



COMMITTEE OF ADJUSTMENT AGENDA

Date: **Tuesday, November 26, 2024, 1:00 p.m.**

Location: **Lansdowne Council Chambers**

To register in advance for this webinar, click [here](#). After registering, you will receive a confirmation email containing information about joining the webinar. Accessible formats and communication supports are available upon request.

	Pages
1. <u>CALL TO ORDER</u>	
2. <u>ADOPTION OF AGENDA</u> Recommendation: THAT the Agenda be adopted as circulated.	
3. <u>ADOPTION OF MINUTES</u> 3.1 October 29, 2024 Hearing	3
4. <u>DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF</u>	
5. <u>OUTSTANDING APPLICATIONS</u>	
6. <u>NEW APPLICATIONS</u> 6.1 D13-2024-050 18 Club Island Recommendation: That application D13-2024-050 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.	13
6.2 D13-2024-052 Millars Lane Recommendation: That application D13-2024-052 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.	64
6.3 D13-2024-053 974 Burma Lane	110

Recommendation:

That application D13-2024-053 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

6.4 D13-2024-054 369 Ash Island

150

Recommendation:

That application D13-2024-054 be deferred to allow the applicant the opportunity to address agency comments that were provided through the technical circulation of the subject application.

7. OTHER BUSINESS

8. ADJOURNMENT

Recommendation:

THAT the Committee of Adjustment will adjourn to meet again at the call of Secretary-Treasurer.



COMMITTEE OF ADJUSTMENT MINUTES

Date: October 29, 2024, 1:00 p.m.
Location: Lansdowne Council Chambers

Members Present: Jim Kehoe
Bruce Craig
Katherine Graham
Todd Robertson

Members Absent: Paul Veenstra

Staff Present: Planner, Kyle Peel
Senior Planner, Lindsay Lambert
Secretary-Treasurer, Amanda Wener-Mackeler

1. CALL TO ORDER

The meeting was called to order at 1 pm.

2. ADOPTION OF AGENDA

Resolution Number: COA-2024-076

Moved by: Katherine Graham

Seconded by: Bruce Craig

THAT the Agenda be adopted as circulated.

Carried

3. ADOPTION OF MINUTES

3.1 September 24, 2024

Resolution Number: COA-2024-077

Moved by: Katherine Graham

Seconded by: Todd Robertson

THAT the minutes of the September 24, 2024 hearing of the Committee of Adjustment be adopted as circulated.

Carried

4. DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

No pecuniary or other interested was declared.

5. OUTSTANDING APPLICATIONS

None.

6. NEW APPLICATIONS

6.1 D13-2024-046 - 1107 Eden Grove Road

The application was introduced to permit the expansion of a covered porch. The following permission from Zoning By-Law 07-079 are required:

	Provision	Existing Dwelling	Proposed Addition	Permission Requested
-	Increase in floor area of a legal non-complying structure	Dwelling: 75.1 square metres (808.4 square feet)	Addition: 4.4 square metres (47.4 square feet)	Total floor area of non-complying structure: 79.5 square metres (855.7 square feet)

Written Agency Comments:

Cataraqui Region Conservation Authority - No objections.

Written Public Comments:

Tarek Mansour and Colleen Evans, neighbours - no objections.

Written Staff Comments:

Planner, Kyle Peel - Recommended approval, subject to conditions.

Verbal Correspondence:

Todd and Kathy Grier appeared before the Committee.

Planner, Kyle Peel reviewed the proposal advising that it was to expand a legal non-complying dwelling and noted that the setback to the center of the road and the front yard setback are non-complying. The dwelling has been gutted and through a renovation permit, the covered porch is proposed to be rebuilt and expanded to include additional area. The distance to the front yard and center of the road is not proposing to be any closer than the existing. The CRCA has reviewed the application for natural hazards and had no objections. The

application has been found to be consistent with the applicable policies and regulations of the Land Use planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application and had no concerns as the property was being rehabilitated with good improvements.

Resolution Number: COA-2024-078

Moved by: Bruce Craig

Seconded by: Katherine Graham

That application D13-2024-046 be approved subject to the conditions as included in the Planner’s Report and the decision of the Committee.

Carried

6.2 D13-2024-047 - 755 Marble Rock Road

The application was introduced to permit a covered porch. The following permission and variance from Zoning By-Law 07-079 are required:

Permission

	Provision	Existing Dwelling	Proposed Attached Covered Deck	Permission Requested
-	Increase in floor area of a legal non-complying structure	Ground Floor Area: 134.85 square metres (1,451.5 square feet)Gross Floor Area: 269.7 square metres (2,903 square feet)	50.4 square metres (542.5 square feet)	Total size of attached covered decking: 50.4 square metres (542.5 square feet)

Minor Variance:

Section	Provision	Proposed	Requested Relief
3.32(c)	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.	1.1 (3.6 feet)	3.9 metres (12.8 feet)

Written Agency Comments:

Cataraqui Region Conservation Authority - No objections.

Written Public Comments:

None.

Written Staff Comments:

Senior Planner, Lindsay Lambert - Recommended approval, subject to conditions.

Verbal Correspondence:

No one appeared before the Committee.

Senior Planner, Lindsay Lambert reviewed the proposal advising that it is for a combined permission and variance and that the development is for the construction of an attached covered deck. No comments have been received to date from the public and the CRCA has no concerns with the proposal based on their review of natural hazard policies. The proposal is consistent with the four tests of the Planning Act. The application has been found to be consistent with the applicable policies and regulations of the Land Use planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application and had no concerns with the proposal.

Resolution Number: COA-2024-079

Moved by: Todd Robertson

Seconded by: Katherine Graham

That application D13-2024-047 be approved subject to the conditions as included in the Planner’s Report and the decision of the Committee.

Carried

6.3 D13-2024-048 - 963 Narrows Lane

The application was introduced to permit the construction of a sleeping cabin with an attached uncovered deck. The following variances from Zoning By-Law 07-079 are required:

Section	Provision	Proposed	Requested Zoning Relief
3.32(a)(v)	The minimum setback shall be 10.0 metres (32.8 ft.) from the edge of a private right-of-way	1.8 metres (5.9 feet)	8.17 metres (26.9 feet)
3.32(b)	The minimum setback shall be 30.0 metres (98.43 ft.) from the highwater mark	23.7 metres (77.8 feet)	6.3 metres (20.7 feet)
5.6(b)	Minimum front yard setback 30 metres (98.43 feet)	23.7 metres (77.8 feet)	6.3 metres (20.7 feet)
5.5(b)	Rear Yard (minimum): 7.5 m (24.61 ft.)	1.2 metres (3.94 feet)	6.3 metres (20.67 feet)

Written Agency Comments:

Cataraqui Region Conservation Authority - No objections.

Written Public Comments:

None.

Written Staff Comments:

Planner, Kyle Peel - Recommended approval, subject to conditions.

Verbal Correspondence:

Nancy Harrington, owner, appeared before the Committee.

Planner Kyle Peel reviewed the proposal advising of the setbacks which require variances and noted that the property is limited in size, so any development will require planning approval. The sleep cabin is maximizing the setback from the high water mark and is keeping in line with the development on neighbouring properties. The CRCA has reviewed and noted no concerns. The application has been found to be consistent with the applicable policies and regulations of the Land Use planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application and questioned the plumbing and waste disposal for the proposed sleep cabin. Nancy Harrington advised that there is an outdoor bathroom with a flush toilet that goes into a holding tank. The bathroom services the cottage and the sleep cabin. Mr. Peel advised that the holding tank will be reviewed through the building permit stage to ensure that it is appropriately sized. The Committee had no other concerns with the proposal.

Resolution Number: COA-2024-080

Moved by: Katherine Graham

Seconded by: Bruce Craig

That application D13-2024-048 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

Carried

6.4 D13-2024-049 - 823 Iggy Lane

The application was introduced to permit the construction of an accessory structure (detached garage). The following variance from Zoning By-Law 07-079 are required:

Section	Provision	Proposed	Requested Zoning Relief
3.32(a)(v)	The minimum setback shall be 10.0 metres (32.8 ft.) from the edge of a right-of-way	4.6 metres (15.1 feet)	5.4 metres (17.7 feet)

Written Agency Comments:

Cataraqui Region Conservation Authority and Rideau Waterway Development Review Team - No objections.

Parks Canada - No concerns.

Written Public Comments:

Paul Ruttan, neighbour, no objections.

Written Staff Comments:

Senior Planner, Lindsay Lambert - Recommended approval, subject to conditions.

Verbal Correspondence:

Paul Thrasher, owner, appeared before the Committee.

Senior Planner, Lindsay Lambert reviewed the proposal advising that it is proposed to be too close to right of way which provides access to the neighbouring property. The CRCA has reviewed the proposal from a natural hazards perspective and noted no concerns. Staff are satisfied that it meets the four tests. The application has been found to be consistent with the applicable policies and regulations of the Land Use planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application and had no concerns with the proposal.

Resolution Number: COA-2024-081

Moved by: Katherine Graham

Seconded by: Todd Robertson

That application D13-2024-049 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

Carried

6.5 D13-2024-050 - 18 Club Island - CANCELLED

The hearing for this application was cancelled.

6.6 D13-2024-051 - 104 Yardarm Lane

The application was introduced to permit the construction of two additions on an existing legal non-complying dwelling. The following permission from Zoning By-Law 07-079 is required:

	Provision	Existing Dwelling	Proposed Additions	Permission Requested
-	Increase in floor area of a legal non-complying structure	Dwelling: 123.8 square metres (1,332.6 square feet)	Additions: 9.5 square metres (102.3 square feet)	Total floor area of non-complying dwelling: 133.3 square metres (1,434.8 square feet)

Written Agency Comments:

Cataraqui Region Conservation Authority - No objections.

Written Public Comments:

Charleston Lake Association - Charleston Lake Environmental Association noted concerns with the un-naturalization of the lot and recommended that effective measures to improve the natural condition of the shoreline area and mitigate the flow of nutrients, contaminants and stormwater be implemented.

Written Staff Comments:

Planner, Kyle Peel - Recommended approval, subject to conditions.

Verbal Correspondence:

Peter Roe, agent appeared before the Committee.

Planner Kyle Peel reviewed the proposal advising that the application is requesting a permission to expand the dwelling with two additions where the area was previously developed with decking. There will be no net increase, and the proposal will be no closer to the high water mark than existing development. The CRCA has no concerns with the application. The Charleston Lake Environmental Association requested an additional condition. Mr. Peel advised that conditions are required to be for the proposed development, and it would not be appropriate that it be included on the decision. The decision does have a condition which requests that the owner be encouraged to maintain and enhance the waterbody setback area with native species vegetation. The application has been found to be consistent with the applicable policies and regulations of the Land Use

planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application noting no concerns with the proposal as it is small and no closer to the high water mark than existing development. The Committee noted that the CLEA be reminded that the Committee can encourage but cannot enforce that type of condition.

Resolution Number: COA-2024-082

Moved by: Katherine Graham

Seconded by: Todd Robertson

That application D13-2024-051 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

Carried

7. OTHER BUSINESS

7.1 Discussion on Boat Ride Potential Dates - 2025

The Committee and Staff discussed potential boat rides for 2025 and agreed that the date would be on the Tuesday which is two weeks before the hearing date. The Committee may need some flexibility with the dates, but this is a starting point for boat ride scheduling.

7.2 Discussion on December Committee of Adjustment Meeting

Secretary-Treasurer Amanda Werner-Mackeler reminded the Committee that the hearing for December will be December 10, 2024.

8. ADJOURNMENT

Resolution Number: COA-2024-083

Moved by: Katherine Graham

Seconded by: Todd Robertson

THAT the Committee of Adjustment will adjourn to meet again at the call of Secretary-Treasurer.

1:31 pm

Carried

Chair

Secretary-Treasurer

DRAFT



**NOTICE OF COMMITTEE OF ADJUSTMENT HEARING
MINOR VARIANCE APPLICATION
(Section 45 of the Planning Act)**

DATE: Tuesday, November 26, 2024
TIME OF HEARING: 1:00 pm
LOCATION: 1233 Prince Street, Lansdowne, ON.
The hearing may be attended in person in the Council Chambers and virtually online/by phone through Zoom. Details on how to participate for both options are below.

File Number: D13-2024-050
Applicant: Dan and Julie Foley
Agent: Not Applicable
Location: 18 Club Island
Ward: Ward 3 (Former Front of Escott)

PURPOSE OF APPLICATION

The application is requesting zoning relief in the form of a minor variance with respect to an existing solar array that was added to the property in the absence of the required municipal approval and permit. The existing solar array installation requires zoning relief from the minimum setback to the highwater mark of the St. Lawrence River, the minimum setback to the wetland and from the minimum front yard setback requirement of the Shoreline Residential 'RS' zone. Details with respect to the proposed zoning relief are summarized in the table below.

Section	Provision	Proposed	Requested Zoning Relief
3.32(b)	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 (98.43 ft.) from the high water mark	4 metres (13.1 feet)	26 metres (85.3 feet)
3.32(d)	Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 30 metres of a seasonal or permanent wetland not categorized herein.	2 metres (6.6 feet)	28 metres (91.9 feet)
5.5(b)	Front Yard (minimum): 30.0 m (98.43 feet)	4 metres (13.1 feet)	26 metres (85.3 feet)

HOW TO PARTICIPATE IN THE HEARING:

All comments received will become part of the public record. Comments can only be received in a written format or verbally in person/virtually. Staff are unable to accept verbal comments over the phone or in person outside of the hearing.

Anyone attending in person in the Council Chambers or virtually online/by phone through Zoom will be provided the opportunity to comment on an application. The ways to comment on an application are:

- Written Comments – Email: planningtechnician@townshipleeds.on.ca
Mail: Township of Leeds and the Thousand Islands
Attention: Amanda Werner-Mackeler, Secretary-Treasurer

1233 Prince St PO Box 280
Lansdowne, ON K0E 1L0

2. In Person Attendance – In person attendance will be in the Council Chambers at the Township Office at 1233 Prince St, Lansdowne, ON.
3. Virtual/Phone Attendance – If you wish to attend virtually/by phone, you are required to register to be an attendee prior to the hearing. Once registered, you will receive a follow up email from the Clerk with the details to attend the hearing by computer or by phone. To register to attend the hearing virtually/by phone, please register online at:

https://us02web.zoom.us/webinar/register/WN_6QzIU3WFRuKSkVPQ2xde8w

If you have any issues registering online, please call 613-659-2415 x 203 before October 25, 2024 and indicate your name, phone number, email address and application you wish to speak to. Staff will register you for the hearing using your email address and you will receive a follow up email from the Clerk with the details on how to attend the hearing by computer or by phone.

KEY MAP: property subject to application for Minor Variance shown in blue.



MAKE YOUR VIEWS KNOWN

The Committee of Adjustment will make a decision on the application on the basis of information or evidence received before and during the hearing. This notice has been mailed to you, as required by the Planning Act.

You may express your support or opposition to the proposed minor variance by either attending the above virtual public hearing or sending a letter by mail, e-mail, or hand-delivery prior to the hearing date. Any correspondence received will become part of the public record. Only the applicant, a specified person, public body, and the registered owner of any land to which the Committee of Adjustment applies may appeal a decision to the Ontario Land Tribunal.

No specified person, public body or registered owner to which the decision would apply shall be added as a party to the hearing of the appeal unless, before the decision was made, the specified person, public body or registered owner of any land to which the decision applies made oral submissions at a statutory public meeting or written submissions to the Committee of Adjustment prior to the decision or, in the opinion of the Tribunal, there are reasonable grounds to add the specified person or public body as a party.

“Public body” and “specified person” are defined under Section 1(1) of the Planning Act.

VIEW THE APPLICATION FILE

Additional information concerning the Minor Variance Application is available online at <https://www.leeds1000islands.ca/en/governing/council-and-committee-calendar.aspx> or by contacting Amanda Werner-Mackeler, CPT, Secretary-Treasurer, during regular office hours at 613-659-2415 x 203 or email planningtechnician@townshipleeds.on.ca.

RECEIVE A COPY OF THE COMMITTEE'S DECISION

The Committee of Adjustment will make a decision on the application at the meeting. To receive a copy of the Committee's decision, you must make a written request to the Committee of Adjustment c/o Township of Leeds and the Thousand Islands, 1233 Prince Street, P.O. Box 280, Lansdowne, Ontario, K0E 1L0 or email planningtechnician@townshipleeds.on.ca.

ACCESSIBILITY INFORMATION

If you are a person with a disability and need Township of Leeds and the Thousand Islands information provided in another format, please contact the Clerk's office at 613-659-2415 x 231 or clerk@townshipleeds.on.ca.

MULTI-RESIDENTIAL UNIT NOTIFICATION

If you have received this notice and you are the owner of land that contains seven or more residential units, please post this notice in a location that is visible to all of the residents.

For more information about this matter, contact Amanda Werner-Mackeler, CPT Secretary-Treasurer, at 613-659-2415 x 203 or email planningtechnician@townshipleeds.on.ca.

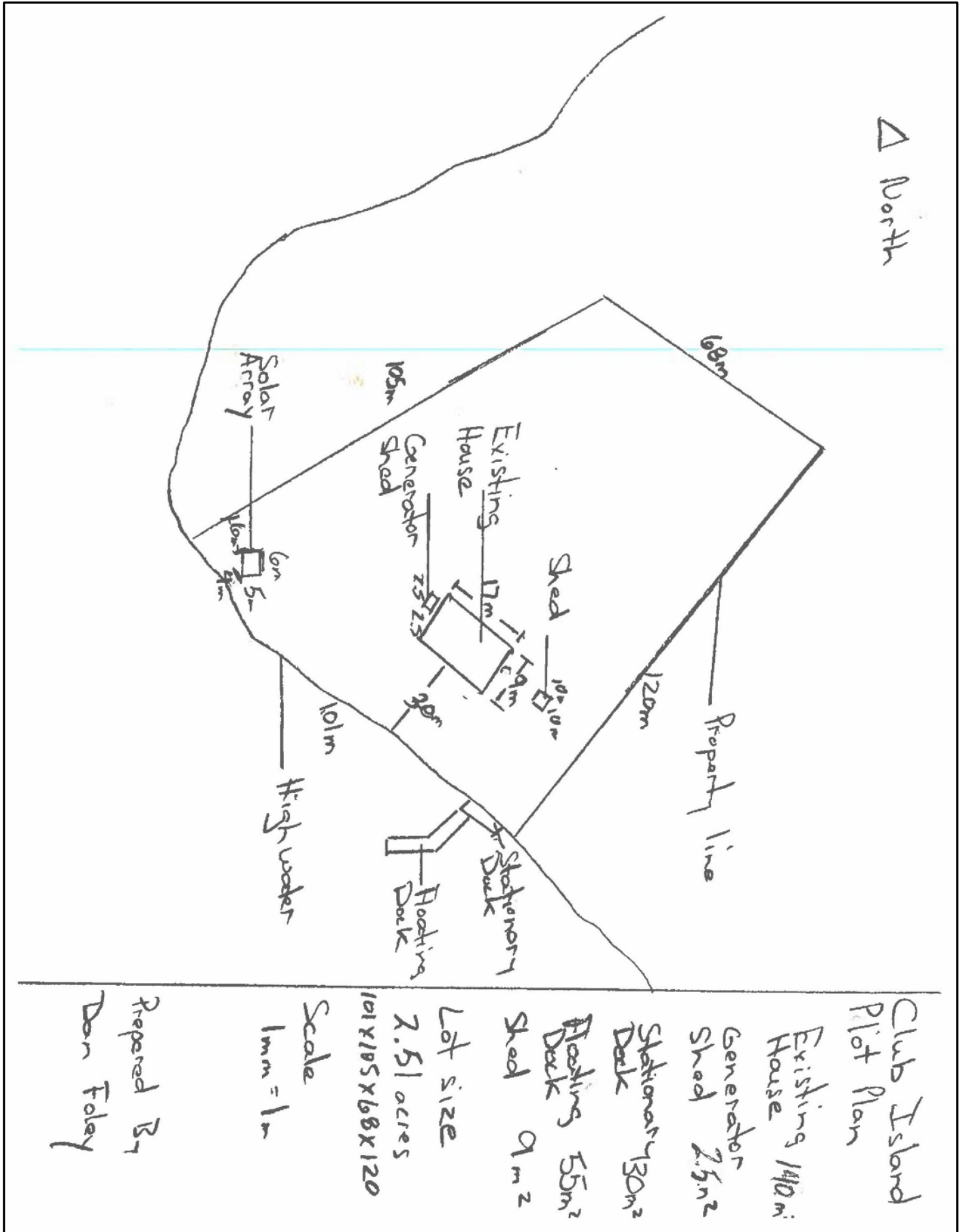
DATED at the Township of Leeds and the Thousand Islands on the 6th day of November, 2024.

Proposed Schedule A - Proposed Plot Plan

Minor Variance Application: D13-2024-050

Owner: Dan and Julie Foley

Location: 18 Club Island





DEVELOPMENT APPLICATION

Section 41 (Site Plan Approval) and
Section 45 (Minor Variance) of the Planning Act

OFFICE USE ONLY			
Application:	D13-2024-050	Date Received:	October 1, 2024
Roll Number:	809-010-16110	Deemed Complete:	October 4, 2024
Application Fee:	\$850	<input checked="" type="checkbox"/> Cheque	<input type="checkbox"/> Cash <input type="checkbox"/> Interac <input type="checkbox"/> N/A
Posting of Sign By:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Staff (\$50 Fee) <input type="checkbox"/> Other
Posting of Sign Fee:	<input type="checkbox"/> Cheque	<input type="checkbox"/> Cash	<input type="checkbox"/> Interac <input checked="" type="checkbox"/> N/A
1. APPLICATION TYPE <i>(Check all that apply)</i>			
<input checked="" type="checkbox"/> Minor Variance Application			
<input type="checkbox"/> Site Plan Agreement			
2. PRE-CONSULTATION <i>(Attach supporting documentation)</i>			
<input type="checkbox"/> TLTI - Staff		<input type="checkbox"/> Leeds, Grenville & Lanark Health Unit	
<input type="checkbox"/> CRCA		<input type="checkbox"/> St. Lawrence Parks Commission	
<input type="checkbox"/> Other:			
3. COMPLETE APPLICATION REQUIREMENTS			
<input checked="" type="checkbox"/> Complete Application Form			
<input type="checkbox"/> Authorization of Applicant (if applicable)			
<input checked="" type="checkbox"/> Affidavit signed by a Commissioner of Oaths, Notary, etc. (Available at Office)			
<input checked="" type="checkbox"/> Township and other Agency (if applicable) Applications and Fees			
<input checked="" type="checkbox"/> Cover Letter and/or report			
<input checked="" type="checkbox"/> Survey Plan (if available)			
<input type="checkbox"/> Deed			
<input type="checkbox"/> Scaled Sketch as per Section 11 (1 hard copy (11x17 paper or less) or 1 digital copy)			
<input checked="" type="checkbox"/> Minimum Distance Separation Calculation Form (if applicable)			
<input type="checkbox"/> All Supporting Information identified through Pre-Consultation including DRT			
4. SUBJECT LAND			
Assessment Roll Number: <u>0812-809-010-16110</u>			
Civic Address: <u>18 Club Island</u>			
Legal Description (Concession, Lot, Part, Reference Plan numbers): <u>Plan 28R 13311</u>			
Date subject land acquired by current owner: <u>July 2010</u>			

5. REGISTERED OWNER(S)

All owners must be included. If company, identify principals. A separate page may be submitted, if needed.

Name(s): Dan Foley, Julie Foley

Company Name (if applicable): _____

Mailing Address: 3858a Old Hwy 2 Belleville ON
K8N 4Z4

Phone (home): 613 888-1319 Phone (cell): 613 438-1350

Email Address: dfoley@hpedsb.on.ca

6. APPLICANT INFORMATION

If an applicant is NOT the owner of the subject lands, written authorization from all registered owner(s) must be obtained stating that the agent is authorized to make the application (Section 13)

6.1 Is the applicant the same as the owner?

- Yes (same information as above)
- No (please fill out below **and** complete Section 14 - Agreement, Authorization and Declaration)

6.2 Name(s): _____

Company Name (if applicable): _____

Mailing Address: _____

Phone (home): _____ Phone (cell): _____

Phone (work): _____ Email Address: _____

7. SUBJECT LAND CHARACTERISTICS

7.1 Please list and describe any existing easements, right-of-ways or restrictive covenants that apply to the subject property (required to be shown on sketch)

NIL

7.2 Site Description: (briefly describe factors that may impact the proposed development, such as soil type and depth, lot configuration, steep slopes or low-lying areas, natural feature, etc.)

The landscape is very irregular. The terrain varies from elevated rock to pockets of soil 8'-10' deep.

7.3 Dimensions of Subject Land

Total Lot Area: _____ hectares **2.51** acres
 Lot Depth: **120** metres feet
 Lot Width (frontage): **101** metres feet

7.4 Road Access (include name)

- Provincial Highway: _____
- County Road: _____
- Municipal Road: _____
- Private Right-of-Way: _____
- Water Only: St. Lawrence River

7.5 If access to the subject land is by water only, provide details of parking and docking facilities to be used and the approximate distance of these from the subject land and the nearest public road:

7.6 Servicing – Water

	Existing	Proposed	Not Applicable
Municipal Piped Water System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Privately Owned and Operated Well			
<input type="checkbox"/> Dug	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Drilled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Communal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lake or Other Water Body: <u>St. Lawrence River</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.7 Servicing – Sewage

	Existing	Proposed	Not Applicable
Municipal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Privately-Owned			
<input checked="" type="checkbox"/> Individual Sanitary Sewage System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Communal Sanitary Sewage System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Composting/Self-Contained Toilet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Privy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Outhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: (Specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.8 Servicing – Storm Drainage

	Existing	Proposed	Not Applicable
Sewers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ditches	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Swales	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (Specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. OFFICIAL PLAN, ZONING BY-LAW AND LAND USE INFORMATION

8.1 Official Plan Designation: Rural, Provincially Significant Wetland Woodlands, High Wetlands, Aquatic

8.2 Special Policy Area: 1000 Islands Highly Sensitive Lake Trout Lake No

8.3 Zoning: Island Residential, Locally Significant Wetlands

8.4 Is this a designated heritage property: Yes No

8.5 Existing Use(s): (indicate uses and length of time uses have continued)
 Vacant Land Pre 2011
 Single Family Dwelling Post 2012

8.6 Proposed Use(s):
 Single Family Dwelling

8.7 Existing Use on Adjacent Lands:
 North: Residential Island South: Locally Significant Wetland
 East: Residential Island West: Locally Significant Wetland

8.8 Previous Use(s): (indicate all previous land uses on the subject land or adjacent lands including any industrial or commercial use, or if there is suspected contamination)
 Adjacent properties are vacant land or residential.

8.9 Indicate any current or previous application under the *Planning Act* affecting the subject land:

Application Type	File Number	File Status
Minor Variance		
Site Plan Agreement		
Zoning By-Law Amendment		
Official Plan Amendment		
Consent		
Subdivision		
Other:		

There have been no previous *Planning Act* applications affecting the subject lands

8.10 Potential Land Use Constraints:	On Subject Lands	On Adjacent Lands Within	No
Agricultural Operation including Livestock Facility or Stockyard (If Yes, MDS info must be submitted)	<input type="checkbox"/>	<input type="checkbox"/> 1000m	<input checked="" type="checkbox"/>
Waste Management Site or Landfill	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Sewage Treatment Plant or Waste Stabilization	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Provincially Significant Wetland (PSW)	<input type="checkbox"/>	<input checked="" type="checkbox"/> 120m	<input type="checkbox"/>
Locally Significant Wetland (LSW)	<input type="checkbox"/>	<input checked="" type="checkbox"/> 50m	<input type="checkbox"/>
Area of Natural and Scientific Interest (ANSI)	<input type="checkbox"/>	<input type="checkbox"/> 50m	<input checked="" type="checkbox"/>
Flood Plain	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Wellhead Protection (Village of Lansdowne)	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
James W. King Intake Protection Zone - St. Lawrence River - South of Gananoque (OP Schedule A6)	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Licensed Mine, Pit or Quarry or an area designated for Aggregate Extraction	<input type="checkbox"/>	<input type="checkbox"/> 1000m	<input checked="" type="checkbox"/>
Rehabilitated Mine/Pit/Quarry Site?	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Industrial or Commercial Use, or Wrecking Yard Specify Use: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Active Railway Line	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Municipal or Federal Airport	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Provincial Highway 401	<input type="checkbox"/>	<input type="checkbox"/> 250m	<input checked="" type="checkbox"/>
Utility Corridor(s) i.e. Power Lines, Hydro Easement	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
i.e. Natural Gas or Oil Pipeline, etc.	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Gas Station - Currently or at Any Time	<input type="checkbox"/>	<input type="checkbox"/> Adjacent	<input checked="" type="checkbox"/>
Lands suspected to be contaminated	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Has grading of the subject land been changed by adding earth or other material(s)?	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Designated Heritage Building/Site	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>

8.11 Additional information that may be relevant to the review of the application:

McIntosh Perry conducted an Environmental Study and found no critical habitat within 1km buffer zone of the proposed work area.

Provided on a Separate Sheet

10. EXISTING STRUCTURES & SETBACKS ON SUBJECT LAND (Indicate any to be demolished)**10.1 Existing Structures in metres. Include all structures on subject land, including marine facilities and structures under 10 square metres.**

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Stories	Dimensions			Year Built
				Length	Width	Height	
Single Dwelling	140 m ²	214 m ²	2	16.7m	9.1 m	8.2m	2012
Shed	9.2m	9.2	1	3.04m	3.04m	3.6 m	2019
Generator Shed	2.5	2.5	1	2.4m	0.9m	1.8m	2012

10.2 Setbacks of Existing Structures to property boundaries, shoreline, etc. in metres

Type of Structure	Front	Side	Side	Rear	Water	Flood Plain	Public Road (center)	Right of Way (edge)	Other
Single Dwelling	31m	37m	35m	80m	31m	30m			
Shed	36m	29m	57m	87m	36m	35m			
Generator Shed	36m	55m	32m	82m	36m	35m			

10.3 Existing Parking & Loading Spaces

Existing Number of Standard Parking Spaces:

Existing Number of Barrier Free Parking Spaces:

Existing Number of Loading Spaces:

11. PROPOSED STRUCTURES & SETBACKS ON SUBJECT LAND (Indicate any to be demolished)

11.1 Proposed Development (if any) in square metres, metres

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Stories	Dimensions			Year Built
				Length	Width	Height	
Solar Array	30m ²	30m ²	1	6m	5m	4m	2012

11.2 Setbacks of Proposed Structures to property boundaries, shoreline, etc. in metres

Type of Structure	Front	Side	Side	Rear	Water	Flood Plain	Public Road (center)	Right of Way (edge)	Other
Solar Array	4m	8m	87m	94m	4m	5m			Wetland

11.3 Proposed Parking & Loading Spaces

Proposed Number of Standard Parking Spaces:

Proposed Number of Barrier Free Parking Spaces:

Proposed Number of Loading Spaces:

12. MINOR VARIANCE INFORMATION

12.1 Description of Proposal

Locate a solar array 6m from the high water, to access enough renewable energy to accomplish a net zero home the solar array must be placed at the southern most point or clear the vegetation on the south side of the array.

12.2 Variance Requested from Zoning By-Law:

Section	Zone Requirement	Proposed Standard	Variance Required
3.32(b)	30m	4 m	26 m
3.32(d)	30m	2 m	28 m
5.6(b)	30m	4 m	26, m

12.3 Why is it not possible to comply with the provisions of the Zoning By-Law?

The house does not face south & has very little space to accommodate solar panels. To combat climate change and utilize renewable energy the solar array must be free from obstruction. Moving the solar array to the required setback would involve removing much of the vegetation that provides habitat and food for wild life. The presence of this vegetation defines the landscape and is an essential part of the environment. Setting the solar array close to the shoreline will have a minimal environmental impact.

13. AUTHORIZATIONS & PERMISSION TO ENTER

All Registered Owner(s) must complete the following to authorize the applicant/agent to make the application on their behalf (if Owner is NOT the applicant) and/or to permit Council, Committees of Council, Township Staff or authorized agents to enter the subject property to conduct site inspections related to this application. If multiple owners, an authorization letter from each owner is required.

I/We Don Foley Julie Foley
(name(s) of owner(s) or company)

being the registered owner(s) of the subject property of this application:

Hereby authorize the following person(s) to act as our agent to prepare, submit the application and pay any associated fees on my/our behalf (if applicable):

(Name of Applicant(s)/Authorized Agent(s))

Hereby authorize Council, Committees of Council, and Township Staff or authorized agents to enter the subject property without notice to conduct site inspections related to this application.

Agree to ensure that any driveway/lanes are accessible during the circulation period of the application so that Committee members, Township staff and other agencies do not have any barriers blocking access to the subject land. Island properties will require a boat ride, which is to be provided by the owner/agent. If applicable, Township Staff will make arrangements for the most suitable date and time.

Agree to post any required signage on site, which is prepared by Township Staff, with respect to this application in the requested timeframe of the Planning Act and upon notification by Township Staff. I/We also agree to provide photographic evidence of the posted sign at the request of Township Staff.

Agree to stake the area of any proposed construction a minimum of 1 week prior to the hearing/meeting date of your application.

Have included the written approval of all surveyors, designers, etc. that designed any documents, plot plans etc. to allow the Township to use their plan(s) in the notice or hearing and other documents which are viewable by the public.

Hereby acknowledge and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Signature(s): [Handwritten Signatures]

Date: Oct 1, 2024

14. AGREEMENT TO INDEMNIFY & STATUTORY DECLARATION

I/We, Dan Foley & Julie Foley
(name of owner, applicant or authorized agent)

Of the Leeds & 1000 Islands
(name of Municipality)

In the Leeds & Grenville
(name of County)

Hereby agree to indemnify and save harmless The Corporation of the Township of Leeds and Thousand Islands (the "Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeal Tribunal from any decision of the Council approving the applicant's application.

I/We acknowledge and agree that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Local Planning Appeal Tribunal in support of a decision approving the application until the amount has been paid in full.

I/We further acknowledge and agree that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

I/We solemnly declare that all of the above statements contained herein and all exhibits transmitted herewith including this application and any required document attached hereto are true, and I/We make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature(s): [Handwritten Signature]

Declared before me at the: City of Belleville
(name of municipality)

in the County of Hastings
(name of County)

This 1 day of Oct, 2024.

[Handwritten Signature]

Signature of Commissioner of Oaths, etc.

Erin Marlene Baldwin
a Commissioner, etc., Province of Ontario,
for the Corporation of the City of Belleville
Expires November 18, 2026.

(Official Stamp of Commissioner of Oaths)

△ North

Club Island Plot Plan

Existing House 140m²

Generator Shed 2.5m²

Stationary Deck 30m²

Floating Deck 55m²

Shed 9m²

Lot size

2.51 acres

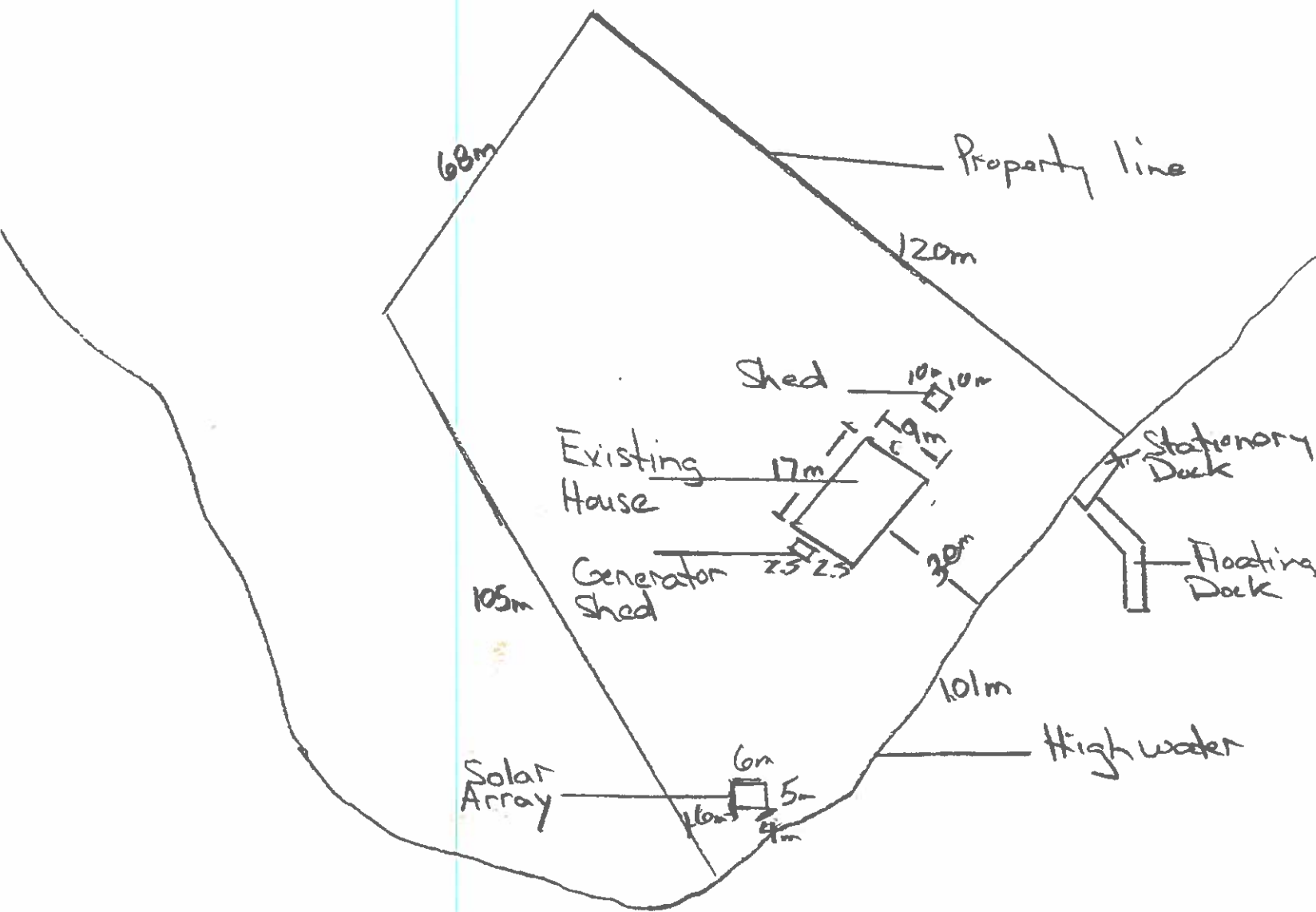
101x105x68x120

Scale

1mm = 1m

Prepared By

Dan Foley



Club Island (unassigned civic address) Foley Property Township of Leeds and the Thousand Islands

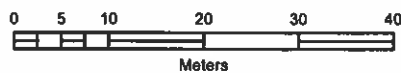


Legend

- Parcel of Interest
- Regulatory Limit
- Floodplain
- 30m Wetland & High Watermark Setback
- Parcels

Tree removal for 30m setback

Scale 1:800



Universal Transverse Mercator Projection
North American Datum 83

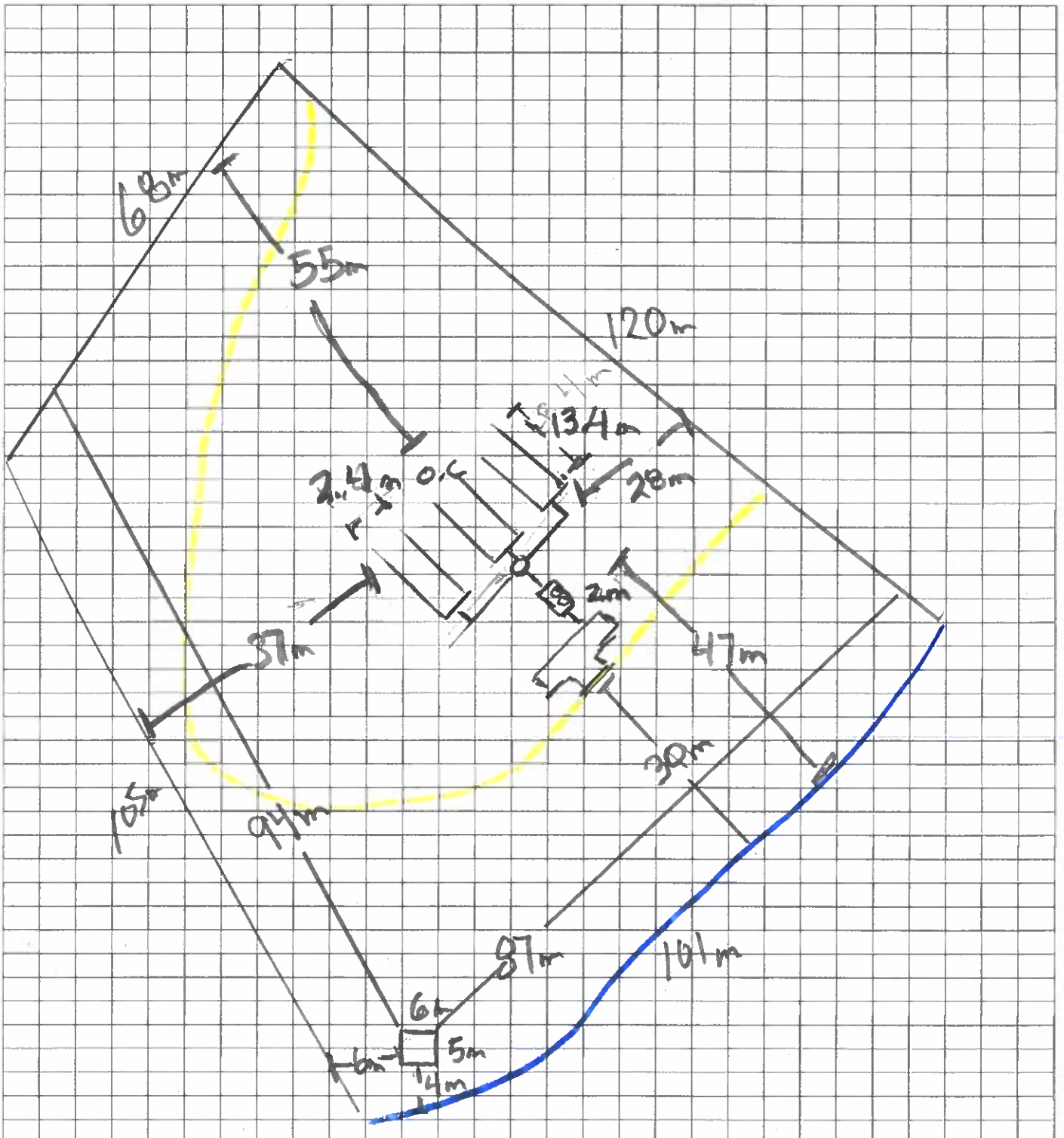
Produced by the Catawaqui Region Conservation Authority (CRC) under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2022.

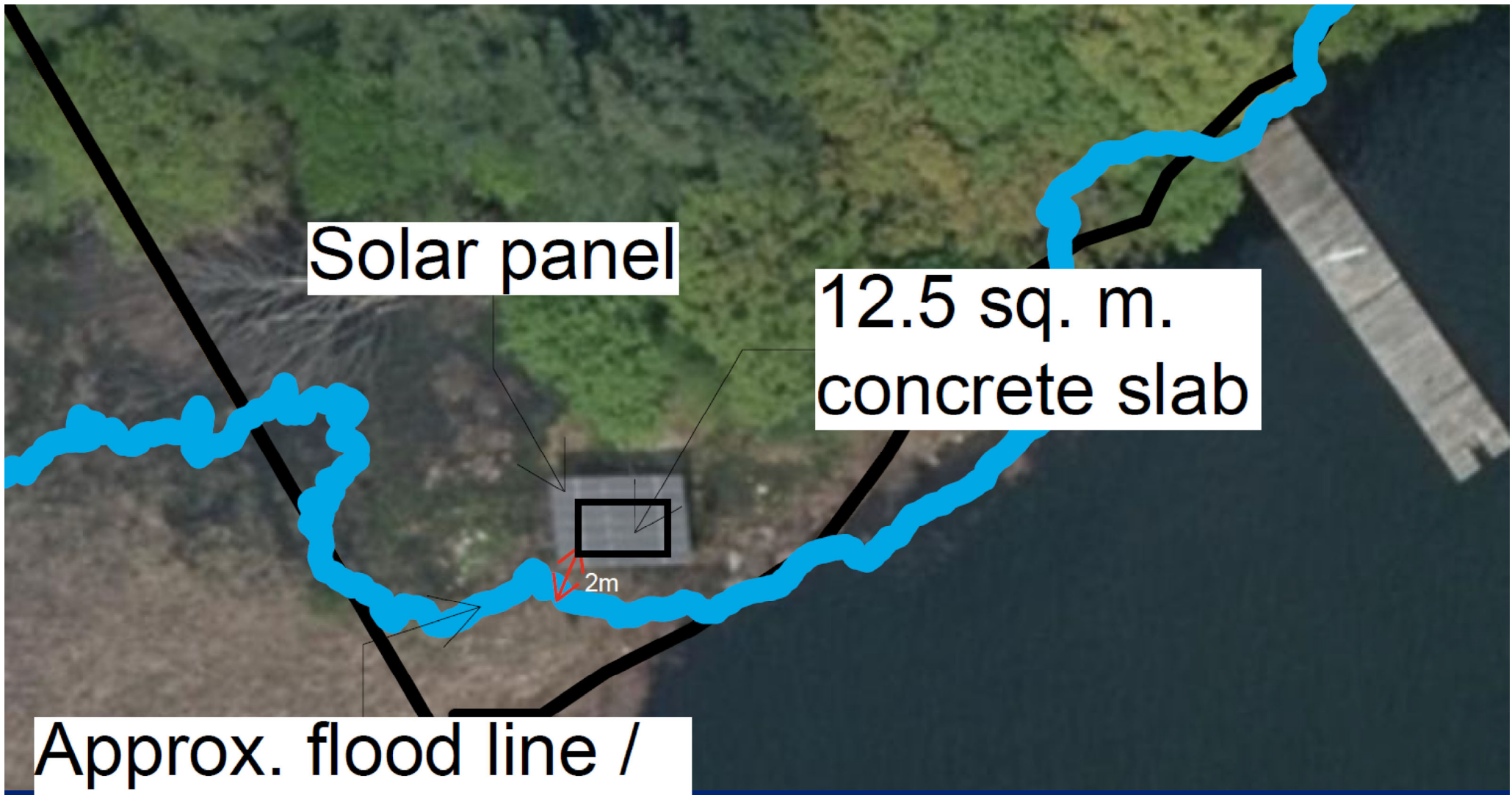
The CRCA makes every effort to ensure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the map cannot be guaranteed for all possible uses. All end-users must therefore determine for themselves if the information is suitable for their purposes.



SITE PLAN

6. Provide the following information:
- Location of sewage system components (e.g., tanks, leaching bed). Locate and show horizontal distances from system to adjacent existing or proposed buildings, water supplies (including neighbors), existing on-site sewage systems, driveways, property lines, lakes, rivers, water courses, swimming pools.
 - Lot dimensions, topographic features (e.g., swamps, steep slopes) near system.





Solar panel

12.5 sq. m.
concrete slab

2m

Approx. flood line /
wetland edge

Study Area Background Information Gathered By McIntosh Perry

Source	Data
Fish Online	<p>St. Lawrence River surrounds the study area and contains the following species: Black Crappie, Bluegill, Brown Bullhead, Brown Trout, Common Carp, Lake Whitefish, Largemouth Bass, Northern Pike, Pumpkinseed, Rainbow Smelt, Rock Bass, Sauger, Smallmouth Bass, Walleye, White Perch, White Sucker, Yellow Perch</p>
ARA Data	<p>St. Lawrence River Thermal Regime: warm Fish Species Summary: Alewife, Banded Killifish, Black Crappie, Blackchin Shiner, Bluegill, Bluntnose Minnow, Bowfin, Brassy Minnow, Brook Silverside, Brook Stickleback, Brown Bullhead, Burbot, Central Mudminnow, Channel Catfish, Common Carp, Common Shiner, Emerald Shiner, Fallfish, Fantail Darter, Fathead Minnow, Freshwater Drum, Gizzard Shad, Golden Shiner, Largemouth Bass, Logperch, Longnose Dace, Longnose Gar, Mimic Shiner, Mooneye, Mottled Sculpin, Muskellunge, Northern Pike, Pumpkinseed, River Chub, Rock Bass, Round Goby, Sea Lamprey, Smallmouth Bass, Spotfin Shiner, Spottail Shiner, Tessellated Darter, White Perch, White Sucker, Yellow Perch</p>
LIO Data	<p>Unevaluated Wetlands: several unevaluated wetlands (marsh and swamp) are present within 2 km of the study area; however, the following are present within a 500 m radius of the study area: marsh approximately 230 m southeast, swamp approximately 320 m north, marsh approximately 220, 310, and 500 to the west and southwest Evaluated Wetlands: none exist within 2 km of the study area Provincially Significant Wetlands: Hill Island East, provincially significant wetland consisting of open water, swamp and marsh surrounds the study area Wildlife Activity Area: none Well Data: One (1) well present on Club Island approximately 860 m northeast of provided coordinates (well ID: 3601712, domestic use, 36 m max depth) ANSI: Hill Island present within 500 m of subject property Blandings Turtle 1 km Grid: occurrences overlapping with subject property Gray Ratsnake 1 km Grid: occurrences overlapping with subject property Provincial Parks: None present within 2 km of study area National Parks: Thousand Islands National Park adjacent to Club Island NHIC 1 km Grid ID: 18VQ2412 Conservation Authority: Cataraqui Region Conservation Authority NDMNRF District: Kemptville (southern region) Eco Region: Lake Simcoe - Rideau (6E); Eco District: Charleston Lake (6E-10); Eco Zone: Mixedwood Plains</p>
NHIC Data	<p>The following Significant species have been reported within 5 km of the Study Area: A Lichen, American Eel, American Water-willow, Bank Swallow, Blanding's Turtle, Bobolink, Butternut, Downy Goldenrod, Eastern Meadowlark, Eastern Milksnake, Eastern Ribbonsnake, Eastern Wood-pewee, Eight-flowered Fescue, Forked Panicgrass, Golden-winged Warbler, Grass Pickerel, Gray Ratsnake (Frontenac Axis population), Hairy Bedstraw, Halberd-leaved Smartweed, Henslow's Sparrow, Lake Sturgeon (Great Lakes - Upper St. Lawrence River population), Least Bittern, Long's Sedge, Midland Painted Turtle, Narrow Triangle Moonwort, Northern Map Turtle, Panicked Hawkweed, Piping Plover, Pitch Pine, Pugnose Shiner, Round-leaved Tick-trefoil, Snapping Turtle, Soil Ruby Lichen Western Chorus Frog - Great Lakes - St. Lawrence - Canadian Shield population, White-tinged Sedge, Wood Thrush</p>
DFO SAR Mapping	<p>No critical habitat found within a 1km buffer zone of proposed work site; Extirpated/Endangered/Threatened species at risk found within 1km buffer of proposed work site</p>

OBBA	The following SAR species have been reported within the vicinity of the Study Area: Bank Swallow, Barn Swallow, Bobolink, Eastern Wood-Pewee, Eastern Meadowlark, Eastern Whip-poor-will, Golden-winged Warbler, Least Bittern, Wood Thrush
ORAA	The following SAR species have been reported within the vicinity of the Study Area: Blanding's Turtle, Eastern Musk Turtle, Northern Map Turtle, Five-lined Skink, Gray Ratsnake, Midland Painted Turtle, Snapping Turtle, Eastern Ribbonsnake, Eastern Milksnake, Western Chorus Frog
OBA	The following SAR species have been reported within the vicinity of Clayton Lake: Monarch
Official Plan	Leeds and Grenville Official Plan identify the study area as "Rural Lands" designation and surrounding area as "Provincially Significant Wetland" designation. https://www.leedsgrenville.com/en/government/official-plan.aspx
	Township of Leeds and Thousand Islands Official Plan identify the study area as "Rural" designation and surrounding area as "National Park" designation.
SAR Master List	
Common Name	Scientific Name
American Eel	<i>Anguilla rostrata</i>
American Water-willow	<i>Justicia americana</i>
Bank Swallow	<i>Riparia riparia</i>
Barn Swallow	<i>Hirundo rustica</i>
Blanding's Turtle	<i>Emydoidea blandingii</i>
Bobolink	<i>Dolichonyx oryzivorus</i>
Butternut	<i>Juglans cinerea</i>
Eastern Meadowlark	<i>Sturnella magna</i>
Eastern Milksnake	<i>Lampropeltis triangulum</i>
Eastern Musk Turtle	<i>Sternotherus odoratus</i>
Eastern Ribbonsnake	<i>Thamnophis sauritus</i>
Eastern Whip-poor-will	<i>Antrostomus vociferous</i>
Eastern Wood-Pewee	<i>Contopus virens</i>
Golden-winged Warbler	<i>Vermivora chrysoptera</i>
Grass Pickerel	<i>Esox americanus</i>
Gray Ratsnake (Frontenac Axis populat	<i>Pantherophis spiloides pop. 1</i>
Henslow's Sparrow	<i>Ammodramus henslowii</i>
Five-lined Skink	<i>Plestiodon fasciatus</i>
Lake Sturgeon (Great Lakes - Upper St.	<i>Acipenser fulvescens pop. 3</i>
Least Bittern	<i>Ixobrychus exilis</i>
Midland Painted Turtle	<i>Chrysemys picta marginata</i>
Northern Map Turtle	<i>Graptemys geographica</i>
Piping Plover	<i>Charadrius melodus</i>
Pugnose Shiner	<i>Notropis anogenus</i>
Snapping Turtle	<i>Chelydra serpentina</i>
Western Chorus Frog - Great Lakes - St	<i>Pseudacris maculata pop. 1</i>
Wood Thrush	<i>Hylocichla mustelina</i>

Region	Square	Species	Breeding Evidence			Atlasser Name	Point Counts				
			Max BE	Categ	#Sq		#PC	%PC	Abun	#Sq	
21	18VQ21	Canada Goose	FY	CONF	1	Paul Mackenzie	3	9.38	0.9688	1	
21	18VQ21	Wood Duck	FY	CONF	1	Paul Mackenzie	2	6.25	0.0938	1	
21	18VQ21	Mallard	FY	CONF	1	Paul Mackenzie	4	12.5	0.6875	1	
21	18VQ21	Ruffed Grouse	H	POSS	1	Paul Mackenzie					
21	18VQ21	Wild Turkey	H	POSS	1	Stew Hamill					
21	18VQ21	Common Loon	FY	CONF	1	Paul Mackenzie	2	6.25	0.0625	1	
21	18VQ21	Pied-billed Grebe	S	POSS	1	Paul Mackenzie					
21	18VQ21	Double-crested Cormorant	H	POSS	1	Paul Mackenzie	1	3.13	0.0625	1	
21	18VQ21	American Bittern	H	POSS	1	Paul Mackenzie	1	3.13	0.0313	1	
21	18VQ21	Least Bittern	T	PROB	1	Carrie Sadowski					
21	18VQ21	Great Blue Heron	H	POSS	1	Paul Mackenzie	5	15.63	0.2188	1	
21	18VQ21	Green Heron	P	PROB	1	Paul Mackenzie					
21	18VQ21	Turkey Vulture	P	PROB	1	Paul Mackenzie	1	3.13	0.0313	1	
21	18VQ21	Osprey	AE	CONF	1	Paul Mackenzie	1	3.13	0.0625	1	
21	18VQ21	Northern Harrier	H	POSS	1	Paul Mackenzie					
21	18VQ21	Sharp-shinned Hawk	CF	CONF	1	Paul Mackenzie					
21	18VQ21	Cooper's Hawk	H	POSS	1	Stew Hamill					
21	18VQ21	Northern Goshawk	T	PROB	1	Stew Hamill					
21	18VQ21	Red-shouldered Hawk	H	POSS	1	Paul Mackenzie					
21	18VQ21	Red-tailed Hawk	FY	CONF	1	Stew Hamill					
21	18VQ21	American Kestrel	H	POSS	1	Paul Mackenzie	1	3.13	0.0313	1	

21	18VQ21	Virginia Rail	P	PROB	1	Paul Mackenzie				
21	18VQ21	Sora	S	POSS	1	Paul Mackenzie				
21	18VQ21	Killdeer	FY	CONF	1	Paul Mackenzie	2	6.25	0.2188	1
21	18VQ21	Rock Pigeon	P	PROB	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Spotted Sandpiper	H	POSS	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Common Snipe	S	POSS	1	Paul Mackenzie	2	6.25	0.0625	1
21	18VQ21	American Woodcock	S	POSS	1	Paul Mackenzie				
21	18VQ21	Ring-billed Gull	H	POSS	1	Paul Mackenzie	2	6.25	0.375	1
21	18VQ21	Herring Gull	H	POSS	1	Paul Mackenzie	2	6.25	0.0625	1
21	18VQ21	Common Tern	NE	CONF	1		1	3.13	0.1875	1
21	18VQ21	Mourning Dove	P	PROB	1	Paul Mackenzie	3	9.38	0.125	1
21	18VQ21	Yellow-billed Cuckoo	S	POSS	1	Paul Mackenzie				
21	18VQ21	Black-billed Cuckoo	P	PROB	1	Paul Mackenzie				
21	18VQ21	Eastern Screech-Owl	H	POSS	1	Paul Mackenzie				
21	18VQ21	Whip-poor-will	S	POSS	1	Paul Mackenzie				
21	18VQ21	Ruby-throated Hummingbird	H	POSS	1	Paul Mackenzie				
21	18VQ21	Belted Kingfisher	H	POSS	1	Paul Mackenzie	2	6.25	0.0625	1
21	18VQ21	Red-bellied Woodpecker	T	PROB	1	Stew Hamill				
21	18VQ21	Downy Woodpecker	FY	CONF	1	Paul Mackenzie	2	6.25	0.0938	1
21	18VQ21	Hairy Woodpecker	FY	CONF	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Northern Flicker	CF	CONF	1	Paul Mackenzie	7	21.88	0.2188	1
21	18VQ21	Pileated Woodpecker	H	POSS	1	Paul Mackenzie	2	6.25	0.0625	1

21	18VQ21	Blackburnian Warbler	CF	CONF	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Pine Warbler	CF	CONF	1	Paul Mackenzie	7	21.88	0.2813	1
21	18VQ21	Black-and-white Warbler	T	PROB	1	Paul Mackenzie	5	15.63	0.1563	1
21	18VQ21	American Redstart	CF	CONF	1	Paul Mackenzie	12	37.5	0.4688	1
21	18VQ21	Ovenbird	DD	CONF	1	Paul Mackenzie	12	37.5	0.4688	1
21	18VQ21	Northern Waterthrush	S	POSS	1	Paul Mackenzie				
21	18VQ21	Common Yellowthroat	CF	CONF	1	Paul Mackenzie	15	46.88	0.8438	1
21	18VQ21	Eastern Towhee	FY	CONF	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Chipping Sparrow	CF	CONF	1	Paul Mackenzie	19	59.38	0.75	1
21	18VQ21	Field Sparrow	FY	CONF	1	Paul Mackenzie				
21	18VQ21	Savannah Sparrow	FY	CONF	1	Paul Mackenzie	2	6.25	0.0938	1
21	18VQ21	Song Sparrow	CF	CONF	1	Paul Mackenzie	20	62.5	0.9063	1
21	18VQ21	Swamp Sparrow	FY	CONF	1	Paul Mackenzie	7	21.88	0.3125	1
21	18VQ21	White-throated Sparrow	T	PROB	1	Paul Mackenzie				
21	18VQ21	Scarlet Tanager	CF	CONF	1	Paul Mackenzie	4	12.5	0.125	1
21	18VQ21	Northern Cardinal	FY	CONF	1	Paul Mackenzie	4	12.5	0.125	1
21	18VQ21	Rose-breasted Grosbeak	FY	CONF	1	Paul Mackenzie	3	9.38	0.0938	1
21	18VQ21	Indigo Bunting	CF	CONF	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Bobolink	FY	CONF	1	Paul Mackenzie	2	6.25	0.0625	1
21	18VQ21	Red-winged Blackbird	CF	CONF	1	Paul Mackenzie	16	50	1.4063	1
21	18VQ21	Eastern Meadowlark	CF	CONF	1	Paul Mackenzie	2	6.25	0.0938	1

21	18VQ21	Common Grackle	CF	CONF	1	Paul Mackenzie	14	43.75	0.9063	1
21	18VQ21	Brown-headed Cowbird	FY	CONF	1	Paul Mackenzie	16	50	0.7188	1
21	18VQ21	Baltimore Oriole	FY	CONF	1	Paul Mackenzie	15	46.88	0.625	1
21	18VQ21	Purple Finch	S	POSS	1	Paul Mackenzie				
21	18VQ21	House Finch	FY	CONF	1	Paul Mackenzie	1	3.13	0.1875	1
21	18VQ21	American Goldfinch	P	PROB	1	Paul Mackenzie	15	46.88	1.2188	1
21	18VQ21	House Sparrow	AE	CONF	1	Paul Mackenzie	2	6.25	0.25	1

21	18VQ21	Eastern Wood-Pewee	AE	CONF	1	Paul Mackenzie	11	34.38	0.4063	1
21	18VQ21	Alder Flycatcher	CF	CONF	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Willow Flycatcher	T	PROB	1	Paul Mackenzie				
21	18VQ21	Least Flycatcher	T	PROB	1	Paul Mackenzie	2	6.25	0.0625	1
21	18VQ21	Eastern Phoebe	NY	CONF	1	Paul Mackenzie	12	37.5	0.375	1
21	18VQ21	Great Crested Flycatcher	AE	CONF	1	Paul Mackenzie	8	25	0.25	1
21	18VQ21	Eastern Kingbird	AE	CONF	1	Paul Mackenzie	7	21.88	0.25	1
21	18VQ21	Yellow-throated Vireo	CF	CONF	1	Paul Mackenzie	3	9.38	0.0938	1
21	18VQ21	Blue-headed Vireo	T	PROB	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Warbling Vireo	CF	CONF	1	Paul Mackenzie	9	28.13	0.375	1
21	18VQ21	Red-eyed Vireo	CF	CONF	1	Paul Mackenzie	17	53.13	0.8125	1
21	18VQ21	Blue Jay	FY	CONF	1	Paul Mackenzie	8	25	0.3125	1
21	18VQ21	American Crow	FY	CONF	1	Paul Mackenzie	23	71.88	1.4063	1
21	18VQ21	Common Raven	FY	CONF	1	Paul Mackenzie				
21	18VQ21	Purple Martin	AE	CONF	1	Paul Mackenzie	2	6.25	0.1563	1
21	18VQ21	Tree Swallow	AE	CONF	1	Paul Mackenzie	8	25	0.4688	1
21	18VQ21	Northern Rough-winged Swallow	H	POSS	1	Paul Mackenzie				
21	18VQ21	Bank Swallow	AE	CONF	1	Paul Mackenzie	1	3.13	0.0625	1
21	18VQ21	Cliff Swallow	AE	CONF	1	Paul Mackenzie				
21	18VQ21	Barn Swallow	AE	CONF	1	Paul Mackenzie	8	25	0.4688	1
21	18VQ21	Black-capped Chickadee	CF	CONF	1	Paul Mackenzie	9	28.13	0.3438	1

21	18VQ21	Red-breasted Nuthatch	H	POSS	1	Paul Mackenzie				
21	18VQ21	White-breasted Nuthatch	FY	CONF	1	Paul Mackenzie	6	18.75	0.1875	1
21	18VQ21	Brown Creeper	CF	CONF	1	Paul Mackenzie				
21	18VQ21	Carolina Wren	T	PROB	1	Stew Hamill				
21	18VQ21	House Wren	FY	CONF	1	Paul Mackenzie	14	43.75	0.5625	1
21	18VQ21	Winter Wren	T	PROB	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Marsh Wren	CF	CONF	1	Paul Mackenzie	2	6.25	0.125	1
21	18VQ21	Eastern Bluebird	AE	CONF	1	Paul Mackenzie				
21	18VQ21	Veery	T	PROB	1	Paul Mackenzie	4	12.5	0.125	1
21	18VQ21	Hermit Thrush	T	PROB	1	Paul Mackenzie	5	15.63	0.1563	1
21	18VQ21	Wood Thrush	FY	CONF	1	Paul Mackenzie	11	34.38	0.3438	1
21	18VQ21	American Robin	CF	CONF	1	Paul Mackenzie	22	68.75	1.125	1
21	18VQ21	Gray Catbird	CF	CONF	1	Paul Mackenzie	8	25	0.25	1
21	18VQ21	Brown Thrasher	H	POSS	1	Paul Mackenzie				
21	18VQ21	European Starling	CF	CONF	1	Paul Mackenzie	7	21.88	0.5625	1
21	18VQ21	Cedar Waxwing	FY	CONF	1	Paul Mackenzie	4	12.5	0.1875	1
21	18VQ21	Golden-winged Warbler	S	POSS	1	Paul Mackenzie				
21	18VQ21	Yellow Warbler	CF	CONF	1	Paul Mackenzie	23	71.88	0.9063	1
21	18VQ21	Chestnut-sided Warbler	CF	CONF	1	Paul Mackenzie	2	6.25	0.0625	1
21	18VQ21	Yellow-rumped Warbler	P	PROB	1	Paul Mackenzie	1	3.13	0.0313	1
21	18VQ21	Black-throated Green Warbler	CF	CONF	1	Paul Mackenzie	2	6.25	0.0625	1

Species list in taxonomic order for square 18VQ21

Species #	Common Name	# of Records	Earliest Yr	Latest Yr
1	Blanding's Turtle	20	1974	2019
2	Eastern Musk Turtle	109	1997	2010
3	Midland Painted Turtle	78	1973	2019
4	Northern Map Turtle	67	1973	2016
6	Snapping Turtle	76	1973	2019
10	Dekay's Brownsnake	26	1936	2019
12	Eastern Gartersnake	108	1973	2018
14	Eastern Ribbonsnake	40	1975	2015
15	Gray Ratsnake	127	1975	2018
18	Milksnake	53	1972	2018
19	Northern Watersnake	25	1939	2018
21	Red-bellied Snake	16	1977	2015
23	Northern Ring-necked Snake	6	1976	2003
24	Smooth Greensnake	18	1977	2018
25	American Bullfrog	127	1973	2018
27	Gray Treefrog	96	1973	2009
28	Green Frog	135	1972	2015
30	Northern Leopard Frog	129	1973	2017
31	Pickerel Frog	1	2003	2003
32	Spring Peeper	138	1974	2017
33	Western Chorus Frog	92	1983	2017
34	Wood Frog	20	1980	2006
35	American Toad	82	1973	2018
40	Red-spotted Newt	48	1973	2018
41	Eastern Red-backed Salamander	89	1972	2019
42	Four-toed Salamander	9	2016	2018
44	Mudpuppy	6	1973	1994
48	Spotted Salamander	57	1972	2018
49	Five-lined Skink	2	1984	1984

Amanda Werner-Mackeler

From: Lindsay Lambert
Sent: Monday, October 7, 2024 9:10 AM
To: Amanda Werner-Mackeler
Subject: FW: 18 Club Island - Minor Variance Application
Attachments: image001.png; image002.png; image003.png; image004.png; image005.png; image006.png; image007.png; image008.png; image009.png

Hi Amanda,

Dan requested that the CRCA comments quoted below be added to his application.

Thanks,
LL

-----Original Message-----

From: Daniel Foley <dfoley@hpedsb.on.ca>
Sent: Friday, October 4, 2024 6:57 AM
To: Lindsay Lambert <seniorplanner@townshipleeds.on.ca>
Subject: Re: 18 Club Island - Minor Variance Application

Good Morning Lindsay

Do you mind forwarding CRCA's report regarding the solar array to all committee members involved in the decision making.

Thank You

CRCA's Report
Solar Array

* The solar array remains in its original location. We understand you wish to retain the array in this location. Staff have considered this request in close detail and have determined that we may support approvals (e.g. minor variance) for the solar array to remain in this location, based on the following:

* We measured the concrete pad on which the solar array is situated at 12.5 sq. m. As of April 1, 2024, CRCA's regulation (O. Reg. 41/24, formerly O. Reg. 148/06) was updated to include an exemption for structures that are less than 15 sq. m. in area where they are not used for human habitation and not located directly within a waterbody (including a wetland)

* The solar array is adjacent to a marsh portion of the Hill Island East Provincially Significant Wetland, but does not appear to be directly within the wetland and is therefore compliant with the exception

* You have demonstrated goodwill by complying with requirements as it relates to the other buildings and structures

* We recognize that the risks associated with the solar array are low

* We understand the solar array is located for optimal sun exposure while avoiding impacts to mature trees and other vegetation.















October 21, 2024

Sent by e-mail

Kyle Peel M.Pl.
Planner
Township of Leeds and the Thousand Islands
1233 Prince Street
P.O. Box 280
Lansdowne, ON K0E 1L0

Dear Mr. Peel:

**Re: Application for Minor Variance Section 45(1) D13-2024-050 (Foley)
Plan 28R 13311; Former Front of Escott
18 Club Island, Township of Leeds and the Thousand Islands
Waterbody: The St. Lawrence River & Hill Island East Provincially
Significant Wetland**

Cataraqui Conservation staff have reviewed the above-noted application and offer the following comments for the Committee of Adjustment's consideration. These comments are provided based on Cataraqui Conservation's role as technical advisor to the Township on *Planning Act* applications and as a regulatory authority responsible for the implementation of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits*.

Summary of Proposal

The application is requesting relief from the Township Zoning By-Law to permit an existing solar array that was added to the property in the absence of the required municipal approval and permit. The existing solar array installation requires zoning relief from the minimum 30 metre setback from the highwater mark of the St. Lawrence River, the minimum 30 metre setback from Hill Island East Provincially Significant Wetland and from the minimum 30 metre front yard setback requirement.

The solar array is approximately 4 metres from the highwater mark of the St. Lawrence River, 2 metres from the boundary of Hill Island East Provincially Significant Wetland and 4 metres from the front yard boundary.

Site Description

Staff attended a site visit on September 26, 2024 to review the existing development and obtain additional site specific information relative to the Hill Island East Provincially Significant Wetland. The subject property is approximately 1.01 hectares in size and is located on the southwestern point of Club Island and is encompassed by Hill Island East Provincially Significant Wetland. The shoreline of the subject property varies with some areas of gradual sloping topography and areas where the slope reaches at height of 3

metres. The lot is occupied primarily by woodland with areas that have been cleared for existing development. Existing development includes a single residential dwelling, a shed, a generator shed, and a solar array.

The subject property is designated 'Rural', Provincially Significant Wetland', 'Woodlands', and 'Highly Vulnerable Aquifer' in the Township Official Plan and zoned 'Island Residential' and 'Locally Significant Wetland' in the implementing zoning by-law.

Discussion

The main interest of Cataraqui Conservation with respect to this application is the avoidance of natural hazards (i.e. flooding and erosion) associated with the St. Lawrence River and the protection of the hydrologic function of Hill Island East Provincially Significant Wetland as it relates to mitigating natural hazards.

Natural Hazards

Cataraqui Conservation, through our implementation of Ontario Regulation 41/24 and, in accordance with the natural hazards policies of the 2020 Provincial Policy Statement (PPS), directs development away from lands subject to natural hazards, such as flooding and erosion to protect people and property.

Flooding

The regulatory flood plain for the St. Lawrence River in the location of the subject property is 75.9 m GSC. Generally, development (buildings and structures) and site alteration (excavating, grading and placement of fill) is required to occur outside of 6 metres from the regulatory flood plain elevation. However, under Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* certain exemptions apply. Specific to this application, non-habitable structures less than 15 sq metres in size are exempt from O.Reg 41/24 where meeting the minimum setback from natural hazards does not apply.

As constructed, the solar array is located within the flood plain. Staff assessed the solar array and determined that the overall impact of the 30 sq metre area of the solar panels when in a position parallel to the ground has minimal impact on the flooding hazard. It is only the 12.5 sq. m. concrete slab and support frame that are in direct contact with the ground. From our review, these components present negligible risk in terms of the flooding hazard. Also, as a non-habitable structure less than 15 sq metres in size, the structure is not subject to the 6 metre setback under CRCA's regulatory policies.

Erosion

Cataraqui Conservation defines the extent of potential erosion hazards for connecting channels such as the St. Lawrence River as the sum of either a 1(h):1(v) or 3(h):1(v) slope stability allowance (depending on slope material), toe erosion allowance, plus an erosion access allowance of 6 metres. Together, these make up what is known as the 'Erosion Hazard Limit'.

The shoreline in the location of the solar array is approximately 0.5 metres in height and is composed of shallow till over granite bedrock. Using a 1:1 slope stability allowance applied to a 0.5-metre-high slope, plus a 5 metre toe erosion allowance, the erosion hazard associated with the shoreline is 5.5 metres measured inland from the toe of slope.

As constructed, the solar array is located within the erosion hazard. However, as noted above, the structure is less than 15 sq. metres. in area, is exempt from CRCA's O. Reg. 41/24 and presents negligible risk in terms of the erosion hazard.

Hydrologic Function of Hill Island East Provincially Significant Wetland

Under Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits*, generally all new development and site alteration must take place outside a minimum 30 metre setback from the boundary of all wetlands greater than 0.5 hectares. The 30 metre setback is required to protect the hydrologic function of the wetland especially as it relates to the wetland's ability to store water during high water levels events assisting in flood prevention and contribute to erosion prevention.

Hill Island East Provincially Significant Wetland consists of several wetland types including open water marsh, marsh and swamp. Directly adjacent to the solar array is a marsh which is composed of emergent vegetation and is clearly discernable through aerial mapping and on site. The wetland is a coastal riverine wetland which in this case is located within the main waterbody of the large St. Lawrence River watershed system.

As noted above, under Ontario Regulation 41/24, structures less than 15 sq metres in size that are not used for habitable living space are exempt provided they are not located directly within a wetland or watercourse.

As constructed, the solar array was measured 2 metres from the boundary of Hill Island East Provincially Significant Wetland. Staff assessed the overall impact of the entire structure, which took into consideration the 30 sq metre area of the solar panels which would cover area adjacent to the wetland from time to time and determined that the impact to the hydrologic function of the wetland is low.

Staff recognize the use of the structure requires an optimal position and location to achieve consistent sun exposure. As a general statement, CRCA does not recommend buildings or structures of any size be located within the flooding or erosion hazard as there is always some level of risk or damage.

Recommendation

Staff have no objection to the approval of minor variance application D13-2024-050 based on our consideration of natural hazard policies and Ontario Regulation 41/24.

Staff note that the property has been significantly cleared as a result of the existing development and redevelopment. As a best management practice towards sustainable waterfront living, staff encourage re-naturalization of the property. This

can be achieved by planting a healthy native vegetative buffer which would provide protection against the unpredictable energy and impact associated with the hydrologic processes of the St. Lawrence River.

Ontario Regulation 41/24

Portions of the subject property are located within a regulated area under Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits* which regulates development and interference with wetlands, as well as alterations to shorelines and watercourses. **A permit is not required for the solar array.**

If you have any questions, please contact the undersigned. Please inform this office of any decision made by the Committee of Adjustment regarding this application.

Sincerely,



Emily Su
Resource Planner
613-546-4228 ex.258

cc: applicant, via e-mail



Committee of Adjustment Report

Meeting Date: 2024-11-26

Department: Planning & Development

Report Number: Planning & Development-2024-095

Submitted By: Lindsay Lambert

Approved By: Marnie Venditti

Subject: Minor Variance Application D13-2024-050

Property Address: 18 Club Island

Recommendation:

It is the recommendation of Planning Staff that the zoning relief specified in application number D13-2024-050 for the property municipally known as 18 Club Island be approved subject to the following recommended conditions:

1. The dimensions and setbacks for the proposed development are required to be consistent with the plan attached as Schedule 'A' of the Decision. Any deviation from these specifications will require review by the Township and may necessitate further approvals to be granted by the Township and/or any other governing agency, body, or authority, where applicable; and
2. As a best management practice towards sustainable waterfront living, staff encourage re-naturalization of the property. This can be achieved by planting a healthy native vegetative buffer which would provide protection against the unpredictable energy and impact associated with the hydrologic processes of the St. Lawrence River.

Summary:

The application is requesting zoning relief in the form of a minor variance with respect to an existing solar array that was added to the property in the absence of the required municipal approval and permit. The existing solar array installation requires zoning relief from the minimum setback to the highwater mark of the St. Lawrence River, the minimum setback to the wetland and from the minimum front yard setback requirement of the Island Residential 'RI' zone. Details with respect to the proposed zoning relief are summarized in the table below.

Requested Variances:

Section	Provision	Proposed	Requested Zoning Relief
3.32(b)	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 (98.43 ft.) from the high water mark	4 metres (13.1 feet)	26 metres (85.3 feet)
3.32(d)	Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 30 metres of a seasonal or permanent wetland not categorized herein.	2 metres (6.6 feet)	28 metres (91.9 feet)
5.5(b)	Front Yard (minimum): 30.0 m (98.43 feet)	4 metres (13.1 feet)	26 metres (85.3 feet)

Site Description:

The subject property is an island parcel municipally known as 18 Club Island and is approximately 1.01 hectares. The property is located at the southeast corner of Club Island. The site is adjacent to the Hill Island East Provincially Significant Wetland. Existing development on the property includes a single detached dwelling, shed, generator shed, marine facility (dock) and the solar array, which is the subject of the minor variance application. Vegetation on the property consists of woodland, however with areas that have been cleared to accommodate recent upland development. The property is compliant with the minimum 1-hectare lot area and minimum 76-metre lot frontage provisions of the Island Residential 'RI' zone.



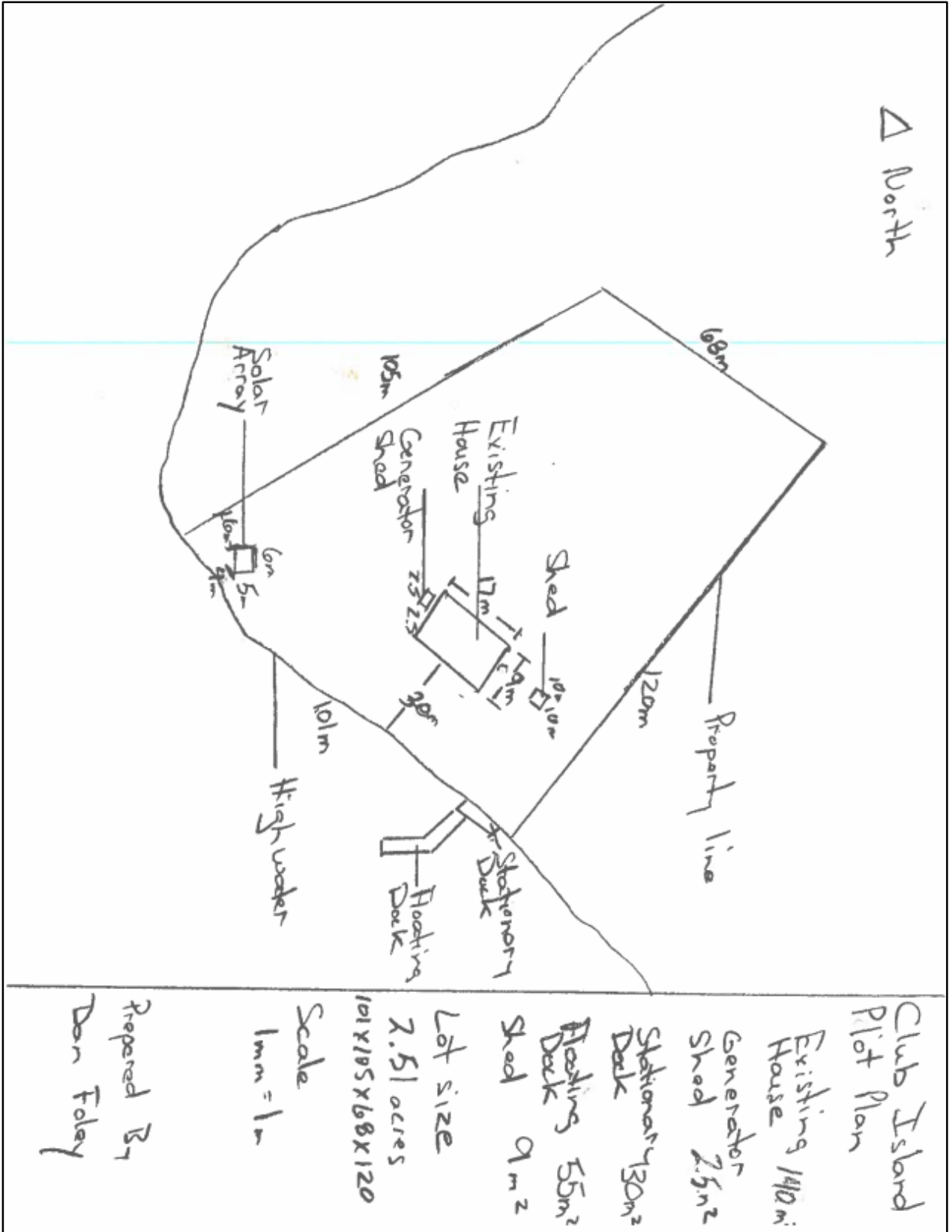
Key Map: Subject Property Highlighted



Aerial Image 2: Subject Property Highlighted



Aerial Image 2: Subject Property Highlighted



Plot Plan

Discussion:

All four (4) tests of an application under Section 45 of the Planning Act must be met for an application to be approved. To meet approval, the variance(s) sought must:

1. be minor;
2. be desirable for the appropriate development or use of the land, building or structure;
3. maintain the general intent and purpose of the Zoning By-Law; and
4. maintain the general intent and purpose of the Official Plan.

Is the request consistent with the general intent and purpose of the Official Plan?

United Counties of Leeds and Grenville Official Plan

The property is designated as Rural Lands in Schedule 'A' (Community Structure and Land Use) of the United Counties of Leeds and Grenville Official Plan (UCLG) (OP). Rural Lands 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. The detached uncovered decks and pumphouse accessory to the existing residential use are permitted uses in the Rural Lands designation.

Section 4.4.1(k) of the Official Plan of the United Counties of Leeds and Grenville states that 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.

The Counties' Official Plan further states that any proposed reduction to the 30-metre minimum setback will be consistent with any applicable policies in the Provincial Policy Statement (PPS). Further, any proposed reduction is required to maximize the setback through building design and orientation, and the siting of the septic system, and minimize disturbance to native soils and shoreline vegetation.

Through its function, the solar array is required to be located in its existing location adjacent to the shoreline and wetland in order to maximize sun exposure for the generation of off grid electricity. The structure was erected without the required planning and CRCA approvals and is existing, and no further development is proposed, as such, no further disturbance to native soils and vegetation within the established water setback buffer area is anticipated. Further, the proposal is consistent with the applicable PPS (2024) policies and implementation guidelines. In summary, the proposal is consistent with the general intent and purpose of the Counties' Official Plan.

Township Official Plan

The property is designated 'Rural' in Schedule A1 (Land Use Designations) of the Township Official Plan. The intent of the Rural designation is to allow for a range of uses which provide the rural community with opportunities to live and work in a sustainable manner. The detached uncovered decks and pumphouse accessory to the existing residential use are permitted uses in the Rural designation.

The subject property is a waterfront parcel and as such, requires review under the Waterfront Areas and Waterbody Protection policies of the Township Official Plan. The purpose of these policies is to ensure the long-term protection of waterbodies in the Township. The Official Plan requires buildings and structures to generally be set back at least 30 metres (98.4 feet) from the high-water mark of all waterbodies to help protect water quality and environmentally sensitive riparian areas, control erosion and assist in softening the visual intrusion of the development.

Section 6.1.4.2(5) of the Township Official Plan states the following:

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.

Further, Section 6.1.4.2.8 of the Township Official Plan provides a potential exception to the minimum 30 metre waterbody setback for minor detached and unenclosed accessory structures and small storage facilities, provided that:

- a) They are a reasonable size for the intended use; and
- b) Suitable methods to minimize negative impacts on surface water, riparian lands, and the littoral zone are incorporated into the design of the development.

The setback of the solar array has been maximized to a location where it will still obtain the necessary sun exposure to function. The solar array is of a reasonable size for its intended use and with a minimal base and the solar panels elevated above, negative impacts with respect to surface water, riparian lands, and the littoral zone are not anticipated. As discussed later in this report, the development is consistent with the Provincial Planning Statement (2024). In summary, the application is consistent with the Waterfront Areas and Waterbody Protection policies of the Township Official Plan.

Is the request consistent with the general intent and purpose of the Zoning By-Law?

The subject property is zoned Island Residential 'RI' zone in Zoning By-Law Number 07-079 and is adjacent to the Locally Significant Wetland 'LSW' zone. The application is seeking zoning relief from three provisions: minimum setback from the highwater mark of a waterbody, minimum setback from a wetland and the minimum front yard setback of the Island Residential 'RI' zone.

The intent of the setbacks is to protect the wetland, water quality and visual quality of the front yard area of a waterfront property. As discussed in this report, the solar array is a unique type of structure that requires its proposed location to maximize its sun exposure. Adverse impacts to the wetland, water quality of the St. Lawrence River and visual impacts resulting from the zoning relief proposed through the subject application are not anticipated. As a result, staff conclude that the requested variances are consistent with the general intent and purpose of the Township Zoning By-Law.

Is the application desirable for the appropriate development or use of the land?

The origin of this application is the necessity of the solar array to be located in an optimal position and location to achieve consistent sun exposure.

The application was circulated to the relevant technical agencies and all owners of property located within 60 metres of the subject site and staff have not received any concerns or objections to the existing solar array. In the absence of negative visual impacts or negative impacts to water quality and the adjacent wetland and with the provision of a positive environmental impact of the solar array through the reduction of traditional energy consumption, the development is considered desirable for the appropriate development and use of the subject property.

Is the application minor?

The determination of whether an application is "minor" is not based on the degree of variation requested, but rather on whether the impact of granting the request(s) is "minor". This includes considering how the application could impact the existing or planned functionality of the subject lands or of adjacent lands. Impacts can include, but are not limited to environmental, nuisance (noise, vibration, dust, etc.), visual, and functional attributes.

In its review of the application, CRCA staff assessed the overall impact of the entire structure, which took into consideration the 30 sq metre area of the solar panels which would cover area adjacent to the wetland from time to time and determined that the impact to the hydrologic function of the wetland is low.

The solar array is existing and no adverse impacts from a land use compatibility or protection of natural heritage resources have been identified. The provision of electricity

to the property via the solar array provides a positive environmental impact in terms of traditional energy consumption. In summary, the application is considered minor.

Other Matters of Local or Provincial Interest:

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The policies of the Provincial Planning Statement (PPS) (2024) have been considered in reviewing this application. Specifically, the protection of natural heritage resources as outlined in Section 4.1 has been considered. The Township Zoning By-Law includes a provision that permits the Township in consultation with the CRCA to waive the requirement of an Environmental Impact Statement in support of development adjacent to a significant natural heritage feature. As the solar array is an existing structure, that through its function needs to be located close to the shoreline to maximize sun exposure and due to the fact that it is more of a utility installation than a traditional accessory structure, it was determined that an EIS was not required. No adverse impacts are anticipated to the wetland as a result of the solar array, and it is important to consider the positive impact that the solar array provides with respect to reducing energy consumption from traditional sources.

The protection of water resources as outlined in Section 4.2 has also been considered. This policy section calls for the minimizing of negative impacts, implementing restrictions on development to protect sensitive surface and groundwater features, and implementing storm water management practices and maintaining or increasing vegetative and pervious surfaces. Through the recommended condition with respect to the replanting of a native species buffer to enhance water quality and infiltration, the proposal is consistent with the PPS (2024).

With respect to the policies of Section 5.2 (protection from natural hazards), the CRCA has reviewed the application from a natural hazards perspective and have concluded that in consideration of the required location of the solar array to maximize sun exposure, it is located in an acceptable location from a natural hazards perspective. In summary, the application is consistent with the Provincial Planning Statement (2024).

In summary, the application is consistent with the Provincial Planning Statement (2024).

Consultation:

Public Comments: At the time of the completion of this report, no comments have been received from the public.

Township Building Comments: No objection provided the proposed construction meets all applicable law (Planning & CRCA). The solar array does not affect the septic system.

Cataraqui Region Conservation Authority (CRCA) Comments: Staff recognize the use of the structure requires an optimal position and location to achieve consistent sun exposure. As a general statement, CRCA does not recommend buildings or structures of any size be located within the flooding or erosion hazard as there is always some level of risk or damage.

Staff have no objection to the approval of minor variance application D13-2024-050 based on our consideration of natural hazard policies and Ontario Regulation 41/24.

Staff note that the property has been significantly cleared as a result of the existing development and redevelopment. As a best management practice towards sustainable waterfront living, staff encourage re-naturalization of the property. This can be achieved by planting a healthy native vegetative buffer which would provide protection against the unpredictable energy and impact associated with the hydrologic processes of the St. Lawrence River.

Site Photos:



Site Photo 1 – October 7, 2024



Site Photo 2 – October 7, 2024



Site Photo 3 – October 7, 2024



Township of
Leeds and the
Thousand Islands

Planning and Development Department
1233 Prince Street, P.O. Box 280
Lansdowne, ON K0E 1L0
Telephone: 613-659-2415; 866-220-2327
Fax: 613-659-3619
Email: planningtechnician@townshipleeds.on.ca

**NOTICE OF COMMITTEE OF ADJUSTMENT HEARING
PERMISSION APPLICATION
(Section 45 of the Planning Act)**

DATE: Tuesday, November 26, 2024
TIME OF HEARING: 1:00 pm
LOCATION: 1233 Prince Street, Lansdowne, ON.
The hearing may be attended in person in the Council Chambers and virtually online/by phone through Zoom. Details on how to participate for both options are below.

File Number: D13-2024-052
Applicant: Shelley John Bacon
Agent: Not Applicable
Location: 5 Millar's Lane
Ward: Ward 3 (Former Front of Escott)

PURPOSE OF APPLICATION

This application is requesting a permission to expand an existing legal non-complying dwelling with an attached covered deck. It is proposed to construct the attached covered deck on the south side of the existing dwelling. The area of proposed development is currently partially developed with attached uncovered decking. The existing dwelling is legal non-complying with respect to the minimum required 30-metre setback from the highwater mark of the St. Lawrence River, the minimum 30-metre front yard setback of the Shoreline Residential 'RS' zone, and the 120-metre influence area of the adjacent Provincially Significant Wetland.

	Provision	Existing Structure	Proposed Addition	Permission Requested
-	Increase in size of a legal non-complying structure	Dwelling: 85.7 square metres (922.5 square feet)	Covered Attached Deck: 24.6 square metres (264.8 square feet)	Total floor area of non-complying structures: 110.3 square metres (1,187.3 square feet)

HOW TO PARTICIPATE IN THE HEARING:

All comments received will become part of the public record. Comments can only be received in a written format or verbally in person/virtually. Staff are unable to accept verbal comments over the phone or in person outside of the hearing.

Anyone attending in person in the Council Chambers or virtually online/by phone through Zoom will be provided the opportunity to comment on an application. The ways to comment on an application are:

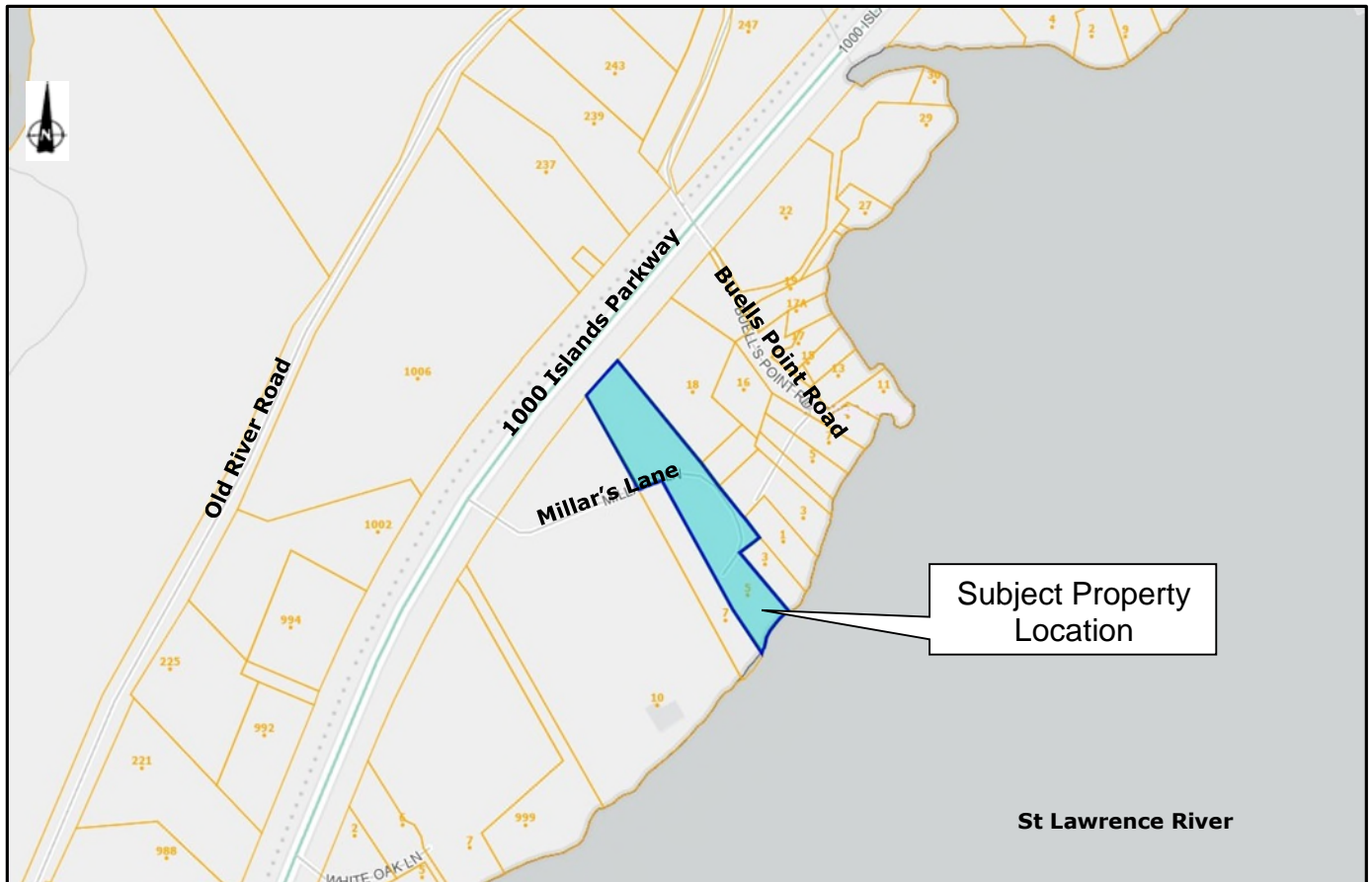
1. Written Comments – Email: planningtechnician@townshipleeds.on.ca
Mail: Township of Leeds and the Thousand Islands
Attention: Amanda Werner-Mackeler, Secretary-Treasurer
1233 Prince St PO Box 280
Lansdowne, ON K0E 1L0
2. In Person Attendance – In person attendance will be in the Council Chambers at the Township Office at 1233 Prince St, Lansdowne, ON.
3. Virtual/Phone Attendance – If you wish to attend virtually/by phone, you are required to register to be an attendee prior to the hearing. Once registered, you will receive a

follow up email from the Clerk with the details to attend the hearing by computer or by phone. To register to attend the hearing virtually/by phone, please register online at:

https://us02web.zoom.us/webinar/register/WN_6QzIU3WFRuKSkVPQ2xde8w

If you have any issues registering online, please call 613-659-2415 x 203 before November 22, 2024 and indicate your name, phone number, email address and application you wish to speak to. Staff will register you for the hearing using your email address and you will receive a follow up email from the Clerk with the details on how to attend the hearing by computer or by phone.

KEY MAP: property subject to application for Permission shown in blue.



MAKE YOUR VIEWS KNOWN

The Committee of Adjustment will make a decision on the application on the basis of information or evidence received before and during the hearing. This notice has been mailed to you, as required by the Planning Act.

You may express your support or opposition to the proposed permission by either attending the above virtual public hearing or sending a letter by mail, e-mail, or hand-delivery prior to the hearing date. Any correspondence received will become part of the public record. Only the applicant, a specified person, public body, and the registered owner of any land to which the Committee of Adjustment applies may appeal a decision to the Ontario Land Tribunal.

No specified person, public body or registered owner to which the decision would apply shall be added as a party to the hearing of the appeal unless, before the decision was made, the specified person, public body or registered owner of any land to which the decision applies made oral submissions at a statutory public meeting or written submissions to the Committee of Adjustment prior to the decision or, in the opinion of the Tribunal, there are reasonable grounds to add the specified person or public body as a party.

“Public body” and “specified person” are defined under Section 1(1) of the Planning Act.

VIEW THE APPLICATION FILE

Additional information concerning the Permission Application is available online at <https://www.leeds1000islands.ca/en/governing/council-and-committee-calendar.aspx> or by contacting Amanda Werner-Mackeler, CPT, Secretary-Treasurer, during regular office hours at 613-659-2415 x 203 or email planningtechnician@townshipleeds.on.ca.

RECEIVE A COPY OF THE COMMITTEE'S DECISION

The Committee of Adjustment will make a decision on the application at the meeting. To receive a copy of the Committee's decision, you must make a written request to the Committee of Adjustment c/o Township of Leeds and the Thousand Islands, 1233 Prince Street, P.O. Box 280, Lansdowne, Ontario, K0E 1L0 or email planningtechnician@townshipleeds.on.ca.

ACCESSIBILITY INFORMATION

If you are a person with a disability and need Township of Leeds and the Thousand Islands information provided in another format, please contact the Clerk's office at 613-659-2415 x 231 or clerk@townshipleeds.on.ca.

MULTI-RESIDENTIAL UNIT NOTIFICATION

If you have received this notice and you are the owner of land that contains seven or more residential units, please post this notice in a location that is visible to all of the residents.

For more information about this matter, contact Amanda Werner-Mackeler, *CPT* Secretary-Treasurer, at 613-659-2415 x 203 or email planningtechnician@townshipleeds.on.ca.

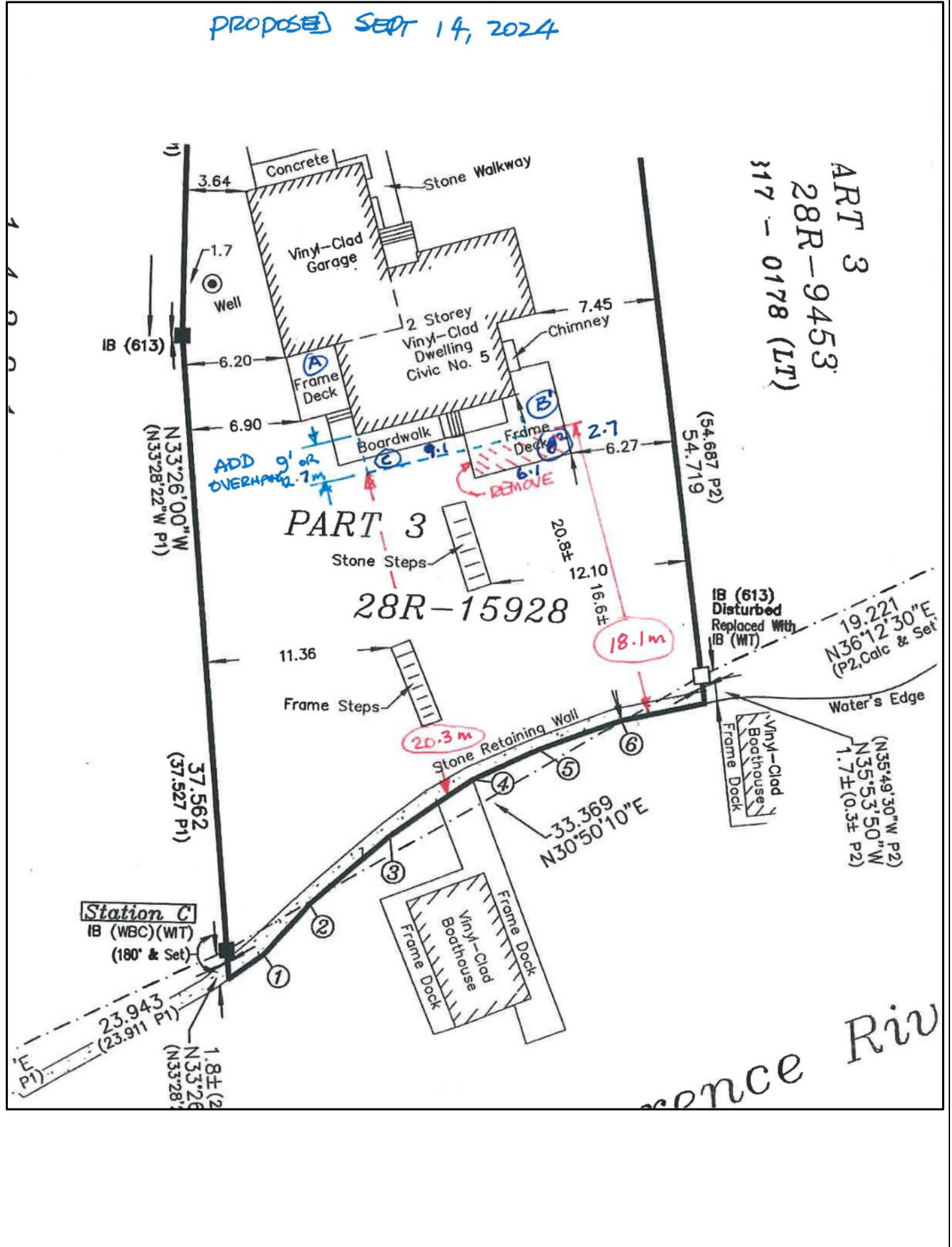
DATED at the Township of Leeds and the Thousand Islands on the 6th day of November, 2024.

Proposed Schedule A - Proposed Plot Plan

Permission Application: D13-2024-052

Owner: Shelley John Bacon

Location: 5 Millar's Lane



Kyle Peels

Sept 26, 2024

Township of Leeds and the 1000 Islands

Re: #5 Millars Lane, Mallorytown, Leeds and the 1000 Islands

Plan 28R-15928 attached with plot plan and showing existing easements and right of ways

Dear Mr. Peels,

Please refer to attached documents support my plans to construct a 30' x 9' overhang over the existing boardwalk and a partial section of the existing deck. There is no intention to close in the overhang and I would submit a written statement to confirm this. A summary of the work is provided:

1. Removal of elevated deck "B" Measurements 2.76 m x 1.38 m = 3.8 square metres
Shown in red cross hatched lines diagonally to the right
2. Reduction of existing deck "A" Measurements 6.1 m x 2.7 m = 16.5 square metres
Shown in red cross hatched lines diagonally to the left
3. Addition of overhang "C" to cover existing boardwalk and reduced deck
Measurements 2.7 m x 9.1 m
New boardwalk materials will be used to widen the walk to 9' or 2.7 m under the overhang

New coverage above and beyond existing boardwalk = 6.1 m x 1.2 m = 7.32 square meters

Area coverage removed including elevated deck and existing deck = 20.3 square metres

Purpose of work

Upgrading existing home constructed in late 1970's. New windows, siding, doors and increased insulation on outside walls – all required to be more efficient with electrical heat.

Overhang is required to reduce sun on south facing side to reduce glare and weather exposure.

Regards,



Shelley Bacon

Mailing address 76 Bacchus Island Road, Smiths Falls, ON K7A 0E2

613 345 1594 bus 613 802 2508 cell



DEVELOPMENT APPLICATION

Section 41 (Site Plan Approval) and
Section 45 (Minor Variance) of the Planning Act

OFFICE USE ONLY			
Application:	D13-2024-053	Date Received:	October 9, 2024
Roll Number:	809-010-46500	Deemed Complete:	November 6, 2024
Application Fee:	\$850	<input checked="" type="checkbox"/> Cheque	<input type="checkbox"/> Cash <input type="checkbox"/> Interac <input type="checkbox"/> N/A
Posting of Sign By:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Staff (\$50 Fee) <input type="checkbox"/> Other
Posting of Sign Fee:	<input type="checkbox"/> Cheque	<input type="checkbox"/> Cash	<input type="checkbox"/> Interac <input checked="" type="checkbox"/> N/A
1. APPLICATION TYPE <i>(Check all that apply)</i>			
<input checked="" type="checkbox"/> Minor Variance Application			
<input type="checkbox"/> Site Plan Agreement			
2. PRE-CONSULTATION <i>(Attach supporting documentation)</i>			
<input checked="" type="checkbox"/> TLTI – Staff		<input type="checkbox"/> Leeds, Grenville & Lanark Health Unit	
<input checked="" type="checkbox"/> CRCA		<input type="checkbox"/> St. Lawrence Parks Commission	
<input type="checkbox"/> Other:			
3. COMPLETE APPLICATION REQUIREMENTS			
<input type="checkbox"/> Complete Application Form			
<input type="checkbox"/> Authorization of Applicant (if applicable)			
<input type="checkbox"/> Affidavit signed by a Commissioner of Oaths, Notary, etc. (Available at Office)			
<input type="checkbox"/> Township and other Agency (if applicable) Applications and Fees			
<input type="checkbox"/> Cover Letter and/or report			
<input type="checkbox"/> Survey Plan (if available)			
<input type="checkbox"/> Deed			
<input type="checkbox"/> Scaled Sketch as per Section 11 (1 hard copy (11x17 paper or less) or 1 digital copy)			
<input type="checkbox"/> Minimum Distance Separation Calculation Form (if applicable)			
<input type="checkbox"/> All Supporting Information identified through Pre-Consultation including DRT			
4. SUBJECT LAND			
Assessment Roll Number: <u>08-12-809-010-46500-0000</u>			
Civic Address: <u>#5 MILLAR'S LANE, MALLORY TOWN.</u>			
Legal Description (Concession, Lot, Part, Reference Plan numbers): <u>PART OF LOT 22, BIRCHEN FRONT CONCESSION, ESCOTT, TLTI, PLAN 2BR15928</u>			
Date subject land acquired by current owner: <u>AUGUST 29, 2023</u>			

5. REGISTERED OWNER(S)

All owners must be included. If company, identify principals. A separate page may be submitted, if needed.

Name(s): SHELLEY JOHN BACON

Company Name (if applicable): _____

Mailing Address: 76 BACCHUS ISLAND RD. SMITHS FALLS, ON
K7A 0E2

Phone (home): _____ Phone (cell): 613 802 2508

Email Address: sbacon@northerncables.com

6. APPLICANT INFORMATION

If an applicant is NOT the owner of the subject lands, written authorization from **all registered owner(s)** must be obtained stating that the agent is authorized to make the application (Section 13)

6.1 Is the applicant the same as the owner?

- Yes (same information as above)
- No (please fill out below **and** complete Section 14 – Agreement, Authorization and Declaration)

6.2 Name(s): _____

Company Name (if applicable): _____

Mailing Address: _____

Phone (home): _____ Phone (cell): _____

Phone (work): _____ Email Address: _____

7. SUBJECT LAND CHARACTERISTICS

7.1 Please list and describe any existing easements, right-of-ways or restrictive covenants that apply to the subject property (required to be shown on sketch)

ON PLAN ZBR15928 PARTS 4, 6, 7, 8, 9, 10 SUBJECT TO EASEMENT FOR RIGHT OF WAY FOR ROADWAY.

7.2 Site Description: (briefly describe factors that may impact the proposed development, such as soil type and depth, lot configuration, steep slopes or low-lying areas, natural feature, etc.)

SUBJECT AREA COVERED WITH LAWN, TREES.
GENTLE SLOPE TO WATER FRONT
WEEDING BED LOCATED ON OPPOSITE SIDE OF HOUSE.

7.3 Dimensions of Subject Land			
Total Lot Area:	~ .79	hectares	acres
Lot Depth:	240	metres	feet
Lot Width (frontage):	33.4	metres	feet
7.4 Road Access (include name)			
<input checked="" type="checkbox"/> Provincial Highway:	THOUSAND ISLANDS PARKWAY		
<input type="checkbox"/> County Road:	_____		
<input type="checkbox"/> Municipal Road:	_____		
<input type="checkbox"/> Private Right-of-Way:	_____		
<input type="checkbox"/> Water Only:	_____		
7.5 If access to the subject land is by water only, provide details of parking and docking facilities to be used and the approximate distance of these from the subject land and the nearest public road:			
7.6 Servicing – Water	Existing	Proposed	Not Applicable
Municipal Piped Water System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Privately Owned and Operated Well			
<input type="checkbox"/> Dug	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Drilled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Communal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lake or Other Water Body:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.7 Servicing – Sewage	Existing	Proposed	Not Applicable
Municipal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Privately-Owned			
<input checked="" type="checkbox"/> Individual Sanitary Sewage System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Communal Sanitary Sewage System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Composting/Self-Contained Toilet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Privy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Outhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: (Specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.8 Servicing – Storm Drainage	Existing	Proposed	Not Applicable
Sewers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ditches (ALONG MILLAR'S LANE)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Swales	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. OFFICIAL PLAN, ZONING BY-LAW AND LAND USE INFORMATION		
8.1 Official Plan Designation: <u>RURAL, PROVINCIALY SIGNIFICANT WETLAND, FLOOD PLAIN, HIGHLY VULNERABLE AQUIFER.</u>		
8.2 Special Policy Area: <input checked="" type="checkbox"/> 1000 Islands <input type="checkbox"/> Highly Sensitive Lake Trout Lake <input type="checkbox"/> No		
8.3 Zoning: <u>SHORELINE RESIDENTIAL, PROVINCIALY SIGNIFICANT WETLAND.</u>		
8.4 Is this a designated heritage property: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
8.5 Existing Use(s): (indicate uses and length of time uses have continued) <u>YEAR ROUND HOME 40-50 YEARS.</u>		
8.6 Proposed Use(s): <u>SAME</u>		
8.7 Existing Use on Adjacent Lands:		
North:	<u>VACANT</u>	South: <u>ST. LAWRENCE RIVER</u>
East:	<u>RESIDENCE</u>	West: <u>RESIDENCE</u>
8.8 Previous Use(s): (indicate all previous land uses on the subject land or adjacent lands including any industrial or commercial use, or if there is suspected contamination) <u>SAME</u>		
8.9 Indicate any current or previous application under the <i>Planning Act</i> affecting the subject land:		
Application Type	File Number	File Status
Minor Variance		
Site Plan Agreement		
Zoning By-Law Amendment		
Official Plan Amendment		
Consent		
Subdivision		
Other:		
<input checked="" type="checkbox"/> There have been no previous Planning Act applications affecting the subject lands		

8.10 Potential Land Use Constraints:	On Subject Lands	On Adjacent Lands Within	No
Agricultural Operation including Livestock Facility or Stockyard (If Yes, MDS info must be submitted)	<input type="checkbox"/>	<input type="checkbox"/> 1000m	<input checked="" type="checkbox"/>
Waste Management Site or Landfill	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Sewage Treatment Plant or Waste Stabilization	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Provincially Significant Wetland (PSW)	<input type="checkbox"/>	<input type="checkbox"/> 120m	<input checked="" type="checkbox"/>
Locally Significant Wetland (LSW)	<input type="checkbox"/>	<input type="checkbox"/> 50m	<input checked="" type="checkbox"/>
Area of Natural and Scientific Interest (ANSI)	<input type="checkbox"/>	<input type="checkbox"/> 50m	<input checked="" type="checkbox"/>
Flood Plain	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Wellhead Protection (Village of Lansdowne)	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
James W. King Intake Protection Zone - St. Lawrence River - South of Gananoque (OP Schedule A6)	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Licensed Mine, Pit or Quarry or an area designated for Aggregate Extraction	<input type="checkbox"/>	<input type="checkbox"/> 1000m	<input checked="" type="checkbox"/>
Rehabilitated Mine/Pit/Quarry Site?	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Industrial or Commercial Use, or Wrecking Yard Specify Use: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Active Railway Line	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Municipal or Federal Airport	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Provincial Highway 401	<input type="checkbox"/>	<input type="checkbox"/> 250m	<input checked="" type="checkbox"/>
Utility Corridor(s) i.e. Power Lines, Hydro Easement i.e. Natural Gas or Oil Pipeline, etc.	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Gas Station – Currently or at Any Time	<input type="checkbox"/>	<input type="checkbox"/> Adjacent	<input checked="" type="checkbox"/>
Lands suspected to be contaminated	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Has grading of the subject land been changed by adding earth or other material(s)?	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Designated Heritage Building/Site	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
8.11 Additional information that may be relevant to the review of the application:			
<div style="border: 1px solid black; height: 165px; width: 100%;"></div>			

Provided on a Separate Sheet

9. REQUIRED PLANS

- 9.1** A detailed sketch in metric has been attached with the required information as noted in Section 9.2. Yes No
- All required site plan drawings, elevations, cross-sections, grading, drainage, etc. along with the required information as noted in Section 9.3. Yes No

9.2 Sketch Requirements

For minor variance, a detailed sketch **is required**. The sketch must include:

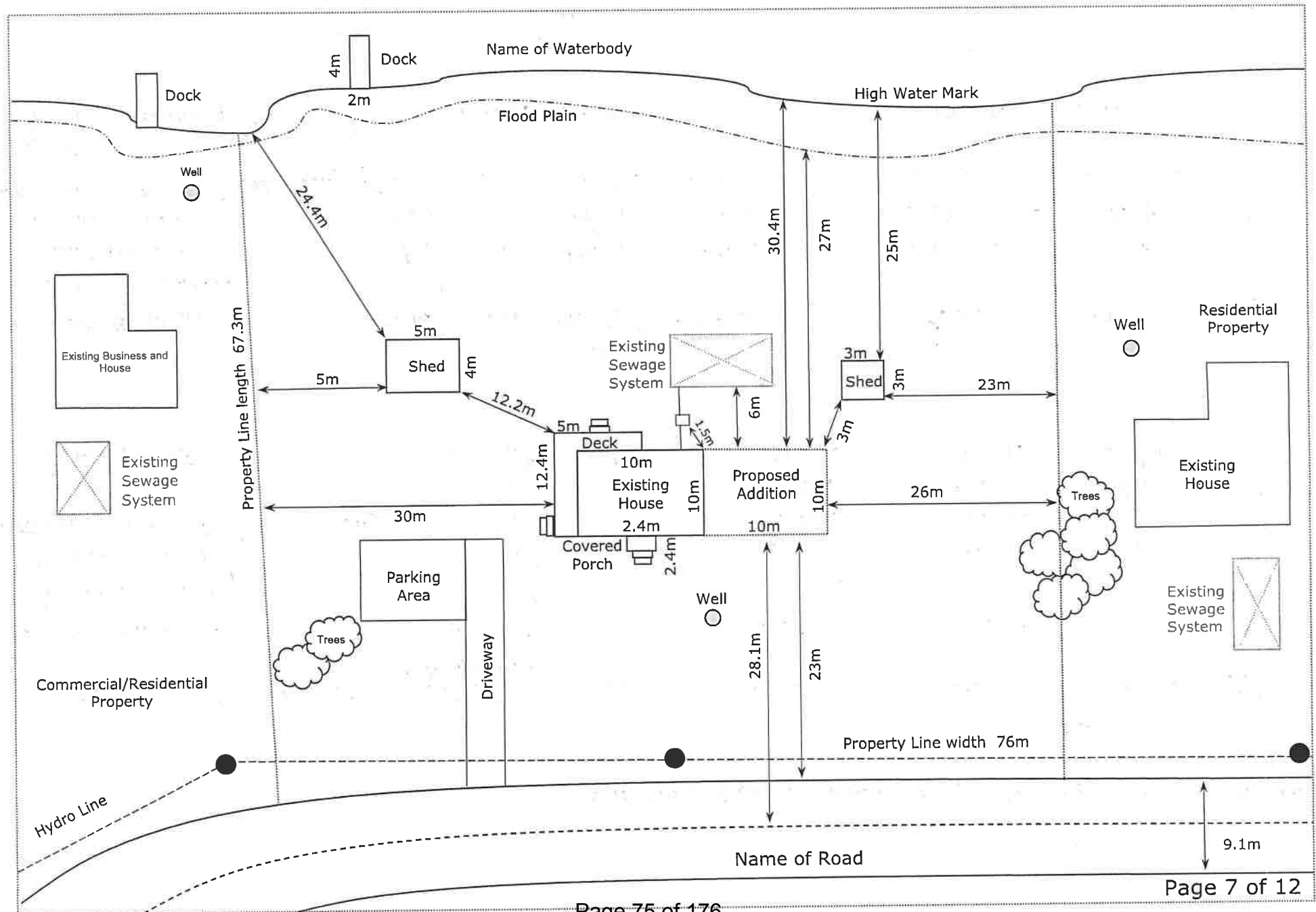
- (a) The boundaries and dimensions of the subject land.
- (b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot line.
- (c) The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, flood plains drainage, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that:
 - (i) Are located on the subject land and on land that is adjacent to it, and
 - (ii) In the applicant's opinion, may affect the application.
- (d) The current uses of land that is adjacent to the subject land.
- (e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- (f) If access to the subject land will be by water only, the location of the parking and docking facilities to be used; and
- (g) The location and nature of any easement affecting the subject land.

9.3 Site Plan Requirements

In addition to Section 9.2, for site plan applications, drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing fewer than 25 dwelling units which drawings are sufficient to display,

- (a) The massing and conceptual design of the proposed building;
- (b) The relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access;
- (c) The provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;
- (d) Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design
- (d.1) Matters relating to exterior access to each building that will contain affordable housing units or to any part of such building, but only to the extent that it is a matter of exterior design;
- (e) the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
- (f) facilities designed to have regard for accessibility for persons with disabilities.

9.3 SAMPLE SKETCH – Measurements, setbacks for all structures must be transcribed onto Sections 10 and 11.



**** TO BE DEMOLISHED.**

10. EXISTING STRUCTURES & SETBACKS ON SUBJECT LAND (Indicate any to be demolished)

10.1 Existing Structures in metres. Include all structures on subject land, including marine facilities and structures under 10 square metres. * HOUSE HEIGHT TO GRADE, PROPERTY SLOPES 7.6m TO WATER

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Stories	Dimensions			Year Built
				Length	Width	*Height	
2 STOREY HOME	85.7m ²	155m ² WITH GARAGE	2	15.1 m	14.6 m	8.2 m	LATE 1970'S.
BOARDWALK DECK		12.2 m ²		1.5 m	8.2 m	N/A	"
FRAME DECK (A)		18.8 m ²		5.7 m	3.3 m	N/A	"
FRAME DECK (B)		16.5 m ²		2.7 m	6.1 m	N/A	"
* FRAME DECK (B) ² (DEMOLISH)		16.5 m ²		2.7 m	6.1 m	N/A	"
SHED		37.7m ²	1	8.2m	4.6m	3.7 m	"
BOAT HOUSE		36.7m ²	1	7.8m	4.7m	3.7 m	"

10.2 Setbacks of Existing Structures to property boundaries, shoreline, etc. in metres

Type of Structure	Front	Side	Side	Rear TO PUBLIC ROAD	Water	Flood Plain	Public Road (center)	Right of Way (edge)	Other
2 STOREY HOME		3.6 m	6.3m	193 m	21.8m		193m	19.3 m	
BOARD WALK DECK									
FRAME DECK (A)		6.9m	20.1	>193m	26.5m		>193m	30.4m	
FRAME DECK (B)		17.5m	6.3m	>193m	18.1m		>193m	34.4m	
* FRAME DECK (B) ² (DEMOLISH)		17.5m	6.3m	>193m	16.6m		>193m	39.6 m	
PROPOSED ROOF OVERHANG (C)		9 m	10.5m	>193m	20.3m		>193m	34.4m	

10.3 Existing Parking & Loading Spaces 4

Existing Number of Standard Parking Spaces: 4

Existing Number of Barrier Free Parking Spaces: 4

Existing Number of Loading Spaces: 4
OR PARKING

11. PROPOSED STRUCTURES & SETBACKS ON SUBJECT LAND (Indicate any to be demolished)

11.1 Proposed Development (if any) in square metres, metres * *ROOF OVERHANG TO GRADE, PROPERTY SLOPES 7.6m TO*

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Stories	Dimensions			Year Built
				Length	Width	* Height	
<i>ROOF OVERHANG</i>	<i>24.6m²</i>		<i>JUST ABOVE 1ST FLOOR</i>	<i>2.7m</i>	<i>9.1 m</i>	<i>3 m</i>	<i>PROPOSED IN 2025</i>

11.2 Setbacks of Proposed Structures to property boundaries, shoreline, etc. in metres

Type of Structure	Front	Side	Side	Rear	Water	Flood Plain	Public Road (center)	Right of Way (edge)	Other
<i>ROOF OVERHANG</i>		<i>9m</i>	<i>10.5m</i>	<i>>193m</i>	<i>20.3m</i>		<i>193m</i>	<i>34.4m</i>	

11.3 Proposed Parking & Loading Spaces *4*

Proposed Number of Standard Parking Spaces: *4*

Proposed Number of Barrier Free Parking Spaces: *4*

Proposed Number of Loading Spaces: *4*

12. MINOR VARIANCE INFORMATION

12.1 Description of Proposal

- ① REMOVAL OF ELEVATED DECK (2ND STOREY)
- ② REDUCTION OF EXISTING DECK AT GROUND LEVEL
- ③ ADDITION OF OVERHANG 2.7m x 9.1m AND UPGRADE OF BOARDWALK BENEATH.

12.2 Variance Requested from Zoning By-Law:

Section	Zone Requirement	Proposed Standard	Variance Required
EXPANSION TO LEGAL NON-COMPLYING USE.			

12.3 Why is it not possible to comply with the provisions of the Zoning By-Law?

I AM UPGRADING THIS HOME WHICH WAS CONSTRUCTED IN THE LATE 1970'S. IT IS EXPOSED TO UV SUN RAYS AND SIGNIFICANT RAIN ON THE SOUTH SIDE AND I WOULD LIKE TO ADD PROTECTION, ESPECIALLY FOR THE WINDOWS.

13. AUTHORIZATIONS & PERMISSION TO ENTER

All Registered Owner(s) must complete the following to authorize the applicant/agent to make the application on their behalf (if Owner is NOT the applicant) and/or to permit Council, Committees of Council, Township Staff or authorized agents to enter the subject property to conduct site inspections related to this application. If multiple owners, an authorization letter from each owner is required.

I/We SKELLEY BALON
(name(s) of owner(s) or company)

being the registered owner(s) of the subject property of this application:

Hereby authorize the following person(s) to act as our agent to prepare, submit the application and pay any associated fees on my/our behalf (if applicable):

(Name of Applicant(s)/Authorized Agent(s))

Hereby authorize Council, Committees of Council, and Township Staff or authorized agents to enter the subject property without notice to conduct site inspections related to this application.

Agree to ensure that any driveway/lanes are accessible during the circulation period of the application so that Committee members, Township staff and other agencies do not have any barriers blocking access to the subject land. Island properties will require a boat ride, which is to be provided by the owner/agent. If applicable, Township Staff will make arrangements for the most suitable date and time.

Agree to post any required signage on site, which is prepared by Township Staff, with respect to this application in the requested timeframe of the Planning Act and upon notification by Township Staff. I/We also agree to provide photographic evidence of the posted sign at the request of Township Staff.

Agree to stake the area of any proposed construction a minimum of 1 week prior to the hearing/meeting date of your application.

Have included the written approval of all surveyors, designers, etc. that designed any documents, plot plans etc. to allow the Township to use their plan(s) in the notice or hearing and other documents which are viewable by the public.

Hereby acknowledge and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Signature(s): SKELLEY BALON

Date: Oct 11, 2024

14. AGREEMENT TO INDEMNIFY & STATUTORY DECLARATION

I/We, SHELLEY BACON
(name of owner, applicant or authorized agent)

Of the RIDEAU LAKES.
(name of Municipality)

In the ULLA.
(name of County)


Hereby agree to indemnify and save harmless The Corporation of the Township of Leeds and Thousand Islands (the "Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeal Tribunal from any decision of the Council approving the applicant's application.

I/We acknowledge and agree that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Local Planning Appeal Tribunal in support of a decision approving the application until the amount has been paid in full.

I/We further acknowledge and agree that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

I/We solemnly declare that all of the above statements contained herein and all exhibits transmitted herewith including this application and any required document attached hereto are true, and I/We make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature(s): 

Declared before me at the: Township of Leeds and the Thousand Islands.
(name of municipality)

in the United Counties of Leeds and Grenville.
(name of County)

This 11th day of October, 2024.

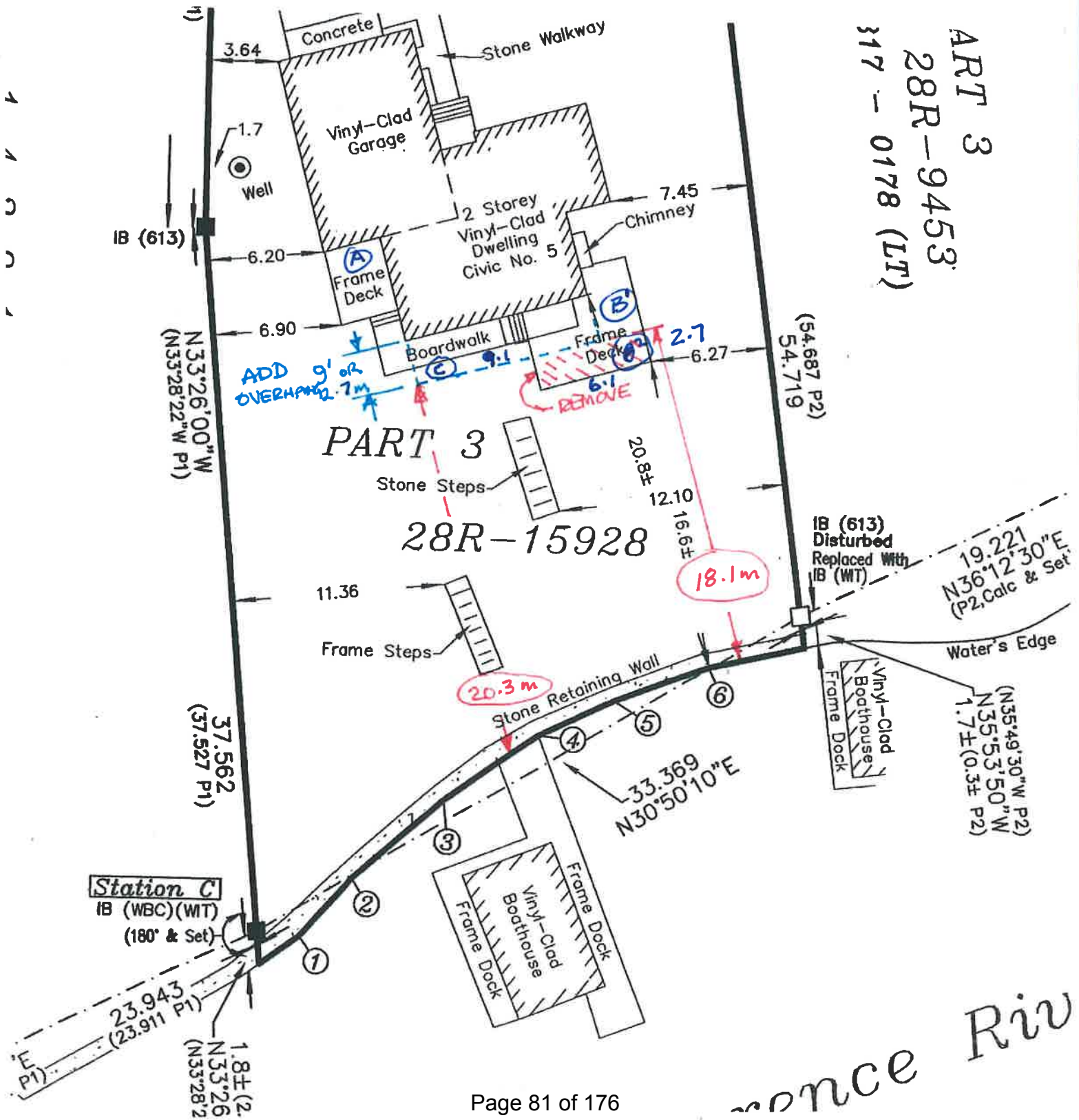
AMANDA ZORA WERNER-MACKELER,
a Commissioner, etc., Province of Ontario,
the Corporation of the Township of Leeds
and the Thousand Islands.
Expires August 18, 2025.


Signature of Commissioner of Oaths, etc.

(Official Stamp of Commissioner of Oaths)

PROPOSED SEPT 14, 2024

ART 3
 28R-9453
 317 - 0178 (LT)



ance Riv

CONCESSION

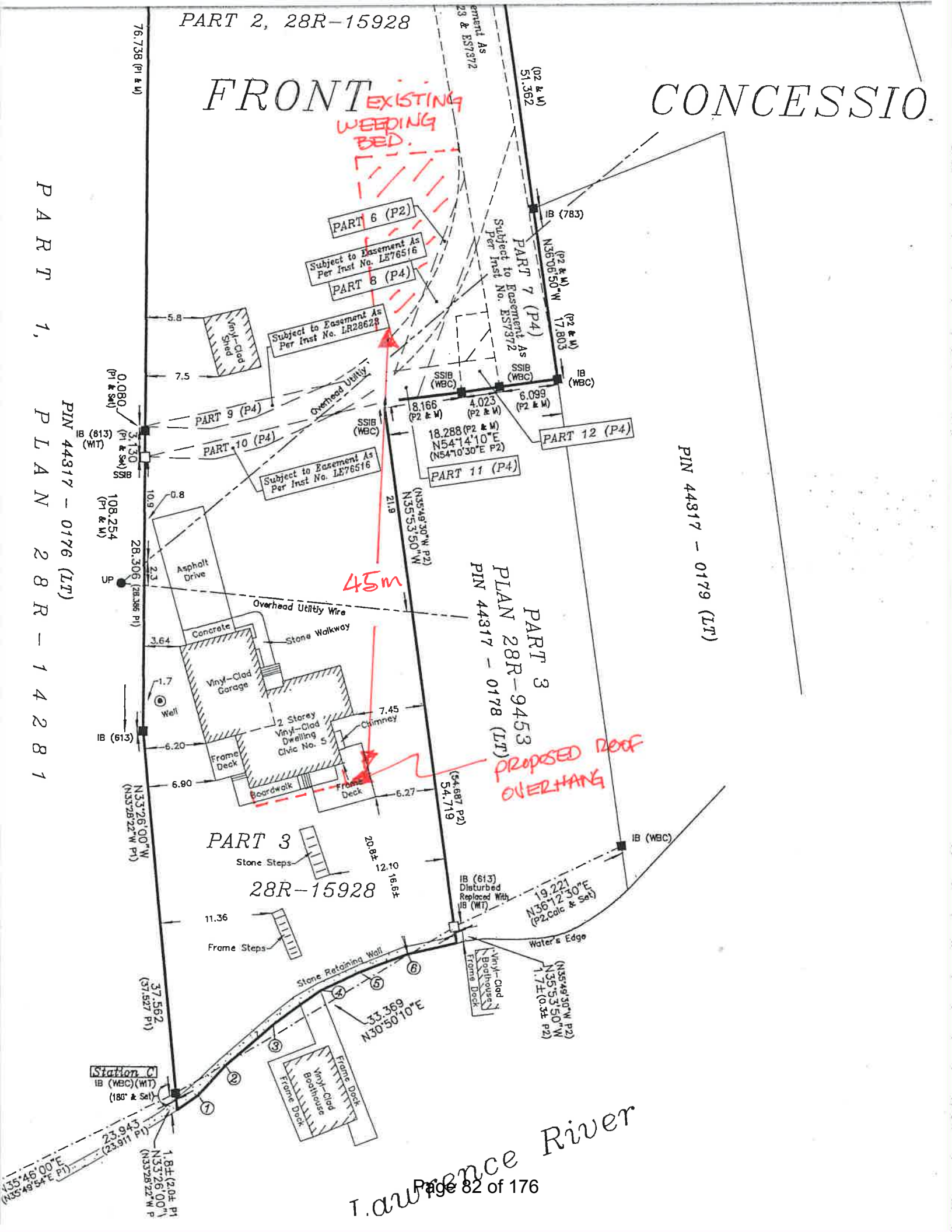
FRONT **EXISTING WEEDING BED.**

PART 1, PLAN 28R-14281

PIN 44317 - 0176 (LT)

PIN 44317 - 0179 (LT)

PART 3
PLAN 28R-9453
PIN 44317 - 0178 (LT)



October 10, 2024

Plan 28 R - 15928	Description all units in metres	Area of property square metres	Depth metres
Part 1	36.9 wide x (82.3 one side, 65.6 other side)	2,728.8	88.4
Part 2	29.3 wide x 76.7	2,247.3	76.7
Part 3	29.3 wide x 65.9	1,930.9	65.9
Part 4	6.1 wide x 82.8	505.1	6.1
Part 5	small piece to form curve <100 m2	75	
Part 6	small piece to form curve <100 m2	75	
Part 7	6.7 x 3.3 triangular	11.1	
Part 8	6.1 wide x 30 estimate	180.3	
Part 9	6.1 wide x 19 estimate	115.9	3.1
Part 10	small piece to form curve <100 m2	50	
Part 11	13.3 x 7.9 triangular	52.5	
	Total estimated area	7,971.9	240.2

Shelley Bacon

From: Emily Su <esu@crca.ca>
Sent: September 26, 2024 11:29 AM
To: Shelley Bacon
Subject: RE: CRCA Permit Review

Hello Shelley,

I have heard back from Kyle Peel (Planner with the Township) and he has indicated that the overhang essentially functions as a covered deck which would require planning approval (submission of a permission application with the Township). He also mentioned that if the deck area to be removed is equal to or lesser than the area of the proposed deck, and you removed the overhang/covered deck plans, then planning approval would be avoided. As I indicated in my previous email, CRCA requires that planning approval from the Township be in place prior to us issuing our permit. Please let me know how you wish to proceed.

Regards,

Emily Su
Resource Planner



Cataraqui
conservation



Phone: (613) 546-4228 ext. 258
Toll-Free: 1-877-956-2722
Web: www.CataraquiConservation.ca
2069 Battersea Rd., Glenburnie ON, K0H 1S0.

Please note that in-person meetings regarding planning and permitting matters should be scheduled by phone/email or through our online inquiry platform at <http://crca.ca/property-inquiry-form/>

Please consider the environment before printing this email

Cataraqui Conservation sits on the traditional lands of the Haudenosaunee & Anishinabek peoples, and we want to thank the Indigenous people for their continued care and protection of All of Our Relations on this shared land.

From: Shelley Bacon <sbacon@northerncables.com>
Sent: September 23, 2024 10:10 AM
To: Emily Su <esu@crca.ca>
Subject: RE: CRCA Permit Review

Hello Emily,

Thank you for the feedback on the information sent in. I am relieved to hear the envelope with the cheque arrived.
Regards,
Shelley Bacon

From: Emily Su <esu@crca.ca>
Sent: September 20, 2024 2:55 PM
To: Shelley Bacon <sbacon@northerncables.com>
Subject: RE: CRCA Permit Review

Hello Shelley,

Apologies for the late response. Rhonda has informed me that the cheque came in on the 18th. I am not sure why it was so delayed.

Thank you for taking those measurements. I have circulated the existing vs proposed plot plans to the Township to confirm that planning approval is not required which is part of our permitting process. Once I hear back that planning approval is not required, I will be issuing your permit.

Thank you,

Emily Su
Resource Planner



Cataraqi
conservation



Phone: (613) 546-4228 ext. 258
Toll-Free: 1-877-956-2722
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Please consider the environment before printing this email

Cataraqi Conservation sits on the traditional lands of the Haudenosaunee & Anishinabek peoples, and we want to thank the Indigenous people for their continued care and protection of All of Our Relations on this shared land.

From: Shelley Bacon <sbacon@northerncables.com>
Sent: September 16, 2024 10:38 AM
To: Emily Su <esu@crca.ca>
Cc: Rhonda Roantree <rroantree@crca.ca>
Subject: RE: CRCA Permit Review

Good morning Emily and Rhonda,
Please see new plot plan showing "as is" setback measurements and "proposed" setbacks with overhang. As mentioned I used a 50 foot tape to take these measurements and converted them into metric. I hope this is the information you require.

Rhonda, I am concerned that you have no record of the prints and payments sent to you via Canada Post. This was sent out in late August and should have reached you in Glenburnie within a few days. I mailed these in a company envelope with Northern Cables Inc. clearly shown in the top left hand corner and my name printed above the Northern Cables. We have not received this returned to us at work either. Let me know and I can deliver a new cheque.

Regards,
Shelley Bacon

From: Emily Su <esu@crca.ca>
Sent: September 13, 2024 1:36 PM
To: Shelley Bacon <sbacon@northerncables.com>
Subject: Fw: CRCA Permit Review

Hello Shelley,

I am checking back on my previous email (see below) sent on August 29th, please let me know when I might receive the updated plot plans.

Thank you,

Emily Su

Resource Planner



Cataraqui
conservation



Phone: (613) 546-4228 ext. 258

Toll-Free: 1-877-956-2722

Web: www.CataraquiConservation.ca

2069 Battersea Rd., Glenburnie ON, K0H 1S0.

Please note that in-person meetings regarding planning an permitting matters should be scheduled by phone/email or through our online inquiry platform at <http://crca.ca/property-inquiry-form/>

Please consider the environment before printing this email

Cataraqui Conservation sits on the traditional lands of the Haudenosaunee & Anishinabek peoples, and we want to thank the Indigenous people for their continued care and protection of All of Our Relations on this shared land.

From: Emily Su
Sent: Thursday, August 29, 2024 2:06 PM
To: 'sbacon@northerncables.com' <sbacon@northerncables.com>
Subject: CRCA Permit Review

Hello Shelley,

Staff have received your permit application and request that the provided plot plan be updated to indicate the setback from the proposed roof overhang to the water as well as the setback from the existing boardwalk to the water. The measurements should be from the closest point of development to the water. Can you also confirm that the closest point of existing development (frame deck to be reduced in size) is 16.6 metres? This appears to be what the survey is indicating but I would like to confirm.

If you have any questions, please reach out.

Thanks in advance,

Emily Su
Resource Planner



Cataraqui
conservation



Phone: (613) 546-4228 ext. 258

Toll-Free: 1-877-956-2722

Web: www.CataraquiConservation.ca

2069 Battersea Rd., Glenburnie ON, K0H 1S0.

Shelley Bacon

From: Colin Wright <cwright@cw-law.org>
Sent: August 21, 2024 3:43 PM
To: Shelley Bacon
Subject: RE: Plans

Good Afternoon, Shelley,

The short description for the property is shown on your new survey. It's that part of Lot 22, Broken Front Concession, Geographic Township of Escott, Township of Leeds and the Thousand Islands BEING Parts 1 – 12 Plan 28R-15928.

I am having our title searcher prepare the full description, which will also describe the right-of-way you have over a neighbouring property and the rights-of-way to which parts on the new survey are subject. But I expect for the purposes of the Conservation Authority and of the Township the above is adequate.

As ever,

Colin

From: Shelley Bacon <sbacon@northerncables.com>
Sent: Wednesday, August 21, 2024 2:43 PM
To: Colin Wright <cwright@cw-law.org>
Subject: RE: Plans

Hello Colin,

I am in the process of making an application to the Conservation authority and to Leeds and the thousand Islands for some minor upgrades. Can you send to me the details of the location like county, lot concession, etc.

Regards,
Shelley

From: Colin Wright <cwright@cw-law.org>
Sent: August 21, 2024 8:14 AM
To: Shelley Bacon <sbacon@northerncables.com>
Subject: RE: Plans

Thanks, Shelley. Looks good.

Colin

From: Shelley Bacon <sbacon@northerncables.com>
Sent: Tuesday, August 20, 2024 7:29 PM
To: Colin Wright <cwright@cw-law.org>
Subject: FW: Plans

Hello Colin,

See attached files for the Bacon/Grightmire purchase I trust this is the info you require to reregister the property with the R plan.

Shelley

Sent from my Galaxy

----- Original message -----

From: Phil Chitty <PChitty@hopkinschitty.com>
Date: 2024-08-20 5:33 p.m. (GMT-05:00)
To: Shelley Bacon <sbacon@northerncables.com>
Subject: FW: Plans

Shelley

Please use this SRPR I noticed the date on the Certificate was out of place on the one I previously sent.

Thanks

Phil W. Chitty, O.L.S.
Hopkins Chitty Land Surveyors Inc.
1224 Gardiners Road, Suite 102
Kingston, ON K7P 0G2
(P) 613-384-9266
www.hopkinschitty.com

From: Phil Chitty
Sent: Tuesday, August 20, 2024 5:21 PM
To: Shelley Bacon <sbacon@northerncables.com>
Cc: Phil Dejong <pdejong@hopkinschitty.com>
Subject: Plans

Shelley

Please see attached the two drawings.

I will have hard copies made up and placed in the mail.

Let me know if you need anything else.

Regards,

Phil W. Chitty, O.L.S.
Hopkins Chitty Land Surveyors Inc.
1224 Gardiners Road, Suite 102
Kingston, ON K7P 0G2
(P) 613-384-9266
www.hopkinschitty.com

From: Shelley Bacon <sbacon@northerncables.com>
Sent: Friday, August 16, 2024 11:03 AM
To: Phil Chitty <PChitty@hopkinschitty.com>; Phil Dejong <pdejong@hopkinschitty.com>
Cc: Nikki Gauthier <ngauthier@hopkinschitty.com>
Subject: RE: Paid Deposit

Thank you Phil,
Appreciate the quick response.
Regards,
Shelley Bacon

From: Phil Chitty <PChitty@hopkinschitty.com>
Sent: August 16, 2024 10:55 AM
To: Shelley Bacon <sbacon@northerncables.com>; Phil Dejong <pdejong@hopkinschitty.com>
Cc: Nikki Gauthier <ngauthier@hopkinschitty.com>
Subject: RE: Paid Deposit

Shelley

I have attached the deposited plan. The SRPR (Plot Plan) is draft form. The surveyor who signed the reference plan is on holidays but I will review and send out on Monday.

Regards,

Phil W. Chitty, O.L.S.
Hopkins Chitty Land Surveyors Inc.
1224 Gardiners Road, Suite 102
Kingston, ON K7P 0G2
(P) 613-384-9266
www.hopkinschitty.com

From: Shelley Bacon <sbacon@northerncables.com>
Sent: Friday, August 16, 2024 10:19 AM
To: Phil Dejong <pdejong@hopkinschitty.com>
Cc: Phil Chitty <PChitty@hopkinschitty.com>; Nikki Gauthier <ngauthier@hopkinschitty.com>
Subject: RE: Paid Deposit

Dear Phil DeJong,

I have approached the Conservation authority and the Township of Leeds and the Thousand Islands to ask how I can proceed with modifications to the existing front deck facing the river. I have the application forms in hand and require the final R plan and plot plan to make a submission to these agencies. Could you kindly advise when I will receive the final prints.

Last week I was called by your office who confirmed that the final documents would be just a couple of days of filing.

Regards,
Shelley Bacon
613 345 1594 bus
613 802 2508 cell

From: Phil DeJong <pdejong@hopkinschitty.com>
Sent: November 20, 2023 6:48 PM
To: Shelley Bacon <sbacon@northerncables.com>
Cc: Phil Chitty <PChitty@hopkinschitty.com>; Nikki Gauthier <Ngauthier@hopkinschitty.com>
Subject: RE: Paid Deposit

Hi Shelley.

Thank you for following up. Your file is up at the Kingston office for calculations and CAD operations. We will be preparing a Reference Plan and SRPR. There will likely be some minor fieldwork to complete this once it's been calculated. We'll report with the invoice when we have the drawings completed.

Regards.

Phil deJong, O.L.S.
Hopkins Chitty Land Surveyors Inc.
1-33 Perth Street, Brockville, ON K6V 5C3

(P) 613-384-9266
www.hopkinschitty.com

From: Shelley Bacon <sbacon@northerncables.com>
Sent: Monday, November 20, 2023 3:07 PM
To: Nikki Gauthier <Ngauthier@hopkinschitty.com>
Cc: Phil DeJong <pdejong@hopkinschitty.com>
Subject: RE: Paid Deposit

Hello Nikki and Phil,
Following up on the new survey for #5 Millar's Lane in Mallorytown. I have seen some of the markers on the property and wondered if this work is complete. Will you be issuing a drawing/print of the survey and will you be billing me for the balance owing when the work is complete?
Regards,
Shelley Bacon

From: Nikki Gauthier <Ngauthier@hopkinschitty.com>
Sent: Friday, September 8, 2023 1:49 PM
To: Shelley Bacon <sbacon@northerncables.com>
Cc: Phil DeJong <pdejong@hopkinschitty.com>
Subject: Paid Deposit

Good afternoon Shelley ,

Attached is a copy of your paid deposit for your records

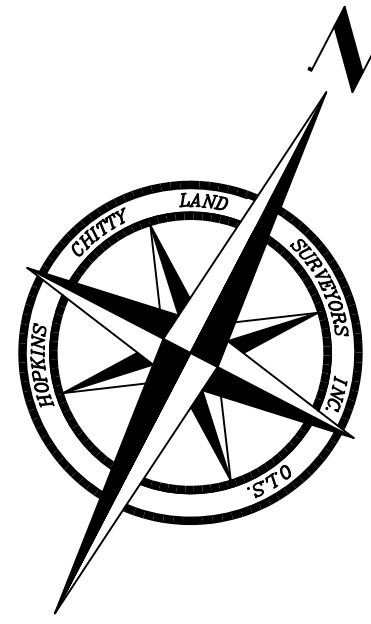
thanks

From: hclsurveyors@gmail.com <hclsurveyors@gmail.com>
Sent: Friday, September 8, 2023 1:47 PM

PLAN of SURVEY of
 PART OF LOT 22, BROKEN FRONT CONCESSION
 Geographic Township of Escott
 TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS
 COUNTY of LEEDS
 SCALE = 1:400

HOPKINS CHITTY LAND SURVEYORS INC.
 -2024-

THE INTENDED PLOT SIZE OF THIS PLAN IS 610MM IN WIDTH
 BY 914MM IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:400



PLAN 28R-15928

Received and deposited

August 9th, 2024

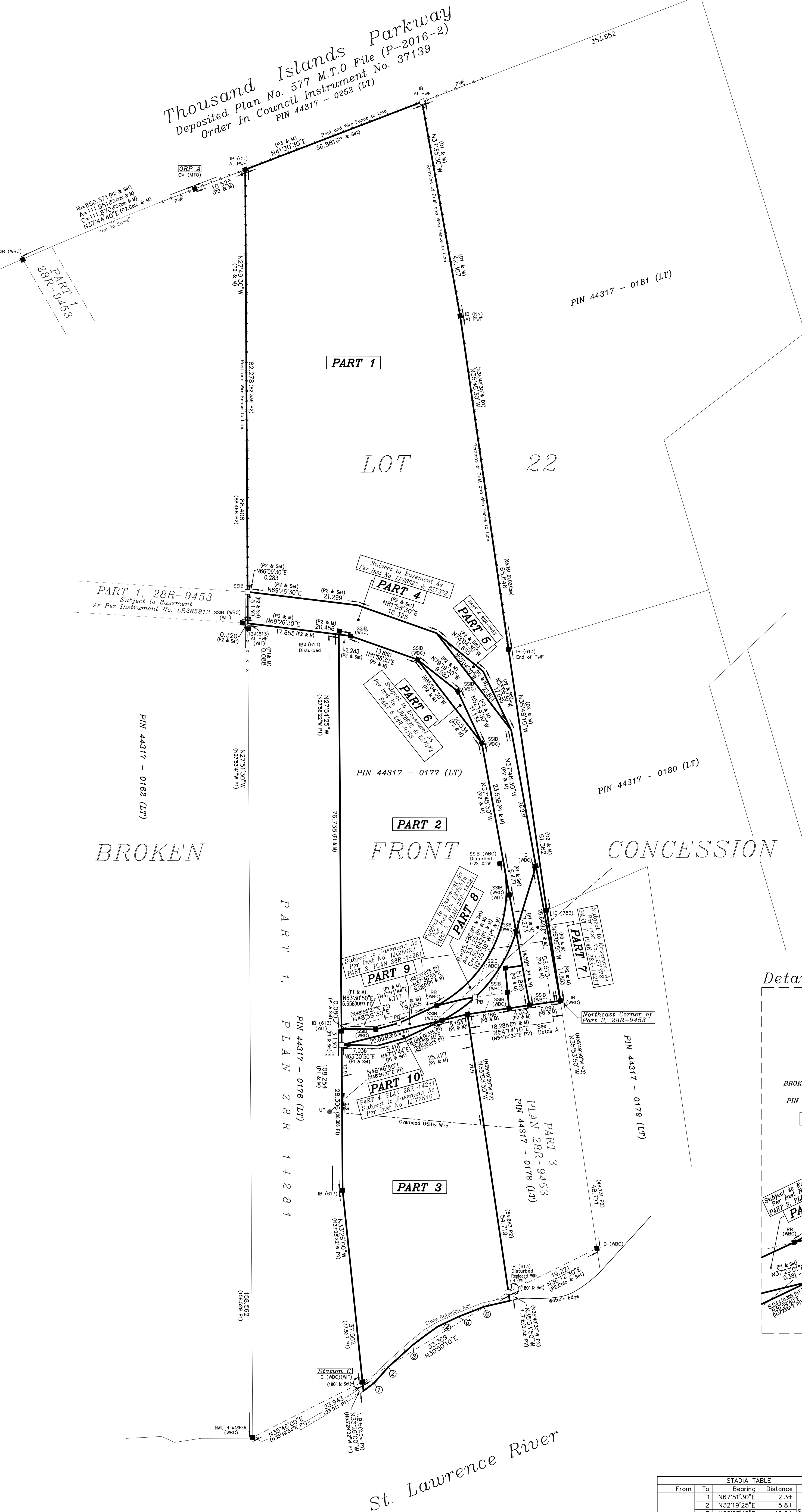
Nicole Griffin

Representative for the
 Land Registrar for the
 Land Titles Division of
 Leeds (No.28)

10metres 0 10 20 30 40metres

HOPKINS CHITTY LAND SURVEYORS INC.
 -2024-

THE INTENDED PLOT SIZE OF THIS PLAN IS 610MM IN WIDTH
 BY 914MM IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:400



SCHEDULE			
PART	LOT	CON.	PIN No.
1			
2			
3			
4			
5			
6	Part of 22	Broken Front	All of 44317-0177(LT)
7			
8			
9			
10			
11			
12			

PART 4 IS SUBJECT TO EASEMENT AS PER INSTRUMENTS No. LR28623 & ES7372.

PART 6 IS SUBJECT TO EASEMENT AS PER INSTRUMENTS No. LR28623 & ES7372.

PART 7 IS SUBJECT TO EASEMENT AS PER INSTRUMENT No. ES7372.

PART 8 IS SUBJECT TO EASEMENT AS PER INSTRUMENT No. LE76516.

PART 9 IS SUBJECT TO EASEMENT AS PER INSTRUMENT No. LR28623.

PART 10 IS SUBJECT TO EASEMENT AS PER INSTRUMENT No. LE76516.

OBSERVED REFERENCE POINTS (ORPs) UTM ZONE 18, NAD83 (CSRS) (2010) DERIVED FROM REAL-TIME NETWORK (RTN) GPS OBSERVATIONS COORDINATES TO RURAL ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP 'A'	4920113.86	429479.76
ORP 'B'	4920414.09	429745.46

COORDINATES CANNOT, IN THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 18, NAD83 (CSRS) (2010).

FOR BEARING COMPARISONS, A ROTATION OF 0°43'30" CLOCKWISE WAS APPLIED TO BEARINGS ON (P2), (P3), (D1) & (D2).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999654.

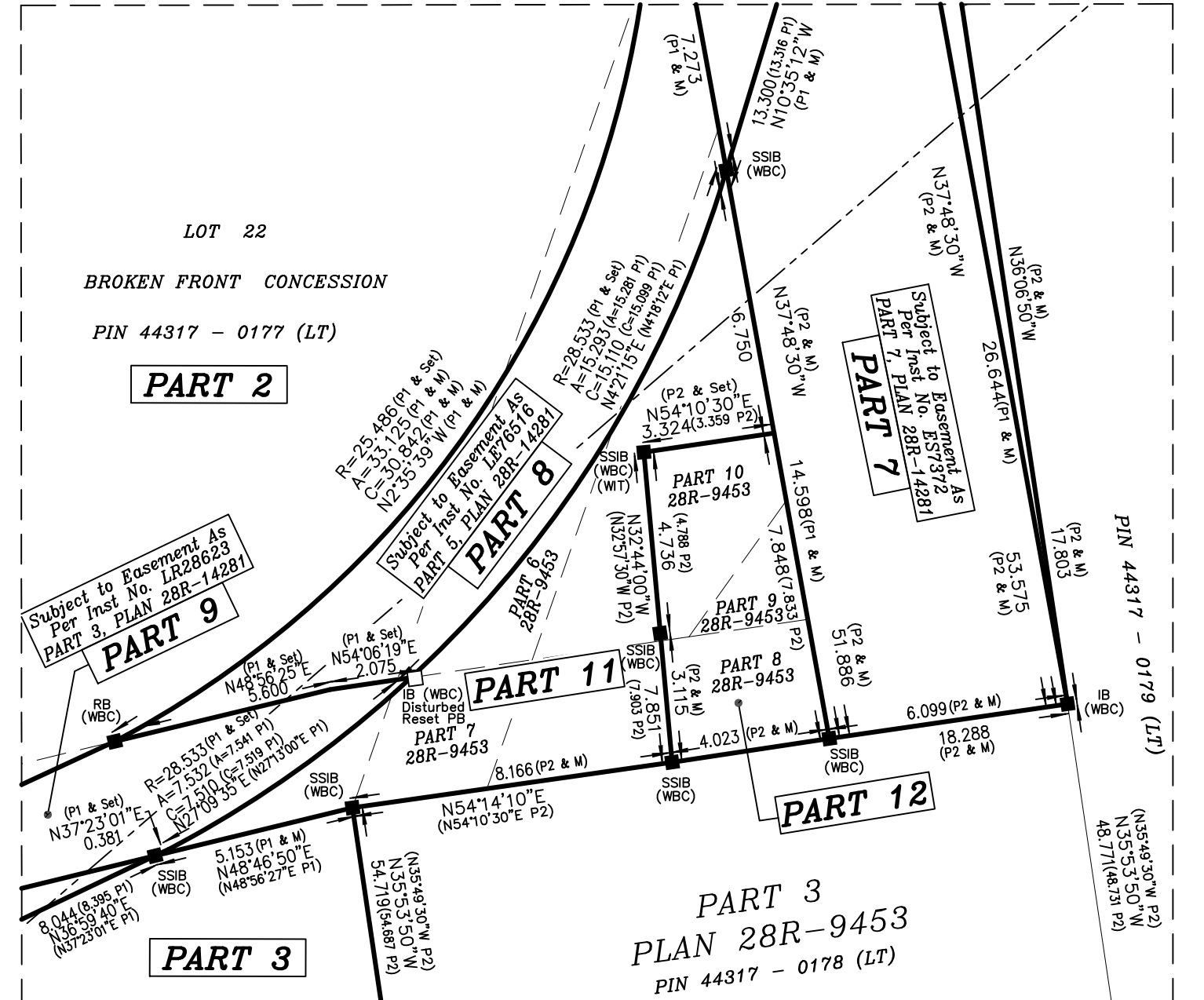
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND:

SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN

- denotes Planted Survey Monument
- Found Survey Monument
- SSIB Standard Iron Bar
- SSIB Short Standard Iron Bar
- IB Iron Bar
- IB Round Iron Bar (round)
- RB Rock Bar
- CM Concrete Monument
- IP Iron Pipe
- RPL Rock Plug
- (WT) Witness
- (M) Measured
- CC Cut Cross
- (OU) Origin Unknown
- (MTO) Ministry of Transportation Ontario
- (WBC) Collett Surveying Ltd.
- (613) R. F. Muckleston-O.L.S.
- (783) Kenneth M. Wiseman-O.L.S.
- (P1) Reference Plan 28R-14281
- (P2) Reference Plan 28R-9453
- (P3) Deposited Plan No. 577 M.T.O. File P-2016-2
- (D1) Instrument No. ES7372
- (D2) Instrument No. ES7472, attached Plan by (783) revised October 17, 1967.
- UP Utility Pole
- OHSW Overhead Service Wire
- PWF Post and Wire Fence

Detail "A" Scale 1:150



SURVEYOR'S CERTIFICATE:

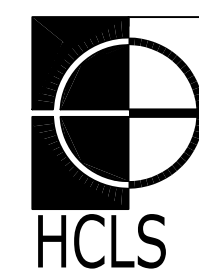
- I CERTIFY THAT:
- This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT and the LAND TITLES ACT and the REGULATIONS made under them.
 - The SURVEY was completed on the 3rd day of June, 2024.

DATE: JUNE 3, 2024

Thomas MacDonald - O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-79484.

From	To	Bearing	Distance	Description
1	2	N67°51'30"E	2.3±	
2	3	N32°19'25"E	5.8±	
3	4	N26°07'15"E	12.2±	Stone Retaining Wall & Water's Edge
4	5	N28°08'05"E	18.2±	
5	6	N28°13'15"E	22.6±	
6	7	N30°40'45"E	27.8±	



Party Chief: B.K. Instrument: P.K. Checked By: J.I. Plan By: J.I.

HOPKINS CHITTY LAND SURVEYORS INC.
 Ontario Land Surveyors
 www.hopkinschitty.com

1224 GARDINERS ROAD, SUITE 102
 KINGSTON, ONTARIO K7P-0G2
 Tel (613) 384-9266
 Fax (613) 384-3513

PROJECT No. 2023-0550
 LOT 22, BROKEN FRONT CONCESSION
 TOWNSHIP OF ESCOTT

Surveyor's Real Property Report (PART 1)
 PART OF LOT 22, BROKEN FRONT CONCESSION
 Geographic Township of Escott
 TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS
 COUNTY of LEEDS

SCALE = 1:400

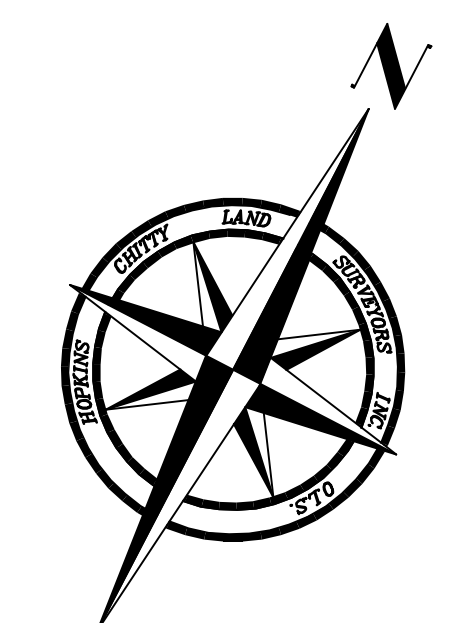
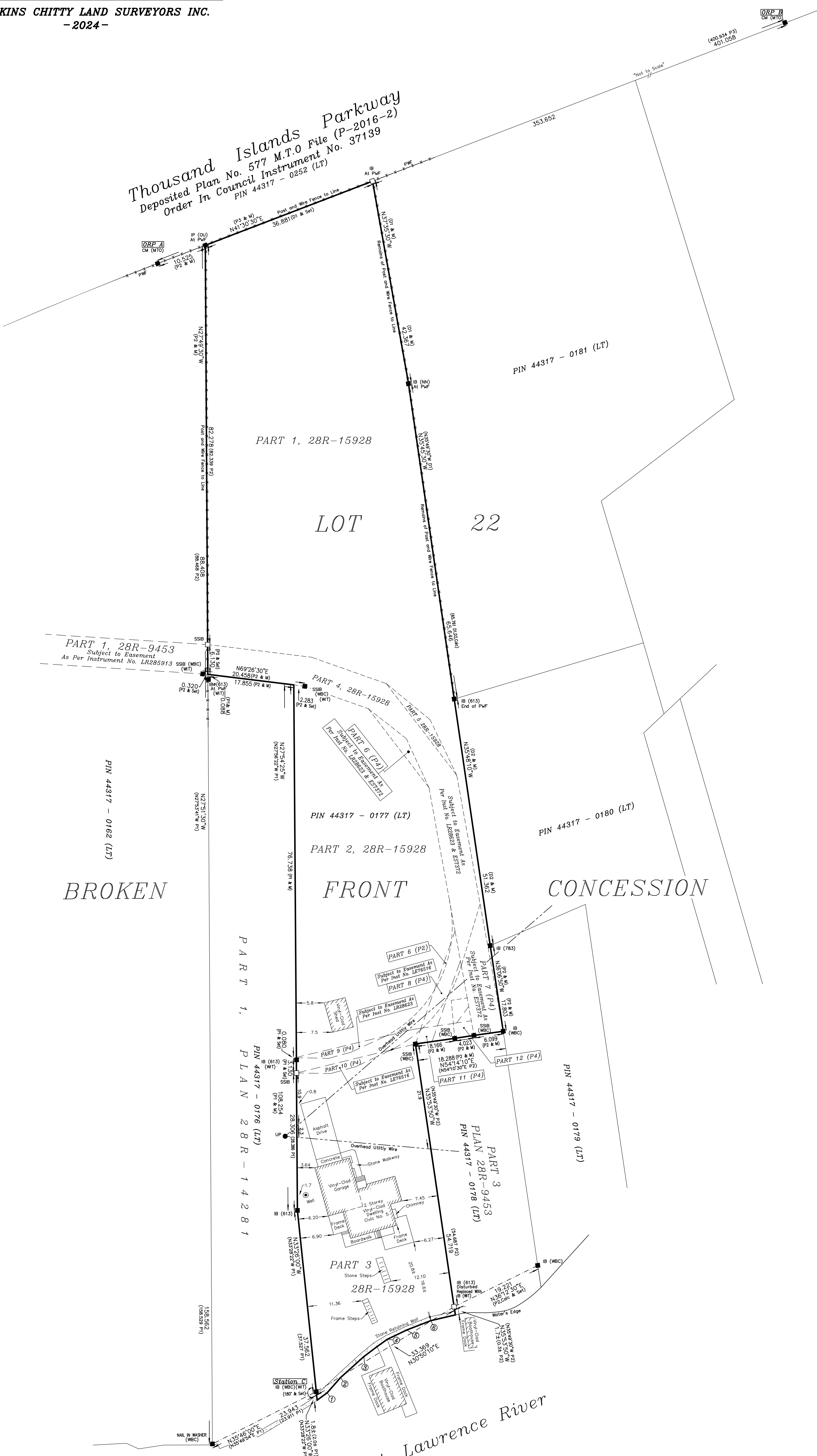


HOPKINS CHITTY LAND SURVEYORS INC.
 - 2024 -

SURVEY REPORT - PART 2

DESCRIPTION:
 PART OF LOT 22, BROKEN FRONT CONCESSION, GEOGRAPHIC TOWNSHIP OF ESCOTT, TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS, COUNTY OF LEEDS BEING PARTS 1 TO 12, INCLUSIVE ON REFERENCE PLAN 28R-15928 AND COMPRISING ALL OF PIN 44317-0177.

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS:
 SUBJECT TO EASEMENTS OVER PART 4, 6 AND 9 28R-15928 PER INSTRUMENT No. LR28623.
 SUBJECT TO EASEMENT OVER PART 4, 6 AND 7, 28R-15928 PER INSTRUMENT No. E57372.
 SUBJECT TO EASEMENT OVER PART 8 AND 10, 28R-15928 PER INSTRUMENT No. LE76516.
 TOGETHER WITH A RIGHT OF WAY PER INSTRUMENT No. E57372 OVER PART 1, 28R-9453
 COMPLIANCE WITH MUNICIPAL BY-LAWS: NOT CERTIFIED BY THIS REPORT



BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 18, NAD83 (CSRS) (2010).
 FOR BEARING COMPARISONS, A ROTATION OF 0°43'30" CLOCKWISE WAS APPLIED TO BEARINGS ON (P2), (P3), (D1) & (D2).
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999654.
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

- LEGEND:**
- SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN
 - denotes Planted Survey Monument
 - SIB " Found Survey Monument
 - Standard Iron Bar
 - SSIB " Short Standard Iron Bar
 - IB " Iron Bar
 - IB# " Iron Bar (round)
 - RB " Rock Bar
 - CM " Concrete Monument
 - IP " Iron Pipe
 - RPL " Rock Plug
 - WT " Witness
 - (M) " Measured
 - CC " Cut Cross
 - (OU) " Origin Unknown
 - (MTO) " Ministry of Transportation Ontario
 - (WBC) " Collett Surveying Ltd.
 - (613) " R. F. Mucklestone-O.L.S.
 - (783) " Kenneth M. Wiseman-O.L.S.
 - (P1) " Reference Plan 28R-14281
 - (P2) " Reference Plan 28R-9453
 - (P3) " Deposited Plan No. 577 M.T.O. File P-2016-2
 - (P4) " Reference Plan 28R-15928
 - (D1) " Instrument No. E57372
 - (D2) " Instrument No. E57472, attached Plan by (783) revised October 17, 1987.
 - UP " Utility Pole
 - OHSW " Overhead Service Wire
 - PWF " Post and Wire Fence

SURVEYOR'S CERTIFICATE:

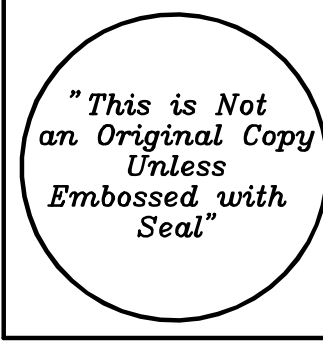
I CERTIFY THAT:
 1. This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT and the REGULATIONS made under them.
 2. This Survey was completed on the 3rd day of June, 2024

HOPKINS CHITTY LAND SURVEYORS INC.

DATE: AUGUST 8, 2024

[Signature]
 PHIL W. CHITTY - O.L.S.

No person may copy, reproduce, distribute or alter this plan in whole or in part without the written permission of Hopkins Chitty Land Surveyors Inc.



STADIA TABLE				
From	To	Bearing	Distance	Description
Station C	1	N67°51'30"E	2.3±	Stone Retaining Wall & Water's Edge
	2	N32°19'25"E	5.8±	
	3	N26°07'15"E	12.2±	
	4	N26°08'05"E	18.2±	
	5	N28°13'15"E	22.6±	
	6	N30°40'45"E	27.8±	

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-79582 © Copyright 2024

Party Chief: BK	Instrument: PK	Checked By: PWC	Plan By: DM
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HOPKINS CHITTY LAND SURVEYORS INC.
 Ontario Land Surveyors
 www.hopkinschitty.com

1224 GARDINERS ROAD, SUITE 102
 KINGSTON, ONTARIO K7P-0G2
 Tel: (613) 384-9266
 Fax: (613) 384-3513

PROJECT No. 2024-0550-1
 LOT 22, BF CONCESSION
 TOWNSHIP OF ESCOTT

November 15, 2024

File: MV/LTI/269/2024

Sent by e-mail

Kyle Peel M.Pl.
Planner
Township of Leeds and the Thousand Islands
1233 Prince Street
P.O. Box 280
Lansdowne, ON K0E 1L0

Dear Mr. Peel:

**Re: Application for Permission 45(2) D13-2024-052 (Bacon)
Pt Lot 22, Broken Front; Former Front of Leeds and Lansdowne
5 Millar's Lane, Township of Leeds and the Thousand Islands
Waterbody: St. Lawrence River & Grenadier Island Provincially Significant
Wetland**

Cataraqui Conservation staff have reviewed the above-noted application and offer the following comments for the Committee of Adjustment's consideration. These comments are provided based on Cataraqui Conservation's roles as technical advisor to the Township on *Planning Act* applications, and as administrator of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits*.

Summary of Proposal

The application is requesting permission to expand an existing legal non-complying dwelling with a 24.6 sq metre attached covered deck. It is proposed to construct the attached covered deck on the south side of the existing dwelling. The area of proposed development is currently partially developed with attached uncovered decking. The existing dwelling is a legal non-complying building with respect to the minimum required 30 metre setback from the highwater mark of the St. Lawrence River, the minimum 30 metre front yard setback of the Shoreline Residential zone, and the 120 metre influence area of the adjacent Provincially Significant Wetland.

Site Description

The subject property is approximately 0.79 hectares in size with 33.4 metres of waterfront on the St. Lawrence River. The area of the St. Lawrence River along the shoreline of the subject property has been designated as Grenadier Island Provincially Significant Wetland which is an open water marsh. The lot is an irregular shaped lot which extends north bordering the 1000 Islands Parkway. Areas of the lot are occupied by mixed wood forest while the area located along the shoreline is primarily composed of open manicured lawn which is where existing development is located. Existing development includes a single residential dwelling with attached decking, a shed, a boathouse and a dock.

The subject property is designated Rural, Provincially Significant Wetland, Flood Plain, and Highly Vulnerable Aquifer in the Township's Official Plan. The land is zoned Shoreline Residential, and Provincially Significant Wetland the implementing zoning by-law.

Discussion

The main interests of Cataraqui Conservation with respect to this application are the avoidance of natural hazards (i.e. flooding and erosion) associated with the St. Lawrence River and protection of the hydrologic function of Grenadier Island Provincially Significant Wetland.

Natural Hazards

Cataraqui Conservation, through our implementation of Ontario Regulation 41/24 and, in accordance with the natural hazards policies of the 2024 Provincial Planning Statement (PPS) to protect people and property, directs development away from lands subject to natural hazards, such as flooding and erosion.

Flooding

Development and site alteration within and adjacent to the regulatory flood plain is restricted by Cataraqui Conservation through our implementation of Ontario Regulation 41/24, consistent with Section 5.2 of the 2020 Provincial Planning Statement.

The regulatory flood plain at this location along the St. Lawrence River is identified as having a geodetic elevation of 76.09 metres. This elevation consists of the 1:100 year flood level for this section of the river plus an additional factor for wave uprush based on a regional study (Anthony) completed for CRCA. Due to the elevation change up from the water, the flood plain remains relatively close to the toe of slope.

As proposed, the attached covered deck is outside the minimum 6 metre setback from the flooding hazard.

Erosion

Development and site alteration within and adjacent to the erosion hazard is also regulated by Cataraqui Conservation through our implementation of Ontario Regulation 41/24, consistent with Section 5.2 of the 2020 Provincial Planning Statement. This is typically addressed through appropriate setbacks from the hazard or through mitigation if warranted based on site-specific conditions and the nature of a proposal.

The shoreline of the subject property is composed of shallow till over granite bedrock and has an average slope height of 2.5 metres. Using a 1(v):1(h) slope stability allowance plus a 5-metre erosion allowance, the erosion hazard extends 7.5 metres from toe of slope.

As proposed, the attached covered deck will be outside the minimum 6 metre setback from the erosion hazard.

Hydrologic Function of Grenadier Island Provincially Significant Wetland

Provincially Significant Wetlands, such as Grenadier Island PSW, are recognized for their importance and protected by the province through policies that prohibit development and site alteration altogether within a PSW and require technical assessment when development is proposed within 120 metres of wetland.

Coastal wetlands such as Grenadier Island PSW provide protection against the full impact of storm surges and the associated erosion that can impact people and property along the shoreline of larger waterbodies such as the St. Lawrence River. Establishing a buffer between all wetlands and development helps to safeguard the natural hydrologic function of wetlands as it relates to their ability to protect people and property from natural hazards.

Cataraqui Conservation regulatory policies require a minimum 30 metre setback from all wetlands greater than 0.5 hectares in size. Where there is existing development within 30 metres of a wetland greater than 0.5 hectares in size, any new development and site alteration associated with an existing structure or building must be no closer to the wetland than the existing structure or building.

As proposed, a portion of the existing decking will be removed, and the attached covered deck will be 20.3 metres from the boundary of the PSW which is an overall improvement from existing conditions.

Recommendation

Staff have no objection to the approval of application D13-2024-052 based on our consideration of natural hazards policies.

Ontario Regulation 41/24

Portions of the subject property are located within a regulated area under Ontario Regulation 41/24: *Prohibited Activities, Exemptions, and Permits* which regulates development and interference with wetlands, and alterations to shorelines and watercourses. **A permit has been submitted with CRCA and is under review.**

If you have any questions, please contact the undersigned. Please inform this office of any decision made by the Committee of Adjustment regarding this application.

Yours truly,



Emily Su
Resource Planner
613-546-4228 ex.258



Township of
**Leeds and the
Thousand Islands**

Committee of Adjustment Report

Meeting Date: 2024-11-26

Department: Planning & Development

Report Number: Planning & Development-2024-097

Submitted By: Kyle Peel

Approved By: Marnie Venditti

Subject: Application D13-2024-052 (Permission)

Civic Address: 5 Millars Lane

Recommendation:

It is recommended that the Committee of Adjustment **approves** application number D13-2024-052 for permission to expand the size of the existing legal non-complying dwelling for the property municipally known as 5 Millars Lane, subject to the following conditions:

1. The dimensions and setbacks for the proposed development are required to be consistent with the plan attached as Schedule 'A' of the Decision. Any deviation from these specifications will require review by the Township and may necessitate further approvals to be granted by the Township and/or any other governing agency, body, or authority, where applicable;
2. The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment when they make their application for a Building Permit. The drawings submitted with the Building Permit application must, in the opinion of the Township, conform to the general intent and description of the approved minor variance, including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process;
3. Prior to and during construction, appropriate erosion and sediment controls shall be installed and maintained in good working order;

4. All excavated and construction materials are required to be stored or disposed of away from the St. Lawrence River to prevent runoff and/or foreign material from entering the waterbody;
5. The owner is encouraged to maintain and enhance the waterbody setback area with native species vegetation;
6. In the event that deeply buried, or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease, and the site must be secured. The Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) and Township's Planning and Development Department (613-659-2415, extension 212) must be immediately contacted; and
7. In the event that human remains are encountered, all work must immediately cease, and the site must be secured. The OPP (613-659-5200), Office of the Chief Coroner as a part of the Ontario Ministry of the Solicitor General (1-877-991-9959), the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132), and Township of Leeds and the Thousand Islands Planning and Development Department (613- 659-2415, extension 212) must be immediately contacted.

Summary:

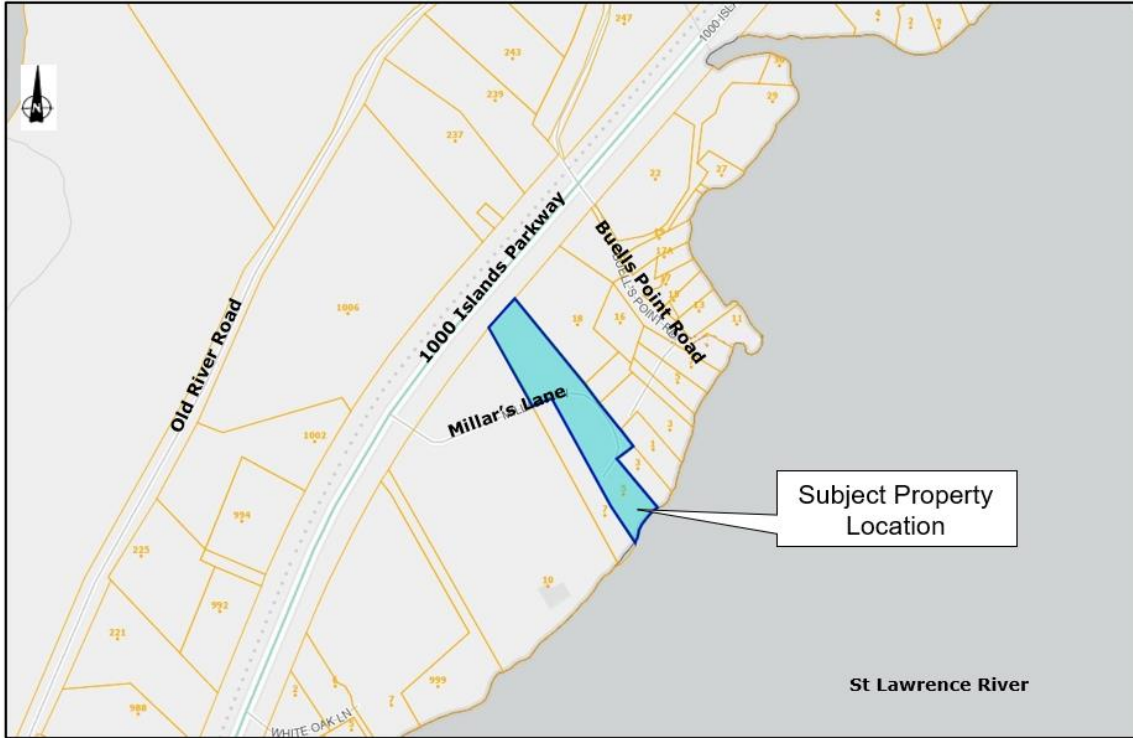
This application is requesting a permission to expand an existing legal non-complying dwelling with the addition of an attached covered deck. It is proposed to construct the attached covered deck on the south side of the existing dwelling. The area of proposed development is currently partially developed with attached uncovered decking. The existing dwelling is legal non-complying with respect to the minimum required 30-metre setback from the highwater mark of the St. Lawrence River, the minimum 30-metre front yard setback of the Shoreline Residential 'RS' zone, and the 120-metre influence area of the adjacent Provincially Significant Wetland.

Requested Permission:

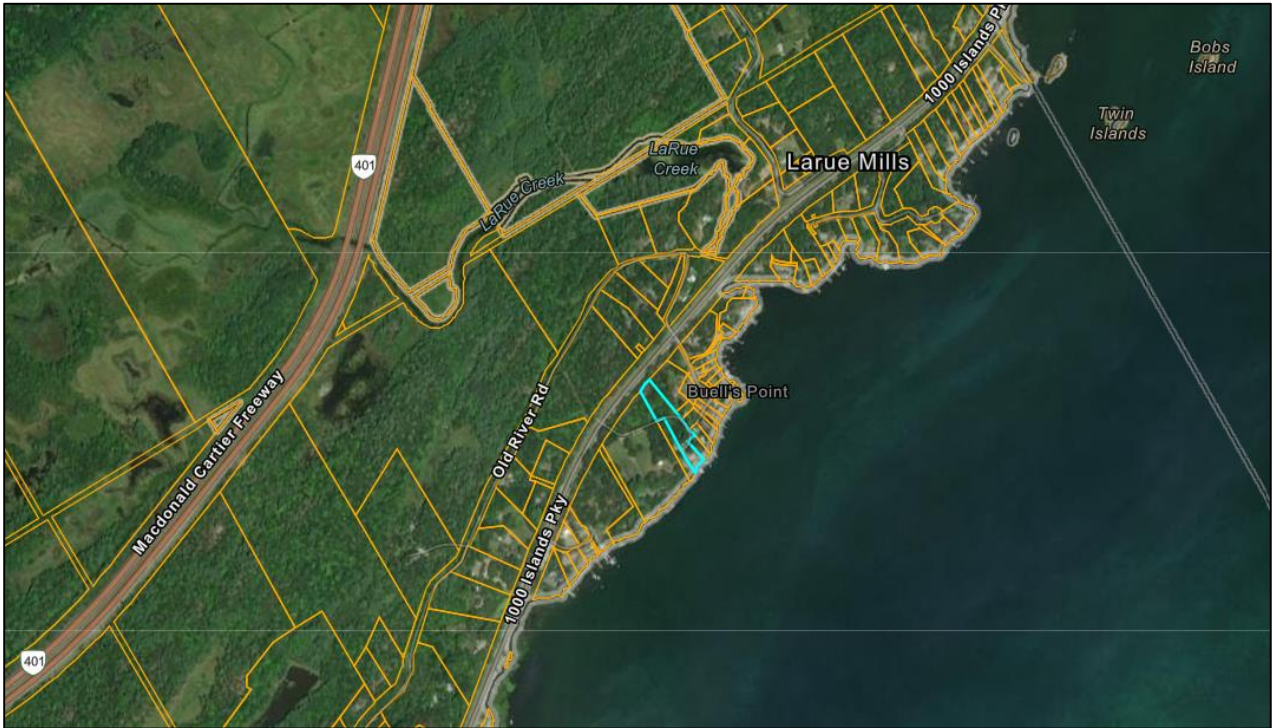
	Provision	Existing Structure	Proposed Attached Covered Deck	Permission Requested
-	Increase in size of a legal non-complying structure	Dwelling: 85.7 square metres (922.5 square feet)	Covered Attached Deck: 24.6 square metres (264.8 square feet)	Total floor area of non-complying structures: 110.3 square metres (1,187.3 square feet)

Site Description:

The subject property is located at 5 Millars Lane. The property is an existing lot of record zoned Shoreline Residential ('RS') zone in Zoning By-Law Number 07-079. The property has an area of approximately 0.85 hectares, with approximately 33.4 metres of frontage on the St. Lawrence River. The property is non-compliant with respect to the minimum lot area (1 hectare) and the minimum lot frontage (60 metres) of the 'RS' zone. The property contains a single detached dwelling with attached uncovered decking, an accessory structure (storage shed), and a marine facility (boat house). The property is largely flat with manicured grass and slopes down toward the water. The property is in an area of similar shoreline residential development and is accessed from Millars Lane, which is a private right-of-way.



KEY MAP: Subject property highlighted.



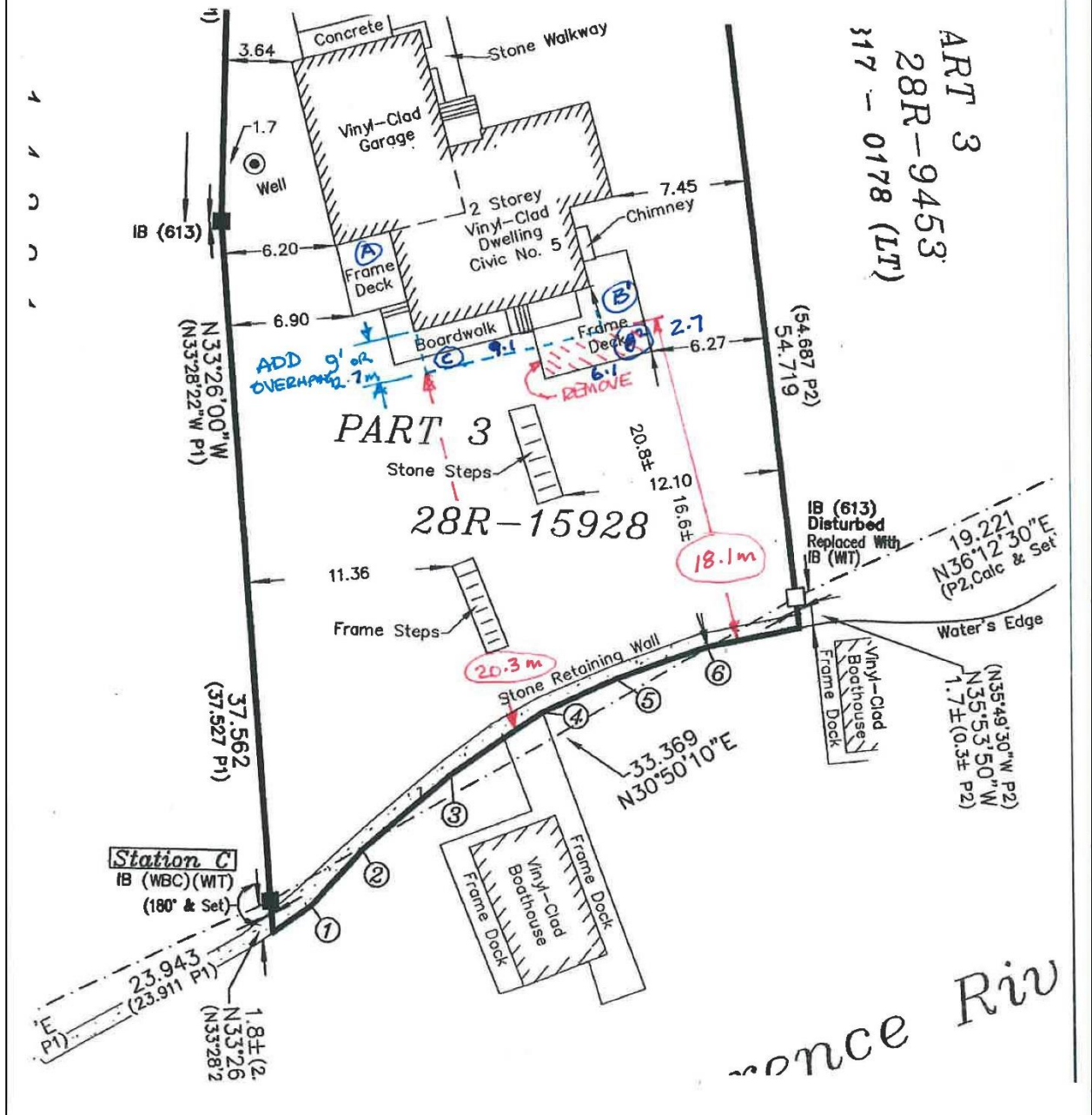
AERIAL IMAGE 1: Subject property highlighted.



AERIAL IMAGE 2: Subject property highlighted.

Subject Property

PROPOSED SEPT 14, 2024



ART 3
28R-9453
317 - 0178 (LT)

PART 3
28R-15928

ance Riv

PLOT PLAN

Discussion:

Official Plan of the United Counties of Leeds and Grenville

The property is designated as Rural Lands in the United Counties of Leeds and Grenville Official Plan. Rural Lands 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. The proposed expansion of the existing single detached dwelling with a covered deck is a permitted use in the Rural Lands designation.

Section 4.4.1(k) of the Official Plan of the United Counties of Leeds and Grenville states that 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.

The Counties' Official Plan further states that 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. Further, any proposed reduction is required to maximize the setback through building design and orientation, and the siting of the septic system, and minimize disturbance to native soils and shoreline vegetation.

The existing dwelling is located within the minimum 30-metre setback from the highwater mark of St. Lawrence River, which does not provide an opportunity for any enlargement to comply with the minimum required water setback. The proposed addition of the attached covered deck will extend no further into the established setback of the existing dwelling, and no impacts to adjacent properties are anticipated. The proposal is consistent with the applicable policies of the Provincial Planning Statement (2024). In summary, the proposal is consistent with the general intent and purpose of the Counties' Official Plan.

Township Official Plan

The property is designated Rural in Schedule A1 – Land Use Designations of the Township Official Plan. The intent of the Rural designation is to allow for a range of uses which provide the rural community with opportunities to live and work in a sustainable manner. The proposed addition of the attached covered deck to the existing single detached dwelling is a permitted use in the Rural designation.

The subject application is seeking approval to permit the expansion of a legal non-conforming/non-complying cottage through the addition of a covered deck. Section 4.11.2 of the Township Official Plan states that applications for changes to non-conforming uses or limited enlargements or extensions to such uses shall only be considered where the use was: legally established prior to the adoption of the Zoning By-Law which rendered it non-conforming; continuous in nature since the use was established; and, located on

lands owned and used in connection with the use on the day the Zoning By-law was passed. In considering applications, the following criteria shall be applied:

- a) Any proposed change of use or extension or enlargement of the existing non-conforming use shall not aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of the Zoning By-law applying to the area;

The existing dwelling is a legal non-complying structure that does not comply with the minimum 30-metre setback from the highwater water of the St. Lawrence River and the minimum 30 metre front yard setback of the 'RS' zone. The application proposes to construct a covered deck on the existing dwelling, no closer to St. Lawrence River than the setback of existing attached uncovered decking. As such, the existing situation is not being aggravated.

The property is subject to the Waterfront Development and Waterbody Protection policies of the Township Official Plan. The purpose of these policies is to ensure the long-term protection of waterbodies in the Township. The Official Plan requires buildings and structures to be generally setback at least 30 metres (98.4 feet) from the highwater mark of all waterbodies to ensure new construction is located outside of natural hazard areas, protects water quality and environmentally sensitive riparian areas, controls erosion and assists in softening the visual intrusion of development.

The Township Official Plan states that development may be permitted less than the minimum of 30 metres from a waterbody in situations where existing lots or existing development cannot meet the minimum 30-metre setback, the setback is to be maximized through design and orientation with minimal disturbance to native soils and shoreline vegetation.

The existing dwelling is located within the minimum 30-metre water setback and minimum 30-metre front yard setback, which does not provide an opportunity for any additions to comply with the minimum required setbacks. Aside from the minimum water setback and minimum front yard setback, the proposed attached covered deck satisfies all other provisions of the Township Zoning By-Law. The proposed expansion has been confirmed to be located sufficiently outside of natural hazards. The proposed area of construction is currently partially developed with an uncovered deck. Further, the property features existing attached uncovered decking located closer to the water than the proposed development, which is proposed to be removed. As such, there will be no net increase of developed areas on the subject property through this application. Lot coverage on the property remains compliant with the requirements of the 'RS' zone. The expansion preserves the existing setback area, providing an opportunity for the area between the dwelling and the waterbody to be enhanced and maintained with native species vegetation. This is reflected in the recommended conditions enclosed within this report. The proposed development meets the intent of the waterfront development policies.

- b) Any proposed extension or enlargement shall be limited in nature and in an appropriate proportion to the existing size of the non-conforming use;

The proposed attached covered deck is to be constructed no closer to the highwater mark or floodplain elevation than existing development. The existing dwelling is 85.7 square metres in floor area, and the proposed attached covered deck will increase the size of the structure to 110.3 square metres. As noted in the preceding section, the proposed area of construction is currently partially developed with an uncovered deck. Further, a portion of attached uncovered deck located closer to the water than the proposed development has been confirmed to be removed. As such, there will be no net increase of developed areas on the subject property through this application. No undue adverse impacts to adjacent properties are anticipated beyond what currently exists and the scale of the attached covered deck is in appropriate proportion to the existing legal non-conforming/non-complying dwelling.

- c) The characteristics of the proposed non-conforming use or any proposed extension or enlargement of the existing non-conforming use shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation. Applications which would create or aggravate land use incompatibilities shall not be approved;

No land use incompatibilities are anticipated. The existing dwelling is a permitted use in the 'RS' zone, and the proposed attached covered deck is not anticipated to generate any additional noise, odours, or traffic beyond what currently exists.

- d) Neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.;

The proposed attached covered deck is not anticipated to cause any adverse effects to adjacent land uses.

- e) Transportation routes for all users and bicycle and vehicle parking conditions in the vicinity will not be adversely affected by the proposal and pedestrian, cyclist, and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvements of sight lines especially in proximity to intersections;

No additional traffic is anticipated as a result of the development proposed through this application.

- f) Adequate provisions have been or will be made for off-street parking and loading facilities;

The minimum off-street vehicular parking requirement of Zoning By-Law Number 07-079 for a single detached dwelling use is two spaces. There is sufficient area to accommodate zoning compliant off-street parking for the residential use.

- g) Services such as stormwater management, roads and private sewer and water services are adequate or can be made adequate.

The subject property is serviced by individual private services. The existing level of services is understood to be adequate. The proposed scope of work does not place additional demands on existing private water and sanitary servicing. There will be further review through the building permit process for the attached covered deck to ensure that it complies within minimum setbacks to the septic system that are prescribed by the Ontario Building Code.

The proposed attached covered deck is consistent with the general intent and purpose of the Township Official Plan.

Other Matters of Local or Provincial Interest:

The policies of the Provincial Planning Statement (PPS) (2024) have been considered in reviewing this application. Specifically, the protection of water resources as outlined in Section 4.2 has been considered. This policy calls for the minimizing of negative impacts, implementing restrictions on development to protect sensitive surface and groundwater features, and implementing storm water management practices and maintaining or increasing vegetative and pervious surfaces. Through the recommended conditions, the proposal is consistent with the water resources policies of the PPS (2024). With respect to the policies of Section 5.2 (protection from natural hazards), the CRCA has reviewed the application from a natural hazards perspective and have concluded that the proposed development is located at a sufficient distance from the natural hazards. In summary, the application is consistent with the Provincial Planning Statement (2024).

Consultation:

Public Comments: As of the date of the completion of this report, no comments have been received from the public with respect to the subject application.

Cataraqui Region Conservation Authority (CRCA): The CRCA has submitted comments stating no concerns with the approval of the application based on its consideration of natural hazards.

Township Building Department: The Building Department submitted comments noting no objection provided the proposed construction meets all applicable law.

Site Photos:



Photo 1: Towards the existing dwelling



Photo 2: Towards the existing dwelling



Photo 3: Towards the proposed area of development



Photo 4: Towards the shoreline area



Photo 5: Towards the area of proposed development from the shoreline



Township of
Leeds and the
Thousand Islands

Planning and Development Department
1233 Prince Street, P.O. Box 280
Lansdowne, ON K0E 1L0
Telephone: 613-659-2415; 866-220-2327
Fax: 613-659-3619
Email: planningtechnician@townshipleeds.on.ca

**NOTICE OF COMMITTEE OF ADJUSTMENT HEARING
MINOR VARIANCE APPLICATION
(Section 45 of the Planning Act)**

DATE: Tuesday, November 26, 2024
TIME OF HEARING: 1:00 pm
LOCATION: 1233 Prince Street, Lansdowne, ON.
The hearing may be attended in person in the Council Chambers and virtually online/by phone through Zoom. Details on how to participate for both options are below.

File Number: D13-2024-053
Applicant: Luke Severson
Agent: Not Applicable
Location: 974 Burma Lane
Ward: Ward 2 (Former Rear of Leeds and Lansdowne)

PURPOSE OF APPLICATION

A minor variance application has been submitted to facilitate detached uncovered decking and a pumphouse structure that were constructed within the minimum 30-metre waterbody setback and minimum 30-metre front yard setback of the 'RS' zone by a previous owner in the absence of municipal and agency approvals. The two detached uncovered decks are approximately 9.5 square metres and 48 square metres and are located at a 0-metre setback from the highwater mark of Charleston Lake and the front lot line. The detached pumphouse is approximately 5.51 square metres and is setback approximately 14 metres from the highwater mark of Charleston Lake, wetland and the front lot line.

Section	Provision	Proposed	Requested Zoning Relief
3.32(b)	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 (98.43 ft.) from the high water mark.	Deck 3: 0 metres (0 feet) Deck 4: 0 metres (0 feet) Pumphouse: 14 metres (45.9 feet)	Deck 3: 30 metres (98.43 feet) Deck 4: 30 metres (98.43 feet) Pumphouse: 16 metres (52.5 feet)
3.32(d)	Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 30 metres of a seasonal or permanent wetland not categorized herein.	Deck 3: 0 metres (0 feet) Deck 4: 0 metres (0 feet) Pumphouse: 14 metres (45.9 feet)	Deck 3: 30 metres (98.43 feet) Deck 4: 30 metres (98.43 feet) Pumphouse: 16 metres (52.5 feet)
5.5 (b)	Yard requirements (minimum) Front: 30.0 m (98.43 ft.)	Deck 3: 0 metres (0 feet) Deck 4: 0 metres (0 feet) Pumphouse: 14 metres (45.9 feet)	Deck 3: 30 metres (98.43 feet) Deck 4: 30 metres (98.43 feet) Pumphouse: 16 metres (52.5 feet)

HOW TO PARTICIPATE IN THE HEARING:

All comments received will become part of the public record. Comments can only be received in a written format or verbally in person/virtually. Staff are unable to accept verbal comments over the phone or in person outside of the hearing.

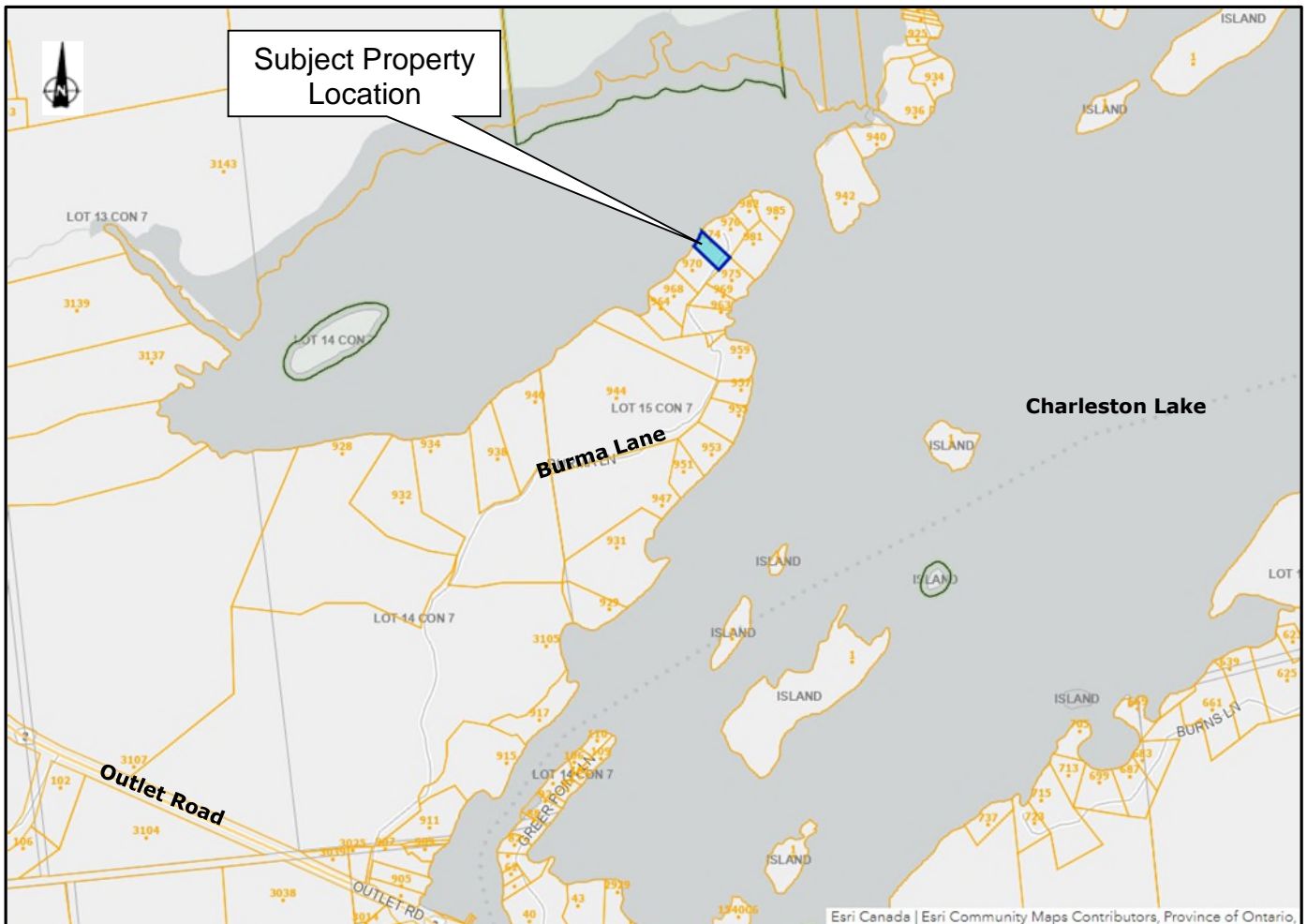
Anyone attending in person in the Council Chambers or virtually online/by phone through Zoom will be provided the opportunity to comment on an application. The ways to comment on an application are:

1. Written Comments – Email: planningtechnician@townshipleeds.on.ca
Mail: Township of Leeds and the Thousand Islands
Attention: Amanda Werner-Mackeler, Secretary-Treasurer
1233 Prince St PO Box 280
Lansdowne, ON K0E 1L0
2. In Person Attendance – In person attendance will be in the Council Chambers at the Township Office at 1233 Prince St, Lansdowne, ON.
3. Virtual/Phone Attendance – If you wish to attend virtually/by phone, you are required to register to be an attendee prior to the hearing. Once registered, you will receive a follow up email from the Clerk with the details to attend the hearing by computer or by phone. To register to attend the hearing virtually/by phone, please register online at:

https://us02web.zoom.us/webinar/register/WN_6QzIU3WFRuKSkVPQ2xde8w

If you have any issues registering online, please call 613-659-2415 x 203 before November 22, 2024 and indicate your name, phone number, email address and application you wish to speak to. Staff will register you for the hearing using your email address and you will receive a follow up email from the Clerk with the details on how to attend the hearing by computer or by phone.

KEY MAP: property subject to application for Minor Variance shown in blue.



MAKE YOUR VIEWS KNOWN

The Committee of Adjustment will make a decision on the application on the basis of information or evidence received before and during the hearing. This notice has been mailed to you, as required by the Planning Act.

You may express your support or opposition to the proposed minor variance by either attending the above virtual public hearing or sending a letter by mail, e-mail, or hand-delivery prior to the hearing date. Any correspondence received will become part of the public record. Only the applicant, a specified person, public body, and the registered owner of any land to which the Committee of Adjustment applies may appeal a decision to the Ontario Land Tribunal.

No specified person, public body or registered owner to which the decision would apply shall be added as a party to the hearing of the appeal unless, before the decision was made, the specified person, public body or registered owner of any land to which the decision applies made oral submissions at a statutory public meeting or written submissions to the Committee of Adjustment prior to the decision or, in the opinion of the Tribunal, there are reasonable grounds to add the specified person or public body as a party.

“Public body” and “specified person” are defined under Section 1(1) of the Planning Act.

VIEW THE APPLICATION FILE

Additional information concerning the Minor Variance Application is available online at <https://www.leeds1000islands.ca/en/governing/council-and-committee-calendar.aspx> or by contacting Amanda Werner-Mackeler, CPT, Secretary-Treasurer, during regular office hours at 613-659-2415 x 203 or email planningtechnician@townshipleeds.on.ca.

RECEIVE A COPY OF THE COMMITTEE’S DECISION

The Committee of Adjustment will make a decision on the application at the meeting. To receive a copy of the Committee’s decision, you must make a written request to the Committee of Adjustment c/o Township of Leeds and the Thousand Islands, 1233 Prince Street, P.O. Box 280, Lansdowne, Ontario, K0E 1L0 or email planningtechnician@townshipleeds.on.ca.

ACCESSIBILITY INFORMATION

If you are a person with a disability and need Township of Leeds and the Thousand Islands information provided in another format, please contact the Clerk’s office at 613-659-2415 x 231 or clerk@townshipleeds.on.ca.

MULTI-RESIDENTIAL UNIT NOTIFICATION

If you have received this notice and you are the owner of land that contains seven or more residential units, please post this notice in a location that is visible to all of the residents.

For more information about this matter, contact Amanda Werner-Mackeler, CPT Secretary-Treasurer, at 613-659-2415 x 203 or email planningtechnician@townshipleeds.on.ca.

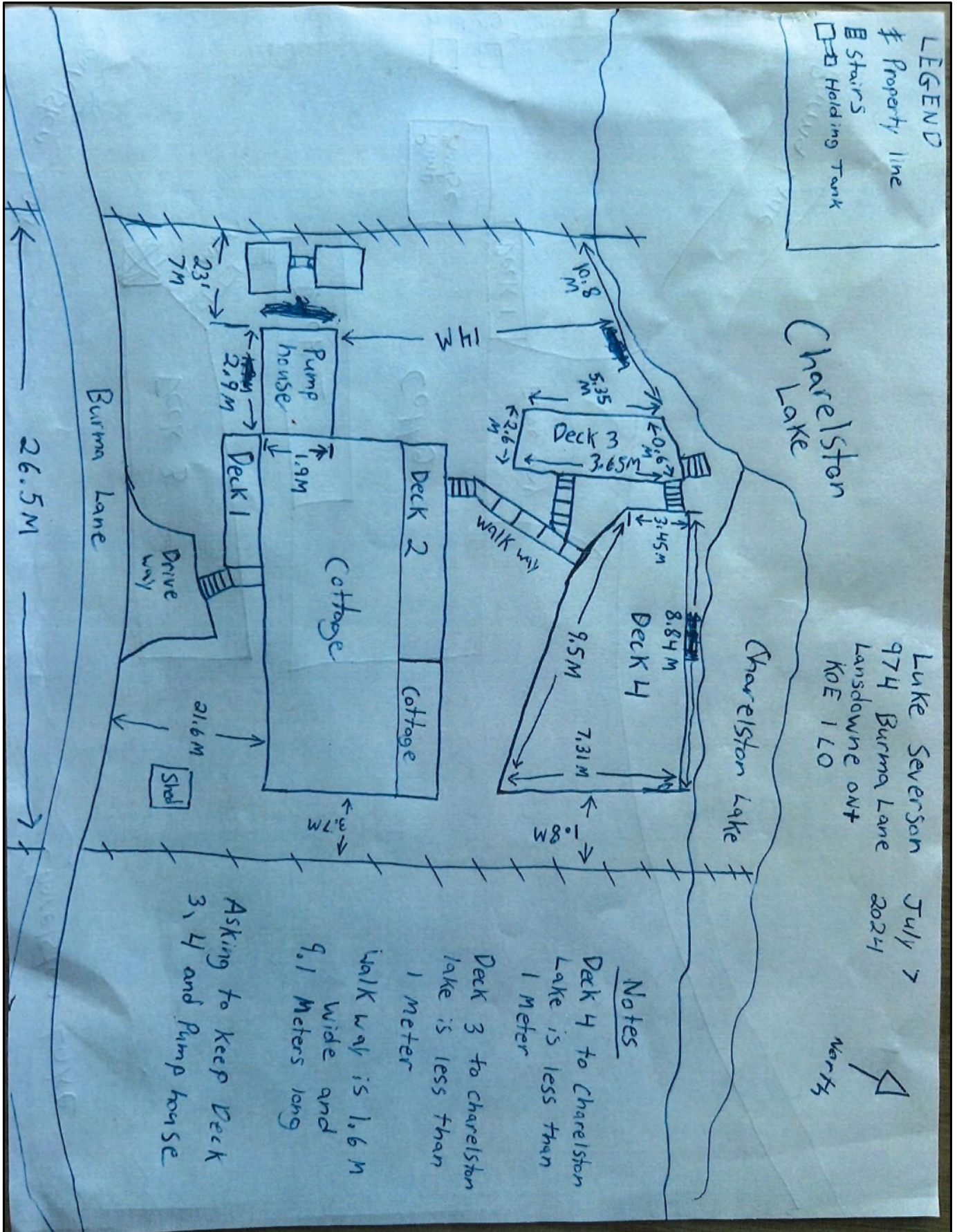
DATED at the Township of Leeds and the Thousand Islands on the 7th day of November, 2024.

Proposed Schedule A - Proposed Plot Plan

Minor Variance Application: D13-2024-053

Owner: Luke Severson

Location: 974 Burma Lane





DEVELOPMENT APPLICATION
 Section 41 (Site Plan Approval) and
 Section 45 (Minor Variance) of the Planning Act

OFFICE USE ONLY

Application:	D13-2024-053	Date Received:	October 18, 2024
Roll Number:	816-015-16945	Deemed Complete:	November 6, 2024
Application Fee:	Application \$850 Septic Review \$215	<input type="checkbox"/> Cheque	<input type="checkbox"/> Cash <input checked="" type="checkbox"/> Interac <input type="checkbox"/> N/A
Posting of Sign By:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Staff (\$50 Fee) <input type="checkbox"/> Other
Posting of Sign Fee:	<input type="checkbox"/> Cheque	<input type="checkbox"/> Cash	<input type="checkbox"/> Interac <input checked="" type="checkbox"/> N/A

1. APPLICATION TYPE (Check all that apply)

Minor Variance Application

Site Plan Agreement

2. PRE-CONSULTATION (Attach supporting documentation)

TLTI - Staff Leeds, Grenville & Lanark Health Unit

CRCA St. Lawrence Parks Commission

Other:

3. COMPLETE APPLICATION REQUIREMENTS

Complete Application Form

Authorization of Applicant (if applicable)

Affidavit signed by a Commissioner of Oaths, Notary, etc. (Available at Office)

Township and other Agency (if applicable) Applications and Fees

Cover Letter and/or report

Survey Plan (if available)

Deed

Scaled Sketch as per Section 11 (1 hard copy (11x17 paper or less) or 1 digital copy)

Minimum Distance Separation Calculation Form (if applicable)

All Supporting Information identified through Pre-Consultation including DRT

4. SUBJECT LAND

Assessment Roll Number: 08-12-816-015-15009-0000

Civic Address: 974 Burma Lane Lansdowne ONT K0E 1L0

Legal Description (Concession, Lot, Part, Reference Plan numbers): LANS CON 7 PT LOT 15 RP 28R99 Part 5, 18, 19 Charleston Lake

Date subject land acquired by current owner: June 14 2024

5. REGISTERED OWNER(S)

All owners must be included. If company, identify principals. A separate page may be submitted, if needed.

Name(s): Luke Raymond John Severson

Company Name (if applicable): _____

Mailing Address: 974 Burma Lane Lansdowne ONT K0E 1L0

Phone (home): _____ Phone (cell): 613 349 6145

Email Address: Luke.r.jo.Severson@gmail.com

6. APPLICANT INFORMATION

If an applicant is NOT the owner of the subject lands, written authorization from **all registered owner(s)** must be obtained stating that the agent is authorized to make the application (Section 13)

6.1 Is the applicant the same as the owner?

Yes (same information as above)

No (please fill out below **and** complete Section 14 - Agreement, Authorization and Declaration)

6.2 Name(s): _____

Company Name (if applicable): _____

Mailing Address: _____

Phone (home): _____ Phone (cell): _____

Phone (work): _____ Email Address: _____

7. SUBJECT LAND CHARACTERISTICS

7.1 Please list and describe any existing easements, right-of-ways or restrictive covenants that apply to the subject property (required to be shown on sketch)

Burma Lane

7.2 Site Description: (briefly describe factors that may impact the proposed development, such as soil type and depth, lot configuration, steep slopes or low-lying areas, natural feature, etc.) Rock / cliffs

7.3 Dimensions of Subject Land

Total Lot Area: 1,307 M ~~hectares~~ 0.3 Acre acres
 Lot Depth: 50.242 M metres feet
 Lot Width (frontage): 26 M metres feet

7.4 Road Access (include name)

- Provincial Highway: _____
- County Road: _____
- Municipal Road: _____
- Private Right-of-Way: Burma Lane
- Water Only: _____

7.5 If access to the subject land is by water only, provide details of parking and docking facilities to be used and the approximate distance of these from the subject land and the nearest public road:

7.6 Servicing – Water

	Existing	Proposed	Not Applicable
Municipal Piped Water System	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Privately Owned and Operated Well			
<input type="checkbox"/> Dug	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Drilled	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Communal	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lake or Other Water Body:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.7 Servicing – Sewage

	Existing	Proposed	Not Applicable
Municipal	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Privately-Owned			
<input type="checkbox"/> Individual Sanitary Sewage System	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Communal Sanitary Sewage System	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Composting/Self-Contained Toilet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Privy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Outhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other: (Specify) <u> Holding Tank </u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.8 Servicing – Storm Drainage

	Existing	Proposed	Not Applicable
Sewers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ditches	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Swales	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (Specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. OFFICIAL PLAN, ZONING BY-LAW AND LAND USE INFORMATION

8.1 Official Plan Designation: *Rural Flood Plain, Significant Wetland
other - Woodlands, Highly Vulnerable Aquifer*

8.2 Special Policy Area: 1000 Islands Highly Sensitive Lake Trout Lake No

8.3 Zoning: *Shoreline Residential*

8.4 Is this a designated heritage property: Yes No

8.5 Existing Use(s): (indicate uses and length of time uses have continued)
The property is used as a seasonal dwelling.

8.6 Proposed Use(s): *Minor Variance to Keep ^{Seasonal} Deck S
and Pump house which were constructed ^{by previous}
owner with out permission prior to ^{me} purchasing
the property _{ntial}*

8.7 Existing Use on Adjacent Lands:
North: *Charleston Lake* South: *Seasonal residence*
East: *Seasonal residence* West: *Seasonal residence*

8.8 Previous Use(s): (indicate all previous land uses on the subject land or adjacent lands including any industrial or commercial use, or if there is suspected contamination) *Previous use of subject land and adjacent lands was and continues to be seasonal residence.*

8.9 Indicate any current or previous application under the *Planning Act* affecting the subject land:

8.10 Potential Land Use Constraints:	On Subject Lands	On Adjacent Lands Within	No
Agricultural Operation including Livestock Facility or Stockyard (If Yes, MDS info must be submitted)	<input type="checkbox"/>	<input type="checkbox"/> 1000m	<input checked="" type="checkbox"/>
Waste Management Site or Landfill	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Sewage Treatment Plant or Waste Stabilization	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Provincially Significant Wetland (PSW)	<input type="checkbox"/>	<input checked="" type="checkbox"/> 120m	<input type="checkbox"/>
Locally Significant Wetland (LSW)	<input type="checkbox"/>	<input type="checkbox"/> 50m	<input checked="" type="checkbox"/>
Area of Natural and Scientific Interest (ANSI)	<input type="checkbox"/>	<input type="checkbox"/> 50m	<input checked="" type="checkbox"/>
Flood Plain	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Wellhead Protection (Village of Lansdowne)	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
James W. King Intake Protection Zone - St. Lawrence River - South of Gananoque (OP Schedule A6)	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Licensed Mine, Pit or Quarry or an area designated for Aggregate Extraction	<input type="checkbox"/>	<input type="checkbox"/> 1000m	<input checked="" type="checkbox"/>
Rehabilitated Mine/Pit/Quarry Site?	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Industrial or Commercial Use, or Wrecking Yard Specify Use: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Active Railway Line	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Municipal or Federal Airport	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Provincial Highway 401	<input type="checkbox"/>	<input type="checkbox"/> 250m	<input checked="" type="checkbox"/>
Utility Corridor(s) i.e. Power Lines, Hydro Easement	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
i.e. Natural Gas or Oil Pipeline, etc.	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Gas Station - Currently or at Any Time	<input type="checkbox"/>	Adjacent	<input checked="" type="checkbox"/>
Lands suspected to be contaminated	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Has grading of the subject land been changed by adding earth or other material(s)?	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Designated Heritage Building/Site	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
8.11 Additional information that may be relevant to the review of the application:			

Provided on a Separate Sheet

9. REQUIRED PLANS

9.1 A detailed sketch in metric has been attached with the required information as noted in Section 9.2. Yes No

All required site plan drawings, elevations, cross-sections, grading, drainage, etc. along with the required information as noted in Section 9.3. Yes No

9.2 Sketch Requirements

For minor variance, a detailed sketch **is required**. The sketch must include:

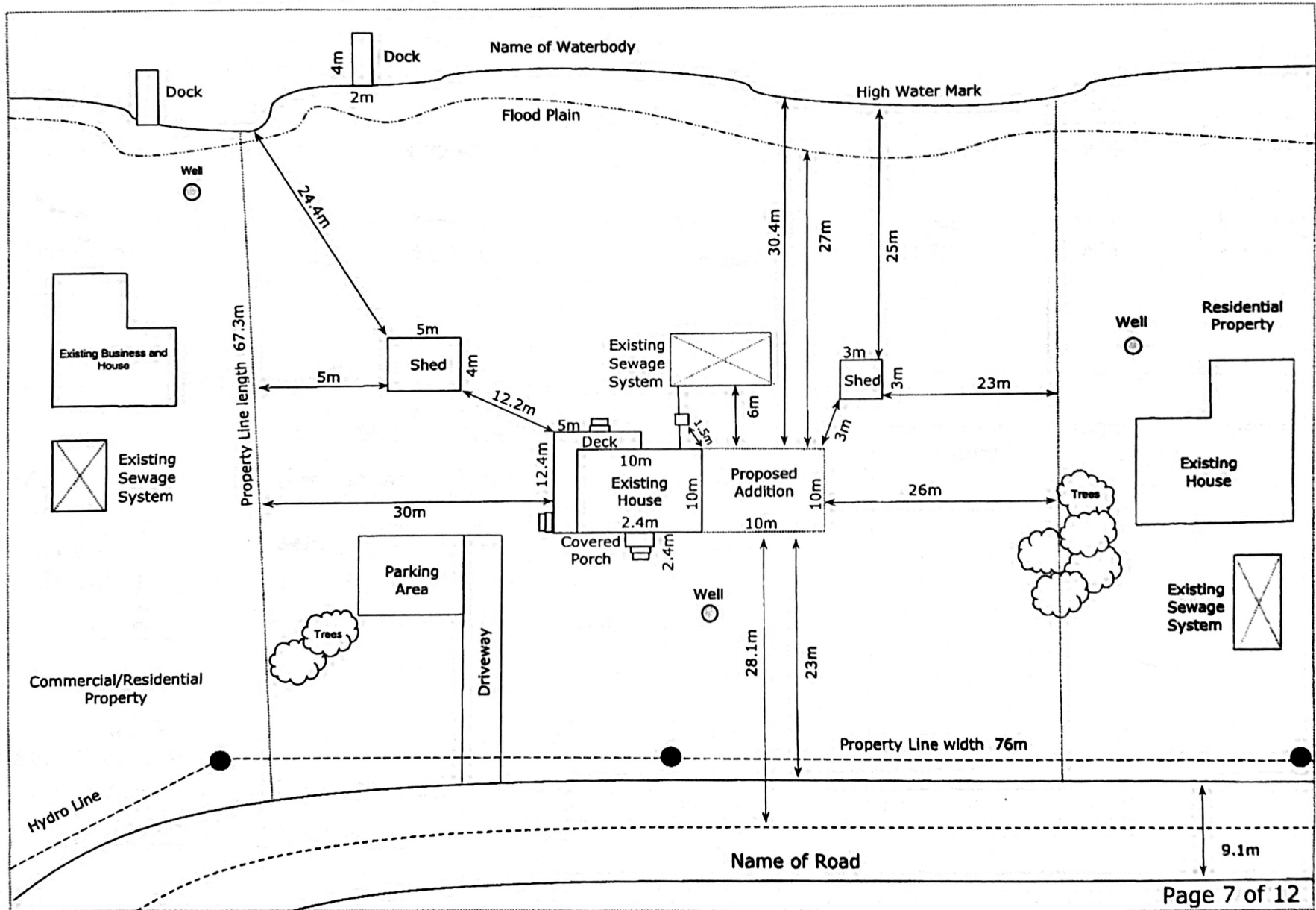
- (a) The boundaries and dimensions of the subject land.
- (b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot line.
- (c) The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, flood plains drainage, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that:
 - (i) Are located on the subject land and on land that is adjacent to it, and
 - (ii) In the applicant's opinion, may affect the application.
- (d) The current uses of land that is adjacent to the subject land.
- (e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- (f) If access to the subject land will be by water only, the location of the parking and docking facilities to be used; and
- (g) The location and nature of any easement affecting the subject land.

9.3 Site Plan Requirements

In addition to Section 9.2, for site plan applications, drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing fewer than 25 dwelling units which drawings are sufficient to display,

- (a) The massing and conceptual design of the proposed building;
- (b) The relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access;
- (c) The provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;
- (d) Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design
- (d.1) Matters relating to exterior access to each building that will contain affordable housing units or to any part of such building, but only to the extent that it is a matter of exterior design;
- (e) the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
- (f) facilities designed to have regard for accessibility for persons with disabilities.

9.3 SAMPLE SKETCH – Measurements, setbacks for all structures must be transcribed onto Sections 10 and 11.



10. EXISTING STRUCTURES & SETBACKS ON SUBJECT LAND (Indicate any to be demolished)

10.1 Existing Structures in metres. Include all structures on subject land, including marine facilities and structures under 10 square metres.

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Stories	Dimensions			Year Built
				Length	Width	Height	
Cottage	99.7m ²		1	11.6m	8.6m	4.8m	Unknown
Shed		4.32m ²	1	1.8m	2.4m	2.2m	Unknown
Deck 1		4.4m ²	1	5.7m	1.75m	N/A	Unknown
Deck 2		16.8m ²	1		7.3m	2.3m	N/A

10.2 Setbacks of Existing Structures to property boundaries, shoreline, etc. in metres

Type of Structure	Front	Side ^W	Side ^E	Rear	Water	Flood Plain	Public Road (center)	Right of Way (edge)	Other
Cottage	12.5m	10m	3.7m	21.6m	12m			21.6m	
Shed	34m	22m	2m	8m	24m			8m	
Deck 1	21.1	10m	9.8m	21.1	21.7			19.85	
Deck 2	12.5m	10m	8.1m	14.8	12.5m			28.5	
Holdng Tank	14.10m	4.5m	21.7m	17.8 35m	14.6m			18.8m	

10.3 Existing Parking & Loading Spaces

Existing Number of Standard Parking Spaces: 3

Existing Number of Barrier Free Parking Spaces: _____

Existing Number of Loading Spaces: _____

11. PROPOSED STRUCTURES & SETBACKS ON SUBJECT LAND (Indicate any to be demolished)									
11.1 Proposed Development (if any) in square metres, metres									
Type of Structure	Ground Floor Area	Gross Floor Area	Number of Stories	Dimensions			Year Built		
				Length	Width	Height			
Pump House		5.51m	1	2.9m	1.9m	2.4m	2017		
Deck 3		9.49m	1	2.6m	3.65m	N/A	unknown		
Deck 4		48m	1	7.31m	9.5m	N/A	unknown		
11.2 Setbacks of Proposed Structures to property boundaries, shoreline, etc. in metres									
Type of Structure	Front	Side	Side	Rear	Water	Flood Plain	Public Road (center)	Right of Way (edge)	Other
Pump House	14m	7m	10.8m	21.6m	14m			21.6m	
Deck 3	0m	10.8m	12 m	26.6m	0m			35.6m	
Deck 4	0m	16m	1.8m	26.6m	0m			35.6m	
11.3 Proposed Parking & Loading Spaces									
Proposed Number of Standard Parking Spaces:									
Proposed Number of Barrier Free Parking Spaces:									
Proposed Number of Loading Spaces:									

12. MINOR VARIANCE INFORMATION

12.1 Description of Proposal ~~to~~ Upon purchase of property became aware that two decks and pumphouse were constructed without proper permissions and permits from municipality. I am proposing a minor variance to ensure property and its structures meet municipal requirements.

12.2 Variance Requested from Zoning By-Law:

Section	Zone Requirement	Proposed Standard	Variance Required
R1Z1 OF-OF9 3.32 (b)	Set back-water 30. m		retroactive permit from Cataraqui Cons Act Relief of By-law decking

12.3 Why is it not possible to comply with the provisions of the Zoning By-Law?

Pumphouse and Deck 3 and Deck 4 were built prior to me purchasing the property

13. AUTHORIZATIONS & PERMISSION TO ENTER

All Registered Owner(s) must complete the following to authorize the applicant/agent to make the application on their behalf (if Owner is NOT the applicant) and/or to permit Council, Committees of Council, Township Staff or authorized agents to enter the subject property to conduct site inspections related to this application. If multiple owners, an authorization letter from each owner is required.

I/We Luke Severson, (name(s) of owner(s) or company)

being the registered owner(s) of the subject property of this application:

Hereby authorize the following person(s) to act as our agent to prepare, submit the application and pay any associated fees on my/our behalf (if applicable):

John Severson, Lisa Severson, Danny Gray (Name of Applicant(s)/Authorized Agent(s))

- Hereby authorize Council, Committees of Council, and Township Staff or authorized agents to enter the subject property without notice to conduct site inspections related to this application.
Agree to ensure that any driveway/lanes are accessible during the circulation period of the application so that Committee members, Township staff and other agencies do not have any barriers blocking access to the subject land.
Agree to post any required signage on site, which is prepared by Township Staff, with respect to this application in the requested timeframe of the Planning Act and upon notification by Township Staff.
Agree to stake the area of any proposed construction a minimum of 1 week prior to the hearing/meeting date of your application.
Have included the written approval of all surveyors, designers, etc. that designed any documents, plot plans etc. to allow the Township to use their plan(s) in the notice or hearing and other documents which are viewable by the public.
Hereby acknowledge and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Signature(s): [Handwritten signatures]

Date: Oct 14 2024

14. AGREEMENT TO INDEMNIFY & STATUTORY DECLARATION

I/We, Luke Severson
(name of owner, applicant or authorized agent)

Of the Leeds and the thousand Islands
(name of Municipality)

In the Leeds and Grenville
(name of County)


Hereby agree to indemnify and save harmless The Corporation of the Township of Leeds and Thousand Islands (the "Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeal Tribunal from any decision of the Council approving the applicant's application.

I/We acknowledge and agree that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Local Planning Appeal Tribunal in support of a decision approving the application until the amount has been paid in full.

I/We further acknowledge and agree that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

I/We solemnly declare that all of the above statements contained herein and all exhibits transmitted herewith including this application and any required document attached hereto are true, and I/We make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature(s): 

Declared before me at the: Leeds and the Thousand Islands
(name of municipality)

In the Leeds and Grenville
(name of County)

This 18 day of October, 2024.


Signature of Commissioner of Oaths, etc.

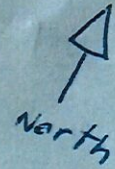
Michelle K. Hannah,
a Commissioner for Taking Oaths,
Clerk, The Corporation of the Township
of Leeds and the Thousand Islands,
Section 1 (2) (1). R.S.O. 1990 c.C17.

(Official Stamp of Commissioner of Oaths)

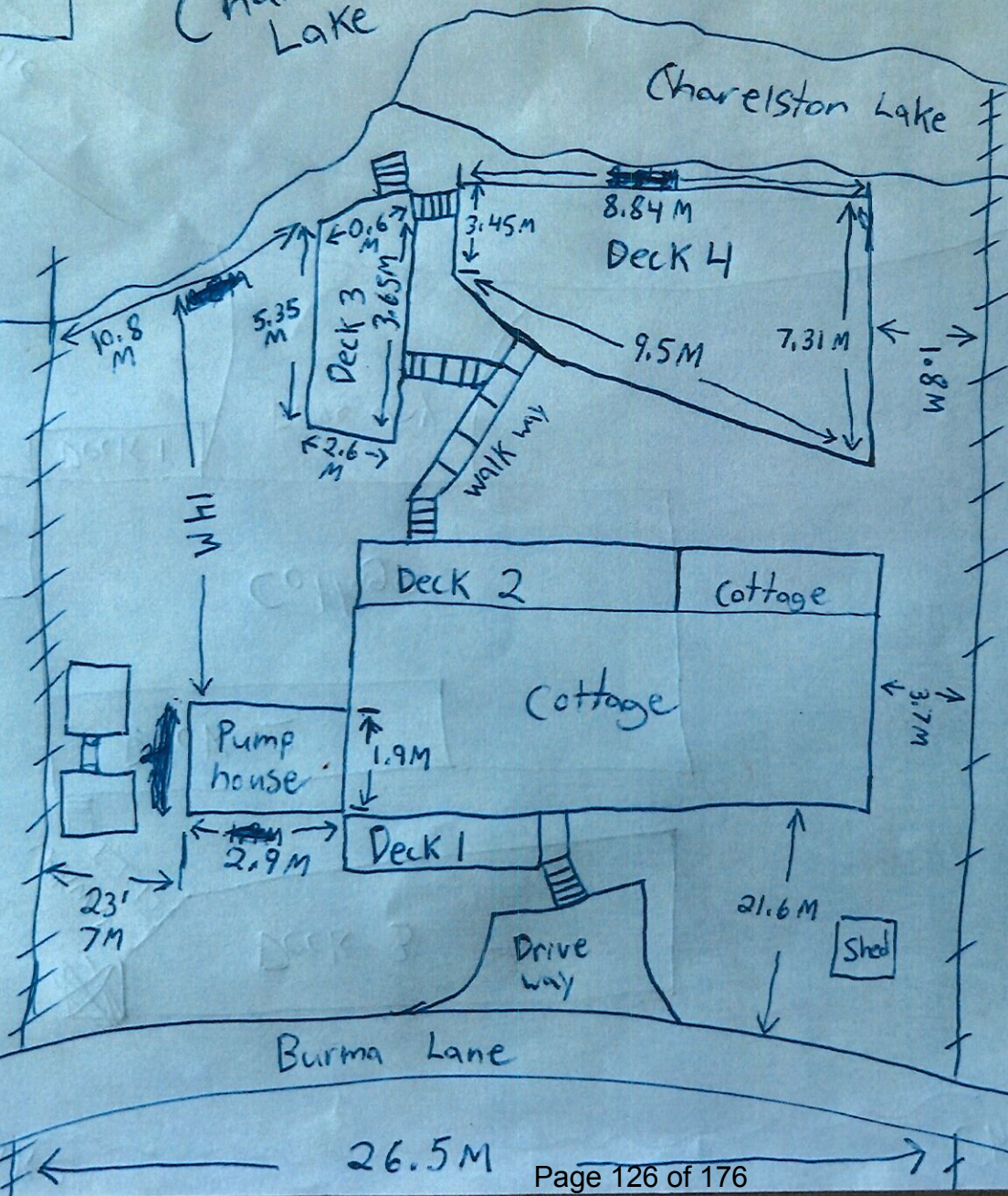
LEGEND

- ⊥ Property line
- ▤ Stairs
- Holding Tank

Luke Severson July 7
 974 Burma Lane 2024
 Lansdowne ONT
 KOE I LO



Charelston Lake



Notes

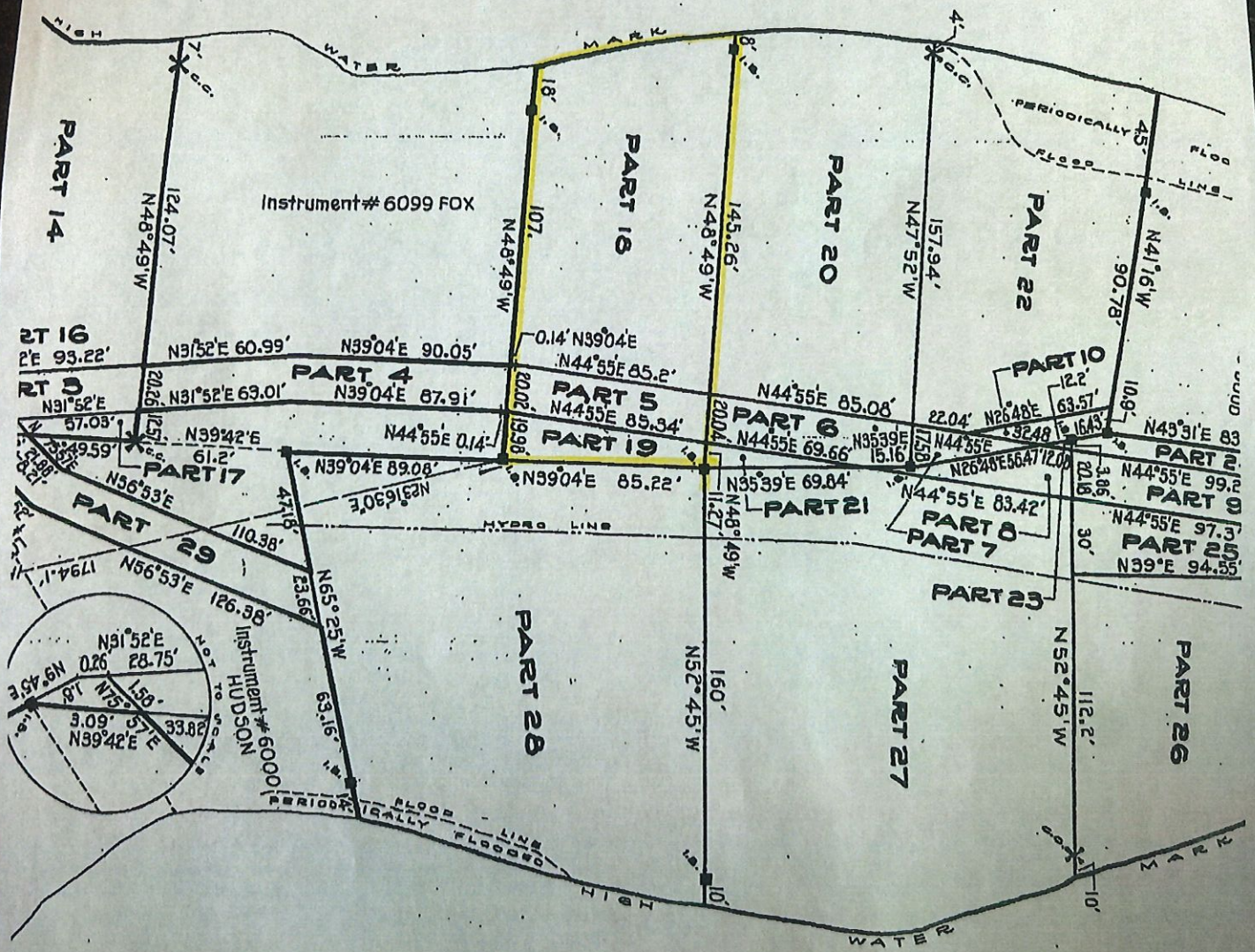
Deck 4 to Charelston Lake is less than 1 Meter

Deck 3 to Charelston lake is less than 1 Meter

Walk way is 1.6 M wide and 9.1 Meters long

Asking to keep Deck 3, 4 and Pump house

CHARLESTON LAKE



CHARLESTON LAKE



2D



Search Maps



10° AQI 1

Planning Act Application - Pre-Consultation

Planner: Emily Su
Contact: 613-546-4228 ext. 258
Email: esu@crca.ca

Application: D00-2024-062
Address: 974 Burma Lane
Municipality: The Leeds and the Thousand Islands
Applicant: Luke Severson, luke.rj.severson@gmail.com

Natural Hazards

- The regulatory 100-year flood plain elevation for Charleston Lake is 86.5 metres GSC.
- The slope height along the shoreline of Charleston Lake in the location of the subject property ranges from 1.5 metres to 3.5 metres.
- Staff attended a site visit and as constructed, the larger deck and pumphouse are located outside the stable slope. The smaller deck is located within the stable slope however at **less than 15 sq metres in size**, the structure is exempt from **Ontario Regulation 41/24**.
- Staff can only recommend that the small deck be relocated further upland and outside the area at risk to long term erosion.

Requirements/Requests

- **Staff have no requirements for the completed development.**

Required Report / Study	Functional Submission	Detailed Design
Site Plan with measured setbacks from regulated features	N/A	N/A
Hydrological and Hydraulic Analysis	N/A	N/A
Hydrodynamic Analysis	N/A	N/A
Geotechnical Report	N/A	N/A
Slope Stability / Erosion Assessment	N/A	N/A
Topographic Survey prepared by an OLS	N/A	N/A
Stormwater Management Report	N/A	N/A
Erosion and Sediment Control Plan	N/A	N/A
Drainage and Grading Plan	N/A	N/A
Top of Bank Demarcation	N/A	N/A
Wetland Delineation through OWES	N/A	N/A

November 15, 2024

Sent by e-mail

Lindsay Lambert, M.Pl. MCIP RPP
Senior Planner
Township of Leeds and the Thousand Islands
1233 Prince Street
P.O. Box 280
Lansdowne, ON K0E 1L0

Dear Ms. Lambert:

**Re: Minor Variance Application Section 45(1) D13-2024-053 (Severson)
Pt Lot 15, Concession 7; Former Rear of Lansdowne
974 Burma Lane, Township of Leeds and the Thousand Islands
Waterbody: Charleston Lake & Charleston Lake Provincially
Significant Wetland**

Cataraqi Conservation staff have reviewed the above-noted application and offer the following comments for the Committee of Adjustment's consideration. These comments are provided based on Cataraqi Conservation's roles as technical advisor to the Township on *Planning Act* applications, and as administrator of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits*.

Summary of Proposal

The application is requesting a minor variance to permit detached uncovered decking and a pumphouse structure that were constructed within the minimum 30 metre setback from the highwater mark of Charleston Lake and the minimum 30 metre front yard setback of the Shoreline Residential zone. The uncovered decking and pumphouse were constructed by the previous owner in the absence of municipal and agency approvals. The two detached uncovered decks are approximately 9.5 sq metres and 48 sq metres and are 0 metres from the highwater mark of Charleston Lake and front lot line. The detached pumphouse is approximately 5.51 sq metres and is setback approximately 14 metres from the highwater mark of Charleston Lake, Charleston Lake Provincially Significant Wetland and the front yard lot line.

Site Description

Staff attended a site visit on May 30, 2024. The subject property is 0.12 hectares in size with waterfront on Charleston Lake. Charleston Lake has been identified as an at-capacity Highly Sensitive Lake Trout Lake by the Ministry of Natural Resources and Forestry and the Ministry of the Environment, Conservation and Parks (MECP). The area of Charleston Lake adjacent to the subject property has also been identified as Charleston Lake Provincially Significant Wetland. The shoreline topography of the lot consists of a steep embankment composed of exposed bedrock. From top of slope the land becomes

relatively flat which is where existing development is located. Existing development includes 2 decks, a dwelling, a pumphouse, and docking.

The subject property is designated Rural, Flood Plain, Significant Wetland, Woodlands, and Highly Vulnerable Aquifer in the Township's Official Plan and zoned Shoreline Residential (RS) in the implementing zoning by-law.

Discussion

The main interest of Cataraqui Conservation with respect to this application is the avoidance of natural hazards (i.e. flooding and erosion) associated with Charleston Lake and the protection of the hydrologic function of Charleston Lake Provincially Significant Wetland.

Natural Hazards

Cataraqui Conservation, through our implementation of Ontario Regulation 41/24 and, in accordance with the natural hazards policies of the 2024 Provincial Planning Statement, directs development away from lands subject to natural hazards (e.g. flooding and erosion).

Flooding

The regulatory flood plain for Charleston Lake is 86.5 metres GSC where any new development and site alteration is required to occur outside of 6 metres from the regulatory flood plain. Based on the above-mentioned topography, the regulatory flood plain does not extend beyond the toe of slope on the subject property.

As constructed, the uncovered decks are outside the flood plain but do not meet the minimum 6 metre setback and the pump house is located outside the minimum 6 metre setback.

Erosion

Cataraqui Conservation defines the extent of potential erosion hazards for inland lakes as the sum of a 1(h):1(v) or 3(h):1(v) slope stability allowance (depending on slope material) plus an erosion access allowance of 6 metres. Together, these make up what is known as the 'Erosion Hazard Limit'.

The erosion hazard associated with Charleston Lake and the shoreline which is composed of exposed limestone bedrock consists of a stable slope allowance of 1(h):1(v) and a 6 metre access allowance. With a slope height of approximately 2 metres, the erosion hazard limit extends 6 metres from the toe of slope.

As constructed, the larger uncovered deck is located outside the erosion hazard, the smaller deck is within the erosion hazard and the pumphouse is outside the 6 metre setback from erosion hazard.

Hydrologic Function of Charleston Lake Provincially Significant Wetland

Wetlands are important features of watersheds for many reasons. From a natural hazards perspective wetlands can retain water during periods of high-water levels or peak flows such as spring freshet and high precipitation events. They allow the retained water to slowly infiltrate into the ground, be released into adjacent waterbodies as well as evaporate, ultimately reducing the potential energy associated with flood waters which can also cause erosion. Charleston Lake PSW in the location of the subject property is an open water Marsh which from a natural hazards perspective plays a more significant role with energy dissipation and erosion control.

Under Ontario Regulation 41/24, new development is required to occur outside of 30 metres from the boundary of a wetland. This ensures that a certain area of protection is provided to maintain the function of the wetland.

As constructed, the uncovered decking and the pump house are within 30 metres of Charleston Lake Provincially Significant Wetland. Typically, where there is existing development and new development is proposed, the 30 metre setback must be met. If the new development involves an addition to an existing structure or building, the new portion of development must be no closer to the wetland boundary than the closest point of the existing structure or building. In this instance, the uncovered decking and pumphouse are presented as separate structures, and at less than 15 sq metres in size, the smaller deck and pumphouse are not regulated under Ontario Regulation 41/24 and therefore not subject to setbacks from regulated features.

Recommendation

Staff recognize that the uncovered decking and pumphouse do not meet the minimum 6 metre setback from natural hazards and do not meet the 30 metre setback from the PSW boundary. However, the smaller deck and pumphouse are structures no longer regulated under Ontario Regulation 41/24 where staff can only recommend that the smaller deck and pumphouse be setback further to establish safe access outside the flood plain and stable slope as well as to protect the hydrologic function of the PSW.

Staff have no objection to the approval of minor variance application D13-2024-053.

Ontario Regulation 41/24

Portions of the subject property are located within a regulated area under Ontario Regulation 41/24: *Prohibited Activities, Exemptions, and Permits* which regulates development and interference with wetlands, and alterations to shorelines and watercourses. **The uncovered decking and pumphouse have been presented as structures separate from the existing dwelling, of which the smaller deck and**

pumphouse are less than 15 sq m in size. A retroactive permit is only required for the reconstruction of the larger deck and connecting walkway.

If you have any questions, please contact the undersigned. Please inform this office of any decision made by the Committee of Adjustment regarding this application.

If you have any questions, please contact the undersigned at (613) 546-4228 ext. 258, or by e-mail at esu@crca.ca. Please inform this office of any decision made by the Township regarding this application.

Sincerely,



Emily Su
Resource Planner
613-546-4228 ex.258

cc: applicant, via e-mail

Amanda Werner-Mackeler

From: Bill Lascelles [REDACTED]
Sent: Sunday, November 17, 2024 2:10 PM
To: Amanda Werner-Mackeler
Subject: re: file#D13-2024-053 Luke Severson at 974 Burma Lane

I am writing this email in support of my neighbour's minor variance application. The deck and the pumphouse in no way impact our enjoyment of the lake or our property. In fact, we find his property with the decking quite beautiful from the water when we are kayaking. Regards, William Lascelles at 982 Burma Lane.

Amanda Werner-Mackeler

From: [REDACTED]
Sent: Thursday, November 21, 2024 10:50 AM
To: Amanda Werner-Mackeler
Cc: 'Bert Shire'; 'Rebecca Cross'; 'Cindy Cross'
Subject: Adjacent cottage owners - comment on File Number: D13-2024-053 (Luke Severson 974 Burma Lane Road) - committee of Adjustment hearing scheduled for November 26, 2024

I received the mail notice regarding the application for a minor variance at our new neighbour's cottage property at **974 Burma Lane (Luke Severson, file # D13-2024-053)**

I am one of the four owners of the family cottage at 981 Burma Lane Road. The other owners are Bert Shire, Becky Cross and Cindy Cross.

I spoke with Bert, Cindy and Becky. We are all **in support** of our neighbour's application for this minor variance to recognize existing structures which were in place when they bought the cottage.

We have **no objections or concerns regarding the application.**

Please pass along this note of support to the committee.

Sincerely, Dan.

Dan Shire
[REDACTED]

[REDACTED]
981 Burma Lane



Township of
**Leeds and the
Thousand Islands**

Committee of Adjustment Report

Meeting Date: 2024-11-26

Department: Planning & Development

Report Number: Planning & Development-2024-096

Submitted By: Lindsay Lambert

Approved By: Marnie Venditti

Subject: Minor Variance Application Number: D13-2024-053

Civic Address: 974 Burma Lane

Recommendation:

It is the recommendation of Planning Staff that minor variance application number D13-2024-053 for the property municipally known as 974 Burma Lane be approved subject to the following recommended conditions:

1. The dimensions and setbacks for the proposed development are required to be consistent with the plan attached as Schedule 'A' of the Decision. Any deviation from these specifications will require review by the Township and may necessitate further approvals to be granted by the Township and/or any other governing agency, body, or authority, where applicable;
2. The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment when they make their application for a Building Permit. The drawings submitted with the Building Permit application must, in the opinion of the Township, conform to the general intent and description of the approved minor variance, including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process;
3. All excavated and construction materials are required to be stored or disposed of away from Charleston Lake to prevent runoff and/or foreign material from entering the waterbody;
4. The owner is encouraged to maintain and enhance the waterbody setback area with native species vegetation;

5. In the event that deeply buried, or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease, and the site must be secured. The Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) and Township's Planning and Development Department (613-659-2415, extension 212) must be immediately contacted; and

6. In the event that human remains are encountered, all work must immediately cease, and the site must be secured. The OPP (613-659-5200), Office of the Chief Coroner as a part of the Ontario Ministry of the Solicitor General (1-877- 991-9959), the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132), and Township of Leeds and the Thousand Islands Planning and Development Department (613- 659-2415, extension 212) must be immediately contacted.

Summary:

A minor variance application has been submitted to facilitate detached uncovered decking and a pumphouse structure that were constructed within the minimum 30-metre waterbody setback and minimum 30-metre front yard setback of the 'RS' zone by a previous owner in the absence of municipal and agency approvals. The two detached uncovered decks are approximately 9.5 square metres and 48 square metres and are located at a 0-metre setback from the highwater mark of Charleston Lake and the front lot line. The detached pumphouse is approximately 5.51 square metres and is setback approximately 14 metres from the highwater mark of Charleston Lake, wetland and the front lot line.

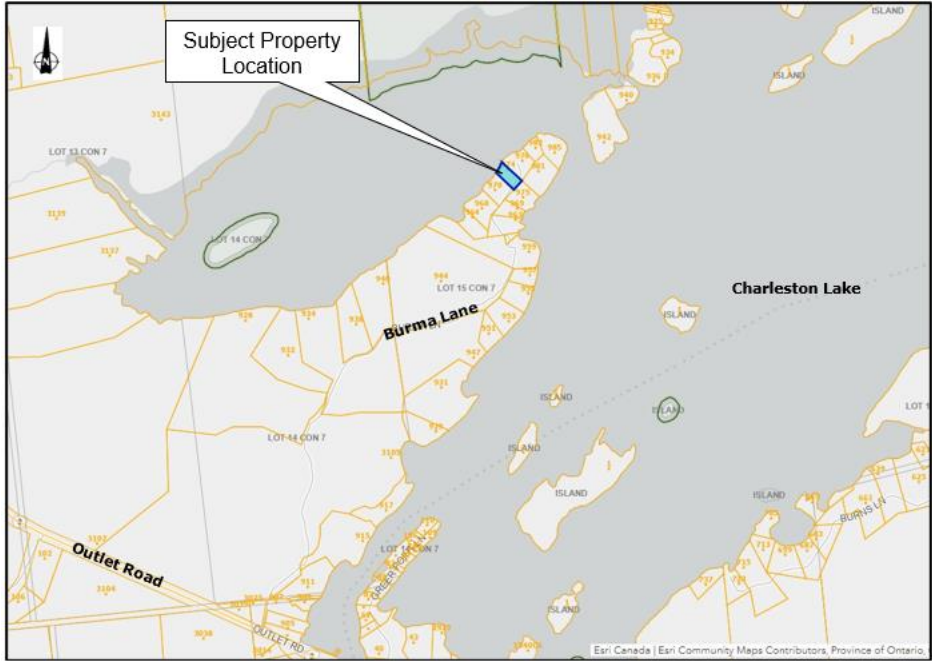
Requested Variances:

Section	Provision	Proposed	Requested Zoning Relief
3.32(b)	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 (98.43 ft.) from the high water mark.	Deck 3: 0 metres (0 feet) Deck 4: 0 metres (0 feet) Pumphouse: 14 metres (45.9 feet)	Deck 3: 30 metres (98.43 feet) Deck 4: 30 metres (98.43 feet) Pumphouse: 16 metres (52.5 feet)

3.32(d)	Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 30 metres of a seasonal or permanent wetland not categorized herein.	Deck 3: 0 metres (0 feet) Deck 4: 0 metres (0 feet) Pumphouse: 14 metres (45.9 feet)	Deck 3: 30 metres (98.43 feet) Deck 4: 30 metres (98.43 feet) Pumphouse: 16 metres (52.5 feet)
5.5 (b)	Yard requirements (minimum) Front: 30.0 m (98.43 ft.)	Deck 3: 0 metres (0 feet) Deck 4: 0 metres (0 feet) Pumphouse: 14 metres (45.9 feet)	Deck 3: 30 metres (98.43 feet) Deck 4: 30 metres (98.43 feet) Pumphouse: 16 metres (52.5 feet)

Site Description:

The subject property is municipally known as 974 Burma Lane and is approximately 0.12 hectares. The parcel of land is a waterfront property located on Charleston Lake, a waterbody that has been classified by the Province as a Highly Sensitive Lake Trout Lake. The area of the lake that is adjacent to the subject property is the Charleston Lake Provincially Significant Wetland. The area of the shoreline is steep and contains exposed bedrock. The upland portion of the property is relatively flat. Existing development consists of a single-detached dwelling, pumphouse, two detached uncovered decks, wooden walkways and a marine facility (dock). The property is deficient in terms of the minimum lot area (1-hectare) and minimum lot frontage (60 metres) provisions of the Shoreline Residential 'RS' zone of Township Zoning By-Law Number 07-079. The property is accessed via Burma Lane, which is a private road.



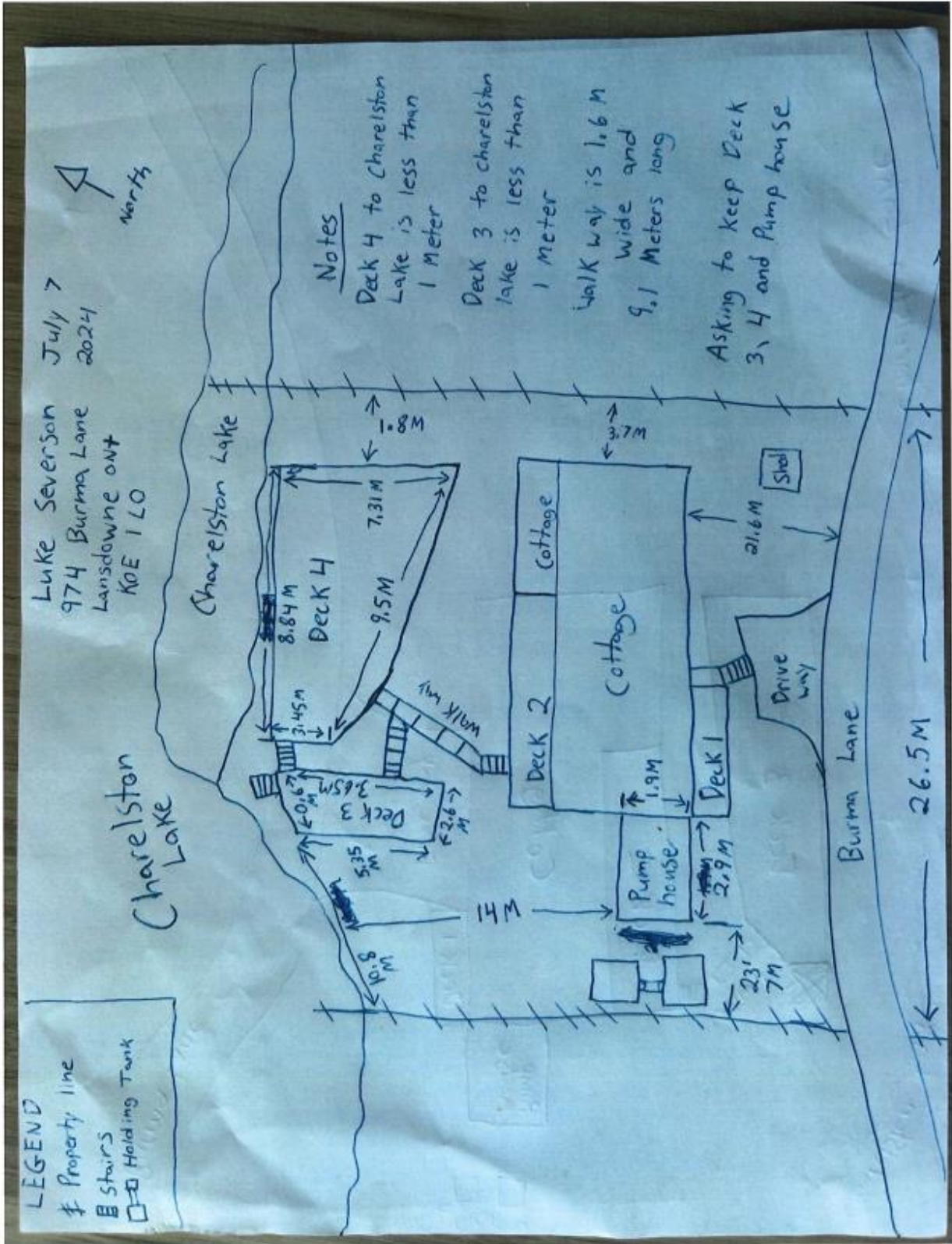
Key Map: Subject property highlighted



Aerial Image 1: Subject property highlighted



Aerial Image 2: Subject property highlighted



Plot Plan

Discussion:

All four (4) tests of an application under Section 45 of the Planning Act must be met for an application to be approved. To meet approval, the variance(s) sought must:

1. be minor;
2. be desirable for the appropriate development or use of the land, building or structure;
3. maintain the general intent and purpose of the Zoning By-Law; and
4. maintain the general intent and purpose of the Official Plan.

Is the request consistent with the general intent and purpose of the Official Plan?

United Counties of Leeds and Grenville Official Plan

The property is designated as Rural Lands in Schedule 'A' (Community Structure and Land Use) of the United Counties of Leeds and Grenville Official Plan (UCLG) (OP). Rural Lands 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. The structures accessory to an existing residential use are permitted uses in the Rural Lands designation.

Section 4.4.1(k) of the Official Plan of the United Counties of Leeds and Grenville states that 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.

The Counties' Official Plan further states that any proposed reduction to the 30-metre minimum setback will be consistent with any applicable policies in the Provincial Policy Statement (PPS). Further, any proposed reduction is required to maximize the setback through building design and orientation, and the siting of the septic system, and minimize disturbance to native soils and shoreline vegetation.

Most of the property coincides with the minimum 30-metre setback from the highwater mark of Charleston Lake and a portion of Burma Lane overlaps with the property, which does not provide an opportunity for new construction to comply with the minimum setbacks. The structures were erected by a previous owner without the required permits or approvals and is existing, and no further development is proposed. As such, no further disturbance within the established water setback buffer area is anticipated. It is important to note that much of the shoreline is exposed bedrock, which provides limited opportunity for a natural buffer of vegetation. Further, the proposal is consistent with the applicable PPS (2024) policies and implementation guidelines. Therefore, this proposal is consistent with the general intent and purpose of the Counties' Official Plan.

Township Official Plan

The property is designated 'Rural' in Schedule A1 (Land Use Designations) of the Township Official Plan. The intent of the Rural designation is to allow for a range of uses which provide the rural community with opportunities to live and work in a sustainable manner. The structures accessory to an existing residential use are permitted uses in the Rural designation.

The subject property is a waterfront parcel and as such, requires review under the Waterfront Areas and Waterbody Protection policies of the Township Official Plan. The purpose of these policies is to ensure the long-term protection of waterbodies in the Township. The Official Plan requires buildings and structures to generally be set back at least 30 metres (98.4 feet) from the high-water mark of all waterbodies to help protect water quality and environmentally sensitive riparian areas, control erosion and assist in softening the visual intrusion of the development.

Section 6.1.4.2.5 of the Township Official Plan states the following:

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.

Further, Section 6.1.4.2.8 of the Township Official Plan provides a potential exception to the minimum 30 metre waterbody setback for minor detached and unenclosed accessory structures and small storage facilities, provided that:

- a) They are a reasonable size for the intended use; and
- b) Suitable methods to minimize negative impacts on surface water, riparian lands, and the littoral zone are incorporated into the design of the development.

The existing decking has minimized disturbance to native soils and shoreline vegetation. The pumphouse location maintains the setback of the existing dwelling on the property. The structures that are the subject of this application are of a reasonable size for their intended use. The raised nature of the decking assists to minimize negative impacts on surface water, riparian lands, and the littoral zone. As discussed later in this report, the development is consistent with the Provincial Planning Statement

(2024). In summary, the application is consistent with the Waterfront Areas and Waterbody Protection policies of the Township Official Plan.

Is the request consistent with the general intent and purpose of the Zoning By-Law?

The subject property is zoned Shoreline Residential 'RS' zone in Township Zoning By-Law Number 07-079. The application is seeking zoning relief from three provisions: minimum setback from the highwater mark of a waterbody, minimum setback from a wetland and the minimum front yard setback of the Shoreline Residential 'RS' zone.

The intent of the setbacks is to protect the wetland, water quality and visual quality of the front yard area of a waterfront property. The development captured in the subject application is existing. Adverse impacts to the wetland, water quality of the St. Lawrence River and visual impacts resulting from the zoning relief proposed through the subject application are not anticipated. The decks are in an area of exposed bedrock and the deck construction is raised up on blocks, resulting in diminished impacts to the waterbody and wetland when compared to new accessory structures proposed within the minimum water setback area of a waterfront property with an established native species buffer. As a result, staff conclude that the requested variances are consistent with the general intent and purpose of the Township Zoning By-Law.

Is the application desirable for the appropriate development or use of the land?

The development proposed through the subject application is existing, resulting in no further impacts if the application is approved. The development has been found to meet the tests established in the Township Official Plan for small accessory structures to be permitted on a lot of record within the established 30-metre setback. No concerns have been raised by neighbours or the technical agencies that were circulated.

The location of the pumphouse maintains the existing setback from the highwater mark and PSW of the existing dwelling located on the property. The existing detached uncovered decking is in a location of bedrock and is set on blocks. As a result, the decking is not occupying a location that could otherwise be vegetated for water quality, as the surface area is bedrock. The foundation on blocks maintains the ability for runoff to access the lake.

In summary, staff conclude that the approval of the application will result in appropriate development/use of the subject lands.

Is the application minor?

The determination of whether an application is "minor" is not based on the degree of variation requested, but rather on whether the impact of granting the request(s) is "minor". This includes considering how the application could impact the existing or planned functionality of the subject lands or of adjacent lands. Impacts can include, but

are not limited to environmental, nuisance (noise, vibration, dust, etc.), visual, and functional attributes.

The location of the pumphouse maintains the existing setback from the highwater mark and PSW of the existing dwelling located on the property. The existing detached uncovered decking is in a location of bedrock and is set on blocks. As a result, the decking is not occupying a location that could otherwise be vegetated for water quality, as the surface area is bedrock. The foundation on blocks maintains the ability for runoff to access the lake. No further development is proposed as a result of this application and the development meets the criteria established in the Township Official Plan with respect to small accessory structures being located within the waterbody setback on existing lots of record. No concerns have been raised by neighbours or the technical agencies that were circulated. In summary, the application is considered to be minor.

Other Matters of Local or Provincial Interest:

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The policies of the Provincial Planning Statement (PPS) (2024) have been considered in reviewing this application. Specifically, the protection of natural heritage resources as outlined in Section 4.1 has been considered.

The protection of water resources as outlined in Section 4.2 has also been considered. This policy section calls for the minimizing of negative impacts, implementing restrictions on development to protect sensitive surface and groundwater features, and implementing storm water management practices and maintaining or increasing vegetative and pervious surfaces. Through the recommended conditions, the proposal is consistent with the PPS (2024). With respect to the policies of Section 5.2 (protection from natural hazards), the CRCA has reviewed the application from a natural hazards perspective and have concluded that while the development does not meet the minimum 6-metre setback from natural hazards and do not meet the minimum 30-metre setback from the PSW boundary, the smaller deck and pumphouse are not regulated under Ont. Reg. 41/24. The CRCA concludes their comments stating that based on its consideration of natural hazards, it has no objection to the approval of the subject application.

In summary, the application is consistent with the Provincial Planning Statement (2024).

Consultation:

Public Comments: At the time of the completion of this report, two pieces of correspondence were received from the public. In the first correspondence, the owner of

a nearby property municipally addressed as 982 Burma Lane expresses support for the subject application, noting that *'The deck and the pumphouse in no way impact our enjoyment of the lake or our property. In fact, we find his property with the decking quite beautiful from the water when we are kayaking.'* The second piece of correspondence is from one of the owners of a nearby property municipally addressed as 981 Burma Lane. The correspondence also notes support for the application.

Township Building Comments: The decks and pump house will require building permits and approval from all applicable law agencies (planning/CRCA) All construction must be in accordance with 2012 OBC requirements including guards. There appears to be holding tanks in the side yard, the setbacks dimensions are not shown, the tanks must be 1.5-metre from any structure and 3 metres from property lines.

Cataraqui Region Conservation Authority (CRCA) Comments: Staff recognize that the uncovered decking and pumphouse do not meet the minimum 6 metre setback from natural hazards and do not meet the 30-metre setback from the PSW boundary. However, the smaller deck and pumphouse are structures no longer regulated under Ontario Regulation 41/24 where staff can only recommend that the smaller deck and pumphouse be setback further to establish safe access outside the flood plain and stable slope as well as to protect the hydrologic function of the PSW. Staff have no objection to the approval of minor variance application D13-2024-053.

Site Photos:



Site Photo 1: View of Existing Detached Decking



Site Photo 2: View of Existing Detached Decking



Site Photo 3: View of Decking and Exposed Bedrock



Site Photo 4: Pumphouse Elevation Facing Burma Lane



Site Photo 5: Pumphouse Elevation Facing Charleston Lake



Site Photo 6: View of Existing Dwelling, Shed and Pumphouse from Burma Lane



**NOTICE OF COMMITTEE OF ADJUSTMENT HEARING
PERMISSION APPLICATION
(Section 45 of the Planning Act)**

DATE: Tuesday, November 26, 2024
TIME OF HEARING: 1:00 pm
LOCATION: 1233 Prince Street, Lansdowne, ON.
The hearing may be attended in person in the Council Chambers and virtually online/by phone through Zoom. Details on how to participate for both options are below.

File Number: D13-2024-054
Applicant: Tim Markou and Chantal Lynn Markou
Agent: Not Applicable
Location: 369 Ash Island
Ward: Ward 1 (Former Front of Leeds and Lansdowne)

PURPOSE OF APPLICATION

This application is requesting a permission to expand an existing legal non-complying attached uncovered deck. The existing decking is legal non-complying with respect to the minimum setback from the highwater mark of the St. Lawrence River and the minimum front yard setback of the Island Residential ('RI') zone. Of note, the subject attached uncovered deck spans multiple levels and was constructed prior to obtaining the necessary municipal and agency approvals.

	Provision	Existing Attached Uncovered Decking	Proposed Attached Uncovered Decking	Permission Requested
-	Increase in size of a legal non-complying structure	155.4 square metres (1,672.7 square feet)	75.1 square metres (808.4 square feet)	Total floor area of non-complying structure: 230.5 square metres (2,481.1 square feet)

HOW TO PARTICIPATE IN THE HEARING:

All comments received will become part of the public record. Comments can only be received in a written format or verbally in person/virtually. Staff are unable to accept verbal comments over the phone or in person outside of the hearing.

Anyone attending in person in the Council Chambers or virtually online/by phone through Zoom will be provided the opportunity to comment on an application. The ways to comment on an application are:

1. Written Comments – Email: planningtechnician@townshipleeds.on.ca
Mail: Township of Leeds and the Thousand Islands
Attention: Amanda Werner-Mackeler, Secretary-Treasurer
1233 Prince St PO Box 280
Lansdowne, ON K0E 1L0
2. In Person Attendance – In person attendance will be in the Council Chambers at the Township Office at 1233 Prince St, Lansdowne, ON.
3. Virtual/Phone Attendance – If you wish to attend virtually/by phone, you are required to register to be an attendee prior to the hearing. Once registered, you will receive a follow up email from the Clerk with the details to attend the hearing by computer or by phone. To register to attend the hearing virtually/by phone, please register online at:

https://us02web.zoom.us/webinar/register/WN_6QzIU3WFRuKSkVPQ2xde8w

If you have any issues registering online, please call 613-659-2415 x 203 before November 22, 2024 and indicate your name, phone number, email address and application you wish to speak to. Staff will register you for the hearing using your email address and you will receive a follow up email from the Clerk with the details on how to attend the hearing by computer or by phone.

KEY MAP: property subject to application for Permission shown in blue.



MAKE YOUR VIEWS KNOWN

The Committee of Adjustment will make a decision on the application on the basis of information or evidence received before and during the hearing. This notice has been mailed to you, as required by the Planning Act.

You may express your support or opposition to the proposed permission by either attending the above virtual public hearing or sending a letter by mail, e-mail, or hand-delivery prior to the hearing date. Any correspondence received will become part of the public record. Only the applicant, a specified person, public body, and the registered owner of any land to which the Committee of Adjustment applies may appeal a decision to the Ontario Land Tribunal.

No specified person, public body or registered owner to which the decision would apply shall be added as a party to the hearing of the appeal unless, before the decision was made, the specified person, public body or registered owner of any land to which the decision applies made oral submissions at a statutory public meeting or written submissions to the Committee of Adjustment prior to the decision or, in the opinion of the Tribunal, there are reasonable grounds to add the specified person or public body as a party.

“Public body” and “specified person” are defined under Section 1(1) of the Planning Act.

VIEW THE APPLICATION FILE

Additional information concerning the Permission and Application is available online at <https://www.leeds1000islands.ca/en/governing/council-and-committee-calendar.aspx> or by contacting Amanda Werner-Mackeler, CPT, Secretary-Treasurer, during regular office hours at 613-659-2415 x 203 or email planningtechnician@townshipleeds.on.ca.

RECEIVE A COPY OF THE COMMITTEE'S DECISION

The Committee of Adjustment will make a decision on the application at the meeting. To receive a copy of the Committee's decision, you must make a written request to the Committee of Adjustment c/o Township of Leeds and the Thousand Islands, 1233 Prince Street, P.O. Box 280, Lansdowne, Ontario, K0E 1L0 or email planningtechnician@townshipleeds.on.ca.

ACCESSIBILITY INFORMATION

If you are a person with a disability and need Township of Leeds and the Thousand Islands information provided in another format, please contact the Clerk's office at 613-659-2415 x 231 or clerk@townshipleeds.on.ca.

MULTI-RESIDENTIAL UNIT NOTIFICATION

If you have received this notice and you are the owner of land that contains seven or more residential units, please post this notice in a location that is visible to all of the residents.

For more information about this matter, contact Amanda Werner-Mackeler, *CPT* Secretary-Treasurer, at 613-659-2415 x 203 or email planningtechnician@townshipleeds.on.ca.

DATED at the Township of Leeds and the Thousand Islands on the 8th day of November, 2024.

Proposed Schedule A - Proposed Plot Plan

Permission Application: D13-2024-054

Owner: Tim Markou and Chantal Lynn Markou

Location: 369 Ash Island

Surveyor's Real Property Report (PART 1)

PLAN of All of LOT 38, REGISTERED PLAN No. 157
ASH OR LYNDOCH ISLAND

Geographic Township of Lansdowne

TOWNSHIP OF LEEDS and the THOUSAND ISLANDS

COUNTY of LEEDS

SCALE = 1:300

10m 0 10 20 30m

HOPKINS CHITTY LAND SURVEYORS INC.

- 2024 -



SURVEY REPORT - PART 2

DESCRIPTION:

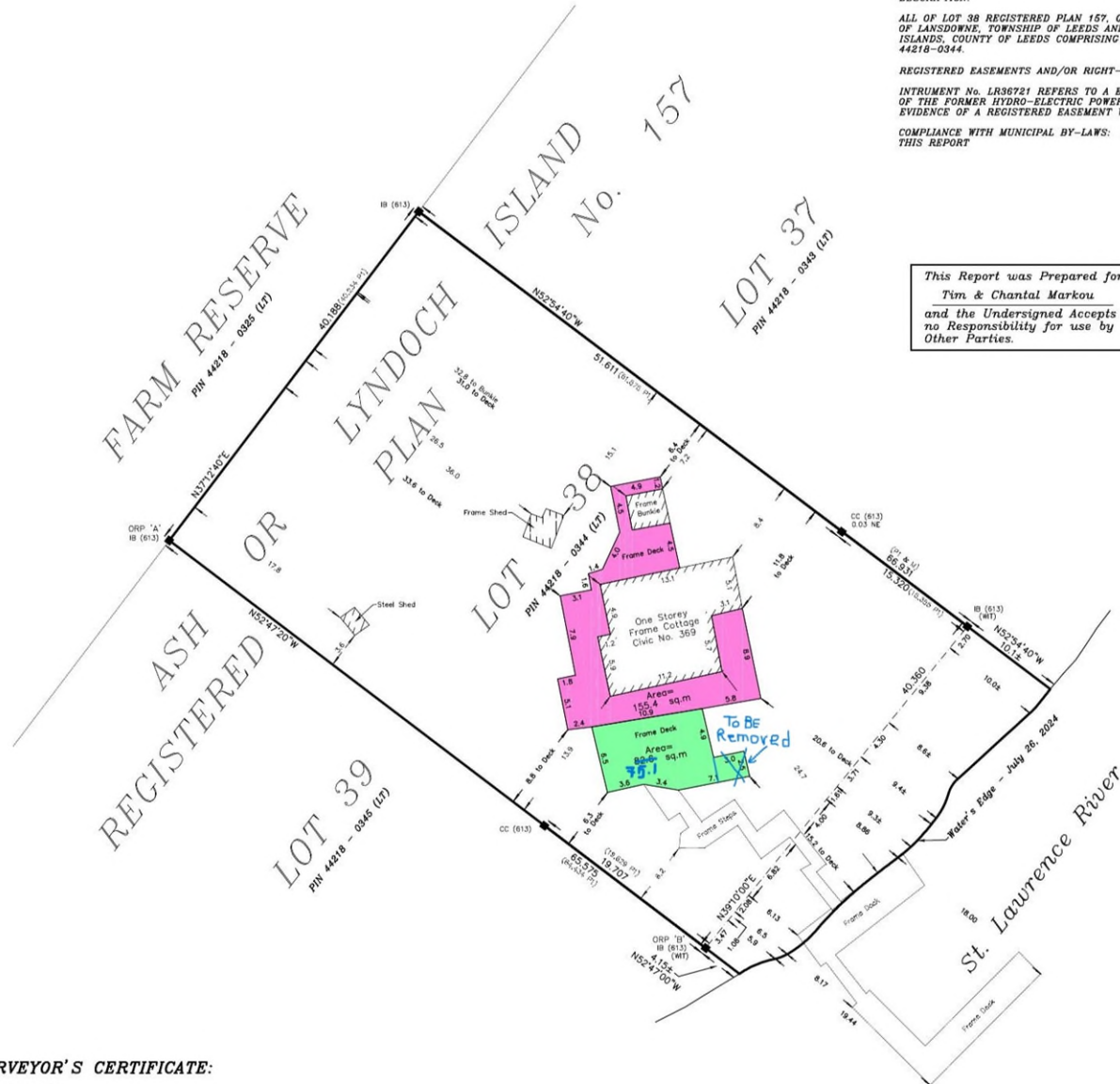
ALL OF LOT 38 REGISTERED PLAN 157, GEOGRAPHIC TOWNSHIP OF LANSDOWNE, TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS, COUNTY OF LEEDS COMPRISING ALL OF PIN 44218-0344.

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS:

INTRUMENT No. LR36721 REFERS TO A EASEMENTS IN FAVOUR OF THE FORMER HYDRO-ELECTRIC POWER COMMISSION. NO EVIDENCE OF A REGISTERED EASEMENT WAS FOUND.

COMPLIANCE WITH MUNICIPAL BY-LAWS: NOT CERTIFIED BY THIS REPORT

This Report was Prepared for
Tim & Chantal Markou
and the Undersigned Accepts
no Responsibility for use by
Other Parties.



SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

- This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT and the REGULATIONS made under them.
- This Survey was completed on the 26th day of July, 2024.

HOPKINS CHITTY LAND SURVEYORS INC.

DATE: JULY 29, 2024

PHIL W. CHITTY - O.L.S.

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 18, NAD83 (CSRS) (2010)

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99987467

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

TIES TO WATERFRONT FEATURES AND WATER'S EDGE ARE PERPENDICULAR TO THE TRAVERSE LINE UNLESS OTHERWISE NOTED.

LEGEND:

SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN

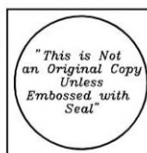
- denotes Planted Survey Monument
- Found Survey Monument
- SIB Standard Iron Bar
- SSIB Short Standard Iron Bar
- IB Iron Bar
- IB# Iron Bar (round)
- RB Rock Bar
- RPL Rock Plug
- (WIT) Witness
- (M) Measured
- CC Cut Cross
- (OU) Origin Unknown
- (HP) Hydro Pole
- (613) Raymond F. Mucklestone - O.L.S.
- (P1) Plan by (613) dated December 3, 1970
- (FN) Field Notes by (613) dated

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-79555

Party Chief: TJ	Instrument: 22	Checked By: PFC	Plan By:
HOPKINS CHITTY LAND SURVEYORS INC. Ontario Land Surveyors www.hopkinschitty.com			
1224 GARDINERS ROAD, SUITE 102 KINGSTON, ONTARIO L7Y-0G2 Tel (613) 384-9266 Fax (613) 384-3513	PROJECT No. 2024-0426 LOT 38 REGISTERED PLAN 157 TOWNSHIP OF LANSDOWNE		



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369 ASH ISLAND - TIM MARKOU & CHANTAL MARKOU

DEVELOPMENT APPLICATION

Section 41 (Site Plan Approval) and
Section 45 (Minor Variance) of the Planning Act

Updated Oct 3rd 2024

OFFICE USE ONLY

Application:	D13-2024-054	Date Received:	September 9, 2024
Roll Number:	812-025-42607	Deemed Complete:	Nov 8, 2024
Application Fee:	\$850	<input checked="" type="checkbox"/> Cheque	<input type="checkbox"/> Cash <input type="checkbox"/> Interac <input type="checkbox"/> N/A
Posting of Sign By:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Staff (\$50 Fee) <input type="checkbox"/> Other
Posting of Sign Fee:	<input type="checkbox"/> Cheque	<input type="checkbox"/> Cash	<input type="checkbox"/> Interac <input checked="" type="checkbox"/> N/A

1. APPLICATION TYPE (Check all that apply)

- Minor Variance Application
- Site Plan Agreement

2. PRE-CONSULTATION (Attach supporting documentation)

- TLTI - Staff
- Leeds, Grenville & Lanark Health Unit
- CRCA
- St. Lawrence Parks Commission
- Other:

3. COMPLETE APPLICATION REQUIREMENTS

- Complete Application Form
- Authorization of Applicant (if applicable)
- Affidavit signed by a Commissioner of Oaths, Notary, etc. (Available at Office)
- Township and other Agency (if applicable) Applications and Fees
- Cover Letter and/or report
- Survey Plan (if available)
- Deed
- Scaled Sketch as per Section 11 (1 hard copy (11x17 paper or less) or 1 digital copy)
- Minimum Distance Separation Calculation Form (if applicable)
- All Supporting Information identified through Pre-Consultation including DRT

4. SUBJECT LAND

Assessment Roll Number: QB-12-812-025-42607-0000
 Civic Address: 369 ASH ISLAND LANSDOWNE ON KOE 1L0
 Legal Description (Concession, Lot, Part, Reference Plan numbers): LOT 38 PLANS 17
 Date subject land acquired by current owner: July 1, 2013

5. REGISTERED OWNER(S)

All owners must be included. If company, identify principals. A separate page may be submitted, if needed.

Name(s): Tim Markou 369 ASH ISLAND LANSDOWNE ON KOE ILO
tmarkou@yahoo.com
613-697-7764

Company Name (if applicable): _____
 Mailing Address: Chantal Markou

Phone (home): N/A Phone (cell): 613-296-3629
 Email Address: chantalmarkou@yahoo.com

6. APPLICANT INFORMATION

If an applicant is NOT the owner of the subject lands, written authorization from **all registered owner(s)** must be obtained stating that the agent is authorized to make the application (Section 13)

6.1 Is the applicant the same as the owner?
 Yes (same information as above)
 No (please fill out below **and** complete Section 14 – Agreement, Authorization and Declaration)

6.2 Name(s): _____

Company Name (if applicable): _____

Mailing Address: _____

Phone (home): _____ Phone (cell): _____

Phone (work): _____ Email Address: _____

7. SUBJECT LAND CHARACTERISTICS

7.1 Please list and describe any existing easements, right-of-ways or restrictive covenants that apply to the subject property (required to be shown on sketch)

NONE THAT WE ARE AWARE OF UNLESS NOTED ON SURVEY

7.2 Site Description: (briefly describe factors that may impact the proposed development, such as soil type and depth, lot configuration, steep slopes or low-lying areas, natural feature, etc.) CLIFF ON ROCK + TREES PROPERTY

7.3 Dimensions of Subject Land DETAILS ON SURVEY

Total Lot Area: _____ hectares _____ acres
 Lot Depth: 66.91 metres ✓ _____ feet
 Lot Width (frontage): 40.18 metres ✓ _____ feet

7.4 Road Access (include name)

Provincial Highway: _____
 County Road: _____
 Municipal Road: _____
 Private Right-of-Way: _____
 Water Only: ST. LAWRENCE RIVER - ACCESS VIA PECK'S MARINA

7.5 If access to the subject land is by water only, provide details of parking and docking facilities to be used and the approximate distance of these from the subject land and the nearest public road: ADDRESS BOAT WORKS
ROCKPORT, ON

7.6 Servicing - Water	Existing	Proposed	Not Applicable
Municipal Piped Water System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Privately Owned and Operated Well			
<input type="checkbox"/> Dug	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Drilled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Communal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lake or Other Water Body: <u>ST. LAWRENCE</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: <u>UV FILTERED</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.7 Servicing - Sewage	Existing	Proposed	Not Applicable
Municipal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Privately-Owned			
<input type="checkbox"/> Individual Sanitary Sewage System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Communal Sanitary Sewage System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Composting/Self-Contained Toilet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Privy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Outhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: (Specify) <u>SEPTIC</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.8 Servicing - Storm Drainage	Existing	Proposed	Not Applicable
Sewers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ditches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Swales	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify): <u>NONE</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. OFFICIAL PLAN, ZONING BY-LAW AND LAND USE INFORMATION

Amifere

8.1 Official Plan Designation: RURAL, WOODLANDS + HIGHLY VULNERABLE

TOP OF ROCK CLIFF

8.2 Special Policy Area: 1000 Islands Highly Sensitive Lake Trout Lake No

8.3 Zoning: ISLAND RESIDENTIAL (RI)

8.4 Is this a designated heritage property: Yes No

8.5 Existing Use(s): (indicate uses and length of time uses have continued)

COTTAGE OWNED SINCE 2012

8.6 Proposed Use(s):

COTTAGE - PERSONAL USE

8.7 Existing Use on Adjacent Lands:

North: SEASONAL RESIDENTIAL LOTS

South: WATER

East: SEASONAL RESIDENTIAL LOTS

West: SEASONAL RESIDENTIAL LOTS

8.8 Previous Use(s): (indicate all previous land uses on the subject land or adjacent lands including any industrial or commercial use, or if there is suspected contamination)

PERSONAL USE COTTAGE

8.9 Indicate any current or previous application under the *Planning Act* affecting the subject land:

Application Type	File Number	File Status
Minor Variance		
Site Plan Agreement		
Zoning By-Law Amendment		
Official Plan Amendment		
Consent		
Subdivision		
Other:		

Minor Variance

Site Plan Agreement

Zoning By-Law Amendment

Official Plan Amendment

Consent

Subdivision

Other:

There have been no previous Planning Act applications affecting the subject lands

8.10 Potential Land Use Constraints:	On Subject Lands	On Adjacent Lands Within	No
Agricultural Operation including Livestock Facility or Stockyard (If Yes, MDS info must be submitted)	<input type="checkbox"/>	<input type="checkbox"/> 1000m	<input checked="" type="checkbox"/>
Waste Management Site or Landfill	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Sewage Treatment Plant or Waste Stabilization	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Provincially Significant Wetland (PSW)	<input type="checkbox"/>	<input type="checkbox"/> 120m	<input checked="" type="checkbox"/>
Locally Significant Wetland (LSW)	<input type="checkbox"/>	<input type="checkbox"/> 50m	<input checked="" type="checkbox"/>
Area of Natural and Scientific Interest (ANSI)	<input type="checkbox"/>	<input type="checkbox"/> 50m	<input checked="" type="checkbox"/>
Flood Plain	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Wellhead Protection (Village of Lansdowne)	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
James W. King Intake Protection Zone - St. Lawrence River - South of Gananoque (OP Schedule A6)	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Licensed Mine, Pit or Quarry or an area designated for Aggregate Extraction	<input type="checkbox"/>	<input type="checkbox"/> 1000m	<input checked="" type="checkbox"/>
Rehabilitated Mine/Pit/Quarry Site?	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Industrial or Commercial Use, or Wrecking Yard Specify Use: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Active Railway Line	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Municipal or Federal Airport	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Provincial Highway 401	<input type="checkbox"/>	<input type="checkbox"/> 250m	<input checked="" type="checkbox"/>
Utility Corridor(s) i.e. Power Lines, Hydro Easement	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
i.e. Natural Gas or Oil Pipeline, etc.	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Gas Station – Currently or at Any Time	<input type="checkbox"/>	<input type="checkbox"/> Adjacent	<input checked="" type="checkbox"/>
Lands suspected to be contaminated	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>
Has grading of the subject land been changed by adding earth or other material(s)?	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Designated Heritage Building/Site	<input type="checkbox"/>	<input type="checkbox"/> 500m	<input checked="" type="checkbox"/>

8.11 Additional information that may be relevant to the review of the application:

M/A - No

Provided on a Separate Sheet

9. REQUIRED PLANS

- 9.1** A detailed sketch in metric has been attached with the required information as noted in Section 9.2. Yes No
- All required site plan drawings, elevations, cross-sections, grading, drainage, etc. along with the required information as noted in Section 9.3. Yes No

9.2 Sketch Requirements

For minor variance, a detailed sketch **is required**. The sketch must include:

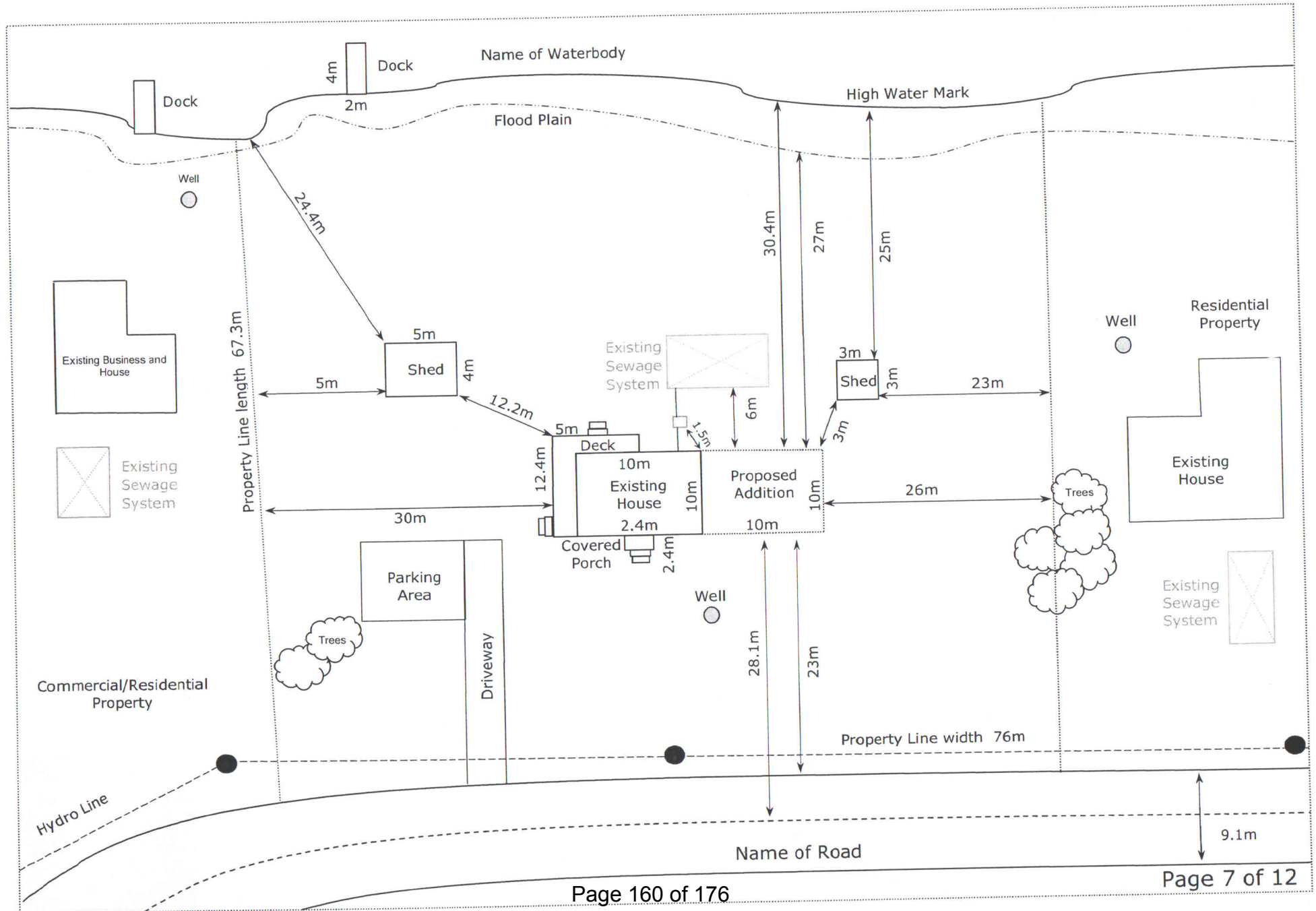
- (a) The boundaries and dimensions of the subject land.
- (b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot line.
- (c) The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, flood plains drainage, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that:
 - (i) Are located on the subject land and on land that is adjacent to it, and
 - (ii) In the applicant's opinion, may affect the application.
- (d) The current uses of land that is adjacent to the subject land.
- (e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- (f) If access to the subject land will be by water only, the location of the parking and docking facilities to be used; and
- (g) The location and nature of any easement affecting the subject land.

9.3 Site Plan Requirements

In addition to Section 9.2, for site plan applications, drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing fewer than 25 dwelling units which drawings are sufficient to display,

- (a) The massing and conceptual design of the proposed building;
- (b) The relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access;
- (c) The provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;
- (d) Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design
 - (d.1) Matters relating to exterior access to each building that will contain affordable housing units or to any part of such building, but only to the extent that it is a matter of exterior design;
- (e) the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
- (f) facilities designed to have regard for accessibility for persons with disabilities.

9.3 SAMPLE SKETCH – Measurements, setbacks for all structures must be transcribed onto Sections 10 and 11.



10. EXISTING STRUCTURES & SETBACKS ON SUBJECT LAND (Indicate any to be demolished)

10.1 Existing Structures in metres. Include all structures on subject land, including marine facilities and structures under 10 square metres.

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Stories	Dimensions			Year Built
				Length	Width	Height	
PLEASE SEE OFFICIAL SURVEY - AS REQUESTED SUBMITTED VIA EMAIL							
ONE STORY Cottage	4546.96 m ²	4546.96 m ²	1	11.2 m	11 m ²	12 ft.	unknown
FRONT DECK	82.6 m ²	82.6 m ²	1	VARIES	6.5 m ²		2016-2018
Upper Deck	155.4 m ²	155.4 m ²	1	VARIES	VARIES		

10.2 Setbacks of Existing Structures to property boundaries, shoreline, etc. in metres

Type of Structure	Front	Side	Side	Rear	Water	Flood Plain	Public Road (center)	Right of Way (edge)	Other
COTTAGE	24.7m	13.9m	8.9m	33.6m	24.7m				
FRONT DECK	15.2 m	6.3 m	11.8m	33.6m	15.2m				
Upper Deck	20.6	8.8 m	11.8m	33.6m	20.6m				

10.3 Existing Parking & Loading Spaces

Existing Number of Standard Parking Spaces: _____ Existing Number of Barrier Free Parking Spaces: _____
 Existing Number of Loading Spaces: _____

11. PROPOSED STRUCTURES & SETBACKS ON SUBJECT LAND (Indicate any to be demolished)

11.1 Proposed Development (if any) in square metres, metres

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Stories	Dimensions			Year Built
				Length	Width	Height	
Deck (upper) N/A		24'4" x 17'	1				≈ 2016-2018

11.2 Setbacks of Proposed Structures to property boundaries, shoreline, etc. in metres

Type of Structure	Front WATER	Side	Side	Rear	Water	Flood Plain	Public Road (center)	Right of Way (edge)	Other
Deck (Lower)	15.2	6.3m	11.8m	33.6m	15.2m				

11.3 Proposed Parking & Loading Spaces

Proposed Number of Standard Parking Spaces:

Proposed Number of Barrier Free Parking Spaces:

Proposed Number of Loading Spaces:

12. MINOR VARIANCE INFORMATION

12.1 Description of Proposal

- MINOR VARIANCE APPLICATION FOR BBQ (LOWER DECK) TO REMAIN
- LOWER DECK BUILT WITH STAIRS + RAILINGS TO ACCOMMODATE DINING, SEATING + COOKING BBQ AREA.

12.2 Variance Requested from Zoning By-Law:

Section	Zone Requirement	Proposed Standard	Variance Required
LOWER DECK BBQ AREA	EXPANSION TO A LEGAL	NON-COMPLYING ISSUE	

12.3 Why is it not possible to comply with the provisions of the Zoning By-Law?

THIS IS WHERE WE ENTERTAIN, COOK, OUR SITTING AREA, DINING + PLACE FOR BBQ.
 ALLOWS FOR GATHERING WITH FRIENDS + FAMILY TO EAT OUTSIDE TOGETHER IN A SPACE LARGE ENOUGH TO PUT A TABLE + SITTING AREA + BBQ IN ONE PLACE.

13. AUTHORIZATIONS & PERMISSION TO ENTER

All Registered Owner(s) must complete the following to authorize the applicant/agent to make the application on their behalf (if Owner is NOT the applicant) and/or to permit Council, Committees of Council, Township Staff or authorized agents to enter the subject property to conduct site inspections related to this application. If multiple owners, an authorization letter from each owner is required.

I/We Tim Markan and Chantal Markan (name(s) of owner(s) or company)

being the registered owner(s) of the subject property of this application:

[X] Hereby authorize the following person(s) to act as our agent to prepare, submit the application and pay any associated fees on my/our behalf (if applicable):

Tim Markan & Chantal Markan (Name of Applicant(s)/Authorized Agent(s))

[X] Hereby authorize Council, Committees of Council, and Township Staff or authorized agents to enter the subject property without notice to conduct site inspections related to this application.

[X] Agree to ensure that any driveway/lanes are accessible during the circulation period of the application so that Committee members, Township staff and other agencies do not have any barriers blocking access to the subject land. Island properties will require a boat ride, which is to be provided by the owner/agent. If applicable, Township Staff will make arrangements for the most suitable date and time.

[X] Agree to post any required signage on site, which is prepared by Township Staff, with respect to this application in the requested timeframe of the Planning Act and upon notification by Township Staff. I/We also agree to provide photographic evidence of the posted sign at the request of Township Staff.

[X] Agree to stake the area of any proposed construction a minimum of 1 week prior to the hearing/meeting date of your application.

[X] Have included the written approval of all surveyors, designers, etc. that designed any documents, plot plans etc. to allow the Township to use their plan(s) in the notice or hearing and other documents which are viewable by the public.

[X] Hereby acknowledge and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Signature(s): [Handwritten signatures]

Date: Sept. 5 / 24

14. AGREEMENT TO INDEMNIFY & STATUTORY DECLARATION

I/We, Tim Markon and
(name of owner, applicant or authorized agent)

Of the TWP. LEEDS AND THE THOUSAND ISLANDS
(name of Municipality)

In the United Counties of Leeds and Grenville
(name of County)

Hereby agree to indemnify and save harmless The Corporation of the Township of Leeds and Thousand Islands (the "Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeal Tribunal from any decision of the Council approving the applicant's application.

I/We acknowledge and agree that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Local Planning Appeal Tribunal in support of a decision approving the application until the amount has been paid in full.

I/We further acknowledge and agree that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

I/We solemnly declare that all of the above statements contained herein and all exhibits transmitted herewith including this application and any required document attached hereto are true, and I/We make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature(s): 

Declared before me at the: TWP. LEEDS AND THE THOUSAND ISLANDS
(name of municipality)

in the United Counties of Leeds and Grenville
(name of County)

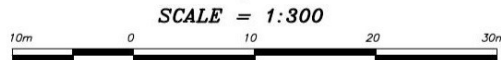
This 9th day of September, 2024.


Signature of Commissioner of Oaths, etc.

AMANDA ZORA WERNER-MACKELER,
a Commissioner, etc., Province of Ontario,
the Corporation of the Township of Leeds
and the Thousand Islands.
Expires August 18, 2025.

(Official Stamp of Commissioner of Oaths)

Surveyor's Real Property Report (PART 1)
 PLAN of All of LOT 38, REGISTERED PLAN No. 157
 ASH OR LYNDOCH ISLAND
 Geographic Township of Lansdowne
 TOWNSHIP OF LEEDS and the THOUSAND ISLANDS
 COUNTY of LEEDS



SCALE = 1:300
 HOPKINS CHITTY LAND SURVEYORS INC.
 - 2024 -

SURVEY REPORT - PART 2

DESCRIPTION:

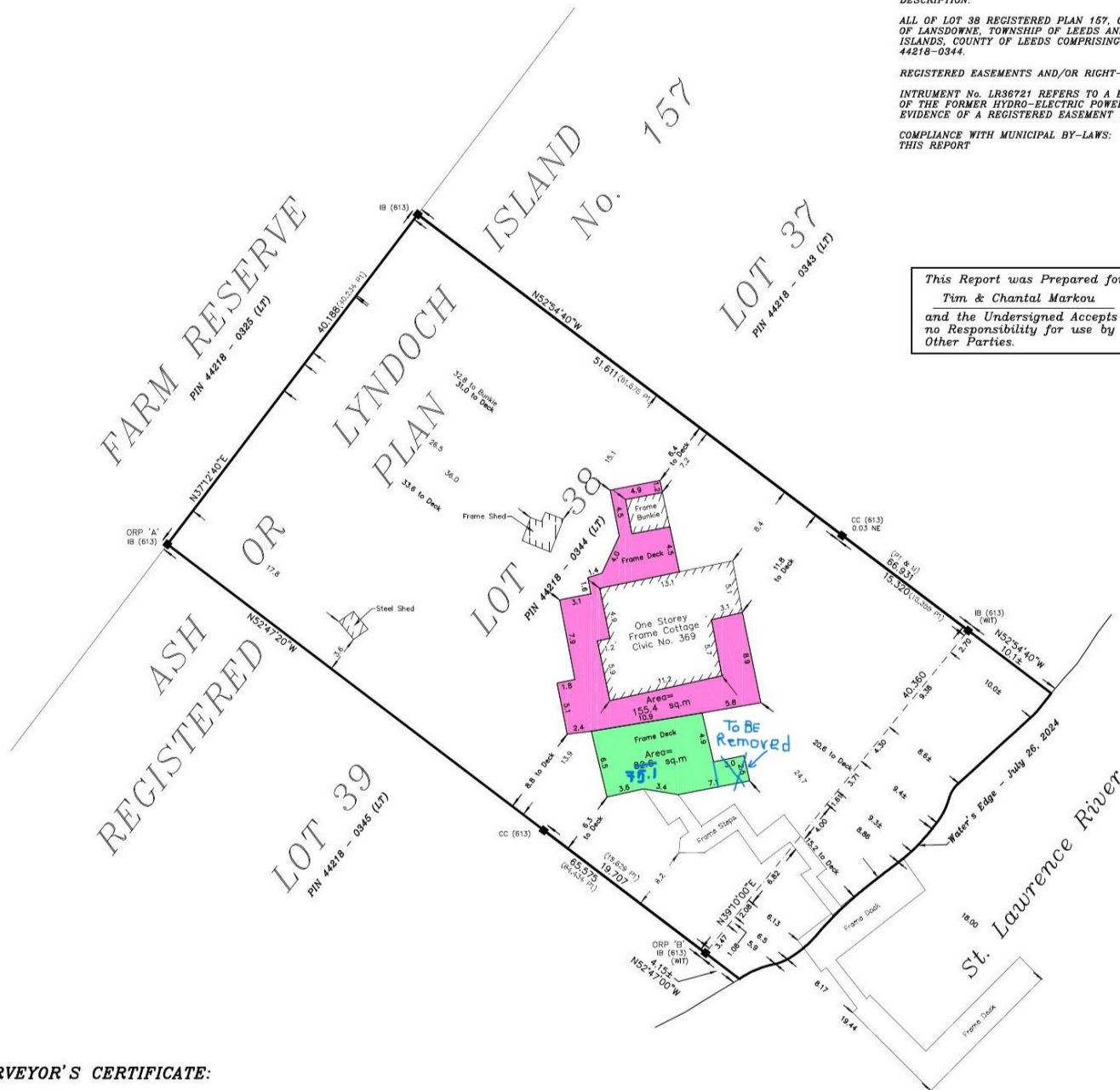
ALL OF LOT 38 REGISTERED PLAN 157, GEOGRAPHIC TOWNSHIP OF LANSDOWNE, TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS, COUNTY OF LEEDS COMPRISING ALL OF PIN 44218-0344.

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS:

INTRUMENT No. LR36721 REFERS TO A EASEMENTS IN FAVOUR OF THE FORMER HYDRO-ELECTRIC POWER COMMISSION. NO EVIDENCE OF A REGISTERED EASEMENT WAS FOUND.

COMPLIANCE WITH MUNICIPAL BY-LAWS: NOT CERTIFIED BY THIS REPORT

This Report was Prepared for
 Tim & Chantal Markou
 and the Undersigned Accepts
 no Responsibility for use by
 Other Parties.



SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

- This Survey and Plan are correct and in accordance with the SURVEYS ACT, the SURVEYORS ACT and the REGULATIONS made under them.
- This Survey was completed on the 26th day of July, 2024.

HOPKINS CHITTY LAND SURVEYORS INC.

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 18, NAD83 (CSRS) (2010)

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99967467

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

TIES TO WATERFRONT FEATURES AND WATER'S EDGE ARE PERPENDICULAR TO THE TRAVERSE LINE UNLESS OTHERWISE NOTED.

LEGEND:

- SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN
- denotes Planted Survey Monument
 - Found Survey Monument
 - SIB " Standard Iron Bar
 - SSIB " Short Standard Iron Bar
 - IB " Iron Bar
 - IBR " Iron Bar (round)
 - RB " Rock Bar
 - RPL " Rock Plug
 - (WIT) " Witness
 - (M) " Measured
 - CC " Cut Cross
 - (OU) " Origin Unknown
 - (HP) " Hydro Pole
 - (613) " Raymond F. Mucklestone - O.L.S.
 - (P1) " Plan by (613) dated December 3, 1970
 - (FN) " Field Notes by (613) dated , 1970

DATE: JULY 29, 2024

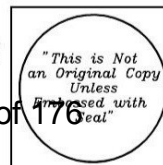
PHIL W. CHITTY - O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-79555

Party Chief: TJ	Instrument: SC	Checked By: PWC	Plan By:
HOPKINS CHITTY LAND SURVEYORS INC. Ontario Land Surveyors www.hopkinschitty.com			
1224 CARDINERS ROAD, SUITE 102 KINGSTON, ONTARIO K7P-0C2 Tel (613) 384-9266 Fax (613) 384-3513		PROJECT No. 2024-0426 LOT 38 REGISTERED PLAN 157 TOWNSHIP OF LANSDOWNE	



No person may copy, reproduce, distribute or alter this plan in whole or in part without the written permission of Hopkins Chitty Land Surveyors Inc.
 © Copyright 2024



COTTAGE

HOT
TUB

UPPER DECK

DECK

20'

14'

4'

L 4'

5'

1-9'

GOLF
PAD

-6'-

11 STAIRS

4 STAIRS

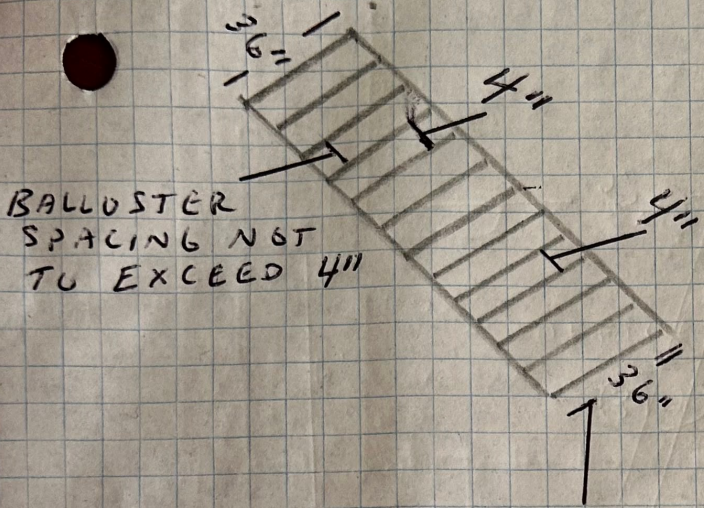
102"

75"

61"

12 STAIRS
77 1/8"

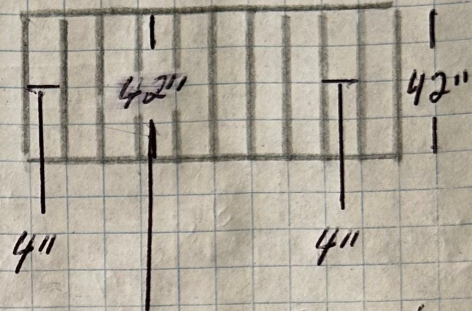
RAILING DETAILS ON STAIRS



BALLUSTER SPACING NOT TO EXCEED 4"

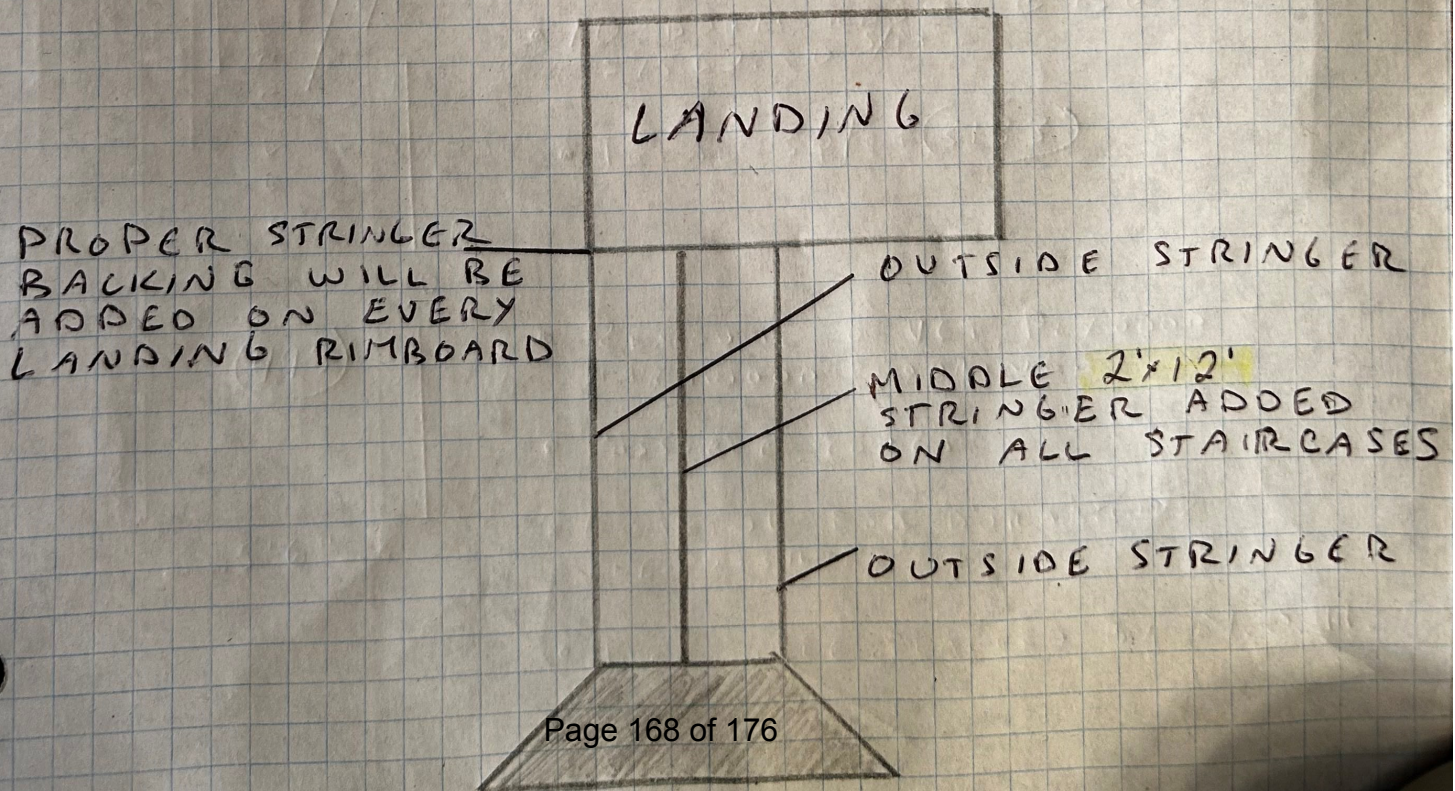
ALL STAIRCASE RAILING HEIGHTS WILL BE 36"

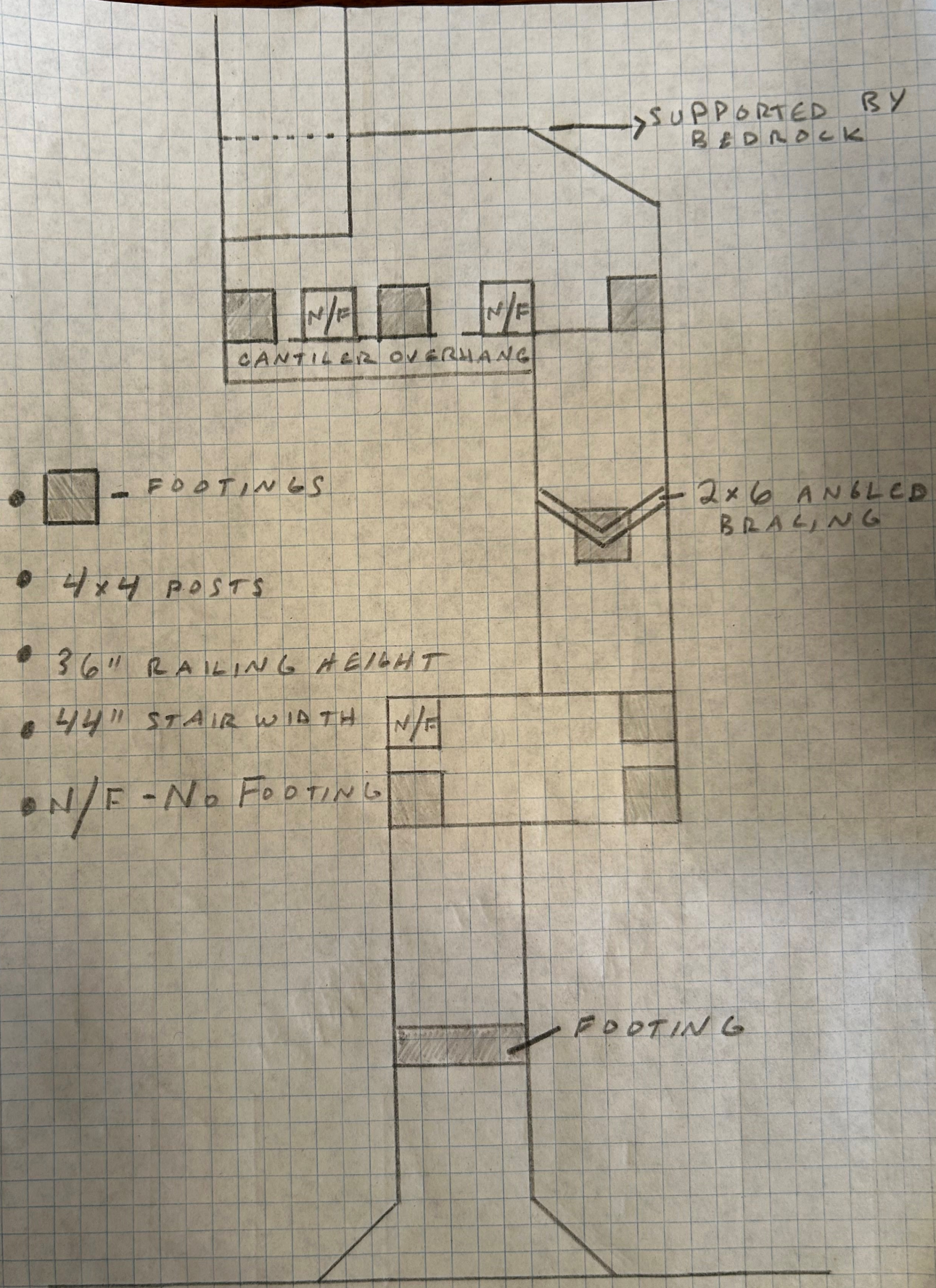
RAILING DETAIL ON LANDINGS




ALL LANDING RAILING HEIGHTS WILL BE 42"

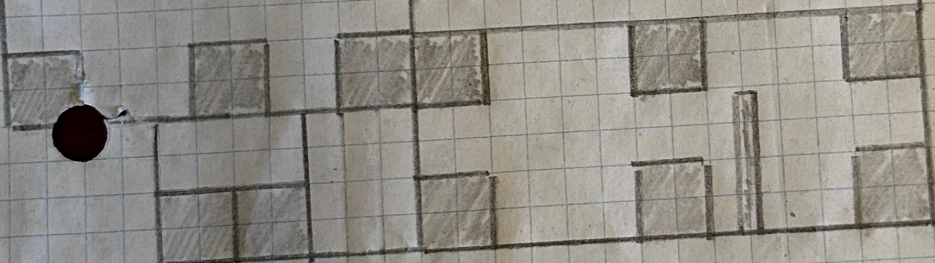
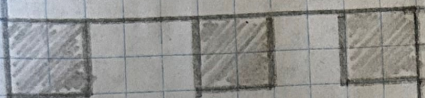
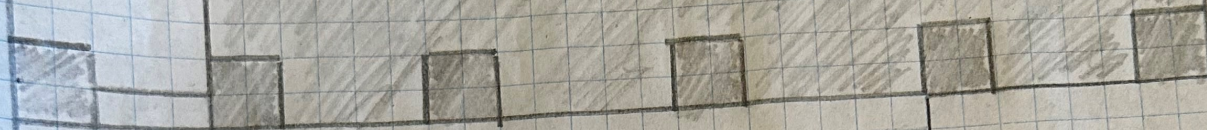
STAIRCASE DETAIL





-  - FOOTINGS
- 4x4 POSTS
- 36" RAILING HEIGHT
- 44" STAIR WIDTH
- N/F - NO FOOTING

COTTAGE



SITS ON BEDROCK

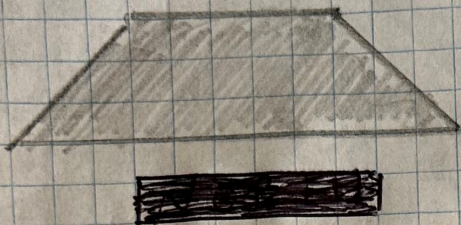
N/P N/E N/E

ANCHOR IN BEDROCK

AIRPLANE CABLE

BOTTOM STAIR AND LANDING DETAIL

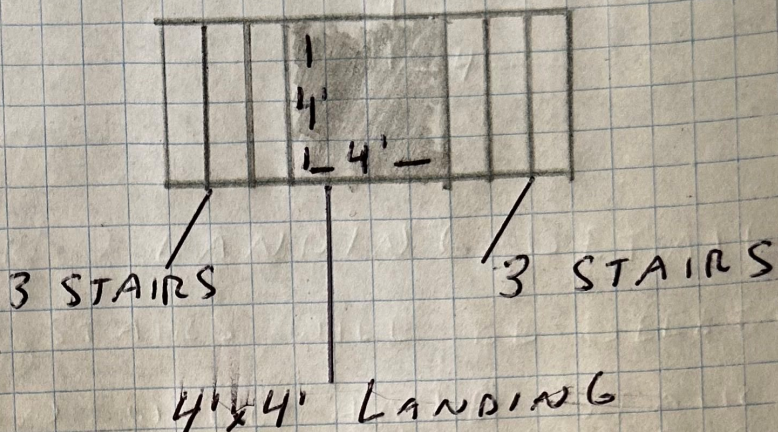
VIEW FROM
DOCK



TOPOGRAPHICAL
VIEW

EAST

WEST



- CURRENT 3 STAIRS WILL BE DELETED
- NEW DESIGN WILL HAVE 3 STAIRS GOING UP FROM EAST SIDE & 3 STAIRS GOING UP FROM WEST SIDE.
- BOTH SETS OF STAIRS WILL NOW LEAD TO A 4'x4' LANDING.
- THIS WILL NOW COMPLY TO BUILDING CODE, AS NOT TO EXCEED MAXIMUM AMOUNT OF STAIRS ALLOWED PER RUN OF STAIRS
- BOTTOM STAIRS WILL NOT EXCEED THE ALLOWANCE @ HIGH WATER BENCHMARK. AS PER CONSERVATION AUTHORITY

November 19, 2024

File: MV/LTI/271/2024

Sent by e-mail

Kyle Peel M.Pl.
Planner
Township of Leeds and the Thousand Islands
1233 Prince Street
P.O. Box 280
Lansdowne, ON K0E 1L0

Dear Mr. Peel:

**Re: Application for Permission 45(2) D13-2024-054 (Markou)
Lot 38, Plan 157; Former Front of Leeds and Lansdowne
369 Ash Island, Township of Leeds and the Thousand Islands
Waterbody: St. Lawrence River**

Cataraqi Conservation staff have reviewed the above-noted application and offer the following comments for the Committee of Adjustment's consideration. These comments are provided based on Cataraqi Conservation's roles as technical advisor to the Township on *Planning Act* applications, and as administrator of Ontario Regulation 41/24: *Prohibited Activities, Exemptions and Permits*.

Summary of Proposal

The application is requesting permission to expand an existing legal non-complying attached uncovered deck. The existing deck is legal non-complying with respect to the minimum setback from the highwater mark of the St. Lawrence River and the minimum front yard setback of the Island Residential zone. The subject attached uncovered deck extends over multiple levels and was constructed prior to obtaining the necessary municipal and agency approvals. The deck is expanding by 75.1 sq metres to a total area of 230.5 sq metres.

Site Description

The subject property is located on Ash Island with 40.18 metres of water frontage on the St. Lawrence River. The lot has several mature trees with areas of open manicured lawn with exposed bedrock. The shoreline of the subject property has a significantly steep embankment which extends approximately 14 metres in height and is composed of granite bedrock. The property has existing development which includes a single residential dwelling with attached decking, a bunkie, a frame shed, stair access down to the water and docking.

The subject property is designated Rural, Woodlands, and Highly Vulnerable Aquifer in the Township's Official Plan. The land is zoned Island Residential in the implementing zoning by-law and falls within the 1000 Islands Special Policy Area.

Discussion

The main interests of Cataraqui Conservation with respect to this application are the avoidance of natural hazards (i.e. flooding and erosion) associated with the St. Lawrence River.

Natural Hazards

Cataraqui Conservation, through our implementation of Ontario Regulation 41/24 and, in accordance with the natural hazards policies of the 2024 Provincial Planning Statement (PPS) to protect people and property, directs development away from lands subject to natural hazards, such as flooding and erosion.

Flooding

Our Guidelines for Implementing Ontario Regulation 41/24 require approval for development and site alterations within 15 metres of the regulatory flood plain with a required minimum setback of 6 metres for development from the regulatory flood plain to accommodate for safe access.

The regulatory flood plain of the St. Lawrence River in the location of the subject property is 75.9 metres GSC. Based on the steep embankment along the shoreline, the floodplain does not extend upland beyond the toe of slope.

As proposed, the deck expansion is outside the minimum setback of 6 metres from the flooding hazard.

Erosion

Development and site alteration within and adjacent to the erosion hazard is also regulated by Cataraqui Conservation through our implementation of Ontario Regulation 41/24, consistent with Section 3.1 of the 2020 Provincial Policy Statement. This is typically addressed through appropriate setbacks from the hazard or through mitigation if warranted based on site-specific conditions and the nature of a proposal. Directing development and site alteration outside of the long-term erosion hazard ensures sustainable development, protection people and property.

Cataraqui Conservation defines the extent of long-term potential erosion hazards for river and stream systems to be the sum of the stable slope allowance plus an access allowance of 6 metres. Based on a 14-metre-high slope composed of exposed granite bedrock, the erosion hazard extends 14 metres from toe of slope.

As proposed, the deck expansion does not meet the minimum 6 metre setback outside of the erosion hazard. In this instance staff would consider a 4 metre minimum setback outside of the top of slope for the reconstruction of the subject structure.

Recommendation

Based on our consideration of natural hazards policies, staff recommend deferral of application D13-2024-054 until such time that the deck is scaled back to ensure a minimum 4 metre setback from the top of slope is achieved.

Ontario Regulation 41/24

Portions of the subject property are located within a regulated area under Ontario Regulation 41/24: *Prohibited Activities, Exemptions, and Permits* which regulates development and interference with wetlands, and alterations to shorelines and watercourses. **A retroactive permit is required from CRCA for the deck expansion once revised. Staff note that we have no record of permit issuance for the stair development and as constructed the stair platforms would not be supportable. It is our understanding that the applicant has agreed to reduce the size of the stair platforms to be more inline with stair access. Staff require a permit application to reconstruct the stairs with landings at a reduced size.**

If you have any questions, please contact the undersigned. Please inform this office of any decision made by the Committee of Adjustment regarding this application.

Yours truly,



Emily Su
Resource Planner
613-546-4228 ex.258

cc: applicant, via e-mail



Township of
**Leeds and the
Thousand Islands**

Committee of Adjustment Report

Meeting Date: 2024-11-26

Department: Planning & Development

Report Number.: Planning & Development-2024-099

Submitted By: Kyle Peel

Approved By: Marnie Venditti

Subject: Application D13-2024-054 (Permission)

Civic Address: 369 Ash Island

Recommendation:

It is the recommendation of Planning Staff that permission application number D13-2024-054 to expand the size of the legal non-complying dwelling with an attached uncovered deck for the property municipality known as 369 Ash Island be deferred to allow the applicant the opportunity to address agency comments that were provided through the technical circulation of the subject application.

Summary:

This application is requesting a permission to expand an existing legal non-complying attached uncovered deck. The existing decking is legal non-complying with respect to the minimum setback from the highwater mark of the St. Lawrence River and the minimum front yard setback of the Island Residential ('RI') zone. Of note, the subject attached uncovered decking spans multiple levels and was constructed prior to obtaining the necessary municipal and agency approvals.

Requested Permission:

	Provision	Existing Attached Uncovered Decking	Proposed Attached Uncovered Decking	Permission Requested
-	Increase in size of a legal non-complying structure	155.4 square metres (1,672.7 square feet)	75.1 square metres (808.4 square feet)	Total floor area of non-complying structure: 230.5 square metres (2,481.1 square feet)