

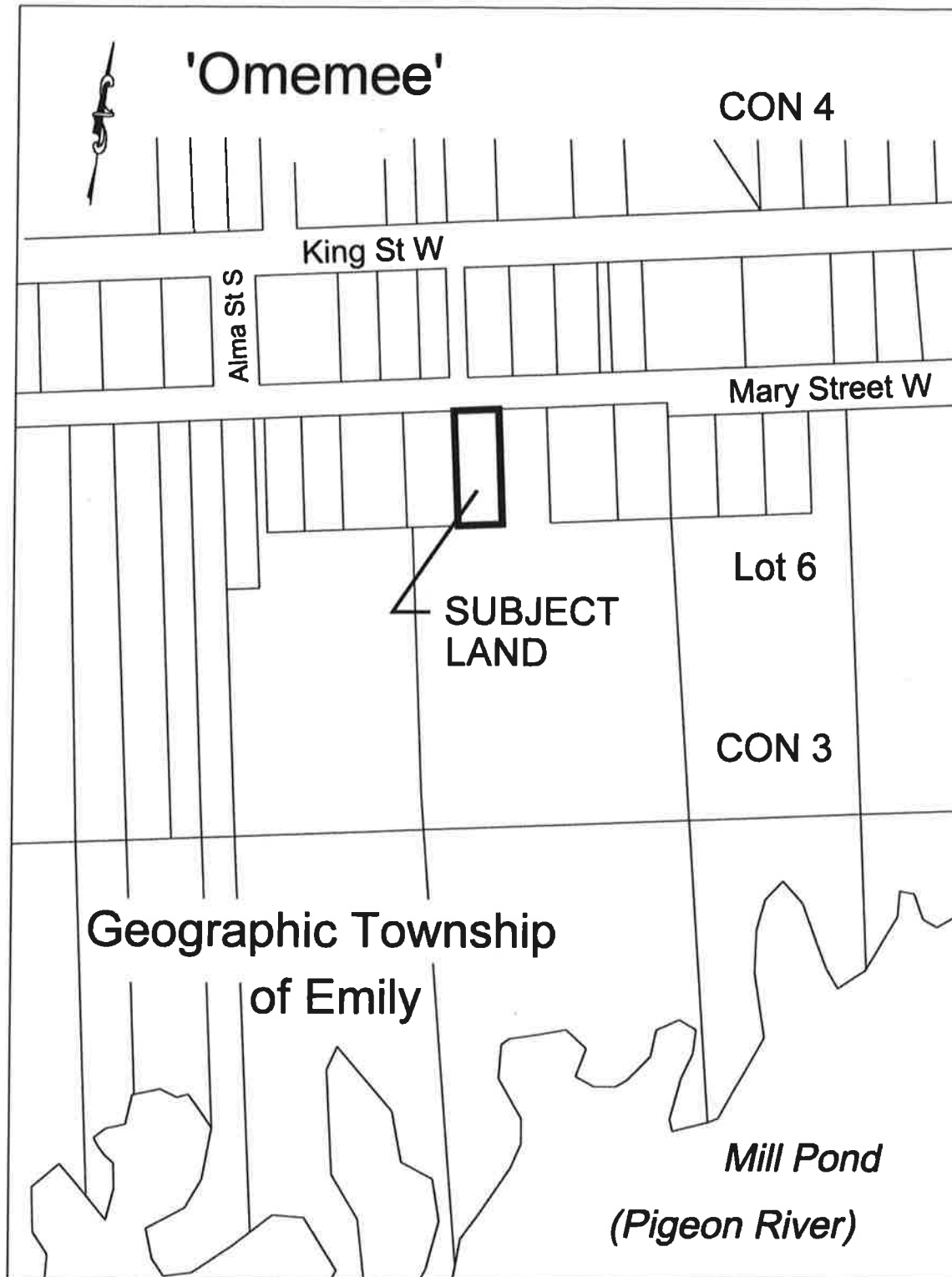
APPENDIX: A

to

REPORT COA2018-078

FILE NO: D20-2018-061

D20-2018-061



APPENDIX: B

to

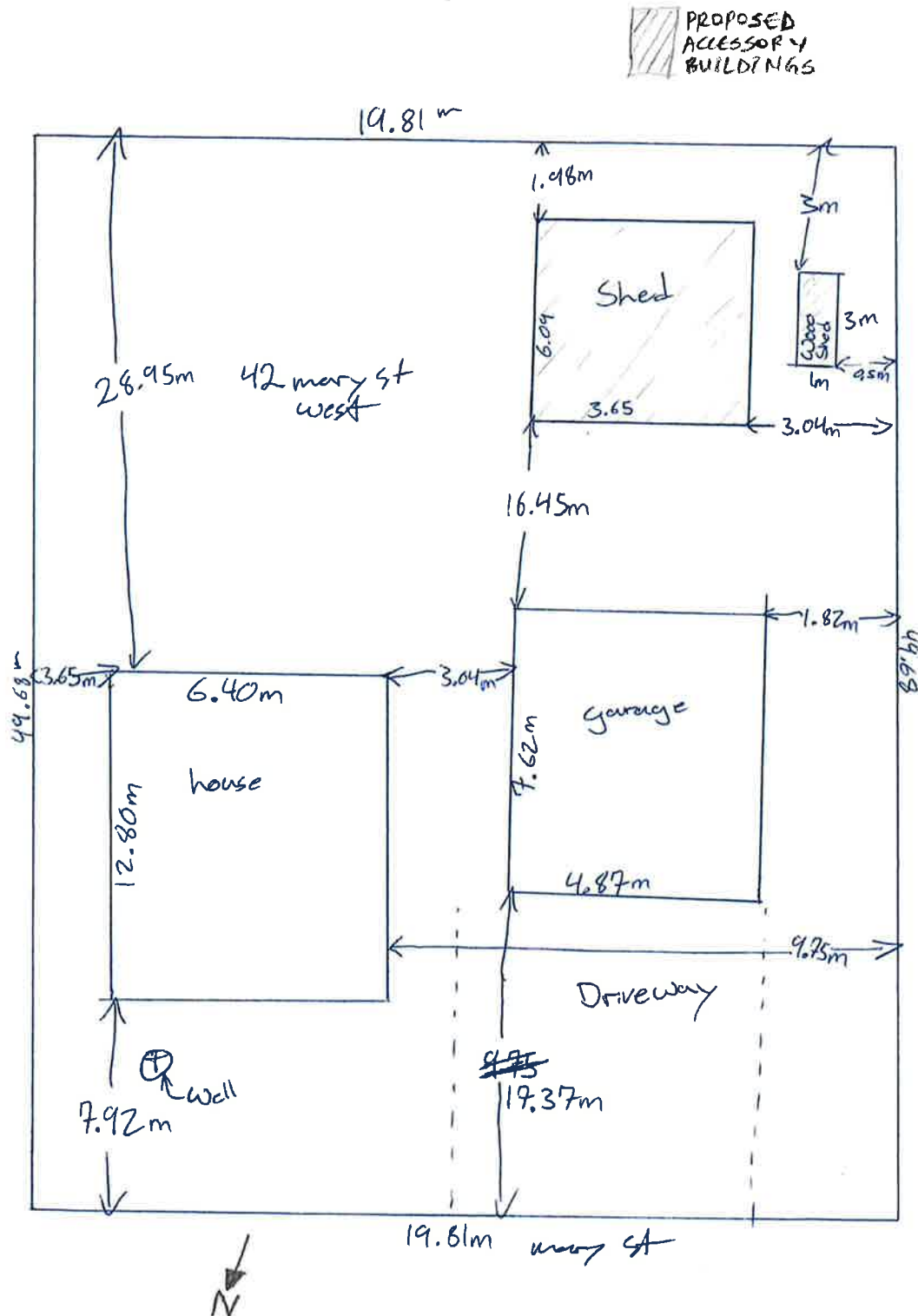
REPORT COA2018-078

FILE NO: D20-2018-061



42 Mary Street West, Former Village of Omemee



Site Plan Sketch

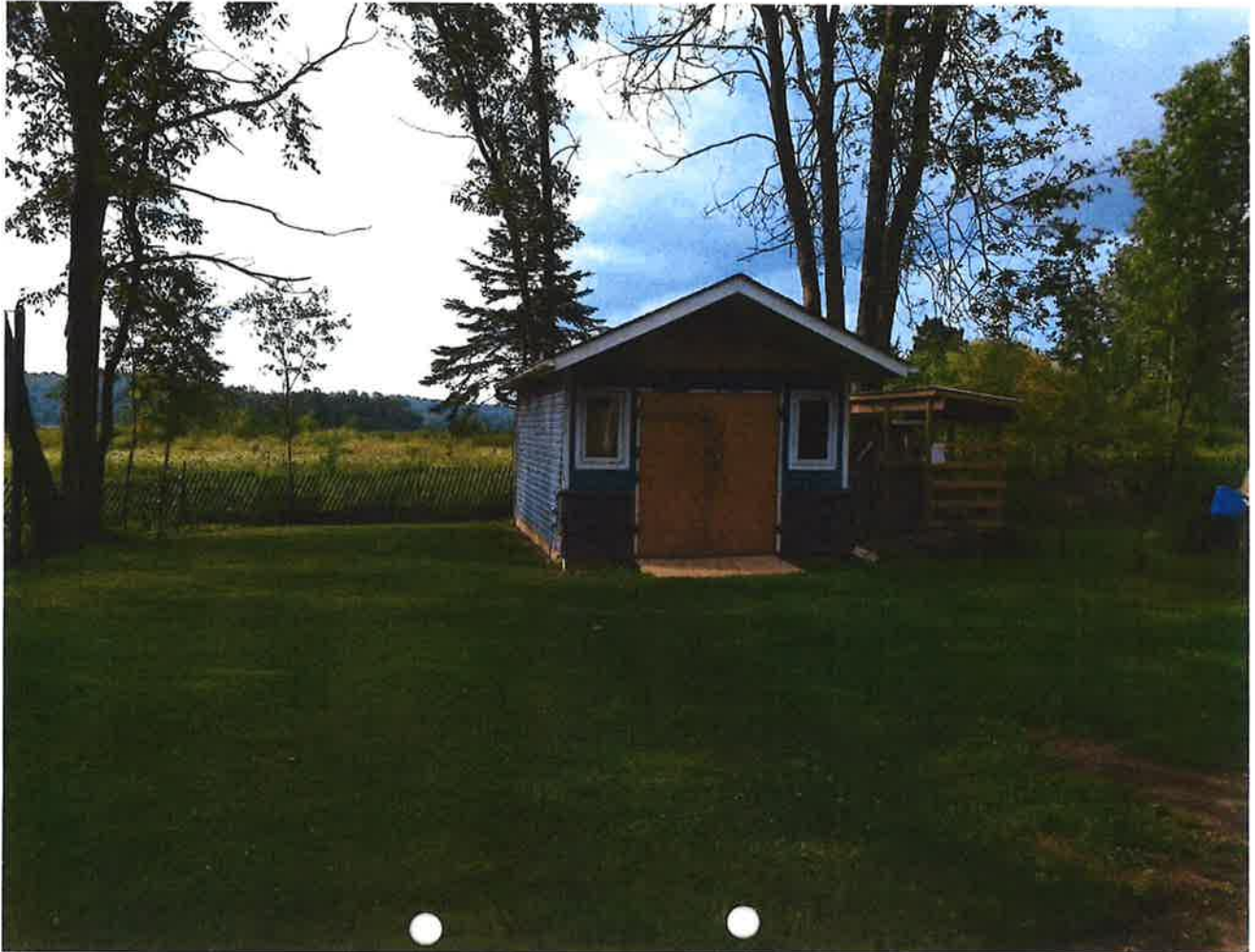
APPENDIX: D

to

REPORT COA2018-078

FILE NO: D20-2018-061

Front Elevation (North-facing)



Quadri Adebayo

From: Derryk Wolven
Sent: Thursday, October 25, 2018 8:46 AM
To: Charlotte Crockford-Toomey
Subject: C of A

FILE NO. D20-2018-061

Please see attached comments:

D20-2018-055 No concerns
D20-2018-056 No concerns
D20-2018-057 No concerns
D20-2018-061 No concerns

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca



APPENDIX " E "

to October 25, 2018

REPORT KRCA File No 16698 COA2008-078
Page 1 of 3

FILE NO. D20-2018-061

Via E-Mail: mlahay@kawarthalakes.ca

Mark LaHay

Acting Secretary-Treasurer

Committee of Adjustment

City of Kawartha Lakes

180 Kent Street West

Lindsay, ON K9V 2Y6

Regarding: Application for Minor Variance – D20-2018-061

David Ellenzweig (Agent: Scott Mainhood)

42 Mary Street West, Omemee

Geographic Township of Emily

City of Kawartha Lakes

Dear Mr. LaHay:

This Letter acknowledges the receipt of the above noted application. Kawartha Region Conservation Authority (KRCA) staff have reviewed this application and provided the following comments:

Application Purpose

It is our understanding that the purpose of this application is to request the following variance from the requirements of Zoning By-Law 1993-15, (Village of Omemee), as amended. The purpose and effect is to recognize the supplementary accessory building on the property, being a storage shed and a wood shed, in conjunction with a detached garage. Relief is sought from the following provisions:

- a) Relief from Section 3.1.2.2 – to reduce the minimum interior side yard setback for an accessory building from the 1.2 metres to 0.5 metres in order to permit the wood shed in its current location;
- b) Relief from Section 3.1.3.1 - to increase the maximum lot coverage requirement for all accessory buildings from 40% of the gross floor area of the main building to 46.29%; and,
- c) Relief from Section 3.1.3.3 – to increase the maximum number of accessory buildings permitted in a residential zone from two (2) to three (3).

It is noted that the existing wood shed was existing at the time of granting approvals for the detached garage; however, the shed was not included on the plans provided.

Applicable Kawartha Conservation Regulations and Policies

Ontario Regulation 182/ 06 (as amended):

The subject property is within the KRCA's Regulated Area, as it is located within the floodplain associated with the Pigeon River, in particular the area known as the Omemee Mill Pond. Kawartha Conservation regulates the flooding

KAWARTHA CONSERVATION

277 Kenrei Road, Lindsay, ON K9V 4R1

705.328.2271 Fax 705.328.2286

KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan



and erosion hazard associated with this waterbody, plus an additional setback of 15 metres from the limit of the greatest hazard. Staff note that flooding hazard associated with the Omemee Mill Pond is 250.4 metres above sea level (mASL). Moreover, the subject lands are located within the area of interference associated with the Pigeon River #23 Provincially Significant Wetland (PSW) Complex. Kawartha Conservation regulates the PSW feature and lands within 120 metres from the limit of the PSW. As such, any development (or redevelopment) on the subject lands require a Permit pursuant to Ontario Regulation 182/06 prior to development and site alteration. In accordance with Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended, permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) Development, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of lands may be effected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

Application-Specific Comments

KRCA Memorandum of Understanding (MOU):

KRCA Permitting:

As noted, the subject property is within KRCA Regulated Area of the Watershed. Please be advised the applicant has been issued a permit (Permit No. 2017-015), pursuant to Ontario Regulation 182/06, issued January 24, 2017) for a 37.1 m² detached garage and associated grading for the foundation. Plans for the detached garage and grade changes were reviewed in accordance with Kawartha Conservation policies 4.5.2(24) *Accessory Buildings or Structures*. The drawings and plans submitted were reviewed and determined to be in conformance with the aforementioned policies. The applicant is reminded that the permit will expire on January 24, 2018. Should the works not be completed on/before the expiration date, an extension to the permit will be required. Please note that KRCA permits issued after January 1, 2018 are now valid for two (2) years from the date of issuance. Further information regarding a permit extension can be provided by Stacy Porter, Planning and Regulations Technician at extension 231 or via email at sporter@kawarthaconservation.com

KRCA staff would like to note that the decision of the Committee of Adjustment does not bind KRCA under the Conservation Authorities Act to approve the proposed works identified on the plans/drawings submitted with this

KAWARTHA CONSERVATION

277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286
KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan

application. As such, KRCA staff strongly recommends that the plans in support of the proposed development be consistent with all applications made under the *Planning Act* and the *Conservation Authorities Act*.

Hazardous Lands

To ensure conformity with Section 3.1 of the Provincial Policy Statement (PPS, 2014), Kawartha Conservation aims to prevent new development from locating in areas where there is a potential for loss of life and/or property damage from natural hazards. Moreover, KRCA Plan Review Policies (Section 2.4.2.4) for Natural Hazards identify that applications shall not create new or exacerbate existing hazardous conditions. The entire property is located within the floodplain of the Pigeon River (Mill Pond).

Notwithstanding the situation of the property in relation to the flood hazard, the increased maximum lot coverage for accessory buildings acknowledges existing structures with the exception of the detached garage, which was flood-proofed in accordance with Kawartha Conservation policies. Overall, the proposal does not present an acceptable risk to public health or safety or of property damage and does not create new or aggravate existing hazards.

Recommendation

Based on our review of the above information and there is no new development proposed through the application, staff can advise **it would foresee no issue with the approval of Minor Variance application D20-2018-061 based on consideration for natural heritage, natural hazards and water quality and quantity protection policies.**

The above comments reflect our understanding, at the time of writing, of the best available data, applicable policies and regulations. I trust this meets your information requirements at this time. Should you have any questions regarding this matter, please do not hesitate to contact this office.

Yours Truly,



Kent Stainton
Resources Planner
Extension 232
kstainton@kawarthaconservation.com

cc: Stacy Porter, Kawartha Conservation
David Harding, Kawartha Conservation
Quadri Adebayo, City of Kawartha Lakes
Charlotte Crockford-Toomey, City of Kawartha Lakes