

## Community of Kingston

### Guide to Development Procedures:

This guide has been prepared to assist developers through the process, it should not be considered an official interpretation of the regulations and in the case of a conflict the regulations would take precedence.

#### 1. Subdivision:

**Note: If you are in the area of the community formerly in the “buffer zone” you can only sever a lot if your parcel is an existing lot as of July 9, 1994.**

If you intend to sever a parcel from an existing property the first question is what is the intended “use” of the new parcel? There are several reasons why you may wish to sever a parcel; you may want to sell a piece of your property to an adjacent property owner so his parcel would be bigger (the parcel you are severing would then be appended to the other parcel thus, not creating a new lot just redrawing the boundaries), you may wish to sever a parcel for someone who wants to harvest the lumber off the property, to provide a right of way to an adjacent property owner over your property (for resource use only), or to sell the property to a farmer who intends to use the land for agricultural purposes, all of these are considered non-development uses. For this type of application the only requirement is the submission of the application to subdivide and once preliminary approval is given submission of six (6) copies of survey plans to be stamped approved. It is important to note the intended “use” will be noted on the sub-division approval, so in order to modify the approved “use” to a new “use” a new application would be required.

*However, if you wish, like most developers, to sever a parcel to be used for a dwelling or dwellings there are more steps:*

Firstly, you need to establish that the proposed new parcel can accommodate a septic system. You cannot sever a parcel for a dwelling unless it can host a septic system (gone are the days of outhouses!) This is established by way of a perk test on the soil where your potential lot is categorized based on the soil. The categories range from 1-5 (5 being undevelopable) and each category has specific requirements for lot sizes. This should be your first step, as it will establish how big your lot would need to be to install a septic system based on the category, or if it has such severe septic conditions that a system cannot be established. This is the case in wetland or land with a severe slope. Your proposed lot could also be undersized for the category, in which case you would need to make the lot bigger. For an existing undersized lot there is the possibility of installing a specialized (engineered) septic system, which can be quite costly. Once you know the size of your proposed lot or lots you should submit a scale drawing of the proposed boundaries, showing all adjacent buildings, fences, etc.,

Secondly, you need to establish an access to your new lot. The Department of Transportation and Public Works will check your proposed lot to confirm if there is adequate site distance for vehicular traffic, so that the entrance and egress from your

new lot would not pose a safety hazard for on going traffic on the public road adjacent to your proposed lot. If you currently have a farm access to the lot you will still need to establish that access remains safe considering the change of use (there would be a lot more vehicular traffic entering and exiting a residence then a farm property!) If there is no current access then it will cost you \$1,500.00 for a culvert.

Providing all of the above are satisfactory Council will issue a preliminary approval then, you can go ahead and get the lot surveyed and submit six (6) copies to Council to be stamped approved. Once the survey plans are stamped approved and forwarded to the proper Provincial departments the lot is officially severed.

You would then engage a lawyer (with a copy of your stamped approved plans in hand) to change the property ownership into your name, prepare and register a deed for your newly created parcel.

## **2. Building permit:**

Now your lot is severed you may want to make to build something on it.

The Community has an application form for a building permit, this will need to be completed and submitted. If you are building a “dwelling” you will also need to include a site plan drawn to scale of your lot showing where your well and septic will be located, the dimensions of the proposed dwelling and the distances it will be from the front, side and rear yards. You will also need to indicate where the driveway is or will be located. In addition you will need to submit a copy of your septic permit so the Community can ensure that your system is being installed by a licensed contractor (The Department of Environment has a list of licensed contractors) and will adhere to the lot categorization. (A scenario that has occurred in the past was the wrong system was installed and the developer had to correct this error!)

You may also need to establish a driveway pursuant to the steps listed above for subdivision if there is not already an approved driveway.

If you merely wish to construct a garage, or an accessory building, all Council would need would be the application submitted along with site plan drawn to scale showing the proposed position of the new addition and any other buildings currently on the property. A word of caution the accessory building(s) depending on the size must be either 10 feet (less than 700 square feet), or 25 feet (over 700 square feet) from the main building (residence).

If all of the above adheres to the regulations Council will approve the application and a building permit will be issued. You can now build and the building permit number issued by the Community will be required by Maritime Electric to connect your new home (structure) to the electric utility. You will also need to follow up with 911 to establish a civic number and contact the post office to ensure your mail gets delivered.

Congratulations your work is done!