

to

REPORT COA2019-024

FILE NO: D20-2019-016

# Geographic Township of Fenelon

*Cameron Lake*

Lot 27

Thorn St.

Ripple St.

Rail Dr

Concession 10

SUBJECT  
LAND

Louisa St

Lot 26

Cove Rd



to

REPORT COA2019-024

FILE NO: D20-2019-016

# 3 Ripple Street, geographic Township of Fenelon



0.08

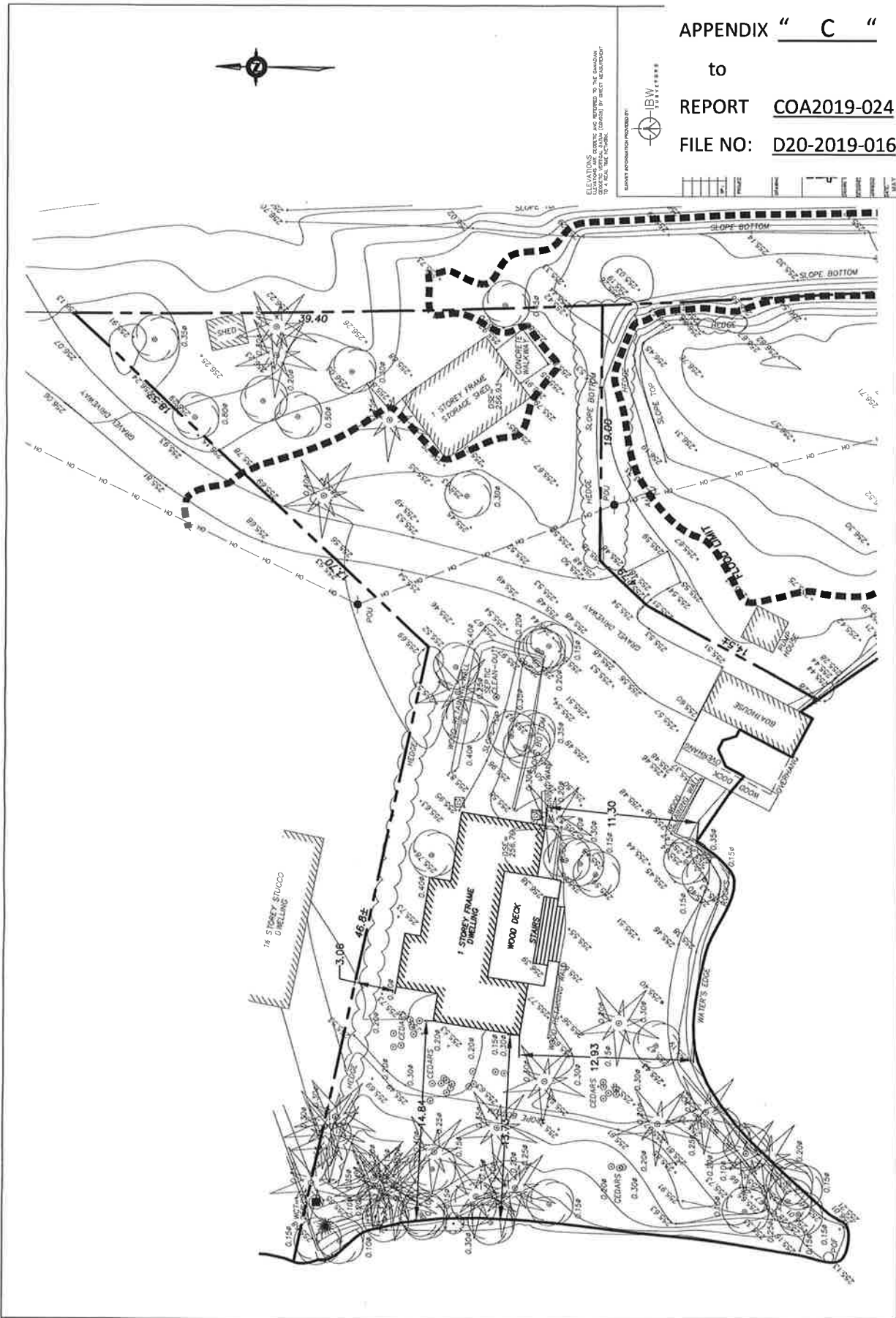
Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
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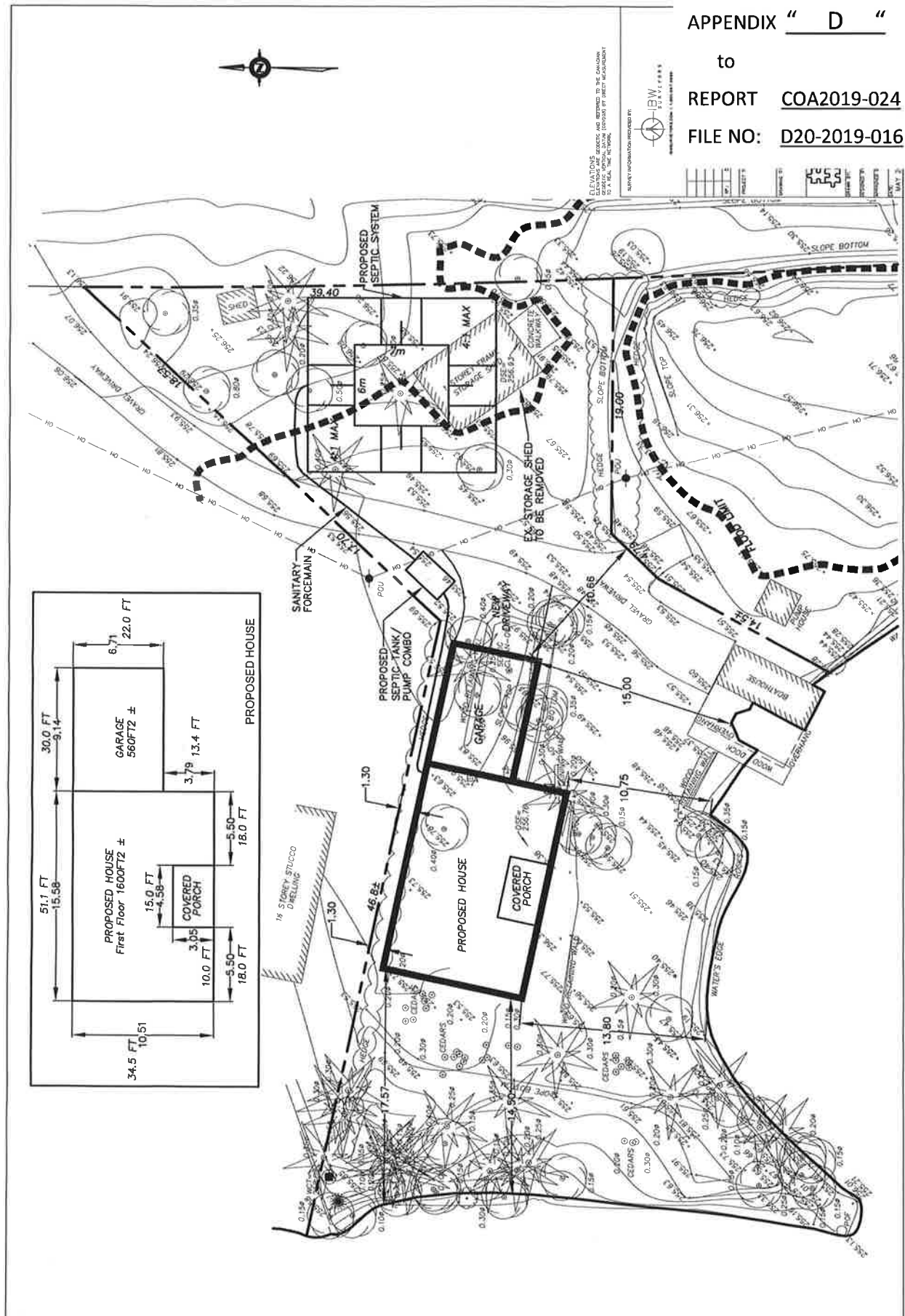
# APPENDIX " C "

to  
REPORT COA2019-024  
FILE NO: D20-2019-016



# APPENDIX " D "

to  
REPORT COA2019-024  
FILE NO: D20-2019-016



## David Harding

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**From:** Mark LaHay  
**Sent:** Monday, April 08, 2019 2:50 PM  
**To:** David Harding  
**Cc:** Charlotte Crockford-Toomey  
**Subject:** FW: 20190408 D20-2019-016 - Engineering review

APPENDIX E  
to  
REPORT COA2019-029  
FILE NO. D20-2019-016

FYI - file

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**From:** Kim Rhodes  
**Sent:** Monday, April 08, 2019 2:03 PM  
**To:** Mark LaHay  
**Cc:** Christina Sisson; Kirk Timms  
**Subject:** 20190408 D20-2019-016 - Engineering review

**Please see the message below from Christina Sisson:**

Good afternoon Mark - further to our engineering review of the following:

Minor Variance – D20-2019-016  
3 Ripple Street  
Part Lot 27, Concession 10  
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from the following zone provisions to permit the construction of a two storey single detached vacation dwelling:

1. Section 3.18.1.1 to reduce the building setback to an Environmental Protection (EP) Zone boundary from 15 metres to 10.7 metres;
2. Section 15.2.1.3(e) to reduce the water setback from 15 metres to 10.7 metres; and
3. Section 15.2.1.3(b)(ii) to reduce the interior side yard requirement for a building greater than one storey in height from 2.3 metres to 1.3 metres.

*From an engineering perspective, we have no objection to the proposed Minor Variance.*

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

Thanks,

*CHRISTINA*

**Christina Sisson, P.Eng.**  
Supervisor, Development Engineering  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





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**City of Kawartha Lakes**  
Community Services  
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[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

LeAnn Donnelly, Executive Assistant, Community Services

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## MEMORANDUM

**DATE:** April 9, 2019  
**TO:** Committee of Adjustment  
**FROM:** LeAnn Donnelly, Executive Assistant, Community Services  
**RE:** Minor Variance - Various Applications

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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:

D20-2019-009	20 Griffin Drive, Somerville
D20-2019-015	36 Stinson's Bay Road, Verulam
D20-2019-016	3 Ripple Street, Fenelon
D20-2019-017	23 Helen Drive, Emily Township
D20-2019-018	52 McGill Drive, Manvers
D20-2019-019	19 Snake Point Road, Bobcaygeon
D20-2019-020	78 Logie Street, Lindsay

*LeAnn Donnelly*

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LeAnn Donnelly  
Executive Assistant, Community Services



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April 05, 2019  
KRCA File No 16947  
X-REF: 16866  
Page 1 of 4

**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 – D20-2019-016  
                     Greg Scott (Agent: Tom deBoer)  
                     3 Ripple Street  
                     Part of Lot 27, Concession 10  
                     Geographic Township of Fenelon  
                     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 provide the following comments:

**Application Purpose**

It is our understanding that the purpose of this application is to request the following relief from the Township of Fenelon Zoning By-law 12-95, as amended. The purpose and effect is to request relief from the following zoning provisions to permit the construction of a two storey single detached vacation dwelling:

1. Section 3.18.1.1 to reduce the building setback to an Environmental Protection Zone (EP) Zone boundary from 15 metres to 10.7 metres;
2. Section 15.2.1.3(e) to reduce the water setback from 15 metres to 10.7 metres; and
3. Section 15.2.1.3 (b)(ii) to reduce the interior side yard requirement for a building greater than one storey in height from 2.3 metres to 1.3 metres.

**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 Cameron Lake. Kawartha Conservation regulates the shoreline of Cameron Lake and the greater of the flooding and/or erosion hazards associated with Cameron Lake. The Regulatory Flood Elevation for Cameron Lake (255.7 metres above sea level) appears to be the greatest regulated feature, as the vast majority of the property is within the flood elevation. Kawartha Conservation regulates the floodplain associated with Cameron Lake and all lands within 15 metres from the limit of the flood hazard. A topographic survey prepared by *IBW Surveyors* dated May 2018 was provided with

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the application. Any development (or redevelopment) on the subject property requires a Permit pursuant to Ontario Regulation 182/06 prior to 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:

- 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 intent of Kawartha Conservation's policies is to identify hazardous lands where they exist and direct people and development to areas outside of those hazards for both their safety and protection of their investments. The two storey replacement dwelling, attached garage and replacement septic system will require a permit pursuant to Kawartha Conservation policies including Policies 4.5.2(7) & 4.5.2(8) (Residential Replacement within a Flooding Hazard). It is understood that upgrades to the existing septic system are also proposed. Flood-proofing standards and guidelines will apply to the proposal. The details and specifications regarding the septic system upgrades are also required as part of the permit application. The applicant is advised to contact Stacy Porter, Planning and Regulation Technician, at (705) 328-2271 ext. 231 or [sporter@kawarthaconservation.com](mailto:sporter@kawarthaconservation.com) for additional information and requirements regarding the permitting process.

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*.

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### **Hazardous Lands**

In accordance with Sections 3.1.2 c) and d) of the Provincial Policy Statement (2014), Development and site alteration shall not be permitted in:

*"c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and*

*"d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding."*

The proposed "new driveway" appears to meet the minimum thresholds for safe access/egress for both private and emergency vehicles, as the existing grade is less than 0.3m below the Regulatory Flood elevation. Overall, the proposal does not appear to create new or aggravate existing flooding hazards.

### **Fish Habitat**

Cameron 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 topographic survey provided, the existing and proposed replacement dwelling, garage and septic system are located well within the 30 metre buffer.

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. Given the negligible encroachment towards the shoreline proposed through the development and in lieu of a technical study, staff requests the applicant prepare a shoreline plantings plan consisting of native, non-invasive species to enhance the fish habitat buffer, as compensation for encroachment into the 30m fish habitat buffer.

### **Recommendation**

Based on our review of the above information, staff can recommend conditional approval of Minor Variance File D20-2019-016, provided the following conditions being addressed to our satisfaction:



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1. The applicant acquires the necessary permissions, pursuant to Ontario Regulation 182/06, as amended for the replacement dwelling, attached garage and associated septic system;
2. As part of the permitting process pursuant to Ontario Regulation 182/06, the applicant works with Kawartha Conservation Stewardship staff to develop and implement a shoreline plantings plan of native, non-invasive species to enhance the fish habitat buffer, as compensation for encroachment into the 30m fish habitat buffer.

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](mailto:kstainton@kawarthaconservation.com)

cc: Stacy Porter, Kawartha Conservation  
David Harding, City of Kawartha Lakes  
Mark LaHay, City of Kawartha Lakes via email

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## David Harding

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**From:** Anne Elmhirst  
**Sent:** Friday, April 05, 2019 2:08 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2019-016 - 3 Ripple St

Hello Charlotte,

RE: Minor Variance Application D20-2019-016  
3 Ripple St., Former Fenelon Township,  
Conc. 10, Lot 27,  
Roll No. 165121006022100

I have received and reviewed the application for minor variance to permit the construction of a 2-storey vacation dwelling on the above-noted property.

The proposal indicates a replacement sewage system to service the new dwelling as the existing holding tank will be required to be decommissioned as part of the build. The sewage system layout submitted to support the reconstruction does not reflect the minimum requirements of the Ontario Building Code. The applicant has indicated that plans will be forthcoming. As such, I would request a condition be added to the minor variance for the completion of an Application for a Sewage System Permit to ensure the property can be serviced by a sewage disposal system.

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)



## **Charlotte Crockford-Toomey**

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

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

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