

Addendum 1 to Comments

July 24th, 2024

Committee of Adjustment

BY VIDEO-CONFERENCE AND LIVE-STREAMING ON TOWN WEBSITE OAKVILLE.CA

1)

CAV A/109/2024

235 Willowridge Court

PLAN 1524 LOT 18

Proposed

Under Section 45(1) of the *Planning Act*

Zoning By-law 2014-014 requirements – RL2-0

1. To reduce the minimum rear yard to 1.04 m.
2. To increase the maximum lot coverage to 25.87%.

Comments from:

Conservation Halton – 1



Planning & Regulations
905.336.1158
2596 Britannia Road West
Burlington, Ontario L7P 0G3
conservationhalton.ca

July 23, 2024

Committee of Adjustment – Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

BY E-MAIL ONLY (coarequests@oakville.ca)

To Committee of Adjustment:

Re: Minor Variance

File Number(s): CAV-A-109-2024

CH File Number(s): PMVG-2673

235 Willowridge Crt, Oakville

Applicant: Lumon Canada Inc. Owner: Gurleen Pannun

Conservation Halton (CH) staff has reviewed the above-noted application as per our regulatory responsibilities under the *Conservation Authorities Act* (CA Act) and Ontario Regulation 41/24 and our provincially delegated responsibilities under Ontario Regulation 686/21 (e.g., acting on behalf of the province to ensure decisions under the *Planning Act* are consistent with the natural hazards policies of the Provincial Policy Statement [PPS, Sections 3.1.1-3.1.7] and/or provincial plans).

Documents reviewed as part of this submission, received on July 9, 2024, are listed in **Appendix A.**

Proposal

The applicant is seeking a minor variance to permit the construction of two covered porch additions on the subject property proposing the following variances:

1. To reduce the minimum rear yard to 1.04m
2. To increase the maximum lot coverage to 25.87%

Conservation Authorities Act and Ontario Regulation 41/24

Effective April 1, 2024, CH's previous regulation, Ontario Regulation 162/06 ("Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses") under Section 28 of the *Conservation Authorities Act* (CA Act) was repealed and replaced by Ontario Regulation 41/24 ("Prohibited Activities, Exemptions and Permits"). Complementary provisions under Part VI ("Regulation of Areas Over Which Authorities Have Jurisdiction") and Part VII ("Enforcement and Offences") of the CA Act were proclaimed on the same date.

Under Part VI of the CA Act and Ontario Regulation 41/24, CH regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline and hazardous lands as well as lands adjacent to these features. The subject property is regulated by CH as it contains the flooding and erosion hazards associated with Fourteen Mile Creek. CH regulates 15m from the greater of the flooding or erosion hazard at this site.

Permits are required from CH prior to undertaking development activities within CH's regulated area and applications for development are reviewed under the *Conservation Authorities Act* (CA Act), Ontario Regulation 41/24, and CH's Board-approved policies and requirements (<https://conservationhalton.ca/policies-and-guidelines>).

Based on the information provided in this application, the flood hazard is the greater hazard at this site. The applicant provided a topographic survey from 2018 which delineated the top of bank as staked by CH staff. While a preliminary review of available information against current flood elevation data suggests that the proposed structures may be outside of the flood hazard and the required 6m access allowance, CH will require that the applicant provide a revised topographic survey with the extent of the current flood elevation superimposed onto the survey to ensure consistency with policy 2.28.

The current flood elevation data is shown below and can be used by an Ontario Land Surveyor or Professional Engineer (P. Eng) to delineate the floodplain. The applicant can reach out to CH staff to further discuss the requirements of the topographic survey.

Model: MainBranch.prj version 20190726

Cross Section	WSE(CGVD1928)	WSE(CGVD2013)	V LOB (m/s)	V Channel (m/s)	V ROB (m/s)
646.4641	83.89	83.49	0.49	3.76	0.39

Ontario Regulation 686/21 - Provincial Policy Statement (Sections 3.1.1-3.1.7)

In addition to CH's regulatory responsibilities (described above), CH also has provincially delegated responsibilities under Ontario Regulation 686/21: Mandatory Programs and Services, including acting on behalf of the Province to ensure that decisions under the *Planning Act* are consistent with the Natural Hazards Sections (3.1.1-3.1.7) of the Provincial Policy Statement (PPS).

Through review of the revised topographic survey and CH permit application, CH will ensure that any approvals are consistent with the natural hazards policies of the PPS, which directs development outside of natural hazards.

Recommendation

CH has no objection to the variances as written, subject to the following condition:

1. That the applicant provide a topographic survey and site plan drawing with floodplain delineation, and required setbacks, to the satisfaction of Conservation Halton.

Please note that a CH permit is also required for the proposed works prior to construction. Also, it should be noted that design changes may be required should the floodplain delineation indicate that the extent of the floodplain is greater than expected.

Please note that CH has not circulated these comments to the applicant, and we trust that you will provide them as part of your report.

We trust the above is of assistance. Please contact the undersigned with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Stewart', with a horizontal line extending to the right.

Sean Stewart, RPP MCIP
Environmental Planner
905-336-1158 ext. [2250]
sstewart@hrca.on.ca

Encl: **Appendix A: Materials/Technical Reports Reviewed**

Appendix A: Materials/Technical Reports Reviewed

CH received the following first submission materials on July 9, 2024:

- Elevations, prepared by Lumon, dated January 9, 2024
- Previous Site Plan, prepared by Lumon, dated January 9, 2024
- Site Plan, prepared by Lumon, dated January 9, 2024
- Topographic Survey, prepared by Omari Mwunyi Surveying Ltd. Dated February 20, 2018