

APPENDIX: A

to

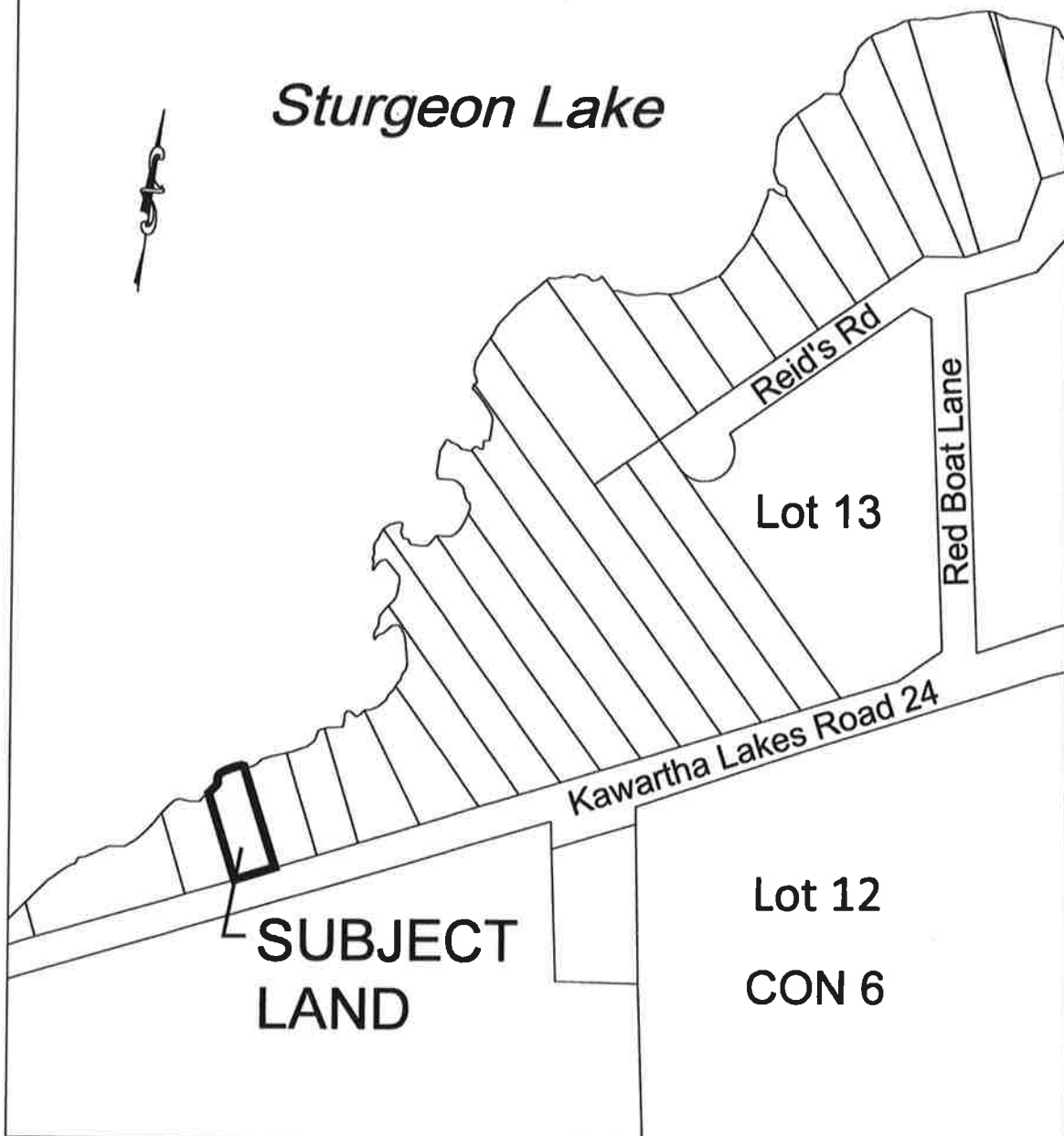
REPORT COA2018-074

FILE NO: D20-2018-057

**D20-2018-057**

**Geographic Township of Verulam**

*Sturgeon Lake*



APPENDIX: B

to

REPORT COA2018-074

FILE NO: D20-2018-057

## 674 County Road 24, Geographic Township of Verulam

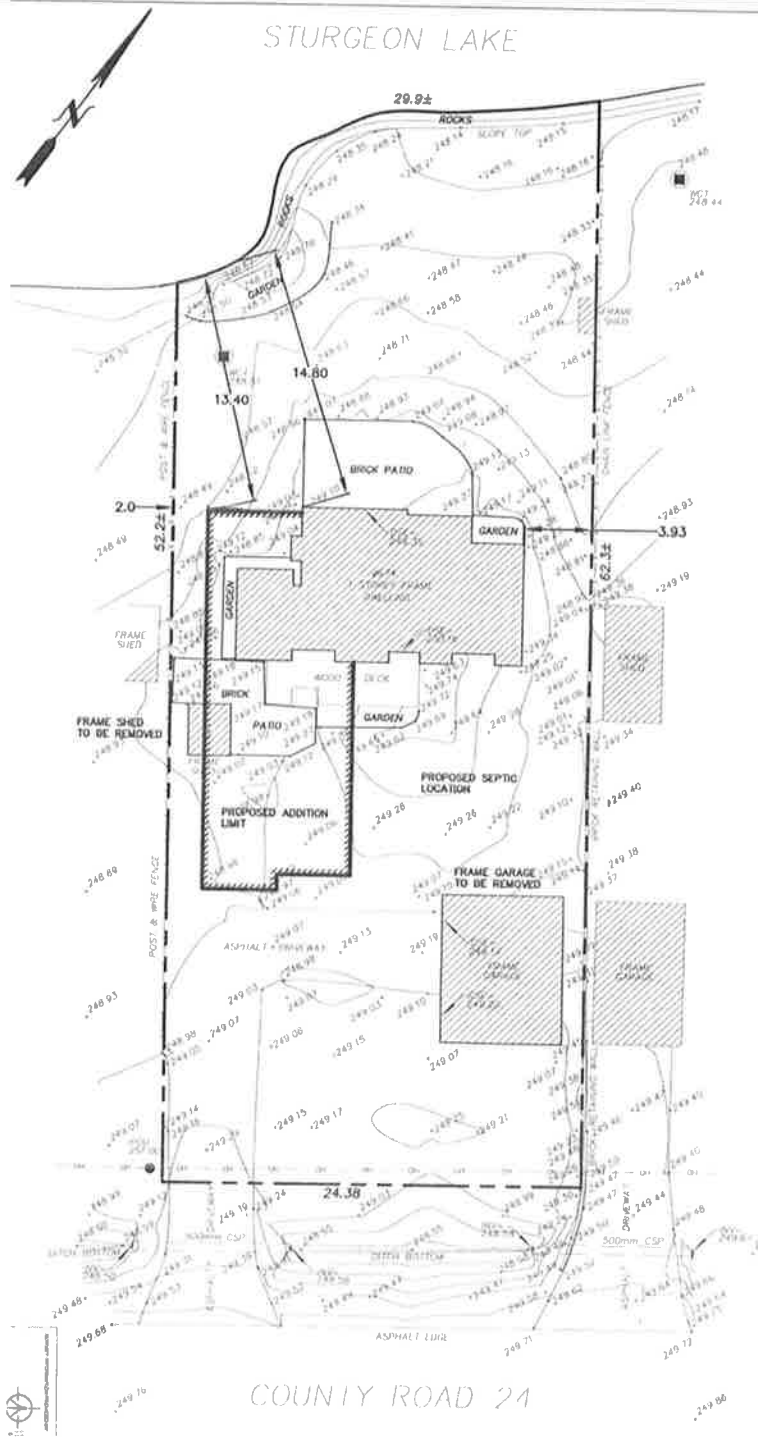


to

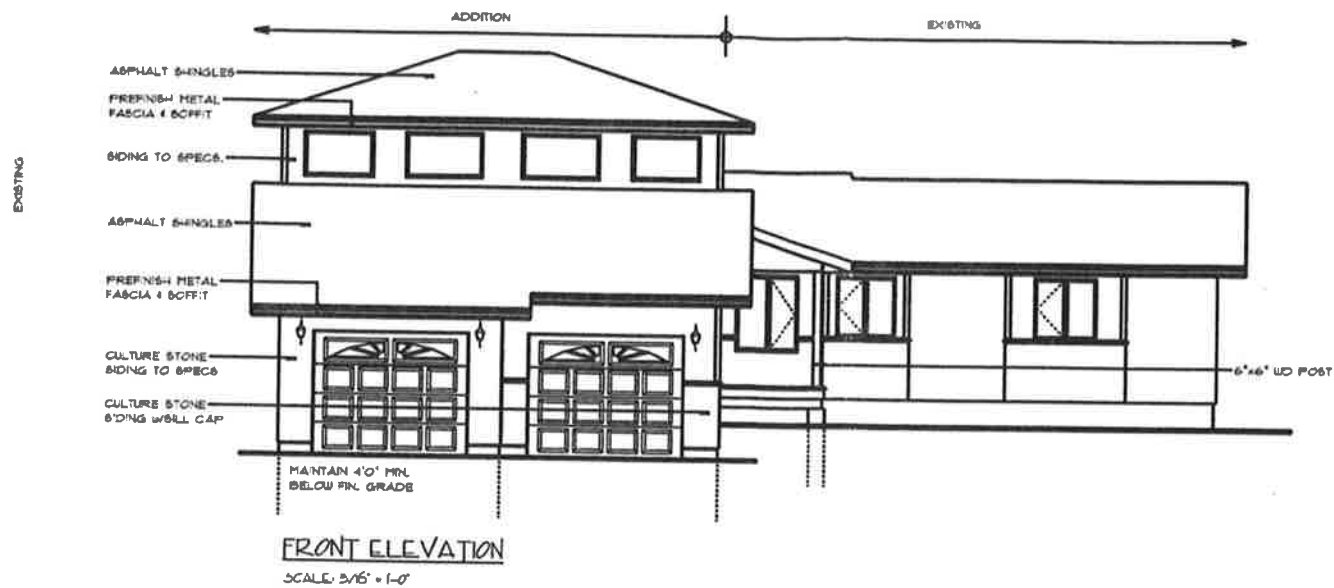
REPORT COA2018-074

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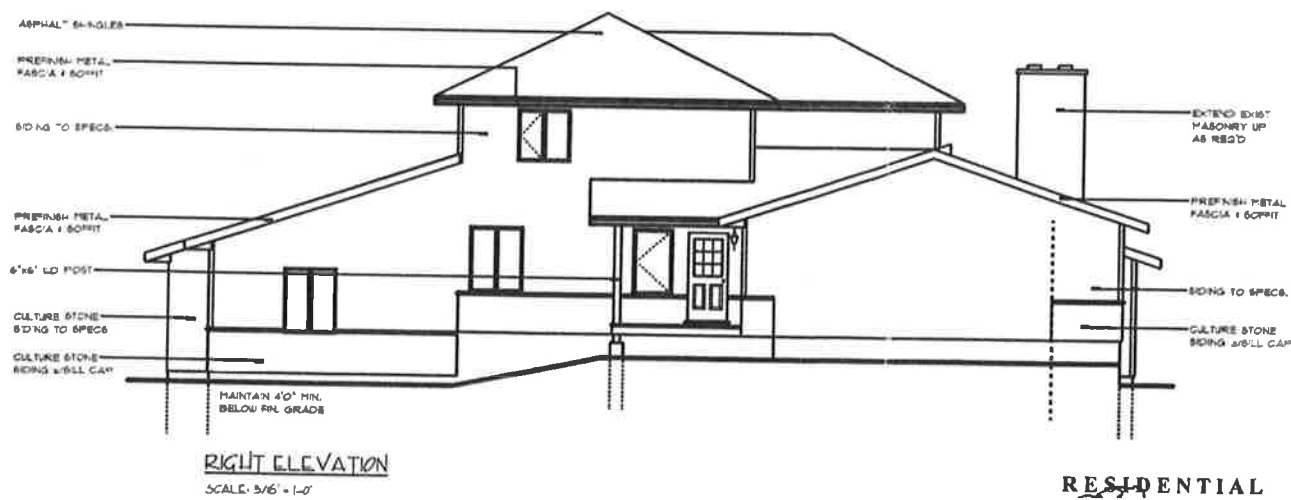
### Site Plan Sketch



Front Elevation (South-facing)

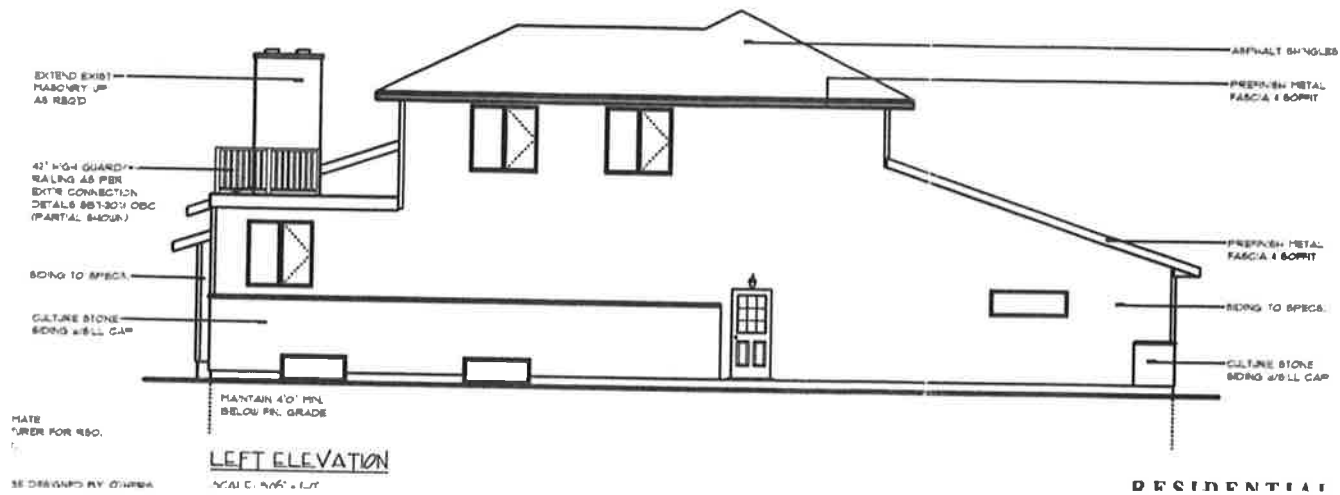


Right Elevation (East-facing)

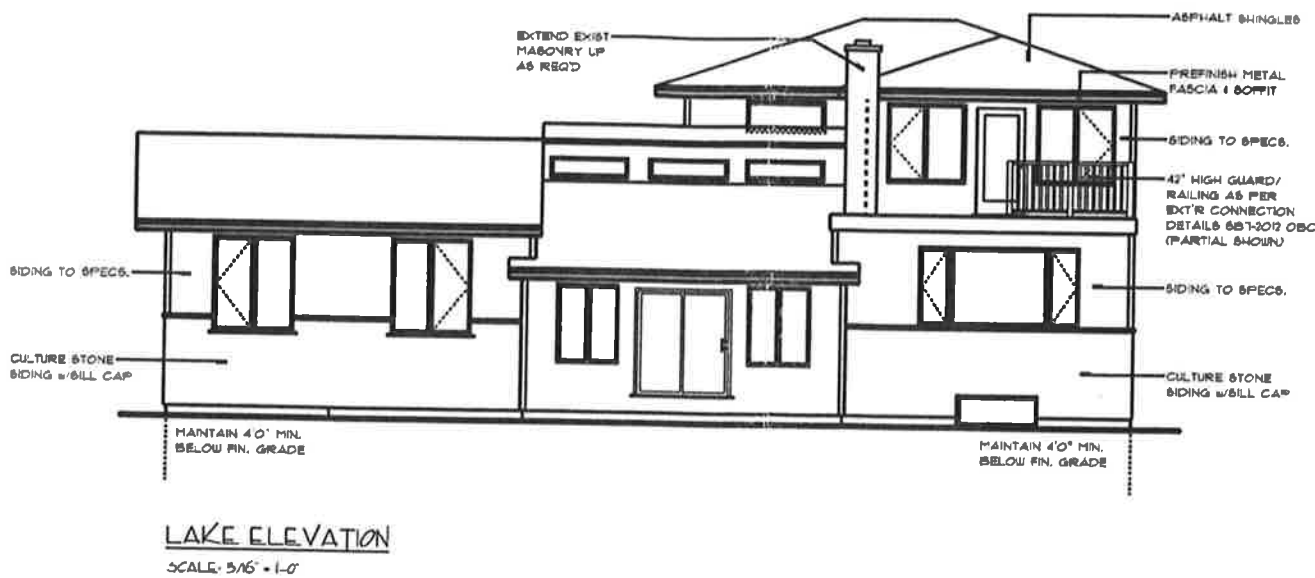


RESIDENTIAL

Left Elevation (West-facing)



Rear Elevation (North-facing)



Via E-Mail: [mlahay@kawarthalakes.ca](mailto: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 – D20-2018-057**  
**Cheryl Dodge (Agent: Tom deBoer)**  
**674 City of Kawartha Lakes Road 24, Part of Lot 12, Concession 6**  
**Geographic Township of Verulam**  
**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 6-87 (Township of Verulam), as amended, as it relates to:

- a) Relief from Provisions of Section 8.2 - Residential (R1) Zone, to reduce the minimum water setback from 15 metres to 13.4 metres to permit an addition closer than permitted to the water setback.

It is noted that the existing dwelling is non-compliant with the zoning by-law and the proposed addition will not encroach any further towards the shoreline than the existing footprint of the dwelling.

**Applicable Kawartha Conservation Regulations and Policies**

**Ontario Regulation 182/ 06 (as amended):**

The subject property is within the KRCA's Regulated Area, as it fronts onto the shoreline of Sturgeon Lake. Kawartha Conservation regulates the flooding 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 Sturgeon Lake is 248.4 metres above sea level (mASL). As such, any development (or redevelopment) within lands regulated by Kawartha Conservation 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:

**KAWARTHA CONSERVATION**  
277 Kenrei Road, Lindsay, ON K9V 4R1  
705.328.2271 Fax 705.328.2286  
[KawarthaConservation.com](http://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

- 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. The proposed works identified on the plans provided are within Kawartha Conservation's regulated portion of the site. Please be advised the applicant has applied for a permit under Ontario Regulation 182/06 for shoreline protection works on the subject lands and has acknowledged that a revision to the existing permit (once approved) will be required to facilitate the construction of the addition subject to this application. KRCA permits are valid for two (2) years from the date of issuance.

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 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*.

##### **Fish Habitat**

Sturgeon Lake is considered fish habitat. Policy 2.1.8 of *Provincial Policy Statement* states,

"Development and site alteration shall not be permitted on adjacent lands (120m) to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions".

In addition, the Ministry of Natural Resources and Forestry (MNRF) recommends a minimum vegetated buffer for fish habitat of 30 metres. Based on the Kawartha Conservation's mapping, the existing cottage is located within the 30 metre setback.



Based on MNRF's direction, in cases where a site specific technical report (e.g. Environmental Impact Study) has evaluated the ecological function of the adjacent land and has demonstrated that smaller buffer widths would be appropriate to ensure no negative impacts on the fish habitat; a minimum 15 metre buffer width may be acceptable. Ultimately, redevelopment of the property closer to the shoreline, within the fish habitat buffer is contrary to provincial policy unless supported by a technical study.

It appears as though the proposed addition will not encroach further than the existing limit of development, which is approximately 15 metres from the shoreline. As such, no additional requirements in relation to the protection of fish and fish habitat are required. The applicant is encouraged to check with the MNRF regarding restrictive activity timing windows associated with in-water works (i.e. shoreline protection works) for Sturgeon Lake, a warmwater thermal classified system.

**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 D20-2018-057 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  
Quadri Adebayo, City of Kawartha Lakes  
David Harding, City of Kawartha Lakes  
Charlotte Crockford-Toomey, City of Kawartha Lakes



**Quadri Adebayo**

REPORT COA2018-074

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

FILE NO. D20-2018-057

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](http://www.kawarthalakes.ca)

