

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:

Subdivisions within Kingston are limited to the creation of 5 additional lots off an existing parcel of land. The intention of this limitation is to reduce the pressure on existing farmland and to maintain the rural nature of our community.

Kingston is divided into two Residential Development Zones. This was done because of the Provincial legislation government Special Planning Areas. Half of Kingston is located within the Cornwall Special Planning area. This is zoned Rural East A1. Within this area, lots can only be subdivided from lots that existed on July 9, 1994. Any lots severed after this point in time cannot be subdivided. In zone Rural West A2, lots can only be subdivided from lots that existed as of November 2012 which was the day our Community Plan came into affect.

There are a number of different types of activities covered by the Subdivision Application. There are essentially two types of subdivision, developmental and non-developmental. Non-developmental subdivisions basically redraw boundaries and do not change the nature of the pre-existing properties. Such applications include:

- Joining two or more parcels together
- Attaching part of one or more parcels together
- Re-configuring multiple lots in an approved subdivision

The other type, developmental, create new parcels and will eventually require development and building permits. These include:

, which include:

- Creating one additional lot off an existing parcel.
- Dividing a parcel into between 2 and 5 additional lots.
- Changing the use of one or more lots

In both cases, the Subdivision Application has a checklist of items required. For both, once it moves past the preliminary approval level, the applicant must provide 6 copies of the survey prepared by a licensed PEI Land Surveyor.

In the case of subdivisions that will lead to the requirement for development and building permits, proof of septic system categorization and proof of driveway access approval is also required for each of the lots to be created. Both the entrance way permit and the septic system permit are governed by provincial regulations and information on both can be obtained through the provincial website.

Once a subdivision is approved, your surveys are stamped by the municipality and the transaction is registered with the provincial land registry. At this point, 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. Development

If you start the development process after the subdivision process, you already have your septic categorization and approved access. You would then have to obtain the actual permits for both to include in your Development permit application. If you are developing an existing lot or parcel that does not have the pre-approved septic and access approval you will need to contact a licensed septic installer and the province to obtain both permits.

The Development Permit Application form has all the information required to apply for a Development permit. It is important to read it all and ensure all sections are complete. It is also a good idea to download a copy of Kingston's bylaws and read the section governing Building and Development. We are happy to work with you at the initial phase of your planning so everything will move along smoothly once you start the application process.

3. Building

Prior to the adoption of the National Building Code, the term Building Permit or Development Permit were regularly used interchangeably. The Rural Municipality is still responsible for Development and Building permits, but with the Province's adoption of the NBC, only a jurisdiction with the dedicated staff to monitor and enforce the NBC could manage those permits. As Kingston does not have those resources and expertise, we along with most smaller jurisdictions have ceded that authority to the Province. As such a Building Permit must be obtained from the province for all residential construction and most accessory structures along with a Development Permit.