



**507-515 Thousand Islands Parkway
& 14-36 McCrae's Bay Lane**

Planning Justification Report
Zoning By-law Amendment
June 6, 2023



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1.0 Introduction

1.1 Introduction

Fotenn Planning + Design has been retained by Kehoe Developments Inc. to prepare this Planning Justification Report in support of an application for zoning by-law amendment for the properties municipally known as 507 – 515 Thousand Islands Parkway and 14 – 36 McCrae’s Bay Lane in the Township of Leeds and the Thousand Islands. The project area, hereto referred to as the “subject lands”, consists of multiple separate legal lots that will be merged through a concurrent process. The purpose of this application is to consolidate the zoning across the subject lands to recognize and allow the continued long-standing rural industrial and marine manufacturing use of the properties and to allow site improvements, open storage, and one new building for indoor storage.

A pre-application meeting occurred with Township staff on March 13, 2023. Accordingly, the following are being submitted in support of the application:

- / Survey;
- / Concept Plan;
- / Stationary Noise Assessment;
- / Environmental Impact Assessment;
- / Stormwater Management Brief and Plan;
- / Application fees;
- / Application forms; and,
- / This Planning Justification Report.

The purpose of this report is to assess the appropriateness of the proposed development and the requested amendments in the context of the surrounding area and policy and regulatory framework applicable to the subject lands.

1.2 Development Applications

The subject lands are designated Rural Lands and Provincially Significant Wetland on Schedule A Community Structure and Land Use of the United Counties of Leeds and Grenville Official Plan. The subject lands are designated Rural in the Special Policy Area – Thousand Islands (South of Highway 401) on Schedule A1 Land Use Designations of the Township of Leeds and the Thousand Islands Official Plan. The lands are multi-zoned Shoreline Residential (RS and RS-40) Zone, Tourist Commercial (CT, CT-9 and CT-22) Zone, Open Space (OS) Zone, and Provincially Significant Wetland (PSW) Zone on Schedule ‘B’ Ward 1 Shoreline of the Township’s Zoning By-law No. 07-079.

The applicant is seeking to consolidate the zoning of the subject lands to recognize and allow the continuation of the existing rural industrial and marine manufacturing use of the properties, as well as to allow site improvements and one new indoor storage building. A zoning by-law amendment is necessary to rezone the subject lands to the Rural Industrial (MR) Zone to allow the continued manufacturing use. A site-specific Rural Industrial (MR) Zone is proposed to establish appropriate performance standards given the context of the subject lands as well as existing and proposed development.

A future application for site plan control will be required to facilitate the proposed development.

2.0 Surrounding Area and Site Context

The subject lands are south of the Thousand Islands Parkway, west of the hamlet of Ivy Lea, and have frontage along the St. Lawrence River as well as the Parkway. The lands are irregularly shaped, containing multiple properties including waterfront parcels, with a combined area of approximately 3 hectares, approximately 243 metres of frontage on the Thousand Islands Parkway, and approximately 340 metres of water frontage on the St. Lawrence River. The subject lands slope down from west to east such that the eastern portion of the site abutting the Thousand Islands Parkway is approximately 2 metres lower in elevation than the paved surface of the Parkway. A retaining wall is located along the eastern road frontage to accommodate the significant grade change between the subject lands and the Parkway. As well, the lands slope north to south and have a lower elevation towards the shoreline compared to the road frontage. An existing hedge is located along the central portion of the road frontage and a few mature trees are located along the eastern portion of the road frontage.

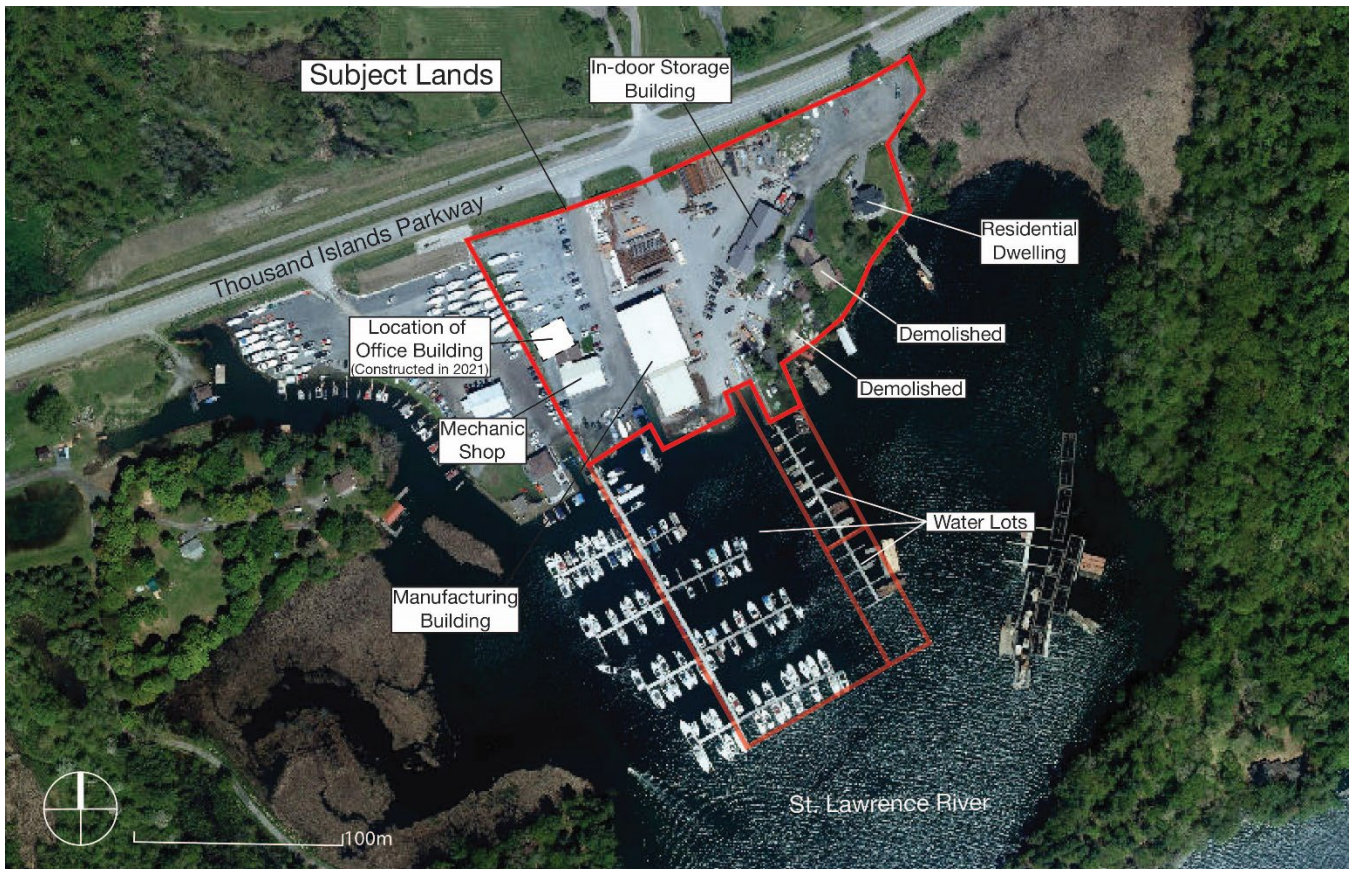


Figure 1: Subject Lands (Source: Ontario AgMaps, annotated by Fotenn)

The lands are currently owned and utilized by Kehoe Marine Construction, a marine manufacturing business that has operated at this location since 2008. Previous owners operated similar marine manufacturing uses on these lands dating back approximately 65 years. These lands are one of a very limited number of locations in the region that provide an opportunity for loading and off-loading of heavy construction materials for marine purposes. The lands consist of a variety of existing buildings and rural industrial uses, as well as one single detached dwelling.

A two-storey office building and a one-storey mechanic shop, connected by a heated breezeway, are located in the western portion of the subject lands. The mechanic shop is used for maintenance and repair of Kehoe's private vehicle fleet and does not service the public. The office building is partially surrounded by landscaping. A manufacturing building, consisting of a northern three-storey portion and southern two-storey portion, is located

east of the office and mechanic shop buildings. The northern portion of the manufacturing building appears externally as three-storeys, however, it is only one-storey internally in order to accommodate manufacturing and necessary equipment movement. Open storage racks are located adjacent to the east side of the three-storey portion of the manufacturing building. Fuel tanks and a dry hydrant are located west and south of the two-storey portion of the manufacturing building and are limited to on-site operational use only. The dry hydrant is available to the fire department at all time. A one-storey indoor storage building is in the central portion of the lands. This building does not have any plumbing or sewage. A two-storey residential dwelling, surrounded by landscaped open space, is in the eastern portion of the site in proximity to the shoreline. This residential dwelling is separated from the adjacent industrial buildings by an existing post and wire fence. Previous on-site works resulted in the demolition of two other single detached dwellings on the subject lands.

A key site condition to highlight is the alterations occurring to the western portion of the shoreline and seawall. Previous approvals granted by the federal Department of Fisheries and Oceans (DFO) and the Cataraqui Region Conservation Authority (CRCA) permitted alterations and upgrades to the seawall and shoreline along the western half of the properties' water frontage. These upgrades are necessary due to the unstable nature of the shoreline, and this work is on-going. The approval by DFO and CRCA will result in an expanded site operations area along the western portion of the shoreline, re-grading of the area and future paving. Additionally, this work will result in a new enlarged boat ramp. The existing frame docks will be retained.

A formalized area for open storage is north of the manufacturing building along the road frontage. This area contains an existing privacy fence along the west boundary and an existing hedge row along the north boundary. Informal open storage areas also exist in the central portion of the lands and in proximity to the shoreline. Materials stored outside on site consist of wood, steel, rock, boats, barges and finished products.

Vehicle access to the subject lands is from the Thousand Islands Parkway by three separate entrances. The western entrance is primarily for the use of customers, the central entrance is used by larger trucks and vehicles, and the eastern most entrance is for employee use. An existing right-of-way, McCrae's Bay Lane, provides legal vehicular access to the waterfront lots, including the existing single detached dwelling. As previously noted, the owner is in the process of merging the subject lands and as a result, this right-of-way will be removed and merged with the larger landholdings.

A total of 67 parking spaces are currently provided on-site. Twenty-one (21) parking spaces are north of the office building and 46 parking spaces are east and south of the mechanic shop building. Additional informal surface parking is currently provided within the northeast portion of the lands along the road frontage. These informal parking spaces are in addition to the existing 67 surface parking spaces previously noted. Two loading spaces also located between the office building and mechanic shop.

The lands are privately serviced by individual on-site water (well) and wastewater (septic system) services. The residential dwelling is serviced by a private well and septic, the indoor storage building is serviced by a private well only, the office is serviced by a private well and septic, and the mechanic shop is serviced by a holding tank and well shared with the office building. As well, the properties are subject to a Hydro Easement located diagonal across the lands, starting at the northwest portion of the road frontage and terminating in the central portion of the properties.

The surrounding area consists primarily of tourist commercial uses, shoreline residential uses, and rural residential uses. Rural residential uses are primarily north of the Thousand Islands Parkway and waterfront residential uses are primarily along the south side of the Thousand Islands Parkway. Various marine and marina uses are in proximity to the subject lands, including Peck's Marina adjacent to the west, the Ivy Lea Club further west of the lands, and Village Quay Marina further to the east.

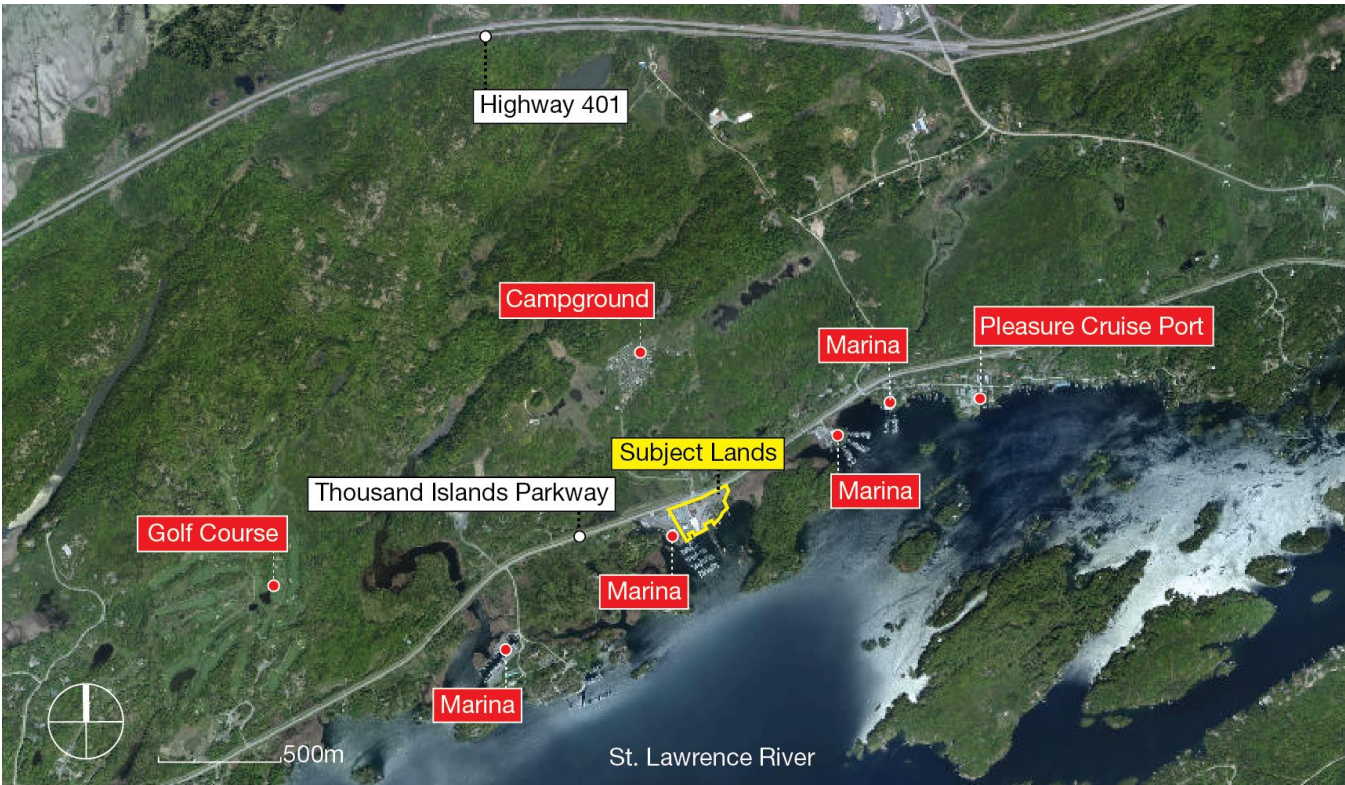


Figure 2: Site Context (Source: Ontario AgMaps, annotated by Fotenn)

The following uses are immediately adjacent to the subject lands:

- / **North:** Thousand Islands Parkway, Rural
- / **East:** Wetland, Vacant
- / **South:** St. Lawrence River
- / **West:** Tourist Commercial

2.1 Development Proposal

The applicant is seeking to consolidate the zoning of the subject lands to allow the continuation of the long-standing rural industrial and marine manufacturing use as well as site improvements, open storage, and one new indoor storage building. The new indoor storage building is to be located centrally on the site, south of the existing indoor storage building, setback from both the shoreline and the Thousand Islands Parkway. The building will have a height of one storey with an area of approximately 990 square metres (36,000 square feet). The entrances will be on the northeast and southwest sides of the building.

The applicant is also proposing to expand the central open storage area abutting the Thousand Islands Parkway and to add a new formal open storage area within the south portion of the lands, abutting the waterfront and located south of the proposed indoor storage building.

The single-detached dwelling, located in the southeast corner of the site, will remain as an accessory use.



Figure 3: Concept Plan (Source: Fotenn Planning + Design)

Vehicular access to the lands will remain from the Thousand Islands Parkway via the three existing entrances. The right-of-way, McCrae's Bay Lane, that provides vehicular access to the waterfront lots will be removed and merged with the larger land holdings.

Due to the on-going shoreline improvements, the 25 existing parking spaces located south of the mechanic shop are proposed to be removed. A total of 61 new parking spaces are proposed as part of the existing employee parking area within the east portion of the subject lands, for a total of 103 on-site parking spaces. One new loading space is proposed north of the existing indoor storage building. A combination of paved and gravel drive aisles are proposed for on-site vehicle movement, circulation, and fire access. No changes to on-site private servicing are proposed.

Ultimately, the proposal seeks to recognize and allow the continued use of the lands for marine manufacturing. While one new indoor storage building and open storage areas are proposed, these will serve the principal use which is not proposed to change as a result of the current application for zoning by-law amendment.

3.0 Supporting Studies

3.1 Stationary Noise Assessment

A Stationary Noise Assessment was completed by Gradient Wind Engineers & Scientists dated May 1, 2023. The study assessed exterior noise levels generated by stationary noise sources associated with the marine construction and fabrication facility, including forklifts, skyjacks, excavators, and loader operations, material/equipment drop off, fabrication, and barge loading/unloading operations. The assessment is based on (i) theoretical noise prediction methods that conform to the Ministry of the Environment, Conservation and Parks (MECP) requirements; (ii) noise level criteria as specified by the MECP NPC-300 noise guidelines; (iii) site plan and survey drawings provided by Kehoe Developments Inc. in April 2023, and; (iv) sound data information derived from on-site measurements and Gradient Wind's experience with similar projects. The report acknowledges an existing residential dwelling is located on the Kehoe Marine property but is not considered to be noise sensitive as per NPC-300 guidelines. The study concludes that the noise levels at nearby points of reception are expected to fall below the NPC-300 noise criteria and, as such, the proposed development is expected to be compatible with the existing surrounding noise sensitive land uses.

3.2 Environmental Impact Assessment

Ecological Services was retained to prepare an addendum to the previously prepared Environmental Impact Assessment (EIA) dated October 15, 2020 which assessed the potential environmental impacts of the shoreline upgrade works approved by the DFO and CRCA. The addendum dated April 26, 2023 assesses the potential impacts of the indoor storage building and open storage areas. The 2020 EIA determined that the area where the storage yard and storage building are proposed had no natural heritage significance for the purposes of the Provincial Policy Statement and the Township of Leeds and Thousand Islands Official Plan, nor was it used by any species at risk. The 2023 addendum indicates the St. Lawrence River, adjacent to the site alteration area, contains fish habitat, possible species at risk fish, and the Ivy Lea Wetland, a provincially significant wetland (PSW). The addendum also confirms that the proposed site alteration will not involve any intrusion into the adjacent Ivy Lea wetland and associated fish habitat, and the existing gabion basket shoreline will continue to be the separation point between the upland and the aquatic habitat. The addendum concludes that the site preparation work for the proposed storage area includes several outcomes that, on balance, may result in a net positive benefit to the wetland and fish habitat, including the removal of shoreline residential buildings, the removal of the associated septic systems for the residential buildings, and the removal of a boathouse and structural railway ties that were in the river and the Ivy Lea wetland. The EIA and Addendum do not anticipate any environmental impacts as a result of the continued marine manufacturing use of the lands, the proposed indoor storage building or open storage areas.

3.3 Stormwater Management Brief

A Stormwater Management Brief was prepared by Riggs Associates Ltd. dated April 28, 2023 to assess pre- and post-development conditions and advise on necessary on-site stormwater management works. Currently, stormwater on the property generally flows uncontrolled in a north to south direction to the St. Lawrence River, and the majority of the property discharges across the existing operations area and deteriorating shoreline, transporting sediments during heavy rainfall events. Currently, there are no stormwater quality control measures on the property. As a result of the proposed development, including the addition of a new indoor storage building and paving of the central and southern portion of the site for open storage, it is anticipated that drainage conditions will increase runoff surface area. The report indicates that quantity control is not a primary concern for this site, where runoff is discharged directly to the St. Lawrence River. While the proposed site improvements will increase runoff coefficients, they will also provide for a more robust shoreline and reduced erosion potential in the event that major flows spill over the shorewall.

Due to the existing elevations of the property, generally below the 100-year flood limit along the shoreline, and the nature of the use which does not permit the establishment of natural areas or areas for infiltration, the most

viable option to achieve any significant stormwater quality management is the implementation of an end-of-pipe, oil-grit separator unit.

Key elements of the stormwater management plan include:

- / Quality treatment provided by a jellyfish oil-grit filtration chamber.
- / Surface runoff from catchment areas draining to the shorewall will be captured in a trench drain that traverses the south portion of the site.
- / Proposed site grading and shorewall elevations (76.30 m) will isolate the oil-grit filtration inlet from the defined 100 year instantaneous still water levels (75.9 m) and will provide significant protection against wave overtopping inflow to the system.
- / Roof leaders that do not presently discharge to the ground surface will be maintained in their tile conduits and discharged through the new shorewall to the river. Existing catch basins where roof leaders combine and connect to discharge drains will be maintained but grates will be replaced with water-tight lids to prevent surface drainage from discharging uncontrolled.
- / Discharge from Catchment H, north of the existing indoor storage building, will generally remain unchanged, captured by two catch basins and discharging via storm sewer to the wetland area near the northwest corner of the property.
- / Discharge from Catchment N, south of the existing and proposed indoor storage buildings, will continue to drain via surface flow over the shoreline to the St. Lawrence River and local wetland area.

Overall, the proposed stormwater management plan will provide for treatment of approximately 1.87 ha of site runoff that is presently unmanaged. Runoff coefficients are expected to increase in this area due to proposed development paving plans, but overall, the proposed stormwater management measures provide for treatment of runoff volumes far in excess of any increased runoff or new surfaces associated with the proposed development. The proposed stormwater management plan represents an optimization of runoff capture and treatment opportunities for the site which requires heavy marine operations at the water's edge on a relatively low-lying site.

4.0 Policy and Regulatory Framework

4.1 Provincial Policy Statement, 2020

The 2020 Provincial Policy Statement (PPS) provides high-level land use policy direction on matters of provincial interest as they relate to land use planning in Ontario municipalities. Decisions of municipal councils must be consistent with the PPS, which provides direction for issues such as the efficient use of land and infrastructure, the protection of natural and cultural heritage resources, maintaining a housing stock that appropriately addresses the demographic and economic diversity of households, encouraging economic development and preserving natural resources for their future use. PPS policies that are directly relevant to the proposed development are discussed below, with the policy cited in *italics*:

Section 1 of the PPS provides direction for the creation of strong and healthy communities. The efficient use of land is supported through sustainable development patterns which consider the needs of communities, the environment, public health and safety, and economic growth.

Section 1.1.1 Healthy, liveable and safe communities are sustained by:

a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

The proposal seeks to allow the continuation of a long-standing marine manufacturing business while also allowing additional indoor and open storage to support efficient operations. The proposal will positively contribute to the vitality of the community and financial well-being of the municipality.

b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

The proposal will support the continuation of a rural industrial employment use and one waterfront residential dwelling.

c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

The subject lands are located with frontage on the St. Lawrence River and adjacent to the Ivy Lea Wetland and fish habitat. An Environmental Impact Assessment (EIA) was prepared to assess the proposed development and potential environmental impacts. The areas of the proposed indoor storage building and open storage were determined to have no natural heritage significance and are not used by any species at risk. The EIA further indicates the on-going site preparation works, including the improvements to the shoreline, may result in a net positive benefit to the wetland and fish habitat adjacent to the lands as the area will be cleaned up and enhanced separation from on-site industrial works will be provided. No risks to public health or safety are anticipated as a result of the proposal.

d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*

The subject lands are within the rural area of the Township of Leeds and the Thousand Islands. The proposal will not require or prevent potential future expansion of the settlement area.

e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

The proposal represents the appropriate continuation and support of an established industrial use in the rural area. The proposal will allow improvement and alterations to an existing industrial site and seeks to efficiently

utilize existing infrastructure, including roads, solid waste collection, snow plowing, and secondary utilities, which represents cost-effective development.

- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*

The proposal will comply with the Accessibility for Ontarians with Disabilities Act (AODA).

- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*

The site is sufficiently serviced by private well and septic systems.

- h) promoting development and land use patterns that conserve biodiversity; and*

The subject lands are adjacent to the St. Lawrence River and Ivy Lea Wetland. The Environmental Impact Assessment, prepared to assess the proposed development, does not anticipate negative impacts to the adjacent wetland or St. Lawrence River.

- i) preparing for the regional and local impacts of a changing climate.*

The proposed development incorporates improved stormwater management practices across the subject lands, including improved quality control, which may benefit the adjacent water features.

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;*
e) using rural infrastructure and public service facilities efficiently;

The proposal seeks to permit the continuation of a long-standing rural industrial use in the rural area. The subject lands have an area of approximately three hectares and are developed with multiple buildings supporting the rural use, as well large building setbacks and some areas of landscaping to support the rural character of the area. The development will continue to utilize existing rural infrastructure, including roads, solid waste collection, snow plowing, secondary utilities and private servicing.

- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*

The proposed development represents the continuation and support of a long-standing marine manufacturing operation. The proposal will contribute to the vitality of industrial uses and employment opportunities of the municipality.

- h) conserving biodiversity and considering the ecological benefits provided by nature;*

The proposal will improve stormwater management practices. The site alteration will not involve any intrusion into the adjacent Ivy Lea wetland and associated fish habitat, and the improvements to the shoreline will continue to sufficiently protect the surrounding environmental resources.

1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.

The subject lands are in the rural area of the Township with frontage on the St. Lawrence River.

Section 1.1.5 provides policy direction for rural lands in municipalities:

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;*
b) resource-based recreational uses (including recreational dwellings);
c) residential development, including lot creation, that is locally appropriate;
d) agricultural uses, agricultural-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
e) home occupations and home industries;
f) cemeteries; and
g) other rural land uses.

The subject lands are developed with a long-standing rural industrial use that supports rural residential, recreational and commercial activities in the region. The application intends to support the ongoing operations of the existing use.

1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

The proposal seeks to allow the continuation of the existing rural industrial use, Kehoe Marine Construction, which supports rural residential, recreational and commercial uses in the municipality. The proposal also seeks to allow additional indoor and open storage to support the manufacturing operations on-site.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

The proposed development incorporates sufficient setbacks and retention of some existing mature vegetation and landscape open space to support compatibility with the rural landscape. Large building setbacks are incorporated from the Thousand Islands Parkway. Some existing mature trees are located along the eastern portion of the road frontage and will be retained to the extent possible, along with the existing hedge row along the central portion of the road frontage and existing landscape open space surrounding the single detached dwelling. The indoor storage building will be south of the existing indoor storage building, which will partially screen views of the new building from the surrounding properties. Further, the existing topography of the site buffers areas of the site from the Thousand Islands Parkway. The combination of large building setbacks, existing vegetation, and topography of the lands supports compatibility of the existing and proposed development with the rural landscape. The development will continue to be privately serviced.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

The proposed development represents efficient use of an existing, long-standing marine manufacturing facility in the rural area and seeks to continue utilizing existing infrastructure, such as roads, solid waste collection, snow plowing, and secondary utilities. The development will continue to be privately serviced and will not require any infrastructure expansion.

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

The existing development is subject to the Ministry's "D-6 Compatibility between Industrial Facilities" guidelines. The marine manufacturing use is classified as a Class II Industrial Facility, due to the medium scale and presence of open storage facilities. The development is subject to the recommended minimum separation distance of 70 metres from sensitive uses. The subject lands have been occupied by rural industrial uses for approximately 65 years and surrounding sensitive uses are located outside of the recommended 70 metre separation distance. The new indoor storage building will not be any closer to sensitive uses than existing on-site buildings.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

The proposed development will not impact agricultural or other resource-related uses. The proposed development will contribute to the rural economy by supporting a long-standing marine manufacturing use.

Section 1.7 of the PPS provides direction for supporting long-term economic prosperity. Policies in this section encourage efficient land use, place-making and energy conservation, among other policies that generally support economic development. The proposed development represents the efficient and continued use of an existing, long-standing industrial manufacturing business within the rural area. The proposed development will continue to support the economic base of the United Counties and Township and promote the continued vitality of the rural area.

Section 2 of the PPS provides policy direction related to the wise use and management of resources such as significant natural heritage features and areas, watersheds, prime agricultural areas, mineral and petroleum resources, and significant built and cultural heritage.

2.1.1 Natural features and areas shall be protected for the long term.

The subject lands are adjacent to the St. Lawrence River and the Ivy Lea Wetland, which is a provincially significant wetland. The Environmental Impact Assessment indicates that due to the separation distance between those features and the proposed development as a result of the on-going shoreline improvement works, no negative impacts are anticipated.

2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

The subject lands are adjacent to the St. Lawrence River which includes fish habitat. The Environmental Impact Assessment concluded that the proposed site alterations are not anticipated to not involve any intrusion into the adjacent waterway or associated fish habitat, and the improved shoreline and sea wall will continue to be a sufficient separation point between the upland and the aquatic habitat.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

The Environmental Impact Assessment did not identify any habitat of endangered or threatened species on or adjacent to the subject lands, therefore no impacts are anticipated.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

The ecological function of the subject lands was evaluated by the Environmental Impact Assessment (EIA), which determined that the subject lands do not contain natural heritage significance for the purposes of the Provincial Policy Statement and the municipal Official Plan. The EIA concluded that the proposed development is not anticipated to impact the surrounding and adjacent natural features or their ecological functions.

Section 3 of the PPS seeks to ensure the protection of public health and safety. The policies of this section direct development away from natural hazard lands such as floodplains and erosion-prone areas. This section also seeks to protect development from human-made hazards such as former mining and aggregate extraction operations, and other types of contaminated areas.

3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*
- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
- c) hazardous sites.*

The subject lands are adjacent to the St. Lawrence River. Shoreline alterations permitted by the Department of Fisheries and Oceans and the Cataragui Region Conservation Authority are ongoing and will improve the interface of the subject lands with the St. Lawrence River. Furthermore, the proposed stormwater management improvements will also reduce potential for flooding hazards. The Stormwater Management Brief indicates that proposed site grading and shorewall elevations (76.30 m) will isolate the oil-grit filtration inlet from the defined 100 year instantaneous still water levels (75.9 m) and will provide significant protection against wave overtopping inflow to the system. The proposed development is not anticipated to be impacted by natural hazards and there are no anticipated negative impacts to public health and safety.

It is our professional planning opinion that the proposed development is consistent with the Provincial Policy Statement.

4.2 Official Plan for the United Counties of Leeds and Grenville

The United Counties of Leeds and Grenville Official Plan was adopted by Council on July 23, 2015, approved by the Ministry of Municipal Affairs and Housing on February 19, 2016, and partially approved by the Ontario Municipal Board on March 15, 2017. The Official Plan directs growth management and land use decisions by providing upper-tier land use planning guidance for the United Counties' ten member municipalities, including the

Township of Leeds and the Thousand Islands. The policies of this plan intend to ensure a balanced approach to growth management and the protection and conservation of the United Counties' natural and cultural heritage, while encouraging development opportunities that respect the United Counties' unique character and sense of place. The relevant policy considerations of the Official Plan are discussed below (with policies in *italics*).

The following sections of the Official Plan are addressed:

- / Section 2 – Growth Management and Settlement Areas;
- / Section 3 – Rural Area;
- / Section 4 – Natural Heritage, Water Resources and Cultural Heritage;
- / Section 5 – Natural and Human-Made Hazards;
- / Section 6 – Transportation, Infrastructure and Servicing;
- / Section 7 – Implementation and Interpretation.

Section 2 – Growth Management and Settlement Areas

Section 2 of the Official Plan outlines that growth in the United Counties will be managed by focusing and promoting growth within settlement areas, in addition to other appropriate rural areas as detailed in municipal Official Plans, thereby optimizing the use of existing infrastructure, developing complete communities, and protecting the natural environment and prime agricultural areas. Growth will be directed to the settlement areas that are able to accommodate additional growth, with limited growth in rural areas in keeping with the scale, character and service levels of the area as well as the objectives detailed in the local municipal Official Plans. The intent of this section is to establish the policy framework that will provide the basis for coordinating and managing growth in the United Counties.

The subject lands are designated Rural Lands and Provincially Significant Wetlands on Schedule A Community Structure and Land Use of the United Counties of Leeds and Grenville Official Plan.

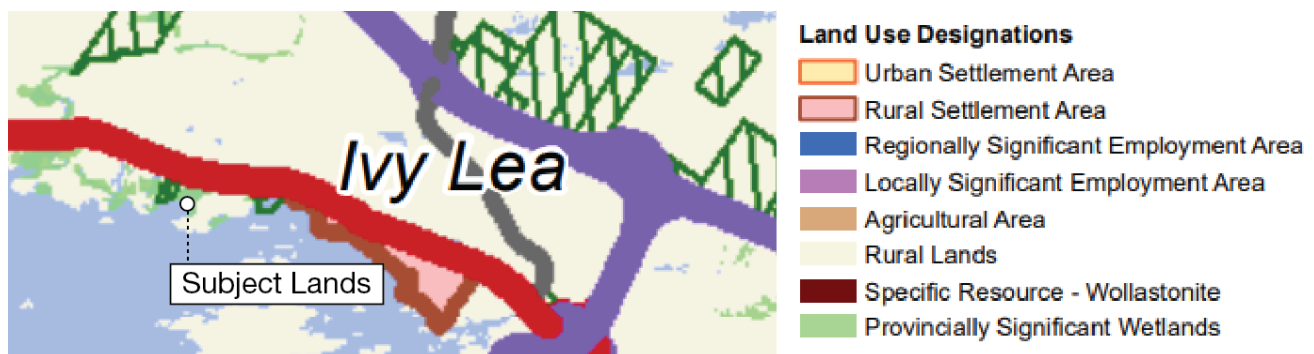


Figure 4: United Counties Land Use Designation (Source: United Counties of Leeds and Grenville Official Plan Schedule A)

Section 2.6 provides policy direction regarding economic development, to accommodate evolving needs as they relate to economic activity, while balancing social, cultural, and natural environment. Section 2.6.1 of the Official Plan specifically provides policy regarding the location of economic activity:

2.6.1.b) Focus new industrial and employment-related development in settlement areas or in designated employment areas, while also permitting appropriate rural industrial and commercial growth in accordance with the policies of this Plan.

The subject lands are currently development with a long-standing marine manufacturing industrial use. The subject lands are appropriately located in the rural area, adjacent to the St. Lawrence River, which facilitates water access and the marine manufacturing operation. The existing marine manufacturing use is appropriately located outside of a settlement area.

Section 3 – Rural Area

Section 3.0 of the Official Plan provides policy direction for the rural area designation, which is defined as lands outside of the urban settlement areas and rural settlement areas. Rural lands are noted to consist of the rural

landscape of the Counties, including prime agricultural areas, rural lands, including recreation and rural residential uses, natural heritage features and systems, and important natural resource areas.

Section 3.3 provides specific policies for rural lands, which are intended to protect the natural amenities and rural character of the Counties while providing opportunities for agricultural uses, resource-based activities, recreation and tourism and other rural land uses.

3.3.1 Objectives

a) Promote development opportunities related to the management or use of resources; resource-based recreational uses (including recreational dwellings); tourism, limited residential development; home occupations and home industries; and other rural land uses that cannot be located in settlement areas, and/or are detailed in the local municipal Official Plan;

The proposal seeks to support long-standing industrial employment in the United Counties. The existing marine manufacturing use is not well-suited to being located in settlement areas, as it requires a larger land area for manufacturing buildings and storage of construction materials, as well as direct access to the St. Lawrence River to facilitate the shipping and logistics of the operation, and separation from sensitive uses.

d) Promote opportunities to support a diversified rural economy by protecting agricultural uses and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses;

The proposal will not impact agricultural or other resource-based uses. The proposal contributes to diversifying the rural economy by supporting a long-standing marine manufacturing use.

e) Promote limited development that is compatible with the rural landscape and character and can be sustained by rural service levels, which generally includes individual on-site sewage and individual on-site water services;

The proposal seeks to allow the continuation of a long-standing rural industrial use in the rural area. The proposed development incorporates sufficient setbacks and retention of some existing mature vegetation and landscaped open space to support compatibility with the rural landscape. Views of the lands from the river will be improved by the ongoing shoreline alteration work. The lands are privately serviced by individual on-site septic and water services.

f) Encourage the conservation and redevelopment of existing rural housing stock on rural lands;

The proposal seeks to retain one existing residential dwelling in the southeast portion of the lands, which is relatively new construction and in good condition. The maintenance of this rural residential dwelling will support the conservation of existing rural housing stock.

g) Accommodate development that is appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of infrastructure; and

The proposal represents efficient use of rural, waterfront properties, utilizing existing infrastructure, including existing roads, solid waste collection, snow plowing, and secondary utilities available. The site is serviced by an on-site septic system and well. The proposed development will not require any infrastructure expansion.

i) Provide for the protection of natural heritage features and their ecological functions

An Environmental Impact Assessment (EIA) was prepared to review the proposed development and potential impact on natural heritage features. The assessment indicates the lands are adjacent to the Ivy Lea Wetland, however, no significant natural heritage features are located within the building envelope of the proposed indoor storage building. Furthermore, the EIA indicates that site alterations may, on balance, create a net positive affect to adjacent wetlands and waterbodies through the improved shoreline interface. The EIA concludes that the proposed development will not result in any negative impacts to natural environment or ecological function.

Section 3.3.2 outlines the land uses permitted within rural lands designation:

c) In addition to agricultural uses and agriculture-related uses, rural industrial/commercial uses which are resource-based and forestry uses, or which are located within or along a local rural commercial area or

corridors, may be permitted without an amendment to this Plan, subject to the policies of Section 3.2.3, the local municipal Official Plan, and may be subject to a site-specific rezoning.

The development consists of a rural industrial use located in the rural area in proximity to the Thousand Islands Parkway and St. Lawrence River. No amendment is necessary to the United Counties Official Plan. The lands are in an area characterized by rural commercial uses and respect the intent of the official plan. A zoning by-law amendment is proposed to the Township of Leeds and the Thousand Islands Zoning By-Law 07-079 to consolidate the zoning of the lands and allow the continuation of the long-standing rural industrial use.

e) The specific permitted uses and accessory uses will be established in the local municipal Official Plans and implementing zoning by-laws.

A zoning by-law amendment is proposed to the Township of Leeds and the Thousand Islands Zoning By-law 07-079 to recognize and allow the continuation of the existing rural industrial use. The existing principal marine manufacturing use and accessory rural residential use generally to the intentions of the Township's Official Plan and Zoning By-law.

Section 3.3.3 provides the land use policies for the rural lands designation:

3.3.3c) Development in rural lands will be subject to the policies of Section 6.3 with respect to servicing.

The proposed development conforms with the policies of Section 6.3, as discussed below. The development will be privately serviced.

d) The development of new or expanding uses must be compatible with the rural landscape and must be sustained by rural service levels.

The proposal seeks to allow the continuation of a long-standing rural industrial use in the rural area. The development incorporates large building setbacks, with the existing manufacturing building centrally located on the lands. The topography of the subject lands, along with the retention of some existing trees and the hedge row, assists with providing some screening of the use from the Thousand Islands Parkway. The combination of large building setbacks, existing vegetation, and topography of the lands supports compatibility of the existing and proposed development with the rural landscape. The development makes use of existing rural infrastructure, including private servicing, roads, solid waste collection, snow plowing, and various utilities available. The lands are and will continue to be privately serviced by individual on-site septic and water services.

e) All farm and non-farm development will comply with the Minimum Distance Separation Formulae as implemented through the applicable local municipal planning documents.

Per Implementation Guideline #10 of Publication 853 the Minimum Distance Separation Document, the proposal will not permit a more sensitive land use than existed previously, therefore, it is not subject to MDS setbacks.

g) Those uses that create or potentially create adverse impacts as a result of air, noise, and/or vibration emissions, and/or the generation and/or handling of solid or liquid wastes will only be considered based on the submission of an impact assessment to the satisfaction of the Counties and/or local municipality, as applicable

A Noise Impact Study was prepared to assess the potential impacts of the proposed development. The study concluded that the noise levels are expected to fall below the designated noise criteria and, as such, the proposed development is anticipated to be compatible with nearby sensitive land uses.

h) Rural industrial uses proposed adjacent to a sensitive land use will generally be limited to self-contained uses that produce and/or store a product where there is a low probability of significant emissions, and subject to the requirements of subsection (i).

The continuation of the rural industrial use is not anticipated to result in significant emissions as the manufacturing and construction processes are self-contained within existing buildings. Uses such as painting or sandblasting would be subject to additional regulation. The proposed development will increase the amount of enclosed storage on the site and formalize open storage for construction materials. The requirements of subsection (i) are discussed below.

i) An appropriate separation distance, based upon the Province's relevant guidelines related to land use compatibility, will be established between a rural industrial land use and any sensitive land use. This

separation distance will be enforced through a site specific amendment to the applicable zoning by-law and/or through site plan control.

The existing development is subject to the Ministry's "D-6 Compatibility between Industrial Facilities" guidelines. The D-6 guidelines classify the marine manufacturing use as a Class II Industrial Facility, due to the medium scale and presence of open storage facilities. The recommended minimum distance separation for a Class II Industrial Facility is 70 metres to sensitive uses, including residences, seniors homes, schools, day care facilities, hospitals, churches, institutional uses, or campgrounds. The guidelines acknowledge the potential for accessory residential uses in industrial zones, which are permitted within the recommended separation distance only if they are occupied by on-site business owners. The *Planning Act* does not provide a mechanism by which the occupant of a dwelling may be restricted. Instead, it is recommended that the future site plan agreement include a condition that would require a warning clause in any future lease agreements that would advise tenants of the location of the dwelling on an operating rural industrial property with an 11.2 metre setback from an indoor storage building. The existing residential dwelling proposed to be retained on the property is within the 70-metre setback from the principal use, however, it is located on the far east side of the lands, buffered from the manufacturing areas of the operation by existing and proposed storage buildings. Surrounding sensitive uses, including the rural residential dwellings located along the Thousand Islands Parkway across from the subject lands, are located outside of the recommended 70-metre separation distance.

j) Rural industrial uses will be developed in such a manner to ensure protection and screening of outdoor storage areas from all adjacent roads and public spaces.

The proposed development will incorporate areas of open, open storage. An existing open storage area is located adjacent to the Thousand Islands Parkway buffered by an existing hedge row and a portion of fence. An additional area of open storage is proposed along the road frontage further to the east. The subject lands benefit from a change in topography from west to east. As you move towards the east of the subject lands, the elevation difference from the paved portion of the Parkway to the ground level of the site increases, which provides partial screening of open storage from the adjacent road. Another area of open storage is proposed south of the new indoor storage building along the shoreline. The existing indoor storage building along with the proposed indoor storage building will screen this area of open storage from the adjacent road and public view.

k) The local municipalities will establish policies in the local municipal Official Plans to ensure that the following criteria are satisfied where rural industrial/commercial uses, excluding applications under the Aggregate Resources Act, are proposed:

i. The proposed use will not create or add to a negative impact on the environment, adjacent or nearby sensitive land uses, or traffic patterns;

An Environmental Impact Assessment was prepared to assess the proposed development and concluded that the proposal will not result in negative impacts to the natural environment or ecological function. The proposed indoor storage building will be setback 34.2 metres from the shoreline. The pre-application meeting with Township staff did not identify any traffic concerns, therefore, a Traffic Impact Study was not required. No negative impacts to nearby sensitive uses are anticipated.

ii. The proponent will demonstrate how outside storage, if any, and the storage and removal of on-site generated waste is to be accommodated;

The proposed development will incorporate areas of open storage for construction materials including wood, steel, and rock. An existing open storage area is located adjacent to the Thousand Islands Parkway, and additional areas of open storage are proposed further along the road frontage and south of the new indoor storage building along the shoreline. Outdoor and open storage is vital to the on-going operation of the rural industrial and marine manufacturing use. Details regarding the storage and removal of on-site generated waste will be determined through the future application for site plan control.

iii. The proponent may be required to demonstrate how the traffic generated from the proposed use will impact the existing roads and how much will be generated;

The pre-application meeting with Township staff did not identify any traffic concerns, therefore no Traffic Impact Study was required. The subject lands will continue to be accessed by the three existing vehicle entrances for use by customers, employees and larger trucks and vehicles.

iv. For a use that may have the ability to compromise or contaminate the subject lands, the proponent may be required to submit a remediation plan to be used upon the discontinuation of use to the satisfaction of the municipality, Counties, and the applicable Ministry(ies); and

The existing marine manufacturing use includes a mechanic shop which is utilized for repairs and maintenance of Kehoe's own vehicle fleet. This use, along with the storage and use of on-site fuel tanks, is regulated by the Technical Standards and Safety Authority (TSSA) and Ontario Fire Code (OFC). On-site manufacturing occurs interior of the existing one- and two-storey building. No contamination concerns related to the new indoor storage building are anticipated.

v. The proponent may be required to demonstrate how the foregoing and any other requirements set out in this Plan and the local municipal Official Plan will be met.

The proposal has demonstrated conformity with the foregoing requirements.

Section 4 – Natural Heritage, Water Resources and Cultural Heritage

Section 4 provides policies related to the protection and enhancement of natural features, functions, and systems, the protection and conservation of water resources, along with the conservation of cultural heritage resources.

As previously noted, a portion of the subject lands is designated Provincially Significant Wetland on Schedule A Community Structure and Land Use of the Official Plan.

Section 4.2.1 provides policy direction related to development and site alteration, which states:

- a) Development and site alteration will not be permitted in significant wetlands and significant coastal wetlands.*
- b) Development and site alteration will not be permitted in:

 - i. significant woodlands in Ecoregion 6E;*
 - ii. significant valleylands in Ecoregion 6E;*
 - iii. significant wildlife habitat;*
 - iv. significant areas of natural and scientific interest; and*
 - v. coastal wetlands in Ecoregion 6E that are not identified as significant, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.**
- a) Development and site alteration will not be permitted in fish habitat except in accordance with Provincial and Federal requirements.*
- b) Development and site alteration will not be permitted in habitat of endangered species and threatened species, except in accordance with Provincial and Federal requirements.*
- c) Nothing in the policies of Section 4.0 are intended to limit the ability of agricultural uses to continue.*

The subject lands do not include any significant woodlands, valleylands, significant wildlife habitat, or habitat of endangered or threatened species. The subject lands are adjacent to the St. Lawrence River which includes fish habitat and the Ivy Lea Wetland. Ongoing site works include the improvement and alteration of the existing seawall which will result in increased building setbacks to the wetland, will improve the existing shoreline condition, and reduce potential for contaminants to enter the river via runoff. The Environmental Impact Assessment prepared to assess the potential impacts of the proposed development does not anticipate negative environmental impacts as a result of the proposal. The assessment confirmed that the proposed site alteration will not involve any intrusion into the adjacent Ivy Lea wetland and associated fish habitat, and the improved shoreline will function as the separation point between the proposed development and the aquatic habitat found in the adjacent St. Lawrence River.

Section 4.2.3 of the Official Plan provides policy direction for Provincially Significant Wetlands and Significant Coastal Wetlands, such as:

- b) Provincially Significant Wetlands and significant coastal wetlands will be protected to ensure that development will not result in negative impacts to the features or their ecological functions. No development or site alteration will be permitted within Provincially Significant Wetlands and significant coastal wetlands. Conservation Authorities are responsible for regulating development and site alteration in Provincially Significant Wetlands and significant coastal wetlands and within 120 metres of these*

natural features through regulations pursuant to Section 28 of the Conservation Authorities Act, and may require that a permit or clearance be obtained before any works begin.

c) The land adjacent to Provincially Significant Wetlands and significant coastal wetlands represents an area where it is possible that development or site alteration would have a negative impact on the feature or area. Development and site alteration will not be permitted on land adjacent to a Provincially Significant Wetland or significant coastal wetland, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological and/or hydrologic functions that cannot be adequately mitigated. For the purposes of this policy, the extent of adjacent land will be defined as 120 metres. An Environmental Impact Study (EIS) will be required for development and site alteration within 120 metres of a Provincially Significant Wetland or significant coastal wetland. Prior to considering development and/or site alteration, the Counties and/or local municipality, in consultation with the Province and/or applicable Conservation Authority as required, will be satisfied that the EIS demonstrates that there will be no negative impacts on the Provincially Significant Wetland or significant coastal wetland and the sustaining ecological and/or hydrologic functions.

The subject lands are adjacent to the Ivy Lea Wetland, which is categorized as provincially significant wetland. The Environmental Impact Assessment determined that the proposed development is not anticipated to impact the adjacent natural heritage resource, nor impact its ecological function. Further, ongoing shoreline and seawall improvements were determined to possibly result in a net positive benefit as several potential sources of contamination will be removed. The application will be circulated to the Cataraqui Region Conservation Authority for technical comment.

Section 4.4 provides policy direction for water resources and source water protection in the United Counties. Section 4.4.1 states that the United Counties contain multiple water resources, including the St. Lawrence River, Rideau River and many rivers, streams, and small inland lake systems, that support the natural environment and the Counties' communities. This section states: "*The protection of water resources from contamination and degradation associated with certain land uses and activities is an important element to maintaining the quality of life experienced by both existing residents and businesses, and supporting future growth*". The relevant subsections of 4.4.1 are review below:

Section 4.4.1 of the Official Plan outlines policies relating to water resources, including:

c) The Counties and local municipalities will encourage the protection and restoration of natural heritage features and areas to improve the quality and quantity of water.

The Environmental Impact Assessment does not anticipate any impacts to adjacent natural heritage features as a result of the proposed development. The quality of stormwater runoff will be improved as a result of the proposed development.

e) The Counties and local municipalities will require the use of stormwater management facilities on-site and/or downstream of new developments, where appropriate, to mitigate negative impacts from development on stormwater quantity and quality and in accordance with Section 6.3.2.

The Stormwater Management Brief assessed the proposed development and potential changes to water quality and quantity. The brief indicates that the stormwater management plan represents an optimization of runoff capture and treatment opportunities for this challenging site which requires heavy marine operations at the water's edge. The development, as well as ongoing shoreline improvements, incorporates stormwater management best practices to support water quality and flood and erosion management.

m) Water setback requirements shall not apply to permitted encroachments, docks, boathouses, pumphouses, and other marine facilities

n) The local municipalities will establish detailed policies and provisions for minimum required water setbacks and associated requirements in the local municipal Official Plans and Zoning By-laws.

The long-standing marine manufacturing use includes a boat launch and frame docks, which are not subject to water setbacks, but are regulated by other zoning provisions of the Township of Leeds and the Thousand Islands Zoning By-law 07-079. Two existing buildings, the two-storey portion of the manufacturing building and the residential dwelling, are within the required 30-metre water setback. The proposed indoor storage building

complies with the minimum 30 metre water setback. The zoning by-law amendment seeks to recognize and allow the locations of the existing residential dwelling and manufacturing building within the required water setback.

- o) The Counties and local municipalities where appropriate, will encourage and promote the health of watercourses, waterbodies and water quality by:*
- i. requiring the conservation and enhancement of natural stream bank vegetation and promoting suitable erosion control methods, including the maximum retention of native vegetation and/or existing cover to help maintain the quality of the riparian area, control erosion and assist in mitigating any visual impacts from development in natural areas;*
 - ii. promoting tree planting along watercourses, where possible, to enhance the natural corridor function, provide for cool water temperatures and protect watercourse banks from erosion;*
 - iii. encouraging best management practices and that interim measures are utilized during construction projects adjacent to watercourses and waterbodies to reduce sedimentation and erosion;*
 - iv. promoting the appropriate use of adjacent lands to watercourses and waterbodies, by providing an appropriate buffer between watercourses and waterbodies and pedestrian movement and passive recreation areas, where feasible; and*
 - v. requiring an impact assessment of a major development proposal on a waterbody to ensure water quality protection. The study should take into consideration the existing water quality of the waterbody, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.*

The subject lands have frontage on the St. Lawrence River and include hardened shoreline along the western portion of the water frontage, as well as naturalized shoreline line south of the single detached dwelling. The subject lands incorporate an altered shoreline that has been optimized to serve as a buffer between the water and existing rural industrial uses on the site. Ongoing site works permitted by the Department of Fisheries and Oceans and the Cataraqui Region Conservation Authority will alter and improve the existing disturbed portion of the shoreline. Best management practices will be utilized during construction to reduce sedimentation and erosion. The Environmental Impact Assessment found that the proposed development is not anticipated to impact the adjacent waterbody.

Section 5 – Natural and Human-Made Hazards

Section 5 of the Official Plan provides policies seeking to protect residents and property by managing natural and human-made hazards, including flood susceptibility, erosion hazards involving loss of land due to human or natural processes that pose a threat to life and property, steep slopes, unstable soils, unstable bedrock, wildland fire hazards, potential hazards associated with waste disposal sites, abandoned mines, potentially contaminated lands, and land uses which may pose unacceptable levels of noise, vibration or odour. The subject lands are adjacent to the St. Lawrence River with approximately 340 metres of water frontage. Existing and proposed setbacks from the wetland and ongoing sea wall alteration works will improve the shoreline area and reduce flood risk. The Stormwater Management Brief indicates that the proposed site grading and seawall elevations (76.3 m) will isolate the oil-grit inlet from the defined 100 year instantaneous still water levels (75.9 m) and will provide significant protection against wave overtopping inflow to the system.

Section 6 – Transportation, Infrastructure and Servicing

Section 6 of the Official Plan states that growth and development is serviced through a system of infrastructure, which include the roads and parking facilities, trail systems, sewage and water services, stormwater facilities and waste management systems, utilities and telecommunications infrastructure, electricity generation facilities and transmission and distribution systems, which play an important role in defining the communities and areas within the United Counties.

Section 6.1 outlines objectives related to transportation, infrastructure and servicing, the following of which are relevant to the proposed development:

- a) Promote the establishment of a comprehensive and efficient transportation system to move people and goods to support economic development objectives of the Counties.*
- d) Optimize the use of existing infrastructure and public facilities prior to considering the development of new infrastructure.*

The proposal will support a long-standing rural industrial use and business in the United Counties. Traffic concerns were not identified through the pre-application process and a Traffic Impact Study was not required to assess the proposed development. The use benefits from its location abutting the Thousand Islands Parkway and the St. Lawrence River. Frontage on the Thousand Islands Parkway provides a connection to Highway 401 to the west, frontage on the St. Lawrence River provides access to the larger Great Lakes system. This proposal will not require any new infrastructure or public facilities.

f) Encourage effective, efficient and sustainable stormwater management and low impact development measures to support water quality maintenance and flood and erosion management.

A Stormwater Management Brief assessed the proposed development and potential changes to water quality and quantity as a result. The brief concludes that the proposed stormwater management plan represents an optimization of runoff capture and treatment opportunities for these lands which requires heavy marine operations at the water's edge on a relatively low-lying site. The development, as well as ongoing shoreline improvements, incorporate stormwater management best practices to support water quality and flood and erosion management.

Section 6.2 provides policies relating to the transportation system, including roads, cycling and trails, waterways and rail corridors. Section 6.2.2.2 of the Official Plan provides policy direction specifically regarding the Thousand Islands Parkway, noting that the right-of-way of the parkway is under the jurisdiction and control of the St. Lawrence Parks Commission. The proposed development will not result in the addition of any new vehicle entrances from the Thousand Islands Parkway.

Section 6.3 provides policies related to water and wastewater systems and stormwater management practices:

6.3.1 c) Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

e) Limited rural development will be permitted on individual on-site sewage services and individual on-site water services.

The lands are currently serviced by on-site water and sewage services and will not require the expansion of municipal infrastructure.

6.3.2 a) As part of the Counties' approval authority in accordance with the policies of Section 7.6 of this Plan, the Counties may require stormwater management controls in their approval of certain development applications. In addition, the Counties will encourage local municipalities in their planning for stormwater management to:

- i. minimize, or, where possible, prevent increases in contaminant loads;*
- ii. minimize changes in water balance and erosion;*
- iii. not increase risks to human health and safety and property damage;*
- iv. maximize the extent and function of vegetative and pervious surfaces; and*
- v. promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.*

A Stormwater Management Brief was prepared to assess the proposed development and potential required water quality and quantity controls. The study does not anticipate increases in contaminant loads, changes in water balance and erosion, or risk to human health and safety. The proposal will incorporate quality treatment by a jellyfish oil-grit filtration chamber, surface runoff captured by trench drains, roof leaders, site re-grading along the shoreline, and runoff into the river.

6.3.2 c) The Counties and local municipalities will promote naturalized stormwater management facilities, constructed with gentle slopes. Applications for development which require stormwater management facilities will be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Province's Stormwater Management Planning and Design Manual, and applicable watershed studies, master drainage plans or master stormwater management plans, where they exist, and in consultation with the local municipality and the applicable Conservation Authority.

The development will incorporate quality treatment by a jellyfish oil-grit filtration chamber, surface runoff captured by trench drains, roof leaders, site re-grading along the shoreline, and runoff into the river.

It is our professional planning opinion that the proposed development conforms with the policies of the United Counties of Leeds and Grenville Official Plan.

4.3 Township of Leeds and the Thousand Islands Official Plan

The Township of Leeds and the Thousand Islands Official Plan was adopted by Council on September 10, 2018 and approved by the United Counties of Leeds and Grenville on November 22, 2018. The Township's official plan establishes a vision, goals, objectives, and policies to manage and direct physical development and the effect of change on the physical, social, cultural, economic, and natural environment until 2031. The official plan contains policies of Council which guide and direct future growth and development within the municipality.

The relevant policy considerations of the official plan are discussed below (with policies in *Italics*). The following sections of the official plan are addressed:

- / Section 3 – Purpose, Goal, Objectives;
- / Section 4 – General Land Use Policies;
- / Section 5 – Land Use Designation Policies;
- / Section 6 – Water Resources Policies;
- / Section 7 – Transportation and Infrastructure; and,
- / Section 9 – Implementation.

Section 3 – Purpose, Goal, Objectives

Section 3 of the official plan outlines the Township's vision statement and the plan's overarching goal, as well as various objectives to achieve the stated goals. The objectives of the plan include:

3.3(2) The rural area shall accommodate limited residential, commercial, and industrial development, where appropriate.

The subject lands are in the rural area and the proposal seeks to recognize and allow the continuation and moderate expansion of an existing, long-standing rural industrial use.

(6) Steady, diversified and balanced economic growth shall be encouraged to build a strong economic base. The Township shall be known as being open for business.

(7) The Township shall ensure a wide range of employment opportunities to encourage young people to choose to stay in, or return to, the Township.

(9) New and existing local businesses and agricultural operations shall be supported in the Township's growth and development.

Kehoe Marine Construction is an existing business that has been in operation since 2007 and currently employs 55 full time employees. The proposal seeks to continue the existing use of the lands and allow for moderate expansion and an increase of on-site storage capacity. The proposal seeks to support the continuation of an existing local business providing opportunities for local employment.

(10) Land requirements and land use patterns shall be based on the provision of sufficient land for industrial, commercial, residential, recreational, open space, and institutional uses to promote employment opportunities.

The subject lands are sufficiently sized to support the continued operation of the rural industrial use.

(12) The policies of this official plan are intended to ensure compatibility between land uses.

The existing rural industrial use is compatible with surrounding land uses, as well as the accessory residential use located on the subject lands, as discussed herein. The proposed development conforms with the land use compatibility policies of the official plan.

(16) Natural heritage features and areas shall be identified, preserved and enhanced.

The subject lands are located with frontage on the St. Lawrence River and adjacent to the Ivy Lea Wetland and fish habitat. Due to shoreline improvements being completed, no impacts are anticipated to the natural environment as a result of the proposal.

Section 4 – General Land Use Policies

Section 4 of the official plan provides policies intended to address development issues which are common to more than one land use designation. Section 4.6 provides policy direction related to compatibility and built form. Section 4.6.1 outlines general development design standards, including:

1. *In reviewing all types of development and redevelopment applications, Council shall be satisfied that the proposed development is compatible with the surrounding uses, built form, and general character of the area.*
2. *Compatibility of new development should be assessed based on the following criteria:*
 - a. *Height and massing: building height, massing, and scale should be assessed based on the planned or existing uses or adjacent properties, as well as the character established by the prevailing pattern of abutting development and development that is across the street;*

The subject lands are currently developed with a marine manufacturing and rural industrial use consisting of several one- and two-storey buildings. No amendments are proposed to building height or massing of existing or proposed buildings. The subject lands are located adjacent to an existing tourist commercial and marina use to the west and wetland and vacant land to the east. Rural residential uses, consisting of one-storey dwellings, are located north of the Thousand Islands Parkway. Height and massing of existing and proposed buildings is consistent with the prevailing pattern of development south of the Thousand Islands Parkway surrounding the subject lands.

- b. *Landscaping: Landscaping may be required as a buffer between uses and shall be a sufficient depth as determined through the Zoning By-law;*

The subject lands are occupied by a long-standing rural industrial use which relies on large areas of asphalt and gravel to facilitate on-site vehicle movement, as well as open storage. The subject lands currently contain some areas of landscape open space including within the existing customer parking area, along portions of the road frontage, and surrounding the existing single detached dwelling. Due to the industrial nature and existing disturbance of the subject lands, additional landscape areas and buffers are not feasible and are not proposed. Existing areas of landscaping and vegetation will be retained to the extent possible.

- c. *Lighting: the potential for light spill over or glare onto adjacent light-sensitive areas or the sky must be minimized;*

It is anticipated that the proposed development will utilize dark sky-certified exterior lighting and engineering best practices to ensure potential lighting impacts are minimized. Details, such as on-site lighting, will be prepared and reviewed through the future application for site plan control.

- d. *Noise and air quality: The development should be located and designed to minimize the potential for significant adverse impacts on adjacent sensitive uses related to noise, odours, and other emissions;*

A Noise Impact Study was prepared to assess the proposed development and concluded that the proposal meets all of the Ministry's noise criteria. No noise control measures are necessary, and no noise impacts are anticipated for adjacent rural residential uses.

- e. *Outdoor amenity areas: The privacy of outdoor amenity areas of adjacent residential units must be respected;*

The subject lands are not abutting any sensitive uses that require private outdoor amenity areas. Rural residential uses are located north of the Thousand Islands Parkway across from the subject lands, therefore, the proposed development is not anticipated to impact the privacy of outdoor amenity areas of these rural residential properties.

- f. *Parking: Adequate on-site parking must be provided in accordance with the provisions of the Zoning By-law, with minimal impact on adjacent uses. For higher density development within settlement areas, the Township may consider permitting reduced standards for on-site parking, or off-site parking, where accommodation of on-site parking is not possible;*

The proposal meets the minimum on-site parking requirements of the zoning by-law. Customer parking is provided in proximity to the office and employee parking is proposed to be concentrated in the eastern portion of the subject lands to reduce through traffic across the site.

- g. Safety: The development should be designed with the principles of Crime Prevention Through Environmental Design (CPTED) and other best practices, to ensure that opportunities for crime and threats to public safety are reduced or minimized. CPTED is a proactive design philosophy based on the belief that the proper design and effective use of the built environment can lead to a reduction in the fear and incidence of crime, as well as an improvement in the quality of life (CPTED Ontario, 2014);*

The proposal incorporates various CPTED design principles, including adequate external lighting, property upkeep standards, and a built form that supports open sight lines.

- h. Setbacks: Prevailing patterns of rear and side yard setbacks, building separation, landscaped open spaces, and outdoor amenity areas as established by existing zoning where the proposed pattern is different from the existing pattern of development;*

The proposed development complies with all but one minimum required yard setback. The existing two-storey office building, which was approved by the Township in 2021, is setback 4.7 metres rather than the required 7.5 metres in the proposed parent zone, from the west lot line. The subject lands abut a tourist commercial use to the west; therefore, the reduced side yard setback will not interfere with the prevailing pattern of development surrounding the subject lands. All other setbacks greatly exceed the minimum zoning requirements and are consistent with the surrounding rural development pattern. The subject lands incorporate large building separation and open space consistent with the surrounding rural area.

- i. Shadowing: Shadowing on adjacent properties must be minimized, particularly on outdoor amenity areas;*

The proposed development is not anticipated to create shadowing on adjacent properties due to compatible building height with neighbouring properties and the generally central location of two-storey buildings on the subject lands.

- j. Traffic impacts: The road network or waterbody in the vicinity of the proposed development can accommodate the vehicular or boat traffic generated;*

Traffic concerns were not identified through the pre-application meeting with Township staff. The proposed development is not anticipated to impact the surrounding transportation network and will not generate additional traffic to or from the subject lands.

- k. Transition: The need to provide a transition between areas of different development intensity and scale, including through the use of incremental changes in building height, massing, setbacks and setbacks;*

The subject lands are in proximity to rural residential uses to the north and a tourist commercial use abutting to the west. The existing development consists of one- and two-storey buildings heights in addition to large setbacks which provide an appropriate transition in height, massing and intensity to surrounding properties and uses.

- l. Vehicular access: The location and orientation of vehicle access must take into account impact on adjacent properties including noise, glare, and loss of privacy, as well as safety of pedestrians and pedestrian access.*

Vehicular access to the subject lands will continue to be from the Thousand Islands Parkway via the three existing entrances. The continuation of existing vehicular access is not anticipated to impact adjacent properties.

Section 4.6.2 of the Plan permits the Township to undertake the preparation of Design Guidelines for certain areas within the Township. The intent of the Design Guidelines is to develop a list of criteria that can be used in the design stage by owners/developers, and by the Township to evaluate development applications to ensure that the broader goals, objectives, and intent of the policies of this Plan are met, while ensuring compatibility with adjacent land uses and that the prevailing character and built form of an area is maintained or enhanced. The subject lands are not subject to any Design Guidelines prepared by the Township at the time of writing this report. The proposal does conform with the intent of the policies and broader objectives of the Plan, as discussed herein.

Further the proposed development is compatible with the surrounding rural landscape and is not anticipated to impact adjacent rural residential uses.

Section 4.6.3 provides design guidelines regarding industrial facilities and sensitive land uses. The proposed development reflects the enhancement and moderate expansion of an existing rural industrial use and the retention of an accessory rural residential dwelling. The following policies guide compatibility between the industrial facilities and adjacent and accessory sensitive land uses:

1. Proponents of industrial development may be required to provide supporting technical studies, to assist in the evaluation of proposed developments, and where applicable, to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures. Consideration may also be given to the extent to which increased site plan requirements can reduce the potential impacts.

A Noise Impact Study, Stormwater Management Brief and Environmental Impact Assessment were prepared to assess the proposed development and identify potential impacts and mitigation measures. The Noise Impact Study concluded that the proposal meets all of the Ministry's noise criteria, no noise control measures are necessary, and no noise impacts are anticipated for adjacent rural residential uses. The Stormwater Management Brief provided recommended measures to improve water quality and quantity controls which will be incorporated as part of the proposed development. Due to the existing disturbed nature of the subject lands and the on-going shoreline improvements, the Environmental Impact Assessment did not identify any concerns which require mitigation measures.

2. Separation distances between sensitive land uses and potentially conflicting land uses shall be measured in accordance with the Ministry of the Environment, Conservation and Parks (MECP) Guidelines

The marine manufacturing facility is classified as a Class II Industrial Facility, per the Ministry's D-6 guidelines, due to the medium scale nature of the use and the presence of open storage of materials. Thus, a minimum separation distance of 70 metres applies between industrial uses and residential or other sensitive land uses. The proposed development is located greater than 70 metres from surrounding sensitive uses, including the rural residential dwellings located across from the subject lands on the north side of the Thousand Islands Parkway. The existing residential dwelling proposed to be retained on the property is located within the 70-metre setback from the principal use, however, it is not subject to the recommended separation distance. Despite this, it is located on the far east side of the lands, buffered from the manufacturing areas of the operation by existing and proposed buildings.

4. Proponents may be required to provide buffering measures such as landscaping, plantings, and fencing to minimize the impact of industrial activity.

The subject lands are occupied by a long-standing rural industrial use which relies on large areas of asphalt and gravel to facilitate on-site vehicle movement, as well as open storage. The subject lands currently contain some areas of landscape open space including within the existing customer parking area, along portions of the road frontage, and surrounding the existing single detached dwelling. Due to the industrial nature and existing disturbance of the subject lands, additional landscape areas and buffers are not feasible and are not proposed. Existing areas of landscaping and vegetation will be retained to the extent possible.

Section 4.9 provides policies that recognize the wide opportunities for economic development from various land use sectors to create complete communities, including:

4.9.1.1 Council intends to increase its efforts to promote the Township's nonresidential development potential, such as agriculture, recreation, and tourism, commercial, industrial, service-based, and knowledge-based businesses, among other sectors; the aim of such efforts is to strengthen the municipality's financial position, provide enhanced employment opportunities for residents and increased local access to a wider range of goods and services.

Kehoe Marine Construction is an existing business that has been in operation at this location since 2008 and currently employs 55 full time employees. The proposal seeks to continue the existing use of the lands and allow for moderate expansion and an increase of on-site storage capacity. The proposal seeks to support the

continuation of an existing local business providing opportunities for local employment and the ability to strengthen the municipality’s financial position.

4.9.1.3 Commercial and industrial uses shall be encouraged within Settlement Areas and the Rural designation, in accordance with the policies of those land use designations.

The subject lands are in the rural designation in proximity to tourist commercial uses. This land use designation is intended to accommodate rural commercial and industrial uses, therefore, the rural industrial use is located appropriately to support the long-standing existing marine manufacturing use.

Section 4.14 provides policy direction for the requirements of noise and vibration studies to be included with development applications. A Noise Impact Study was prepared to assess the proposed development to determine potential noise impacts as a result of the proposed development. The study concluded that the proposed development meets all Ministry of the Environment, Conservation and Park’s (MECP) noise criteria, therefore, no noise control measures are required.

Section 5 – Land Use Designation Policies

Section 5 of the official plan contains policies applicable to the Township’s land use designations. The subject lands are located in the Special Policy Area – Thousand Islands (South of 401) and designated Rural on Schedule A1 Land Use Designations of the Township of Leeds and the Thousand Islands Official Plan.

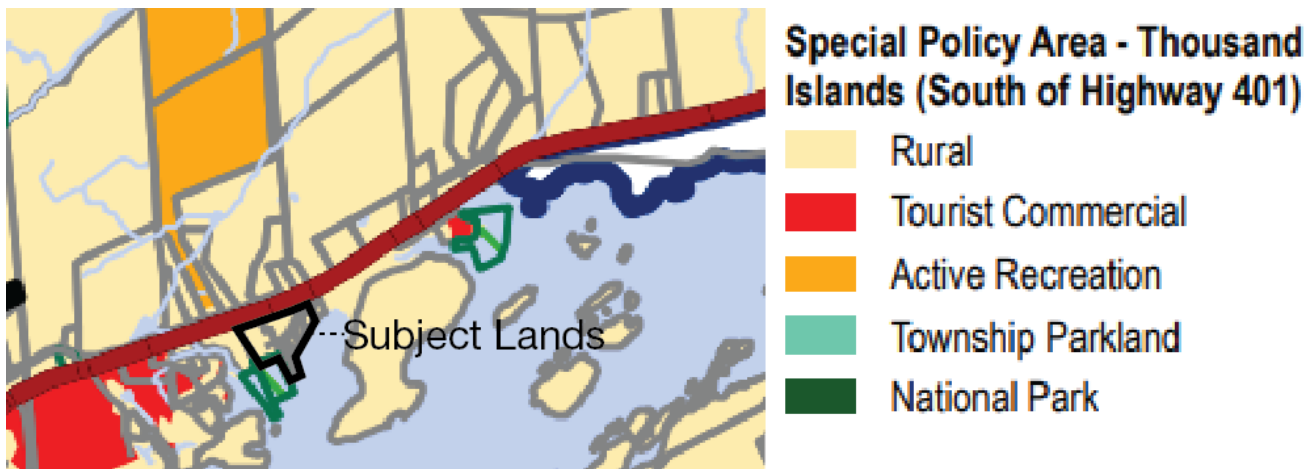


Figure 5: Township Land Use Designation (Source: Township of Leeds and the Thousand Islands Official Plan)

As well, the lands are identified as being adjacent to a Provincially Significant Wetland and within 30 metres of the water on Schedule A2 Natural Heritage System and Hazards of the Township of Leeds and the Thousand Islands Official Plan.



Figure 6: Natural Heritage System and Hazards (Source: Township of Leeds and the Thousand Islands Official Plan)

Section 5.3 provides policies related to hazards, both natural and human-made, and their risk to health, safety, and constraints on development. While the subject lands are located along the St. Lawrence River, natural hazards, such as erosion and flooding, are not anticipated to constrain the subject lands. Extensive preparation work is occurring to alter and improve the shoreline and sea wall which will improve protections against flooding and wave uprush. The preparation work for the proposed development is anticipated to significantly reduce the risk of inundation. The proposed development is not anticipated to pose a risk to health and safety.

Section 5.5 provides policies related to the natural heritage system. An Environmental Impact Assessment (EIA) was prepared to assess the proposed development and provide potential mitigation measures. The area of the proposed open storage and indoor store building have no natural heritage significance, nor are they used by any species at risk. The EIA further indicates that the proposed site alteration will not involve any intrusion into the adjacent Ivy Lea wetland or associated fish habitat, and the existing shoreline will continue to be the separation point between the upland and the aquatic habitat. The EIA further indicates that the site preparation work for the proposed open storage area, including improved shoreline separation which will reduce potential for shoreline erosion, may result in a net positive benefit to the wetland and fish habitat. The proposed development is not anticipated to impact the natural heritage system or ecological function of adjacent watercourses.

Section 5.7 provides policy direction related to the Rural land use designation. *“The Rural designation applies to most of the land in the Township and is intended to allow limited residential development and a range of uses which, together, provide the rural community with opportunities to live and work in a sustainable manner.”* Section 5.7 indicates that additional policies apply to lands included in the Thousand Islands Special Policy Area, such as the subject lands, and where a conflict between these policies occur, the Special Policy Area take precedence. The policies of the Special Policy Area are provided in Section 5.9 and are reviewed below.

Section 5.7.2 provide policies related to commercial and industrial uses in the Rural Area, with the intent of these uses to provide employment opportunities for Township residents, as well as important services for area tourist, businesses, and the travelling public. Applicable subsections of Section 5.7.2 are reviewed below:

2. It is intended that commercial and industrial development in the Rural designation be located so that the impact on natural features such as waterbodies and the Natural Heritage System will be minimal.

An Environmental Impact Assessment (EIA) was prepared to assess the proposed development and provide potential mitigation measures. The area of the proposed open storage and indoor store building have no natural heritage significance, nor are they used by any species at risk. The proposed development is not anticipated to impact the natural heritage system or ecological function of adjacent watercourses.

3. Commercial and industrial uses should be appropriate for the proposed location, having regard to potential impacts on neighbouring land uses and surrounding physical features, in accordance with the Compatibility and Built Form Section of this Plan.

This long-standing rural industrial use is appropriately located with frontage on the Thousand Islands Parkway and the St. Lawrence River and has regard for the potential impacts on neighbouring rural residential and tourist commercial uses. The proposal conforms with the policies of Section 4.6 Compatibility and Built Form as reviewed herein.

7. Industrial uses should be of a type which do not require large quantities of water and which do not pose problems for the disposal of wastes. Proper waste handling, spill control, and wastewater treatment shall be required. Industrial uses should be oriented to the local economy, such as those which use local resources and/or serve local businesses and residents.

The existing industrial use consists of marine manufacturing and does not require large quantities of water and does not pose problems for waste disposal. The existing rural industrial use is oriented to the local economy and support local marine recreation and tourism through the manufacturing of docks and other marine structures.

8. The location of all commercial and industrial uses shall be controlled by placing them in appropriate categories in the Zoning By-law. Consideration will be given to combining commercial and industrial uses in a common zone(s), where appropriate, in order to provide flexibility.

A zoning by-law amendment is proposed to consolidate and rezone the subject lands a site-specific Rural Industrial (MR) Zone. The proposal does not include or propose commercial uses.

9. The location and number of accesses to public roads for commercial and industrial uses shall be carefully controlled in order to avoid creating a traffic hazard. Generally, there should be no more than two access points per lot.

The subject lands include three existing entrances from the Thousand Islands Parkway. The western entrance is primarily for the use of customers, the central entrance is used by larger trucks and vehicles, and the eastern most entrance is for employee use. The subject lands incorporate three separate entrances are necessary to ensure safe movement and avoid vehicle conflicts on-site.

10. Adequate off-street parking and loading spaces must be provided, in compliance with the Zoning By-law.

Parking and loading are proposed on-site in compliance with the zoning by-law.

11. Adequate buffering will be provided between the commercial or industrial uses and neighbouring sensitive land uses (e.g. residential uses), in accordance with the Compatibility and Built Form Section and the Industrial Facilities and Sensitive Land Uses Section of this Plan, as applicable.

Existing and proposed buildings are setback from the roadway to increase separation to nearby rural residential dwellings. The topography of the subject lands and some existing on-site vegetation partially screen the open storage areas existing and proposed along the road frontage. The abutting wetland to the east and the tourist commercial use to the west are uses which do not require buffering or screening. Ongoing shoreline alterations permitted by the Department of Fisheries and Oceans and Cataraqui Region Conservation Authority will increase setbacks of existing buildings to the shoreline and sea wall. The proposed development conforms with the land use compatibility policies of the official plan, as discussed herein.

12. Commercial and industrial uses in the Rural designation are designated as Site Plan Control areas.

A future site plan control application will be required to facilitate further development as proposed.

13. Advertising devices and outside storage of goods and materials shall be strictly controlled.

The zoning by-law amendment seeks to permit open storage of construction materials. Zoning provisions will be established to control the height and location of proposed open storage areas.

Section 5.9 provides policy direction for special policy areas, which are portions of the Township where unique attributes require modified approaches to land use and development to protect their fundamental values. The subject site is in the Thousand Islands Special Policy Area (Land South of Highway 401), as identified on Schedule A1 of the Official Plan.

Section 5.9.2 provides policy direction for the Thousand Islands Special Policy Area, which continues to be an area of unique importance to its residents and tourists.

5.9.2.1 The special character of the Thousand Islands Area is a vital aspect of the Township's economy, and it is recognized that care is needed to prevent overdevelopment that could jeopardize its unique natural and cultural environment, waterfront character, and sense of place enjoyed by both existing residents and tourists, and future generations.

The subject lands are in the special policy area south of the Thousand Islands Parkway and have water frontage on the St. Lawrence River. The proposal seeks to support a long-standing marine manufacturing operation in the Township by increasing on-site storage capacity. The proposed development is contained within the site boundaries and is not expected to result in the overdevelopment or jeopardize the unique natural and cultural characteristics of the area. The subject lands are currently developed with a two-storey office building, a one-storey mechanic shop, a two- and three-storey manufacturing building, a one-storey storage building, and a two-storey single detached dwelling. The rural industrial use of the lands benefits from and is reliant upon its location within the Special Policy Area due to the frontage on the Thousand Islands Parkway, offering an important connection to Highway 401, and frontage on the St. Lawrence River to provide on and off-loading needs for the marine manufacturing use. The existing rural industrial use incorporates large building setbacks, as well as landscape open space and some mature vegetation along the road frontage, to assist in supporting the unique character of the area while allowing the continued rural industrial use of the lands.

5.9.2.2 The Thousand Islands area, known for its world class natural beauty and special character, will be protected from over-development. Through contextually appropriate development, public access and recreation opportunities will be improved to ensure that it remains a natural and cultural showpiece for the future.

The lands do not incorporate public access or recreation opportunities, however, Kehoe Marine Construction supports the tourism and water recreation industry of the area through the construction of docks and other marine structures. The proposal seeks to allow one new indoor storage building and open storage areas as part of the existing rural industrial use. On-going alterations to the sea wall will improve the visual appearance of the lands along the water frontage. An existing hedge within the central portion of the road frontage, the existing site topography along the Thousand Islands Parkway, and existing mature trees along the eastern portion of the road frontage will assist in partially screening the view of the lands to support the natural features of the area.

5.9.2.2.2 provides policies regulating new development for commercial, industrial, and active recreation uses in the special policy area:

5.9.2.2.2.1. Commercial, Industrial, and Active Recreation Uses

a) Industrial uses are generally prohibited. However, limited industrial uses may be permitted without the need for an amendment to the Official Plan, if the proposed use requires to be located in proximity to water, subject to the Compatibility and Built Form Section of this Plan, and any other policies of this Plan, as applicable. These uses should be located as far in-land as possible from the water and should include natural buffers consisting of native vegetation and rock to protect and shield views from all sides and from residential areas.

The long-standing marine manufacturing business requires access to the St. Lawrence River. There are a limited number of properties that can accommodate and support the required loading and off-loading of materials and finished products as required by Kehoe Marine Construction. Existing and proposed buildings are generally located centrally on the lands. Existing and proposed buildings are setback from the roadway to increase separation to nearby rural residential dwellings. The topography of the subject lands and some existing on-site vegetation partially screen the open storage areas existing and proposed along the road frontage. The abutting wetland to the east and the tourist commercial use to the west are uses which do not require screening. Ongoing shoreline alterations permitted by the Department of Fisheries and Oceans and Cataraqui Region Conservation Authority will increase setbacks of existing buildings to the shoreline and sea wall. The location of the proposed open storage in proximity to the shoreline is necessary to support operational efficiencies. The proposed development conforms with the land use compatibility policies of the Official Plan, as discussed herein.

g) Tourist commercial and industrial uses are designated as Site Plan Control areas

A future Site Plan Control application will be required to facilitate further development as proposed.

Section 6 – Water Resources Policies

Section 6.0 of the Official Plan provides policies related to water resources. Section 6.1.3 specifically provides policies regarding stormwater management. A Stormwater Management Technical Brief was prepared to assess the proposed development. Currently, stormwater on the subject lands generally flows uncontrolled in a north to south direction to the St. Lawrence River, and the majority of the site discharges across the existing operations area, thereby deteriorating the shoreline and transporting sediments during heavy rainfall events. The proposed site improvements will provide for a more robust shoreline and reduced erosion potential in the event that major flows spill over the seawall. The proposal will incorporate quality treatment by a jellyfish oil-grit filtration chamber, surface runoff captured by trench drains, roof leaders, site re-grading along the shoreline, and runoff into the River. The proposed stormwater management plan represents an optimization of runoff capture and treatment opportunities for this challenging site which requires heavy marine operations at the water's edge on a relatively low-lying site.

Section 6.1.4 addresses waterfront area and waterbody protection. The lands are located with frontage on St. Lawrence River, therefore, the policies of Section 6.1.4.2 regarding waterfront development, apply. The purpose of these policies is to ensure that development in the waterfront areas maintains or complements the character of the existing development and preserves the ecological and natural features of the lands, water, and shoreline.

6.1.4.2.1. Permitted uses in waterfront areas shall be low density residential uses, parkland and natural areas, recreational and tourist commercial uses, including active recreation and small-scale industrial and commercial uses directly servicing the waterfront community.

The subject lands are development with an existing waterfront rural industrial use. Kehoe Marine Construction relies on the subject lands' frontage on the St. Lawrence River to support on and off-loading of products and materials. Kehoe Marine Construction is vital to supporting the region's recreational and water-based tourism economy through the construction of docks and other marine structures.

3. It is the intent of this Plan that new development in waterfront areas be directed to lands that are physically suitable for development in their natural state, in an effort to maintain the area's unique character.

The subject lands have been occupied by marine industrial uses for approximately 65 years. The lands are currently disturbed and include a hardened shoreline area. Existing disturbed lands with partially hardened shoreline. The existing rural industrial use relies on a paved shoreline area to support on-going site operations. Existing residential dwelling, however, is surrounded by landscape open space with a natural shoreline.

5. For existing lots of record, new development should generally be setback 30 metres if possible/feasible, otherwise as far back as the lot permits, with minimum disturbance of the native soils and very limited removal of the shoreline vegetation beyond that required for development. Any proposed reduction to the 30 m minimum setback shall:

a) be consistent with any applicable policies in the Provincial Policy Statement and related implementation guidelines;

b) maximize the setback through building design and orientation, and the siting of the septic system; and
c) minimize disturbance to native soils and shoreline vegetation in accordance with other policies of this Plan.

The proposed indoor storage building is located centrally on the site, outside of the 30-metre waterfront setback. The zoning by-law amendment seeks to reduce the required 30-metre minimum water setback to reflect the existing conditions on the site, including the existing location of the single detached dwelling and the two-storey portion of the manufacturing building. On-going seawall alterations will result in additional shoreline infill, which will increase the setback of some existing buildings to the water. The natural area and landscape open space surrounding the single detached dwelling is proposed to remain. The existing septic system is in the front yard, north of the existing office building. The proposal is consistent with the Provincial Policy Statement.

9. Notwithstanding the identified 30 m setback, proposed development or site alteration should incorporate setbacks from the high water mark of a waterbody that reflect variable constraints imposed by waterbody-specific conditions (e.g. "at capacity" Lake Trout Lakes) and site-specific conditions (e.g. slope height, slope angle, soil depth and type, vegetative cover). Where applicable, setback distances should be based on the findings of studies and tools such as lake management plans and site evaluation guidelines.

The proposed development is not located on an "at capacity" Lake Trout Lake, nor do the lands pose any site-specific constraints, such as slope height or angle. Two existing buildings, the two-storey portion of the manufacturing building and the single detached dwelling, are located within the 30-metre setbacks. The proposed indoor storage building is outside of the 30-metre setback.

11. Site Plan Control may apply to all lots which abut waterbodies and watercourses and shall be used to help ensure that all development and redevelopment meets the intent of these policies.

A future site plan control application will be required to facilitate the further development of the lands as proposed.

12. The implementing Zoning By-law shall incorporate the 30 m minimum setback requirement, and establish related regulations, such as maximum building height and maximum lot coverage requirements, to help ensure that the scale of development does not overwhelm the natural elements of waterfront property.

A zoning by-law amendment is proposed to establish appropriate performance standards, including relief to the 30-metre minimum water setback requirement to acknowledge and allow the location of the existing two-storey

portion of the manufacturing building and the single detached dwelling. No amendments are proposed to the building height or lot coverage provisions. New development will comply with the 30-metre setback.

6.1.4.4 Hazard Lands

1. Any application for development along waterfront areas is subject to the policies of the Natural Hazards Section of this Plan, in consultation with the Cataraqui Region Conservation Authority.

The proposed development conforms with the policies of the Natural Hazards section of the official plan as discussed herein.

Section 7 – Transportation and Infrastructure

Section 7.0 of the official plan provides policies and objectives for transportation across the Township as well as the maintenance and enhancement of municipal infrastructure. Section 7.4 provides policies related to roads.

(1) Road classifications have been identified on the Schedules of this Plan. The roads are classified according to the function they should perform. Traffic on higher order roads, such as County roads, will have priority over traffic on lower order roads, such as local Township roads. Proposed road allowance widths and standards are established for each class of road, where appropriate.

(2) A safe, convenient and functional multi-modal road network for all road users is of great importance to the municipality. It is especially important to the residents for the delivery of municipal services, such as road maintenance, snow ploughing, school bus service, fire, ambulance and police protection. It is, therefore, a policy of this Plan to work toward the maintenance and improvement of the road system for all road users within the financial capability of the Township and in cooperation with the United Counties of Leeds and Grenville and the Ministry of Transportation.

(3) In accordance with the Planning Act sufficient road widening will, where necessary and feasible, be required as a condition of consent, subdivision or site plan control approval to ensure roads meet the road allowance widths specified in this Plan.

The subject lands are located with frontage on the Thousand Islands Parkway, a higher order road. Any required road widening will be determined through the technical circulation of this application.

7.4(4) Outdoor storage, parking and loading areas shall be visually screened or appropriately located to minimize visibility by the travelling public.

Open, outdoor storage is proposed along the road frontage and within the southern portion of the lands in proximity to the waterfront. A combination of some existing landscaping and existing and proposed buildings will minimize the view of open storage from the travelling public. On-site loading spaces are located south of the office building and north of the existing indoor storage building. On-site parking is provided in the frontage, side, and rear yards. The subject lands are occupied by a long-standing rural industrial use which relies on large areas of asphalt and gravel to facilitate on-site vehicle movement, which results in parking visible from the roadway. Some on-site parking has been located south and east of the office building which increases the setback to the roadway and its visibility. Additionally, a combination of existing topography and lower site elevation in proximity to the employee parking area may partially screen views of the parking area from the travelling public. Due to the constrained site area, topography of the road, and existing disturbance of the subject lands, the introduction of additional landscaped areas, buffers or screening is not expected to be effective or necessary to achieve visual screening, nor is it feasible and it is therefore not proposed. Existing areas of landscaping and vegetation will be retained to the extent possible.

7.4(5) A transportation impact study, prepared by a professional and certified engineer, may be required by a proponent to address both the impact of any new development upon the roads system, as well as any associated improvements that are required prior to or concurrent with the approval of the development.

The pre-application meeting with Township staff did not identify any traffic concerns, therefore, a Traffic Impact Study was not required. The proposal is not expected to impact the existing road network and no improvements or upgrades are anticipated.

Section 7.4.5.1 provides the primary principles of the St. Lawrence Parks Commission with respect to the Thousand Islands Parkway:

- a) to provide a safe, well-maintained scenic corridor through the 1000 Islands area as a tourist attraction;*
- b) to provide access to a wide variety of recreational and educational activities within a unique and picturesque landscape;*
- c) to support tourist related operations, both public and private, along the Parkway corridor;*
- d) to protect and enhance the natural areas and scenic vistas along the Parkway; and*
- e) to ensure, in cooperation with the Township, that any new development is compatible with the natural areas. Conditions of development approval will normally be required to minimize the impact of the built environment either through building mass or signage.*

The Thousand Islands Parkway is under the jurisdiction and control of the St. Lawrence Parks Commission. The subject lands are located with frontage on the Thousand Islands Parkway. No new entrances are proposed, and the proposal is not anticipated to generate additional traffic or impact the functioning of the surrounding road network. Existing landscaping and vegetation is located along a portion of the road frontage to assist in providing a more natural view of the subject lands. It is anticipated that the proposal will be circulated to the St. Lawrence Parks Commission for technical review.

Section 9 – Implementation

Section 9.0 of the official plan details the policies for administering and implementing the official plan. Section 9.19 provides direction for zoning by-law amendments:

- 2. Amendments to the Zoning By-law will be made only after public notice and consultation as required by the Planning Act and consultation with affected authorities or agencies have been undertaken to satisfaction of Council.*

The proposal will conform with the relevant approval process as outlined in the Planning Act for a zoning by-law amendment.

- 3. Privately-initiated applications for amendments to the provisions of a new comprehensive Zoning By-law that implements this Official Plan (i.e. where the Zoning By-law was repealed and a new Zoning By-law was adopted) shall not be considered within two (2) years of the date the new Zoning By-law comes into effect, unless otherwise permitted by a Council resolution to allow the application.*

The proposal is outside of the two-year memorandum on zoning by-law amendments given the passing date of November 2007.

It is our professional planning opinion that the proposed development conforms to the policies of the Township of Leeds and the Thousand Islands Official Plan.

5.0 Current and Proposed Zoning

The subject lands are regulated by the Township of Leeds and the Thousand Islands Zoning By-law No. 07-079 and are currently multi-zoned Shoreline Residential (RS and RS-40) Zone, Tourist Commercial (CT, CT-9 and CT-22) Zone, Open Space (OS) Zone, and Provincially Significant Wetland (PSW) Zone. The proposal seeks to consolidate the zoning of the lands through a site-specific Rural Industrial (MR) Zone that will permit the continued and future expansion of rural industrial operations on the lands.

The existing and proposed uses are permitted by the Rural Industrial (MR) Zone, though the overall list of permitted uses will be reduced to reflect the uses necessary for the proposal to proceed. The proposed site-specific zone will further reflect the existing conditions on the site, as well as establish appropriate performance standards for the proposed development.

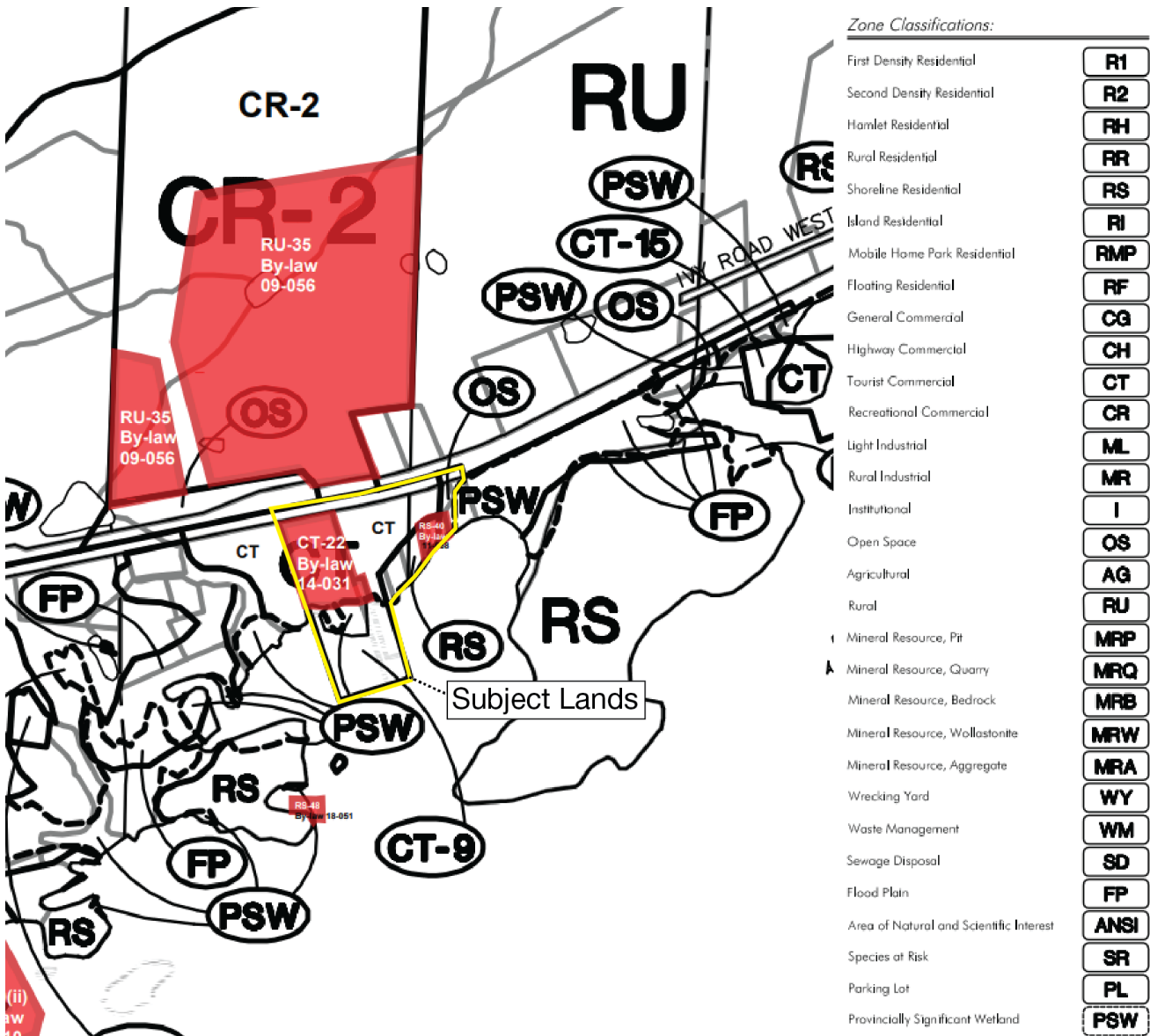


Figure 7: Current Zoning (Source: Township Zoning By-law No. 07-079 Schedule B-Ward 1- Shoreline)

The following table provides a detailed review of the proposed development against the Rural Industrial (MR) Zone provisions and general provisions.

Provision	Requirement	Proposed	Amendment Required?
Rural Industrial (MR) Zone – Section 7.2 of ZBL No. 07-079			
Permitted Uses	<ul style="list-style-type: none"> - accessory dwelling or an accessory dwelling unit; - automobile body shop; - automobile service station; - building supply centre; - cannabis production and/or processing; - cheese factory; - contractor's yard or shop; - custom workshop; - electric power generating plant; - factory outlet; - farm supply and service facility; - fuel storage tank; - gasoline retail facility; - kennel; - machinery and equipment sales and service outlet; - manufacturing industry; - marine contracting establishment; - marine facility; - milk receiving or transfer station; - mini warehouse and storage - office; - parking area; - planing mill and/or sawmill; - transportation terminal or depot; - vehicle sales or rental establishment; - warehouse; - wayside pit or quarry; - well drilling establishment; - wholesale establishment. - storage compound 	Permitted: <ul style="list-style-type: none"> - Accessory dwelling - Automobile service station - Contractor's yard or shop - Fuel tank storage - Manufacturing industry; - Marine contracting establishment; - Marine facility; - Office - Parking area - Transportation terminal or depot; - Warehouse Not Permitted: <ul style="list-style-type: none"> - Open Storage 	Yes (to permit Open Storage as an accessory use)
Lot Area (min)	1 ha	+/- 3 ha	No
Lot Frontage (min)	60 m	+/- 340 m (water frontage)	No
Front Yard (min)	12 m	26.7 m	No
Rear Yard (min)	12 m	35.9 m	No
Interior Side Yard (min)	7.5 m	4.7 m office building – all other buildings comply	Yes
Lot Coverage (max)	20 %	13%	No
Building Height (max)	15 m	<15 m	No
Accessory Dwelling Units per Lot (max)	1	1	No

Provision	Requirement	Proposed	Amendment Required?
Marine Facility Height (max)	3 m	<3 m	No
Additional Provisions for Industrial Zones – Section 7.3			
Accessory Dwellings (s. 7.3(a))	Accessory dwellings not connected to piped municipal sewer and water services shall conform to requirements of RH Zone (section 5.3) for single dwellings. 5.3(b) – Hamlet Residential (RH) Provisions Lot Area (min): 6,000 m ² Lot Frontage (min): 45 m Front Yard (min): 7.5 m Rear Yard (min): 7.5 m Interior Side Yard (min): 3.0 m Building Height (max): 12 m Lot Coverage (max): 10% Single detached dwellings / lot (max): 1	Accessory dwelling not connected to municipal services. +- 3 ha +- 340.8 m 14.2 m (water) +- 48 m (road) 18.1 m 2 storeys <10% 1	No
Increased Yard Requirements (s. 7.3(b))	Where a Rural Industrial Zone abuts a Residential or Institutional Zone or is separated from a Residential or Institutional Zone by only a street, the min yard requirement of any yard so abutting or facing shall be increased to 20.0 m of which 3.0 m shall be landscaped open space.	N/A (subject lands abutting CT and PSW zones and separated by road from RU zone)	No
General Provisions (Section 3)			
Bulk and Fuel Storage Tanks (s. 3.4)	No bulk or fuel storage tank shall be permitted unless it complies with the Technical Standards and Safety Act and the Ontario Fire Code.	Complies with TSSA and OFC	No
Loading Requirements (s. 3.14)	(a) Number of Spaces Required Industrial Uses: Less than 400.0 m ² = None 400.0 m ² to 2000.0 m ² = 1 Over 2000.0 m ² = 1 plus 1 additional space for each additional 2000.0 m ² of floor area or part thereof	3 spaces	No
	(b) Size of Space 14 m x 3.5 m x 4.5 m vertical clearance	14 m x 3.5 m x 4.5 m	No
	(c) Location Shall not form any street or required parking area, shall not be located within a front yard	Located in rear yard	No
	(d) Access By means of a lane at least 3.5 m wide for one-way traffic; 6.0 m wide for two-way traffic	6.0 m wide lane	No
	(g) Surfaces Accesses and loading spaces shall be surfaced with a stable material such as concrete, asphalt, crushed stone or gravel.	Asphalt surface	No
Open Storage (s. 3.24)	(a) the open storage is accessory to the principal use of the lot;	Proposed to be accessory to principal rural industrial use	No

Provision	Requirement	Proposed	Amendment Required?
	(b) open storage not permitted within any min. required front or exterior side yard, or in any other side or rear yard where the side or rear lot line abuts any Residential or Institutional Zone and/or any public road;	Located in the front and rear yards	Yes
	(c) a strip of landscaped open space, a minimum of 3.0 m in width shall be provided around all open storage areas;	Landscaped strip not continuous along all open storage areas	Yes
	(d) where open storage areas abut Residential or Institutional Zones, the required landscaped open space must also include visual screening with a minimum height of 3.0 m and sufficient to effectively screen the use within two (2) years. Any combination of plant materials, landscaped berms or fencing may be used;	N/A	N/A
	(e) open storage shall not exceed a maximum height of 3.0 m;	6.5 m maximum height	Yes
	(f) any areas used for open storage shall be in addition to any min. off street parking or loading areas required by this By-law.	Proposed in addition to parking and loading areas	No
Parking Requirements (s. 3.26(a))	<p>Single Detached Dwelling: 2 spaces/unit (2 spaces required)</p> <p>Automobile Service Station or Body Shop: 1 parking space / 20.0 m² of floor area or portion thereof 327 m² (16 spaces required)</p> <p>Business or Professional Offices 1 parking space per 20.0 m² of floor area or portion thereof; min. 3 parking spaces. 664 m² (33 spaces required)</p> <p>Industrial Establishment (other than those listed separately herein): 1 parking space per 80.0 m² of manufacturing floor area and associated office area or portion thereof plus 1 parking space per 100.0 m² of warehousing or storage floor area or portion thereof. (1428 m² + 485 m²) (24 spaces required)</p> <p>Warehouse Establishment or Truck Terminal: 1 parking space / 100.0 m² of GFA. (990 m² + 455 m²) (14 spaces required)</p> <p>Total required: 89 spaces</p>	<p>42 existing spaces 61 new surface parking spaces proposed</p> <p>Total provided parking spaces: 103</p>	No
Accessible Parking Requirements (s. 3.26(b))	Industrial: 4% for first 200 required parking spaces & 3% for additional required parking spaces (4 spaces required)	4 accessible spaces (2 Type A; 2 Type B)	No

Provision	Requirement	Proposed	Amendment Required?
	Equal Type A and Type B required		
Parking Design Standards (s. 3.26)	(b)(ii) Type A: 3.4 m x 5.5 m Type B: 2.7 m x 5.5 m Access Aisle: 1.5 m x 5.5 m (c) Standard: 2.75 m x 5.5 m	Complies	No
Parking Access (s. 3.26(f))	Access driveways for two-way traffic: 6.0 m, not more than 9.0 m; separate entrance and exit driveways shall be not less than 3.5 metres in width.	Complies	No
Parking Buffering (s. 3.26(h))	ii. Where, in a yard in any zone, a parking area providing more than 4 parking spaces abuts a street, a landscaped strip with a min width of 3.0 m shall be provided along the lot line abutting the street and shall be continuous except for aisles and driveways required for access to the parking area.		Yes
Setbacks (s. 3.32)	(a) Roads (ii) 1000 Islands Parkway Where a lot abuts the 1000 Islands Parkway the minimum setback shall be in accordance with the requirements of the St. Lawrence Parks Commission. – Pre-application meeting report notes the SLPC requires a 45 m setback south of the Parkway	Existing indoor storage building = 35.9 m Proposed indoor storage building = 36.9 m	Yes
	(b) From Water: Where any lot is adjacent to a waterbody or watercourse, any building, structure, campsite, agricultural use that includes the keeping of livestock, and septic disposal system shall be set back a minimum of 30.0 m (98.43 ft.) from the high water mark. This provision shall not apply to marinas and marine facilities, stairs, floating dwellings, transmission facilities for gas, telephone, cable or electrical power, or to flood control and erosion control structures.	Existing residential dwelling = 14.2 m Existing manufacturing building = 26.7 m	Yes
	(c) From Flood Plains: Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 5 m of a flood plain or 30 m from the high water mark, whichever is greater.	Existing residential dwelling = 14.2 m Existing manufacturing building = 26.7 m	Yes
	(d) From Wetlands: Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 30 m of a seasonal or permanent wetland not categorized herein.	Existing residential dwelling = 14.2 m	Yes

Permitted Uses

The applicant proposes to permit open storage as a permitted accessory use on the subject lands. Open storage does not appear to be permitted as an accessory use in the MR zone. Any property seeking to permit open storage outside of the AG and CMT zones is required to introduce open storage through a Planning Act process and demonstrate that it is appropriate for the proposed use and site. Open storage is vital to the long-standing rural industrial use and on-going site operations. Kehoe Marine Construction relies on the open storage of

construction materials, including steel, wood, and rock, to facilitate the manufacturing of large-scale docks and marine structures. While indoor storage buildings exist and are proposed through this application, open storage is necessary to allow continuous on and off-loading of materials and large manufactured products on-site. Open storage is regulated through Section 3.24 of the zoning by-law, which specifies permitted location, height, and necessary buffering. Permitting open storage will support and complement the long-standing rural industrial use of the subject lands. The continuation of open storage on the subject lands is not anticipated to impact the enjoyment of surrounding tourist commercial or rural residential uses.

The Rural Industrial (MR) Zone permits a wide variety of industrial uses. The proposed site-specific zoning seeks to reduce the permitted uses to only those applicable to the long-standing rural industrial operation of the lands. The following permitted uses are proposed:

- / Accessory dwelling
- / Automobile service station
- / Contractor's yard or shop
- / Fuel tank storage
- / Manufacturing industry;
- / Marine contracting establishment;
- / Marine facility;
- / Office
- / Parking area
- / Transportation terminal or depot;
- / Warehouse
- / Open Storage as accessory to a permitted non-residential use

Interior Side Yard Setback

Relief is requested to reduce the minimum interior side yard setback for the existing office building. The required interior side yard setback is proposed to be reduced from 7.5 metres to 4.7 meters to reflect the existing conditions along the western boundary of the site. The existing two-storey office building is setback 4.7 metres from the western site boundary. The adjacent site contains a tourist commercial use, which is not classified as a sensitive use. The interior side yard setback is intended to ensure that development on one parcel does not negatively impact the use of an adjacent parcel, either in terms of development potential or compatibility. The proposed reduction of the side yard setback is not anticipated to impact the adjacent site. The proposed setback is sufficient to ensure there are no compatibility concerns, such as shadowing or intrusive overlook. The proximity of the existing building will not impede development potential on the adjacent site and will not impact the location of on-site private services. The reduced interior side yard setback recognizes an existing condition and is not anticipated to impact the functionality of the lands. All other existing and proposed buildings comply with the required 7.5 metre setback.

Open Storage

Relief is requested to Section 3.24 of the General Provisions related to open storage. Amendments to the open storage provisions are proposed to permit open storage in all yards, to remove the landscaped open space strip requirement, and permit an increased maximum height from 3.0 metres to 6.5 metres. Open storage areas are proposed in the front yard adjacent to the Thousand Islands Parkway, in the central portion of the subject lands adjacent to the manufacturing building, and south of the proposed indoor storage building along the shoreline. Open storage is vital to the long-standing rural industrial use and on-going site operations. Kehoe Marine Construction relies on the open storage of construction materials, including steel, wood and rock, to facilitate the manufacturing of large-scale docks and marine structures. Existing and proposed buildings are within the central and southern portions of the subject lands to increase separation from the Thousand Islands Parkway and to situate these facilities closer to the boat launch for efficient operation of the site. As a result, the primary area available for open storage is the front yard. Given the industrial nature of the site, landscaped open spaces cannot be accommodated around all open storage areas as many are strategically located to maximize efficiency and accessibility by forklift. Internal landscaped open space would affect the functionality of the site for the existing use. While portions of existing landscaping will be in proximity to proposed open space areas, it is not feasible to provide this around all open storage areas due to on-site vehicle movement and access requirements.

The applicant proposes to increase the maximum height of open storage areas from 3.0 metres to 6.5 metres as well to make use of the limited space available. This increase is necessary due to the height of material shipments received and the limited area on site for open storage. The site is one of a very limited number of locations in the region providing opportunities for on and off-loading of heavy construction materials for marine transport. Due to the existing two metre elevation difference across the site compared to the paved portion of the Thousand Islands Parkway, the potential impact of the additional open storage height is reduced from the public view.

Parking Area Buffering

Relief is requested to Section 3.26(h)(ii) of the General Provisions related to parking area buffers from street lines. It is proposed to remove the requirement of a 3-metre landscape open space strip for parking areas located abutting a street. The employee parking area located in the northeast portion of the lands is proposed to have a 0-metre setback from the lot line abutting the Thousand Islands Parkway. Although no landscape open space strip is proposed, the subject lands slope down from west to east such that the eastern portion of the site abutting the Thousand Islands Parkway is approximately 2 metres lower in elevation than the paved surface of the Parkway. A retaining wall is located along the eastern road frontage to accommodate the significant grade change between the subject lands and the Parkway. The existing grade change and retaining wall in proximity to the employee parking area assist in physically separating the parking area from the street, and therefore a landscape strip is not necessary. The existing elevation change and retaining wall will provide appropriate physical separation of the parking area from the street, without the need for additional landscape area.

Setbacks

Relief is requested to Section 3.32 of the General Provisions related to general setbacks. It is proposed to reduce the required setback from the Thousand Islands Parkway from 45 metres to 35.9 metres, the water setback from 30 metres to 14.4 metres, the flood plain setback from 30 metres to 14.4 metres, and the wetland setback from 30 metres to 14.4 metres. The requested amendments reflect existing encroachment of on-site buildings. The existing indoor storage building is setback 35.9 metres from the boundary of the Thousand Islands Parkway. The pre-application meeting report indicates a 45-metre setback is required south of the Parkway. The proposed indoor storage building is located centrally on the subject lands and setback 36.9 metres from the boundary of the Thousand Islands Parkway. The proposed location, although encroaching into the required setback, will not worsen the existing reduced setback. The proposed amendment also seeks to recognize and allow the location of the existing on-site residential dwelling building. The existing single-detached dwelling in the southeast portion of the subject lands is setback 14.4 metres from the water, floodplain and wetland boundary. This dwelling was recently constructed and is proposed to be retained as an accessory residential dwelling as part of the rural industrial use. The Environmental Impact Assessment Addendum concluded that the existing conditions on the site do not adversely impact the ecological function of the surrounding wetland and shoreline. The location of the existing dwelling will not increase encroachment into the setbacks from the water, floodplain, or wetland. All new development will comply with the required water, floodplain, and wetland setbacks.

6.0 Conclusion

The applicant is seeking a zoning by-law amendment to consolidate the zoning across the subject lands to allow the continued long-standing rural industrial and marine manufacturing use of the properties. The proposal also seeks to allow site improvements, open storage, and one new building for indoor storage. The proposal will support improved operation efficiencies of Kehoe Marine Construction, an existing business that has been in operation at this location since 2008, currently employs 55 full time employees, and continues to support the shoreline residential and marine recreational industry of the Township and United Counties. The subject lands are key to this industry and are some of a very limited few locations in the region that provide an opportunity for loading and off-loading of heavy construction materials for marine purposes.

The existing development is subject to the Ministry's "D-6 Compatibility between Industrial Facilities" guidelines. The guidelines acknowledge the potential for accessory residential uses in industrial zones, which are permitted within the recommended separation distance only if they are occupied by on-site business owners. The *Planning Act* does not provide a mechanism by which the occupant of a dwelling may be restricted. Instead, it is recommended that the future site plan agreement include a condition that would require a warning clause in any future lease agreements that would advise tenants of the location of the dwelling on an operating rural industrial property with an 11.2 metre setback from an indoor storage building.

Supporting studies have been prepared to assess the proposed development and identify potential impacts and mitigation measures. Through the implementation of improved stormwater management practices, the proposed development is not anticipated to result in any impacts to the surrounding area or rural residential uses.

The proposed zoning by-law amendment is consistent with the Provincial Policy Statement, conforms to the United Counties of Leeds and Grenville Official Plan, and conforms to the Township of Leeds and Grenville Official Plan. The proposal represents an appropriate, continued use of the subject lands. It is our professional opinion that the proposed development represents good land use planning.

Should you require any additional information, please do not hesitate to contact the undersigned at 613.542.5454.

Respectfully,



Kelsey Jones, MCIP RPP
Senior Planner
Fotenn Planning + Design



Youko Leclerc-Desjardins, MCIP RPP
Associate
Fotenn Planning + Design

Appendix A

Zoning By-law Amendment

THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS

BY-LAW NO. 23-XXX

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 07-079

(Shoreline Residential (RS and RS-40) Zone, Tourist Commercial (CT, CT-9 and CT-22) Zone, Open Space (OS) Zone, and Provincially Significant Wetland (PSW) Zone to Rural Industrial, Special Exception XX (MR-XX) (zoning to permit rural industrial use))

(507-515 Thousand Islands Parkway & 14-36 McCrae's Bay Lane,
Assessment Roll _____, File ZBXX/23)

WHEREAS Zoning By-Law No. 07-079, as amended, was passed under the authority of Section 34 of the Planning Act, R.S.O. 1990, as amended, and regulates the use of land and the use and erection of buildings and structures within the Township of Leeds and the Thousand Islands;

AND WHEREAS Section 34 of the Planning Act, R.S.O. 1990, as amended, permits Council to pass an amending by-law, and the Council of the Township of Leeds and the Thousand Islands deems it advisable to amend Zoning By-Law No. 07-079 with respect to the provisions described in this By-Law;

AND WHEREAS the matters herein are in conformity with the provisions of the Official Plan for the Township of Leeds and the Thousand Islands;

NOW THEREFORE the Council for the Corporation of the Township of Leeds and the Thousand Islands ENACTS AS FOLLOWS:

1. **THAT** Schedule 'B' of Zoning By-Law No. 07-079 of the Township of Leeds and the Thousand Islands, as amended, is hereby further amended by replacing the Shoreline Residential (RS and RS-40) Zone, Tourist Commercial (CT, CT-9 and CT-22) Zone, Open Space (OS) Zone, and Provincially Significant Wetland (PSW) Zones with the Rural Industrial Exception (MR-XX) Zone on the parcel of land indicated on Schedule 'A' to this By-law, which also forms a part of this By-law;
2. **THAT** Section 7.2 (c)(xviii) be added as follows:
MR-XX, 507-515 Thousand Islands Parkway & 14-36 McCrae's Bay Lane (File ZBXX/23, By-law 23-XXX)
 - a. Notwithstanding any provisions of subsections 3.18, 3.24, 3.32, 7.2(a) or 7.2(b) of this By-law to the contrary, on the lands identified as Rural Industrial, Special Exception XX (MR-XX), the following shall apply:
 - The only permitted uses shall be:
 - Accessory dwelling
 - Automobile service station
 - Contractor's yard or shop
 - Fuel tank storage
 - Manufacturing industry;
 - Marine contracting establishment;
 - Marine facility;
 - Office

- Parking area
 - Transportation terminal or depot;
 - Warehouse
 - Open Storage as an accessory to a permitted non-residential use
- Interior Side Yard Requirement (minimum): 5.4 metres
 - Open storage shall be permitted in all yards and is not subject to the landscape strips requirements
 - Height of open storage (maximum): 6.5 metres
 - Parking Area Buffering from a Street: Not Applicable
 - Setback from Parkway (minimum): 35.9 metres
 - Setback from water, flood plain and wetland (minimum): 14.4 metres (Any development proposed after the date of the passing of this By-law is subject to the minimum setback provisions of Section 3.32)
- b. Marine facilities and shoreline works shall be subject to review and permitting by external agencies.
3. **That this By-law**, shall come into effect and force on the date of passing thereof, subject to the appeal provisions of the Planning Act.

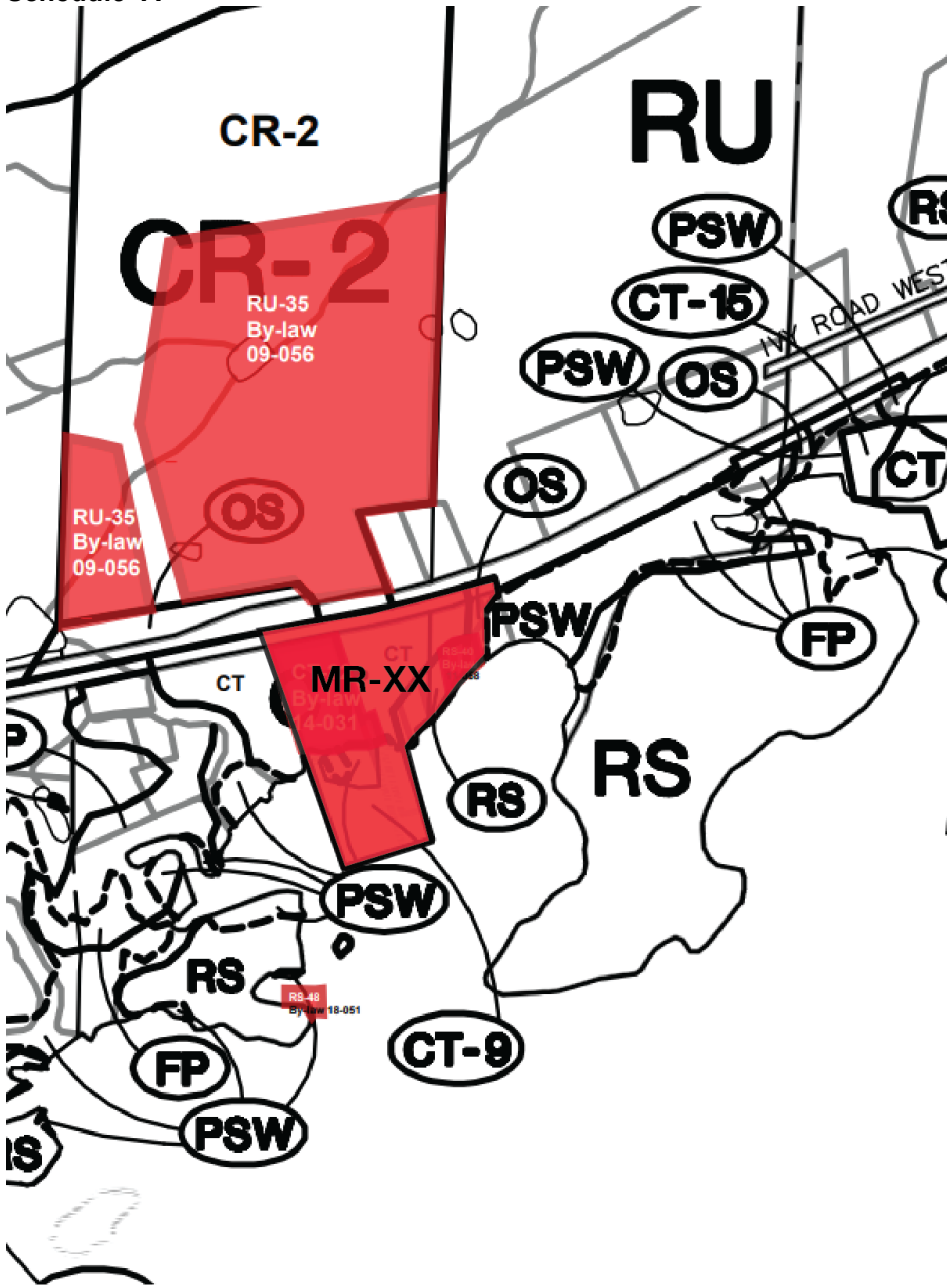
READ A FIRST AND SECOND TIME THIS ___ DAY OF _____, 2023.

READ A THIRD TIME AND FINALLY PASSED THIS ___ DAY OF _____, 2023.

Corinna Smith-Gatcke, Mayor

Megan Shannon, Clerk

Schedule 'A'



Zone Classifications:

First Density Residential	R1
Second Density Residential	R2
Hamlet Residential	RH
Rural Residential	RR
Shoreline Residential	RS
Island Residential	RI
Mobile Home Park Residential	RMP
Floating Residential	RF
General Commercial	CG
Highway Commercial	CH
Tourist Commercial	CT
Recreational Commercial	CR
Light Industrial	ML
Rural Industrial	MR
Institutional	I
Open Space	OS
Agricultural	AG
Rural	RU
Mineral Resource, Pit	MRP
Mineral Resource, Quarry	MRQ
Mineral Resource, Bedrock	MRB
Mineral Resource, Wollastonite	MRW
Mineral Resource, Aggregate	MRA
Wrecking Yard	WY
Waste Management	WM
Sewage Disposal	SD
Flood Plain	FP
Area of Natural and Scientific Interest	ANSI
Species at Risk	SR
Parking Lot	PL
Provincially Significant Wetland	PSW
Locally Significant Wetland	LSW