

RESPONSE TO 1ST TECHNICAL COMMENTS FITZSIMMONS RD & GRANITE RIDGE RD

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July 23, 2024

Ms. Lindsay Lambert

Senior Planner
Planning and Development Department
Township of Leeds and the Thousand Islands
1233 Prince Street, P.O. Box 280

**RE: 507 & 515 Thousand Islands Parkway, 14, 26, 30 & 36 McCrae's Bay Lane
Response to 1st Technical Circulation Comments
File #s D09-2023-003 & D14-2023-008**

Dear Ms. Lambert,

Fotenn Planning + Design is pleased to submit this letter and supporting documentation on behalf Peck's Marina for the property municipally known as 87 Fitzsimmons Road. This letter provides responses to the technical review comments dated December 13, 2023 as well as responses to the comments provided at the Non-Statutory Public Meeting on September 11, 2023.

The following revised and new materials are being submitted:

- / Pavement Conditions and Traffic Impact Assessment
- / Revised Concept Plan
- / Revised Stormwater Management Report
- / Response to EIA Peer Review
- / Updated Noise Impact Study
- / Response to Noise Study Peer Review
- / Revised Official Plan Amendment and Zoning By-law Amendment Text (Appendix A to this letter)
- / Response to Public Comments (Appendix B to this letter)

Overview of Changes

The following provides an overview of changes to the development proposal:

- / The gross floor area of each proposed building has been reduced from 3,344 square metres to 2,898 square metres
- / The proposed building setback from Granite Ridge Road has increased from 17.1 metres to 29.9 metres
- / The proposed building height has been confirmed as 12.0 metres

Technical Comments

Technical comments received are bulleted, with responses listed below each item in **bold**.

Noise and Vibration Impact Study

- / Please provide a Noise Report addendum that responds to the comments in the enclosed Valcoustics Peer Review letter dated October 6, 2023. Township Planning Staff will coordinate with Valcoustics to obtain a quote for a second round of review.

Refer to the Updated Noise Study and Response to Peer Review Comments submitted together with this response.

Environmental Impact Study (EIS)

- / Please provide an EIA Addendum that addresses the comments in the enclosed CRCA comments dated June 23, 2023 & August 25, 2023, and the McIntosh Perry EIA Peer Review letter dated September 26, 2023. Township planning staff will coordinate with McIntosh Perry to obtain a quote for a second round of review.

Refer to the Response to EIA Peer Review prepared by Ecological Services submitted together with this response.

Traffic Impact Memorandum

- / Please provide a Traffic Impact Memorandum Addendum that addresses the comments in the enclosed November 29, 2023 Peer Review letter from BTE Engineering.
 1. Please review areas of insufficient width and horizontal curves on Fitzsimmons Road. Are there any improvements that are required to ensure continuity of 2 lanes of traffic and stopping sight distance for the safety of all road users.

As indicated in the Traffic Impact Memo, “The boat trailers that will be used to transport the boats will be 15 meters in length. This size vehicle is the same as a Wb-17 truck, which was used to check turning movements along the roadways. Because of the existing roadway width on Fitzsimmons Road and tight road radii, this vehicle will encroach on the opposing lane along Fitzsimmons Road, as shown in the attached figure. However, the low traffic volumes on Fitzsimmons Road suggest that the risk for encountering another vehicle is low. Also, Fitzsimmons Road is currently being used to move boats and problems have not been noted. Tree clearing within the road right-of-way could increase visibility.”

2. With respect to overall road user safety, including pedestrians and cyclists, please review and provide comment on the need for a possible maximum speed reduction for vehicles transporting boats for the proposed facility and shoulders for accommodating these active modes of transportation.

As indicated in the Traffic Impact Memo, “Fitzsimmons Road is currently being used to move boats and problems have not been noted”.

3. Please provide the number of oversized vehicles wider than 2.6 metres

No oversized vehicles wider than 2.6 metres are anticipated to be used for transport.

4. Please review and provide comment with respect to the transporting of boats with oversized heights and potential conflicts with existing utility lines.

Detailed assessment of utility lines will occur through the site plan control process.

5. The geotechnical study that we understand the applicant is in the process of completing in support of the Planning Act applications should include recommendations for the pavement structure on the route for transportation including any roadway widening or realignment.

Refer to the Pavement Conditions and Traffic Impact Assessment submitted with this response.

6. Please include any mitigation measures that are required from a traffic impact perspective for the proposed use.

As noted by the traffic consultant in the original report, “The proposed development of a boat storage facility will have little to no impact on traffic operations.” Therefore, no mitigation measures are recommended.

Planning Justification Report, Draft Official Plan Amendment, Draft Zoning By-Law Amendment & Concept Plan

- / Staff have concerns with the proposed land use change and the scale of development of the subject property from a land use compatibility perspective (Section 4.6 of the Township Official Plan). The resolution of the peer reviews with respect to noise, environmental impact and traffic will inform our position on the subject applications.

Noted. Refer to the detailed review of Section 4.6 in the Planning Justification Report dated June 8, 2023. The development has been designed to consider building heights, setbacks to abutting residential, the addition of landscape screening and buffering, and limits scale of the use to specific times of the year to maintain compatibility with the surrounding rural residential area. Additionally, the concept plan has been updated to increase the setback to Granite Ridge Road as well as reduced the proposed building envelopes. It is confirmed that building height relief is not required.

/ In the next submission, please provide a response to the written and oral and public input received to date. **Refer to the responses provided in Appendix B of this letter.**

- / The renderings do not accurately reflect the context of the property and its surroundings. Please update and re-submit the renderings.

The renderings submitted with the initial application were intended as conceptual only, to provide a sense of the buildings proposed on-site. Updated renderings are not provided.

- / The justification of the land use compatibility notes mitigation in the form of increased yards for the proposed buildings and landscape buffering, however they are not reflected in the draft amending zoning by-law.

Refer to the revised Zoning By-law Amendment text in Appendix A which has been updated to include increased minimum yard setbacks.

- / Planning staff have concerns that the proposed landscape buffering along the road frontages will require years to grow and mature to make a substantive impact on the buffering of the proposed use from the rural residential area in which the tourist commercial use is proposed.

Refer to the updated concept plan which identifies the location and species of landscaping proposed to provide buffering along both road frontages. The species and size of landscaping and trees will be further discussed during the future site plan control process.

- / Should Planning staff arrive at a position of support for the subject applications, the amending by-law will need to include a site-specific definition of marina to limit the storage to boats, exclude sales, eating establishment and residential.

Refer to the updated Zoning By-law Amendment text in Appendix A which proposes a site-specific definition of marina.

- / The Draft By-Law does not include the relief from maximum height that is cited on page 32 of the Planning Justification Report. At the non-statutory public meeting on September 11th, the owner indicated that the proposed buildings would be revised to comply with the maximum height of the 'CT' zone. Please ensure that this change is reflected in the next submission.

The proposed buildings will comply with the maximum 12.0 metre building height.

- / The parking supply appears to be low for the busy times of the year for the proposed use when staff and customers will require off-street parking.

The proposed use of the property is boat storage only. Limited customer interactions will occur on site, with primary customer interactions occurring at the Peck's Marina property located at 505 Thousand Island Parkway. The provided on-site parking is anticipated to be sufficient to meet demand.

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- / Please include the proposed loading spaces on the concept plan.

Refer to the six loading spaces shown on the updated concept plan, located at the periphery of the proposed buildings.

- / On the concept plan, please delineate the areas of existing tree retention on the south and east sides of the property.

Refer to the revised concept plan. The limits of tree retention on the east side of the property have been identified. It is the intention to retain trees along the south portion of the property, however, the exact limits of this area are unknown at this time. The limits of this retention will be identified through detailed design during the site plan control process.

- / On the concept plan, please identify the areas of landscaping enhancement referenced in the Planning report. It appears that the buildings need to be shortened to accommodate the gravel area and an increased depth of landscaping buffering along the Granite Ridge road frontage.

Refer to the updated concept plan which includes proposed landscaping and plantings along the west and north lot lines.

- / On the concept plan, please update the parking to reflect the performance standards for the required accessible parking space.

Refer to the updated concept plan which reflects the performance standard for the required accessible parking space.

- / Please update the concept plan to include the entire limits of the subject property.

Refer to the updated concept plan.

- / Please update the concept plan to denote the types of landscaping (grassed, shrubs, trees) throughout.

Refer to the updated concept plan which identifies the proposed types of landscaping. Additional detail regarding landscaping will be provided through the future site plan control application.

- / Please note that with respect to clause 3 of the draft amending zoning by-law, the United Counties of Leeds and Grenville is the approval authority for the Official Plan Amendment, not the Ministry of Municipal Affairs and Housing.

Acknowledged. Refer to the revised Official Plan Amendment text in Appendix A.

- / Per the CRCA comments, in the planning response letter please address the policies of the two applicable OPs and the Cataraqui Source Protection Plan with respect to Source Water Protection.

No potential for groundwater contamination has been identified. Section 4.4.2 of the United Counties of Leeds and Grenville Official Plan and Section 6.1.2 of the Township Official Plan provides policy direction related to Source Water Protection which have been reviewed. Section 2.3.4 of The Cataraqui Source Protection Plan notes “*in the Wellhead Protection Areas, the two most common existing threats to drinking water that pose a significant, moderate or low risk to these sources of drinking water are: the handling and storage of liquid fuel and septic systems and holding tanks. Other notable activities that were included in the inventory are the application: and storage of agricultural source material; of commercial fertilizer; and storage of pesticide; of road salt*”. Potential threats identified and reviewed included (1) handling and storage of dense non-aqueous-phase liquids and organic solvents, (2) liquid fuel and (3) septic systems. Potential dense non-aqueous-phase liquids and organic solvents include degreasers, solvents and adhesives may be used at limited times for boat maintenance. These processes would take place within the storage buildings where any spill or wash-off of chemicals would drain within the building and these would

prevent the release of chemicals to the environment. No on-site refueling will occur, therefore there is no potential for release or infiltration to the environment. A new septic system is proposed on-site to support one bathroom within the west proposed building. The proposed septic system will be designed to current ministry and public health standards to ensure no impact to source water. The proposed development will not include the storage of agricultural source material, commercial fertilizer, storage of pesticides or the storage of road salts. No potential for groundwater contamination has been identified.

Township Building Department Comments

- / The proximity of the building to the property lines and each other will evoke spatial separation requirements under the OBC which will require specialized construction.

Noted.

- / Water for fire fighting is required on site. (3.2.5.7), please indicate how this will be provided and update the concept plan to identify any onsite storage areas and quantities.

The proposed development will utilize the new dry hydrant established at the Ivy Lea boat ramp.

- / Engineering review and design will be required for the structures which must include the Geotech information that addresses the site alterations which have already taken place.

Noted.

- / Access routes must meet OBC 3.2.5.6. The curve radius should be noted.

Refer to the updated concept plan.

Township Infrastructure and Public Works Department

- / Geotechnical Study
 - Staff are concerned with the proposed loading this development will impose on the current low classification road. This application identifies that this is a low classification road and 1-2 trucks per hour will be introduced, without giving any indication of the size and weight of boats that will be hauled, as a result of this development. As a result, a geotechnical study is required to be provided to ensure the existing road structure can support the proposed loading together with a description of the proposed maximum loading.

Refer to the Pavement Conditions and Traffic Impact Assessment submitted with this response.

- / Site Layout
 - The easterly building is 56.39ft from the edge of the paved surface. Staff are concerned that this does not provide sufficient turning room for entering and leaving the building when a boat trailer is attached. Proposed turning movements should be shown on the concept plan with the next submission to avoid a future request for a secondary access to the property.

Refer to the updated concept plan. The proposed buildings have been shifted southward on the property.

- / Stormwater Management
 - The proposed 0.9 Pre to 0.9 Post is inaccurate. The existing site consists of blasted rock, which provides an opportunity for infiltration and should be considered as granular with a run-off coefficient of 0.4 to 0.6. A run-off co-efficient for the proposed buildings should be 0.7 to 0.95 while the paved surfaces should be 0.85 to 0.95. The Stormwater management report needs to be updated and considered in the design of the stormwater management system.

Refer to the updated Stormwater Management Report.

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- A proposed sediment trap has been indicated in Section A-A but no location on the plan has been provided. All Stormwater management systems shall be located on the private property before being released onto Municipal ROW.

Refer to the updated Stormwater Management Report and updated Concept Plan.

United Counties of Leeds and Grenville (UCLG) – Planning Services

- / No comments on the draft OPA By-Law that was prepared and submitted to the UCLG by TLTI Planning staff.

Noted.

We trust that this addresses the technical comments provided. Please feel free to contact the undersigned with any additional comments or questions at 613.542.5454.

Respectfully submitted,



Kelsey Jones, MCIP RPP
Senior Planner
Fotenn Planning + Design

APPENDIX A REVISED OFFICIAL PLAN AMENDMENT

THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS

BY-LAW NO. 24-XXX

A By-law to Amend the Official Plan for the Corporation of the Township of Leeds and the Thousand Islands (Amendment Number ____, known municipally as 87 Fitzsimmons Road)

WHEREAS on [Date] Fotenn Planning + Design, on behalf of Peck's Marina, submitted an application for Official Plan Amendment for the property municipally known as 87 Fitzsimmons Road; and

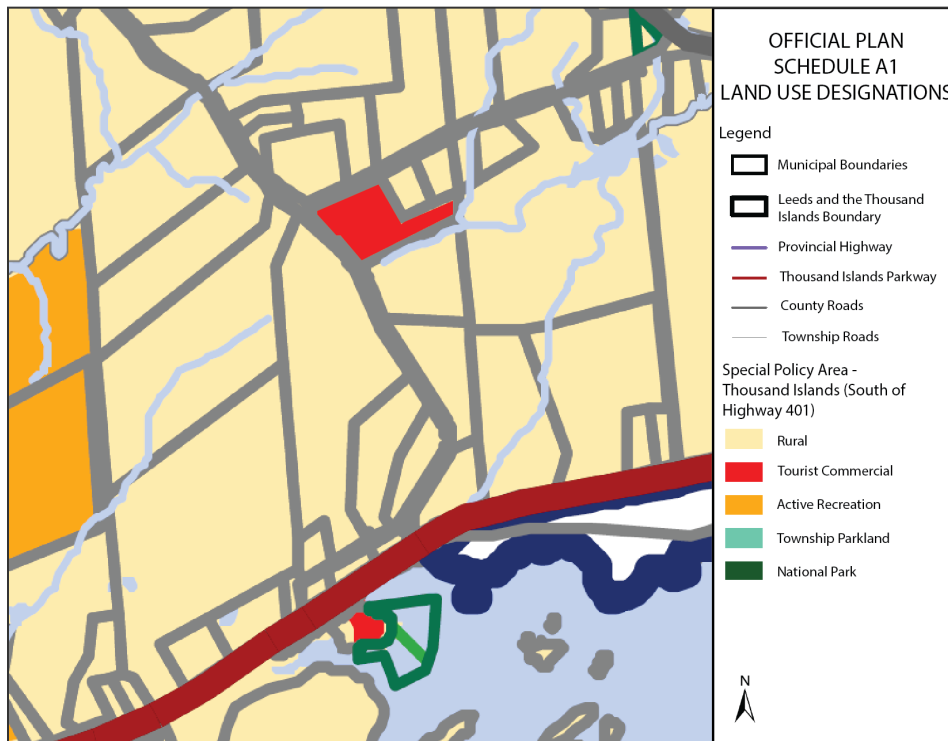
WHEREAS a public meeting was held regarding this amendment on ____, ____;

NOW THEREFORE the Council of The Corporation of the Township of Leeds and the Thousand Islands, in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The Official Plan for the Township of Leeds and the Thousand Islands is hereby amended by the following map changes which shall constitute Amendment No. __ to the Official Plan for the Township of Leeds and the Thousand Islands.

(a) **Amend** Schedule 'A1 Land Use Designations', of the Township of Leeds and the Thousand Islands Official Plan, so as to amend the land use designated of the property located at 87 Fitzsimmons Road from Rural Lands to Tourist Commercial

Schedule 'A'



APPENDIX A

REVISED ZONING BY-LAW AMENDMENT

THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS

BY-LAW NO. 24-XXX

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 07-079

(Rural (RU) to Tourist Commercial, Special Exception XX (CT-XX) (zoning to permit marina storage)
(Fitzsimmons Road and Granite Ridge Road, Con 1 Part Lot 17; Township of Leeds and Lansdowne,
Assessment Roll _____, File ZBXX/23)

WHEREAS Zoning By-Law No. 07-079, as amended, was passed under the authority of Section 34 of the Planning Act, R.S.O. 1990, as amended, and regulates the use of land and the use and erection of buildings and structures within the Township of Leeds and the Thousand Islands;

AND WHEREAS Section 34 of the Planning Act, R.S.O. 1990, as amended, permits Council to pass an amending by-law, and the Council of the Township of Leeds and the Thousand Islands deems it advisable to amend Zoning By-Law No. 07-079 with respect to the provisions described in this By-Law;

AND WHEREAS upon approval of Official Plan Amendment No. X the matters herein are in conformity with the provisions of the Official Plan for the Township of Leeds and the Thousand Islands;

NOW THEREFORE the Council for the Corporation of the Township of Leeds and the Thousand Islands ENACTS AS FOLLOWS:

1. **THAT** Schedule 'B' of Zoning By-Law No. 07-079 of the Township of Leeds and the Thousand Islands, as amended, is hereby further amended by replacing the Rural (RU) Zone with the Tourist Commercial Exception (CT-XX) Zone on the parcel of land indicated on Schedule 'A' to this By-law, which also forms a part of this By-law;
2. **THAT** Section 6.3 (c)(xxii) be added as follows:
CT-XX, Fitzsimmons Road and Granite Ridge Road (File ZB08/23, By-law 24-XXX)
 - a. Notwithstanding anything contained in Section 6.3 (a), permitted uses, only the following uses shall be permitted:
 - Marina, excluding an eating establishment, refreshment sales, fuel sales, and residential uses.
 - b. Notwithstanding the general provisions, the following shall apply:
 - Front Yard Setback (min): 25 m
 - Rear Yard Setback (min): 27 m
 - Exterior Side Yard Setback (min): 28 m
 - Interior Side Yard Setback (min): 9 m
 - 6 Loading Space (minimum)
 - Loading spaces are permitted in the exterior side yard
 - 4 Parking Spaces (minimum)
 - 1 Accessible Parking Space (minimum)

- 3. **THAT THIS BY-LAW** shall come into effect and force upon the date of approval of Official Plan Amendment No. X by the United Counties of Leeds and Grenville, subject to the appeal provisions of the Planning Act.

READ A FIRST AND SECOND TIME THIS ___ DAY OF _____, 2024.

READ A THIRD TIME AND FINALLY PASSED THIS ___ DAY OF _____, 2024.

Corinna Smith-Gatcke, Mayor

Megan Shannon, Clerk

Schedule 'B'



Response to Public Comments

The following section provides a response to the public comments, feedback and questions received verbally during the Non-Statutory Public Meeting on September 11, 2023.

1. Concern regarding potential in increased traffic and suitability of the road

A Pavement Conditions and Traffic Impact Study have been prepared to evaluate the existing road condition, assess potential impacts to the road, and assess potential impacts to traffic operations.

The Pavement Conditions Assessment concluded the existing pavement is in good overall condition with a Pavement Condition Rating (PCR) of 75 and a Ride Condition Rating (RCR) of 8.5. Based on the proposed 150 small to medium sized boats proposed to be brought to the subject site twice a year, it is estimated that the new storage facility will double the yearly equivalent single axle load from 30 to 60 and it is the opinion of the engineer that the boat traffic will not appreciably shorten the service life of Fitzsimmons Road.

Additionally, the Traffic Impact Study does not anticipate any traffic impacts with the existing road network considering the low number of trips generated from the development and low existing traffic volumes on Fitzsimmons Road. There is an existing eastbound left-turn lane on the Thousand Islands Parkway at the intersection with Fitzsimmons Road which the vehicles and boat trailers will be able to utilize. There are no left-turn lanes at other surrounding intersections, however, with 1-2 trucks per hour, a left-turn lane is not warranted. The study concluded that the proposed development will have little to no impact on traffic operations.

2. Concern regarding compatibility of the development with the surrounding area

The proposed development has been designed in a manner to be compatible with the surrounding rural area. The proposed development incorporates large setbacks from all lot lines which exceed the minimum requirements of the zoning by-law to ensure appropriate separation of uses. As well, mature landscaping and trees will be retained on-site at the corner of Fitzsimmons Road and Granite Ridge Road. Additional enhanced landscaping is proposed along both road frontages to provide screening to support a development that is compatible with the rural area. Various types of coniferous trees are proposed for additional landscaping to ensure that screening of the property is provided year-round. In addition, the materiality of the proposed building has been strategically chosen to complement the surrounding landscape and minimize the visual impact of the development. Additionally, changes to the proposed development have been made including increasing the setback from Granite Ridge Road and reducing the proposed building areas to 2,898 square metres each. The proposal represents a limited scale use in the rural area with the primary use of the property to occur on a periodic basis throughout the year. The main periods of on-site activity will occur at the beginning of the boating season, from April 1 to May 30, and at the end of the season, from September 15th to December 1st.

3. Concern regarding on-site operations

The applicant is seeking to develop the subject site with an indoor boat storage use. The proposed development includes development of two indoor storage buildings which will provide both at-grade interior and stacked interior storage. The primary use of the property will occur on a periodic basis throughout the year. The main periods of on-site activity will occur at the beginning of the boating season, from April 1 to May 30, and at the end of the season, from September 15th to December 1st. At the beginning of the season, boats will be loaded onto trailers on-site and transported back to Peck's Marina via Fitzsimmons Road. At the end of the season, boats will be loaded onto trailers at the Peck's Marina facility and transported to the subject site, to be offloaded inside the boat storage buildings. It is anticipated that the site will support the storage of approximately 150 boats, with approximately 10-12 boats moved per week during the months associated with the beginning and end of the season. During the other months, generally no on-site activity will take place.

No re-fueling or power washing will occur on site. Some small repairs, if necessary, may occur on-site. The majority of site access will occur by employees of Peck's Marina. On a limited basis, customers may have access to the site, however, movement of boats to and from the site will occur via Peck's Marina employees. All on-site boat storage will occur internally of the proposed buildings. Both proposed buildings are intended to incorporate raking to allow both at grade and stacked storage. No spill owner parking from Peck's Marina will occur on-site.

4. Concern regarding lighting

The details of on-site lighting have not been determined at this time. Any proposed on-site lighting will be reviewed as part of a future application for site plan control. A lighting plan will be required as part of the submission to demonstrate no light spill over on neighbouring properties. Additionally, it is anticipated that the proposed development will utilize dark sky-certified exterior lighting and engineering best practices to ensure that impacts are minimized.

5. Concern regarding the potential for future expansion and potential for future additional uses

The zoning by-law amendment, as proposed, seeks to limit the permitted use of the property to a Marina, excluding an eating establishment, refreshment sales, fuel sales, and residential uses, only. Should additional on-site uses be sought in the future, the owner would be required to submit additional applications and proceed through a new public consultation process.

6. Concern related to previous on-site blasting

Ontario Provincial Standard Specification (OPSS) OPSS.MUNI 120 is the standard for use of explosives on-site. A certified blasting contractor was hired for the work, and they are required to carry specific insurance. Any complaints or property damage inquiries should be directed to the contractor for investigation. No further on-site blasting is anticipated.

7. Concern regarding impact on property values

Impacts of approved land use changes on property values is not a consideration of the Planning Act process.