

Section 1. OVERVIEW

The Official Plan, also called the “Plan”, is the document in which the City of Kingston, also called the “City”, sets out its land use planning goals and policies that guide physical *development* and *redevelopment*, protection of natural and cultural heritage, resource management, and necessary supporting *infrastructure*. This Official Plan repeals and replaces the former City of Kingston Official Plan, and the Township of Kingston and Township of Pittsburgh Official Plans, except for specified secondary plans.

1.1 THE ROLE OF THE OFFICIAL PLAN

The Planning Act of Ontario requires municipalities to prepare, and regularly review, an Official Plan in order to manage and direct physical change. The Provincial Policy Statement, as amended, contains matters of provincial interest that must also be reflected adequately in Official Plans. The Planning Act, Municipal Act, and the Ontario Heritage Act authorize the use of specific tools, such as zoning by-laws, and site plans to implement policies of the Official Plan. The foundation for many of these more detailed implementing provisions must be established in the Official Plan. Once an Official Plan is approved, no zoning by-law or public work can be undertaken that is contrary to the Official Plan, unless the Plan is amended.

This Official Plan is intended to guide *development* in Kingston until 2026, but it will be reviewed every five years in accordance with the requirements of the Planning Act and may be amended by the City to reflect changing circumstances or new priorities for resource protection, growth or *redevelopment*.

1.2 THE ELEMENTS AND STRUCTURE OF THE PLAN

Section 1

The Official Plan consists of both written policy and attached maps. This Plan is organized into 10 main sections. It is organized to move from fundamental and broadly-based planning principles, strategic policy approaches, and structural organization of the City to the more specific land use policies, resource and utility policies, implementation tools, and then to secondary plans, which are more detailed provisions for specific geographic areas of the City. This introduction is Section 1.

Cross-references within the text are intended to be helpful in reading the Official Plan, but do not anticipate every situation. The Official Plan should be read in its entirety to ensure that all applicable policies have been considered.

Section 1.4 includes definitions for terms noted in italics, and used in the body of the Plan. Most are quoted from the 2005 Provincial Policy Statement.

- Section 2** Section 2 establishes the strategic policy direction for the City of Kingston and includes such matters as the City’s approach to growth and *intensification*, the *Urban Boundary*, and the fundamental urban structure as illustrated on Schedule 2. It is a statement of how the citizens want to see their City developed. Matters found in this section are considered of prime significance to the future development of the City and apply to all sections of the Official Plan. Proposals that are contrary to the strategic intent of the Plan, or are not anticipated by the Plan, will require more detailed supporting study and rigorous analysis than those that meet the strategic intent of the Official Plan.
- Section 3** Section 3 contains detailed policies for each type of land use designation and includes Schedule 3, the Land Use schedule of the City, which is shown over three maps – Schedules 3-A, 3-B and 3-C. Schedule 3-D refers to individual sites that have specific approved policy provisions, but are not yet built.
- Section 4** Section 4 contains policies relating to supporting physical *infrastructure*, including roads and other means of transportation, municipal water, sanitary sewer and stormwater management, solid waste management, and the provision of various utilities. Schedules 4, 5 and 6 refer to this section.
- Section 5** Section 5 consists of policies related to the protection of health and safety, including the management of hazards in flood-prone areas, contaminated sites, and issues of noise, vibration and odour emissions.
- Section 6** Section 6 deals with the natural environment by applying an ecosystem approach to protecting *natural heritage features and areas* and *ecological functions*. These are discussed and illustrated as a *natural heritage system* on three separate maps for each of Schedules 7 and 8. This section also contains policies related to energy, which, together with the environmental policies, contribute to the *sustainability* of the City by protecting its natural and physical resources.
- Section 7** Section 7 deals with *cultural heritage resources*, including individual buildings, cultural heritage areas, cultural landscapes, and *archaeological resources*.
- Section 8** Section 8 includes urban design policies and approaches to *development* within the City.
- Section 9** Section 9 contains policies related to the implementation of the Plan. These include studies, *community improvement plans*, by-laws, means of subdividing land, as well as various other tools and measures. This section also contains policies that relate to the administration and interpretation of the Plan.
- Section 10** Section 10 contains detailed Special Policies for the Downtown and Harbour Area, and completed secondary plans that have been prepared to guide more complex, or significantly evolving, areas of the City. These include the Rideau Community, Cataraqui North and Cataraqui West Secondary Plans. These subsections form part of the Plan and are to be read together with the main text.

1.3 HOW TO READ THE OFFICIAL PLAN

Introduction	The introductory paragraphs of each section of the Plan provide a context for the policies that follow.
Goals	The Goals provide the overall direction that is sought by the more specific policies that follow. Goals are also shown in italics throughout the Plan.
Policies	<p>The Policies provide specific direction and often refer to areas on the map schedules for locational reference and clarity of intent. Policies will be implemented through a wide variety of mechanisms, including:</p> <ul style="list-style-type: none">• regulatory tools such as zoning by-laws, subdivision guidelines, and the site plan control by-law and associated guidelines;• through programs undertaken by the City and higher levels of government; and,• through incentives or direct investment decisions of the City.
Operative Parts of the Plan	The Overview, Goals, Policies, Tables, Definitions, and Schedules referenced in Sections 2 to 10, inclusive, are all operative parts of the Plan, as are the more detailed secondary plans and their respective schedules.
Margin Headings	The margin headings are intended as helpful reference markers to categories of policy text and are not intended as operative parts of the Plan.
Added Policies	Some sections of the Plan have special sub-areas where additional policies apply in addition to the general policies of that designation. For instance, within the Commercial land use designation there are additional policies that apply to various types or designations of commercial land use. In such cases, the general policies of the introductory section are also intended to apply, unless they are explicitly excluded in the text that describes a specific sub-category or land use designation.
Secondary Plans	Secondary plans and special policies for the Downtown and Harbour Area provide more detailed direction for <i>development</i> in specific areas of the City. They are consolidated in Section 10 for ease of reference, and are subject to all other policies of the Plan. New secondary plans will be required over time and are expected to be prepared prior to approval of <i>development</i> in large or complex areas in the City.

1.4 DEFINITIONS

Accessory Use

Means a separate use, building or structure which is subordinate to, naturally, customarily and normally incidental to and exclusively devoted to the principal use, building or structure and is located on the same lot but not designed or intended for human habitation unless specifically permitted.

Adjacent Lands (Cultural Heritage)

In terms of evaluating potential impacts of *development* and *site alteration* on *protected heritage properties*, means:

- a. contiguous (abutting properties);
- b. a property that is separated from a heritage property by a narrow strip of land used as a right-of-way, walkway, green space, park and/or easement and whose recognized *heritage attributes* would be impacted by the proposed *development* and/or *site alteration*; and/or,
- c. those properties whose *heritage attributes* were identified within the following:
 - a designation by-law enacted under the Ontario Heritage Act;
 - a heritage easement enacted under the Ontario Heritage Act;
 - a Heritage Conservation District Plan;
 - a World Heritage Site Management Plan;
 - a National Historic Site's Commemorative Integrity Statement, Management Plan, Federal Heritage Buildings Review Office report, or Reasons for Designation;
 - City of Kingston's Official Plan; or,
 - recognized *heritage attributes* that would be impacted by the proposed *development* or *site alteration*.

Adjacent Lands (Natural Heritage)

Those lands contiguous to a specific *natural heritage feature* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature. *Adjacent lands* are deemed to be those lands that are:

- a. within 120 metres of a provincially *significant wetland* designated as Environmental Protection Area on Schedule 3 of this Plan;
- b. within 50 metres of all other *wetlands* designated as Environmental Protection Area on Schedule 3 of this Plan;
- c. within 30 metres of *fish habitat*, which for the purpose of this Plan, is a waterbody or watercourse, designated on Schedule 3 of this Plan as an Environmental Protection Area;
- d. within 50 metres of *significant woodlands* as shown on Schedule 8 of this Plan;
- e. within 50 metres of *significant valleylands* as shown on Schedule 8 of this Plan;
- f. within 50 metres of environmentally *sensitive* areas as shown on Schedule 8 of this Plan;

- g.** within 50 metres of *significant wildlife habitat* and *areas of natural and scientific interest*; and,
- h.** within 50 metres of the *significant* portions of the habitat of *endangered and threatened species* or species of concern as tracked by the Ministry of Natural Resources “Natural Heritage Information Centre”. They are shown schematically on Schedule 7 of this Plan, but may be more specifically determined by the Cataraqui Region Conservation Authority or the Ministry of Natural Resources.

Adverse Effects

As defined in the Environmental Protection Act, this means one or more of the following:

- a.** impairment of the quality of the natural environment for any use that can be made of it;
- b.** injury or damage to property or plant or animal life;
- c.** harm or material discomfort to any person;
- d.** an *adverse effect* on the health of any person;
- e.** impairment of the safety of any person;
- f.** rendering any property or plant or animal life unfit for human use;
- g.** loss of enjoyment of normal use of property; and,
- h.** interference with the normal conduct of business.

Affordable

- a.** in the case of ownership housing, the least expensive of:
 - housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*;
 - or,
 - housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.

Note: Unless otherwise stipulated in an upper tier government program which may define accommodation costs differently, affordable ownership housing is priced at or below an amount where the total monthly shelter cost includes the mortgage, principal, and interest (based on a 25-year amortization, 10 per cent down payment and the chartered bank administered mortgage rate for a conventional 5 year mortgage as reported by the Bank of Canada at the time of application) plus property taxes, calculated on a monthly basis, equals the average City of Kingston rent by unit type, as reported annually by the Canada Mortgage and Housing Corporation. Affordable ownership prices also include GST and any other mandatory costs associated with purchasing the units.

- b.** in the case of rental housing, for which the total monthly shelter cost is the gross monthly rent that includes utilities, heat, hydro and hot water, but excludes parking and cable television, the least expensive of:

- a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or,
- a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agricultural Uses	The growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
Agriculture-related Uses	Those farm-related commercial and farm-related industrial uses that are small-scale and directly related to the farm operation and are required in close proximity to the farm operation.
Airport	A complex of runways and buildings for the take-off, landing and maintenance of aircraft, with facilities for passengers and freight, for which an <i>airport</i> certificate is in force.
Airside	The movement area of an <i>airport</i> or an aerodrome, including adjacent terrain and buildings or portions thereof, where access is controlled.
Amenity Area	An interior area within a residential building or an outdoor area exterior to the residential building, which is designed and intended primarily for the leisure and <i>recreation</i> of the occupants of the building.
Archaeological Resource(s)	Artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the <u>Ontario Heritage Act</u> .
Areas of Archaeological Potential	Areas likely to contain <i>archaeological resources</i> . Criteria for determining archaeological potential are established by the Province, but municipal approaches that achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the <u>Ontario Heritage Act</u> .
Areas of Employment	Areas of land designated in an official plan for clusters of business and economic uses including, without limitation: <ul style="list-style-type: none">a. manufacturing uses;b. warehousing uses;c. office uses;d. retail uses that are associated with uses mentioned in clauses a) to c); and,e. facilities that are accessory to uses mentioned in clauses a) to d).
Areas of Natural and Scientific Interest (ANSI)	Areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Bed and Breakfast Operations	An owner-occupied detached dwelling offering short-term lodging for compensation to the travelling and vacationing public. Guest rooms or suites are limited in the zoning by-law to a maximum of three, and may include a private bath, but must not include cooking facilities. Breakfast and other meals, services, facilities or amenities may be offered exclusively to guests.
Biomass Energy	Energy produced through the conversion of biological material or waste into heat, electricity or fuel.
Brownfield Sites	Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.
Built Heritage Resources	One or more <i>significant</i> buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the <u>Ontario Heritage Act</u> , or listed by local, provincial or federal jurisdictions.
Class I Industrial Facility	A place of business for a small-scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise; odour; dust; and/or, vibration. These are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.
Class II Industrial Facility	A place of business for medium-scale processing and manufacturing with outdoor storage of wastes or materials (i.e., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise; odour; dust; and/or, vibration; and, low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.
Class III Industrial Facility	A place of business for large-scale manufacturing or processing, characterized by some or all of the following: large physical size; outside storage of raw and finished products; large production volumes; and, continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.
Coastal Wetland	<ol style="list-style-type: none">a. any <i>wetland</i> that is located on one of the Great Lakes or their connecting channels (for the City of Kingston, this would be the St. Lawrence River); or,b. any other <i>wetland</i> that is on a tributary to any of the above-specified waterbodies and lies, either wholly or in part, downstream of a line located two kilometres upstream of the 1:100 year floodline (plus <i>wave uprush</i>) of the large waterbody to which the tributary is connected.

Cogeneration Energy	Thermal energy (heat) and electrical energy produced at the same time using the same process.
Community Home	A single housekeeping unit in which a maximum of seven persons (exclusive of staff or receiving family) live under responsible supervision, and who by reason of legal status, or emotional, mental or social condition require a group living environment for their well-being on a long term basis. A <i>community home</i> may provide an eighth bed on an emergency basis, which can be occupied for a maximum of 30 days.
Community Improvement Plan	A tool under the <u>Planning Act</u> that allows a municipality to direct funds and implement policy initiatives towards a specifically defined <i>community improvement project area</i> .
Community Improvement Project Area	A municipality, or an area within a municipality, where in the opinion of Council, community improvement is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings, or for any other environmental, social or community economic development reason.
Community Support House	A group living arrangement in a single housekeeping unit for persons generally residing outside of Kingston, but requiring short term accommodation which may include incidental counseling or support services. The <i>Community Support House</i> is intended to provide accommodation for persons visiting their relatives and friends who may be incarcerated in a local penal institution or who may be receiving treatment at a local medical institution.
Compatible	<i>Development</i> that is capable of co-existing in harmony with, and that will not have an undue physical or functional adverse impact on, existing or proposed <i>development</i> in the area, or pose an unacceptable risk to environmental or human health. Compatibility should be evaluated in accordance with measurable, objective standards based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.
Complementary Use	Means a separate and independent use which is different from the predominant class of uses permitted in an area but is in keeping with the context of the overall mix of uses and, in a mutually beneficial fashion with the primary uses, provides support and services to meet the needs of the primary uses without interfering with the intended function of its surrounding area.
Comprehensive Review	For the purposes of policies 1.1.3.9 and 1.3.2 of the Provincial Policy Statement, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, shall address the following matters: <ul style="list-style-type: none">• the demand for the type and style of <i>development</i> proposed;• the lot pattern and the <i>development</i> concept proposed;• availability of similar types of <i>development</i> in other areas;• current land availability within the <i>Urban Boundary</i>;

- the supply of available lots within the *Urban Boundary*;
- the current and potential rates of lot and building absorption;
- actual and projected population and growth rates;
- an adjustment for the supply of land areas calculated in the 20-year supply that have remained vacant or unavailable as a result of physical, environmental or ownership constraints;
- opportunities to accommodate projected growth through *intensification* and *redevelopment*;
- an analysis and review of alternative directions for growth including a determination of how best to accommodate this growth while protecting provincial and local interests;
- integration with planning for *infrastructure* and public service facilities;
- confirmation that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2 of the Provincial Policy Statement; and,
- consideration of cross-jurisdictional issues.

Conserve(d) (Cultural Heritage)	The identification, protection, use and/or management of <i>cultural heritage resources</i> in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment or designation.
Contributory Woodlands	See <i>Woodlands (Contributory)</i> .
Corrections Residence	A group living arrangement in a secure facility for individuals who have been placed on probation, who have been released on parole, who are admitted to the facility for correctional or rehabilitation purposes, or who are awaiting trial, and who live together under authorized 24 hour secure supervision and accepted standards for secure detention.
Crisis Care Shelter	A single housekeeping unit for persons in a crisis care situation requiring short-term shelter, protection, assistance, counseling or support.
Cultural Heritage Landscape	A defined geographical area of heritage significance that has been modified by human activities and is valued by a community. It involves a grouping(s) of heritage features such as structures, spaces, archaeological sites and natural elements, which together form a <i>significant</i> type of heritage form, distinctive from its constituent elements or parts. Examples include, but are not limited to, heritage conservation districts designated under the <u>Ontario Heritage Act</u> , villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, railways, and industrial complexes of heritage value.
Cultural Heritage Resources	A human work or a place that gives evidence of human activity or has spiritual or cultural meaning, and which has been determined to have historic value. <i>Cultural heritage resources</i> include both physical and intangible heritage

resources, *protected heritage properties*, *built heritage resources*, *cultural heritage landscapes*, *archaeological resources*, paleontological resources, and both documentary and material heritage.

Deposits of Mineral Aggregate Resources	An area of identified <i>mineral aggregate resources</i> , as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.
Detoxification Centre	A facility to house persons addicted to a chemical substance, including alcohol, who are admitted for withdrawal, treatment and/or rehabilitation and who live together under responsible 24 hour supervision.
Development	<p>The creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the <u>Planning Act</u>, but does not include:</p> <ul style="list-style-type: none">a. activities that create or maintain <i>infrastructure</i> authorized under an environmental assessment process;b. works subject to the <u>Drainage Act</u>; or,c. underground or surface mining of <i>minerals</i> or advanced exploration on mining lands in <i>significant</i> areas of <i>mineral</i> potential where advanced exploration has the same meaning as under the <u>Mining Act</u>.
Dispute Resolution Protocol	A protocol prepared by the proponent of an energy generation system to the satisfaction of the City, which is engaged to resolve functionality and compatibility issues with the said energy generation system in a collaborative and timely manner with area landowners.
Ecological Function	The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.
Endangered and Threatened Species	A species listed or categorized as an “Endangered Species” or as a “Threatened Species” on the Ontario Ministry of Natural Resources official species at risk list, as updated and amended from time to time.
Energy Conservation	The practice of decreasing the quantity of energy used.
Environmental Impact Assessment (EIA)	An analysis performed by a qualified ecologist that inventories and assesses environmental features and functions and makes recommendations with respect to measures to maintain or improve the <i>natural heritage system</i> of which they form a part.
Environmental Protection Act	A statute of Ontario governing matters pertaining to the environment.

Erosion Hazard	The loss of land, due to human or natural processes that poses a threat to life and property. The <i>erosion hazard</i> limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a 100 year time span), an allowance for slope stability, and an erosion/erosion access allowance.
Fish	Means fish, which as defined in Section 2 of the <u>Fisheries Act</u> , c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.
Fish Habitat	Spawning grounds and nursery, rearing, food supply, and migration areas on which <i>fish</i> depend directly or indirectly in order to carry out their life processes.
Floodplain	See <i>Regulatory Floodplain</i> .
Floor Space Index	The ratio of building area to site area.
Garden Suite	An accessory, separate, self contained <i>residential unit</i> designed to be portable and intended for use by a family member capable of a high degree of independent living, but needing some support from relatives living in the principal residential dwelling.
Geothermal Energy	Energy derived from the heat generated beneath the Earth's surface that is used for heating or cooling, or to produce electricity.
Great Lakes - St. Lawrence River System	The major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of this province.
Ground Source Heat Pump	A heating and cooling system for buildings that uses a liquid to exchange heat with the ground or groundwater.
Groundside	The part of an <i>airport</i> or an aerodrome used for operations unrelated to the departure and arrival of aircraft.
Groundwater Feature	In terms of the <i>natural heritage system</i> , this refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.
Hazardous Lands	Property or lands that could be unsafe for <i>development</i> due to naturally occurring processes. Along the shorelines of the <i>Great Lakes – St. Lawrence River System</i> , this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, <i>erosion hazard</i> or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, <i>erosion hazard</i> or dynamic beach hazard limits. Along <i>river, stream and small inland lake systems</i> , this means the land, including that covered

	by water, to the furthest landward limit of the flooding hazard or <i>erosion hazard</i> limits.
Heritage Attributes	The principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a <i>protected heritage property</i> .
Hydroelectric Energy	Energy obtained from the hydrologic cycle of water that is converted to produce electricity.
Hydrological Function	The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment, including its relation to living things.
Individual On-site Sewage Services	Individual, autonomous sewage disposal systems within the meaning of Section 8.1.2, O. Reg. 403/97, under the <u>Building Code Act</u> , 1992 that are owned, operated and managed by the owner of the property upon which the system is located.
Individual On-site Water Services	Individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.
Infill	Refers to the <i>development</i> or <i>redevelopment</i> of a vacant or underutilized lot, or a consolidated number of lots. <i>Infill development</i> encourages <i>intensification</i> and <i>sustainability</i> .
Infrastructure	Physical structures (facilities and corridors) that form the foundation for <i>development</i> . <i>Infrastructure</i> includes: sewage and water collection and distribution facilities and systems; septage treatment systems; waste management systems; electric power generation and transmission; communications/telecommunications; transit and transportation corridors and facilities; oil and gas pipelines; and, associated facilities.
Intensification	The <i>development</i> of a property, site or area at a higher density than currently exists through: <ol style="list-style-type: none">a. <i>redevelopment</i>, including the reuse of <i>brownfield sites</i>;b. the <i>development</i> of vacant and/or underutilized lots within previously developed areas;c. <i>infill development</i>; and,d. the expansion or conversion of existing buildings.
Kilovolt (kV)	One thousand <i>volts</i> , and is used to describe the capacity of conductors used to transmit or distribute electricity.
Kilowatt (kW)	One thousand <i>watts</i> , and is used to describe the capacity to produce electrical energy.
Livestock Operation	One or more barns or permanent structures with livestock occupied portions, intended for keeping or housing of livestock. A <i>livestock operation</i> also includes all manure or material storage and anaerobic digesters.

Low and Moderate Income Households	<ul style="list-style-type: none"> a. In the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or, b. In the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.
Megawatt (MW)	One million <i>watts</i> , and is the unit used to describe the size/capacity of generation facilities to produce electrical energy.
Minerals	Metallic <i>minerals</i> and non-metallic <i>minerals</i> as herein defined, but does not include <i>mineral aggregate resources</i> or petroleum resources. A metallic <i>mineral</i> means those <i>minerals</i> from which metals (e.g. copper, nickel, gold) are derived. Non-metallic <i>minerals</i> mean those <i>minerals</i> that are of value for intrinsic properties of the <i>minerals</i> themselves and not as a source of metal. They are generally synonymous with industrial <i>minerals</i> (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc and wollastonite).
Mineral Aggregate Operation	<ul style="list-style-type: none"> a. Lands under license or permit, other than for <i>wayside pits and quarries</i>, issued in accordance with the <u>Aggregate Resources Act</u>, or successors thereto; b. for lands not designated under the <u>Aggregate Resources Act</u>, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and, c. associated facilities used in extraction, transport, beneficiation, processing or recycling of <i>mineral aggregate resources</i> and derived products such as asphalt and concrete, or the production of secondary related products.
Mineral Aggregate Resources	Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material described under the <u>Aggregate Resources Act</u> suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the <u>Mining Act</u> .
Mineral Deposits	Areas of identified <i>minerals</i> that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.
Mineral Mining Operation	Mining operations and associated facilities, or past producing mines with remaining <i>mineral</i> development potential that have not been permanently rehabilitated to another use.
Minimum Distance Separation Formulae	Formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock operations.
Municipal Sewage Services	A sewage works within the meaning of Section 1 of the <u>Ontario Water Resources Act</u> that is owned or operated by a municipality.

Municipal Water Services	A municipal drinking-water system within the meaning of Section 2 of the <u>Safe Drinking Water Act, 2002</u> .
Nameplate Generating Capacity	With respect to a generation facility, the total instantaneous electricity generating capacity of all generation units in a facility.
Natural Heritage Features and Areas	Features and areas, including <i>significant wetlands, significant coastal wetlands, fish habitat, significant woodlands, significant valleylands, significant habitat of endangered and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest</i> , which are important for their environmental and social values as a legacy of the natural landscapes of an area.
Natural Heritage System	A system made up of <i>natural heritage features and areas</i> , linked by natural corridors, which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.
Negative Impacts	With respect to the <i>natural heritage system</i> , this means: <ul style="list-style-type: none">a. degradation to the quality and quantity of water, <i>sensitive surface water features and sensitive groundwater features</i>, and their related <i>hydrological functions</i>, due to single, multiple or successive <i>development or site alteration</i> activities;b. in regard to <i>fish habitat</i>, the harmful alteration, disruption or destruction of <i>fish habitat</i>, except where, in conjunction with the appropriate authorities, it has been authorized under the <u>Fisheries Act</u>, using the guiding principle of no net loss of productive capacity; and,c. in regard to other <i>natural heritage features and areas</i>, degradation that threatens the health and integrity of the natural features or <i>ecological functions</i> for which an area is identified due to single, multiple or successive <i>development or site alteration</i> activities.
Normal Farm Practices	A practice, as defined in the <u>Farming and Food Production Protection Act, 1998</u> , that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. <i>Normal farm practices</i> shall be consistent with the <u>Nutrient Management Act, 2002</u> and regulations made under that Act.
Partial Services	<ul style="list-style-type: none">a. <i>municipal sewage services</i> or private communal sewage services and <i>individual on-site water services</i>; andb. <i>municipal water services</i> or private communal water services and <i>individual on-site sewage services</i>.
Prime Agricultural Land	Land that includes <i>specialty crop areas</i> and/or Canada Land Inventory Classes 1, 2 and 3 soils, in this order of priority for protection.

Protected Heritage Property	Real property designated under Parts IV, V or VI of the <u>Ontario Heritage Act</u> ; heritage conservation easement property under Parts II or IV of the <u>Ontario Heritage Act</u> ; a National Historic Site; or a property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.
Protection Works Standard	The combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, <i>erosion hazards</i> and other water-related hazards, and to allow access for their maintenance and repair.
Qualified Person	An individual with qualifications and/or credentials related to a field of study and who is therefore appropriate for conducting a study and/or providing an expert opinion that has been required by the City. The qualifications and credentials of the <i>qualified person</i> must be to the satisfaction of the City, or where appropriate, are defined by relevant legislation, regulation and standards.
Quality and Quantity of Water	Is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients, hazardous contaminants, and hydrologic regime.
Recovery Home	A single housekeeping unit offering a group living arrangement, treatment and education for persons with alcohol or drug related problems and/or dependencies, under responsible 24 hour supervision.
Recreation(al)	Leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.
Redevelopment	The creation of new units, uses or lots on previously developed land in existing communities, including <i>brownfield sites</i> .
Regulatory Floodplain	<ul style="list-style-type: none"> a. for Lake Ontario and the St. Lawrence River, the area affected by the regulatory 1:100 year water elevation plus an allowance for <i>wave uprush</i> and other water-related hazards; b. for river and stream systems, except for some waterbodies associated with the Rideau Canal as noted below, the area affected by the anticipated regulatory 1:100 year water elevation, plus an allowance for water-related hazards; or, c. for those waterbodies that form part of the Rideau Canal and for which a regulatory 1:100 year water elevation has not yet been calculated, the maximum recorded water level, as determined by Parks Canada.
Renewable Energy Source	An energy source that is renewed by natural process and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy, tidal forces and such other energy sources as may be prescribed by the regulations, but only if the

energy source satisfies such criteria as may be prescribed by the regulations for that energy source (Green Energy Act, 2009).

Residential Care Facility

A group living arrangement in a single housekeeping unit for eight or more individuals (exclusive of staff and/or receiving family) who live under responsible supervision consistent with their particular needs. *Residential care facilities* are licensed under Provincial statutes, and are generally intended to provide long term accommodation. A *residential care facility* becomes an institution when its primary focus changes from residential care to treatment, security or rehabilitation.

Residential Unit

A unit that consists of a self-contained set of rooms located in a building or structure, used or intended for use as residential premises, and contains kitchen and bathroom facilities that are intended for the use of the unit only.

River, Stream and Small Inland Lake Systems

All watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Run-of-river System

A *hydroelectric energy* system that does not disrupt surrounding lands through the installation of dams and other *infrastructure*, and does not affect the flow of the waterbody or its ecology.

Rural Area

Lands in the *rural area* that are located outside *settlement areas*, and which are outside of *prime agricultural areas*.

Sensitive

With respect to *surface water features* or *groundwater features*, this refers to areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals and additions of pollutants.

Sensitive Use

As defined by MOE Guidelines, means buildings, *amenity areas*, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive uses* may be a part of the natural or built environment. Examples may include, but are not limited to residences, day care centres, and educational and health facilities.

Settlement Areas

Urban areas and rural *settlement areas* within municipalities (such as cities, towns, villages and hamlets) that are:

- a. built up areas where *development* is concentrated and which have a mix of land uses; and,
- b. lands which have been designated in an official plan for *development* over the long term planning horizon provided for in policy 1.1.2. of the Provincial Policy Statement, 2005. In cases where land in designated growth areas is not available, the *settlement area* may be no larger than the area where *development* is concentrated.

Significant

While some *significant* resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation:

- a. in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially *significant* by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b. in regard to the habitat of *endangered and threatened species*, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of *endangered and threatened species*, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c. in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past forest management history;
- d. in regard to other *natural heritage features and areas*, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- e. in regard to *mineral* potential, means an area identified as provincially *significant* through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant *Mineral* Potential Index;
- f. in regard to potential for petroleum resources, means an area identified as provincially *significant* through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and,
- g. in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to the understanding of the history of a place, an event, or a people.

Significant Woodlands

Woodlands, as determined through the Central Cataraqui Region Natural Heritage Study (2006) or a site specific *environmental impact assessment* that meets one or more of the following criteria:

- a. the *woodland* contains forest patches over 100 years and older (age);
- b. the patch size of the *woodland* is 40 hectares or larger (size);
- c. the *woodland* has an interior core area of 4 hectares or larger, measured 100 metres from the edge (interior habitat);
- d. the *woodland* is within 30 metres of a waterbody (riparian); and,
- e. the *woodland* is within 120 metres of other *significant* features (connectivity).

Site Alteration	<p>Activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.</p> <p>For the purposes of policy 2.1.3(b) of the Provincial Policy Statement, <i>site alteration</i> does not include underground or surface mining of <i>minerals</i> or advanced exploration on mining lands in <i>significant</i> areas of <i>mineral</i> potential in Ecoregion 5E, where advanced exploration has the same meaning as in the <u>Mining Act</u>. Instead, those matters shall be subject to policy 2.1.4(a) of the Provincial Policy Statement.</p>
Solar Energy	<p>Energy from the sun that is converted to produce electricity or heat.</p>
Specialty Crop Area	<p>Areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:</p> <ol style="list-style-type: none">a. soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/orb. a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.
Surface Water Features	<p>Water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, <i>wetlands</i>, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.</p>
Sustainability	<p>Meeting the needs of the present without compromising the ability of future generations to meet their own needs (Brundtland Commission, 1987).</p>
Transportation Demand Management	<p>The application of a range of measures which optimize the use of transportation facilities and services through the reduction of individual travel needs, shifting travel to non-peak periods or the use of more efficient travel modes. Examples can include programs aimed at encouraging active modes of travel like walking and cycling, greater use of transit, and increased vehicle occupancy.</p>
Universal Design Principles	<p>The seven principles by which the built environment can be designed in order to accommodate the abilities of all are as follows:</p> <ol style="list-style-type: none">a. Equitable use: The design is useful and marketable to any group of users;b. Flexibility in use: The design accommodates a wide range of individual preferences and abilities;c. Simple and intuitive use: Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level;d. Perceptible information: The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities;

- e. Tolerance of error: The design minimizes hazards and the adverse consequences of accidental or unintended actions;
- f. Low physical effort: The design can be used effectively and comfortably and with minimal fatigue; and
- g. Size and space for approach and use: Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility.

Urban Agriculture	All food production that occurs within the <i>Urban Boundary</i> of the City of Kingston, which takes place on private land or in public open spaces, and is generally undertaken by individuals and non-profit community organizations, noting that the keeping of livestock, poultry or apiaries is subject to the municipal animal control by-law.
Urban Boundary	The Urban Settlement Area Boundary as per the Provincial Policy Statement (2005), which for the purposes of this municipality, predominantly includes lands on full services, as shown on Schedule 2.
Urban Residential Density (gross)	Number of <i>residential units</i> per gross hectare within a neighbourhood or other defined area, including roads, parks, schools and related community or commercial uses.
Urban Residential Density (net)	Number of <i>residential units</i> per net hectare within a neighbourhood or other specified boundary used only for dwelling units, excluding roads, parks and other uses.
Valleylands	A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.
Volt (V)	The measure of electrical potential difference between two points in an electrical field, and is the amount of electrical “pressure” required to cause an electrical current to flow through a wire.
Vulnerable	Surface water or groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface water or groundwater.
Watershed	An area that is drained by a river and its tributaries.
Watt (W)	A standard unit used to measure amounts of electrical power, and is used to describe the size of an electrical generation system.
Wave Uprush	The rush of water up onto a shoreline or structure following the breaking of a wave; the limit of <i>wave uprush</i> is the point of furthest landward rush of water onto the shoreline.

Wayside Pits and Quarries	A temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
Wetlands	Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of <i>wetlands</i> are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes, which no longer exhibit wetland characteristics, are not considered to be <i>wetlands</i> for the purposes of this definition.
Wildlife Habitat	Areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific <i>wildlife habitats</i> of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle, and areas that are important to migratory or non-migratory species.
Wind Energy	Energy from the wind that is converted by a wind charger or wind turbine to produce electrical energy.
Woodlands (Contributory)	Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of <i>wildlife habitat</i> , outdoor <i>recreational</i> opportunities, and the sustainable harvest of a wide range of woodland products. <i>Woodlands</i> include treed areas, woodlots or forested areas, and do not meet any of the criteria used to determine the municipality's <i>significant woodlands</i> , as determined in the Central Cataraqui Region Natural Heritage Study (2006).