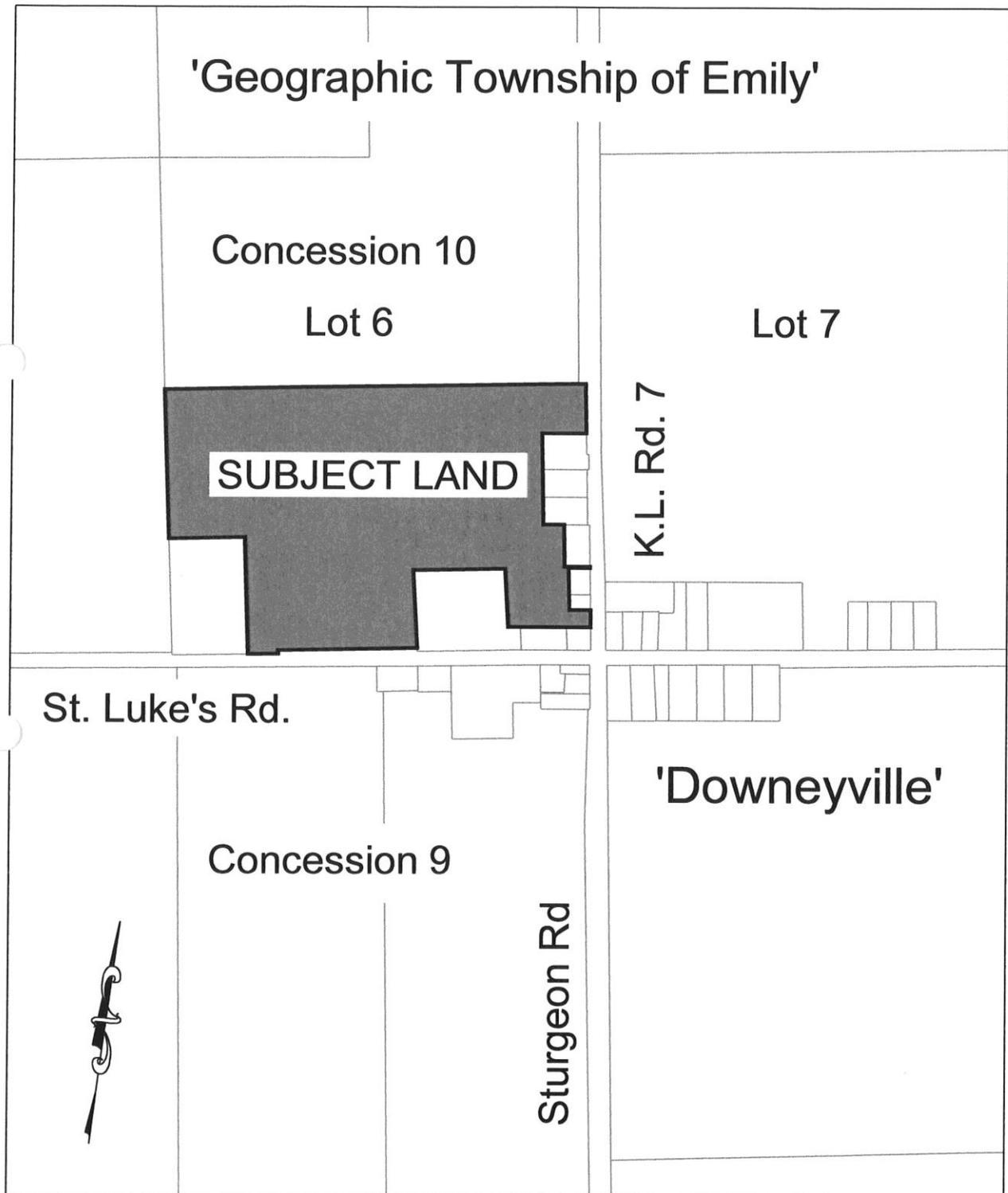


D03-16-015, D03-16-016, D03-16-017, D03-16-018





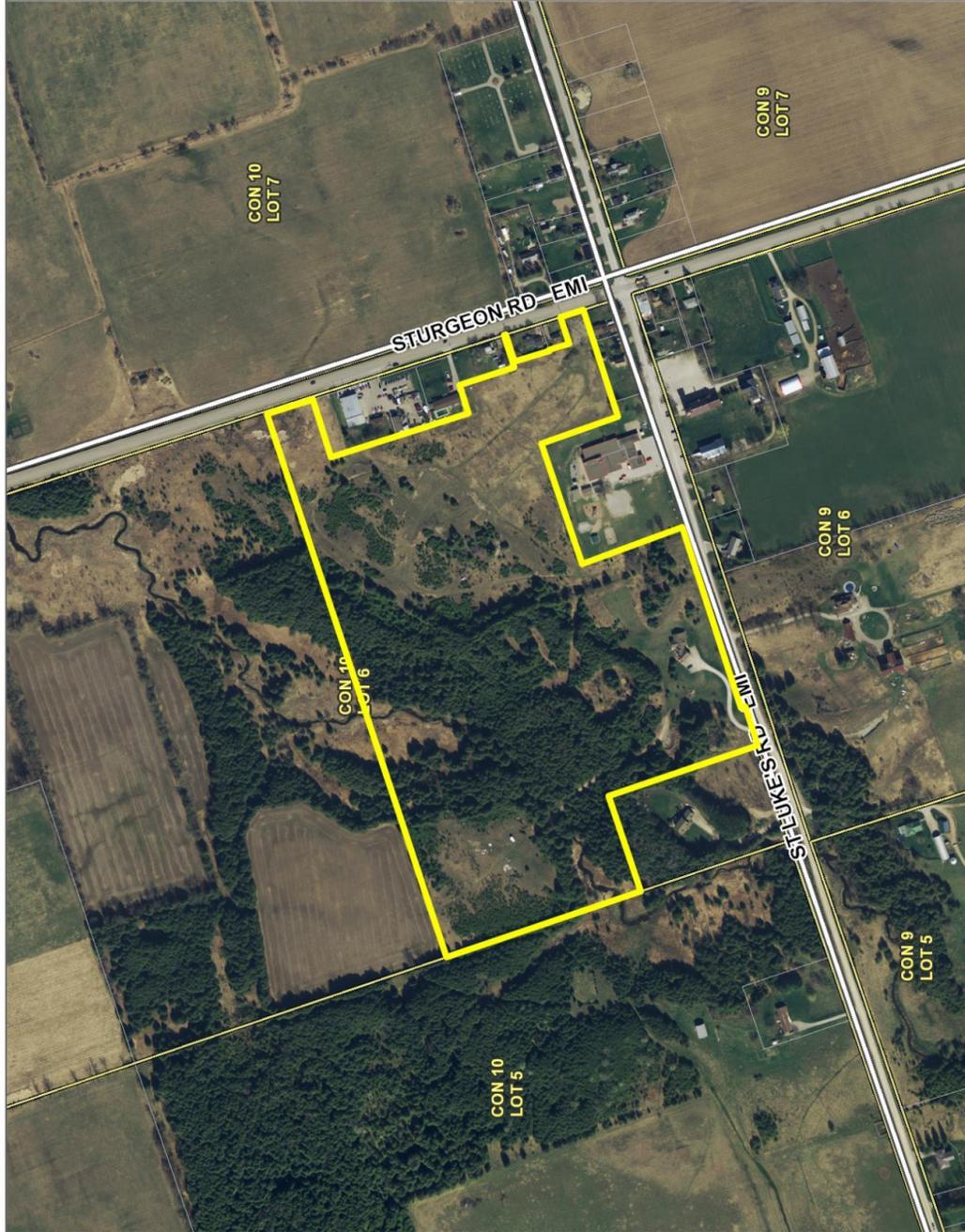
**Legend**

- Road Centreline
- Upper Municipalities
- Lower Tier Municipalities
- Property ROLL#
- Lots and Concessions

APPENDIX “ B-1 ”  
to  
REPORT COA2019-015

**Notes**

Notes



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



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



- Legend**
- Road Centreline
  - Upper Municipalities
  - Lower Tier Municipalities
  - Property ROLL#
  - Lots and Concessions

**Notes**  
 Notes

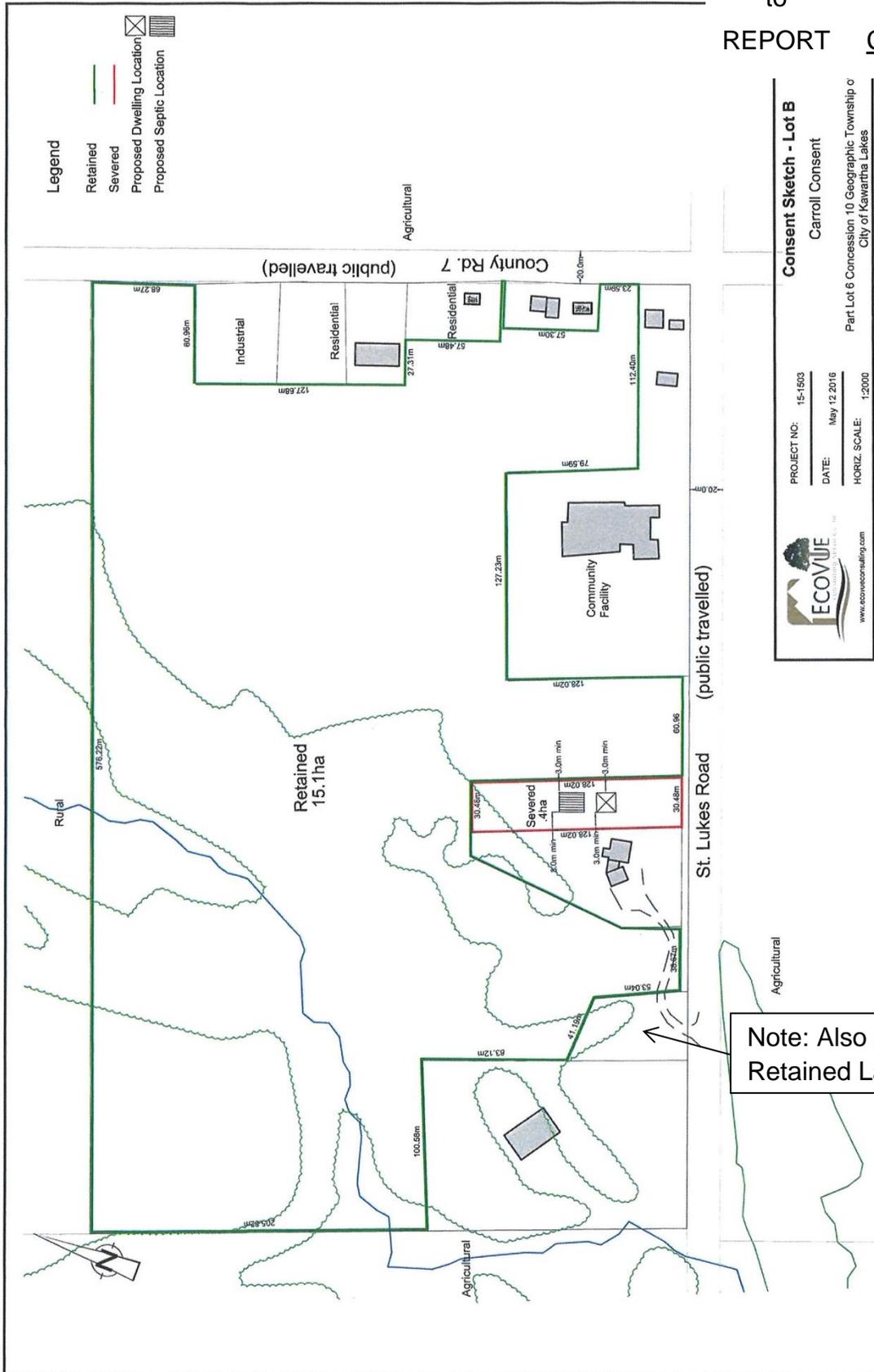
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
 THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES



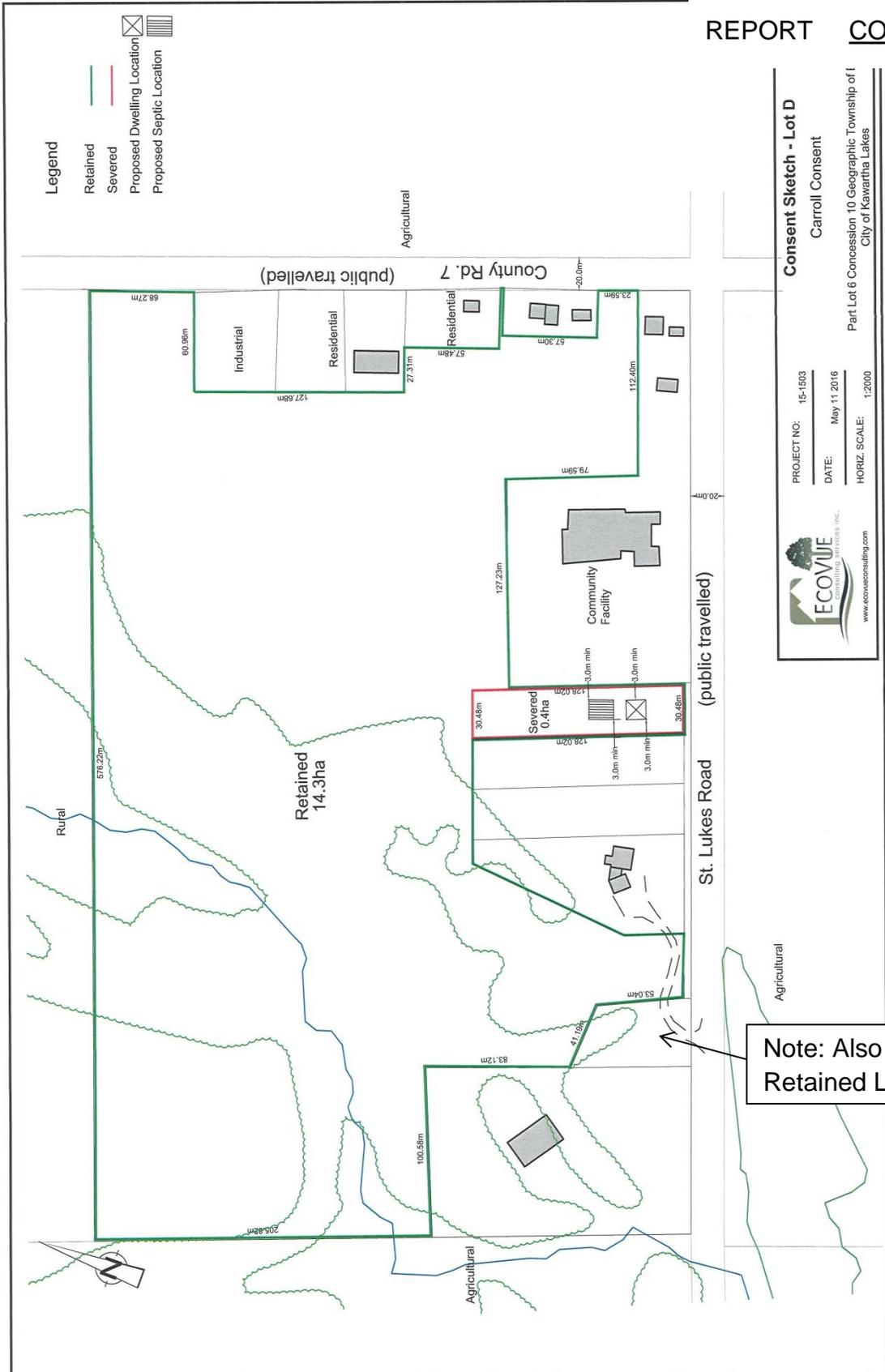
0.13 Kilometers  
 WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 © City Of Kawartha Lakes



to







Consolidated Sketch – Revised Lots (dated August 16, 2017)

APPENDIX “ D ”  
to  
REPORT COA2019-015

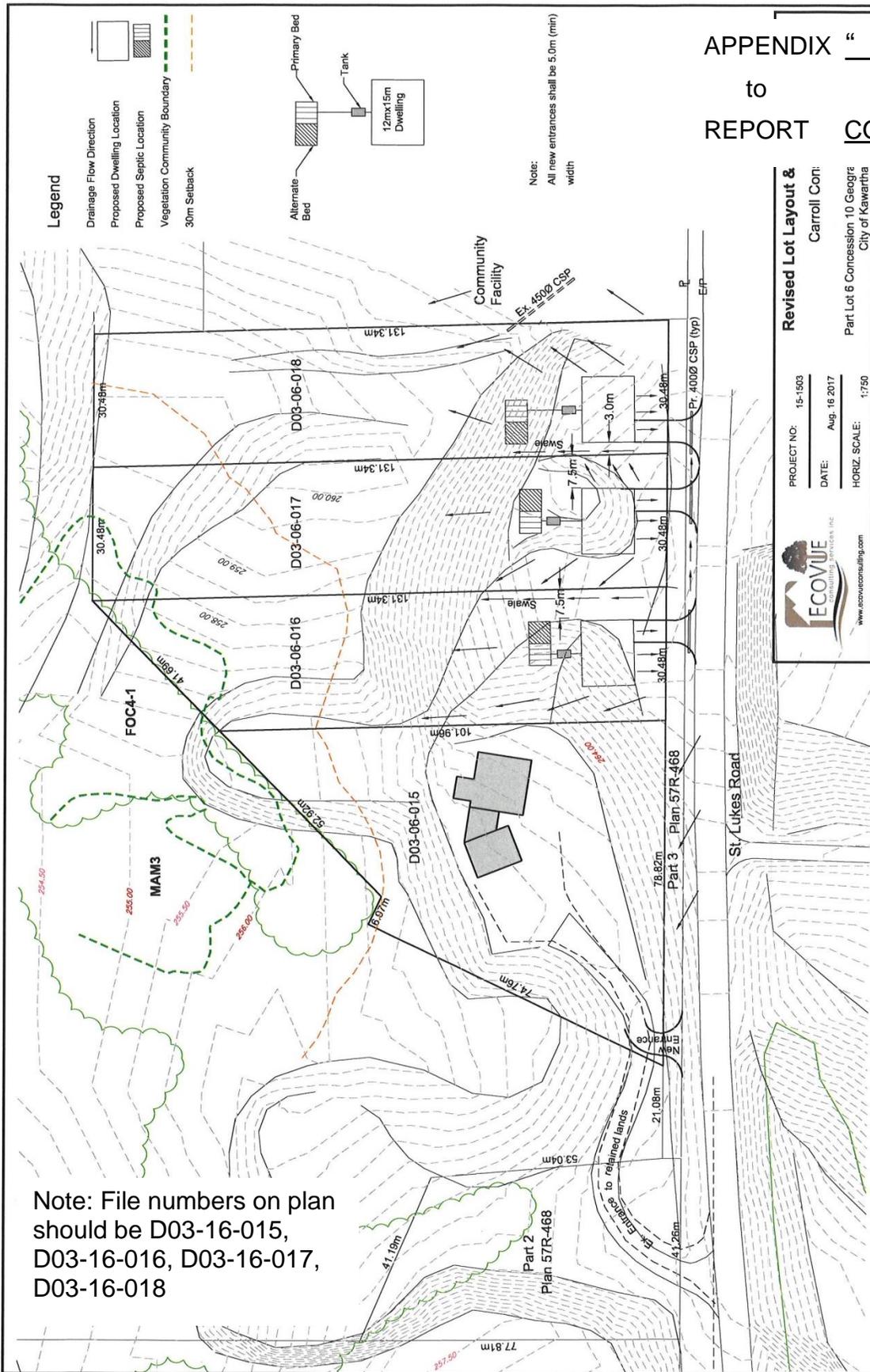
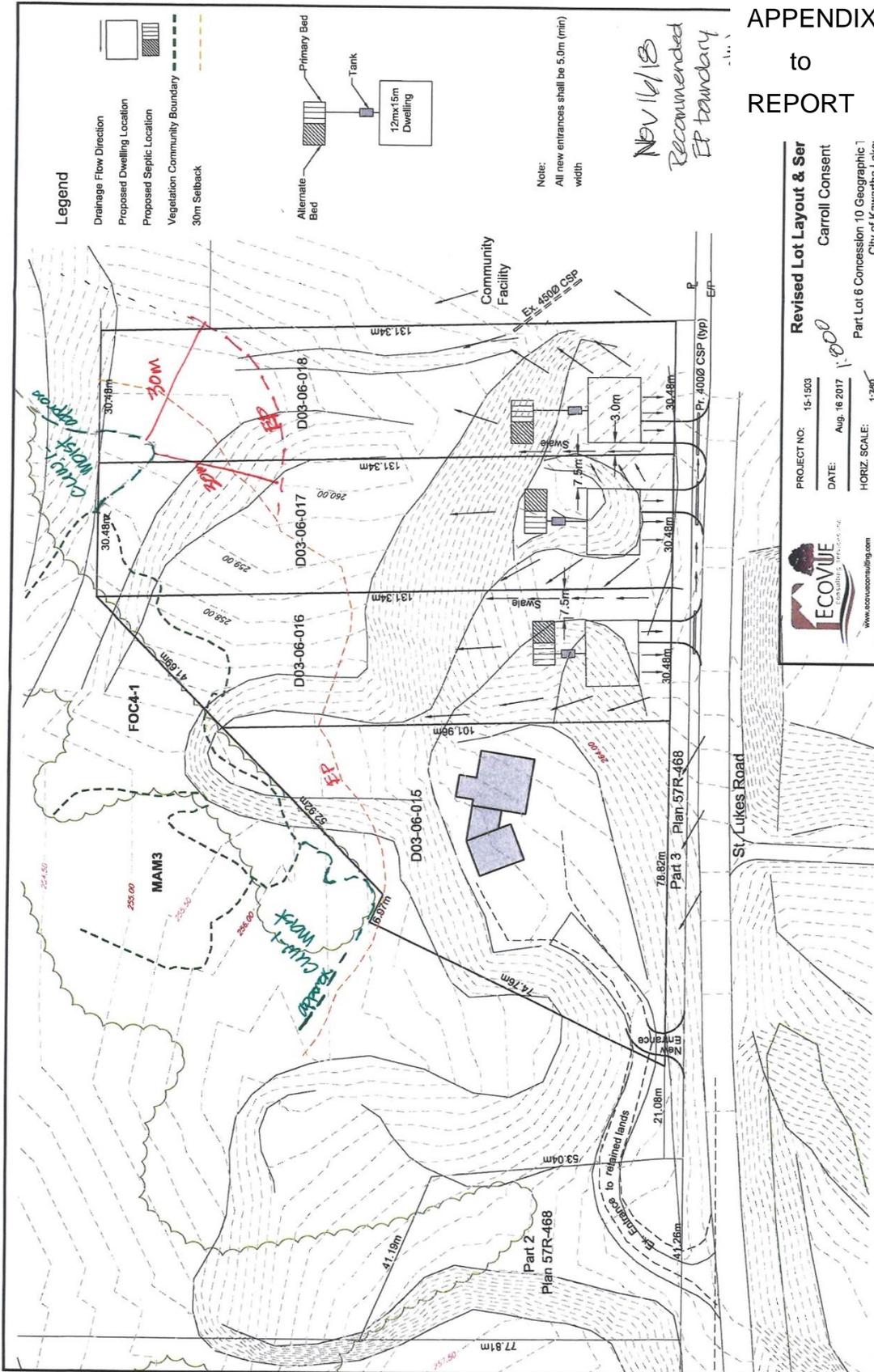


Illustration of Extent of Environmental Protection Zone

APPENDIX " E " to REPORT COA2019-015



APPENDIX “ F-1 “  
to  
REPORT COA2019-015

|                |                                    |
|----------------|------------------------------------|
| <b>Subject</b> | Consents                           |
| <b>From</b>    | Derryk Wolven                      |
| <b>To</b>      | Susan Cully                        |
| <b>Sent</b>    | Thursday, August 18, 2016 10:34 AM |

Please be advised the building division has the following comments:

D03-16-014 No setback dimensions provided. Unable to assess potential spatial separation issues.  
D03-16-015 No concerns  
D03-16-016 No concerns  
D03-16-017 No concerns  
D03-16-018 No concerns  
D03-16-020 No information provided with respect to the driveshed. Area of building face is key to review of spatial separation requirement. 6.1m would permit a building face area of 10m<sup>2</sup> with no ratings applied to the wall exposing the proposed lot line.

*D Wolven*

Plans Examiner  
Building Division  
City of Kawartha Lakes

705-324-9411 ext.1273  
dwolven@city.kawarthalakes.on.ca

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|                |   |                           |
|----------------|---|---------------------------|
| <b>Subject</b> | <b>RE: Consents D03-16- 15, 16, 17, and 18: Carroll, Part Lot 6, Con. 10 geographic Twp Emily, 305 St. Lukes Road</b> |                           |
| <b>From</b>    | Anne Elmhirst   | APPENDIX “ <u>F-2</u> “   |
| <b>To</b>      | Janet Wong  | to                        |
| <b>Sent</b>    | Friday, February 08, 2019 2:24 PM   | REPORT <u>COA2019-015</u> |

Hello Janet,

Thank you for providing further information on the proposed consent applications on St. Luke’s Road and the concerns for the water treatment devices as a result of the drinking water quality. Treatment devices attached to drinking water supplies often have backwash requirements to maintain the system. The backwashing practice can be detrimental to the sewage disposal system. As such, I would request an acknowledgement be provided in the consent agreements to identify that backwash water from a treatment device cannot be directed to the on-site sewage disposal system unless it has been specifically designed to accommodate such waste.

Should you have any questions, please do not hesitate to contact me.

Best Regards,

**Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.**

Supervisor – Part 8 Sewage Systems

Development Services - Building Division, City of Kawartha Lakes

705-324-9411 ext. 1882 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





Development Services/ Building Division  
180 Kent Street West  
Lindsay ON K9V 2Y6  
Tel: 705-324-9411 Ext. 1882  
1-888-822-2225  
Fax: 705-324-5514  
website: [www.city.kawarthalakes.on.ca](http://www.city.kawarthalakes.on.ca)

July 26, 2016

City of Kawartha Lakes  
Development Services – Planning Division  
180 Kent Street West,  
Lindsay, ON  
K9V 2Y6

Attention: Ms. Rea,

**RE: Consent Application – Severance  
305 St. Luke's Road,  
Lot S ½ Lt 6, Conc. 10  
Former Emily Township,  
City Of Kawartha Lakes  
File: D03-16-015-018  
Owner: Bob Carroll**

---

Our office has received and reviewed the above-mentioned applications to sever 1 residential lot with a dwelling, 3 vacant residential lots, and to retain a vacant parcel of land at the above-mentioned property.

The site was assessed to determine the suitability for the installation of new sewage disposal systems in relation to the severed and retained portions.

The vacant land consists of mostly sandy gravel material. However, there are some pockets in the low lying lands that contain silty sand and silt till materials with presence of water table. The location of proposed sewage systems at the time of development will determine whether the systems can be installed into the existing grade or require fill-based systems to compensate for high water table and impervious soils.

It has been determined that the severed properties identified as D03-16-0016, D03-16-017, and D03-16-018 are suitable for the installation of new Class 4 Sewage Disposal Systems to the minimum requirements of the Ontario Building Code.

The severed property identified as D03-16-015 has an existing dwelling serviced by an existing Class 4 Sewage System (File EM-7-00). The property boundaries have been designated to incorporate the existing sewage system.

The retained portion will accommodate a Class 4 Sewage Disposal System. However, it will be required to be maintained outside of the areas identified as Significant Woodland or Wetland.

Therefore, the Building Division – Sewage System Program has no objection to the proposed consent applications.

Should you have any questions or concerns please contact the undersigned at (705) 324-9411 ext. 1882.

Sincerely,

A handwritten signature in black ink, appearing to read "A Elmhirst". The signature is written in a cursive style with a large initial "A" and a long horizontal stroke at the end.

Anne Elmhirst, B.A. Sc., B.Sc.(H), C.P.H.I. (C)  
Sewage System Coordinator  
City of Kawartha Lakes



*The Corporation of The  
City of Kawartha Lakes*

**Community Services Department  
Administration Office  
(705) 324-9411 ext. 1300**

**MEMORANDUM**

APPENDIX “ F-3 ”

to

REPORT COA2019-015

**DATE:** August 31, 2016  
**TO:** **Committee of Adjustment**  
**FROM:** Lisa Peimann, Executive, Community Services  
**RE:** Various Applications

---

This memorandum confirms receipt of various applications for Consent to the Community Services Department. Our Department would request that, as a condition of this Consent, the Committee consider the appropriate cash-in-lieu of parkland against the value of each lot created for the following applications:

|                       |                            |
|-----------------------|----------------------------|
| D03-16-014            | 771 Lilac Road, Ops        |
| D03-16-015-D03-16-018 | 305 St. Luke's Road, Emily |

Community Services has no concerns regarding these following applications:

|                       |   |
|-----------------------|---|
| D03-16-020-D03-16-021 | 18619 Simcoe Street & Vacant Land, Mariposa |
|-----------------------|---|

  
\_\_\_\_\_  
Craig Shanks  
Director of Community Services

|                |  |
|----------------|--|
| <b>Subject</b> | <b>RE: St. Lukes School - Downeyville - drainage</b> |
| <b>From</b>    | Roberta Perdue                                       |
| <b>To</b>      | Janet Wong; 'Kevin Hickey'                           |
| <b>Cc</b>      | Christina Sisson; Richard Holy                       |
| <b>Sent</b>    | Wednesday, January 09, 2019 7:58 AM                  |

APPENDIX “ F-4 “  
to  
REPORT COA2019-015

Good Morning,

Further to our discussions, Engineering confirms that an easement is required for drainage, existing drainage structures, and operation & maintenance activities associated with the drainage, in favour of the City and the PVNCC District School Board, on the proposed new lot adjacent to the school property. The easement will be completed at the expense of the developer. The City can review and provide the clearance of a Condition of Consent on behalf of the City and the PVNCCDSB, or alternatively PVNCCDSB can also review and provide a clearance, if the Board requires/wants to review.

We recommend the following condition:

The Owner shall convey an easement over Lot # to be severed, to the City of Kawartha Lakes and Peterborough Victoria Northumberland and Clarington Catholic District School Board, for drainage, existing drainage structures, and operation & maintenance activities associated with the drainage.

Please let us know if you have any questions.

Thank you,

Roberta

**Roberta Perdue, C.E.T.**

Senior Engineering Technician

Engineering & Corporate Assets Department, City of Kawartha Lakes

12 Peel Street, Lindsay, ON K9V 5R8

Tel: 705-324-9411 ext. 1154 | Toll Free: 1-888-822-2225 | [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



|                |   |
|----------------|---|
| <b>Subject</b> | <b>FW: Consents D03-16- 15, 16, 17, and 18: Carroll, Part Lot 6, Con. 10 geographic Twp Emily, 305 St. Lukes Road</b> |
| <b>From</b>    | Roberta Perdue  |
| <b>To</b>      | Janet Wong  |
| <b>Cc</b>      | Christina Sisson; Kirk Timms; Joseph Newbery  |
| <b>Sent</b>    | Wednesday, September 13, 2017 1:11 PM   |

Good Afternoon,

Engineering provides the following comments:

- Engineering recommends the applicant enter into a Consent Agreement with the City, to establish entrances and overall lot grading for the proposed lots. As part of the Consent Agreement, a detailed Overall Lot Grading Plan and Sediment and Erosion Control Plan must be prepared, to confirm conformity to the City’s entrance policies and lot grading requirements.
- Engineering recommends an easement be formalized on the proposed severed parcel D03-06-018, to confirm the existing drainage from the adjacent school property and St. Luke’s Road.

|                |   |                                 |
|----------------|---|---------------------------------|
| <b>Subject</b> | <b>RE: Carroll Consent applications FW: Letter regarding nitrate concentrations</b> | APPENDIX “ <u>F-5</u> “         |
| <b>From</b>    | David Kerr  | to<br>REPORT <u>COA2019-015</u> |
| <b>To</b>      | Janet Wong; Richard Holy  |                                 |
| <b>Sent</b>    | Friday, November 16, 2018 2:09 PM   |                                 |

Hi Janet-yes the nitrate levels are within an acceptable level. If one was to put a warning clause on the agreement it would be our recommendation to ensure that the water should be tested annually and treated for bacteria and pathogens if utilized for a drinking water supply.

Thanks Dave

David Kerr P. Geo.  
 Manager of Environmental Services,  
 Public works, City of Kawartha Lakes  
 dkerr@kawarthalakes.ca  
 705-324-9411 ext 1118  
 705-340-3448 cell

**From:** David Kerr  
**Sent:** Friday, September 15, 2017 12:43 PM  
**To:** Janet Wong  
**Subject:** RE: Dave's comments on proposed severances on 305 St. Lukes Road, Downeyville

Hi Janet

I have reviewed the information you provided me and am confident that based on the information supplied in the Cambium report there is more than sufficient groundwater quantity to sustain the proposed lots without causing an issue with the neighboring supplies and any major impact to the aquifer. However I do have some concerns with the water quality of the groundwater supply and how it may be impacted after development. I do question whether or not the water quality will meet Ministry of the Environment and Climate Changes’s Maximum Acceptable concentrations of 10 mg/l. for nitrates. This is a health standard as opposed to aesthetic standard. Based on one test in December of 2015 of the recently installed pumping well on site the nitrate level was 8.24 mg/l. This is close to the limit of 10 mg/l and it is possible at other times of the year the concentration actually exceeds 10 mg/l. To assess if this is the case it would be recommended that additional samples be undertaken for comparison purposes.

In addition I have a concern that the proposed wells are immediately downgradient of the school. Assuming that the school is on a septic system there may be even higher nitrates in the groundwater between the well PW101 and the school. This would mean that Lot D is in an even riskier location i.e. potential higher nitrate concentrations in the groundwater closer to the source which would potentially

be the school septic system. I am assuming that the school is on a septic system as opposed to holding tanks. This uncertainty needs to be better understood.

The other factor that does not appear to have been considered but may impact the water quality is that there has not been any nitrate loading studies undertaken to assess what the contribution of nitrates to the groundwater will be from the proposed development. This should be undertaken by a professional firm such as Cambium to evaluate if the proposed development will cause levels on site or offsite to exceed 10 mg/l.

Hope these comments are useful!

Dave

David Kerr P. Geo.

Manager of Environmental Services,  
Public works, City of Kawartha Lakes

[dkerr@kawarthalakes.ca](mailto:dkerr@kawarthalakes.ca)

705-324-9411 ext 1118

705-340-3448 cell

APPENDIX “ F-6 “  
to  
REPORT COA2019-015

**From:** Katie Jane Harris [<mailto:kjharris@kawarthaconservation.com>]

**Sent:** Wednesday, August 30, 2017 3:16 PM

**To:** Janet Wong; Christina Sisson; Susanne Murchison

**Cc:** Derryk Wolven; Anne Elmhirst; Ron Warne

**Subject:** RE: Consents D03-16- 15, 16, 17, and 18: Carroll, Part Lot 6, Con. 10 geographic Twp Emily, 305 St. Lukes Road

Good Afternoon,

As per Ron Warne, Director Planning, Development & Engineering’s email of June 27, 2017, “Kawartha Region Conservation Authority has no further comments or concerns related to the granting of provisional consent for the four applications”.

I trust this is of assistance.

Best Regards,

Katie Jane

Katie Jane Harris B.E.S.

Resources Planner

KAWARTHA CONSERVATION

277 Kenrei Road

Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 232

Fax: 705.328.2286

[KawarthaConservation.com](http://KawarthaConservation.com)



**KAWARTHA  
CONSERVATION**

Discover · Protect · Restore

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|                    |   |
|--------------------|---|
| <b>Subject</b>     | <b>305 St Lukes Property EIS and Flood Study Review</b>     |
| <b>From</b>        | <u>Angela Horner</u>  |
| <b>To</b>          | khurford@ecovueconsulting.com                               |
| <b>Cc</b>          | rwarne@kawarthaconservation.com; Janet Wong                 |
| <b>Sent</b>        | Thursday, November 24, 2016 1:10 PM                         |
| <b>Attachments</b> | <<Carroll-Trogenza_LD_FLOODPLAIN_PEER-REVIEW_20161117.pdf>> |

Dear Ken:

Please find following KRCA comment on the EIS by Cambium Inc. (Aug 2015) regarding the proposed severance at 305 St. Luke's Street, Geographic Township of Emily, City of Kawartha Lakes.

Also please find attached Central Lake Ontario Conservation Authority's peer review of the C.C. Tatham and Associates Ltd. Floodplain Analysis (Sept 2015) for the same site.

EIS comments are:

Wetland

The wetland, of which part of is in the study area, is delineated only on the south side of the wetland that is in the study area. The wetland itself is approximately 9ha and so should be treated as a wetland greater than 2ha. The EIS appears to use the area of the wetland within the study area as wetland size, but it is the whole wetland that is used to calculate wetland area. Wetlands greater than 2 ha are treated as provincially significant with an adjacent area of 120m to consider, as per OMNR direction and KRCA policy. With this new perspective of wetland as significant, what is EIS recommended development setback?

Woodland

The moist woodland communities in the study area (CUW1-moist, FOC4-1) are adjacent to significant wetland (as above) and contiguous with woodland leading to significant woodland NW of the on-site communities. This adjacency effects evaluation of their significance level as per the Natural Heritage Reference Manual (NHRM). The mapping of the CKL OP significant woodland boundary northwest of the site ends with an administrative boundary (see straight lines) yet actual/ecological woodland continues south and west to the on-site woodland. This may have been overlooked or not considered in the EIS. Patches in forest cover of connecting area appear to be wetland similar in form to the patch classified in the EIS and likely connected to the adjacent wetland. Patches in forest cover are not large enough to be considered a break in the above mentioned woodland (as per NHRM).

Does EIS recognize the moist woodlands as significant woodlands abutting significant woodlands, and overlapping and abutting significant wetland contributing to the ecological benefit to these features (NHRM criteria and standards)? Or at a minimum a buffer to these features? Significant woodlands have adjacent area of 120m to consider. Does EIS recommend development buffers to these woodlands?

Lot lines

Consistent with the Provincial Policy Statement, KRCA policies do not support boundaries through significant natural heritage features and buffers of these features. As such, lot lines should be reconfigured to not bisect significant features and to keep buffers with features. Recommend reconfiguring lots to exclude wetland, woodland and associated buffers. If not feasible to keep buffers with feature, at a minimum lot lines should not bisect features. If EIS does not consider woodland significant, KRCA strongly recommends keeping woodlands as buffer to wetlands, and this reflected in lot lines.

Fish Habitat

Portions of the wetland that are contiguous with Emily Creek would be considered fish habitat, and so the limit of the 120m of adjacent lands may extend further into the site than the report indicates. KRCA staff reviewing to advise on this. Comment to this available next week.

Please feel free to call for any reason.

Best regards,

Angela

Angela Horner  
Resources Planner  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 232

Fax: 705.328.2286

[KawarthaConservation.com](http://KawarthaConservation.com)



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Peterborough Victoria  
Northumberland and Clarington  
Catholic District School Board

received  
Feb 21/19

PETER L. ROACH  
CATHOLIC  
EDUCATION  
CENTRE

APPENDIX “ F-7 “  
to  
REPORT COA2019-015

February 21, 2019

Janet Wong, MCIP RPP

Planner II, Development Services – Planning Division

City of Kawartha Lakes

Subject: Consent Applications D03-16-018. Carroll 305 St. Luke Rd. Emily.

In regards to the above application, it is the Boards understanding that the drain pipe that exits west from the school property is a municipal drain pipe connected to catch basins along St. Luke Road. To the best of our knowledge, the school property does not access this drain pipe.

The School Board would like to ensure that drainage from this pipe is not impeded in any way as a result of severance and building on the lot in question. As such, the School Board requests as a condition of provisional consent that an easement be registered on the title in favour of the Board. The Board also understands that the cost of the easement will be at the expense of the developer.

To this end, the Board would like to have the opportunity to provide clearance of this condition.

Sincerely,

Kevin Hickey

Manager of Purchasing, Planning and Facilities Administration  
PVNCCDSB  
1355 Lansdowne Street West  
Peterborough, ON. K9J 7M3  
705-748-4861 x234  
[kevhickey@pvnccdsb.on.ca](mailto:kevhickey@pvnccdsb.on.ca)

8/31/16

I WOULD LIKE TO BE NOTIFIED OF  
THE RECOMMENDATION AND/OR  
DECISION OF THE CITY OF KAWARTHA  
LAKES IN RESPECT OF THE PROPOSED  
CONSENT RE: 305 ST. LUKES ROAD  
PART LOT 6 CONC. 10.

D03-16-015 D03-16-016  
D03-16-017 D03-16-018

PLEASE KEEP ME ADVISED AS I TRIED  
TO SEVER A LOT (WITH HOUSE ON IT) FROM  
MY FARM TO FULFILL A WILL AND WAS  
FLATLY DENIED. WOULD BE VERY  
INTERESTED IN HOW THEY ARE DOING  
THESE SEVERANCES SO I CAN ALSO DO  
IT.

*John Lucas*  
937 Sturgeon Rd  
Lindsay Ontario

RECEIVED

SEP 01 2016

City of Kawartha Lakes  
Development Services  
Planning Division

326 St. Lukes Rd.

Aug. 21, 2016.

APPENDIX " G-2 "

to

REPORT COA2019-015

Mr. Mayor, Councilman, Radio & gentlemen.  
My concerns lay with the following lots:  
D03-16-016, D03-16-017, D03-16-018.

While I would certainly miss the wonderful view of the hills, trees and wildlife my greatest concern is the issue of <sup>#1</sup> safety.

My name is Jean Johnson and we have owned our property across the road from D03-16-018 for over 25 years.

What you may or may not know is that these properties are located on a hill.

I don't know how my own driveway was allowed because of the lack of visibility with vehicles coming over the hill - all look clear, you start your turn into or out of the driveway only to realize a vehicle has <sup>not</sup> <sup>of 900 ft</sup> crested the hill and is bearing down on you - some will say what's the problem the road is posted with reduced speed limit signs and school zone signs but like everywhere else a sign is only effective if obeyed and there are always people out there that don't comply.

It may not <sup>look</sup> like much of a hill but come out park your vehicles and walk the hill in both directions, you will see exactly what I mean.

I feel that adding more driveways on both sides of the hill will be tempting fate... and setting a dangerous precedence.

Not something I would want to take responsibility for. Definitely not a safe location for ~~driveways~~ driveways.

X bjm.

Issue #2.

Now I am not sure whether they will have one well on each property or a main shared well but nevertheless what happens if they drill into the same water vein we use and it is not adequate and I end up with water problems for over 25 years we have had great water and lots of it, no problems. But who takes the responsibility if there is a problem - or am I left high and dry?

I would appreciate it if my concerns are addressed and I would like to be informed on the outcome of the proceedings.

Thank you.

Jean Johnson property owner  
Kathy Johnson property owner

RECEIVED

AUG 22 2016

City of Kawartha Lakes  
Development Services  
Planning Division

Proposed Conditions – D03-16-015 – Lot 1

1. This approval applies to the transaction applied for June 2, 2016 for Lot 1 and revised as illustrated on consolidated Sketch for Severance dated August 16, 2017 for a 0.47 ha. lot with an existing dwelling subject to such minor revisions as required to extend the 52.9 m. lot line to intersect directly with the 74.7 m lot line as illustrated on the Sketch for Severance.
2. The applicant shall apply for, pay the prescribed fee and obtain an amendment to the Township of Emily Comprehensive Zoning By-law 1996-30 respecting the lot to be severed, such that the significant natural heritage features and buffer are rezoned from “Agricultural (A1) Zone” to “Environmental Protection (EP) Zone”; and from “Agricultural (A1) Zone” to “Hamlet Residential-Exception \* (HR-\*) Zone” to not require a 15 setback from the EP Zone boundary nor yard requirement from the zone boundary; and, the By-law be in effect.
3. The applicant shall apply for, pay the prescribed fee and obtain an amendment to the Township of Emily Comprehensive Zoning By-law 1996-30 respecting the lot to be retained, such that the significant natural heritage features are rezoned from “Agricultural (A1) Zone” to “Environmental Protection (EP) Zone” and “Agricultural Exception \* (A1-\*) Zone” to recognize the reduced lot area; and, the By-law be in effect.
4. Submit to the Secretary-Treasurer written confirmation from the Development Engineering Division that a general lot grading and drainage plan and erosion and sediment control plan for each lot to be created has been submitted to and approved by the Development Engineering Division. Such plan shall include the individual lot layout, building envelope, sewage disposal system, drainage swales, entrances etc., demonstrating there is no negative impact from any of the individual lots.
5. The Owners enter into a Consent Agreement, pursuant to Section 51(26) of the Planning Act, with the City of Kawartha Lakes to include:
  - a) all plans prepared under condition 4;
  - b) notifications to subsequent owners that:
    - i) Ontario Drinking Water Quality Standards for sodium, chloride, nitrate/nitrite, hardness are elevated or exceed and treatment systems for drinking water may be desirable. Annual testing of drinking water, especially if no treatment system is installed, is recommended to confirm Ontario Drinking Water Quality Standards are within acceptable limits;
    - ii) Drinking water be tested annually and treated, if required, for bacteria and pathogens; and,
    - iii) Backwash water from a treatment device cannot be directed to the on-site sewage disposal system unless it has been specifically designed to accommodate such waste.

The agreement shall:

- be registered against the severed land and the owner’s solicitor shall provide a written undertaking to the Secretary-Treasurer acknowledging that the agreement shall be registered once a Parcel Identification Number has been assigned by the Land Registry Office;

- be binding on all subsequent owners of the land; and
  - include a provision that notification of the restrictions in the agreement must be included in all future offers to purchase and sale of the lot or the offer shall be considered as null and void.
6. Submit to the Secretary-Treasurer written confirmation from the City's Manager of Roads Operations that an entrance permit application and applicable fee has been submitted in accordance with the City's Public Works Entrance By-law to the Manager's satisfaction to demonstrate that an entrance, respecting the lot to be severed, is possible.
  7. Payment of cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
  8. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
  9. Submit to the Secretary-Treasurer one copy of the preliminary reference plan of survey of the residential lot to be severed, for review and endorsement, and a copy of the subsequent registered reference plan of survey.
  10. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$450.00 (2019 rate). Payment shall be by certified cheque, money order, or from a lawyers trust account.
  11. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
  12. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.
  13. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
  14. The applicant shall pay all costs associated with the preparation and registration of the required documents.
  15. All of these conditions shall be fulfilled within a period of one year after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the *Planning Act*, this consent shall be deemed to be refused.

to

## Proposed Conditions – D03-16-016 – Lot 2

1. This approval applies to the transaction applied for June 2, 2016 for Lot 2 and revised as illustrated on consolidated Sketch for Severance dated August 16, 2017 to sever a 0.35 ha. (approximately) vacant lot.
2. The applicant shall apply for, pay the prescribed fee and obtain an amendment to the Township of Emily Comprehensive Zoning By-law 1996-30 respecting the lot to be severed, such that the significant natural heritage features and buffer are rezoned from “Agricultural (A1) Zone” to “Environmental Protection (EP) Zone”; and from “Agricultural (A1) Zone” to “Hamlet Residential-Exception \* (HR-\*) Zone” to not require a 15 setback from the EP Zone boundary nor yard requirement from the zone boundary; and, the By-law be in effect.
3. The applicant shall apply for, pay the prescribed fee and obtain an amendment to the Township of Emily Comprehensive Zoning By-law 1996-30 respecting the lot to be retained, such that the significant natural heritage features are rezoned from “Agricultural (A1) Zone” to “Environmental Protection (EP) Zone” and “Agricultural Exception \* (A1-\*) Zone” to recognize the reduced lot area; and, the By-law be in effect.
4. Submit to the Secretary-Treasurer written confirmation from the Development Engineering Division that a general lot grading and drainage plan and erosion and sediment control plan for each lot to be created has been submitted to and approved by the Development Engineering Division. Such plan shall include the individual lot layout, building envelope, sewage disposal system, drainage swales, entrances etc., demonstrating there is no negative impact from any of the individual lots.
5. The Owners enter into a Consent Agreement, pursuant to Section 51(26) of the Planning Act, with the City of Kawartha Lakes to include:
  - a) all plans prepared under condition 4;
  - b) notifications to subsequent owners that:
    - i) Ontario Drinking Water Quality Standards for sodium, chloride, nitrate/nitrite, hardness are elevated or exceed and treatment systems for drinking water may be desirable. Annual testing of drinking water, especially if no treatment system is installed, is recommended to confirm Ontario Drinking Water Quality Standards are within acceptable limits;
    - ii) Drinking water be tested annually and treated, if required, for bacteria and pathogens; and,
    - iii) Backwash water from a treatment device cannot be directed to the on-site sewage disposal system unless it has been specifically designed to accommodate such waste.

The agreement shall:

- be registered against the severed land and the owner’s solicitor shall provide a written undertaking to the Secretary-Treasurer acknowledging that the agreement shall be registered once a Parcel Identification Number has been assigned by the Land Registry Office;

- be binding on all subsequent owners of the land; and
  - include a provision that notification of the restrictions in the agreement must be included in all future offers to purchase and sale of the lot or the offer shall be considered as null and void.
6. Submit to the Secretary-Treasurer written confirmation from the City's Manager of Roads Operations that an entrance permit application and applicable fee has been submitted in accordance with the City's Public Works Entrance By-law to the Manager's satisfaction to demonstrate that an entrance, respecting the lot to be severed, is possible.
  7. Payment of cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
  8. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
  9. Submit to the Secretary-Treasurer one copy of the preliminary reference plan of survey of the residential lot to be severed, for review and endorsement, and a copy of the subsequent registered reference plan of survey.
  10. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$450.00 (2019 rate). Payment shall be by certified cheque, money order, or from a lawyers trust account.
  11. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
  12. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.
  13. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
  14. The applicant shall pay all costs associated with the preparation and registration of the required documents.
  15. All of these conditions shall be fulfilled within a period of one year after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the *Planning Act*, this consent shall be deemed to be refused.

to

## Proposed Conditions – D03-16-017 – Lot 3

1. This approval applies to the transaction applied for June 2, 2016 for Lot 3 and revised as illustrated on consolidated Sketch for Severance dated August 16, 2017 to sever a 0.4 ha. (approximately) vacant lot.
2. The applicant shall apply for, pay the prescribed fee and obtain an amendment to the Township of Emily Comprehensive Zoning By-law 1996-30 respecting the lot to be severed, such that the significant natural heritage features and buffer are rezoned from “Agricultural (A1) Zone” to “Environmental Protection (EP) Zone”; and from “Agricultural (A1) Zone” to “Hamlet Residential-Exception \* (HR-\*) Zone” to not require a 15 setback from the EP Zone boundary nor yard requirement from the zone boundary; and, the By-law be in effect.
3. The applicant shall apply for, pay the prescribed fee and obtain an amendment to the Township of Emily Comprehensive Zoning By-law 1996-30 respecting the lot to be retained, such that the significant natural heritage features are rezoned from “Agricultural (A1) Zone” to “Environmental Protection (EP) Zone” and “Agricultural Exception \* (A1-\*) Zone” to recognize the reduced lot area; and, the By-law be in effect.
4. Submit to the Secretary-Treasurer written confirmation from the Development Engineering Division that a general lot grading and drainage plan and erosion and sediment control plan for each lot to be created has been submitted to and approved by the Development Engineering Division. Such plan shall include the individual lot layout, building envelope, sewage disposal system, drainage swales, entrances etc., demonstrating there is no negative impact from any of the individual lots.
5. The Owners enter into a Consent Agreement, pursuant to Section 51(26) of the Planning Act, with the City of Kawartha Lakes to include:
  - a) all plans prepared under condition 4;
  - b) notifications to subsequent owners that:
    - i) Ontario Drinking Water Quality Standards for sodium, chloride, nitrate/nitrite, hardness are elevated or exceed and treatment systems for drinking water may be desirable. Annual testing of drinking water, especially if no treatment system is installed, is recommended to confirm Ontario Drinking Water Quality Standards are within acceptable limits;
    - ii) Drinking water be tested annually and treated, if required, for bacteria and pathogens; and,
    - iii) Backwash water from a treatment device cannot be directed to the on-site sewage disposal system unless it has been specifically designed to accommodate such waste.

The agreement shall:

- be registered against the severed land and the owner’s solicitor shall provide a written undertaking to the Secretary-Treasurer acknowledging that the agreement shall be registered once a Parcel Identification Number has been assigned by the Land Registry Office;

- be binding on all subsequent owners of the land; and
  - include a provision that notification of the restrictions in the agreement must be included in all future offers to purchase and sale of the lot or the offer shall be considered as null and void.
6. Submit to the Secretary-Treasurer written confirmation from the City's Manager of Roads Operations that an entrance permit application and applicable fee has been submitted in accordance with the City's Public Works Entrance By-law to the Manager's satisfaction to demonstrate that an entrance, respecting the lot to be severed, is possible.
  7. Payment of cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
  8. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
  9. Submit to the Secretary-Treasurer one copy of the preliminary reference plan of survey of the residential lot to be severed, for review and endorsement, and a copy of the subsequent registered reference plan of survey.
  10. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$450.00 (2019 rate). Payment shall be by certified cheque, money order, or from a lawyers trust account.
  11. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
  12. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.
  13. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
  14. The applicant shall pay all costs associated with the preparation and registration of the required documents.
  15. All of these conditions shall be fulfilled within a period of one year after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the *Planning Act*, this consent shall be deemed to be refused.

to

## Proposed Conditions – D03-16-018 – Lot 4

1. This approval applies to the transaction applied for June 2, 2016 for Lot 3 and revised as illustrated on consolidated Sketch for Severance dated August 16, 2017 to sever a 0.4 ha. (approximately) vacant lot.
2. The applicant shall apply for, pay the prescribed fee and obtain an amendment to the Township of Emily Comprehensive Zoning By-law 1996-30 respecting the lot to be severed, such that the significant natural heritage features and buffer are rezoned from “Agricultural (A1) Zone” to “Environmental Protection (EP) Zone”; and from “Agricultural (A1) Zone” to “Hamlet Residential-Exception \* (HR-\*) Zone” to not require a 15 setback from the EP Zone boundary nor yard requirement from the zone boundary; and, the By-law be in effect.
3. The applicant shall apply for, pay the prescribed fee and obtain an amendment to the Township of Emily Comprehensive Zoning By-law 1996-30 respecting the lot to be retained, such that the significant natural heritage features are rezoned from “Agricultural (A1) Zone” to “Environmental Protection (EP) Zone” and “Agricultural Exception \* (A1-\*) Zone” to recognize the reduced lot area; and, the By-law be in effect.
4. The owner shall convey a drainage easement, free and clear of encumbrances, along the east property line in favour of the City of Kawartha Lakes for the conveyance of surface water from the inlet to the outlet, be over the existing drainage structure(s), and provide sufficient space for operation and maintenance activities associated with the drainage flow path. The easement width will be determined through the drainage plan and will start from the intersection of the corrugated steel pipe with the property line and extend north to the rear property line.
5. A copy of the registered Transfer for the drainage easement be provided to the Secretary-Treasurer along with the deed for fulfillment of condition 4.
6. Submit to the Secretary-Treasurer written confirmation from the Development Engineering Division that a general lot grading and drainage plan and erosion and sediment control plan for each lot to be created has been submitted to and approved by the Development Engineering Division. Such plan shall include the individual lot layout, building envelope, sewage disposal system, drainage swales, entrances etc., demonstrating there is no negative impact from any of the individual lots.
7. The Owners enter into a Consent Agreement, pursuant to Section 51(26) of the Planning Act, with the City of Kawartha Lakes to include:
  - a) all plans prepared under condition 6;
  - b) notifications to subsequent owners that:
    - i) Ontario Drinking Water Quality Standards for sodium, chloride, nitrate/nitrite, hardness are elevated or exceed and treatment systems for drinking water may be desirable. Annual testing of drinking water, especially if no treatment system is installed, is recommended to confirm Ontario Drinking Water Quality Standards are within acceptable limits;
    - ii) Drinking water be tested annually and treated, if required, for bacteria and pathogens; and,

- iii) Backwash water from a treatment device cannot be directed to the on-site sewage disposal system unless it has been specifically designed to accommodate such waste.

The agreement shall:

- be registered against the severed land and the owner's solicitor shall provide a written undertaking to the Secretary-Treasurer acknowledging that the agreement shall be registered once a Parcel Identification Number has been assigned by the Land Registry Office;
  - be binding on all subsequent owners of the land; and
  - include a provision that notification of the restrictions in the agreement must be included in all future offers to purchase and sale of the lot or the offer shall be considered as null and void.
8. Submit to the Secretary-Treasurer written confirmation from the City's Manager of Roads Operations that an entrance permit application and applicable fee has been submitted in accordance with the City's Public Works Entrance By-law to the Manager's satisfaction to demonstrate that an entrance, respecting the lot to be severed, is possible.
  9. Payment of cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
  10. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
  11. Submit to the Secretary-Treasurer one copy of the preliminary reference plan of survey of the residential lot to be severed, for review and endorsement, and a copy of the subsequent registered reference plan of survey.
  12. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$450.00 (2019 rate). Payment shall be by certified cheque, money order, or from a lawyers trust account.
  13. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
  14. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.
  15. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
  16. The applicant shall pay all costs associated with the preparation and registration of the required documents.

17. All of these conditions shall be fulfilled within a period of one year after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the *Planning Act*, this consent shall be deemed to be refused.