



PLANNING JUSTIFICATION REPORT

7 Clark Drive, Township of Leeds and the Thousand Islands

Applications for Consent, Official Plan Amendment, & Zoning By-law Amendment

September 2025



Introduction

This Planning Justification Report is provided in support of applications for Consent, Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) for the property known municipally as 7 Clark Drive. The subject property is located in the United Counties of Leeds and Grenville (UCLG), within the Township of Leeds and the Thousand Islands (TLTI), west of Gananoque. The subject property is developed with a single detached dwelling and associated individual on-site sewage and water services. A parking area which has historically functioned as part of a marina located on an abutting property held in the same ownership is located in the rear yard of the subject property. Through these applications, no new development or site alteration is proposed.

The subject property is designated 'Rural Lands' and 'Provincially Significant Wetlands' on Schedule 'A' – Community Structure and Land Use of the UCLG Official Plan (OP). The subject property is located within the 'Thousand Islands Special Policy Area' and designated 'Tourist Commercial' and 'Rural' on Schedule 'A1' – Land Use Designations of the TLTI Official Plan. The subject property is zoned Tourist Commercial 'CT' and Locally Significant Wetland 'LSW' on Schedule 'B' – Ward 1 Shoreline of the TLTI Zoning By-law 07-079, as amended.

The purpose of the Consent application is to enlarge the abutting property held in the same ownership known municipally as 11 and 35 Clark Drive. The proposed severed (lot addition) parcel is to be accessed by the southern driveway to the subject property and is to accommodate the parking area. The proposed retained parcel is to be accessed by the northern driveway to the subject property and is to accommodate the existing single detached dwelling and associated existing individual on-site sewage and water services.

Amendments to TLTI OP and TLTI Zoning By-law 07-079, as amended, are required to facilitate the lot addition proposed through the Consent application. The purpose of the OPA application is to redesignate the 'Tourist Commercial' lands on the proposed retained parcel to 'Rural'. Similarly, the purpose of the ZBA application is to rezone the Tourist Commercial 'CT' lands on the proposed retained parcel to site-specific Rural Residential 'RR-XX' which would permit a reduced lot area and lot frontage.

Through pre-application correspondence, TLTI staff identified the required submission materials for the *Planning Act* applications. Accordingly, the following have been prepared and submitted in support of the applications:

- Application forms and fees;
- Concept Plan; and
- Planning Justification Report.

Site Overview

Location

The subject property is located in the United Counties of Leeds and Grenville within the Township of Leeds and the Thousand Islands, west of Gananoque. The subject property is approximately 7,277 square metres in area and maintains approximately 119 metres of frontage along the south side of County Road 2 along with the approximately 45.7 metres of frontage along the west side of Clark Drive.

The subject property is developed with a 1.5 storey, 115.7 square metre single detached dwelling which is serviced with individual on-site sewage (conventional septic system) and water services (well). The subject property maintains two points of vehicular access from Clark Drive. The northern driveway provides access to the single detached dwelling, terminating in the front yard, while the southern driveway extends along the southern boundary of the subject property providing access to the parking area in the rear yard and beyond to docks located on the north side of the marina property. A narrow wetland extends along the western boundary of the subject property from County Road 2 to the southern driveway.



Figure 1: Locational context map



Figure 2: View of the single detached dwelling and northern driveway from Clark Drive



Figure 3: View of Clark's Marina and the southern driveway from Clark Drive



Figure 4: View of the parking area and wetland from the southern driveway

Surrounding Uses

The subject property abuts the property known municipally as 11 and 35 Clark Drive to the south, which accomodates a marina. North of the subject property, on the north side of County Road 2, is the property known municipally as 4880 County 2, which accomodates a mini warehouse and storage business. The subject property abuts the property known municipally as 4859 County 2 to the west, which accomodates a residential use in the form of a single detached dwelling. The property known municipally as 22 Clark Drive is located east of the subject property, on the east side of Clark Drive, and also accomodates a residential use in the form of a single detached dwelling.



Figure 5: Aerial view of the subject property (red) and surrounding uses

Proposed Development

The owner is proposing to enlarge the abutting property known municipally as 11 and 35 Clark Drive via lot addition. The proposed severed (lot addition) parcel is to be approximately 3,134 square metres in area and maintain approximately 33.3 metres along the south side of County Road 2 along with approximately 7.6 metres of frontage along the west side of Clark Drive. The proposed severed parcel is to accommodate the existing southern driveway and parking area which currently function as part of the marina. 11 and 35 Clark Drive is approximately 9.8 hectares (98,282 square metres in area) in area and maintains approximately 588 metres of frontage along the west side of Clark Drive. The proposed retained parcel is to be accessed by the northern driveway and is proposed to accommodate the existing single detached dwelling and associated individual on-site sewage and water services. No new development or site alteration is proposed for the proposed severed or retained parcels through these applications.

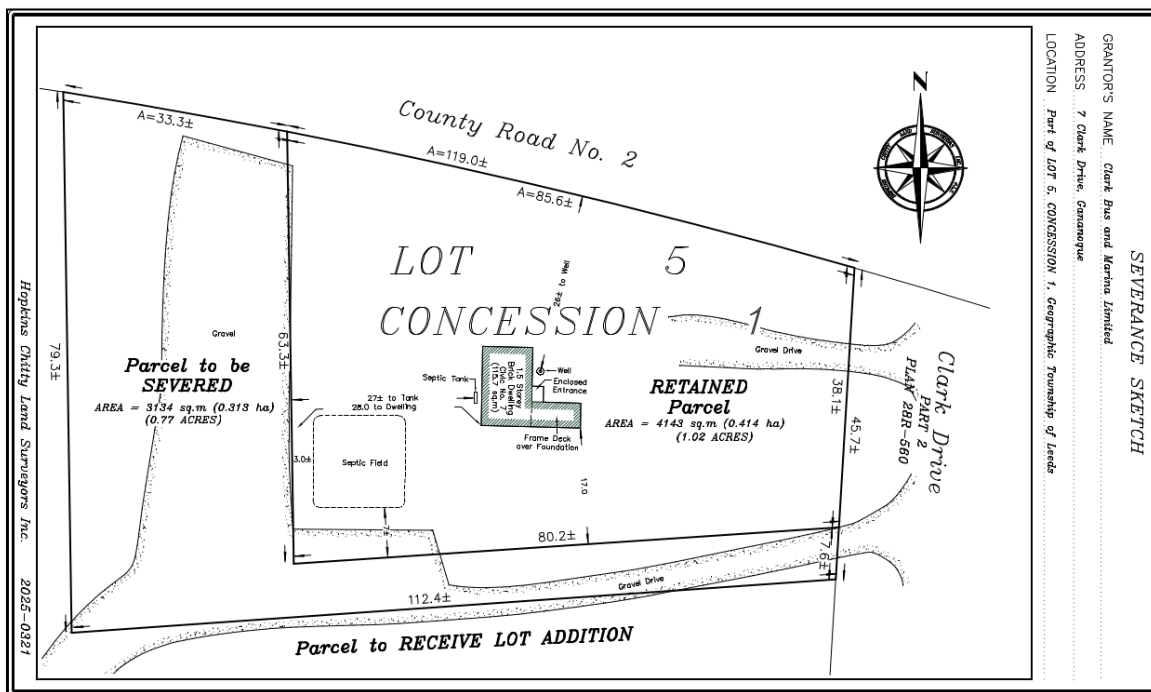


Figure 6: Concept plan

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 and planning boards shall have regard to in carrying out their responsibilities under the Act, among other matters. The following listed matters are most applicable to the applications:

- a) the protection of ecological systems, including natural areas, features and functions;
 - *No new development or site alteration is proposed for the proposed severed or retained parcels through these applications. The Consent application seeks to reduce the fragmentation of the wetland on the subject property.*
- f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
 - *No new development or site alteration is proposed for the proposed severed or retained parcels through these applications.*
- h) the orderly development of safe and healthy communities;
 - *The proposed lot configurations have been carefully considered given existing site features.*
- l) *the protection of the financial and economic well-being of the Province and its municipalities;*
 - *The applications are not anticipated to result in adverse impacts to the financial and economic well-being of the Province, TLTI, or UCLG.*

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 Act requires that decisions affecting planning matters shall be consistent with policy statements used under the Act.

Section 2.5.1. of the PPS provides objectives intended to support healthy, integrated and viable rural areas. The following objectives are most applicable to the applications:

- a) building upon rural character, and leveraging rural amenities and assets;
 - *The existing single detached dwelling and marina uses fit within the rural character.*
- d) using rural infrastructure and public service facilities efficiently;
 - *No new development is proposed for the proposed severed or retained parcels through these applications.*
- f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets; and
 - *The use of the proposed severed parcel as a parking area for the abutting marina seeks to positively contribute to the provision of opportunities for sustainable and diversified tourism.*
- g) conserving biodiversity and considering the ecological benefits provided by nature.
 - *No new development or site alteration is proposed for the proposed severed or retained parcels through these applications.*

Section 2.6.1. of the PPS provides that on rural lands in municipalities, resource-based recreational uses and residential development (where site conditions are suitable for the provision of appropriate sewage and water services) are permitted. The proposed severed parcel is to support a resource-based recreational use in the form of a marina while the proposed retained parcel is to accommodate the existing single detached dwelling and existing individual on-site water and sewage services in accordance with Sections 2.6.2. and 3.6.4.

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. Schedule 'A' – Community Structure and Land Use of the UCLG OP designates abutting lands and an area of the subject property as 'Provincially Significant Wetlands'. As no new development or site alteration is proposed for the proposed severed or retained parcels through these applications, there will be no negative impact to this natural feature or its ecological functions.

Section 5.2.2. of the PPS provides that development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards (5.2.2.b.) and hazardous sites (5.2.2.c.). Schedule 'D' – Natural and Human-Made Hazards of the UCLG OP identifies the subject property as being subject to a 'Flood Plain' and 'Unstable Soils'. The applications are consistent with this policy given that no new development is proposed for the proposed severed or retained parcels.

Based on the review completed above, we are of the opinion that the applications are consistent with the intent of the PPS.

United Counties of Leeds and Grenville Official Plan

The UCLG OP 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 OP is to provide upper-tier land use planning policies to manage growth and development within the Counties over the planning horizon to 2031.

Schedule 'A' – Community Structure and Land Use of the UCLG OP designates the subject property and marina property as 'Rural Lands' and 'Provincially Significant Wetlands'. Section 3.1. of the UCLG OP provides objectives intended to support healthy, integrated and viable rural areas. The following policies are most applicable to the applications:

- a) Maintain and build upon the rural character, and leveraging rural amenities and assets, such as agricultural operations, recreational and tourism opportunities, natural resources, and the protection and enhancement of the natural environment.
 - *The existing single detached dwelling and marina uses fit within the rural character.*
- e) Promote the efficient use of existing rural infrastructure and public service facilities.
 - *No new development is proposed for the proposed severed or retained parcels through these applications.*
- h) Provide opportunities for sustainable and diversified tourism, including leveraging historical, cultural, natural, agricultural and recreational assets.
 - *The use of the proposed severed parcel as a parking area for the abutting marina seeks to positively contribute to the provision of opportunities for sustainable and diversified tourism.*
- i) Conserve the biodiversity and connectivity of natural heritage features and the ecological benefits provided by the natural environment.
 - *No new development or site alteration is proposed for the proposed severed or retained parcels through these applications.*

Section 3.3.1. of the UCLG OP provides similar objectives (e, g, d, i) for the 'Rural Lands' designation.

Within the 'Rural Lands' designation, resource-based recreational uses (3.3.2.a.ii.) and limited residential development are permitted (3.3.2.a.iii.). The proposed severed parcel is to support a resource-based recreational use in the form of a marina while the proposed retained parcel is to accommodate the existing single detached dwelling and existing individual on-site water and sewage services.

Section 3.3.3.d. of the UCLG OP provides that the development of new or expanding uses must be compatible with the rural landscape and must be sustained by rural service levels. The proposed severed parcel is to be added to the abutting property which accommodates a marina. Given that a marina is permitted within the 'Rural Lands' designation and no new development or site alteration is proposed for the proposed severed parcel, the expansion of the marina use is compatible with the rural landscape and can be sustained by rural service levels.

Section 4.2.3. of the UCLG OP prohibits development within Provincially Significant Wetlands (PSWs) (4.2.3.b.) and prohibits development on lands adjacent to PSWs (within 120 metres) (4.2.3.c.) 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 (4.2.3.c.). As no new development or site alteration is proposed for the proposed severed or retained parcels through these applications, there will be no negative impact to this natural feature or its ecological functions.



Figure 7: Subject property (red) as shown on Schedule 'A' - Community Structure and Land Use of the UCLG OP

Schedule 'D' – Natural and Human-Made Hazards of the UCLG OP identifies the subject property as being subject to a 'Flood Plain' and 'Unstable Soils'. Section 5.2.2. directs development away from areas of natural hazards such as those applicable to the subject property. The applications are consistent with this policy given that no new development is proposed for the proposed severed or retained parcels.



Figure 8: Subject property (red) as shown on Schedule 'D' - Natural and Human-Made Hazards of the UCLG OP

Township of Leeds and the Thousand Islands Official Plan

The TLTI OP 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 OP 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).

The subject property and marina property are designated 'Tourist Commercial' and 'Rural' within the 'Thousand Islands Special Policy Area' on Schedule 'A1' – Land Use Designations of the TLTI OP. Section 5.9.2.2.1.b. provides that within the 'Thousand Islands Special Policy Area', permitted 'Tourist Commercial' uses shall generally be limited to tourist accommodation, dining, tourist services, and similar uses, as well as multi-residential uses associated with a tourist commercial use. While the marina use of the proposed retained parcel is permitted within this designation, the use of the proposed retained parcel for the existing single detached dwelling is not permitted. Therefore, an OPA is required to redesignate the 'Tourist Commercial' lands on the proposed retained parcel.

As the proposed retained parcel is to accommodate strictly residential use outside of a settlement area, the 'Rural' designation is appropriate. Section 5.9.2.2.1.1. provides that within the 'Thousand Islands Special Policy Area', residential development shall have a maximum density of one unit per hectare and shall be limited to single-detached dwellings, semi-detached dwellings, duplexes, garden suites, secondary dwelling units, and tiny dwellings. Section 5.9.2.2.1.1. further provides that a key goal is to preserve and enhance the aesthetic value of the area. The proposal to retain the existing single detached dwelling on the proposed severed parcel achieves the desired level of density within a permitted built form and preserves the aesthetic value of the area.

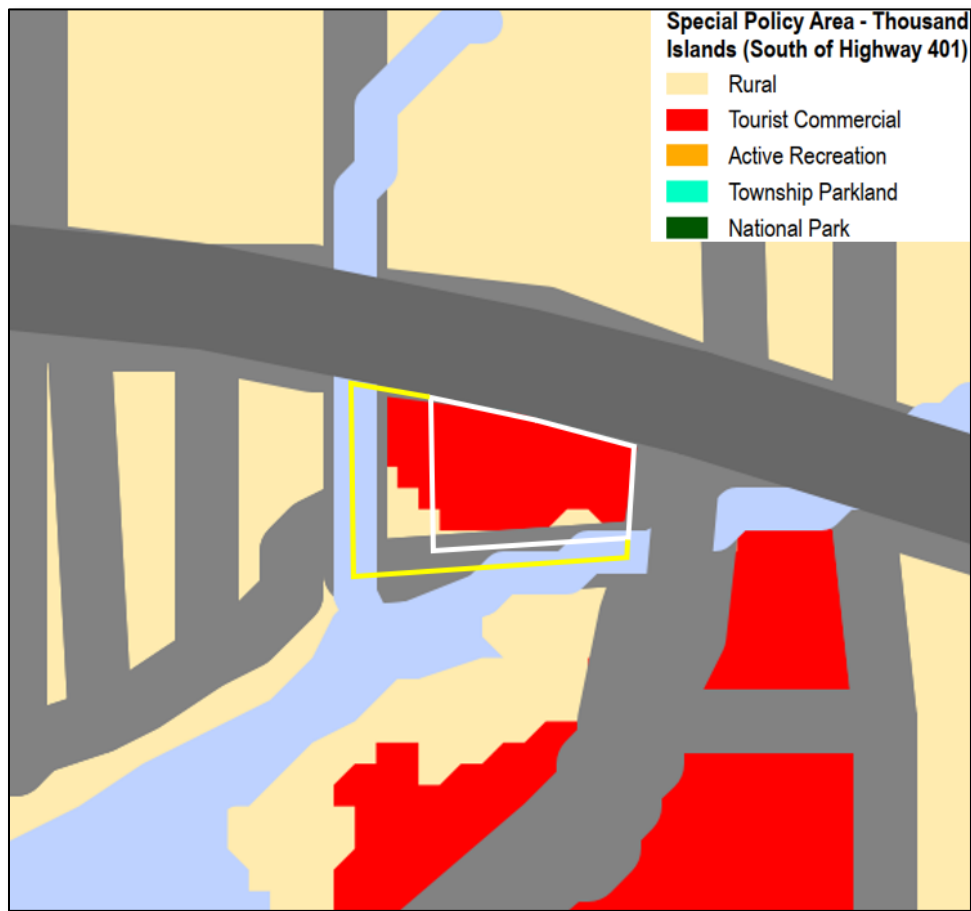


Figure 9: Proposed severed (yellow) and retained (white) parcels as shown on Schedule 'A1' - Land Use Designations of the TLTI OP

Schedule 'A2' – Land Use Designations: Natural Heritage System and Hazards identifies 'Provincially Significant Wetland' and 'Floodplain' features on the subject property. Section 5.5.5.2. provides that development and site alteration shall not be permitted within a 'Provincially Significant Wetland' (5.5.5.2.5.) and that no development or site alteration shall be permitted on adjacent lands which are within 120 m of the boundaries of a 'Provincially Significant Wetland' unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through the preparation of an EIS prepared in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impacts on the natural feature or its ecological function (5.5.5.2.6.) . Similarly, Section 5.3.1.2. prohibits development and site alternation in a 'Floodplain', except for those uses that by their nature must be located within the 'Floodplain', and provides that on adjacent lands to a 'Floodplain', development and site alteration not occur without the written permission of the Cataraqui Region Conservation Authority (CRCA). The applications are consistent with this policy given that no new development or site alteration is proposed for the proposed severed or retained parcels.

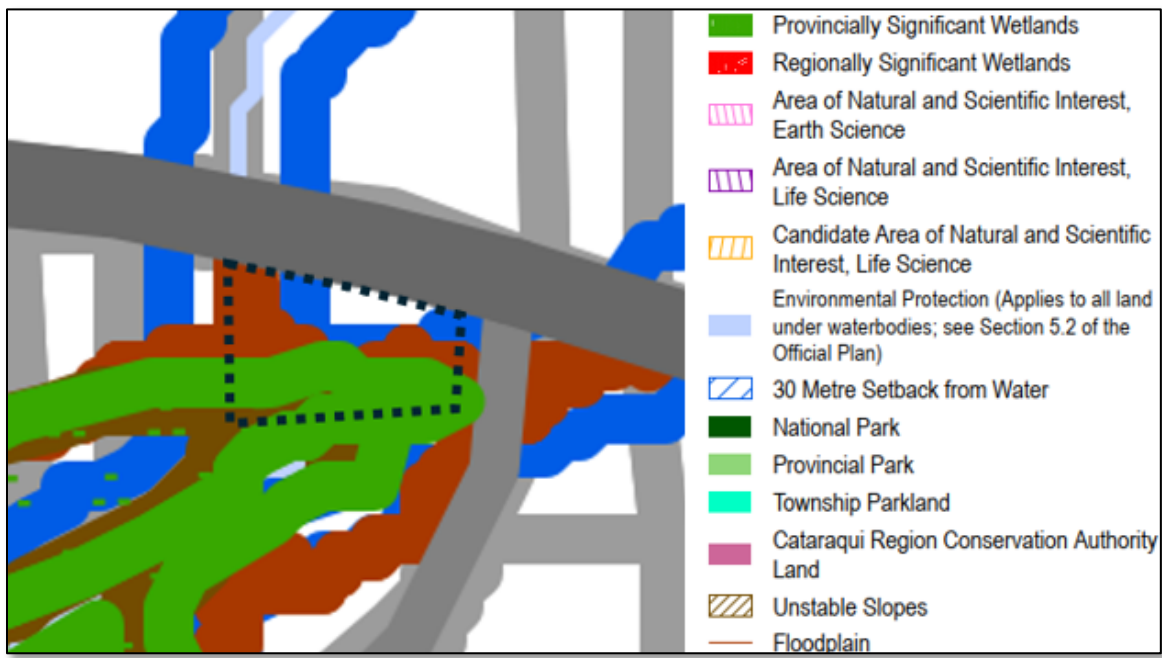


Figure 10: Approximate location of the subject property as shown on Schedule 'A2' - Land Use Designations: Natural Heritage System and Hazards of the TLTI OP

Township of Leeds and the Thousand Islands Zoning By-law 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, density, size and use of buildings and structures.

The subject property and marina property are zoned Tourist Commercial 'CT' and Locally Significant Wetland 'LSW' on Schedule 'B' – Ward 1 Shoreline of the Township of Leeds and the Thousand Islands Zoning By-law 07-079, as amended. The 'CT' zone permits a range of Tourist Commercial uses, including a marina, however does not permit principal residential use in any form. Therefore, a ZBA is required to rezone the 'CT' lands on the proposed retained parcel.

As the proposed retained parcel is to accommodate strictly residential use in the form of a single detached dwelling on a mainland, non-waterfront, property outside of a settlement area, the Rural Residential 'RR' zone category is appropriate. The proposed retained parcel requires relief from two zone requirements for the 'RR' zone. The 'RR' zone requires a minimum lot area of 6,000 square metres for non-waterfront lots, whereas the proposed retained parcel is to maintain approximately 4,143 square metres in area. Secondly, the 'RR' zone requires a minimum lot frontage of 45.0 metres for non-waterfront lots, whereas the proposed retained parcel is to maintain 38.1 metres of frontage on Clark Drive. TLTI Zoning By-law Zoning By-law 07-079, as amended, defines

the front lot line in the case of a corner lot to be the shorter lot line abutting one street or a private right-of-way. Therefore, a site-specific 'RR-XX' zone is required to permit a reduced lot area and lot frontage for the proposed retained parcel.

Rural Residential 'RR' Zone Requirement	Requirement	Proposed
Lot Area (minimum)	Non-waterfront Lots: 6,000 sq m	+/- 4,143 sq m
Lot Frontage (minimum)	Non-waterfront Lots: 45.0 m	+/- 38.1 m
Front Yard (minimum)	7.5 m	+/- 38.5 m
Rear Yard (minimum)	7.5 m	+/- 28.0 m
Exterior Side Yard (minimum)	7.5 m	+/- 23.2 m
Interior Side Yard (minimum)	3.0 m	+/- 17.0 m
Building Height (maximum)	12.0 m	As existing
Lot Coverage (maximum)	10%	+/- 2.8%
Dwelling Units Per Lot (maximum)	1	1

Table 1: Zoning review table

The existing single detached dwelling currently functions on an area of land which is less than 6,000 square metres and has less than 45.0 metres of frontage (i.e.. the lands excluding the southern driveway and parking area). The parking area on the existing property does not function currently with the existing house, and therefore the functional area of the property will remain the same after the proposed lot addition is completed. The lot coverage of the proposed retained parcel (approximately 2.8%) is well less than the permitted maximum (10%) and furthermore the existing single detached dwelling well exceeds minimum yard requirements. Additionally, the proposal seeks to sever a significant portion of the lands which are subject to development constraints given their 'LSW' zoning or proximity to water courses along the western and southern property boundaries. Considering this information, the reduced lot area and lot frontage of the proposed retained parcel is not anticipated to result in adverse effects to the existing development nor restrain future development/redevelopment opportunities.

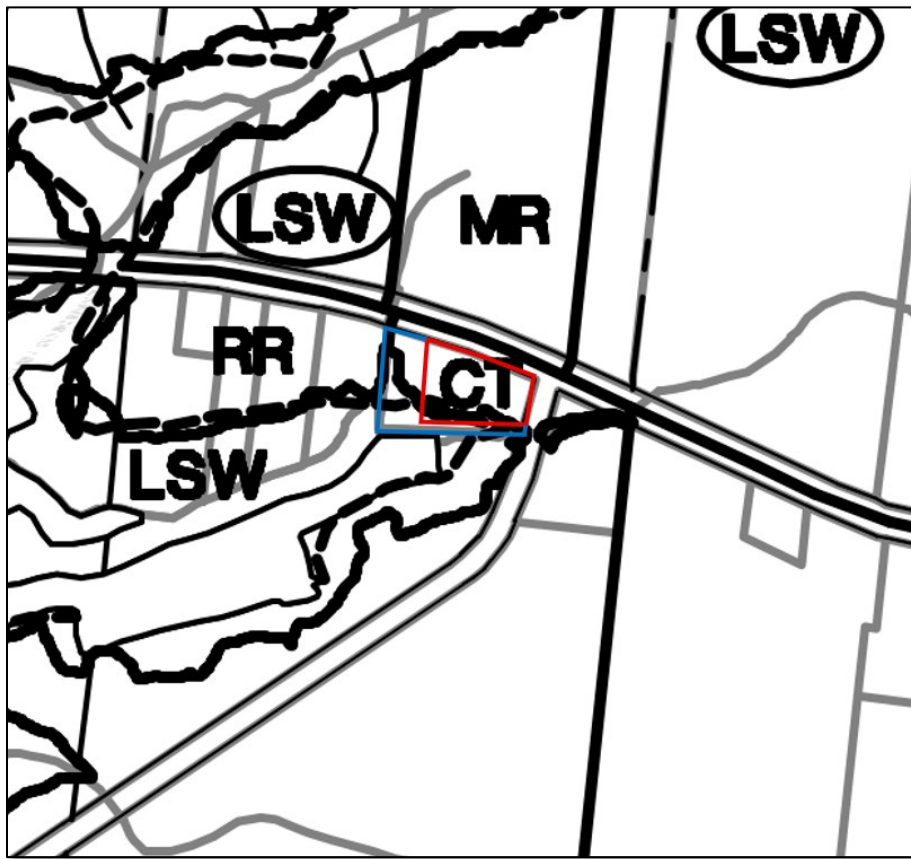


Figure 11: Proposed severed (blue) and retained (red) parcel as shown on Schedule 'B' - Ward 1 Shoreline of TLT Zoning By-law 07-079, as amended

Conclusion

The property known municipally as 7 Clark Drive in the Township of Leeds and the Thousand Islands is developed with a single detached dwelling and associated individual on-site sewage and water services. A parking area which has historically functioned as part of the marina located on the abutting property held in the same ownership known municipally as 11 and 35 Clark Drive is located in the rear yard of the subject property. Through the Consent, OPA, and ZBA applications, no new development or site alteration is proposed for the proposed severed or retained parcels.

The purpose of the Consent application is to enlarge the abutting marina property. The proposed severed (lot addition) lands are to be merged with the adjacent marina property at 11 and 35 Clark Drive. They are accessed by the southern driveway to the subject property and accommodate a parking area. The proposed retained parcel is be accessed by the northern driveway to the subject property and is to accommodate the existing single detached dwelling and associated existing individual on-site sewage and water services.

Amendments to TLTI OP and TLTI Zoning By-law 07-079, as amended, are required to facilitate the lot addition proposed through the Consent application. The purpose of the OPA application is to redesignate the 'Tourist Commercial' lands on the proposed retained parcel to 'Rural'. Similarly, the purpose of the ZBA application is to rezone the Tourist Commercial 'CT' lands on the proposed retained parcel to site-specific Rural Residential 'RR-XX' which would permit a reduced lot area and lot frontage.

In conclusion, it is our professional opinion that proposed Consent, OPA, and ZBA are appropriate and constitute good land use planning.

Sincerely,

original signed by author

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

Exhibit A: Proposed By-law



Proposed Site-Specific ‘RR-XX’ Zone

1. Township of Leeds and the Thousand Islands Zoning By-law Number 07-079, as amended, is hereby further amended as follows:
 - 1.1. Schedule ‘B’ – Ward 1 Shoreline, as amended, is hereby further amended by changing the zone symbol of the subject property from ‘CT’ to ‘RR-XX’, as shown on Schedule ‘A’ attached to and forming part of By-Law Number 2025-____.
 - 1.2. By adding a new Special Exception ‘RR-XX, 7 Clark Drive, Assessment Roll No. 812-015-05600 (By-law 25-XX, Application Z-2025-XXX)’ to Section 5.4.c., as follows:

“Notwithstanding anything contained in this By-law to the contrary, on lands zoned RR-XX, the following provisions shall apply:

 - i. Lot Area (minimum): 4,100 sq m
 - ii. Lot Frontage (minimum): 35.0 m