

## Memorandum

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**Date:** December 1, 2022  
**To:** Chair and Members of Committee of Adjustment  
**From:** L. Barrie, Manager of Planning  
**Re:** **Minor Variance Application File No. D20-2022-057**  
Raymond Zinsmeister, 1023 Little Britain Road  
Part Lot 6, Plan 79, geographic Township of Mariposa

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### **Purpose and effect of application:**

To permit a detached accessory building (workshop / garage) at reduced setbacks, increased coverage and height, to remain in place.

### **Background:**

Kawartha Conservation identified that flooding hazards are present on the property, which is within the boundary of the Sturgeon Lake Management Plan and a highly vulnerable aquifer, and as such, a permit pursuant to Ontario Regulation 182/06 is required prior to any onsite works being completed. A permit was not obtained prior to construction, accordingly the development is considered a violation under the Regulation.

In order to facilitate on-going discussion amongst Kawartha Conservation and the owner, the Committee approved the following motion at the August 18, 2022 public hearing:

### **CA2022-092**

Moved By D. Marsh

Seconded By Councillor Yeo

**That** Application D20-2022-057 be deferred to the last Committee of Adjustment meeting of the year or upon receipt of KRCA comments.

**Update:**

The owner submitted a permit application that has since been reviewed by Kawartha Conservation staff. Because the permit cannot be supported at a staff level, the owner will be required to have a Board Hearing in order to determine if the permit is to be approved. Prior to convening a hearing with the Board of Directors, the owner is required to undertake the following:

- An elevation survey of the property to determine to what extent the grade has been modified within the Regulatory flood hazard, as this will then be used to complete a balanced cut-and-fill for the material that has been added to the property to restore the removed flood storage. This will then also determine if there is enough space on the subject property to restore the previous flood storage.
- Engineered hydraulic analyses to demonstrate that the size of the structure and placement of fill will have no adverse hydraulic or fluvial impacts on Mariposa Creek, including the impact of the cut-and-fill for the alteration to the grade.

Kawartha Conservation has conveyed this information to the owner. In order to provide the owner sufficient time to obtain the above studies and to then schedule a Board Hearing, a six (6) month extension has been suggested by Kawartha Conservation.

**Recommendation:**

Staff are supportive of a further deferral to facilitate on-going efforts between the owner and Kawartha Conservation. Staff recommend that the application be deferred for a period of not more than six (6) months, returning at the latest to the June 22, 2023 meeting, or sooner upon receipt of KRCA comments.



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Leah Barrie, MCIP RPP  
Manager of Planning