

From: Susanne Murchison <smurchison@kawarthalakes.ca>
Date: August 30, 2017 at 4:00:56 PM EDT
To: "Shaun Kelly" <SKelly@arencon.com>
Cc: Jeff Farquhar <jf_salvage@yahoo.ca>
Subject: RE: 76 Walsh Rd. - Water Supply

Good afternoon Shawn,

I have been reviewing this request today and here are my thoughts.

The NFPA 1142 standard states in 4.1.2. *the methodology in this chapter shall be used to calculate the required minimum water supply necessary for structural fire-fighting purposes*. Therefore this standard in my opinion is not adequate for calculating OBC related quantities, as the intent under the OBC is for search and evacuation purposes. I have consulted with CKL Fire personnel to confirm the approximate flow rate generated by the vehicle, reported to be 1050 US gal/min, which based on your proposal would provide a mere three plus minutes of supply for search and evacuation. Clearly not adequate when the potential build out of this project would include twelve times the building volume you based your calculations on.

Further, it is my opinion that the intent of the OBC is to require a quantity of water calculated based on the cumulative volume of all buildings on the property, as reflected in the wording of 3.10.4.5.(5)...*"shall be provided for every building"*, not just the largest building on site.

Trusting this answers your enquiry. Thanks,

Susanne Murchison, CBCO

Chief Building Official

City of Kawartha Lakes

180 Kent Street West

Lindsay, ON

K9V 2Y6

(705)-324-9411 ext. 1200

fax (705)-324-5514

1-888-822-2225

Please note effective July 27th my email address changed to:
smurchison@kawarthalakes.ca

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From: Shaun Kelly [<mailto:SKelly@arencon.com>]
Sent: Wednesday, August 30, 2017 2:45 PM
To: Susanne Murchison
Cc: Jeff Farquhar
Subject: RE: 76 Walsh Rd. - Water Supply

Good Afternoon Susanne,

We understand you were away on vacation recently. Can you confirm when we can expect to receive a response to our email below in relation to the tank capacity?

Shaun Kelly, B.Sc Fire Technology

Associate Principal



1551 CATERPILLAR ROAD, SUITE 206

MISSISSAUGA, ON L4X 2Z6

P: 905 615 1774 EXT 232

F: 905 615 9351

E: skelly@arencon.com

W: www.arencon.com

A MEMBER COMPANY OF
SAFFIRE SAFETY CONSULTANTS INC.

From: Shaun Kelly
Sent: August-24-17 2:39 PM
To: 'smurchison@kawarthalakes.ca' <smurchison@kawarthalakes.ca>
Cc: Jeff Farquhar <jf_salvage@yahoo.ca>
Subject: RE: 76 Walsh Rd. - Water Supply [Filed 24 Aug 2017 14:38]

Good Afternoon Susanne,

Did you have a chance to review my email below and can you provide a response?

Regards,

Shaun Kelly, B.Sc Fire Technology

Associate Principal



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SAFFIRE SAFETY CONSULTANTS INC.

From: Shaun Kelly

Sent: August-10-17 4:39 PM

To: 'smurchison@kawarthalakes.ca' <smurchison@kawarthalakes.ca>

Cc: Jeff Farquhar <jf_salvage@yahoo.ca>

Subject: 76 Walsh Rd. - Water Supply [Filed 10 Aug 2017 16:38]

Susanne,

As requested on our call earlier, attached is a copy of the water supply calculations that were provided previously as an appendix to our report. Also attached is a drawing showing the subdivision of the building into three separate buildings using firewalls.

As discussed, Jeff Farquhar is requesting confirmation on whether or not the City of Kawartha Lakes will accept an on-site water supply tank with a capacity of 3,527 US gallons as providing an adequate water supply for firefighting. We look forward to your response.

Shaun Kelly, B.Sc Fire Technology

Associate Principal



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A MEMBER COMPANY OF

From: Susanne Murchison <smurchison@kawarthalakes.ca>

Date: October 6, 2017 at 1:22:23 PM EDT

To: "Jeff Farquhar" <jf_salvage@yahoo.ca>

Cc: Andy Letham <aletham@kawarthalakes.ca>, Ron Taylor <rtaylor@kawarthalakes.ca>, Isaac Breadner <ibreadner@kawarthalakes.ca>, Chris Marshall <cmarshall@kawarthalakes.ca>

Subject: RE: 76 Walsh Rd

Good afternoon Jeff,

Your recount of our telephone conversation contains many inaccuracies with respect to my responses, however I will not be forwarding revisions at this time. As I stated during that conversation we are not entertaining any more debate of the issues outstanding at this time. We have made our position clear that we are only going to entertain a final complete proposal submitted prior to October 31, 2017. I will await your submission.

Susanne Murchison, CBCO

Chief Building Official

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Please note effective July 27th my email address changed to:
smurchison@kawarthalakes.ca

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

From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Friday, October 06, 2017 12:24 PM
To: Susanne Murchison
Subject: 76 Walsh Rd

Good Afternoon Susanne

As per our phone conversation I would like to summarize some of the points we talked about

- The calculation you used to determine 72,500 litres of water came from the appendix A of the building code. Even tho you have told me that I cannot use appendix A , and that you have the authority to pick and choose what method you would like used.

- I noted that the BCC ruling stated that you cannot leave 3.10 of the building code so how can you use Appendix A of the code. You stated that is not how they ruled and that you can use what ever part of the code you would like on determining adequate water.

-you stated that fire walls in this instance would be useless as they would not impact the quantity of water needed, and it is your belief they don't do anything at all. I mentioned other buildings in the city using firewalls and you refused to comment other then they are not self storage.

- I asked about why the requirement for 72,500 litres x4 as we build out future buildings, and that the city's own water capacity plan does not even base their design on this. You stated that , that is not part of the building code and you are only following what the code states.

- I stated that me nor my consultant could come up with the number 72,500 litres using any calculations, you stated that we should submit ours and you would review it, to see if you have made a mistake.

If you have anything to add or anything I have forgotten please add on to this.

If you can send a quick response acknowledging this that would be great

Thanks JEFF

From: Ron Taylor <rtaylor@kawarthalakes.ca>
Date: November 1, 2017 at 2:12:14 PM EDT
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Subject: RE: 76walsh rd

Thanks for the update.

Ron Taylor
Chief Administrative Officer
City of Kawartha Lakes
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Lindsay, ON K9V 5R8
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-----Original Message-----

From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Wednesday, November 01, 2017 1:52 PM
To: Ron Taylor
Subject: 76walsh rd

Good afternoon Ron

I am just waiting on a site plan updated drawing showing onsite tank, I should have everything done Tommorow and get it sent over

Thanks JEFF

From: Ron Taylor <rtaylor@kawarthalakes.ca>
Date: November 6, 2017 at 11:10:29 AM EST
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Subject: RE: 76 Walsh Rd

Acknowledging receipt of your revised submission and forwarded to appropriate staff for review and response. Will follow up after that review. Thanks.

Ron Taylor
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From: Ron Taylor <rtaylor@kawarthalakes.ca>
Date: November 9, 2017 at 4:43:21 PM EST
To: "jf_salvage@yahoo.ca" <jf_salvage@yahoo.ca>
Subject: Permit Addendum Submission

Jeff – staff is reviewing your recent submission. There is no site plan/drawing showing building siting, tank location, etc.. Is that forthcoming?

I understand that information will directly influence requirements. Thanks.

Ron Taylor

Chief Administrative Officer

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From: Ron Taylor <rtaylor@kawarthalakes.ca>

Date: November 22, 2017 at 4:27:39 PM EST

To: "jf_salvage@yahoo.ca" <jf_salvage@yahoo.ca>

Subject: 76 Walsh Road Building Permit & Water Requirements

Following our meeting on October 27, 2017, you provided me with additional information (dated November 3, 2017) for City Staff (Chief Building Official and Fire Chief) to review/consider, as well as the supporting revised site grading plan on November 9, 2017. This information was provided to supplement your active building permit for storage units at 76 Walsh Road, Lindsay. The following is in response to your submissions:

- Staff acknowledges change to application to reflect a single self-storage building, no longer two buildings
- Staff acknowledges that Building By-law permit fees will not be indexed and the original 2015 fees remitted are being honoured
- Staff acknowledges that any fees collected for the second building will be refunded/transferred to DC's, following the applicable language in the Building By-law (refunds are reduced as per the by-law language depending upon the stage at which the application file resides at time of refund request)
- DC's will be charged at the 2017 rate, if paid before the end of this calendar year, or the applicable yearly rate at the time of permit issuance. As stated previously, the DC Act prevents collection of a rate other than that which is in effect at time of permit issuance, unless an agreement has been entered into as per the Act
- Staff acknowledges the building subject to the outstanding application on file is for the most northerly building shown on the revised site plan, as per the Arencon report
- Staff acknowledges change to reflect fire walls no longer part of design
- Staff acknowledges receipt of digital copy of site plan (grading plan)
- "City's Fire Department commercial tanker program", referenced in the letter and consultant's report, is not an accepted alternative to OBC requirements for water for firefighting
- The water supply calculation and review will be addressed by the Building Division for the single building (as amended in your letter) to which this permit applies and any future permit applications will be reviewed based on future supporting documentation and Plans

- "Water Waste Water capacity review" has no relevance to the OBC topic of water for firefighting
- Staff acknowledges the calculation of required volume is correct for a single building as applied for, however minimum size of storage tank is required to be 54,000 litres as per the required minimum flow rate listed in Table 2 of A-3.2.5.7.(3) - see A-3.2.5.7.(3)(b) and (c)
- Your consultant calculated a single building out to 22,542 litres. This would allow for a second building of the same size to be constructed and serviced by the 54,000 litre minimum tank size.
- At the time of the third building, additional water tank(s) equivalent to the difference between 54,000 litres and 67,626 litres (3x22,542) would be required (and then with the fourth building, an additional 22,542 litres again)
- The requirement for the distance to the hydrants will require multiple hydrants to be placed throughout the site (and this has been a challenge for other sites due to drafting issues)

Other items which require further information or clarification in order to proceed with the permit issuance:

- Confirm which set of drawings, previously submitted, are now forming the basis for the permit application
- Two full size hard copies of the site plan is required for plans review in association with the building permit and code requirements - with references to fire walls/fire breaks removed
- Submission to Planning Division for amendment to site plan approval must be made immediately, as this is applicable law to the building permit and will prevent issuance - with references to fire walls/fire breaks removed
- Location of dry hydrant does not comply with respect to distance to all openings, as the fire department pumper truck must be located within 3m of the hydrant in order to draft from a dry hydrant - the OBC reference to 45m path from truck to hydrant is only relevant to pressurized systems
- Site plan drawing does not indicate protective traffic barrier support block, as required by CKL design requirements - see attached (to be sent under separate email)
- Revised tank design required to reflect required minimum size of 54,000 litres

- Building code data matrix still required to be submitted

Please review and advise of your planned next steps. I will send under separate emails 2 supplementary information sheets (file size is large). Thanks.

Ron Taylor

Chief Administrative Officer

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From: Ron Taylor <rtaylor@kawarthalakes.ca>

Date: November 22, 2017 at 4:29:34 PM EST

To: "jf_salvage@yahoo.ca" <jf_salvage@yahoo.ca>

Subject: 76 Walsh - Email 3 of 3

Information attached.

Ron Taylor

Chief Administrative Officer

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From: Ron Taylor <rtaylor@kawarthalakes.ca>
Date: December 5, 2017 at 6:14:19 PM EST
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Cc: Susanne Murchison <smurchison@kawarthalakes.ca>, Mark Pankhurst <mpankhurst@kawarthalakes.ca>, Chris Marshall <cmarshall@kawarthalakes.ca>
Subject: RE: 76 Walsh Rd

Further to my previous update to you, and your subsequent response (below):

- the comments provided to you Nov. 22/17 outlined the City's requirements to proceed with the development/permit issuance for your project.
- as stated at our meeting, we need to resolve this matter before year end – either proceeding with a permit(s) in keeping with City guidance provided, or closing the permit.
- to proceed with permit issuance, you will need to amend your approved site plan drawings with new development information. Planning would then coordinate with and advise the CBO of satisfactory amendments (this can be done quickly)
- a minimum tank size of 54,000 L is required to service any initial storage development on your site for the proposed use and to maintain minimal firefighting flow rates, however, that same tank size can service a second building with no additional tank requirements (see previous comments respecting cumulative development provided Nov.22/17)
- your permit cannot rely on or include in your calculation fire rescue service transported water supply or hydrant supply that is “200 metres away” and not at your property frontage.

Please clearly advise of your next steps no later than December 13, 2017 so that we can process and complete permit issuance before year end, if that is your intent.

If your position remains as outlined in previous correspondence, and not in adherence to the above (and previous guidance provided) then the City unfortunately will be required to refuse and deny your current permit application.

Thank you for your attention to this matter.

Ron Taylor

Chief Administrative Officer

City of Kawartha Lakes

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From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]

Sent: Wednesday, November 22, 2017 7:51 PM

To: Ron Taylor

Subject: 76 Walsh Rd

Hello Ron

· Staff acknowledges change to application to reflect a single self-storage building, no longer two buildings.

Correct. As per my last correspondence I have requested that my building permit application be amended to reflect a single 500sq meter building, being the furthest building on the north end of my approved site plan.

· Staff acknowledges that Building By-law permit fees will not be indexed and the original 2015 fees remitted are being honoured

Thank you.

· Staff acknowledges that any fees collected for the second building will be refunded/transferred to DC's, following the applicable language in the Building By-law (refunds are reduced as per the by-law language depending upon the stage at which the application file resides at time of refund request)

Please specify staff's interpreted stage of the permit application specific to crepitation of second building fees. I should not be penalized for exercising my statutory rights under the building code act for the time frame that we spent going to the BCC.

- DC's will be charged at the 2017 rate, if paid before the end of this calendar year, or the applicable yearly rate at the time of permit issuance. As stated previously, the DC Act prevents collection of a rate other than that which is in effect at time of permit issuance, unless an agreement has been entered into as per the Act

As per the by-law which I will review, and check , but I believe the by-law states “at the time of approved development”. I received site plan approval and a registered agreement as of Aug 2016. As a minimum my DC rate should be based on that date.

- Staff acknowledges the building subject to the outstanding application on file is for the most northerly building shown on the revised site plan, as per the Arencon report

Correct

- Staff acknowledges change to reflect fire walls no longer part of design

Yes, based on our meeting on Oct 27, where the Fire Chief, who was in attendance and from my transcripts of the meeting stated “ the fire department will respond with a minimum of 6000 rolling gallons” based on this I had proposed to remove the fire walls from the design and install a 28,000 liter tank. This satisfies the city’s request for on-site water. If we are now using Appendix A I could go back to my original proposal of fire walls and no on-site water, as the Fire Chief has acknowledged he can arrive with transportable water.

- Staff acknowledges receipt of digital copy of site plan (grading plan)

What I sent you is a site plan as required under the building code, showing locations of buildings, the building I am proposing to build first, fire access routes, and the location of the tank and dry hydrant in relation to the buildings and access routes.

- "City's Fire Department commercial tanker program", referenced in the letter and consultant's report, is not an accepted alternative to OBC requirements for water for firefighting

Incorrect. If we are now using Appendix A again, for which the BCC said is not applicable, but the CBO has decided to use now, and the fire chief has stated must be used I would like to reference paragraph 4 & of A.3.2.5.7 on page 31 of appendix A

Paragraph 4 – Sources of water supply for firefighting purposes may be natural or manmade. Natural sources may include ponds, lakes, rivers, streams, bays, creeks, springs, artesian wells and irrigation canals. Manmade sources may include above ground tanks, elevated gravity tanks, cisterns, swimming pools, wells, reservoirs, aqueducts, tankers, and hydrants served my public or private water systems.

Paragraph 6- Fire departments serving remote or rural areas often have to respond to a fire with Transportable water supply with sufficient water supply for approx. 5-10 minutes when using 1 or 2 38mm hose lines. This will provide minimal hose streams allowing immediate search and rescue operation in small buildings with simple lay outs but limited fire suppression capabilities.

After taking these paragraphs into consideration how does city staff not accept "City's fire department commercial tanker program" when it is considered a usable source in Appendix A.3.2.5.7 and the City's Fire Chief has confirmed based on my transcripts of the meeting.

- The water supply calculation and review will be addressed by the Building Division for the single building (as amended in your letter) to which this permit applies and any future permit applications will be reviewed based on future supporting documentation and Plans

Yes, but any future permit applications will include the current report outlining total required volume of water which will be 54000 liters. 28000 liters supplied onsite for the fire department and the balance being 6000 rolling gallons of transportable water supplied by the Fire department as stated by the Fire Chief at our October 27 meeting. This is also migrated by the municipal "green top" hydrant which is 200 meters from the entrance of the site for which the Fire Chief stated " the department would hook onto and pump water to the site"

- "Water Waste Water capacity review" has no relevance to the OBC topic of water for firefighting

This document was meant to give reference to how the City designs its own firefighting capabilities based on available water within its system and the largest building within the Town of Lindsay in relation to the CBO's interruption of the OBC that the water requirement is accumulative. This document is shows the City doesn't design for accumulative water requirements so why should I. And yes it is a relative document as it is an official city capacity study which is used to inform and the City's Master plans and planning documents under the planning act which are referenced as applicable law in appendix A-1.4.1.3.

- Staff acknowledges the calculation of required volume is correct for a single building as applied for, however minimum size of storage tank is required to be 54,000 litres as per the required minimum flow rate listed in Table 2 of A-3.2.5.7.(3) - see A-3.2.5.7.(3)(b) and (c)

As per our Oct 27 meeting I proposed to provide 28,000 liter NFPA approved tank and dry hydrant and the fire department would show up with 6000 rolling gallons which

achieves the requirement amount of 54,000 liters. Notwithstanding there is a municipal hydrant 200 meters to the south of my entrance for which the Fire Chief had stated the fire department would hook onto and pump water to my site in the event of a fire , which helps to mitigate this requirement.

- Your consultant calculated a single building out to 22,542 litres. This would allow for a second building of the same size to be constructed and serviced by the 54,000 litre minimum tank size.

I am confused to this statement as if it is to be true it contradicts your previous statement

- At the time of the third building, additional water tank(s) equivalent to the difference between 54,000 litres and 67,626 litres (3x22,542) would be required (and then with the fourth building, an additional 22,542 litres again)

Why does the first building require 54000 L and the next buildings require only 22,542 L. This statement doesn't make sense to me based on your previous statements.

- The requirement for the distance to the hydrants will require multiple hydrants to be placed throughout the site (and this has been a challenge for other sites due to drafting issues)

The exact requirement as per 3.10.3.4 of the OBC for the single building I am applying for only requires 1 hydrant . For the subsequent buildings only a total of 2 hydrants are required to meet the reference coverage in section 3.10.3.4 of the OBC. There is no distance requirement for drafting in the OBC, however based on the complete layout of the site and showing 2 hydrants within the access routes the furthest distance a truck would have to draft from the source would approximately 33 meters.

Other items which require further information or clarification in order to proceed with the permit issuance:

- Confirm which set of drawings, previously submitted, are now forming the basis for the permit application

We will confirm this next week.

- Two full size hard copies of the site plan is required for plans review in association with the building permit and code requirements - with references to fire walls/fire breaks removed

This will be removed from the site plan being submitted in support of the building permit application.

- Submission to Planning Division for amendment to site plan approval must be made immediately, as this is applicable law to the building permit and will prevent issuance - with references to fire walls/fire breaks removed

I have an approved site plan and registered agreement with the City for this development as required by the Planning act, the City's site plan by-law and in appendix A-1.4.1.3 of the OBC. You cannot deny me a permit based on the statement above. I have not received this requirement from the Director of Development Services only the CBO, who has no authority over any planning act processes of the City. The site plan agreement I have with the City states that any changes to the site will be red lined in the as built drawings as I am prepare to do and show once completed as per the City's agreement with me.

- Location of dry hydrant does not comply with respect to distance to all openings, as the fire department pumper truck must be located within 3m of the hydrant in order to draft from a dry hydrant - the OBC reference to 45m path from truck to hydrant is only relevant to pressurized systems

Where in section 3.10 is this stated?

Section 3.10.3.4.3 (b) states for a building that is not sprinklered, a fire department pumper vehicle can be located in the access route so that the unobstructed path of travel for the firefighter is not more than,

- (i) 45 m from the hydrant to the Vehicle, and
- (ii) 45 m from the vehicle to every opening in the building.

- Site plan drawing does not indicate protective traffic barrier support block, as required by CKL design requirements - see attached (to be sent under separate email)

The site plan submitted in support of the building permit can be revised to show a precast barrier block as specified in attached email

- Revised tank design required to reflect required minimum size of 54,000 litres

A revised tank design will not be submitted as the current design of 28,500 L plus the City's availability of the Fire department to show up with 6000 rolling gallons as stated by the Fire Chief in the Oct 27 meeting , exceeds the require 54,000 L in the OBC.

- Building code data matrix still required to be submitted

Is this a requirement of the Building Code?

From: Ron Taylor <rtaylor@kawarthalakes.ca>

Date: December 18, 2017 at 5:15:27 PM EST

To: "Jeff Farquhar" <jf_salvage@yahoo.ca>

Subject: RE: 76 Walsh Rd

I have tried to respond to your responses (below) after your questions. I have in good faith facilitated an updated review of your permit, with guidance from building and fire staff. My previous response remains that you cannot include external water supply and fire department pumper specs. in your firefighting calculations. If you are confirming that your most recent updated submission is for your revised building permit, then I will confirm this with the Chief Building Official. I suspect that will trigger your permit application being refused due to non-compliance with Building Code Act Section 8.(2)(a), specifically, the proposed construction will contravene the building code and applicable law. Reasons cited would include:

- failure to provide an adequate water supply for firefighting
- failure to locate on-site hydrant to comply with maximum limit for the unobstructed path of travel from the fire department pumper vehicle to every opening in the building
- all facilities and works related to the proposed development have not been shown on the registered site plan approved under Section 41 of the Planning Act.

Any fees would be reimbursed as per the Council approved building by-law and you can reapply at a future date with fees applicable at that time.

If you wish to proceed with your 2015 permit, with revisions, please submit required revised drawings to the Chief Building Official (and coordinate revision to your approved site plan). Thank you.

Ron Taylor

Chief Administrative Officer

City of Kawartha Lakes

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From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Thursday, December 07, 2017 11:52 AM
To: Ron Taylor
Subject: 76 Walsh Rd

Hi Ron thank you for your response

Can you clarify what you mean by development/ permit issuance ?

My current application before the city is for a building permit for one building as clarified in my last email.

Any changes to the development need to be reflected in the approved site plan (coordinated with the planning department). I understand that process would be scoped as minimal changes to the approved plan. The lands are subject to Council's site plan control by-law – that is "applicable law" under the building code which is why that amended approval is required first.

Ron you had stated that the City needed to deal with the financial aspect of my current permit by year end do to the City changing over financial tracking systems which has nothing to do the the City's bylaw or the Ontario building code or the ability of the City under its building code bylaw to close the process on my building permit application . In my last email I had given instruction that I wish to amend the application to 1 building based on the updated proposal I had submitted. I have also submitted via email a updated site plan for the purposes of the building permit application showing the location of the adequate supply of onsite water as well location of the dry hydrant and specifications . Based on this revised submission and according to the city's bylaw [2012-019](#) section 3.13 you can not abandon my permit application at the end of the year just because the City is changing over tracking systems. To do so would put the city in contravention of its bylaw. Further more you have not answered my previous question with regards to the amount to be refunded to myself for amount of the second building

permit fee I had previously applied for . The full amount should be refunded and I would like it applied against the DC fee.

The Building By-law sets out timelines for permits to be processed (or closed due to inactivity). In your case we maintained the 2015 permit open while you appealed to the Tribunal (on 2 occasions) and since then to try to resolve. Your latest submission continues to not comply so we would recommend closing the file (it has nothing to do with change to a new system but the length of time the permit has remained open). My comment of trying to resolve by year end is because this permit would remain open through three City fiscal cycles and fee structures.

Ron can you specify the meaning of quickly ? As it relates to the review of my site plan by the Development Services and if the intent is to re-register it?

I understand the registered plan could be “red-lined” and not re-registered (just replace those currently approved drawings/specs. with new information).

With regards to meeting applicable law as required by the the building code act and defined in Appendix A of the building code I have done so as I have a approved site plan and a registered agreement . As such I believe Development services has issued to the building department a letter stating as much.

I will also point out that the number of buildings have not changed nor have the location of the buildings changed from the approved site plan there is no reason to submit to development services . Please point out to me the legislation or bylaw that requires me to or allows the withholding of the building permit. As I had stated before once completed and as required I will submit as constructed drawings of the site

See comments above.

Ron I would like to point out that the city has elected to use Appendix A 3.2.5.7 in reviewing my application even after the Ontario building commission said it could not be used in the July 6 2017 ruling

Only as you applied it.

I have submitted a amend application showing an adequate supply of onsite water as outline by my consultants letter I had given you based on the formula in appendix A 3.2.5.7 which you have agreed is right. If we are now using Appendix A then we have to read all of it as it can not be "cherry picked ". Appendix A allows for a well equipped and trained fire department to show up with transportable water for which the City has and Can, as we both know based on the recorded minutes of our October 27 meeting where the Fire Chief states the fire department would show up with 6000 "rolling" gallons of transportable water to site as well as that the department would hook onto the municipal hydrant that is 200 meters south of my site and pump water to my site . Are you now saying these statements made by the Fire Chief are not true ?

I have not agreed to anything. My previous response remains that you cannot include external water supply and fire department pumper specs. in your firefighting calculations

Based on the proposed amount of water I have shown to go on site and the amount the fire department will show up with onsite with transportable water exceeds the recommended fire flow rates in table 2 of Appendix A 3.2.5.7 . Key word is recommend , as I have met the prescribed requirements of section [3:10](#) of the building code for providing adequate water as I have shown an onsite source of 28500 litres. Remember Appendix A is only a explanatory document and doesn't constitute a prescribed requirement of the building code as such I believe based on my proposal I have sufficiently met the requirements of adequate water under section [3:10](#) of the building.

If my first set of submitted building drawings showed fire walls then I will have them amended and resubmitted deleting fire Walls

See my comments above.

I don't think you would be in objection of this.

I would also like an update on the letter I had submitted to go to council

I'm not sure what update you are looking for. You submitted the letter after previous response from the Building Department (and concurrent with an FOI request you submitted). We agreed that I would coordinate a last review of your proposal. Again as I stated above, if you are confirming that your most recent updated submission is for your revised building permit, then I will confirm this with the Chief Building Official. I suspect that will trigger your permit application being refused due to non-compliance with the Building Code Act. If that is the case, then you can confirm your wish to have the past

correspondence (or updated letter) coordinated through our Clerks Dept. to be placed on a future Council agenda. You should make clear what you are asking Council to consider.

Thanks JEFF

From: Mark Pankhurst <mpankhurst@kawarthalakes.ca>
Date: January 9, 2018 at 1:44:47 PM EST
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Cc: Ron Taylor <rtaylor@kawarthalakes.ca>
Subject: RE: Dec19 Email

Good afternoon Jeff,

CAO Taylor is the main contact on this file.

Thank you and regards,

Mark

Mark Pankhurst, CMM III, RSE
Fire Chief
Kawartha Lakes Fire Rescue Service

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

From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Tuesday, January 09, 2018 12:56 PM
To: Mark Pankhurst
Subject: Dec19 Email

Good afternoon Mark

I am following up on my email that I sent Dec 19 2017, regarding our Oct 27 meeting. If you have not received it please let me know and I will resend it. If you have received it, I will take it that my recount of our meeting as per my transcripts are correct and that the information you provided during this meetings is accurate and up to date .

Thanks JEFF

From: Ron Taylor <rtaylor@kawarthalakes.ca>
Date: December 20, 2017 at 2:57:44 PM EST
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Subject: RE: 76 Walsh Rd

I will not be available this week for a phone call to discuss this further. It is unfortunate that you are characterizing our ongoing review and responses as not timely and "skirting around" your questions and statements.

You need to determine and advise if you will be amending your permit application in alignment with the advice provided previously, or maintaining your current revised application and supporting documents as is.

The Chief Building Official can then determine if the permit application will be refused (due to lack of conformity to the OBC) or processed.

Ron Taylor

Chief Administrative Officer

City of Kawartha Lakes

P.O. Box 9000, 26 Francis St.

Lindsay, ON K9V 5R8

Telephone: (705) 324-9411, ext. 1296

Toll Free: 1-888-822-2225

www.kawarthalakes.ca



From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Monday, December 18, 2017 10:36 PM
To: Ron Taylor
Subject: Re: 76 Walsh Rd

Hello Ron

Can you please call me Tommorow at 705 878 2234 as I don't have time for week long or more responses that don't answer my questions or skirt around them.

Thanks JEFF

Sent from my iPhone

On Dec 18, 2017, at 5:15 PM, Ron Taylor <rtaylor@kawarthalakes.ca> wrote:

I have tried to respond to your responses (below) after your questions. I have in good faith facilitated an updated review of your permit, with guidance from building and fire staff. My previous response remains that you cannot include external water supply and fire department pumper specs. in your firefighting calculations. If you are confirming that your most recent updated submission is for your revised building permit, then I will confirm this with the Chief Building Official. I suspect that will trigger your permit application being refused due to non-compliance with Building Code Act Section 8.(2)(a), specifically, the proposed construction will contravene the building code and applicable law. Reasons cited would include:

- failure to provide an adequate water supply for firefighting
- failure to locate on-site hydrant to comply with maximum limit for the unobstructed path of travel from the fire department pumper vehicle to every opening in the building
- all facilities and works related to the proposed development have not been shown on the registered site plan approved under Section 41 of the Planning Act.

Any fees would be reimbursed as per the Council approved building by-law and you can reapply at a future date with fees applicable at that time.

If you wish to proceed with your 2015 permit, with revisions, please submit required revised drawings to the Chief Building Official (and coordinate revision to your approved site plan). Thank you.

Ron Taylor

Chief Administrative Officer

City of Kawartha Lakes

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Lindsay, ON K9V 5R8

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From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]

Sent: Thursday, December 07, 2017 11:52 AM

To: Ron Taylor

Subject: 76 Walsh Rd

Hi Ron thank you for your response

Can you clarify what you mean by development/ permit issuance ?

My current application before the city is for a building permit for one building as clarified in my last email.

Any changes to the development need to be reflected in the approved site plan (coordinated with the planning department). I understand that process would be scoped as minimal changes to the approved plan. The lands are subject to Council's site plan control by-law – that is "applicable law" under the building code which is why that amended approval is required first.

Ron you had stated that the City needed to deal with the financial aspect of my current permit by year end do to the City changing over financial tracking systems which has nothing to do the the City's bylaw or the Ontario building code or the ability of the City under its building code bylaw to close the process on my building permit application . In my last email I had given instruction that I wish to amend the application to 1 building based on the updated proposal I had submitted. I have also submitted via email a updated site plan for the purposes of the building permit application showing the location of the adequate supply of onsite water as well location of the dry hydrant and specifications . Based on this revised submission and according to the city's bylaw [2012-019](#) section 3.13 you can not abandon my permit application at the end of the year just because the City is changing over tracking systems. To do so would put the city in contravention of its bylaw. Further more you have not answered my previous question with regards to the amount to be refunded to myself for amount of the second building

permit fee I had previously applied for . The full amount should be refunded and I would like it applied against the DC fee.

The Building By-law sets out timelines for permits to be processed (or closed due to inactivity). In your case we maintained the 2015 permit open while you appealed to the Tribunal (on 2 occasions) and since then to try to resolve. Your latest submission continues to not comply so we would recommend closing the file (it has nothing to do with change to a new system but the length of time the permit has remained open). My comment of trying to resolve by year end is because this permit would remain open through three City fiscal cycles and fee structures.

Ron can you specify the meaning of quickly ? As it relates to the review of my site plan by the Development Services and if the intent is to re-register it?

I understand the registered plan could be “red-lined” and not re-registered (just replace those currently approved drawings/specs. with new information).

With regards to meeting applicable law as required by the the building code act and defined in Appendix A of the building code I have done so as I have a approved site plan and a registered agreement . As such I believe Development services has issued to the building department a letter stating as much.

I will also point out that the number of buildings have not changed nor have the location of the buildings changed from the approved site plan there is no reason to submit to development services . Please point out to me the legislation or bylaw that requires me to or allows the withholding of the building permit. As I had stated before once completed and as required I will submit as constructed drawings of the site

See comments above.

Ron I would like to point out that the city has elected to use Appendix A 3.2.5.7 in reviewing my application even after the Ontario building commission said it could not be used in the July 6 2017 ruling

Only as you applied it.

I have submitted a amend application showing an adequate supply of onsite water as outline by my consultants letter I had given you based on the formula in appendix A 3.2.5.7 which you have agreed is right. If we are now using Appendix A then we have to read all of it as it can not be "cherry picked ". Appendix A allows for a well equipped and trained fire department to show up with transportable water for which the City has and Can, as we both know based on the recorded minutes of our October 27 meeting where the Fire Chief states the fire department would show up with 6000 "rolling" gallons of transportable water to site as well as that the department would hook onto the municipal hydrant that is 200 meters south of my site and pump water to my site . Are you now saying these statements made by the Fire Chief are not true ?

I have not agreed to anything. My previous response remains that you cannot include external water supply and fire department pumper specs. in your firefighting calculations

Based on the proposed amount of water I have shown to go on site and the amount the fire department will show up with onsite with transportable water exceeds the recommended fire flow rates in table 2 of Appendix A 3.2.5.7 . Key word is recommend , as I have met the prescribed requirements of section [3:10](#) of the building code for providing adequate water as I have shown an onsite source of 28500 litres. Remember Appendix A is only a explanatory document and doesn't constitute a prescribed requirement of the building code as such I believe based on my proposal I have sufficiently met the requirements of adequate water under section [3:10](#) of the building.

If my first set of submitted building drawings showed fire walls then I will have them amended and resubmitted deleting fire Walls

See my comments above.

I don't think you would be in objection of this.

I would also like an update on the letter I had submitted to go to council

I'm not sure what update you are looking for. You submitted the letter after previous response from the Building Department (and concurrent with an FOI request you submitted). We agreed that I would coordinate a last review of your proposal. Again as I stated above, if you are confirming that your most recent updated submission is for your revised building permit, then I will confirm this with the Chief Building Official. I suspect that will trigger your permit application being refused due to non-compliance with the Building Code Act. If that is the case, then you can confirm your wish to have the past correspondence (or updated letter) coordinated through our Clerks Dept. to be placed on a future Council agenda. You should make clear what you are asking Council to consider.

Thanks JEFF

From: Ron Taylor <rtaylor@kawarthalakes.ca>
Date: March 23, 2018 at 3:38:46 PM EDT
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Cc: Isaac Breadner <ibreadner@kawarthalakes.ca>, Emmett Yeo <eyeo@kawarthalakes.ca>, Andy Letham <aletham@kawarthalakes.ca>
Subject: RE: 76 Walsh rd

Jeff - the easiest and most cost-effective solution for you to get an approved building permit is to install an on-site water tank to the size and location specification staff has provided.

The current CBO and Fire Chief has remained consistent in interpretation and application of the code (and we cannot compromise or set precedent based on past approvals with unique circumstances and/or inadequate on-site water for firefighting purposes). The City has remained consistent not just with other storage unit developments, but developments on rural industrial lots. We are not asking more of you than other developments on Walsh or similar circumstances.

There is no value in us meeting again to discuss other developments. I have reviewed and responded to all of your questions. You need to confirm with the Chief Building Official how you will be providing on-site water supply for firefighting, and if not to the minimum specifications identified to you by staff, then your application will be cancelled.

I do not recommend that you commence any construction on the property (as noted in your message) until you have an approved building permit.

Ron Taylor

Chief Administrative Officer
City of Kawartha Lakes
(705) 324-9411, ext. 1296 www.kawarthalakes.ca

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

From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Wednesday, March 21, 2018 11:11 AM
To: Ron Taylor
Subject: 76 Walsh rd

Good morning Ron

It is my understanding that Issac has been trying to arrange a meeting with city staff on my behalf. To date as far as I know this has been unsuccessful. I am now writing you this email requesting a meeting. The 2018 building season is fast approaching and I have yet to have any of my questions answered directly. I was very enthusiastic about this situation after our oct 27 meeting with yourself and the fire chief. There was many positive acknowledgements and you your self said "let's put this to bed". I am not sure what had changed. Your response stated that the fire departments arriving water has no bearing on my onsite requirements, yet you have still not been able to show me where in the building code it says this. In fact I can actually produce the part of the code where it does state it can. It also clearly states this in the Ontario Fire Marshall's Guide lines (some thing the fire chief stated was currently suspended, I phoned the fire Marshall's office, it is not and never has been suspended.....) I have also come to learn through my FOI documents, that there are at least 2 other storage units in the City, that have ran into the same issues as me, and proposed the same solutions as me, and have been issued building permits. Little Biggest Storage in Fenlon Falls has no onsite water, their site plan states the reasoning being that the buildings are no greater then 2150 sqft, which converts to 200 sq meters. Where have we heard this number before ? I would like to note also I have an approved site plan with no onsite water. Armstrong Storage also in Fenlon required greater onsite water capacity, but that was waived when it was determined unnecessary by the Fire Department due to its close proximity to a municipal hydrant (250m) again this sounds very familiar. Both these and other similar examples I have are both either inspected by or signed off by Susanne Murchison. The code states that an adequate water supply shall be provided, with these examples City staff have set a precedent of what they consider "adequate".

I would like to set up a meeting to discuss these new findings and information in person with my self, Isaac, and Emmet. If I have not heard back from you or have a scheduled meeting with in the next two weeks, I will be proceeding with the construction of my

buildings.

Sent from my iPhone

This message, including any attachments, is privileged and intended only for the addressee(s) named above. If you are not the intended recipient, you must not read, use or disseminate the information contained in this e-mail. If you have received this e-mail in error, please notify the sender immediately by telephone, fax, or e-mail and shred this confidential e-mail, including any attachments, without making a copy. Access to this e-mail by anyone else is unauthorized.

From: Ron Taylor <rtaylor@kawarthalakes.ca>

Date: March 29, 2018 at 4:48:11 PM EDT

To: "Jeff Farquhar" <jf_salvage@yahoo.ca>

Cc: Isaac Breadner <ibreadner@kawarthalakes.ca>, Emmett Yeo <eyeo@kawarthalakes.ca>, Andy Letham <aletham@kawarthalakes.ca>

Subject: RE: 76 Walsh rd

I have asked the Chief Building Official to formally issue the letter that you are citing below (responding to your revised proposal submitted in September 2017). That letter was withheld as we were working to respond to your questions and alternative considerations (and keep the permit application open).

I am not able to respond to your inquiry respecting City liability at other locations.

Compliance with the Building Code remains under the jurisdiction of the Chief Building Official, not the Fire Chief. I am happy to share with the Fire Chief your future list of questions, and would share with the Chief Building Official as well if questions related to building code compliance.

Thank you.

Ron Taylor

Chief Administrative Officer

City of Kawartha Lakes

(705) 324-9411, ext. 1296 www.kawarthalakes.ca



From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Wednesday, March 28, 2018 1:04 PM
To: Ron Taylor
Cc: Isaac Breadner; Emmett Yeo; Andy Letham
Subject: 76 Walsh rd

Good afternoon Ron

I writing this email as a follow up to my last email sent on the weekend. As I have not formally received a denial of my proposal by either the CBO or the building department nor any detailed documentation as to why, the city is in contravention of the building code act 8(2.3). This states “ If the chief building official refuses to issue the permit, he or she shall inform the applicant of all of the reasons for the refusal of the permit and shall do so within the period prescribed by regulation. 2002, c. 9, s. 14 (2). I have to date not received anything from the CBO pertaining to my last submission.

I would also like to touch base on your comments referring to the issuance of past permits using the same proposals as mine. You state that the last approvals might be unique situations. I would like to ask how those situations were determined? Is it not possible that I fall under the same circumstances? If they are not unique circumstances and as you say “might have inadequate on-site water supply for fire fighting” is the city not open to legal liability in the event of a fire on those locations.

After reviewing the Building code again this weekend, I was able to reconfirm that OBC does allow the use of tanker trucks as an acceptable source of water. This can be found on page 31 of Appendix A paragraph 6 and 8. Also the Fire Marshall’s Fire protection Water Supply Guidelines for part 3 buildings clearly states that transportable water from the fire department is an acceptable source of water. In addition to both of these, the City’s own Fire Master Plan states on page 70 that water can be supplied by the Fire Departments tankers. I suggest you please review the 3 documents I have just listed.

I had a conversation today with the building code commission secretary. I have confirmed that I will be able to challenge the denial of my latest proposal at the BCC. With that being said I would like to have conformation on some facts made my the Fire Chief in our [Oct 27](#) meeting. You had stated that these facts are not accepted under the ontario building code, but this will be determined by the building code committee. I had tried to contact the fire chief through email to confirm them, but he said to contact you. I will follow up this email with a list of facts that I would like the fire chief to confirm.

Thanks JEFF

From: Susanne Murchison <smurchison@kawarthalakes.ca>

Date: March 29, 2018 at 5:10:44 PM EDT

To: "'jf_salvage@yahoo.ca'" <jf_salvage@yahoo.ca>

Cc: Isaac Breadner <ibreadner@kawarthalakes.ca>, Emmett Yeo <eyeo@kawarthalakes.ca>, Andy Letham <aletham@kawarthalakes.ca>, Ron Taylor <rtaylor@kawarthalakes.ca>

Subject: response to September application submission

Good afternoon Jeff,

Attached please find a copy of the outstanding requirements for completion of your building permit application, in the form of a letter of denial of permit issuance.

Also, please find attached a copy of the email previously sent to you October 5, 2017 by the Mayor which included the response to the September submission.

Susanne Murchison, CBCO

Chief Building Official

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1200 www.kawarthalakes.ca

From: Susanne Murchison <smurchison@kawarthalakes.ca>
Date: April 6, 2018 at 1:29:00 PM EDT
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Cc: Ron Taylor <rtaylor@kawarthalakes.ca>
Subject: RE: 76 Walsh rd

Jeff,

Respectfully, I am not going to piecemeal review the remaining items outstanding. At this point I am looking only for a confirmation as to whether there will be another submission package and that package needs to address all items listed in my previous email today. If the below scenario is included in a future submission we can discuss at that time. Thanks,

Susanne Murchison, CBCO
Chief Building Official
Development Services, Building Division, City of Kawartha Lakes
705-324-9411 ext. 1200 www.kawarthalakes.ca

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

From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Friday, April 06, 2018 12:48 PM
To: Susanne Murchison
Cc: Ron Taylor; Isaac Breadner; Emmett Yeo; Andy Letham
Subject: 76 Walsh rd

Good afternoon Susanne

I will draft up a full response this afternoon in regards to your previous email. Currently though I would like to address the hydrant location issue. Below is a screen shot of 3.10.3.4(3) which discusses hydrant locations for self storage. As I am a non sprinkled building I fall in to the 45m from hydrant to pumper and from pumper 45m to furthest opening. I currently meet this. I see no reference to 3m or pressurized systems, nor does it direct the user any where else . Can you please show me in the OBC where your getting your requirements from ?

Thanks Jeff

From: Susanne Murchison <smurchison@kawarthalakes.ca>
Date: April 6, 2018 at 12:01:54 PM EDT
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Cc: Ron Taylor <rtaylor@kawarthalakes.ca>
Subject: RE: 76 Walsh Road Building Permit & Water Requirements

Jeff,

I issued the letter of denial at your request (see your email Sent: Wednesday, March 28, 2018 1:04 PM To: Ron Taylor) in which you correctly quoted Section 8.(2.3) of the Act. What I believe you are misunderstanding is that this action effectively cancels your permit application. I cannot refuse to issue and have your permit application remained open, as these two actions are contradictory to one another.

If it is indeed your intention to submit a revised package, addressing all outstanding issues in a code compliant manner, then I will review another submission. I would further advise that due to my unavailability to address your file during the first three weeks of May, if you are interested in submitting a revised package I would need it by the 23rd of April to allow sufficient time to review and return comments to you. I would further advise that if a revised package is not received by that date that your application file will be closed permanently.

The items which remain outstanding:

1. Confirm which set of drawings for the structure, previously submitted, are now forming the basis for the permit application
2. Two full size hard copies of the site plan are required for plans review in association with the building permit and code requirements - with references to fire walls/fire breaks removed
3. Submission to Planning Division for amendment to site plan approval must be made at same time as revised building permit application package is filed, as this is applicable law to the building permit and will prevent issuance - with references to fire walls/fire breaks removed
4. Location of dry hydrant does not comply with respect to distance to all openings, as the fire department pumper truck must be located within 3m of the hydrant in order to draft from a dry hydrant - the OBC reference to 45m path from truck to hydrant is only relevant to pressurized systems
5. Site plan drawing does not indicate protective traffic barrier support block, as required by CKL design requirements

6. Revised tank design required to reflect required minimum size of 54,000 litres
7. Building code data matrix still required
8. Outstanding Development Charge payment at 2018 rate – required at time of issuance

I respectfully request your confirmation within the next few days regarding whether you will be submitting a revised package by April 23, 2018. Thanks,

Susanne Murchison, CBCO

Chief Building Official

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1200 www.kawarthalakes.ca



From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]

Sent: Tuesday, April 03, 2018 8:24 PM

To: Susanne Murchison

Cc: Ron Taylor; Isaac Breadner; Emmett Yeo; Andy Letham

Subject: Re: 76 Walsh Road Building Permit & Water Requirements

Good afternoon Susanne

I am confused as why there is not a permit before you anymore. As previously stated, I have not abandoned my permit application, and as per the consolidated building bylaw 2012-019 I am actively pursuing a permit. My last permit submission was Nov 3 thus not making it abandoned with in the byLaws specified time requirements. I consider your actions to be in contravention of the City's building bylaw, and that you are knowingly contravening it. I will be filling a letter to council bring their attention to this and asking for relief from this contravention as I have not abandoned my permit application .

Sent from my iPhone

On Apr 3, 2018, at 2:49 PM, Susanne Murchison <smurchison@kawarthalakes.ca> wrote:

This will further confirm staff agreed to a minimum size storage tank of 54,000 litres to accommodate the first two structures. However, as there is no longer a valid application

before me, there will be no further review of the proposed project (please refer to the final paragraph of my letter dated March 29, 2018).

Susanne Murchison, CBCO

Chief Building Official

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1200 www.kawarthalakes.ca

From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]

Sent: Thursday, March 29, 2018 7:35 PM

To: Ron Taylor

Cc: Susanne Murchison; Isaac Breadner; Andy Letham; Emmett Yeo

Subject: Fwd: 76 Walsh Road Building Permit & Water Requirements

This is a further email corroborating your and Staff's acknowledgement of my NoV 3 submission. Also Susanne sent me a email today with a copy of the Mayors previous email. The mayors email stated I need 71,000 litres of onsite water per building , however this email (which is post the Mayors email) states I only need 54,000 liters for 2 ? I am confused as to which one you are requesting ? Susanne review should be based on the Nov submission.

Sent from my iPhone

Begin forwarded message:

From: Ron Taylor <rtaylor@kawarthalakes.ca>

Date: November 22, 2017 at 4:27:39 PM EST

To: "jf_salvage@yahoo.ca" <jf_salvage@yahoo.ca>

Subject: 76 Walsh Road Building Permit & Water Requirements

Following our meeting on October 27, 2017, you provided me with additional information (dated November 3, 2017) for City Staff (Chief Building Official and Fire Chief) to review/consider, as well as the supporting revised site grading plan on November 9, 2017. This information was provided to supplement your active building permit for storage units at 76 Walsh Road, Lindsay. The following is in response to your submissions:

- Staff acknowledges change to application to reflect a single self-storage building, no longer two buildings

- Staff acknowledges that Building By-law permit fees will not be indexed and the original 2015 fees remitted are being honoured
- Staff acknowledges that any fees collected for the second building will be refunded/transferred to DC's, following the applicable language in the Building By-law (refunds are reduced as per the by-law language depending upon the stage at which the application file resides at time of refund request)
- DC's will be charged at the 2017 rate, if paid before the end of this calendar year, or the applicable yearly rate at the time of permit issuance. As stated previously, the DC Act prevents collection of a rate other than that which is in effect at time of permit issuance, unless an agreement has been entered into as per the Act
- Staff acknowledges the building subject to the outstanding application on file is for the most northerly building shown on the revised site plan, as per the Arencon report
- Staff acknowledges change to reflect fire walls no longer part of design
- Staff acknowledges receipt of digital copy of site plan (grading plan)
- "City's Fire Department commercial tanker program", referenced in the letter and consultant's report, is not an accepted alternative to OBC requirements for water for firefighting
- The water supply calculation and review will be addressed by the Building Division for the single building (as amended in your letter) to which this permit applies and any future permit applications will be reviewed based on future supporting documentation and Plans
- "Water Waste Water capacity review" has no relevance to the OBC topic of water for firefighting
- Staff acknowledges the calculation of required volume is correct for a single building as applied for, however minimum size of storage tank is required to be 54,000 litres as per the required minimum flow rate listed in Table 2 of A-3.2.5.7.(3) - see A-3.2.5.7.(3)(b) and (c)
- Your consultant calculated a single building out to 22,542 litres. This would allow for a second building of the same size to be constructed and serviced by the 54,000 litre minimum tank size.

- At the time of the third building, additional water tank(s) equivalent to the difference between 54,000 litres and 67,626 litres (3x22,542) would be required (and then with the fourth building, an additional 22,542 litres again)
- The requirement for the distance to the hydrants will require multiple hydrants to be placed throughout the site (and this has been a challenge for other sites due to drafting issues)

Other items which require further information or clarification in order to proceed with the permit issuance:

- Confirm which set of drawings, previously submitted, are now forming the basis for the permit application
- Two full size hard copies of the site plan is required for plans review in association with the building permit and code requirements - with references to fire walls/fire breaks removed
- Submission to Planning Division for amendment to site plan approval must be made immediately, as this is applicable law to the building permit and will prevent issuance - with references to fire walls/fire breaks removed
- Location of dry hydrant does not comply with respect to distance to all openings, as the fire department pumper truck must be located within 3m of the hydrant in order to draft from a dry hydrant - the OBC reference to 45m path from truck to hydrant is only relevant to pressurized systems
- Site plan drawing does not indicate protective traffic barrier support block, as required by CKL design requirements - see attached (to be sent under separate email)
- Revised tank design required to reflect required minimum size of 54,000 litres
- Building code data matrix still required to be submitted

Please review and advise of your planned next steps. I will send under separate emails 2 supplementary information sheets (file size is large). Thanks.

Ron Taylor

Chief Administrative Officer

City of Kawartha Lakes

P.O. Box 9000, 26 Francis St.

Lindsay, ON K9V 5R8

Telephone: (705) 324-9411, ext. 1296

Toll Free: 1-888-822-2225

www.kawarthalakes.ca

From: Jeff Farquhar <jf_salvage@yahoo.ca>

Date: April 18, 2018 at 10:16:22 PM EDT

To: Ron Taylor <rtaylor@kawarthalakes.ca>

Subject: Re: 76 Walsh rd

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Thanks JEFF

Sent from my iPhone

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Ron Taylor

Chief Administrative Officer

City of Kawartha Lakes

(705) 324-9411, ext. 1296 www.kawarthalakes.ca

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

From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]

Sent: Wednesday, April 11, 2018 10:29 AM

To: Susanne Murchison

Cc: Ron Taylor; Isaac Breadner; Emmett Yeo

Subject: 76 Walsh rd

Good morning Susanne

I have included a document for my response to your email last Friday. I would also like to touch on your comments about hydrant locations. I am not sure why asking for some clarification on where you are getting your requirements from is piecemealing.

I find it advantageous to discuss the problem before I redesign my site just to change it back again if we agree on something different. I would also like to discuss the water requirements. As you have now elected to use Appendix A, we must look at it as a whole. On page page 31 of the Appendix, paragraph 6 & 8 confirm the use of fire Department tanker trucks as an acceptable water source. As per my Oct 27 meeting with Ron Taylor and Chief Pankhurst, Mr Pankhurst confirmed that they would be showing up initially with 6000 imperial gallons, plus be able to shuttle more. He also stated that he would hook on to the municipal hydrant located 250 meters down the street. I'd like to note that you have accepted a very similar situation for the storage units at 11 wychwood in Fenelon Falls, were additional water was required and there was a municipal hydrant located in close proximity.

From: Susanne Murchison <smurchison@kawarthalakes.ca>

Date: April 20, 2018 at 3:33:16 PM EDT

To: "Jeff Farquhar" <jf_salvage@yahoo.ca>

Cc: Ron Taylor <rtaylor@kawarthalakes.ca>, Mark Pankhurst <mpankhurst@kawarthalakes.ca>, Isaac Breadner <ibreadner@kawarthalakes.ca>

Subject: RE: 76 Walsh rd

Jeff,

You are making assumptions and generalizations. I am not discounting 3.10. of the OBC in favour of NFPA 1142.

It appears your present email indicates you are not intending to submit a revised design by April 23, 2018. Please confirm this is your intention. Thanks,

Susanne Murchison, CBCO

Chief Building Official

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1200 www.kawarthalakes.ca



From: Jeff Farquhar [mailto:jf_salvage@yahoo.ca]
Sent: Friday, April 20, 2018 2:52 PM
To: Susanne Murchison
Cc: Ron Taylor; Mark Pankhurst; Isaac Breadner
Subject: Re: 76 Walsh rd

Thank you Susanne for finally responding in detail with your opinion with regards to the questions I have been asking since last fall, specific to your non acceptance of the placement of my dry hydrant on the site plan under the requirements of section 3:10.4.5(3)(b) of the OBC and 3:10.4.5(5) for the provision of adequate water. And thank you for acknowledging that you are not using section 3:10.4.5(3)(b) to review my proposal and that it is NFPA 1142 standards that you are using.

I understand that the NFPA 1142 are North American accepted standards however they are not what was accepted and put into code in the Ontario building code regulation as the prescribed minimum requirements for self-storage buildings. The OBC user is not led to the requirements of 8.4.3 of the NFPA 1142 from section 3:10.5.5(3)(b) of the OBC. The requirements of NFPA 1142 cannot be imposed or used to review my building application. I would also point out that my proposal meets the requirements of the City of Kawartha Lakes Dry Hydrant specification as developed by the City's Fire department. These specifications were sent to me by Derryk Wolven of the City's building department.

With regards to your comments pertaining to section 3:10.4.5(5) , the City and yourself elected to use Appendix 3.2.5.7 to review my building permit application with respect to the supply of adequate water. Since you have chosen to use this document to review my proposal you must use all of the document in order to accurately and correctly interpret the meaning and intent of having an adequate water supply to meet the minimum requirements for firefighting purposes for section 3:10.4.5(5).

I will direct you to the fourth paragraph under appendix A 3.2.5.7 on Page 31 of appendix A which outlines the acceptable sources of water. It lists Tankers as one of those acceptable sources. I will also point out to you in the City's own Fire Master Plan on pg. 41 in the first paragraph that " water supplies can be provided by the Fire Department tanker shuttles" as well on pg. 42 it states "in locations where there are no fire hydrants or static water sources, fire department tanker shuttles must be used". In addition to this I will direct you to the Ontario Fire Marshalls OFM-TG-03-1999 fire protection water supply guidelines for Part 3 buildings. Section 9 of this document states transportable water by the fire department is an acceptable source. The user of the OBC is directed to this guideline document within Appendix A as seen on the first paragraph on pg. 35 of Appendix A.

I would like you to reconsider your opinion on my building permit application proposal based on the information I have provided above and approve it based on how I have explained how these technical requirements have been met under the OBC. Failing to do so, I will be forced to make an application to the Ontario Building Code commission asking for a ruling on these technical questions and requirements.

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With respect to the question regarding "where the code states that water cannot be brought by the fire department", I would challenge you to quote specifically where the regulation does state this option. I further remind you, the regulation is the code and the Appendix A Explanatory Material is NOT the regulation. As we have stated numerous times we are not accepting any/all of the required quantity of water to be provided via a source transportable to the site by the Fire Department. This decision reflects the past interpretations of the code requirements, made by both myself and the current Fire Chief.

Susanne Murchison, CBCO
Chief Building Official

Development Services, Building Division, City of Kawartha Lakes
705-324-9411 ext. 1200 www.kawarthalakes.ca

Sent from my BlackBerry 10 smartphone on the Bell network.

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To: Ron Taylor

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City of Kawartha Lakes

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

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Sent: Wednesday, April 11, 2018 10:29 AM

To: Susanne Murchison

Cc: Ron Taylor; Isaac Breadner; Emmett Yeo

Subject: 76 Walsh rd

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From: Susanne Murchison <smurchison@kawarthalakes.ca>
Date: April 24, 2018 at 5:01:29 PM EDT
To: "Jeff Farquhar" <jf_salvage@yahoo.ca>
Cc: Ron Taylor <rtaylor@kawarthalakes.ca>, Mark Pankhurst <mpankhurst@kawarthalakes.ca>, Isaac Breadner <ibreadner@kawarthalakes.ca>
Subject: RE: 76 Walsh rd

Good afternoon Jeff,

This email will confirm receipt on April 23, 2018 of a partial submission of the outstanding items listed in my April 6, 2018 email. You failed to even acknowledge three of the items in the list of outstanding items.

This email will act as confirmation that your application has now been cancelled, as previously stated in my letter dated March 29, 2018 you will be required to file a complete new application package should you wish to proceed at a future date.

Susanne Murchison, CBCO

Chief Building Official

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1200 www.kawarthalakes.ca



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Sent: Friday, April 20, 2018 3:33 PM
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Cc: Ron Taylor; Mark Pankhurst; Isaac Breadner
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From: Ron Taylor <rtaylor@kawarthalakes.ca>

Date: April 25, 2018 at 5:30:11 PM EDT

To: "Jeff Farquhar" <jf_salvage@yahoo.ca>

Subject: RE: 76 Walsh Rd

The following is in response to your inquiry below:

- The Chief's comments were provided in the meeting you attended based on your questions/opinions and in the context of providing an explanation to clarify how we respond
- The Chief clearly stated that regardless of the specific responses and clarifications provided, that Appendix A of the OBC Volume 2 and the Building Department have jurisdiction over this matter and that he could not and wouldn't make any changes to the minimum requirements as prescribed

I understand you recorded the meeting so I am not clear why additional confirmation is required. As I conveyed to you before, regardless of the fire program currently offered, you cannot include this in your on-site firefighting water volume calculations as the program could change.

Ron Taylor
Chief Administrative Officer
City of Kawartha Lakes
(705) 324-9411, ext. 1296 www.kawarthalakes.ca

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Sent: Wednesday, April 18, 2018 10:30 PM

To: Ron Taylor

Subject: 76 Walsh Rd

Hello Ron

Can you please forward this on to Fire Chief Mark Pankhurst. As per one of your

previous emails, if I had any questions for him, you would forward them on. I would like to have some of the points we talked about in our Oct 27 meeting confirmed. I am not asking if this meets the OBC. I would just like confirmation that this is what the fire department would do in the event of a fire.

Mr Pankhurst confirmed that

-There is not a shortage of water around our site

-In the event of a fire, the fire department is showing up with 6000 imperial gallons of water.

-A tanker shuttle service will be established once arriving.

- The First run pumper will hook up to the hydrant (5500L/min) 250 meters from my site and pump to it .

-my site falls with in the range of the city's commercial certified tanker shuttle program.

Thanks Jeff

From: Jeff Farquhar <jf_salvage@yahoo.ca>

Date: April 25, 2018 at 11:13:42 AM EDT

To: smurchison@kawarthalakes.ca

Cc: rtaylor@kawarthalakes.ca, aletham@kawarthalakes.ca,
ibreadner@kawarthalakes.ca

Subject: 76 Walsh rd

Good morning Mrs Murchison

As stated in my response to your April 6 email (please see attached) you do not have the authority under the City of Kawartha Lakes building bylaw to cancel my building permit application 2015-1495 # just because you don't agree with the technical aspect of the proposal . Doing so you are intentionally trying to appropriate my building permit fees in the amount of \$8180 without providing a permit, once again you do not have the authority under the bylaw to do so. You are also intentionally trying to remove my statutory rights of appeal under the Ontario building code act by improperly canceling

my application. I had pointed this out to you in my April 6 email (see attachment) the Ministry makes it very clear where there is a dispute in the proposal in the application the applicant has the right to appeal. We are at this stage in the revised proposal for application #[2015-1495](#). By stating you are canceling my application you are subverting the process under the Ontario building code act as well as contravening the City building bylaw [2012-019](#). I believe you are knowingly in contravention of both the Act and the bylaw. By doing so I also believe you are not exercising your powers as the CBO in good faith and have breached your code of conduct. I will request the CAO to investigate this breach. I will also be sending a letter to Council bringing to their attention the contravention under bylaw [2012-019](#) as well as request relief from Council of this contravention. I was hoping we could have dealt with this matter in a civil manner as I had suggested in my last email, that we could deal with the disputed technical issues at the Building Code Commission which is the proper venue for it. However you seem to interpret this as a personal challenge to your authority and have acted out in a high handed manner towards me. I respectfully request that you properly follow the Act and the bylaw when interacting with me

From: Jeff Farquhar <jf_salvage@yahoo.ca>

Date: April 25, 2018 at 9:50:24 PM EDT

To: Ron Taylor <rtaylor@kawarthalakes.ca>

Cc: mpankhurst@kawarthalakes.ca, ibreadner@kawarthalakes.ca, aletham@kawarthalakes.ca

Subject: Re: 76 Walsh Rd

Thank you Ron for responding to my previous request and thank you for your opinion. However I have only asked for the confirmation of the operational answers to the questions I had asked on how the fire department would respond to a fire at my site. The following statements had been made by the Fire Chief at the [October 27, 2018](#) meeting.

There is not a shortage of water around our site

-In the event of a fire, the fire department is showing up with 6000 imperial gallons of water.

-A tanker shuttle service will be established once arriving.

- The First run pumper will hook up to the hydrant (5500L/min) 250 meters from my site and pump to it.

-my site falls within the range of the city's commercial certified tanker shuttle program.

I will take it from your email response that these statements given to me by the fire chief at the [October 27, 2018](#) meeting are true and accurate statements as to how the fire department will respond to a fire at my site.

With regards to your inference that the Fire Chief doesn't have influence or input into the determination of whether a application meets requirements for adequate water supply requirements, I find this very strange and perplexing. This is because the CBO approved building permits for a self storage site at 11 Wychwood in Fenelon Falls without requiring anymore onsite water . Based on the FOI information I had received this was based on the recommendation of the former fire chief telling the CBO that additional water isn't required because there was a public hydrant 250 meters down the street.

As to your statement that the program could change I find this to be a absurd argument because you don't make decisions under the OBC on what might happen in the future they are based on the conditions and services provided on the day of consideration. This is also how fire underwriters survey would make determinations with regard to the City's insurance rating based on the services provided today and not what could happen in any multiple versions of the future . And As you know development applications under the planning act are given the same consideration. Also to end any fire related programs or core services, it would take an act of Council and not staff to remove services

Sent from my iPhone

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