



**City of Kingston
Report to Planning Committee
Report Number PC-21-032**

To: Chair and Members of the Planning Committee

From: Paige Agnew, Commissioner, Community Services

Resource Staff: Laura Flaherty, Project Manager, Planning Services

Date of Meeting: April 29, 2021

Subject: Public Meeting Report (Non-Statutory)
New Zoning By-Law Project
Discussion Paper: Environmental Protection Areas, Ribbon of Life and Waterbody Setbacks

File Number: D14-043-2016

Council Strategic Plan Alignment:

Theme: 1. Demonstrate leadership on climate action

Goal: 1.2 Enhance and expand green spaces, protect wetlands, and increase the tree canopy through greening initiatives.

Theme: 5. Foster healthy citizens and vibrant spaces

Goal: 5.1 Increase access to and continue to beautify the waterfront.

Executive Summary:

As outlined in [Information Report Number 20-229](#) to Council and [Report Number PC-21-022](#) to Planning Committee, staff in Planning Services are in the third and final phase of the new zoning by-law project (New ZBL), with the ultimate goal of bringing a final document for Council's consideration in early 2022. It is important to note that this timeline may be impacted

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should there be a direction to add additional public engagement to the overall project, or if additional elements need to be researched that are currently outside of the scope of the project.

A City-initiated Official Plan amendment is anticipated to be submitted at the same time as the release of the second draft of the New ZBL, which will be processed concurrently, with future Statutory Public Meetings considering both the proposed Official Plan amendment and New ZBL. It is anticipated that the second draft of the New ZBL will be released to the public in mid 2021.

The purpose of this report is to provide background information and obtain feedback from the public and members of Planning Committee with respect to the topic of Environmental Protection Areas, the Ribbon of Life and Waterbody Setbacks in order to inform how these items will be addressed in the second draft of the New ZBL. This report summarizes the initial approach to environmental protection within the first draft of the new zoning by-law and compiles the comments received through the initial round of public consultation. The report identifies five key themes that need to be addressed in order to improve implementation of the environmental protection, ribbon of life and natural heritage system policies of the Official Plan in the second draft of the New ZBL. Recommendations are provided for amendments to the City's Official Plan, second draft of the new zoning by-law and Site Plan Control By-Law.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Community Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Community Services	Not required
Peter Huigenbos, Commissioner, Business, Environment & Projects	Not required
Brad Joyce, Commissioner, Corporate Services	Not required
Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Sheila Kidd, Commissioner, Transportation & Public Works	Not required

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Options/Discussion:

Public Meeting Process

While this is not considered to be one of the Statutory Public Meetings for the overall New ZBL project, this is a Public Meeting to discuss a focused topic within the overall project. Anyone who attends a Planning Committee 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 final recommended form of the New ZBL.

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 Local Planning Appeal 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 Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

There will be two future statutory public meetings respecting the New ZBL project – one with a public meeting report after the release of the second draft of the New ZBL, and the second with a comprehensive report and recommendation from Planning Services. In addition, a statutory open house will also be held prior to a statutory public meeting for the purpose of giving the public an opportunity to review and ask questions. The public will be provided additional opportunities to make oral submissions on the New ZBL project at both future statutory public meetings.

All persons who made oral or written submissions at any public meeting, or have requested notification in writing, will be given written notice of the future statutory public meetings at which time the subject application will be considered. Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Laura Flaherty, Project Manager
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3157
NewZBL@cityofkingston.ca

New Zoning By-Law Project Background

As identified in [Information Report Number 20-229](#), Planning Services staff began work on what they are considering “Phase Three”, the final phase of the New ZBL project in September 2020.

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Phase Three is primarily being completed “in house” by Planning Services staff, including all background research, stakeholder consultation, zoning by-law drafting and its associated mapping, with input from technical advisors and other staff where required.

At this stage, Phase Three of the New ZBL project is well underway, with Planning Services staff working diligently to complete the background work identified in [Information Report Number 20-229](#). Part of the Phase Three consultation includes a series of “Discussion Papers” to allow focused conversations about specific topics prior to the release of the second draft of the zoning by-law. The intent of the Discussion Papers is to provide background information in an information report to Planning Committee and hold a public meeting, allowing the public and members of Planning Committee time to provide feedback on a specific topic.

Following the completion of the Discussion Papers, Staff will be finalizing the second draft of the New ZBL with the goal of releasing it to the public in the summer of 2021. After the second draft of the document is released, public consultation events will be held including a Statutory Public Meeting in early Fall 2021. Ultimately, Planning Services staff are aiming to have a final statutory open house, with a comprehensive report to Planning Committee for the final Statutory Public Meeting in early 2022.

In conjunction with the second draft of the New ZBL, it is anticipated that the City will be initiating proposed Official Plan amendments to a number of policies within the Official Plan in order to better implement the intent of the policies within the New ZBL. This Official Plan amendment will be the subject of future public meetings associated with the New ZBL project and will form part of the final recommendation in the Comprehensive Report when the final form of the New ZBL is recommended to Planning Committee for approval.

Provincial Policy Statement, 2020

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. Section 2 of the PPS (2020) provides direction on the wise use and management of resources, including natural heritage features and water.

Section 2.1 directs that natural features and areas shall be protected for the long-term and identifies the natural heritage features and their adjacent lands that are of provincial interest. Development is not permitted within these areas, unless, in certain instances, it has been demonstrated that there will be no negative impacts on the features or their ecological functions. To assist in the implementation of these policies, the Ministry of Natural Resources and Forestry prepared the Natural Heritage Reference Manual, which provides more detailed description of these features, their sensitivities and recommended setbacks.

Section 2.2 provides various directions to planning authorities to protect, improve or restore the quality and quantity of water at a watershed scale. In particular, planning authorities are directed to identify water resource systems, including natural heritage features and surface water features, which are necessary for the ecological and hydrological integrity of the watershed.

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Development and site alteration are directed away from sensitive surface water features such that their hydrologic functions are protected, improved, or restored.

The PPS (2020) differentiates between natural heritage features and natural hazards, such as areas that are subject to flooding, erosion or wildland fire risk, which are outlined in Section 3.1. The first draft of the new zoning by-law also differentiates between natural heritage and natural hazards. This discussion paper focuses on natural heritage and as such, natural hazards are beyond the scope of this report.

Official Plan

The Official Plan builds upon the direction provided by the PPS to protect natural heritage features and water resources within the municipality. The approach to environmental protection is outlined below, with a summary of applicable policies provided in Exhibit C.

Section 6.1 provides policies for the Natural Heritage System, with the goal to “manage growth and land use in a manner that maintains, restores and enhances the natural heritage system within Kingston as a healthy ecosystem that will continue to sustain all life forms over the long-term”. Natural heritage features are broadly categorized into either ‘A’ or ‘B’, with development being prohibited within ‘A’ features and development being conditionally prohibited within ‘B’ features and lands adjacent to ‘A’ and ‘B’ features, unless it can be demonstrated that there would be no negative impacts to natural features and functions. The typical mechanism to demonstrate no negative impact is through an Environmental Impact Assessment (EIA).

Section 3.10 of the Official Plan provides policies for the Environmental Protection Area (EPA) designation, with the goal “to preserve the ecosystem role that Environmental Protection Areas play in sustaining the natural heritage system of the City and the broader region”. The EPA designation is composed of the Natural Heritage ‘A’ features identified in Section 6.1. Schedule 3 of the Official Plan illustrates the location of the EPA designated lands within the municipality. The EPA designation and Natural Heritage ‘A’ features within the Official Plan are composed of:

- a) areas of natural and scientific interest (ANSIs);
- b) fish habitat;
- c) provincially significant wetlands (PSW), significant coastal wetlands and locally significant wetlands (LSW);
- d) Snake and Salmon Islands within Lake Ontario;
- e) rivers, streams and small inland lake systems; and
- f) riparian corridors.

The Ministry of Natural Resources and Forestry (MNRF) establishes and maintains the boundaries of provincially significant wetlands (PSW), significant coastal wetlands, and areas of natural and scientific interest (ANSIs). The boundaries of these features can only be modified by MNRF. The boundaries of the remaining EPA features are based on best available mapping and the Central Cataraqui Region Natural Heritage Study (2006) and are acknowledged as being approximate.

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Section 3.10.2 of the Official Plan restricts permitted uses within the EPA designation to open space, conservation, flood protection, water quality management uses, flood and erosion control structures and passive recreational or educational activities that do not require buildings or structures and that would not adversely impact the natural heritage feature. However, where the EPA designation relates solely to riparian corridors, Section 3.10.2.1 would allow the lands to be developed in accordance with another land use designation applicable to the lot or any legally non-conforming land uses.

Section 3.9 of the Official Plan offers policies for additional protection of the waterfront with the goal to “ensure the long-term protection of and recognition of the important role that waterfront areas play in the City’s sense of place, cultural heritage, recreational, social and spiritual needs, natural heritage system, as well as a valuable source of water”. Section 3.9 establishes protection of the ‘Ribbon of Life’, which is acknowledged as being a 30 metre naturalized buffer along the waterfront, which “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, particular fish habitat”. The Official Plan indicates that the ‘Ribbon of Life’ will be implemented through zoning by-laws to establish a minimum 30 metre setback from the high water mark of a waterbody. Schedule 7 of the Official Plan illustrates the Natural Heritage ‘A’ features and confirms that riparian corridors are applied as buffers along waterbodies and wetlands, which confirms that the Official Plan interchanges the terms ‘riparian corridor’ and ‘ribbon of life’. Section 3.9.3 directs that the zoning by-law will be used to implement the ‘riparian corridor’ and ‘ribbon of life’ as a 30 metre setback or buffer from the high water mark of a waterbody.

It is important to note that the Official Plan, similar to the PPS (2020), differentiates between environmental protection and natural hazards, such as flooding, erosion and wildland fire risks. Within the context of the Official Plan, environmental protection areas refer to the protection of natural heritage ‘A’ features and is primarily outlined in Section 3.10, whereas natural hazards are addressed in Section 5. This discussion paper focuses on the implementation of environmental protection and the ‘ribbon of life’ policies of the Official Plan.

Existing Zoning By-Laws: Environmental Protection and Waterbody Setbacks

The City of Kingston currently has five main zoning by-laws plus four remnant, area-specific zoning by-laws covering various portions of the municipality that were prepared under a different jurisdictional context and policy framework than that which exists today. All of the in-force zoning by-laws pre-date the 1998 amalgamation of the City of Kingston. The following discussion documents the existing approaches to environmental protection and waterbody setbacks utilized by the patchwork of the existing five main zoning by-laws. The approaches are inconsistent between geographic areas within the municipality, and furthermore, are inconsistent within the individual zoning by-laws as the approaches have evolved over time. The different approaches implemented in different geographic areas of the municipality results in varying levels of environmental protection. For example, setbacks from the high water mark of a waterbody range from 0 metres to 15 metres in the five zoning by-laws, which are inadequate given the policies of our Official Plan and provincial direction. The new zoning by-law will implement a consistent

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approach to environmental protection, including waterbody setbacks, throughout the municipality, which will improve clarity for residents and assist in implementing our Official Plan.

Zoning By-Law Number 8499

Zoning By-Law Number 8499, originally passed in 1975, applies to the former City of Kingston, except for the downtown and harbour area. Waterbodies within this jurisdiction include portions of Lake Ontario, the Great Cataraqui River, Little Cataraqui Creek and associated tributaries. Part VI of Zoning By-Law Number 8499 contains regulations for Environmental Protection Area (EPA), Open Space (OS) and Park (P) Zones that are used to restrict or prohibit development. The EPA zone generally corresponds to Provincially Significant Wetlands and the former floodplain zone, however there are additional flood prone areas beyond the EPA zone boundary that are not recognized by the existing zoning by-law. The OS zones generally correspond to waterbodies. Zoning By-Law Number 8499 does not require a general waterbody setback. A limited number of site-specific zones have been created that require a minimum separation between development and a waterbody.

Zoning By-Law Number 96-259

Zoning By-Law Number 96-259, originally passed in 1996, applies to the downtown and harbour areas within the former City of Kingston and represents some of the earliest developed lands within the municipality. Waterbodies within this jurisdiction include portions of Lake Ontario and the Great Cataraqui River. Development is required to maintain a minimum 10 metre setback from the water within the Central Business System (C1), Harbour (HR) and Park (P) zones, which also requires the implementation of a 10 metre waterfront pathway within that setback. The waterbody setback within 96-259 serves to implement the waterfront trail policies of the Official Plan and promote public access to the shoreline. Zoning By-Law Number 96-259 does not have a zone for Environmental Protection Area.

Zoning By-Law Number 76-26

Zoning By-Law Number 76-26, originally passed in 1976, applies to former Kingston Township and includes various waterbodies, including: portion of Lake Ontario and associated bays, Little Cataraqui Creek, Collins Creek, Glenvale Creek, Odessa Lake, Loughborough Lake, Collins Lake, Colonel By Lake and various tributaries. The zoning by-law requires development to maintain a minimum 7.6 metre setback from the flood plain of a waterbody, where flood plain is generally defined as being the high water mark of the waterbody, with the exception of Lake Ontario where the flood plain is defined by a specific geodetic elevation. The focus of these regulations appear to be limiting development within areas of natural hazards, rather than offering protection for natural heritage features. Zoning By-Law Number 76-26 does include an EPA zone, which generally corresponds to larger waterbodies and PSWs.

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Zoning By-Law Number 32-74

Zoning By-Law Number 32-74, originally passed in 1974, applies to former Pittsburgh Township and includes various waterbodies, including: St. Lawrence River, Rideau Canal/Great Cataraqui River and associated lakes, Grass Creek, Moore Creek, Abbey Dawn Creek, Butternut Creek, Stephentown Creek, Hartnett Creek and several additional creeks and associated tributaries. The zoning by-law requires development to maintain a minimum 15 metre setback from the flood plain of a waterbody, where flood plain is defined as being the area below the highwater mark of a waterbody. Similar to former Kingston Township, the regulations of Zoning By-Law Number 32-74 appear to focus on limiting development within areas of natural hazards, rather than offering protection for natural heritage features. Waterbodies and wetlands are generally placed within an Open Space zone. There are limited examples of site-specific Environmental Protection Area (EPA) and Flood Plain (FP) zones, but these features are typically included within the OS zones.

Zoning By-Law Number 97-102

Zoning By-Law Number 97-102, originally passed in 1997, generally applies to the Cataraqui North Secondary Plan lands bounded by Sydenham Road, Princess Street, Centennial Drive and Cataraqui Woods Drive. The lands regulated by this by-law do not contain any waterbodies or wetlands and as such, the by-law does not include references to these natural heritage features. The by-law also does not include an EPA zone. The only reference to flooding occurs within an Open Space zone to require separation between a stormwater management facility and the floodplain of an adjacent watercourse located within lands regulated by Zoning By-Law Number 76-26.

New Zoning By-Law: First Draft

The first draft of the new zoning by-law sought to implement the natural heritage and environmental protection policies outlined in the Official Plan in three ways:

1. Create a Environmental Protection Area (EPA) zone that would prohibit all land uses except agricultural use, marina and marine facilities. Further, buildings and structures were also prohibited except with written approval from the Cataraqui Region Conservation Authority (CRCA). As a zoning by-law is required to implement an Official Plan, the boundary of the proposed EPA zone was based on the existing boundary of the EPA designation within the Official Plan. The composition of the EPA designation was described earlier in this report;
2. Prohibit development within 30 metres of the highwater mark of a waterbody, under Section 4.17, and 10 metres within the Central Downtown (CD) and Harbour (HB) zones; and
3. Prohibit development within Schedule A: Natural Heritage Overlay, under Section 5.1, unless the development was supported by an Environmental Impact Assessment. The areas subject to the overlay were lands:

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- a. Within 120 metres of provincially significant wetlands and significant coastal wetlands;
- b. Within 50 metres of locally significant wetlands and other coastal wetlands;
- c. Within 120 metres of fish habitat, including lands zoned EPA;
- 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;
and
- j. Within 120 metres of habitat of aquatic species at risk;

The effect of implementing the EPA zone based off the existing EPA designation within the OP means that built-up areas of the City within 30 metres of a wetland or watercourse would be placed within a zone that effectively prohibits development. This would result in there being no underlying permissions for those properties established through the zoning by-law and would render properties legal non-conforming and may make it difficult for owners to obtain mortgages or other financing on existing and developed properties. Further, it would require property owners to go through complex planning processes to amend the Official Plan and zoning by-law for even simple, straight-forward proposals, such as putting a small accessory structure in a rear yard. In many cases, the affected properties are located within previous plans of subdivisions where the planning processes would have reviewed and evaluated the potential impact of the development on the natural heritage feature.

Further, the proposed Natural Heritage Overlay would only permit development if an applicant fulfilled the condition of preparing an Environmental Impact Assessment. This approach is considered to be conditional zoning and is not currently permitted by the *Planning Act*. Accordingly, the second draft of the new zoning by-law will need to revise the approach to prohibiting development within or adjacent to natural heritage features, as directed by the Official Plan.

New Zoning By-Law: Public Consultation

The first draft of the new zoning by-law was released to the public for consultation in October 2016. Exhibit A provides a compilation of the comments received relating to the proposed EPA zone and a brief indication as to how the comment was considered in context of this discussion paper and the proposed second draft.

The majority of these comments can generally be summarized as raising concern with the proposed boundary of the EPA zone and the restrictions that would be applied to existing and developed properties, especially residential uses that were established through plans of subdivision. In certain portions of the municipality, the proposed EPA zone would transition existing dwellings from permitted land uses in a residential zone to prohibited land uses within the EPA zone. Exhibit E provides mapping to compare the existing zoning with the first draft

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zoning for portions of the municipality to demonstrate the number of legal non-conforming uses that would be created by the proposed EPA zone. In many of these cases, the portion of the EPA zone that generated concerns relates to the riparian corridor policies of the Official Plan, which seek to prohibit development within 30 metres of waterbodies, provincially significant wetlands or locally significant wetlands.

A concern was raised with applying the same waterbody setback for waterbodies of differing scales and types. For example, the same 30 metre setback would be applied to Lake Ontario and a small tributary. The comments received suggested that this was not appropriate as a large setback for a small waterbody would prohibit development in a site-specific case.

Implementation Issues and the Proposed Approach

The comments received through public consultation have precipitated a thorough review of the intent of the natural heritage feature policies in the Official Plan including environmental protection areas, the ribbon of life, riparian corridors and waterbody setbacks. The creation of a new city-wide zoning by-law is required to conform with the Official Plan and the provisions should clearly implement the intent of the natural heritage policies. The creation of the first draft, along with the feedback received in response to the first draft has identified that there are implementation issues with the existing Official Plan policies that need to be addressed in order to properly implement their intent in the second draft of the New ZBL. Five general themes have emerged through this thorough review as policy implementation issues to be addressed, including:

1. Composition of EPA Designation in the Official Plan;
2. Waterbody Definition in the New ZBL;
3. Waterbody Setback in the New ZBL;
4. Natural Heritage Overlay and Adjacent Lands in the New ZBL; and
5. Mapping Accuracy and Irregularities in the Official Plan.

The following is a discussion detailing the five general policy themes identified above and potential amendments to both the Official Plan and second draft of the New ZBL for public review and feedback. The discussion explores the various themes and, where appropriate, includes a review of how comparison municipalities address the issue within their planning frameworks. Exhibit B summarizes the policy framework used by the nine (9) comparison municipalities to regulate and protect environmental protection and waterbody setbacks within the scope of this discussion paper. The comparison municipalities were selected due to geographic proximity, similar development pressures and to offer a breadth of approaches.

1. Composition of EPA Designation in the Official Plan: Section 3.10.1 of the Official Plan confirms the EPA designation is composed of the following natural heritage features:
 - a) areas of natural and scientific interest (ANSIs);
 - b) fish habitat;
 - c) provincially significant wetlands, significant coastal wetlands and locally significant wetlands;

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- d) Snake and Salmon Islands within Lake Ontario;
- e) Rivers, streams and small inland lake systems; and
- f) Riparian corridors.

The EPA zone within the first draft of the new zoning by-law was based on the boundary of the above noted EPA designation of the Official Plan.

Staff reviewed the official plans of the comparison municipalities to determine how those municipalities considered and implemented natural heritage features and the policies of the PPS. It was found that municipalities take vastly different approaches to protecting natural heritage features within their official plans, ranging from designating each feature individually to grouping several features into one designation. As the purpose of this discussion paper is to review how the intent of the Official Plan policies will be best implemented through the second draft of the new zoning by-law, the scope of the review was narrowed to focus on waterbody setbacks and whether riparian corridors formed part of an Official Plan land use designation through mapping or were implemented with a text-based policy.

In many other municipalities, riparian corridors and waterbody setbacks are not commonly included within a mapped land use designation that is intended to prohibit development, but rather protection for these features is more commonly implemented through text-based policies relating to waterbody setbacks, protection of natural heritage features and improvement of surface water quality. Ultimately, this means that the features do not need to be shown on a map as a land use designation to receive protection from development. This approach allows for the creation of a zoning framework that establishes underlying land use permissions while ensuring text-based performance standards can be used to provide appropriate protection for these natural heritage features. This approach is similar to how zoning regulations may require development to satisfy minimum setbacks from property lines but do not map these setbacks.

The existing policies of the City of Kingston's Official Plan are relatively unique in that riparian corridors are protected by both a mapped EPA land use designation plus text-based policies under Section 3.9. This dual approach was carried forward into the first draft of the new zoning by-law. The strengths and weaknesses associated with the zone and text-based approaches are highlighted in the following table, however including both approaches represents duplication and can generate confusion as to the intent of each approach when the text and mapping are not in alignment.

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Table 1 - Approaches to Regulating Riparian Corridors and Setbacks from Waterbodies in the Zoning By-Law

Approach	Strength	Weakness
<p>Zone-Based Approach: Including riparian corridors within a specific zone to limit development</p>	<ul style="list-style-type: none"> • Zones shown on a map offer greater clarity • Fixed zone boundaries and permitted uses • Limited opportunities for development 	<ul style="list-style-type: none"> • Effectiveness directly related to accuracy of mapping • Amending inaccurate mapping creates delays and can be costly • Limited opportunities for minor variances and complicated zoning by-law amendment processes for context appropriate development
<p>Text-Based Approach: general regulation to prohibit development within a specified distance of a defined natural heritage feature</p>	<ul style="list-style-type: none"> • Applies to all defined waterbodies, regardless of whether they are mapped • Allows a degree of flexibility to regulate based on site-specific conditions • Opportunities for minor variances for context appropriate development 	<ul style="list-style-type: none"> • Less awareness if the waterbody is not mapped • Differences in interpretation on whether waterbody qualifies

It is important to note that Section 3.10.2.1 of the Official Plan eliminates the protections afforded by the EPA designation if the designation is based solely on a riparian corridor. In these cases, the lands would be permitted to develop in accordance with another land use designation applicable on the subject lands. The intent of this OP policy is to provide relief from the EPA restrictions for existing developed areas within or in proximity to the riparian corridor. This flexibility cannot be carried forward into the new zoning by-law as zone boundaries and the permitted uses within a zoning by-law cannot be amended without a *Planning Act* approval. This would effectively force property owners to obtain minor variances or zoning by-law amendments to permit development that was contemplated by the Official Plan.

It is recommended that riparian corridors be removed from the EPA designation and Natural Heritage ‘A’ Features of the Official Plan and instead be identified as Natural Heritage ‘B’ Features. Riparian corridors would still be afforded protection by the ‘Ribbon of Life’ policies under Section 3.9 and the policies for Natural Heritage ‘B’ Features under Section 6.1. This amendment would enable the new zoning by-law to regulate riparian corridors through the text-

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based 30 metre waterbody setback and avoid the issues associated with an expanded EPA zone. This approach is generally consistent with the approach taken by the comparison municipalities.

Table 1 - Existing and Proposed Natural Features within Official Plan

Natural Heritage ‘A’ Feature	Natural Heritage ‘B’ Feature
<ul style="list-style-type: none"> • Areas of natural and scientific interest (ANSIs); • Fish habitat; • Provincially significant wetlands, significant coastal wetlands and locally significant wetlands; • Snake and Salmon Islands, located in Lake Ontario, as shown in Schedule 3-A; • Rivers, streams and small inland lake systems; and • Riparian corridors. 	<ul style="list-style-type: none"> • Significant woodlands; • Significant valleylands; • Significant wildlife habitat; • Unevaluated wetlands and coastal wetlands; • Linkages and corridors; and • Riparian corridors.

2. Waterbody Definition in New ZBL: The first draft of the new zoning by-law defines a ‘waterbody’ as “any bay, lake, watercourse, canal, or drainage or irrigation channel’. The Official Plan uses the term ‘River, Stream and Small Inland Lake Systems’ and defines these features as “all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.”

The zoning by-laws of comparison municipalities were reviewed for definitions related to ‘waterbody’ and ‘watercourse’, which are included within Exhibit B. The following observations are made:

- The City of Brockville did not define either of these terms. This is not a recommended approach as the definition is essential to determining the applicability of a regulation;
- Drainage or irrigation channels were specifically excluded from the definitions in Township of South Frontenac, Town of Gananoque and Township of Leeds and Thousand Islands;
- Wetlands were included in the definitions by the Loyalist Township, Township of South Frontenac and Town of Greater Napanee;
- Township of South Frontenac, Township of Leeds and Thousand Islands, Town of Gananoque, Town of Greater Napanee, and City of Ottawa all include a reference to ‘natural’ within the applicable definitions;

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- Loyalist Township, Township of South Frontenac, Township of Leeds and Thousand Islands, Town of Greater Napanee included municipal drains under the *Drainage Act* within the definitions.

The comparison review confirms there is variation in the features that municipalities include within their definition of a waterbody, which directly affects the situations in which the development setback is applied. The breadth of definitions suggest that municipalities are attempting to tailor a definition to ensure relevant features are protected, while not unnecessarily prohibiting development in proximity to a feature that may have less ecological or hydrological significance. Regardless of the breadth of definitions, it is suspected that if there were debate over whether a feature were regulated as a waterbody, most municipalities would conduct a site visit and consult with the local conservation authority to assist in making a determination.

It is recommended that the following definition be included within the second draft of the new zoning by-law, which includes wetlands and excludes minor constructed drainage features associated with residential lots:

“Waterbody means a lake, canal, pond, wetland, river, watercourse, or municipal drain as defined by the *Drainage Act*, but does not include an artificially constructed swale or ditch intended for intermittent and minor surface drainage of residential lots.”

3. Waterbody Setback in the New ZBL: Section 4.17 of the first draft of the new zoning by-law requires all buildings and structures to maintain a minimum setback of 30 metres from the high water mark of a waterbody, except for mitigation of natural hazards and marine-type uses. This distance is consistent to implement the ‘Ribbon of Life’ policies outlined in Section 3.9 of the Official Plan. The first draft of the new zoning by-law also includes a 10 metre waterbody setback downtown within the Central Downtown (CD) and Harbour (HB) zones, which aligns with the provisions of the existing zoning by-law and is intended to implement the waterfront pathway within a highly urbanized area of the City.

As shown in Exhibit B, the comparison practices vary as they relate to waterbody setbacks, however the most common approach is to require a 30 metre setback from the high water mark of a waterbody. The City of Peterborough does not establish a minimum waterbody setback for development within their zoning by-law because the waterbodies are subject to flooding hazards and the municipality defers to the natural hazard regulations implemented by the local conservation authority. The City of Brockville currently requires a 6 metre waterbody setback within their zoning by-law, which recognizes the existing parcel fabric and historic development patterns within the urbanized municipality; it is important to acknowledge that where development approvals are required, the Official Plan requires the waterbody setback to be increased to the greatest extent possible. The Town of Gananoque requires a 30 metre waterbody setback, but reduces the setback down to 15 metres where the shoreline has been hardened with a break wall. The City of Ottawa requires a 30 metre waterbody setback or 15 metres from top of bank, whichever is greater, unless an alternative setback had been

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established through a plan of subdivision or site plan control application. The majority of the remaining comparison municipalities required a 30 metre waterbody setback.

It is further noted that a limited number of comparison municipalities permit reduced waterbody setbacks for residential accessory structures, such as storage sheds and stairs for properties that have topographic constraints. The Town of Gananoque permits the following within the waterbody setback: boathouses and docks up to 8 metres in length; stairs and landings up to 2.5 metres in width; and a storage shed less than 10 square metres in area. Similarly, the Township of South Frontenac permits an accessory structure of up to 2.57 square metres at a reduced waterbody setback of 8 metres.

The Ministry of Natural Resources and Forestry prepared the [Natural Heritage Reference Manual](#) to assist municipalities with the implementation of natural heritage policies outlined within the Provincial Policy Statement. Section 11.4.1 establishes the minimum depth of natural vegetated cover adjacent to fish habitat to generally be 30 metres but notes setbacks may be increased or reduced depending on a variety of factors.

Environment Canada published a similar resource titled "[How Much Habitat Is Enough?](#)" to provide guidance related to natural systems and biodiversity. Section 2.2.1 of this document recommends a minimum 30 metre wide natural vegetated riparian area on both sides of a waterbody to provide and protect aquatic habitat and water quality. It is noted that critical habitat for a variety of species ranges beyond 30 metres, but that 30 metres provides a balance between habitat protection and water quality improvements through moderation of temperature, filtration of sediments and nutrients, provision of food inputs and contribution to physical habitat.

The comparison review suggests that the 30 metre waterbody setback currently proposed within the new zoning by-law is consistent with surrounding municipalities and provincial and federal best practices. It is therefore recommended that the 30 metre waterbody setback be carried forward into the second draft of the new zoning by-law. It is acknowledged that this general waterbody setback will render a significant number of properties legal non-conforming with respect to this requirement, however new development may still be permitted provided the exemptions outlined in Section 3.9.5 and 3.9.6 of the Official Plan can be satisfied.

It is also recommended that the reduced waterbody setback of 10 metres for the Central Downtown (CD) and Harbour (HB) zones be carried forward into the second draft of the new zoning by-law, which is consistent with how other municipalities apply waterbody setbacks to highly urbanized areas. It is noted that the 10-metre waterbody setback would maintain the existing setback required by Zoning By-Law Number 96-259 and would be sufficient to implement the waterfront pathway OP policies.

It is further recommended that the second draft of the zoning by-law include reduced waterbody setbacks for residential accessory structures, such as a single storage shed less than 10 square metres.

4. Natural Heritage Overlay and Adjacent Lands in the New ZBL: the first draft of the new zoning by-law proposed to establish a natural heritage overlay to prohibit any development within or

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adjacent to the following natural heritage features, unless the proposed development was supported by an Environmental Impact Assessment:

- a. Within 120 metres of provincially significant wetlands and significant coastal wetlands;
- b. Within 50 metres of locally significant wetlands and other coastal wetlands;
- c. Within 120 metres of fish habitat, including lands zoned EPA;
- 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;
and
- j. Within 120 metres of habitat of aquatic species at risk

The intent of this approach was to implement Section 6.1 of the Official Plan which seeks to prohibit development within Natural Heritage 'A' features and conditionally prohibit development within Natural Heritage 'B' features and adjacent lands to 'A' and 'B' features, unless it has been demonstrated that there would be no adverse impacts to the feature or ecological function. Unfortunately, this approach is conditional zoning and is not currently permitted by the *Planning Act*.

The PPS provides the direction to approval authorities to protect the above noted natural heritage features from the effects of development. As such, the official plans from the comparison municipalities contain policies to direct development away from these areas, unless appropriate studies had been completed to demonstrate no adverse impacts. The zoning by-laws of the comparison municipalities do not regulate many of these natural heritage features or the adjacent lands. However, it was determined that a number of the comparison municipalities use their site plan control by-laws to help protect these features. Regulating development through site plan control allows a municipality to request studies to demonstrate the appropriateness of a development proposal and allows the municipality to enter into agreements with a proponent to implement the findings of those studies and to ensure the functional layout of a site.

The extent to which Site Plan Control is used to protect natural heritage features varied significantly between the municipalities. The Township of South Frontenac appears to use site plan control to regulate the greatest breadth of natural heritage features, which include: all lands within 90 metres of a waterbody; 300 metres of a sensitive lake trout lake; within or adjacent to environmentally sensitive areas, which include natural heritage 'B' features; within or adjacent to environmental protection designation; or lands subject to a natural hazard.

It was more common for the comparison municipalities to regulate a narrower range of environmentally protected lands within their Site Plan Control by-laws. For example, the City of Ottawa, City of Barrie and Township of Leeds and Thousand Islands require site plan control for development of lands within their Environmental Protection designation and Township of Leeds

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and Thousand Islands and Town of Gananoque both require Site Plan Control for development within proximity to waterbodies.

It is noted that other comparison municipalities, such as the City of Brockville and Town of Greater Napanee, take a different approach with their site plan control by-law and regulate all lands, while exempting specific uses. In these cases, the natural heritage feature is not specifically being protected, but may benefit from protection depending on the land use being proposed.

While it is beneficial for the second draft of the new zoning by-law to include an overlay map to visually represent the location of natural heritage 'A' and 'B' features and their associated adjacent lands, it is recommended that this overlay be transitioned to an 'advisory' overlay rather than a regulation. This approach would raise awareness for the features and advise the property owner that the lands may be subject to additional regulation beyond the zoning by-law.

It is further recommended that the existing Site Plan Control By-Law be amended to capture development within natural heritage 'A' and 'B' features and their associated adjacent lands if the proposed development has the potential to adversely impact the feature.

5. Mapping Accuracy and Irregularities in the Official Plan: As previously discussed, the boundary of the EPA designation is composed of the features identified in Section 3.10.1 of the OP and are shown on Schedule 3 of the OP. This approach provides a visual representation of the protected features, but effective implementation requires accurate mapping data. Section 3.10.4 of the OP acknowledges that the boundaries of certain EPA features are approximate and require more detailed delineation with CRCA or MNRF; the boundaries of PSWs and ANSIs are established and maintained by MNRF. While Section 3.10.5 allows for minor boundary modifications to existing protected features without modification to the plan, Section 3.10.6 requires the plan to be amended to establish any new EPA areas. This policy framework is appropriate for larger, well documented features but can be problematic for riparian corridors applied to smaller waterbodies as these features may not have been incorporated into the initial round of mapping due to seasonal fluctuation or quality of aerial imagery.

It is recommended to remove riparian corridors from the EPA designation and list of Natural Heritage 'A' features and instead include as a Natural Heritage 'B' feature. It is further recommended that clarification be included within Section 3.9 that riparian corridors and the 'Ribbon of Life' protections are a text-based regulation and do not require the waterbodies or riparian corridors to be mapped to receive protection. This modification would offer greater protection for these features as an OPA would not be required to protect any previously unmapped features. Similarly, it would not unnecessarily prohibit development if the EPA boundary was based on inaccurate mapping. This would enable the second draft of the new zoning by-law to also exclude riparian corridors from the EPA zone and instead offer protection through the text-based waterbody setback.

Staff have identified site-specific areas within the municipality that appear to have been included within the EPA designation due to inaccurate PSW mapping; examples of these site-specific

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areas are included within Exhibit F. Staff have engaged with MNRF to discuss site-specific PSW boundary adjustments which will help ensure the future EPA designation, and subsequently the EPA zone in the new zoning by-law, accurately protects the natural heritage feature and does not unnecessarily prohibit development. Similar reviews will be undertaken for ANSI boundaries which are also established and maintained by MNRF.

Proposed Approach For Discussion

As a result of public consultation and additional staff review, it has been determined that to best implement environmental protection and waterbody setbacks within the new zoning by-law, amendments will be required to the Official Plan. These modifications are required to address concerns raised through public consultation and to improve implementation of the new zoning by-law. The approach outlined below provides recommendations for the official plan, new zoning by-law, and site plan control by-law and are based on the preceding discussion. These recommendations have been developed to a conceptual stage to facilitate discussion and public consultation and will be further refined by comments received through this discussion paper and subsequent public consultation.

Official Plan: It has been determined that a text-based regulation of riparian corridors would be more effective as the features would not need to be included in the EPA designation or shown on a land use map within the EPA designation to receive protection. Riparian corridors would be shown on Schedule 8, with the text of the OP acknowledging that the mapped features represent best available mapping but that new features are not required to be shown on Schedule 8 to receive protection. To achieve this, riparian corridors need to be excluded from the EPA designation of the Official Plan. The conceptual framework of the amendment is outlined below, with a more detailed description of the policy changes provided in Exhibit C.

- a) Remove 'riparian corridors' from the list of Natural Heritage 'A' features within Section 6.1 and update Schedule 7 accordingly;
- b) Remove 'riparian corridors' from the list of features that compose the Environmental Protection Area designation within Section 3.10 and update Schedule 3 accordingly. Exhibit D highlights the riparian corridors that would be removed from the EPA designation;
- c) Update policies within Section 3.10 that provide reference to riparian corridors, as these features would no longer form part of the EPA designation;
- d) Include 'riparian corridors' on the list of Natural Heritage 'B' features within Section 6.1 and update Schedule 8 accordingly;
- e) Various updates to Section 3.9 to better connect the concepts of 'ribbon of life' and 'riparian corridor', clarify these features do not need to be mapped, and to improve implementation;
- f) Update secondary plan Schedules RC-1, CN-1, CW-1 and KPC-1, as required.

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Zoning By-Law: To address comments related to environmental protection and waterbody setbacks received through public consultation on the first draft and to facilitate more efficient implementation of the new zoning by-law, it is recommended that the second draft include the following:

- g) Replace the definition of 'waterbody' with the following definition, which includes wetlands and excludes minor constructed drainage features associated with residential lots:
"Waterbody means a lake, canal, pond, wetland, river, watercourse, or municipal drain as defined by the *Drainage Act*, but does not include an artificially constructed swale or ditch intended for intermittent and minor surface drainage of residential lots."
- h) Maintain the general development setback of 30 metres from the high water mark of a waterbody;
- i) Maintain a reduced development setback of 10 metres through the downtown core to implement the waterfront pathway but recognize existing development constraints due to parcel size and historical development patterns. The reduced setback would be applied to the Central Downtown (CD) and Harbour (HB) zones, similar to the existing setback required in Zoning By-Law Number 96-259;
- j) Permit one (1) residential accessory structure less than 10 square metres within the required 30 metre setback;
- k) Revise the EPA zone boundary to reflect the revised EPA designation boundary, which excludes riparian corridors around waterbodies and wetlands. These lands would receive the same level of protection through the general 30 metre waterbody setback. The revised EPA zone would therefore be composed of:
 - o areas of natural and scientific interest (ANSIs)
 - o fish habitat;
 - o provincially significant wetlands, significant coastal wetlands and locally significant wetlands;
 - o Snake and Salmon Islands within Lake Ontario; and
 - o Rivers, streams and small inland lake systems;
- l) Modify the 'Natural Heritage Overlay' to function as an 'advisory' overlay rather than to prohibit development. The modified overlay would raise awareness to the potential for additional regulation through the site plan control by-law or potentially by CRCA.

Site Plan Control By-Law: The first draft of the zoning by-law proposed to prohibit development within a 'Natural Heritage Overlay', unless the development was supported by an Environmental Impact Assessment that demonstrated the feature would not be adversely affected. The current regulations within the *Planning Act* do not allow for this form of conditional zoning and as such, this approach is not feasible. However, the *Planning Act* allows municipal Site Plan Control by-laws to contain greater flexibility to condition which forms of development will be subject to regulation. Site Plan Control By-Law Number 2010-217 already includes development within the EPA designation and it is recommended that consideration be given to expanding the scope of

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the by-law to include Natural Heritage 'A' and 'B' features and their adjacent lands. As noted in [Report Number 21-076](#), Planning Services has already committed to updating the Site Plan Control By-Law in the third quarter of 2021. The following recommendations have been developed to a conceptual level and it is recommended that further implementation details be developed as part of the general update:

- m) Amend existing Section 3(10) to clarify that 'environmental areas' refers to Natural Heritage 'A' and 'B' features and the associated adjacent lands, as outlined in Section 6.1 of the Official Plan;
- n) Replace the existing exemptions for Section 3(10) to allow the Director to exercise discretion, in consultation with CRCA, to exempt development that would not adversely affect the natural heritage feature. An environmental impact assessment may be required as part of the determination;
- o) Establish a new category of Site Plan Control application within the list of Planning Application Fees to reflect the reduced circulation and technical review that would be required, where the requirement for site plan control is related solely to natural heritage features;

Cataraqi Conservation

Staff have engaged with the local conservation authority to ensure that the proposed modifications will effectively implement the natural heritage and environmental protection area policies of the Official Plan and to ensure that the new zoning by-law will appropriately consider natural hazards. Initial conversations have been supportive and staff will continue to collaborate with CRCA to further develop the policy framework.

Conclusion / Next Steps

Staff will continue to review the proposed modifications with internal departments and other stakeholders. Future proposed amendments may be amended to reflect feedback received from those department. The discussion generated from this report will provide direction to staff on how the second draft of the new zoning by-law will regulate environmental protection and waterbody setbacks.

Existing Policy/By-Law:

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

Provincial

Planning Act

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Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Notice Provisions:

Notice was provided to all required agencies, all persons who have requested notice of the New ZBL project and all individuals who have joined the project email list. A notice was placed in The Kingston Whig-Standard on April 6, 2021.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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Other City of Kingston Staff Consulted:

Sukriti Agarwal, Acting Manager, Policy Planning, Planning Services

Exhibits Attached:

- | | |
|-----------|----------------------------------------------------------------------------|
| Exhibit A | Summary of Public Comments |
| Exhibit B | Municipal Comparison Review |
| Exhibit C | Official Plan Policies |
| Exhibit D | Official Plan – Riparian Corridors |
| Exhibit E | Zoning – Existing, First Draft New Zoning By-Law and Proposed Second Draft |
| Exhibit F | Provincially Significant Wetland – Boundary Corrections |

Number	By-law Section	By-law Category	Comment	Influence on Proposed Approach to Second Draft
1	2.5.5.	Zoning of Water	The water should all be zoned EPA rather than various designations, including OS2.	It is the intention to place all waterbodies within the EPA zone.
2	4.17.	Setbacks from Waterbodies	With regard to 4.17 Setbacks from Waterbodies, it would seem that 30 m is excessive with regard to minor watercourses or drainage channels. With regard to a project to which I am an interested party there is a drainage ditch to one side of the 30m wide property. The Cataraqui Conservation Authority's submission to the City with regard to this development has described this ditch as a watercourse. This clause would then make it impossible to building any structure on the property! I think that is excessive. Maybe some exclusions should be made in the definition of Waterbody differentiating in some manor between large waterbodies like Lake Ontario and small watercourse like ditches.	<p>The proposed approach to the second draft of the new zoning by-law will reconsider the definition of 'waterbody' and focus on natural features, while excluding minor drainage features such as ditches.</p> <p>It is important to note that CRCA is bound to a different definition of watercourse under the <i>Conservation Authorities Act</i>, which cannot be altered by the new zoning by-law.</p>
3	18.1.	EPA Zone - Boundary Expansion	I live at 883 Safari Dr. and have become aware that there is a rezoning proposal to change the EPA on the east side of Collins Creek to include residences, mine included, City streets, and underground and above ground utilities currently not in an EPA. I would appreciate being informed as to the rationale for expanding the EPA in this area. The benefit and criteria for proposed rezoning are not obvious to me. I would also like to know the restrictions this zoning imposes on home owners, the City, and the utilities. Is there a	<p>The EPA zone in the area of Safari Drive was based on the EPA designation within the Official Plan, which included riparian corridors and Provincially Significant Wetlands (PSW).</p> <p>The proposed approach for the second draft of the new zoning by-law seeks to remove</p>

Number	By-law Section	By-law Category	Comment	Influence on Proposed Approach to Second Draft
			<p>bylaw revision drafted to accompany the rezoning which spells out land use restrictions and activities within the proposed EPA zone?</p> <p>Another proposed zoning change which doesn't make sense is the reduction of the EPA on the west side of Collins Creek opposite my property. The proposed EPA reduction would result in the exclusion of the area where the creek floods and flows in the spring as well as a small bit of the creek itself. Expanding the EPA on the east side to include residences and streets while reducing the EPA on the west side to exclude where the creek currently flows and floods makes no sense.</p>	<p>riparian corridors from the EPA designation within the Official Plan, which would reduce the extent of the EPA zone. Future development would still be required to maintain a 30 metre setback from waterbodies.</p> <p>The municipality is working with the Ministry of Natural Resources and Forestry to adjust boundaries of Provincially Significant Wetlands, where the boundaries do not appear to align with aerial imagery, such as along Safari Drive.</p>
4	18.1.	EPA Zone - Boundary Expansion	<p>Several neighbors and myself have just recently be made aware of a proposed zoning by law change to certain properties in Ridgewood from R1 to EPA. In addition there seems to be a change on the other side of Collins Creek to go from EPA to Rural of some kind. These proposed changes are very puzzling on a couple of accounts.</p> <p>1)This takes entire properties on the Safari side of Collins Creek and makes them have EPA designation. (note these properties are very high and not in the flood</p>	<p>Please see response to comment #3.</p>

Number	By-law Section	By-law Category	Comment	Influence on Proposed Approach to Second Draft
			plain. 2) the property on the other side of the creek which floods every year have somehow been proposed to change to rural from EPA.	
5	18.1.	EPA Zone - Boundary Expansion	The draft zoning by-law map places the northwest corner of our property (3614 Accommodation Road) in the Environmental Protection Area zone. The EPA zone is supposed to reflect waterbodies and wetlands, however, the EPA zone in this location is offset from a woodland layer (where there is actually no woodland). The nearest waterbody is a dug pond approximately 70 metres to the northwest. We respectfully request that the EPA zone be properly applied to this area, and removed from our property.	<p>The EPA zone in the northwest corner of this property reflects a riparian corridor applied to a feature identified as a waterbody.</p> <p>The proposed approach to the second draft of the new zoning by-law would reduce the boundary of the EPA zone by eliminating the riparian corridor from the EPA zone, but would still regulate a 30 metre development setback from this waterbody.</p>
6	18.1.	EPA Zone - Mapping	In looking at the EPA maps, it appears that some buildings have been built in EPA areas. Perhaps the EPA mapping is wrong. Perhaps the buildings received permission to be built there. If, on the other hand, a building was placed in an EPA area without permission then there needs to be some follow up with the builder and the owner. The city needs to act to protect the community interest in preserving EPA areas.	The proposed approach for the second draft of the new zoning by-law will reduce the boundary of the EPA zone to remove riparian corridors from the zone, which will help reduce confusion in areas of existing development. We are also working with the Ministry of Natural Resources

Number	By-law Section	By-law Category	Comment	Influence on Proposed Approach to Second Draft
				and Forestry to correct site-specific areas of PSW mapping.
7	18.1.1.	EPA Zone - Permitted Uses	Add to the definition of EPA another permitted use covering "conservation use" defining conservation use something like this: "Conservation Use means the protection of land and water for the purpose of preserving the natural heritage resource over the long term"	The scope of the discussion paper did not include consideration of various permitted uses, but this will be considered as part of the second draft of the new zoning by-law.
8	18.1.4.	Environmental Protection Zone - Provisions	Note 2, section 18.1.4 says "No building or structure shall be developed within any EPA zone except with the written approval of the Cataraqui Region Conservation Authority." I read this section to mean that if the CRCA has no problem with a building in the EPA zone then it can go ahead. The CRCA is assessing the building from a water resource point of view. I submit that there are times when the city has different interests that must also be taken in to account. For example, the city's tourism industry benefits from the UNESCO world heritage designation of the Rideau Canal system. Although a building in the EPA zone might not contravene a water management regulation, it might be problematic for its impact and precedence on the cultural resource. I believe city council needs to approve buildings in the EPA zone as well.	The scope of the discussion paper did not include this level of detail, however this will be considered as part of the second draft of the new zoning by-law.
9	N/A	Site Specific - Island,	Change Salmon Island zoning to EPA across the entire island.	Salmon and Snake Islands are identified

Number	By-law Section	By-law Category	Comment	Influence on Proposed Approach to Second Draft
		Salmon and Snake	Ensure mapping for Snake Island accurately reflects that Snake is designated EPA.	within the Official Plan as being EPA and will be included within the EPA zone. We will correct the mapping for Snake Island.
10	N/A	Site Specific - No Civic Address - PIN 36083-0132, being Part Lot 16, Concession 2, Part 1, 13R-2700 save and except Part 1 FR663068 and Part 4, 13R-19580	Request that the lands owned by Juniper Lane Development Corporation, 681102 Ontario Limited and 1686713 Ontario Limited, being described as PIN 36083-0132, being Part Lot 16, Concession 2, Part 1, 13R-2700 save and except Part 1 FR663068 and Part 4, 13R-19580, remain unchanged in zoning (i.e., C2-36-H and I) and designation (i.e., Arterial Commercial & Environmental Protection Area).	The zoning by-law must conform with the policies of the Official Plan, as such, the draft of the by-law has zoned the subject lands CG[610]-H in the area that aligns with the Arterial Commercial designation of the Official Plan and EPA in the area that aligns with the EPA designation of the Official Plan. The proposed approach for the second draft of the new zoning by-law would remove riparian corridors from the EPA designation, which in turn would reduce the amount of EPA zone on the subject lands.
11	N/A	Site Specific - Sydenham Road (2370)	Existing zoning by-law (76-26) illustrates a much larger portion of the property as EPA than the Official Plan identifies within the EPA designation. Would like the new zoning by-law to have	The EPA zone boundary in the draft by-law has been prepared to align with the EPA designation in the Official Plan. The

Number	By-law Section	By-law Category	Comment	Influence on Proposed Approach to Second Draft
			mapping that aligns with the Official Plan EPA designation.	area zoned EPA in 76-26 is proposed to be zoned RU in the draft by-law.
12	N/A		<ul style="list-style-type: none"> • EPA lands shown on our properties are NOT Natural Heritage Area's 	No address provided, however the proposed approach for the second draft of the new zoning by-law is to align the EPA zone with a modified Official Plan EPA designation.
13	N/A	EPA Zone	Trying to compare the restrictions on development in or near EPAs under the draft new zoning bylaw, with the protection provided to EPAs under the assorted old zoning bylaws. Has the City produced an analysis?	This discussion paper provides an overview of the various approaches to EPA and waterbody setbacks used by the existing zoning by-laws compared to the new zoning by-law.
14	Schedules	EPA and R1	EPA and R1 zoning in Ridgewood/ Safari Drive area - the official plan did not properly take into account the existing approved zoning from way back	Please see response to comment #3.
15	18	EPA,	-EPA should not be tied exclusively to the ribbon of life.	The proposed approach for the second draft of the new zoning by-law would remove riparian corridors / ribbon of life from the EPA zone. A waterbody setback of 30 metres would be applied in more areas of the municipality.

Municipality	Official Plan	Zoning By-Law	Site Plan Control By-law
	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
<p>City of Kingston</p>	<p>Riparian Corridors are included as a protected feature within the Environmental Protection Area designation (Section 3.10).</p> <p>'Ribbon of Life' 30 metre development setback is required (Section 3.9).</p>	<p>Waterbody setbacks vary between the different zoning by-laws and are generally tied to flood plains, rather than waterbody setbacks. Range from 0 metres (ZBL 8499) to 15 metres (ZBL 32-74), with limited site-specific exemptions to require greater setbacks.</p> <p>Waterbody: means any bay, lake, natural watercourse or canal, but excluding a drainage or irrigation channel (Zoning Bylaw 76-26; Zoning By-law 32-74; Zoning By-law 96-259)</p> <p>Watercourse: not defined.</p>	<p>Existing by-law does include EPA designated lands (Section 3(10)) and adjacent areas, but exempts residential development (up to 3 units) and agricultural activities from this requirement (Section 4(2)).</p>
<p>Loyalist Township</p>	<p>Riparian corridors do not form part of a land use designation.</p> <p>The Environmental Protection Area designation applies to lands within 30 metres of the high water mark of a waterbody for which there is no floodplain mapping or fill line mapping (Section 4.2.2)</p>	<p>General Provisions: Floodplains, Watercourses/Waterbodies and Environmental Protection Zones</p> <p>Where a floodplain has not been defined, no building or structure shall be erected or altered within 30 metres of the</p>	<p>Site plan control areas are defined by zone and use (Section 7).</p> <p>Environmental Protection Zone and/or natural heritage features are not considered.</p>

	Official Plan	Zoning By-Law	Site Plan Control By-law
Municipality	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
		<p>high water mark (Section 4.11.c)).</p> <p>Waterbody: means any bay, lake, wetland, surface stream, or river where there is an identifiable depression in the ground in which a flow or ponding of water is regular or continuous and includes a channel for an intermittent stream and a municipal drain as defined by The Drainage Act, as amended (Section 3).</p> <p>Watercourse: not defined.</p>	
<p>Township of South Frontenac</p>	<p>Riparian corridors do not form part of a land use designation.</p> <p>The Environmentally Sensitive Areas designation applies to lands within 90 metres of the highwater mark and the adjacent land widths (Section 5.2.7).</p> <p>On lots created subsequent to the approval of this Plan and having steep slopes, minimal woody</p>	<p>General Provisions: Flooding and Shoreline Erosion Hazards</p> <p>Notwithstanding anything in this By-law, no building or structure (other than a marine facility as defined in this by-law), or septic tank installation including the weeping tile field shall be located:</p> <p>1. within 30 metres horizontal of the highwater mark of a</p>	<p>The following land uses, designations, and areas are subject to site plan control:</p> <ul style="list-style-type: none"> • lands within or adjacent to the Environmental Protection designation; • lands within 90 metres of a waterbody (primarily water front lots), including land used for residential purposes;

Municipality	Official Plan	Zoning By-Law	Site Plan Control By-law
	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p> <p>vegetation cover, thin soils and/or soils with poor phosphorus retention capability, setbacks of 90 metres may be required.</p> <p>On vacant lots existing on the day of adoption of this Plan, a minimum 30 metre setback from the high watermark for all proposed structures shall be required. Consideration may be given to very slight reductions to the minimum 30 metres setback requirement but only if its not physically possible to meet the setback anywhere on the parcel. Where it is not physically possible to meet the setback, then the structure shall be constructed as far back as possible from the highwater mark.</p> <p>Proposals to construct additions to existing dwellings that are already within the 30 metre setback may be permitted but will be evaluated on the merits of the proposed and specified criteria (Section 5.2.7.c)(ii)).</p>	<p>Waterbody setback requirements and definitions</p> <p>waterbody or permanent watercourse, notwithstanding that such body of water or watercourse is not shown on any schedule forming part of this By-law. Additional setbacks of up to a maximum of 90 metres (295.3 ft.) horizontal may be required and will be determined through the rezoning and/or building permit approval process in accordance with the guidelines contained in Appendix 3 'Shoreline Setbacks'. Notwithstanding the above, one accessory building or structure not exceeding 2.97 sq. metres (32 sq. ft.) may be permitted no closer than 8 metres (26.2 ft.) from any waterbody in the Township; or</p> <p>2. within 15 metres horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal; or</p> <p>3. within 30 metres horizontal of</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p> <ul style="list-style-type: none"> • lands within or adjacent to an Environmentally Sensitive Area; • lands within 300 metres of a Sensitive Lake Trout Lake; • lands which are subject to a natural hazard (Section 1.2)

Municipality	Official Plan	Zoning By-Law	Site Plan Control By-law
	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
		<p>an Environmental Protection zone (Section 5.8.2).</p> <p>Environmental Protection Zone Regulations:</p> <p>The appropriate setbacks from the high water mark of any lake, river, creek, stream or wetland shall be established by Council at the time of application, in consultation with the Conservation Authority, the Ministry of Natural Resources, and/or the Canadian Parks Service (Section 32.3)</p> <p>Waterbody: shall mean any bay, lake, wetland or canal but excludes a drainage or irrigation Channel (Section 3).</p> <p>Watercourse: shall mean any surface stream or river and includes a natural channel for an intermittent stream and a municipal drain as defined by</p>	

	Official Plan	Zoning By-Law	Site Plan Control By-law
Municipality	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
		<p>"The Drainage Act", as amended (Section 3).</p>	
<p>Township of Leeds and Thousand Islands</p>	<p>Riparian corridors do not form part of a land use designation.</p> <p>For newly created lots, all new development and areas of sewage system discharge shall be set back at least 30 m from the ordinary high water mark of all waterbodies with minimal disturbance of the native soils and very limited removal of shoreline vegetation.</p> <p>For existing lots of record, new development should generally be setback 30 metres if possible/feasible, otherwise as far back as the lot permits, with minimum disturbance of the native soils and very limited removal of the shoreline vegetation beyond that required for development. Any proposed reduction to the 30 m minimum setback shall meet specified criteria (Section 6.1.4.2)</p>	<p>General Provisions: Setbacks – From Water</p> <p>Where any lot is adjacent to a waterbody or watercourse, any building, structure, campsite and septic disposal system shall be set back a minimum of 30.0 metres from the high water mark.</p> <p>This provision shall not apply to marinas and marine facilities, stairs, floating dwellings, transmission facilities for gas, telephone, cable or electrical power, or to flood control and erosion control structures. (Section 3.31(b)).</p> <p>Waterbody: shall mean any bay, lake, natural watercourse, canal, municipal or other drain but does not include an irrigation channel (Section 2.193).</p>	<p>Environmental Protection Areas and all lots which abut waterbodies and/or watercourses are designated as site plan control areas (Section 3).</p>

	Official Plan	Zoning By-Law	Site Plan Control By-law
Municipality	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
		<p>Watercourse: shall mean a natural drainage channel that contains water either permanently or intermittently, including creeks and streams (Section 2.194).</p>	
<p>Town of Gananoque</p>	<p>Riparian corridors do not form part of a land use designation.</p> <p>Where new development lots are created, dwellings and sewage disposal systems shall be set back a minimum of 30 metres from the high water mark or 15 metres from the floodplain in accordance with CRCA requirements, whichever is greater (Section 3.6.2).</p>	<p>General Provisions: Setbacks from a Watercourse</p> <p>A setback of 30 metres is required from a watercourse for all development except as follows:</p> <ul style="list-style-type: none"> • Where the shoreline has been hardened by means of a break wall the setback may be varied to 15 metres • Where it can be demonstrated through an Environmental Impact Study (EIS) prepared by a qualified professional that there will be no adverse impacts to the watercourse, the 30 metre setback may be reduced in accordance with the recommendations of the 	<p>All development located within 100 metres of the high water mark of the St Lawrence or Gananoque Rivers (Section 5.4.3.3).</p>

Municipality	Official Plan	Zoning By-Law	Site Plan Control By-law
	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p> <p>EIS.</p> <ul style="list-style-type: none"> The following shoreline accessory structures are permitted within the 30 metre setback: Boathouse to a maximum length of 8 metres and; Boatport to a maximum length of 8 metres and; Dock to a maximum length of 8 metres and; Stairs and landings, provided that the landings do not exceed the width of the stairs they serve and are not greater in width than 2.5 metres and; Shed not exceeding 10 square metres (Section 3.41). <p>A waterfront setback of 30 metres is also specified in the Environmental Constraints designation and Waterfront Overlay area (Sections 12.2 and 13.2).</p> <p>Waterbody: means any bay, lake, river, natural watercourse</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>

Municipality	Official Plan	Zoning By-Law	Site Plan Control By-law
	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
		<p>or canal but excluding a drainage or irrigation channel (Section 15).</p> <p>Watercourse: means the natural channel for a perennial or intermittent body of water, including a river or stream with well defined banks and a bed (Section 15).</p>	
<p>Town of Greater Napanee</p>	<p>Riparian Corridors are included as a protected feature within the Environmental Protection designation. The Environmental Protection designation also includes natural hazard lands. These include areas within 30 metres of the high water mark of a waterbody for which there is no floodplain mapping (Section 4.2.1).</p> <p>Development and/or site alteration and redevelopment of existing lots should be set back a minimum of: 30 metres from the high water mark. Where the floodplain has been defined, a minimum setback of 15 metres from the</p>	<p>General Provisions: Floodplains, Waterbodies and Environmental Protection Zones</p> <p>b) Waterbody and Wetland</p> <p>Unless otherwise specifically permitted within this by-law, no buildings or structures, including all sewage disposal systems, shall be erected or altered within 30 metres of the high water mark of a waterbody or watercourse, or within 30 metres of any class of wetland (Section 4.11.b)i).</p> <p>Waterbody: means any bay,</p>	<p>The only form of development that is exempt from site plan control is single unit dwellings.</p>

Municipality	Official Plan	Zoning By-Law	Site Plan Control By-law
	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
	<p>floodplain will generally be required, provided that the required setback is not less than 30 metres from the high water mark (Section 5.5.6.d)).</p>	<p>lake, wetland, surface stream, or river where there is an identifiable depression in the ground in which a flow or ponding of water is regular or continuous and includes a channel for an intermittent stream and a municipal drain as defined by The Drainage Act, as amended (Section 3).</p> <p>Watercourse: means a natural drainage channel that contains water either permanently or intermittently, including creeks and streams (Section 3).</p>	
<p>City of Brockville</p>	<p>Riparian corridors do not form part of a land use designation.</p> <p>The City and the Cataraqui Region Conservation Authority, under the applicable regulation under the Conservation Authorities Act, shall establish an appropriate setback from the top of bank for all new development in order to prevent flooding hazards, erosion, improve water quality, enhance wildlife</p>	<p>General Provisions: Setback Requirements Adjacent to the Waterfront</p> <p>a) Notwithstanding any setback requirements in this By-law, no person shall erect any main building on a lot abutting the St. Lawrence River waterfront without providing a minimum setback from the shoreline in the rear yard, interior side yard</p>	<p>The entire municipality is designated as a site plan control area and various uses and classes of construction are exempt from site plan control (Section 9).</p> <p>Riparian corridors, natural heritage 'B' features, and adjacent lands are not considered.</p>

	Official Plan	Zoning By-Law	Site Plan Control By-law
Municipality	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
	<p>corridors and protect fish habitat. New development which occurs on existing lots of record which cannot meet the setback established by the City and CRCA may be developed provided the structure is located as far back as possible from the waterbody (Section 3.6.3.4).</p>	<p>and exterior side yard, as the case may be, of 6.0 metres</p> <p>b) Where a legally existing main building is located between 5.0 metres and 6.0 metres of any shoreline, such structure shall be considered a legally non-complying structure and be subject to the provisions of Subsection 3.23 (Section 3.45).</p> <p>Waterbody: not defined.</p> <p>Watercourse: not defined.</p>	
City of Ottawa	<p>Riparian corridors do not form part of a land use designation.</p> <p>Where a Council-approved watershed, subwatershed, or environmental management plan does not exist, the minimum setback will be the greater of the following:</p> <p>a. Development limits as established by the regulatory flood line (see Section 4.8.1);</p> <p>b. Development limits as</p>	<p>General Provisions: Setback from Watercourses and Waterbodies</p> <p>(1) Subject to subsection (3), despite the provisions of the underlying zone, the minimum setbacks set forth in subsection (2) must be provided to provide a margin of safety from hazards associated with flooding and unstable slopes and to help protect the</p>	<p>Residential and non-residential development on a lot wholly or partially zoned Environmental Protection (EP) is subject to site plan control approval (Sections 4.1.b and 4.1.c.)</p>

Municipality	Official Plan	Zoning By-Law	Site Plan Control By-law
	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p> <p>established by the geotechnical limit of the hazard lands; c. 30 metres from the normal high water mark of rivers, lakes and streams, as determined in consultation with the Conservation Authority; or d. 15 metres from the existing top of bank, where there is a defined bank (Section 4.7.3.2).</p>	<p>Waterbody setback requirements and definitions</p> <p>environmental quality of watercourses and waterbodies.</p> <p>(2) Except for flood or erosion control works, or a public bridge or a marine facility, no building or structure, including any part of a sewage system, which does not require plan of subdivision, or site plan control approval, shall be located closer than: (a) 30 m to the normal highwater mark of any watercourse or waterbody, or (b) 15 m to the top of the bank of any watercourse or waterbody, whichever is the greater.</p> <p>(3) Development requiring a plan of subdivision or that is subject to site plan control must provide the watercourse or waterbody setbacks set forth in subsection (2) unless, as established through conditions of approval, a different setback</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>

	Official Plan	Zoning By-Law	Site Plan Control By-law
Municipality	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
		<p>is determined to be appropriate in accordance with the criteria set forth in the Official Plan (Section 69).</p> <p>Waterbody: means a lake or pond (Section 54).</p> <p>Watercourse: means a naturally occurring drainage channel which includes rivers, streams and creeks (Section 54).</p>	
<p>City of Peterborough</p>	<p>Riparian corridors do not form part of a land use designation.</p> <p>Flood plains are regarded as hazardous lands. Development and site alteration may be permitted in hazardous lands and sites provided that it is demonstrated that development can be carried out to the satisfaction of the Conservation Authority and the development would not include schools, essential emergency services or uses that would involve storage or handling of hazardous substances (Section 3.4.3).</p>	<p>A minimum waterbody setback is not defined.</p>	<p>Site plan control by-law not available.</p>

	Official Plan	Zoning By-Law	Site Plan Control By-law
Municipality	<p>Do riparian corridors form part of a land use designation? How are waterbody setbacks protected?</p>	<p>Waterbody setback requirements and definitions</p>	<p>Are riparian corridors, natural heritage 'B' features and adjacent lands included?</p>
<p>City of Barrie</p>	<p>Development limits shall be established by the limit of the valley or stream corridor which shall include the watercourse, and associated riparian vegetation, floodplain or erosion hazard lands, top of bank and any additional lands, such as buffers deemed necessary to protect ecological functions. All lands associated with the valley and stream corridor shall be zoned Environmental Protection and shall not form part of the development (Section 4.7.2.5(e)).</p> <p>Development and site alteration shall be restricted in or near lakes and watercourses such that these features and their related hydrologic functions will be protected, improved or restored. In general, development and site alteration shall be setback a minimum 30 metres from lakes and watercourses (Section 3.5.2.3.2(d)).</p>	<p>A waterbody setback is not specified in the general provisions or the Environmental Protection Zone standards.</p> <p>Waterbody: not defined.</p> <p>Watercourse: shall mean an identifiable depression in the ground in which a flow of water regularly or continuously occurs (Section 3.2).</p>	<p>All properties that are zoned Environmental Protection are designated as site plan control areas (Section 4).</p>

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Applicable Waterfront Protection Policies		
3.9.1	<p>Common Activities Uses along the waterfront include primarily water-oriented public and private recreation and active transportation, (including leisure activities such as beaches), and transportation services (including ferry and water taxi services, commercial shipping, and tourist-related activities such as scenic cruises).</p>	<p>The list of uses should also include open space and conservation uses, otherwise it is inherent that this 30 metre area will be used to benefit human activity rather than to also support the ecosystem.</p>
3.9.2	<p>“Ribbon of Life” The protection of a 30 metre naturalized buffer along the waterfront, also referred to as a “ribbon of life”, can help to enhance water quality, minimize soil erosion, provide plant and animal habitat, establish connectivity and wildlife corridors, and contribute to the overall health of shoreline ecosystems, particularly fish habitat. The buffer may also be used to screen views of development from the water, and to create natural spaces for passive recreation</p>	<p>The term ‘waterfront’ should be replaced with ‘waterbody’, which should have a similar definition to what will be included in the new zoning by-law.</p> <p>Clarification should be provided that a waterbody does not need to be shown on an OP schedule, it is intended to be a text-based regulation.</p> <p>A definition of ‘ribbon of life’ should be provided.</p> <p>A linkage should be provided to connect ‘ribbon of life’ and ‘riparian corridor’.</p>
3.9.3	<p>Zoning controls will be used to establish a minimum 30 metre water setback from the high water mark to implement the objectives of the “ribbon of life” policy, as expressed in Section 3.9.2 above. A zoning bylaw amendment or minor variance, as appropriate, will be required in support of any relief from the 30 metre water setback, subject to the policies of Section 3.9.8 and other applicable policies of this Plan.</p>	<p>Insert ‘of a waterbody’ after high water mark.</p> <p>Clarification should be provided that this is meant to be a text-based regulation and would apply to all waterbodies, regardless of whether they are shown on any schedules, subject to the City of Kingston in consultation with the Cataraqui Region Conservation Authority.</p>

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3.9.4	An Official Plan amendment will be required in support of any requested relief from the 30 metre “ribbon of life” unless one of the exceptions listed in Section 3.9.5 or 3.9.6 applies.	
3.9.5	<p>Exceptions</p> <p>It is the intent of this Plan that the following land uses be permitted within the “ribbon of life” recognizing that, by necessity, the use must be located in close proximity to the water. The implementing zoning by-law will identify and define specific land uses that are permitted within the 30 metre water setback, being uses that are generally consistent with those listed below. The by-law may establish limitations (e.g., maximum lot coverage, gross floor area, height, etc.) associated with the following uses to ensure that their impact on the “ribbon of life” is minimized: a. park or conservation areas to provide for the intentional, properly designed, publicly-controlled, and maintained access to the shoreline and the waterbody; b. improvement and extension of existing trail systems including the waterfront pathway and the Lake Ontario Waterfront Trail in a manner which is sensitive to impacts on contiguous waterbodies; c. dock and boat launching areas; d. marinas; e. shoreline stabilization works; and f. utilities infrastructure including stormwater outfall, water treatment and pumping facilities, and combined sewer overflow management facilities.</p>	
3.9.6	<p>Development of Existing Lots</p> <p>On lots existing as of the date of adoption of this Plan, new development must be located outside of the 30 metre “ribbon of life” unless one of the following two circumstances applies: a. where the depth of a lot,</p>	Additional clauses may be required to acknowledge exceptional circumstances where additional relief may be supported for existing developments, such as stairs and landings to provide limited access through the

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	<p>existing as of the date of adoption of this Plan, is insufficient to accommodate a modest amount of development and any related servicing outside of the 30 metre water setback, subject to Section 3.9.8; and b. for the enlargement of a building, structure, or facility which existed on the date of adoption of this Plan, provided the enlargement does not further encroach into the existing water setback, subject to Section 3.9.8.</p>	<p>30 metre 'ribbon of life' for properties that have topography constraints.</p> <p>Clarification should be provided for accessory structures for existing lots.</p>
<p>3.9.7</p>	<p>New Lot Creation along the Waterfront New lots proposed along the waterfront must be sufficiently sized to accommodate development, including any related servicing (e.g., septic systems), outside of the 30 metre water setback.</p>	
<p>3.9.8</p>	<p>Relief from 30 metre Water Setback Applications for relief from the 30 metre water setback, as outlined in the zoning by-law, must demonstrate how the proposal upholds the policy objectives outlined in Section 3.9.2 and will require the submission of an environmental impact assessment and any other technical studies deemed necessary by the City. Further, development proposals must demonstrate how the natural aesthetic of the waterfront will be maintained or enhanced, and how spaces for passive recreation may be accommodated.</p> <p>The City, in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, or other agency or Ministry, as appropriate, may tailor the requirements regarding the appropriate level of effort for the environmental impact assessment on a site specific basis depending upon the characteristics of the waterbody, the adjacent area, the</p>	<p>The wording around EIAs should be clarified to acknowledge they may not be required in all circumstances. The requirement will be made by the City, in consultation with CRCA.</p> <p>The demonstration components of the policy should be focusing on the ecosystem and water quality aspects, rather than recreation and aesthetics.</p> <p>Consideration should be provided for accessory structures and whether minor encroachments for existing buildings and structures would be considered if an appropriate study demonstrated a net environmental benefit.</p>

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	<p>nature of the proposed development, and any intervening development that exists within the “ribbon of life”. It is the intent of this Plan that proposals for development within the “ribbon of life” also support the following policy objectives, as applicable: a. Development maximizes the water setback through building design and orientation, and the siting of servicing (e.g., private septic system); b. Development and site alteration result in minimal disturbance of native soils and shoreline vegetation within the “ribbon of life”; and c. Enlargement(s) to existing buildings, structures, or facilities occurs further from the water than the original building, structure or facility.</p>	
Applicable Environmental Protection Area Policies		
3.10.1	<p>Defined Areas The Environmental Protection Area designation includes the following natural features and areas: • areas of natural and scientific interest (ANSIs); • fish habitat; • provincially significant wetlands, significant coastal wetlands and locally significant wetlands; • Snake and Salmon Islands, located in Lake Ontario, as shown in Schedule 3-A; • rivers, streams and small inland lake systems; and, • riparian corridors.</p>	Remove riparian corridors from the list of EPA designation features;
3.10.2	<p>Permitted Uses 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.</p>	

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	<p>Recreational or educational activities, generally of a passive nature, may be permitted in suitable portions of Environmental Protection Areas only if such activity will have no negative impacts on natural heritage features and areas, does not involve the use of structures or buildings, and is not subject to natural hazards. Where an Environmental Protection Area designation is solely tied to a local area of natural and scientific interest, a locally significant wetland, or riparian corridors, 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>	
3.10.2.1	<p>Permitted Uses Notwithstanding Section 3.10.2, where an Environmental Protection Area designation is solely tied to riparian corridors as illustrated in Schedule 7 to this Plan, permitted land uses on lots existing as of the date of adoption of this Plan include: a. the permitted land uses of another land use designation applicable to the lot; and, b. legally non-conforming land uses.</p>	<p>If riparian corridors are being removed from the EPA features, this policy can be removed as well.</p>
3.10.3	<p>Potential Permitted Uses In consultation with the Cataraqui Region Conservation Authority, Ministry of Natural Resources and Forestry, or Parks Canada, as appropriate, other uses may be permitted, including: a. new public or private works or utilities such as pipelines, roads, bridges or parking areas, where such facilities are not feasible outside of the Environmental Protection Area; b. docks or boathouses, used only for the storage of boats and related equipment, and small craft access areas; c. public or private parks, and conservation uses; and, d.</p>	

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	existing uses as of this Plan's date of adoption by Council.	
3.10.4	<p>Boundaries Some of the boundaries of lands designated Environmental Protection Area result from the Council-endorsed Central Cataraqui Region Natural Heritage Study (2006), which acknowledged that the boundaries are approximate, and are to be more specifically delineated in consultation with the Cataraqui Region Conservation Authority or Ministry of Natural Resources and Forestry, as appropriate. Provincially significant wetlands and areas of natural and scientific interest (ANSIs) are determined by the Ministry of Natural Resources and Forestry and their boundaries may only be altered with approval from the Ministry.</p>	
3.10.5	<p>Minor Boundary Adjustment Minor adjustments to the boundaries of lands designated Environmental Protection Area may be permitted without amendment to this Plan. These adjustments will be reviewed by the City in consultation with the Cataraqui Region Conservation Authority and the Ministry of Natural Resources and Forestry as appropriate. An environmental impact assessment may be required in support of a minor boundary adjustment.</p>	
3.10.6	<p>New Environmental Protection Areas The identification of new natural features and areas listed under Section 3.10.1 of this Plan, being those that make up the Environmental Protection Area designation, will require an amendment to this Plan; however, updated mapping of provincially significant wetlands issued by the Ministry of Natural Resources and Forestry may be incorporated into the Official Plan</p>	Clarify that new 'rivers, streams and small inland lake systems' may be established without amendment to the plan for the purposes of protecting riparian corridors.

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	without an amendment.	
3.10.7	<p>Setbacks Building setbacks from the Environmental Protection Area designation must be established in the zoning by-law.</p>	It is proposed that the definition of ‘waterbody’ in the second draft of the new zoning by-law include ‘wetland’, which would require a 30 metre setback.
3.10.8	<p>CRCA Regulations Within an Environmental Protection Area designation, any proposal for development or site alteration will generally be subject to Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses, which is administered by the Cataraqui Region Conservation Authority. Proposals that are subject to Ontario Regulation 148/06 may be subject to additional requirements including those of this Plan and of Parks Canada along the Rideau Canal.</p>	
3.10.11	<p>Environmental Impact Assessment 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>	The proposed modifications to the site plan control by-law would assist in the implementation of this policy.
Applicable Natural Heritage System Policies		
6.1.1	<p>Intent The City will protect and encourage the stewardship and restoration of the natural heritage system identified on Schedules 7 and 8 by directing development away from natural heritage features and areas. Further, land use and development within the adjacent lands to natural</p>	

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	<p>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>	
6.1.2	<p>Natural Heritage “A” Features and Areas 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, a locally significant wetland, or a riparian corridor, in which case consideration may be given to new mineral mining operations or mineral aggregate operations and access to minerals or mineral aggregate resources, subject to compliance with provincial and federal requirements.</p> <p>Natural Heritage “A” features include the following:</p> <ul style="list-style-type: none"> • areas of natural and scientific interest (ANSIs); • fish habitat; • provincially significant wetlands, significant coastal wetlands and locally significant wetlands; • Snake and Salmon Islands, located in Lake Ontario, as shown in Schedule 3-A; • rivers, streams and small inland lake systems; and, • riparian corridors. 	<p>Remove riparian corridors from Natural Heritage ‘A’ features and move to Natural Heritage ‘B’ features.</p>
6.1.3	<p>Natural Heritage “B” Features and Areas Areas identified as Natural Heritage “B” on Schedule 8 will be treated as an overlay to land use designations on</p>	<p>Riparian corridors to be added to Natural Heritage ‘B’ features, moved from Natural Heritage ‘A’ features.</p>

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	<p>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; and, • linkages and corridors. 	
6.1.4	<p>Species at Risk 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>	
6.1.5	<p>Species at Risk Development and site alteration will not be permitted in fish habitat or habitat of aquatic species at risk, except in accordance with provincial and federal requirements.</p> <p>Development and site alteration will not be permitted adjacent to the habitat of aquatic species at risk unless 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</p>	

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	<p>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>	
6.1.6	<p>Information about Species at Risk This Plan does not identify the occurrences of endangered species or threatened species since this information may be confidential. Proponents must obtain this information from the Ministry of Natural Resources and Forestry and through the Natural Heritage Information Centre to screen locations for the known presence of species at risk. The City of Kingston will also access endangered species and threatened species data available from the Ministry of Natural Resources and Forestry.</p>	
6.1.7	<p>Information about Species at Risk For aquatic species at risk, species at risk distribution and critical habitat maps and a reference guide can be obtained from Fisheries and Oceans Canada.</p>	
6.1.8	<p>Adjacent Lands The Province of Ontario’s “Natural Heritage Reference Manual,” as amended from time to time, specifies the adjacent lands for each category of natural heritage features and areas.</p> <p>Development and site alteration are not permitted on adjacent lands to Natural Heritage “A” or “B” features shown on Schedules 7 and 8 respectively, unless it has</p>	<p>Add ‘within 30 metres of unevaluated wetlands’ to the list of adjacent lands.</p>

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	<p>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 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. 	
6.1.9	<p>Consultation with Authorities Any decision considered by the City for any development application with respect to land within, or immediately adjacent to, the natural heritage system will</p>	

Section	Existing Policy	Comment
	be made in consultation with the appropriate authorities, in accordance with the policies of this Plan, using the best available information at that time.	
6.1.10	<p>Boundaries</p> <p>The boundaries of some of the natural heritage system features are approximate and may require validation through field investigations. Where the boundaries of these features are considered inaccurate, an environmental impact assessment will be required to confirm the limits of the feature(s) and their associated ecological functions. In reviewing potential boundary adjustments, the City will consult with the Cataraqui Region Conservation Authority and the Ministry of Natural Resources and Forestry, as appropriate. Minor adjustments to the boundaries of natural heritage system features, being Natural Heritage 'A' Features and Areas and Natural Heritage 'B' Features and Areas, may be permitted without amendment to this Plan. As outlined in Section 3.10.6, the identification of new Natural Heritage 'A' Features and Areas, listed in Section 6.1.2 of this Plan, will require an amendment to this Plan to ensure these features fall within an Environmental Protection Area designation. A zoning by-law amendment may be required to implement the objectives of the Official Plan amendment as they relate to boundary adjustments.</p>	
6.1.11	<p>Private Ownership</p> <p>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</p>	

Section	Existing Policy	Comment
	agency. Various ways of preserving and managing the ecological resource through stewardship, partnerships, land trusts, environmental easements, acquisition or other means are encouraged.	
6.1.12	<p>Land Stewardship</p> <p>The City encourages a wide variety of land stewardship options, including protecting lands through easements, purchase, tax incentives, and dedication to land trusts to preserve and enhance the natural heritage system, and its adjacent lands, across the City. The City will encourage efforts with neighbouring municipalities, public agencies and private landowners to manage and improve the ecological sustainability of the natural heritage system as a whole.</p>	
6.1.13	<p>Ecological Site Assessment</p> <p>An ecological site assessment may be required for development in locations where natural heritage features and areas are not known so that the need for an environmental impact assessment can be determined. This will involve:</p> <ul style="list-style-type: none"> a. consultation with the City, the Ministry of Natural Resources and Forestry, and the Department of Fisheries and Oceans to screen for known occurrences of endangered species or threatened species and species at risk; and, b. preliminary field investigations at the appropriate time of year to search for the presence of features such as the habitat of endangered species and threatened species or significant wildlife habitat. <p>Significant wildlife habitat may include: seasonal concentrations of animals (e.g. deer wintering areas,</p>	

Section	Existing Policy	Comment
	<p>heronries, turtle nesting areas, etc.), specialized habitats and rare vegetation communities and habitats of species of special concern. The Ministry of Natural Resources and Forestry “Significant Wildlife Habitat Technical Guide and Ecoregion Criterion Schedules” for the identification of significant wildlife habitat should be used by proponents to help identify significant wildlife habitat.</p> <p>If required, an ecological site assessment for the presence of significant wildlife habitat will be required for the following types of development:</p> <ul style="list-style-type: none"> • creation of more than three lots by plan of subdivision; • change in land use, not including the creation of a lot, that requires approval under the Planning Act; • consent for lands abutting: the Cataraqui River; Millhaven Creek; St. Lawrence River; the lower reaches of Collins, Little Cataraqui and Grass Creeks; River Styx; Lake Ontario; and, Collins, Colonel By, Cranberry, Leo, Loughborough, and Odessa Lakes. • site plan application for recreational uses (e.g., golf courses, serviced playing fields, serviced campgrounds and ski hills) that require large-scale modification of terrain, vegetation or both. <p>If the ecological site assessment determines that an environmental impact assessment is required, then the environmental impact assessment will be conducted in accordance with the requirements of this Plan.</p>	
6.1.14	Environmental Impact Assessment (EIA)	

Section	Existing Policy	Comment
	<p>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> <ol style="list-style-type: none"> a. be undertaken by a qualified person with current knowledge in the field of biology, ecology, hydrology or other specialty as required by the specific circumstances; b. use appropriately scaled maps to show topography, existing uses and buildings, and all existing natural heritage features and areas and cultural heritage resources, whether or not they have been deemed significant for the subject site and areas adjacent to it; c. use appropriately scaled maps with topographic contours to show proposed uses, proposed site alteration and/or development; d. provide a thorough inventory of flora and fauna and related habitat communities to be completed over a seasonal time span that is appropriate; e. provide relevant information on geology (significant landforms), hydrology or hydrogeology; f. summarize the best information available collected from other agency or scientific sources and discuss the natural heritage features and areas, and the associated ecological functions; 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 	

Section	Existing Policy	Comment
	<p>system;</p> <p>h. evaluate any unevaluated wetlands in accordance with the Ontario Wetland Evaluation System;</p> <p>i. assess the cumulative impacts of the development proposal and any other existing or known future proposals in the vicinity; and</p> <p>j. assess the impact of the proposed development or site alteration on the various attributes of the natural heritage system during and after construction, and:</p> <ul style="list-style-type: none"> • recommend measures designed to ensure there is no disturbance of the feature, and that will result in no negative impact; • review alternative options and identify any monitoring requirements; and, • provide a professional conclusion as to whether the proposal is acceptable, considering potential impacts to natural heritage features and areas, related functions, and any proposed measures needed to protect the natural heritage feature(s) or area(s) affected, consistent with the Provincial Policy Statement and the policies of this Plan. 	
6.1.15	<p>Scope of Environmental Impact Assessment</p> <p>The scope and scale of any environmental impact assessment required by this Plan must be determined in consultation with the City, the Cataraqui Region Conservation Authority, and/or other appropriate agency or Ministry. For areas having a particular value for their natural heritage feature or function, the distances noted in Section 6.1.8 may be increased in order to ensure that the environmental impact assessment adequately evaluates the impacts of a proposed development on the natural heritage system.</p>	

Section	Existing Policy	Comment
6.1.16	<p>Scope of Environmental Impact Assessment The City, in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, or other agency or Ministry, as appropriate, may tailor the requirements regarding the appropriate level of effort for the environmental impact assessment on a site specific basis depending upon the characteristics of the natural heritage feature, the adjacent area, the nature of the proposed development, any intervening development that already exists within the adjacent lands, or other relevant factor that is identified.</p>	
6.1.17	<p>Agricultural Uses May Continue 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>	
6.1.18	<p>Woodlands 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>	
6.1.19	<p>Tree Conservation Trees are recognized as a resource that improves community resilience since they contribute to air quality improvement, and have aesthetic benefits, quality of life benefits, financial benefits, and stormwater management</p>	

Section	Existing Policy	Comment
	benefits. The City will manage the urban forest as per Section 2.8.2 and with reference to the long term management plan established through Kingston's Urban Forest Management Plan.	
6.1.20	<p>Tree Conservation Trees will be protected in accordance with the City's Tree By-law. The City will monitor and review the Tree By-law to ensure its provisions are up-to date and provide adequate protection.</p>	
6.1.21	<p>Linkages and Corridors Areas of contiguous woodlands, wetlands and other natural heritage features and areas represent important areas of wildlife habitat that are critical to the movement of wildlife. These linkages and corridors, as shown on Schedule 8, must be protected, enhanced and restored in the long term. The introduction of recreational trails or other uses that could harm these areas is discouraged unless it can be demonstrated that the proposed use will not harm the natural wildlife habitat. Through an environmental impact assessment, it may be determined that previously unmapped significant wildlife habitat should be recognized, and given protection. An environmental impact assessment should identify linkages and/or corridors that help support or enhance the ecological function of a natural heritage feature or area by making or maintaining a connection to the natural heritage system and/or other natural heritage features and areas.</p>	
6.1.22	<p>Setbacks for Development Setbacks from natural heritage features and areas are established based on the recommendations of an approved environmental impact assessment or any</p>	

Section	Existing Policy	Comment
	<p>other technical study that may be required (e.g. floodplain analysis, geotechnical study, etc.) and will be implemented through the zoning by-law in consultation with the Ministry of Natural Resources and Forestry, the Cataraqui Region Conservation Authority, or Parks Canada, as appropriate.</p>	
6.1.23	<p>Land Division Land division through severance or plan of subdivision (or condominium) that has the effect of fragmenting lands within the natural heritage system is discouraged. The policies of Section 9.6 of this Plan must also be addressed.</p>	
6.1.24	<p>Land Division in Natural Heritage A Where a site is within a Natural Heritage “A” feature, no new land division that results in the creation of a new lot will be granted except for lands that are to be held by land trusts, public agencies, or for conservation purposes.</p>	
6.1.25	<p>Land Division in Natural Heritage B Where a site is within a Natural Heritage “B” feature, no land division that results in the creation of a new lot will be granted if it results in negative impacts on the feature or function, except for lands that are to be held by land trusts, public agencies, or for conservation purposes.</p>	
6.1.26	<p>Land Division Adjacent to Natural Heritage A and B Where a site is on adjacent lands to either a Natural Heritage “A” feature or a Natural Heritage “B” feature, no land division that results in the creation of a new lot will be approved 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 heritage features and areas, or on their</p>	

Section	Existing Policy	Comment
	ecological functions.	



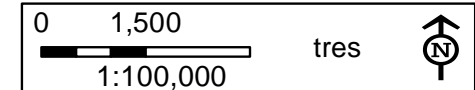
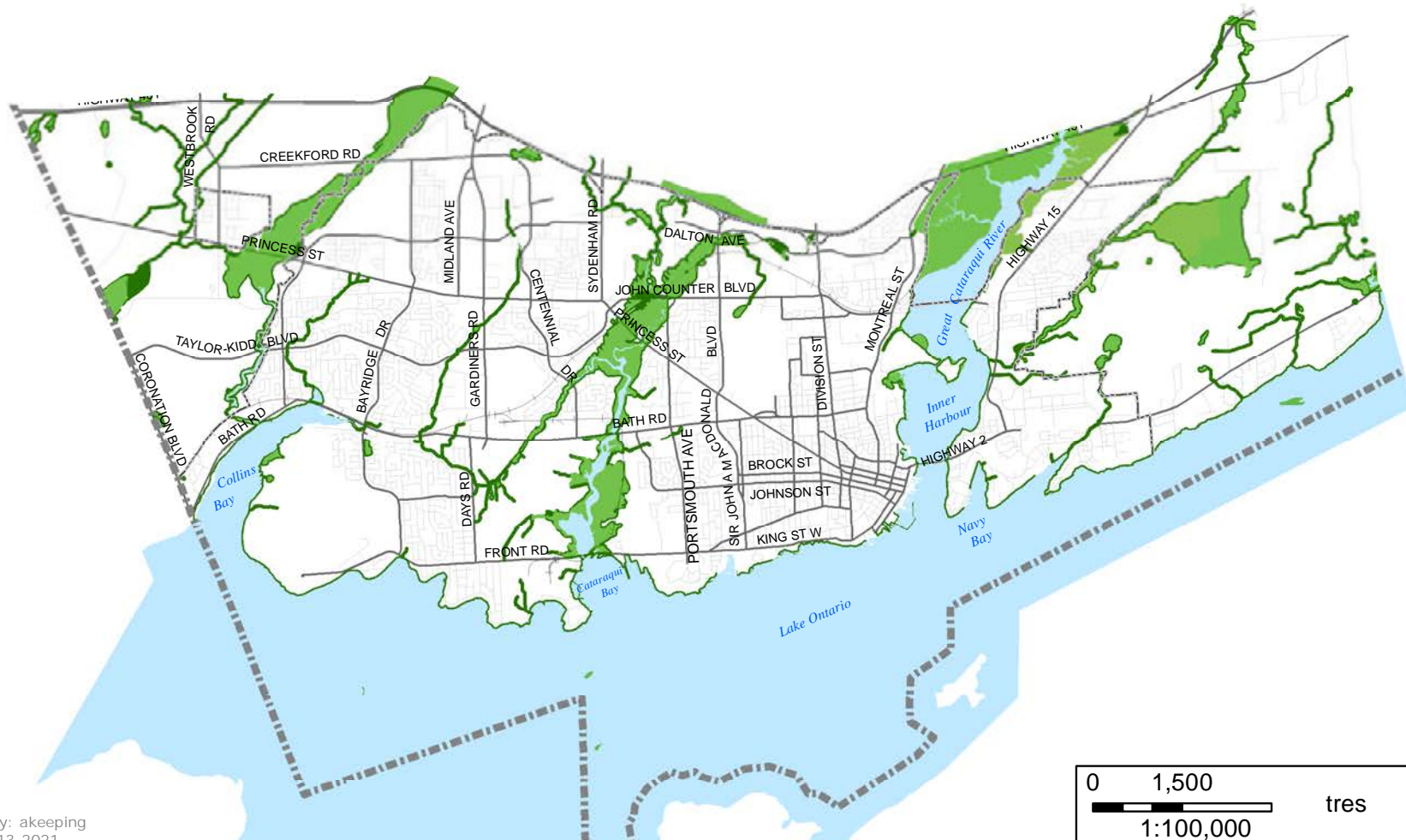
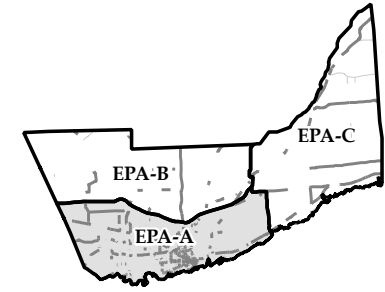
City of Kingston
Environmental Protection Area Map A

File No: D14-043-2016

**Planning
Services**

- EPA Designation to Remain
- Riparian Corridors to be removed from EPA designation and Natural Heritage 'A' Features and moved to Natural Heritage 'B' Features

- Municipal Boundary
- Urban Boundary
- Major Road
- Local Road
- Railway



Prepared By: akeeping
Date: Apr-13-2021

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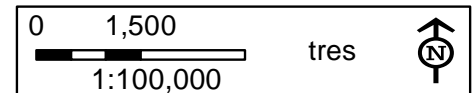
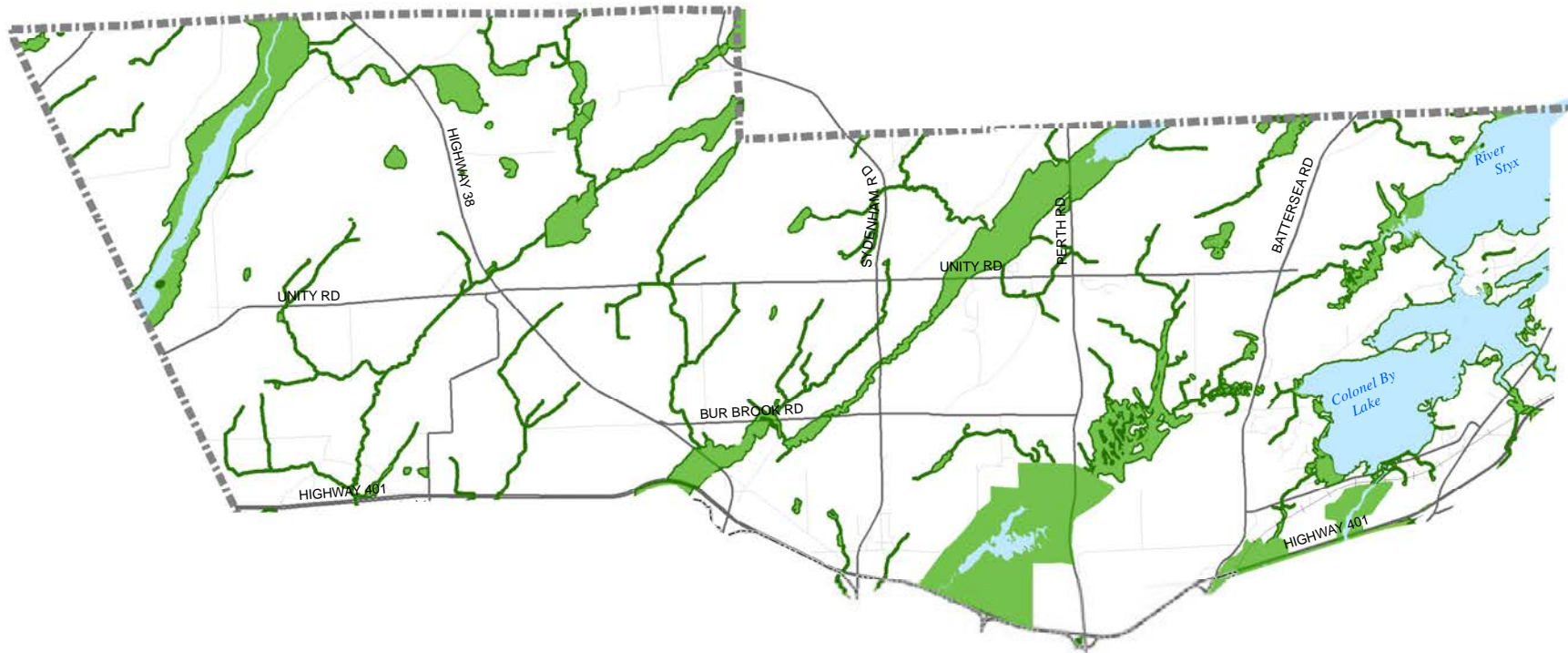
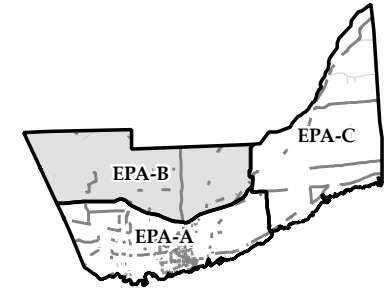
City of Kingston
Environmental Protection Area Map B

File No: D14-043-2016

Planning Services

- EPA Designation to Remain
- Riparian Corridors to be removed from EPA designation and Natural Heritage 'A' Features and moved to Natural Heritage 'B' Features

- Municipal Boundary
- Urban Boundary
- Major Road
- Local Road
- Railway



Prepared By: akeeping
Date: Apr-13-2021

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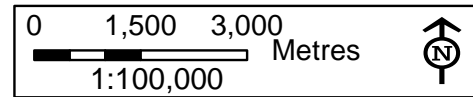
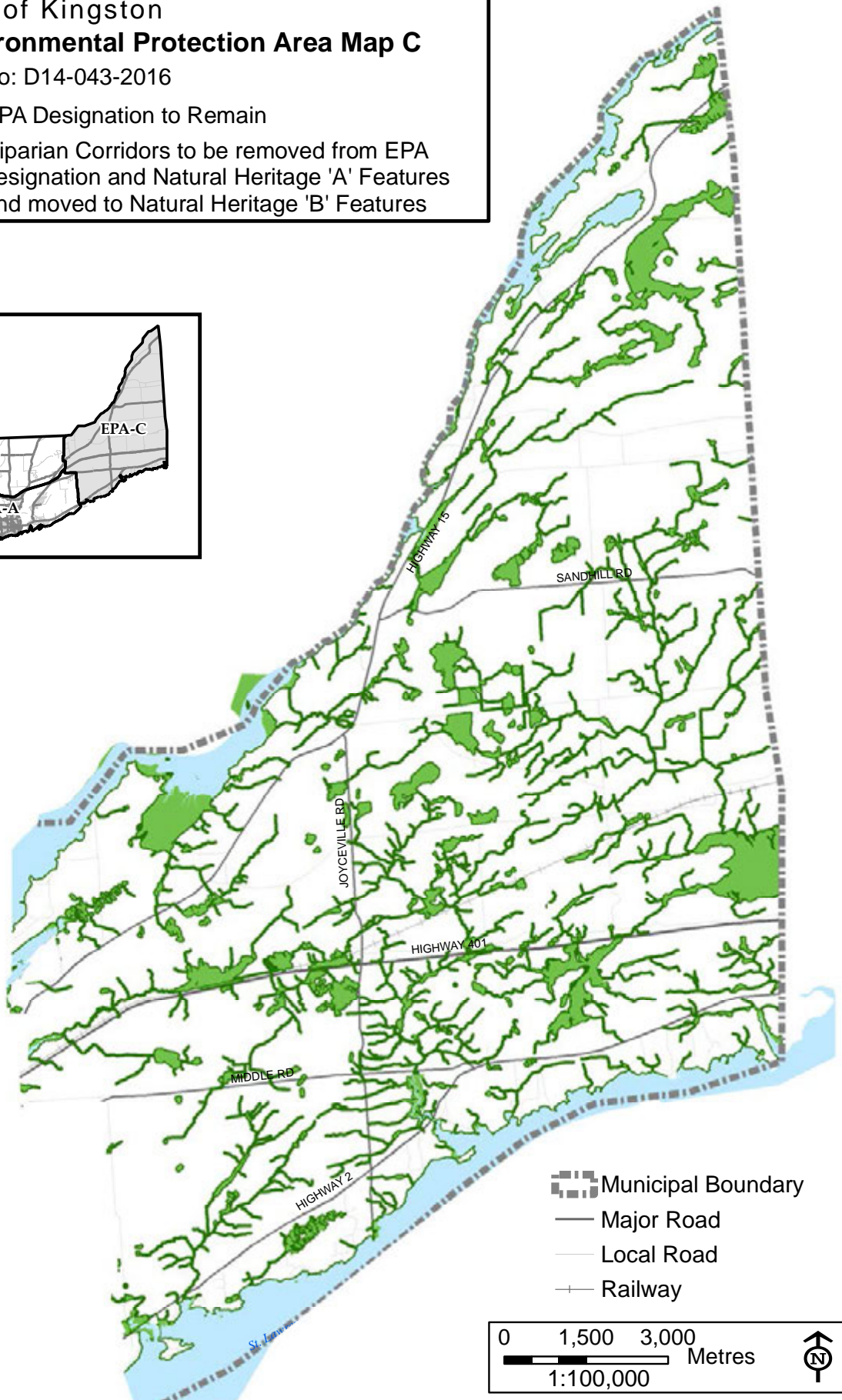
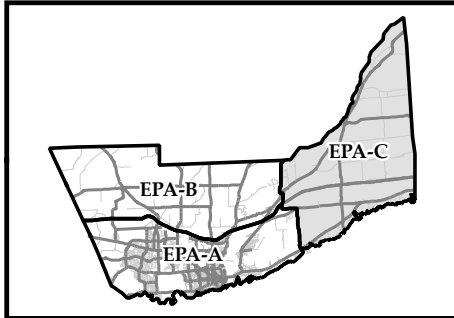


City of Kingston
Environmental Protection Area Map C

File No: D14-043-2016

**Planning
Services**

- EPA Designation to Remain
- Riparian Corridors to be removed from EPA designation and Natural Heritage 'A' Features and moved to Natural Heritage 'B' Features



Prepared By: akeeping
Date: Apr-13-2021

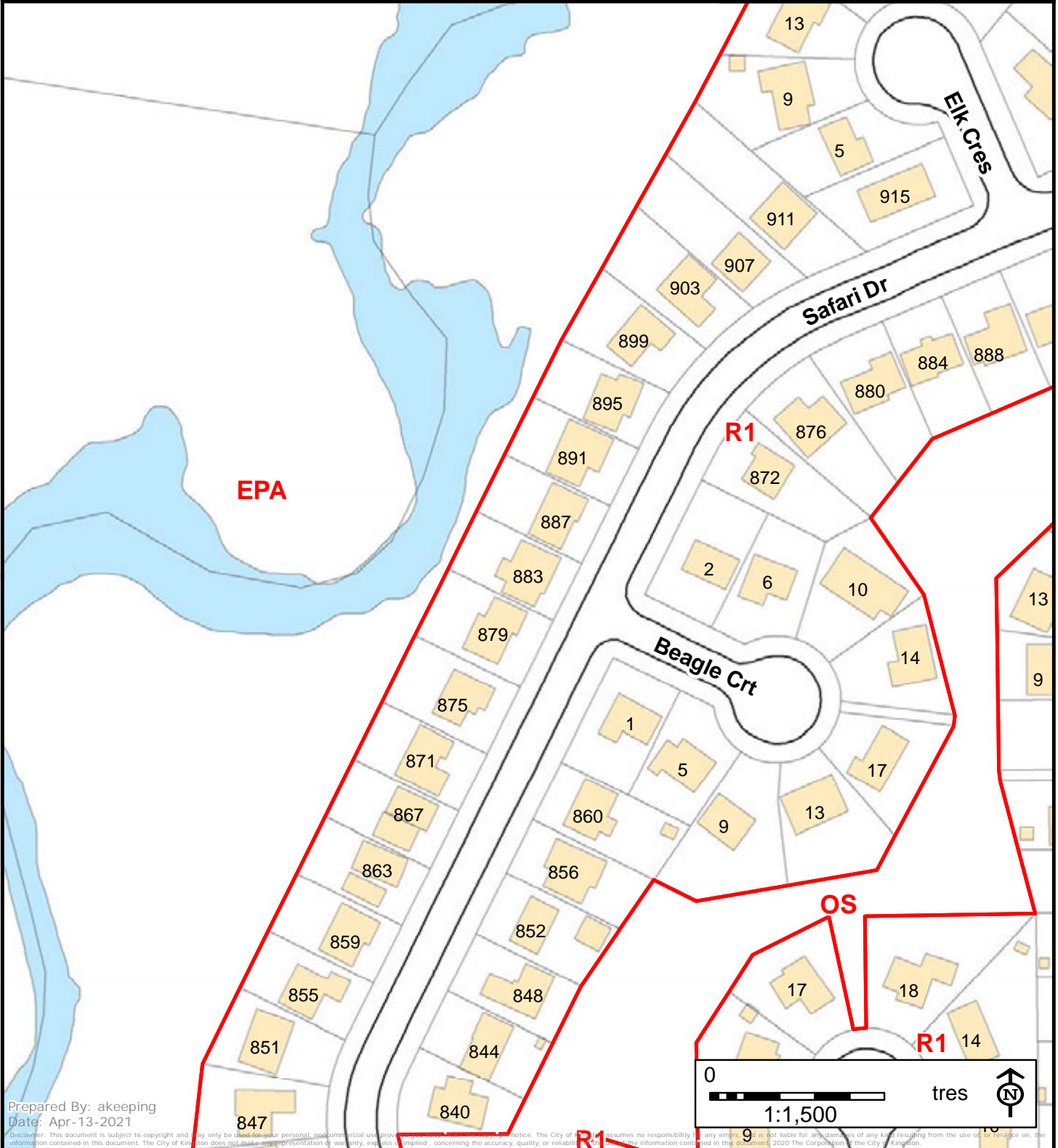
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City of Kingston
Key Map - Existing Zoning By-law

Address: Safari Dr
File Number: D14-043-2016

Existing Zoning By-law



Prepared By: akeeping
Date: Apr-13-2021

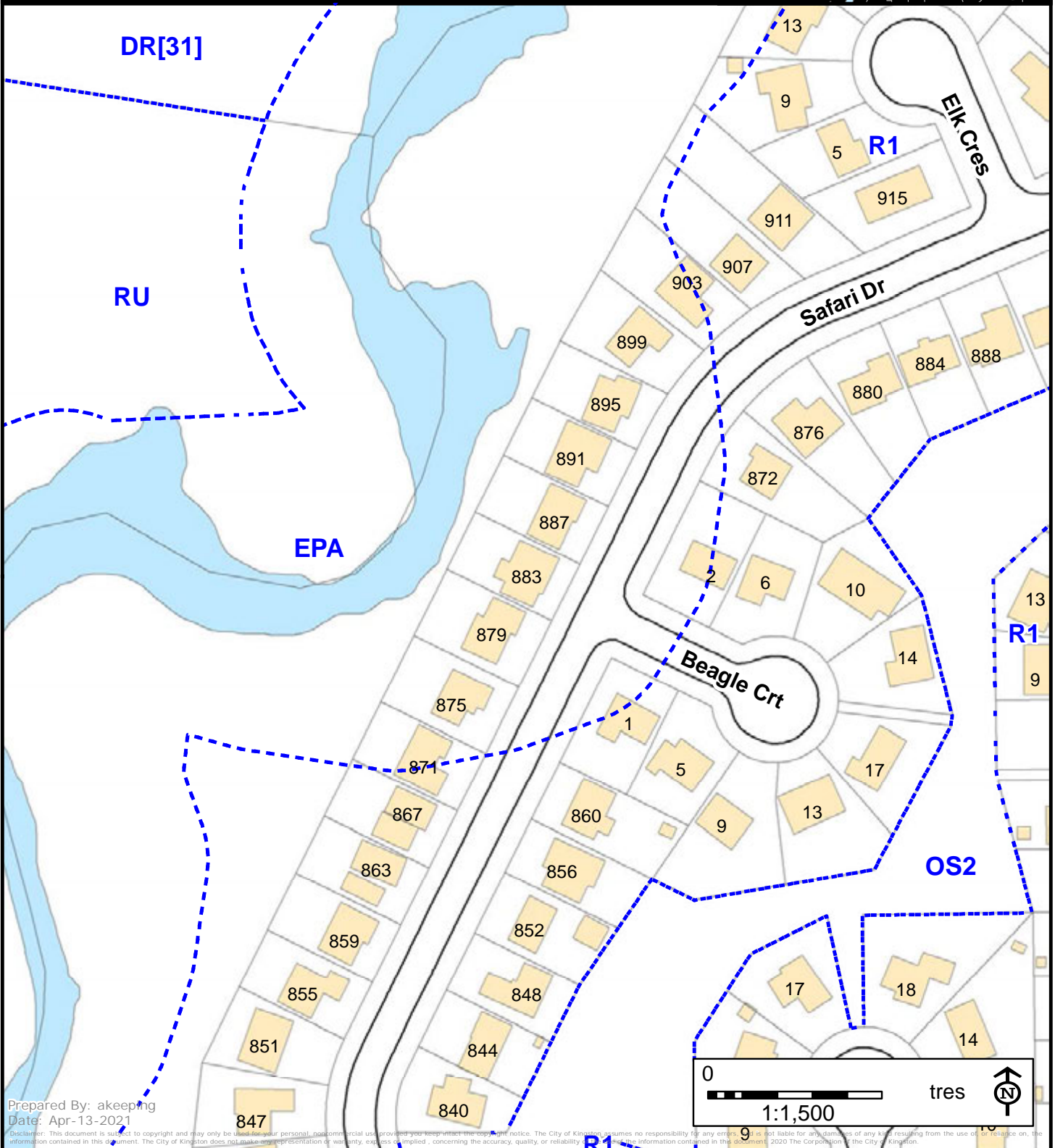
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City of Kingston
Key Map - First Draft New Zoning By-law

Address: Safari Dr
File Number: D14-043-2016

First Draft New Zoning By-law



Prepared By: akeeping
Date: Apr-13-2021

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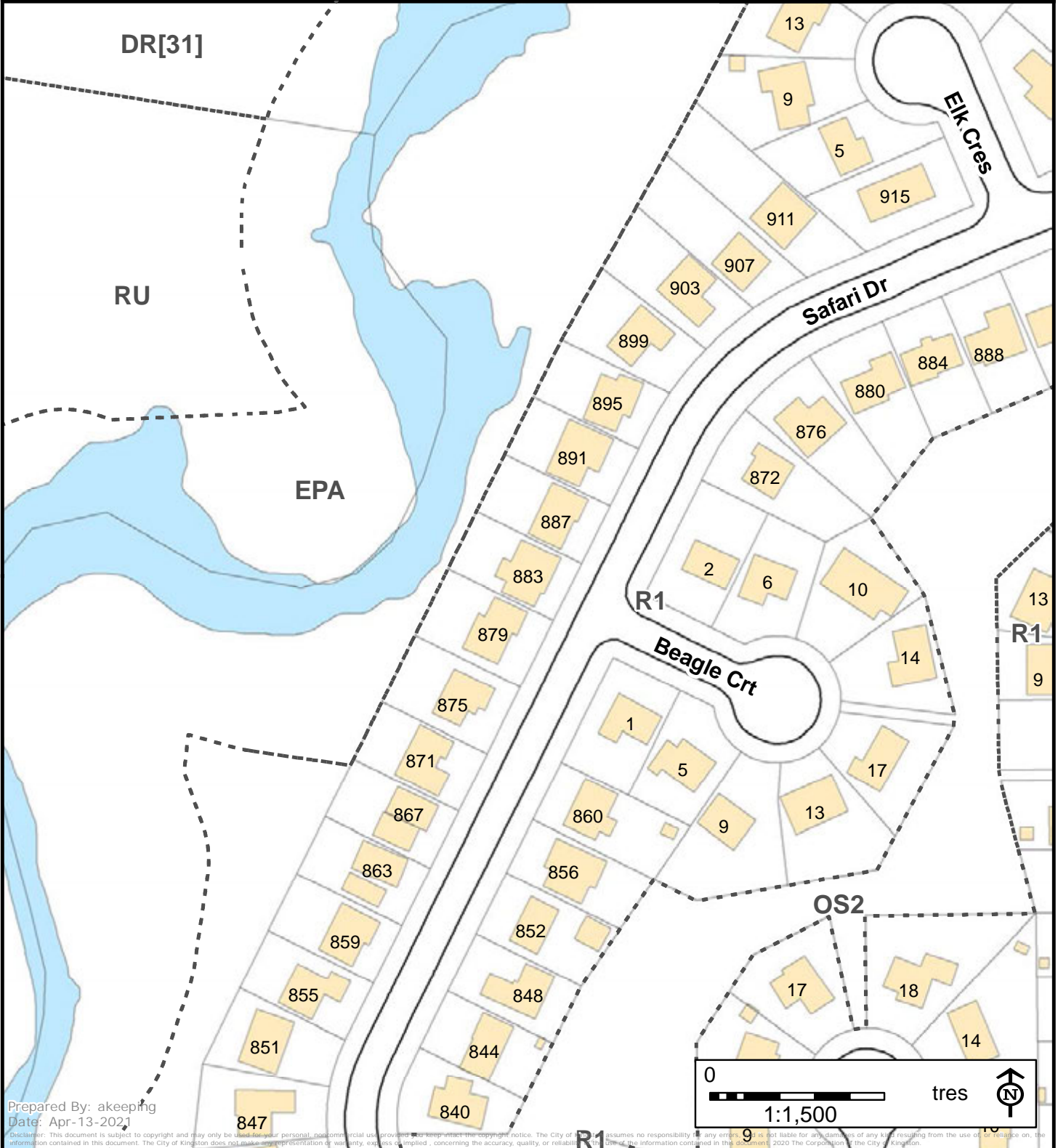


City of Kingston
Proposed Second Draft New Zoning By-law

Address: Safari Dr
File Number: D14-043-2016

--- Proposed Second Draft New Zoning By-law

* Boundary of EPA zone to be determined in consultation with MNR



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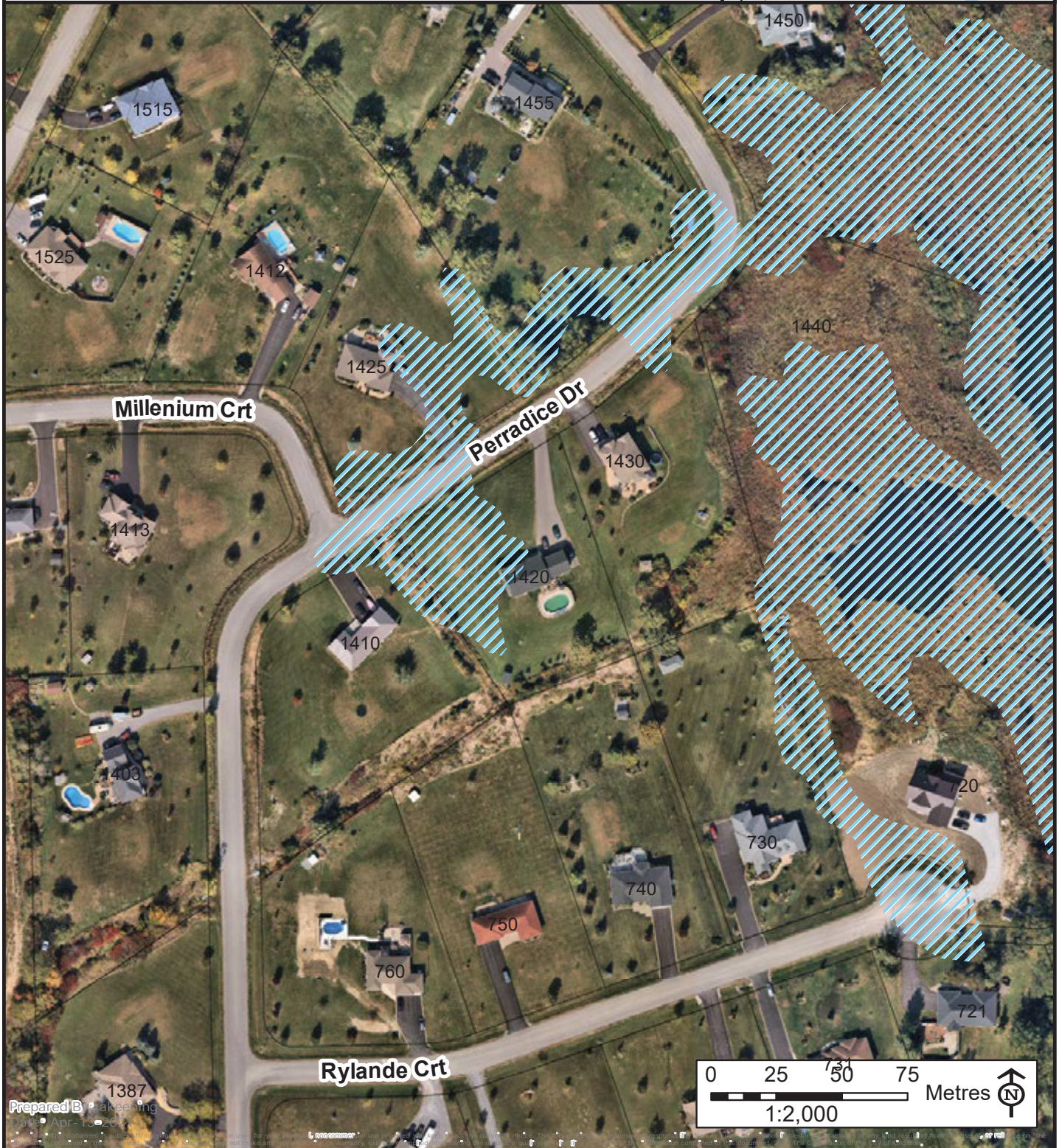
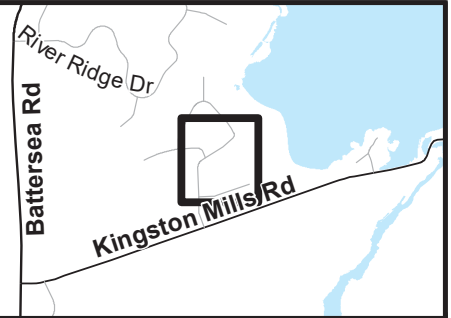
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City of Kingston
**Provincially Significant Wetland
Boundary Corrections - Map 1**

Address: Perradice Dr
File Number: D14-043-2016

/// PSW boundaries subject to discussion with MNRF

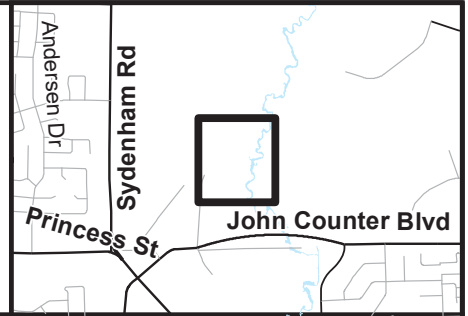




City of Kingston
**Provincially Significant Wetland
Boundary Corrections - Map 2**

Address: Mill Pond Pl
File Number: D14-043-2016

/// PSW boundaries subject to discussion with MNRF

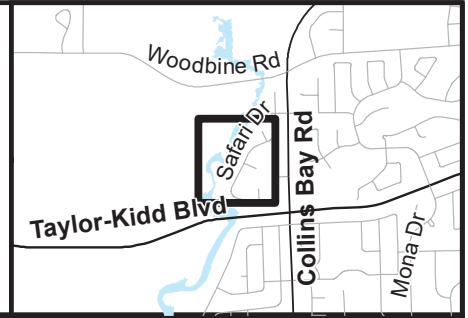




City of Kingston
**Provincially Significant Wetland
Boundary Corrections - Map 3**

Address: Safari Dr
File Number: D14-043-2016

/// PSW boundaries subject to discussion with MNRF



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