


Price: XXXXXX Status: Active File #: 1650465	PIN / MLS# #: 631440381 Pin: 631440381 Roll #: 16210003021700 Brokerage File #:																																																
Address: 149 FENELON DR Town/Village/City/Municipality: CAMERON, KOM 1G0 County: CITY OF KAWARTHA LAKES																																																	
Elementary School: Secondary School:																																																	
Lot Size: 100 X 150 Acreage: Approx. Sq Ft Range:	Major Area: Kawartha District District: Lindsay Ops, S. Fenelon Subdistrict: Fenelon Twp. S Of Sturgeon Lk Zoning: RES Occupancy: Owner																																																
List Date: 05-JUL-2016 Possession: 30 DAYS Expiry Date: 30-OCT-2016																																																	
Property Overview Spacious 4 bedroom 2 bathroom 4 level side split tastefully decorated with sunroom, main floor family room in large private treed lot, steps to Sturgeon Lake, ideal for fishing and boating. Association fee 25.00 yearly, docking available, this home is immaculate CON 8, LT 7 PLAN 416, LT 28 FENELON TWP CITY OF KAWARTHA LAKES																																																	
Legal Description Carbon Monoxide Detector, Dishwasher, Dryer, Freezer, Gazebo, Light Fixtures), Microwave, Satellite Dish, Satellite Equipment, Smoke Detector / STORAGE SHED, STOVE, WASHER ALL PERSONAL ITEMS																																																	
Exclusions Spacious 4 bedroom 2 bathroom 4 level side split tastefully decorated with sunroom, main floor family room in large private treed lot, steps to Sturgeon Lake, ideal for fishing and boating. Association fee 25.00 yearly, docking available, this home is immaculate																																																	
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Type: Single Family Style: Side Split Title to Land: Freehold Property Size: 0.5 - 0.99 Acres Land Features: Landscaped, Level, Wooded/Treed	1st Heat Source: Forced Air-Oil 2nd Heat Source: Woodstove HVAC Features: Central Air Water: Community Sewage: Septic-Concrete Tank Garage Type: Detached, Double Documents On File: Easements/Restrictions:																																																
Accessories/Buildings/Services: Electrical, Garbage Pick-Up, Internet High Spd, Recycling Pick-Up, Telephones, School Bus Route	Foundation/Bsm: Full, Fully Finished Roof: Asphalt Shingle Flooring: Carpet, Hardwood, Tile Interior Features: Carbon Monoxide Detector, Dining Room, Family Room Main Floor: Smoke Detector, Sunroom Exterior: Brick Vaneer Exterior Features: Patio, Satellite Dish Access:																																																
Rental Equipment: Hot Water tank	Property For: Sale Sale Type: Matrimonial Home Approx. Age Range: Interest Bearing Trust Account: NO																																																
Total # Of Bedrooms: 4+0 Full/Half Baths: 1 / 1 # Of Kitchens: 1	Sign: Yes Garage: Yes																																																
<table border="1"> <thead> <tr> <th>Floor</th> <th>Room</th> <th>Size</th> <th>Floor</th> <th>Room</th> <th>Size</th> </tr> </thead> <tbody> <tr> <td>2nd Level</td> <td>LIVING ROOM</td> <td>15.6X11.2</td> <td>Lower Level</td> <td>FAMILY ROOM</td> <td>19.2X11.2</td> </tr> <tr> <td>2nd Level</td> <td>DINING ROOM</td> <td>10.3X8.10</td> <td>Main Floor</td> <td>4 PIECE BATHROOM</td> <td></td> </tr> <tr> <td>2nd Level</td> <td>KITCHEN</td> <td>11.10X9.2</td> <td>Main Floor</td> <td>4 PIECE BATHROOM</td> <td></td> </tr> <tr> <td>3rd Level</td> <td>MASTER BEDROOM</td> <td>12.7X10</td> <td>Main Floor</td> <td>REC ROOM</td> <td>125X10</td> </tr> <tr> <td>3rd Level</td> <td>BEDROOM</td> <td>12.9X9</td> <td>Lower Level</td> <td>LAUNDRY</td> <td>20.4X9.8</td> </tr> <tr> <td>3rd Level</td> <td>BEDROOM</td> <td>10X9.11</td> <td>Main Floor</td> <td>SUNROOM</td> <td>18.8X8.8</td> </tr> <tr> <td>Main Floor</td> <td>BEDROOM</td> <td>12.2X8.4</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Floor	Room	Size	Floor	Room	Size	2nd Level	LIVING ROOM	15.6X11.2	Lower Level	FAMILY ROOM	19.2X11.2	2nd Level	DINING ROOM	10.3X8.10	Main Floor	4 PIECE BATHROOM		2nd Level	KITCHEN	11.10X9.2	Main Floor	4 PIECE BATHROOM		3rd Level	MASTER BEDROOM	12.7X10	Main Floor	REC ROOM	125X10	3rd Level	BEDROOM	12.9X9	Lower Level	LAUNDRY	20.4X9.8	3rd Level	BEDROOM	10X9.11	Main Floor	SUNROOM	18.8X8.8	Main Floor	BEDROOM	12.2X8.4			
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Full Assessed Value: \$ Current Assessed Value: \$213000 (2015) Taxes: \$2198 (2016)																																																	



BUILDING PERMIT
PERMIT NUMBER
2003-0242

Issued to (Owner's Name): 149 FENELON DR	Roll Number: 165121003021700
Address: 149 FENELON DR	(Owner's) Telephone Number: 905-882-3141
Contractor's Name:	Address:
Area of Building to be Constructed: 600(Ft)	Estimated Cost of Construction: \$10000
Property Use: Residential	Zone: RR3
Project Address: 149 FENELON DR	
Legal Description: CON 8 PT LOT 7 PLAN 416 LOT:28	
Bldg. Width: 20(Ft)	Bldg. Length: 30(Ft)
Setbacks Front Yard: 40(Ft)	Left Side Yard: 6(Ft)
	Right Side Yard: 59(Ft)
	Rear Yard: 130(Ft)
Remarks:	Issued By: Brent Rice, Chief Building Official
Date Issued: 29 Nov 2023	
The personal information on this permit was collected pursuant to the Building Code Act and forms part of a public record open to inspection by any person upon request at the office of the Clerk during normal office hours. See Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56.14(1)(c).	

IMPORTANT: THE OWNER/CONTRACTOR/BUILDER IS RESPONSIBLE UNDER THE BUILDING CODE ACT TO NOTIFY THE CHIEF BUILDING OFFICIAL OF THE STAGES OF CONSTRUCTION LISTED BELOW AT LEAST 24 HOURS IN ADVANCE OF THE TIME THE INSPECTION IS REQUIRED.

- 1) Readiness to construct footings.
- 2) Completion of footings and foundations just prior to backfill.
- 3) Completion of framing.
- 4) Completion of insulation, air barrier and vapour barrier.
- 5) Commencement of the construction of masonry and factory-built fireplaces and chimneys and the installation of solid-fuel burning appliances.
- 6) Completion of fire separation and closures and all fire protection systems including standpipe, sprinkler, fire alarm, and emergency light systems.
- 7) Substantial completion of heating, ventilating, air-conditioning and air contaminant extraction equipment.
- 8) Readiness for inspection and testing of
 - a) Building sewers and building drains,
 - b) water service pipes,
 - c) drainage system and venting system,
 - d) water distribution system
- 9) Substantial completion of exterior cladding, access routes and grading.
- 10) Interior occupancy.
- 11) Final completion of all outstanding items.

To arrange an inspection call the City of Kawartha Lakes call centre at 1-888-822-2225 or your local service centre at 705-438-3141.

When 149 Fenelon Drive was purchased in 2016, there were no prescriptions, easements or overland water agreements on the title to date. (See Listing)

The garage has a Building permit which was issued and approved in 2003 by the City of Kawartha Lakes stating 6ft to the left of the building to the property line and this is on file with CKL. (See Building Permit)

This was 1st brought to City of Kawartha Lakes (CKL) attention back in April of 2017 as no response or efforts were made back then. With continued efforts over the years being manipulated and redirected to corrections that never happen or discuss.

First told to it was not right, give us time and let me see what we can do, mentioned about a French drain or other diversion options. It wasn't in the budget, not in the works. Well, here we are 7yrs later and still nothing has been done.

It was under our impression as they started a full ditching program back in 2022 within Southview Estates that eventually the water issue would be addressed and dealt with, this was not the case. As CKL made drastic changes to the 24" culvert that faces 149 Fenelon Drive on Cameron Road in August 2023 by lowering it 18" and shooting a beam across private property, with no communication with the owners or discussing what this change may cause. We advised CKL back in 2017 that if any upstream changes were going to happen to notify us as these changes as it would make a drastic change in the water flow across the property, as we were not ok with this. This was made clear to CKL.

As we have not had any resolutions or feedback to solve the issues, a memorandum was put forward to CKL Council on November 23, 2023. We need answers and a solution, this has gone on for too long, 7yrs with no answers or resolutions from CKL is unacceptable.

We have also asked for the Stormwater Management Plan for Southview Estates and well to our surprise there isn't one as per 2017 and have continued to ask for this to date along with other questions and still no luck as of today, this was done through Report It and directly to CKL's staff emails.

CKL also has approved two swimming pools on Cameron Road and well where do you think all that water goes when they must drain those pools... that water goes across 149 Fenelon's private property, along with all resident's local sump pump water and all the Stormwater from Cameron Drive flows through 149 Fenelon Drive's Property / CKL cannot have both an approved building and

an overland water drainage area both within a 6ft area. It is one or the other.

As the building permit is the most recent and current permit on file for 149 Fenelon Drive, this is what stand and not the “I think there maybe a prescription” as Juan Rodiequez stated in a meeting with Councilor Mike Perry and Corey Crowder, that so-called unregistered prescription is now noll and void. When the building permit was to be issued, it should have been at that time an easement for overland water should have been addressed, it was not, so the building permit stands. Remove the water that is crossing private property and is within 3 ft of the building.

On the original site plan there is no mention of prescriptions or easements and this would have been stated on the site plan with a comment on the property to see notes, there are no notes on the site plan of this. Remove the water and put it on CKL’s owned property which is the most viable and feasible. We have also offered for CKL to buy the entire property of 149 Fenelon and at this time I would like to note to the council that we have discussed many options and still nothing is being done.



Clear the record from Memorandum issued to Council Nov. 23, 2023

- “This stormwater does not go from private property to private property”. It is actually goes from CKL property across private property back to CKL property.
- “The homeowners made modifications” There are no modifications made to the area in question. We even modified our driveway to accommodate the water, which is now heaving and splitting (see photo). Driveway was completed by a CKL approved vendor.
- “This has always been there”... in fact in the original subdivision plan and aerial photo from 1969, this swale (not a ditch) was not on 149 Fenelon, it lined up with the large diameter culvert that goes to the outfall to Sturgeon Lake. (see photos below)
- “This is a ditch” this is not a ditch, it is at most a 4” swale which levels out at the front of the property.
- “There are no other options”. CKL owns property 4 doors down which can be used as the drainage ditch and remove it from the private property of 149 Fenelon Drive. CKL would also be able to follow Cameron road down to the other end and under the road and follow the large storm ditch that goes to the storm outfall to sturgeon lake.

After 7yrs we have exhausted all our efforts to make this right and correct CKL’s wrongdoing and the lack of communication or resolutions or mediation of this issue is totally unacceptable.



Aerial View from 1969
Original Drainage Plan which lines up to the culvert on Fenelon to the outfall to Sturgeon Lake



(The starting of the thaw) Refreezing over the small swale and eroding the hedges, trees, driveway and undermining the buildings foundation



A typical winter



The thaw and freeze



The width of the water/ice during winter



This is a typical flow/speed when it rains. The volume can double if a complete downpour.

This amount of water/flow should not cross any private property this close to a permitted building.



Erosion and splitting of driveway due to erosion and soft soil.

This erosion and soft soil is now causing foundation issues within the building.



Summer Erosion after a typical rain storm