

to

REPORT COA2019-007

FILE NO: D20-2018-060

Geographic Township of Laxton

Concession A

Lot 5

Lot 6

County Road #45

Shadow Lake

Little Bay Dr

Pine Ridge Rd

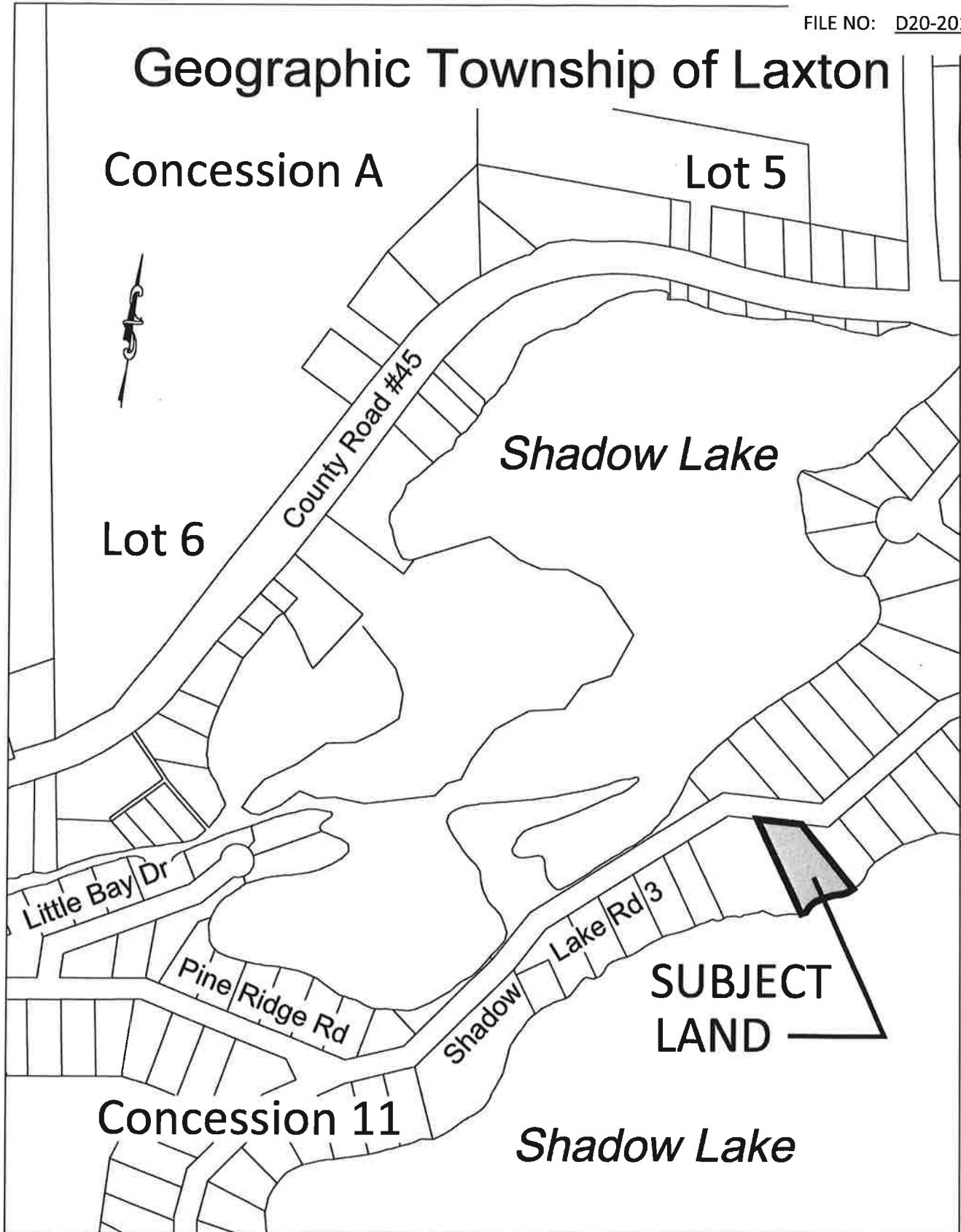
Lake Rd 3

Shadow

Concession 11

Shadow Lake

**SUBJECT
LAND**



118 Shadow Lake Road 3, geographic Twp. of Laxton

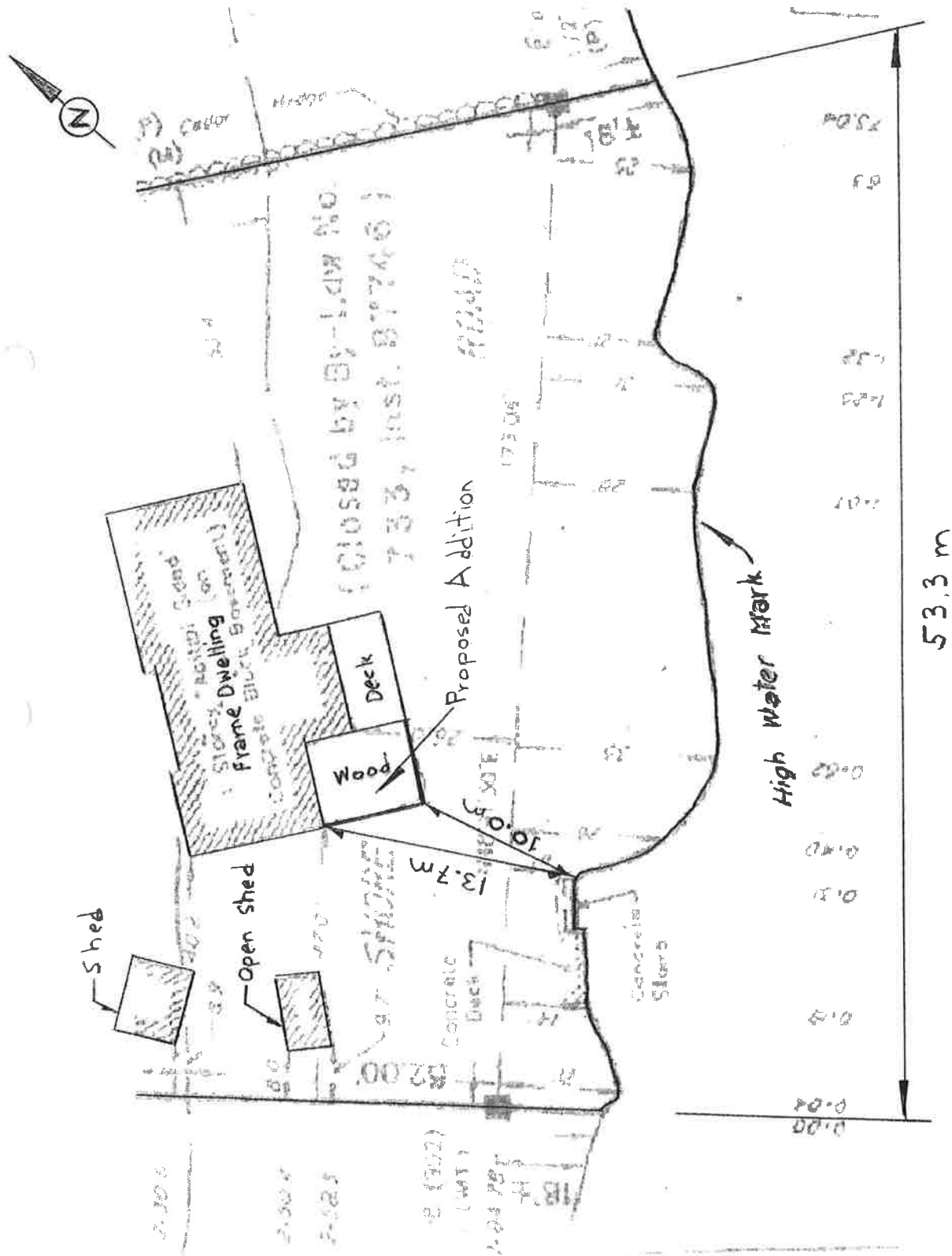


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53.3 m

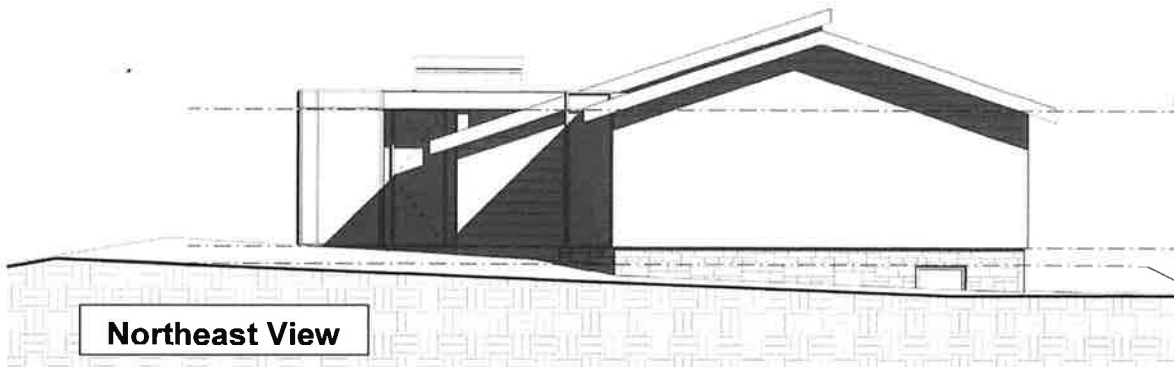
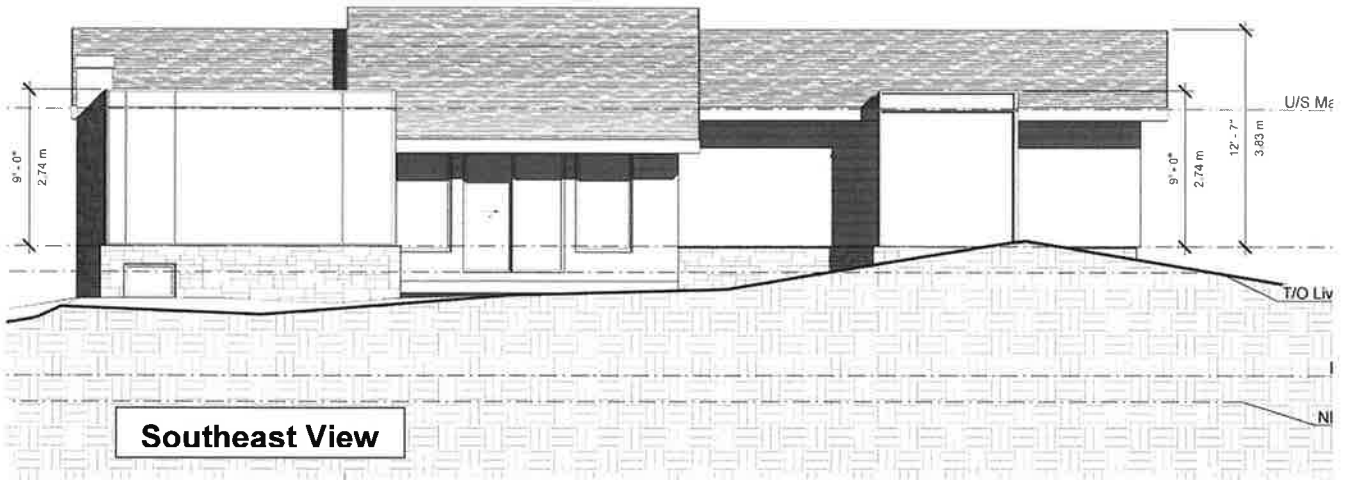
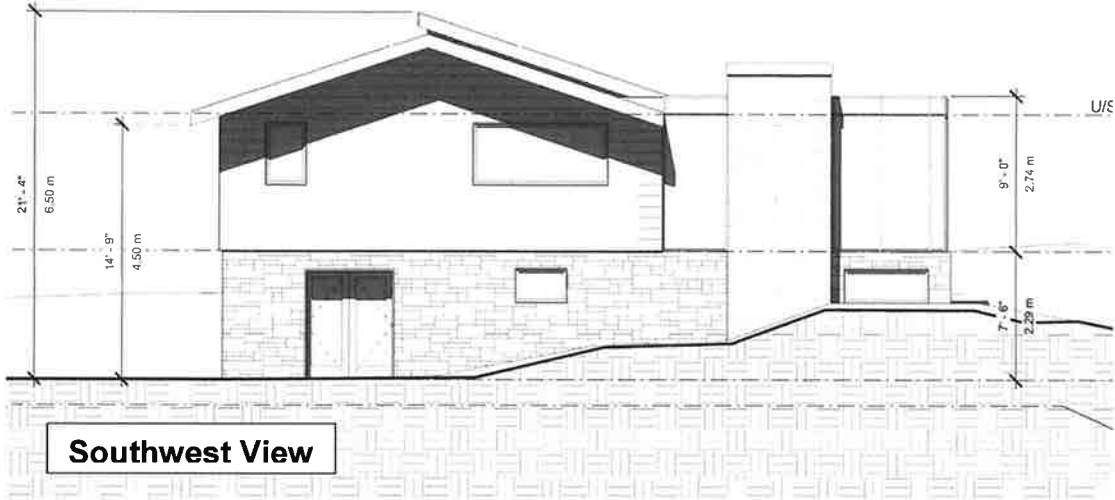
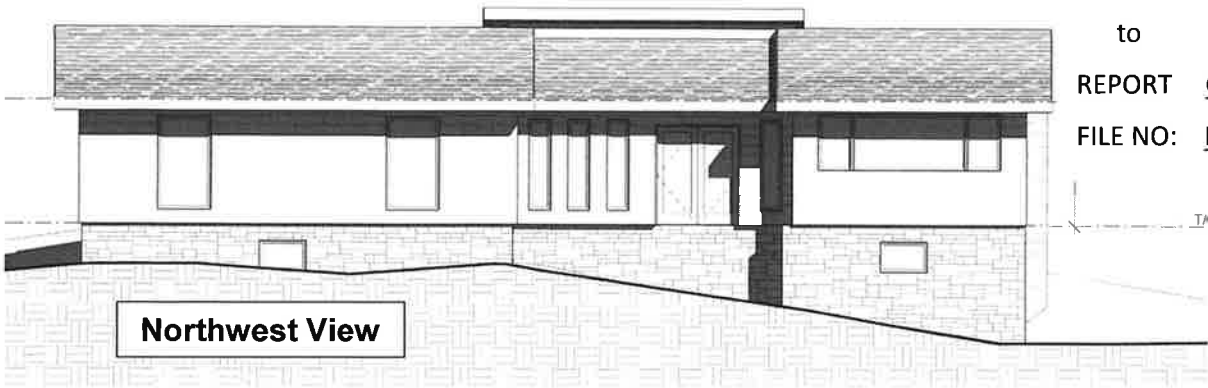
SKETCH A



to

REPORT COA2019-007

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Engineering & Corporate Assets Department
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Lindsay ON K9V 5R8
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APPENDIX " E
to
REPORT COA 2019-007
FILE NO. D20-2018-060

MEMORANDUM

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: November 20th, 2018

SUBJECT: Application for Minor Variance/Permission
D20-2018-060 – 118 Shadow Lake Road 3
Lot 22, Plan 455
Geographic Township of Laxton, City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on November 15th, 2018.

It is our understanding that the applicant is applying for a minor variance to request relief from Section 4.2(g) to reduce the minimum water setback from 15 metres to 10 metres to permit an addition to a single detached dwelling.

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.

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 – D20-2018-060
Ken Banderk
118 Shadow Lake Road No. 3, Part of Lot 22, Concession 11 (Shadow Lake)
Geographic Township of Somerville
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 to consider relief from the United Townships of Laxton, Digby and Longford Zoning By-law 32-83, as amended. The purpose and effect is to request relief from Section 4.2 (g) to:

1) Reduce the minimum water setback from 15 metres to 10 metres to permit an addition to a single detached dwelling.

Applicable Kawartha Conservation Regulations and Policies

Ontario Regulation 182/ 06 (as amended):

The subject property is located outside of Kawartha Conservation's defined watershed boundary.

Application-Specific Comments

KRCA Memorandum of Understanding (MOU):

The following comments are provided as per the MOU entered into between the City of Kawartha Lakes and Kawartha Conservation. The City has requested staff provide comments and analysis on the identification, function and significance of natural heritage and hydrologic features and systems such as, significant woodlots, wetlands, significant wildlife habitat, fish habitat, significant habitat of endangered and threatened species, significant valleylands, areas of natural and scientific interest, surface water features and groundwater features on, or in proximity to, a proposed development site or within a study area.

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

Our Watershed Partners:

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Hazardous Lands (Flooding/Erosion Hazards)

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 identifies that applications shall not create new or exacerbate existing hazardous conditions. Due to the anthropogenic influence in manipulating lake levels, Shadow Lake experiences considerable fluctuations during certain times of the year. As there is no recorded Regulatory flood level for Shadow Lake, Kawartha Conservation policies propose development be setback from the shoreline at least 15 metres and be located at least one (1) metre above the spring high watermark.

According to the survey provided, it appears the proposed addition is situated at least one metre above the spring high watermark and does not appear to represent an increased risk to life and property.

Fish Habitat

Pursuant to Policy 3.4.6(8), for expansion, replacement, or relocation of an existing building or structure on adjacent lands (within 120 metres of fish habitat), Kawartha Conservation recommends the maintenance, establishment, and/or enhancement of a buffer strip running continuously along both sides of all water features supporting fish habitat, measured in accordance with Policies 3.4.6(10), 3.4.6(11), 3.4.6(12), 3.4.6(13) OR where this is not feasible, that maximum buffers, given the site constraints, should be applied wherever possible.

Furthermore, 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”.

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 proposed dwelling 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.

While Shadow Lake is fish habitat, the proposed covered porch does not encroach towards the shoreline further than the existing development footprint.

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During all phases of construction, appropriate erosion and sediment controls (i.e. silt fencing as per OPSD 219.100) should be implemented between disturbed areas and Shadow Lake to prevent sediment-laden runoff from entering into the lake. The silt fencing must be maintained and remain in-place until all disturbed soils have become revegetated.

Recommendation

Based on our review of the natural hazards and natural heritage features adjacent to the property, Kawartha Conservation staff has no objections to the approval of Minor Variance Application D20-2018-060, provided the proposed works are constructed as per the plans submitted to Kawartha Conservation for review.

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: David Harding, City of Kawartha Lakes
Quadri Adebayo, City of Kawartha Lakes
Charlotte Crockford-Toomey, City of Kawartha Lakes

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The Corporation of the
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ldonnelly@kawarthalakes.ca
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LeAnn Donnelly, Executive Assistant, Community Services

MEMORANDUM

DATE: January 4, 2019
TO: Committee of Adjustment
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-18-049	105 Brook Road, Somerville
D20-18-053	Part Lots 3 and 4 Concession 2
D20-18-054	4284 Highway 7
D20-18-055	61 Kenhill Beach Road
D20-18-056	1473 Highway 7A
D20-18-057	674 County Road 24
D20-18-058	62 Woods Avenue
D20-18-059	340 St. Lukes Road
D20-18-060	118 Shadow Lake Road 3
D20-18-061	42 Mary Street West
D20-18-062	18 Golden Road

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services