

Development Application Guideline

Terms of Reference – Environmental Impact



Description

An Environmental Impact Assessment (EIA) is a comprehensive document intended to identify and assess potential impacts of a development proposal on natural heritage features and areas, and their ecological function. The EIA is meant to protect the City of Kingston and surrounding area's wealth of natural resources including the wetlands, woodlands, areas of natural and scientific interest, rivers and lakes that provide habitat for a diversity of flora and fauna; and protect the quality and quantity of water. This Terms of Reference document is intended to be applied in conjunction with all other applicable guidelines, such as the City of Kingston's Site Plan Control Guideline and the City of Kingston's Subdivision Design Guideline.

Rationale

The protection of natural heritage features and ecological services is paramount to sustaining quality of life and human health, economic prosperity, and the continued survival of significant plant and animal communities in the area. The Provincial Policy Statement and the City of Kingston's Official Plan outline the importance of preserving and enhancing the natural heritage system. An EIA provides the mechanism for assessing the potential impacts of a development proposal on natural heritage features and areas, and their ecological function and recommendations for conservation and compensation, as may be required.

When Required

An EIA is required when development or site alteration is proposed within or adjacent to natural heritage features and areas identified on Schedules 7 and 8 of the City's Official Plan. An EIA may be required for the following applications:

- Official Plan Amendment
- Zoning By-law Amendment
- Plan of Subdivision
- Plan of Condominium
- Site Plan
- Holding Symbol Lift
- Consent
- Minor Variance
- Or any other development application deemed appropriate by Council or delegate.

Applicable Legislation

The Planning Act gives Council the authority to request other information or material that it deems necessary in order to evaluate and make a decision on a proposed planning application.

Section 9.12.3 of the City's Official Plan contains a list of additional information (such as an Environmental Impact Assessment) which may be required upon request.

Other applicable legislation may include the Ontario Endangered Species Act, 2007, Species at Risk in Ontario list, and the federal Species at Risk Act (SARA)

Qualified Persons

An EIA should be prepared by a qualified professional who has experience in biology, environmental science, ecology, species at risk identification, and any other relevant fields of study as well as an understanding of the local natural heritage systems of the Cataraqui Region and the City of Kingston.

Scope of the Environmental Impact Assessment

The City, in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, or other agency or Ministry, as appropriate, may tailor the requirements regarding the appropriate level of detail for an Environmental Impact Assessment on a site specific basis depending upon the characteristics of the natural heritage feature, the adjacent area, the nature of the proposed development, and any intervening development that already exists within the adjacent lands to natural heritage features and areas.

Required Contents

An Environmental Impact Assessment shall include the following.

1. Introduction

- 1.1. A summary of the development proposal and the context of the application.
- 1.2. Identification of the reason for conducting the EIA.
- 1.3. Reference to and description of the list of issues and tasks as agreed upon in pre-application.
- 1.4. Outline of the study area boundary and the rationale for the extent of the study.

2. Site Description and Context

- 2.1. Descriptions and clearly legible, scaled maps of the existing land uses and the proposed development and site alterations for all proposed buildings, structures, driveways and parking areas, and sources of human intrusion for areas on and immediately adjacent to the site.
- 2.2. Legible, scaled maps of the required natural heritage features located on or adjacent to the proposed development site.

- 2.3. A comprehensive biophysical inventory based on available information and field inventory techniques that should encompass the required natural heritage features and functions present on the proposed development site, present on adjacent lands and present within the established study area boundary.
 - 2.3.1. An inventory of flora, fauna, and related habitat should be completed during the growing season in order to characterize the natural heritage features and functions of the property. Preferably more than one season should be observed in order to capture a year-round sample.
 - 2.3.2. The location and extent of particularly sensitive or significant natural features and elements of the site and surrounding area should be identified.
 - 2.3.3. Other pertinent information such as ecological land classification, soil types, geology, slope, hydrology, etc. should also be considered.
- 2.4. Information collected from other sources such as databases, reports, and local knowledge regarding the biophysical inventory, as described above.
- 2.5. A general description and analysis of the ecological functions and inter-relationship of the identified natural heritage features and biophysical information to provide an overview of the existing ecosystem both within the subject site and as it relates to the larger local and regional ecosystem.
- 2.6. Discussion of the significance of the natural heritage features and ecological functions identified and provide an assessment of any apparent trends in their ecological health and sustainability.

3. Impacts Assessment

- 3.1. Prediction of the positive and negative impacts of the proposed development or site alteration on the attributes of the natural environment on and adjacent to the site, such as habitat, vegetation, soil, surface water features, groundwater features, air, and any other relevant attributes.
- 3.2. Prediction of the cumulative impacts of the proposal and any other existing or known future proposals in the surrounding area.
- 3.3. Evaluation of the significance of all predicted positive and negative impacts on the environment including the immediate and long term effects of the proposed development.
- 3.4. An explanation of the methods and approaches used to determine impacts.

4. Recommendations, Mitigation Measures and Monitoring

- 4.1. Identification of measures to mitigate each potential negative impact on the natural heritage features and areas, and their ecological functions. Where possible, negative impacts shall be avoided rather than mitigated.
- 4.2. Recommendations regarding land or specific areas where disturbance should be avoided and/or where disturbance should be limited, in order to maintain the natural heritage features and ecological functions, supported by a detailed rationale.

- 4.3. Discussion of the merits of alternative development options.
- 4.4. Where appropriate, an outline of a program through which the mitigation measures and the long-term impacts associated with the proposal can be monitored and assessed.
- 4.5. Describe any proposed compensation or rehabilitation and restoration plans that may be required for those effects that cannot be mitigated.
- 4.6. Identify opportunities for enhancement and restoration of the natural heritage system.

5. Summary/Conclusion

- 5.1. Summary of the findings and recommendations.
- 5.2. Independent opinion of the qualified person who prepared the EIA as to whether or not the proposed development or site alteration is appropriate, and is consistent with the intent of the Provincial Policy Statement and the City's Official Plan.

Submission Requirements

All development applications and accompanying studies and reports should be submitted through the City of Kingston's **DASH Development and Services Hub** which can be accessed online at: [City of Kingston DASH](#)

Additional Information

For additional information, please contact the City of Kingston Planning, Building and Licensing Services Department at:

1211 John Counter Boulevard, Kingston
613-546-4291 ext. 3180
planning@cityofkingston.ca

The Cataraqui Region Conservation Authority can be contacted at:

1641 Perth Road, Glenburnie, ON
613-546-4228
info@crca.ca

See the Cataraqui Region Conservation Authority's Guidelines for Environmental Impact Assessment for more information and best practice for Environmental Impact Assessments: [Environmental Impact Assessment Guideline](#)