



**City of Kingston
Report to Committee of Adjustment
Report Number COA-22-036**

To: Chair and Members of the Committee of Adjustment
From: Riccardo Peggi, Planner
Date of Meeting: April 11, 2022
Application for: Minor Variance and Consent
File Numbers: D13-011-2022 and D10-003-2022
Address: 1771 Unity Road
Owner: Kevin Geldart
Applicant: Jason Sands, The Boulevard Group

Council Strategic Plan Alignment:

Theme: 2. Increase housing affordability

Goal: 2.1 Pursue development of all types of housing city-wide through intensification and land use policies.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding applications for minor variance and consent submitted by Jason Sands, The Boulevard Group on behalf of the owner, Kevin Geldart for the property located at 1771 Unity Road.

The purpose of the consent application (File Number D10-003-2022) is to sever a 1.0-hectare residential lot from the 5.6-hectare subject property.

The minor variance (File Number D13-011-2022) is requested to provide relief from the minimum lot frontage provisions for both the severed and retained lots.

April 11, 2022

Page 2 of 13

Variance Number 1: Lot Frontage (Retained)

By-Law Number 76-26: Section 9(2)(b)(ii)

Requirement: 100.5 metres

Proposed: 69.1 metres

Variance Requested: 31.4 metres

Variance Number 2: Lot Frontage (Severed)

By-Law Number 76-26: Section 9(2)(n)

Requirement: 60.0 metres

Proposed: 43.0 metres

Variance Requested: 17.0 metres

The site is situated on the south side of Unity Road, between the hamlets of Elginburg to the west and Glenburnie to the east. The property is developed with a single-family dwelling and two accessory structures, and is predominantly treed. The surrounding area is predominately made up of rural residential and estate lots, although there is an active agricultural operation to the south-east of the subject property.

The property is currently designated as Rural in the Official Plan and is located in the Restricted Agricultural 'A1' zone in Zoning By-Law Number 76-26. The proposed severance is consistent with Policy 3.12.9. which permits up to two severances with a minimum lot area of 1.0-hectare for non-farm residential use from a landholding that existed as of November 6, 1997.

The requested minor variance and consent applications are consistent with the Provincial Policy Statement and conform with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 76-26. The requested minor variance is desirable for the appropriate development or use of the land, building or structure and is minor in nature. The proposed minor variance application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval. The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act* and a plan of subdivision is not necessary for the proper and orderly development of the property, as such, is recommended for provisional approval.

Recommendation:

That minor variance application, File Number D13-011-2022 for the property located at 1771 Unity Road to reduce the frontage of both the proposed retained lot and severed lot, be approved subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-022-036; and

That consent application, File Number D10-003-2022, to sever a 1.0-hectare residential lot from the 5.6-hectare subject property, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-022-036.

April 11, 2022

Page 3 of 13

Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER
Riccardo Peggi, Planner

Consultation with the following Management of the Community Services Group:

Tim Park, Director, Planning Services
James Bar, Manager, Development Approvals

April 11, 2022

Page 4 of 13

Options/Discussion:

On February 18, 2022, applications for minor variance and consent were submitted by Jason Sands, The Boulevard Group on behalf of the owner Kevin Geldart for the subject property located at 1771 Unity Road.

The purpose of the consent application (File Number D10-003-2022) is to sever a 1.0 hectare residential lot from the 5.6 hectare subject property.

The minor variance (File Number D13-011-2022) is requested to provide relief from the minimum lot frontage provisions for both the severed and retained lots.

Variance Number 1: Lot Frontage (Retained)

By-Law Number 76-26: Section 9(2)(b)(ii)

Requirement: 100.5 metres

Proposed: 69.1 metres

Variance Requested: 31.4 metres

Variance Number 2: Lot Frontage (Severed)

By-Law Number 76-26: Section 9(2)(n)

Requirement: 60.0 metres

Proposed: 43.0 metres

Variance Requested: 17.0 metres

Site Characteristics

The site is situated on the south side of Unity Road, between the hamlets of Elginburg to the west and Glenburnie to the east (Exhibit C – Key Map). The property is developed with a single-family dwelling and two accessory structures, and is predominantly treed. The surrounding area is predominately made up of rural residential and estate lots, although there is an active agricultural operation to the south-east of the subject property (Exhibit D – Neighbourhood Context Map).

The property is currently designated as Rural in the Official Plan and is located in the Restricted Agricultural 'A1' zone in Zoning By-Law Number 76-26 (Exhibit E – Official Plan Map; Exhibit F – Zoning By-Law Number 76-26 Map 1). The proposed severance is consistent with Policy 3.12.9. which permits up to two severances with a minimum lot area of 1.0 hectare for non-farm residential use from a landholding that existed as of November 6, 1997.

Application

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

- Surveyors Sketch (Exhibit G);
- Conceptual Site Plan
- Minimum Distance Separation Calculation

April 11, 2022

Page 5 of 13

- Planning Overview

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

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development which are complemented by local policies addressing local interests. The applications being considered are site specific to accommodate a specific proposal and do not involve any major policy considerations and as much, the proposal conforms to and is consistent with the PPS.

Consent Application

The proposed severance meets the tests set out in the *Planning Act*. The proposed severance is for only one additional lot and conforms to Official Plan policies. In this instance, a plan of subdivision is not required for the proper and orderly development of the property as per subsection 53(1) of the *Planning Act*.

In general, the proposed consent has proper regard for the criteria in Section 51(24) of the *Planning Act*. The appropriate conditions are included in the Conditions of Consent, as permitted under Section 53(12).

Official Plan

The subject property is designated Rural in the City of Kingston Official Plan. The goal of the Rural designation is to protect the rural community by balancing the environmental, resource protection, community and economic objectives of land use on Rural Lands, and to permit a range and scale of uses that help to promote the long-term growth and viability of the rural community.

The creation of individual parcels of land by way of consent is subject to the consent policies of the Official Plan. In considering whether the proposal is appropriate, the Committee of Adjustment will have regard for the requirements included within the Official Plan, specifically section 9.6.13 titled: “Criteria for Consent Approval”. The following lists these requirements and is an assessment of how the proposal is consistent with each relevant policy.

1. The lot frontage, depth and area of any lot created by consent (severed and retained parcel) must be appropriate for the use proposed for the lot, be in compliance with the provisions of the zoning by-law and consistent, where possible, with adjacent lots;

The severed and retained parcels conform to the minimum lot area and depth in the Official Plan and the Zoning By-Law. The undeveloped severed parcels of land will be

April 11, 2022

Page 6 of 13

subject to the setback requirements of the Zoning By-law at time of development. The applicant requires relief for the proposed lot frontages for both the severed and retained lots. In this case, the proposed lot frontages of 69 and 43 metres are consistent with surrounding lots and are appropriate for rural residential use.

2. Proposed severances that would result in irregularly shaped lots are to be avoided where possible

The severed and retained lots will not result in any irregularly shaped lot. The proposed severed lot is 43 metres wide and approximately 232 metres long, which conforms to the rectangular shape of the existing lot which is 112.7 metres wide and approximately 497 metres long. The thin, rectangular shape of the proposed severed lot is similar to other rural residential lots in the surrounding area. The proposed retained lot will maintain its rectangular shape minus the proposed severed lot.

3. Consents may be granted only when each parcel of land has frontage and direct access from an assumed road, except for conservation lands such as those held by the Conservation Authority or a land trust that can be accessed through an easement or right-of-way on abutting lands;

Both the severed and retained parcels will have frontage and access onto Unity Road.

4. Direct access from major roads is limited and is subject to the terms of any permits or approvals required from an agency having jurisdiction, with particular attention to controlled areas subject to Ministry of Transportation review and approval;

Any new or altered entrances on the severed or retained lots will require an Entrance Permit from the Engineering Department prior to any excavation or work within the road allowance.

5. New access points or driveways must be located where they would not create a traffic hazard because of sight lines on curves, grades or corners;

The severed lot and retained lands have sufficient road frontages with even grades that create for good sight lines. The severances should not result in any negative traffic hazards. The access points will be reviewed by the Engineering Department when the proponent applies for an Entrance Permit.

6. Minor infilling of residential development is permitted except where the new lots would result in ribbon development of more than four non-farm residential lots that takes the form of a single depth of houses or other land uses fronting along roads in Rural Areas;

The proposal to sever one lot is considered to be minor infilling development. The proposal does not meet the definition of ribbon development.

7. Infill residential development is permitted within Rural Areas where there is a distance of 100 metres or less of frontage between two non-farm residential lots on the same side of

April 11, 2022

Page 7 of 13

the road and the lot can meet all of the other policies of the Plan and requirements of the zoning by-law;

The severed and retained lots can meet all of the policies of the Official Plan and the requirements of the Zoning By-Law.

8. Compatibility and any separation distances required between the proposed land uses for the lot and the neighbouring land uses located in Rural Areas must be considered;

The severed lot and its intended residential use are compatible with similar uses in the rural area and will not result in any impacts abutting agricultural uses or existing livestock or manure storage facilities. A Minimum Distance Separation formula calculation was applied to the nearby agricultural operations and the rural residential land use meets the setback criteria.

9. Any application for a consent must assess the impact on the natural heritage system, natural heritage features and areas, natural hazards, cultural heritage resources and areas of archaeological potential, or areas of archaeological significance as set out in Sections 5, 6 and 7 of the Plan; and

The subject lands have been identified as having composite archaeological potential on the Archaeological Master Plan. Archaeological clearance through the completion of an archaeological assessment will be required as a condition of consent.

The application was circulated to the Cataraqui Region Conservation Authority for comment. CRCA staff have no objection to the proposed severance based on considerations of natural heritage, natural hazards and water quality protection policies.

10. The City must be satisfied that any development lots created by consent can be supplied with such municipal services as fire protection, road maintenance, storm drainage and where applicable, water supply and sewage disposal facilities, such that the provision of services does not adversely affect the City's finances.

The subject lot is located outside of the Urban Boundary and its serviced area therefore development outside of the urban boundary may proceed with private onsite services. A hydrogeological assessment will be required as a condition of consent as well as an updated plot plan which indicates that the existing septic system on the proposed retained lot will be compliant with Ontario Building Code setbacks.

The proposal meets the intent of the Official Plan, as the proposed severance and will not result in any negative impacts to adjacent properties or to the neighbourhood.

Minor Variance Application

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested, both separately and together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

April 11, 2022

Page 8 of 13

1)The general intent and purpose of the Official Plan are maintained

The subject property is designated Rural in the City of Kingston Official Plan.

In considering whether this proposed variance is desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the Official Plan. The following provides these nine requirements and an assessment of how the proposal is consistent with each.

1. The proposed development meets the intent of Section 2 Strategic Policy Direction, and all other applicable policies of this Plan;

The proposed development is located within the Rural Area as illustrated on Schedule 2 of the Official Plan. The proposed development is for a single rural residential lot and is consistent with the intent of the Strategic Policy Direction of the City. The proposed lot with a reduced frontage will not result in any adverse impacts as described in Section 2.7 of the Official Plan.

2. The proposed development will be compatible with surrounding uses, buildings or structures and development standards associated with adjacent properties, and if necessary, incorporate means of alleviating adverse effects on abutting land uses as recommended in Section 2.7 of this Plan;

The width of the proposed severed lot will enable future builders to construct a dwelling that conforms to the setback requirements in the A1 zone. The severed lot will have no adverse impacts to surrounding residential uses.

In terms of nearby agricultural operations, the Applicant provided Minimum Distance Separation formula calculations which depict the proposed residential lot meets the Minimum Distance Separation setbacks as required.

3. The ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles or any other matter and means of improving such function including considerations for universal accessibility;

The severed lot and retained lands have sufficient road frontages with even grades to allow for vehicle access. The access points will be reviewed by the Engineering Department when the proponent applies for an Entrance Permit.

4. The conformity of the proposal to any applicable urban design policies endorsed by Council, particularly if the site includes or could impact a built heritage resource or is within a Heritage District;

The frontages of the proposed rural residential lots are consistent with other frontages in the surrounding area, including several on the north side of Unity Road near to the property.

The site is not designated under the *Ontario Heritage Act* or adjacent to properties designated under the *Ontario Heritage Act*.

April 11, 2022

Page 9 of 13

5. If the site is designated under the *Ontario Heritage Act*, the application shall be reviewed by Heritage Kingston for approval. If the property is adjacent to a designated property under the *Ontario Heritage Act* or shown as a Heritage Area feature, or is affected by the protected views shown on Schedule 9 of this Plan, then a heritage impact statement may be required to assist staff to determine if the resulting development is desirable;

The site is not designated under the *Ontario Heritage Act* or adjacent to properties designated under the *Ontario Heritage Act*.

6. The resulting development has adequate municipal water and sewage services within the Urban Boundary, or is capable of providing individual on-site water and sewage services outside the Urban Boundary;

The subject lot is located outside of the Urban Boundary and its serviced area therefore development outside of the urban boundary may proceed with private onsite services. A hydrogeological assessment will be required as a condition of consent.

7. Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed by a zoning amendment to the applicable zoning by-law;

The minor variance application meets the four tests of a Minor Variance as outlined in the *Planning Act* and described herein.

8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements, recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;

Recommended conditions are included in Exhibit A to this report.

9. The degree to which such approval may set an undesirable precedent for the immediate area.

The proposal is in keeping and compatible with the existing development in the surrounding area and will not set an undesirable precedent.

The proposal meets the intent of the Official Plan, as the proposed reduced lot frontages will not result in any negative impacts to adjacent properties or to the neighbourhood.

2)The general intent and purpose of the zoning by-law are maintained

The subject property is located in the Restricted Agricultural 'A1' zone in the City of Kingston Zoning By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended. The primary purpose of the Restricted Agriculture 'A1' zone is to permit agricultural uses and other rural uses that are compatible within an agricultural setting. The 'A1' zone permits residential uses including an accessory dwelling house, a converted dwelling house, and a single-family dwelling house.

The proposal requires a variance to Section 9(2)(b)(ii) and Section 9(2)(n).

April 11, 2022

Page 10 of 13

Variance Number 1: Lot Frontage (Retained)

By-Law Number 76-26: Section 9(2)(b)(ii)

Requirement: 100.5 metres

Proposed: 69.1 metres

Variance Requested: 31.4 metres

The Zone specifies that lots used for anything other than a converted dwelling house must have a lot frontage of 330 feet, or 100.5 metres. Given that the purpose of the zone is predominantly for agricultural uses, the wide frontage is intended to ensure that lots are sufficiently wide enough for efficient farm use, and to enable larger farm equipment to access the property. In this case, the property is utilized as a rural residential property and is not likely to be used for farm uses. However, if someone were to try to farm the property it would likely be a smaller scale operation and the lot frontage of 69.1 metres would be sufficient.

Variance Number 2: Lot Frontage (Severed)

By-Law Number 76-26: Section 9(2)(n)

Requirement: 60.0 metres

Proposed: 43.0 metres

Variance Requested: 17.0 metres

The frontage requirement for severed residential lots in the Restricted Agricultural Zone (A1) is for 60 metres. The purpose of the lot frontage is to ensure that residential lots are wide enough to allow for dwellings as well as the required side yard requirements and to maintain a consistent character with like lots. In this case, the frontage does allow enough space for a dwelling to be constructed while also conforming to the setback requirements of the zone and the lot is consistent with the character of the lots in the area.

3)The variance is minor in nature

The variance is considered minor as the consent is permitted by Official Plan policies and the resulting lots are able to function appropriately with reduced frontages.

4)The variance is desirable for the appropriate development or use of the land, building or structure

The variance is desirable as it will enable the creation of an additional rural residential lot which is permitted by Official Plan policies. The resulting severed and retained lots will each maintain enough frontage to adequately function as a residential and agricultural lot, respectively.

The variance is desirable and appropriate use of the land.

April 11, 2022

Page 11 of 13

Technical Review: Circulated Departments and Agencies

- | | | |
|-------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Building Division | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Services) |
| <input type="checkbox"/> Finance | <input type="checkbox"/> Utilities Kingston | <input type="checkbox"/> Real Estate & Environmental Initiatives |
| <input type="checkbox"/> Fire & Rescue | <input type="checkbox"/> Kingston Hydro | <input checked="" type="checkbox"/> City’s Environment Division |
| <input type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input type="checkbox"/> Housing | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input type="checkbox"/> Municipal Drainage | <input type="checkbox"/> Parks of the St. Lawrence |
| <input checked="" type="checkbox"/> CRCA | <input type="checkbox"/> KFL&A Health Unit | <input type="checkbox"/> Trans Northern Pipelines |
| <input type="checkbox"/> Parks Canada | <input type="checkbox"/> Eastern Ontario Power | <input type="checkbox"/> CFB Kingston |
| <input type="checkbox"/> Hydro One | <input checked="" type="checkbox"/> Enbridge Pipelines | <input checked="" type="checkbox"/> TransCanada Pipelines |
| <input type="checkbox"/> Kingston Airport | | |

Technical Comments

The applications were circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude the applications from moving forward. Any technical comments that are received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

Public Comments

At the time this report was finalized, no comments were received with regard to the applications. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

Previous or Concurrent Applications

There are no concurrent or relevant historic planning applications on the subject property.

Conclusion

The proposal has regard to the matters under subsection 51(24) of the *Planning Act*, is consistent with the Provincial Policy Statement, conforms with all applicable policies of the Official Plan, is in keeping with the general intent and purpose of the zoning by-law and a plan of subdivision is not necessary for the proper and orderly development of the property, as such, is recommended for provisional approval.

Provisional approval of this application will enable the severance of a 1-hectare rural residential lot from the subject property.

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 76-26. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variances are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the

April 11, 2022

Page 12 of 13

Planning Act and the application is being recommended for approval, subject to the proposed conditions.

Existing Policy/By-Law:

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

Provincial

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Zoning By-Law Number 76-26

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on April 11, 2022. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 14 days in advance of the meeting. In addition, notices were sent by mail to a total number of 29 property owners (according to the latest Assessment Roll) within 60 metres of the subject property (Exhibit H – Public Notification Map) and a courtesy notice was placed in The Kingston Whig-Standard.

Once a decision has been rendered by the Committee of Adjustment, a Notice of Decision will be circulated in accordance with the provisions of the *Planning Act*.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

Riccardo Peggi, Planner, 613-546-4291 extension 3237

April 11, 2022

Page 13 of 13

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Recommended Conditions – Minor Variance
- Exhibit B Recommended Conditions – Consent
- Exhibit C Key Map
- Exhibit D Neighbourhood Context Map (2021)
- Exhibit E Official Plan Map
- Exhibit F Zoning By-Law Number 76-26, Map 1
- Exhibit G Site Survey
- Exhibit H Public Notification Map

Recommended Conditions

Application for minor variance, File Number D13-011-2022

Approval of the foregoing application shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variance applies only to lot frontage for both the severed and retained lot as shown on the approved drawings attached to the notice of decision.

2. No Adverse Impacts

The owner/applicant shall demonstrate to the satisfaction of the City that there are no adverse impacts on neighbouring properties as a result of any modifications to on-site grading or drainage.

3. Building Permit Application Requirements

The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make application for a Building Permit.

The drawings submitted with the Building Permit application must, in the opinion of the City, conform to the general intent and description of the approved drawing(s), including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process.

4. Archaeological Assessment

Archaeological clearance of the subject property is required, beginning with a Stage One Archaeological Assessment and including any subsequent assessments as required by the Ministry of Heritage, Sport, Tourism, and Culture Industries' Standards and Guidelines for Consultant Archaeologists, as amended from time to time, prior to any soil disturbance.

One digital copy of the assessment report(s) and any acceptance letter(s) from the Ministry of Heritage, Sport, Tourism, and Culture Industries shall be provided to the Secretary-Treasurer of the Committee of Adjustment, prior to the issuance of the Certificate of Official.

The City relies upon the report of the professional archaeologist as filed, but reserves the right to require further reports should further evidence be uncovered.

The applicant may be required to further review the state of archaeological resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Heritage, Sport, Tourism, and Culture Industries. The City shall not be restricted in its ability to determine requirements related to review, assessment and/or protection should archaeological resources be found on site. Any costs arising from such requirements of the City, or any other duly authorized Government body, shall be borne solely by the applicant.

Recommended Conditions

The provisional approval of consent application, File Number D10-003-2022, to sever a 1.0 hectare residential lot from the 5.6 hectare subject property, is subject to the following recommended conditions:

1. Certificate of Official and Deadline

That all conditions are satisfied and the Certificate of Official be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within one year of mailing of this notice. We suggest that the Land Registry Office be consulted for preapproval of the Certificate of Official to avoid delays.

The Certificate must be registered within two years from the issuance of the certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

2. Reference Plan

That a digital version of a Reference Plan be provided in a PDF and AutoCAD Windows readable format on a compact disc (CD), USB memory stick or by email, illustrating the severed parcel be prepared and presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official.

3. Payment of Taxes

The owner/applicant shall contact the Tax Department at tax@cityofkingston.ca and secure in writing from the Treasurer or the Manager of Taxation and Revenue, proof of payment of current taxes and any special charges (not simply a copy of the tax bill) required to be paid out and a statement of proof that is received and shall be provided to the Secretary-Treasurer Committee of Adjustment, prior to the issuance of the consent certificate. The owner/applicant must pay any outstanding realty taxes and all local improvement charges levied against the property.

4. Archaeological Assessment

Archaeological clearance of the severed parcel is required, beginning with a Stage One Archaeological Assessment and including any subsequent assessments as required by the Ministry of Heritage, Sport, Tourism, and Culture Industries' Standards and Guidelines for Consultant Archaeologists, as amended from time to time, prior to any soil disturbance.

One digital copy of the assessment report(s) and any acceptance letter(s) from the Ministry of Heritage, Sport, Tourism, and Culture Industries shall be provided to the

Secretary-Treasurer of the Committee of Adjustment, prior to the issuance of the Certificate of Official.

The City relies upon the report of the professional archaeologist as filed, but reserves the right to require further reports should further evidence be uncovered. The applicant may be required to further review the state of archaeological resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Heritage, Sport, Tourism, and Culture Industries. The City shall not be restricted in its ability to determine requirements related to review, assessment and/or protection should archaeological resources be found on site. Any costs arising from such requirements of the City, or any other duly authorized Government body, shall be borne solely by the applicant.

5. Cash in lieu of Parkland

That \$1,335.08 shall be paid to the City of Kingston as cash-in-lieu of land dedication for park or public recreational purposes for each new building lot being created. The applicant may choose to pay the fee through their DASH application, provide a certified cheque or provide payment at the front desk at 1211 John Counter Boulevard, prior to the issuance of the consent certificate.

6. Civic Address

The owner/applicant shall contact the Planning Division once the Reference Plan has been deposited and provided to the City, and obtain a draft civic address for each new lot created and all appropriate fees shall be paid. The owner/applicant shall provide to the Secretary-Treasurer, Committee of Adjustment, written confirmation from the City that the civic address has been obtained prior to the issuance of the consent certificate.

7. Private Well & Hydro-geological Study

In order to review the hydro-geological conditions in support of the proposed severance, a well shall be constructed, or confirmation shall be provided of an existing well, on the severed parcel, in accordance with current standards described in Ontario Regulation 903 or as amended.

A Full Hydro-geological Assessment shall be completed in accordance with the City of Kingston's "Interim Standard Hydro-geological Assessments in Support of (1-3) Rural Land Severances" to ensure that the new well(s) or existing unused wells satisfy the City's criteria for construction, water quantity, water quality, and interference with surrounding wells. The applicant shall contact the Environment Division to confirm their requirements for approval of this condition.

Two (2) copies of the study and all relative information shall be provided to the Secretary-Treasurer of the Committee of Adjustment to be forwarded to the Environment Division for their review and further to confirm compliance to current

City standards. Written acceptance of this study and its conclusions shall be provided by the Environment Division to the Secretary-Treasurer of the Committee of Adjustment prior to the issuance of the consent certificate.

Recommendations made by the Environment Division as a result of this assessment may be required to be included within a Development Agreement which is to be registered against the title to the lands.

8. Plot Plan

The owner/applicant shall provide an updated plot plan that indicates the location and type of the existing septic system serving the existing dwelling. Minimum Ontario Building Code setbacks are applicable and distance from septic system to proposed lot lines must be confirmed prior to completion of the severance.

9. Noise Study

The owner/applicant shall submit a noise study for review and approval by the City of Kingston. The study is to address potential impacts due to transportation noise sources in the vicinity. The study is to be prepared by a qualified individual with experience in environmental acoustics and demonstrate compliance with NPC-300.

10. Associated Minor Variance

That associated Minor Variance Application D13-011-2022 is approved and all related conditions of approval are fulfilled.



Planning Services

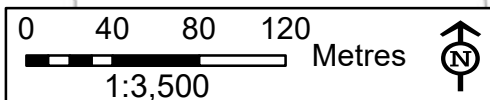
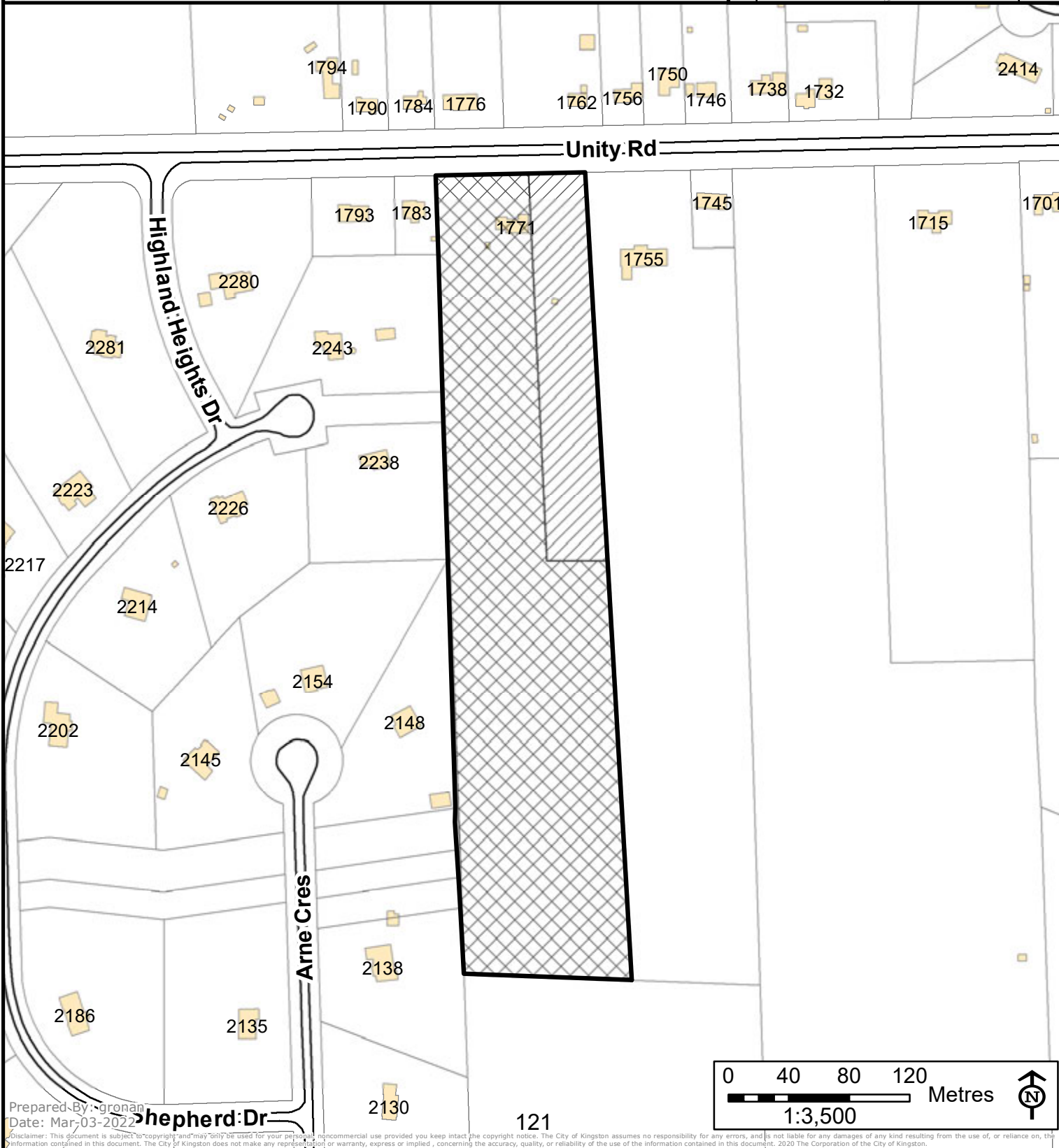
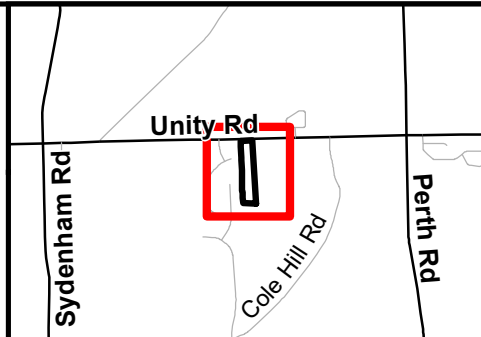
Delegated Authority

Key Map

Address: 1771 Unity Rd

File Number: D10-003-2022

-  Subject Lands
-  Severed Lands (Lot 2)
-  Retained Lands



Prepared By: gronan
Date: Mar-03-2022




Disclaimer: This document is subject to copyright and may only be used for your personal noncommercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the use of the information contained in this document. 2020 The Corporation of the City of Kingston.



Planning Services

Delegated Authority Neighbourhood Context (2021)

Address: 1771 Unity Rd
File Number: D10-003-2022

-  Subject Lands
-  Property Boundaries
-  Proposed Parcels



Prepared By: gronan
Date: Mar-03-2022

Shepherd Dr






This document is subject to copyright and may only be used for your personal, governmental use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the use of the information contained in this document. ©2022 The Corporation of the City of Kingston.

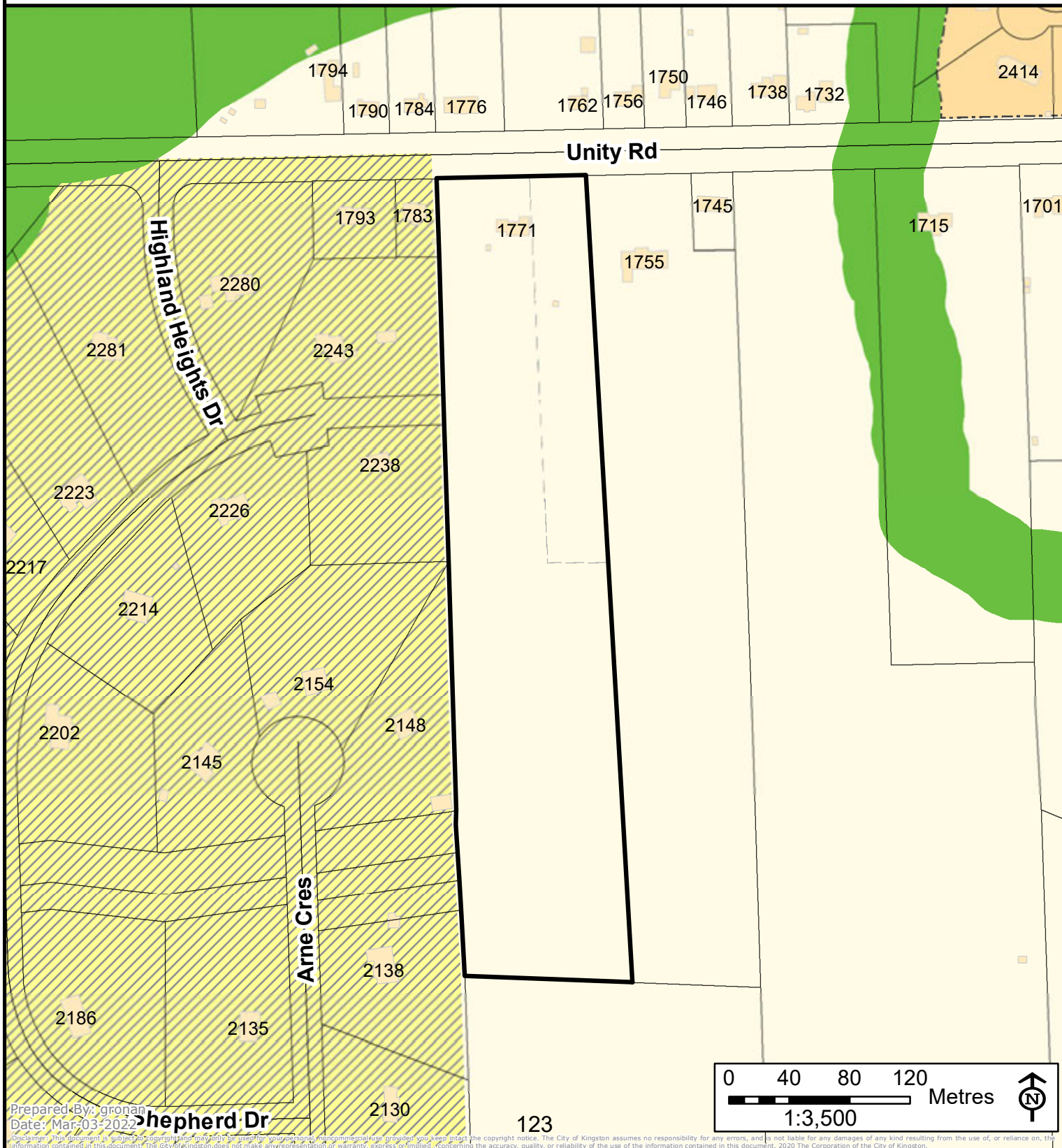


Planning Services

Delegated Authority
Official Plan, Existing Land Use

Address: 1771 Unity Rd
File Number: D10-003-2022

-  Subject Lands
-  ENVIRONMENTAL PROTECTION AREA
-  ESTATE RESIDENTIAL
-  HAMLET
-  RURAL



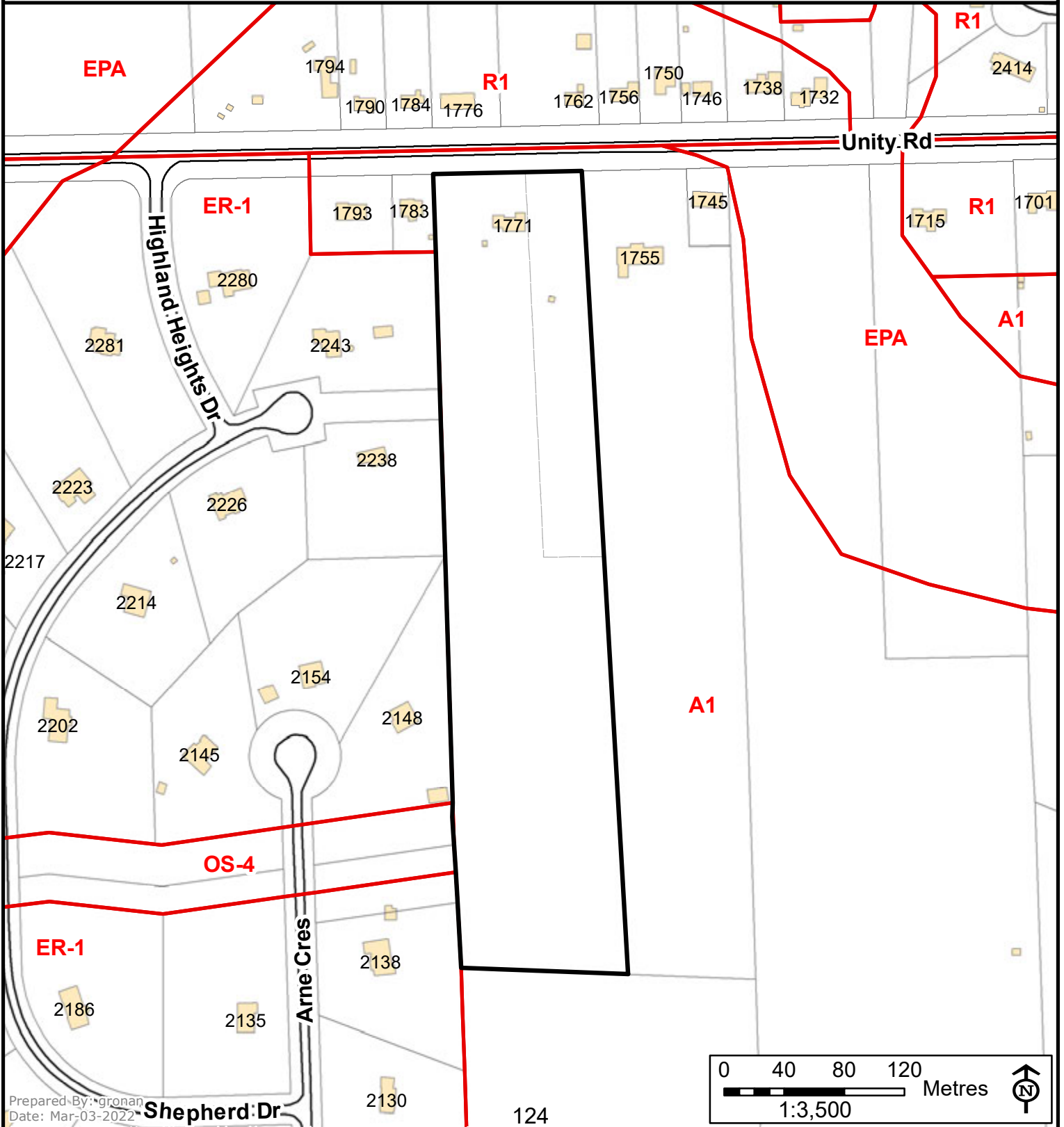
Prepared By: gronan
Date: Mar-03-2022

Disclaimer: This document is subject to copyright and may only be used for your personal, non-commercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation, warranty, express or implied. Concerning the accuracy, quality, or reliability of the use of the information contained in this document. 2020 The Corporation of the City of Kingston.



Delegated Authority
Existing Zoning - By-law 76-26, Map 1
Address: 1771 Unity Rd
File Number: D10-003-2022

Subject Lands
 Consolidated Zoning



Prepared By: gronan
Date: Mar-03-2022

Disclaimer: This document is subject to copyright and may only be used for your personal noncommercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the use of the information contained in this document. 2020 The Corporation of the City of Kingston.

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE ____TH DAY OF _____ 2022.

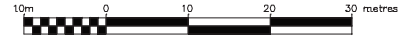
JANUARY 21, 2022
DATE

LESIE M. HIGGINSON
ONTARIO LAND SURVEYOR

PRELIMINARY



PLAN OF SURVEY
OF PART OF LOT 22, CONCESSION 5
CITY OF KINGSTON
(GEOGRAPHIC TOWNSHIP OF KINGSTON)
COUNTY OF FRONTENAC
SCALE: 1 : 400

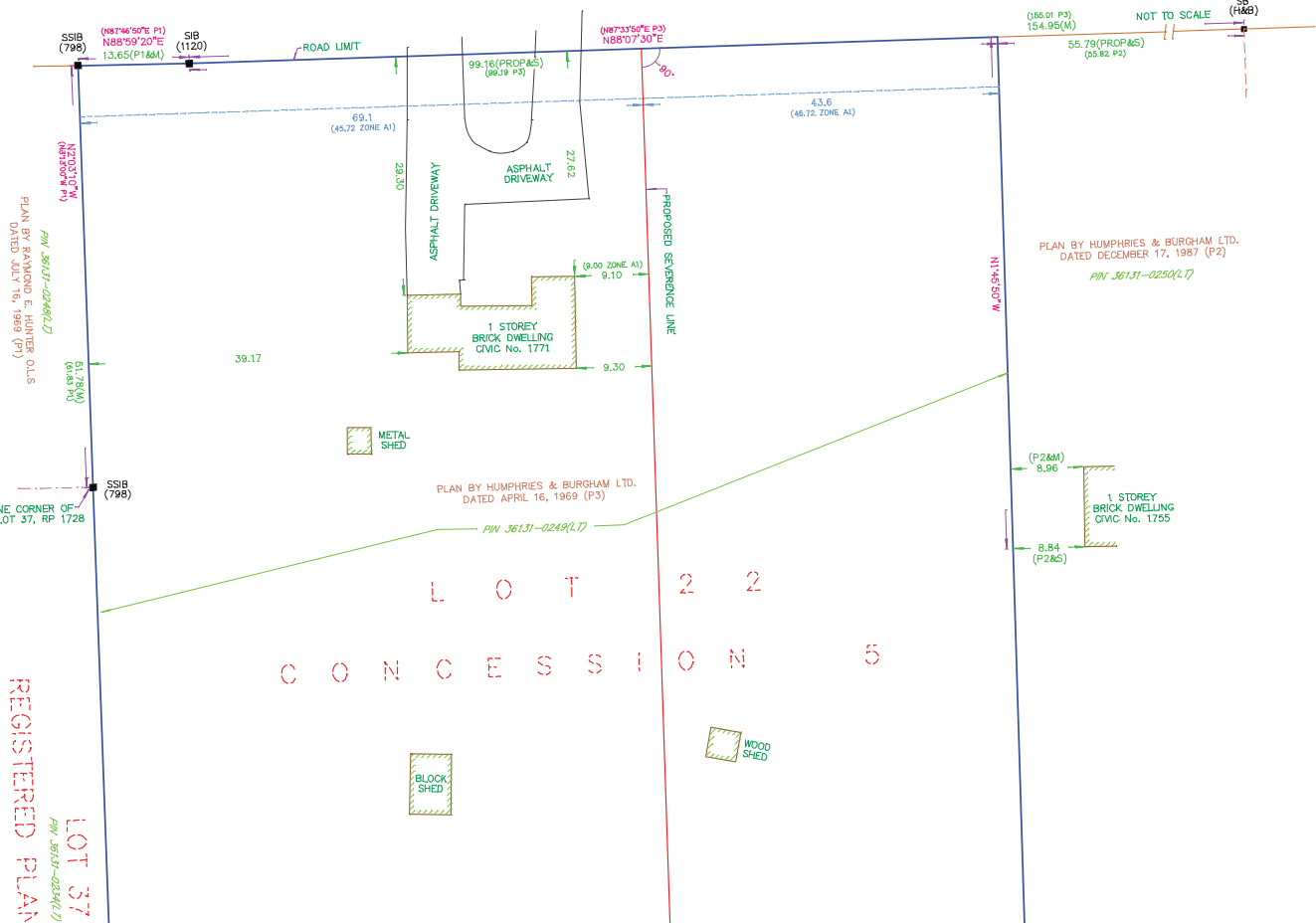


METRIC
DISTANCES & COORDINATES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE CONVERTED TO FEET
BY DIVIDING BY 0.3048

HOPKINS CHITTY LAND SURVEYORS INC.
2022

THIS REPORT WAS PREPARED FOR
KEVIN AND KATHY GELDART & THE
UNDERSIGNED ACCEPTS NO RESPONSIBILITY
FOR USE BY OTHER PARTIES

COUNTY ROAD No. 3
(ALSO KNOWN AS UNITY ROAD)
PIN 36293-0222(L7)



NOTE & LEGEND:

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM RFS OBSERVATIONS (USING NATURAL RESOURCES CANADA (NRCAN) PRECISE POINT POSITIONING (PPP) SERVICE AND ARE RELATED TO UTM ZONE 18, (75° WEST LONGITUDE) NAD83 (CSRS) (2010).

BEARING COMPARISONS SHOWN IN BRACKETS ARE TO ASTRONOMIC BEARINGS.

ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.

GRID DISTANCES CAN BE CALCULATED BY MULTIPLYING THE GROUND DISTANCES SHOWN ON THE PLAN BY THE COMBINED SCALE FACTOR OF 0.99976826.

DENOTES	SURVEY MONUMENT PLANTED
SSIB	SHORT STANDARD IRON BAR
SIB	STANDARD IRON BAR
IB	IRON BAR
SB	1/2" IRON BAR
WIT	WITNESS
CALC	CALCULATED
S	SET
M	MEASURED
798	RAYMOND E. HUNTER O.L.S
1120	JAMES A. MINNES O.L.S
H&B	HUMPHRIES AND BURGHAM LTD.
P1	PLAN BY RAYMOND E. HUNTER O.L.S DATED JULY 16TH, 1969
P2	PLAN BY HUMPHRIES & BURGHAM LTD. DATED DECEMBER 17TH, 1987
P3	PLAN BY HUMPHRIES & BURGHAM LTD. DATED APRIL 16TH, 1969

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF HOPKINS CHITTY LAND SURVEYORS INC.

© COPYRIGHT
HOPKINS CHITTY LAND SURVEYORS INC.
LESIE M. HIGGINSON O.L.S. 2022.

THIS IS NOT AN ORIGINAL COPY UNLESS EMPLOYED WITH A SEAL

DATED JANUARY 21, 2022

PARTY CHIEF: ER	INSTRUMENT: AC	CHECKED BY: LH	PLAN BY: JN
HOPKINS CHITTY LAND SURVEYORS INC. 1224 GARDINERS ROAD, SUITE 102 KINGSTON, ONTARIO K7P 0Z2 (613) 389-7986 (fax) 384-3513 www.hopkinschitty.com			
FILE: K1'N 5-22	2021-0856 GNDC SEV		

REGISTERED PLAN No. 17228






BLOCK "H"

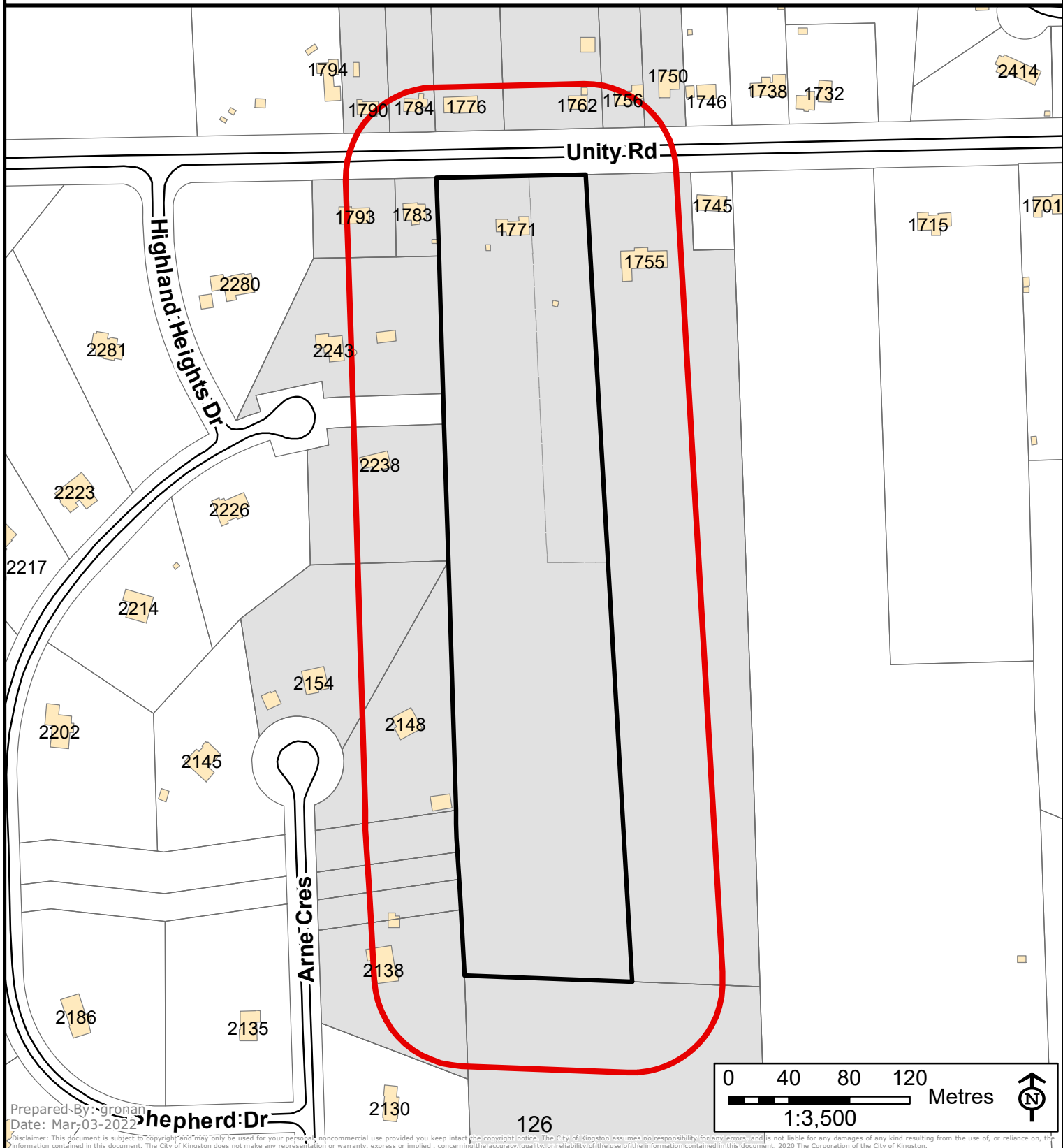


Planning Services

Delegated Authority Public Notice Notification Map

Address: 1771 Unity Rd
File Number: D10-003-2022

-  60m Public Notification Boundary
-  Subject Lands
-  Property Boundaries
-  Proposed Parcels
-  18 Properties in Receipt of Notice (MPAC)



Prepared By: gronan
Date: Mar-03-2022

Disclaimer: This document is subject to copyright and may only be used for your personal, noncommercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the use of the information contained in this document. ©2020 The Corporation of the City of Kingston.