

**CROWE VALLEY CONSERVATION AUTHORITY**

**BOARD HEARING**

**NOVEMBER 17, 2022**

**WRITTEN MATERIALS**

Ron Aelick

51 Sylvan Drive, Township of North Kawartha

November 1, 2022

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## INDEX

<b>TAB</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
1.	Submissions of Davies Howe to CVCA (November 1, 2022)	3
<b>RELEVANT POLICY AND BY-LAW PROVISIONS</b>		
2.	CVCA Policy Manual (Extracts) (February 2020)	13
3.	Township of North Kawartha By-law 2022-0030 (April 5, 2022)	19
<b>COMMENTS AND CORRESPONDENCE</b>		
4.	CVCA Notice of Review (March 16, 2022)	23
5.	CVCA Supportive Comments (March 25, 2022)	26
6.	CVCA Unsupportive Comments (June 28, 2022)	29
7.	Letter from Mayor Amyotte re: Concerns with CVCA Operations (September 30, 2022)	32
8.	CVCA Notice of Hearing (October 20, 2022)	37
<b>VISUAL ATTACHMENTS</b>		
9.	Photographs of Existing Conditions	40
10.	Application Drawings (January 2022)	42

Tab 1

November 1, 2022

**By E-Mail Only to *tim.pidduck@crowevalley.com***

Tim Pidduck, General Manager and Secretary-Treasurer  
Crowe Valley Conservation Authority  
70 Hughes Lane  
P.O. Box 416  
Marmora, ON K0K 2M0

***Attn: Chair O'Neill and Board of Directors***

**Re: Application for Development Permit No. 101/22  
51 Sylvan Drive, North Kawartha**

We are counsel to Mr. Ron Aelick, the owner of 51 Sylvan Drive, in the Township of North Kawartha (the "**Subject Property**") which is located south of Chandos Lake on the inlet to Gilmour Bay.

The purposes of this letter are to:

1. provide information to the Board regarding Mr. Aelick's development proposal and the process followed in pursuing it; and,
2. to respond to certain concerns raised by Crowe Valley Conservation Authority ("**CVCA**") Staff in connection with Mr. Aelick's Development Permit Application (the "**Permit Application**").

In our view, the Board should direct Staff to issue the Development Permit without further delay.

### **The Proposal**

Mr. Aelick has permission from every other review agency (DFO, MNR and the Township of North Kawartha) to replace a boathouse and dock on the Subject Property.

The replacement boathouse maintains its original footprint of 245 ft<sup>2</sup> but will be 4.8m tall instead of the original 3.0m. The proposed boathouse meets all Township Zoning By-law requirements.

The replacement dock is 355 ft<sup>2</sup> and is accessed from the shoreline by stairs. The dock being replaced is 145 ft<sup>2</sup>. There is a second dock further south, which Mr. Aelick proposes to remove. The second dock has an area of 118 ft<sup>2</sup>. The total area of existing docks is therefore 263 ft<sup>2</sup>. Importantly, the replacement dock meets all Township Zoning By-law requirements. For comparison, the maximum area of a dock, as permitted by the Township's Zoning By-law, is 603 ft<sup>2</sup>. Mr. Aelick is therefore proposing a dock well under the Township's maximum permitted area.

### Key Timeline

Before making the Permit Application, Mr. Aelick obtained zoning relief for the height of the boathouse and width of the stairs accessing the replacement dock (no relief was needed for dock area). The key events are as follows:

- February 17, 2022 – Application for Zoning By-law Amendment is Filed with Township
- March 16, 2022 – Lou Young, CVCA, Writes Confirming Proposal Under Review Against O. Reg 159/06
- March 25, 2022 – Beth Lowe, CVCA, Writes Advising **No Concerns with Proposal**
- April 5, 2022 – Township Planner Issues Report Supportive of Proposal
- April 5, 2022 – Township Council Approves the Zoning By-law Amendment
- April 7, 2022 – Township Provides Notice of Passing of Zoning By-law
- April 26, 2022 – Mr. Aelick Applies to the Conservation Authority for Permit
- April 27, 2022 – The Zoning By-law Appeal Period Closes without Appeal
- June 28, 2022 – Beth Lowe, CVCA, Writes Advising **No Longer Supportive**

As can be seen, CVCA first supported the proposal, but now, in the absence of any change to the proposal, are no longer supportive. This raises serious questions about CVCA's role as a planning commenting agency.

### **CVCA's Relationship to the Planning Process**

Section 2.3.2 of the Crowe Valley Conservation Authority Policy Manual (the "**Policy Manual**") sets out the CVCA's relationship to the planning process:

*The principle of development is established through the Planning Act process...*

*...CVCA endeavours to ensure, through its comments on the planning application, that the requirements under the Regulation process can be fulfilled at the time an application under the Regulation is received.*

*...As previously noted, the principle of development is established through the Planning Act process. It is not acceptable to recommend approval of a planning application and then recommend refusal of a regulatory permission, unless the applicant refuses to meet the specific requirements under the Regulation. If an issue remains unresolved, CVCA should not recommend approval of the Planning Act application and assess the option of making an appeal to the Local Planning Appeal Tribunal (LPAT).*

### **CVCA's Failure to Follow its Own Planning Policy**

Ms. Lowe reviewed Mr. Aelick's proposal under O. Reg 159/06 and reported her findings in a letter dated March 25, 2022. That letter indicated that there were "no concerns" with the proposal.

During the March 2022 review, Ms. Lowe paid particular attention to the possibility of a flood hazard, writing,

*A flooding hazard means the inundation of areas adjacent to a shoreline of a river or stream system and not ordinarily covered by water.*

And continues to say,

*The proposed development does not create a new hazard or aggravate an existing one.*

The review took place well ahead of the filing of the Permit Application on April 26, 2022 and there has been no change in the proposal since February 17, 2022 when the Zoning By-law Amendment Application was filed.

Section 2.3.2 of the Policy Manual makes it clear that it is during the planning review that CVCA should raise its concerns with a development proposal because it is, "not acceptable to recommend approval of a planning application and then recommend refusal of a regulatory permission."

Despite the clear direction in the Policy Manual, CVCA Staff recommended approval of the planning application, and now recommend refusal of the regulatory permission sought to implement it.

Since there was no change in the proposal between March 25, 2022 and June 28, 2022 the change in position is unexplainable.

Regrettably, based on the enclosed recent correspondence from the Mayor of North Kawartha Township to the CVCA, dated September 20, 2022, this is not the first time there has been a failure to follow s. 2.3.2 of the Policy Manual.

The appropriate remedy is to issue Mr. Aelick's development permit without further delay. Mr. Aelick has already lost one construction season and would like to avoid losing another.

### **Conservation Authority Later Comments Insufficient for Refusal**

Since indicating there were no concerns with the proposal, CVCA Staff have provided further comments. However, none of those comments justify refusal, as explained below.

#### ***Use of Structure as a Boathouse***

In comments dated June 28, 2022, Ms. Lowe writes,

*Upon review the proposal to add a floor to the existing in-water boathouse [sic] will change the intent of the structure and is therefore considered to be a change of use which CVCA Regulations Officers cannot permit.*

The comments go on to suggest that because the boathouse will have a floor (i.e. be based on a dock), that does not allow motorboats to be berthed, it cannot be a boathouse, but rather must be an "accessory structure on water" which is not permitted. That reasoning is seriously flawed.

The Township Zoning By-law defines "boathouses" as:

*a single storey detached accessory building or structure with a roof and walls, designed and used to house, shelter, store or protect watercraft and/or related marine equipment; but shall not include any space for human habitation.*

The boathouse fulfills all these requirements. It has a single storey and it has a roof and walls. The boathouse will be used to house and shelter canoes and kayaks (which are watercraft) and related marine equipment like life preservers, rope and bailing buckets. Notably, the definition does not require direct access through the dock to water, motorboat access, or any kind of wet slip. Accordingly, there is no reason to suggest that the proposed structure is anything but a boathouse in the eyes of the Township Zoning By-

law, which establishes the principle of development and as a result is given primacy by s. 2.3.2 of the Policy Manual.

The Policy Manual defines a boathouse as:

*A one-story accessory structure that has an opening to the water of an appropriate size to accommodate a boat.*

The boathouse is one storey, fulfilling that requirement. Ms. Lowe's comments suggest that an opening through the dock under the boathouse is required. However, the Policy Manual definition says nothing of the sort. Rather, what is required is "an opening to the water", which the boathouse provides, in the form of a door, through a wall, leading to water across a dock. Lastly, the boathouse is of an appropriate size to accommodate the type of boats Mr. Aelick wishes to care for, being canoes and kayaks. As an aside, we struggle to understand why the CVCA would interpret its Policy Manual as preferring motorized watercraft on Chandos Lake and Gilmour Bay, to canoes and kayaks.

Both the Township and CVCA definitions of "boathouse" are met by the proposal, and accordingly, there can be no credible argument it represents a change in use from a boathouse to anything else.

### ***No Test of "Need"***

On June 28, 2022 Ms. Lowe indicates the boathouse is not needed; that it could be located elsewhere on the property. This sentiment is echoed in the Hearing Notice dated October 20, 2022 (the "**Hearing Notice**").

Ms. Lowe does not provide any language from the Policy Manual indicating there is a "test" of "need". Similarly, no such policy was identified in the Hearing Notice. We reviewed the Policy Manual but could not find any policy addressing the "need" for a boathouse. All of this is for a sound reason – any "test" of "need" would be almost infinitely subjective and therefore ill-suited to the rational, policy-led, decision-making process the CVCA is tasked with.

Setting the distraction of "need" aside, the fact is, the boathouse and dock are permitted pursuant to the Township's Zoning By-law, which was expressly amended to allow the proposal following a process in which the CVCA fully participated.



### **Area of the Dock**

It was only after the proposal was approved by the Township, and rendered final and binding, that the CVCA raised any concern about the area of the dock.

On June 28, 2022, Ms. Lowe indicated that the Policy Manual does not permit new permanent docks and appears to refer to s. 6.4.1.8 of the Policy Manual in support of that position. Section 6.4.1.8 reads:

*New in-water boathouses..., structures and permanent docks that are within the channel of a watercourse will be not be permitted.*

This policy only applies to new boathouses and docks. However, the proposal is not for a new boathouse or dock. Rather, the boathouse and dock have existed for some 50 years or so in the same location. While the boathouse and dock are being modified in accordance with the Township Zoning By-law (as supported by the CVCA), they are not new. Accordingly, this policy is not applicable.

Section 6.4.1.9 of the Policy Manual contains the policy applicable to the repair of existing in-water boathouses and permanent docks, which reads:

*Repairs to existing in water boathouses, structures and permanent docks may be permitted provided that the repairs:*

- *do not impede the flow of water;*
- *do not provide an opportunity for conversion into habitable space in the future (to ensure no habitable component, the boathouse shall contain no services other than electricity);*
- *the repairs do not result in a change in use, including new decks and rooftop patios;*
- *do not alter the natural contour of the shoreline; and,*
- *do not result in a change in size or create a navigational hazard.*

*Repairs to the foundation of an existing boathouse or structure will be required to be designed by an appropriate and qualified professional (ie: an engineer).<sup>1</sup>*

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<sup>1</sup> In the 10 months CVCA have had to review the proposal, Staff have not raised any issue of water flow impediment, rooftop patios, shoreline contour alteration or navigational hazard (a DFO responsibility). Since they are not issues, these submissions do not address them. We do however address habitation toward the end of these submissions.

The policy deals with a range of subjects, but the present focus is on the language, “does not result in a change in size” in the last bullet.

The CVCA may see the “change in size” policy and conclude that the development permit should not issue. However, doing so would be wrong and based on a mistaken interpretation of the Policy Manual and role of CVCA.

In this case, there is a conflict in the Policy Manual between ss. 6.4.1.9 (dealing with change in size) and 2.3.2 (dealing with the planning process) that must be resolved before determining the effect of s. 6.4.1.9.

The conflict arises because s. 6.4.1.9 is being interpreted by some to mean that the permit should not be issued due to a change in size of the replacement dock. In contrast, s. 2.3.2 forcefully indicates that it should be issued since the principle of development was clearly established through the planning process.

Fortunately, s. 2.3.2 of the Policy Manual provides direction on how such a conflict should be resolved. The principle is put succinctly in the following passage:

*The principle of development is established through the Planning Act process...*

*...It is not acceptable to recommend approval of a planning application and then recommend refusal of a regulatory permission, unless the applicant refuses to meet the specific requirements under the Regulation.*

There has been no refusal by Mr. Aelick to meet any of the requirements of the CVCA application process.

In light of the foregoing, since Mr. Aelick completed the planning process, with the full and informed input of CVCA, the Policy Manual clearly dictates that the development permit should issue despite minor adjustments to dock area.

### ***No Legitimate Concern with Flood Control***

In a stunning reversal of comments issued by the CVCA on March 25, 2022, and for the first time in the Notice of Hearing issued on October 20, 2022, the CVCA indicated a potential concern with flood control, writing,

*The application has the potential to negatively impact the control of flooding.*

And as restated toward the end of the Notice of Hearing,

*The proposed development has the potential to negatively impact the control of flooding.*

There is no explanation provided in the record that establishes a basis for this late commentary.

Nevertheless, we note that the existing docking and boathouse have been in place for some 50 years in this location. We are not aware of a single concern ever being raised about the structures posing a flood control risk in that time.

Furthermore, it is difficult to understand how the proposed dock and boathouse could possibly impact the CVCA's flood control program. The flood control program is focused on forecasting and warning, dam and weir operation and ensuring the maintenance of seasonal water levels for recreational, fish and environmental purposes. Any claim that the boathouse and dock would have any effect on those operations is tenuous at best.

We note that the proposal does not result in any filling of the floodplain, which if undertaken in large volumes, could conceivably have an impact on flood control.

Raising the spectre of a flood control at the last moment, without any explanation or supportive analysis, is not only procedurally unfair and contrary to s. 2.3.2 of the Policy Manual, but is also not credible.

### ***Human Habitation***

Apprehensions around human habitation are not noted in either the June 28<sup>th</sup> letter or the Hearing Notice, however, given our experience with waterfront structures elsewhere it is a subject we think necessary to address.

The CVCA cannot reasonably refuse a permit due to an apprehension about human habitation of a boathouse. There are two very strong reasons for this. First, the potential for human habitation does not relate to the CVCA's mandate as provided for in s. 3 of O. Reg 159/06, which deals with control of flooding, erosion, dynamic beaches, pollution or conservation of land. Second, it amounts to a zoning by-law compliance concern, which falls under the Township's jurisdiction over by-law enforcement.

Were the CVCA to refuse the Permit Application, based on an unspoken concern about future conversion to a habitable space, it would amount to an "advanced penalty" which is foreign to our constitutional democracy.

### Concluding Remarks

In accordance with the reasons provided above, we recommend that the Board approve the Permit Application and direct Staff to issue the development permit as soon as possible.

Yours truly,  
**DAVIES HOWE LLP**

  
Alex Lusty

copy: Mr. Neil Campbell, Aside Architects

Tab 2



## **Watershed Planning and Regulations (O. Reg 159/06) Policy Manual**

CREATED FEBURARY 2014

UPDATED: JANUARY 2016

MARCH 2017

February 2020

## 2.3.2 The Planning Act

The principle of development is established through the Planning Act process and CAs' are involved in the review of planning applications under the Planning Act primarily in three ways: as an agency with delegated responsibilities for the review of natural hazards; as a technical advisor; and as a commenting agency.

Individual CA Regulations complement the Natural Hazard (Section 3.1), Natural Heritage (Section 2.1 – Wetlands and Valley Lands) and Water (Section 2.2) policies of the 2014 Provincial Policy Statement (PPS) under the Planning Act. While many CAs have additional agreements with their member municipalities to comment on Section 2.1 and 2.2, our delegated responsibility for providing input with respect to provincial interests under the PPS is limited to Section 3.1 – Natural Hazards (MOU can be found in Appendix F). Natural hazards include:

- Floodplain management;
- Hazardous slopes;
- Great Lakes shorelines<sup>2</sup>; and
- Unstable soils and erosion hazards.

This delegation of responsibility requires CAs to review and provide comments on policy documents (Official Plans and comprehensive Zoning By-laws) and applications submitted pursuant to the Planning Act as part of the Provincial One Window Planning Service.

CAs may also provide technical advisory services to member municipalities for planning applications. In this capacity, CA staff provide technical input regarding potential environmental impacts and advice about how negative impacts can be avoided or minimized. CA comments could apply to a range of matters including, but not limited to, natural hazards, natural heritage, and water quality and quantity.

In addition, regulations under the Planning Act (O. Reg. 545/06, 543/06 and 200/96) require municipalities to give notice to CAs regarding planning applications and changes to policy documents. In its capacity as a commenting agency, the CA may provide additional advisory comments which relate to its goals and objectives for watershed management.

One of the main differences between the PPS and the Development, Interference and Alteration Regulations is that the Planning Act establishes the principle of development and the CVCA regulations, much like a building permit, identify specific site requirements prior to activities taking place. Prior to the review of a Regulation application, CVCA will often see the proposal through their Plan Review process including applications under the Planning Act (e.g., severances, site plan, subdivision applications). Although CVCA permission for an application under our regulations may not

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<sup>2</sup> Note: There are no Great Lakes Shorelines within the CVCA watershed.

be issued for many years after the planning application, CVCA endeavours to ensure, through its comments on the planning application, that the requirements under the Regulation process can be fulfilled at the time an application under the Regulation is received.

If an application under the Planning Act does not meet the Board approved policies (for its regulations), staff should work with the municipality and the proponent to modify the application. As previously noted, the principle of development is established through the Planning Act process. It is not acceptable to recommend approval of a planning application and then recommend refusal of a regulatory permission, unless the applicant refuses to meet the specific requirements under the Regulation. If an issue remains unresolved, CVCA should not recommend approval of the Planning Act application and assess the option of making an appeal to the Local Planning Appeal Tribunal (LPAT).

Alternatively, it is also recognized that there may be historic planning approval decisions that were made in the absence of current technical information or prior to the establishment of the current regulations and policies, which would now preclude development. In these situations, innovative efforts may be necessary to address the site constraints and accommodate the development. However, in some cases approval should not be granted.

### 2.3.3 Other Legislation

There are many other pieces of legislation that address various water and related resource management activities. Some of the key pieces of legislation include:

- Fisheries Act (Fisheries and Oceans Canada);
- Lakes and Rivers Improvement Act (MNRF);
- Public Lands Act (MNRF);
- Environmental Assessment Act (MOE);
- Water Resources Act (MOE); and
- Drainage Act (Ontario Ministry of Agriculture, Food and Rural Affairs).

It is important to note that CA Section 28 permission, if granted for work, does not exempt the applicant from complying with any or all other approvals, laws, statutes, ordinances, directives, regulations, etc. that may affect the property or the use of same. Alternatively, complying with or obtaining all other approvals, laws, statutes, ordinances, directives, regulations, etc. does not exempt the applicant from obtaining permission under Section 28 of the *Conservation Authorities Act*.



### **New In-Water Boathouses, Structures and Permanent Docks**

**6.4.1.8** New in-water boathouses (for upland boathouses see Policy 5.3.5), structures and permanent docks that are within the channel of a watercourse will be not be permitted.

### **Existing In-Water Boathouses, Structures and Permanent Docks**

**6.4.1.9** Repairs to existing in water boathouses, structures and permanent docks may be permitted provided that the repairs:

- do not impede the flow of water;
- do not provide an opportunity for conversion into habitable space in the future (to ensure no habitable component, the boathouse shall contain no services other than electricity);
- the repairs do not result in a change in use, including new decks and rooftop patios;
- do not alter the natural contour of the shoreline; and,
- do not result in a change in size or create a navigational hazard.

Repairs to the foundation of an existing boathouse or structure will be required to be designed by an appropriate and qualified professional (ie: an engineer).

### **Removable Docks**

**6.4.1.10** Removable docks, including pole and cantilever, that are anchored to the shoreline will be permitted provided that:

- they do not impede the flow of water;
- they are placed in a location that minimizes vegetation removal and disturbance

Docks proposed in a wetland must adhere to the additional policies in Section 7.

Floating docks do not require a permit from the CVCA, however a work permit may be required from the Ministry of Natural Resources and Forestry (MNRF) and/or the Department of Fisheries and Oceans (DFO).

### **Public Infrastructure**

**6.4.1.11** Public Infrastructure (sewers, flood and/or erosion control works) and various utilities (pipelines) will be permitted within a watercourse provided that:

- all feasible alignments have been considered through an approved Environmental Assessment, other comprehensive plan or site specific technical studies supported by CVCA, whichever is applicable based on the scale and scope of the project;

**Area of interference:** those lands where development could interfere with the hydrologic function of a wetland.

**Armour:** Artificial surfacing of bed, banks, shores, or embankments to resist scour or erosion.

**Authority:** The Crowe Valley Conservation Authority, a corporate body established under the Conservation Authorities Act (RSO 1990).

**Basement:** One or more storeys of a building located below the first storey (Building Code).

**Balanced Cut and Fill:** The removal and replacement of suitable fill material at equal elevations to maintain the flood storage capacity of a property. Material must be removed and replaced either adjacent to or at opposite location of one another so as to achieve equality of stage-discharge within an approved watercourse reach.

**Bankfull Width** means the formative flow of water that characterizes the morphology of a fluvial channel. In a single channel stream, “bankfull” is the discharge, which just fills the channel without flowing onto the floodplain.

**Best Management Practices (BMPs)** means methods, facilities and structures which are designed to protect or improve the environment and natural features and functions from the effects of development or interference.

**Breakwall/Breakwater:** An object (especially a groyne or pier) resisting force of waves.

**Boat House:** A one-story accessory structure that has an opening to the water of an appropriate size to accommodate a boat.

**Buffers** are an area or band of permanent vegetation, preferably consisting of native species, located adjacent to a natural heritage feature and usually bordering lands that are subject to development or site alteration. The purpose of the buffer is to protect the feature and its function(s) by mitigating the impacts of the proposed land use and allowing an area for edge phenomena to continue (e.g., allowing space for edge trees and limbs to fall without damaging personal property, area for roots of edge trees to persist). A buffer may also provide an area for recreational trails and a physical separation for new development that will discourage encroachment (adapted from Natural Heritage Reference Manual 2nd edition, 2010).

**Building:** A structure consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto, plumbing not located in a structure, or a sewage system.

**Channel:** The area of a watercourse carrying normal flows within the banks.

Tab 3

## **The Corporation of the Township of North Kawartha**

### **By-law 2022-0030**

Being a by-law of the Corporation of the Township of North Kawartha under the provisions of Section 34 of the Planning Act R.S.O. 1990, Chap. P. 13, as amended, to amend Zoning By-law #26-2013, with respect to certain lands described as Lot 9, Plan 4, in the geographic area of Chandos, in the County of Peterborough, Roll #1536-010-200-39500.

Whereas Zoning By-law #26-2013 as otherwise amended, was passed under the authority of a predecessor of Section 34 of the Planning Act, R.S.O. 1990, Chap. P. 13, as amended;

And Whereas the matters herein are in conformity with the provisions of the Official Plan of the County of Peterborough as approved by the Ministry of Municipal Affairs and Housing;

And Whereas the Council of the Corporation of the Township of North Kawartha conducted a public hearing in regard to this application, as required by Section 34(12) of the Planning Act, R.S.O. 1990, Chap. P. 13, as amended;


And Whereas the Council of the Corporation of the Township of North Kawartha deems it advisable to amend Zoning By-law #26-2013 as otherwise amended, with respect to the above described lands, and under the provisions of the Planning Act has the authority to do so;

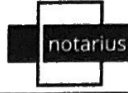
Now Therefore the Council of the Corporation of the Township of North Kawartha enacts as follows:

1. That the proposed amendment will upon coming into force and effect, serve to amend By-Law No. 26-2013, as amended, by changing the zone category of certain lands located in Lot 9, Plan 4 in the Chandos Ward from Shoreline Residential (SR) Zone to Shoreline Residential-306 (SR-306) Zone as follows:
  - a. Notwithstanding Sections 3.18 (c) and 3.19 (a), an on-water boathouse may be permitted in the adjacent Lake (L) Zone, as an accessory use to the uses of the land zoned Shoreline Residential-306 (SR-306) Zone, subject to the following:
    - i. Maximum ground floor area                                      22.8 square metres
    - ii. Maximum height    4.8 metres
  - b. Notwithstanding Sections 3.18 (c) and 3.30 (c), stairs and landings intended to provide safe access to the shoreline may be permitted subject to the following:
    - i. Maximum width    1.6 metres
  - c. All other provisions in all other respects as set out in the General Provisions and the Provisions of the Shoreline Residential (SR) Zone shall apply and be complied with as identified in By-Law #26-2013.
2. That Schedule 'A15' of By-law 26-2013, as amended, is hereby further amended by changing the zone category of certain lands located in Lot 9, Plan 4 in the Chandos Ward and having Roll No. 1536-010-200-39500 from Shoreline Residential (SR) Zone to Shoreline Residential-306 (SR-306) Zone, as illustrated on Schedule 'A' attached hereto and forming part of this by-law.

This by-law shall come into effect on the 5th day of April 2022.

Read and Adopted in open Council on the 5th day of April 2022.

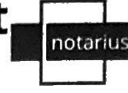
  
Signed by Carolyn Amyotte (2022/04/06)  
Verify with [verifio.com](https://verifio.com) or Adobe Reader.



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Carolyn Amyotte, Mayor

**Connie Parent**  
Signed with ConsignO Cloud (2022/04/06)  
Verify with [verifio.com](https://verifio.com) or Adobe Reader.



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Connie Parent, Clerk

## Schedule "A" to By-law 2022-0030

### Lands Affected

Plan 4, Lot 9  
 Chandos Ward  
 51 Sylvan Drive  
 Roll #010-200-39500



### Purpose and Effect

The proposed amendment would upon coming into force and effect, serve to amend By-Law No. 26-2013, as amended, by changing the zone category of certain lands located in Lot 9, Plan 4 in the Chandos Ward from Shoreline Residential (SR) Zone to Shoreline Residential-Exception (SR-306) Zone to permit an existing 245 square foot (22.8 square metre) on-water boathouse with a height of 3.0 metres to be reconstructed on the same footprint with an increased height of 4.8 metres. This is an amendment to Section 3.19 (a) which permits the rebuilding of an existing non-conforming building or structure provided the external dimensions of the original building or structure are not increased.

The application would also permit the construction of stairs and landings intended to provide safe access to the land near the water's edge with an increased width of 1.6 metres. This is an amendment to Section 3.30 (c) which permits such stairs and landings, provided that the width is not more than 1.25 metres.

The property amendment would also address Section 3.18 (c) which permits development on existing undersized lots provided the construction does not contravene any other provisions of this By-law.

All other provisions in all other respects as set out in the General Provisions and the Provisions of the Shoreline Residential (SR) Zone and Lake (L) Zone shall apply and be complied with as identified in By-Law 26-2013.

Tab 4



P.O Box 416, 70 Hughes Lane Phone: 613-472-3137  
Marmora, ON Fax: 613-472-5516  
K0K 2M0 www.crowevalley.com

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16 March 2022

Ronald Aelick  
57 Walder Avenue  
North York, ON  
M4P 2R8

Dear Mr. Aelick,

**RE: Application of a Zoning Bylaw Amendment #ZA-09-22 (Our File: ZBA 011/22)**  
**Part of Lot 20, Concessions 5**  
**51 Sylvan Drive**  
**The Township of North Kawartha**  
**Roll No: 1536-010-200-39500**

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The Crowe Valley Conservation Authority (CVCA) has received a copy of your Application for a proposed amendment to the Zoning By-Law for the Township of North Kawartha. A review of this Zoning By-Law amendment applications by the CVCA to the applicability of Ontario Regulation 159/06 the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation of the CVCA and the Provincial Policy Statement (PPS) is mandatory. Through a Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry and the Ministry of Municipal Affairs and Housing, Conservation Authorities are responsible for representing the Provincial Interest in planning matters as they relate to natural hazards (Section 3.1 PPS).

Please be advised that a fee of **\$265.00** is applicable for this review and is payable by cheque/money order, visa, mastercard or cash to the **Crowe Valley Conservation Authority** prior to the review being processed. If a site visit is required there is an additional fee of \$160.00.

If you have any questions, please do not hesitate to contact me at the number below.

Best regards,

Lou Young  
Regulations Associate and Project Coordinator  
613-472-3137  
[info@crowevalley.com](mailto:info@crowevalley.com)

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Tab 5



25 March 2022

Connie Parent – Clerk  
Township of North Kawartha  
280 Burleigh Street  
Apsley, Ontario  
K0L 1A0

Dear Ms. Parent,

**RE:**

**Application for a Zoning Bylaw Amendment # ZA-09-22  
(Our File # ZBA 011/22)  
Part of Lot 20, Concession 5  
51 Sylvan Drive  
ARN: 1536-010-200-39500**

Sent via email

The above application for a zoning by-law amendment has been reviewed with regards to the applicability of the Crowe Valley Conservation Authority's Regulation of Development, Interference with Wetlands & Alterations to Shorelines & Watercourses (O. Reg. 159/06) and the Provincial Policy Statement (PPS). Through a memorandum of understanding between Conservation Ontario, the Ministry of Natural Resources and the Ministry of Municipal Affairs and Housing, Conservation Authorities are responsible for representing Provincial interest in planning matters as they relate to natural hazards (Section 3.1 Natural Hazards, PPS).

Please be advised that this recommendation is based on the best available data, including aerial imagery and GIS data in addition to the information submitted with the application for zoning by-law amendment with the Township of North Kawartha (ZA-09-22). A site visit has not been conducted to verify or refute this information.

Our understanding of the application is to permit the teardown of an existing 245 square foot (22.8 square metre) on-water boathouse with a height of 3.0metres to be reconstructed on the same footprint with an increased height of 4.8metres. This is an amendment to Section 3.19 (a) which permits the rebuilding of an existing non-conforming building or structure provided the external dimensions of the original building or structure are not increased.

The permit application would also permit the construction of stairs and landings intended to provide safe access to the land near the water's edge with an increased width of 1.6metres. This is an amendment to Section 3.30 (c) which permits such stairs and landings, provided that the width is not more than 1.25metres.

#### **RECOMMENDATION**

In summary, the Crowe Valley Conservation Authority **has no concerns** with this application for a zoning by-law amendment. The application is believed to be consistent with Section 3.1 Natural Hazards of the PPS.

A permit application must be submitted under the CVCA's Regulatory program prior to any development taking place.

The proponent is reminded that they must meet all Department of Fisheries and Oceans and Ministry of Natural Resources and Forestry requirements as well as have any necessary permits.

#### **SECTION 3.1 NATURAL HAZARDS, PROVINCIAL POLICY STATEMENT**

Concerning Section 3.1 Natural Hazards of the PPS, the CVCA has reviewed the application with respect to flooding, erosion, and hazards associated with unstable soil and bedrock.

**Flooding Hazard**

A flooding hazard means the inundation of areas adjacent to a shoreline of a river or stream system and not ordinarily covered by water. The flood hazard limit is based on a regulatory flood event standard and is represented by an elevation to which water would rise under the conditions of a 100-year flood event. That is, conditions that have a 1% chance in taking place any given year.

The proposed works by their nature are within the flooding hazard of Chandos Lake. The proposed development does not create a new hazard or aggravate an existing one.

**Erosion Hazard**

An erosion hazard means the loss of land, due to human or natural processes, that poses a threat to life and property. Defined in the MNRF Technical Guide – River and Stream Systems: Erosion Hazard Limit, the erosion hazard is comprised of 3 main elements: the 100-year erosion rate (the average annual rate of recession extended over a 100-year time span), an allowance for slope stability (3H:1V or gentler, or as determined by geotechnical assessment), and a hazard access allowance (6 metres).

The proposed works by their nature are within the erosion hazard of Chandos Lake. The proposed development does not create a new hazard or aggravate an existing one.

**Other Hazards**

No unstable soils or bedrock (such as karst topography) have been identified.

**O. REG 159/06: CROWE VALLEY CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES**

The location of the proposed development is within the CVCA's regulated area due to proximity to the shoreline of Chandos Lake. A permit application will be required to be submitted to Crowe Valley Conservation Authority for the proposed development.

The CVCA permits repairs to existing in water boathouses provided that the repairs:

- do not impede the flow of water;
- do not provide an opportunity for conversion into habitable space in the future (to ensure no habitable component, the boathouse shall contain no services other than electricity);
- the repairs do not result in a change in use, including new decks and rooftop patios;
- do not alter the natural contour of the shoreline; and,
- do not result in a change in size or create a navigational hazard. Repairs to the foundation of an existing boathouse or structure will be required to be designed by an appropriate and qualified professional (i.e.: an engineer).

Should any of the details of this proposal change please notify our office and we will amend our comments as necessary. We respectfully request a copy of the decision made on this application. Should you have any questions please do not hesitate to contact me.

Best regards,

Beth Lowe  
Regulations Officer  
Crowe Valley Conservation Authority



Tab 6

**Alex Lusty**

---

**From:** Ron Aelick <ronaelick@gmail.com>  
**Sent:** September 29, 2022 5:47 PM  
**To:** Alex Lusty  
**Cc:** Penelope Horn; Daniella Martin  
**Subject:** June 28, 2021 51 Sylvan - Request for Background Documents (704350)

Good Afternoon Ron and Neil,

The Regulations team met this morning to discuss your proposed boathouse redesign and new permanent dock. Upon review the proposal to add a floor to the existing in-water boathouse will change the intent of the structure and is therefore considered to be a change of use which CVCA Regulations Officers cannot permit. As per the CVCA Policy Manual:

*Repairs to existing in water boathouses, structures and permanent docks may be permitted provided that the repairs:*

- *do not impede the flow of water;*
- *do not provide an opportunity for conversion into habitable space in the future (to ensure no habitable component, the boathouse shall contain no services other than electricity);*
- *the repairs do not result in a change in use, including new decks and rooftop patios;*
- *do not alter the natural contour of the shoreline; and,*
- *do not result in a change in size or create a navigational hazard.*

The current in-water boathouse is intended for a motorized watercraft to drive in and out while the proposed structure is to have a floor and is for the storage of personal watercraft (such as canoes). Personal watercraft can be stored in an accessory structure in a different location of the property away from the shoreline or at shore during the day before being stored in an accessory structure in another location on the property and do not require an in-water structure. This change from an in-water boathouse to an accessory structure on the water constitutes a change of use and is therefore not something Regulation Officers can permit.

With regards to the permanent dock the CVCA Policy Manual states no new permanent docks, *New in-water boathouses structures and permanent docks that are within the channel of a watercourse will be not be permitted.* However, the CVCA is willing to work with you and recognize the existing 262square feet of permanent dock and is willing to allow the existing 262square feet to be used in the construction of a permanent dock. If you wish to rebuild the in-water boathouse on the same footprint and keep it open for motorized watercraft to drive in and out and have the 262square foot dock, this is something CVCA Regulations Officers may be able to permit.

Thank you,  
 -Beth



**Beth Lowe** (she/her)  
 Regulations Officer

Crowe Valley Conservation  
 70 Hughes Lane P.O. Box 416 Marmora, ON K0K 2M0  
 Tel: 613-472-3137 Fax: 613-472-5516

[www.CroweValley.com](http://www.CroweValley.com)

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Disclaimer: This is intended for the addressee indicated above. It may contain information that is privileged, confidential, or otherwise protected from disclosure under the Municipal Freedom of Information and Privacy Protection Act. If you have received this in error, please notify us immediately.

Tab 7





*The Corporation of the Township of*  
**NORTH KAWARTHA**

P.O. Box 550, 280 Burleigh Street  
 Apsley, Ontario K0L 1A0  
 (705) 656-4445 or 1-800-755-6931  
 Fax: (705) 656-4446  
[mayor@northkawartha.ca](mailto:mayor@northkawartha.ca)  
[www.northkawartha.ca](http://www.northkawartha.ca)  
[www.facebook.com/NorthKawartha](https://www.facebook.com/NorthKawartha)

Crowe Valley Conservation Authority  
 Attn: Board of Directors and General Manager  
 70 Hughes Ln  
 Marmora, ON  
 K0L 2M0

September 20, 2022

Attention: Crowe Valley Conservation Authority (CVCA) Board of Directors and General Manager

This is a follow up letter, being sent on behalf of the Council of the Township of North Kawartha, stemming from the deputation from the CVCA General Manager Tim Pidduck and Board Chair Jan O'Neill at our August 9, 2022 Council meeting. They were invited to discuss on-going complaints and concerns from our ratepayers and local builders and contractors related to CVCA processes and requirements. Our hope was to gain some clarity and insight into these issues, and determine how to address and resolve these concerns. Unfortunately, this did not happen and raised even more alarm with the apparent dysfunction of CVCA processes and procedures. Below is a summary of our concerns based on the complaints we have received over the past couple of years.

### **Pre-Consultations and Property Information Forms (PIF)**

Residents and Builders pre-consult with CVCA at the same time they pre-consult with the Township for their projects. CVCA is taking longer than 21 days to provide feedback. In some instances, there isn't any acknowledgement of the PIF being submitted at all. Municipal feedback and comments from other regulatory agencies are provided well before any feedback is received from CVCA. Often when comments are received, they indicate that a site visit has not taken place. Residents and/or their representatives are waiting weeks and months to submit their applications only to have the CVCA come back with requests for further studies like an EIS or other geotechnical studies. This compromises the projects with unreasonable delays and costs. Often times an entire construction season is missed and projects have to be delayed until the following year. In some instances, applicants have given up completely and cancelled their plans. This impacts growth in the Township and additional assessment value for the Township.

Another concern is that the CVCA offices are still not open to the public making it difficult to attend the office, meet with staff and submit applications and payment.

## **Fees**

Unlike other Conservation Authorities that have a flat fee system for permits, CVCA fees are not clear nor consistently applied. We understand that some applicants have to wait until a site visit is completed and/or PIF feedback is received before they can submit payment. This is extremely inefficient and leads to circumvention of the service expectations and timelines as outlined in Section 7 of the Conservation Authorities Act. One contractor explained that for standard tear down and rebuild projects with new septic, the CVCA fees range from just under \$500 to nearly \$1000. In neighbouring CAs the same projects are charged a flat fee of \$395 or \$500. In some instances, CVCA permit fees are more than double township building permit fees and don't include any site visits unlike the several undertaken by the township. When the CVCA decides to do a site inspection more fees are charged.

## **Overall Permit Timelines**

If applicants are successful with the PIF process and proceed to submit a permit application, the process can take months causing serious delays for final approvals and project completions. Contractors and property owners are constantly calling and/or emailing CVCA staff requesting a status update. As mentioned previously, other regulatory comments and feedback are received and included in the applications for zone amendments (ZAs) and minor variances (MVs) that come to Council. Often we are told there hasn't been any comment from CVCA.

There have been several applications where the CVCA has expressed 'no concerns with the application', it gets approved and the property owner proceeds with their project only to have CVCA refuse to issue the required permits. The reasons often given are: more studies are required; they have flood plain or erosion concerns or they do not believe the structure will be used as it was intended or approved by Council. It would be beneficial to Council to have CVCA's concerns identified, prior to making a decision. You can imagine the hardship and frustration this causes, when the CVCA is pre-consulted and circulated at the beginning of the municipal planning relief process and none of these CVCA requirements are brought up until many property owners are ready to build.

## **Supplemental Studies and Extra Application Requirements**

Feeding into the extreme delays in CVCA response times are the requests for supplemental studies, demands for further setbacks, and late site visit requests. Several contractors expressed their frustration with the continuous requests for Slope Stability Studies and other geotechnical studies. Especially when other CAs rarely request them and only when it's clearly necessary. This adds thousands of dollars and huge delays for these projects. In one instance a contractor requested a site visit to demonstrate that the proposed cottage was being built 100ft back from the high water mark, on a granite outcrop and pinned to the bedrock. The CVCA refused and insisted on a SSS.

## **Conservation Ontario Client Service and Streamlining Initiative**

When asked about this program during the deputation on August 9, 2022 we were told that CVCA is a part of this initiative. How long has CVCA been involved? Who is the 'Client

Service Facilitator’? How is this person assisting to reduce ‘red tape’, regulatory burden and increasing the speed of approvals? Have any reports tracking the permit review timelines been compiled and submitted for review?

### **Conflicts with Municipal Bylaws and Over-Reach of Core Mandate**

As a municipality with waterfront properties we are obligated to conform to a variety of legislative requirements including the PPS. With existing properties located within the water yard (30m) we encourage property owners to move their structures further away from the high water mark. There have been several instances where CVCA has required property owners to move buildings closer to the high water than what was circulated and approved by Council. This results in further delay, when applications are required to be re-circulated for an additional public hearing, due to moving closer to the water’s edge. There does not seem to be a compromise between provincial and municipal regulations. Other examples include requiring the removal of other structures located outside the floodplain.

We have received complaints from residents who have received all the necessary municipal approvals for accessory structures like garages and boathouses only to have their CVCA permits refused because CVCA staff believe the structure will not be used for its intended and approved purpose. For example: An approved garage located beyond the 30m set back is considered living space by the CVCA, therefore the permit is denied. A boathouse being constructed without garage doors or a marine railway, is not considered a boathouse by the CVCA, and therefore not approved. Enforcement of permitted use of structures falls under the jurisdiction of the Township’s Chief Building Official and By-Law Enforcement Officer. When applicants sign zone amendment applications, their signatures are commissioned as true representation of the facts contained in the application. Also, requiring a separate application for building permits after concurring with the ZA or MV is an onerous and unnecessary delay, especially when the CVCA had no concerns with the proposed amendment at the time of original circulation and approval.

### **Erroneous Calibration of Water Level Gauge on Chandos Lake**

We know that the CVCA has received several letters on this matter from the North Kawartha Economic Development Cooperative (NKEDC) along with a deputation from the Chair Barry Rand. We have also heard from our local building community including surveyors that the water level gauge on Chandos Lake is reading one metre higher than the actual water level. Rather than correcting this error, Chandos Lake property owners are required to spend extra time and resources to get a site specific flood assessment completed in addition to the usual survey requirements. This is onerous, costly and unreasonable for our ratepayers especially when the solution is simple. CVCA needs to correct the water level gauge and convert the 30 years of records gathered with it from (Canadian Geodetic Vertical Datum) CGVD28 to the official elevation standard of CGVD2013. The MNRF’s Flood Hazard Identification and Mapping Program’s Technical Requirements identify that the height reference system CGVD2013 should be used. LiDAR data would also be available through the County of Peterborough. The reluctance to make this correction is baffling.

## **Fear of Reprisal and Backlash**

Underlying all these issues and concerns, are the very real fears of reprisal and backlash for residents navigating the CVCA permit process. Folks are afraid to speak up about their concerns because they don't want their building plans to be compromised with further delays and/or their permits denied. Other ratepayers are so frustrated that they are considering legal action. Builders and Contractors are also discouraged with the delays, lack of communication and burdensome permit process. We have heard over and over that these challenges are specific to the Crowe Valley Conservation Authority and are not being experienced in dealings with other Conservation Authorities. North Kawartha Council is deeply troubled by these comments as it appears that there is a high level of dysfunction with CVCA's organization and processes.

We are circulating this letter to all member municipalities in the Crowe Valley Watershed as we believe that, outside of the inaccurate water level records and inappropriate flood assessment process on Chandos Lake, the issues and concerns that we have highlighted are happening in other communities as well. We are also circulating our MPP and the Minister of Natural Resources and Forestry in the hopes that the Province will be able to provide some assistance in addressing our concerns.

Sincerely,

Carolyn Amyotte  
Mayor

cc. Councils of: The Township of Faraday, Wollaston Township, Township of Limerick, Township of Tudor and Cashel, Municipality of Marmora and Lake, Township of Havelock-Belmont-Methuen, Municipality of Highlands East, Municipality of Trent Hills and Township of Stirling-Rawdon  
MPP Dave Smith, MNRF Minister Smith

Tab 8



P.O. Box 416, 70 Hughes Lane Phone: 613-472-3137  
 Marmora, ON Fax: 613-472-5516  
 K0K 2M0 www.crowevalley.com

## NOTICE OF HEARING

### IN THE MATTER OF

The Conservation Authorities Act,  
 R.S.O. 1990, Chapter 27

**AND IN THE MATTER OF** an application by **Ron Aelick**

### FOR THE PERMISSION OF THE CROWE VALLEY CONSERATION AUTHORITY

Pursuant to Regulations made under Section 28, Subsection 12 of the Conservation Authorities Act

**TAKE NOTICE THAT** a Hearing before the Watershed Advisory Board of the Crowe Valley Conservation Authority will be held under Section 28, Subsection 12 of the Conservation Authorities Act by virtual meeting (Google Meet) on the **17<sup>th</sup> day of November, 2022 at 10:00a.m.** with respect to the application made by **Mr. Ron Aelick** to permit development within an area regulated by the Conservation Authority. The application has the potential to negatively impact **the control of flooding**. The subject lands are on Part of Lot 20, Concession 5, 51 Sylvan Drive in the Township of North Kawartha.

**TAKE NOTICE THAT** you are invited to make a delegation and submit supporting written material to the Watershed Advisory Board of the Crowe Valley Conservation Authority for the meeting of Thursday November 17<sup>th</sup>, 2022. You have indicated you intend to appear on this date. Written material will be required by **Thursday November 3<sup>rd</sup>, 2022 (3:00pm)** to allow Board members adequate time for review prior to the Hearing.

**TAKE NOTICE THAT** this Hearing is governed by the provisions of the Statutory Powers Procedure Act. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the Ontario Evidence Act. Evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by that automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the Canada Evidence Act, that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the effect of any evidence that a witness may give.

**TAKE NOTICE THAT** you should notify the Authority if you believe the electronic format of the Hearing is likely to cause significant prejudice. The Authority shall assume that the applicant has no objection to the electronic Hearing format if no notification is received.

**AND FURTHER TAKE NOTICE THAT** if you do not attend this Hearing, the Watershed Advisory Board of the Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

**AND TAKE NOTICE THAT** Crowe Valley Conservation Authority staff are recommending refusal of the application for the following reasons:

The application for development, as proposed, being the reconstruction on an in-water boathouse and the construction of a permanent dock located within the flood hazard associated with Chandos Lake, does not conform to the Crowe Valley Conservation Authority's Watershed Planning and Regulations Policies, which are approved by the CVCA Board of Directors and are designed to ensure that the control of flooding, erosion, pollution or the conservation of land will not

be affected by development (as per section 3(1) of Ontario Regulation 159/06, pursuant to section 28 of the Conservation Authorities Act, R.S.O 1990, as amended).

The location of the proposed development is within hazardous lands, being the flood hazard associated with Chandos Lake. The proposed development has the potential to negatively impact the control of flooding. The proposed development does not conform to the CVCA's Watershed Planning and Regulations Policies for the following reasons:

1. The reconstruction of an in-water boathouse with a floor results in there no longer being direct access to the water. This negates the need for an in-water boathouse and constitutes unnecessary development within the floodplain.
2. CVCA policies do not allow for new permanent docks. The proposed dock does not constitute a replacement of the existing dock, and therefore is considered new development within the floodplain.

**DATED** the 20<sup>th</sup> day of October, 2022

The Board of Directors of the Crowe Valley Conservation Authority



Per: General Manager / Secretary-Treasurer

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Tab 9



### Existing Conditions



Figure 1 View of existing boathouse from the water.



Figure 2 Aerial view of the site.

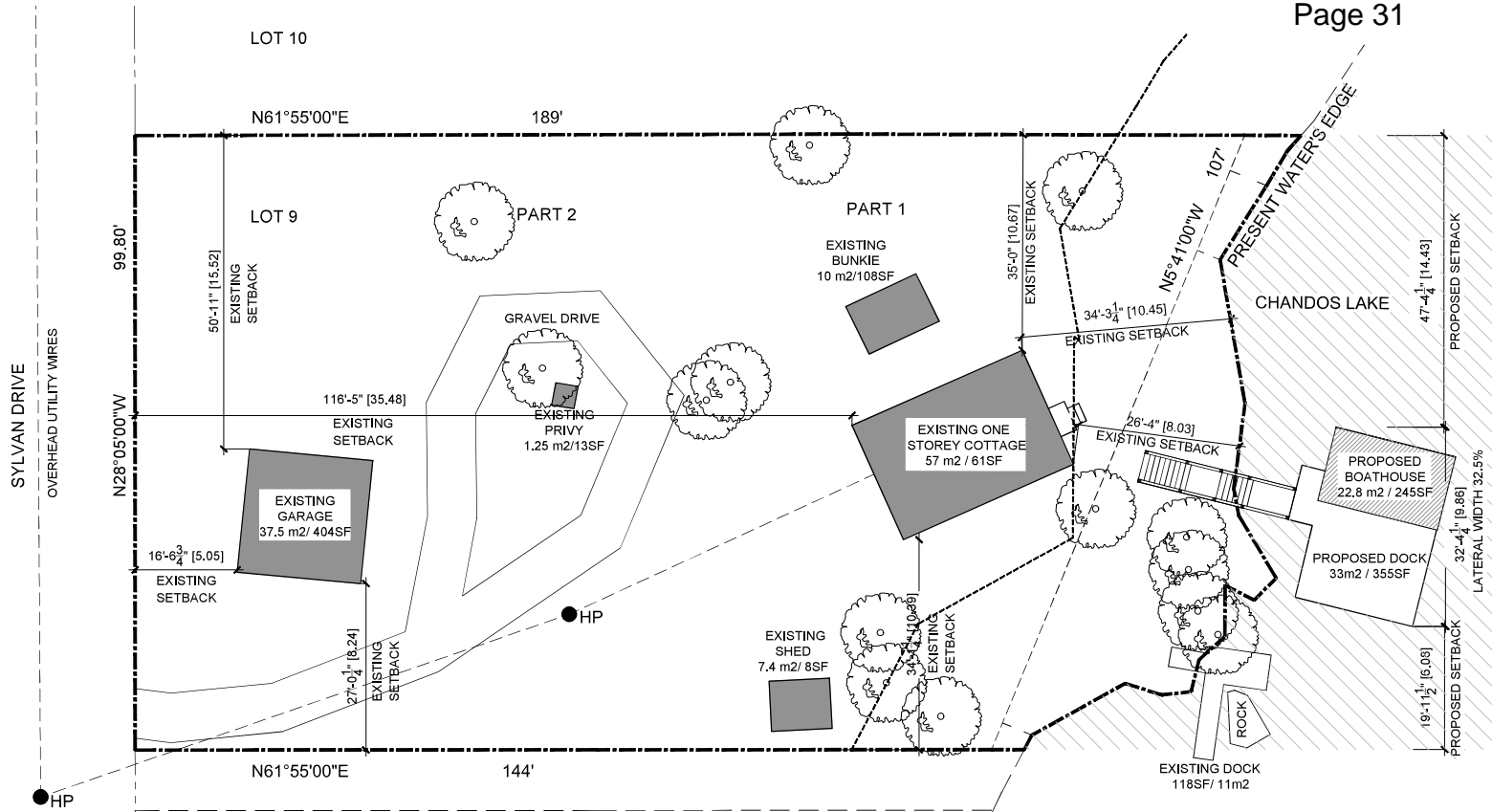


Figure 3 Side profile of the existing boathouse.



Map 1 Subject Site retrieved from Notice of Passing of Zoning By-law.

Tab 10



PLAN OF SURVEY OF

LOT 9, REGISTERED PLAN No. 4 AND PART OF THE ROAD ALLOWANCE IN FRONT OF LOT 20, CONCESSION 5 (CLOSED BY PE156671-BY-LAW No. 116/10) GEOGRAPHIC TOWNSHIP OF CHANDOS TOWNSHIP OF NORTH KAWARTHA COUNTY OF PETERBOROUGH

SITE PLAN AS PER PLAN SURVEY NO. 1976696 OF LOT 9, REGISTERED PLAN NO.4 AND PART OF THE ROAD ALLOWANCE IN FRONT OF LOT 20, CONCESSION 5 (CLOSED BY PE156671-BY-LAW NO. 116/10) GEOGRAPHIC TOWNSHIP OF CHANDOS TOWNSHIP OF NORTH KAWARTHA COUNTY OF PETERBOROUGH. SURVEY PREPARED BY: JBF SURVEYORS - JAN 18, 2022

SITE STATISTICS:

51 SYLVAN DRIVE  
ZONING: SHORELINE RESIDENTIAL [SR]  
[AS PER BY LAW 2019-095]

MINIMUM LOT AREA: 0.5 Ha  
MINIMUM LOT FRONTAGE: 49m [150]  
HIGH WATER MARK: TBD

EXISTING LOT AREA: 1638 m<sup>2</sup> / 17638.3 SF [0.16 Ha]  
EXISTING LOT FRONTAGE [LATERAL WIDTH]: 30.4m [99'-8"]  
EXISTING LOT FRONTAGE [SHORELINE]: 43.9m [143'-11"]

BUILDING AREA  
MINIMUM BUILDING AREA (2 STOREY): 55 m<sup>2</sup> / 600SF

COTTAGE  
EXISTING COTTAGE AREA: 57 m<sup>2</sup> / 614SF

ACCESSORY BUILDINGS  
EXISTING GARAGE AREA: 37.5 m<sup>2</sup> / 404SF  
EXISTING PRIVY AREA: 1.25 m<sup>2</sup> / 13SF  
EXISTING BUNKIE AREA: 10 m<sup>2</sup> / 108SF  
EXISTING SHED AREA: 7.4 m<sup>2</sup> / 80SF

BOATHOUSE  
EXISTING BOATHOUSE AREA: 22.8 m<sup>2</sup> / 245SF  
EXISTING BOATHOUSE DIMENSIONS: 3.7m x 6.1m [12'-3" X 20']

PROPOSED BOATHOUSE AREA: 22.8 m<sup>2</sup> / 245SF  
PROPOSED BOATHOUSE DIMENSIONS [LxW]: 3.7m x 6.1m [12'-3" X 20']

PROPOSED DOCK AREA: 33 m<sup>2</sup> / 355SF  
PROPOSED DOCK DIMENSIONS [LxW]: 4.9m x 6m [16'-1" X 19'-7"]

PROPOSED STAIRS AREA: 12.3 m<sup>2</sup> / 132SF  
PROPOSED STAIR DIMENSIONS [LxW]: 7.7m x 1.6m [25'-2" X 5'-3"]

BUILDING COVERAGE:  
ALLOWABLE MAIN BUILDING COVERAGE: 10% [MAIN DWELLING UNIT]  
ACCESSORY BUILDING COVERAGE: 5% [OF LOT AREA]

COTTAGE  
EXISTING COTTAGE COVERAGE: 3.5% [57 m<sup>2</sup> / 614SF]

ACCESSORY BUILDINGS  
EXISTING GARAGE COVERAGE: 2.3% [37.5 m<sup>2</sup> / 404SF]  
EXISTING PRIVY COVERAGE: 0.1% [1.25 m<sup>2</sup> / 13SF]  
EXISTING BUNKIE COVERAGE: 0.6% [10 m<sup>2</sup> / 108SF]  
EXISTING SHED COVERAGE: 0.4% [7.4 m<sup>2</sup> / 80 SF]

TOTAL ACCESSORY BUILDINGS COVERAGE: 3.4% [56.15 m<sup>2</sup> / 605SF]

BOATHOUSE  
EXISTING BOATHOUSE COVERAGE: N/A

PROPOSED BOATHOUSE COVERAGE: N/A  
PROPOSED STAIR COVERAGE: 0.7% [12.3 m<sup>2</sup> / 132SF]

BUILDING HEIGHT:  
ALLOWABLE COTTAGE HEIGHT: 7.6m [25']

COTTAGE  
EXISTING COTTAGE HEIGHT: N/A

BOATHOUSE  
EXISTING BOATHOUSE HEIGHT: +/- 3m [10']  
PROPOSED BOATHOUSE HEIGHT: 4.3m [14']  
[FROM DOCK TO ROOF]

ALLOWABLE SETBACKS  
WATERYARD SETBACK:  
NORTH SIDE YARD SETBACK: 30m [100']  
SOUTH SIDE YARD SETBACK: 4.5m [15]  
REAR YARD SETBACK (SYLVAN DRIVE): 4.5m [15]  
9m [30]

COTTAGE  
EXISTING COTTAGE SETBACKS  
WATERYARD SETBACK:  
NORTH SIDE YARD SETBACK: 8m [26'-4"]  
SOUTH SIDE YARD SETBACK: 10.7m [35]  
REAR YARD SETBACK (SYLVAN DRIVE): 9.1m [30]  
35.5m [116'-5"]

BOATHOUSE  
EXISTING BOATHOUSE SETBACKS  
WATERYARD SETBACK:  
NORTH SIDE YARD SETBACK: 14.4m [47'-4"]  
SOUTH SIDE YARD SETBACK: 10.9m [35'-7"]

EXISTING LATERAL WIDTH: 16.7% [5.1m [16'-6"]

PROPOSED BOATHOUSE SETBACKS:  
NORTH SIDE YARD SETBACK: 14.4m [47'-4"]  
SOUTH SIDE YARD SETBACK: 6m [19'-11"]

PROPOSED LATERAL WIDTH:  
[INCLUDING DOCK] 32.5% [9.8m [32'-4"]

GARAGE  
EXISTING GARAGE SETBACKS  
NORTH SIDE YARD SETBACK: 15.5m [50'-11"]  
SOUTH SIDE YARD SETBACK: 8.2m [27]  
REAR YARD SETBACK: 9m [16'-6"]

BUILDING SEPARATION  
MINIMUM REQUIRED SEPARATION: 1.5m [5']

PARKING SPACES:  
MINIMUM REQUIRED: 2 [FOR EACH DWELLING UNIT]  
PROPOSED PARKING SPACES: 2

\*THE ENLARGEMENT OF MAIN OR ACCESSORY BUILDINGS INTO OR FURTHER INTO THE WATER YARD SETBACK IS NOT PERMITTED. EXISTING MAIN BUILDINGS SITUATED WITHIN THE WATER SETBACK MAY BE ENLARGED TOWARDS THE SIDE LOT LINES PROVIDED SUCH FINAL ENLARGED MAIN BUILDING, INCLUDING DECKS IS NOT WIDER ACROSS THE FRONT THAN 40% OF THE EXISTING SHORELINE LOT FRONTAGE TO A MAXIMUM OF 60'. ATTACHED DECKS ARE NOT PERMITTED WITHIN 30' OF THE HIGH WATER MARK, NO BUILDING ENLARGEMENT MAY TAKE PLACE WITHIN 30' OF THE HIGH WATER MARK. ENLARGEMENTS TO EXISTING DECKS ARE PERMITTED WITHIN 12' FROM THE MAIN BUILDING.

aside architects inc.  
148 Hunter Street W., #201  
Peterborough, ON, K9H2K8  
t.705.812.2451



All drawings are the property of the designer / client and may not be reproduced without permission. The contractor shall check and verify all dimensions on site and report all errors, omissions, or discrepancies to the architect. This drawing is not to be scaled.

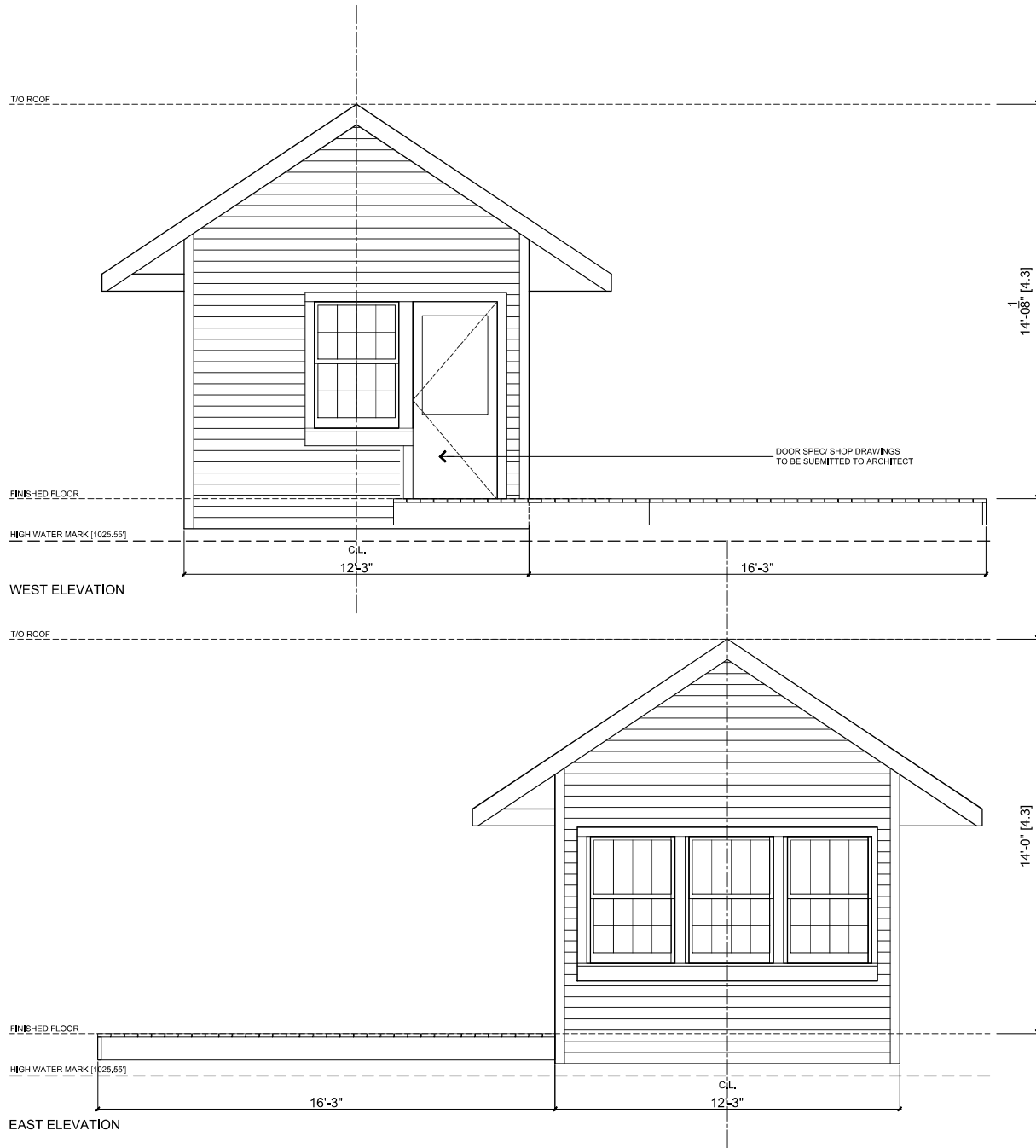
Aelick Boathouse  
Chandos Lake  
51 Sylvan Drive  
Apsley, ON

12/1/21-PRE-CONSULT	1
01/11/21-PRE-CONSULT	2
12/1/21-DESIGN	3
	4
	5
	6
	7
	8
	9
	10

SCALE 1/16"=1'-0"

SITE PLAN

a 1.0



aside architects inc.  
148 Hunter Street W. #201  
Peterborough, ON, K9H2K8  
T.705.812.2451



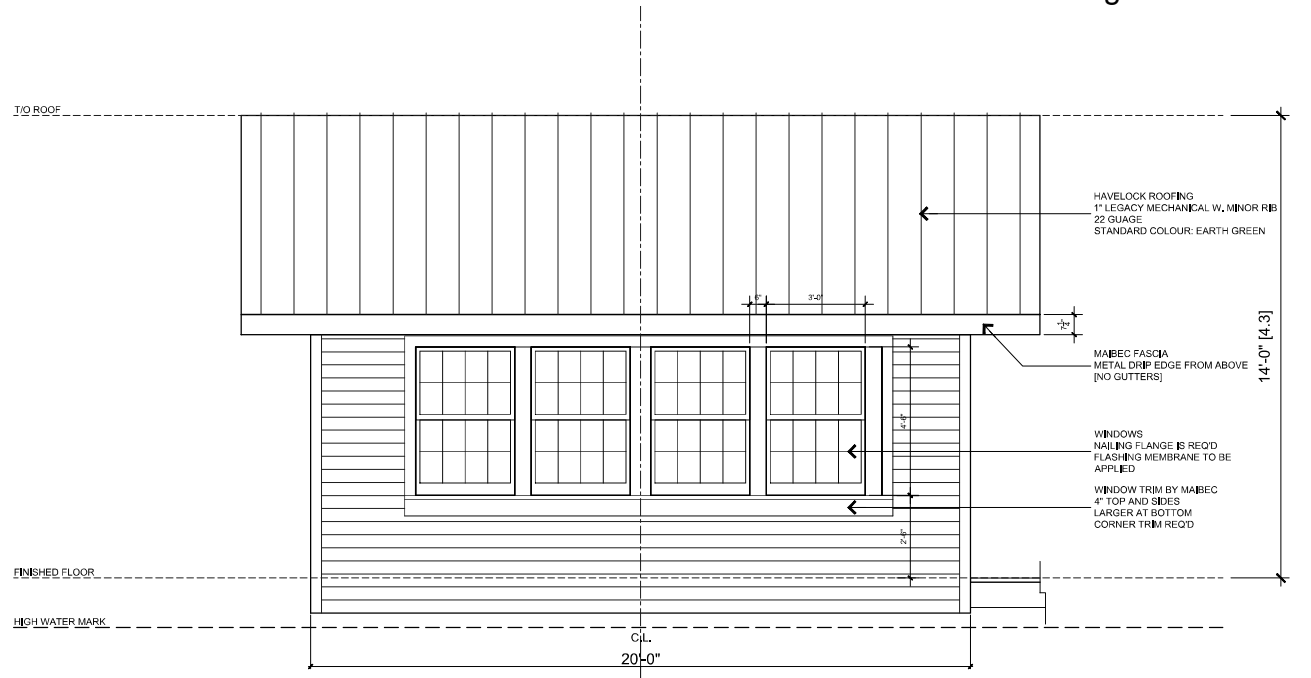
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Aelick Boathouse  
Chandos Lake  
51 Sylvan Drive  
Apsley, ON

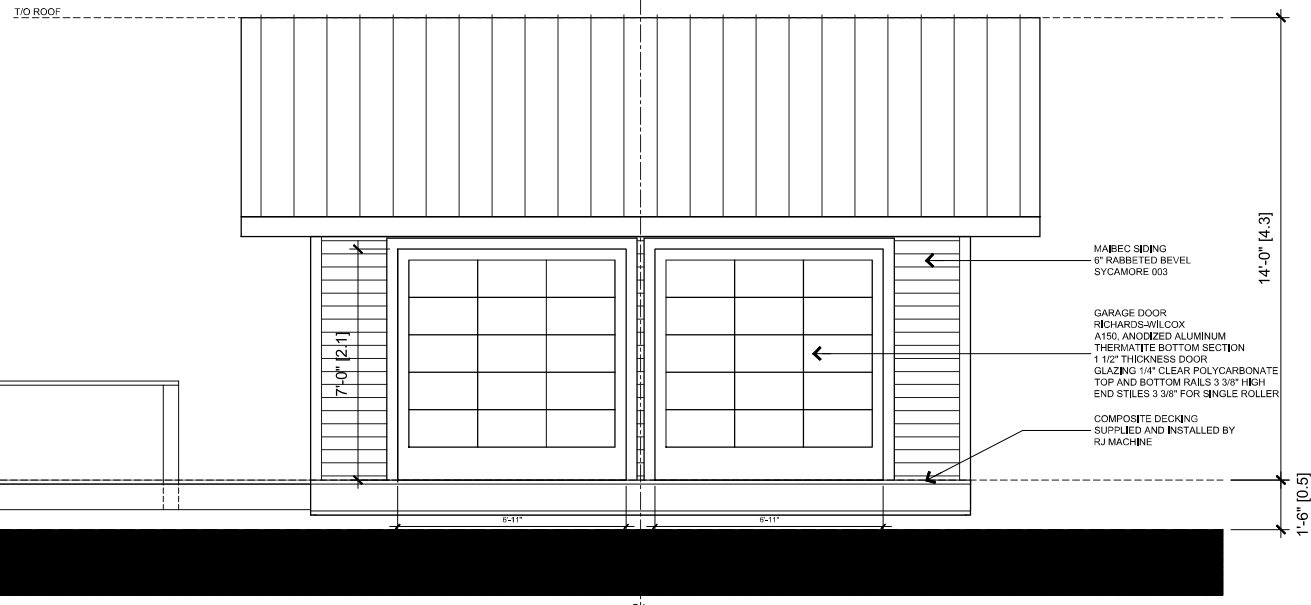
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2	01/21/21 PRE-CONSULT
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SCALE 3/8"=1'-0"

ELEVATIONS



NORTH ELEVATION



SOUTH ELEVATION

NOTE:  
 •THE ELEVATION OF THE DECK IS TO BE DETERMINED BY RJ MACHINE.  
 •ALL STRUCTURE FOR DOCK AND BELOW BOATHOUSE TO BE ENGINEERED AND SUPPLIED BY RJ MACHINE.

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SCALE 3/8"=1'-0"

ELEVATIONS