



61 Shipman's Lane Township of Leeds and the Thousand Islands

Planning Justification Report
Zoning By-law Amendment
March 25, 2025

Prepared for The Ivy Lea Club

c/o Kehoe Marine Construction Ltd.

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Prepared by Fotenn Planning + Design

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March 2025

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1.0 Introduction

1.1 Introduction

Fotenn Planning + Design has been retained by Kehoe Marine Construction Ltd. (the “Applicant”) on behalf of the Ivy Lea Club to prepare this Planning Justification Report in support of an application for zoning by-law amendment for the property municipally known as 61 Shipman’s Lane (“the subject lands”) in the Township of Leeds and the Thousand Islands. The purpose of the proposed zoning by-law amendment is to permit the extension of the existing stationary dock for the use of swimming and non-motorized watercraft.

Pre-Consultation comments were provided by Township staff on October 10, 2024. Accordingly, the following are being submitted in support of the application:

- / Concept Plan;
- / Wetland Impact Letter;
- / 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 amendment 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 on Schedule A Community Structure and Land Use of the United Counties of Leeds and Grenville Official Plan. The subject lands are designated Tourist Commercial 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 zoned Tourist Commercial (CT), Tourist Commercial Special Exception 9 (CT-9(ii)), Flood Plain (FP) and Provincially Significant Wetland (PSW) on Schedule B – Ward 1 – Shoreline of the Township of Leeds and the Thousand Islands Zoning By-law 07-079.

The proposed development consists of an extension of the existing stationary dock located along the property’s shoreline to be used for swimming and non-motorized watercraft by members of the Ivy Lea Club. The Tourist Commercial Zone permits a marine facility, which is defined as:

“a non-commercial accessory building or structure located on, over, under or immediately adjacent to a waterbody which is used to moor, berth or store a boat. This definition includes a launching ramp, boat lift, dock, boathouse, marine railway, water intake, pump house or similar structure/use. A marine facility shall not include any building used for human habitation or used only for winter boat storage nor any boat service, repair or sales facility or a flood or erosion control structure approved by the Cataraqui Region Conservation Authority, or similar use”.

The definition of a marine facility limits a structure, such as a dock, to non-commercial use and use only by boats. The use of the proposed dock extension will be for commercial use and for swimming and non-motorized watercraft such as kayaks, canoes, standup paddle boards or other apparatuses that do not have a motor. A zoning by-law amendment is necessary to zone a portion of the adjacent water lot to a site-specific Tourist Commercial (CT-XX) Zone to allow the commercial use of the proposed marine facility for swimming and non-motorized watercraft, and to establish appropriate site-specific performance standards related to the proposed marine facility.

A future application to amend the existing site plan control agreement will be required to facilitate the proposed development.

2.0

Surrounding Area and Site Context

The subject lands are located south of the Thousand Islands Parkway, east of Gananoque, with frontage on the St. Lawrence River. The subject lands are irregularly shaped and have an area of approximately 5.38 hectares, with approximately 514 metres of discontinuous water frontage on the St. Lawrence River.



Figure 1: Subject Lands (Source: Township GIS, annotated by Fotenn)

The subject lands are owned and operated by The Ivy Lea Club, a private recreational club containing various amenities for its members and the public. The Ivy Lea Club includes a commercial marina with a dock for motorized boats, a club house, a public restaurant situated on the waterfront, as well as cafes, fitness facilities, and a swimming pool. Vehicular access to the subject lands is from the Thousand Islands Parkway via Shipman's Point Lane.

The surrounding area consists primarily of tourist commercial, shoreline residential, rural industrial, and rural residential uses. Shoreline residential dwellings are located adjacent to the west of the subject lands, rural residential uses are primarily north of the Thousand Islands Parkway, and various marine facilities and rural industrial uses are in proximity to the subject lands to the east.

The following uses are immediately adjacent to the subject lands:

- / **North:** Tourist Commercial, Shoreline Residential
- / **East:** Tourist Commercial (associated with The Ivy Lea Club), Shoreline Residential
- / **South:** St. Lawrence River
- / **West:** Shoreline Residential, Tourist Commercial (associated with The Ivy Lea Club)

2.1 Development Proposal

The applicant is proposing to extend the existing stationary dock westward along the shoreline to be used for swimming and non-motorized watercrafts, such as kayaks, canoes and standup paddleboards. The proposed

dock extension will occur to the west of the existing shoreline dock offset approximately 2.4 metres from the shoreline. The proposed dock extension will be approximately 32.9 metres wide with a depth of approximately 3.6 metres, as shown in Figure 2 below. The proposed dock extension will be elevated above the water on pilings and will be off set 2.4 metres from the shoreline as shown in Figure 3 below. The dock will be setback 4.6 metres from the adjacent residential uses to the west and will incorporate privacy fencing at the west end of the dock. A new path to access the dock extension is proposed along the west side of The Ivy restaurant.

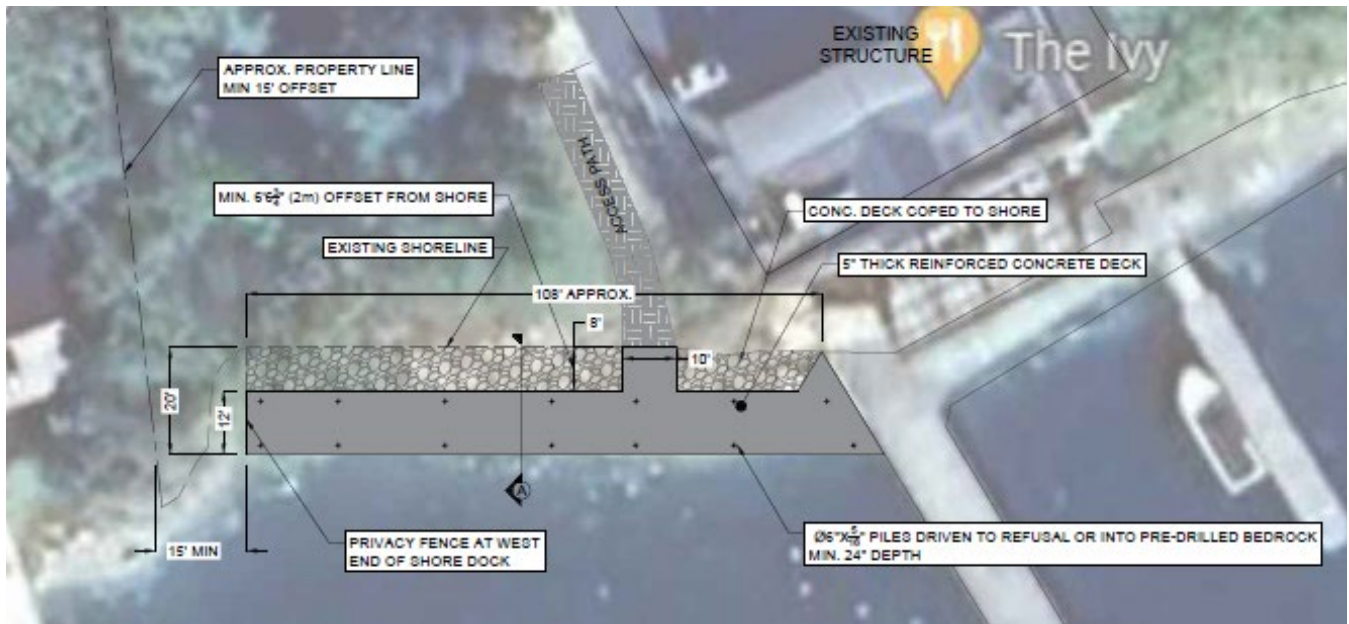


Figure 2: Concept Plan (Source: Kehoe Marine Construction Ltd.)

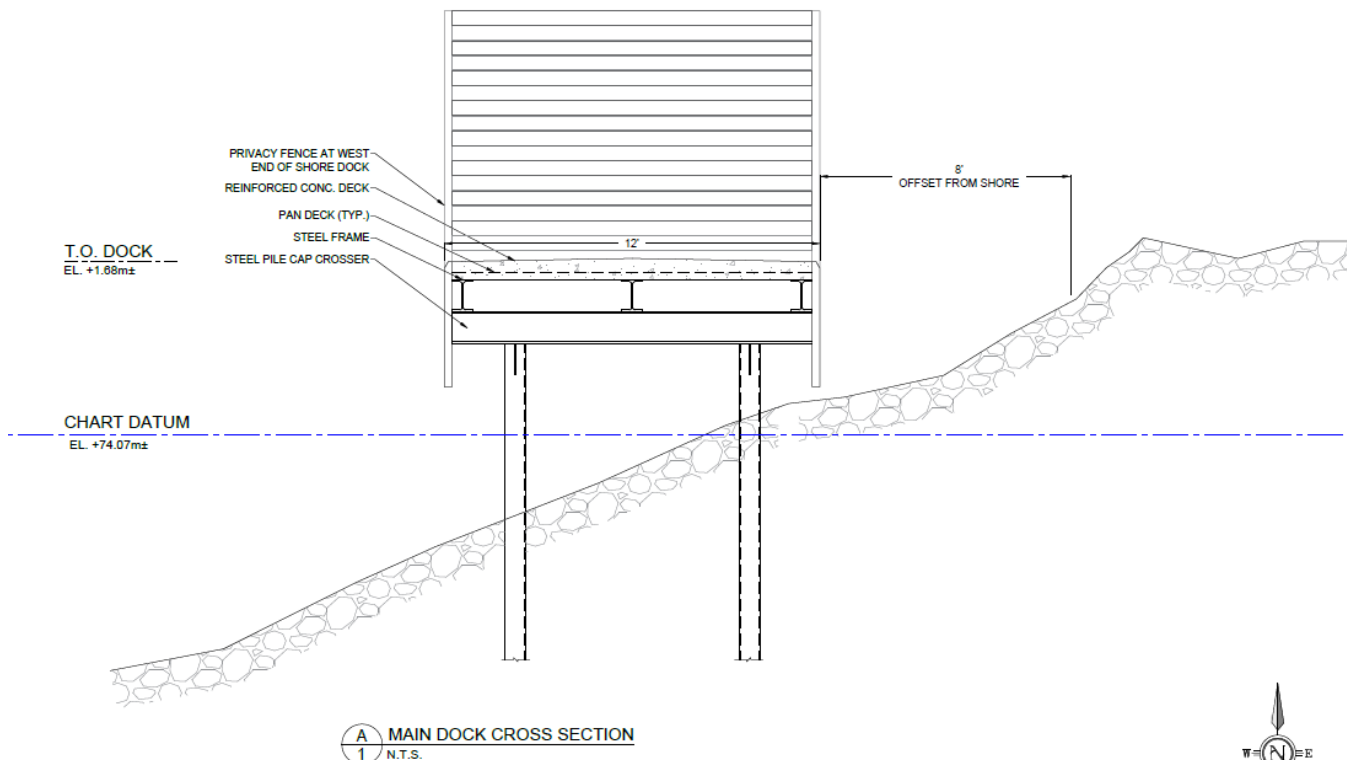


Figure 3: Dock Sectional Elevation (Source: Kehoe Marine Construction Ltd.)

3.0 Supporting Studies

3.1 Wetland Impact Letter

A Wetland Impact Letter was prepared by Ecological Services, dated February 19, 2025. The purpose of the letter is to confirm potential impacts of proposed development within 120 metres of a Provincially Significant Wetland. The ecologist confirmed, through an evaluation of Ministry of Natural Resources and Forestry mapping, that the proposed development is located more than 120 metres from the Provincially Significant Wetland Ivy Lea Wetland Complex. The assessment concludes that no negative impacts to the Ivy Lea Wetland Complex will result from the proposed development of a dock for swimming, and non-motorized watercraft use, if appropriate in-water construction mitigation measures are employed and approved by the Department of Fisheries and Oceans.

4.0

Policy and Regulatory Framework

4.1 Provincial Planning Statement (2024)

The 2024 Provincial Planning Statement (PPS) came into effect on October 24, 2024. The PPS provides policy direction on matters of provincial interest related to land use planning and development. Notably, the 2024 PPS sets out policies to increase the supply and mix of housing options in Ontario while maximizing investments in infrastructure and public service facilities and protecting natural areas, agricultural uses and sensitive areas. Policies that are directed related to the proposal are discussed below, with policies cited in *italics*.

Chapter 2 of the PPS provides policy guidance for development within settlement areas, strategic growth areas, rural areas, rural lands, and employment areas, as well as policies that consider energy conservation, air quality and climate change. Section 2.5 provides policy direction related to rural areas in municipalities noting these areas should encourage development to build upon rural character, use a range of rural infrastructure and public service facilities, and provide opportunities for sustainable and diversified tourism, among other things. Development in rural areas shall be appropriate for the available service levels. The proposed development builds upon the existing rural character and seeks to support the continuation of a commercial tourist use that utilizes existing rural infrastructure and public service facilities.

Chapter 3 of the PPS provides policy direction relating to the efficient provision and use of infrastructure and public service facilities in the province. Matters discussed in Chapter 3 include the planning of transportation systems to meet current and projected needs, land use compatibility between major facilities and sensitive land uses, the sustainable provision of sewage, water, and stormwater, and the promotion of healthy, active and inclusive communities through planning for public spaces and recreation. The proposal development will not result in any change to existing site services, vehicular access or on-site circulation, or on-site stormwater management.

Chapter 4 of the PPS provides policy direction regarding the protection of natural and cultural heritage resources in the province. Policies in this section regulate development in relation to identified natural heritage features, the wise use and management of water, the protection of agriculture, and development of lands with cultural and archaeological heritage.

Section 4.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 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 subject lands are adjacent to the St. Lawrence River and located approximately 126 metres east of the Ivy Lea Wetland Complex. A Wetland Impact Letter was prepared by a qualified ecologist which confirmed the subject lands are outside the 120 metre evaluation area associated with a provincially significant wetland, therefore no impacts are anticipated. The ecologist also indicated that since the proposed marine facility will be stationary and elevated above the water on piling, there should be minimal impact to the lake bottom. Similarly the ecologist confirmed that subject to appropriate in-water construction mitigation methods employed and approved by the Department of Fisheries and Oceans, no negative impacts to the Ivy Lea Wetland are anticipated.

Section 4.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.

The subject lands are adjacent to the St. Lawrence River. The proposed dock extension will be elevated above the water on pilings, which the Wetland Impact Letter indicates will have minimal impact on the lake bottom. Similarly, the proposed dock will be offset 2.4 metres from the shoreline to limit disturbance or interference with ground water features.

Chapter 5 of the PPS provides policy direction protecting public health and safety by regulating development in relation to natural and human made hazards. The policies within this section aim to direct development away from natural and human-made hazard lands, such as floodplains, areas prone to erosion, former mining or aggregate extraction sites, and other contaminated areas. The subject lands contain floodplains as identified on the Township of Leeds and the Thousand Islands Official Plan Schedules. The proposal seeks to extend the existing dock for swimming and non-motorized watercraft use. The proposed use is inherently associated with floodplains and areas prone to erosion and has been designed appropriately to ensure no negative impacts to public health and safety.

It is our professional planning opinion that the proposed development is consistent with the Provincial Planning Statement (2024).

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 3 – Rural Area; and
- / Section 4 – Natural Heritage, Water Resources and Cultural Heritage.

The subject lands are designated Rural Lands 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 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.

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

d) Recreational and tourist commercial uses, open space, and limited residential development, may be permitted in rural lands without requiring an amendment to this Plan, but may be subject to a rezoning, and provided the use is permitted in the local municipal Official Plan, and meets the criteria established within the local municipal Official Plan.

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

The subject lands are currently operated as a tourist commercial use. The proposed development seeks to extend the existing dock which will support the continued operation of the tourist commercial use 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 tourist 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 add a site-specific exception (CT-XX) to the Tourist Commercial Zone of the zoning by-law to allow the proposed dock extension to be used for swimming and non-motorized watercraft.

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.

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 subject lands are located with frontage on the St. Lawrence River. The proposal seeks to extend the existing stationary dock, which will be elevated from the water on pilings, westward along the shoreline. The Wetland Impact Letter confirmed the proposed development is not anticipated to impact any surrounding wetlands and will have minimal impact on the lake bottom. Additionally, use of the dock will be limited to swimming and non-motorized watercrafts, which will limit the potential for contamination or degradation of the St. Lawrence 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; 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(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.

3.3(9) New and existing local businesses and agricultural operations shall be supported in the Township's growth and development.

The proposal seeks to expand the offerings of an existing tourist commercial operation to include swimming and non-motorized watercraft dock facilities.

3.3(15) The natural beauty of the area shall be preserved for the enjoyment of residents, tourists, and future generations.

3.3(16) Natural heritage features and areas shall be identified, preserved and enhanced.

3.3(17) The community's water resources shall be protected.

The subject lands are located with frontage on the St. Lawrence River and in proximity to the Ivy Lea Wetland. The proposed dock will be offset 2.4 metres from the shoreline to reduce interference with the shoreline and will be elevated above the water on pilings to limit disturbance to the lake bottom. The proposal seeks to support the enjoyment of the area's natural beauty by adding an additional dock area specifically for the use of swimming and non-motorized watercrafts.

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 proposed development consists of extending the existing shoreline dock associated with the Ivy Lea Club. The size, area and perimeter of marine facilities, such as docks, are regulated by the zoning by-law. Relief is being sought to allow a dock which has a greater perimeter and area than permitted by the zoning by-law. Despite the relief sought, the proposed extension has been designed to limit scale and appearance. The proposed dock will be elevated above the water approximately 1.6 metres, will have a depth of approximately 3.7 metres and will not incorporate any "fingers" which extend the dock further into the St. Lawrence River, thereby limiting the scale and visibility of the proposed dock extension.

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

A privacy fence is proposed on the west end of the proposed dock to provide buffering and ensure privacy is maintained between the proposed dock and the adjacent residential dwellings.

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

The proposed dock is not anticipated to incorporate lighting facilities, however any details will be prepared and reviewed through the future application for an amendment to the existing site plan control agreement.

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;

The proposed dock will not result in any emissions or noise sources.

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

Shoreline residential uses are located west of the subject lands. The proposed dock extension will have a minimum setback of 4.6 metres from the lot line and will incorporate privacy fencing on the west end of the dock to ensure privacy to the adjacent shoreline residential uses is provided.

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;

No additional parking is proposed as part of this zoning by-law amendment application.

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 will incorporate CPTED design principles to support property upkeep standards, and a development that minimizes any risk to public safety.

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 will provide a minimum 4.6 metre setback from the edge of the dock extension to the property line of the adjacent residential dwellings.

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

The proposed development will not result in shadowing on adjacent properties, as the dock extension complies with the maximum height of a marine facility and will provide required setbacks to the adjacent property.

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

The proposed development will not result in any additional traffic generation.

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 stepbacks;

The proposal seeks to extend the existing stationary dock westward along the shoreline. The proposed height and size of the dock extension will be similar to the existing dock along the property's shoreline. Use of the dock extension will be limited to swimming and non-motorized watercrafts which appropriately transition the use of the marine facility in proximity to the neighbouring residential 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 Shipman's Point Lane.

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 conforms with the intent of the policies and broader objectives of the Plan, as discussed herein. Further the proposed development is compatible with the surrounding tourist commercial landscape. Additionally, the proposed development will provide the appropriate setback and privacy fencing to reduce any impact to the adjacent shoreline residential uses.

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 Highway 401) and designated Tourist Commercial, Rural and Environmental Protection on Schedule A1 Land Use Designations of the Township of Leeds and the Thousand Islands Official Plan. The northern portion of the subject lands is designated Rural and is not in proximity to the proposed development, therefore the policies of the Tourist Commercial and Environmental Protection designations have been assessed below.

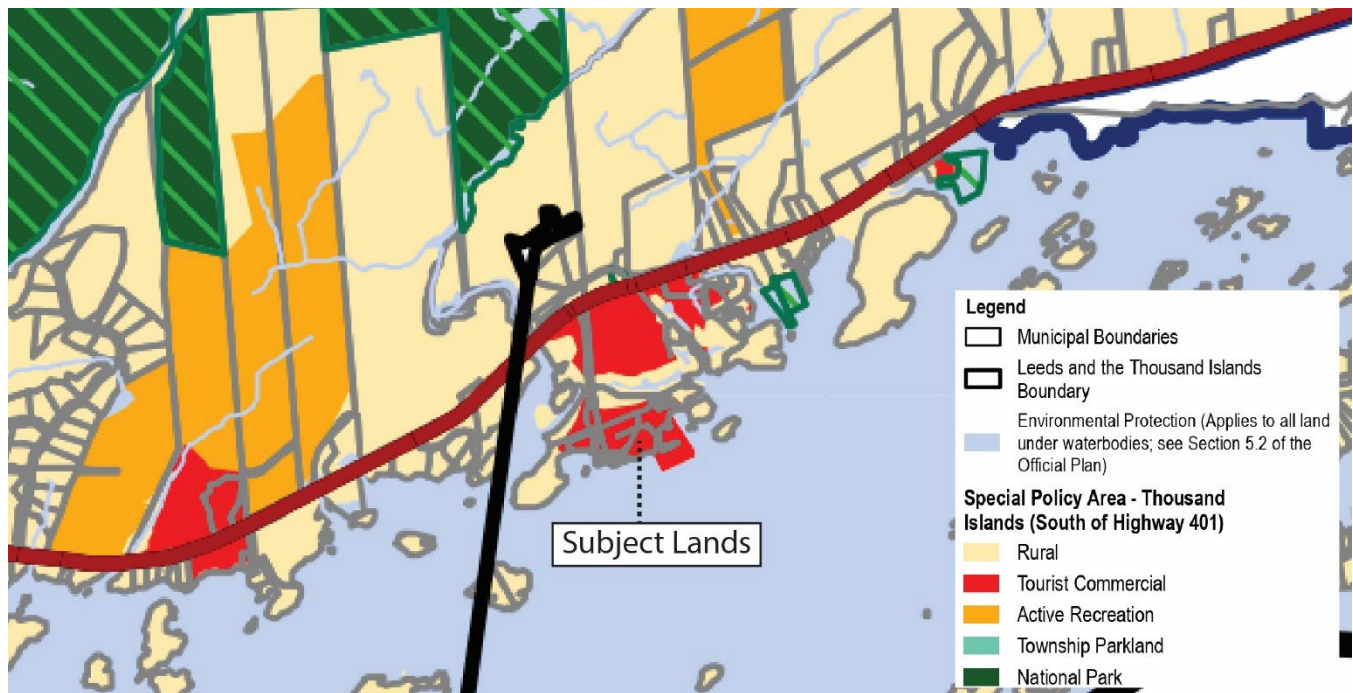


Figure 5: Township Schedule A1 Land Use Designation (Source: TLTI Official Plan)

Section 5.2 provides policies related to the Environmental Protection Designation. The Environmental Protection designation applies to lands within the regulatory 1:100 year flood plain. The area the proposed dock extension is located within St. Lawrence River and therefore within the Environmental Protection designation. The following policies of Section 5.2 apply:

1. Structures used for flood or erosion control, shoreline stabilization, water intake facilities, and similar uses, as well as marine facilities which, by their nature, must be located on or near the water, shall generally be permitted, subject to the policies in the Waterfront Areas and Waterbody Protection Section and other applicable policies of this Plan.
2. Buildings or structures attached to waterfront areas or land under water require approvals from various bodies. The type of approvals varies based on location and the type of development proposed. Regulatory bodies include Transport Canada, Parks Canada, the Ministry of Natural Resources and

Forestry, and the Cataraqui Region Conservation Authority. The Township shall attempt to coordinate policy and approvals wherever possible.

3. Development should be designed and/or of a type that would result in minimal environmental impact.

4. Environmental Protection areas are designated as Site Plan Control areas.

The proposed development consists of an extension of the existing stationary dock which will be located above the water. The policies of the Waterfront Areas and Waterbody Protection Section are reviewed below. Appropriate permits will be obtained from the relevant agencies prior to any work occurring. The proposed dock extension has been designed to be setback from the shoreline as well as elevated above the water on pilings to limit impacts to the shoreline and lake bottom. An amendment to the existing site plan control agreement will be required prior to any work occurring.

Section 5.2.2 provides policies for marine facilities stating “[t]he implementing Zoning By-law shall contain detailed provisions regulating the development of marine facilities. Standards may vary depending on marine facility type (i.e. for docks, boat ports, and boathouses).” A zoning by-law amendment is being sought to allow use the proposed marine facility for swimming and non-motorized watercraft as well as to establish site specific performance standards related to the dimensions and area of the proposed dock.

The subject lands are identified as containing floodplains, a 30-metre water setback, and in proximity to a Provincially Significant Wetland on Schedule A2 Natural Heritage System and Hazards of the Township of Leeds and the Thousand Islands Official Plan.



Figure 6: Township Schedule A2 Natural Heritage System and Hazards (Source: TLTI 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 proposed development. The proposed dock extension will be 2.4 metres off set from the existing shoreline to reduce erosion and negative impacts to the shoreline. Further, 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. A Wetland Impact Letter was prepared to assess the proposed development and potential impacts to nearby provincially significant wetland. The Wetland Impact Letter indicates the proposed development will not involve any intrusion into the Ivy Lea wetland as the subject lands are located outside of the 120 metre assessment area from any provincially significant wetlands. The Wetland Impact Letter further indicates that the dock will be setback from the shoreline and elevated above the water on pilings which will limit impact on the lake bottom and shoreline. Overall, the proposed development

is not anticipated to impact the natural heritage system or ecological function of the subject lands or surrounding area.

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 lands are located in the Special Policy Area – Thousand Islands (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.

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 subject lands are owned and operated by the Ivy Lea Club providing a variety of recreational uses for private and public use. The proposal seeks to support the minor expansion of the existing tourist commercial uses through a proposed extension of the stationary dock for swimming and non-motorized watercraft use. The proposed development is contained within the boundaries of the subject lands and is not expected to result in overdevelopment or jeopardize the unique natural and cultural characteristics of the area. The subject lands are currently developed with an existing dock for motorized watercraft use, a restaurant, club house, fitness facility, and swimming pool used by members of the Ivy Lea Club and the public. The tourist commercial use of the lands benefits from its location within the Special Policy Area due to its close proximity to the Thousand Islands Parkway, offering a close connection to Highway 401, and frontage on the St. Lawrence River for the development of the proposed dock extension, which contributes to the commercial use of the lands and unique waterfront character of the lands and surrounding area for members of the Ivy Lea Club and tourists. The proposed development further contributes to contextually appropriate water recreational development.

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. Tourist Commercial and Limited Industrial

b) Tourist commercial uses shall be encouraged as the main form of commercial development south of Highway 401. The uses permitted on lands designated Tourist Commercial in this Official Plan, located south of Highway 401, shall generally be limited to tourist accommodation, dining, tourist services, and similar uses, as well as multi-residential uses associated with a tourist commercial use.

The proposed zoning by-law amendment seeks to allow the extension of the existing stationary dock for swimming and non-motorized watercraft use. The proposal seeks to support the existing tourist commercial use of the subject lands.

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

A future application to amend the existing Site Plan Control agreement will be required to facilitate the development as proposed.

Section 6 – Water Resources Policies

Section 6.0 of the Official Plan provides policies related to water resources. 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 consist of an existing tourist commercial use, The Ivy Lea Club, which utilizes the property's frontage on the St. Lawrence River to support a variety of recreational and tourist commercial uses. The proposed extension of the stationary dock for swimming and non-motorized watercraft will support the region's recreational and water-based tourism.

6.1.4.2.2 For clarity, shoreline development including marine facilities shall be in accordance with the policies of the Environmental Protection Section of this Plan.

The Environmental Protection policies of Section 5.2 were reviewed above. The proposed extension of the stationary dock along the shoreline will be in accordance with the policies of Section 5.2.

6.1.4.2.3 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 area occupied by tourist commercial uses associated with the Ivy Lea Club. The Ivy Lea Club currently has an existing dock for motorized watercraft use along a hardened shoreline area. The proposed dock extension will be 2.4 metres offset from the shoreline to maintain the existing shoreline in its natural state. Additionally, no changes to existing landscaped open spaces are proposed, which will maintain the unique character of the lands and surrounding area.

6.1.4.2.11 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 application to amend the existing site plan control agreement will be required to facilitate the development of the lands as proposed.

Section 6.1.4.4.1 provides policies related to hazard lands stating "[a]ny 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 Natural Hazards policies of Section 5.3 were reviewed above. The proposed development conforms with the Natural Hazards policies and the Cataraqui Region Conservation Authority has been consulted and will continue to be consulted regarding the proposed development.

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 to 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 (TLTI) Zoning By-law No. 07-079 and are currently zoned Tourist Commercial (CT) Zone, Tourist Commercial Site-specific Exception 9 (CT-9) Zone, Floodplain (FP) and Provincially Significant Wetland (PSW) Zone in the TLTI Zoning By-law 07-079.

The proposed zoning by-law amendment applies to the water lot abutting the subject lands (as shown in Figure 7 below), which is not subject to a specific zone category. The majority of the subject lands are zoned Tourist Commercial (CT), therefore it is proposed to rezone a portion of the abutting water lot to a site-specific Tourist Commercial (CT-XX) Zone. The CT Zone permits a range of commercial and recreational uses, including a marine facility. The zoning by-law defines a marine facility as:

“a non-commercial accessory building or structure located on, over, under or immediately adjacent to a waterbody which is used to moor, berth or store a boat. This definition includes a launching ramp, boat lift, dock, boathouse, marine railway, water intake, pump house or similar structure/use. A marine facility shall not include any building used for human habitation or used only for winter boat storage nor any boat service, repair or sales facility or a flood or erosion control structure approved by the Cataraqui Region Conservation Authority, or similar use”.

The definition of a marine facility limits a structure, such as a dock, to non-commercial use and use only by boats. The proposed use of the dock extension will be for commercial use and for swimming and non-motorized watercraft such as kayaks, canoes or standup paddle boards. A zoning by-law amendment is necessary to rezone a portion of the water lot to a site-specific Tourist Commercial (CT-XX) Zone to allow the commercial use of the proposed marine facility for swimming and non-motorized watercraft, and to establish appropriate site-specific performance standards related to the proposed dock.

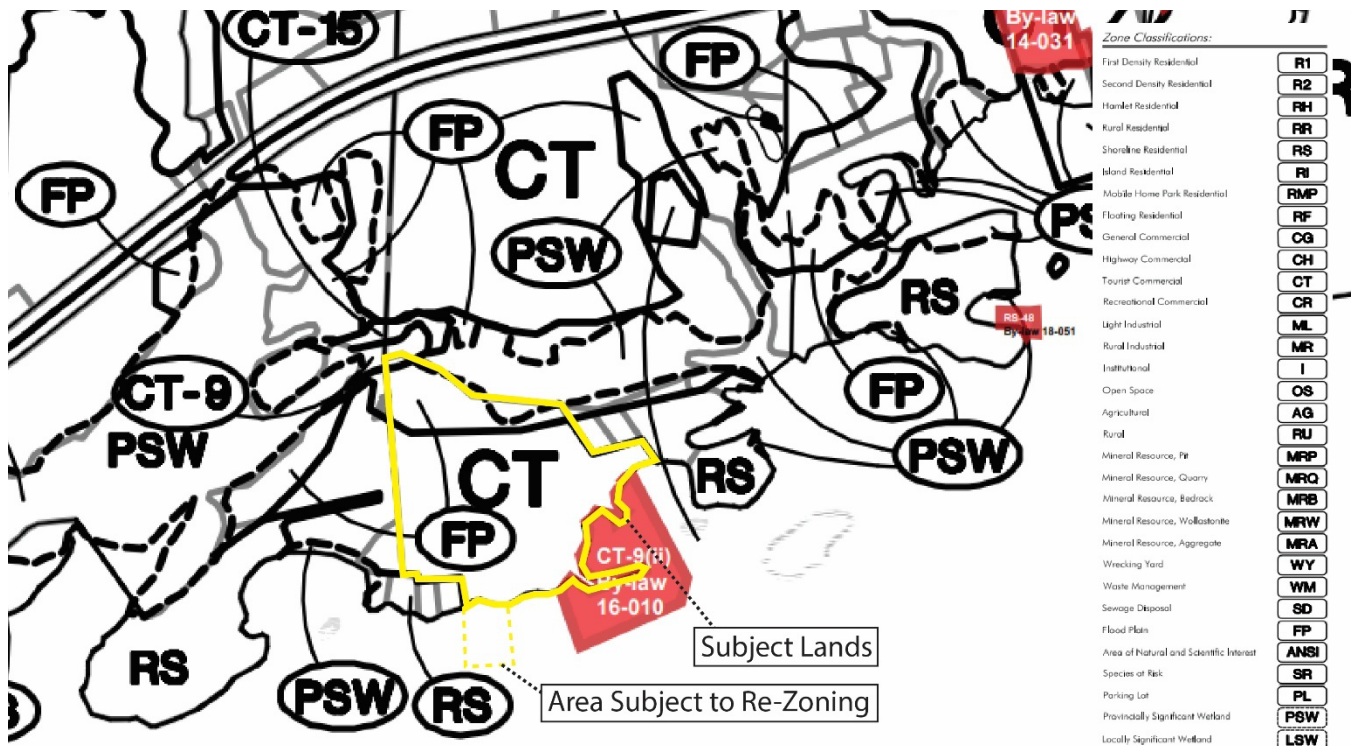


Figure 7: Current Zoning (Source: Township Zoning By-law No. 07-079 Schedule B-Ward 1- Shoreline)

The following table provides a review of the proposed development against the Tourist Commercial (CT) Zone provisions and relevant general provisions.

Provision	Requirement	Proposed	Amendment Required?
Tourist Commercial (CT) Zone – Section 6.3 of ZBL No. 07-079			
Permitted Uses	Accessory dwelling, or an accessory dwelling unit, club (commercial or private), commercial boat line, conference centre, gasoline retail facility, golf course, import/export brokerage business, marina, marine facility , museum, miniature golf course and/or driving range, parking area/lot, parks, personal service establishment, recreational facility, restaurant, retail store, seasonal camp, tent and trailer park, tourist lodging establishment	Commercial Marine Facility to be used for swimming and non-motorized watercraft	Yes
Lot Area (min)	1 ha	+/- 5.38 ha	No
Lot Frontage (min)	60 m	+/- 514 m of discontinuous frontage	No
Front Yard (min)	10 m	Complies (no change)	No
Rear Yard (min)	10 m	Complies (no change)	No
Interior Side Yard (min)	5 m	Complies (no change)	No
Building Height (max)	12 m	Complies (no change)	No
Lot Coverage (max)	25%	Complies (no change)	No
Accessory Dwelling Units per Lot (max)	1	Complies (no change)	No
General Provisions – Section 3 of ZBL No. 07-079			
Marine Facilities (s. 3.18)	(a) Max Total Perimeter shall be 60 m with a max total area of 75 m ²	Perimeter: 77 m Area: 141 m ²	Yes
	(b) Maximum Height from High Water Geodetic: 6 m	1.7 m	No
	(d) Total Combined Width of Marine Facilities, which abuts a Waterbody: 20% of the width of the shoreline, or 15 metres, whichever is lesser	37 m or 79% of the shoreline width of area subject to proposed rezoning	Yes
	(e) Minimum Side Yard Setback: 4.6 m of a side lot line and from the straight-line projection of a side lot line into the abutting waterbody	4.6 m	No
	(f) Maximum Length: Shall not exceed the width of the water frontage of the lot containing the subject dock	Dock length: 6.1 m (water frontage of area subject to proposed rezoning: 47 m)	No
Setbacks (s.3.32)	(c) From Flood Plains: no structure shall be erected or altered within 5 m of a flood plain or 30 m from the high water mark, whichever is greater.	0 m	Yes

Permitted Uses

The Tourist Commercial (CT) Zone allows a marine facility as a permitted use. The definition of a marine facility limits a structure, such as a dock, to non-commercial use and use only by boats. The use of the proposed marine

facility extension will be for commercial use and for swimming and non-motorized watercraft such as kayaks, canoes, standup paddle boards or other apparatuses that do not have a motor. The proposed use, while commercial in nature, will be of a lower scale than currently allowed for a marine facility as it is not proposed to be used by motorized boats. The proposed use will support additional recreational opportunities for the tourist commercial use and has been designed through measures such as setbacks, screening and elevation to be compatible with the adjacent residential uses as well as to limit impacts to the natural environment.

The following site-specific definition is proposed: *“Marine facility shall mean docks, including floating docks, where only the following activities are permitted: swimming, berthing and storing of non-motorized watercraft (defined as human-powered vessels that move through the water without use of a motor).”*

Marine Facilities

Relief is requested to Section 3.18 to permit an increased perimeter and area of the proposed marine facility as well as to permit a greater width of the shoreline to be occupied by the marine facility. The concept plan submitted with this application illustrates a marine facility with a perimeter of 77 metres, an area of 141 square metres and a width of 37 metres along the shoreline. The proposed site-specific zoning seeks to increase the perimeter of the marine facility from 60 metres to 80 metres, increase the area of the marine facility from 75 square metres to 145 square metres, and increase the width of the marine facility from 15 metres to 37 metres along the shoreline. While the requested amendments are slightly greater than those shown on the concept plan, the proposed amendments seek to allow minor flexibility in the design of the marine facility through the required site plan control amendment process.

Relief is requested to increase the perimeter of the marine facility from 60 metres to 80 metres. The zoning by-law defines the perimeter of a marine facility to be all surfaces which abut water. The proposed marine facility will be offset from the shoreline 2.4 metres in order to limit additional hardening of the shoreline and impacts to the natural environment. As a result of this, the perimeter of the marine facility increases from approximately 40 metres to 77 metres. The proposed location and orientation of the marine facility increases the perimeter beyond that permitted by Section 3.18, but it reduces the impacts to the natural environment and visibility from neighbouring properties. As a result, the proposed increase is appropriate for the marine facility extension.

Relief is requested to increase the area of the marine facility from 75 square metres to 145 square metres. The proposed facility has been designed widthwise along the shoreline, verses lengthwise further into the waterbody, to limit visibility of the marine facility from neighbouring properties. Despite an increased area, the proposed facility will be appropriately setback from adjacent residential uses and will be screened to ensure privacy for both the subject lands as well as the adjacent residential properties. The proposed marine facility has been appropriately sized to support the on-going tourist commercial operation of the Ivy Lea Club.

Relief is requested to increase the width of the marine facility along the shoreline from 15 metres to 37 metres. The proposed facility has been designed widthwise along the shoreline, verses lengthwise further into the waterbody to limit visibility from neighbouring properties. As well, the marine facility to be offset 2.4 metres from the shoreline, therefore impacts and additional hardening of the shoreline will be minimal. The existing use of the subject lands is a tourist commercial operation which benefits from and continues to utilize its proximity to and availability of the St. Lawrence River. The proposed marine facility will support additional access to the river by alternative users, including swimmers and those using non-motorized watercraft. The proposed amendment is appropriate for the continued tourist commercial use of the property.

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 a floodplain from 5 metres to 0 metres. The requested amendment reflects the general nature of a marine facility generally being located on or above a waterbody. The proposed marine facility extension will be elevated above the water on pilings with the majority of the marine facility offset from the shoreline by 2.4 metres, except for a 3 metre wide access ramp which will connect the marine facility to the shoreline allowing access for users. Given the nature of marine facilities as being located on or above a waterbody, along with the stationary nature of the proposed marine facility, the proposed setback reduction is appropriate.

6.0 Conclusion

The applicant is seeking a zoning by-law amendment to permit the extension of the existing stationary dock for swimming and non-motorized watercraft use. The proposed zoning by-law amendment will establish a new site-specific zone (CT-XX) that permits the proposed commercial marine facility for swimming and non-motorized watercraft use and establish appropriate site-specific performance standards. The proposal represents an appropriate and compatible use of the land, supporting the character and function of the surrounding area.

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 the Thousand Islands Official Plan. 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,

A handwritten signature in dark ink, appearing to read 'K. Jones'.

Kelsey Jones, MCIP RPP
Senior Planner
Fotenn Planning + Design

Appendix A

Zoning By-law Amendment

THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS

BY-LAW NO. 25-XXX

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

Tourist Commercial (CT) Zone to Tourist Commercial, Special Exception XX (CT-XX)
(zoning to permit a marine facility for swimming and non-motorized watercraft use)

(61 Shipman's Lane) Township of Leeds and the Thousand Islands, United Counties of Leeds and Grenville,
and more particularly described as Assessment Roll _____, File ZBXX/25)

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 adding Commercial Tourist Exception (CT-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 6.3 (c)(xxviii) be added as follows:
CT-XX, 61 Shipman's Lane (File ZBXX/25, By-law 25-XXX)

Notwithstanding any provisions of Section 3 or 6 to the contrary, on the lands zoned CT-XX the following provisions shall apply:
 - a) The permitted use shall only be a marine facility that is appurtenant to a marina on the adjacent lot.
 - b) Marine facility shall mean docks, including floating docks, where only the following activities are permitted: swimming, berthing and storing of non-motorized watercraft (defined as human-powered vessels that move through the water without use of a motor).
 - c) The maximum perimeter of a marine facility shall be 80 metres.
 - d) The maximum area of a marine facility shall be 145 square metres.
 - e) The maximum width of a marine facility shall be 37 metres.
 - f) A marine facility may be setback 0 metres from a floodplain.
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 _____, 2025.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2025.

Corinna Smith-Gatcke, Mayor

Michelle Hannah, Clerk

Schedule 'A'

