



**City of Kingston
Report to Planning Committee
Report Number PC-25-004**

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: February 20, 2025
Subject: Proposed New Site Plan Control By-Law and Site Plan Control Guidelines

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

The following is a recommendation report to the Planning Committee regarding a proposed new Site Plan Control By-Law and new Site Plan Control Guidelines. Proposed drafts were previously presented to the Planning Committee through [Report Number PC-24-004](#) on December 7, 2023.

Since the drafts of December 7, 2023, additional comments and feedback have been received. The current report outlines the feedback received and the changes made to each document based on this feedback.

It is proposed that By-Law Number 2010-017 be repealed in its entirety and a new by-law be introduced, as presented in Exhibit A of this report. It is further proposed that the existing Site Plan Control Guidelines be replaced with a new set of guidelines as presented within Exhibit B of this report.

February 20, 2025

Page 2 of 8

Recommendation:

That the Planning Committee recommends to Council:

That By-Law Number 2010-217, City of Kingston Site Plan Control By-Law, be repealed in its entirety; and

That the Site Plan Control Guidelines document dated December 2009 be repealed in its entirety; and

That the new Site Plan Control By-Law be presented to Council for all three readings, as per Exhibit A (Draft Site Plan Control By-Law) to Report Number PC-25-004; and

That the new Site Plan Control Guidelines included as Exhibit B (Draft Site Plan Control Guidelines) to Report Number PC-25-004 be approved by Council for use in the review of Site Plan Control applications.

February 20, 2025

Page 3 of 8

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 & Emergency Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Ian Semple, Acting Commissioner, Transportation & Infrastructure Services	Not required

February 20, 2025

Page 4 of 8

Options/Discussion:**Background**

Site Plan Control is a planning tool enabled under Section 41 of the *Planning Act* which allows municipalities to control certain matters on and around a site proposed for development, including, but not limited to, the siting of buildings, stormwater management, parking, pedestrian and vehicular access, and snow storage. Site Plan Control is intended to ensure that a development proposal is functional, safe, fits in with the surrounding uses and minimizes any negative impacts. Matters addressed within the zoning by-law (such as minimum or maximum setbacks or parking requirements) are not regulated by Site Plan Control but are reviewed for zoning compliance during the Site Plan Control application process. Additionally, matters relating to the standards or manner of construction of a building, interior design, or aesthetic design are not regulated through Site Plan Control.

The City's current Site Plan Control By-Law, as amended (By-Law Number 2010-217), came into effect on November 2, 2010. The by-law establishes the entire City as a Site Plan Control Area and outlines the forms of development that are subject to or exempt from Site Plan Control. Site Plan Control Guidelines are not required under the *Planning Act*; however, they are a valuable resource to applicants navigating the process. The City's current Site Plan Control Guidelines were introduced in October 2003 and last updated in December 2009.

Over the past few years, the province has made amendments to Section 41 of the *Planning Act* that require the City's Site Plan Control By-Law to be updated so that it aligns with the scope of items that are now exempt from Site Plan Control (as discussed in [Report PC-24-004](#)). In addition, staff are proposing technical and functional changes intended to improve interpretation and understanding of the by-law. Given the extent of the changes and proposed reformatting, it is proposed that the existing by-law be repealed and a new by-law introduced in its place. The City's Site Plan Control Guidelines are outdated and are also proposed to be replaced with new guidelines.

On December 7, 2023, drafts of the proposed new Site Plan Control By-Law and Site Plan Control Guidelines were presented to the Planning Committee through [Report PC-24-004](#). Following presentation of Report PC-24-004 additional feedback was received from the Committee, public and development community. A summary of comments and responses is provided in Exhibit C of this report.

Based on feedback received, a number of changes have been made to both the proposed Site Plan Control By-Law and Site Plan Control Guidelines, as presented in Exhibit A and Exhibit B of this report. A summary of these changes is provided below.

Draft Site Plan Control By-Law – Changes Between Initial and Current Drafts

The following key changes have been made to the Draft Site Plan Control By-Law (Exhibit A) from the draft previously presented to Planning Committee on December 7, 2023:

February 20, 2025

Page 5 of 8

- Exemptions from site plan control for residential uses within prescribed areas under subsection 41(1.2) of the *Planning Act* has been updated to reflect a more transparent and flexible approach. A prescribed area as defined by Ontario Regulation 254/23 includes any area within 120 metres of a wetland, the shoreline of the Great Lakes-St. Lawrence River System, an inland lake, or a river or stream valley, and any area within 300 metres of a railway line.

In the previous draft, the requirement for site plan control for developments with 10 or fewer residential units within prescribed areas was based on Director discretion. Within the current draft, residential developments containing 4 or fewer units are exempt from site plan control whether or not they are located within a prescribed area. For residential developments containing 5 to 10 units within a prescribed area, site plan control will only apply if the requirement is applied as condition of another *Planning Act* application such as a consent, minor variance or hold removal. For clarity, developments with 10 or fewer units that are not located in a prescribed area continue to be exempt from site plan control. This approach is intended to provide certainty for small residential developments which do not require other *Planning Act* approvals. Application of site plan control as a condition of another application will follow standard practice for applying conditions under the *Planning Act*.

It is noted that the Kingston Zoning By-Law provides existing protections to and from waterbodies and rail lines. Section 4.22. of the Zoning By-Law provides railway and rail yard separation distance requirements and Section 4.23. of the By-Law provides waterbody separation distances.

- The term “redevelopment” has been removed from the definition of “development” as this term is not used elsewhere within the By-Law.
- The definition of “qualified person” has been updated to clarify qualifications and align with Provincial legislation.
- Day care centres have been added as a use exempt from site plan control and a definition for “day care centres” has been added to the By-Law.
- The definition of “lot” has been expanded to align with recent amendments to the Kingston Zoning By-Law Number 2022-62 which provides context for lots divided in a stratified manner.
- A definition has been added for “natural heritage feature or area”. This definition is based on the existing Official Plan definition but is included for convenience and to avoid requiring users of the by-law to navigate to other documents.
- Surety bonds have been included as an acceptable form of security under Section 8.2 of the By-Law to reflect implementation of the Surety Bond Policy as presented in [Report AP-24-010](#) and approved by Council on February 20, 2024.

February 20, 2025

Page 6 of 8

Draft Site Plan Control Guidelines – Changes Between Initial and Current Drafts

The following key changes have been made to the Draft Site Plan Control Guidelines (Exhibit B) from the draft previously presented to Planning Committee on December 7, 2023:

- Reference to pre-application as a mandatory part of the process has been removed. Changes to the *Planning Act* have removed the ability of municipalities to require pre-application. Pre-application is still preferred and will continue to be offered as an optional service.
- Section 4.1 (Complete Application Requirements) has been expanded to account for an optional pre-application process. Previously, this section of the Guidelines indicated that submission requirements would be identified during pre-application. As pre-application is no longer required, a list of minimum submission requirements is considered helpful to applicants. Certain requirements are identified as “as applicable”, and the list is followed by a note to clarify that the City may ask for additional information as the review is conducted.
- Process information under Section 4.8 of the previous draft has been updated to reflect changes in process following Provincial repeal of fee refunds through Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024*. Previously, a 3-step process involving conditional approval was presented in the draft Guidelines. Section 4.5 (Site Plan Control Approval – Delegated Authority) of the current draft no longer references a 3-step process and instead provides information on delegated authority approval of site plan control applications.
- Website links have been updated to their new location on the new City website.
- Information has been relocated within the document and grouped with similar topics and themes. Previously, requirements and suggested design elements were separated into two sections. For example, architectural drawing requirements and architectural design considerations were previously provided in two separate sections. In the current draft, requirements and considerations are presented in the same sections, where possible.
- The term “disability groups” has been replaced with “persons with disabilities” in Section 7.5.1(b).
- The term “international disability symbols” has been replaced with “universal symbols of accessibility” in Section 7.5.1.(d).
- Section 7.5.2. (Accessible Parking Spaces) has been expanded to clarify items which are to be shown on plans.
- Reference to the “Provincial Policy Statement” has been replaced with “Provincial Planning Statement, 2024” following introduction of the new document on October 20, 2024.
- Terms of Reference for common studies and reports are no longer available on the City’s new website due to non-compliance with document accessibility standards. The website link has been replaced with the option to request these documents from Planning staff. A list of Terms of Reference which are available upon request is provided within the Guidelines to make applicants aware of the resources available.

February 20, 2025

Page 7 of 8

- Lists of recommended, restricted, nuisance and problematic invasive species have been included in Appendix B to the draft Site Plan Control Guidelines. The list of nuisance species has also been updated to include rationales on the reason each species is considered a nuisance.
- The documents listed under Section 7.5.7 (Additional Reference Material) have been updated or replaced where necessary.
- Information which is repeated in the City of Kingston's Subdivision Development Guidelines & Technical Standards has been removed from the Site Plan Guidelines and replaced with reference to the Subdivision Guidelines & Technical Standards. This change is intended to reduce duplication across documents and allow the Site Plan Guidelines to be reduced in length with the aim of being easier to interpret for users.

Public Engagement

On December 7, 2023, a draft Site Plan Control By-Law and Site Plan Control Guidelines were presented to Planning Committee and made publicly available for comment.

On January 10, 2024, the proposed Site Plan Control By-Law and Site Plan Control Guidelines were presented to the Planning Advisory Committee for comment.

On May 1, 2024, a consultation session was held with members of the development community. This session was attended by 13 members of the development community.

On June 6, 2024, a consultation session was held with 2 members of the Municipal Accessibility Advisory Committee.

A summary of comments received leading up to and following presentation of Report PC-24-004 to the Planning Committee on December 7, 2023, have been addressed within Exhibit C to this report.

Indigenization, Inclusion, Diversity, Equity & Accessibility (IIDEA) Considerations

The *Planning Act* identifies accessibility for persons with disabilities to all facilities, services and matters to which the *Planning Act* applies, as a matter of provincial interest. As part of the Site Plan Control approvals process, it is the City's standard practice to ensure that the proposed development adequately considers facilities that are designed to have regard for accessibility for persons with disabilities, such as, barrier free paths of travel, universal design in the development of the plan, adequate lighting and signage, etc.

Existing Policy/By-Law

Planning Act

City of Kingston Official Plan

February 20, 2025

Page 8 of 8

By-Law Number 2010-217, A By-Law to Designate the Whole of The City of Kingston as a Site Plan Control Area, Pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, Chapter P.13, As Amended, and to Adopt Certain Procedures for the Processing of Site Plan Control Applications, and to Exempt Certain Classes of Development from Approval of Plans and Drawings

Site Plan Control Guidelines, December 2009 Office Consolidation

Notice Provisions

A courtesy notice regarding this report was placed in The Kingston Whig-Standard on February 11, 2025.

Financial Considerations

None

Contacts:

Sukriti Agarwal, Manager, Policy Planning, 613-546-4291 extension 3217

Chanti Birdi, Intermediate Planner, 613-546-4291 extension 3273

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Draft Site Plan Control By-Law

Exhibit B Draft Site Plan Control Guidelines

Exhibit C Summary of Public Comments and Responses

Exhibit D Public Comments

City of Kingston By-Law Number 2025–XX

***A By-Law to Provide for Site Plan Control in the City of
Kingston***

1st Reading date

2nd Reading date

3rd Reading date

Passed date

City of Kingston By-Law Number 2025-XX

Site Plan Control By-Law

1.0	Interpretation	3
2.0	Administration.....	9
3.0	Development Subject to Site Plan Control.....	10
4.0	Exemptions.....	10
5.0	Approval of Plans and Drawings.....	12
6.0	Site Plan Control Agreements.....	13
7.0	Performance and Maintenance Securities	14
8.0	Acceptable Forms of Securities	15
9.0	Security for Multi-Phase Developments.....	15
10.0	Draws on Financial Security to Remedy Defaults.....	16
11.0	Enforcement	16
12.0	General.....	17

By-Law Number 2025-XX

A By-Law to Provide for Site Plan Control in the City of Kingston

Passed: Date

WHEREAS:

Subsection 41(2) of the *Planning Act* provides that where an area is described in the municipality's **Official Plan** as a site plan control area, council may, by by-law, designate such area as a site plan control area; and

The **Official Plan** for the City of Kingston describes the whole of the City of Kingston as an area subject to site plan control; and

The City deems it desirable to designate all of the lands within the municipal boundaries of the City of Kingston as a site plan control area;

THEREFORE, Council enacts:

1.0 Interpretation

1.1 This by-law may be cited as the "**Site Plan Control By-Law**".

1.2 In this by-law:

"**adjacent lands**" means those lands contiguous to a specific **natural heritage feature or area** where it is likely that **development** or site alteration would have a negative impact on the feature or area. The extent of the **adjacent lands** may be recommended by the Province of Ontario or determined by the City based on approaches that achieve the same objectives.

"**agricultural use**" means the use of any **lot** or **building** for the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and riding stables, including, livestock facilities, manure storages, value-retaining facilities; or other agricultural activities such as the packaging, selling, sorting or storage of goods grown or raised on the lands.

"**agriculture-related use**" means the use of any **lot** or **building** for farm-related commercial and/or farm-related industrial uses that are directly related to

agricultural uses in the area, support **agricultural uses**, benefit from being in close proximity to **agricultural uses** and provide direct products and/or services to **agricultural uses** as a primary activity. Examples of **agriculture-related uses** may include:

- (a) storage and distribution centres serving farm operations in the area;
- (b) farmers markets primarily selling locally grown products;
- (c) processing of produce grown in the area (for example, cider making, or the canning, quick-freezing and packing of food);
- (d) grain dryers;
- (e) agricultural research centres;
- (f) wineries using locally grown grapes;
- (g) abattoirs for processing and selling meat from animals raised in the area;
- (h) flour mills for locally grown grain;
- (i) farm equipment repair stores;
- (j) livestock assembly yards or stock yards;
- (k) agricultural auction grounds; and
- (l) farm supplier store (for example, feed, seeds or fertilizer).

“**agri-tourism**” means the use of any **lot** or **building** which is complementary to a principal **agricultural use** on a **lot** and which provides education and active activities to experience and enjoy the agricultural way of life in the rural area. Such activities may include farm machinery and equipment exhibitions, farm-tours, petting zoos, corn mazes, hayrides, sleigh rides, processing demonstrations, pick your own produce/products, farm-themed playgrounds, educational facilities that focus on farming instruction or other similar activities. **Agri-tourism** may include accessory retail sales but excludes restaurants and all other uses that are considered under the broader **on-farm diversified use** definition.

“**building**” means anything that is comprised of components joined together and that stands more or less permanently in one place. A **building** includes all components such as walls, roof, floors, structural systems, columns, plumbing, fixtures, service systems, private sewage systems, decks, porches, canopies, architectural features, chimneys, mechanical systems and any component that is attached to a **building**. The following are considered to be **buildings**:

- (a) a shipping container, sea can or similar storage container when placed on the ground for any purpose other than loading and unloading a shipment in

conjunction with an industrial or commercial use for up to maximum of 28 consecutive calendar days.

“**City**” means the Corporation of the City of Kingston.

“**co-living unit**” means the use of a **building** intended for residential accommodation where private bedrooms and/or living spaces share the use of one common kitchen and may share common washroom facilities or living spaces. For the purposes of this by-law, every 4 bedrooms within a **co-living unit** is considered to be one **residential unit**.

“**commercial parking lot**” means the principal use of any **lot** or **building** for the parking of motor vehicles, with or without a fee being charged. A **commercial parking lot** includes drive aisles, parking spaces and components necessary to support the use, and excludes any area where motor vehicles for sale or repair are kept or stored.

“**Council**” means the Municipal Council of the **City**.

“**day care centre**” means the use of any **lot** or **building** licensed pursuant to the *Child Care and Early Years Act, 2014*, S.O. 2014, c.11, Sched. 1, for the purpose of providing temporary care for or supervision of children for a child’s safety, well-being or development, in the absence of the child’s parent or guardian and for a continuous period that does not exceed 24 hours. A **day care centre** may also include care offered or supplied on a regular schedule to adults for a portion of a day, but which does not provide overnight accommodation.

“**development**” means:

- (a) the construction, erection or placing of one more **buildings** or structures on land;
- (b) the making of an addition or alteration to a **building** or structure that has the effect of substantially increasing the size or usability thereof;
- (c) the laying out and establishment of a **commercial parking lot**;
- (d) the laying out and establishment of sites for the location of three or more trailers as defined in subsection 164(4) of the *Municipal Act, 2001*, or of sites for the location of three or more mobile homes as defined in subsection 46(1) of the *Planning Act*; or

- (e) the construction, erection or location of three or more **land lease community homes** on a **lot** that will contain any number of **residential units**.

“**Director**” means the **City’s** Director of Planning Services, the **Director’s** designate, or, in the event of organizational changes, the director of the successor division or department responsible for the administration of this by-law.

“**dwelling unit**” means the use of a **building**, comprised of one or more habitable rooms designed to provide at least one washroom and kitchen for residential accommodation. This definition may include a short-term rental as defined in the Short-Term Rental Licensing By-Law where it is comprised of one or more habitable rooms designed to provide at least one washroom and kitchen for residential accommodation. This definition excludes bunkhouses, recreational vehicles, travel trailers, tent trailers or motor homes.

“**Environmental Protection Area**” means an area of natural and scientific interest, fish habitat or significant wildlife habitat areas, provincially significant wetlands, significant coastal wetlands and locally significant wetlands, rivers, streams and small inland lake systems and the Snake and Salmon Islands, located in Lake Ontario, all of which are shown in the **Official Plan**.

“**finished grade**” means the average elevation of the ground surface at the base of the main wall, measured at the four most distant points representing the outermost corners of the **building**.

When used in reference to a round **building** or another **building** that does not have corners, means the average elevation of the ground surface at the base of the **building**, measured around the perimeter.

“**gross floor area**” means the total floor area of all floors of a **building** above **finished grade**, measured between the outside of the exterior walls or between the outside of exterior walls and the centre line of party walls dividing the **building** from another **building**, but excluding:

- (a) Areas of enclosed malls used as a common area between stores;
- (b) Areas used for mechanical equipment, electrical equipment or similar service areas such as garbage or recycling rooms;

- (c) Areas used for stairways and elevator shafts;
- (d) Areas used as storage lockers;
- (e) Areas used for loading spaces, bike spaces and parking spaces;
- (f) Any floor area with a floor to ceiling height of less than 1.8 metres;
- (g) Area in an attic having headroom of 2.1 metres or less for at least half the attic floor area, unless otherwise specified; and
- (h) Balconies, porches, decks and mezzanines.

“**group home**” means the use of a **lot** or **building** to provide supervised living accommodation as per the requirements of its residents, licensed and/or funded by the Province of Ontario or the Government of Canada, generally limited to 10 persons or fewer, exclusive of staff, living together as a single housekeeping unit, but does not include a special needs facility, as defined in By-Law Number 2022-62.

“**land lease community home**” has the meaning as set out in the *Planning Act*.

“**lot**” means a single parcel, tract of land or parcel of tied land, in each case that may be conveyed in compliance with the provisions of the *Planning Act* or the *Condominium Act, 1998*, S.O. 1998, c. 19, excluding a unit, as that term is defined in the *Condominium Act, 1998*. Where a lot is divided in a stratified manner to allow for separate ownership of different levels of a building, it is still considered to be one lot for the purpose of this By-law, with the lot lines that exist at the level of the ground being the applicable boundaries for zoning interpretation purposes.

“***Municipal Act, 2001***” means the *Municipal Act, 2001*, S.O. 2001, c. 25.

“**natural heritage features or areas**” means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands, fish habitat, waters supporting aquatic species at risk, significant woodlands, significant valleylands, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

“**Official Plan**” means the Official Plan for the City of Kingston.

“**on-farm diversified uses**” means the use of any **lot** or **building** which is complementary to the principal **agricultural use** on a **lot**. **On-farm diversified uses** may include but are not limited to **agri-tourism** or other similar uses that produce value-added agricultural products. Examples of **on-farm diversified uses** may include, but are not limited to:

- (a) value-added uses that use feedstock from outside the surrounding agricultural area (for example, processor, packager, winery, cheese factory, bakery, abattoir);
- (b) office, creativity centre, personal service shop, day care centre that exceed home occupation permissions;
- (c) sawmill, welding or woodworking shop, manufacturing/fabrication, equipment repair that exceed home occupation permissions;
- (d) retail store; and
- (e) restaurant, tasting room or cooking classes.

“**on-site improvements**” means paving (base and top course asphalt, excluding granular materials); final site grading; hard and soft landscaping; walkways; retaining walls; fencing (screening and acoustic); lighting; signage; stormwater treatment units; and any above ground stormwater works such as a pond, if required on-site. **On-site improvements** do not include **buildings**, structures and underground storm, sanitary and water services.

“**owner**” means the **person** appearing as the registered owner of the land according to the records of the Land Registry Office and includes a purchaser under a valid Agreement of Purchase and Sale, and the authorized agent of any such purchaser or owner of land.

“**person**” means any individual, association, proprietorship, partnership, company, firm, corporation, business, authorized agent, trustee and heirs, executors or other legal representatives.

“**Planning Act**” means the *Planning Act*, R.S.O 1990, c. P.13.

“**Provincial Offences Act**” means the *Provincial Offences Act*, R.S.O. 1990, c. P.33.

“**provincial offences officer**” has the meaning as set out in the *Provincial Offences Act*.

“**qualified person**” means an individual with a combination of education and experience in the field of study to conduct a study and/or provide subject matter expertise and opinion that has been required by the **City**. The qualifications and credentials of the **qualified person** may include certifications or designations registered in Ontario such as Landscape Architect (OALA), Architect (OAA), Certified Engineering Technologist (C.E.T.), Professional Engineer (P.Eng.), or Professional Geoscientist (P.Geo.) depending on the subject matter of the work and must be to the satisfaction of the **City**, or where appropriate, as defined by Provincial legislation, regulations and standards.

“**residential unit**” has the meaning as set out in the *Planning Act*.

“**site plan control agreement**” means an agreement between the **owner** and the **City** pursuant to subsection 41(7)(c) of the *Planning Act*.

1.3 For the purposes of interpreting this by-law:

- (a) a reference to any legislation, regulation, by-law, or plan, or to a provision thereof, includes a reference to any legislation, regulation, by-law, or plan enacted, made or passed in substitution thereof or amendment thereof;
- (b) any reference to legislation includes all of the regulations made thereunder; and
- (c) “include”, “includes” and “including” indicate that the subsequent list is not exhaustive.

1.4 This by-law is not to be interpreted as exempting any **person** from the requirement to comply with any other **City** by-law or federal or provincial legislation. In the event of a conflict between the provisions of this by-law and any other **City** by-law, the provision that is the most restrictive will apply.

2.0 Administration

2.1 The **Director** is responsible for the administration of this by-law.

- 2.2 Where this by-law provides that the **Director** may do an act, the **Director** may, when doing the act, seek and consider information or documents from any **person**, and may consult with other **City** employees, legal counsel, or other advisors, all as the **Director** considers necessary.
- 2.3 Where this by-law provides that the **Director** may do an act, it may be done by a **person** authorized by the **Director** to do the act.

3.0 Development Subject to Site Plan Control

- 3.1 All lands within the municipal boundaries of the City of Kingston are hereby designated as a site plan control area.

4.0 Exemptions

- 4.1 The following classes of **development** are exempt from site plan control and may be undertaken without the approval of plans and drawings otherwise required under section 41 of the **Planning Act**:

- (a) the construction, erection or placing of a **building** or structure for residential purposes on a **lot** if that **lot** will contain no more than 10 **residential units**, unless:
 - (i) site plan control has been applied as a condition of another **Planning Act** approval for a **lot** that will contain between 5 and 10 **residential units** and which includes any lands in an area prescribed by regulation pursuant to subsection 41(1.2) of the **Planning Act**; or
 - (ii) the **lot** includes the construction, erection or placing of a **land lease community home** that will contain any number of **residential units**;
- (b) **group homes**;
- (c) any **building** or structure accessory to the uses described in clauses (a) and (b) of this by-law;
- (d) new non-residential **development** which contains less than 300 square metres of **gross floor area**, at the sole discretion of the Director, where:

- (i) the **lot** is not located within an **Environmental Protection Area** or **adjacent lands**;
 - (ii) the **development** does not have the effect of altering the grading or drainage of the **lot**; and
 - (iii) the **development** does not adversely affect a **natural heritage feature** or **adjacent lands**;
- (e) minor modifications or additions to existing **development**, or any **building** or **structure** accessory to existing **development**, at the sole discretion of the **Director**, where:
- (i) the **lot** is not located within an **Environmental Protection Area** or **adjacent lands**; and
 - (ii) the minor modification or addition does not have the effect of:
 - a. substantially increasing the size or useability of any **building** or structure;
 - b. altering the grading or drainage; or
 - c. adversely affecting a **natural heritage feature** or **adjacent lands**;
- (f) interior **building** alterations which do not involve a change of use as defined in the *Building Code Act, 1992*, S.O. 1992, c. 23 or which, at the sole discretion of the **Director**, do not impact the grading, drainage, parking or access on the **lot**;
- (g) a temporary **building** or structure that is designed, constructed and placed on a **lot** in a manner which permits its removal after a period of time not to exceed 120 consecutive days, as determined in the sole discretion of the **Director**;
- (h) any sheds, scaffolds or other structures incidental to a permitted **building** construction for so long as the same is necessary for work in progress which has neither been finished nor abandoned;

- (i) any outdoor patio which is accessory to an industrial or institutional use and is not associated with commercial use;
- (j) any outdoor patio located on **City** property which has been expressly permitted in writing by the **City**;
- (k) **agricultural uses**;
- (l) **on-farm diversified uses, agri-tourism uses and agriculture-related uses**, at the sole discretion of the **Director**, except where site plan control approval is required as a condition of provisional consent, a condition of a minor variance decision or included as a condition of removal of a holding overlay;
- (m) **day care centres**; or
- (n) a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.

5.0 Approval of Plans and Drawings

5.1 Subject to section 4.0 of this by-law, no **person** will undertake any **development**, and no building permit may be issued for any **development**, on lands located within the **City's** site plan control area, unless the **City** has approved in writing, plans and drawings for the following:

- (a) plans showing the location of all **buildings** and structures to be erected and the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under clause 41(7)(a) of the **Planning Act**, including facilities designed to have regard for accessibility for person with disabilities; and
- (b) drawings showing plan, elevation and cross-section views for each **building** to be erected, except a **building** to be used for residential purposes containing less than 25 **dwelling units**, for which drawings are sufficient to display:
 - (i) the massing and conceptual design of the proposed **building**;

- (ii) the relationship of the proposed **building** to adjacent **buildings**, streets, and exterior areas to which members of the public have access;
- (iii) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from street, open spaces and interior walkways in adjacent **buildings**;
- (iv) matters relating to **building** construction required under a by-law referred to in section 97.1 of the ***Municipal Act, 2001***;
- (v) the sustainable design elements on any adjoining road under the **City's** jurisdiction, including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
- (vi) facilities designed to have regard for accessibility for persons with disabilities.

5.2 Plans and drawings submitted pursuant to this by-law must:

- (a) bear a drawing number, date or date of revision; and
- (b) be submitted in a manner and to a scale that shows with clarity and accuracy all **buildings**, structures, facilities and works described in clauses 6.1 (a) and (b) of this by-law.

5.3 The **City** may require the applicant to submit additional studies, plans and calculations completed by a **qualified person** that validate the location, dimensions and nature of the **buildings**, structures, facilities and works proposed in the plans and drawings.

5.4 The cost of any required studies, plans and calculations, including additional studies, plans and calculations, will be the sole responsibility of the **owner**.

6.0 Site Plan Control Agreements

6.1 Subject to section 4.0, an **owner** who undertakes **development** in the **City's** site plan control area may, as determined by the **Director**, be required to enter into one or more **site plan control agreements** with the **City** dealing

with, and ensuring the provision of, any or all of the facilities, works or matters set out in subsection 41(7) of the **Planning Act** and the maintenance thereof or with the provision and approval of plans and drawings referred to in section 5.0 of this by-law.

- 6.2 At the **owner's** sole expense, any agreement or amendment thereto entered into under this by-law will be registered by the **City** against the land to which it applies. The **City** is entitled to enforce the agreement against the **owner** and all subsequent **owners** of the land.

7.0 Performance and Maintenance Securities

- 7.1 Where the **owner** is required to enter into a **site plan control agreement**, and the **site plan control agreement** requires the submission of a financial security in order to guarantee compliance with the provisions of the **site plan control agreement**, including satisfactory completion and/or maintenance of the facilities and works required by the **site plan control agreement** and the approved plans and drawings listed therein, the **owner** must file with the **City**, financial securities in an amount as determined by the **City** in accordance with this by-law.
- 7.2 The **owner** must submit to the **City** for written approval a cost estimate prepared by a **qualified person** for the approved facilities and works. The cost estimate approved by the **City** must be appended to the **site plan control agreement**.
- 7.3 The amount of the security will be determined by the **City** based on the cost estimate submitted pursuant to subsection 7.2 of this by-law. The amount of security required will be calculated as follows:
- (a) the amount of security will equal 50% of the estimated cost of the **on-site improvements** to a maximum amount of \$250,000; and
 - (b) for all facilities and works on **City**-owned property, the amount of security will equal 100% of the cost of the approved facilities and works.
- 7.4 If lands subject to a **site plan control agreement** are transferred, the **City** will not return any securities required pursuant to this by-law until the new **owner** provides substitute securities in the required amounts to the satisfaction of the **City**.

7.5 In accordance with the provisions of the **site plan control agreement**, the **City** may conduct site inspections to confirm the satisfactory completion of facilities and works in accordance with the approved site plans and drawings.

8.0 Acceptable Forms of Securities

8.1 Any security required in accordance with this by-law must be submitted to the **City** prior to the execution of the **site plan control agreement**.

8.2 Any security must be provided to the **City** in the form of cash, certified cheque, surety bond or an irrevocable letter of credit in the amount as determined by the **City** and in a form satisfactory to the **City**. Without limiting the generality of the foregoing, all letters of credit must be issued by a Schedule 1 Canadian Chartered Bank. Any security will be held and released by the **City** in accordance with the **site plan control agreement**, without interest.

9.0 Security for Multi-Phase Developments

9.1 Where a multi-phase **development** is proposed, the **City**, in its sole discretion, may permit a security to be submitted for the initial phase of the **development**. The security may be applied to subsequent phases of the **development** provided that:

- (a) all phases of the **development** are being undertaken by the same **owner** and are located on contiguous lands;
- (b) the proposed phasing is reflected on the approved plans and drawings and in the approved cost estimate;
- (c) if a letter of credit is provided as security, the letter of credit applies to all phases of the **development**;
- (d) the amount of the security is calculated based on the estimated cost of the most expensive phase of **development**; and
- (e) **development** of the phase to which the security applies must be substantially complete to the satisfaction of the **City** before the security may be applied to any subsequent phase.

10.0 Draws on Financial Security to Remedy Defaults

- 10.1 Where the **owner** has entered into a **site plan control agreement** in accordance with the provisions of this by-law and has received notice from the **City** of a default with respect to any of the obligations, terms, covenants or provisions of the **site plan control agreement** or the approved plans and drawings therein, then the **City** may enter upon the **owner's** lands to complete any outstanding works to remedy the default at the **owner's** sole expense.
- 10.2 The **City**, at its sole discretion, may recover any costs incurred, including interest and administration costs, to provide, maintain or complete any works by drawing down on the financial security provided pursuant to the **site plan control agreement** and this by-law. If there is no security, or if the amount of security held by the **City** is not sufficient to cover the costs incurred by the **City**, then without limiting the **City's** remedies, the **City** may recover any costs incurred by adding the costs to the tax roll of the **owner's** lands and collecting them in the same manner as property taxes.
- 10.3 Where the **City** exercises its discretion to draw on the financial securities to remedy any default related to a **site plan control agreement** or the approved plans and drawings, the **owner** will be charged an administration fee equal to 20% of the costs to remedy said default. Where deemed appropriate by the **Director** in their sole discretion, the administration fee may be waived.

11.0 Enforcement

- 11.1 This by-law may be enforced by a **provincial offences officer**, or other authorized employees or agents of the **City**.
- 11.2 No **person** will obstruct or hinder, or attempt to obstruct or hinder, a **provincial offences officer** or other authorized employees or agents of the **City** in the exercise of a power or the performance of a duty under this by-law.
- 11.3 Every **person** who contravenes any provision of this by-law is guilty of an offence as provided for in the **Provincial Offences Act**.
- 11.4 Every officer or director of a corporation who permits a contravention of any provision of this by-law is guilty of an offence as provided for in the **Provincial Offences Act**.

- 11.5 Every **person**, officer or director who contravenes any provision of this by-law is liable for a fine as provided for in the ***Provincial Offences Act*** upon conviction.
- 11.6 When a **person** has been convicted of an offence under this by-law, the Ontario Court of Justice or any court of competent jurisdiction may, in addition to any other penalty imposed on the **person** convicted, make an order:
- (a) prohibiting the continuation or repetition of the offence by the **person** convicted; and
 - (b) requiring the **person** convicted to correct the contravention in the manner and within the period that the Ontario Court of Justice considers appropriate.

12.0 General

- 12.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of **Council** in enacting this by-law that each and every one of the then remaining provisions hereof shall remain in full force and effect.
- 12.2 By-Law Number 2010-217, “A By-Law to Designate the Whole of the City of Kingston as a Site Plan Control Area, Pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, and to Adopt Certain Procedures for the Processing of Site Plan Control Applications, and to Exempt Certain Classes of Development from Approval of Plans and Drawings”, is repealed in its entirety.
- 12.3 The **City** may provide Site Plan Control Guidelines intended to provide guidance on the site plan control process and design standards, but which do not form part of this by-law and may be amended from time to time.
- 12.4 This by-law will come into force and take effect on the date it is passed.

1st Reading date

2nd Reading date

3rd Reading date

Passed date

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Site Plan Control Guidelines

City of Kingston
Planning Services
February 20, 2025



The Site Plan Control Guidelines were endorsed by City Council on XX 2025 and may be updated by staff from time to time.

This document is intended to provide general information only. For detailed reference, please refer to the *Planning Act* and the City of Kingston Site Plan Control By-Law Number 2025-XX.

For additional information, contact Planning Services at 613-546-4291 extension 3180.

Table of Contents

1.	Purpose	1
2.	Electronic Submission	1
3.	Pre-Application	1
4.	Review Process.....	2
4.1	Complete Application Requirements	2
4.2	Required Fees.....	3
4.3	Public Notification and On-Site Signage	3
4.4	Technical Circulation.....	4
4.4.1	Other Agencies.....	4
4.5	Site Plan Control Approval – Delegated Authority.....	4
4.5.1	Following Site Plan Control Approval	5
4.5.2	Site Plan Control Agreement	5
4.5.3	Modifications Following Site Plan Control Approval.....	6
5.	Securities.....	6
5.1	Draws on Financial Security.....	6
5.2	Reduction/Release of Financial Security.....	6
6.	Required Reports, Studies, Plans and Drawings.....	7
6.1	Required Reports and Studies	7
6.2	Required Plans and Drawings.....	8
6.2.1	General Requirements for Plans and Drawings.....	8
6.2.2	Site Plan Drawing	9
6.2.3	Architectural Drawings.....	10
6.2.4	Elevation Drawings	11
6.2.5	Engineering and Utilities Drawings	11
6.2.6	Servicing Plan.....	12
6.2.7	Grading Plan.....	14
6.2.8	Construction Details	16

Site Plan Control Guidelines

6.2.9	Landscape Plan.....	16
6.2.10	Tree Preservation Plan.....	20
6.2.11	Survey	23
7.	Site Design Guidelines	23
7.1.1	Vehicular Movement and Parking Design.....	23
7.1.2	Pedestrian Movement Design.....	23
7.1.3	Compatibility and Adverse Impact	23
7.1.4	Garbage and Recycling Storage Area	24
7.2	Engineering.....	25
7.2.1	Access.....	25
7.2.2	Sidewalks	26
7.2.3	Grading.....	26
7.2.4	Stormwater Management Design and Criteria.....	27
7.2.5	Snow Storage	30
7.2.6	Retaining Walls.....	30
7.2.7	Roof Drains.....	31
7.2.8	Off-Site Works	31
7.2.9	Subdivision Approvals	32
7.3	Utilities	32
7.3.1	General Requirements.....	32
7.3.2	Manhole.....	34
7.3.3	Storm Sewer Systems	34
7.3.4	Sanitary Sewer Systems.....	34
7.3.5	Water Services	35
7.3.6	Natural Gas	37
7.3.7	Abandoned Services	37
7.3.8	Street Lighting	38
7.3.9	Electricity and Other Wire Servicing	38
7.3.10	Fibre Optics	39
7.3.11	Utility Easements.....	39
7.3.12	Construction and Inspection	40

7.4	Fire Access Route Design.....	44
7.4.1	Fire Alarm Systems	44
7.5	Accessibility.....	45
7.5.1	General Design Considerations.....	45
7.5.2	Accessible Parking Spaces	45
7.5.3	Access To and Within Buildings	46
7.5.4	Interior Design	47
7.5.5	Pathways.....	47
7.5.6	Universal Design Principles.....	48
7.5.7	Additional Reference Material.....	49
7.6	Building Permit.....	49
7.6.1	Spatial Separation	49
7.6.2	Signs.....	49
8.	Contacts and Related Documents.....	50
8.1	Contacts.....	50
8.2	Related Documents.....	50
	Appendix A: Site Plan Control Process Flow Chart.....	52
	Appendix B: Recommended, Restricted and Nuisance Tree Species Lists	53
	Table 1: Recommended Street Tree Species.....	53
	Table 2: Cataraqui Conservation Recommended Tree and Shrub Species	53
	Table 3: Recommended Street Trees for Small Lots, Cul-de-sacs, or where Servicing Limits Space	56
	Table 4: Restricted Species adjacent to Natural or Environmental Protection Areas and Alternatives	57
	Table 5: Nuisance Species	58
	Table 6: Problematic Invasive Species	59

Site Plan Control Guidelines

This page intentionally left blank.

1. Purpose

The purpose of the Site Plan Control Guidelines is to outline the submission requirements and review process through which site plan control applications are evaluated within the City of Kingston. The guidelines convey the City's expectations and preferences for development subject to site plan control.

Site plan control is a planning tool authorized under Section 41 of the *Planning Act* that allows municipalities to review development matters such as the massing and location of buildings, pedestrian and vehicular access, drainage and lighting. The site plan control process examines the design and technical aspects of a proposed development to ensure it is safe, functional, and compatible with the surrounding area.

On XX, City Council passed By-Law Number 2025-XX, titled the Site Plan Control By-Law, which designates the whole of the City of Kingston as a "Site Plan Control Area" and establishes classes of development exempt from site plan control.

Please note that site plan control is a separate process from other applicable approvals under the *Building Code Act*, *Ontario Heritage Act*, *Planning Act*, etc. Owners are responsible for obtaining all applicable approvals from the City of Kingston and external agencies, including those listed in Section 4.4.1. of this document, prior to construction.

2. Electronic Submission

All applications for site plan control are to be submitted electronically using the Development and Services Hub (DASH), the City's online development review portal at <https://www.cityofkingston.ca/planning-and-development/how-to-use-dash/>.

Assistance with DASH applications is available by contacting Planning Services at 613-546-4291, ext. 3180, planning@cityofkingston.ca or by visiting the Planning Services offices at 1211 John Counter Boulevard during regular office hours.

3. Pre-Application

Pre-application is optional but recommended prior to formal submission of a site plan control application. During the pre-application process, the applicant will meet with City staff to discuss any potential technical issues and required approvals and submission materials, including but not limited to, supporting studies, plans and drawings.

Pre-application does not imply or suggest any future recommendations or approvals on behalf of the Corporation of the City of Kingston, staff or agencies.

Pre-applications are to be submitted through DASH. Submission deadlines can be found at <https://www.cityofkingston.ca/planning-and-development/development-applications/pre-application/>.

For the purpose of pre-application, the applicant will generally provide the following information at a minimum:

- a) The location(s) of the proposed development;

Site Plan Control Guidelines

- b) The proposed use(s); and
- c) Preliminary scaled drawings and/or visual renderings of the proposed development.

4. Review Process

Review of a site plan control application is undertaken by various City departments and external agencies, such as Utilities Kingston, Cataraqui Conservation, and provincial ministries, as applicable.

Applications which contravene City policies, regulations, and the zoning by-law(s), or do not contain the required information will not be considered. Any proposals requiring a zoning by-law amendment or a minor variance must receive final approval (including no appeals during the appeal period) prior to the submission of the site plan control application.

The site plan control process flow chart is provided in Appendix A.

4.1 Complete Application Requirements

The following are minimum application requirements to be submitted prior to staff review or circulation of the site plan control application:

- a) Complete application details in DASH;
- b) Full application fees as per City of Kingston By-Law Number 2005-10, Fees and Charges By-Law, as amended;
- c) Architectural elevations;
- d) Floor Plans;
- e) Grading Plan, as applicable;
- f) Landscaping Plan (may be combined with Site Plan or Grading Plan);
- g) Lighting Plan, as applicable;
- h) Noise report, as applicable;
- i) Owner authorization form (if applicant is not the property owner);
- j) Servicing Plan, as applicable;
- k) Servicing report;
- l) Site Plan;
- m) Site Plan Accessibility Checklist;
- n) Stormwater Management Report/Brief, as applicable; and

o) Zoning Compliance Table.

The need for additional reports may also be identified once various City departments and external agencies have commenced their review of the application. Applicants are encouraged to undertake pre-application to help identify any additional requirements prior to formal submission.

To ensure the timely and coordinated processing of the site plan control application, all submission materials, including any required revisions, are to be uploaded to DASH and coordinated through Planning Services. Reports or drawings are not to be submitted directly to any individual department/commenting agency.

4.2 Required Fees

The applicant will be required to pay the appropriate fee for the submission of a site plan control application, as set out in By-Law Number 2005-10, the Fees and Charges By-Law, as amended. The full application fee is payable with the application submission. The application fees are updated from time to time. Fees are payable based on the fee schedule in effect on the date the complete application is made. For the current application fees, please consult Planning Services or refer to the Fees and Charges By-Law on the City's website.

The applicant will also be required to pay fees associated with the preparation and registration of the site plan control agreement and will be advised by the Legal Services Department of the required fee prior to the registration of the site plan control agreement. There may also be other financial requirements arising from the application, including, but not limited to, parkland dedication, development charges, community benefits charges, payment of outstanding property taxes, deferred local improvement charges and road widening conveyance. If there is a need for a peer review of any of the required supporting studies, the peer review will be at the applicant's cost.

Information regarding financial securities is provided in Section 5 of this document.

4.3 Public Notification and On-Site Signage

Once a complete application has been submitted, including the payment of the required application fees, the file is assigned to a Planner. The Planner will provide instructions for signage requirements to the applicant. The sign will include a brief description of the proposal and provide City contact information for the public to obtain more details. The applicant is responsible for the proper installation and removal of the sign(s).

If the site plan control application has been "bumped-up" to the Planning Committee, as described in Section 4.5 below, a notice of the meeting is provided by the City to all property owners within 120 metres of the subject site and to any individuals who have requested to be notified. A courtesy advertisement is also placed in the local newspaper outlining the items on the Planning Committee agenda.

Site Plan Control Guidelines

4.4 Technical Circulation

The Planner assigned to the file will prepare the technical circulation for distribution to commenting internal departments and external agencies, as appropriate.

Once all comments have been received by Planning Services, they will be forwarded to the applicant who is responsible for addressing comments and submitting revisions, as required. In order to keep the application active and obtain timely approval, the applicant must address the comments and concerns as requested and provide the revised plans and any required additional information promptly. A letter outlining how each specific comment has been addressed must be included in all subsequent submissions.

When all comments have been satisfied, the site plan control agreement is finalized for execution by the owner and/or those who have legal signing authority.

4.4.1 Other Agencies

Agencies outside of the jurisdiction of the City of Kingston and Utilities Kingston may need to be contacted and their approval gained prior to issuance of site plan control approval or development of the site. Agencies such as, but not limited to, federal authorities (for example Parks Canada, Transport Canada, Fisheries and Oceans Canada), provincial ministries (for example Ministry of the Environment, Conservation and Parks, Ministry of Natural Resources and Forestry, Ministry of Transportation), Cataraqui Conservation, CN Rail, Kingston, Frontenac and Lennox & Addington (KFL&A) Public Health, Enbridge Gas, Hydro One, Cogeco and Bell Canada may be required to give their approval prior to development. The applicant is responsible for notifying and obtaining approval from all agencies outside the jurisdiction of the City of Kingston and Utilities Kingston.

Applicants are advised to contact Cataraqui Conservation directly if the proposed development is within 120 metres of any stream, river or other watercourse, water body, lake, wetland, floodplain, or environmentally significant area. A permit may be required under Ontario Regulation 41/24 or for the placement, grading, or removal of fill on a property, or for the alteration of a watercourse. Applications within Cataraqui Conservation's jurisdiction will need to be reviewed and approved by Cataraqui Conservation prior to issuance of site plan control approval.

Information regarding Cataraqui Conservation's land use planning policies, regulations, and application fees can be found on the Cataraqui Conservation website at <https://cataraquiconservation.ca/>.

4.5 Site Plan Control Approval – Delegated Authority

The Director of Planning Services has delegated authority to approve site plan control applications. The Mayor and all members of Council are provided notice of all site plan control applications and have the opportunity to request that a site plan control application be referred to or “bumped-up” to the Planning Committee. If a site plan control application has been referred to the Planning Committee (through a motion of Council), an information report to the Planning Committee is prepared by staff following

receipt of all technical review comments and resolution of all major items. A courtesy notice outlining the items on the Planning Committee agenda is placed in the newspaper and/or the City's website.

Site plan control approval by the City is required prior to issuance of a Building Permit. If construction of the proposed development has not commenced within one year of the date of the site plan control agreement, the City may withdraw site plan control approval and terminate the site plan control agreement.

If the City does not approve the site plan control application within the timeline prescribed by the *Planning Act*, or if the owner does not agree with the conditions of the approval, the owner may submit an appeal to the Ontario Land Tribunal.

4.5.1 Following Site Plan Control Approval

Once all technical comments have been resolved, the applicant must fulfill the following requirements to the satisfaction of the City as part of the final site plan control approval step:

- a) Submit a cost estimate (as outlined in Section 5 of this document) and submit all required financial securities to the City after the cost estimate is finalized;
- b) Submit one final set of drawings with a document listing the name and number of each final drawing, the date created, date of last revision and revision number, and the name of the firm or company that prepared each drawing;
- c) Provide the following information:
 - o Name of the owner;
 - o Mailing address of owner;
 - o Name of signing authorities and their titles; and
 - o Legal description of the property
- d) Provide a signed site plan control agreement.

A signed site plan control agreement, financial securities, fees, and all final documents must be submitted to Planning Services. When the documents are received, the owner will receive the final site plan control approval memo from the City.

4.5.2 Site Plan Control Agreement

The owner is required to enter into an agreement with the City prior to the issuance of site plan control approval. Once executed, the site plan control agreement is registered against the title of the land to which it applies and is binding on current and subsequent owners of the property.

A site plan control agreement contains specific conditions pertaining to the site as identified through the site plan control review process. The applicant is required to

Site Plan Control Guidelines

provide a cost estimate for the project which is to be included as a schedule to the site plan control agreement and used to determine the required securities for the development. The site plan control agreement contains schedules regarding the required financial securities, any cash surcharges, easements, and the list of approved drawings.

If there is a significant amount of off-site work required, a separate Construction Agreement may be required by Development Engineering or Utilities Kingston.

4.5.3 Modifications Following Site Plan Control Approval

Any proposed changes to the approved plans may require further approval through a Site Plan Modification application. A modification to the site plan agreement may be required depending on the nature of the proposed changes.

5. Securities

Financial securities are required as part of the site plan control process to ensure the satisfactory completion and maintenance of the required works. The cost estimate approved by the City is appended to the site plan control agreement.

The amount of security required is calculated as follows:

- a) the amount of security equals 50% of the estimated cost of the on-site improvements to a maximum amount of \$250,000; and
- b) for all facilities and works on City-owned property, the amount of security equals 100% of the cost of the approved facilities and works.

Securities may be provided in the form of cash, certified cheque, surety bond, or irrevocable letter of credit, satisfactory to the City.

5.1 Draws on Financial Security

In accordance with Site Plan Control By-Law Number 2025-XX, where an owner has entered into a site plan control agreement and has received notice from the City of a default with respect to any of the obligations, terms, covenants or provisions of the site plan control agreement or approved plans and drawings therein, the City may enter upon the owner's lands to remedy the default at the owner's sole expense.

5.2 Reduction/Release of Financial Security

Requests for reduction or release of financial securities are filed through DASH and must be accompanied by a certificate from a Qualified Person confirming that all required facilities and works have been completed in accordance with the approved site plan drawings, along with the applicable application fee.

Where all facilities and works have been completed, up to a maximum of 90% of the initial amount of the financial security may be released. The remaining 10% of the initial security amount will be held by the City for a minimum of one year as a maintenance security to ensure all facilities and works, including landscaping, are maintained and

that any necessary repairs or replacements are completed. After the one-year maintenance period, the owner may apply for final release of securities through DASH, including a certificate from a Qualified Person confirming that all required facilities and works have been completed, along with the applicable application fee.

Where a portion of the facilities and works have been completed, a partial release of securities may be requested, accompanied by a certificate from a Qualified Person confirming the cost and percentage of completed facilities and works, along with the applicable application fee.

The City may conduct a site inspection to confirm the satisfactory completion of facilities and works. Where deficiencies are identified, the security release may be delayed or reduced until the deficiencies have been remedied.

6. Required Reports, Studies, Plans and Drawings

Through the pre-application process, staff will identify the reports, studies, plans and drawings that are required with the submission of the site plan control application. The need for additional reports, studies and plans may also be identified once various City departments and external agencies have commenced their review of the application.

6.1 Required Reports and Studies

Required reports and studies must be current and completed by an appropriately qualified professional. Common reports and studies that may be required include, but are not limited to, Archaeological Impact Assessment, Environmental Impact Assessment, Environmental Site Assessment, Geotechnical Study, Heritage Impact Assessment/Statement or Conservation Report, Hydrogeology Study, Noise and/or Vibration Report, Servicing Report, Stormwater Management Report, Traffic Impact Study, and Urban Design Study.

Other studies that may be required in order to facilitate proper consideration of the site plan control application could include, but are not limited to, a Shadow Analysis, Height Survey of Adjacent Buildings, Air Quality Study, Slope Stability Study, Wave Uprush Study, Wind Study, and Snow Load Calculations.

Terms of Reference for the following commonly required reports and studies are available by contacting Planning Services:

- a) Heritage Impact Statement;
- b) 3D Building Mass Model;
- c) Environmental Impact Assessment;
- d) Erosion and Sediment Control Plan;
- e) Floodplain Analysis;
- f) Geotechnical Study;

Site Plan Control Guidelines

- g) Landscaping Plan;
- h) Lighting Study;
- i) Noise Impact Study;
- j) Parking Study;
- k) Phase 1 & 2 Environmental Site Assessment;
- l) Planning Justification;
- m) Record of Site Condition;
- n) Servicing Report;
- o) Stormwater Management Report;
- p) Traffic Impact Study;
- q) Tree Preservation and Protection Plan; and
- r) Urban Design Study.

6.2 Required Plans and Drawings

Required plans and drawings must be current and completed by an appropriately qualified professional. Common plans and drawings that are required include, but are not limited to, Site Plan, Architectural Drawings, Elevation Drawings, Engineering and Utilities Drawings, Servicing Plan, Grading Plan, Construction Details, Landscape Plan, Tree Preservation Plan and Survey.

6.2.1 General Requirements for Plans and Drawings

All plans and drawings must be legible and submitted with metric dimensions. The following information must be included on all submitted plans:

- a) Identification of the proposed use of the site;
- b) Name and address of the firm preparing the plan;
- c) Name of applicant and owner;
- d) Municipal address and/or legal description (Reference Plan, Lot, Concession and Registered Plan Lot Number);
- e) Metric scale;
- f) North arrow;
- g) Legend;

- h) Title block and revision block;
- i) The main features of the site (all buildings, parking areas, driveways, above ground utilities, landscape areas, fencing, ditches, etc.);
- j) Location of all building entrances;
- k) Overall dimensions of all property boundaries and all buildings and structures existing or proposed on the site and abutting properties, including dimensions which are sufficient to show the position of buildings in relation to site boundaries;
- l) All existing and proposed easements, rights-of-way and reserves within or adjacent to the subject lands;
- m) Sight triangles; and
- n) Required professional stamp.

All revisions to plans and drawings must be dated, noted and described in the revision block on each drawing and must have the area(s) of revision highlighted (in a cloud format).

6.2.2 Site Plan Drawing

In addition to the requirements of Section 6.2.1, the site plan drawing must include the following information at a minimum:

- a) Key plan, indicating location of the site in respect to the City street network;
- b) Use of existing and proposed buildings and number of storeys;
- c) Layout of the parking area and minimum dimensions of parking spaces, accessible parking spaces, loading spaces, bike spaces, aisles, driveways, ramps, fire routes;
- d) The type of parking area (i.e. open, underground, garage);
- e) Location of vehicular entrance(s);
- f) Dimensions of vehicular entrance width, turning radii and sight triangles;
- g) Truck routes, turning radii and required fire lanes;
- h) Curb cuts, curb depressions, depressed walks on each side of all streets that border the property;
- i) Layout of pedestrian access and walkways;
- j) Height and design of all existing and proposed fences and privacy screens;
- k) Labelled existing and proposed surface treatment (for example, grass, paved, gravel);

Site Plan Control Guidelines

- l) Location, design and construction details of waste and recycling collection area(s);
- m) Location of all outdoor storage areas and detailing of enclosure;
- n) Any existing or proposed street widening and 0.3 metre reserves;
- o) Abutting road right-of-way width including the location and width of traffic islands, hydro poles, fire hydrants, sidewalks, etc.;
- p) All existing and proposed driveways on the subject site and adjacent properties;
- q) Man-made or natural features (such as a watercourse, swale, culvert, retaining wall, embankment, catch basin) on or adjacent to the site;
- r) A site statistic table indicating the following for each use, as applicable: lot area; landscaped open space area; ground floor area; gross building floor area; number of units; height of building; number of storeys; number of required and provided parking spaces; number of required and provided accessible parking spaces; number of required and provided loading spaces; number of required and provided bike parking spaces, lot coverage of principal building(s); lot coverage of accessory building(s); and percentage of paved and/or graveled area;
- s) For residential development, the site statistic table must also indicate the following: density, number of bedrooms per unit, and total amenity area;
- t) Location of snow storage area(s);
- u) Location and dimensions of amenity areas; and
- v) Location of existing buildings with an indication whether the buildings are to be demolished or to remain.

6.2.3 Architectural Drawings

Architectural drawings include elevations and floor plans. Where required under the Ontario Building Code, architectural plans must be prepared and stamped by an Architect or a Professional Engineer. Floor plans must be submitted for all buildings. The plans should show all floors except where the layout of a floor is repetitive. During the site plan control review process, interior layouts are used for information purposes only. Floor plans form part of the approved site plan control plans for the site plan control agreement where they include interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings.

Architectural Design Considerations

From a planning and design perspective, the City will be looking for proposals that promote:

- a) a visually attractive built environment;

- b) an environmentally friendly and sustainable development;
- c) pedestrian orientation;
- d) opportunities for active transportation;
- e) compatibility with adjacent buildings and land uses; and
- f) the conservation and enhancement of cultural heritage resources and natural heritage features.

The design of a site should be appropriate in massing and location and in general conformity with surrounding buildings. When adjacent to a protected heritage property, site design should strive to avoid negative impacts to the heritage value of the adjacent property, such as visual obstruction, overshadowing or isolation.

Mechanical equipment should be integrated into the design of the building or located in areas of the building that are not visually prominent. All rooftop mechanical equipment or elevator shafts should be screened such that they are not visible from ground level. Materials used to screen the rooftop mechanics should be sensitive to the materials used in building construction.

6.2.4 Elevation Drawings

In addition to the requirements of Section 6.2.1, the elevation drawings for all sides of all existing or proposed buildings must include the following information:

- a) Floor and overall building height dimensions;
- b) All roof structures, screening and mechanical equipment (penthouses, chimneys, rooftop units, vents, air conditioning, etc.);
- c) Location and dimensions of any existing or proposed roof or fascia signs; and
- d) Location and design of all exterior lighting including lighting specifications if separate lighting plan is not provided.

In addition to the above, inclusion of exterior material type and colour is requested.

Where the proposed development includes a streetscape or group of buildings, a “street elevation”, drawn to scale, showing all elevations from the street side is required.

6.2.5 Engineering and Utilities Drawings

Site grading and servicing must conform with any approved records currently on file with the City. All engineering drawings must be prepared by a Professional Engineer licensed to practice in Ontario. The Professional Engineer’s certification (i.e. P.Eng. stamp, signed and dated) is to be provided on the drawings.

Site Plan Control Guidelines

6.2.6 Servicing Plan

In addition to the requirements of Section 6.2.1, the servicing plan must include the following information at a minimum:

- a) Existing and proposed above ground services:
 - All existing and proposed above ground utility services within the site, adjacent street, road allowance, boulevards and within 6 metres of the site;
 - Light standards and fixture location, utility structures, hydro transformer boxes, vaults and Bell chambers, hydro/telephone/cable poles, guys and pedestals;
 - Overhead and underground structures associated with electrical service entrances must be located on the site plan and include the proposed sizing and design connected load;
 - Indicate existing street lighting poles as well as new pole locations, as illustrated within the composite utility plan;
 - For street lighting, indicate proposed power supplies, circuiting, estimated demand load, conductor and duct sizes, and ground rod locations;
 - Proposed location of the gas running line, meter set and regulator;
 - Specify minimum grades, sizes, material types, bedding and backfill, cover on sanitary, water and electrical services;
 - Details of any service connections to the City infrastructure including methods and materials;
 - All existing services or stubs to be abandoned;
 - Any future local improvement works agreed to in an existing site plan control agreement;
 - Existing and proposed driveways to neighbouring sites on both sides of the street;
 - Existing asphalt driveway ramps;
 - Existing and proposed driveway depressions;
 - Curb cuts at all sidewalks, ramps, etc.;
 - Material type and width of City and private sidewalks and walkways;
 - Curbs and/or curb and gutters (label with Ontario Provincial Standard Drawings or OPSD reference);
 - Road shoulders;

- Driveways, parking areas, retaining walls, berms, fences and handrails, trees, bushes and hedges;
 - Drainage swales with a typical swale cross section detail;
 - Sanitary sewer and electric servicing manholes;
 - Identified and dimensioned catch basins, double catch basins, ditches, culverts, ditch inlets and ditch outlets (label with OPSD reference);
 - Manholes, hydrants, valves (boxes and chambers), Siamese connections and service shutoffs (curb stops);
 - Hydrant flange elevations and adjacent finished ground elevations must be shown on all hydrants within or immediately adjacent to the site;
 - The calculated fire flow available from the nearest hydrant;
 - Traffic and pedestrian signals; and
 - Signs (street and private) and parking meters.
- b) Existing and proposed underground services:
- All existing and proposed underground utility services (water, sewer, gas, electric, fibre) within the site, adjacent street, road allowance, boulevards and within 6 metres of the site;
 - Sanitary sewers, storm sewers, and foundation drains labelled with the following: pipe material, diameter, slope, pipe bedding, pipe inverts at the point of connection to main, at the building face and at property line;
 - Plan and profile detail for any underground work to be done in the City right-of-way;
 - Inlet elevations of all catch basins;
 - Septic system location (if required);
 - Watermain services (domestic and fire lines) to the building with pipe material, diameters and obvert elevations at critical locations;
 - Hydro services and gas services (with pipe material and size for existing gas services); and
 - Details of any service connections to the City infrastructure including methods and materials.

The following note is also required on any servicing plan with proposed watermain or large services 100 millimeters and greater:

Site Plan Control Guidelines

“Prior to testing and disinfection of the large water services, the Owner shall provide to Utilities Kingston, for its review and written approval, a watermain testing, disinfection and final connection plan that has been prepared approved by a professional engineer. The plan shall include details about where the testing water is fed from and how the Ministry of the Environment, Conservation and Parks’ disinfection requirements will be followed, including a consistent feed of chlorine. It shall also include a description about how and when the final tie-in will occur. The water service shall be terminated with a meter and backflow preventer within thirty (30) days of the final connection, or the Owner will be required to repeat the testing.”

6.2.7 Grading Plan

In addition to the requirements of Section 6.2.1, the grading plan must include the following information:

- a) Existing building structures and site details such as driveways, sidewalks, utilities, etc., within 6 metres of the site;
- b) Geodetic grades as well as first floor elevations (in metres) of all buildings, finished floor and basement floor elevations for all buildings requiring servicing;
- c) Proposed finished grades sufficient to show surface drainage and the extent of deviation from original grades;
- d) Drainage swales;
- e) Roof downspout locations and direction of drainage;
- f) Arrows indicating the direction of surface drainage on all paved, granular and grassed areas;
- g) Sufficient elevations in driveways and parking lots to show the drainage pattern;
- h) Spot elevations at all locations where the grade changes on the site including cross sections of any changes of elevation across the site that impacts planting, parking or access;
- i) Proposed elevations for all building corners and all building access points, (i.e. ramps, entrances, and loading bays);
- j) Elevations at the bottom and the top and any intermediate landings of wheelchair and scooter ramps;
- k) Sufficient elevations at property line, back edge of walk, top of curb, and road crown, in all site entrances and along the frontage of the property as required to reflect the existing conditions;
- l) Rim elevations on all maintenance hole lids and covers;

- m) Wherever possible and with the permission of the adjacent landowners, existing elevations are required to be shown at 3 metres and 6 metres beyond the site limits;
- n) All elevations are to be based on City of Kingston Benchmarks;
- o) Contour lines and/or spot elevations referenced to the City Benchmark;
- p) City Benchmark data used, described and labelled on the drawing (Benchmark information is available from Engineering/GIS Technologist, Engineering Services); and
- q) The following note:

“Construction Notes – Environmental

While undertaking clearing, demolition, excavation or construction the Owner and their contractors shall be vigilant for the potential presence of underground fuel tanks, contaminated soil or groundwater, buried wastes, designated substances or abandoned water wells. If any of the above are encountered or suspected, the Owner shall ensure that:

1. The City of Kingston’s Environment Division is advised that contaminants or wastes have been discovered or are suspected;
2. Any soil or groundwater contamination encountered is to be managed in accordance with all applicable regulations and standards;
3. Any wastes generated by site clean-ups are managed in accordance with applicable laws and standards;
4. Any abandoned fuel tanks encountered are decommissioned in accordance with applicable laws and standards;
5. Any unused water wells (drilled or dug) are properly abandoned in accordance with Ontario Regulation 903 – Wells or as revised;
6. If it appears likely that contamination, including the presence of designated substances, extends beyond the boundaries of the subject property, the Owner notifies the local office of the Ministry of the Environment and the City of Kingston’s Environment Division;

Construction wastes are not to be buried within the property that is the subject of this Agreement, and

7. That the Owner and their contractors report all spills to the Ministry of the Environment’s Spills Action Centre (1-800-268-6060) and to the Municipality (546-4291 ext. 1368) forthwith.”

Site Plan Control Guidelines

6.2.8 Construction Details

All necessary construction details and general notes are to be provided to accurately convey the design intent of the elements on the plan and to address the proposed built form. Minimum grades, sizes, material types, bedding and backfill, cover on sanitary, water and gas mains and electrical services where appropriate (within the City of Kingston service area) are to be specified on the drawings.

A plan and profile detail is required for any underground work to be done in the City right-of-way. Details also need to be provided for any service connections to the City infrastructure, including methods and materials.

Construction details will include the following at a minimum:

- a) Planting details (deciduous and coniferous tree planting details, shrub planting detail and tree to be transplanted detail, planting on slopes, if applicable);
- b) Retaining walls, steps, curbing, ramps, stairs or seating walls (if retaining wall is greater than 1.0 metre in height and not connected to the building, the detail must be stamped by a licensed professional Engineer);
- c) Paving for walks and pathways (concrete, asphalt, unit paving, etc.);
- d) Fencing for screening or privacy (wood, masonry, chain link, stone, etc.) and gates;
- e) Tree protection fencing;
- f) Garbage enclosures;
- g) Pools, ponds, streams, splash pads, etc.;
- h) Play areas and equipment;
- i) Ground signs (where applicable);
- j) On-slab planting and structures;
- k) All general and specific notes required to supplement the drawings and details; and
- l) Other features requiring clarification.

6.2.9 Landscape Plan

The landscape plans must consist of a layout and grading plan, landscape plan, construction details, and tree preservation plan. Sites without trees or significant vegetation will not require a tree preservation plan to be completed.

The landscape plans must be prepared and stamped by a Landscape Architect or other accredited professional acceptable to the City.

In addition to the requirements of Section 6.2.1, the landscape plans must include the following information at a minimum:

- a) Location and identification (in landscape industry standard symbols and notations) of all existing or proposed plant material, planting beds, sodded areas, berms and other soft surfaces;
- b) Clearly indicate the location of all vegetation to be retained or removed;
- c) All hard surfaces such as parking area, sidewalks, walkways retaining walls, driveways, ramps, patios, etc.;
- d) Access into buildings, stairs, ramps;
- e) Location, height and type of fencing, pedestrian gates and/or service access;
- f) All underground and aboveground utilities including fire hydrants;
- g) Location of outdoor lighting;
- h) Location and treatment of the garbage collection area;
- i) Location and treatment of bike parking;
- j) Curbing for asphalt driveways and wheel stops for all granular parking areas;
- k) All spot elevations along the property boundary and at the building corners, at top and bottom of steps, etc., as is necessary to convey the intent of the grading plan;
- l) Any site furniture such as benches, bollards, tree grates, light standards, picnic tables etc. should be noted on the plan and details provided;
- m) Location and description of all recreational and amenity areas;
- n) Location and description of play equipment; and
- o) Snow storage area(s).

Landscape Plan Considerations

In addition to the requirements noted above, the following are recommended for consideration when preparing landscape plans:

- a) Wherever possible, existing vegetation should be incorporated into the new development and shown in conjunction with the proposed building footprint;
- b) A mix of deciduous and coniferous plant material throughout the site is encouraged and will ensure that the site has green elements in the winter and can provide some screening or buffering of portions of the property;

Site Plan Control Guidelines

- c) Any landscaped buffer areas adjacent to residential uses are encouraged to contain one-third coniferous material;
- d) Areas subject to erosion such as slopes or swales should be sodded and staked or planted with suitable ground cover;
- e) Low landscaping is encouraged around site entrance features and the base of ground signs;
- f) All shrubs should be planted in continuous mulched beds;
- g) Applicants are encouraged to leave unused portions of the site undisturbed until such time as the development is proposed to include those areas;
- h) All site furniture should be chosen to reflect the proposed and surrounding architecture of the buildings, have a high degree of longevity and durability and be designed for the safety of site users;
- i) The placement of all off-site furniture proposed on City-owned lands should consider pedestrian movement and required maintenance (including snow removal);
- j) Landscaping on each site must not impede the safety of pedestrians or motorists and not create areas that are hidden from public view;
- k) Landscaping must be planned so as to not block sightlines, sight triangles or signage;
- l) Climbing plants, such as ivy, should be avoided in close proximity to protected heritage buildings;
- m) Trees or shrubs that bear fruit or secrete a sticky or slippery sap are discouraged in proximity to pathways; and
- n) All planting beds should be setback 0.5 metres from the edge of paving or sidewalks that will be plowed.

Any proposed planting on the municipal right-of-way requires approval from Utilities Kingston, Engineering Services and Public Works – Forestry.

Slope and Berm Considerations

The following consideration must be given to the design of slopes and berms:

- a) Areas subject to erosion such as slopes, drainage swales etc. should be sodded or planted with erosion-resistant ground cover;
- b) Slopes in landscaped areas and on berms should not exceed 3:1 (3 horizontal to 1 vertical) and optimally should be no greater than 5:1 for ease of maintenance;

- c) If sodding is not appropriate due to weather concerns, the use of erosion blankets in swales or on slopes is permissible until such time as sodding can be successfully completed;
- d) Other areas of high visibility such as boulevards and recreation areas should be sodded;
- e) The maximum allowable height of a berm without a break in grade is 1.2 metres;
- f) Landscape berms must not encroach onto City boulevard or adjacent properties unless written authorization from the adjacent landowner(s) is provided; and
- g) Any tree on a slope should be staked.

Landscape Design Considerations

Landscaping is a critical component of any development. Generally, the landscape design of any development or redevelopment should:

- a) Contribute to the overall City image;
- b) Enhance the public perception of the proposed development;
- c) Preserve existing trees, where possible;
- d) Provide a diversity of plant material and naturalizing, where possible;
- e) Be integrated with stormwater management features;
- f) Be easy to maintain without catchment areas that attract debris;
- g) Preserve and enhance cultural heritage resources and natural heritage features; and
- h) Screen less attractive elements of the development such as the parking areas, loading areas, storage areas, garbage enclosures, etc.

Stormwater Management Ponds

Stormwater management ponds must be landscaped and integrated into the site. Native plant material is preferred that will eventually form a natural wetland. Where stormwater ponds are adjacent to natural areas only native material will be accepted as plant stock. In addition, the following must be taken into consideration when designing the landscaping of the stormwater management area:

- a) shrub beds and perennials are to be planted in continuous mulched beds. Mulching must be spread to a depth of 75 millimeters; and
- b) to preclude access to the water basin, low, dense or compact shrubbery should be used.

Site Plan Control Guidelines

6.2.10 Tree Preservation Plan

The tree preservation plan must be prepared by an International Society of Arboriculture (ISA) Certified Arborist, Registered Professional Forester, or Treemarketer and must include the following information at a minimum:

- a) The exact location of existing trees, significant shrubs or hedgerows, watercourses, rock out-cropping, swales, ponds, natural features, etc.;
- b) Vegetation shown at actual size and indicated, graphically, as either preserved, removed or transplanted;
- c) Location of tree protection fencing around trees and vegetation to be preserved;
- d) A detail of the tree protection fencing type to be used (plywood hoarding a minimum 2 metres in height); and
- e) An existing vegetation list on the plan that corresponds to labels on the plan which denote the location of existing vegetation. The list should contain the following:
 - Inventory List or key to vegetation found on or just adjacent to the site;
 - List of Species of tree, large shrub or hedgerow being inventoried;
 - Diameter at Breast Height (DBH) of vegetation in millimeters;
 - Caliper size of vegetation in millimeters (measured 1.4 metres above grade) or height of vegetation in metres;
 - Trees in large groups, hedgerows or woodlots can be inventoried as a whole, giving average size, species composition and approximate number of trees. However, if a portion of the large tree group is proposed to be removed, each removed tree should be identified;
 - Coniferous trees can be inventoried using caliper size for larger trees and using approximate height for smaller trees;
 - Condition of the tree, hedgerow, etc., as either “Dead”, “Poor”, “Fair” or “Good”;
 - Preservation Direction of the tree, hedgerow, etc., as either “Preserve” or “Remove”;
 - Preservation Priority of the tree, hedgerow, etc., as either “Low”, “Medium”, “High” or to be “Transplanted”; and,
 - Comment or a brief description on each tree, hedgerow, etc., regarding form, health, growth pattern, etc. and reason for removal, if applicable.

Inventory is necessary only for specimen trees equal to or greater than 100 millimeters or 4 inches in caliper.

The following guidelines should be used when identifying plant material:

- a) Typical plan standard symbols must be used, as per the Ontario Association of Landscape Architects;
- b) A cluster of similar species can be linked with a species symbol and a total number of plants in the cluster;
- c) Tree shapes should be shown by landscape industry standard symbols and notations and must indicate mature spread of species; and,
- d) Planting table column headers should include:
 - o quantity (including the number of trees to be removed and the number of replacement trees);
 - o species symbol (i.e. Ar);
 - o botanical name (i.e. Acer Rubrum);
 - o common name (i.e. Red Maple);
 - o size of planted material (60 millimetre minimum caliper for deciduous trees/ flowering deciduous trees 50 millimeter caliper/coniferous trees 1.8 metre – height); and
 - o particulars of plantings (i.e. Bare Root [BR] / Balled and Burlapped [B & B]).

Tree Inventory and Preservation Considerations

The following tree protection and planting standards must be considered when preparing the landscape plans:

- a) Tree protection fencing should be erected a minimum of 0.5 metres outside of the drip-line of the vegetation to be preserved;
- b) No storage of materials or equipment or excavation within the protection zone is allowed;
- c) No equipment or materials are allowed to hit, abrade or damage trees designated to be preserved on site;
- d) No contaminants or effluent will be dumped or flushed where feeder roots of trees exist;
- e) Trees are to be planted in a hole that is dug to a diameter greater in width and depth than the root ball;

Site Plan Control Guidelines

- f) Stakes for anchoring tree guy wires must be spruce, 50 millimeters x 750 millimeters, pointed at one end and notched at the other to securely hold the guy wires; and
- g) All trees must be staked with 2 steel “T” bars no less than 2 metres long, hammered into ground that is free of disturbed soil.

If during the period of time, up to and including the final site plan control securities release, any plant material indicated to be preserved should happen to be damaged severely, removed or shows signs of severe distress, the owner will be responsible for replacing that plant material with new stock. The caliper size of the existing plant material must be replaced with new stock that is equal in aggregate caliper size. For example, if a 360-millimeter caliper Oak tree indicated to be preserved dies before final site plan securities are returned, then six sapling Oaks of 60-millimeter caliper must be planted on site in its place. If the required replacement trees cannot be accommodated on the site, the owner will be required provide a cash-in-lieu payment or plant trees elsewhere in the City, pursuant to the provisions of the City’s Tree By-Law.

Valleylands, woodlots, ravines and other environmentally sensitive lands must be protected from dumping, encroachment or other abuses during construction of the site. A minimum vegetative buffer of 5 metres horizontal along watercourses and wetlands should be maintained wherever possible. This buffer should contain existing and native vegetation and consist of ground covers, shrubs and trees. When work is required in an ecologically sensitive area, the applicant must provide to the City a copy of the Site Alteration permit or other such permit as obtained from the proper approval body such as Cataraqui Conservation.

All plant material is to conform to the Canadian Nursery Landscape Association specifications and standards. All sod is to conform to the Nursery Sod Growers Association of Ontario specifications. All seeding is to conform to the Canadian Seed Growers’ Association.

The following planting sizes are to be considered minimum acceptable requirements for plant material:

- a) Deciduous trees are 60 millimeter caliper;
- b) Flowering deciduous trees are 50 millimeter caliper;
- c) Coniferous trees are 1.8 metres in height;
- d) Deciduous shrubs are 60 centimetres cm in height; and
- e) Coniferous shrubs are 50 centimetres in spread.
- f) Recognizing that the use of native species is not always appropriate, wherever possible, species native to eastern Ontario should be used. Appendix B provides recommended, restricted and nuisance species to be considered when selecting appropriate site vegetation.

6.2.11 Survey

The survey must be prepared by a licensed Ontario Land Surveyor or other professional acceptable to the Land Registry/Land Titles Office.

7. Site Design Guidelines

The guidelines in this section are intended to set out certain minimum standards for development, however, the City of Kingston encourages proposals to exceed these requirements. Adherence to these guidelines will be reviewed by various City departments and Utilities Kingston through the site plan control review process.

7.1.1 Vehicular Movement and Parking Design

- a) Parking areas should be designed to allow safe and efficient vehicle movement;
- b) Where parking is provided in front of buildings, attention should be paid to landscaping techniques and parking lot design to soften the visual impact of the parking area from the street;
- c) Site entrances must be well-defined;
- d) Fire routes must be provided in accordance with the Ontario Building Code;
- e) Adequate truck turning radius must be provided;
- f) Parking along the access and major on-site aisle(s) is discouraged;
- g) Adequate mechanisms should be provided to protect buildings and landscape areas; and
- h) Landscaping is encouraged throughout large surface parking areas.

7.1.2 Pedestrian Movement Design

- a) A safe and well-defined pedestrian walkway should be provided to all main building entrances with connections to sidewalks and bus stop areas;
- b) Pedestrian connections through parking areas should be incorporated in the design;
- c) A pedestrian walkway should have a minimum width of 1.5 metres clear from vehicle overhang and should be defined by curbing or be in an area raised above grade, except where it crosses travelling lanes; and
- d) A continuous accessible path of travel should provide an uninterrupted route to and within the site and buildings.

7.1.3 Compatibility and Adverse Impact

Site design must take into consideration uses and buildings on adjacent lands. Site design and compatibility can be enhanced through buffering in the form of setbacks, planting strips, fencing, berming, or combinations of any of these items.

Site Plan Control Guidelines

In addition to aesthetic qualities that soft landscaping presents, fencing and/or berming may be required to serve as a noise and/or privacy enhancing element. Fencing that is required should not only fulfill its role as an acoustic barrier or buffer but be aesthetically designed.

Lighting must be designed to promote pedestrian and vehicle safety while minimizing ambient light pollution. Any exterior lighting should be adequate for the site and be directed appropriately away from adjacent natural, residential and other sensitive adjacent areas. Reducing light trespass on adjacent properties is best accomplished by the use of full cut-off fixtures, low wattage fixtures and fixtures with optics designed for reduced glare.

Public security should be improved through enhanced lighting, clearly defined building entrances in well-traveled areas, visibility of public areas, and ease of accessibility for emergency personnel or vehicles. The creation of areas hidden from public view should be avoided.

7.1.4 Garbage and Recycling Storage Area

The City of Kingston provides recycling collection for all residential uses and garbage collection for all freehold residential buildings with less than 7 dwelling units. Multi-residential uses with 7 or more residential units and condominium complexes have the option of arranging for private garbage collection service or can pay to have the City collect garbage. All commercial, institutional and industrial uses must arrange for private garbage collection service except businesses in the Downtown Kingston Business Improvement Area (BIA) which can pay to have the City collect garbage.

The City will collect the garbage and recycling at curb side or within the site if a continuous, unobstructed route that does not require trucks to back up, is built and maintained to provide access for municipal trucks in a manner satisfactory to the City. A 15 metre turning radius is required for municipal trucks.

The location and construction of proposed garbage and recycling storage areas must be considerate of adjacent uses and detailed on the submitted plans. Outdoor garbage storage areas should be enclosed on all sides by a solid wall (masonry, wood or other durable material) not less than 1.5 metres in height. Such walls should contain an adequate door or gate which must be unlocked for collection crews. On-site garbage and recycling enclosures must have adequate lighting.

Garbage and recycling storage enclosures intended to contain large metal garbage bins requiring commercial pick-up are recommended to be constructed with doors with the hinge points outside the minimum specified width, posts with latch mechanisms to stop door swinging, and in accordance with the minimum dimensions shown in Table 1.

Site Plan Control Guidelines

7.2.2 Sidewalks

Municipal sidewalks are required as per By-Law Number 2003-31, "A By-Law to Provide for the Provision of Sidewalks in the City of Kingston". In general, municipal sidewalks are to be located along the frontage of local minor collectors, major collector and arterial roads. The specific location of the sidewalk is to be determined by the City. Municipal sidewalks are required to be designed and constructed by the owner, at the owner's cost. The requirement for a sidewalk on local roads in industrial parks will be established on a case-by-case basis.

Design Criteria

- a) Where private curbing is to be extended to the City sidewalk, a note is to be added to the drawing stating:
"All driveway curbing within 0.6 metres of a City sidewalk is to be depressed to the elevation of the City sidewalk."
- b) A minimum clearance of 0.6 metres is to be provided between all proposed above ground services and the City sidewalk and new/existing entrances.
- c) Heavy duty sidewalk is to be continuous through industrial/commercial site entrances using 150 millimeters x 150 millimeters steel mesh reinforcement.
- d) Sidewalk design and construction must conform with the City of Kingston standard, including accessibility standards for width, texture, curb cuts and warning markings.
- e) Once constructed, an inspection of the sidewalk will be done by City staff, at the expense of the owner.

7.2.3 Grading

Lot grading is to be in accordance with the overall approved subdivision lot grading plan, where applicable. Grades are to match the adjacent properties and approved subdivision lot grading plan unless otherwise noted. A note to this effect is requested on the drawings.

Grading of grassed areas must be a minimum of 2% and a maximum of 8%. On sites with steep slopes or extensive existing or proposed fill, there may be a need for the owner to submit a Geotechnical Report, prepared by a Professional Engineer, in support of the site plan control application.

Drainage Swales

The minimum depth of a drainage swale must be 0.15 metres to a maximum depth of 0.60 metres (0.3 metre maximum water depth). Drainage swales must have a minimum grade of 2% to a maximum grade of 8%. The minimum grade may be reduced for the purpose of providing an enhanced swale for quality control, subject to the review and approval of a Stormwater Management Plan. The maximum side slopes of a drainage swale must be 3:1. Swale inverts are required at all changes in grade.

A typical swale cross section detail is required with the engineering drawings.

Driveway and Parking Lot Grades

The minimum grade of a driveway and/or parking lot is 1% to a maximum grade of 5%. An absolute maximum of 10% grade may be considered in certain circumstances, however, not without de-icing elements. Parking lot ramps may be considered up to a maximum grade of 15% when indoor or heated, and up to a maximum of 10% when outdoor or unheated.

7.2.4 Stormwater Management Design and Criteria

All stormwater runoff is to be controlled to the specified run-off rate adopted for the original subdivision, or to the City's current Design Criteria.

If the City determines that a Stormwater Management Report is not required, then a Stormwater Brief is to be submitted. The Stormwater Brief is to justify that the post-development peak release rates (for all storm events up to and including the 1:100-year design storm) have been analyzed and the results indicate:

- a) that post development peak flow rates do not exceed pre-development peak flow rates, or other allowable rates as approved by the City, to each outlet location for all storm events;
- b) that there will not be an increase in flow to neighbouring properties;
- c) that the flow will not negatively impact neighbouring properties;
- d) discharge outlet location(s); and
- e) proposed quality control measures.

The proper use of erosion and sediment control measures during construction are to be discussed in the report or brief and illustrated on the grading plan, along with notes regarding the use of the measures. Appropriate measures are to be applied around all disturbed areas, such as:

- a) Silt fence barriers installed prior to commencement of any work must remain in place until the site has stabilized (i.e. vegetation or other cover), at which time they may be removed, along with any accumulated sediment;
- b) Straw bale or rock flow check dams in ditches and swales; and
- c) Double layer of geotextile material should be installed under catch basin lids during construction to help prevent the entry of sediment into storm sewers, structures and receiving water bodies.

The following OPSD illustrations may assist in the erosion and sediment control specifications:

Site Plan Control Guidelines

- 219.100 light-duty straw bale barrier
- 219.110 light duty silt fence barrier
- 219.130 heavy duty silt fence barrier
- 219.210 rock flow check dam, v-ditch
- 219.211 rock flow check dam, flat bottom ditch
- 810.010 Type 'B' rip-rap treatment for outlets, with geotextiles materials

Design Criteria

- The stormwater collection system is to be designed to accommodate rainfall intensity as set out in the following formulae:

$$Q = 2.78 AIR$$

Where: Q = Design flow in litres per second (L/s)

A = area in hectares

I = intensity in millimeters per hour (mm/h)

R = runoff coefficient

- For major events, the more conservative of the following IDF curves should be used:
 - [MTO Intensity-Duration-Frequency \(IDF\) Curve Online Lookup Tool](#), by placing a coordinate marker on the property location; or
 - [Environment Canada IDF Curves](#), by selecting the IDF curve for Kingston, Ontario closest to the project location.
- For minor events, rainfall intensity to be based on the City of Kingston standard intensity duration equation:

$$I = \frac{1778}{tc + 13}$$

Where: tc = time of concentration in minutes

- Minimum inlet time = 15 minutes. Where two drainage systems meet, the larger time of concentration is used to calculate the resultant downstream flow.
- Pre-development (existing) and post-development (proposed) catchment area maps must be included to support design calculations and illustrate delineated

drainage areas. All external catchment areas which drain onto the subject site must be accounted for in design calculations.

- Post-development stormwater peak flow rates to each outlet location must not exceed pre-development peak flow rates. However, in locations with sewer capacity constraints or historical flooding issues, or on sites with no existing stormwater controls, post-development peak flow rates to each outlet location must not exceed 80% of pre-development peak flow rates (i.e., 20% reduction). No quantity control is required for discharge directly to water bodies.
- At a minimum, a normal level of treatment is required, i.e., 70% total suspended solids (TSS) removal. For discharge directly to watercourses or water bodies an enhanced level of treatment (i.e., 80% TSS removal) is required. Cite sources and provide calculations to support stormwater quality control approach and include justification for design criteria utilized in selected treatment method (e.g., particle size distribution).
- Runoff coefficients must be based on the following:
 - Asphalt, concrete, roof areas: 0.90
 - Gravel areas (post-development, potential for future paving): 0.90
 - Gravel (pre-development): 0.70
 - Grassed area, parkland – 5 Year Event: 0.25
 - Residential:
 - single detached house, lot size greater than or equal to 400 square metres: 0.40
 - single detached house, lot size less than or equal to 400 square metres: 0.40
 - semi-detached house: 0.50
 - townhouses: 0.60
 - apartments: 0.60
 - Commercial: 0.80
 - Industrial: 0.70
 - Institutional: 0.55
- The owner's engineer must submit detailed design calculations for the major and minor flow paths, utilizing the storm sewer design.

Site Plan Control Guidelines

- All design methodology decisions and assumptions must be justified in the report with sources cited as applicable.
- Minimum pipe flow velocity is to be 0.75 metres/second however, the maximum pipe flow velocity must not exceed 6.0 metres/second.
- Stormwater storage/treatment facilities located within 1 metre of bedrock and the seasonal high-water table are susceptible to groundwater infiltration/exfiltration and contamination. Documentation will be required to confirm that there is at least 1 metre between the base of the facility and the top of bedrock or seasonal high-water table, and that the underlying soils are not swelling clays or contaminated soils. If infiltration-based stormwater management facilities are proposed, a Geotechnical and Hydrogeological Report may be required to support the design.

Where rainwater harvesting systems are proposed, the design and calculations may need to be adjusted and must be in accordance with the relevant provisions of the Ontario Building Code.

In areas which may be subject to the 1:100 year flooding, the maximum depth of flood water over the finished grade of walkway, parking and/or driveway areas is to be 250 millimeters, as greater depths may restrict the movement of pedestrians and most light passenger vehicles.

7.2.5 Snow Storage

The plans must indicate where snow will be stored. Snow storage should be in areas located as far away as possible from ditches, swales, or known groundwater discharge or recharge areas. Snow storage locations should be designed to drain away from ecologically sensitive features in order to help minimize contamination and should be separated from such features by a buffer of natural vegetation.

7.2.6 Retaining Walls

For any applications which will require retaining walls that are not connected to the building, the following are required:

- a) Appropriate construction details;
- b) Professional Engineer's certification on all retaining walls that exceed 1.0 metre in height;
- c) Provision of a handrail or fence on all retaining walls that exceed 1.0 metre in height; and
- d) Provision of a guard where there is a difference in elevation of more than 0.6 metres between the walking surface and the adjacent surface, where the public will have access to the space.

Retaining walls that are connected to the building or that retain more than 1.0 metre of earth must comply with the Ontario Building Code and will be reviewed by Building Services at the Building Permit stage.

7.2.7 Roof Drains

Roof drains or weeper drains are not to be connected to the sanitary sewer. Restricted flow roof drains will be required and should be identified on the drawings.

Roof downspout locations and direction of drainage are also to be identified on the drawings. Splash pads should be provided when appropriate.

7.2.8 Off-Site Works

Minor Off-Site Works

When minor off-site works are required for the construction of the works a separate submission will not be required and the works will be managed through a site plan control agreement. Additional provisions will be added to the associated site plan control agreement and securities will be taken for the off-site works at 100% of the cost of the works. A cost estimate prepared by a qualified person retained by the owner will be required to be submitted to determine the amount of financial securities for off-site construction works.

Examples of minor off-site works include:

- Replacement of sidewalk within the subject property's road frontage; and
- Unsignalized entrances i.e. Porkchops.

Major Off-Site Works

When the amount of off-site works is deemed to be major, an off-site works agreement with an additional drawing package will be required. Off-site works will be deemed major if one of the following apply:

- The works area is part of an intersection upgrade;
- The works are outside of the road frontage of the subject property;
- The works will majorly impact a driving lane for greater than 50% of the subject property's road frontage;
- The works will be subject to a cost sharing agreement; or
- As required by the Manager of Development Engineering.

If an off-site works agreement is required, securities will be taken at 100% of the costs associated with the works and a 1% design and review and a 1% inspection fee will be taken. A cost estimate prepared by a qualified person retained by the owner will be

Site Plan Control Guidelines

required to be submitted to determine the amount of financial securities for off-site construction works.

7.2.9 Subdivision Approvals

Where a site plan control application is being filed in conjunction with the review and approval of the design of subdivision services in which the site is situated, the site plan drawings must be approved by the subdivider's design engineer.

7.3 Utilities

These standards are written to provide guidelines for the design and construction of utility systems as part of "typical" developments and provide a basis for which the site plan control application will be reviewed. Deviations from these standards will be considered on a case-by-case basis for justifiable engineering reasons.

The following information will be required with the submission of a site plan control application:

- a) A water capacity assessment for the proposed development including required and available domestic and fire flows;
- b) A sanitary sewer assessment for the proposed development including an evaluation of available existing capacity at the street and estimated loading on the immediate downstream sewer;
- c) Calculations for the minimum capacity of feeder conductors and service entrance equipment as determined by the requirements of section 8 of the Ontario Electrical Safety Code;
- d) Details of Protection System including a detailed single-line diagram (SLD) and settings characteristics of any interface protection devices;
- e) A "Request for an Electricity Service Application"; and
- f) A Gas Load Summary for the proposed development using the Utilities Kingston Gas Load Summary form.

Utilities Kingston is not responsible for all utilities within the limits of the City of Kingston. Water and sanitary sewer services within the City of Kingston are the responsibility of Utilities Kingston, as well as natural gas and electricity servicing in the area of the former City of Kingston. Natural gas and electricity servicing in the former Township of Kingston and Township of Pittsburgh are the responsibility of either Enbridge Gas, Hydro One or Eastern Ontario Power. For the Utilities Kingston distribution area, visit utilitieskingston.com/Corporate/AboutUs/ServiceAreas.

7.3.1 General Requirements

- a) The property owner is responsible for maintenance of water and sanitary service laterals from the property line to the building face and for sewer laterals from the property line to the building face;

- b) It is the owner's responsibility to co-ordinate with privately owned utilities and to ensure that their servicing is in compliance with the standards set forth by those utilities. Maintenance of services connected to private utilities must be in accordance with the private utility agreements;
- c) Inspection personnel under the owner's engineer's supervision must be "on-site" at all times when underground infrastructure is being tested;
- d) Water and sewer services may be laid in the same trench subject to the provisions of the Ontario Building Code. In such cases the vertical separation between each service must be 0.5 metre and the horizontal separation must be 2.44 metres. All other utility services must be separated 2.5 metres from water and sewer services measured from edge of structure. Sanitary and storm service drains must be capped and clearly marked at the property line with a wooden 2x4 projecting a minimum of 1.0 metre above ground. Foundation drains should not be in the same trench;
- e) All buried water and sewer services must have an appropriate warning tape laid on top of the cover material or no closer than 300 millimeters of the top edge of the structure. Marking in the municipal right-of-way must conform to the requirements of the City of Kingston's Subdivision Development Guidelines and Technical Standards. Marking on private property must comply with the Ontario Building Code to the satisfaction of Building Services;
- f) All water mains and sanitary and storm sewers must be designed and installed in accordance with accepted good engineering practices and with Ministry of the Environment, Conservation and Parks guidelines for water distribution and sanitary sewage collection and constructed in accordance with applicable Ontario Provincial Standard Specifications (OPSS) and Ontario Provincial Standard Drawings (OPSD);
- g) Clearance between pipe or conduit crossings will normally be a minimum of 300 millimeters between the outside pipe barrels. Where a clearance of 300 millimeters or less cannot be avoided, there must be concrete encasement or non-shrink backfill of the crossing extending 1 metre in each direction on each pipe;
- h) Connections to any mains outside the development will only be permitted if directed or approved by the City;
- i) Any conflicts with existing services, and/or change in grade which impact existing services must be rectified at the owner's expense;
- j) Where on-site services and/or off-site services are within a plan of subdivision not yet assumed by the municipality, the site plan control applicant will be required to coordinate their off-site construction activities with the subdivision applicant and the municipality such that said servicing is not detrimental to the subdivision applicant's obligations to the municipality as they relate to the subdivision agreement; and
- k) For an electrical distribution system within a subdivision that is to be transferred to Kingston Hydro, a residential subdivision agreement will need to be entered into with Kingston Hydro.

Site Plan Control Guidelines

7.3.2 Manhole

For industrial, commercial and institutional developments, a control manhole must be provided inside the property line for the purpose of effluent sampling under the Municipal Industrial Strategy for Abatement (M.I.S.A.) to the satisfaction of the City and Utilities Kingston. The manhole is to be constructed to approved Ontario Provincial Standards Drawings (OPSD).

7.3.3 Storm Sewer Systems

Site storm drainage must be piped to existing storm sewers, where available. Where no storm sewer exists, Engineering Services must be consulted for direction.

The City's technical standards and specifications for storm sewer system design are available in the City of Kingston's Subdivision Development Guidelines & Technical Standards.

7.3.4 Sanitary Sewer Systems

The City's technical standards and specifications for sanitary sewer system design are available in the City of Kingston's Subdivision Development Guidelines & Technical Standards and should be referred to for sanitary sewer laterals within the municipal right-of-way.

Building Sewers

All building sewers must be as follows:

- a) Building sewers from the building line to the main must be laid at a minimum of 2% from the building line to the sewer;
- b) The first 40 service lateral connected to a 200 millimetre main must be set above the spring line of the sewer main with proper "Y" fittings and with long radius bends. Building sewers connected to larger mains may be by tee connection with the side of the tee rotated at between 22 ½ degrees and 45 degrees above horizontal;
- c) Building services from adjacent properties must not be connected to each other;
- d) Building sewer services must be sized to meet the Ontario Building Code and must be a minimum of 100 millimeters;
- e) The colour must be green;
- f) The minimum cover for sanitary services will normally be a minimum of 1.5 metres from the finished grade;
- g) Services of less than 1.5 metres cover may be permitted, on a case-by-case basis, with frost protection to the equivalent of 1.5 metres of cover;
- h) Services with less than 1.2 metre of cover are not permitted unless designed to provide appropriate frost protection; and

- i) Sanitary services must not be connected to a storm main.

7.3.5 Water Services

Watermains

Water demands for industrial, commercial and institutional establishments vary greatly from the type of water using facilities and the population of facilities. Design must follow the recommended Ministry of the Environment, Conservation and Parks criteria unless more accurate information is available.

The City's technical standards and specifications for water distribution design are available in the City of Kingston's Subdivision Development Guidelines & Technical Standards and should be referred to for water service laterals within the municipal right-of-way.

Water Servicing Requirements

Water services must conform to the following:

a) General Requirements

- Watermain services (domestic and fire lines) to the building labelled with pipe material, diameters and obvert elevations at critical locations;
- Fire hydrants, valves, Siamese connections and service shutoffs (curb stops) identified on the plan;
- Hydrant flange elevations and adjacent finished ground elevations must be shown on all hydrants within or immediately adjacent to the site;
- Valve boxes and valve chambers indicated on drawings;
- A water capacity assessment for the proposed development, including fire flows available, design estimated loading and capacity evaluation is required to be submitted with the site plan control application;
- A valve must be provided at the property line for ALL service connections;
- "Y" services are not permitted where separate lots exist or are proposed; and
- The locations for sprinkler and standpipe system siamese connections are required to be adjacent to fire access routes or streets and no greater than 45 metres travel distance from a fire hydrant as per the Ontario Building Code.

b) Ductile Iron Pipe and Fittings

- Ductile Iron Pipe must be centrifugally cast, American Water Works Association (AWWA) C151-A21.51- 81 in 5.5 metre lengths, Pressure Class 350 for pipe up

Site Plan Control Guidelines

to 300 millimeters, Pressure Class 250 from 400 millimeters to 500 millimeters and Pressure Class 200 for larger pipes;

- All ductile iron pipes must be cement lined and must be polyethylene encased as per AWWA Standard C-105;
- All ductile iron fittings must be cement lined with mechanical joints;
- Every ductile iron pipe and special casting must be coated outside with coal tar pitch varnish using a hot dip method; and
- Wedges must be installed at ductile iron pipe joints to ensure electrical continuity.

c) Plastic Pipe and Fittings

- Plastic pipe must conform to AWWA C900-Poly (Vinyl Chloride) (PVC) Specification, SDR 18 for pipe up to 400 millimeters in diameter, for larger pipe sizes and subject to the owner's engineer's approval, a larger SDR number may be used, however the minimum wall thickness allowed will be 26 millimeters;
- The pipe must be homogeneous throughout, free from voids, cracks, inclusions, discolouration, and other defects;
- All pipe and fittings must be certified to CSA B137.3;
- Fitting must be ductile iron according to AWWA C153/A21.53 or injection moulded PVC plastic according to CSA B137.2 or prefabricated PVC plastic for pipe diameters 300 millimeters and larger according to CSA B137.3; and
- The colour for all PVC pipe and PVC fittings must be blue.

d) Concrete Pressure Pipe and Fittings

- Concrete Pressure Pipe must only be allowed if so stated in the tender form or on the contract drawings;
- Concrete pressure pipe must be laid according to the specifications outlined in the AWWA M9 Concrete Pipe Installation Manual;
- The internal joint gap must be checked to ensure the proper seating of the gasket, then be pointed with cement mortar using a hand trowel; and
- The joint exterior must be protected with a diaper filled with grout installed to the manufacturer's instructions.

Valves

Valves must be as follows:

- Valve boxes must be adjusted to finished grade;

- All property line valves must be clockwise opening with 50mm operating nut;
- The operation of all property line valves, curb stops and hydrants within the municipal right-of-way must be restricted to employees of Utilities Kingston;
- The placement of additional water valve(s) for the purpose of isolating the water service may be permitted on a case-by-case basis for such facilities as residential, commercial and industrial developments; and
- Any material and/or installation costs associated with the additional water valve(s) are to be paid by the owner.

Service Connections

Services on private property must be sized and designed in accordance with the Ontario Building Code (and not larger). For services 100 millimeters or larger and located within a municipal right-of-way, please refer to the City of Kingston's Subdivision Development Guidelines & Technical Standards for requirements, including specifications for connections, tracer wire, and cathodic protection.

Fire Hydrants

Requirements related to fire hydrants can be found in the City of Kingston's Subdivision Development Guidelines & Technical Standards and Ontario Building Code, as applicable.

7.3.6 Natural Gas

The supplier of natural gas within the former boundaries of the City of Kingston is Utilities Kingston. In other areas the supplier is Enbridge Gas. In those areas where Utilities Kingston has distribution rights for natural gas, Utilities Kingston is responsible for maintenance of gas services to the meter outlet.

All design and installation in the area in which Utilities Kingston has distribution rights are the responsibility of Utilities Kingston.

For those areas where the City does not have distribution rights, gas mains and servicing requirements must conform to the standards of the supplier. Regardless, in no case must a gas service or main be placed within 2 metres of other parallel-aligned water and sewer mains or services in accordance with the *Public Utilities Act*, unless prior approval is received from the owner of each utility.

Gas services must conform to the requirements of the Utility, CSA B149, Z662, Ontario Building Code, and all applicable standards.

7.3.7 Abandoned Services

For all existing services or stubs to be abandoned, a note must be included on the drawings stipulating that the services are to be abandoned at the main, as per Utilities

Site Plan Control Guidelines

Kingston requirements, unless prior written approval has been provided by Utilities Kingston.

7.3.8 Street Lighting

Any street lighting on the municipal right-of-way must be designed to meet the City of Kingston and Utilities Kingston standards. For more details regarding street lighting requirements and standards, please refer to the City of Kingston's Subdivision Development Guidelines and Technical Standards.

For site plan control applications that alter the existing lighting in the right-of-way, these current design guidelines will be followed for their replacement. All costs for the installation of new or replacement lighting in the right-of-way will be at the owner's expense.

7.3.9 Electricity and Other Wire Servicing

The supplier of electricity within the former boundaries of the City of Kingston and parts of Barriefield Village is Kingston Hydro Corporation. In other areas the supplier is Hydro One or Eastern Ontario Power.

In the areas where Kingston Hydro Corporation has distribution rights for electricity, maintenance responsibilities vary. In most situations, Utilities Kingston will maintain the primary electrical cables along with the transformers. Exceptions to this situation may occur and are described in the Conditions of Service document for Kingston Hydro Corporation.

In these areas, the following apply:

- a) The design must be approved by Utilities Kingston;
- b) Utilities Kingston will complete calculations according to a Capital Cost Recovery Model to determine allocation of costs (see <https://utilitieskingston.com/Electricity/NewServices/CapitalCostRecovery> for full details);
- c) The owner must install conduits, transformer pads and necessary grounding; and
- d) All electrical wiring must be in ducts including services to the meter base.

For those areas where Utilities Kingston does not have distribution rights, the electrical distribution and servicing requirements must conform to the standards of the supplier.

Regardless of ownership, all wire services under roads must be placed in conduit extending on either side of the road to the edge of the joint utility trench. If no joint utility trench exists, the duct must extend to a point 1.5 metres behind the back of curb in the case of urban roads and 0.5 metre behind the shoulder in the case of semi-urban roads.

Electrical Servicing Requirements

- Overhead and underground structures associated with electrical service entrances must be located on the site plan and include the proposed sizing and design connected load.
- All electric servicing manholes must be labelled.
- Light standards and fixtures locations must be shown.
- Utility structures, transformer boxes and Bell/cable poles, pedestals and guys must be indicated on the drawing.
- Traffic and pedestrian signals must be included where applicable.
- All electrical servicing must be done in accordance with the standards established by the electrical supply authority.

Overhead Clearance

The following minimum clearances are required for electrical wires above buildings:

- 1 metre for 750 Volt service or less;
- 3 metres for services greater than 750 Volt but less than 46 kilovolt (kV);
- 3.7 metres for services greater than 46 kV but less than 69 Kv; and
- Distances as per CAN/CSA-C22.3 Number 1 for voltages greater than 69 kV.

7.3.10 Fibre Optics

Utilities Kingston has fibre optic cables throughout the City of Kingston to make broadband networking and dedicated internet access available to single and multi-tenant residential, commercial and industrial sites through the city. Utilities Kingston may install a conduit to pull cable through in the future to provide service to building tenants, at no cost to the owner, in joint utility trenches. If there is not an opportunity to place new conduit, there may be an option to bring fibre optic cable to the building via an aerial attachment to the building. For more information please contact Utilities Kingston by emailing orders@utilitieskingston.com or calling 613-546-1181.

7.3.11 Utility Easements

Utility infrastructure that is to be assumed by the City of Kingston and services more than one property must be situated in either a road allowance or on property deeded to the City of Kingston by easement or ownership. Easement documents must be in the standard format prescribed by the City of Kingston.

Easements must be 5 metres wide for a single utility main or line. Where more than one utility main or line is in a single easement, the easement must extend to 3 metres beyond the outside edge of the outside mains or lines. Easements of less width will be

Site Plan Control Guidelines

considered for situations such as shallow rear yard catch basin connections, in which case the easement width must not be less than 3 metres.

Electrical infrastructure that is to be assumed by Kingston Hydro Corporation and services more than one property must be situated in either a road allowance or on property deeded to the Kingston Hydro Corporation by easement or ownership. Easement documents must be in the standard format prescribed by Kingston Hydro.

Easements must be 6 metres wide for underground electrical infrastructure and 10 metres wide for overhead electrical infrastructure. Easements of less width will be considered for certain situations.

All measurements are to be construed as being the perpendicular width.

Regardless, the separations as stated in the *Public Utilities Act* will not be compromised and sufficient width will be provided to allow for exposure of buried services using side slopes required by regulation and without the need for shoring.

7.3.12 Construction and Inspection

The owner's engineer is responsible for inspection and testing of utility infrastructure including but not limited to the following:

- a) Continuity testing on water services;
- b) Pressure testing of the sewer and water systems; and
- c) Disinfection and bacteriological testing of the water service.

Results of testing are to be supplied to Utilities Kingston and the City of Kingston Building Services Department using the most current version of the Testing Results for New Watermains and Large Services form. A Sewer Water Alteration Permit (SWAP) may be required for this connection. To obtain a SWAP, please contact a Utilities Kingston Service Advisor.

Water services smaller than 100 millimeters in diameter serving a single structure, and connected to an existing watermain, must be installed according to OPSS 701. Connections to water mains will be performed by a tapping sleeve and valve. The work will be completed by Utilities Kingston personnel, with all tapping materials to be supplied by Utilities Kingston at the owner's expense. Before final connection to the meter, the service must be flushed with all valves in the fully open position for a minimum of 5 minutes. Connection to follow immediately upon completion of the flushing.

Services 100 millimeters and larger must be treated as a water main or main extension for the purposes of leakage testing, backflow protection, flushing and disinfection. No connection to the City of Kingston water distribution system will take place without proof of the installation of an appropriate backflow prevention device.

Hydrostatic testing, disinfection, and microbiological sampling must be conducted under the supervision of the owner's engineer. Results are to be submitted to Utilities Kingston Engineering and City of Kingston Building Services Department for review and confirmation prior to final permanent connection and commissioning of the new works. Results must be submitted using the Utilities Kingston form "Testing Results for New Water Mains and Large Diameter Services".

- The applicant's Engineer must submit a Testing and Disinfection Plan for review and comment by Utilities Kingston, prior to any field activities.
- The Testing and Disinfection Plan must include all procedures required to complete the Plan, including but not limited to, proposed water connection locations, backflow prevention, flushing procedures, chlorination procedures, and sampling locations.
- Review of the Testing and Disinfection Plan by Utilities Kingston does not constitute approval of the plan.

Hydrostatic Testing

- Hydrostatic testing of pipes must conform to OPSS 441, as applicable.
- No water is to be introduced into the pipe section to be tested except through a backflow protected connection. Backflow preventers must be certified as installed by qualified personnel before any water may be introduced into the new pipe.
- No hydrostatic testing will commence until the owner's engineer is on site, has given permission to proceed, and all the connections to the existing distribution system have been severed.
- Hydrostatic testing must be conducted under the supervision of the owner's engineer upon completion of the watermain including services and backfilling.
- A test section must be either a section between valves or the completed watermain.

Flushing/Swabbing of Watermains

Flushing/Swabbing operations must be conducted under the supervision of the owner's engineer.

All watermains must be wet swabbed as follows:

- A minimum of three new foam swabs with a density of approximately 25 kilogram per cubic metre and a minimum diameter of 50 millimeters larger than the watermain must be used.
- Swabs must have a minimum length of 1.5 times the diameter.

Site Plan Control Guidelines

- Swabs must be propelled through the watermain using potable water and must be spaced a minimum of 1.5 metres between swabs.
- Gate valves must be left in the open position.
- Swabbing must continue until the discharge water runs clear within 10 seconds of the last swab exiting the discharge point.
- All fitting, taps, valves etc. required for the introduction, propelling and recovery of the swabs, as well as the swabs are to be supplied by the contractor. The removal of all of the above at the completion of the swabbing works is the responsibility of the contractor.
- Temporary swab launching as well as retrieval facilities must be constructed in accordance with drawings W03-03-120 and W03-03-121.

The firm conducting the swabbing must show proof that at least one on-site staff member is a qualified operator under O. Reg. 128/04 (minimum Class 1) and be approved by the owner's engineer in writing before work may begin.

All water discharged by the flushing/swabbing operations must be at an approved outlet location. The contractor will be responsible for collecting and/or disposing of all such water, ensuring that all erosion and sediment control and de-chlorination requirements of the Ministry of the Environment, Conservation and Parks, Cataraqui Conservation and various other authorities having jurisdiction are met.

Disinfection and Microbiological Sampling

- Disinfection and microbiological sampling must be completed per "Watermain Disinfection Procedure, Ministry of the Environment, Conservation and Parks (MECP) Safe Drinking Water Branch, as amended, and AWWA C651-14 Disinfecting Water Mains".
- After flushing/swabbing is completed, water from the existing distribution system must be allowed to flow at a controlled rate into the new pipeline. Liquid chlorine solution must be introduced at a controlled rate so that the chlorine dosage is consistent and is distributed throughout the section being disinfected. The chlorine must be applied so that the free chlorine (CL₂) concentration is 25 milligrams per litre (mg/L) minimum and 200 mg/L maximum throughout the section. The system must be left charged with the chlorine solution for 24 hours.
- The chlorine concentration will be tested in the section after 24 hours, by the owner's engineer. If tests indicate a chlorine residual in accordance with Table 1 of the MECP Watermain Disinfection Procedure, as amended, the section must be flushed completely and recharged with water normal to the operation of the system. If the test does not meet the requirements, the disinfection procedure must be repeated until satisfactory results are obtained.

- Immediately after the system has been recharged samples for microbiological testing must be collected by the owner's engineer. At each sampling location, a sample must be taken and tested for free CL2 residual prior to collecting the sample for microbiological testing. The free CL2 residual must be at least 0.20 mg/L. If it is less than this the chlorination procedure must be repeated until satisfactory results are obtained before proceeding with sampling for bacteriological testing.
- Immediately after confirming the presence of an acceptable CL2 residual the owner's engineer must collect a sample for microbiological testing.
- Two consecutive acceptable samples taken a minimum of 16 hours apart must be obtained.
- If there is indication of contamination, the disinfection procedure must be repeated in its entirety.
- Water service testing procedures and results are to be documented on Utilities Kingston Drinking Water Systems Testing Results of New Water Mains and Large Diameter Services 100mm and Larger form and by the applicant's Engineer. All test results are to be forwarded to Utilities Kingston for review and approval.
- The system must not be put into operation until clearance has been given by Utilities Kingston. A permanent meter and backflow preventer will be required within 30 days of final connection or the testing process may need to be repeated.

Water service testing procedures and results are to be certified by a Professional Engineer. All test results are to be forwarded to Utilities Kingston for review and approval. The system must not be put into operation until clearance has been given by Utilities Kingston.

Owners are advised that except in the case of an emergency shutdown, it is illegal to operate any municipal water valve in the City of Kingston. Only licensed personnel at Utilities Kingston are permitted to open, close or in any way operate a water valve that is part of the active/live water distribution system. Owners and contractors may not operate during the construction process any water valves and must contact Utilities Kingston where operation of the water system is required. Any evidence of unauthorized activity on the water valves near or adjacent to a construction site will be enforced to the fullest extent possible.

Additions or extensions to the water service will require the installation of a backflow preventor. Disinfection and bacteriological testing of the water service extension is required and the test results are to be forwarded to Utilities Kingston. The water line extension can only be charged by Utilities Kingston personnel.

Site Plan Control Guidelines

Connections to sanitary sewers and watermains will be witnessed and inspected by the owner's engineer and Utilities Kingston personnel as per the Sewer Water Alteration Permit.

By-Law Number 2006-122, Water By-Law, Section 8.1 provides that no person, except for City personnel authorized under the *Safe Drinking Water Act*, is permitted to operate a fire hydrant. Fire hydrants must not be used to provide a source of water for construction purposes. Any evidence of the illegal use of hydrants will result in the active enforcement of the provisions of By-Law Number 2006-122 regarding the illegal use of hydrants.

All electrical installations must be inspected and approved by the Electrical Safety Authority. In some instances, the electrical supply authority may inspect electrical service entrance cables, equipment meters and/or embedded installations where there is concern that the installations may impact the local distribution system of the supply authority.

All electrical installations within the City right-of-way or that are to be transferred to Kingston Hydro, must be inspected and approved by Kingston Hydro/Utilities Kingston.

7.4 Fire Access Route Design

Fire safety standards applicable to site plan design are provided, primarily, from provincial regulations such as the Ontario Building Code. In addition to these regulations, fire safety requirements with respect to site access and water supply provisions are detailed elsewhere within this document.

The access and vehicular movement within the site must be designed to the City's requirements, applicable zoning regulations and the approval of the Building Department. Fire access routes should include dimensions to indicate:

- a) minimum width of 6 metres;
- b) minimum 12 metres centre line turning radius;
- c) minimum 5 metres overhead clearance height;
- d) maximum 90 metres dead end length or suitable turn-around facilities; and
- e) maximum 15 metres distance from principal entrances and other required access openings.

7.4.1 Fire Alarm Systems

Where a fire alarm system is installed, the building must be provided with a security box mounted within three metres of the main entrance and at a height between 1.5 metres to 1.8 metres above the floor or at location acceptable to the Chief Fire Official. The security box is designed exclusively to hold building access keys such as, but not limited to, building entry, service rooms, common spaces, elevator operation and roof access. All keys are to be provided with metal or plastic identification tags.

Every building pursuant to Section 2.8 of the Ontario Fire Code that is required to maintain a Fire Safety Plan approved by the Chief Fire Official must install and maintain a Security Box containing a copy of the approved fire safety plan adjacent to the principal entrance to the building or part of the premise to which the Fire Safety Plan applies. Sections for on site or after hours contacts are to be completed and updated with contacts who can be reached and respond to site on a 24 hour basis when need be.

For further information regarding fire protection matters, please contact Building Services at 613-546-4291 ext. 3280.

7.5 Accessibility

The *Planning Act* identifies the accessibility for persons with disabilities to all facilities, services and matters to which the Act applies as a matter of provincial interest. There are specific accessibility requirements in the Ontario Building Code which should be considered at the time of the site design. Barrier free design applies to all buildings except single, semi-detached, duplexes, triplexes, townhouses, or boarding houses with less than eight residents.

The Municipal Accessibility Advisory Committee (MAAC) conducts a review of plans submitted with a site plan control application for accessibility/universal design. Plans will be reviewed and evaluated in terms of accessibility for persons with various types of disabilities.

7.5.1 General Design Considerations

Plans submitted for accessibility review are encouraged to:

- a) clearly indicate all specific accessibility considerations including, but not limited to, lighting, signage, parking, ramps, doorways, and safety features;
- b) indicate how persons with disabilities are considered in the development of the plan (e.g., mobility, visual disabilities);
- c) consider accessibility (universal design) in the development of the plan as indicated by stating the source or guidelines used as reference; and
- d) include the International Symbol of Access (ISA) to mark designed accessibility features.

7.5.2 Accessible Parking Spaces

The requirements associated with accessible parking spaces, including size, location and required number of accessible parking spaces, are governed by the applicable zoning by-law for the property.

Accessible parking spaces should be the spaces located closest to the nearest accessible entrance(s) of the building on an accessible route. If located in a separate building, the accessible parking spaces must be on the shortest accessible route to an accessible entrance of the parking facility. Care should be taken so that persons in

Site Plan Control Guidelines

wheelchairs and scooters or using braces and crutches are not compelled to wheel or walk behind parked cars. The location of accessible spaces at ground or underground levels that require users to cross traffic lanes should be avoided. If this is not possible, a high contrast painted crosswalk with tactile indicators should be provided.

All accessible parking spaces must be painted blue and be marked by an identifying marker consisting of the International Symbol of Access (ISA).

Accessible parking spaces should be level, preferably a 2% grade in all directions. Where this is not possible, the gradient should not exceed 5%.

The following features of accessible parking spaces must be shown on the site plan and/or parking structure floor plans:

- a) type of accessible parking space (Type A or Type B);
- b) location of access aisles;
- c) dimensions of accessible parking spaces and access aisles (width and length);
- d) vertical clearance dimensions when located within a parking structure;
- e) location of accessible parking signage at the top-center of the accessible space;
- f) diagram illustrating the signage for Type A “van accessible” parking spaces;
- g) required curb cuts and depressed curbs, including tactile indicators;
- h) slope and cross slope of accessible parking spaces; and
- i) presence of any surface drains proximate to accessible parking spaces.

7.5.3 Access To and Within Buildings

Entrances should be easily distinguishable. Canopies are a good feature to have above entrances to help identify the entrance and to provide shelter while entering.

All pedestrian entrances are required to be accessible under the Ontario Building Code and must connect to a barrier free path of travel to an open public thoroughfare. The type of entry control must also meet the specifications under the Ontario Building Code. Accessible building entrances should be noted on the site plan drawings and marked with the International Symbol of Access (ISA).

The main entrance to the building and all other entrances to outdoor open space or recreation areas, should be designed in accordance with the Ontario Building Code. The entrance to the building requires a 1.6 metre wide path of travel if level with the adjacent area to be delineated. Every path of travel less than 1.6 metre must be provided with an unobstructed space of 1.8 metre by 1.8 metre not more than 30 metres apart.

Where a change in level is necessary, either inside the building in areas where members of the public have access from streets, open spaces or interior walkways in adjacent buildings, or outside the building, a ramp should be provided in accordance with the Ontario Building Code. Sloped floors or ramps are required where a change in level exceeds 13 millimeters inside a building. A ramp is required where the gradient exceeds 1 in 20 exterior to a building. Where the difference in elevation of the exterior walk is not more than 200 millimeters, a curb ramp may be provided. The top and bottom of a ramp must be identified with tactile attention indicators in accordance with Sections 4.1.1. and 4.1.2. of International Standard ISO 23599. All ramps should be noted on the site plan drawings including the length and width of the ramp, along with any handrails or landings that may be required.

The sight lines from the entrances to the passenger loading area and parking lots should be uninterrupted. Lighting at the entrances, the passenger loading area and in the lobby should be sufficiently bright and non-glare. All portions of a barrier free path of travel must be equipped to provide a level of illumination not less than 50 lux for exits.

Provision should be made for the thorough and immediate removal of snow and ice from exterior ramps and a curb or guardrail should be provided to keep wheelchair and scooters from slipping over the edge of the ramp.

7.5.4 Interior Design

Although not part of the site plan control review process, consideration should be given to the following interior design principles as it could affect the layout or design of the building or the site:

- a) The lobby, main social and recreational facilities, mailboxes, laundry room, elevators, public washrooms, garbage deposit areas and indoor garage all should be accessible to persons with disabilities;
- b) Where required, at least one elevator should accommodate wheelchairs and scooters with the control buttons no lower than 0.9 metre and no higher than 1.1 metre above the floor, and with doors which close relatively slowly;
- c) Public washrooms or washrooms adjacent to lounges or recreational areas in apartment buildings should be designed in accordance with the Ontario Building Code;
- d) Mailboxes should be no lower than 900 millimeters and no higher than 1100 millimeters from the floor; and
- e) Laundry rooms require generous floor space to allow turning movements for wheelchair and scooters and at least one washer and dryer should have side hinged front loading doors for easy access by persons with disabilities.

7.5.5 Pathways

The surface should be firm, even and clear of obstacles such as trash cans or newspaper boxes. Paving blocks with large joints and gravel and soil should be

Site Plan Control Guidelines

avoided. Pathways should have a colour or texture that contrasts from their surroundings. The design of curb cuts should include flared edges and colours or tactile alerts to demarcate them. Pathways should be clear of obstacles such as garbage bins, planters, bicycle parking, bollards and columns. Grades should be gradual along a pathway. Long or steep ramps should have switchbacks with resting platforms.

A passenger loading area should be provided with a direct and level route to the main entrance of the building and, ideally, provided with a roof shelter. Where a passenger loading area is provided, an access aisle must be provided adjacent to the vehicle space measuring at least 2440 millimetres by 7400 millimetres with a vertical clearance of at least 3600 millimetres. Curb ramps, where required, must be provided to permit access from parking area to sidewalk.

Openings to the pathway should be perpendicular to the direction of travel. As a safety measure, wheel-stops help prevent vehicles from encroaching the pathway.

The following pathways should be shown on site plan drawings:

- a) Access from municipal sidewalks to the building(s);
- b) Access from passenger drop off and loading areas to proximate accessible entrances;
- c) Access to exterior amenity areas; and
- d) Access within the site including pathways between multiple buildings on the site.

The following pathway features should be shown on site plan drawings:

- a) Curb cuts and depressed curbs with tactile surface indicators are required for pathways and on any pedestrian crossing area(s);
- b) Width of pathways;
- c) Dimensions of turning spaces, if required;
- d) Slope of pathways (may be shown on site plan or grading plan); and
- e) Ramps, if required.

7.5.6 Universal Design Principles

In addition to the requirements of the Ontario Building Code, the City of Kingston's MAAC also applies Universal Design principles in its assessment of accessibility.

Universal Design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. The intent of the universal design concept is to simplify life for everyone by making products, communications, and the built environment more usable by more people at

little or no extra cost. The Universal Design concept targets all people of all ages, sizes, and abilities.

Further information on the Universal Design principles, can be found at <https://www.cmhc-schl.gc.ca/blog/2023/what-is-universal-design>.

7.5.7 Additional Reference Material

Applicants are encouraged to review the following documents at the design stage and incorporate as many features as possible in the building and site plan design:

- Illustrated Technical Guide to the Accessibility Standard for the Design of Public Spaces (DOPS);
- [Canada Standards Association, CAN/CSA – B651:23 – Accessible Design for the Built Environment, 2023](#);
- Standards for Barrier Free Design of Ontario Government Facilities, Management Board Secretariat, 2023; and
- Ontario Ministry of Municipal Affairs and Housing, Ontario Building Code, Section 3.8, Barrier Free Design, 2020.

7.6 Building Permit

Review and approval of a Building Permit is not part of the site plan control process. Any questions or submission of an application for Building Permit should be directed to Building Services which is responsible for the review and approval of Building Permit applications. Building Permit applications may be processed concurrently with an application for site plan control approval.

The Ontario Building Code requires that certain types of buildings be designed by an Architect or Engineer. This matter must be discussed with Building Services prior to filing a site plan control application, in order to determine if the proposed building fits into that category. In cases where the proposed building is subject to this requirement, the plans submitted for site plan control approval must be prepared by an Architect or Engineer and bear an Architect or Engineer stamp.

7.6.1 Spatial Separation

Spatial separation requirements of the Ontario Building Code should be taken into consideration when designing a site as they could impact the location of buildings and windows, as well as the type of exterior building material.

7.6.2 Signs

All ground and/or facia signs on the subject property must comply with the Ontario Building Code and the City of Kingston By-law Number 2009-140, “A By-Law to Regulate Signs in The City of Kingston”, and will be reviewed during the Building Permit application process. However, the location of all existing and proposed ground signs must be shown on the site plan drawing and all roof and/or facia signs must be shown

Site Plan Control Guidelines

on the Architectural Drawings that are included with the submission of the site plan control application.

8. Contacts and Related Documents

The following departments may be contacted regarding requirements for development within the City of Kingston:

8.1 Contacts

Department	Phone Number	Email
Building Services	613-546-4291, ext. 3280	buildingpermits@cityofkingston.ca
Engineering Services	613-546-4291, ext. 3130	engineering@cityofkingston.ca
Heritage Services	613-546-4291, ext. 1389	heritageplanning@cityofkingston.ca
Planning Services	613-546-4291, ext. 3180	planning@cityofkingston.ca
Transportation & Transit Services	613-546-4291, ext. 3299	transportation@cityofkingston.ca
Utilities Kingston	613-546-1181	info@utilitieskingston.com

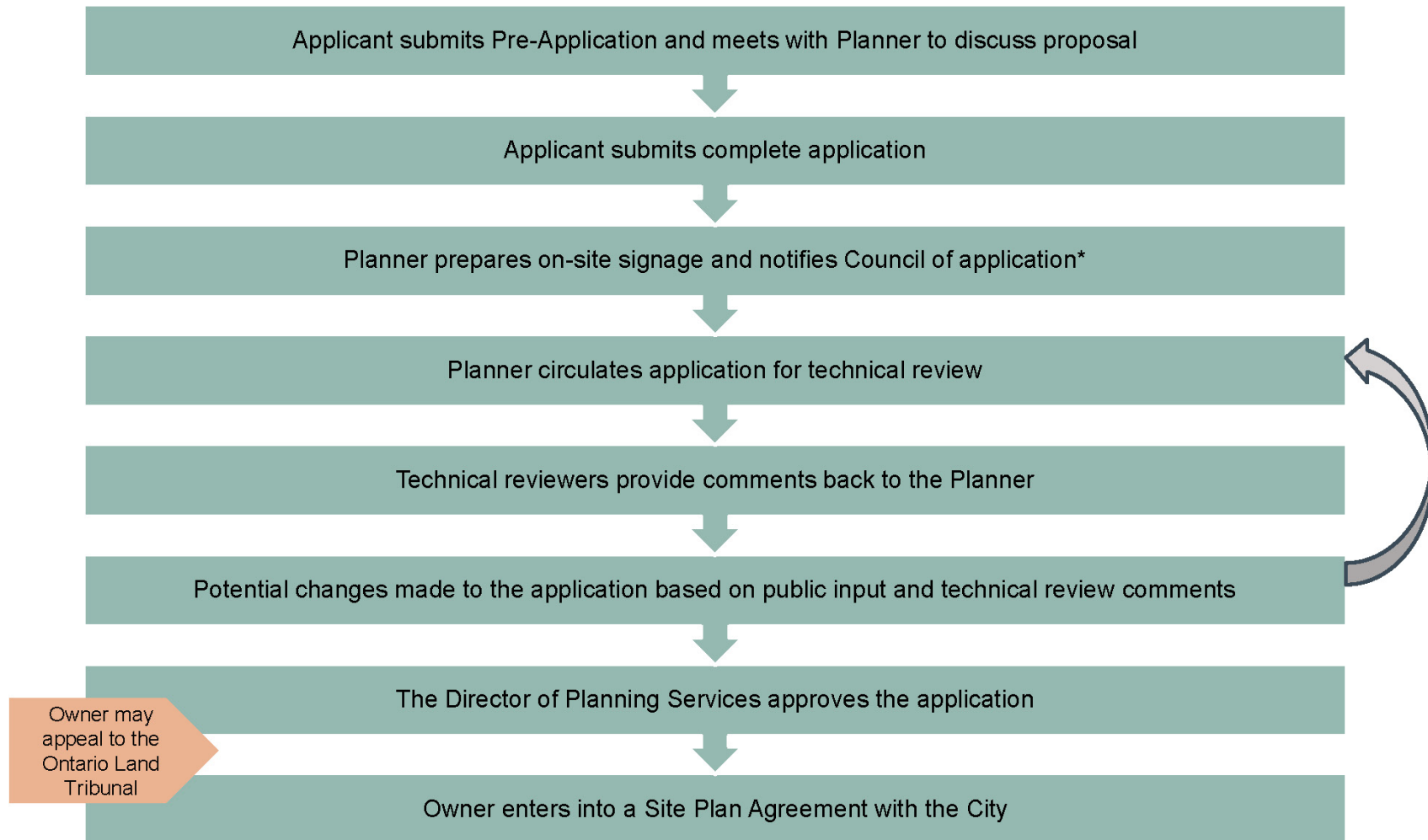
8.2 Related Documents

In addition to the documents referenced throughout these guidelines, the following documents should be consulted when designing a site and preparing a site plan control application submission:

- Ontario *Planning Act*
- Provincial Planning Statement, 2024
- City of Kingston Official Plan
- City of Kingston Zoning By-Law
- City of Kingston Site Plan Control By-Law Number 2025-XX
- City of Kingston Tree By-Law Number 2018-15

- City of Kingston Sign By-Law Number 2009-140
- City of Kingston Site Alteration By-Law Number 2008-128
- City of Kingston Archaeological Master Plan
- City of Kingston Subdivision Development Guidelines and Technical Standards
- Kingston Transportation Master Plan
- City of Kingston Active Transportation Master Plan
- City of Kingston Access Management Guidelines
- City of Kingston Downtown and Harbour Architectural Guidelines

Appendix A: Site Plan Control Process Flow Chart



*As per By-Law Number 2006-75, a member of Council may request that an application for Site Plan Control be referred to Planning Committee. If the application is referred to the Planning Committee, an Information Report is prepared by staff to obtain comments from the public and the Planning Committee.

Appendix B: Recommended, Restricted and Nuisance Tree Species Lists

Table 1: Recommended Street Tree Species

Common Name	Latin Name
Sugar Maple	Acer Saccharum
Freeman Maple	Acer X Freeman
Emerald Queen Maple	Acer Plantanoides 'Emerald Queen'
Parkway Maple	Acer Plantanoides 'Parkway'
Red Maple	Acer Rubrum Var. Morgan/Red Sunset
Hackberry	Celtis Occidentalis
Ash	Fraxinus Var: White/ Marshall's Seedless/Summit/Green
Honey Locust	Gleditsia Triacanthos Var. Shademaster/Skyline
Maidenhair Tree (Male Only)	Gingko Biloba
Oak (Red And Pin)	Quercus Rubur, Quercus Palustris
Linden	Tilia Var Cordata Glenleven/ Euchlora (Crimean)

Table 2: Cataraqi Conservation Recommended Tree and Shrub Species

The following species are native, non-cultivars that are recommended by Cataraqi Conservation based on [Planting Guidelines for the Cataraqi Region \(2015\)](#).

Site Plan Control Guidelines

Common Name	Latin Name
Deciduous Trees	
Black Ash	Fraxinus Nigra Marsh
White Ash L.	Fraxinus Americana
Red / Green Ash	Fraxinus Pennsylvanica
Large Toothed Aspen	Populus Grandidentata
Trembling Aspen Michx.	Populus Tremuloides
American Basswood L.	Tilia Americana
American Beech Ehrh.	Fagus Grandifolia
White (Paper) Birch	Betula Papyrifera
Yellow Birch	Betula Alleghaniensis
Butternut	Juglans Cinerea
Black Cherry	Prunus Serotina
Pin Cherry	Prunus Pensylvanica
Shagbark Hickory	Carya Ovata
American Hop-Hornbeam/Ironwood	Ostrya Virginiana
Red Maple	Acer Rubrum
Sugar Maple	Acer Saccharum
Silver Maple	Acer Saccharinum
Mountain Maple	Acer Spicatum

Common Name	Latin Name
Striped Maple	Acer Pensylvanicum
Bur Oak	Quercus Macrocarpa
Red Oak	Quercus Rubra
White Oak	Quercus Alba
Balsam Poplar	Populus Balsamifera
Canada Plum	Prunus Nigra
Black Willow	Salix Nigra
Coniferous Trees	
Balsam Fir	Abies Balsamea
Eastern Hemlock	Tsuga Canadensis
Tamarack Or Eastern Larch	Larix Larcina
Eastern White Pine	Pinus Strobus
Red Pine	Pinus Resinosa
White Spruce	Picea Glauca
Black	Picea Mariana
Deciduous Shrubs	
Specked Alder	Alnus Incana
Choke Cherry	Prunus Virginiana
Alternate-Leaved Dogwood	Cornus Alternifolia

Site Plan Control Guidelines

Common Name	Latin Name
Hawthorne	Crataegus Chrysoarpa
Nannyberry	Viburnum Lentago
Serviceberry	Amelanchier
Bebb's Willow	Salix Bebbiana
Shining Willow	Salix Lucida
Pussy Willow	Salix Discolor
Coniferous Shrubs	
Red Cedar	Juniperus Virginiana
Eastern White Cedar	Thuja Occidentalis
Common Juniper	Juniperus Communis

Table 3: Recommended Street Trees for Small Lots, Cul-de-sacs, or where Servicing Limits Space

Common Name	Latin Name
Katsura Tree	Ceridiphyllam Japonicum
Amur Cork Tree	Phellodendron Amurense
Ornamental Pears/Bradford, Redspire	Pyrus Calleryana
Ivory Silk Tree	Syringa Amurensis Japonica 'Ivory Silk'
Serviceberry	Amelanchier Canadensis
Amur Maple	Acer Ginnala
Thornless Cockspur Hawthorn	Craetaegus Crusgalli 'Inermis'

Table 4: Restricted Species adjacent to Natural or Environmental Protection Areas and Alternatives

The following trees and shrubs are not recommended to be planted adjacent to natural areas or Environmental Protection Areas. Alternatives species are provided for consideration. The alternative species are also good trees/shrubs to consider adjacent to stormwater retention pond sites.

Common Name	Effects On Natural Area	Alternatives
Norway Maple	Dominates Forest Canopy	Native Maples Species
Horsechestnut	Invades Forest, Tends To Dominate	Native Chestnut
Tree Of Heaven	Dominates Early Successional Forest	Black Walnut
Amur Maple	Competes With Early Successional Forest Species	Native Mountain Maple, Hop Tree
Russian Olive	Invades Meadows And Shrub Communities	Native Viburnums, Redbud, Native Pin Cherry, Chokecherry
White Mulberry	Hybridizes With Rare Mulberry	Native Witch-Hazel, Native Serviceberry, Pin Cherry, Chokecherry
Lilac	Dominates Forest Redge	Native Red Mulberry, Pin Cherry, Chokecherry
Burning Bush	Invades Forest Understorey	Native Serviceberry, Native Highbush Cranberry, Elderberry, Nannyberry, Native Euonymus
Scots Pine	Invades Meadows	White Pine, Red Pine, White Spruce

Table 5: Nuisance Species

Common Name	Latin Name	Rationale
Acer Negundo	Manitoba Maple	Low landscape value, heavy seed production and easily propagates into natural areas, fence lines via seed. Fast growing tree with weak wood structure that tends to fail frequently in high wind and ice events. Normally invite nuisance insect like Boxelder bug to landscapes that congregate in large populations on sides of houses and trees and will enter into buildings/structures if allowed.
Populus Species	Poplar Species	Low landscape value, cottonwood varieties create large cloud 'puffs' at flowering stage that cover roads, sidewalks, yards, roofs in white blanket of fluff, fast growing tree with weak wood structure prone to limb and trunk failures during high wind and winter events. High frequency of rot diseases in main stems (cankers, heart rot fungi, etc). Useful for wind rows and natural area rehabilitation plantings, but not in a formal landscape design
Salix Species	Willow Species	Similar concerns to Poplar species. Useful in high water, shoreline rehab and riparian settings but not within a formal landscape.
Ulmus Parvifolia	Chinese Elm	Common to self seed into fencelines, natural areas; commonly affected by wilt diseases, cankers and rot fungi; very fast growing with weak wood qualities and frequently loses limbs in high wind and ice events.
Rhamnus Species	Buckthorn Species	Highly invasive species that quickly overtakes native understory plantings within natural forest areas; propagates rapidly through seed dispersal and cuttings; rapid root spread with epicormic (watershoot) development; intensive management strategies required to eradicate these from both natural and formal landscapes.

Table 6: Problematic Invasive Species

The following species are identified as problematic invasive species that are not recommended in any development, based on [Planting Guidelines for the Cataraqui Region \(2015\)](#).

Common Name	Latin Name
Common Reed	Phragmites Australis
Dog-Strangling Vine	Vincetoxicum Rossicum
Garlic Mustard	Alliaria Petiolate
Giant Hogweed	Heracleum Mantegazzianum
Norway Maple	Acer Platanoides
Purple Loosestrife	Lythrum Salicaria
Wild Parsnip	Pastinaca Sativa
European Buckthorn	Rhamnus Cathartica
Tartarian Honeysuckle	Lonicera Tatarica

Summary of Public Comments and Responses

The following provides a summary of comments received and related responses. Comments and responses are organized by key document, being either the draft Site Plan Control By-Law or the draft Site Plan Control Guidelines. Comments are not verbatim, however, the written comments received can be found in Exhibit D.

Draft Site Plan Control By-Law – Comments and Responses

1. **Comment:** Will the new Site Plan Control By-Law or Site Plan Control Guidelines be impacted by potential repeals related to Greenbelt aspects of Bill 23, the *More Homes Built Faster Act, 2022*?

Response: There is no impact on the proposed Site Plan Control By-Law or Site Plan Control Guidelines as a result of any changes or repeals to Bill 23 related to Greenbelt regulations. The proposed new By-Law and Guidelines are consistent with the relevant changes to the *Planning Act* made through other portions of Bill 23, including exemptions for residential developments containing less than 10 residential units.

2. **Comment:** Can a map showing prescribed areas described in O. Reg. 254/23 be provided for transparency and clarity?

Response: Advisory mapping of a 300 metre buffer from active railway lines is likely feasible, however, insufficient data may result in incomplete or misleading watercourse mapping. A text-based description of watercourse policies is in line with the current approach with the City of Kingston Official Plan and Kingston Zoning By-Law 2022-62. On April 29, 2021, [Report PC-21-032](#) was presented to the Planning Committee and included discussion on the use of regulatory and advisory mapping. As indicated within Report PC-21-032, effective implementation requires accurate mapping data. Data for smaller watercourses, such as streams or seasonal drainage courses, may be incomplete or inaccurate. Staff will continue to explore advisory mapping, however, it should be noted that such mapping should not be relied upon for final determination on the need for site plan control.

It is noted that under the current revised draft By-Law, developments containing between 5 and 10 dwelling units will only require site plan control where applied as a condition of another *Planning Act* application and where the lot is located in a prescribed area. Applicants and property owners will therefore be informed of any requirement for site plan control through such related application.

3. **Comment:** Where exemptions under Section 4.1(a)(i) are provided at the discretion of the Director, can the parameters for receiving an exemption be provided for clarity?

Response: Additional information has been added to the draft Site Plan Control By-Law to clarify the factors considered when director Discretion is used to apply

an exemption. These factors include whether the proposal will impact environmentally sensitive areas or have impacts on grading or drainage of a lot.

4. **Comment:** The requirement for an exemption from the Director for residential units in prescribed areas may be onerous on owners and staff resources. Given the time and costs associated with site plan control, where an exemption can be granted at the Director's discretion under draft Section 4.1(a)(i), can parameters for receiving an exemption be provided?

Response: In the previous draft By-Law presented in December 2023, any number of units within prescribed areas could be subject to site plan control at the direction of the Director of Planning Services. In the current draft, site plan control within prescribed areas will not be required for developments containing between 5 and 10 residential units unless applied as a condition of another *Planning Act* application, such as a consent or minor variance. This allows zone-compliant developments of 10 or fewer units to proceed to building permits without a site plan control application.

5. **Comment:** Section 9.2 references 3 acceptable forms of security. It is understood that the City is exploring alternative methods of receiving security. The following is recommended to avoid the need for future amendments to the by-law should additional forms of security become acceptable in the future:

"Any security must be provided to the City in the form of cash, certified cheque or an irrevocable letter of credit, or in another form satisfactory to the City, in the amount as determined by the City and in a form satisfactory to the City. Without limiting the generality of the foregoing, all letters of credit must be issued by a Schedule 1 Canadian Chartered Bank. Any security will be held and released by the City in accordance with the site plan control agreement, without interest".

Response: Surety bonds have now been adopted by Council as an acceptable form of financial security. Reference to surety bonds has been added to Clause 9.2 of the draft By-Law and Section 5 of the draft Guidelines.

6. **Comment:** Please consider adding additional wording to Section 4.1(a) to further clarify about instances where there is more than one lot and cumulatively more than 10 units.

Response: "Lot" is defined within the draft Site Plan By-Law and references parcels of lands which can be separately conveyed in compliance with the provisions of the *Planning Act*. The number of units per lot is based on this definition, therefore, where two adjacent lots contain more than 10 units cumulatively but less than 10 units individually, site plan control will not be required (unless the property is located in a prescribed area and site plan control is applied as a condition under another *Planning Act* application in accordance with Section 4.1(a)(i) of the draft By-Law). The definition has also been updated

to reflect stratified ownership in the event the City adopts stratified consent policies.

7. **Comment:** With respect to Section 4.1(a)(i), would it be possible to clarify the “area prescribed by regulation pursuant to Subsection 41(1.2) of *the Planning Act*” within the by-law or guidelines? It is understood that it relates to O. Reg. 254/23 but including the wording within the by-law would be helpful when determining if Site Plan Control is required.

Response: Reference to the *Planning Act* clause and regulation has been provided to account for potential future changes to the regulated area or contents of the regulation by the province. For example, if the prescribed area changes to reduce or increase the distance from waterbodies, the by-law or guidelines would not need to be updated. The current draft has been amended to exempt residential developments of between 5 and 10 from site plan control unless required by another *Planning Act* application and if located in a prescribed area. Through this approach, individuals developing small apartment buildings will be made aware of the potential site plan control requirement should a Planning application be required.

8. **Comment:** What is the background of the 300 square metre cut-off carried over from Section 5.1(d) of the current site plan control by-law? Does this value allow piecemeal development to be exempt from site plan control?

Response: Section 4.1(d) of the draft Site Plan By-Law exempts non-residential developments from site plan control where the development is less than 300 square metres, is not located within an Environmental Protection Area or adjacent lands, does not alter the grading or drainage of the lot, and does not adversely affect a natural heritage feature.

This exemption is in place to acknowledge that smaller buildings and additions are likely to have lower impact on the site and surrounding properties and would therefore not likely benefit from the site plan process. This exemption provides a level of certainty for landowners and the development community when constructing relatively small buildings or additions. The exemption from site plan control does not exempt buildings or additions from the provisions of the zoning by-law.

In theory, it is possible to see multiple developments of less than 300 square metres proceed without site plan control. In practice, this is not a common occurrence. The introduction of multiple additions under 300 square metres is generally seen on large industrial or commercial properties where the impact on the lot and adjacent properties is generally lower. The use of Director discretion allows the City to review the potential cumulative impact on grading or drainage of a lot as a result of multiple minor additions or buildings.

- 9. Comment:** How does the use of Director discretion differ from the current and proposed by-laws?

Response: Director discretion is used in the current Site Plan Control By-Law (By-Law Number 2010-217) in reference to exemptions for minor modifications to existing development, and the collection and release of securities. Within the proposed draft by-law, Director discretion has been carried over for minor additions and added to exemptions for non-residential development of less than 300 square metres, interior building renovations, temporary buildings and on-farm diversified uses.

The use of Director discretion is intended to support an expanded list of exemptions while acknowledging that in practice uses may not always fall clearly within one category of exemption and the ability of the Director to review the proposal as a whole to determine potential impact is considered beneficial to the implementation and purpose of site plan control.

Exemptions for non-residential development of less than 300 square metres, minor modifications and interior renovations are accompanied by criteria for the exemption. The criteria for Director exemptions assess whether a proposal would have impacts on environmentally sensitive features or grading and drainage that would be better addressed through the site plan control process. It is acknowledged that in making a determination, the Director may consult with other departments and subject matter experts.

- 10. Comment:** Relating to definitions that are identical to the zoning by-law, recommend using a reference to that by-law. e.g. "agricultural use" as defined in Kingston Zoning By-law 2022-62. Otherwise, housekeeping amendments to one definition will trigger a requirement for amendments to the other by-law. Over time, this could lead to a disconnect between the two.

Response: It is acknowledged that the Kingston Zoning By-Law and proposed Site Plan Control By-Law use similar defined terms, and further, that the definitions within the Kingston Zoning By-Law 2022-62 may evolve over time and require amendment. Definitions are provided directly into the proposed Site Plan Control By-Law to improve user experience and avoid the need for the user to reference a separate by-law for interpretation. Future amendments will be undertaken to the Site Plan By-Law should definitions require an update.

- 11. Comment:** The definition of "gross floor area" differs from the zoning by-law in that it does not have all of the exclusions. This could result in very different calculations of gross floor area and, more importantly, disagreement and ambiguity regarding the applicability of site plan control where a use exceeds the threshold trigger using one method but not the other. This can be further exacerbated where the Ontario Building Code may use yet another calculation. Recommend deferring to the same definition as in the zoning by-law. The

definition makes reference to "finished grade" but does not define what that means.

Response: The definition of "gross floor area" has been updated to specify the exclusions as defined within the Kingston Zoning By-Law 2022-62. Within the Site Plan Control By-Law, gross floor area is used exclusively in Section 4.1(d) which provides exemption for developments containing less than 300 square metres of gross floor area. It is acknowledged that utilizing the definition within the Kingston Zoning By-Law would exclude, among other items, areas such as mechanical rooms, storage lockers, stairways and balconies from being included in the 300 square metre calculation.

A definition has been added for "finished grade" in line with the Kingston Zoning By-law definition.

- 12. Comment:** Regarding the definition of "natural heritage features or areas", strongly recommend that this make reference to the relevant Official Plan schedules.

Response: Similar to the text-based approach used for waterbodies described in Comment 2 above, a text-based description is provided to account for potential inaccuracies in mapping of these features.

- 13. Comment:** Regarding the exemption under Section 4.1(a) of the draft by-law, it would be beneficial to provide an increased threshold or exempt a certain number of units for interior conversions where underutilized space is converted to residential units, by default. The City of Ottawa allows up to 5 units to be added without triggering site plan control. A similar permission would be very beneficial in Kingston, with the added flexibility to allow more units where conditions warrant.

Response: At this time, no further exemption is proposed for units introduced through conversion of existing buildings. The site plan control process will continue to apply based on number of total units, regardless of whether the units are introduced as a new build or converted building. The change in use is expected to benefit from the fulsome review of site plan control. It is staff's understanding that the City of Ottawa has a number of criteria that need to be met prior to an applicant obtaining written permission for a site plan control waiver.

- 14. Comment:** For clarity regarding Section 4.1 of the draft by-law, where a development includes 5-10 units, would site plan control only apply where site plan control has been made a condition of previous approvals (e.g. consent, Holding symbol), and where the lot is in an area prescribed by regulation per 41(1.2).

Response: That is correct. Where a development contains 5 to 10 residential units and contains any portion of lands within a prescribed area, site plan control

is only required where applied as a condition of another *Planning Act* approval. For clarity, the entire residential development does not need to be located within the prescribed area for site plan control to be applied as a condition. Under this provision, site plan control may be applied as a condition where any portion of the lot is located within a prescribed area.

15. Comment: In Section 4.1(a)(ii) relating to land lease community homes, would it not be beneficial to apply the same exemption to land lease community homes? What is the benefit of requiring this land use to go through site plan control?

Response: This provision aligns with the *Planning Act* definitions of “development” and “land lease community home” provided in Sections 41(1), 41(1.3) and 46(1). While this type of development is less common, the establishment of land lease community homes are expected to benefit from the site plan control process, including review of vehicle accesses, parking areas, and pedestrian circulation.

16. Comment: Regarding the exemption for development under Section 4.1(d), why not increase this threshold to 600 square metres, which aligns with an Ontario Building Code design threshold (i.e. maximum size that can be designed by BCIN)?

Response: For the purpose of site plan control, the threshold is proposed at 300 square metres as this is considered an appropriate threshold for review. It is noted that the purpose of thresholds may differ between the Ontario Building Code and a municipal site plan control by-law. The 300 square metre threshold is carried forward from the current and previous site plan control by-laws. In practice, it has been found that this threshold is an appropriate trigger for review.

17. Comment: Regarding Section 4.1(f), we are seeing a growing number of requests for interior conversions of this nature for small apartment buildings above 10 units. Often, some minor site alteration is required, including minor adjustments to parking lots, exterior bike parking, etc. The clause “[...] do not impact the grading, drainage, parking or access to the lot” leaves the Director with very little discretion on this. Recommend providing more discretionary flexibility, along the lines of “[...] does not adversely affect grading, drainage, parking or access on the lot”. This way, the applicant can complete the relevant studies/plans and demonstrate to the Director's satisfaction that site plan control is not required.

Response: The intent is to review functional matters, such as parking and access, through the site plan control process. Using this process allows for consultation and technical review by applicable departments and a documented public process, secured through an agreement registered on title.

18. Comment: We are starting to see other municipalities move to a Letter of Undertaking as a substitute to site plan control on minor applications that would

otherwise trigger site plan control. This is an approach that would be helpful to consider for interior conversions that might otherwise trigger site plan control. Securities are even being collected in these instances. It does not have the same legal benefit necessarily as site plan control, but it is intended to reduce administrative burden on staff and accelerate approval timelines.

Response: At this time, the intent is to proceed with the site plan control process and secure plans and financial securities through the site plan control agreement. The use of a Letter of Undertaking in place of a site plan control agreement is not being considered.

- 19. Comment:** In Section 7.4, regarding the transfer of land subject to an agreement, should this Section also reference situations where a security release is sought? Specifically, that the City can only release securities to the owner or former owner that provided the securities?

Response: It is not proposed that a clause be added to the Site Plan Control By-Law, however, the current practice is to release securities to the party which provided the security.

Draft Site Plan Control Guidelines – Comments and Responses

- 1. Comment:** Should Credit Unions be added to Section 9.2 of the Guidelines?

Response: In consultation with Legal Services, it has been determined that it is best practice to accept letters of credit from a Schedule 1 Chartered Bank. Note that Section 9.2 in the first draft has been relocated to Section 5 (Securities) in the current draft.

- 2. Comment:** Please provide clarification on the meaning and enforcement of Section 4.2.6 q) (Construction Notes – Environment).

Response: Note that Section 4.2.6 has been moved to Section 6.2.6. in the current draft. This section identifies notes which are to be included on grading plans submitted in support of a site plan control application. Subsection 6.2.6. q) of the current draft provides information on requirements should contaminants or construction waste be discovered during excavation or construction. Construction waste includes but is not limited to bricks, lumber, concrete and aggregates. Burying of wastes is prohibited by Provincial law and therefore any discovery of wastes at a later date would become a matter subject to Provincial legalisation. There is no time limit on the applicability of this legislation should waste be discovered following completion of the site plan control process.

- 3. Comment:** Can Section 7.2 (Landscape Design – Stormwater Management Ponds) specify the requirement for native and non-invasive species?

Response: Note that Section 7.2 in the previous draft has been relocated to Section 6.2.8 (Landscape Plan) in the current draft. Native plant material that will

eventually form a natural wetland is identified as preferred in stormwater management pond design. Stormwater management ponds adjacent to natural areas require native plant material. Native plant material is not identified as required in all cases to account for soil types which cannot accommodate native plant materials.

Regulation and management of invasive species in Ontario is addressed under the *Ontario Invasive Species Act*. A list of recommended, restricted, nuisance and problematic species have been provided in Appendix B of the proposed Site Plan Guidelines for user reference.

4. **Comment:** Does the paragraph following Section 7.2.1 g) pose a conflict with the Tree By-law?

Response: Note that Section 7.2.1 in the previous draft has been relocated to Section 6.2.9 in the current draft. The paragraph provided within the Site Plan Guidelines is consistent with the provisions of the Tree By-Law (By-Law Number 2018-15). This section includes notes on what is to occur if plant material which is indicated to be preserved is damaged before full release of financial securities. Damaged materials must be replaced with new plant stock equal in aggregate caliper size as the damaged material. Where material cannot be replaced, financial compensation may be made in accordance with the provisions of the Tree By-Law.

It is staff preference to have all material identified for preservation maintained, however, there are cases where vegetation is damaged and cannot be adequately replaced. Cash-in-lieu of replacement enabled under the Tree By-Law allows the City to allocate these funds to a reserve fund which is used towards tree planting efforts across the City.

5. **Comment:** Should Cogeco be referenced under Other Agencies?

Response: Reference to Cogeco has been added to Section 4.4.1 (Other Agencies).

6. **Comment:** Regarding Section 4.2.3 – b) (exterior material type and colour), it is our understanding that this could no longer be required by the Municipality, as per *Planning Act* changes. Please provide further details.

Response: Presentation of exterior material type and colour is intended to provide the public with a more fulsome visualization of the proposed development. This information is not intended to be used to apply conditions and would not form part of the site plan agreement. Securities would not be taken for design elements like material type or colour.

Section 4.2.3 has been relocated to Section 6.2.3 and amended to remove exterior material type and colour from the list of requirements and added as a requested feature following the requirement list.

7. **Comment:** Regarding Section 4.2.3 – e) (location and design of all exterior lighting), can lighting details be shown on a separate lighting plan? If so, please consider adding this.

Response: Section 4.2.3 (e) has been relocated to Section 6.2.3 and amended to clarify that the elevation drawing should show lighting details if a separate lighting plan is not provided.

8. **Comment:** Regarding Section 4.2.8 (Landscape Plan), it is our understanding that in some situations landscape plans are no longer required under the *Planning Act*. Could further clarification be included to describe the situations where a Landscape Plan is required?

Response: Landscape plans are still required to show non-aesthetic features which may relate to health, safety, accessibility, sustainable design and/or protection of adjoining lands. Site plan control applications will generally require landscape plans to show exterior walkways, buffering where applicable, location and size of required landscaped open space (as per the Zoning By-Law), amenity spaces, etc. A landscape plan may be combined with the Site Plan drawing or the grading plan.

9. **Comment:** Regarding Section 7.2 (Landscape Design), Landscape Plan requirements are also provided in Section 4.2.8. Would it be possible to consolidate the Plan requirements into one complete list in one Section?

Response: The Guidelines have been reorganized to group requirements and design considerations in the same sections. For Landscape Plans, plan requirements have been relocated to Section 7.2.8 and landscape design considerations are provided as a subheading following the list of requirements.

10. **Comment:** Regarding Section 7.2.1 (Tree Inventory and Preservation), Tree Preservation Plan requirements are also provided in Section 4.2.9. Would it be possible to consolidate the Plan requirements into one complete list in one Section?

Response: Basic items which are to be shown on the Tree Preservation Plan are provided in Section 4.2.9 and includes requirements like showing the location of tree protection fencing. Detailed Tree Presentation Plan requirements, such as acceptable plant materials, have been relocated to Section 7.2.1 and Tree Inventory and Preservation considerations have been relocated as a subsection under the same section.

11. **Comment:** Stormwater Design Criteria indicates minor and major rainfall events. Would the City add the preferred IDF curve to the guidelines for major event?

Response: Additional information has been provided on the preferred IDF curve to be used to for major event design. Design Criteria under Section 7.3.4 now

references two design tools, the more conservative of which should be used for design purposes.

- 12. Comment:** Will the City of Kingston Engineering Department detail drawings/Utilities Kingston be compiled and added to the Guidelines as reference? (i.e. TRD-2 Trench Reinstatement for Utility Cuts, ARD-2 Asphalt Reinstatement, etc.).

Response: Work undertaken or affecting the City's rights-of-way require a right-of-way permit, which includes road cut permits. The road cut permit process involves specific evaluation of standards of restoration based on the existing condition of the roadway. The current draft Guidelines are not proposed to include right-of-way permit requirements as they may not apply to every site and may vary from site to site where required.

- 13. Comment:** Since existing hydrant flows along City right-of-way are no longer provided by Utilities Kingston and are often requested for site plan approval, is a Hydrant Flow Test report a standard requirement at site plan control submission? If so, could this be added to the Guidelines?

Response: The calculation of fire flows available from the nearest hydrant is a requirement of servicing plans under Section 6.2.5 of the Guidelines. The requirement for this information to be provided in the form of a Hydrant Flow Test report is not specifically noted, however, this report is likely the best method of obtaining the information required to complete a servicing plan.

As servicing plans and confirmation of hydrant flows is not required for all site plan control applications, Hydrant Flow Test reports are not listed as a general submission requirement for all site plan control applications.

- 14. Comment:** Sanitary design calculation for infiltration allowance of 0.28 L/s/ha have been indicated to be used based on previous technical comments. Could this be added to the Guidelines as standard?

Response: An infiltration allowance of 0.28/L/s/ha is acknowledged as a typical standard, however, the contents of Section 7.3.4 (Sanitary Sewer Systems) has been reconfigured to reference the Ontario Building Code for private systems and the Subdivision Development Guidelines & Technical Standards for systems on public property. Direct reference to this allowance has not been included in the Site Plan Control Guidelines to avoid duplication with other documents.

- 15. Comment:** Excess Soil Management regarding O. Reg 406/19 should be discussed and considered to be added to the Guidelines.

Response: Requirements under O. Reg. 409/19 under the *Environmental Protection Act* apply to generally to soil work being conducted in Ontario. This requirement is not specific to the site plan control process. Regulations should be referred to where soil work is being conducted.

16. Comment: The Guidelines state all hydrants are to be painted chrome yellow by Utilities Kingston. However, recent technical comments have indicated the City requires hydrants on private property to be painted red. Please clarify.

Response: Reference to the colour of hydrants has been removed as part of reconfiguration of the Guidelines. Information on the requirements for hydrants, including hydrant colour, can be found within the City of Kingston's Subdivision Guidelines & Technical Standards for hydrants on public property and the Ontario Building Code for hydrants on private property.

17. Comment: Suggest using the term "persons with disabilities" in all instances unless referring to specific disabilities such as mobility or low vision, and avoid using terms such as physically challenged for example.

Response: Terms have been updated throughout the Guidelines.

18. Comment: The symbol associated with accessibility is called the International Symbol of Access (ISA). Would suggest referring to that specifically rather than more generalized descriptions.

Response: Reference to the International Symbol of Access (ISA) has been updated in Sections 7.5.1(d) and 7.5.3 and of the Guidelines. It is noted that the acronym "ISA" is also used for the International Society of Arboriculture referenced in Section 6.2.9 of the Guidelines. Given the use of the acronym is clearly separated by different headings and accompanies the full term (International Symbol of Access and International Society of Arboriculture, respectively), there is minimal concern for confusion caused by use of these acronyms within the document.

19. Comment: Regarding Section 7.6.1 (Accessibility Checklist), it would be helpful to request or encourage that applicants submit a completed City of Kingston Site Plan Control Accessibility Checklist.

Response: An accessibility checklist is listed under Section 4.1 (Complete Application Requirements) and is to be submitted with all site plan control applications.

20. Comment: Regarding Section 7.6.3 (Access to and within buildings), suggest adding language to the effect of: Applicants are encouraged to mark all accessible building entrances on site plan drawings/garage floor plans submitted and designate them with the International Symbol of Access (ISA). Applicants are encouraged to mark all ramps on site plan drawings and include length and width dimensions, and any handrails or landings that may be required either on the site plan or in a separate drawing.

Response: Proposed wording added to Section 7.5.3 with minor modification. Note that Section 7.6.3 has been moved to Section 7.5.3 in the current draft.

21. Comment: Regarding Section 7.6.5 (Pathways), suggest adding the following:

- Pathways should be clear of obstacles such as trash cans and newspaper, large landscape features such as planters, and free of barriers such as bicycle parking (where parked bicycles may intrude into pathways), bollards, and columns
- Applicants are encouraged to mark the following pathways on site plan drawings which show:
 - access from municipal sidewalks to the building(s)
 - access from passenger drop off/loading areas to proximate accessible entrances
 - access to exterior amenity areas
 - access within the site – including pathways between multiple buildings on the site.
- Applicants are encouraged to mark the following accessibility features for all pathways on site plan drawings submitted:
 - curb cuts/depressed curbs with tactile surface indicators as required for pathways and on any pedestrian crossing areas
 - width of pathways
 - dimensions of turning spaces if required
 - slope of pathways (site plan or grading plan)
 - ramps if required

Response: Section 7.6.5 in the previous draft has been moved to Section 7.5.5 of the current draft. Suggestions added to the end of Section 7.5.5 with minor modifications.

22. Comment: Regarding Section 7.6.7 (Additional Reference Material) – Suggest adding:

- 1st paragraph – Applicants ... and to incorporate in the building and site plan design...
- Suggest adding the Illustrated Technical Guide to the Accessibility Standard for the Design of Public Spaces (DOPS).

Response: Section 7.6.7 in the previous draft has been moved to Section 7.5.7 and the proposed wording incorporated.

23. Comment: Regarding Section 7.3.2 (Manhole), there are situations where a MISA manhole cannot be constructed inside the property line and an alternative arrangement must be arranged with Utilities Kingston. It would be helpful to reflect that in this clause. This is particularly relevant for interior conversions or additions.


Response: Utilities Kingston has noted that the requirement and preference is for a maintenance access hole. The intent of Section 7.3.2 is to provide guidance on the preferred location of maintenance access holes and assist applicants in ensuring manholes are taken into account during the building design stage, where possible. However, it is acknowledged that as per the Sewer Use By-Law 2008-192, where installation of a maintenance access hole is not possible, an alternative device or facility may be substituted with the written approval of Utilities Kingston.

Planning Committee Dec. 7/23

Site Plan Control By-Law

Q: 1) Bill 23 - Provincial 'More Homes Faster'
is now up for partial Repeal
at Queen's Park, with respect to
'Greenbelt' aspects. Is that repeal
affecting ^{ANYTHING} connected to this topic?

Q: 2) Process - will this revision get
eventually become part of the
new Official Plan?

Respectfully,

Frank Dixon
2-495 Alfred St.

Agarwal,Sukriti

From: Youko Leclerc-Desjardins [REDACTED]
Sent: December 7, 2023 11:59 AM
To: Agarwal,Sukriti
Cc: Chanti B
Subject: RE: City of Kingston - Proposed Updates to the Site Plan Control By-Law and Guidelines

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

Hi Sukriti,

I've reviewed the draft site plan control by-law and have the following preliminary comments:

- 1) O.Reg 254/23 describes areas where 10 or fewer units are not exempt from Site Plan control. This is directly referenced in the draft by-law, but it remains unclear. In the interest of transparency and clarity, can you please include a map showing these prescribed areas? It would also be extremely helpful to have a corresponding map layer added to K-Maps, please.
- 2) Clause 4.1(a)(i) indicates that where a property is not exempted due to being in a prescribed area identified in O.Reg 254/23, it will be up to the Director to determine if a property is subject to site plan control. I have two comments on this clause:
 - a. As I understand this draft of the by-law, since it does not carry forward the current exemption for fewer than 4 residential units, a 1-unit residential development in a prescribed area would require an exemption from the Director, otherwise it would be subject to site plan control. This would be onerous, both on owners in the prescribed areas and on the Director's time. Can you please continue to apply exemptions from the current site plan control by-law in these prescribed areas, to maintain continuity with current practices? That way, a residential development with fewer than 4 units would continue to be exempt from site plan control, for example, even though it's in a prescribed area. It may also be worth considering increasing that threshold to 5 units following the recent Council decision which supported up to 4 units per lot, as of right, to address CMHC comments and bolster Kingston's HAF application.
 - b. Where exemptions can be granted at the Director's discretion under 4.1(a)(i), can you please clarify what the parameters will be for receiving an exemption? At this time, the language is open-ended, making it impossible to know what factors will influence the Director's decision-making as it relates to determining when a project can be exempted. I appreciate that this is likely intentional to maximize flexibility, however it would mean having to review proposals with the Director (or with staff, for staff to then take to the Director for a decision). Given that the site plan control process adds months of time and easily tens of thousands of dollars in additional studies, clarity on when a proposal is or is not subject to site plan control is important very early in the process of planning for a development, especially for small-scale developments that are entirely zoning compliant.
- 3) Section 9.2 currently references 3 acceptable forms and notes that these must be in a form that is satisfactory to the City. My understanding is that staff are exploring alternative methods of receiving securities that are currently in use by other municipalities, but this is still in the exploratory stage. I would like to recommend restructuring the wording in this section as follows, which would hopefully

avoid the need to amend the by-law should additional forms of security become acceptable in the future:

*9.2 Any security must be provided to the **City** in the form of cash, certified cheque or an irrevocable letter of credit, **or in another form satisfactory to the City**, in the amount as determined by the **City** ~~and in a form satisfactory to the City~~. Without limiting the generality of the foregoing, all letters of credit must be issued by a Schedule 1 Canadian Chartered Bank. Any security will be held and released by the **City** in accordance with the **site plan control agreement**, without interest.*

My review is ongoing and I may reach out with additional comments in the coming weeks.

Best,
Youko

Youko Leclerc-Desjardins, MCIP RPP

Associate
T 613.542.5454 ext. 224

From: Agarwal,Sukriti <sagarwal@cityofkingston.ca>
Sent: Wednesday, December 6, 2023 4:18 PM
Cc: Birdi,Chanti <cbirdi@cityofkingston.ca>
Subject: City of Kingston - Proposed Updates to the Site Plan Control By-Law and Guidelines

CAUTION: This email is from an external sender. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

You are receiving this email as a member of the development community who may have an interest in the City's Site Plan Control By-Law and Site Plan Control Guidelines.

Given the recent legislative changes to Section 41 of the *Planning Act*, Planning Services is in the process of updating the By-Law as well as the Guidelines. An Information Report will be presented to the Planning Committee on Thursday, December 7th with a draft By-Law and Guidelines, which can be found on the City website at: [Report PC-24-004 Proposed New Site Plan By-Law and Guidelines](#).

You are invited to attend this meeting either virtually or in-person and share any initial feedback. The meeting details are available at: www.CityofKingston.ca/PlanningCommittee.

We will also be offering a separate session to members of the development community in the new year with additional opportunity to provide feedback. More details on this session will be provided in January.

If you have any questions or comments in the meantime, please contact me or Chanti Birdi, Intermediate Planner.

Thanks,

Sukriti



Sukriti Agarwal, MCIP, RPP, AICP (she/her/hers)

Manager, Policy Planning
Planning Services

City of Kingston

Located at: 1211 John Counter Boulevard

216 Ontario Street Kingston, ON K7L 2Z3

613-546-4291 extension 3217

sagarwal@cityofkingston.ca



The City of Kingston acknowledges that we are on the traditional homeland of the Anishinaabe, Haudenosaunee and the Huron-Wendat, and thanks these nations for their care and stewardship over this shared land.

Sukriti Agarwal, MCIP RPP AICP
Manager, Policy Planning
Planning Services
City of Kingston
1211 John Counter Boulevard
Kingston, ON
sagarwal@cityofkingston.ca

Date: January 26, 2024

Subject: Proposed Updates to City of Kingston Site Plan Control By-law and Guidelines

Dear Ms. Agarwal,

Arcadis Kingston Planning and Engineering teams are pleased to provide feedback to the City of Kingston regarding the proposed updates to the Site Plan Control By-law and Guidelines. We have reviewed the proposed By-law and Guidelines that are contained within Report Number PC-24-004, dated December 7, 2023, and provide the following comments:

Proposed Site Plan Control By-law:

1. Please consider adding additional wording to Section 4.1 (a) to further clarify about instances where there is more than one lot and cumulatively more than 10 units.
2. With respect to Section 4.1(a)(i), would it be possible to clarify the “area prescribed by regulation pursuant to Subsection 41(1.2) of the Planning Act” within the by-law or guidelines? It is understood that it relates to O.Reg. 254/23 but including the wording within the by-law would be helpful when determining if Site Plan Control is required.

Proposed Site Plan Control Guidelines:

Planning:

1. Section 4.2.3 – b) exterior material type and colour
 - It is our understanding that this could no longer be required by the Municipality, as per Planning Act changes. Please provide further details.
2. Section 4.2.3 – e) location and design of all exterior lighting
 - Can lighting details be shown on a separate lighting plan? If so, please consider adding this.
3. Section 4.2.8 – Landscape Plan –
 - It is our understanding that in some situations landscape plans are no longer required under the Planning Act. Could further clarification be included to describe the situations where a Landscape Plan is required?
4. Section 7.2 – Landscape Design
 - Landscape Plan requirements are also provided in Section 4.2.8.
 - Would it be possible to consolidate the Plan requirements into one complete list in one Section?
5. Section 7.2.1 Tree Inventory and Preservation
 - Tree Preservation Plan requirements are also provided in Section 4.2.9.
 - Would it be possible to consolidate the Plan requirements into one complete list in one Section?

Engineering:

6. Stormwater Design Criteria indicates minor and major rainfall events.
 - Would the City add the preferred IDF curve to the guidelines for major event?
7. Will the City of Kingston Engineering Department detail drawings/Utilities Kingston be compiled and added to the Guidelines as reference? (i.e. TRD-2 Trench Reinstatement for Utility Cuts, ARD-2 Asphalt Reinstatement, etc.)
8. Since existing hydrant flows along City R.O.W. are no longer provided by UK and are often requested for SPA, is a Hydrant Flow Test report a standard requirement at SPC submission? If so, could this be added to the Guidelines?
9. Sanitary design calculation for infiltration allowance of 0.28 L/s/ha have been indicated to be used based on previous technical comments. Could this be added to the Guidelines as standard?
10. Excess Soil Management regarding O. Reg 406/19 should be discussed and considered to be added to the Guidelines.
11. The Guidelines state all hydrants are to be painted chrome yellow by UK. However, recent technical comments have indicated the City requires hydrants on private property to be painted red. Please clarify.

Sincerely,

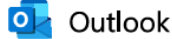
Arcadis Professional Services (Canada) Inc.

Tess Gilchrist, MCIP, RPP
Associate – Senior Planner

Bill Thomas, M.Eng., P. Eng.
Associate Principal – Practice Lead, Civil Engineering


1/13/25, 12:29 PM

Mail - Birdi,Chanti - Outlook



Draft site plan review guidelines

From susan elizabeth Mockler [REDACTED]
Date Thu 6/20/2024 5:45 PM
To Birdi,Chanti <cbirdi@cityofkingston.ca>
Cc Agarwal,Sukriti <sagarwal@cityofkingston.ca>

 1 attachment (24 KB)
site plan reviewguidelinessmcomments.docx;

Caution: This email is from an external source. Please exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Chanti,

Thank you again for the opportunity to meet with you and Sukriti as well as to review the draft site plan review guidelines.

My comments are attached and for the most part reflect the type of feedback that we give on an ongoing basis at site plan control to planners regarding accessibility features in applications.

Please let me know if you have any questions at all. This is quite detailed and such detail may be beyond the scope of these guidelines, but I thought I would include everything for your consideration.

Thank you again,

Susan

General Comments:

Terminology

1. suggest using persons with disabilities in all instances unless referring to specific disabilities such as mobility or low vision and avoid use of terms such as physically challenged for example
2. The symbol associated with accessibility is called the International Symbol of Access (ISA) would suggest referring to that specifically rather than more generalized descriptions.

Comments by Section:

7.6.1 Accessibility Checklist – not sure if this would appear in section 7.6.1 or elsewhere; but as we discussed it would be helpful to request or encourage that applicants submit a completed City of Kingston Site Plan Control Accessibility Checklist (I thought it was required; however, I may be mistaken and have just assumed this over time; but we always ask for it)

7.6.1 a) this section encourages applicants to specify accessibility features in their applications.

-in the sections below I have highlighted accessibility concerns that we invariably request the applicants to provide on site plans and grading plans which planners typically forward to applicants and applicants typically address in successive rounds

-if including this information was encouraged through these guidelines at the beginning of the application process, this may streamline the review process at site plan control as there will be fewer revisions requested;

-this may be beyond the scope of these guidelines; however, to the extent this information could be requested/ integrated in some way this would be helpful and potentially increase efficiency for applicants, planners, and MAAC review team members

7.6.2 Accessible Parking Spaces

Suggest adding something like:

Applicants are encouraged to mark the following features of accessible parking spaces on site plan drawings/garage floor plans submitted:

- Type of Accessible Parking Space (Type A or Type B)
- location of access aisles
- Dimensions of Accessible parking spaces and access aisles (width and length)
- Vertical clearance dimensions in the underground parking garages
- location of accessible parking signage at top centre of the accessible space.
- required curb cuts/depressed curbs including tactile indicators/depressed curbs

Applicants are encouraged to include a drawing/diagram illustrating the signage for Type A “Van Accessible” parking spaces.

Applicants are encouraged to mark the slope and cross slope of accessible parking places and presence of any surface drains proximate to accessible parking spaces on site plan drawings/garage floor plans or grading plans submitted:

-add to paragraph 2 regarding proximity of barrier free parking to accessible entrances: **Location of barrier free spaces at ground or underground level that require users to cross traffic lanes should be avoided. If this is not possible, a high contrast painted crosswalk with tactile indicators could be provided to ensure safety for those with disabilities.**

7.6.3 Access to and within buildings

Suggest adding something like:

Applicants are encouraged to mark all accessible building entrances on site plan drawings/garage floor plans submitted and designate them with the International Symbol of Access (ISA).

Applicants are encouraged to mark all ramps on site plan drawings and include length and width dimensions, and any handrails or landings that may be required either on the site plan or in a separate drawing.

7.6.5 Pathways

Suggest adding:

-to paragraph 1 **-Pathways should be clear of obstacles such as trash cans and newspaper, large landscape features such as planters, and free of barriers such as bicycle parking (where parked bicycles may intrude into pathways), bollards, and columns.**

Applicants are encouraged to mark the following pathways on site plan drawings which show:

- access from municipal sidewalks to the building(s)
- access from passenger drop off/loading areas to proximate accessible entrances
- access to exterior amenity areas
- access within the site – including pathways between multiple buildings on the site.

Applicants are encouraged to mark the following accessibility features for all pathways on site plan drawings submitted:

- curb cuts/depressed curbs with tactile surface indicators as required for pathways and on any pedestrian crossing areas
- width of pathways
- dimensions of turning spaces if required
- slope of pathways (site plan or grading plan)
- ramps if required

7.6.7 Additional Reference Material

Suggest adding:

1st paragraph – Applicants ... and to incorporate **in the building and site plan design**

-I know in our meeting Megan had many suggestions for reference documents to be included which I hope she has passed on or will pass on as this seemed very relevant and informative

-I would suggest adding the *Illustrated Technical Guide to the Accessibility Standard for the Design of Public Spaces (DOPS)*

-this is one of the major sources beyond city zoning bylaws and the Accessibility Checklist that we use when we do our site plan reviews as it provides accessibility standards for exterior public environments based on the AODA