

## **PLANNING JUSTIFICATION REPORT**

**439 Thousand Islands Parkway, Township of Leeds and  
the Thousand Islands**

**Application for Zoning By-law Amendment**

August 2025



## Introduction

This Planning Justification Report is provided in support of a Zoning By-law Amendment application for the property known municipally 439 Thousand Islands Parkway. The subject property is located within the Township of Leeds and the Thousand Islands (TLTI), south of Highway 401 along the north shore of the St. Lawrence River. Currently, one (1) main building and two (2) accessory buildings are under construction on the subject property. Additionally, two (2) accessory structures (docks) are located along the shoreline of the property.

The subject property is designated 'Rural Lands' on Schedule 'A' – Community Structure and Land Use of the United Counties of Leeds and Grenville (UCLG) Official Plan and designated 'Rural' on Schedule 'A1' – Land Use Designations of the TLTI Official Plan. Schedule 'A1' – Land Use Designations additionally locates the subject property within the 'Thousand Islands Special Policy Area'. The subject property is currently zoned Tourist Commercial 'CT' on Schedule 'B' of TLTI Zoning By-law Number 07-079, as amended.

Previously, the owner proposed to utilize the main building on the subject property as a 'Tourist Lodging Establishment' in accordance with the permitted uses of the 'CT' zone. Additionally, the accessory buildings were constructed in accordance with the zone requirements of the 'CT' zone given the zone's non-residential permissions. Presently, the owner is proposing to utilize the main building on the subject property as a 'Single Detached Dwelling'. To permit this use within the main building and maintain the accessory buildings currently under construction, the owner is proposing a Zoning By-law Amendment application to rezone the subject property from the Tourist Commercial 'CT' zone to a site-specific Shoreline Residential 'RS-XX' zone.

Through pre-application correspondence, TLTI staff identified the required submission materials to facilitate the proposed rezoning. Accordingly, the following have been prepared and submitted in support of a Zoning By-law Amendment application:

- Architectural elevation plans;
- Application forms and fees;
- Conceptual site plan;
- Floor plans;
- Planning Justification Report;

## Site Overview

### Location

The subject property is located within the Township of Leeds and the Thousand Islands, south of Highway 401 along the north shore of the St. Lawrence River. The subject property is approximately 1.38 hectares (3.42 acres) in area and maintains approximately 97.9 metres of road frontage along the south side of Thousand Islands Parkway along with approximately 140.7 metres of water frontage along the north shore of the St. Lawrence River. The subject property maintains two points of vehicular access via right of ways over abutting properties to the west and east.

Currently, one main building and two accessory buildings are under construction on the subject property. Additionally, two accessory structures (docks) are located along the shoreline of the property.



*Figure 1: Locational context map*



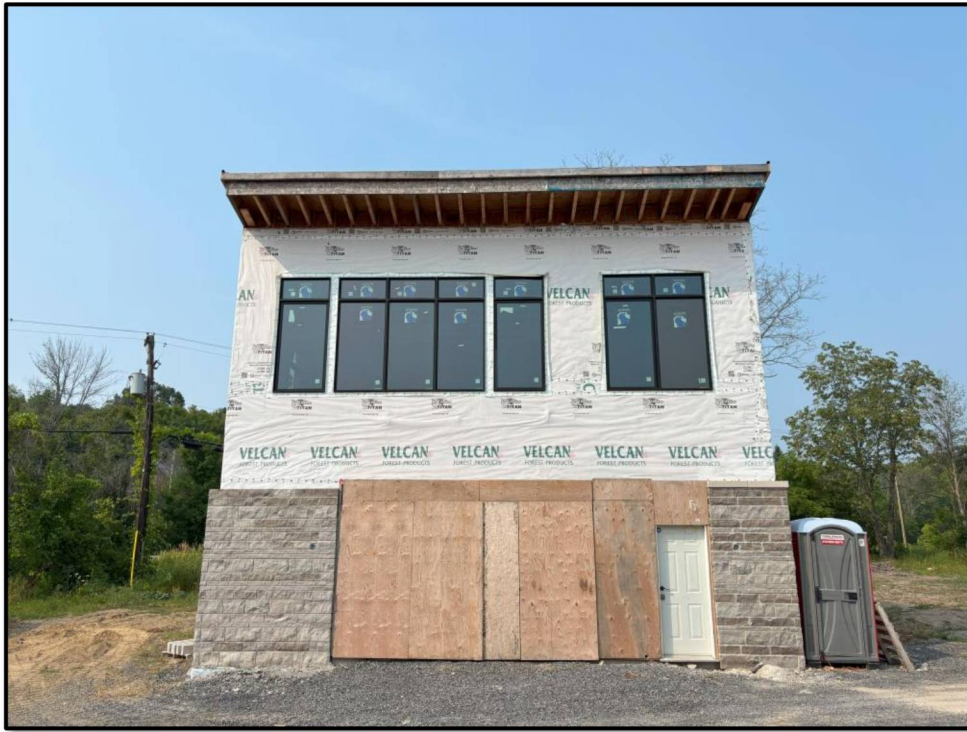


*Figure 2: View of the subject property from the north side of Thousand Islands Parkway*



*Figure 3: View of the main building (background) and accessory buildings (foreground) from the western entrance to the subject property*





*Figure 4: View of the northern accessory building located on the subject property*



*Figure 5: View of the southern accessory building located on the subject property*



*Figure 6: View of the main building located on the subject property, facing southeast*



*Figure 7: View of the main building located on the subject property, facing west*





*Figure 8: View of the southern accessory building and main building from the southwest corner of the subject property*



*Figure 9: View of the westernmost dock located on the subject property*



## Surrounding Uses

Two properties developed with residential use abut the subject property. To the west, the subject property abuts 439 Thousand Islands Parkway and to the east, the subject property abuts 11 Rose Island Lane. North of 11 Rose Island Lane, the subject property abuts an unaddressed vacant property which accommodates the private right of way known as Rose Island Lane. 438 Thousand Islands Parkway is a wooded property located north of the subject property, on the north side of Thousand Islands Parkway. 438 Thousand Islands Parkway accommodates an unoccupied livestock facility that is not reasonably capable of housing livestock.



*Figure 10: Aerial view of the subject property (red) and surrounding uses*

## Proposed Development

Currently, one main building and two accessory buildings are under construction on the subject property. The main building is proposed to accommodate a single detached dwelling and private garage distributed throughout two storeys and a basement. The

main building is to be 11.09 metres in height and maintain 739.93 square metres in gross floor area. Parking for the proposed single detached dwelling is to be located within the attached private garage. Both accessory buildings are proposed to accommodate a private garage on the first storey and habitable space (excluding a kitchen) on the second storey. The southern accessory building is to be 8.03 metres height and maintain 339.42 square metres in gross floor area. The northern accessory building is to be 7.77 metres in height and maintain 155.15 metres in gross floor area. The main building and southern accessory building are proposed to be serviced with individual on-site sewage services and individual on-site water services while the northern accessory building is proposed to be unserviced in these regards.

A swimming pool is proposed to be constructed adjacent to the main building, within the front yard of the subject property. A driveway extending the width of the property between access points is proposed to be constructed to facilitate vehicular flow. Through the overall development plan, the two docks located along the shoreline of the property are proposed to be maintained.

Given that the current Tourist Commercial 'CT' zone of the subject property does not permit a single detached dwelling, a Zoning By-law Amendment application is necessary to permit the proposed residential use.

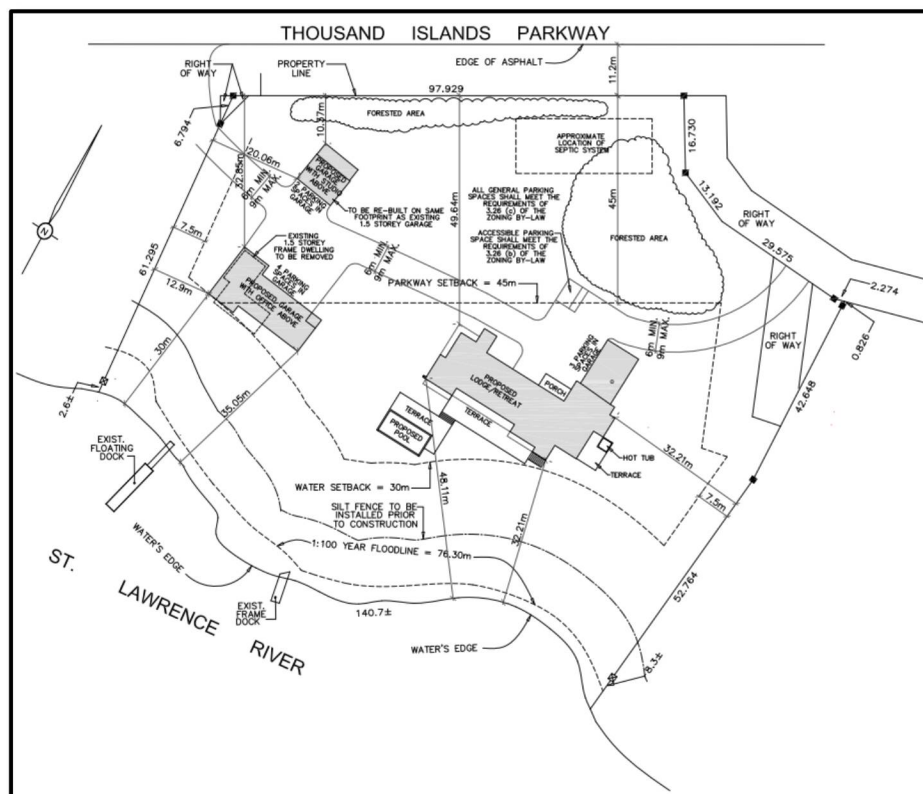


Figure 11: Conceptual site plan

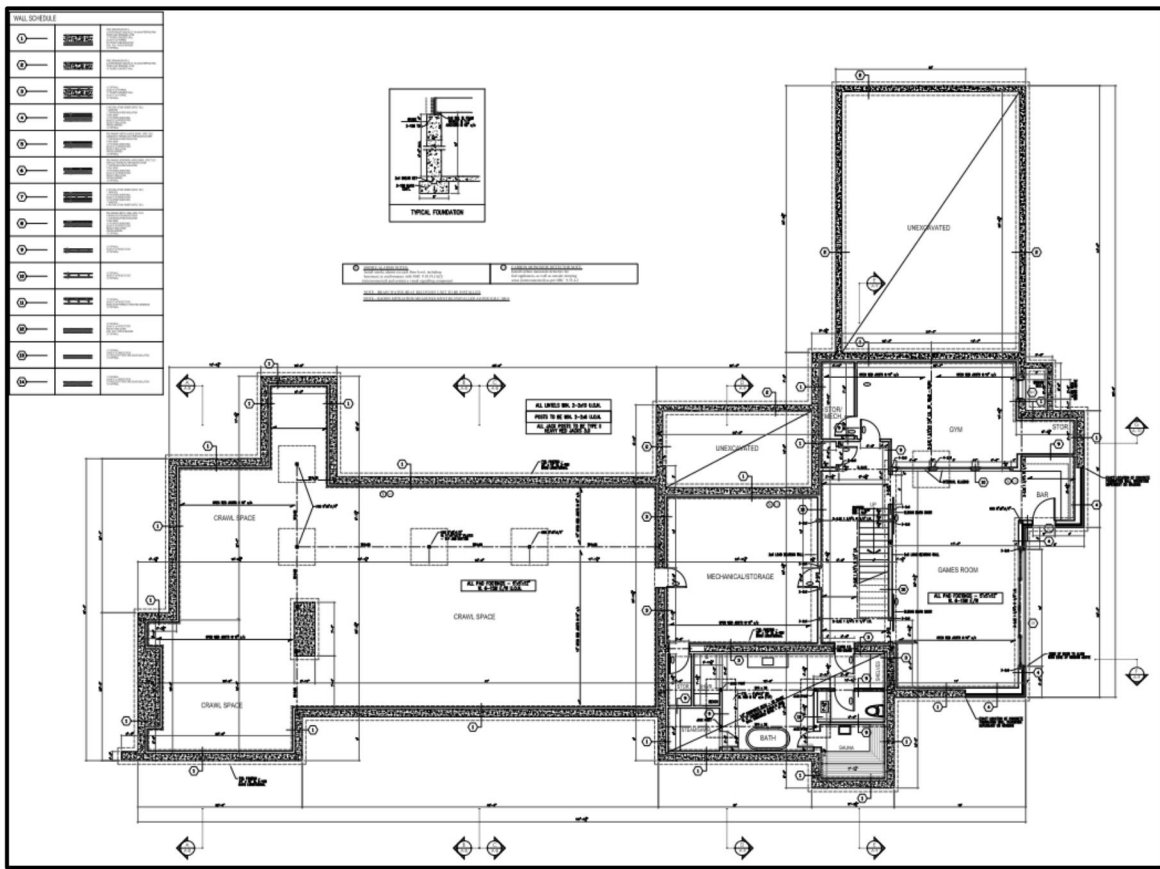


Figure 12: Foundation / Basement Plan for the main building



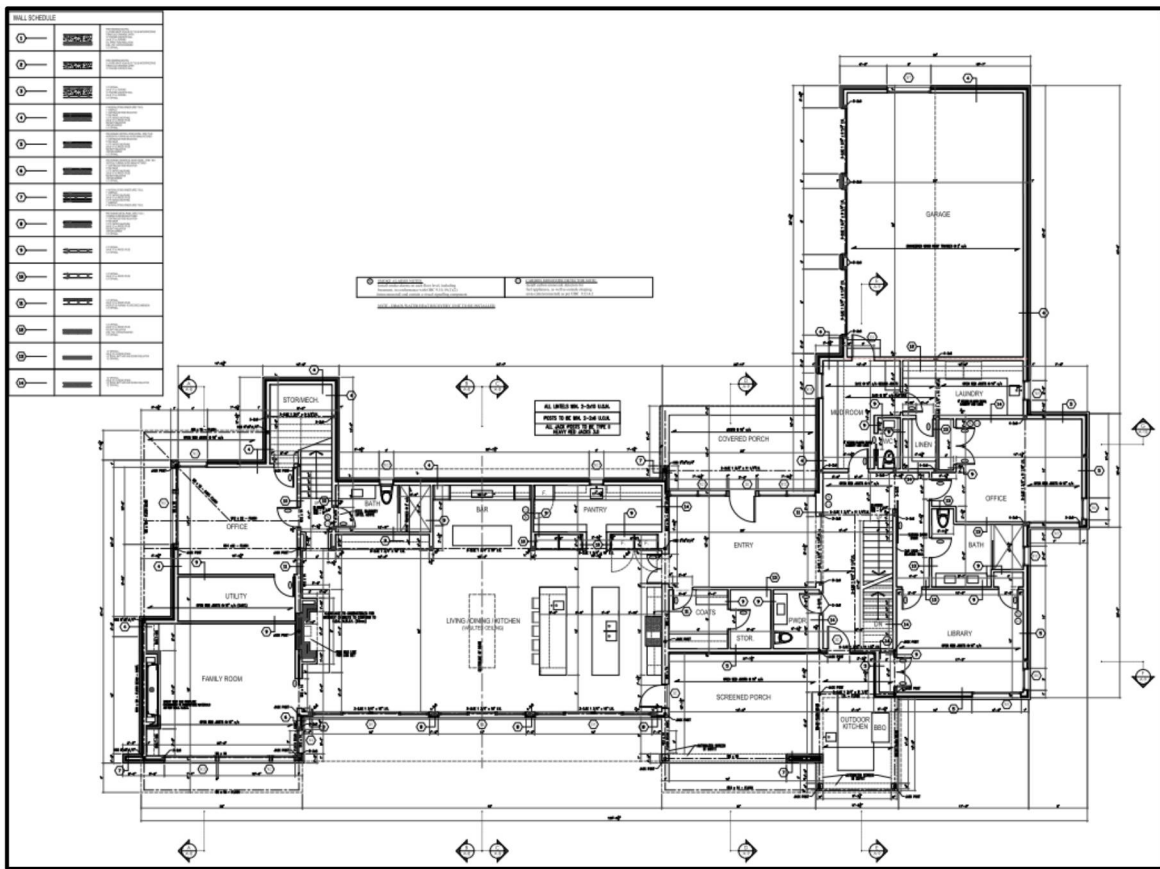


Figure 13: Ground Floor Plan for the main building

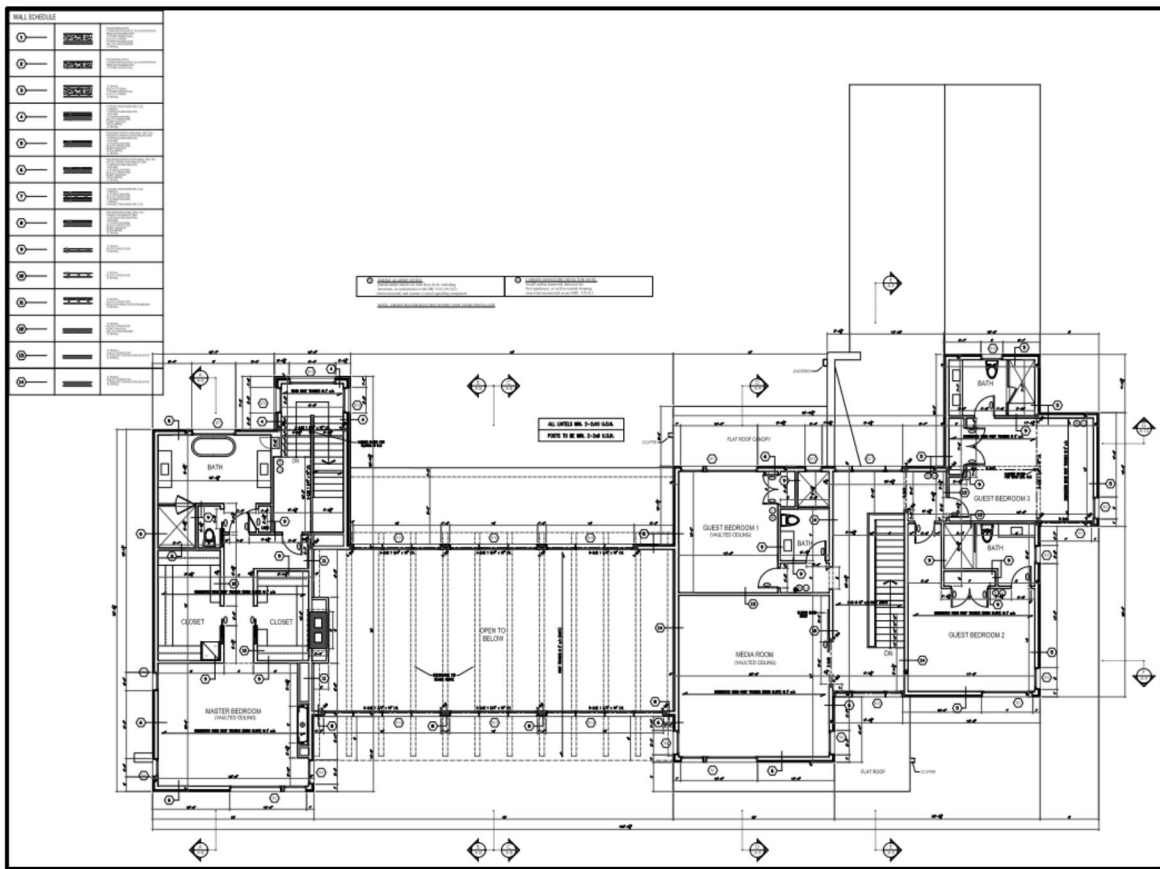


Figure 14: Second Floor Plan for the main building

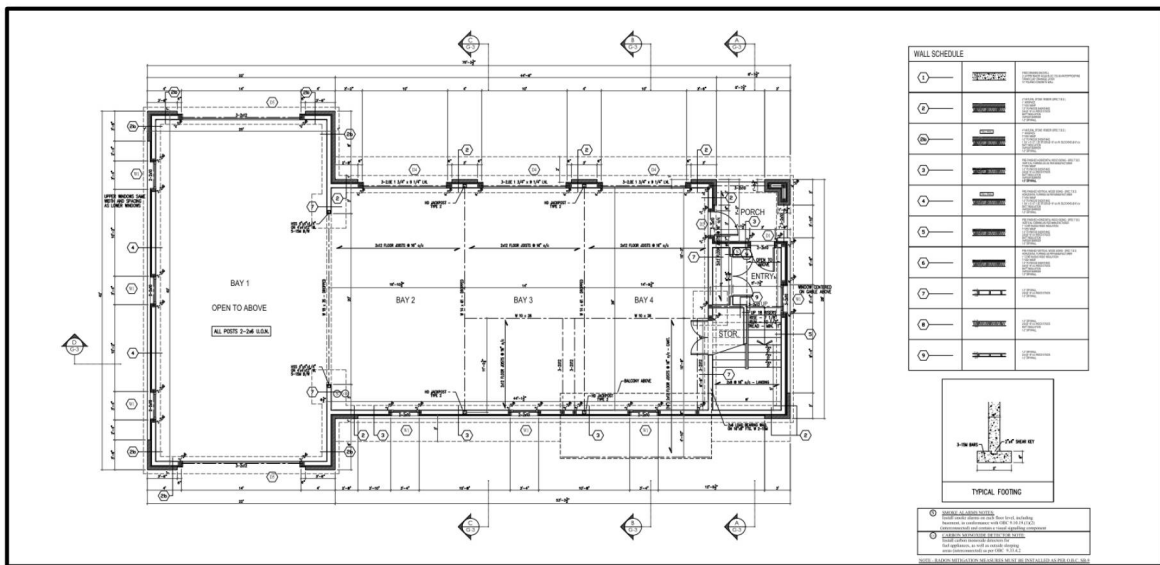


Figure 15: Ground Floor Plan for the southern accessory building

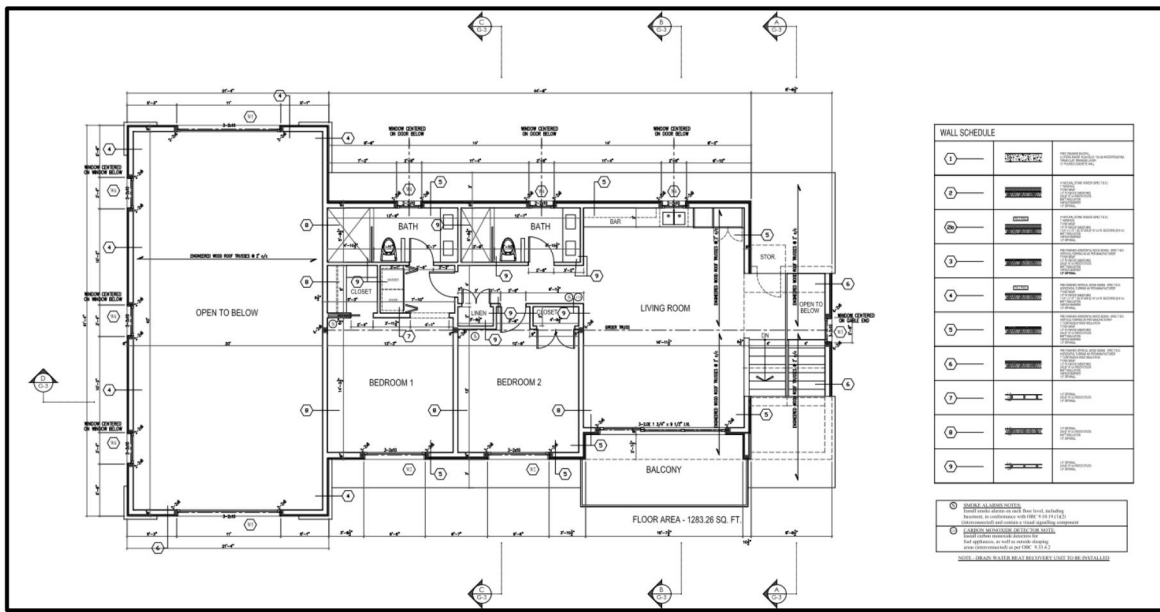


Figure 16: Second Floor Plan for the southern accessory building

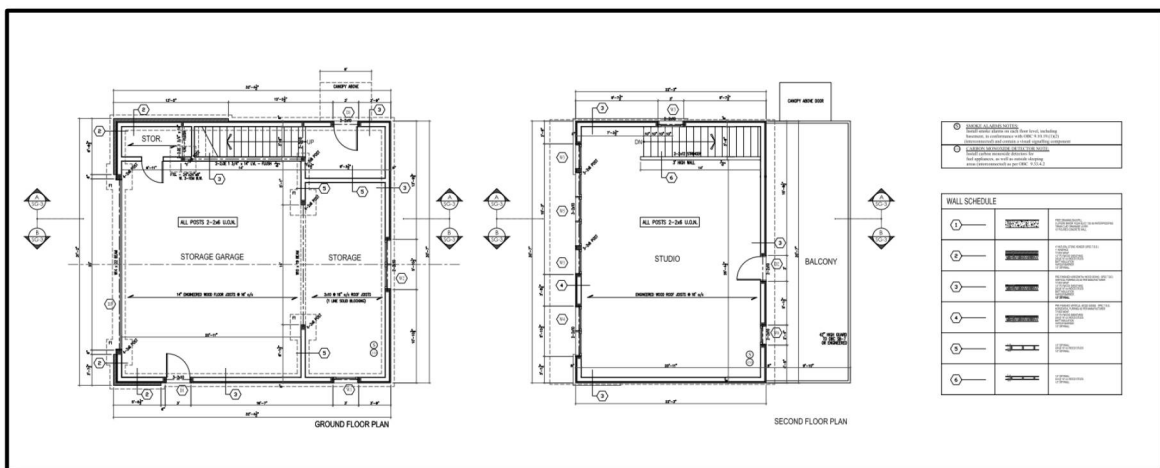


Figure 17: Ground Floor and Second Floor Plans for the northern accessory building



# Policy & Regulatory Framework

## Planning Act

The *Planning Act* (the Act) is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. Section 2 of the Act lists matters of provincial interest that the council of a municipality shall have regard to in carrying out their responsibilities under the Act, among other matters. The following listed matters are particularly relevant to the Zoning By-law Amendment application:

- a) the protection of ecological systems, including natural areas, features and functions;
  - *An Environmental Site Evaluation dated December 5, 2019 and prepared by Ecological Services opined that the development will have no negative impact on the nature heritage features or on their ecological functions.*
- f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
  - *The development seeks to efficiently use communication, transportation, and waste management systems. The development is to be serviced with individual onsite sewage services and individual on-site water services.*
- h) the orderly development of safe and healthy communities;
  - *The development is orderly and will contribute to a safe and healthy community.*
- j) the adequate provision of a full range of housing, including affordable housing;
  - *The development will contribute to the range of housing within the community.*
- p) the appropriate location of growth and development;
  - *The development is appropriate for rural lands and is compatible with surrounding development.*
- r) the promotion of built form that,
  - i) is well-designed,
  - ii) encourages a sense of place, and
  - iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
    - *The development is well-designed and encourages a sense of place.*

## Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS), 2024, is a policy statement issued under the authority of Section 3 of the *Planning Act* and came into effect on October 20, 2024. The PPS provides policy direction on matters of provincial interest related to land use planning and development. In respect of the exercise of any authority that affects a planning matter, Section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements used under the *Act*.

Section 2.2.1. of the PPS provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents (2.2.1.b.1.) and by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation (2.2.1.c.). The proposed single detached dwelling seeks to efficiently use land, resources, infrastructure, and public service facilities. The location of the subject property across from the St. Lawrence Bikeway and adjacent to the St. Lawrence River provides future residents with the opportunity to utilize active transportation methods.

The subject property is designated 'Rural' on Schedule 'A1' – Land Use Designations of the TLTI Official Plan. Section 2.6.1.c. of the PPS confirms that residential development is a permitted use on rural lands, where site conditions are suitable for the provision of appropriate sewage and water services. Section 2.6.3. of the PPS further provides that development on rural lands shall be appropriate to the infrastructure which is planned or available and avoid the need for the uneconomical expansion of this infrastructure. The development will be serviced with individual on-site sewage and water services in accordance with Section 3.6.4. of the PPS. Furthermore, the development seeks to utilize the existing infrastructure available to the subject property and does not necessitate the need for expansion of existing infrastructure.

The subject property abuts an area of the St. Lawrence River which is designated 'Provincially Significant Wetland' on Schedule 'A2' – Land Use Designations: Natural Heritage System and Hazards of the TLTI Official Plan. Section 4.1.8. of the PPS provides that development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in Sections 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. An Environmental Site Evaluation dated December 5, 2019 and

prepared by Ecological Services opined that the development will have no negative impact on the nature heritage features or on their ecological functions.

The subject property abuts the St. Lawrence River and is partially located within the associated floodplain as identified on Schedule 'A2' – Land Use Designations: Natural Heritage System and Hazards of the TLTI Official Plan. Section 5.2.2.a. of the PPS provides that development shall generally be directed to areas outside of hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards. The development is located outside of the floodplain associated with the St. Lawrence River.

Based on the review completed above, we are of the opinion that the proposed Zoning By-law Amendment is consistent with the intent of the PPS.

### United Counties of Leeds and Grenville Official Plan

The UCLG Official Plan was adopted by Counties Council on July 23, 2015 and approved with modifications by the Minister of Municipal Affairs and Housing on February 19, 2016. The purpose of the UCLG Official Plan is to provide upper-tier land use planning policies to manage growth and development within the Counties over the planning horizon (i.e. until the year 2031).

Schedule 'A' – Community Structure and Land Use of the UCLG Official Plan designates the subject property as 'Rural Lands'. Within the 'Rural Lands' designation, limited residential development is permitted (3.3.2.a.iii.) and development in the must be compatible the rural landscape and must be sustained by rural service levels (3.3.3.d.). The proposed residential development in the form of a single detached dwelling is limited in nature and compatible with the rural landscape. The proposed residential development is to be serviced with individual on-site sewage and water services.

Schedule 'A' – Community Structure and Land Use of the UCLG Official Plan designates the St. Lawrence River abutting the subject property as 'Provincially Significant Wetlands'. Section 4.2.3.c. of the UCLG Official Plan provides development or site alternation will not be permitted on land adjacent to a Provincially Significant Wetland (land within 120 metres) unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological and/or hydrologic functions that cannot be adequately mitigated. An Environmental Site Evaluation dated December 5, 2019 and prepared by Ecological Services opined that the development will have no negative impact on the nature heritage features or on their ecological functions.





Figure 18: Subject property (red) as shown on Schedule 'A' – Community Structure and Land Use of the UCLG Official Plan

### Township of Leeds and The Thousand Islands Official Plan

The TLTI Official Plan was adopted by Township Council on September 10, 2018 and approved by the United Counties of Leeds and Grenville on November 22, 2018. The purpose of the TLTI Official Plan is to establish a vision, goal, objectives, and policies to manage and direct physical development and the effect of change on the physical, social, cultural, economic, and natural environment for the planning horizon (i.e. until the year 2031).

Section 4.6.1.1. of the TLTI Official Plan provides that 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. Section 4.6.1.2. provides that 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 of adjacent properties, as well as the character

established by the prevailing pattern of abutting development and development that is across the street;

- *The height, massing, and scale of the development is generally consistent with the existing development of properties in the surrounding area. The basement of the proposed main building will only be visible from the eastern boundary of the subject property.*
- 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;
  - *Landscaped buffering is not required for the development given that residential uses exist on both sides of the subject property.*
- c) Lighting: The potential for light spill over or glare onto adjacent light-sensitive areas or the sky must be minimized;
  - *Lighting for the development will be minimized.*
- d) 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 development has limited potential for significant adverse impacts related to noise, odours, or other emissions.*
- e) Outdoor amenity areas: The privacy of outdoor amenity areas of adjacent residential units must be respected;
  - *The development will not have an adverse impact on the privacy of outdoor amenity areas of adjacent residential properties.*
- f) Parking: Adequate on-site parking must be provided in accordance with the provisions of the Zoning By-law, with minimal impact on adjacent uses. For higher density development within settlement areas, the Township may consider permitting reduced standards for on-site parking, or off-site parking, where accommodation of on-site parking is not possible;
  - *On-site parking is proposed to be provided in accordance with the provisions of TLTI Zoning By-law Number 07-079, as amended.*
- 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 development incorporates principles of CPTED and other best practices.*
- 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 rear and side yard setbacks, building separation, landscaped open spaces, and outdoor amenity areas are consistent with the surrounding area and comply with the provisions of TLTI Zoning By-law Number 07-079.*
- i) Shadowing on adjacent properties must be minimized, particularly on outdoor amenity areas;
  - *The development minimizes shadowing 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 Thousand Islands Parkway and St. Lawrence River can accommodate vehicular and boat traffic associated with the proposed development.*
- 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 step-backs;
  - *The development is consistent with the intensity and scale of adjacent development.*
- 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.
  - *The development seeks to utilize existing right-of-ways for vehicular access.*

The subject property is designated 'Rural' on Schedule 'A1' – Land Use Designations of the TLTI Official Plan. Schedule 'A1' – Land Use Designations additionally locates the subject property within the 'Thousand Islands Special Policy Area'. Section 5.7.1.1. provides that residential uses in the 'Rural' designation shall generally be limited to single-detached dwellings, semi-detached dwellings, duplexes, garden suites, secondary dwelling units, and tiny dwellings. Section 5.9.2.2.1. of the TLTI Official Plan provides that on mainland properties designated 'Rural' within the Thousand Islands Area, residential development on the mainland shall have a maximum density of one unit per 1.0 hectare and shall be limited to single-detached dwellings, semi-detached dwellings, duplexes, garden suites, secondary dwelling units, and tiny dwellings. *The proposed residential development is in the form of a single detached dwelling.*

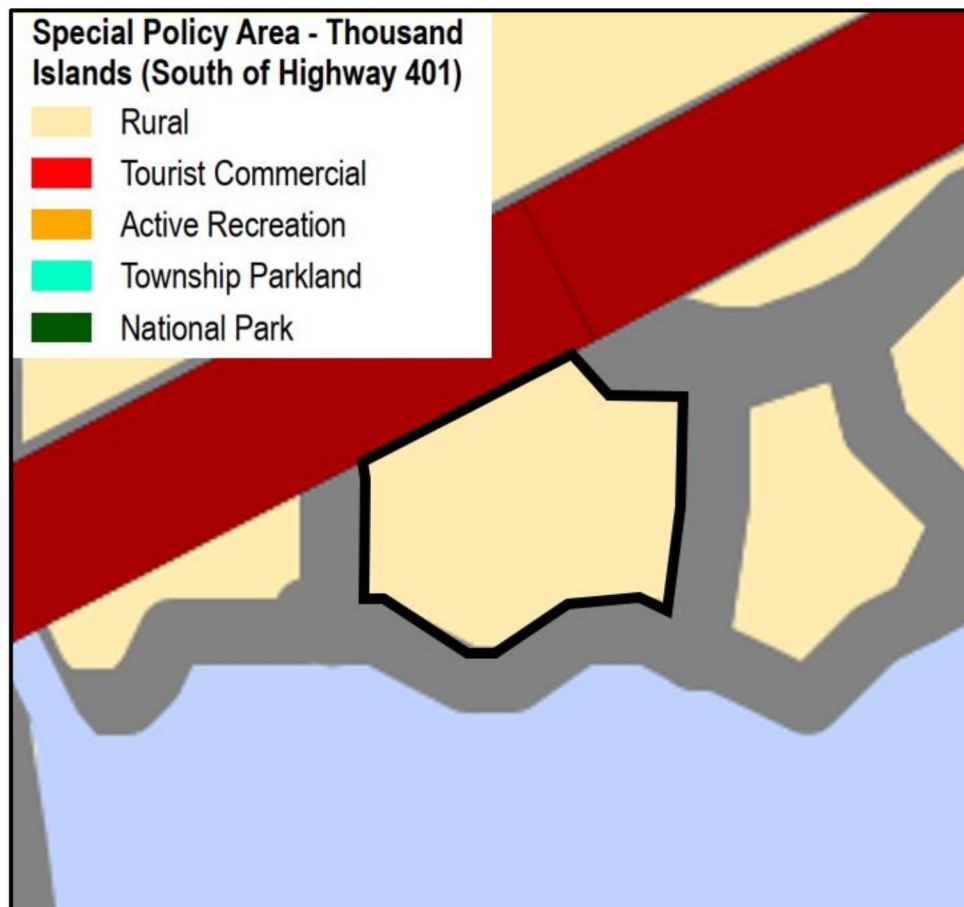


Figure 19: Subject property (black) as shown on Schedule 'A1' – Land Use Designations of the TLTI Official Plan

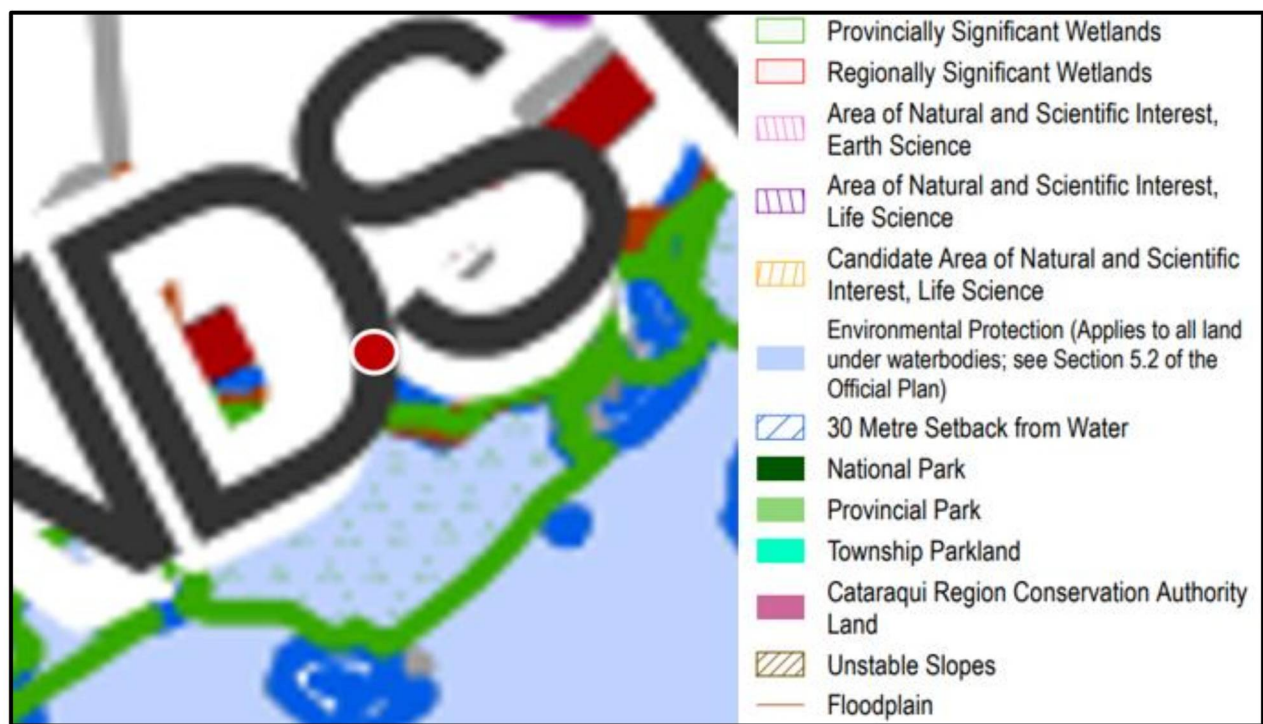
Section 6.1.4.2. of the TLTI Official Plan provides policies applicable to waterfront development in the Township. In waterfront areas, low density residential uses are permitted (6.1.4.2.1.) and should be directed to lands that are physically suitable for development in their natural state (6.1.4.2.3.). For existing lots of record, new development should generally be setback 30 metres from the water (6.1.4.2.5.). The proposed residential use is in the form of a single detached dwelling. Minimal site alteration was required to facilitate the construction of the main building. Development on the subject property is setback at least 30 metres from the high water mark of the St. Lawrence River.

Schedule 'A2' – Land Use Designations: Natural Heritage System and Hazards designates the St. Lawrence River abutting the subject property as 'Provincially Significant Wetland'. Section 5.5.2.1. of the TLTI Official Plan provides that no development or site alteration shall be permitted on adjacent lands to natural heritage features or areas (lands within 120 metres) unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through an Environmental Impact Study (EIS) prepared in



accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impact on the natural features or their ecological functions. An Environmental Site Evaluation dated December 5, 2019 and prepared by Ecological Services opined that the development will have no negative impact on the abutting nature heritage features or on their ecological functions.

Schedule 'A2' – Land Use Designations: Natural Heritage System and Hazards designates the southern area of the subject property as 'Floodplain'. Section 5.3.1.2.4. of the TLTI Official Plan provides that development and site alteration in the regulatory flood plain is prohibited, except for those uses that by their nature must be located within the regulatory flood plain, subject to the approval by the Township and the CRCA. The development is not located within the area of the subject property designated 'Floodplain'.



*Figure 20: Approximate location of the subject property as shown on Schedule 'A2' – Land Use Designations: Natural Heritage System and Hazards of the TLTI Official Plan*

Based on the review completed above, we are of the opinion that the proposed Zoning By-law Amendment is consistent with the intent of the TLTI Official Plan.

## Township of Leeds and the Thousand Islands Zoning By-law Number 07-079, as Amended

The TLTI Zoning By-law Zoning By-law 07-079, as amended, was passed on December 10, 2007, and has since been subject to multiple amendments. The purpose of the Zoning By-law is to regulate the use of land and the character, location, and use of buildings and structures as well as to prohibit the juxtaposition of incompatible uses of land.

The subject property is zoned Tourist Commercial 'CT' on Schedule 'B' – Ward 1 Shoreline of the Township of Leeds and the Thousand Islands Zoning By-law Number 07-079, as amended. The 'CT' zone permits a range of non-residential uses and only permits residential use within an accessory dwelling or an accessory dwelling unit. Section 3.1.b. of the Zoning By-law provides that in non-residential zones, accessory buildings and structures shall conform to the requirements of the particular zone. Given the requirements of the 'CT' zone, the maximum permitted height of an accessory building within the zone is 12 metres.

The owner is proposing utilize the main building on the subject property as a single detached dwelling and maintain two accessory buildings which maintain heights of 7.77 metres and 8.03 metres respectively. A Zoning By-law Amendment is required to permit a single-detached dwelling (ie. residential use) and instill appropriate zone requirements.

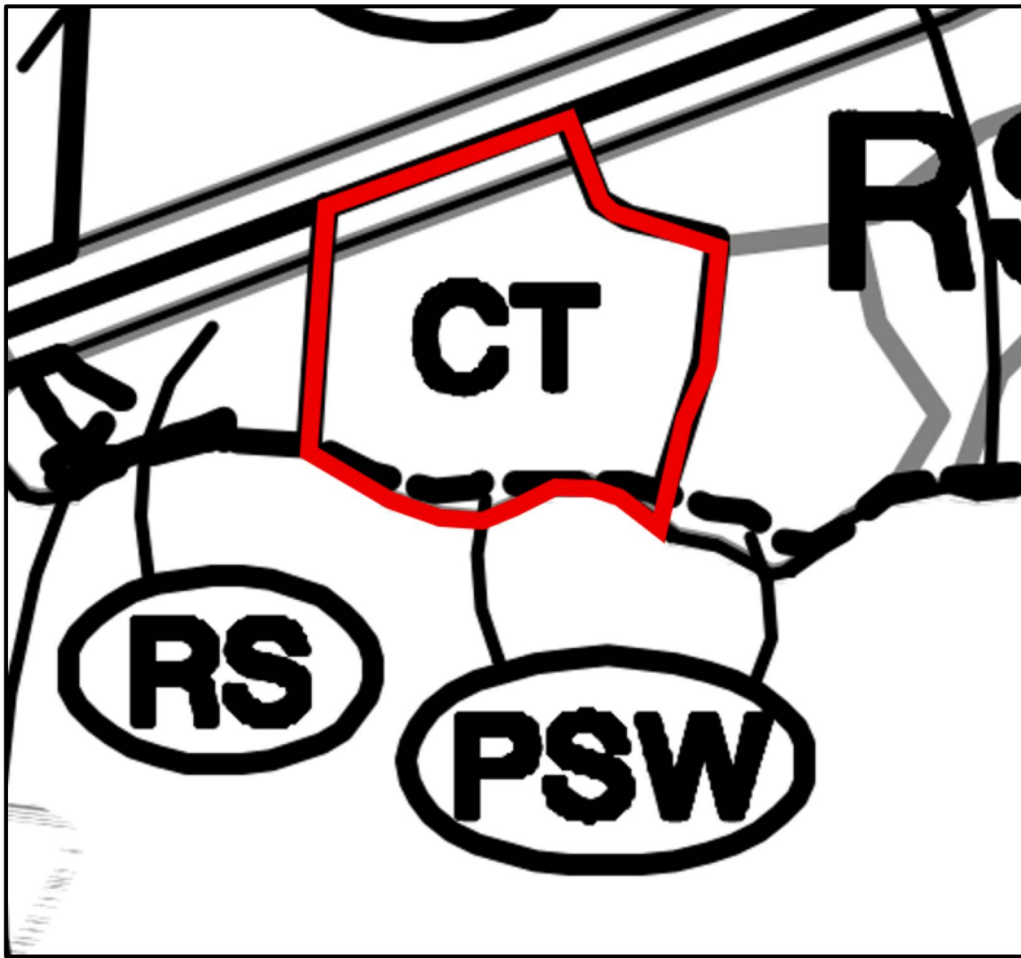


Figure 21: Subject property (red) as shown on Schedule 'B' – Ward 1 Shoreline of the Township of Leeds and the Thousand Islands Zoning By-law Number 07-079, as amended

## Zoning Relief Justification

The purpose of the Zoning By-law Amendment application is to permit the use of the main building on the subject property as a single detached dwelling and maintain two accessory buildings which maintain heights of 7.77 metres and 8.03 metres respectively. The subject property is currently zoned Tourist Commercial 'CT' as shown on Schedule 'B' – Ward 1 Shoreline of the Township of Leeds and the Thousand Islands Zoning By-law Number 07-079, as amended. The 'CT' zone prohibits principal residential use and permits a maximum height of 12 metres for accessory buildings.

The proposed development has regard to the matters of provincial interest set out in the *Planning Act* and is consistent with the Provincial Planning Statement, 2024, UCLG Official Plan, and TLTI Official Plan. The proposed development is appropriate for rural lands and is compatible with surrounding development. Furthermore, the proposed development will have no negative impact on abutting nature heritage features or on their ecological functions and is proposed to be located outside of natural hazard areas.

The proposed zone category of the Shoreline Residential 'RS' is appropriate given the proposed principal residential use on a shoreline property. The 'RS' zone permits the proposed single detached dwelling and existing marine facility. A site-specific Shoreline Residential 'RS-XX' zone is required to recognize the height of the accessory buildings located on the subject property. The accessory buildings will exceed the minimum permitted interior setback for the 'RS' zone and are lesser in overall building height than the main building. Additionally, the accessory buildings are to be constructed in the same architectural style as the main building. As a result, the accessory buildings are not expected to result in undesirable overlook or shadowing into neighbouring yards and will not appear architecturally incompatible with the main building on the subject property.

Within the proposed 'RS-XX' zone all permitted uses and zone requirements are proposed to be maintained. To recognize the height of the accessory buildings, the following provision is proposed to apply within the 'RS-XX' zone:

*i. Accessory buildings or structures other than residential wind turbines shall not exceed 8.25 metres.*



## Conclusion

The owner is in the process of constructing one main building and two accessory buildings on property known municipally as 439 Thousand Islands Parkway. The owner is proposing to utilize the main building as a single detached dwelling and utilize the accessory buildings as private garages and habitable space (exclusive of kitchen). As part of the overall development plan, the owner is proposing to construct a swimming pool in the front yard of the subject property and to main the two existing marine facilities (docks).

The development has regard to the matters of provincial interest set out in the *Planning Act* and is consistent with the Provincial Planning Statement, 2024, UCLG Official Plan, and TLTI Official Plan. The development is appropriate for rural lands and is compatible with surrounding development. Furthermore, the development will have no negative impact on abutting nature heritage features or on their ecological functions and is proposed to be located outside of natural hazard areas.

A Zoning By-law Amendment is required to rezone the subject property from the Tourist Commercial 'CT' zone to a site-specific Shoreline Residential 'RS-XX' zone to permit a single detached dwelling and marine facility and instill appropriate performance standards applicable to the accessory structures on the subject property. The site-specific provision within the 'RS-XX' zone seeks to restrict the height of accessory buildings on the subject property to 8.25 metres.

In conclusion, it is our professional opinion that proposed Zoning By-law Amendment is appropriate and constitutes good land use planning.

Sincerely,

*original signed by author*

Jason Sands, B.Sc. M.Pl. MCIP. RPP

*Exhibit A: Zoning Review Table*

*Exhibit B: Proposed By-law*