and normal farm practices occurring on adjacent lands to the natural heritage features and areas are not subject to the requirement for an environmental impact assessment.	Agricultural Uses May Continue	The subject property has been used continuously for agricultural production and conservation. This is intended to continue.
6.1.18. The City encourages the preservation of all woodlands as shown on Schedule 8 of this Plan, and the consideration of all woodlands in the preparation of an environmental impact assessment. For the purposes of applications related to mineral aggregate operations, significant woodlands will be defined based on the criteria in the Natural Heritage Reference Manual.	Woodlands	See Section 2.3.15
6.1.22. Setbacks from natural heritage features and areas are established based on the recommendations of an approved environmental impact assessment or any other technical study that may be required (e.g. floodplain analysis, geotechnical study, etc.) and will be implemented through the zoning by-law in consultation with the Ministry of Natural Resources and Forestry, the Cataraqui Region Conservation	Setbacks for Development	No development is currently proposed for the subject property. If development is proposed in the future, the Environmental Impact Assessment will be required to determine appropriate setbacks from existing features.

Policy	Category	Conformity with the Policy
Authority, or Parks Canada, as appropriate.		
7.1.2. The City will recognize and conserve its built heritage resources and will promote the maintenance and development of an appropriate setting within and around all such sites.	Built Heritage Resources – General Policies	See Section 2.3.8 and Section 2.3.10
7.1.7. The City may require that a heritage impact statement be prepared by a qualified person to the satisfaction of the City for any development proposal, including a secondary plan, which has the potential to impact a built heritage resource. The scope of the heritage impact statement is determined in consultation with the City and must include information and assessment relevant to the circumstances, including alternative development approaches or mitigation measures to address any impact to the built heritage resource and its heritage attributes. A heritage impact statement may be required where construction, alteration, demolition, or addition to a property located within a heritage conservation district or heritage area is proposed. The City may also require a heritage impact statement for any requests to de-designate a protected heritage property; such statements must include an assessment of the current cultural heritage value of the	Built Heritage Resources – Heritage Impact Statement	See Section 2.3.8 and Section 2.3.10

Policy	Category	Conformity with the Policy
property and any impacts that de-designating the property will have on the cultural heritage value of the area.		
<p>7.1.10. Conserving built heritage resources forms an integral part of the City’s planning and decision-making. The City uses the power and tools provided by legislation, policies and programs, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act and the Municipal Act in implementing and enforcing the policies of this Section. This may include the following</p> <ul style="list-style-type: none"> a. designating real property under Part IV, or V of the Ontario Heritage Act, or encouraging the Province to designate real property under Part VI of the Ontario Heritage Act; b. requiring, as a condition of any approval, the retention of any built heritage resources found within a plan of subdivision, a plan of condominium, or on any parcel created by consent, or other land division approval; c. using zoning by-law provisions as appropriate, to conserve identified built heritage resources; d. using the provisions of Section 37 of the Planning Act in order to maintain the integrity of identified built heritage resources; 	Conservation of Built Heritage Resources	See Section 2.3.8 and Section 2.3.10

Policy	Category	Conformity with the Policy
<p>e. using site plan control provisions of Section 41 of the Planning Act to ensure that new development on adjacent properties is compatible with the adjacent identified built heritage resources;</p> <p>f. using design guidelines to provide for sympathetic development of adjacent lands that are not designated, but which could impact the site of the built heritage resource;</p> <p>g. ensuring that archaeological resources are evaluated and conserved prior to any ground disturbance, in accordance with the City's Archaeological Master Plan and provincial regulations;</p> <p>h. in partnership with Kingston's Indigenous Peoples of Canada community, a Protocol outlining the working relationship with them and the City will be designed, approved and implemented;</p> <p>and</p> <p>i. using heritage easements as a means to protect significant built heritage resources, where appropriate.</p>		
<p>7.3.A.1. A 30 metre overlay has been applied along the shoreline of the Rideau Canal, measured from the high water mark. This overlay is illustrated in Schedule 11-A to this Plan. Development and land use change within the area subject to the overlay must conform to the policies</p>	<p>Rideau Canal UNESCO World Heritage Site - Overlay</p>	<p>See Section 2.3.8 and Section 2.3.10</p>

Policy	Category	Conformity with the Policy
of this Section and to the overall intent and purpose of this Plan.		
7.3.A.3. The intent of this Plan is to maintain and protect the diversity of natural landscapes and the scenic, natural and tourism resources related to the Rideau Canal in cooperation with other municipalities along the waterway, Parks Canada and other agencies having jurisdiction. It is also the intent of this Plan to assist with implementing the Rideau Corridor Landscape Strategy.	Maintain and Protect the Resource	See Section 2.3.8 and Section 2.3.10
7.3.A.6. The intent of this Plan is to preserve and enhance views to and from the Rideau Canal to maintain the integrity of this unique cultural heritage landscape.	Viewscape Protection	See Section 2.3.8 and Section 2.3.10
7.3.A.7. Applications for development must be circulated to Parks Canada for comment and reviewed in the context of protecting the values associated with the National Historic Site and the World Heritage Site.	Development Applications	See Section 2.3.8 and Section 2.3.10
7.3.A.13. Development is permitted only if potential adverse effects on the Canal and its environs can be remedied, as demonstrated through a heritage impact statement. The scope of the heritage impact statement is to be determined in consultation with the City and Parks Canada and must include information relevant to	Heritage Impact Statement Required	See Section 2.3.8 and Section 2.3.10

Policy	Category	Conformity with the Policy
<p>the circumstances, including alternative development approaches or mitigation measures to address any impact to the cultural heritage landscape and built heritage resources associated with the Canal.</p>		
<p>7.4.2. The City will permit development and site alteration on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved. In general, preservation of the resources “in situ” is the preferred method, but in some cases the conservation can occur by removal and documentation. Where significant archaeological resources are preserved “in situ”, only development and site alteration that maintains the heritage integrity of the site is permitted.</p> <p>The investigation and conservation of archaeological resources shall be completed in consultation with all appropriate First Nations, Métis and Inuit communities.</p>	<p>Conservation of Archaeological Resources</p>	<p>See Section 2.3.8 and Section 2.3.10</p>
<p>8.6. The City requires the design of new development to be visually compatible with surrounding neighbourhoods and areas of cultural heritage value or interest through its site plan control review, preparation of zoning standards, and urban design</p>	<p>Urban Design – New Development</p>	<p>No new development is proposed at this time.</p> <p>In future, if development is proposed, it will take into account the urban design criteria specified, specifically with regard to protection of natural heritage features and</p>

Policy	Category	Conformity with the Policy
<p>guidelines, as appropriate, that address the following:</p> <ul style="list-style-type: none"> 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; 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; 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, e. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality. 		<p>achieving compatibility with the heritage landscape.</p>

Policy	Category	Conformity with the Policy
<p>9.5.7. Amendments to the zoning by-law will be made only after public notice and consultation as required by the Planning Act and consultation with affected authorities or agencies.</p>	<p>Amendments to the Zoning By-law</p>	<p>Public notices have been provided in accordance with the requirements in the Planning Act, and the technical review has occurred in consultation with affected authorities and agencies.</p>
<p>9.5.9. When considering an application to amend the zoning by-law, the Planning Committee and Council will have regard to such matters as:</p> <ul style="list-style-type: none"> a. conformity of the proposal with the intent of the Official Plan policies and schedules; 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; 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; 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; e. the suitability of the site for the proposal, including its ability to meet all required 	<p>Planning Committee / Council Considerations</p>	<ul style="list-style-type: none"> a. The proposal conforms with the intent of the Official Plan policies and schedules as detailed in this table. b. The proposed continued use of the property for agricultural and conservation uses is compatible with existing uses in the adjacent area and is compatible with future planned uses. Further study will be required prior to the introduction of future development. c. The existing uses are compatible with existing building and structures. d. The proposal reinforces the character of the rural landscape and provides opportunity for further review in the future if development is proposed. e. The site is suitable for the proposal as it is a continuation of the existing use; f. No new development is proposed; g. No new services are required; h. All comments have been addressed;

Policy	Category	Conformity with the Policy
<p>standards of loading, parking, open space or amenity areas; 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; g. the impact on municipal infrastructure, services and traffic; h. comments and submissions of staff, agencies and the public; and, i. the degree to which the proposal creates a precedent.</p>		<p>i. The proposal does not create an undesirable precedent as it will result in the protection and continuation of conservation and agricultural uses.</p>

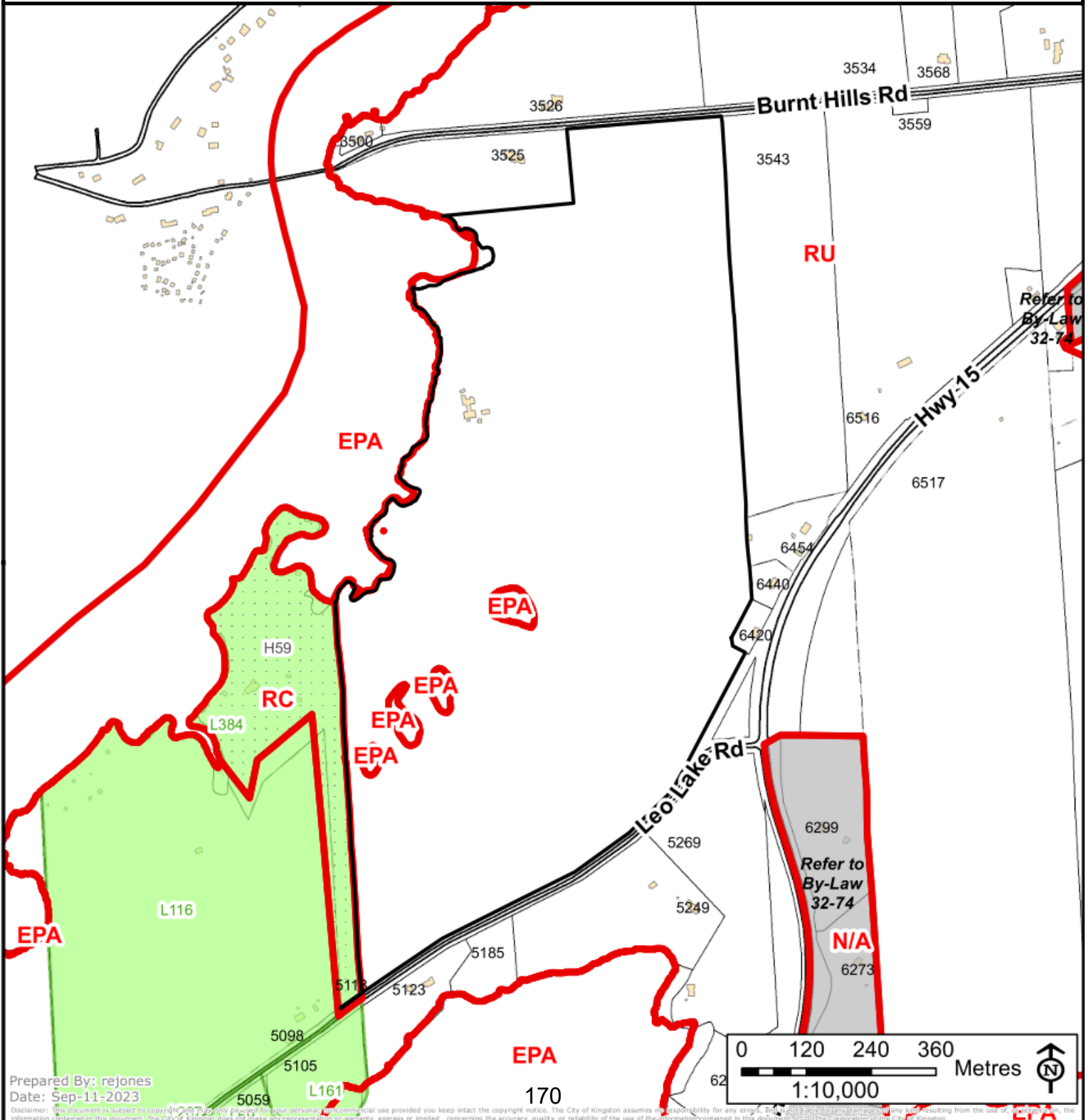


Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

Planning Services

Address: 3525 Burnt Hills Road
File Number: D14-011-2023

- Subject Lands
- Schedule 1 Zoning Map
- Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay
- Holding Overlay (HXXX)



Prepared By: rejoncs
Date: Sep-11-2023

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Looking southwest over the subject property from Burnt Hills Road to Cranberry Lake



Looking south across the property from Burnt Hills Road



Looking southwest at the existing dwelling on Burnt Hills Road



Looking east at the existing dwelling on Burnt Hills Road



Looking north along the frontage on Leo Lake Road

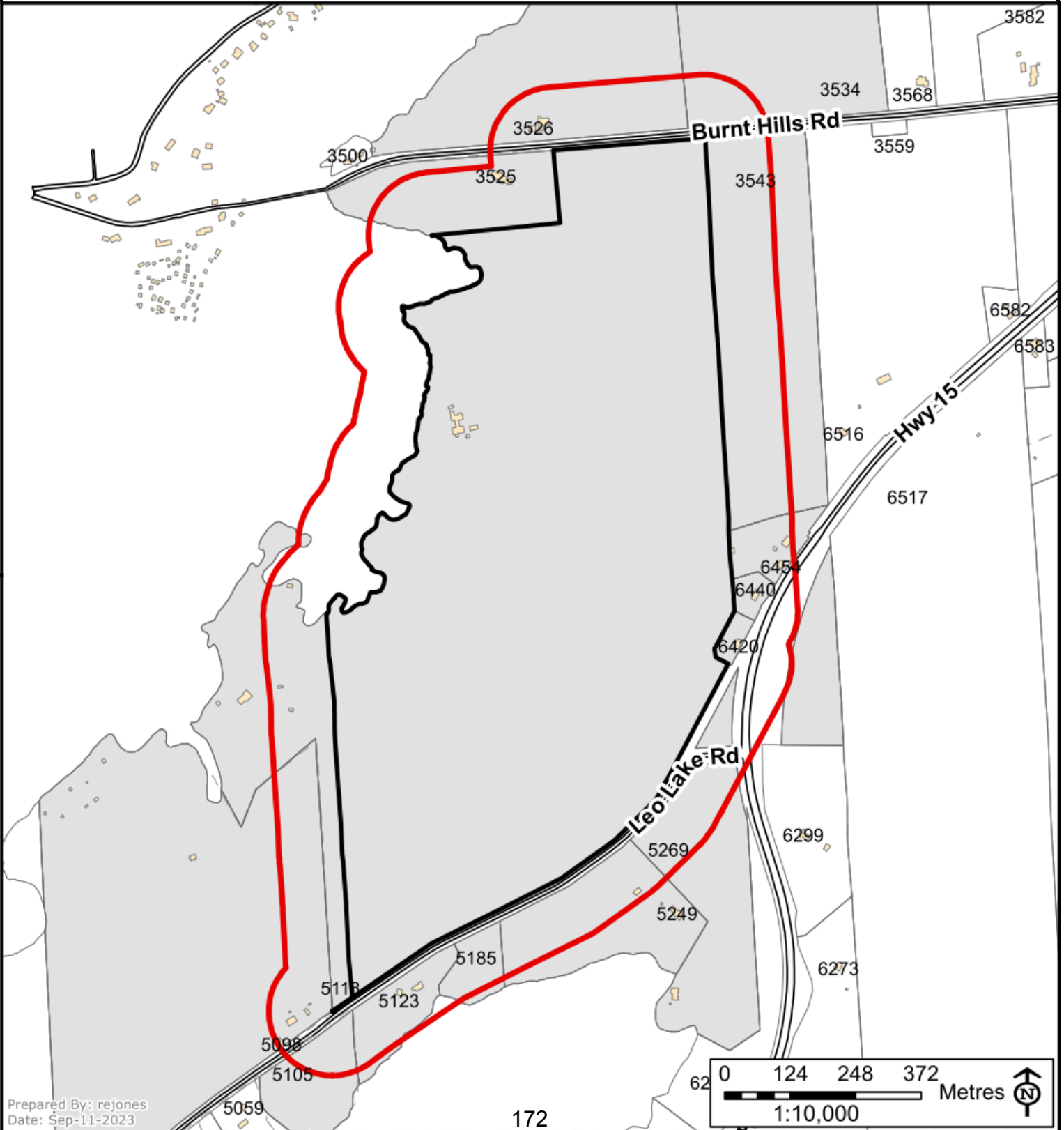


Looking east along the frontage on Leo Lake Road



Planning Committee
Public Notice Notification Map
Address: 3525 Burnt Hills Road
File Number: D14-011-2023

- 120m Public Notification Boundary
- Subject Lands
- Property Boundaries
- Proposed Parcels
- 15 Properties in Receipt of Notice (MPAC)



Wicke,Chris

From: Dorothy Hector <[REDACTED]>
Sent: October 15, 2023 11:59 AM
To: Wicke,Chris
Subject: D14-011-2023

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

1. Regarding the holding overlay for the proposed retained lot to be used for agricultural and conservation purposes, I would like to ensure that I am contacted should any plans for lifting the hold be indicated.

I have a farm business that is across the road from the property and have a vested interest in any planning by-law or other amendments/adjustments that may be considered in the future.

2. Regarding the severed new residential lot, I still maintain that the deed should include wording that prohibits the owner from complaining about normal farming activities, farm gate traffic, PYO activities, noise, smells etc as such complaints would inhibit and severely effect the certified organic business plan for my property.

Respectfully,

Dorothy Hector
3534 Burnt Hills Rd
https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.brasspointfarm.ca&c=E,1,lm6EMVslePYbc01rHUNyg82tlmWas3OSSe0bENxEHd4frFkl9wdSGXLhDHI5FPHHyf4fDG5Js8wt8MI-9BqwDz_ptYRvl5vwL5-t3b7RiZc8JelK&typo=1
Cel: +[REDACTED]