

0 MACDONALD DRIVE, LANSDOWNE

MINOR VARIANCE

1

November 15, 2024

Ms. Lindsay Lambert

Senior Planner
Planning and Development
Township of Leeds and the Thousand Islands

Via Email: seniorplanner@townshipleeds.on.ca

**RE: 0 Macdonald Drive, Lansdowne
Application for Minor Variance**

Dear Ms. Lambert,

Fotenn Planning + Design has been retained by the owner of 0 MacDonald Drive, Box Properties Inc., to prepare this planning justification letter in support of an application for minor variance. This report provides a planning rationale in support of this application, purpose of which is to permit the development of a graveled storage yard for portable shipping containers in addition to one permanent structure for site utilities. A minor variance is required to permit the proposed storage area with a reduced watercourse setback. The property is designated Light Industrial on Schedule B1 – Land Use Designations Lansdowne of the Township of Leeds and the Thousand Islands Official Plan and is zoned Light Industrial (ML-h) zone with a hold in the Township’s Zoning By-law No. 07-079.

A pre-application report was issued by Township of Leeds and the Thousand Islands in July of 2024, and follow-up correspondence with Township planning staff have confirmed the application requirements. Accordingly, the following are submitted in support of the application:

- / Concept Plan;
- / Stormwater Management Report;
- / Application forms and fees; and
- / This planning justification letter.

Site Description + Surrounding Context

The site is located in the Village of Lansdowne west of the intersection MacDonald Drive and Prince Street and south of the Canadian National (CN) Rail line. The property has an area of approximately 1.9 hectares with approximately 27.5 metres of frontage on the east side of MacDonald Drive. There is one seasonal watercourse on the subject site which includes two primary branches, the west branch located in the western portion of the site, and the east branch which is located along the frontage of the site. The site is currently a vacant existing lot of record. Vehicular access to the site is currently provided from MacDonald Drive.

Lands adjacent to the site along MacDonald Drive and Prince Street are a mix of commercial, industrial, residential, and agricultural uses on lots which vary in shape and size.



Figure 1: Context Map (Source: AG Maps, annotated by Fotenn Planning + Design)

Proposed Development

The proposal is to develop the existing vacant site with a graded and graveled lot for the storage of portable shipping containers, in addition to one permanent structure for site utilities. Site alteration including graveling and grading on site will be setback 10 metres from the highwater elevation of the watercourse on and adjacent to the site, and a fence with gate is proposed at the entrance of the site. The one proposed permanent structure will be the size of a portable shipping container located near the entrance of the site and will contain the utilities required to control the front gate and site lighting. Vehicular access to the site will continue to be provided from MacDonald Drive.

The business intending to operate on the subject site is Box Properties Inc., which specializes in portable storage solutions using storage containers for residential, commercial, and industrial uses. The primary operations to be performed on the subject site will be the storage and movement of both empty and in-use storage containers before they are required at another off-site location. The containers to be stored on site are not permanent, rather they are transient, being moved to and from the site as needed. The nature of the business is not anticipated to result in notable traffic impacts as it will be limited to the movement of containers on the site. Additionally, as the business is limited to the storage of portable shipping containers, there are no nuisances (e.g, noise or odors) which are anticipated to be generated as a result of the proposed development.

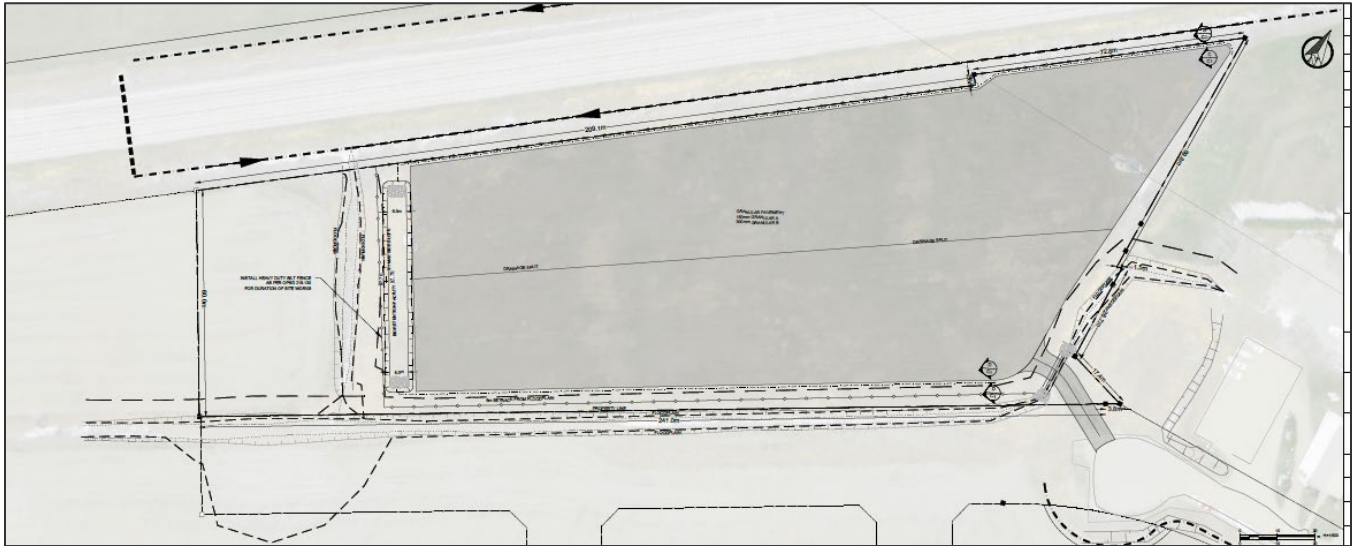


Figure 2: Site Plan (Source: Fotenn)

Supporting Studies

Stormwater Management Report

A Stormwater Management Report including a hydraulic and hydrologic analysis was prepared by Forefront Engineering Inc. in November of 2024. The report notes the existing conditions of the site from a stormwater perspective and provides a hydraulic and hydrologic analysis to determine an appropriate setback from the floodplain limit in addition to providing stormwater recommendations for the proposed development. Based on the hydraulic and hydrologic analysis the 100-year high water elevation of the seasonal watercourse located in the western portion of the site and to the south of the site is 97.5 metres. The report recommends that stormwater mitigation measures in the form of swales around the perimeter of the graveled area are implemented and conveyed to a bioretention facility in the western portion of the site to address stormwater quality and quantity. Further, the report concludes that development on the site should be setback a minimum of 6 metres from the floodplain in accordance with the Ontario Ministry of Natural Resources Technical Guide for River and Stream Systems Flooding Hazard Limit to limit the potential impact of site disturbance or grading works.

Policy + Regulatory Review

Provincial Policy Statement, 2024

The 2024 Provincial Planning Statement (PPS) came into effect on October 20th, 2024, replacing the previous 2020 Provincial Policy Statement. The 2024 PPS provides high-level land use policy direction on matters of provincial interest as they relate to land use planning and development in Ontario municipalities. Decisions of municipal councils must be consistent with the PPS, which provides direction for issues such as the efficient use of land and infrastructure, the protection of natural and cultural heritage resources, maintaining a housing stock that appropriately addresses the demographic and economic diversity of households, supporting long-term economic prosperity, and preserving natural resources for future uses. To this effect, the incoming Provincial Planning Statement (2024) is reviewed below.

The proposed development is consistent with the 2024 PPS broadly as it seeks to develop a site intended for light industrial uses within the settlement area of Lansdowne with access to municipal infrastructure while being situated in proximity to compatible land uses (2.1.6.a, 2.3.1.1, 2.3.1.2.a, 2.1.3.2.b, 2.8.1.2, 3.5.1)

Chapter 4 of the PPS gives consideration to the wise use and management of resources that provide economic, environmental, and social benefits. This is achieved through policies that provide for the conservation of

biodiversity, protection of the health of the Great Lakes, and protection of natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources. Per the findings of the Stormwater Management Report prepared by Forefront, a minimum setback of 10 metres from the high-water mark of the watercourse on the site will be implemented. The proposed 10 metre setback was determined to be in accordance with the Ontario Ministry of Natural Resources Technical Guide for River and Stream Systems Flooding Hazard Limit following a hydraulic and hydrological analysis which determined the highwater elevation of the watercourses on and in proximity to the site. As such, no negative impacts to natural or cultural heritage features nor agricultural resources are anticipated as a result of the proposed development.

Chapter 5 provides policy direction protecting public health and safety by regulating development in relation to natural and human made hazards. Natural and human-made hazards include flooding and erosion hazards, hazardous sites associated with unstable bedrock and karst topography, mine hazards, oil, gas and salt hazards, former mineral mining operations, and mineral aggregate operations or petroleum resource operations. No human-made hazards are identified on or in proximity to the subject lands. Per the findings of the Stormwater Management Report, a 10 metre setback will be implemented into the proposal. As noted, the proposed setback was determined based on the findings of the hydraulic and hydrological analysis which determined the highwater elevation of the watercourses and is in accordance with the Ontario Ministry of Natural Resources Technical Guide for River and Stream Systems Flooding Hazard Limit. No other natural hazards are identified on or in proximity to the subject lands.

It is our professional planning opinion that this proposal is consistent with the 2024 Provincial Policy Statement.

Minor Variance

A minor variance is required to address the zoning compliance matter for the proposed storage yard on the site. The site is zoned Light Industrial (ML) in the Township of Leeds and the Thousand Islands Zoning By-law No. 07-079. The proposed storage yard will generally meet the zoning requirements prescribed in the by-law.

Description of Requested Variance

In order to permit the proposed minor variance, relief from the following provision of the by-law is requested:

- 3.32.(b) From Water: Where any lot is adjacent to a waterbody or watercourse, any building, structure, campsite, agricultural use that includes the keeping of livestock, and septic disposal system shall be set back a minimum of 30.0 metres (98.43 ft.) from the high water mark.

Relief is required to permit a minimum setback of 10 metres from the high-water mark for the utilities structure and all portable shipping containers associated with the use.

Four Tests

The assessment of the proposed variances is undertaken following the tests described in Section 45(1) of the *Planning Act*, as follows:

Test #1: Is the general intent and purpose of the Official Plan maintained?

Test #2: Is the general intent and purpose of the Zoning By-law maintained?

Test #3: Is the variance minor?

Test #4: Is the variance desirable for the appropriate development or use of the lands in question?

Test #1: Is the general intent and purpose of the Official Plan maintained?

United Counties of Leeds and Grenville Official Plan

The United Counties of Leeds and Grenville Official Plan was adopted by Council on July 23, 2015, and approved by the Ministry of Municipal Affairs and Housing on February 19, 2016. The Official Plan directs growth management and land use decisions by providing upper-tier land use planning guidance for the United Counties' ten member municipalities, including the Township of Leeds and the Thousand Islands. The policies of this plan intend to ensure a balanced approach to growth management and the protection and conservation of the United Counties' natural and cultural heritage, while encouraging development opportunities that respect the United Counties' unique character and sense of place.

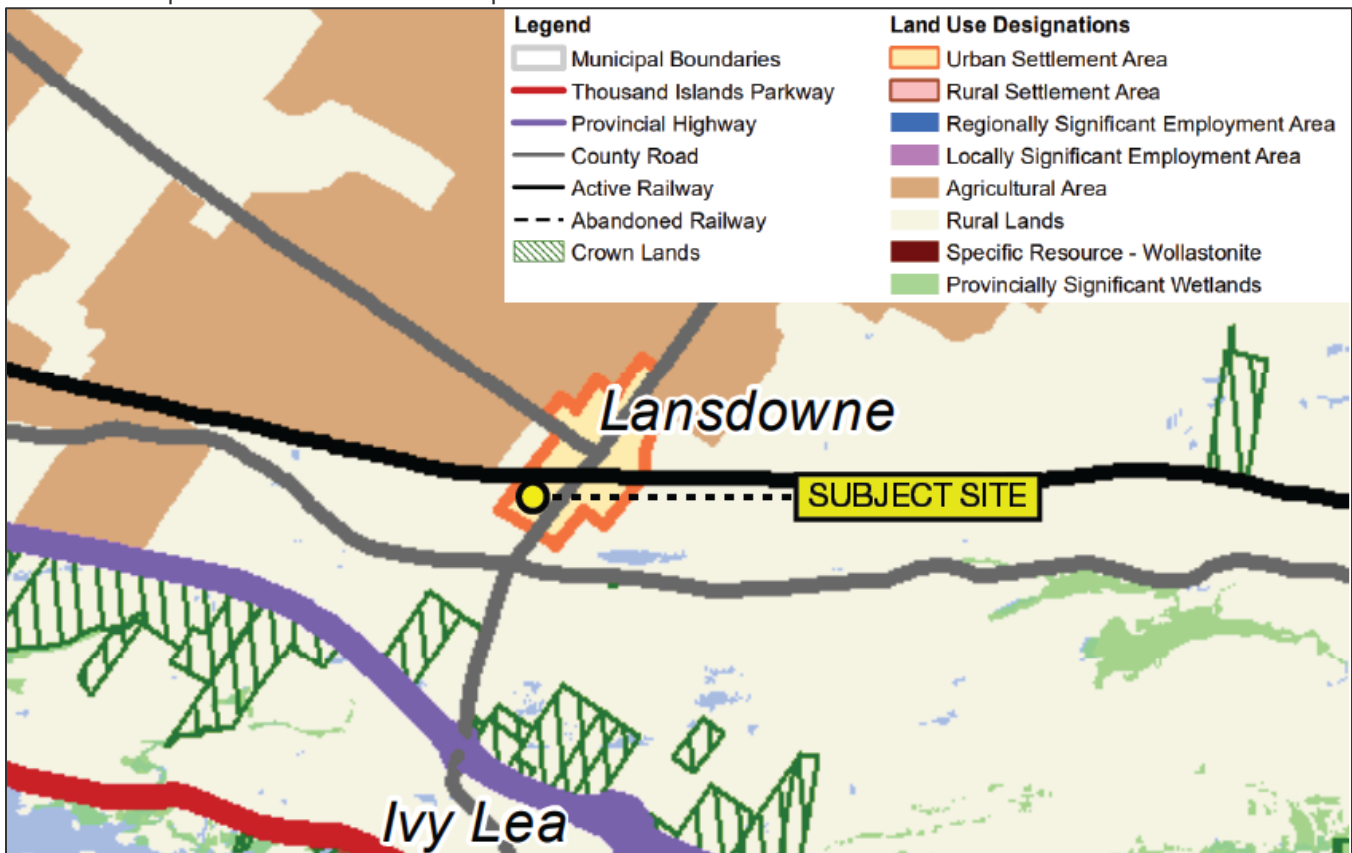


Figure 3: Schedule A – Community Structure and Land Use (Source: United Counties of Leeds and Grenville, annotated by Fotenn).

Section 2 of the Official Plan provides strategic policy direction related to growth management and settlement areas. Schedule A establishes the intended community structure, which identifies where growth is anticipated to occur. The site is located in the Urban Settlement Area of Lansdowne on Schedule Schedule A Community Structure and Land Use, an area intended for growth and to accommodate a broad range of uses. The proposed development reflects of the intention of the Urban Settlement Area through the utilization of a vacant lot for a storage yard on a site contemplated for such a use.

Section 4.0 of the Official Plan provides policy direction for the protection and enhancement of natural heritage features, functions, and systems, the protection and conservation of water resources, and the conservation of cultural heritage resources.

Section 4.4.1 – It is the policy of the United Counties of Leeds and Grenville that:

- e) The Counties and local municipalities will require the use of stormwater management facilities on-site and/or downstream of new developments, where appropriate, to mitigate negative

impacts from development on stormwater quantity and quality and in accordance with Section 6.3.2

- k) For existing lots of record, new development should generally be setback 30 metres if possible/feasible, otherwise as far back as the lot permits, with minimum disturbance of the native soils and very limited removal of the shoreline vegetation beyond that required for development.

The proposed development and all associated structures will be setback a minimum of 10 metres from the watercourse on the subject site. The proposed 10 metre setback is in accordance with Ontario Ministry of Natural Resources Technical Guide for River and Stream Systems Flooding Hazard Limit and will minimize disturbance in proximity to the watercourse.

Section 6.0 of the UCLG Official Plan provides policy which strives to ensure the efficient and cost-effective coordination between the growth management framework and the provision of systems of networks and infrastructure so they are financially viable over their life cycle and meet current and projected needs.

Section 6.3.2 – It is the policy of the United Counties of Leeds and Grenville that:

- c) *The Counties and local municipalities will promote naturalized stormwater management facilities, constructed with gentle slopes. Applications for development which require stormwater management facilities will be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Province’s Stormwater Management Planning and Design Manual, and applicable watershed studies, master drainage plans or master stormwater management plans, where they exist, and in consultation with the local municipality and the applicable Conservation Authority*

The Stormwater Management Report prepared by Forefront recommends stormwater mitigation in the form of swales around the perimeter of the graveled area to convey runoff to a bioretention facility in the western portion of the site. The proposed stormwater measures will provide storage for a 100-year event and will remove 70% of suspended solids to meet the requirements of the Stormwater Management Planning and Design Manual by the Ministry of the Environment, Conservation, and Parks.

Section 7.6 of the Official Plan provides policy direction related to planning administration and tools. The relevant policies related to minor variances under section 7.6 are addressed below:

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

- a) *The Council or Committee of Adjustment of the local municipality is the approval authority for all applications for minor variances to the provisions of the zoning by-law and other by-laws, as delegated by Council.*
- b) *The Council or Committee of Adjustment will deal with such applications in accordance with the relevant provisions of the Planning Act.*

It is understood the Committee of Adjustment at the Township of Leeds and the Thousand Islands is the approval authority for the proposed minor variance. As such, the minor variance application will be submitted to the Township of Leeds and the Thousand Islands.

Township of Leeds and the Thousand Islands Official Plan

The Township of Leeds and the Thousand Islands Official Plan was adopted by Council on September 10, 2018 and approved by the United Counties of Leeds and Grenville on November 22, 2018. The Township’s Official Plan establishes a vision, goals, objectives, and policies to manage and direct physical development and the effect of change on the physical, social, cultural, economic, and natural environmental until 2031. The Official Plan contains policies of Council which guide and direct future growth and development within the municipality.

Section 4 of the Official Plan speaks to General Land Use Policies. The relevant policies of Section 4 are addressed below:

4.17.1 Seacans can be dangerous based on various considerations including previous use, what material is stored, how they are anchored, and ability to exit them. Safe seacans may be appropriate for storage of certain materials provided the lot on which they are located is of sufficient size, the primary use of the lands is compatible with the storage use, and aesthetic concerns are addressed.

Seacans shall be discouraged in residential areas and all non-industrial designations in settlement areas. Seacans, shipping containers, and storage trailers are subject to the following policies:

- 1. A seacan, shipping container and storage trailer may only be used for storage as an accessory use on lands that permit industrial, commercial and agricultural uses.*

The site is designated Light Industrial, a designation which permits shipping containers within the settlement area of Lansdowne. The proposed development seeks to grade and gravel the site for the storage of portable shipping containers as the primary use for a company which specializes in portable storage solutions using storage containers for residential, commercial, and industrial uses. One shipping container will be located near the entrance of the site and used for the storage of utilities required to operate the entrance gate and site lighting. The remainder of the shipping containers will be temporarily located on site and will not be used for storage, rather placed temporarily before being moved again off-site.

- 2. Any seacan, shipping container or storage trailer shall be screened from view from the street, waterfront, and abutting properties through the use of landscaping materials, and be aesthetically pleasing through the use of painted colour, exterior cladding or skirting, addition of a peaked roofline and/or signage that is to the satisfaction of Council.*

The site is located approximately 70 metres from the surrounding uses, creating a buffer in the form of separation. Further, the proposal contemplates a fence located at the entrance of the site provide screening. Details regarding screening will be addressed through the site plan control process.

- 3. A seacan, shipping container or storage trailer shall not be placed for the purpose of display or advertising on a property.*

The shipping containers on site will be wholly located within the graveled portion of the development and will not be used for display or advertising.

- 4. For the purpose of clarity, a building permit is required for the construction and installation of a seacan, shipping container, or storage trailer, in accordance with the requirements of the Ontario Building Code.*

The proposal will adhere to the requirements of the Ontario Building Code and the Township of Leeds and the Thousand Islands.

Section 5 of the Official Plan establishes and describes the land use designations regulating the character and intended function of lands within the municipality. The land use designations provide direction for future development principles and conditions related to development and more specific means of implementation. The subject site is designated Light industrial and a portion of the site is located within the 30 metre water setback as identified on Schedule B1 Land Use Designations Lansdowne of the Township of Leeds and the thousand Islands Official Plan. The relevant policies of section 4 are addressed below:

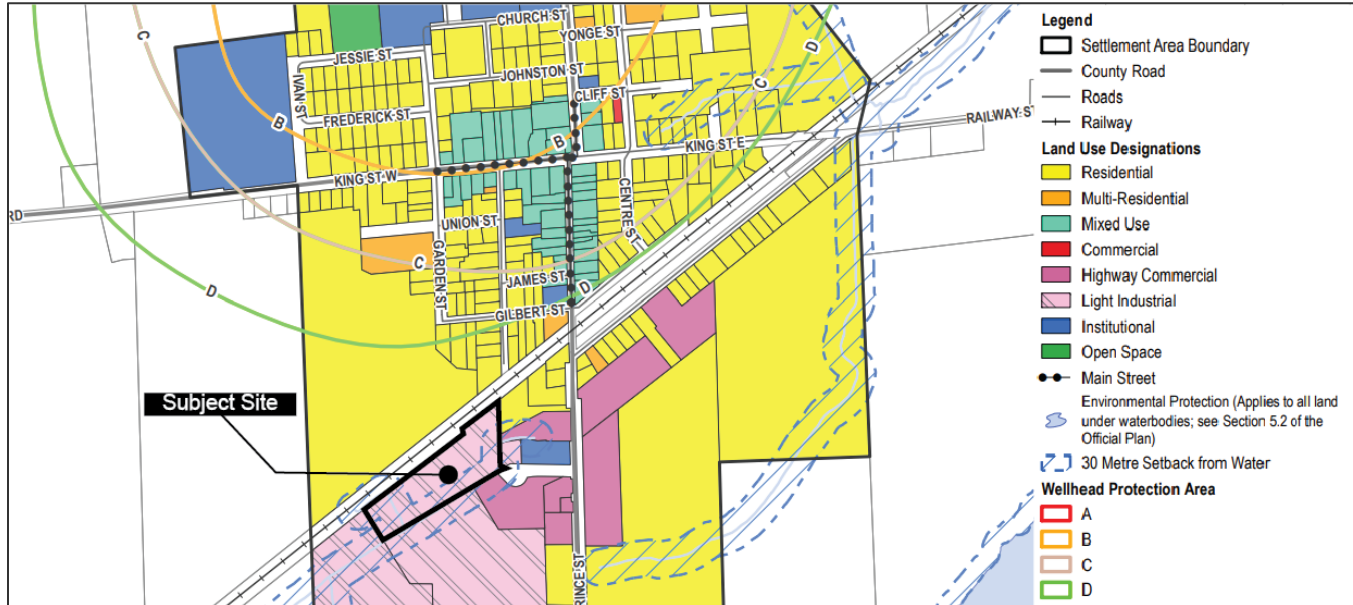


Figure 4: Schedule B1 – Land Use Designation Lansdowne (Source: Township of Leeds and the Thousand Islands, annotated by Fotenn).

5.8.2.7 Light Industrial Designation in the Settlement Areas

2. *In the Light Industrial designation, industrial uses of relatively small scale and which cause minimal impacts, such as those uses that are of a warehousing, manufacturing, storage, repair, wholesaling, recycling, and transportation nature, shall be permitted, provided priority is given to the protection of adjacent existing and proposed residential uses. Complementary uses such as business park and office uses, recreational facilities, hotels/conference centres, and other such complementary uses which are in keeping with the overall mix of uses in the surrounding area, shall also be permitted.*

In considering industrial uses and/or complementary uses, Council shall ensure that the proposed use is compatible, particularly in regard to appearance, traffic generation potential, neighbourhood disruption and to emissions of dust, fumes, noise, odour, smoke or vibration, in accordance with the Compatibility and Built Form Section of this Plan. Buffering, adequate offstreet parking, control of ingress and egress and other restrictions may be imposed.

The proposed development will generally be limited to the temporary storage of shipping containers, with one permanent shipping container being located at the front of site for the storage of utilities required for the front gate and site lighting. All other containers to be stored on site are not permanent, rather they are transient, being moved to and from the site as needed. The proposal is not anticipated to result in notable traffic impacts as it will be limited to the movement of containers on the site. Further, as the business is limited to the storage of portable shipping containers, there are no nuisances (e.g. noise or odors) which are anticipated to be generated as a result of the proposed development.

3. *Secondary uses may be permitted in the Light Industrial designation, provided they are incidental to the industrial operations; they provide a service for the industrial area or increase its attractiveness for industry; and they have characteristics or functional requirements similar to the industries.*

No secondary uses are proposed as part of this development.

4. Outdoor storage areas shall be limited in size through the Zoning By-law.

The proposal is seeking to decrease the water setback associated with the development through the minor variance process. The proposal is not seeking variances associated with outdoor storage.

5. Adequate buffering will be provided between industrial uses and neighbouring sensitive land uses (e.g. residential uses), in accordance with the Compatibility and Built Form Section and the Industrial Facilities and Sensitive Land Uses Section of this Plan, as applicable.

The site immediately abuts a mix of rural, commercial, and light industrial uses providing a level of land use compatibility with the existing development in the area. The proposal does not seek to reduce the minimum yard setbacks and will provide a fence at the entrance to the site to further mitigate any potential land use compatibility concerns. Further, as the site is located approximately 70 metres from the nearest use, it is anticipated the separation of the site will also aid in the mitigation potential land use compatibility concerns.

6. Industrial uses are designated as Site Plan Control areas.

It is understood an application for site plan control will be required to facilitate the proposed development.

7. 7. Industrial uses will be placed in appropriate categories in the implementing Zoning By-law

The site is zoned Light Industrial (ML) and is a permitted use within the implementing zoning by-law.

Section 6 of the Official Plan provides policy direction related to Stormwater Management. The relevant policies of section 6.1 are addressed below:

6.1.3.6 Due to the Township's many sensitive natural heritage features and areas, particularly rivers, lakes, and streams, and development pressure in waterfront areas, appropriate stormwater management is also required for small-scale residential development. While a Stormwater Management Plan may not be identified as a requirement for every application for residential, commercial, and industrial development or site alteration, as determined at the discretion of Council or the delegated approval authority, the following principles will be applied, particularly for waterfront development:

- a) Impervious surface areas immediately adjacent to a waterbody should be limited and pervious surface areas should be used to the extent feasible, in order to reduce unfiltered runoff from entering the waterbody;*
- b) Vegetative planting strips, consisting of primarily native species where possible, should be maintained or restored for the first 15 m from a waterbody to provide filtration for any runoff that may be directed or flow towards a waterbody; and*
- c) Runoff from buildings and structures should be directed away from surface waterbodies and towards back-slope areas in order to minimize concentrated flows and high-volume sheeting of stormwater from entering a waterbody, contributing to erosion.*

The Stormwater Management Report prepared by Forefront recommends stormwater mitigation in the form of swales around the perimeter of the graveled area to convey runoff to a bioretention facility in the western portion of the site. The proposed stormwater measures have been designed to provide storage for a 100-year event and will remove 70% of suspended solids to meet the requirements of the Stormwater Management Planning and Design Manual by the Ministry of the Environment, Conservation, and Parks. Through implementing these measures, the development will reduce unfiltered runoff into the adjacent watercourse by directing runoff away to a bioretention facility containing native plantings.

Section 9 of the Official Plan provides policy direction related to Minor Variances. The relevant policies of section 9 as it relates to minor variances are addressed below:

9.10.2.3 In considering whether an application for a minor variance is desirable for the appropriate development or use of the land, building, or structure, the Committee of Adjustment shall have regard for, but will not necessarily be limited to, the following:

- a) *The proposed development meets the intent of all applicable policies of this Plan, including the basis, goals, and objectives;*

The proposal generally meets the basis, goals, and objectives of the Official Plan insofar as it seeks to develop vacant lot designated and zoned Light Industrial within the settlement area of Lansdowne in a manner which aligns with the findings of the Stormwater Management Report to mitigate potential impacts to the watercourses on and adjacent to the site.

- b) *The proposed development shall be compatible with surrounding uses, buildings, or structures, and development standards associated with adjacent properties, and if necessary, shall incorporate means of mitigating adverse effects on abutting land uses to ensure compatibility;*

The site is designated Light Industrial and is located adjacent to compatible uses including a mix of rural, commercial, and light industrial uses to the east, the CN Railway to the north and rural uses to the south and west. The proposed development which will be limited to the temporary storage of shipping containers will meet the required minimum yard setbacks and will be screened with fencing along the perimeter of the site to address potential land use compatibility concerns.

- c) *The necessity of the proposed development;*

The proposed development will develop a site designated Light Industrial within the settlement area of Lansdowne which would otherwise remain vacant.

- d) *Ability to comply;*

The proposed variance will be limited to a reduction in water setback per the findings of the Stormwater Management Report. When applying existing the 30-metre watercourse setback to the site the developable area of the land is very constrained and small in area, the proposed variance will provide a viable opportunity to develop the site. The proposal will comply with all other provisions of the implementing zoning by-law.

- e) *The ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles, or any other matter and means of improving such function, including considerations for universal accessibility;*

The proposed development will have a sufficient lot area and frontage to facilitate conditions for appropriate access and parking. It is understood circulation will be address as part of the site plan control process.

- f) *The conformity of the proposal to any design guidelines or other by-laws which implement the Official Plan;*

The proposed development will conform to the required guidelines or other by-laws as required.

- g) *Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed through a Zoning Bylaw Amendment; and*

As the proposal does not contemplate a change of use and is limited to a reduced water setback, the proposal would not be more appropriately addressed through a zoning by-law amendment.

- h) *The degree to which such approval may set an undesirable precedent for development in the Township.*

The requested variances are limited to a reduced water setback. As the requested setback aligns with the findings of the Stormwater Management Report specific to the subject site, the requested variance is not anticipated to set an undesirable precedent.

9.10.2.4 In considering whether a proposed variance is minor, the Committee of Adjustment shall have regard for, but will not necessarily be limited to, the following:

- a) *If the proposed development meets the intent of all applicable provisions of the Zoning By-law;*

Discussion surrounding the proposed development and the implementing zoning by-law is addressed below. The proposal maintains the general purpose and intent of the implementing zoning by-law.

b) If the proposed development meets the intent of all applicable policies of this Plan, including the basis, goals, and objectives;

As discussed in detail within this section, the proposal meets the general intent and purpose of the Official Plan.

c) If the variance is desirable for the appropriate development or use of land, buildings, or structures;

The proposed development seeks to establish a light industrial use on an existing vacant lot within the settlement area of Lansdowne for the storage of portable shipping containers which aligns with the findings of Stormwater Management Report to mitigate potential impacts to the watercourses on and adjacent to the site. The site is located in proximity to compatible land uses and will be screened to further mitigate any potential land use compatibility impacts on the surrounding area.

d) Technical or physical reasons for not complying with the Zoning By-law;

The site is constrained by two watercourses on the subject site. Through consultation with Township planning staff and the Cataraqui Region Conservation Authority, it was determined a reduction to the 30-metre water setback could be pursued pending the findings of a supportive Hydraulic and Hydrological Analysis. Based on the findings of the Stormwater Management Report, which contains a Hydraulic and Hydrological Analysis, a 10-metre water setback is being requested.

e) Size or comparison in size;

The proposed development will be compatible in size as it complies with all zoning provisions with the exception of the minimum water setback. The proposed development does not seek to increase the intensity of the use outside of the confines of the minimum yard setbacks.

f) If it is too large or too important to be consider minor;

The proposed minor variance will be limited to a reduced water setback. As noted in the hydraulic and hydrologic analysis within the Stormwater Management Report, the 100-year high water elevation of the seasonal watercourse is 97.5 metres and development should be setback a minimum of 6 metres from the high water elevation. The proposed development intends to provide a setback of 10 metres, to further mitigate potential impact. The proposal will also include stormwater mitigation measures in the form of swales around the perimeter of the graveled conveyed to a bioretention facility, which has been designed to provide storage for a 100-year event and remove 70% of suspended solids to meet the requirements of the Stormwater Management Planning and Design Manual by the Ministry of the Environment, Conservation, and Parks. As such, the overall impact to the site and surrounding areas associated with reduced setback and proposed development are anticipated to be minor.

g) If it is rounding out development in the area, or if it is extending noncomplying development; and

The proposal seeks to develop an otherwise vacant light industrial lot within the settlement area of Lansdowne.

h) Impact on adjacent properties and the general surrounding area.

As previously noted, the proposal is not anticipated to result in notable traffic impacts as it will be limited to the movement of containers on the site, mitigating potential impacts on adjacent properties. Further, as the business is limited to the storage of portable shipping containers, there are no nuisances (e.g, noise or odors) which are anticipated to be generated as a result of the proposed development which would pose negative impacts on the surrounding area. It is understood details regarding mitigation measures such as screening will be addressed in detail as part of the site plan control process.

Based on this review, it is our professional planning opinion that the proposed minor variance maintains the general intent and purpose of the United Counties of Leeds and Grenville Official Plan and the Township of Leeds and the Thousand Islands Official Plan.

Test #2: Is the general intent and purpose of the Zoning By-law maintained?

The site is zoned Light Industrial (ML-h) zone in the Township's Zoning By-law No. 07-079. The proposed development is considered a transportation depot for the distribution portable storage containers and is a permitted use. The following table outlines the necessary variances required to permit the proposed development.

Provision	Requirement	Proposed	Complies?
Light Industrial (ML) – Section 7.1			
Permitted Uses	• Various industrial uses	Transportation Depot	Yes
Lot Area (min)	465 m ²	1.9 ha	Yes
Lot Frontage (min)	15 m	> 15 m	Yes
Front Yard (min)	7.5 m	> 7.5 m	Yes
Rear Yard (min)	7.5 m	> 7.5 m	Yes
Interior Yard (min)	3 m	> 3 m	Yes
Building Height (max)	12 m	To comply	Yes
Lot Coverage (max)	40%	To comply	Yes
General Provisions – Section 3			
Landscaped Open Space (3.15.a)	In any zone, any portion of any minimum required yard which is not used for any other permitted purpose shall be devoted to landscaped open space.	To comply.	Yes
Setbacks (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 m from the high water mark.	10 m	No

Setback from High-water Mark

Relief is required to allow a decreased water setback of 10 metres from the watercourses on the site. The zoning by-law requires a minimum water setback of 30 metres. The intent of this provision is to ensure there is an adequate setback between development and existing watercourses to mitigate concerns regarding increased runoff, sediment control, and the infiltration of potential pollutants which could impact these resources. Through consultation with Township planning staff and the Cataraqui Region Conservation Authority, it was determined a reduction in the minimum watercourse setback could be pending a supportive hydraulic and hydrological analysis. As noted in the hydraulic and hydrologic analysis within the Stormwater Management Report, the 100-year high water elevation of the seasonal watercourse is 97.5 metres and development should be setback a minimum of 6 metres from the high water elevation in accordance Ontario Ministry of Natural Resources Technical Guide for River and Stream Systems Flooding Hazard Limit to limit the potential impact of site disturbance or grading works. The proposed development intends to provide a setback of 10 metres, to further mitigate potential impact.

Based on this review, it is our professional opinion that the proposed variance maintains the general purpose and intent of the zoning by-law.

Test #3: Is the variance minor?

The assessment of whether a proposed variance is minor is not a mathematical calculation. Rather, the test is intended to assess the degree of any impact resulting from the proposed variance. The requested variance would be generally limited to the site, however, recognition of impacts on adjacent properties sharing this watercourse also needs to be considered. The property is located in an area characterised predominately by a mix of rural, commercial, and light industrial uses which minimizes potential land use compatibility concerns. The proposed 10 metre setback has been determined to be accordance Ontario Ministry of Natural Resources Technical Guide for River and Stream Systems Flooding Hazard Limit, exceeding the minimum 6 metre setback noted in the Stormwater Management Report. Further, when viewing the proposed setback in tandem with the proposed stormwater mitigation measures in the form of swales and a bioretention facility, which have been designed to provide storage for a 100-year event and remove 70% of suspended solids to meet the requirements of the Stormwater Management Planning and Design Manual by the Ministry of the Environment, Conservation, and Parks, the overall impact of the proposed variance is anticipated to be minor.

Based on this review, it is our professional opinion that the proposed variances are minor in nature.

Test #4: Is the variance desirable for the appropriate development or use of the lands in question?

The proposed development seeks to establish a light industrial use on an existing vacant lot within the settlement area of Lansdowne for the storage of portable shipping containers which aligns with the findings of the Stormwater Management Report to mitigate potential impacts to the watercourses on and adjacent to the site. The site is located in proximity to compatible land uses and will be screened to further mitigate any potential land use compatibility impacts on the surrounding area.

Based on this review, it is our professional opinion that the proposed variance is desirable and appropriate development of the site in question.

Conclusion

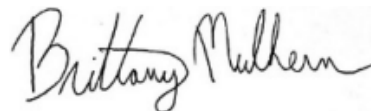
The applicant is seeking approval from the Township of Leeds and the Thousand Islands to permit the development of a graded and graveled lot for the storage of portable shipping containers on the site. The proposal consists of a minor variance application to address one zoning compliance matter identified in the implementing zoning by-law. This application will allow for the development of a vacant site within the settlement area of Lansdowne which aligns with the current land use designation. It is understood an application for site plan will be required to facilitate the proposed development, at which time further design details will be addressed.

The minor variance application maintains the intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development of the site. It is our opinion that the proposed application for minor variance is appropriate for the property in question and represents good land use planning. Should you have any questions or comments, please do not hesitate to contact us at 613.542.5454.

Respectfully submitted,



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Planner
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