

D03-2019-016

APPENDIX "A"  
to  
REPORT COA2019-032  
FILE NO. D03-2019-016

'LINDSAY'

Kent Street West

Lot 20  
Concession 4



McLaughlin Road

Commerce Rd.

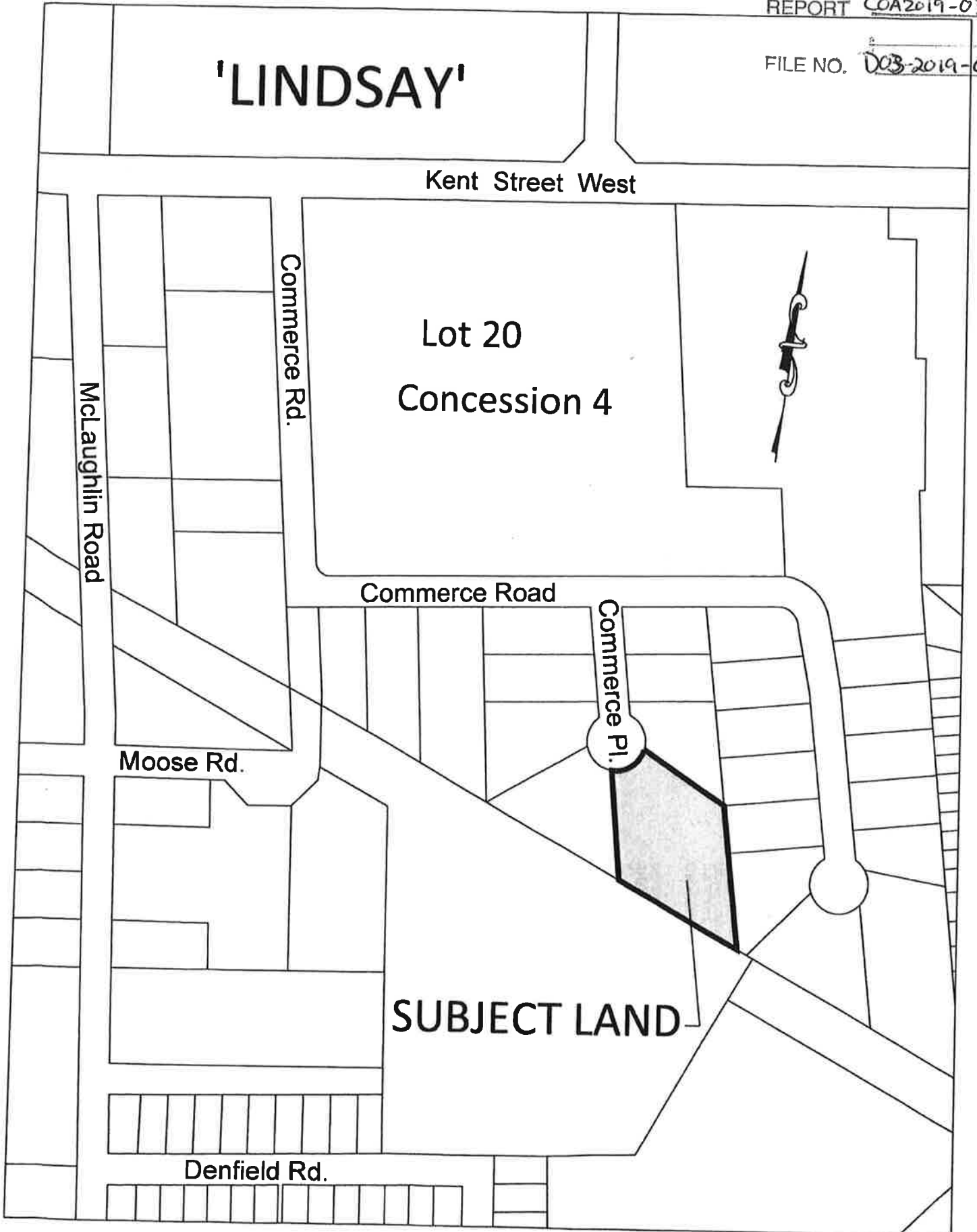
Commerce Road

Commerce Pl.

Moose Rd.

SUBJECT LAND

Denfield Rd.





GEOMATICS  
MAPPING

## 16 Commerce Place, Lot 11 Plan 606, Lindsay

APPENDIX "B"  
to  
REPORT COA2019-032  
FILE NO. DOS-2019-016



### Legend

- ☐ Property ROLL#
- ☒ Road Centreline (2016 Needs)
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

### Notes

2013 Orthophoto

0.11

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 PUPOSES

FILE NO. D03-2019-016  
SKETCH FOR CONSENT APPLICATION

**16 COMMERCE PLACE**  
TOWN OF LINDSAY  
CITY OF KAWARTHA LAKES

SCALE 1 : 500



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**METRIC**

DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**SUBJECT LANDS**

LOT 11, REGISTERED PLAN No. 606  
TOWN OF LINDSAY  
BEING PIN 63237-0389(LT)

**PROPOSED EASEMENT**

AREA = 774.21 sq.m. (0.19 ac.)

**SUBJECT LANDS**

TOTAL AREA = 5643.74 sq.m. (1.40 ac.)

**BENEFITTING LANDS**

LOT 10, REGISTERED PLAN No. 606  
AREA = 2634.50 sq.m. (0.65 ac.)

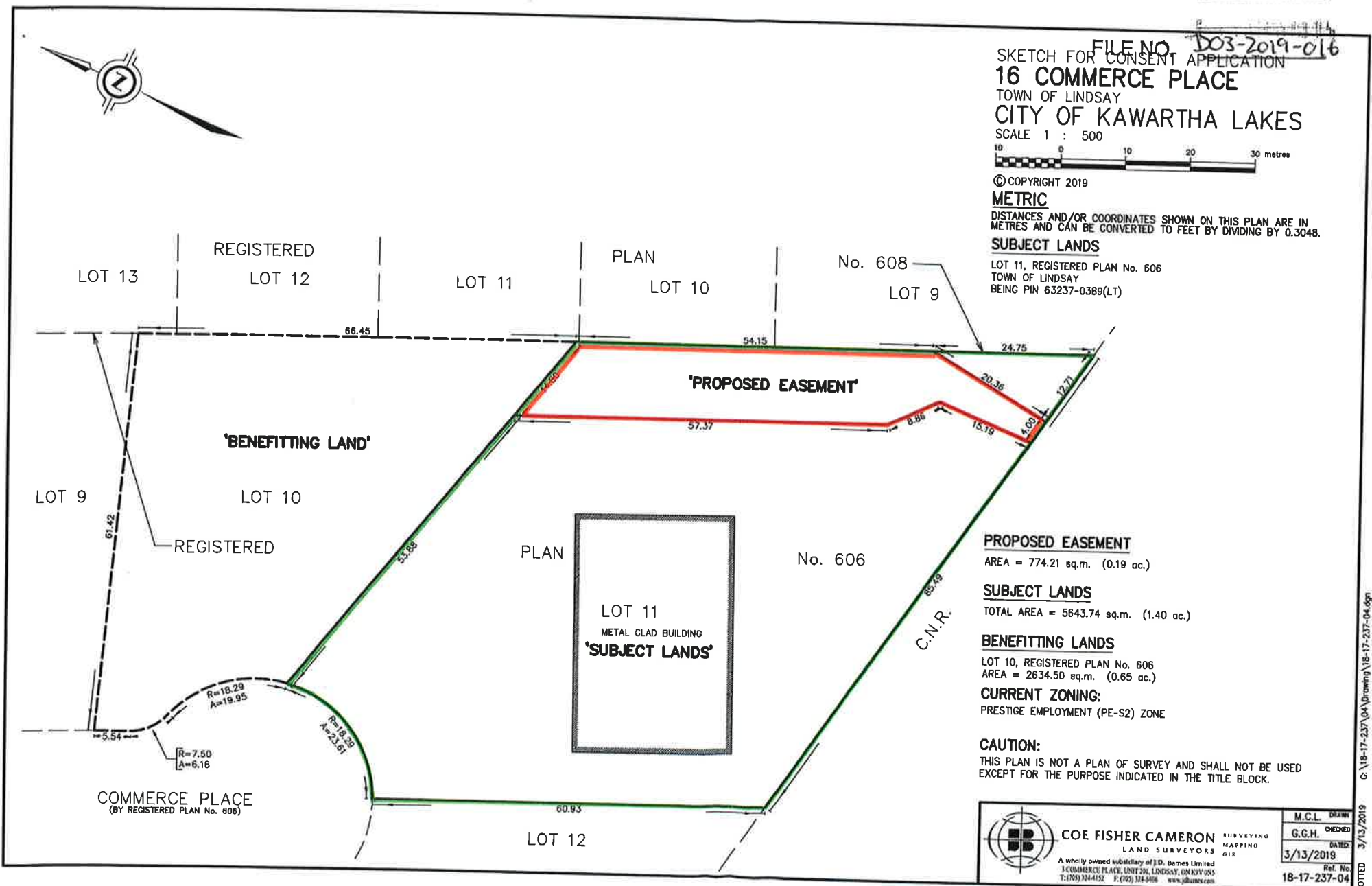
**CURRENT ZONING:**

PRESTIGE EMPLOYMENT (PE-S2) ZONE

**CAUTION:**

THIS PLAN IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

	<b>COE FISHER CAMERON</b> LAND SURVEYORS A wholly owned subsidiary of J.D. Barnes Limited 3 COMMERCE PLACE, UNIT 201, LINDSAY, ONTARIO T: (705) 324-4152 F: (705) 324-4106 www.jdcbarnes.com		SURVEYING MAPPING GIS	M.C.L. DRAWN G.G.H. CHECKED 3/13/2019 Ref. No. 18-17-237-04
				PLOTTED 3/13/2019
				G:\18-17-237\04\Drawing\18-17-237-04.dgn



## Ian Walker

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**From:** Mark LaHay  
**Sent:** Thursday, April 04, 2019 2:29 PM  
**To:** Ian Walker  
**Cc:** Charlotte Crockford-Toomey  
**Subject:** FW: D03-2019-016

APPENDIX " D  
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REPORT COA2019-032  
FILE NO. D03-2019-016

FYI - file

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**From:** Derryk Wolven  
**Sent:** Thursday, April 04, 2019 2:19 PM  
**To:** Mark LaHay  
**Subject:** D03-2019-016

Please be advised building division has no concerns with the above noted application.

**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)





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**Ian Walker**

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**From:** Kim Rhodes  
**Sent:** Tuesday, April 09, 2019 11:57 AM  
**To:** Ian Walker  
**Cc:** Christina Sisson; Kirk Timms  
**Subject:** 20190409 D03-2019-016 - Engineering review

**Categories:** LDC

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

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Good morning Ian - further to our engineering review of the following:

Consent – D03-2019-016  
16 Commerce Place  
Lot 11, Plan 606  
Former Town of Lindsay

It is the understanding by Engineering that the purpose of the consent is to to sever approximately 774.21 square metres of land from the commercial lands at 16 Commerce Place. The severed land is to establish a storm water easement in favour of the northerly abutting commercial property at 12 Commerce Place. An easement is being created.

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

In providing technical review on behalf of the City, we respectfully request that the Development Engineering Division be circulated any additional information brought forward through the commenting period that changes the intent of the consent application. Please provide us with the Notice of Decision for our confirmation.

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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The Corporation of the  
**City of Kawartha Lakes**  
Community Services  
50 Wolfe Street  
Lindsay, Ontario K9V 2J2  
Tel: 705-324-9411 ext 1300  
Toll Free: 1-888-822-2225  
[ldonnelly@kawarthalakes.ca](mailto:ldonnelly@kawarthalakes.ca)  
[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:** Various Applications

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This memorandum confirms receipt of various applications for Consent to the Community Services Department. Our Department has no concerns regarding these following applications:

D03-2019-016      16 Commerce Place, Lindsay

*LeAnn Donnelly*

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LeAnn Donnelly  
Executive Assistant, Community Services



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Enbridge Gas Inc.  
500 Consumers Road  
North York, Ontario M2J 1P8  
Canada

April 9, 2019

Mark LaHay  
Planner II  
City of Kawartha Lakes  
Development Services Division  
180 Kent Street West  
Lindsay, ON K9V 2Y2

Dear Mark,

Re: Consent Application – Concurrent with Site Plan  
16 Commerce Place  
Lot 11, Plan 606  
City of Kawartha Lakes  
File No.: D03-2019-016      Related: D19-2018-007

Enbridge Gas Inc. does not object to the proposed application(s).

It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. For more details contact [SalesArea40@Enbridge.com](mailto:SalesArea40@Enbridge.com).

Enbridge Gas Inc. reserves the right to amend or remove development conditions.

Sincerely,

Casey O'Neil  
Sr Analyst Municipal Planning  
Long Range Network Analysis

**ENBRIDGE GAS INC.**

TEL: 416-495-5180  
500 Consumers Rd. North York, Ontario, M2J 1P8

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

**Safety. Integrity. Respect.**

**Ian Walker**

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**From:** Kent Stainton <kstainton@kawarthaconservation.com>  
**Sent:** Wednesday, April 17, 2019 2:02 PM  
**To:** Ian Walker; Mark LaHay  
**Cc:** Stacy Porter  
**Subject:** FW: CKL File No: D19-2018-007 (Site Plan Approval - 12 Commerce Place - FCC)  
- 2nd Submission  
**Attachments:** RE: 1823 12 Commerce Place  
**Categories:** LDC, Attachment

Hi Ian and Mark,

In lieu of providing formal comments in relation to City of Kawartha Lakes Consent File D03-2019-016 (16 Commerce Place, Kloosterman, FCC) to sever 774.21 square metres of land from the commercial lands at 16 Commerce Place (easement). The application is concurrent with site plan application D19-2018-007. The severed land is to establish a stormwater easement in favour of the northerly abutting commercial property at 12 Commerce Place.

Staff have reviewed the proposal and it appears the proposed stormwater management infiltration gallery will contain the 100-year Storm event. In addition, the emergency overflow weir outlets to a ditch that is not a regulated feature under Ontario Regulation 182/06; therefore, no permits will be required to facilitate the construction of the outlet of the overflow. I have copied Stacy Porter (Planning and Regulation Technician) on the email for her records.

Staff have no objections to the proposed easement, as the instrument facilitates a reduction of impacts to stormwater quantity/quality and no natural heritage features will adversely affected through the proposal.

Kawartha Conservation requests Notice of Decision on the subject application. I trust this is of assistance. If you have any additional questions, do not hesitate to contact me.

Best,  
Kent

**Kent Stainton**  
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)



**Ian Walker**

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**From:** Ian Walker  
**Sent:** Tuesday, May 07, 2019 1:23 PM  
**To:** 'Debbie McDonnell'  
**Subject:** RE: Consent Application file # D03-201-016  
**Attachments:** 20181212 R&S&E Control Plan.pdf

**Categories:** LDC, Attachment

Good afternoon William & Deborah:

Thank you for your concerns. I can advise that both the City's Engineering and Corporate Assets Department, and Kawartha Conservation have reviewed the proposed stormwater management works, to ensure they meet the current Ministry standards for stormwater. The creation of the easement (if approved) will only give the right of the owner of 12 Commerce Place (current or future) the ability to go onto 16 Commerce Place in the future for the purposes of fixing or repairing the stormwater management works. Currently, both properties are held in the same ownership, however, this may not always be the case, which is why the easement would be required. Therefore, the easement will especially be necessary in the future, should the properties change ownership.

In regards to the severance, every application is required to be circulated in accordance with the standards in the Planning Act. City staff do take into account all comments received, including public and review agency comments.

As far as current works on 16 Commerce Place, the owner has not received any approvals (from the City) for any grading and drainage works on that parcel, they have only received limited clearance for specific works on 12 Commerce Place, with sediment and erosion controls to be installed entirely on 12 Commerce Place, as the attached drawing shows, and per these comments:

"I have attached the Sediment and Erosion Control Plan with red-line notes, specific to these works. We will allow the following:

- Installation of sediment and erosion controls on 12 Commerce Place property only as per drawing details (see attached);
- Cut and remove vegetation (above grade removal) on 12 Commerce Place property only;
- Removal of topsoil for the entrance/laneway and building location only (not including parking, etc.) – to be trucked off site;
- Install the water and sewer line if approved (in accordance with other required approvals – i.e. Municipal Service Connection application); and
- Placement of gravel to establish the laneway/entrance.

Should you be considering any works beyond what is outlined here, or require further clarification, please contact us."

I will note, staff do **not** support an applicant completing site alteration works in the absence of any appropriate approvals. We have reviewed the consent application on the basis of its merit and its purpose, not the works that may or may not have been completed to date. A copy of

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the report going to the May 16<sup>th</sup> Committee of Adjustment will be provided to you, as you have expressed an interest in the application. I believe the agenda and reports will be available to the public by the end of this week.

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

Regards,

Ian Walker, B.Sc.  
Planning Officer – Large Developments  
Development Services – Planning Division, City of Kawartha Lakes  
705-324-9411 extension 1368  
[www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**From:** Debbie McDonnell [mailto: [REDACTED]]  
**Sent:** Wednesday, May 01, 2019 1:03 PM  
**To:** Ian Walker  
**Subject:** RE: Consent Application file # D03-201-016

Good Day Ian:

Sorry the late reply... we have been away.

So... after visiting our site, it appears that the drainage ditch has already been dug/installed?? Is this the way things are done?? Why even bother with the expense of putting together this letter and information? This was a complete waist of time for all parties. We were just about to hire the services of an expert to review this, that would have been an waste of money!!

It appears it doesn't matter whether we disagree or not.

Disjointed in the City!!

William & Deborah McDonnell

----- Original Message -----

From: Ian Walker <[iwalker@kawarthalakes.ca](mailto:iwalker@kawarthalakes.ca)>  
Date: April 25, 2019 at 10:15 AM

Good morning William & Debbie:

The landowner (Art Kloosterman of 1675453 Ontario Limited) of the property in question has asked if he may have your contact information to touch base with you and discuss your concerns. Is it ok to release your phone and/or email contact to him?

Alternatively, if you wish to contact Art, he can be reached at 705-741-8540 or by

email at [artkloosterman@nexicom.net](mailto:artkloosterman@nexicom.net). He has authorized me to release his information to you.

Secondly, for staff to finish processing the file, we do need to know if you wish for your objection to the application to stand, or if any/all of your concerns have been or can be resolved. If there are no objections to the application, the Director of Development Services has been delegated the responsibility to handle the application. If there are any objections, then it is the Committee of Adjustment that must make decision on the application. If you do not object, you may still request to be notified of the decision, which means you would receive a copy of the decision, and there are appeal rights to the decision (i.e. the 20 day appeal period). Staff just need to know in which manner we are processing the application.

Regards,

Ian Walker, B.Sc.

Planning Officer – Large Developments

Development Services – Planning Division, City of Kawartha Lakes

705-324-9411 extension 1368

[www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**From:** Ian Walker  
**Sent:** Tuesday, April 23, 2019 10:01 AM  
**To:** [REDACTED]  
**Cc:** Mark LaHay  
**Subject:** RE: Consent Application file # D03-201-016

Good morning William & Debbie:

Please feel free to correspond with me regarding the file, I am the Planner

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handling the review and comments. By all means, you can cc Mark on the correspondence, as he is the Acting Secretary-Treasurer of the Committee. That way your bases are covered.

I will try to scan a blow-up of the area on the drawing to see if that suffices, if not, I can certainly provide a hard copy of the full size drawing if you wish to pick it up. If so, please let me know and I'll leave it with admin staff in the event I am unable to meet with you upon arriving.

You will receive a separate email from the City's file sharing program called ZendTo, so if you receive that email, it will be from myself.

Regards,

Ian Walker, B.Sc.

Planning Officer – Large Developments

Development Services – Planning Division, City of Kawartha Lakes

705-324-9411 extension 1368

[www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Thursday, April 18, 2019 9:41 AM  
**To:** Ian Walker  
**Subject:** Re: Consent Application file # D03-201-016

Good morning Ian. Thank you for your quick response. Unfortunately, the attached sketch (grading plan) is not legible - printing is too small. Are you able to provide a larger scale copy? If so, please advise and I can attend to pick it up.

Also, I note in the letter that our appeal was to be sent to the Secretary-Treasurer, Committee of Adjustment - it appears that that is Mark LaHay, acting secretary-treasurer from the letter we received. Can you either forward our original email to him, or provide me with his email?

Thank you for your assistance.

William & Debbie McDonnell

On Apr 17, 2019, at 5:28 PM, Ian Walker <[iwalker@kawarthalakes.ca](mailto:iwalker@kawarthalakes.ca)> wrote:

Good afternoon Wm. and Deborah:

Please find attached the sketch for the proposal. I have also attached the proposed grading plan, which should provide an answer to your first question. All works are to take place on 12 Commerce Place and 16 Commerce Place, both owned by the same company: 1675453 Ontario Limited. There should be no works leaving their properties. There is no retaining walls proposed. Both properties are held in private ownership, therefore the landowner would be responsible for any flooding caused by their works.

Please advise if you have any further questions, and if you are still in objection to the application. If there are any objections to the application which cannot be resolved, it will be scheduled for the next available Committee of Adjustment meeting, which would be May 16<sup>th</sup>.

Thank you,

Ian Walker, B.Sc.

Planning Officer – Large Developments

Development Services – Planning Division, City of Kawartha Lakes

705-324-9411 extension 1368

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**From:** Debbie McDonnell [mailto: [REDACTED]]  
**Sent:** Wednesday, April 17, 2019 9:18 AM  
**To:** Ian Walker  
**Subject:** Consent Application file # D03-201-016

Dear Mr. Walker: (see attached copy of letter)

We only just received your letter on Friday, April 12th by regular mail. We dropped in to your office yesterday to ask a few questions, but you were not available. It appears that this severance for a storm water easement is directly behind our lot being Lot 9, Part 1.

With the recent change to the front of our lot by a developer, and being unaware that there would be a deep ditch all along the front instead of what we had previously (curbing), we are skeptical now of allowing this severance, and in lieu of this short time period of notice, we are NOT in favour of it.

We have questions which we would appreciate clearing up:

1. How deep is the ditch going to be and how close to the rear of our property?
2. Will equipment etc... be encroaching on our property?
3. If water floods over the ditch and on to our property, who is liable for this?
4. Is there going to be a retaining wall to keep our lot secure from any erosion etc..
5. Who is developing this land? Town or name of Builder?

Therefore, please advise in writing of the above and note that we oppose the application for severance for this purpose.

Yours truly,

Wm. McDonnell & Deborah McDonnell

[REDACTED]

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