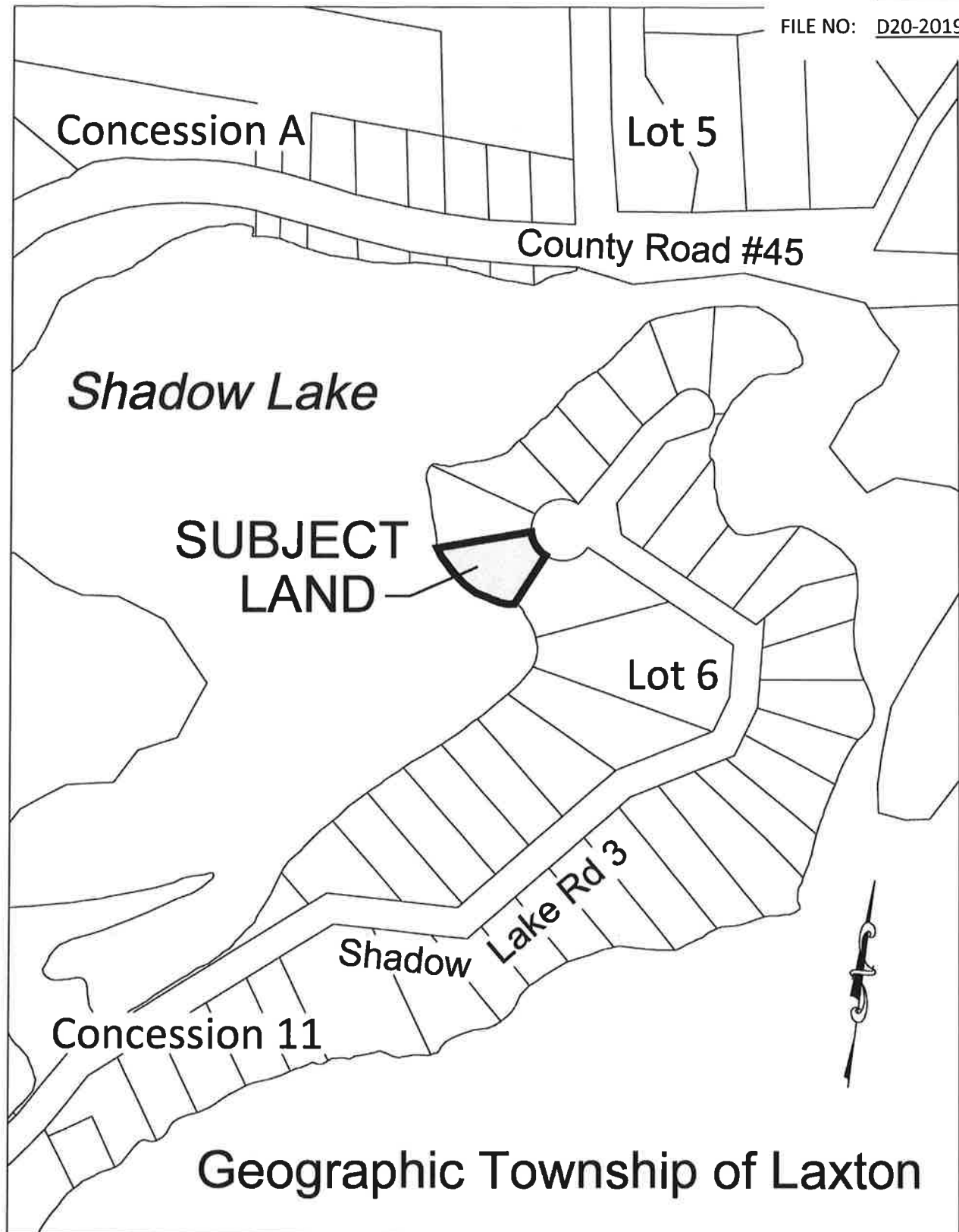
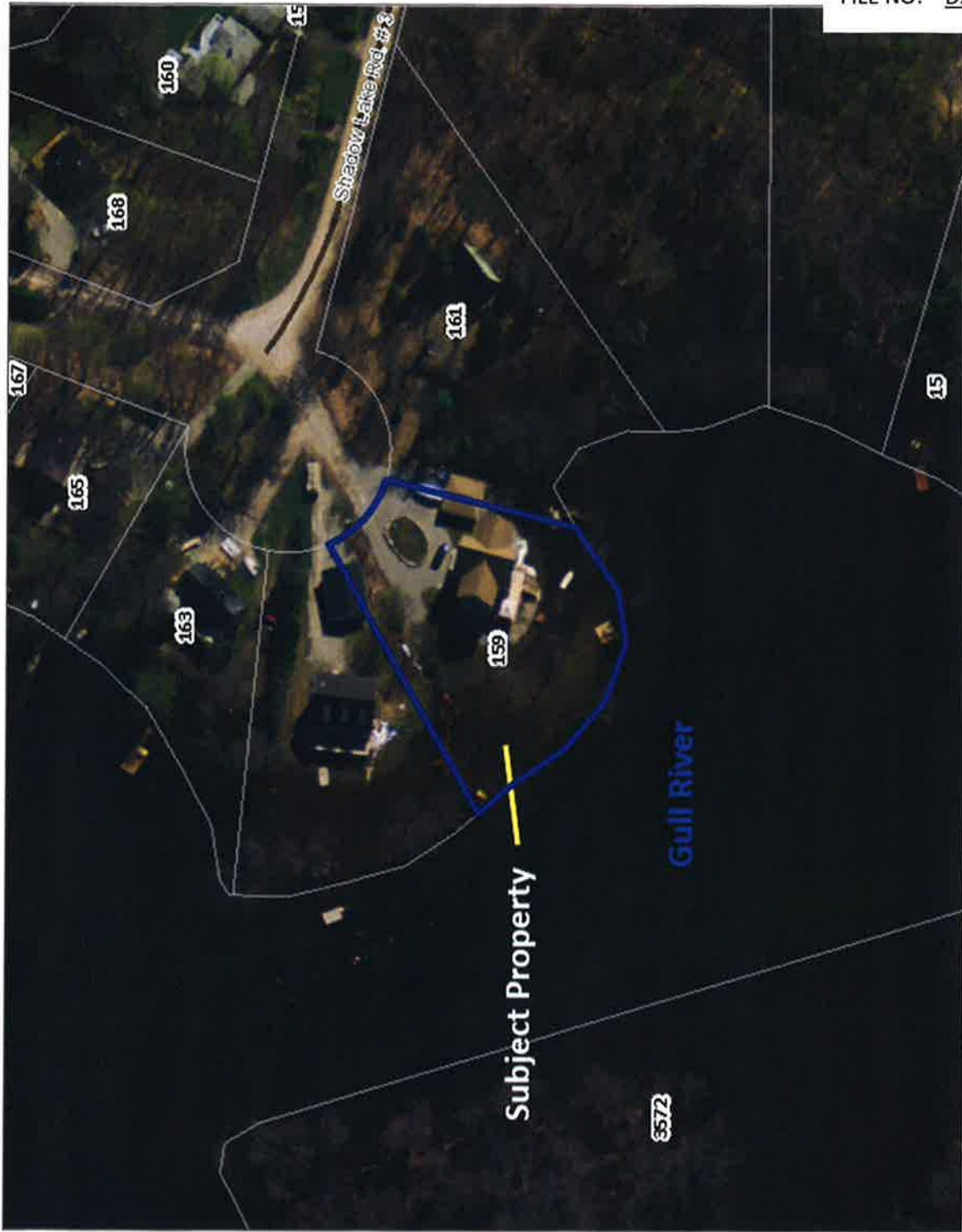


to

REPORT COA2019-018

FILE NO: D20-2019-010





0.08

Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



This map is a user generated static output from an Internet mapping site :  
is for reference only. Data layers that appear on this map may or may not  
accurate, current, or otherwise reliable  
THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " B "

to

REPORT COA2019-018

FILE NO: D20-2019-010

to

REPORT COA2019-018

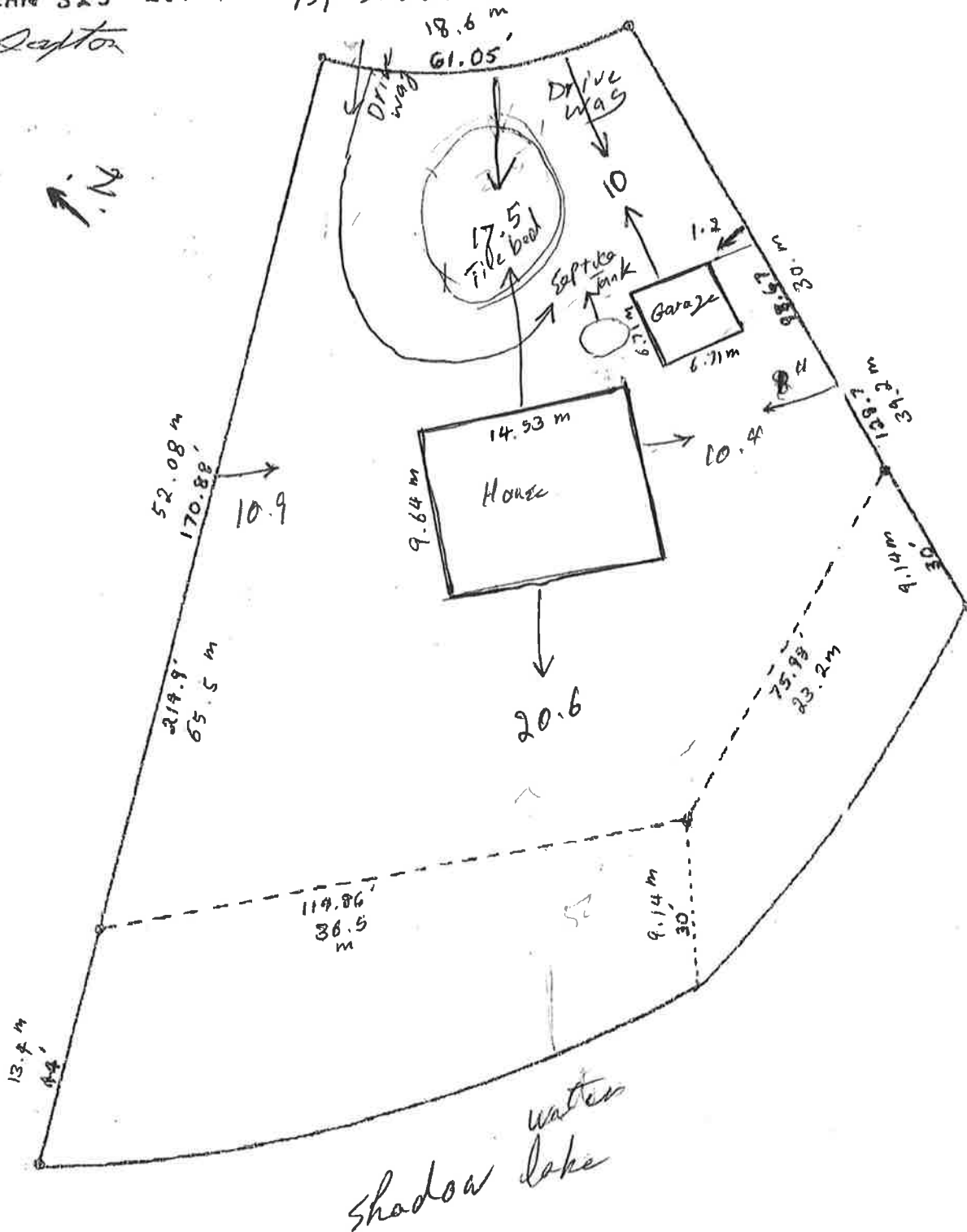
FILE NO: D20-2019-010

CON 11 PT LOT 6  
PLAN 525 LOT 10

Depton

Koll # 420.

159-Shadow lake Rd 3



## **Charlotte Crockford-Toomey**

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**From:** Derryk Wolven  
**Sent:** Thursday, March 07, 2019 4:25 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** C of A

APPENDIX " D "

to

REPORT COA 2019-018

FILE NO. D20-2019-010

Please be advised building division has the following comments:

D20-2019-010	No concerns
D20-2019-011	No concerns
D20-2019-007	No concerns
D20-2019-003	Built without permit. Provide confirmation of .6m setback.
D20-2019-012	No concerns
D20-2019-013	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)



**Via E-Mail: [ccrockford-toomey@kawarthalakes.ca](mailto:ccrockford-toomey@kawarthalakes.ca)**

Charlotte Crockford-Toomey  
Administrative Assistant  
Committee of Adjustment  
City of Kawartha Lakes  
180 Kent Street West  
Lindsay, ON K9V 2Y6

**Regarding:      Application for Minor Variance – D20-2019-010  
                         Hormoz Sherkat  
                         159 Shadow Lake Road No.3, Part of Lot 11 Concession 6 (Shadow Lake)  
                         Geographic Township of Laxton  
                         City of Kawartha Lakes**

Dear Ms. Crockford-Toomey:

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 the Township of Laxton Zoning By-Law, as amended, as it relates to:

- a) Section 18.1b) – to allow for a reduced side yard setback for a detached garage from 1.3 metres to 1.2 metres.

Staff recognize that the detached garage has been constructed inadvertently in the wrong location. The purpose of the application is to legally recognize the location of the garage.

**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

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**KawarthaConservation.com**

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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.

### **Natural Heritage (Wetlands)**

According to KRCA mapping, the property contains portions of an unevaluated wetland. Kawartha Conservation strives to protect all wetlands including wetland features located outside of lands regulated by the Conservation Authority. The current location of the detached garage appears immediately adjacent to the unevaluated wetland feature. Given the site-specific constraints on the property, staff are of the opinion that the current location of the detached garage will present minimal impacts to the hydrologic function of the unevaluated wetland feature.

### **Flooding Hazards (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 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. Based on aerial photography, it appears as though the detached garage is appropriately setback (over 20m) from the shoreline of Shadow Lake and over one (1) metre above the navigable highwater mark.

### **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. 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.

The detached garage was constructed over 20 metres from the shoreline associated with Shadow Lake and further away from fish habitat than the existing dwelling. Staff are of the opinion that since no additional encroachment towards fish habitat occurred as a result of the construction of the garage and given the lot constraints of the subject lands, the situation of the garage is in the best possible location in relation to potential effects to fish habitat. No additional studies will be required to support the current location of the garage.

**Recommendation**

**Based on our review of the natural hazards and natural heritage features on and adjacent to the property, KRCA has no objections to the approval of Minor Variance Application D20-2019-010.**

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  
Kent.stainton@kawarthaconservation.com

cc: Mark Lahay, City of Kawartha Lakes, via email  
David Harding, City of Kawartha Lakes, via email  
Quadri Adebayo, City of Kawartha Lakes, via email

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