

APPENDIX: A

to

REPORT COA2019-017

FILE NO: D20-2019-009

**D20-2019-009**

**Geographic Township of Somerville**

**Lot 19**

**Concession 7**

**SUBJECT LAND**

Griffin Dr

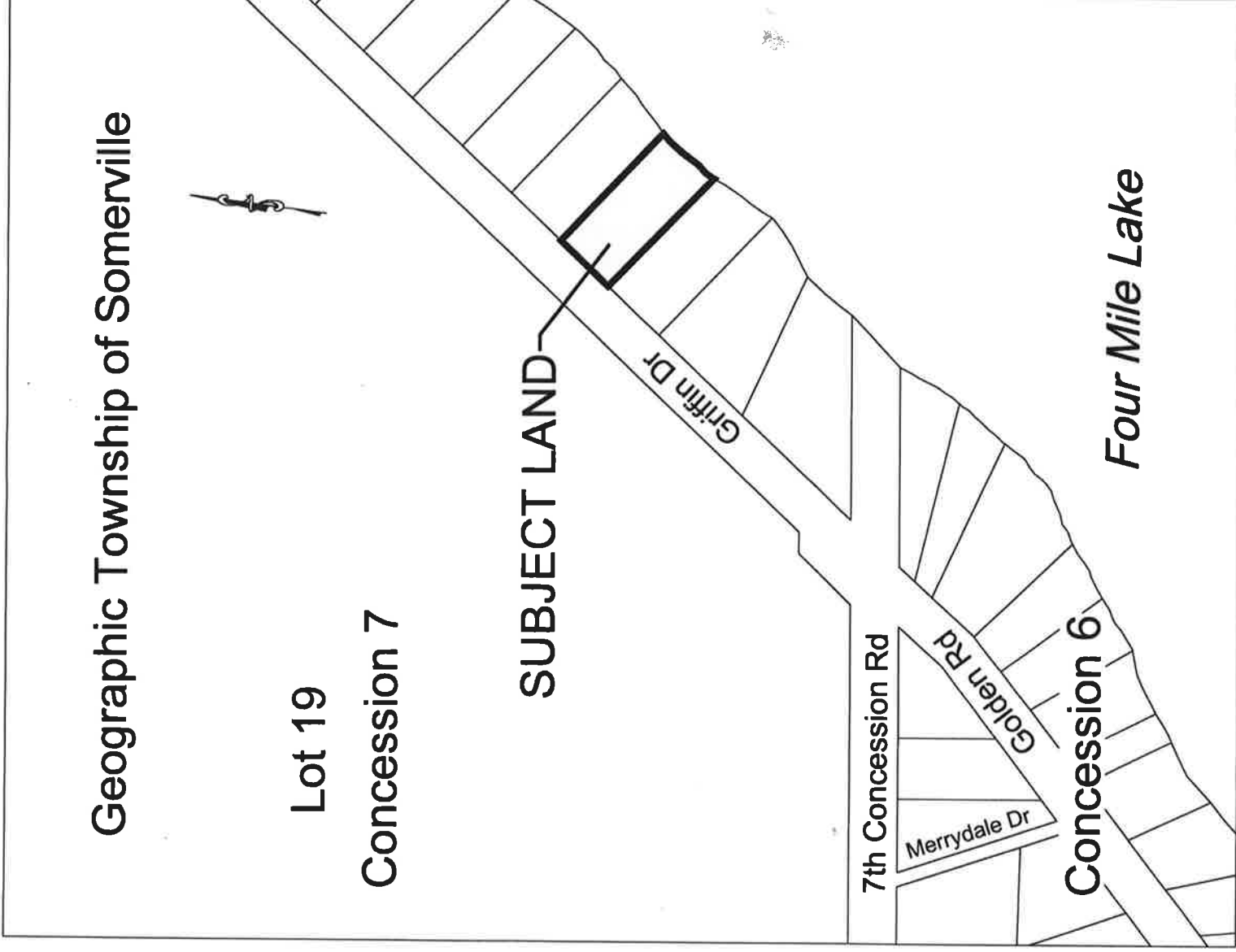
7th Concession Rd

Merrydale Dr

Golden Rd

**Concession 6**

*Four Mile Lake*



APPENDIX: B

to

REPORT COA2019-017

FILE NO: D20-2019-007



## 20 Griffin Drive, Geographic Township of Somerville



0.23

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



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

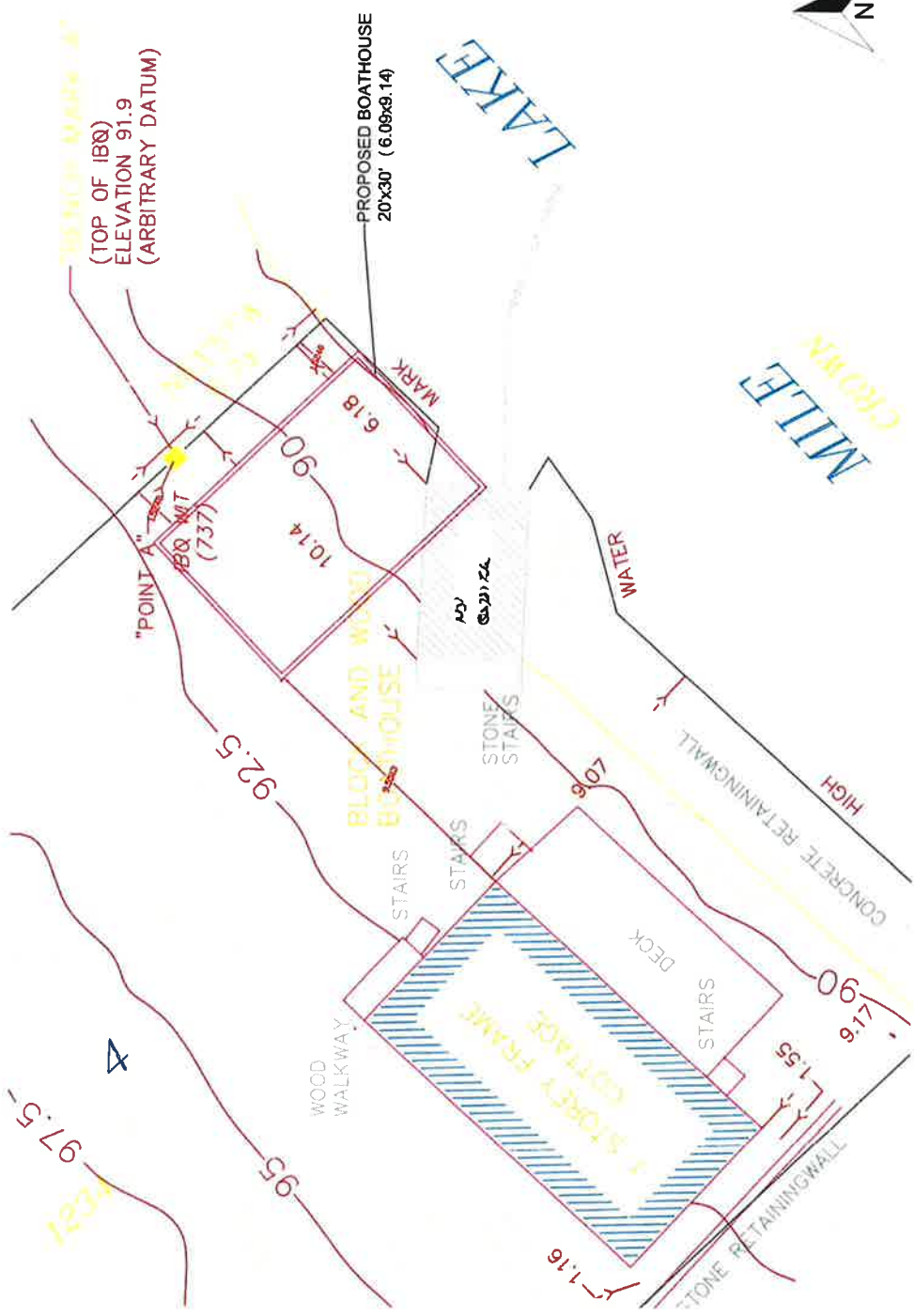
APPENDIX: C

to

REPORT COA2019-017

FILE NO: D20-2019-007

**Site Plan Sketch**



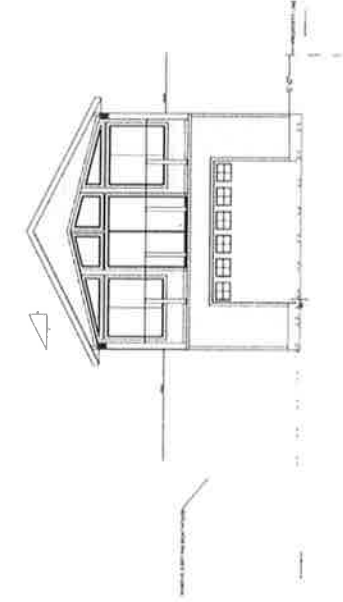
APPENDIX: D

to

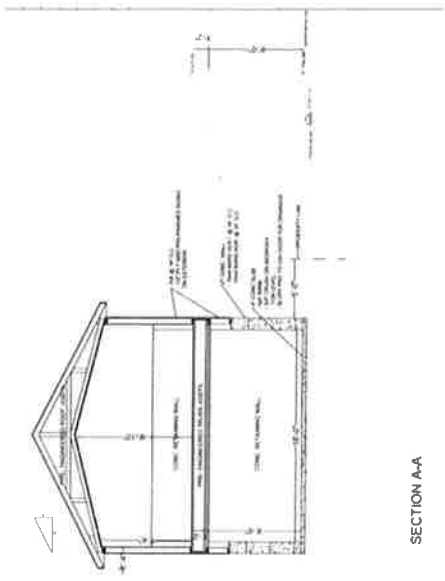
REPORT COA2019-017

FILE NO: D20-2019-009

**Front (East) Elevation and Sectional Drawing**



EAST ELEVATION

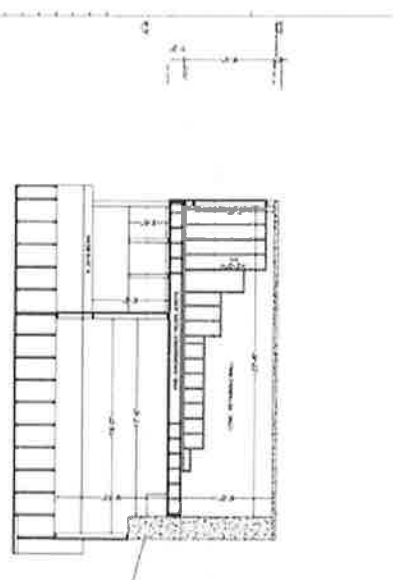


SECTION A-A

**Left (South) Elevation and Sectional Drawing**



SOUTH ELEVATION



**Charlotte Crockford-Toomey**

APPENDIX "E"  
to

REPORT COA2019-017

**From:** Derryk Wolven  
**Sent:** Thursday, April 04, 2019 3:37 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** Committee of Adjustment

FILE NO. D20-2019-009

Please be advised building division has the following comments:

|              |             |
|--------------|-------------|
| D20-2019-009 | No concerns |
| D20-2019-015 | No concerns |
| D20-2019-016 | No concerns |
| D20-2019-017 | No concerns |
| D20-2019-018 | No concerns |
| D20-2019-019 | No concerns |
| D20-2019-020 | 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)



**Quadri Adebayo**

APPENDIX "E"

to

**From:** Anne Elmhirst  
**Sent:** Friday, March 01, 2019 10:31 AM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2019-009 - 20 Griffin Dr

**REPORT** COA 2019-017

**FILE NO.** D20-2019-009

Hello Charlotte,

RE: Minor Variance Application D20-2019-009  
20 Griffin Drive, Former Somerville Township, City of Kawartha Lakes  
Pt Lot 19, Conc. 7, Plan 427, Lot 4  
Roll No. 165131005009600  
Owner: Frank Danek

I have received and reviewed the above-noted request for minor variance to allow for the construction of a boathouse with a second floor with windows and a deck at 20 Griffin Drive. This request does not include living space as a component of the construction. A site visit was completed as part of this review.

A sewage system installation report was located for this property (file S-31-05). The report indicates a septic tank and weeping bed located at the roadside of the property. The proposed boathouse will be maintained outside of the minimum setback clearance distance to the components of the sewage system.

As such, the Building Division – Sewage System Program has no concerns with the proposed minor variance.

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)





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April 04, 2019  
KRCA File No 16883  
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APPENDIX E  
to  
REPORT COA2019-017

FILE NO. D20-2019-009

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 – D20-2019-009**  
**Frank & Philip Danek**  
**20 Griffin Drive, Part of Lot 19 Concession 7 (Four Mile Lake)**  
**Geographic Township of Somerville**  
**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 Somerville Zoning By-Law 78-45, as amended. The purpose and effect is to request relief from the following in order to permit the construction of a boathouse:

- a) Section 18.1.5 (c) – to increase the maximum number of storeys allowed from one-storey to two-storeys;
- b) Section 18.1.5(c)(i) – to increase the maximum height for a structure adjacent to or within 3 metres of the lake from 4.5 metres to 66.8 metres; and,
- c) Section 18.1.5 (d) – to permit any portion of a boathouse on a lot fronting on Four Mile Lake to extend beyond the high water mark.

#### 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

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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.

#### **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, Four Mile Lake experiences considerable fluctuations during certain times of the year. As there is no recorded Regulatory flood level for Four Mile 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.

A second-storey replacement of the existing single-storey, flat roof boathouse represents the potential for the establishment of habitable space within a known flooding hazard. Moreover, a pitched roof design increases the potential for an immediate and future habitable component within the second-storey of the boathouse. Staff appreciate the concerns raised by the applicant regarding the need to facilitate the storage of a marine rail system; however, implementation of marine rail systems can be achieved using a single-storey, flat-roofed boathouse and the additional height is unnecessary for the proposed use. Kawartha Conservation also recommends no services (aside from electricity, which should be flood-proofed accordingly) within the proposed boathouse. Any replacement boathouse should be firmly anchored and attached to the shoreline. Overall, the proposed replacement boathouse presents an unacceptable risk to public health and safety and the increased potential for property damage on-site and adjacent to the subject lands.

#### **Growth Plan for the Greater Golden Horseshoe (GPGGH) - Natural Heritage System Mapping**

The subject property is located within the Provincial Natural Heritage System (NHS) released by the Ministry of Natural Resources and Forestry (MNRF) through the Growth Plan for the Greater Golden Horseshoe (GPGGH), 2017. Key Natural Heritage Features (KNHFs) / Key Hydrologic Features (KHF) as part of the NHS have been identified on lands within 120 metres of subject lands including woodlands and fish habitat. Section 4.2.3.1 & 4.2.4.3 of the GPGGH prohibits development and site alteration outside settlement areas within key natural heritage features and key hydrologic features and their related vegetation protection zone (VPZ). Section 4.2.4.1 of the GPGGH states that development, including a change of use, and site alteration within 120 metres of a KNHF/ KHF will require a natural heritage evaluation (NHE) or hydrologic evaluation that identifies a VPZ. For fish habitat and significant woodlands, the minimum VPZ is 30 m from the outside boundary of the feature (S. 4.2.4.1(c)). Since the proposed expanded boathouse will be within 120 metres of fish habitat, a scoped NHE/EIS will be required.

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### 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 plans provided as part of the application, the proposed boathouse represents considerable expansion within the water and along the shoreline of Four Mile Lake.

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. Ultimately, the expansion of the boat closer to the shoreline, within the fish habitat buffer is contrary to provincial policy unless supported by a technical study.

In addition to the recommended scoped Environmental Impact Study (EIS), the applicant is advised of the in-water timing windows for conducting in-water works. Works should be avoided during the following time periods (as Four Mile Lake is in the Southern Region):

- March 15<sup>th</sup> to July 15<sup>th</sup> Spring spawning species
- October 1<sup>st</sup> to May 31<sup>st</sup> Fall spawning species

Four Mile Lake has both spring (e.g., Walleye) and fall (e.g., Lake Herring) spawning species. Again, in-water works should only be conducted from July 15<sup>th</sup> to October 1<sup>st</sup>. Additional permissions in relation to in-water works surrounding fish-timing windows and Crown land work permits (since the proposed boathouse is situated below the spring high water mark (Upper Navigable High water Mark) may be required. It is highly recommended that the applicant contact the Bancroft District MNRF (MNRF Minden Area Office - Adam Challice) for any additional restrictions and/or requirements. More information on in-water works in relation to fish habitat and spawning can be found via the following link <http://www.dfo-mpo.gc.ca/pnw-ppe/timing-periodes/on-eng.html>

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During all phases of construction, appropriate erosion and sediment controls (i.e. silt fencing and turbidity curtain as per OPSD 219.110 & 219.260) should be implemented between disturbed areas and Four Mile Lake to prevent sediment-laden runoff from entering into Four Mile Lake.

**Recommendation**

**Based on our review of the natural hazards and natural heritage features adjacent to the property, KRCA staff are not in a position to recommend approval of Minor Variance application D20-2019-009 at this time until the following recommendations are addressed to our satisfaction:**

1. The applicant revises the design of the boathouse to a single storey, flat roof configuration in accordance with the previous boathouse design in order to prevent an increase in habitable space in a known flood hazard where none previously existed, and;
2. The applicant submits an Environmental Impact Study (EIS) conducted by an Environmental professional and scoped by Kawartha Conservation staff to ensure the construction and situation of the boathouse presents no negative impacts to fish and fish habitat in accordance with the Natural Heritage System policies of the Growth Plan for the Greater Golden Horseshoe (2017) and Section 2.1.6 of the Provincial Policy Statement (2014).

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: Quadri Adebayo, City of Kawartha Lakes, via email  
Mark LaHay, City of Kawartha Lakes, via email

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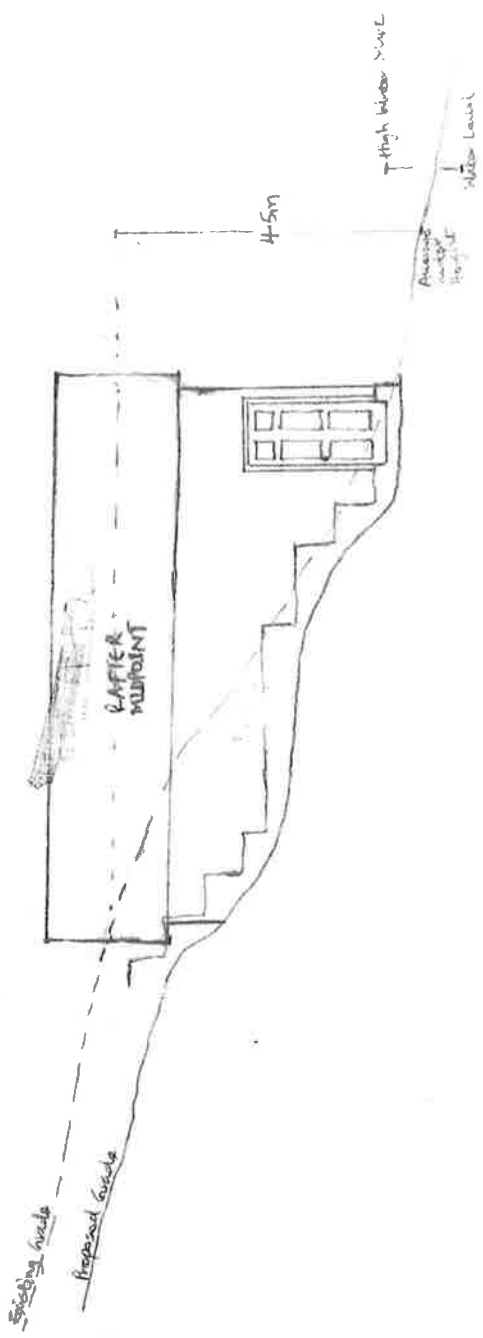
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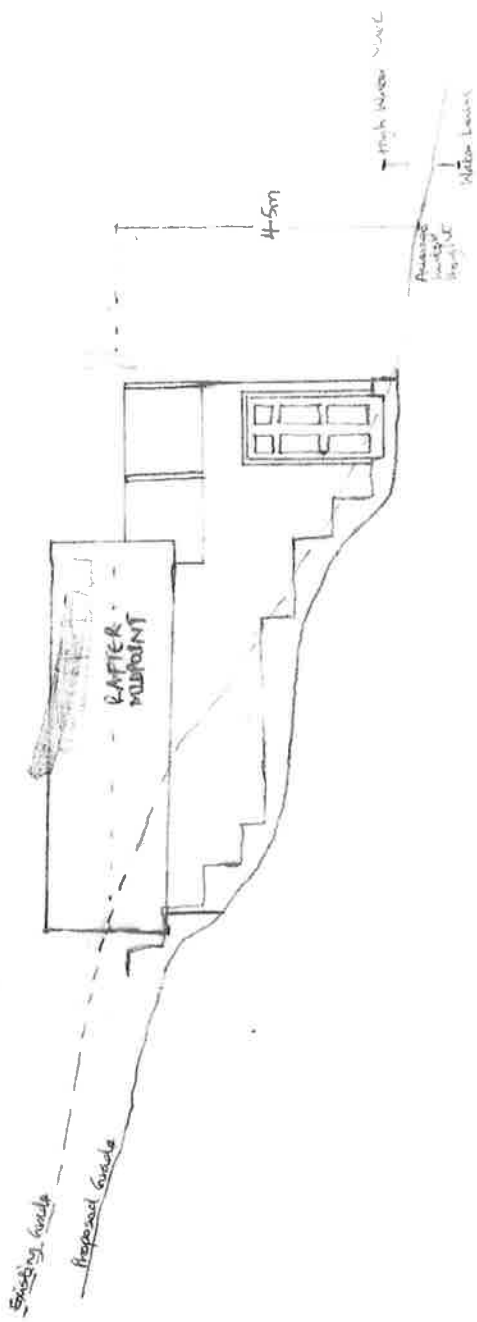
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FILE NO: D20-2019-009

**Staff Recommended Sample 1**



**Staff Recommended Sample 2**



APPENDIX: G

to

REPORT COA2019-017

FILE NO: D20-2019-009

16 Griffin Drive  
Coboconk, Ontario  
K0M 1K0  
January 26, 2019

To Whom it may concern

We have been neighbours of the Daneks for over 20 years. In all that time the property had a derelict boathouse in such bad shape that we felt it necessary to specifically warn our Grandchildren to never attempt to enter it.

With that in mind we welcome Philip's plan to remove it and build a proper and safe building.

We have reviewed the plans, toured the actual location, noted the grade levels and fully support the building of the boathouse as shown. The height shown on the plans will not affect our view or enjoyment of the lake.

Please feel free to contact us at any time if you would like us to elaborate further on our view of the project.

Marg and Ken Inglis