



**City of Kingston
Report to Planning Committee
Report Number PC-24-037**

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: July 4, 2024
Subject: Recommendation Report
File Number: D14-004-2024
Address: 4065 Unity Road
District: District 1 - Countryside
Application Type: Zoning By-Law Amendment
Owner: Dale and Gary Somerville
Applicant: Clark Consulting Services

Council Strategic Plan Alignment:

Theme: 2. Lead Environmental Stewardship and Climate Action

Theme: 4. Foster a Caring and Inclusive Community

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

Goal: 4.2 Help address food insecurity and sustainability.

Executive Summary:

The following is a report recommending approval to the Planning Committee regarding an application for a zoning by-law amendment submitted by Clark Consulting Services, on behalf of Dale and Gary Somerville, with respect to the subject site located at 4065 Unity Road. The subject site is designated 'Rural' in the Official Plan and is zoned General Rural Area (RU) in Kingston Zoning By-Law Number 2022-62.

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The large property is located on the south side of Unity Road, east of Quabbin Road, and west of Smith Road. The property was subject to a recent technical consent application ([File Number D10-024-2022](#)) which was provisionally approved and the applicants are in the process of clearing the conditions of approval. The consent application enabled the creation of a new lot separating the portion of the existing property currently being used for residential purposes containing an existing dwelling and agricultural buildings from the larger land area used for agriculture. Both the severed and retained parts of the property are subject to this zoning by-law amendment application. No new development is currently proposed for either the severed residential or the retained agricultural parcel.

The applicant is proposing a zoning by-law amendment to implement both an Exception Overlay as well as a Holding Overlay for the property at 4065 Unity Road to address one of the conditions of the consent application.

The Exception Overlay would permit the severed lands to continue to be used for limited agricultural purposes despite being smaller in lot area than the applicable zoning provisions. The Holding Overlay proposed for the retained lands would ensure that if development is proposed on the retained lands in the future, an application for hold removal will be required. Prior to the removal of the Holding Overlay, all necessary studies and agreements, as determined by the City, are required. At this time, required studies and agreements include a hydrogeological assessment and a noise study. In the interim, the retained lands would continue to be used for agricultural and conservation purposes.

The recommended zoning by-law amendment would allow for severance of the surplus residential dwelling, while still allowing the property to continue limited agricultural activity on the severed property. As well, it would allow for the continued use of the retained property for agricultural and conservation uses, thereby supporting the economic viability of the parcel as productive agricultural lands and maintaining the integrity of the natural heritage, until such time as development may be proposed in the future. The proposal, as assessed through the technical review process, is consistent with the Provincial Policy Statement, conforms to the Official Plan, and represents good land use planning. The application is recommended for approval.

This report includes a time-sensitive recommendation for Council's consideration at the upcoming meeting on July 9, 2024, in recognition of the fact that this application is entitled to a decision by Council on or before July 18, 2024, due to the 90-day timeline for zoning by-law amendment applications established by the *Planning Act*. As there are no additional City Council meetings scheduled between July 9, 2024, and August 13, 2024, staff recommend that this application be added to the July 9, 2024, City Council agenda in order to ensure this application is not subject to any fee refunds.

Recommendation:

That the Planning Committee recommends to Council on July 9, 2024:

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That the application for a zoning by-law amendment (File Number D14-004-2024) submitted by Clark Consulting Services, on behalf of Dale and Gary Somerville, for the property municipally known as 4065 Unity Road, be approved; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-037; and

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

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

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

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

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

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

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Options/Discussion:

Statutory Public Meeting

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

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

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

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

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

Background and Decision Date

In accordance with By-Law Number 2007-43, this application was subject to a pre-application. Following the pre-application process, a complete application was submitted by the applicant and was deemed to be complete as of April 19, 2024.

In accordance with the *Planning Act*, this application is subject to a decision by Council on or before July 18, 2024, which is 90 days after a complete application was received. In the absence of a decision by Council in this timeframe, the City will be required to refund the fees that were paid by the applicant on the subject application and the applicant may exercise their right to appeal to the Ontario Land Tribunal (OLT).

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Site Characteristics

The subject property, which includes both the provisionally approved severed and retained portions of a recent application for consent, is municipally addressed as 4065 Unity Road. It has an area of approximately 66 hectares and 715 metres of frontage on Unity Road. The property is designated Rural in the Official Plan. It is zoned General Rural Area (RU) in the Kingston Zoning By-Law. The residential lot, with a dwelling and associated agricultural buildings, that has been provisionally approved for severance has a frontage of 184 metres on Unity Road and an area of approximately 2 hectares. The retained 64.2-hectare parcel of vacant land has approximately 531.2 metres of road frontage on Unity Road.

There are accessory structures related to agricultural use located in proximity to the residential dwelling on the subject property. The farm buildings were used for a dairy operation until 2006 and were subsequently used for beef cattle and goats until 2017. Beyond the residential dwelling and accessory structures on the severed parcel, the majority of the subject property that will be the retained parcel is used for agricultural purposes, while there are areas of contributory woodland and wetlands in the southwest and significant woodland in the southeast corner. The application for consent was reviewed by Cataraqui Conservation, and was noted that there are a few small watercourses on the subject lands, and that future development or site alterations will require a 30 metres setback from these features; however, no concerns were raised with the proposal as the severed lot is already developed and both the severed and retained lots are sufficiently large that conflicts with natural features and setbacks are not anticipated.

The subject property is surrounded by a mix of residential and agricultural uses, and natural heritage features (Exhibit C – Neighbourhood Context Map (2023)). The severed parcel abuts a Part IV designated heritage property known as 4017 Unity Road, which is designated for its two-storey classically balanced 19th century Regency farmhouse constructed prior to 1860 along with several outbuildings, including a wooden barn with a gable roof and a rear addition. The application was reviewed by Heritage Services who did not raise any concerns. The subject lands and the surrounding area is identified as being cleared of archaeological potential.

Unity Road is identified as an Arterial Road. A six metre road widening is being taken as part of the consent application, and an entrance permit has been identified as being required for the retained lot.

Proposed Application and Submission

The applicant is proposing a zoning by-law amendment to implement an Exception Overlay and a Holding Overlay for the property at 4065 Unity Road to address conditions of a recent technical consent application ([File Number D10-024-2022](#)).

The amendment will apply an Exception Overlay to the severed parcel to permit the use of the property for agricultural purposes in addition to the existing residential use. The amendment will also apply a Holding Overlay on the retained parcel to ensure that if development is proposed on the retained lot in the future, an application to remove the Holding Overlay will be required, and

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that any and all necessary studies and agreements, as determined by the City, will be provided prior to the removal of the Holding Overlay and future changes to the use of the land. This will ensure the continued use of the retained parcel for agricultural, and conservation uses, thereby maintaining the economic viability of the parcel as productive agricultural lands and the integrity of the natural heritage until such time as development may be proposed in the future.

The subject site is located in the rural area outside of the Urban Boundary, with only the potential for private services at this time, on a property zoned for a range of rural uses. The proposal will maintain the natural and cultural heritage attributes on site, as well as the existing productive agricultural activity.

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

- Planning Justification Report
- Minimum Distance Separation review
- Notice of Decision

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

Provincial Policy Statement

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

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

This proposal will enable the continued use of the subject property for agricultural uses, while ensuring that any future residential development is subject to a further review with consideration for the various elements detailed previously. As no housing or other development is proposed at this time, this application supports the goal that rural settlement areas shall be the focus of growth and development. In addition, the proposal is compatible with nearby housing, and it will not place demands on rural infrastructure and public services.

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

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Through this application, the proposal ensures that in the future there will be the opportunity to evaluate any future development through the appropriate studies to ensure that there will be no negative hydrogeological or noise impacts adjacent to the subject property.

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

Official Plan Considerations

The subject property is designated Rural in the Official Plan on Schedule 3C – Land Use (Exhibit E – Official Plan, Land Use). Permitted uses in the Rural designation include a wide range of rural uses including agriculture and associated uses, limited residential development, and other compatible land uses. Some portions of the site are identified as having natural heritage features including significant and contributory woodlands as indicated on Schedule 8 – Natural Heritage Area B. These areas are located to the south of the property, well away from existing development.

Due to the presence of nearby livestock facilities, a Minimum Distance Separation (MDS) review has been provided as part of the Planning Justification for both the severed and retained parcels. The proposed severed parcel is directly adjacent to a livestock facility to the east. In accordance with MDS Guideline 41, if the proposed lot measures over 1 hectare in size, the setback will be measured between the livestock facility and the nearest point of the house. Even if the barn is vacant today, the setback will still apply. Based on the consultant's calculations, it appears that the existing single-detached house is located outside of the minimum required MDS setback from the barn to the east.

The MDS review was for a Type A land use, which are characterized by lower density of human occupancy or habitation and includes lots with single-detached dwellings. For this type of land use, all barns within 750 metres are reviewed for their potential impact, and the consultant prepared MDS calculations for the applicable livestock facilities within this area. A review of aerial imagery, in consultation with the applicant, and a site visit to the local area led to the identification of three properties with livestock facilities that merit consideration. A detailed review of the three properties with livestock facilities was made and the following conclusions were made following calculations to set appropriate setbacks from the barns to any new development:

- **Barn A - 4017 Unity Road:** The vacant barn at 4017 Unity Road generates an MDS setback of 117 metres. The distance from the barn to the severed parcel is 81 metres. The severed parcel is greater than 1 hectare, is an agricultural use and has an existing house, therefore MDS setbacks are not applied to this new lot (Guideline 8). No house could be developed on the retained land within 117 metres of the barn at 4017 Unity Road. The barn at 4017 Unity Road is not impacted by the proposal.
- **Barn B - 4240 Unity Road:** This is a grouping of vacant barns and sheds that are on the portion of 4240 Unity southeast of Unity Road. These vacant barns generate an MDS setback of 140 metres. No new dwelling can be located on the retained land within 140

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metres of the closest structure on 4240 Unity Road. Approval of the application does not impact the barns at 4240 Unity Road.

- Barns C - 4430 Howes Road: Two single-storey buildings are used for housing sheep at 4430 Howes Road. The MDS setback generated from these barns is 144 metres. No new dwelling can be built on the retained land within 144 metres of these barns. The retained land is 688 metres from the barns. Approval of the application will not impact the sheep barns at 4430 Howes Road.

Since the dwelling on that severed parcel is existing and is beyond the setback distance of 117 metres (as it is 252 metres from the barn on the adjacent property), the application for severance complies with the provisions of MDS. Based on this analysis of the Minimum Distance Separation formulae, the consultant is of the opinion that the approval of the severance at 4065 Unity Road as proposed does not impact local livestock barns and fully complies with the provisions of MDS.

The property is in the rural area and removed from settlement areas in an area characterized by agricultural, residential and conservation uses. The proposal represents a compatible and appropriate manner of permitting the severance of an existing residential dwelling and associated accessory buildings while maintaining the existing agricultural and natural heritage uses on the retained parcel. Through the requirement for future supporting technical studies and the retention of permitted agricultural uses, the property will continue its use as an active agricultural operation while also retaining the natural heritage of the property. The site is also in proximity to other active agricultural livestock operations, and this application minimizes the potential for conflict with these activities.

The proposal to require additional studies when the retained lands are developed with residential uses is consistent with policy direction of the Official Plan with respect to protection of natural heritage and cultural heritage resources, support for local agriculture, and directing that the appropriate studies are undertaken to ensure that any future development of the land appropriately consider factors such as hydrogeology, noise generation, and compatibility with existing development. The changes enabled through the zoning by-law amendment will continue the use of the property for agricultural and conservation purposes.

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

Zoning By-Law Discussion

The site is subject to the Kingston Zoning By-Law Number 2022-62 and is zoned General Rural Area (RU) (Exhibit G - Existing Zoning). The subject property has been provisionally approved for a severance, and it currently contains a single-detached home as well as accessory buildings on the severed parcel and agricultural and conservation lands on the retained parcel.

The RU zone for the property is not changing and no development is proposed at this time. Agricultural uses are permitted in the RU zone, and the minimum lot size specified in Table 8.3.1. for this use is 40 hectares. The minimum lot area for a single-detached house is 1 hectare. Through the consent application approvals process, the two-hectare severed parcel is

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reduced in area such that agricultural uses would not be permitted. However, the applicant wants to retain this permitted use for the parcel, which currently contains farm buildings that have been historically used for cattle and goats. An Exception Overlay is proposed which would permit agricultural uses on the severed parcel.

Through the consent process, additional studies have been identified which are required prior to any new development on the retained lands. The intent for the Holding Overlay is to prevent development of the retained lands until such time as any future owner has completed the required studies to ensure that the potential impacts of future development are addressed when a suitable building envelope has been identified. With the large size of the property, and with no future development proposed at this time, completing the studies prior to a specific development proposal would be inefficient and cost prohibitive. This approach ensures that future studies will be completed and tailored to the specific location a future owner may identify for a residential use to reduce cost and duplication of efforts.

The requirements to remove the Holding Overlay are as follows:

- Hydrogeological Assessment: A hydrogeological assessment is required to confirm that adequate potable water is available for the retained lot, which is the larger lot with no existing buildings and currently being used for agricultural and conservation purposes. The assessment will need to be completed to the City's standard at the time of submission.
- Noise Study: If development is proposed to occur, the applicant must undertake the submission and approval of a satisfactory detailed noise study prepared by a qualified individual with experience in environmental acoustics and to demonstrate compliance with NPC-300.

If development is proposed in the future, the City may opt to require additional studies as part of the development process.

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

Other Applications

This property at 4065 Unity Road was recently subject to an application under the *Planning Act* for consent (File Number D10-024-2022). As the application for consent met the requirements of the zoning by-law in terms of permitted uses and zoning provisions, this was advanced as a technical consent. It was given provisional approval on January 20, 2023, subject to the conditions listed in the Notice of Decision.

Technical Analysis

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

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Public Comments

No public comments have been received to date.

Effect of Public Input on Draft By-Law

None

Conclusion

The recommended zoning by-law amendment is proposed to address conditions of approval for the severance of an existing residential dwelling and associated accessory structures. The amendment will apply a Holding Overlay to the retained parcel, the removal of which prior to future development will require studies to ensure any and all appropriate measures are taken prior to future changes to the use of the land. This will ensure the continued use of the existing property for agricultural, and conservation uses, thereby maintaining the integrity of the natural heritage and the economic viability of the parcel as productive agricultural lands, until such time as development may be proposed in the future.

The amendment will also apply an Exception Overlay to the severed parcel to permit the continued use of the property for limited agricultural purposes in addition to the existing residential uses, despite the reduced size of the lot.

Through the implementation of an Exception Overlay to permit agricultural uses on the severed lot and a Holding Overlay with the requirement for future study on the retained lot, the application will permit ongoing agricultural uses while ensuring that any future proposed residential development will be compatible with surrounding land uses and will address functional needs of residents. The proposal is consistent with the Provincial Policy Statement, conforms to the Official Plan, and represents good land use planning. The application is recommended for approval.

Existing Policy/By-Law:

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

Provincial

Planning Act

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Zoning By-Law Number 2022-62

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Notice Provisions:

Pursuant to the requirements of the *Planning Act*, notice of the statutory public meeting was provided 20 days in advance of the public meeting in the form of a sign posted on the subject property and by mail to 19 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. In addition, a courtesy notice placed in The Kingston Whig-Standard on June 25, 2024.

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

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

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

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

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

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

Exhibit B Key Map

Exhibit C Neighbourhood Context Map

Exhibit D Consistency with the Provincial Policy Statement

Exhibit E Official Plan, Land Use

Exhibit F Conformity with the Official Plan

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Exhibit G Zoning By-Law Number 2022-62

Exhibit H Site Photographs

Exhibit I Public Notice Notification Map

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-law Number 2022-62” (Introduction of Exception Number E168 and Holding Overlay H238 (4065 Unity Road))

Passed:

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

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-law;

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

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-law Number 2022-62”, is amended as follows:
 - 1.1. Schedule E – Exception Overlay is amended by adding Exception Number E168 as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.2. Schedule F – Holding Overlay is amended by adding Holding Overlay H238 as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3. By adding the following Exception Number E168 in Section 21 – Exceptions, as follows:

“**E168.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
a. The minimum **lot** size for an **agricultural use** is 2 hectares.”
 - 1.4. By adding the following Holding Overlay H238 in Section 22 – Holding Conditions, as follows:

“**H238.** Prior to the removal of the Holding Overlay for a new **single detached house**, the following conditions must be satisfied:

- (a) The submission of a hydrogeological assessment to the satisfaction of the **City** and any other regulatory body; and
 - (b) The submission of a satisfactory noise study prepared by a qualified person as defined by the **City** and completed to the satisfaction of the **City**, and which adheres to all applicable municipal and provincial requirements.”
2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Planning
Services

Schedule 'A' to By-Law Number

Address: 4065 Unity Road
File Number: D14-004-2024

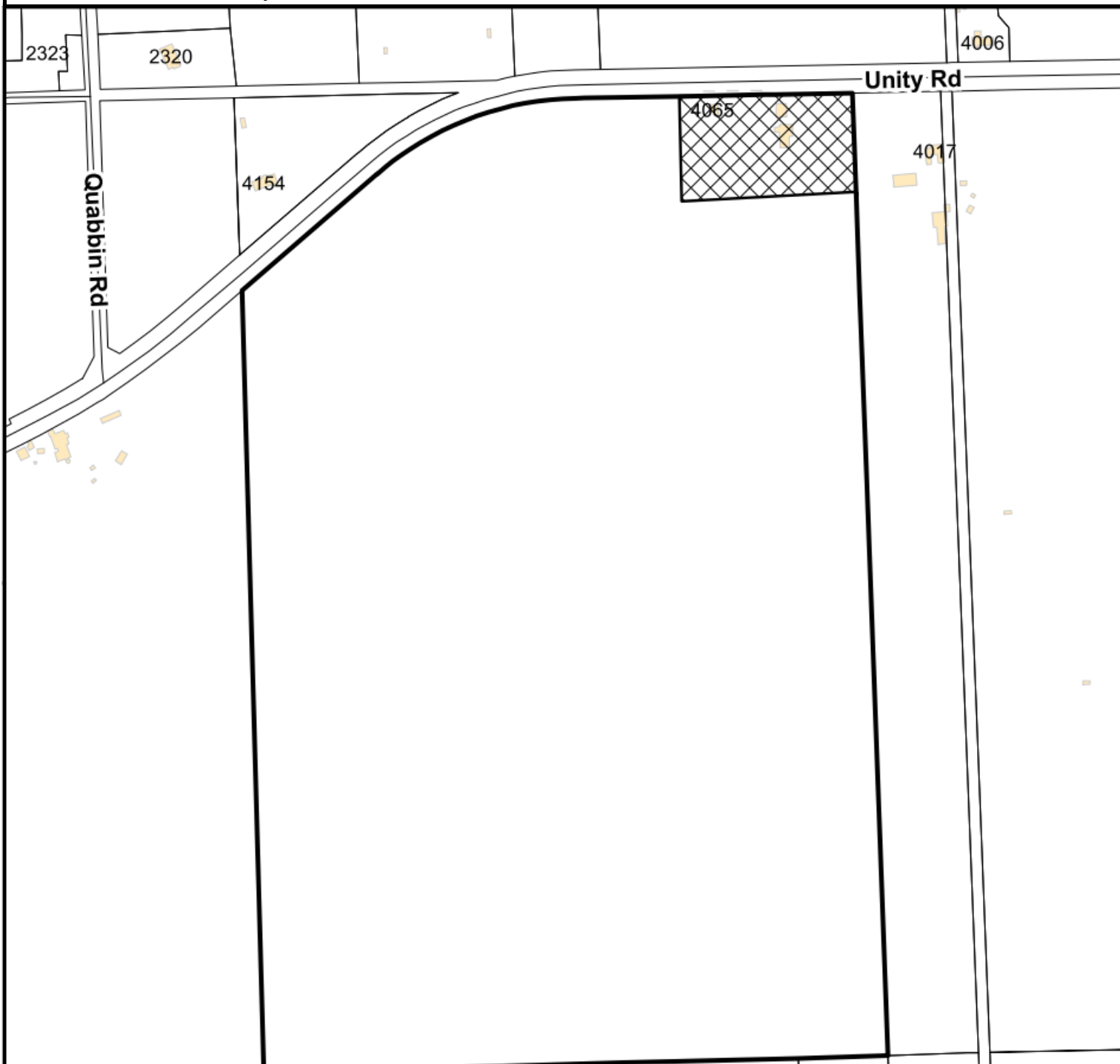
Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

 Lands to be added as E168

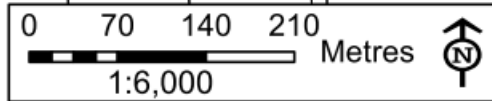
Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 202_.

Mayor Clerk



Prepared By: cbarratt
Date: May-30-2024




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**Schedule 'B'
to By-Law Number**

Address: 4065 Unity Road
File Number: D14-004-2024

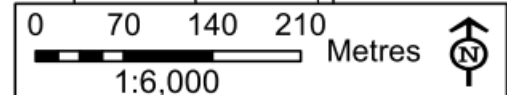
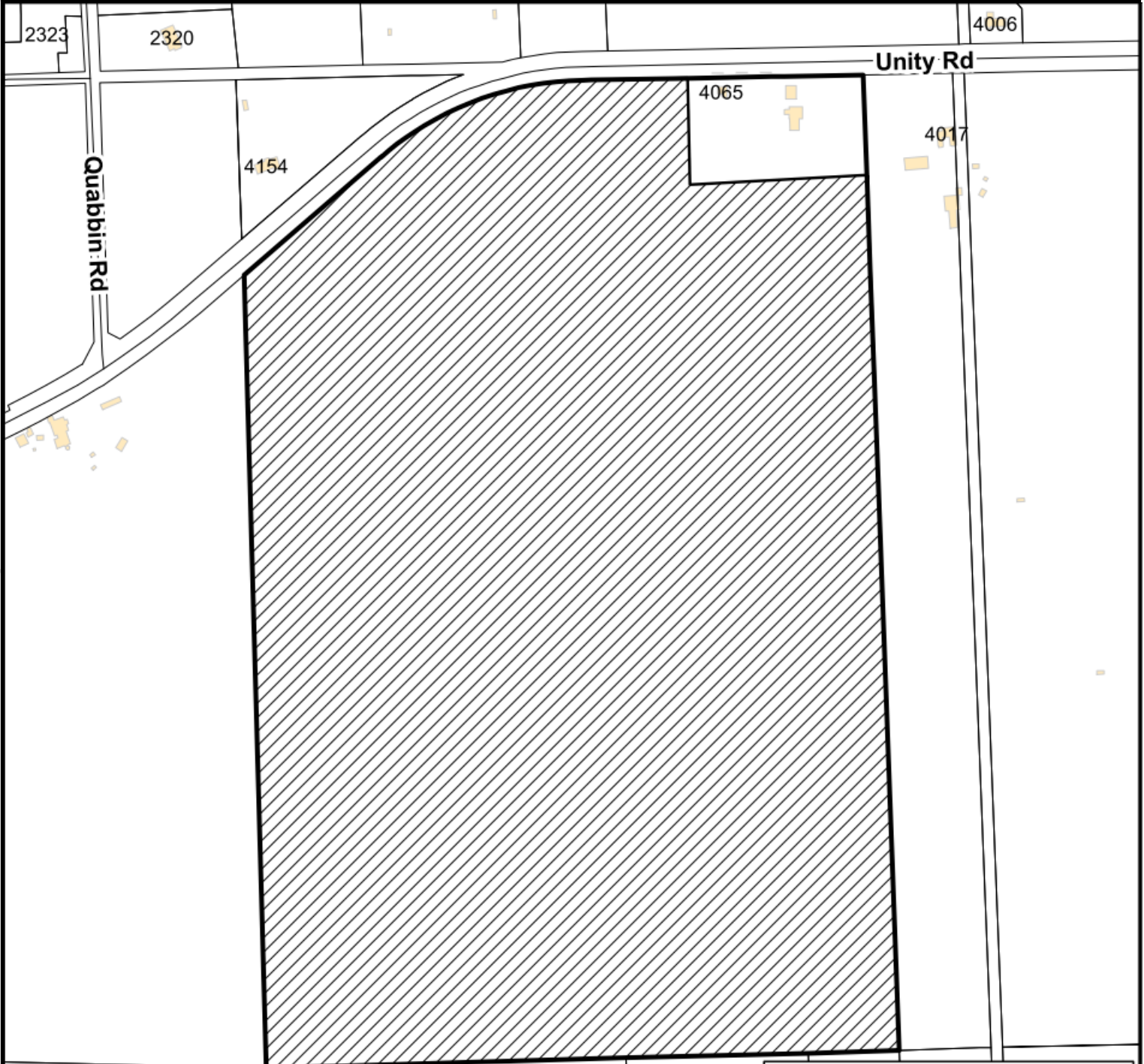
**Kingston Zoning By-Law 2022-62
Schedule F - Holding Overlay**

 Lands to be added as H238

Certificate of Authentication

This is Schedule 'B' to By-Law Number _____, passed this _____ day of _____ 202_.

_____ Mayor _____ Clerk



Prepared By: cbarratt
Date: May-30-2024

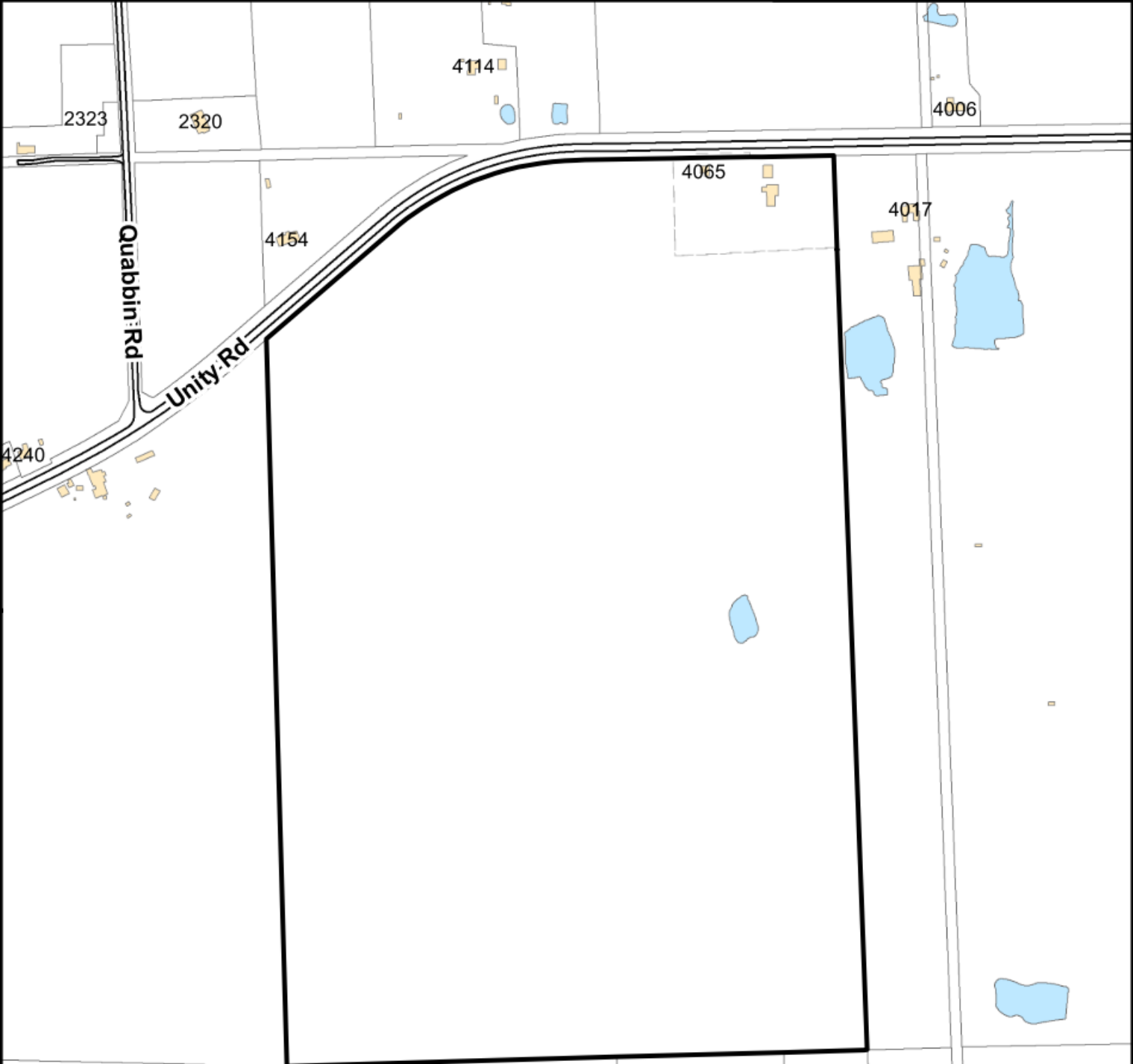
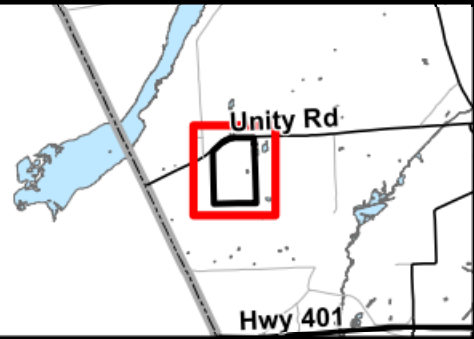
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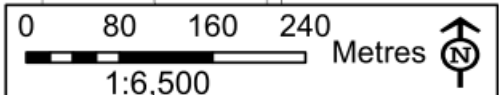
Planning Committee Key Map

Address: 4065 Unity Road
File Number: D14-004-2024
Prepared On: Apr-19-2024

 Subject Lands



Prepared By: ncameron
Prepared On: Apr-19-2024



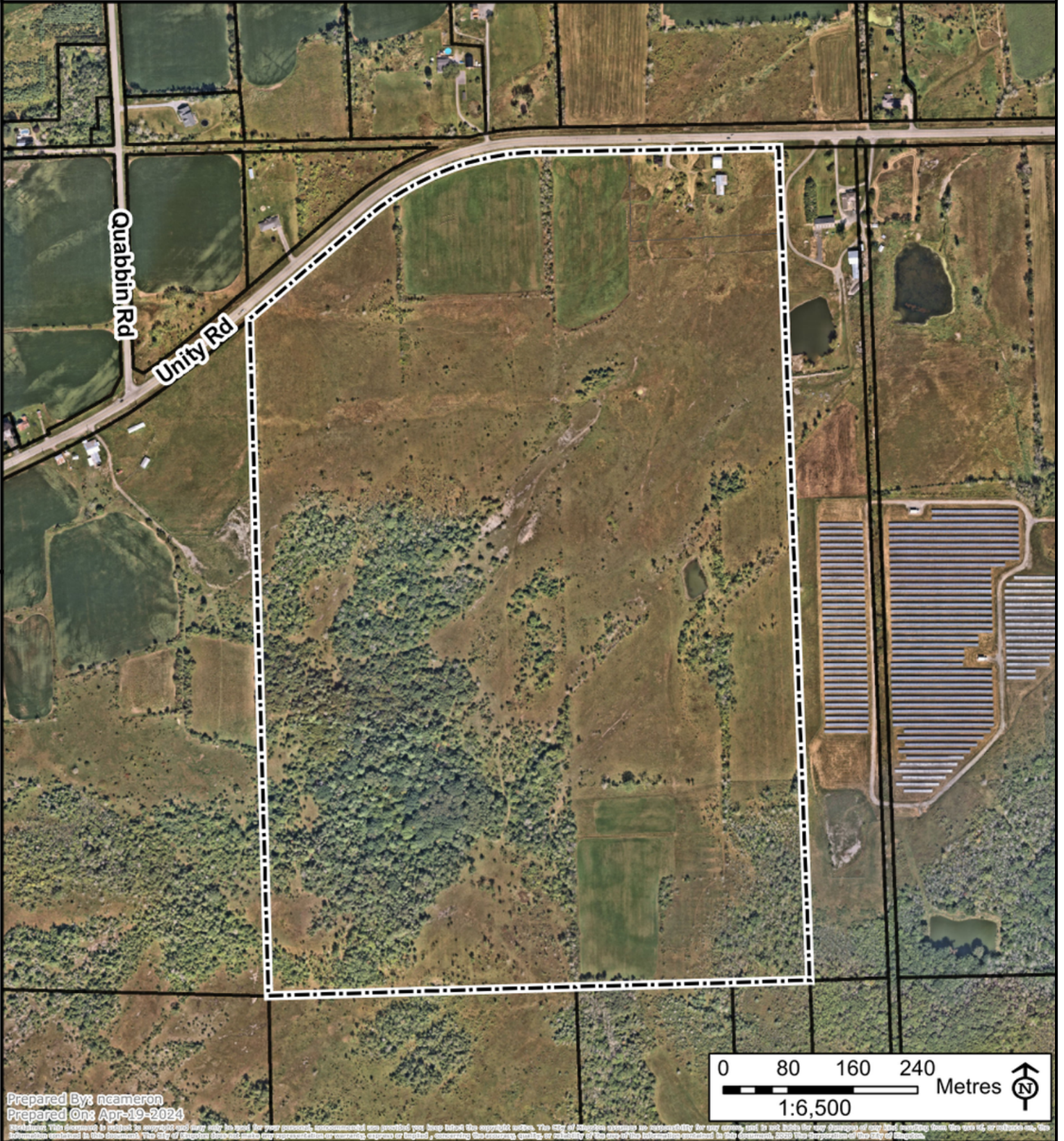
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Planning Committee
Neighbourhood Context

Address: 4065 Unity Road
File Number: D14-004-2024
Prepared On: Apr-19-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: neameron
Prepared On: Apr-19-2024

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

Policy Number	Policy	Category	Consistency with the Policy
1.1.1	<p>Healthy, livable and safe communities are sustained by:</p> <ul style="list-style-type: none"> a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; e) promoting the integration of land use planning, growth management, transit- 	<p>Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</p>	<p>The application proposes the implementation of an Exception Overlay and a Holding Overlay on a parcel of land that is currently characterized by residential and agricultural uses on the portion of the parcel to be severed and agricultural and conservation uses on the parcel to be retained. This amendment is being done to fulfill a condition of a technical consent which has been provisionally approved to sever a smaller parcel of land on which there is an existing residential dwelling with agricultural buildings. The proposal will permit the separate conveyance of the residential dwelling while still retaining agriculture uses as a permitted use, and it will also permit the continued use the retained land for agricultural and natural heritage uses. The subject property is located outside of the City's Urban Boundary</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;</p> <p>h) promoting development and land use patterns that conserve biodiversity; and</p> <p>i) preparing for the regional and local impacts of a changing climate.</p>		<p>in an area that is reliant on private servicing. This proposal will not impact future expansion of a settlement area. The proposed amendment retains the existing uses, including the agricultural use on the severed parcel which would otherwise be lost due to the smaller lot size, and the amendment minimizes land consumption for low density residential development.</p> <p>The proposal will conserve the natural and cultural heritage attributes of the property and heritage character of the adjacent Part IV heritage designated property. In terms of preparing for a changing climate, the proposed Holding Overlay both retains natural heritage and supports local agricultural production. No development is proposed at this time, and the proposal does not seek to alter the landscape on the property.</p>
1.1.3.1	Settlement areas shall be the focus of growth and development.	Settlement Areas	The subject property is located outside of the City of Kingston's

Policy Number	Policy	Category	Consistency with the Policy
			<p>Urban Boundary, and it is not located in or near an area defined as a settlement area. No new development is proposed. The proposed amendment will result in an Exception Overlay permitting the continuation of agricultural uses on the severed parcel and a Holding Overlay being applied to the retained portion of the subject land which will ensure that the existing agricultural and natural heritage uses can continue and that the development of a single detached dwelling will not take place until such time as the identified studies are undertaken, thereby ensuring the appropriate review of the land prior to the approval of any future proposal.</p>
1.1.4.1	<p>Healthy, integrated and viable rural areas should be supported by:</p> <ul style="list-style-type: none"> a) building upon rural character, and leveraging rural amenities and assets; b) promoting regeneration, including the redevelopment of brownfield sites; c) accommodating an appropriate range and mix 	Rural Areas in Municipalities	<p>The proposed Exception Overlay will retain the rural character by permitting the continued use of the farm buildings on the severed parcel for agricultural uses. The Holding Overlay will retain the rural character of the area</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>of housing in rural settlement areas; d) encouraging the conservation and <i>redevelopment</i> of existing rural housing stock on rural lands; e) using rural <i>infrastructure</i> and public service facilities efficiently; f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets; h) conserving biodiversity and considering the ecological benefits provided by nature; and i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.</p>		<p>by both supporting the existing economic base through continued agricultural use of the retained land while retaining the existing natural assets and biodiversity on the site.</p> <p>Any future residential development on the retained land will have to demonstrate its appropriateness through the required studies including a hydrogeological assessment and noise study.</p>
1.1.4.2	<p>In <i>rural areas</i>, rural <i>settlement areas</i> shall be the focus of growth and development and their vitality and regeneration shall be promoted.</p>	Rural Areas in Municipalities	<p>No new development is proposed as part of this application. The severance of a lot has been provisionally approved for an existing dwelling and accessory structures; any future residential development on the retained parcel will</p>

Policy Number	Policy	Category	Consistency with the Policy
			require further study and a hold removal.
1.1.4.3	When directing development in rural <i>settlement areas</i> in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.	Rural Areas in Municipalities	<p>No new development is proposed on the subject lands. The existing dwelling and accessory agricultural buildings are to be severed, with an Exception Overlay that is proposed to permit the continuation of agricultural uses. Pre-existing agricultural and conservation uses will continue on the retained portion of the subject lands, thereby ensuring they continue to contribute to both the local economy and the natural systems of the area. No new services or infrastructure are required.</p> <p>The proposed Holding Overlay retains the character of the rural area by requiring future residential development on the retained lands to undergo the appropriate studies prior to the Holding Overlay being removed.</p>
1.1.5.1	When directing development on <i>rural lands</i> , a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the	Rural Lands in Municipalities	See 1.1.4.3

Policy Number	Policy	Category	Consistency with the Policy
	policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.		
1.1.5.2	On rural lands located in municipalities, permitted uses are: a) the management or use of resources; b) resource-based recreational uses (including recreational dwellings); c) residential development, including lot creation, that is locally appropriate; d) <i>agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices</i> , in accordance with provincial standards; e) home occupations and home industries; f) cemeteries; and g) other rural land uses.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.3	Recreational, tourism and other economic opportunities should be promoted.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.4	Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.5	Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or	Rural Lands in Municipalities	See 1.1.4.3

Policy Number	Policy	Category	Consistency with the Policy
	uneconomical expansion of this <i>infrastructure</i> .		
1.1.5.6	Opportunities should be retained to locate new or expanding land uses that require separation from other uses.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.7	Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.	Rural Lands in Municipalities	See 1.1.4.3
1.1.5.8	New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.	Rural Lands in Municipalities	No new land uses are being proposed at this time.
1.2.6.1	<i>Major facilities and sensitive land uses</i> shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential <i>adverse effects</i> from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	Land Use Compatibility	The proposed Exception Overlay will permit the continuation of agricultural uses on the severed parcel. The proposed Holding Overlay will require that future residential development on the retained lands undergo the appropriate studies. This includes consideration for noise, hydrogeology, and other studies as required.
1.2.6.2	Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the	Land Use Compatibility	See 1.2.6.1

Policy Number	Policy	Category	Consistency with the Policy
	<p>long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and <i>development</i> of proposed adjacent <i>sensitive land uses</i> are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:</p> <ul style="list-style-type: none"> a) there is an identified need for the proposed use; b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations; c) <i>adverse effects</i> to the proposed <i>sensitive land use</i> are minimized and mitigated; and d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated. 		
1.5.1	<p>Healthy, active communities should be promoted by:</p> <ul style="list-style-type: none"> a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate <i>active transportation</i> and community connectivity; b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for <i>recreation</i>, including facilities, 	Public Spaces, Recreation, Parks, Trails and Open Space	The proposal will retain the existing uses of the severed and retained lands, and the Holding Overlay will require additional study prior to any future residential development. As such, the existing watercourses and natural features of the property will remain unchanged with the exception of activity from the continued

Policy Number	Policy	Category	Consistency with the Policy
	<p>parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;</p> <p>c) providing opportunities for public access to shorelines; and</p> <p>d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.</p>		<p>agricultural use of the property.</p>
1.6.1	<p>Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.</p> <p>Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are:</p> <p>a) financially viable over their life cycle, which may be demonstrated through asset management planning; and</p> <p>b) available to meet current and projected needs.</p>	Infrastructure and Public Service Facilities	<p>No additional infrastructure is required for the implementation of this zoning by-law amendment as no development is proposed. No new buildings are proposed for the severed parcel. No facilities, public or private, are currently in place on the retained lands as they are used for agricultural and conservation uses. In future, if residential development is proposed, studies will be required to confirm private servicing availability.</p>
1.6.6.1	<p>Planning for sewage and water services shall:</p> <p>a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing;</p>	Sewage, Water and Stormwater	<p>See 1.6.1.</p> <p>No development is proposed for the severed or retained parcels.</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>1. municipal sewage services and municipal water services; and</p> <p>2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;</p> <p>b) ensure that these systems are provided in a manner that:</p> <p>1. can be sustained by the water resources upon which such services rely;</p> <p>2. prepares for the impacts of a changing climate;</p> <p>3. is feasible and financially viable over their lifecycle; and</p> <p>4. protects human health and safety, and the natural environment;</p> <p>c) promote water conservation and water use efficiency;</p> <p>d) integrate servicing and land use considerations at all stages of the planning process; and</p> <p>e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing</p>		<p>In future, any proposed residential development on the retained parcel will be required to have the appropriate studies completed by a qualified person in support of the application and providing confirmation that the proposal can adequately provide private water services.</p> <p>As per the provisions of the proposed Holding Overlay, further study will be required regarding servicing prior to any future residential development on the site.</p>

Policy Number	Policy	Category	Consistency with the Policy
	options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.		
1.6.6.3	Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.	Sewage, Water and Stormwater	Please see 1.6.6.1.
1.6.6.4	Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.	Sewage, Water and Stormwater	Please see 1.6.6.1
1.6.6.7	Planning for stormwater management shall: a) be integrated with planning for sewage and	Sewage, Water and Stormwater	As no development has been proposed for the site, no requirements are currently in place

Policy Number	Policy	Category	Consistency with the Policy
	<p>water services and ensure that systems are optimized, feasible and financially viable over the long term;</p> <p>b) minimize, or, where possible, prevent increases in contaminant loads;</p> <p>c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;</p> <p>d) mitigate risks to human health, safety, property and the environment;</p> <p>e) maximize the extent and function of vegetative and pervious surfaces; and</p> <p>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.</p>		<p>for a stormwater management report. Please see 1.6.61. for additional details.</p>
1.6.7.1	<p>Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.</p>	Transportation Systems	<p>The proposal is located in a rural area where no public transportation services are available. As no development is proposed for the site, the amendment will not result in any changes to the existing transportation system.</p>
1.6.7.4	<p>A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support</p>	Transportation Systems	<p>See 1.6.7.1.</p>

Policy Number	Policy	Category	Consistency with the Policy
	current and future use of transit and active transportation.		
1.7.1	<p>Long-term economic prosperity should be supported by:</p> <p>b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;</p> <p>c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;</p> <p>d) maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;</p> <p>e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;</p> <p>k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;</p>	Long-Term Economic Prosperity	<p>No new development is proposed for the either the severed lands subject to the proposed Exception Overlay or the retained lands subject to the Holding Overlay. The severance for the existing residential dwelling has been provisionally approved, and the proposed Exception Overlay and Holding Overlay are conditions of approval.</p> <p>On the retained lands, existing agricultural uses will continue, as will the existing natural heritage landscape. No new public services or infrastructure are required. The proposal minimizes negative impacts and considers ecological benefits by retaining the natural features of the land.</p>
1.8.1	Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through	Energy Conservation, Air Quality and Climate Change	No new development is proposed as part of this application, and existing agricultural and conservation uses will continue.

Policy Number	Policy	Category	Consistency with the Policy
	<p>land use and development patterns which:</p> <p>f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and</p> <p>g) maximize vegetation within settlement areas, where feasible.</p>		
2.1.1	<p>Natural features and areas shall be protected for the long term.</p>	<p>Natural Heritage</p>	<p>Beyond the use of the lands for agricultural purposes, the balance of the subject lands will remain as conservation uses, retaining the existing natural heritage systems and ecological function. Natural Heritage Schedule 8 of the Official Plan identifies contributory and significant woodlands on the subject property. Mapping from the Ministry of Natural Resources and Forestry identifies that there is potential for species at risk on the property. A review of the consent application by Cataraqui Conservation noted that there are also a few small watercourses on the subject lands, and that future development or site alterations will require a</p>

Policy Number	Policy	Category	Consistency with the Policy
			<p>30 metres setback from these features; however, no concerns were raised with the proposal as the severed lot is already developed and both the severed and retained lots are sufficiently large that conflicts with natural features and setbacks are not anticipated.</p> <p>The Holding Overlay allows for further study if and when future development is proposed.</p>
2.1.2	<p>The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.</p>	Natural Heritage	See 2.1.1
2.1.3	<p>Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.</p>	Natural Heritage	See 2.1.1

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

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

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

Policy Number	Policy	Category	Consistency with the Policy
	resources, through practices for water conservation and sustaining water quality; h) ensuring consideration of environmental lake capacity, where applicable; and i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads,		
2.2.2.	Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.		See 2.2.1
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	Cultural Heritage and Archaeology	Heritage Services was consulted with respect to this lot addition application. While the adjacent property at 4017 Unity Road is a Part IV designated property, there are no identified built heritage concerns with this application as no new development is proposed. If development is proposed in the future,

Policy Number	Policy	Category	Consistency with the Policy
			a heritage impact statement may be required as part of removal of the Holding Overlay in the event of proposed residential development. The area is identified as being cleared of archaeological potential.
2.6.2	Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.	Cultural Heritage and Archaeology	See 2.6.1
2.6.3	Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.	Cultural Heritage and Archaeology	See 2.6.1
3.1.	Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of: a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are	Natural Hazards	No development is proposed at this time. If development is proposed in the future, natural hazards will be assessed by Cataraqui Conservation as part of development review. There are currently no specific natural hazards





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

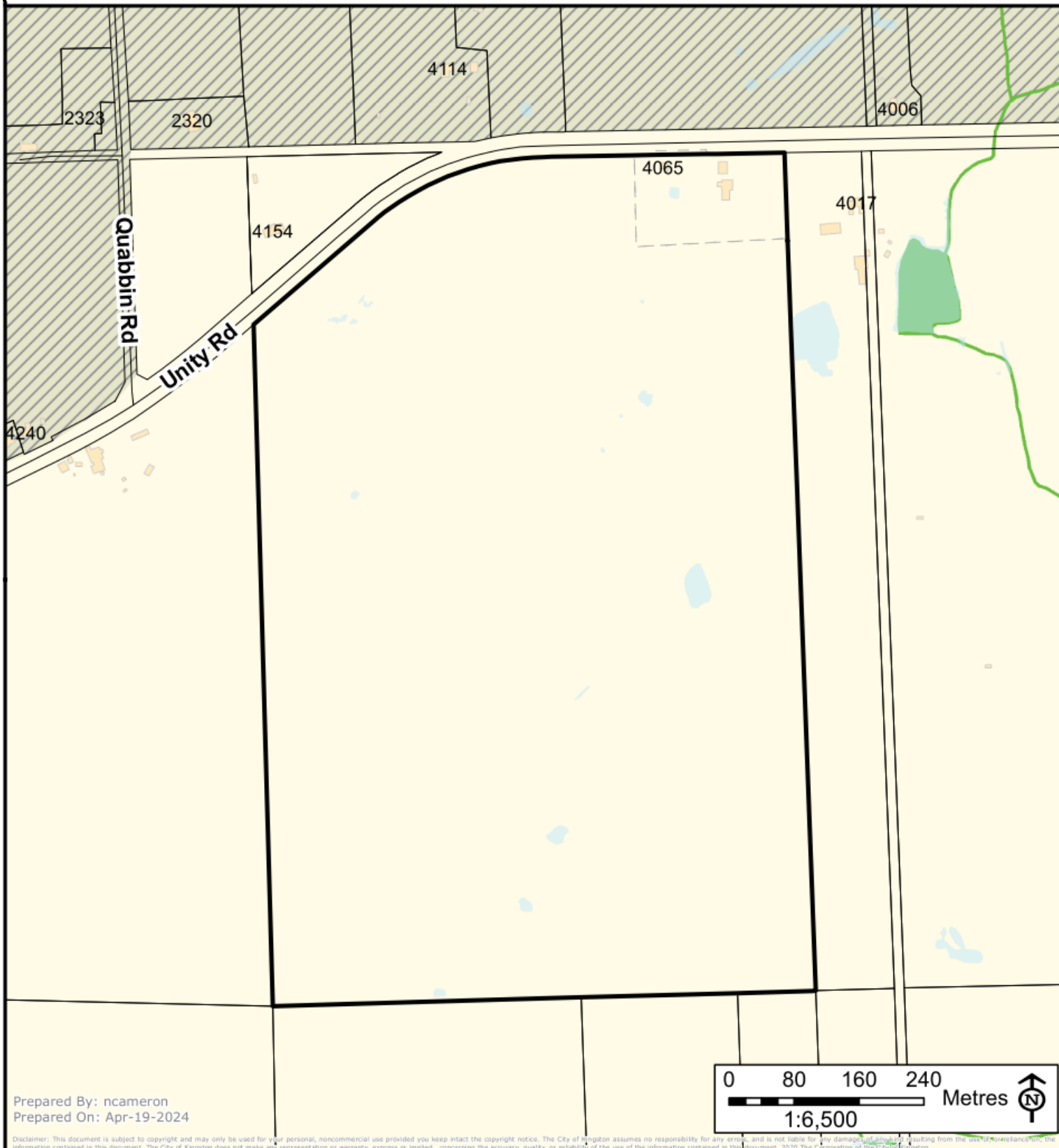


Planning Services

Planning Committee Official Plan, Existing Land Use

Address: 4065 Unity Road
File Number: D14-004-2024
Prepared On: Apr-19-2024

-  Subject Lands
-  PRIME AGRICULTURAL
-  ENVIRONMENTAL PROTECTION AREA
-  RURAL



Prepared By: ncameron
Prepared On: Apr-19-2024

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Demonstration of How the Proposal Conforms to the Official Plan

Policy	Category	Conformity with the Policy
<p>2.1.1. Most growth will occur within the Urban Boundary, shown on Schedule 2, where development will be directed to achieve greater sustainability through:</p> <ul style="list-style-type: none"> a. appropriate (minimum) densities; b. land use patterns that foster transit and active transportation; d. opportunities for sharing resources such as parking, utilities, and the land base for locally grown produce, in the form of urban agriculture, as well as educational, recreational or cultural assets; e. direction of new development and key land uses to areas where they can best result in sustainable practices; g. maximized use of investments in infrastructure and public amenities; h. strategies that will revitalize both neighbourhoods and employment areas, and rehabilitate brownfield sites for re-use; j. where possible, the preservation of mature trees for shade and their other beneficial ecological and community effects; k. climate positive development; 	<p>Urban Areas – Focus of Growth</p>	<p>The proposal is located outside of the Urban Area. No new development is proposed. The area that is reliant on private servicing with limited public infrastructure in the vicinity and no need for new public investment.</p> <p>The zoning amendment application proposes the implementation of an Exception Overlay and a Holding Overlay on a parcel of land that is characterized by a residential dwelling, accessory structures used for agricultural purposes, and agricultural and conservation uses. This is being done to address conditions of a technical consent which has been provisionally approved to sever a 2 hectare parcel of land on which the existing residential dwelling and farm buildings are located. The amendment will permit the continued use of the severed and retained land for agricultural and natural heritage uses, while ensuring that future residential development will be subject to the appropriate studies.</p> <p>This proposal will not impact future expansion of a settlement area. The proposed amendment retains the existing uses and minimizes land consumption for low density residential development. The land use</p>

Policy	Category	Conformity with the Policy
		<p>pattern is not expected to change.</p> <p>The proposal will permit the continued use of the land base for local agriculture. It will also conserve the natural and cultural heritage attributes of the property, including the preservation of mature trees, as well as creating no impacts for the heritage character of the adjacent Part IV designated property. In terms of preparing for a changing climate, the proposed Holding Overlay is a climate positive proposal as it both retains natural heritage and supports local agricultural production and does not seek to alter the landscape on the property in a way that would be environmentally detrimental.</p>
<p>2.1.2. Within Rural Areas, as shown on Schedule 2, growth will be limited and the natural assets, functions, and occupations that contribute to the general sustainability of the City as a whole will be supported through:</p> <ul style="list-style-type: none"> a. the protection of groundwater sources; b. an ecosystem approach to protecting the natural heritage system; c. the protection of surface water features, including inland lakes and rivers, Lake Ontario and the St. Lawrence River; d. the extraction of mineral resources and the rehabilitation of depleted 	<p>Rural Areas – Limited Growth</p>	<p>No new growth is proposed in the rural area as a result of this application.</p> <p>The proposal will contribute to the general sustainability of the City as a whole by retaining the existing agricultural and conservation uses. In so doing, the lands will assist with the protection of groundwater resources and the natural heritage system, avoid impacts on surface water features, not introduce any new development, and continue the existing agricultural practices that support the local economy.</p>

Policy	Category	Conformity with the Policy
<p>mineral mining operation sites, which must occur in a manner that is sensitive to the existing uses in the general area and in accordance with appropriate provincial legislation;</p> <p>e. limiting the types of permitted development to those that support and are compatible with a resource based local economy and sustainable practices; and</p> <p>f. promotion of agricultural opportunities, practices, and alliances that enhance agricultural employment as well as local food production, distribution, and consumption as an integral part of the local economy and the City's sustainability goals.</p>		
<p>2.1.4. In reviewing development applications, the City will promote sustainability through:</p> <p>a. encouragement of green building design to reduce greenhouse gases by adopting:</p> <ul style="list-style-type: none"> • energy efficient construction; • renewable sources of energy for lighting and heating; • natural lighting; • design that reduces water consumption; • design which minimizes discharge into the sanitary sewers; and • design which reduces or eliminates discharge into the storm 	<p>Development Review</p>	<p>No new development is proposed for the subject lands.</p> <p>The severance for the existing residential dwelling and accessory buildings has been provisionally approved, and the proposed Holding Overlay is intended to address the conditions of approval for the retained lands. On the retained lands, existing agricultural uses will continue, as will the existing natural heritage landscape. No new structures, uses, public services or infrastructure are required. The proposal minimizes negative impacts and considers ecological benefits by retaining the natural features of the land.</p>

Policy	Category	Conformity with the Policy
<p>sewers through incorporating stormwater management practices including low impact design and stormwater re-use.</p> <p>b. design, landscaping, and streetscaping practices that promote protection from undesirable sun, wind, or other conditions and reduces the negative effects of urban summer heat;</p> <p>c. design, landscaping, and streetscaping practices that reduce the quantity of impermeable surfaces;</p> <p>d. construction and operational practices that minimize waste and maximize re-use of resources;</p> <p>e. practices that conserve or recycle materials, energy, or other resources;</p> <p>f. design which promotes a reduction of automobile trips, active transportation and transit, including secured public access to bicycle storage and parking;</p> <p>g. the creation of a mix of uses that support increased access to healthy foods;</p> <p>h. the use of materials that have been extracted or recovered locally;</p> <p>i. design that reduces municipal costs associated with the provision of infrastructure and municipal service delivery over the long term;</p> <p>k. development that suits the demographic and/or socio-</p>		<p>To ensure its appropriateness, prior to the removal of the proposed Holding Overlay through a zoning amendment, any new residential development will be subject to studies including, but not limited to a hydrogeological assessment and noise study. Considerations regarding incorporation of sustainable principles for building will also be addressed at that time.</p>

Policy	Category	Conformity with the Policy
economic needs of the community.		
<p>2.2.4. The Urban Boundary shown by the dashed line on Schedule 2 has been established to recognize the substantially built up areas of the City where major sewer, water and transportation infrastructure has been planned. The land within the Urban Boundary will be the focus of growth and development in the City and contains sufficient land to accommodate the projected growth for a planning horizon of 2036. The Area Specific Phasing area within the Urban Boundary is subject to site-specific urban growth management policies. The Special Planning Area sites are also within the Urban Boundary and are now committed to a substantial land use but could accommodate future growth.</p>	Urban Boundary	This application is located outside of the urban boundary.
<p>2.2.14. Rural Areas are comprised of a mix of land uses that support a diversification of the economic base, housing, and employment opportunities. These areas are comprised of lands protected for agricultural uses and agricultural-related uses, being designated Prime Agricultural Area or Rural Lands, as appropriate. Rural Areas also contain natural heritage features, many of which fall within the Environmental Protection</p>	Rural Areas	<p>The subject property is designated as Rural – it is not identified as prime agricultural lands. The existing agricultural use of the property is intended to continue.</p> <p>The subject lands do contain identified natural heritage features which are also intended to be conserved.</p> <p>No new development is being proposed, and the existing agricultural and conservation uses are to continue.</p>

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<p>Area and Open Space designations, as well as natural resources, designated Mineral Resource Area. The protection of the area's natural features will help to conserve biodiversity while maintaining water quality and the ecological benefits provided by nature. Lands designated Rural Commercial and Rural Industrial also support the rural economy within Rural Areas. These lands are distinct from rural settlement areas, designated Hamlets, which accommodate a mix of land uses that also support the rural community. The Estate Residential designation captures limited areas of residential land use in Rural Areas.</p>		
<p>2.2.15. In Rural Areas, there are sites that have significance to more than one function or provide protection to more than one resource. Where there is a conflict, the City will be strongly guided by:</p> <ul style="list-style-type: none"> a. the priorities expressed in the Provincial Policy Statement and other legislation or policy of the Province; b. the strategic and fundamental planning principles expressed in this section of this Plan; and c. the particular circumstances of the site in the context of existing development and the overall policies of this Plan. 	<p>Rural Areas</p>	<p>The existing function of the entirety of the subject lands is residential, agricultural and conservation. No new uses are proposed at this time, and as such, there are no anticipated conflicts between functions.</p>

Policy	Category	Conformity with the Policy
<p>2.3.1. The focus of the City's growth will be within the Urban Boundary, shown on Schedule 2, where adequate urban services exist, or can be more efficiently extended in an orderly and phased manner, as established by this Plan. Kingston's Water Master Plan and Sewer Master Plan will guide the implementation of the infrastructure planning.</p>	<p>Growth Focus</p>	<p>The subject property is located outside of the Urban Boundary. No new development is proposed, and as such, no new services are required.</p>
<p>2.3.2. In 2013, residential density within the City's Urban Boundary was 25.7 units per net hectare. The City intends to increase the overall net residential and non-residential density within the Urban Boundary through compatible and complementary intensification, the development of underutilized properties and brownfield sites, and through the implementation of area specific policy directives tied to Secondary Planning Areas and Specific Policy Areas, as illustrated in Schedule 13.</p>	<p>Intensification</p>	<p>See 2.3.1</p>
<p>2.3.8. Cultural heritage resources will continue to be valued and conserved as part of the City's defining character, quality of life, and as an economic resource that contributes to tourism in both the urban and rural portions of the City.</p>	<p>Cultural Heritage</p>	<p>Heritage Services was consulted with respect to this application. There are no identified built heritage concerns. The Archaeological Master Plan indicates that the subject property is cleared of archaeological potential. As the subject property is located adjacent to a Part IV designated heritage property, potential impacts were considered by Heritage</p>

Policy	Category	Conformity with the Policy
		Services. As the heritage resource is adjacent to the severed parcel and no new development is proposed, there were no heritage concerns.
2.3.11. In order to implement the Strategic Direction of the Kingston Transportation Master Plan, active transportation will be aggressively promoted with greater emphasis on pedestrians, cyclists and transit, and accessibility for all residents and visitors.	Transportation	As no new development is proposed, no change in anticipated regarding active transportation.
2.3.12. The planning for the lands shown as Rural Areas on Schedule 2 of this Plan must balance the resource protection objectives for agriculture, aggregates and minerals with the environmental objectives of the natural heritage features and areas and watershed management and the social objectives of protecting rural communities and the rural way of life.	Rural Areas	The proposal balances the use of the lands for agriculture and natural heritage. As no new development is proposed and future studies will be required prior to that possibility, this application effectively protects the existing rural character of the lands and the surrounding area.
2.3.15. Significant natural heritage features and areas and linkages comprising the natural heritage system will be protected utilizing an ecosystem approach.	Natural Heritage System	Portions of the site are identified as containing natural heritage features. Beyond the use of the lands for agricultural purposes, the balance of the subject lands will remain as conservation uses, retaining the existing natural heritage systems and ecological function. Natural Heritage Schedule 8 of the Official Plan identifies significant and contributory woodlands on the subject property. In addition,

Policy	Category	Conformity with the Policy
		<p>provincial natural heritage mapping identifies the presence of species at risk in the vicinity.</p> <p>The consent application was evaluated by Cataraqui Conservation, who indicated no concerns with the proposal because no new development is proposed and due to the size of the parcel which can accommodate future development without impact to natural heritage features.</p>
<p>2.3.17. The City supports the City of Kingston and County of Frontenac Municipal Housing Strategy (2011) and the City of Kingston 10-Year Municipal Housing and Homelessness Plan (2013) in order to increase affordable housing in the City, and for it to be located primarily within the Urban Boundary in accordance with the directions of the Municipal Housing Strategy Locational Analysis Study (2012).</p>	<p>Principles of Growth – Affordable Housing</p>	<p>No new residential units are proposed as part of this application.</p>
<p>2.3.18. Through the prevention and removal of barriers for persons with disabilities, and the application of universal design principles, the City supports and promotes opportunities for all people to access the City and make contributions as citizens. The application of universal design principles in development and renovation is promoted. The City also encourages owners of private</p>	<p>Accessibility</p>	<p>No development is proposed. Any future development will be required to incorporate any applicable accessibility requirements of the Ontario Building Code.</p>

Policy	Category	Conformity with the Policy
properties with public access to do the same.		
<p>2.4.1. The City supports sustainable development of a compact, efficient, urban area with a mix of land uses and residential unit densities that optimize the efficient use of land in order to:</p> <ul style="list-style-type: none"> a. reduce infrastructure and public facility costs; b. reduce energy consumption and greenhouse gas emissions; c. support active transportation and viable public transit; d. conserve agriculture and natural resources within the City; and e. reduce reliance on private vehicles. 	Phasing of Growth - Vision	<p>No new residential units are proposed as a result of this application. As such, there are no new servicing or infrastructure requirements.</p> <p>Agricultural lands and natural features are being retained as a result of this proposal.</p>
<p>2.4.3. It is the intent of this Plan to achieve an increase in the City's net urban residential densities through promoting intensification and requiring minimum densities for residential development.</p>	Residential Density	No new residential units are proposed as a result of this application.
<p>2.4.4. New residential development and new secondary plans are subject to the following policies and minimum densities:</p> <ul style="list-style-type: none"> a. for the existing built-up residential areas, a net <i>urban residential density</i> of 22 dwelling units per net hectare is established as the overall minimum density, except where specifically increased in subsections (b), (c), and (d) below; 	Minimum Residential Density	No new residential units are proposed as a result of this application.

Policy	Category	Conformity with the Policy
<p>d. a moderate increase in density will be permitted adjacent to Centres and Corridors so as to accommodate a transition in density from areas intended to support high density residential to those supporting low and medium densities, provided the proposal demonstrates conformity to the policies of Section 2.6 and 2.7 of this Plan.</p>		
<p>2.4.5. The City has established the following minimum targets for intensification to occur within the Urban Boundary. a. It is the intent of the City that 40 percent (%) of new residential development occur through intensification.</p>	<p>Intensification Targets</p>	<p>No new residential units are proposed as a result of this application.</p>
<p>2.4.6. Urban development within the City will proceed in a planned and orderly manner. The Order of Development will be as follows: a. lands located within the Urban Boundary that have servicing capacity currently in place, including infill opportunities, brownfield sites and other vacant or under-utilized properties have the first priority for development;</p>	<p>Order of Development – Urban Boundary</p>	<p>No new development is proposed as a result of this application. As such, there are no new servicing or infrastructure requirements.</p>
<p>2.5.1. Development within the City will be coordinated with land use planning and phased according to the City’s ability to provide adequate transportation access and municipal infrastructure, including full water, sewer and</p>	<p>Phasing</p>	<p>The lands are located outside of the urban boundary. No new development is proposed as a result of this application. As such, there are no new servicing or infrastructure requirements.</p>

Policy	Category	Conformity with the Policy
<p>stormwater management services within the urban area. The lands within the Urban Boundary, except for the Special Planning Areas, are the priority development areas. Special Planning Areas shown on Schedule 2 anticipate long-term infrastructure planning.</p>		
<p>2.7.1. Development and/or land use change must demonstrate that the resultant form, function and use of land are compatible with surrounding land uses.</p>	<p>Compatible Development and Land Use Change</p>	<p>As no new land uses or development are proposed, the subject lands will continue to be compatible with surrounding land uses, in terms of form and function.</p>
<p>2.7.2. The demonstration of compatible development and land use change must consider the potential for adverse effects and matters that have the potential to negatively impact the character, planned function and/or ecological integrity of an area, and the health and safety of humans. Where there exists a potential for negative impacts, a land use compatibility study, focused specifically on the identified land use compatibility matters, will be required.</p>	<p>Compatible Development and Land Use Change</p>	<p>See 2.7.1</p>
<p>2.7.3. The land use compatibility matters to be considered under Section 2.7.2 include, but are not limited to:</p> <ul style="list-style-type: none"> a. shadowing; b. loss of privacy due to intrusive overlook; c. increased levels of light pollution, noise, odour, dust or vibration; 	<p>Land Use Compatibility Matters</p>	<p>See 2.7.1</p>

Policy	Category	Conformity with the Policy
<p>d. increased and uncomfortable wind speed; e. increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit; f. environmental damage or degradation; g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded; h. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting; i. visual intrusion that disrupts the streetscape or buildings; j. degradation of cultural heritage resources; k. architectural incompatibility in terms of scale, style, massing and colour; or l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.</p>		
<p>2.7.4. Mitigation measures may be used to achieve development and land use <i>compatibility</i>. Such measures may include one or more of the following: a. ensuring adequate setbacks and minimum yard requirements; b. establishing appropriate transition in building heights, coverage, and massing;</p>	<p>Mitigation Measures</p>	<p>The proposed Exception Overlay is intended to permit the continued use of the severed parcel for agricultural uses.</p> <p>The proposed Holding Overlay is intended to ensure that any future residential development proposal will have any required mitigation measures identified as part of the process of</p>

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

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<p>and residential or other sensitive uses; b. between intensive land uses and sensitive environmental areas; and, c. between intensive livestock operations, permanent manure storage, or resource extractive operations and sensitive uses, sensitive environmental features, or sensitive environmental functions. When identifying a required distance separation related to livestock operations, the minimum distance separation formulae will be used.</p>		
<p>2.7.6. Only development proposals that meet the long-term needs of the intended users or occupants will be supported. Proponents, whether developing individual buildings on a single site, or multiple buildings being built at one time or phased over time, will be required to demonstrate to the satisfaction of the City that the functional needs of the occupants or users will be met by providing: a. suitable scale, massing and density in relation to existing built fabric; b. appropriate landscaping that meets or improves the characteristic green space amenity of the site and surroundings and enhances the City's tree planting program;</p>	<p>Functional Needs</p>	<p>As no new land uses or development are proposed, the subject lands will continue to be compatible with surrounding land uses, in terms of form and function.</p>

Policy	Category	Conformity with the Policy
<p>c. adequate land area and appropriate site configuration or provision for land assembly, as required; d. efficient use of municipal services, including transit; e. appropriate infill of vacant or under-utilized land; and, f. clearly defined and safe: site access; pedestrian access to the building and parking spaces; amenity areas; building entry; and parking and secure and appropriate bicycle facilities.</p>		
<p>2.7.8. Issues of compatibility are critical in Rural Areas, as the long term protection of normal farm practices is a priority. This is reflected in the mutual separation of livestock operations and sensitive uses but also in addressing unique rural issues such as allowing the transport of farm machinery, tillage of land, and regular livestock husbandry techniques.</p>	<p>Land Use Compatibility in Rural Areas</p>	<p>See Section 2.7.5 No new development is proposed and as such, no conflicts are anticipated between the existing land uses.</p>
<p>2.8.1. The City recognizes that the ecological functions of the natural heritage system and the biodiversity of its components are inter-related and function together to contribute to sustaining human health and economic welfare, as well as providing habitat for plant and animal communities. The City, in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, and Fisheries</p>	<p>Natural Heritage System</p>	<p>See Section 2.3.15 regarding ecological functions of the natural heritage systems.</p>

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<p>and Oceans Canada, as appropriate, intends to protect significant elements of the natural heritage system, as more specifically discussed in Sections 3.10 and 6 of this Plan, and illustrated on Schedules 3, 7 and 8 and the secondary plans included in Section 10 of this Plan. It is the intent of the City to support and participate in stewardship programs in partnership with conservation organizations.</p>		
<p>2.8.2. Forests and trees are recognized as a critical part of the City's health and character. Kingston will take steps to achieve the Environment Canada guideline of 30 percent minimum forest coverage in the urban area and maintain the existing forest coverage outside the Urban Boundary, as well as achieve a doubling of the urban forest cover by 2025.</p>	<p>Minimum Forest Coverage</p>	<p>This property is outside of the Urban Boundary.</p> <p>Outside of normal farm practices, no trees are anticipated to be removed.</p> <p>See Section 2.3.15 for additional information regarding the natural heritage systems.</p>
<p>2.8.4. Water is a resource that must be protected. In order to maintain the quality and quantity of water, the City will restrict development and site alteration near sensitive surface water or groundwater features and in areas of medium to very high groundwater sensitivity and will implement the policies of the Cataraqui Source Protection Plan as required.</p>	<p>Water Quality and Quantity</p>	<p>The subject lands are in an area that is subject to private servicing for water. No new development is proposed, and thus there is no anticipated impact on water resources. Prior to any future residential development, hydrogeological analysis will be required as part of the Holding Overlay to ensure that sufficient water quality and quantity are available and that no impacts are created. The existing agricultural and conservation</p>

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		uses will not create any new impacts on groundwater features, hydrologic function, or natural heritage features.
<p>2.8.5. Stormwater runoff will be managed on site where feasible, and runoff may be required to be stored, treated and directed away from the natural heritage system. Its quantity will be required to be controlled to prevent impact on downstream areas. Stormwater connections are not permitted in areas where combined sewer infrastructure exists in the City.</p>	Protection of Resources - Stormwater Management	No new land uses or development are proposed. In future, stormwater management may be examined as a required study as part of an application to remove the proposed Holding Overlay.
<p>2.8.6. The City has designated Prime Agricultural Areas and has defined the long term expansion of its Urban Boundary to conserve such areas to provide greater investment security for farmers. Uses that support the agricultural industry will be located in close proximity to the use, preferably on lands of lower soil capability in the Rural Lands designation. As further outlined in Section 3.11 of this Plan, lot creation is discouraged in a Prime Agricultural Area designation.</p>	Prime Agricultural Areas	<p>The subject lands are not identified as a prime agricultural area.</p> <p>The existing agricultural use of the property is proposed to continue without disruption from development.</p> <p>No new impacts are anticipated on the surrounding agricultural operations.</p>
<p>2.8.8. Cultural heritage resources, will be conserved, managed and promoted for their contribution to the City's unique identity, history and sense of place in such a way as to balance heritage concerns with environmental and accessibility issues. Care will be taken not to put the</p>	Cultural Heritage	See 2.3.8.

Policy	Category	Conformity with the Policy
existing UNESCO World Heritage Designation of the Rideau Canal, Fort Henry and the Kingston Fortifications at risk by working with partners to implement the Rideau Corridor Landscape Strategy.		
2.10.1. In order to improve the resiliency and ensure the long-term prosperity of the community the City intends to: b. consider the potential impacts of climate change and extreme weather events when planning for infrastructure, including green infrastructure, and assessing new development; d. explore opportunities to achieve climate positive development.	Resiliency	No new development is proposed as part of this application, and existing agricultural and conservation uses will continue.
2.10.2. It is the intent of this Plan to protect public health and safety by generally directing development away from natural hazards.	Natural Hazards	No development is proposed at this time. If development is proposed in the future, natural hazards will be assessed by Cataraqui Conservation as part of development review. There are currently no specific natural hazards identified on the subject lands.
3.9.2. The protection of a 30 metre naturalized buffer along a waterbody, also referred to as a “ribbon of life”, can help to enhance water quality, minimize soil erosion, provide plant and animal habitat, establish connectivity and wildlife corridors, and contribute to the overall health of shoreline ecosystems, particularly fish habitat. The buffer may also be used to screen views of development	“Ribbon of Life”	No impacts are anticipated on the “ribbon of life”. The proposal will retain the existing uses of the land, and the Holding Overlay will require additional study prior to any future residential development. As such, the existing watercourses, open space, and environmentally protected areas on the property will remain unchanged with the exception

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<p>from the water, and to create natural spaces for passive recreation. This is intended to be a text-based policy and these lands are not required to be shown on a schedule of this Plan to receive protection under this policy. Generally, the “Ribbon of Life” and “riparian corridor”, as identified in Section 6.1.3, apply to the same lands.</p>		<p>of activity from the continued agricultural use of the property.</p>
<p>3.10.2. Uses within the Environmental Protection Area are limited to those related to open space, conservation or flood protection, and must be approved in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, and/or Parks Canada as appropriate. Such uses include water quality management uses, necessary flood control structures or works, erosion control structures or works. Recreational or educational activities, generally of a passive nature, may be permitted in suitable portions of Environmental Protection Areas only if such activity will have no negative impacts on natural heritage features and areas, does not involve the use of structures or buildings, and is not subject to natural hazards. Where an Environmental Protection Area designation is solely tied to a local area of natural and</p>	<p>Environmental Protection Areas – Permitted Uses</p>	<p>See 2.3.15</p>

Policy	Category	Conformity with the Policy
<p>scientific interest, or a locally significant wetland, consideration may be given to new mineral mining operations or mineral aggregate operations and access to minerals or mineral aggregate resources, subject to compliance with provincial and federal requirements.</p>		
<p>3.10.11. Applications for development in an Environmental Protection Area, and/or the adjacent lands to an Environmental Protection Area, will be required to submit an environmental impact assessment in accordance with the policies of Section 6. Section 6.1.8 defines the adjacent lands distances that relate to the various components making up an Environmental Protection Area.</p>	<p>Environmental Impact Assessment</p>	<p>See 2.3.15</p>
<p>3.12.1. The City recognizes the role of Rural Lands in contributing to agricultural production, forestry and mineral resources, natural areas and wildlife habitat, providing opportunities for rural economic development, outdoor recreation, and supporting the appreciation of natural areas that provide a contrast and respite from urban life.</p>	<p>Rural Lands - Function</p>	<p>See 2.1.2</p>
<p>3.12.2. Permitted uses in Rural Lands include all agricultural uses, agriculture-</p>	<p>Rural Lands – Permitted Uses</p>	<p>See 2.1.2. Only the existing agricultural and conservation uses are</p>

Policy	Category	Conformity with the Policy
<p>related uses, and on-farm diversified uses as permitted in the Prime Agricultural Area designation, sports and outdoor recreation activities in accordance with Section 3.12.4, and detached dwellings in accordance with Section 3.12.10 and that are compatible with adjacent land uses. Limited non-farm growth is permitted in Rural Lands if it does not limit or interfere with agricultural use, agriculture-related uses, on-farm diversified uses or a broader range of rural uses, and if it meets the environmental objectives of this Plan.</p>		<p>proposed for the property at this time.</p>
<p>3.12.6. All new or expanding livestock operations and applicable non-farm development will be required to comply with the minimum distance separation formulae.</p>	<p>Rural - MDS Formulae</p>	<p>A Minimum Distance Separation calculation for existing livestock uses in the vicinity was undertaken as part of the supporting studies for the severance of the existing residential dwelling and accessory buildings, which is provisionally approved. No conflicts were identified.</p>
<p>3.12.10. New residential development in the Rural Lands designation is generally discouraged and single detached dwellings are only permitted in accordance with the following criteria:</p> <ul style="list-style-type: none"> a. on existing lots of record; b. as minor infilling of development, subject to the policies of Section 9.6 of this Plan; c. on a lot with a minimum lot area of at least 1 hectare; 	<p>Rural – Development on Existing Lots</p>	<p>No new development is proposed at this time.</p>

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<p>d. on a lot that is in compliance with all of the policies governing area of influence as set out in Section 9.6 of this Plan; e. on a lot that will be buffered along the boundary where the Rural Lands designation abuts the Prime Agricultural Area designation; f. on a lot that meets the private individual on-site well and sewage services policies of Section 4.4 of this Plan; g. subject to the appropriate conditions of approval as set out in Section 9.6.17 of this Plan; and, h. for existing lots of record on private roads, development must meet the policies of Section 4.6.62 of this Plan.</p>		
<p>4.1.1. New development will proceed only if the City is satisfied that adequate services, roads, and utilities are available, or can be made available, to serve the proposal adequately. In determining the adequacy of servicing, utility systems, or the transportation system, the City will consider not only the proposal, but also the potential for development that exists in the same service area.</p>	<p>Infrastructure & Transportation – New Development</p>	<p>No development is proposed as part of this application. No new services are required.</p>
<p>4.2.10. Permitted development beyond the Urban Boundary and outside the Future Development Areas may generally proceed by means of individual on-site water and sewage services</p>	<p>Municipal Services Beyond Urban Boundary</p>	<p>No development is proposed as part of this application. This is an area where only private services are available, and prior to any future</p>

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subject to Section 4.4 of this Plan.		development, demonstration of feasibility will be required.
4.3.1. Stormwater management techniques must be used in the design and construction of all new development to control both the quantity and quality of stormwater runoff. The degree of control will depend on the conditions in the downstream receiving water bodies. This is to minimize the negative impacts of development on the downstream receiving water bodies, the aquatic environment, and fish habitat.	Stormwater Management - Purpose	No development is proposed as part of this application. Prior to any future development, demonstration of stormwater feasibility will be required.
4.4.1. A Groundwater Supply Assessment in accordance with Ministry of the Environment and Climate Change guidelines and the City's standards for Hydrogeological Assessments will be required for any development that is proposed for an area without municipal services.	Groundwater Supply Assessment	No development is proposed as part of this application. Prior to any future development, demonstration of water quality and quantity through a hydrogeology study will be required.
4.4.3. The City may request that a hydrogeological study be undertaken in any location and will provide guidance on the scope of the study. The hydrogeological study must be submitted to the City for approval and must satisfy provincial regulations, guidelines and municipal policies, as amended. Where a property has been identified with more than one level of constraint due to groundwater	Hydrogeological Study Required	See 4.4.1

Policy	Category	Conformity with the Policy
sensitivity, the more stringent level must apply.		
<p>5.4. Land uses must be separated or regulated to avoid or effectively minimize any potential health and safety threat, or adverse effects associated with an adjacent area of hazard or area that creates a potentially damaging emission. In assessing the risk associated with natural hazards, the City will consider the potential impacts of climate change.</p>	Minimizing Impacts	<p>No development is proposed as part of this application.</p> <p>Prior to any future development, review of natural hazards will be required.</p>
<p>5.5. New development and site alteration in the regulatory floodplain is prohibited, except those uses that by their nature must be located within the regulatory floodplain. Areas that may be subject to flooding hazards are illustrated in Schedule 11-A Constraint Mapping. The City will work with the Cataraqui Region Conservation Authority to identify and assess new areas that may be prone to flooding hazards. Periodic updates to floodplain mapping may be undertaken in consultation with the Cataraqui Region Conservation Authority and any other agency having jurisdiction without an amendment to this Plan.</p> <p>Where there is existing development within the regulatory floodplain, development and site alteration may be permitted in consultation with the</p>	Regulatory Floodplain	See 5.4

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

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

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

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

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

Policy	Category	Conformity with the Policy
<p>adjacent lands to Natural Heritage “A” or “B” features shown on Schedules 7 and 8 respectively, unless it has been demonstrated that there will be no negative impacts on the natural heritage features and areas or on their ecological functions. In the review of any development or site alteration, an environmental impact assessment will be required as follows, unless otherwise directed by the City in consultation with the Cataraqui Region Conservation Authority:</p> <ul style="list-style-type: none"> a. within 120 metres of a provincially significant wetland, significant coastal wetlands and other coastal wetlands; b. within 50 metres of locally significant wetlands; c. within 120 metres of fish habitat; d. within 120 metres of significant woodlands; e. within 120 metres of significant valleylands; f. within 120 metres of areas of natural and scientific interest – life science; g. within 50 metres of areas of natural and scientific interest – earth science; h. within 120 metres of significant wildlife habitat; i. within 120 metres of the habitat of endangered species and threatened species, in accordance with the Endangered Species Act, and 		

Policy	Category	Conformity with the Policy
<p>as tracked by the Ministry of Natural Resources and Forestry “Natural Heritage Information Centre”; and j. within 120 metres of habitat of aquatic species at risk, in accordance with the Species At Risk Act and as tracked by the Federal Department of Fisheries and Oceans.</p>		
<p>6.1.11. Where lands shown as part of the natural heritage system on Schedules 7 and 8 are held in private ownership, nothing in this Plan will be construed to imply that such lands are open for the use of the general public or will be acquired by the City or other public agency. Various ways of preserving and managing the ecological resource through stewardship, partnerships, land trusts, environmental easements, acquisition or other means are encouraged.</p>	<p>Private Ownership</p>	<p>See Section 2.3.15</p>
<p>6.1.12. The City encourages a wide variety of land stewardship options, including protecting lands through easements, purchase, tax incentives, and dedication to land trusts to preserve and enhance the natural heritage system, and its adjacent lands, across the City. The City will encourage efforts with neighbouring municipalities, public agencies and private landowners to manage and improve the ecological sustainability of the</p>	<p>Land Stewardship</p>	<p>See Section 2.3.15</p>

Policy	Category	Conformity with the Policy
natural heritage system as a whole.		
<p>6.1.14. The “Guidelines for Environmental Impact Assessment” prepared by the Cataraqui Region Conservation Authority, as amended from time to time, or other guidelines used by the City to supplement the CRCA Guidelines, will guide the preparation of environmental impact assessments. In general, an environmental impact assessment must:</p> <ul style="list-style-type: none"> a. be undertaken by a qualified person with current knowledge in the field of biology, ecology, hydrology or other specialty as required by the specific circumstances; b. use appropriately scaled maps to show topography, existing uses and buildings, and all existing natural heritage features and areas and cultural heritage resources, whether or not they have been deemed significant for the subject site and areas adjacent to it; c. use appropriately scaled maps with topographic contours to show proposed uses, proposed site alteration and/or development; d. provide a thorough inventory of flora and fauna and related habitat communities to be completed over a seasonal time span that is appropriate; e. provide relevant information on geology (significant 	Environmental Impact Assessment	See Section 2.3.15

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

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

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

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

Policy	Category	Conformity with the Policy
<p>in order to maintain the integrity of identified built heritage resources;</p> <p>e. using site plan control provisions of Section 41 of the Planning Act to ensure that new development on adjacent properties is compatible with the adjacent identified built heritage resources;</p> <p>f. using design guidelines to provide for sympathetic development of adjacent lands that are not designated, but which could impact the site of the built heritage resource;</p> <p>g. ensuring that archaeological resources are evaluated and conserved prior to any ground disturbance, in accordance with the City's Archaeological Master Plan and provincial regulations;</p> <p>h. in partnership with Kingston's Indigenous Peoples of Canada community, a Protocol outlining the working relationship with them and the City will be designed, approved and implemented;</p> <p>and</p> <p>i. using heritage easements as a means to protect significant built heritage resources, where appropriate.</p>		
<p>7.4.2. The City will permit development and site alteration on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources</p>	<p>Conservation of Archaeological Resources</p>	<p>See Section 2.3.8.</p>

Policy	Category	Conformity with the Policy
<p>have been conserved. In general, preservation of the resources “in situ” is the preferred method, but in some cases the conservation can occur by removal and documentation. Where significant archaeological resources are preserved “in situ”, only development and site alteration that maintains the heritage integrity of the site is permitted.</p> <p>The investigation and conservation of archaeological resources shall be completed in consultation with all appropriate First Nations, Métis and Inuit communities.</p>		
<p>8.6. The City requires the design of new development to be visually compatible with surrounding neighbourhoods and areas of cultural heritage value or interest through its site plan control review, preparation of zoning standards, and urban design guidelines, as appropriate, that address the following:</p> <p>a. siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing, setbacks, access, landscaped treatment, building materials, exterior design elements or features;</p> <p>b. protecting natural heritage features and areas and</p>	<p>Urban Design – New Development</p>	<p>No new development is proposed at this time.</p> <p>In future, if development is proposed, it will take into account the urban design criteria specified, specifically with regard to protection of natural heritage features and achieving compatibility with the adjacent heritage landscape.</p>

Policy	Category	Conformity with the Policy
<p>cultural heritage landscapes through the siting, design and review of new development; c. promoting innovation in building design to create an interesting and varied built environment, to increase sustainability by improving energy efficiency, and to deliver barrier-free accessibility; d. achieving compatibility in land use and with a predominant architectural style, street pattern or site arrangement where that style or arrangement forms a valuable component of the existing neighbourhood or the cultural heritage value or interest of the identified area. Section 2.7 provides additional policy in this regard; and, e. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.</p>		
<p>9.5.7. Amendments to the zoning by-law will be made only after public notice and consultation as required by the Planning Act and consultation with affected authorities or agencies.</p>	<p>Amendments to the Zoning By-law</p>	<p>Public notices have been provided in accordance with the requirements in the Planning Act, and the technical review has occurred in consultation with affected authorities and agencies.</p>
<p>9.5.9. When considering an application to amend the zoning by-law, the Planning Committee and Council will have regard to such matters as:</p>	<p>Planning Committee / Council Considerations</p>	<p>a. The proposal conforms with the intent of the Official Plan policies and schedules as detailed in this table. b. The proposed continued use of the property for agricultural and</p>

Policy	Category	Conformity with the Policy
<p>a. conformity of the proposal with the intent of the Official Plan policies and schedules;</p> <p>b. compatibility of the proposal with existing uses and zones, sensitive uses, the natural heritage system, cultural heritage resources, and compatibility with future planned uses in accordance with this Plan;</p> <p>c. compatibility of proposed buildings or structures with existing buildings and structures, with zoning standards of adjacent sites, with any future planned standards as provided in this Plan, and with any urban design guidelines adopted by the City for the area;</p> <p>d. the extent to which the proposal is warranted in this location and the extent to which areas zoned for the proposed use are available for development;</p> <p>e. the suitability of the site for the proposal, including its ability to meet all required standards of loading, parking, open space or amenity areas;</p> <p>f. the suitability of the density relative to the neighbourhood and/or district, in terms of units per hectare, bedrooms per hectare, floor space index, and/or employees per hectare, as applicable;</p> <p>g. the impact on municipal infrastructure, services and traffic;</p> <p>h. comments and submissions of staff, agencies and the public; and,</p>		<p>conservation uses is compatible with existing uses in the adjacent area and is compatible with future planned uses. Further study will be required prior to the introduction of future development.</p> <p>c. The existing uses are compatible with existing building and structures.</p> <p>d. The proposal reinforces the character of the rural landscape and provides opportunity for further review in the future if development is proposed.</p> <p>e. The site is suitable for the proposal as it is a continuation of the existing use;</p> <p>f. No new development is proposed;</p> <p>g. No new services are required;</p> <p>h. All comments have been addressed;</p> <p>i. The proposal does not create an undesirable precedent as it will result in the protection and continuation of conservation and agricultural uses.</p>

Policy	Category	Conformity with the Policy
i. the degree to which the proposal creates a precedent.		



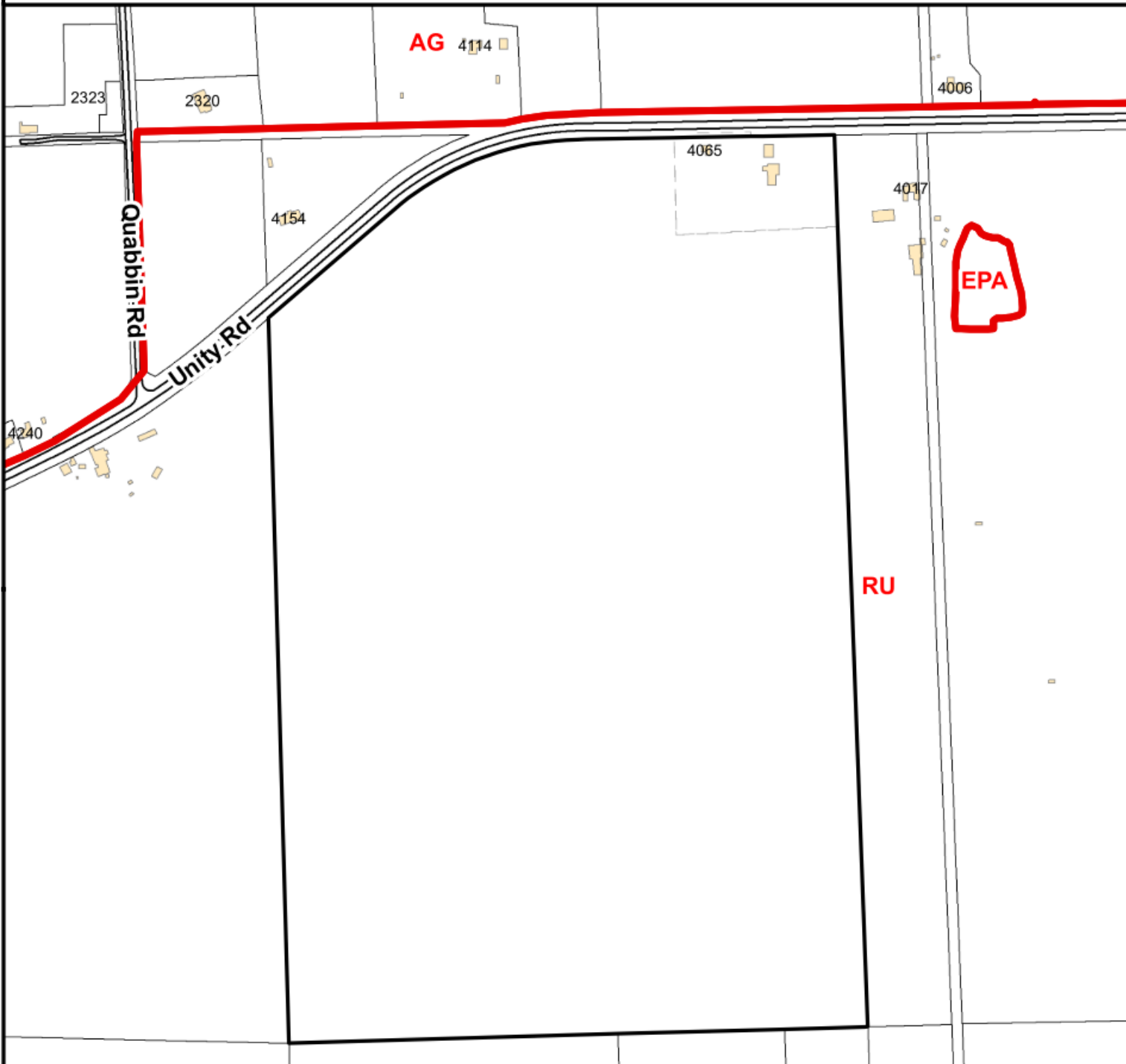
Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

Planning Services

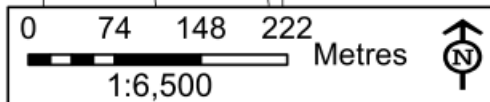
Address: 4065 Unity Road
File Number: D14-004-2024
Prepared On: Apr-19-2024

Subject Lands
Schedule 1 Zoning Map
Zone

Schedule E - Exception Overlay
Legacy Exceptions (LXXX)
Exceptions (EXXX)
Schedule F - Holding Overlay
Holding Overlay (HXXX)



Prepared By: ncameron
Prepared On: Apr-19-2024



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Figure 1: Looking south at the dwelling on the portion of the subject property to be severed.



Figure 2: Looking west along Unity Road at the frontage of the subject property to be severed.



Figure 3: Looking east at the dwelling and farm buildings on the subject property on Unity Road.



Figure 4: Looking south at the adjacent heritage designated property at 4017 Unity Road



Figure 5: Looking west along the frontage of the severed portion of the property on Unity Road








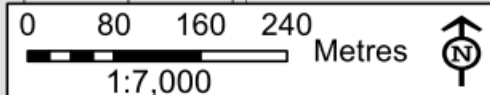
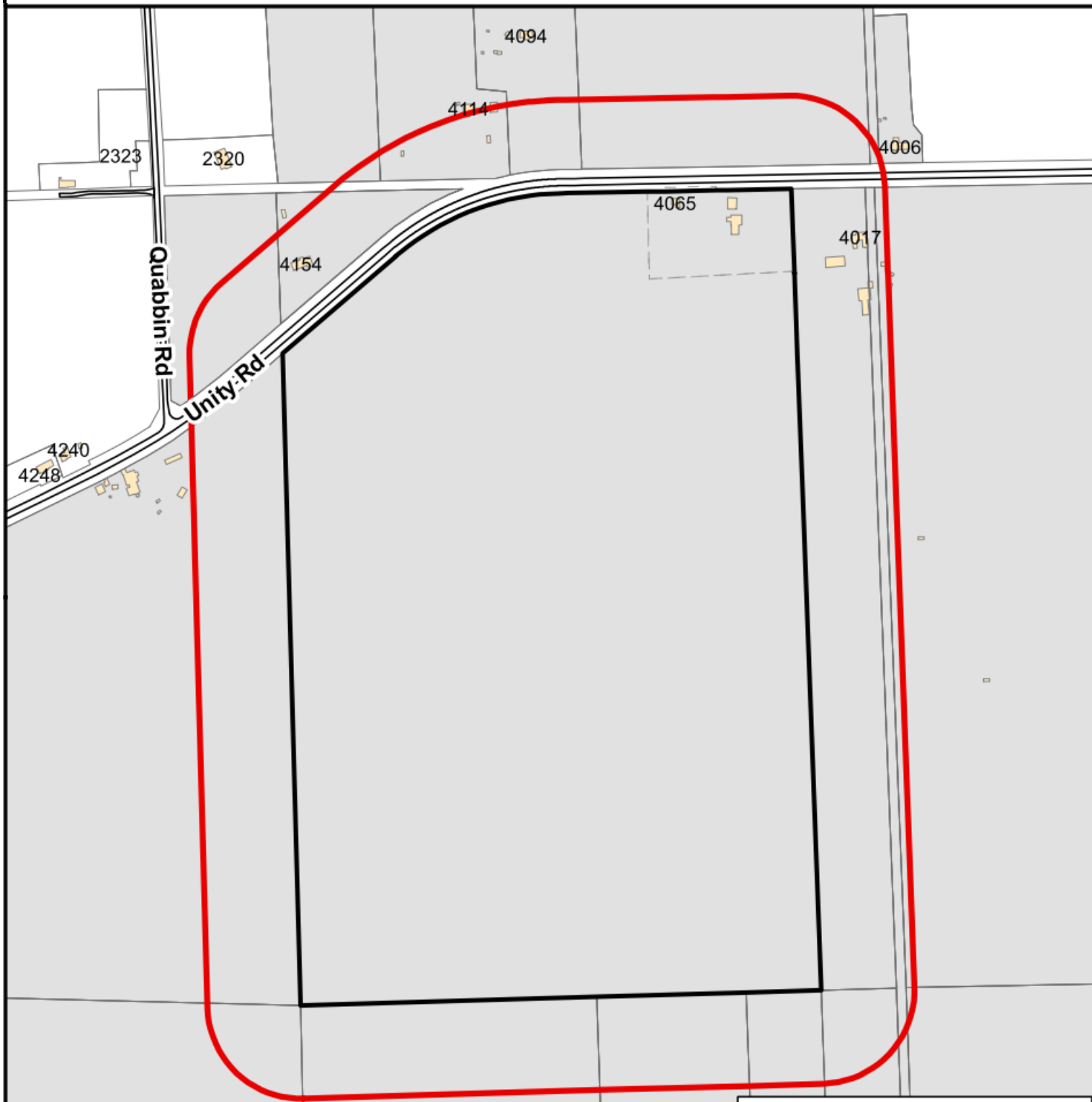
Figure 6: Looking north at the nearby dwellings and accessory structures at 4114 Unity Road.



Planning Committee Public Notice Notification Map

Address: 4065 Unity Road
File Number: D14-004-2024
Prepared On: Apr-19-2024

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



Prepared By: ncameron
Date: Apr-19-2024

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