

August 18, 2020

Committee of Adjustments
City of Kawartha Lakes
Planning Department
180 Kent Street West Lindsay, ON
K9V 2Y6

Re: Minor Variance Application D20-2020-021

To the Committee,

I have two concerns with this application.

Firstly,

- 1) I believe that the Township of Bexley Zoning By-Law (which I read before it was enacted many years ago) was written to restrict accessory buildings to 5 meters in height so that no one would build a garage with a living quarter above it. This variance application is clearly designed to permit full living quarters above a 3 car garage. These living quarters will be somewhere in the range of 800 to 1000 square feet with another 800 square feet of deck space. This is equivalent to my entire cottage.
- 2) This building is not in keeping with the neighbourhood which is primarily made up of small seasonal cottages on a seasonal road. The deck itself will promote large gatherings and it completely overlooks the neighbours. It is not unreasonable to foresee noise and music issues as the entertainment shifts for the current deck area to this spacious second story deck.
- 3) This building as proposed is large enough and sufficiently separated from the main house to facilitate an entirely separate Air BNB rental unit. And because of the design, any noise arising from the unit would be directed at the neighbours while the owners would be isolated from the sound by virtue of their deck and outdoor area being on opposite sides of the garage and house.

Secondly,

- 1) There have been a lot of issues related to the property over the years.
- 2) The land on which the property exists was originally "swamp" land which drained through the bay between the two lots identified as Part 1 on the attached Registrars Compiled Plan No 557. In the mid 1960's, this swamp was dredged without notice to the property owners to create the bay. In spite of that, the dredging was completed in such a manner that the water was still able to drain from the area encompassed by Otter Road and Rockway Trail through low land which followed Rockway Trail across the North side of Part Lot 11 from its easterly end to the bay at the western end – this is the lot for which the Application for Variance has been submitted.

- 3) When the owners of Lot Part 11 went to build, it is my understanding that they were required to get a water drainage survey done. The water drainage survey would have shown exactly what I have just stated that the water drained along Rockway Trail on the North side of Part Lot 11.
- 4) The owners have completely ignored that water drainage survey by dumping significant amounts of fill, raising the land and blocking the natural (and surveyed) drainage and in the process, they have caused flooding on all the Lots from Part Lots 3 through 10 inclusive as well as the roadway. Complaints have been made to the town and I believe to the Kawartha Conservation Authority, both of whom have absolved themselves of responsibility and informed the complainant that it is a civil matter.
- 5) Given that these two bodies have absolved themselves of responsibility after the fact, I believe that this is our collective opportunity to deal with this issue in advance before it happens a second time.
- 6) I do expect that the owners of this property will add additional fill around this garage to build their land up and further exacerbate the drainage issue. It may not happen at the time of building just as the additional fill that has currently blocked our drainage did not happen when the house was built. I expect it will happen some years down the road.
- 7) The entire lot upon which this application for a building is proposed was and still is "swamp". It is soft underneath and requires additional fill to solidify and stabilize the land.

So, in conclusion, I do object to this application for the two reasons identified above.

And, I would like to know, if the Committee of Adjustments and the Kawartha Conservation Authority in their infinite wisdom, do permit this application to proceed as proposed, how will these two bodies deal with the issues I have identified, if they come up down the road? (1) How will the town address occupancy, noise and Air/or BNB issues if they arise and (2) what will the Town and/or Conservation Authority do if the owners actions cause flooding of our lots and roadway?

Regards,



Dave Nighswander for
Jeanine, Dave and Reg Nighswander
Part Lot 10 – 26 Rockway Trail
Roll# 165134002033000.0000

Charlotte Crockford-Toomey

From: Rapp, Greg <greg.rapp@mdlz.com>
Sent: Monday, August 17, 2020 9:22 PM
To: Committee of Adjustment
Cc: 'greg_rapp@hotmail.com'
Subject: Feedback on Minor Variance application D20-2020-021

This note is in response to the notification I recently received on the application for a minor variance at 15 Rockway Trail (notice D20-2020-021). I own three vacant lots that are immediately connected to the property of this application (Otter Road Lots 12, 13, and 14).

My overall concern with the application is around the impact that this building will have to water run-off that will directly affect my lots. For background, the entire area is susceptible to extreme flooding in the spring time, and for extended periods of time, my lots are under several inches of water. In fact, I had submitted a building permit in 2017 that I withdrew partially due to the impact of this flooding and concerns it would have to our proposed structure. Those issues have not been resolved, in spite of efforts by the City to improve water flow to the lake.

In regards to the proposal, there are two specific concerns I have. First, I expect that the applicant lot is going to need to be raised to ensure that the new building is not flooded (as their lot is also routinely under water). Should this be the case, I believe that this will just lead to further water running directly toward my lots. My ask to the Committee is whether they have assurances through the site plans that this will not introduce incremental flooding concerns, as I believe it will. Given the gross size of the proposed structure, the impact to my lots will likely be significant. My second concern is the overall height; not only is the proposed building much higher than the building code allowance, if the lot needs to be raised, this new structure will tower over all of the surrounding cottages. It will be an eye sore for many of my neighbors and impact their enjoyment.

I have no issues with a reasonable outbuilding being added to the applicants lot, but I have significant concerns about the proposal as submitted, and would request a denial of the application as it has been submitted.

Regards,
Greg Rapp

Mondelez Canada Inc. Head Office: 3300 Bloor Street West, Suite 1801, Toronto, ON M8X 2X2 | Siège social de Mondelez Canada inc. : 3300 rue Bloor Ouest, bureau 1801, Toronto, ON, M8X 2X2

Charlotte Crockford-Toomey

From: Anne Elmhirst
Sent: Monday, August 17, 2020 10:16 AM
To: Charlotte Crockford-Toomey
Subject: D20-2020-020 - 93 Cresswell Rd

Hello Charlotte,

I have received and reviewed the request for relief for the construction of a front porch at 93 Cresswell Road.

I have completed a site inspection to confirm the location of the sewage system components. The proposed porch construction will not encroach on the required clearance distances to the sewage system components.

As such, the Building Division – Sewage System Program has no concerns with the proposal.

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



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

Charlotte Crockford-Toomey

From: Rico Sirizzotti <sirizzottir@yahoo.ca>
Sent: Monday, August 17, 2020 11:13 AM
To: Committee of Adjustment
Subject: Minor Variance Application

Subject:

Minor Variance D20-2020-021-15

15 Rockway Trail, Part Lot A, Concession 2 Part Lot 11, Plan 557, Township Bexley, Ward 1, City of Kawartha Lakes

In response to the Minor Variance letter we received

We have no problem with the minor variance and the beautiful building being approved for the applicants. Please consider the following:

We have owned 20 Rockway trail, for approximately 20 years and are located on the North West Side. Over the past 10-15 years our neighborhood has on going issues with extreme flooding most likely caused by blocked culverts, water drainage and change in the landscape. Every year this seems to get a little worse.

When this building is approved we hope that any design and construction will take into consideration the potential of further enhanced flooding in the area.

Respectfully

Sirizzotti Family

Charlotte Crockford-Toomey

From: W. Kawzenuk <wkawzenuk@rogers.com>
Sent: Sunday, August 16, 2020 2:42 PM
To: Committee of Adjustment
Subject: Objection to D20-2020-021--15 Rockway Trail, Part Lot A, Concession 2, Part Lot 11, Plan 557 Bexley, Ward 1 City of Kawartha Lakes variance.

To whom it may concern

It is with strenuous objection that I oppose this variance. My cottage is at 18 Rockway Trail and the height and size of this structure will interfere with my use and enjoyment of my property. The water shed is already compromised by the activities of 15 Rockway Trail and the addition of a new structure of this size would further impact the spring runoff and drainage.

I disapprove of this variance and I believe it should be refused.

Sincerely

W. Kawzenuk

Charlotte Crockford-Toomey

From: Sue Rapp <suerapp@hotmail.com>
Sent: Sunday, August 16, 2020 9:34 AM
To: Committee of Adjustment
Subject: Minor variance D20-2020-21 - 15 Rockway Trail, Part Lot A, Concession 2, Part Lot 11, Plan 557, geographic Township of Bexley, Ward 1, now in the City of Kawartha Lakes

To Whom It May Concern:

We are the next-door neighbours to the applicant and we are saying No to the minor variance request.

The area behind us and where they are proposing to build this garage floods every spring. We are concerned that because of this flooding, the area where they are proposing to build this garage will have to be raised and this will make the flooding worse.

We are also concerned that with 3 sliding doors and such a large deck on the upper level, this will be used as living quarters. Also, with this proposed height, the privacy of the residences on Rockway Trail will be adversely affected.

Again, we oppose the request for the variance.

Please acknowledge receipt of this email and we would like to be advised of the outcome of the meeting.

Regards,

Wayne & Susan Rapp
17 Otter Road
Kirkfield ON

Charlotte Crockford-Toomey

From: Dan MacLellan <dmaclellan63@gmail.com>
Sent: Saturday, August 15, 2020 3:22 PM
To: Committee of Adjustment
Subject: Comments for Adjustment Meeting - August 19 - D20-2020-021

Dear Members of the Committee of Adjustment :

Referring to Proposal D20-2020-021; Construction at 15 Rockway Trail Bexley Township.

1) Before any approval of construction, particularly one of this size and scope, there must be a thorough review and correction of the ongoing drainage problems on Rockway Trail. Flooding, mostly in the spring and after heavy rains, has been a problem for many years.

The City of Kawartha Lakes has spent a considerable amount of money to try to alleviate water flow coming into our area, by altering ditches and culverts that run down Omega Road as well as Otter Road in order to direct the water to the lake. This has achieved some success and we thank the City for that.

However, there continues to be a problem on Rockway Trail. It is stated that the property owners making this construction proposal have, in fact, closed off drainage access directly to the lake that had been established some time ago. When this has been brought to their attention they have not corrected the situation and presented little concern.

This construction is also on an area that is considered wetland. It is quite possible that soil material will be brought in to support a building of this size and that this material will add to the ground height and overall height of the construction. It is clear that the building and any soil material will further the impact of the drainage and its impact on Rockway Trail and neighbours on the opposite side of the road. It is very surprising that the Conservation authority would even consider this proposal.

2) There are some features of the proposed construction that are very concerning. It is a very large building and features a balcony walkway around three quarters of the building. The upper level features two large patio doors facing north to the lake and another patio door facing west to the sunset view. It is our understanding that this proposal is for a garage and storage area only. It is very conceivable that this space could become an additional living area for the property, that with any additional height would affect the privacy and reasonable peace of the surrounding neighbourhood. Will the committee, in any decision it makes guarantee that this will not become an additional living space ?

To answer the proposal directly: We do not support the minor variance proposal as stated and do not support the project in its entirety for the following.....

1) The drainage problem on Rockway Trail needs to be corrected.

2) This proposed construction will be on wetland and should be of concern to Conservation Authorities.

3) It cannot be guaranteed that the upper area of this garage/storage building does not become an additional living area that is quite high overlooking other properties in the area.

Yours sincerely;
Arlene and Dan O'Neill-MacLellan
10 Rockway Trail

Charlotte Crockford-Toomey

From: Harold Rapp <haroldrapp705@hotmail.com>
Sent: Saturday, August 15, 2020 12:16 PM
To: Committee of Adjustment
Cc: Harold Rapp
Subject: Nimor variance D20-2020-021-15 Rockway Trail, Part Lot A, Concession 2, Part Lot H, Plan 557, geographic Township of Bexles, Ward 1, now in the City of Kawartha Lakes.

Please confirm back to me receipt of this email.

From: Harold and Suzie Rapp, 15 Otter Road , Kirkfield, Ontario, K0M 2B0

We live at 15 Otter, an adjacent property to 15 Rockway, since 1998. We are unhappy with the Minor variance requested to build a two story building that will be a garage and second floor guest suite. The area where this building is to be located is flooded every spring. The flooding in this area covers our roadway sometimes up to 4 inches deep. I have to guess that the building will need to be raised or it will be flooded in the spring. By raising this area it is going to increase the flooding for us.

We live here at the lake and enjoy a cottage environment, with trees and some open space. We are not happy with the height of the building. Most of the homes in the area are bungalows or split levels. This huge garage, and living quarters is uncharacteric for the area and should not be allowed.

We would vote a definite NO on this request for a variance.

Harold and Suzie Rapp
15 Otter Road
Kirkfield, Ontario
K0M 2B0

Charlotte Crockford-Toomey

From: emilio aceti <emilio.aceti@gmail.com>
Sent: Friday, August 14, 2020 8:48 AM
To: Committee of Adjustment
Subject: D20-2020-021 15 Rockway Trail (Minor Variance)
Attachments: City of Kawartha lakes CofA.docx

Committee of Adjustments

Please find attached my submission concerning the minor variance submitted by 15 Rockway Trail.(D20-2020-021)

Thank You
Emilio and Agostina Aceti
22 Rockway Trail

Charlotte Crockford-Toomey

From: Gloria Sharples <tomglo34@bell.net>
Sent: Monday, August 10, 2020 12:33 PM
To: Committee of Adjustment
Subject: D20-2020-021-15 Rockway Trail..... Minor variance

Follow Up Flag: Follow up
Flag Status: Flagged

Gloria Sharples (Dumond)

Tomglo34@Bell.net

D20-2020-021 - 15 Rockway Trail, Part Lot A, Concession 2, Part Lot 11, Plan 557, geographic Township of Bexley, Ward 1, now in the City of Kawartha Lakes

- to permit the construction of an accessory building (detached garage) in a residential zone higher than 5 metres at a height of 6.6 metres

MINOR VARIANCE - Absolutely Not !!!!!

- I have numerous concerns with the height / size / purpose, etc.

- also concerned about future flooding issues

(conservation authorities are well aware of previous flooding)

Please acknowledge receipt of this email.

Thanks

Gloria

416-624-3777

8 Rockway Trail

Charlotte Crockford-Toomey

From: Anne Elmhirst
Sent: Tuesday, August 18, 2020 11:25 AM
To: Charlotte Crockford-Toomey
Subject: D20-2020-021 - 15 Rockway Trail

Hello Charlotte,

I have received and reviewed the submission for a Minor Variance to request relief to construct a detached garage for 15 Rockway Trail.

A site visit was completed to confirm location and clearance requirements for the detached garage. The garage will be established greater than 15 metres from the end of the distribution pipes in the leaching bed. As well, the garage will not be constructed with living space or fixtures.

As such, the Building Division – Sewage System Program has no concerns with the proposal.

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



Charlotte Crockford-Toomey

From: annemac <annebalsam54@gmail.com>
Sent: Thursday, August 13, 2020 1:01 PM
To: Committee of Adjustment
Subject: Minor variance D20-2020-021- 15 Rockway Trail, Part Lot A, Concession 2, Part Lot 11, Plan 557, geographic Township of Bexley, Ward 1, now in the City of Kawartha Lakes

Please confirm back to me receipt of this email.

We own 16 Rockway Trail and have resided here for 23 years. We are located directly across the right of way (approx. 3 meters wide by 300 meters long) from where the applicant is proposing to erect this 6.6 meter high detached garage.

Our major concerns are as follows:

To begin with the height of this garage that they are proposing to build will totally affect the character of the neighborhood as the majority of the homes are bungalows and the scale and size of this building would not be in conformity with the rest of the neighborhood.

The height and proximity of this garage to our property is going to gravely affect our privacy. We have 3 large windows, front door, a patio area and a yard that the applicant is now going to have direct site overlooking from this 2nd story building including being able to see directly into my home thru the windows and door.

In addition the height of the building will diminish the degree of spaciousness, sunlight, trees and privacy that is existing in this area. We paid a higher purchase price and we pay higher taxes so we can specifically enjoy the spaciousness, sunlight, trees and privacy in this neighborhood.

Most concerning to us is how the height and size of this building will affect the drainage in the area. This proposed garage will definitely change the grade of the existing land. The building is being built on a low lying area which floods out every spring and must be pumped out. The engineered concrete slab that would be required to installed to build this building would have to be raised a minimum of 30 cm to prevent the interior of the building from flooding in the spring. The building would then be a minimum of 30 cm higher than the 6.6 meter variance being requested. In addition to this the ground around it would have to be built up and sloped away. This in turn would cause thousands of litres of additional water in the spring to be pushed onto Rockway Trail which has no drainage due to the blockage of the culvert by the applicant.

The neighborhood for over 30 years was dependent on a drainage culvert on the south side of Rockway Trail which ran under the front property(lake side) of the applicants property approximately 12 meters in length into the lake. Several years after the applicant built their original dwelling the applicant blocked off the intake and outtake to the lake. As a result of this and the fact that our neighborhood is in a very low lying area (most properties are extremely flat) the storm water and spring run off can not get to the lake and completely flood the complete neighborhood including the applicant' property. After a few years of everyone battling the situation with sump pumps etc. we called upon (2 years ago) the City of Kawartha Lakes our councilor Steve Strangway and the Conservation Authorities which helped us relieve some of the flooding. After the city council approved funding in the budget they installed ditches down to the lake on Omega Road and put a culvert in at the corner of Omega Road and Otter Road to direct some of the water from Long Point away from the area but this did not alleviate all of the flooding because the culvert is still blocked on Rockway Trail by the applicant.

During the same time(2 years ago) that the City of Kawartha Lakes was involved with us concerning the ongoing flooding in our neighborhood the current applicant had submitted a request for a building permit. The permit at that time was for the exact same height and size of structure and in the same location on the property. However and thankfully the permit was denied by the City of Kawartha Lakes in collaboration with the Conservation Authority due to the on going flooding situation and lack of drainage.

Our question to the committee is why is this same request for a permit being reviewed again when nothing has been changed in 2 years with the drainage situation (the culvert is still blocked) causing the yearly flooding of our roadway and properties. Even if best case scenario proper drainage was installed for this proposed building directly to the lake what guarantee do we have that this drainage could be compromised at a later date.

At this time we are saying a definite NO to the minor variance and wish to be informed in a timely matter of the outcome of the hearing so we can take further action if needed.

Sincerely
Anne & Vern Harding
16 Rockway Trail
Kirkfield, Ontario

Sent from Mail for Windows 10

Date: August 13, 2020

To: City of Kawartha Lakes
Committee of Adjustments

From: Emilio Aceti
Agostina Aceti
22 Rockway Trail
roll# 165134002032800.0000
Kirkfield, ON

Re: Variance Application D20-2020-021 – 15 Rockway Trail, Part Lot A, Concession 2, Part Lot 11, Plan 557, geographic Township Bexley, Ward 1, now in the City of Kawartha Lakes.

We are the owners and residents of 22 Rockway Trail located on the north side of the road and are several houses away from 15 Rockway Trail (the applicant) which is on the south side of the road to the south-east of us.

We are very concerned about the proposal to build this detached garage 1.6 meters in height beyond the 5 meter allowable height. We have made ourselves aware of what constitutes a minor variance and 1.6 meters is not considered to be a minor variance according to other jurisdictions in the surrounding area. It is actually a major variance. 0.3 meters (1 foot) would be considered a minor variance. In addition to **opposing** the height and the entire structure on its present proposed location on the lot, we have serious concerns regarding the impact to run-off drainage this structure will have to the neighbourhood.

To that end I would like to make you aware of some of the resent history of this area:

The lot in this matter (15 Rockway Trail) was designated a watershed by the conservation authority some years ago. This watershed area along with a culvert running to the lake provided excellent drainage for the area. We have spoken to several would-be buyers of this lot over the course of several years, they all have told me that they were told by the building department and the conservation authority that it was prohibited to build any structure on this lot. However, as you know very well, that a very large building was constructed on this lot in contradiction of the afore mentioned prohibition.

The end result of this structure as been that the drainage of the entire area has been negatively compromised, to the extent that in the spring and heavy downpours the entire road and a large portion of the lots on the north side of the road are flooded. The construction of this so-called storage building will further compromise the drainage problem that exists.

Further to this fact, we propose that if the construction of this structure (as per zoning bylaw standards) is inevitable to include drainage considerations as a prerequisite to granting a building permit.

Furthermore, many attempts to rectify the drainage problem have gone wilfully unheeded by the applicants, considering that the drainage culvert runs through the applicants lot to the lake and is blocked.

In closing, I have studied the orthographic drawings and have come to the inexplicable conclusion that this is not just a garage but second floor living area in addition to their large cottage that coincidentally has a very poor view of the dredged lagoon and not the main lake to the north .

My justifications for this conclusion are as follows:

1. multiple walk out very large windows on the north sides.
2. roof height on the north side are higher than on the south side to facilitate better view.
3. large elevated deck (what does stored material need with a deck??).
4. the height of the deck tells me that the occupants of the above garage living space would like to have a view of the lake above the trees and between the existing structures on the north side of the road.

Furthermore having this accessory building as high as proposed will detract from the streetscape and devalue of all the surrounding properties, to say nothing of the lost privacy of the properties to the north of this structure that it overlooks.

Thank You for your kind consideration.

Kind Regards.

Emilio and Agostina Aceti

Charlotte Crockford-Toomey

From: Anthony Penna <apenna@daleena.com>
Sent: Saturday, August 15, 2020 7:13 AM
To: Committee of Adjustment
Subject: CofA Response for 15 Rockway Trail Variance

To:
City of Kawartha Lakes
Committee of Adjustments

From:
Jennifer Heather Proctor
Bernard Anthony Penna
24 Rockway Trail
Kirkfield, ON
K0M2B0

Date: August 15, 2020

Re: Variance Application D20-2020-021 – 15 Rockway Trail Part Lot A, Concession 2, Part Lot 11, Plan 557, Township Bexley, Ward 1, City of Kawartha Lakes.

We are the owners and residents of 24 Rockway Trail located on the north side of the street and are 3 houses away from 15 Rockway Trail (the applicant) which is on the South side of the street to the S-East of us. We are very concerned about the proposal to build this detached garage 1.6 meters in height beyond the 5 meter allowable height. We have checked with other local building departments and 1.6 meters is not considered to be a minor variance. It is actually a major variance. 0.3 meters (1 foot) would be considered a minor variance. In addition to opposing the height, we have serious concerns regarding the impact to run-off drainage this structure will have to the neighbourhood.

Height:

Rockway Trail is small 300 meter long quiet street with only 9 dwellings; most of which are either bungalows or story and a half in height. We purchased our property on Rockway Trail to take advantage of the peace and quiet and privacy that this neighbourhood offers. The existing streetscape is consistent along the lines of all of the neighbouring structures; however, having this accessory building as high as proposed will detract from the streetscape and devalue of all the surrounding properties. It will be taller than every other building in the neighbourhood. If the variance is granted this proposed accessory building will loom over all other houses and cottages on this street, and at the variance height, will be an eyesore that will not fit in with the lower height of the surrounding structures. We will be looking at a 2 story detached garage rather than the natural landscape separating property lots and sky. It will not blend in.

May I remind the Committee that the purpose of having zoning bylaws is to ensure consistency with neighbourhood planning. There is a reason for a 5 meter height limit on "out buildings" and that 5 meter limit should be adhered to. Otherwise, why have the height restriction in the first place?

Drainage:

Several years after the applicant built their original dwelling, they sealed both ends of the drainage culvert on the south side of Rockway Trail. This culvert naturally drained water from the drainage ditch on south side of

Rockway trail to the lake powered by gravity. Unfortunately, with this culvert blocked, Spring run-off backs-up in the drainage ditch and does not make it to the lake. It has nowhere to go, so it builds up and overflows on the roadway and onto our properties. Some homeowners get more water than others. What is most astounding to us, is the fact that, due to the applicant's actions and negligence, the applicant's property is also subject to the same flooding that the entire neighbourhood is experiencing. Basically, the entire neighbourhood is impacted by this Spring flooding one way or another to the point where Springtime on Rockway Trail is filled with the sound of portable pumps moving water to the lake in conjunction with the activities of residents in rubber boots managing their pumps to ensure they perform efficiently; with the applicants involvement being one of the busiest with their 2 pumps at this time.

What is most concerning about this application, is that the proposed detached garage is planned to be built in an area on the applicant's property that also regularly floods in the Spring. As a result, we suspect the applicant will not want their new detached garage sitting in water every Spring, so they will more than likely raise the area with fill making the flooding on Rockway trail worse. In 2019, the neighbourhood witnessed in disbelief when the applicant brought in multiple truckloads of fill and topsoil and spent weeks spreading it around to raise lower areas of their property to lessen the impact of Spring flooding. Rather than open the blocked culvert, they chose to raise their property, increasing the potential to flood the neighbouring properties on Rockway Trail. Some neighbours tried to appeal to the applicants, but to no avail. They either didn't see the problem they created, or they chose to ignore it. Closing the culvert was a willful act and it was clear to the rest of the neighbourhood that we were on our own making it up to us to find a solution to the problem.

Since the applicants are not willing to accept responsibility for the drainage problems they created in the first place, when they filled in both ends of the culvert, what assurances do we have from the City that this proposed building will not impact or worsen the already compromised drainage? What are the applicants doing to mitigate any further flood risk of the neighbourhood with this building construction?

Therefore, in light of these two main issues, height and drainage, we oppose the application for requested variance and request that the application for variance be refused.

We wish to receive a copy of the Committee of Adjustment Notice of Decision for this property.

Sincerely
Jennifer H Proctor
Bernard Anthony Penna



Virus-free. www.avg.com