



405 Downie Island Township of Leeds and the Thousand Islands

Planning Justification Report
Zoning By-law Amendment
June 26, 2025



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1.0 Introduction

1.1 Introduction

Fotenn Planning + Design has been retained by Zach Barasz (the “Applicant”), to prepare this planning justification report in support of a zoning by-law amendment application for the property municipally known as 405 Downie Island (herein referred to as the “site”) in the Township of Leeds and the Thousand Islands. The applicant is proposing to replace an existing sleeping cabin on the property with an enlarged sleeping cabin. The proposed application seeks to establish site specific performance standards to permit the proposed location and size of the enlarged sleeping cabin.

Pre-Consultation comments were provided by Township staff on December 11, 2024. Accordingly, the following are being submitted in support of the application:

- / Existing Conditions Plan;
- / Proposed Concept Plan;
- / Preliminary Cabin Floor 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 site.

1.2 Development Application

The site is designated Rural Lands in the United Counties of Leeds and Grenville Official Plan and Rural on Schedule A1 – Land Use Designations in the Township of Leeds and the Thousand Islands Official Plan. The site is zoned Island Residential (RI) Zone on Schedule A – Ward 1 of the Township of Leeds and the Thousand Islands Zoning By-law 07-079.

The proposal consists of the demolition of an existing sleeping cabin on the site, to be reconstructed with an enlarged sleeping cabin. The proposal will result in the conversion of a second sleeping cabin on the site to an accessory storage building to result in only one sleeping cabin on the site. A zoning by-law amendment is required to rezone the site to a special exception Island Residential (RI-XX) Zone to establish site-specific performance standards to allow the location and size of the enlarged sleeping cabin as proposed.

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

2.0 Surrounding Area and Site Context

2.1 Site Context and Surrounding Area

The site is located on the south shore of Downie Island, with an area of approximately 0.51 hectares, and approximately 55.7 metres of frontage on the St. Lawrence River. The site is water access only and does not have frontage on a municipal road. The site is developed with a two-storey single detached dwelling, two one-storey sleeping cabins, two accessory storage sheds, an outhouse, and two docks located along the shoreline. The existing single detached dwelling, located in the southwest corner of the site, has an area of approximately 99 square metres and is located approximately 20 metres from the highwater mark of the river. The first sleeping cabin is located in the north portion of the site and has an area of approximately 17 square metres. The second sleeping cabin is located in the southwest corner of the site, has an area of approximately 28 square metres and is located approximately 13 metres from the highwater mark. The site is serviced by an existing private septic system and a water intake from the St. Lawrence River. The site contains significant tree cover as well as a varied topography. The site contains areas of natural, bare rock, including along and in proximity to the shoreline. The site steps down towards the shoreline of the St. Lawrence River, creating a natural separation from the site to the water.



Figure 1: Subject Site (Source: Google Earth, annotated by Fotenn Planning + Design)



Figure 2: Aerial image of the site taken from the St. Lawrence River showing the docks along the shoreline, two-storey cottage on the left, existing south one-storey sleeping cabin on the right, and the natural bare rock and grade change from the river up to the property (Source: Songwood Contracting)

The site is adjacent to residential uses, consisting of mainly single detached and seasonal dwellings to the north, east, and west, and the St. Lawrence River to the south. Surrounding island residential properties feature residential development ranging from one to two storeys in height, and a variety of accessory structures.

The following uses are located immediately adjacent to the site:

- / North: Island residential
- / East: Island residential
- / South: St. Lawrence River
- / West: Island residential

2.2 Development Proposal

The applicant is proposing to demolish and rebuild the existing south sleeping cabin. The proposed reconstructed southern sleeping cabin will be enlarged with a floor area of approximately 41 square metres and will include an attached, uncovered deck with an area of approximately 22 square metres. The enlarged sleeping cabin will have a setback of approximately 13 metres from the edge of the uncovered deck to the highwater mark and a setback of approximately 15 metres from the front wall of the cabin to the highwater mark. The proposed cabin will generally be located in the same area as the existing south sleeping cabin, with the proposed additional floor area located to the north, farther from the river.

As well, the applicant is proposing to decommission and convert the existing north sleeping cabin to an accessory storage shed. No change to the exterior of the existing structure is proposed, rather interior changes will occur to remove plumbing, heating and sanitary facilities. No further changes to the site are proposed. The proposal will result in the site containing one single detached dwelling, one sleeping cabin, three accessory buildings, one outhouse, and two shoreline docks.

A special exception Island Residential (RI-XX) Zone is proposed to establish appropriate performance standards for the proposed enlarged sleeping cabin. Amendments are required to permit an increased maximum floor area, reduced front yard setback, and reduced highwater water setback for the proposed sleeping cabin and its associated uncovered deck.

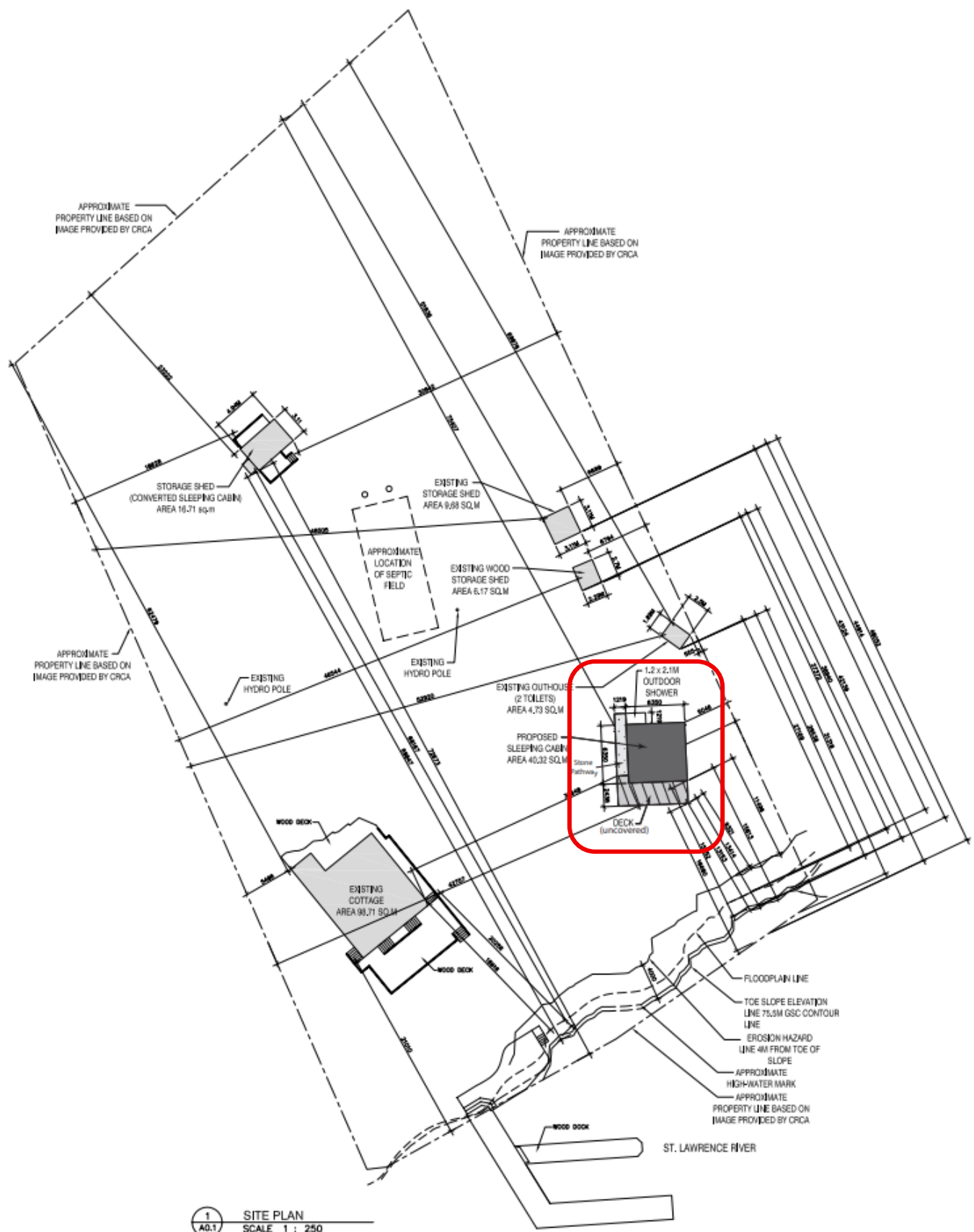


Figure 3: Concept plan with proposed cabin and associated uncovered deck outlined in red (Source: Songwood Contracting)

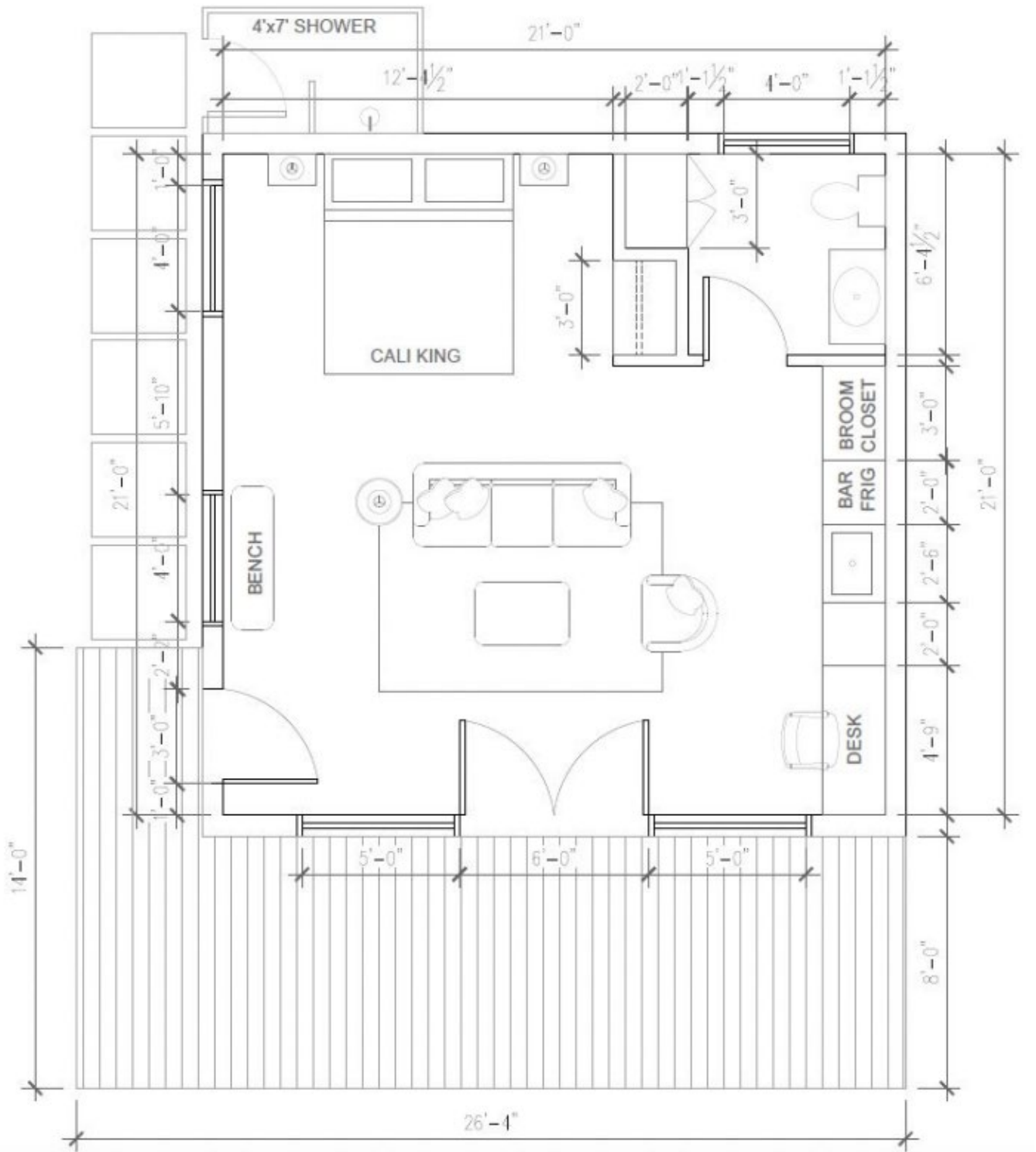


Figure 4: Preliminary Sleeping Cabin Floor Plan (Source: Maddee Rose Design)

3.0 Policy and Regulatory Framework

3.1 Planning Act, R.S.O. 1990, c. P.13

The *Planning Act* (the “Act”) is provincial legislation which establishes the framework and rules for land use planning in the province of Ontario. The Act outlines rules and requirements for a range of matters, including the roles and responsibilities of municipal governments in the planning process and the broader rules regarding land use planning in the Province, among other things.

Part I, Section 2 of the Act outlines matters of provincial interest which municipalities and the Tribunal shall have regard to. Relevant matters of provincial interest include the following:

- (a) the protection of ecological systems, including natural areas, features and functions;*
- (c) the conservation and management of natural resources and the mineral resource base;*
- (h) the orderly development of safe and healthy communities;*
- (l) the protection of the financial and economic well-being of the Province and its municipalities;*
- (o) the protection of public health and safety;*

The proposed development has regard of the matters of provincial interest outlined in Section 2 of the Planning Act, as discussed herein. The proposal seeks to allow the reconstruction of a sleeping cabin in generally the same location that currently exists with a modest floor area increase. The additional proposed floor area will be located away from the river, avoiding impacts to the river and its ecological system. The proposal will not interfere with the financial aspects or economic well-being of the Township. The topography of the site and elevation change from the river to the site, contributes to a natural buffer and separation from the flood plain to support public safety and health.

3.2 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 directly 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 2.6 provides policy direction related to rural lands in municipalities noting these areas should encourage resource-based recreational uses, including recreational dwellings not intended as permanent residences. Development in rural areas shall be appropriate for the available service levels. The proposed development represents a resource-based recreational use by redeveloping a sleeping cabin on a waterfront lot that can be sustained by existing rural infrastructure.

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 proposed development will be serviced by existing individual on-site water and sewage services. The proposed development is small in scale and is not anticipated to pose any negative impacts related to stormwater management. The proposed reconstructed sleeping cabin represents a private recreational land use that leverages water-based resources in the Township.

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 site is adjacent to the St. Lawrence River. The proposed sleeping cabin will be generally located within the same area of the existing sleeping cabin and will not encroach closer to the highwater mark associated with the St. Lawrence River than already exists. Additionally, the site contains an elevation change with the property stepping up from the shoreline creating a natural separation between existing and proposed development from environmental features. Given that no changes are proposed on the site closer to the St. Lawrence River than already exist, the proposed development is not anticipated to result in negative impacts to the river or to its ecological functions.

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 site is located within a Highly Vulnerable Aquifer as identified on Township Official Plan Schedule A6 Source Protection Vulnerable Area, which includes the majority of land in the Township. The proposed sleeping cabin will connect to existing private on-site water and sewage services. No handling or storage of materials which pose a threat to groundwater or surface water is proposed on the site. No negative impacts are anticipated to sensitive ground water features as a result of the proposed development.

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 site contains floodplains and erosion hazards, as identified through consultation with the Cataraqui Region Conservation Authority. The proposed sleeping cabin is located approximately 9 metres outside of the identified erosion hazard on the site and is set back approximately 11 metres from the floodplain identified on the site. The proposed sleeping cabin will be generally located in the same area of the existing cabin and will not encroach closer to the flood plain or erosion limit. The site gains elevation moving inland from the shoreline, which provides additional vertical separation from the flood plain identified on the property to the proposed cabin.

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

3.3 Official Plan for the United Counties of Leeds and Grenville

The United Counties of Leeds and Grenville Official Plan (UCLG OP) 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;
- / Section 4 – Natural Heritage, Water Resources and Cultural Heritage;
- / Section 5 – Natural and Human-Made Hazards; and
- / Section 6 – Transportation, Infrastructure and Servicing.

The site is designated Rural Lands on Schedule A Community Structure and Land Use of the United Counties of Leeds and Grenville Official Plan.

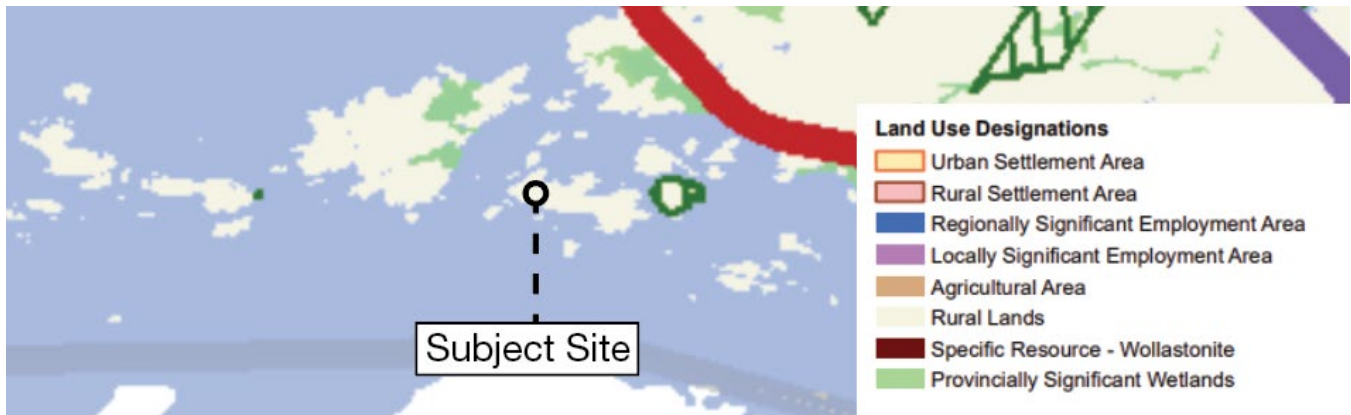


Figure 5: United Counties Land Use Designation (Source: United Counties of Leeds and Grenville Official Plan Schedule A, annotated by Fotenn Planning + Design)

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 proposed development supports the reconstruction of a sleeping cabin in the County's rural lands, supporting resource based recreational uses on an island property. The proposed sleeping cabin represents a recreational dwelling which is encouraged on rural lands and permitted within the Island Residential Zone.

- 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 proposed sleeping cabin will be developed in generally the same location as the existing sleeping cabin. Sleeping cabins and similar accessory structures are common on Downie Island, and the proposed cabin will be visually screened from adjacent lots by existing vegetation on the site, promoting compatibility between neighboring properties and the rural landscape. The proposed development will be sustained by existing individual on-site sewage and individual on-site water services.

- 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 proposed sleeping cabin will be serviced by existing individual on-site water and sewage systems, avoiding the unnecessary expansion of servicing infrastructure.

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

The proposed enlarged sleeping cabin will be setback approximately 13 metres from the shoreline of the St. Lawrence River, similar to the setback of the existing cabin, avoiding further potential disturbance to the shoreline area. Impacts to the St. Lawrence River and its associated ecological functions are not anticipated as a result of the proposed development.

3.3.2 Permitted Uses

- a) *The primary use of land will be for:*
 - ii. *resource-based recreational uses, including recreational dwellings;*

Sleeping cabins and similar recreational dwellings are common on Downie Island, as well as on waterfront or island lots throughout the Township. The proposed sleeping cabin represents a recreational dwelling, promoting resource-based recreational uses on the site.

3.3.3 Land Use Policies

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

The proposed development conforms to the policies of Section 6.3, as reviewed below.

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

The proposed reconstruction of the sleeping cabin on the site will maintain a consistent visual character of development on the property. The proposed sleeping cabin will comply with the maximum height provision and vegetation and trees will be maintained to limit the view of the cabin from the river, maintaining compatibility with the rural landscape. An amendment is required to permit a slightly larger maximum floor area for the proposed sleeping cabin. The proposed increase to the maximum permitted floor area of a sleeping cabin to 41 square metres is not anticipated to significantly impact the character of existing development on Island Residential lots, where larger accessory structures in proximity to the waterfront are relatively common. Existing vegetation on the site will provide a visual screen between the proposed sleeping cabin and neighbouring lots. The proposed sleeping cabin will be serviced by an existing private water intake and septic system.

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.

4.2.7 Woodlands

- a) *Development and site alteration will not be permitted within or adjacent to significant woodlands in Ecoregions 6E, as identified in the local municipal Official Plans, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS.*

The entirety of Downie Island is identified as woodlands on Schedule A3 Natural Heritage System: Woodlands of the Township of Leeds and the Thousand Islands Official Plan (TLTI OP). The TLTI OP does not distinguish between significant and non-significant woodlands on Schedule A3. The proposed development represents the reconstruction of an existing sleeping cabin on a developed portion of the site, which will require minimal removal of vegetation. Given the presence of existing development in the area of the proposed cabin, no negative impacts to woodlands are anticipated as a result of the proposed development.

4.2.10 Fish Habitat

- a) *Development and site alteration will not be permitted in or adjacent to fish habitat except in accordance with Provincial and Federal requirements. All applications for development and site alteration adjacent to watercourses or waterbodies will be screened by the approval authority for the presence of fish habitat. Where such fish habitat is identified or where no data is available, an EIS should be completed that also identifies the appropriate measures to be undertaken to ensure that there will be no negative impacts on the natural features or the ecological functions of the habitat they support.*

The proposed reconstruction of the enlarged sleeping cabin on the site is not anticipated to pose any harm to fish habitat located in the St. Lawrence River. The proposed construction will be set back approximately 13 metres from the highwater mark of the St. Lawrence River, and no disturbance to fish habitat, or the shoreline, is anticipated.

4.2.11 Watercourses and Waterbodies

It is the policy of the United Counties of Leeds and Grenville that:

- a) The protection of watercourses and waterbodies in the Counties will be in accordance with Section 4.4.1 of this Plan.*
- b) Interference with a watercourse or waterbody may require a permit from the applicable Conservation Authority, and restrictions could apply.*
- c) Planning for stormwater management will be in accordance with Section 6.3.2 of this Plan.*

The policies of Section 4.4.1 and 6.3.2 of this Plan have been reviewed below. The applicant will obtain required conservation permits, as necessary, to facilitate the proposed development.

4.4.1 Water Resources

- k) 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 metre minimum setback will:*
 - be consistent with any applicable policies in the Provincial Policy Statement and related implementation guidelines;*
 - maximize the setback through building design and orientation, and the sitting of the septic system; and,*
 - minimize disturbance to native soils and shoreline vegetation in accordance with other policies of this Plan*

A zoning by-law amendment is proposed to allow a 13 metre setback from the highwater mark associated with the St. Lawrence River. The proposed reduction to the water setback is not anticipated to result in the disturbance of soils or the removal of shoreline vegetation closer to the shoreline beyond what previously occurred through the existing cabin. The proposed highwater mark setback reduction is consistent with the policies of the PPS 2024, as it supports the development of a resource-based recreational use on rural lands, while avoiding negative impacts to natural heritage features. The proposed development represents the reconstruction of an existing sleeping cabin on the site, which will have a similar setback as the existing cabin to the high water mark associated with the St. Lawrence River. The site contains a natural separation from the shoreline as a result of the elevation change from the river up to the site and proposed development location. The elevation changes aid in reducing impacts of the proposed development location on the shoreline. The existing on-site sewage system is located greater than 30 metres from the shoreline.

Section 5 – Natural and Human-Made Hazards

Section 5 provides policies related to the protection of residents of the County by managing natural or human-made hazards, which may represent a risk to health and safety, or pose constraints to development. Hazards contemplated in this section may include flooding or erosion hazards, steep slopes, unstable soils, and contaminated lands, among other things.

5.2.2 Flooding Hazards, Steep Slopes, Unstable Soils, Unstable Bedrock and Erosion Hazards

- a) Development will be directed to areas outside of flooding hazards, erosions hazards, hazardous lands, and hazardous sites adjacent to the shorelines of the Great Lakes-St. Lawrence River System and large inland lakes, river, stream and small inland lake systems as identified on Schedule D or areas that are identified on a site-specific basis. Due to the scale of the flood plain mapping identified on Schedule D, the appropriate Conservation Authority should be consulted for more accurate flood risk mapping. It should be noted that there are four water bodies in the Counties where a Regulatory Flood Level has been established but not mapped (Upper Rideau, Big Rideau, Lower Rideau and Otter Lake). These levels are 124.9 metres geodetic, 124.51 metres geodetic, 124.51 metres geodetic, and 125.5 metres geodetic, respectively.*

Through consultation with the Cataraqui Region Conservation Authority (CRCA), the floodplain was identified at 75.9 metres GSC and the erosion hazard was identified at 75.5 metres GSC. The proposed sleeping cabin will be located approximately 11 metres outside of the identified flood plain, and approximately 9 metres from the identified erosion hazard on the site. The topography of the site steps up inland from the shoreline of the St. Lawrence River, providing additional protection from flood hazards.

- c) *A permit from a Conservation Authority may be required for development and site alteration within or adjacent to hazardous lands before work can begin.*

Consultation with the CRCA has confirmed that a permit will be required for the proposed development.

- e) *Development and site alteration will not be permitted within:*
 - i. *areas that would be rendered inaccessible to people and vehicles during times of flood hazards and erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard;*
 - ii. *a floodway regardless of whether the area of inundation contains high points of land not subject to flooding;*
 - iii. *the dynamic beach hazard; and*
 - iv. *defined portions of the flooding hazard along connecting channels of the St. Lawrence River.*

No site alteration is proposed within the flooding hazard associated with the St. Lawrence River on the site.

Section 6 – Transportation, Infrastructure and Servicing

Section 6 provides policy direction related to the servicing of growth and development through infrastructure, considering sewage and water services, stormwater facilities, and roads among other matters.

6.3.1 Sewage and Water Services

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

The proposed sleeping cabin will be serviced by existing individual on-site sewage services and individual on-site water services.

6.3.2 Stormwater Management

- b) *Where development is proposed that is not serviced by a stormwater management facility, existing off-site drainage patterns are to be maintained and all related infrastructure is to be within the limits of development wherever practical. On-site stormwater management controls may be required for development that drains to an existing stormwater management facility, depending on the design parameters of the facility.*

The proposed development represents the reconstruction of an existing sleeping cabin with a modest increased area. The proposed enlarged building envelope is not anticipated to alter existing on-site grading or contribute to increased stormwater runoff on the site.

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

3.4 Township of Leeds and the Thousand Islands Official Plan

The Township of Leeds and the Thousand Islands Official Plan (OP) was adopted by Council on September 10, 2018 and approved by the United Counties of Leeds and Grenville on November 22, 2018. The OP 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 OP contains policies of Council which guide and direct future growth and development within the municipality.

The relevant policy considerations of the OP 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 OP outlines the Township's vision statement and the plan's overarching goal, as well as various objectives to achieve the stated goals. Relevant objectives of the OP set out in Section 3.3 include:

- 15. The natural beauty of the area shall be preserved for the enjoyment of residents, tourists, and future generations.*
- 16. Natural heritage features and areas shall be identified, preserved and enhanced.*
- 17. The community's water resources shall be protected.*

The proposed cabin reconstruction promotes the continuation of a resource-based recreational use in the Township, which leverages the natural beauty of Downie Island. The proposed cabin is sensitive to the rural character of Downie Island through its siting and scale, and will not negatively impact the natural beauty of the area. The proposed development is not anticipated to require significant removal of vegetation beyond what is necessary to allow reconstruction, and any removal would occur to the north of the existing cabin, preserving natural heritage features on the site. The proposed development is set back approximately 13 metres from the highwater mark associated with the St. Lawrence River, and no removal of shoreline vegetation will occur. The proposed sleeping cabin will be serviced by the existing private water intake and septic system on the site, and will involve the decommissioning of the existing second sleeping cabin on the site, protecting water resources and protecting the natural beauty of the area.

Section 4 – General Land Use Policies

Section 4 of the OP 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.*

The proposal seeks to replace an existing sleeping cabin on the site with an enlarged sleeping cabin. The proposal is compatible with surrounding island residential development, where accessory buildings and recreational dwellings are common. Although an amendment is required to permit a modest increase to the maximum floor area of a sleeping cabin, the massing and height of the proposed sleeping cabin is sensitive to the existing character and built form in the area and is screened from view from neighbouring properties by existing vegetation. The proposed cabin will be located in a similar location as the existing sleeping cabin to be redeveloped, which will maintain the visual consistency of development on the site from the river.

- 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 sleeping cabin complies with the maximum 5 metre building height for sleeping cabins. An amendment is proposed to allow a modest floor area increase from 30 square metres to 41 square metres. Despite the increased floor area, the proposed sleeping cabin represents an appropriate built form and massing that aligns with adjacent properties which are characterised by one to two storey dwellings and numerous accessory structures of varying sizes.

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

The majority of the site is densely vegetated, and existing vegetation provides a screen between the proposed location of the sleeping cabin, the river, and adjacent properties.

- 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;*

No adverse impacts related to noise, odours, or emissions are anticipated as a result of the proposed development.

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

The proposed sleeping cabin is adequately separated from adjacent residential lots, and vegetation is present on site, providing visual screening to maintain privacy between the site and neighbouring outdoor amenity areas.

- 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 parking is provided on the site, as the property is accessed by water only.

- 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 sleeping cabin meets the rear yard and side yard setbacks, lot coverage, and landscape open space requirements of the Island Residential Zone. An amendment is proposed to allow a reduced front yard and highwater mark setback to permit the proposed reconstruction of the sleeping cabin in the same location as the existing sleeping cabin. Despite the relief, the proposed development will maintain the prevailing pattern of development that exists on the site.

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

Given the proposed building height and setbacks of the proposed cabin to the rear and side lot lines, no shadow impacts are anticipated on adjacent properties.

- 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 sleeping cabin represents a recreational dwelling intended to serve the residents of 405 Downie Island. No additional boat traffic is anticipated to be generated as a result of the proposed reconstruction. Further, the proposal will result in the overall reduction in the number of sleeping cabins on the site, further reducing the potential boat traffic generated by the property.

- 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 proposed building height, massing, and setbacks are anticipated to be appropriate for the character of development on Downie Island. Impacts to adjacent properties as a result of the proposed sleeping cabin to be reconstructed are anticipated to be negligible due to existing vegetation providing screening, and the relatively modest increase in maximum floor area for the cabin.

Section 5 – Land Use Designation Policies

Section 5 of the OP contains policies applicable to the Township's land use designations. The site is designated Rural on Schedule A1 Land Use Designations of the OP.

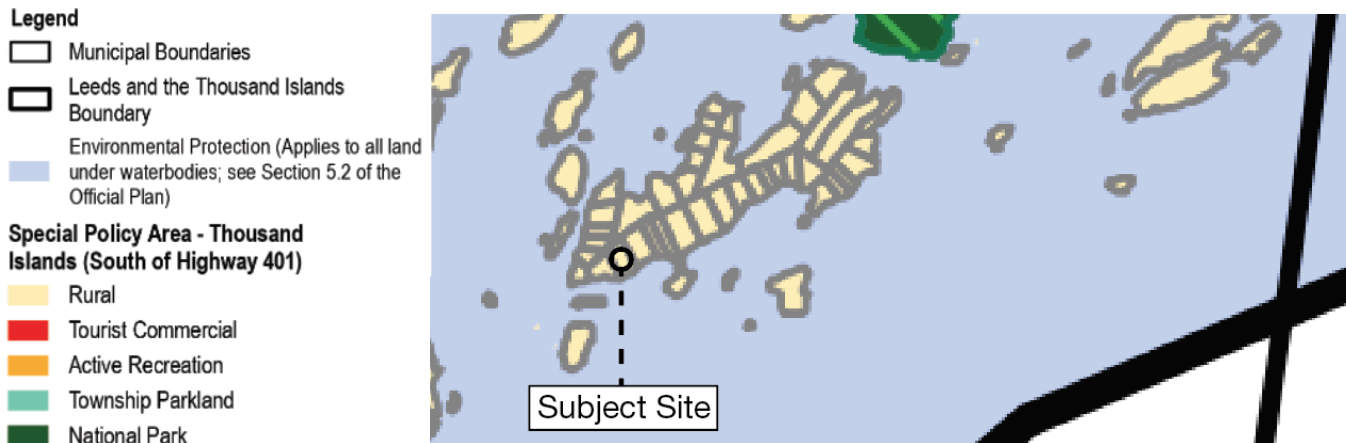


Figure 6: Township Schedule A1 Land Use Designation (Source: Township of Leeds and the Thousand Islands Official Plan, annotated by Fotenn Planning + Design)

Additionally, the site contains a 30-metre water setback as identified on Schedule A2 Natural Heritage System and Hazards along with woodlands as identified on Schedule A3 Natural Heritage System: Woodlands of the Township of Leeds and the Thousand Islands OP.

Section 5.3 provides policies related to hazards, both natural and human-made, and their risk to health, safety, and constraints on development. Consultation with the Cataraqui Region Conservation Authority confirmed the presence of and location of the regulatory floodplain elevation on the site, as well as the toe of slope elevation used to determine the erosion hazard on the site.

5.3.1 Natural Hazards

5.3.1.1 Erosion Hazards and Steep Slopes

1. *Lands within and adjacent to lands subject to steep slopes and erosion hazards are subject to a Regulation made pursuant to Section 28 of the Conservation Authorities Act, which is administered by the Cataraqui Region Conservation Authority (CRCA). While these lands and adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no site alteration such as filling, grading, and excavating shall occur without the written permission of the CRCA in accordance with this Regulation.*
3. *Appropriate setbacks from steep slopes and erosion-prone lands are important to minimize risks to people and property. Setbacks will be imposed from steep slopes and erosion hazards relative to the extent of severity of the hazard, and in consultation with the CRCA. In considering development and/or planning applications, the Township shall ensure that erosion hazards are included in the issues to be considered and may require a geotechnical analysis by a qualified professional.*

The proposed sleeping cabin is setback approximately 9 metres from the erosion hazard associated with the St. Lawrence River shoreline, as confirmed by mapping provided by the CRCA. The proposed sleeping cabin is adequately separated from identified erosion hazards on the site, minimizing risks to people and property.

5.3.1.2 Flood Plain

1. *Lands designated as Flood Plain on Schedules 'A2' and 'B1' through 'B5' have been identified using engineered floodlines, where available. It is recognized that not all Flood Plain areas are identified on Schedule 'A2'. For the purpose of this Official Plan, a Flood Plain means the area adjoining a waterbody or watercourse, including a municipal drain, which has been, or may be, covered by flood waters associated with the regulatory 1:100 year event, including:*
 - a) *Lands identified by an engineered floodline established by the CRCA; or*
 - b) *Where the location of the flood plain is not known, the horizontal area, 30 m (98.4 feet) wide, on either side of a watercourse, including a municipal drain.*

The regulatory flood plain of the St. Lawrence River is based on a 1:100 year water level, plus a factor to account for wave uprush.

2. *Lands within and adjacent to the Flood Plain are subject to a Regulation made pursuant to Section 28 of the Conservation Authorities Act, which is administered by the Cataraqui Region Conservation Authority (CRCA). While adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no site alteration such as filling, grading, and excavating shall occur without the written permission of the CRCA in accordance with this Regulation.*
7. *When interpreting the boundary of the Flood Plain designation, the CRCA shall be consulted.*
9. *In any area designated Flood Plain, it will be the policy of Council to encourage the retention of natural vegetation.*

While the site does not contain floodplain as identified on Schedule A2 of the official plan, the CRCA confirmed regulatory flood plain elevation of the St. Lawrence River in the location of the site is 75.9 metres GSC. The proposed sleeping cabin is set back approximately 11 metres from the flood plain of the St. Lawrence River. No development or site alteration is proposed within the flood plain identified on the site.

Section 5.5 provides policies related to natural heritage. Natural heritage is composed of an interconnected system of natural heritage features and areas which are linked by natural corridors and support the natural functions necessary to maintain ecosystems. The site contains woodlands as identified on Schedule A3 Natural Heritage System: Woodlands of the OP. Section 5.5.8 provides policies related to woodlands, stating “*the intent of the Plan is to conserve significant woodlands and vegetation, and prohibit incompatible land uses that deter their long-term benefits*”. Relevant subsections of Section 5.5.8 include:

2. *Existing development shall be permitted within woodlands and significant woodlands. Development on existing lots of record shall be permitted, subject to all other relevant policies of this Plan.*
5. *Within woodlands, permitted development should seek to minimize its footprint.*

The site, and the entirety of Downie Island, is identified as woodlands as shown on Schedule A3 Natural Heritage System: Woodlands of the OP. No removal of vegetation beyond what is necessary for the reconstruction of the proposed sleeping cabin is anticipated to occur. The floor area of the proposed sleeping cabin is 41 square metres, which represents a modest increase from the existing 28 square metre sleeping cabin. Woodland on the site will continue to be preserved.

Section 5.7 provides policies for lands designated Rural on Schedule A1 of the Official Plan. The Rural designation applies to most of the land in the Township and is intended to allow limited residential development and other uses which provide the rural communities with opportunities to live and work in a sustainable manner.

5.7.1 Residential Uses in the Rural Area

1. *Residential uses in the Rural designation uses shall generally be limited to single-detached dwellings, semi-detached dwellings, duplexes, garden suites, secondary dwelling units, and tiny dwellings, subject to the applicable Sections of this Plan. The conversion of existing single-detached dwellings into two dwelling units may also be permitted in accordance with the policies of the Secondary Dwelling Units Section of this Plan and the provisions of the Zoning By-law, and subject to the approval of the private services for such development.*

The proposed development represents a recreational dwelling within the rural area, which is a permitted use within the Island Residential Zone.

3. *It is intended that residential 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.*

The proposed sleeping cabin will be set back 13 metres from the highwater mark associated with the St. Lawrence River on the site, minimizing impacts to the waterbody. The proposed sleeping cabin is separated from the shoreline on the site by a grade change, providing a natural separation between the cabin and waterbody. Minimal vegetation is anticipated to be removed to facilitate the reconstruction of the sleeping cabin, conserving the woodlands identified on the site.

Section 6 – Water Resource Policies

Section 6 of the OP provides policies related to the protection of water resources, including groundwater features, hydrologic functions, surface water features and shorelines.

The site is located within a Highly Vulnerable Aquifer as identified on Schedule A6 Source Protection Vulnerable Area of the OP. Policies of the OP intend to protect vulnerable areas from activities identified as drinking water threats. The proposed development is small in scale, and can be supported on existing private on-site water and sewage services. The proposed development will not involve the storage or manufacture of potential contaminants identified in the Clean Water Act, 2006, and will not pose any threat to drinking water.

6.1.3 Stormwater Management

4. *Due to the Township's many sensitive natural heritage features and areas, particularly rivers, lakes, and streams, and development pressure in waterfront areas, appropriate stormwater management is also required for small-scale residential development. While a Stormwater Management Plan may not be identified as a requirement for every application for residential, commercial, and industrial development or site alteration, as determined at the discretion of Council or the delegated approval authority, the following principles will be applied, particularly for waterfront development:*
 - a) *Impervious surface areas immediately adjacent to a waterbody should be limited and pervious surface areas should be used to the extent feasible, in order to reduce unfiltered runoff from entering the waterbody;*
 - b) *Vegetative planting strips, consisting of primarily native species where possible, should be maintained or restored for the first 15 m from a waterbody to provide filtration for any runoff that may be directed or flow towards a waterbody; and*
 - c) *Runoff from buildings and structures should be directed away from surface waterbodies and towards back-slope areas in order to minimize concentrated flows and high-volume sheeting of stormwater from entering a waterbody, contributing to erosion.*

The proposed development represents the reconstruction of an existing sleeping cabin with a modest increased area. The proposed enlarged building envelope is not anticipated to alter existing on-site grading or contribute to increased stormwater runoff on the site. The proposed development complies with the maximum lot coverage provisions for the Island Residential Zone, which among other considerations, are intended to ensure that permeable surfaces exist to absorb water and runoff. Building considerations such as roof orientation and eaves troughs can be considered at the site plan control stage of development to ensure that runoff from the proposed structure is directed away from waterbodies and back-slop areas.

6.1.4.2. Waterfront Development

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 proposed development will maintain a recreational dwelling for the use and enjoyment of the residents of 405 Downie Island. The proposed sleeping cabin will support recreational use of the waterfront that are typical in the Township, leveraging the natural amenity of Downie Island.

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 lot is physically suitable for development as it provides suitable topography, and a sufficient buildable envelope to permit the construction of the proposed sleeping cabin. A zoning by-law amendment is proposed to allow a reduced front yard setback for the proposed sleeping cabin, however the cabin will be located in a location similar to the existing cabin. The proposal will not result in a significant change to the site, maintain the natural state of the property.

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 sleeping cabin is proposed to maintain an approximately 13 metre setback from the highwater mark associated with the St. Lawrence River. No vegetation is anticipated to be removed beyond what is necessary to permit the construction of the proposed sleeping cabin. The proposed reduction to the highwater mark setback aligns with the policies of the PPS 2024, as it supports resource-based recreational development on rural lands without creating negative impacts to natural heritage features. The existing septic system is located greater than 30 metres from the highwater mark.

- 6. *Applications for exceptions to the 30 m water setback must demonstrate how the proposal upholds the intent of the policies in the Natural Heritage System and Waterfront Areas and Waterfront Protection Sections of this Plan, and may require the submission of an Environmental Impact Study (EIS) and/or an Ecological Site Assessment, and any other technical studies deemed necessary by the Township, and the MNRF and/or CRCA. Further, development proposals must demonstrate how the natural aesthetic of the waterfront will be maintained or enhanced.*

Sections 5.5 and 6.1.4 of the OP have been reviewed with respect to the natural heritage system and waterfront areas. The proposed development is not anticipated to pose any adverse impacts to natural heritage features or the waterfront, as addressed in the relevant OP sections above. The proposed sleeping cabin will maintain the natural aesthetic of the waterfront, as the proposed construction is small in scale and represents the reconstruction of an existing sleeping cabin on the site. The proposal will not result in significant changes to the natural aesthetics of the site's waterfront.

- 7. *Lawns, ornamental plantings and hard landscaping features do little to support the ecological health of waterfront areas. The Township encourages the protection or enhancement of a 30 m naturalized buffer along waterfront lands, recognizing that some areas may be natural bare rock and do not require further enhancement. This measure will help to protect water quality as well as protecting environmentally sensitive riparian areas. It will also help to control erosion and assist in softening the visual intrusion of development in natural areas. In the event of construction damage in this buffer area, the natural vegetation should be re-instated to the extent possible.*

Beyond a modest increase in the building envelope, no disturbance to vegetation will occur closer to the shoreline than previously occurred. Further, much of the existing shoreline area is composed of bare rock.

- 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 sleeping cabin will be setback approximately 15 metres from the highwater mark on the site, and the proposed uncovered deck will be setback approximately 13 metres from the highwater mark on the site. The proposed reduction to the 30 metre water setback is appropriate in consideration of the unique topography of the site, which provides elevation gain moving northward from the shoreline, providing protection from flooding hazards and impacts to the shoreline. The proposed development is located outside of the identified floodplain on the site.

- 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.*

The proposed development is subject to site plan control, as confirmed through the pre-application process.

- 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.*

The proposed sleeping cabin complies with the relevant maximum building height and maximum lot coverage requirements of the Island Residential zone, ensuring that the proposed cabin is of an appropriate scale and is compatible with surrounding waterfront development. The proposed zoning by-law amendment seeks to establish a minimum 13 metre setback to the highwater mark for the proposed cabin and associated uncovered deck. The proposed cabin will

comply with the maximum building height, lot coverage and landscape open space requirements. The proposed development will maintain a similar scale to the existing cabin. Further, the proposal will ultimately result in a net reduction in the number of sleeping cabins on the property, through the decommissioning of the north cabin to a storage building, thereby ensuring a scale of development that does not overwhelm the natural features of the site.

Section 7 – Transportation and Infrastructure

Section 7 of the OP provides policies related to servicing and transportation infrastructure, setting out a servicing hierarchy for new development. Section 7.5 Servicing Requirements provides direction for servicing requirements:

8. *All other development will be based on private individual services on lots of sufficient size to provide safe water supplies and effective sewage disposal on a long-term cumulative basis. All new lots will have a suitable location for a conventional sewage disposal system leaching bed.*

The proposed sleeping cabin will connect to the existing private septic system and private water intake on the site.

Section 9 – Implementation

Section 9 of the OP 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 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.

4.0

Current and Proposed Zoning

The site is regulated by the Township of Leeds and the Thousand Islands (TLTI) Zoning By-law No. 07-079 and is zoned Island Residential (RI) Zone in the TLTI Zoning By-law 07-079.

A zoning by-law amendment is proposed to add a special exception to the site to establish appropriate site-specific performance standards related to the proposed sleeping cabin. It is worth noting that the existing single detached dwelling on the site has a front setback of approximately 20 metres, measured from the existing highwater mark on the site, whereas the minimum permitted front setback in the Island Residential Zone is 30 metres. As no alteration is proposed to the existing single-detached dwelling through the subject application, this zoning by-law amendment does not seek relief from any provisions of the Island Residential Zone applying to the existing single detached dwelling on the site.

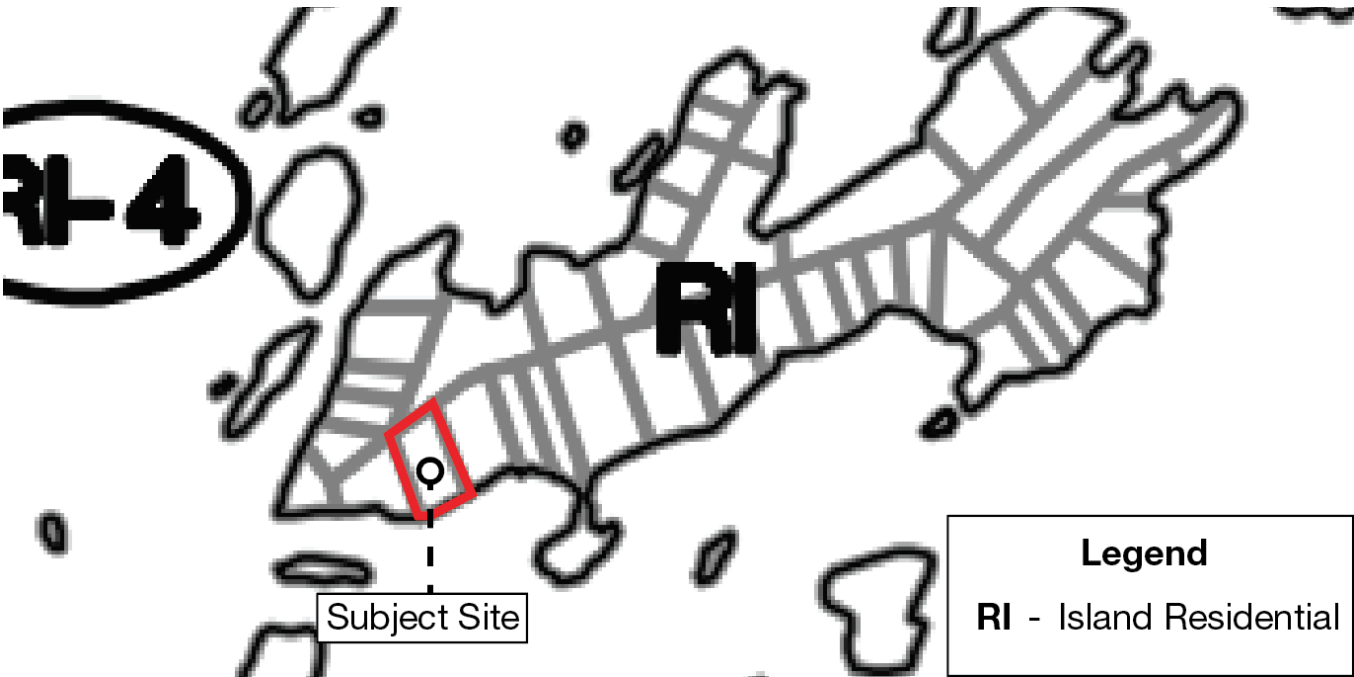


Figure 7: Current Zoning (Source: Schedule A-Ward 1, annotated by Fotenn Planning + Design)

The following table provides a review of the proposed sleeping cabin against the Island Residential (RI) Zone and relevant general provisions.

Provision	Requirement	Proposed	Complies?
Island Residential (RI) Zone (Section 5.6)			
Permitted Uses	Marine facility Single detached dwelling Sleeping Cabin	Single detached dwelling; Sleeping cabin; Accessory uses (storage sheds)	Yes
Lot area (Min)	1.0 ha	+/- 0.51 ha (existing)	Yes
Lot frontage (min)	76.0 metres	+/- 55.7 m (existing)	Yes
Front yard (min)	30.0 metres	13 m	No
Rear yard (min)	7.5 metres	>7.5 metres	Yes

Provision	Requirement	Proposed	Complies?
Exterior side yard (min)	7.5 metres	N/A	N/A
Interior side yard (min)	3.0 metres	+/- 5.0 m (proposed cabin)	Yes
Lot coverage (max)	10%	+/- 3.4% (all buildings)	Yes
Dwellings per lot (maximum)	1	1	Yes
Sleeping cabin per lot	1	1 (north sleeping cabin to be decommissioned)	Yes
General Provisions (Section 3)			
Accessory Uses (s. 3.1)	i. Accessory buildings or structures shall not be located within any minimum front yard or minimum exterior side yard, except as specifically permitted in this By-law.	All accessory buildings located in rear yard	Yes
	ii. Accessory buildings or structures shall not be located closer than 1.0 metre to any interior side or rear lot line, shall not be located closer than 3.5 metres to any exterior side lot line	Existing outhouse located +/- 0.5 m from east interior lot line (no change); All accessory structures setback >1 m from interior and rear lot lines	Yes
	iii. Accessory buildings or structures other than residential wind turbines shall not exceed 7 metres.	Complies	Yes
	iv. Accessory buildings or structures shall not occupy more than 4% of the total lot area. Such accessory buildings or structures shall be included as part of the total lot coverage permitted in the zone requirements;	+/- 1.5 %	Yes
	v. The use of an accessory building for human habitation is not permitted;	Complies (north sleeping cabin to be converted to accessory building)	Yes
Landscaped open space (s. 3.15.a)	In any zone, any portion of any minimum required yard which is not used for any other permitted purpose shall be devoted to landscaped open space.	Complies	Yes
Non-complying & Non-conforming uses (s. 3.21)	f) Existing non-complying lots Where a lot exists with less than the minimum lot frontage and/or area required by this By-law such lot may be used and a building or structure may be erected, altered or used for a purpose permitted in the zone without requirement to obtain relief from the applicable lot frontage or area provisions of this by-law	Existing undersized lot	Yes

Provision	Requirement	Proposed	Complies?
Setbacks (s. 3.32)	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 metres from the high water mark.	Proposed sleeping cabin/uncovered deck to be setback 13 m from high water mark	No
	c) From Flood Plains Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 5 metres of a flood plain or 30 metres from the high water mark, whichever is greater.	Proposed sleeping cabin/uncovered dock to be setback 13 m from high water mark and 11 m from the flood plain	No
Sleep Cabins (s. 3.34)	Where a sleeping cabin is a permitted use, a maximum of one sleeping cabin shall be permitted provided that: a) The maximum floor area of a sleeping cabin is 30.0 square metres, which includes a covered or enclosed porch	One sleeping cabin proposed Area of proposed sleeping cabin: 41 m ²	No
	b) The maximum height of a sleeping cabin shall be 5.0 metres (16.40 ft.)	3.9 metres	Yes
	c) Any uncovered deck accessory to a sleeping cabin shall comply with the provisions of this By-law.	Uncovered deck to be setback 13 m from high water mark and front lot line	No
Yard Encroachments (s. 3.39)	b) Attached unenclosed porches, uncovered decks, balconies, exterior stairs and landings may project from the main building into any minimum required yard by not more than 3 m provided they are no closer than 1.2m to any lot line and do not encroach into a sight triangle.	Uncovered deck to project 2.4 m from sleeping cabin and be setback >1.2 m from all lot lines	Yes

Sleeping Cabin and Uncovered Deck Minimum Setbacks

Relief is proposed from the front yard and highwater mark setbacks to allow the proposed sleeping cabin to be reconstructed in the same location as the existing southern sleeping cabin. The Island Residential Zone requires a minimum front yard setback of 30 metres, which, in the case of a waterfront lot, is measured between the shoreline and the nearest part of any main building or structure on the lot. As shoreline is not defined in the Zoning By-law, the highwater mark of the site has been used as a conservative interpretation of the shoreline location for the purpose of measuring the front yard setback. Section 3.32 of the Zoning By-law requires any building and structure to be setback a minimum of 30 metres from the highwater mark and Section 3.34 requires that any uncovered deck accessory to a sleeping cabin comply with the provisions of the By-law. The proposed sleeping cabin and associated uncovered deck will be setback 13 metres from the highwater mark.

Relief is requested to permit a 13 metre front yard and 13 metre highwater mark setback for the proposed sleeping cabin and associated uncovered deck. The proposed cabin will be generally located in the same position as the existing south cabin on the site, therefore although relief is requested to reduce the minimum front yard and highwater mark setbacks, the proposed development will not result in any development closer to the front yard or highwater mark setback beyond what currently exists.

Additionally, the site's topography is characterized by rocky terrain near the shoreline and an elevation increase from the shoreline up to the site. The terrain and topography of the site assist with creating a natural separation between the proposed development and highwater mark reducing the risks of potential natural hazards or impacts to the shoreline. This proposed reduction to the highwater mark setback reflects the established pattern of development along the waterfront on Downie Island. Despite the reduced setbacks, the proposed development remains compatible with the surrounding area. The proposed development is not anticipated to negatively impact the site or surrounding properties.

Maximum Floor Area of a Sleeping Cabin

Relief is proposed to allow an increased floor area for the proposed sleeping cabin. Section 3.34 permits a maximum 30 square metre floor area for a sleeping cabin including a covered or enclosed porch. The proposed sleeping cabin has a floor area of 41 square metres. The maximum floor area provision is intended to limit potential overdevelopment of a site and maintain a consistent scale of development. The proposed increase to the maximum permitted floor area for the sleeping cabin is not anticipated to result in incompatibility with neighbouring properties, or with the character of development on Downie Island. The proposed increased floor area is relatively minor, and the additional floor area will be located to the north of the existing cabin, limiting the impacts of potential view from the river. The proposed sleeping cabin will be screened from adjacent residential properties by existing vegetation on the site, mitigating visual and privacy impacts posed by the proposed reconstruction. Despite the proposed relief to the floor area, the sleeping cabin will maintain a building height that complies with the maximum zoning provision, ensuring that the structure's massing and scale is suitable and compatible with the surrounding area.

5.0 Conclusion

The applicant is seeking a zoning by-law amendment to facilitate the reconstruction of an existing sleeping cabin on the site. The proposed development will result in the net reduction of sleeping cabins on the site from two to one, through the conversion and decommissioning of the existing north sleeping cabin to an accessory structure. The proposed zoning by-law amendment will maintain the existing Island Residential (RI) Zone and establish a new special exception that establishes site-specific performance standards related to the front yard setback, highwater mark setback and maximum floor area for the proposed sleeping cabin and its associated uncovered deck. The proposed cabin will be located generally in the same location as the existing south sleeping cabin which will limit impacts to the site and shoreline and maintain a consistent view of development from the river. The proposal represents an appropriate and compatible use of the land, supporting the recreational character and function of the site and surrounding area.

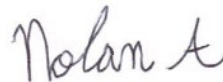
The proposed zoning by-law amendment has regard to matters of provincial interest of the Planning Act, is consistent with the Provincial Planning Statement, conforms to the United Counties of Leeds and Grenville Official Plan, and conforms to the Township of Leeds and the Thousand Islands Official Plan. 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,



Kelsey Jones, MCIP RPP
Senior Planner
Fotenn Planning + Design



Nolan Atterbury, BURPI
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

Island Residential (RI) Zone to Island Residential, Special Exception XX (RI-XX)
(zoning to permit a sleeping cabin and attached uncovered deck)

((405 Downie Island) 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 Island Residential exception (RI-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 5.6 (c)(xxxiv) be added as follows:

RI-XX, 405 Downie Island (File ZBXX/25, By-law 25-XXX)

Notwithstanding any provisions of Section 3 or 5.6 to the contrary, on the lands zoned RI-XX the following provisions shall apply:

 - a) The minimum front yard shall be 13 metres for a sleeping cabin and associated uncovered deck.
 - b) The minimum highwater mark setback shall be 13 metres for a sleeping cabin and associated uncovered deck.
 - c) The maximum floor area of a sleeping cabin is 41 square metres, which includes a covered or enclosed porch.
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'

