



LOWER TRENT CONSERVATION

714 Murray Street, R.R. 1, Trenton, Ontario K8V 0N1

■ Tel: 613-394-4829 ■ Fax: 613-394-5226 ■ Website: www.ltc.on.ca ■ Email: information@ltc.on.ca

Registered Charitable Organization No. 107646598RR0001

NOTICE OF HEARING BOARD MEETING LOWER TRENT CONSERVATION

TO BE HELD AT

Administration Office, 714 Murray Street, Trenton / Virtually [Join the Meeting](#)

ON

Thursday, October 12, 2023, at 1:00 PM

FOR

O. Reg. 163/06 Permit Application #RP-23-216

APPLICANT: Dor-Ann Homes Ltd. for T. Troke

LOCATION: City of Quinte West, Township of Sidney, Concession 9, Part of Lot 7-8, on a vacant lot on Rosebush Road

AGENDA

1. Meeting called to order by the Chair
2. Motion for the Board of Directors to sit as the Hearing Board
3. Opening Remarks by Chair for **RP-23-216**
4. Disclosure of pecuniary interests
5. Staff Report and Presentation Page # 2
6. Applicant Presentation Page # 107
7. Additional Information Sharing
 - a. Additional Questions from the Board
 - b. Comments or Questions from the Applicant
 - c. Comments or Questions from Staff
8. Deliberation (In-Camera if required)
9. Motion on the Hearing Board Decision for RP-23-216
10. Motion to adjourn the Hearing Board

PLEASE CONTACT THE OFFICE IF YOU WILL BE UNABLE TO ATTEND THIS MEETING

Kelly Vandette 613-394-3915 ext. #215 | kelly.vandette@ltc.on.ca



LOWER TRENT
CONSERVATION

STAFF REPORT

Date: October 3, 2023
To: Lower Trent Conservation Hearing Board
Re: Ontario Regulation 163/06 application for permission RP-23-216 to develop within the Trent River floodplain
Prepared by: Gage Comeau, Manager, Watershed Management, Planning and Regulations

DATE	October 3, 2023
DATE RECEIVED	Permit application received August 24, 2023 Permit application submission deemed complete – September 15, 2023 Request for Hearing received September 21, 2023
APPLICANT	Toni Troke (Property Owner) Jamie O'Shea, Dor-Ann Homes (Agent) (Copy of application, building plans, site plan, survey sketch, floodplain opinion Letter from ASC Environmental from Martin Burger M. Eng., P. Eng. Report and 2007 Quinte West Staff report Appendices 1-6)
LOCATION	Vacant lot of Rosebush Road (ARN: 120421107029411) City of Quinte West Geographic Township of Sidney, Concession 9, Part of Lot 7-8 (Map attached, see Appendix 7)
OVERVIEW	Lower Trent Region Conservation Authority (LTC) received an application to construct a single-family dwelling with attached garage, deck and septic system. The proposed development activities will involve the placement of fill material 635 m ³ within the regulated area associated with the Trent River floodplain. The proposed development is considered major development within the floodplain and does not comply with LTC's Ontario Regulation 163/06 Policy Document (February 2022) and therefore, a permit cannot be issued by staff.
PROPOSAL	The proponent is seeking approval from LTC to construct a single-family dwelling structure with attached garage, deck and septic system in the Trent River floodplain on the subject property. The proposed dwelling structure and septic are in the Trent River floodplain (114.4 metres

CGVD1928) as identified in their submitted plans (see [Appendix 3 and 4](#) for the and the site plan by Groundwork Engineering Ltd. and 2007 Survey Sketch by Watson Surveyors).

SUMMARY

LTC is responsible for the administration of Ontario Regulation 163/06 – *Lower Trent Region Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*. In order to guide the implementation of Ontario Regulation 163/06 made pursuant to Section 28 of the *Conservation Authorities Act*, the LTC Board of Directors has approved policies, most recently updated in February 2022. Where a proposal for development or alteration follows the approved policies or is not a significant deviation from the approved policies, designated authority staff may grant permission.

The vacant property is located within the Trent River floodplain and the current proposal is to construct a single-family dwelling with attached garage, deck and septic system. The proposed development will involve the placement of 635 m³ of fill material for site preparation, floodproofing and the installation of the raised septic system.

The proposed development activities trigger the below noted policies with respect to development in the One Zone Regulatory Floodplain. Designated staff are not in a position to grant approval of the Ontario Regulation 163/06 permit application as it does not conform with the policies.

Key issue: A permit from LTC is required for the proposed development as they are to take place within a regulated area as described in Ontario Regulation 163/06. Specifically, within the Trent River floodplain (Section 2 (1) (c) of the Regulation, refer to [Appendix 8](#) for a copy of O. Reg. 163/06).

Lower Trent Region Conservation Authority Ontario Regulation 163/06 Policy Document (February 2022)

Below are the applicable policies that are relevant to this permit application:

5.2.1.1 Development within One-Zone Regulatory Floodplain of River or Stream Valleys

- 1) Development within the Regulatory floodplain shall not be permitted.

- 2) Placement of fill, flood hazard protection and/or bank stabilization works to allow for future/proposed development or an increase in development envelope within the Regulatory floodplain shall not be permitted.
- 4) Major development within the Regulatory floodplain shall not be permitted.

(LTC's 2022 Policies attached, see [Appendix 9](#)– Relevant sections only).

The applicant was notified that staff could not approve the permit application and of their right to a Hearing before the Authority's Board of Directors (see LTC Letter of Denial, September 21, 2023– [Appendix 10](#)).

The proponent requested LTC staff to proceed with the necessary arrangements for a Hearing (September 21, 2023 Notice of Hearing scheduled for October 12, 2023 – [Appendix 11](#)).

The proponent was provided the Hearing Guidelines.
(LTC's 2022 Hearing Guidelines attached, see [Appendix 12](#)).

BACKGROUND

In 2002, Toni Troke contacted our office to regarding the rezoning of the subject property. Historic notes at our office state that we would recommend against the rezoning due to the Trent River floodplain. Notes and comments were provided by Glenda Rodgers (See [Appendix 13](#), **Historical Notes**) In 2007, Toni Troke and Greg King (previous agent) contacted our office and spoke with Kelly West (now working at the City of Quinte West as the Manager of Planning Services) regarding the proposed submission for a rezoning. In June 2007, the rezoning application was submitted and Quinte West staff recommended approval (see Appendix 6, Quinte West 2007 Staff Report). From a review of the file, it appears that LTC was not circulated the rezoning application and formal comments were not provided. It is important to note that the Quinte West staff report does state that we provided verbal comments regarding the rezoning application.

Following the communications and rezoning in 2007, contact was made with LTC staff between 2015 and 2022 to discuss development possibilities on the lot; however, no proposals were ever provided during that time period. In November 2022, Katie Whitehead from the City of Quinte West emailed LTC staff about setting up a meeting with Jamie O'Shea and Toni Troke to discuss the property. Janet Noyes (former of Manager, Development Services and Water Resources) provided the historic information to Quinte West Planning staff and noted that LTC's position regarding development on the property has not changed in 20-years and a

meeting date was set for January 10, 2023.

On January 10, 2023, LTC Staff attended a meeting at the Quinte West office to discuss the property. The individuals in attendance of this meeting were Janet Noyes (LTC), Kim Stephens (LTC), Gage Comeau (LTC), Katie Whitehead (Quinte West), Kelly West (Quinte West), Scott Pordham (Quinte West), Jim Alyea (Quinte West), Jim Harrison (Quinte West), Toni Troke (property owner) and Jamie O' Shea (Owner's agent/builder). During this meeting it was recommended that Toni Troke submit a permit application for our review with the understanding that staff would be unable to issue the permit as the proposed works do not comply with the LTC Board Approved Regulatory policies (See [Appendix 9](#)). It was explained during the meeting that a Hearing could be requested where staff are unable to issue a permit and the permit is denied at the staff level. Furthermore, it was noted that a checklist of required items for a complete permit application could be provided upon request.

On January 18, 2023, I received an email from Katie Whitehead regarding the complete application checklist. A response with the complete application checklist was provided on January 20, 2023.

**DEVELOPMENT
WITHIN HAZARD
LANDS**

The proposed works would involve construction of a single-family dwelling with attached garage, deck and septic system and the placement of fill within hazard lands, specifically the Trent River floodplain. This development activity is considered "development" pursuant to the *Conservation Authorities Act*. Section 2 (1) c. of Ontario Regulation 163/06, made under the authority of Section 28 of the *Conservation Authorities Act* states that no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are hazard lands. The Authority may grant permission for development in or on the areas described in subsection 2 (1) (c) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

The applicant has submitted the requested documentation for a complete application and the submission has been deemed complete. As noted previously, this development proposal shows a single-family dwelling structure and septic system being placed within the Trent River floodplain. Based on a review of the relevant policies that are applicable to this proposal, staff are not in a position to support the application as it does not conform with the policies.

STAFF CONCLUSION Hazard land management was delegated by the Province to LTC through the administration of Ontario Regulation 163/06 made pursuant to the *Conservation Authorities Act*. Through the administration of this Regulation, LTC staff review development proposals in an effort to limit development and protect people and property in flood susceptible areas. Overall, it is the goal of the Regulation Policy document and staff to minimize or prevent the impact of flooding. Deviation from the policies represents a risk that requires careful consideration.

The proposal requires a permit from LTC pursuant to Ontario Regulation 163/06 and does not conform to LTC's Ontario Regulation 163/06 Regulation Policy Document (see [Appendix 9](#)). Limiting development proposals such as this is intended to minimize the risk of property damage/loss and investment in an area that is susceptible to natural hazards. Therefore, staff are recommending denial of the Ontario Regulation 163/06 permit.



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Registered Charitable Organization No. 107646598RR0001

Application

**Development, Interference with Wetlands &
Alterations to Shorelines & Watercourses
(Pursuant to Ontario Regulation 163/06)**

Please read, complete each section as required, date and sign this application

Project Description		
Project Location (Civic Address): Grist Mill Land & Rosebush Road		
Municipality: Quinte West - Sidney		
Nearest Intersection: Glen Ross Road, Carmel Road		
Assessment Roll Number*: 120421107029411		
Lot: Part Lot 8	Concession: g	Ward: Sidney

*Note: The Roll Number can be found from your Property Assessment Notice, real estate agent, or online Map Viewer at www.ltc.on.ca (click on Planning & Permits)

Project Details	
Description of Proposed Works: Construct Single Family home with attached garage, Deck and Onsite Septic System	
Amount & type of fill (m ³) to be added/removed/moved: Approximately 635m ³ of fill	
Note: Fill is defined as earth, sand, gravel, topsoil, building materials, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower, or in any way affect or alter the contours of the ground.	
Proposed Start date (YYYY/MM/DD): 2023/10/01	Anticipated Date of Completion: 2023/06/30
Has a previous application to Lower Trent Conservation been filed on this property? If yes, please provide previous permit number.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="text"/>	

Property Owner	
Name: Toni Troke	
Mailing Address: [REDACTED]	
City: [REDACTED]	Postal Code: [REDACTED]
Phone #:	Cell #: [REDACTED]
Email: [REDACTED]	Fax #:

Agent	
<input type="checkbox"/> Same as Property Owner	
Name: Jamie O'Shea	
Company/Organization: DorAnn Homes Ltd.	
Mailing Address: 1-415 Maitland Drive	
City: Belleville	Postal Code: K8N0N4
Phone #: 613-966-2424	Cell #: [REDACTED]
Email: jamie@dorann.com	Fax #:

Note: Correspondence will be sent to agent, when applicable.

Approved Permit Circulation		
<input checked="" type="checkbox"/> email pdf copy ONLY	<input type="checkbox"/> mail hardcopy ONLY	<input type="checkbox"/> Pickup at LTC office <i>appointment required</i>

Pre-application Consultation	
<i>A pre-application consultation may be in the form of a phone conversation, a meeting, email message, and/or site visit.</i>	
Have you conducted any pre-application consultation with a Lower Trent Conservation staff member to determine site issues and technical requirements for a "complete" application?	
<input checked="" type="checkbox"/> Yes (please indicate method below)	LTC File Number: We Met Jan 3/23 with City and CA sta
<input type="checkbox"/> by phone	<input checked="" type="checkbox"/> by meeting
<input type="checkbox"/> by email	<input type="checkbox"/> by site visit
<input type="checkbox"/> No	

Further Considerations	
Is there a violation on this property under Ontario Regulation 163/06? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (provide details below) <input type="checkbox"/> Don't know If yes, please provide file # - ENF- <input style="width: 200px; height: 20px;" type="text"/>	
Are <i>Planning Act</i> or Municipal approvals required? <input type="checkbox"/> No <input type="checkbox"/> Don't know <input checked="" type="checkbox"/> Yes (check all that apply) <input type="checkbox"/> Official Plan Amendment <input type="checkbox"/> Minor Variance <input type="checkbox"/> Zoning <input type="checkbox"/> Consent <input type="checkbox"/> Draft Plan of Subdivision <input checked="" type="checkbox"/> Building Permit <input type="checkbox"/> Site Plan <input checked="" type="checkbox"/> Septic <input type="checkbox"/> Other	
Do you authorize LTC to circulate approved permit to Municipal Planning & Building Officials? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
Are there any other required Approvals? (e.g. MNRF, Fisheries and Oceans Canada) <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (please select below) <input type="checkbox"/> Don't know <input type="checkbox"/> MNRF <input type="checkbox"/> Parks Canada <input type="checkbox"/> DFO	

Notice of Collection

Pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*, the personal information contained on this form is collected under the authority of the *Conservation Authorities Act*. This information is used to assess applications and, where approved, issue the Development, Interference with Wetlands & Alterations to Shorelines and Watercourses permit. Information on this form may be disclosed to Government and Municipal agencies for review and comment, or to members of the public through the Freedom of Information process. Questions about the collection of information should be directed to the Chief Administrative Officer, Lower Trent Conservation, 714 Murray Street, Trenton, ON, K8V 0N1, 613-394-4829.

Any false or misleading statement made on this application will render null and void any permission granted.

I, the owner, Toni Troke of _____
Name Organization (if any)

solemnly declare that to my best knowledge and belief, all of the above information, plans and submissions to be true, valid and current. I further accept the aforementioned inclusions, terms, and conditions to be binding upon the registered owner(s) of the property and all assigned agents, contractors, and/or constructors acting on my behalf. My signature acknowledges the right to exercise binding authority.

*Signature of Owner:	Date: August 24/2023
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* Signature or written authorization from the property owner is mandatory

Signature of Agent:	Date: August 24/2023
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GENERAL CONDITIONS

1. By signing this application, consent is given to Lower Trent Conservation (herein referred to as LTC), its employees and other persons as required by LTC, to access the property for the purpose of inspection, obtaining information, and/or monitoring any and all works, activities, and/or construction pertaining to the property in addition to the works as approved under cover of any permit issued by LTC.
2. The owner and agent agree:
 - a. To indemnify and save harmless LTC and its officers, employees, or agents, from and against all damages, loss, costs, claims, demands, actions and proceedings, arising out of or resulting from any act or omission of the owner and/or agent or any of their employees or contractors relating to any of the particulars, terms, or conditions of this permission;
 - b. This permission shall not release the owner/agent from any legal liability or obligation and remains in force subject to all limitations, requirements, and liabilities imposed by law; and,
 - c. All complaints arising from the execution of the works authorized under this permission shall be reported immediately by the owner/agent to LTC. The owner/agent shall indicate any action which has been taken, or is planned to be taken, if any, with regard to each complaint.
3. Permits granted by LTC are not transferrable and are issued to the current owner of the property only.
4. The owner/agent agrees that, should the works be carried out contrary to the terms of this permission, LTC may enter onto the property and cause the terms to be satisfied at the expense of the owner.
5. The works shall be carried out as per the approved plans and specifications submitted in support of the application and as amended by the approval of this permission.
6. The owner/agent agrees to install and maintain all sediment controls as directed by LTC staff, until all disturbed areas have been stabilized.
7. All disturbed areas shall be seeded, sodded, or stabilized in a manner acceptable to LTC as soon as possible, and prior to the expiry of this permission.
8. The owner/agent agrees to maintain all existing drainage patterns, and not to obstruct external drainage from other adjacent private or municipal lands.
9. The owner/agent agrees to contact LTC once the development has commenced so an inspection of the development can be undertaken.
10. Permits granted by LTC do not replace building permits or any other permits or approvals issued through Municipal offices and/or other levels of Government. A permit under Ontario Regulation 163/06 does not constitute LTC approval of any related *Planning Act* applications. Separate approval of all related applications must be obtained from their respective agency and LTC.
11. Permits issued by LTC are valid for a period of two (2) years from the date of issue. After a permit has expired, a new application must be submitted. The current fee schedule during submission applies.
12. It is the responsibility of the owner/agent to ensure that a valid permit is in effect at the time the work is occurring.

LANDOWNER AUTHORIZATION FORM

Subject Property		
Civic Address: Grist Mill Land & Rosebush Road		
Municipality: Quinte West - Sidney		
Assessment Roll Number: 120421107029411		
Lot: Part Lot 8	Concession: 9	Ward: Sidney

If an application is to be submitted by a solicitor or agent on behalf of the owner(s), this Landowner Authorization must be completed and signed by the owner(s). If the owner is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.

If the application is to be prepared by a solicitor or agent, authorization should not be given until the application and its attachments have been examined and approved by you, the owner(s).

I/we Toni Troke

hereby authorize Jamie O'Shea / DorAnn Homes Ltd.

to provide as my agent any required authorization or consents, to submit the enclosed application to Lower Trent Conservation, and to appear on my behalf at any hearing(s) of the application and to provide any information or material required by the Lower Trent Conservation Board of Directors relevant to the application for purposes of obtaining a permit to develop, interfere with a wetland or alter a shoreline or watercourse, in accordance with the requirements of Ontario Regulation 163/06 as amended.

Signature of Owner: [Redacted Signature] Date: August 24/2023

Signature of Agent: [Handwritten Signature] Date: August 24/2023

SUBMISSION REQUIREMENTS

Permit applications may be submitted by email to permits@ltc.on.ca. Application fees will be invoiced by email. If no email address is available, other payment options will be discussed. Current application fees can be found on our fee schedule at www.ltc.on.ca or contact Lower Trent Conservation at 613-394-4829. Applications will not be processed until the fee is paid in full. **The application fee is non-refundable.**

FOR OFFICE USE ONLY

Application File Number:	Permit File Number:
Subwatershed:	Regulated Feature:
Permit application rec'd:	Application complete:

Deposit Required: Ontario Land Surveyor (\$500) Yes No Coastal Engineer (\$1,000) Yes No

Amendment request rec'd:	Amended application complete:
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Fee Required:	<input type="checkbox"/> Routine	\$100
	<input type="checkbox"/> Minor	\$220
	<input type="checkbox"/> Standard	\$550
	<input type="checkbox"/> Complex (require review of 1 technical study)	\$825
	<input type="checkbox"/> Complex (require review of 2 or more technical studies)	\$1,100
	<input type="checkbox"/> Permit amendment (administrative)	\$100
	<input type="checkbox"/> Permit amendment (significant) - 1/2 original application fee	_____
	<input type="checkbox"/> Compliance permit - double the application fee	_____
	<input type="checkbox"/> Restoration agreement - double the application Fee	_____
	<input type="checkbox"/> Deposit	_____

Amount Received: _____ Date Received: _____

Method of Payment: Cheque Credit Card Cash

Deposit Returned: _____ Date Returned: _____

Permission for Minor Works:

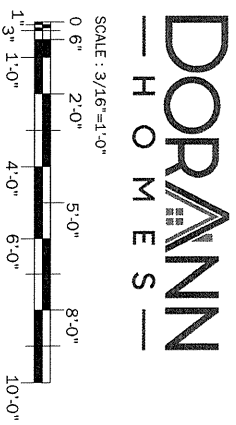
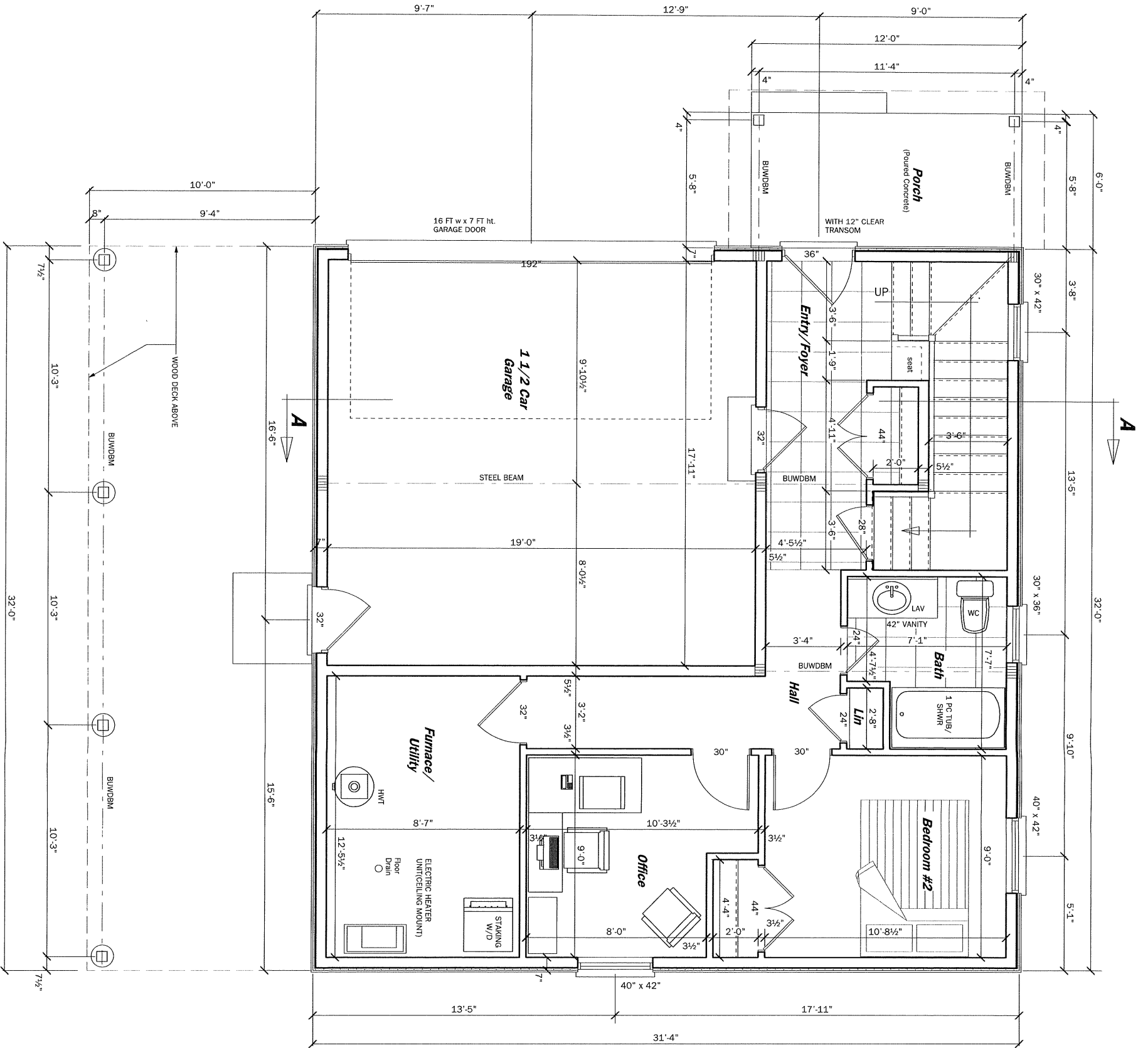
- Undertake minor landscaping involving the placement, removal or re-grading of material up to 20m³ (minor fill)
- Minor shoreline protection up to 20m³
- Undertake watercourse or shoreline alteration involving less than 20m² (minor alteration)
- Construct a non-habitable accessory structure up to 10m²
 - Construct a habitable addition up to 10m²
- Construct a deck up to 23m²
- Install a pool up to 10m²

Permission for Standard or Complex Permit:

- Construct, reconstruct, erect or place a building or structure (greater than 10m²)
- Change building/structure so that it increases its size by 10m² or more, or increases the number of dwelling units
- Temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere greater than 20m³
- Change or interfere with a wetland
- Change or interfere with a watercourse
- Shoreline protection work
- Construct a deck greater than 23m²
- Install a pool greater than 10m²

Permit Approval:

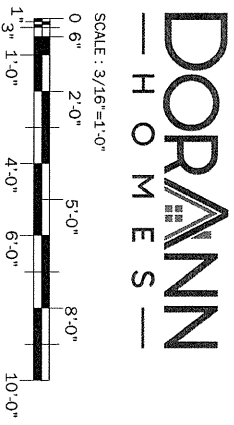
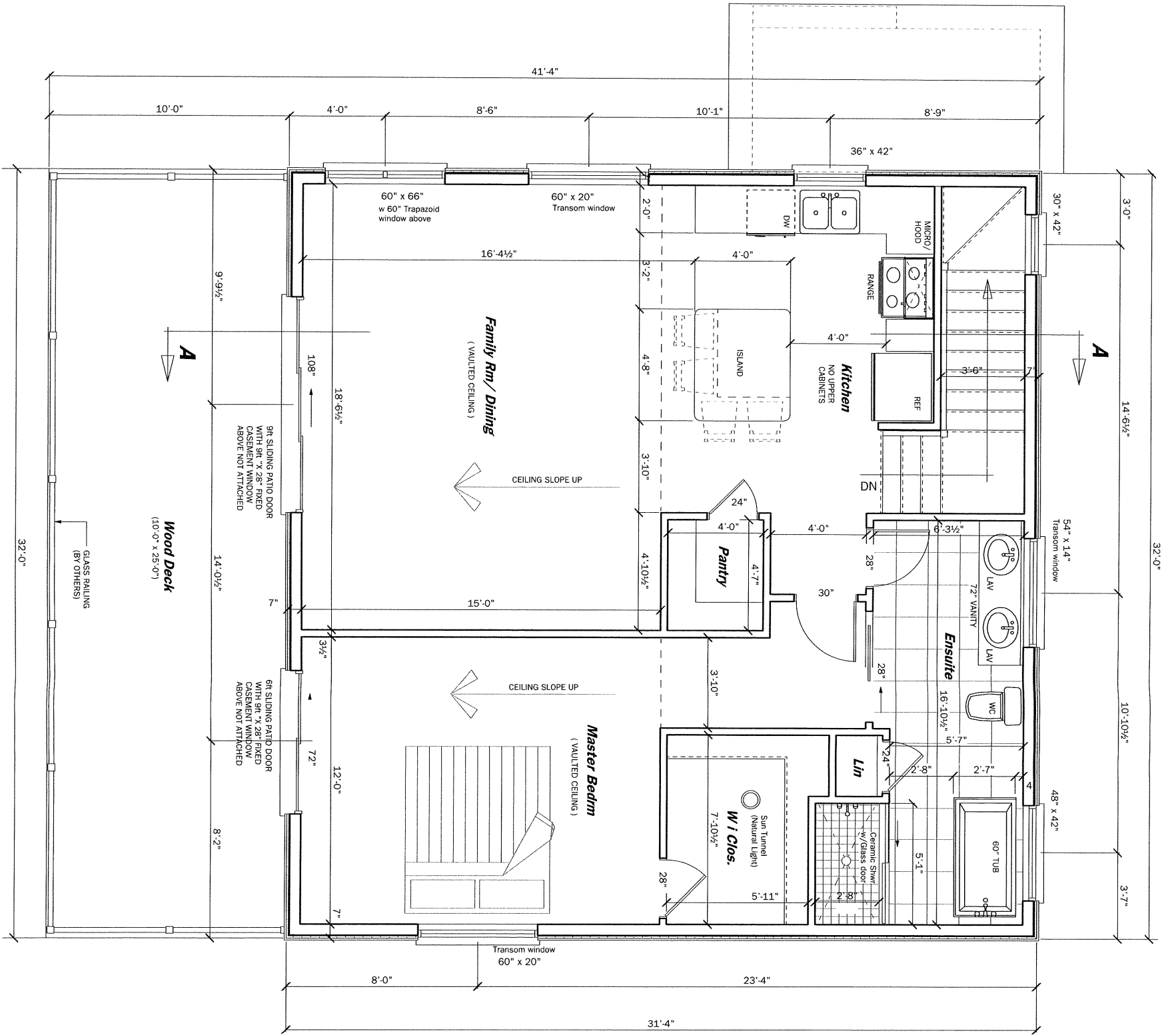
Amendment:



GROUND FLOOR PLAN

Troke Property
Rosebush Road
Quinte West

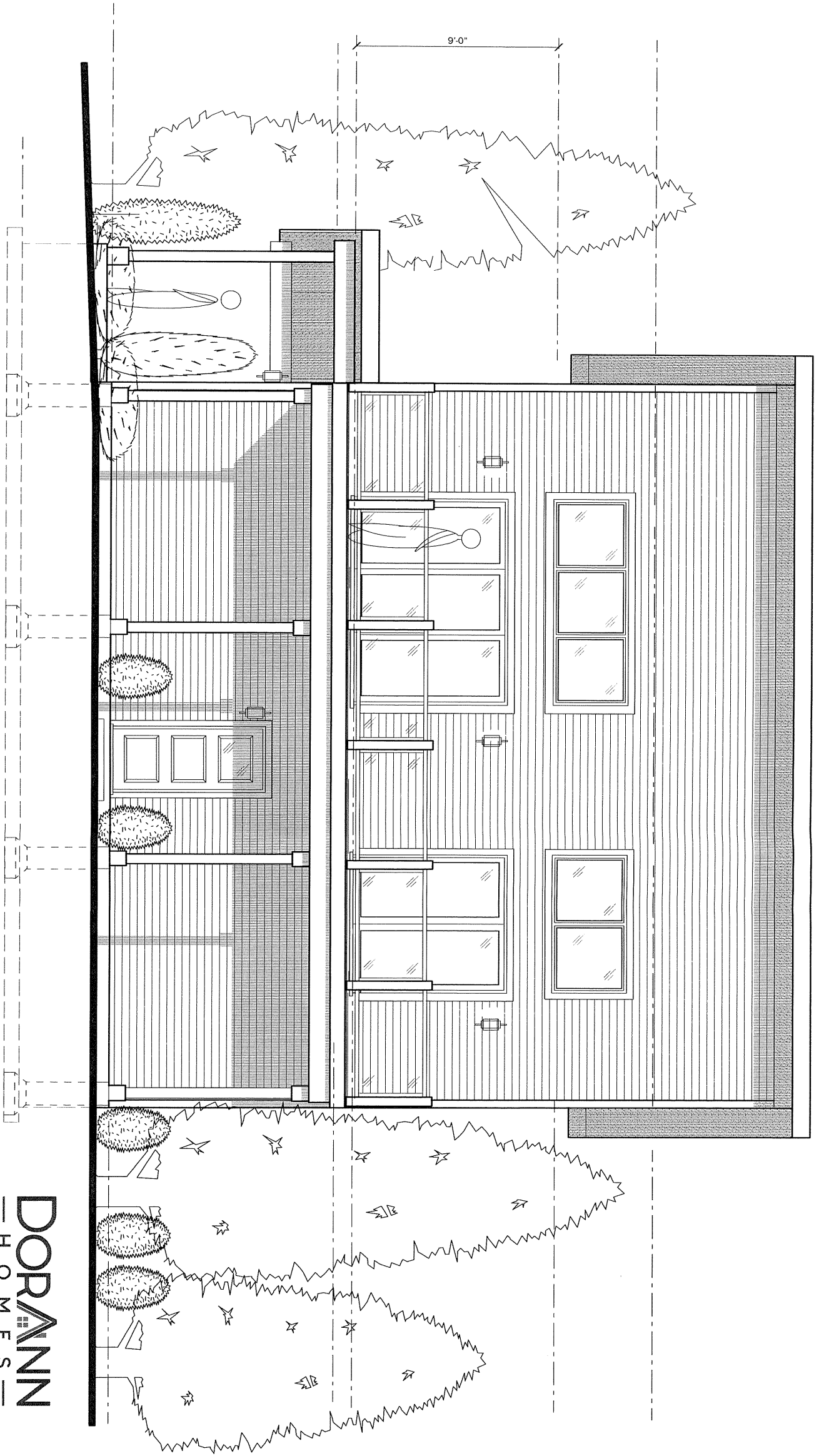
GFA
 GROUND FLOOR = 523 sft
 2nd FLOOR = 944 sft
 Total = 1467 sft



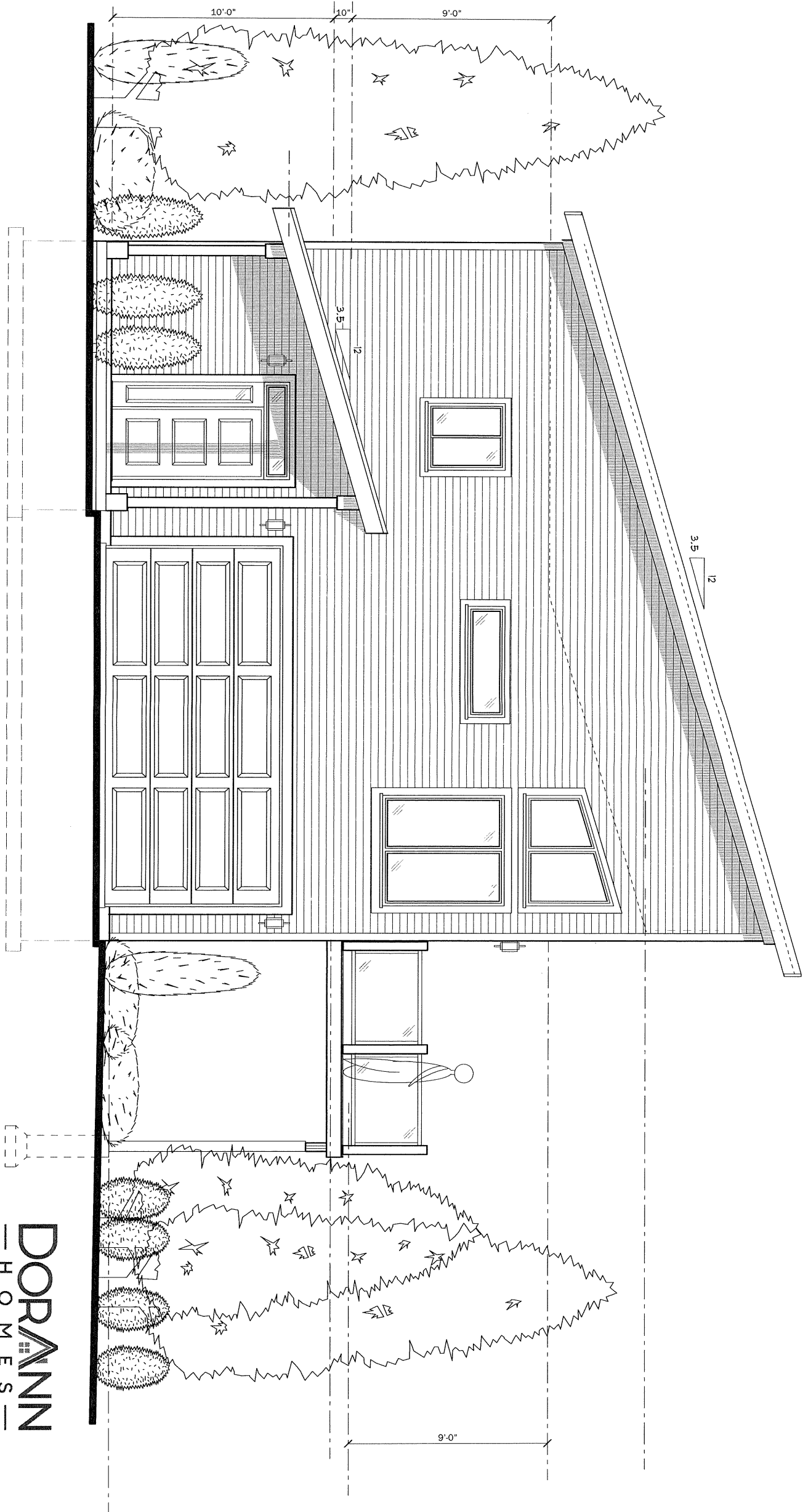
2ND FLOOR PLAN

Troke Property
Rosebush Road
Quinte West

GFA
2nd FLOOR = 944 sft

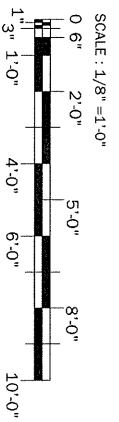


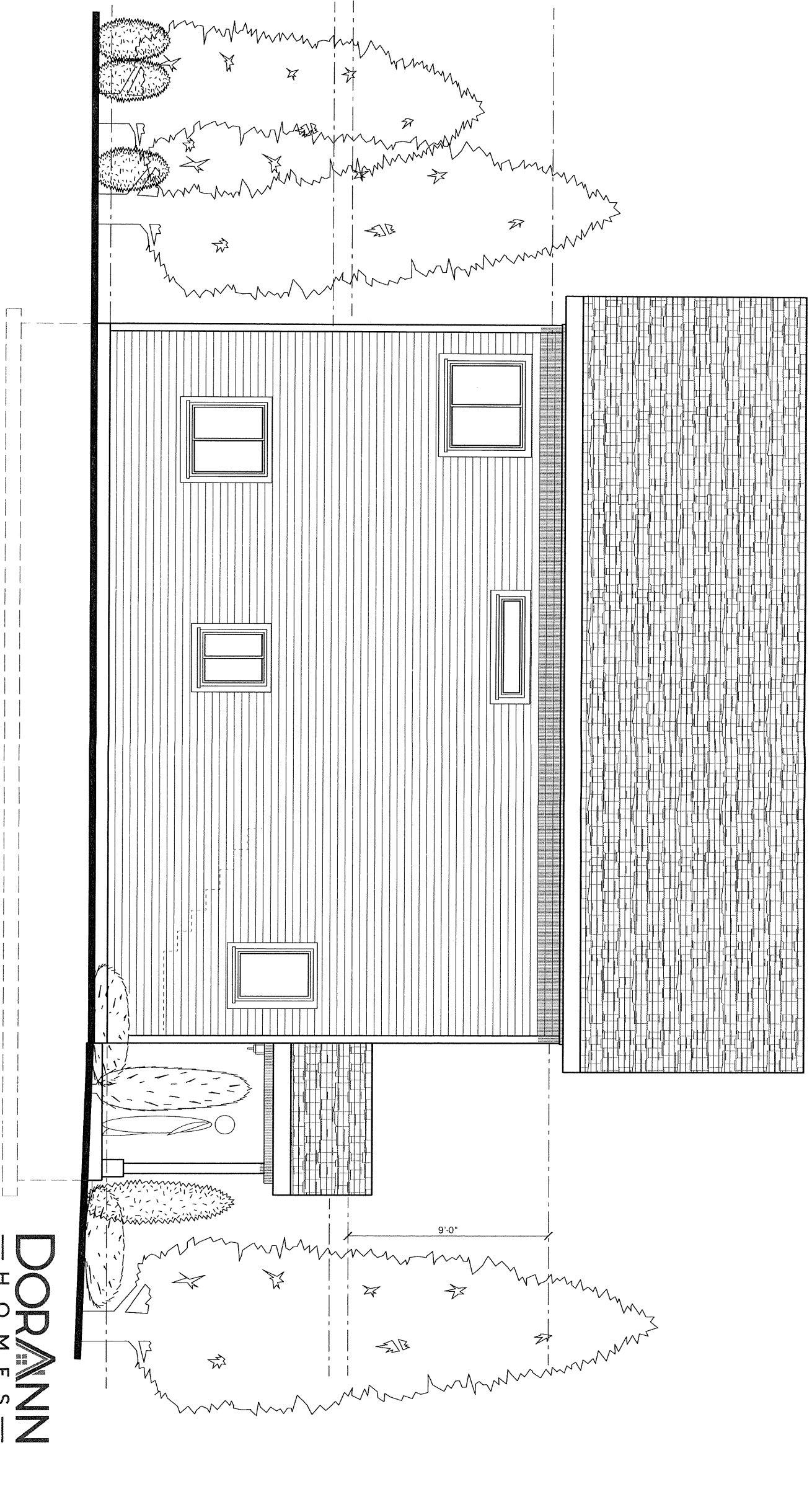
FRONT (SOUTH) ELEVATION
Troke Property
Rosebush Road
Quinte West



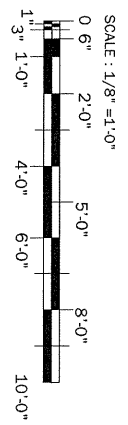
LEFT (WEST) ELEVATION

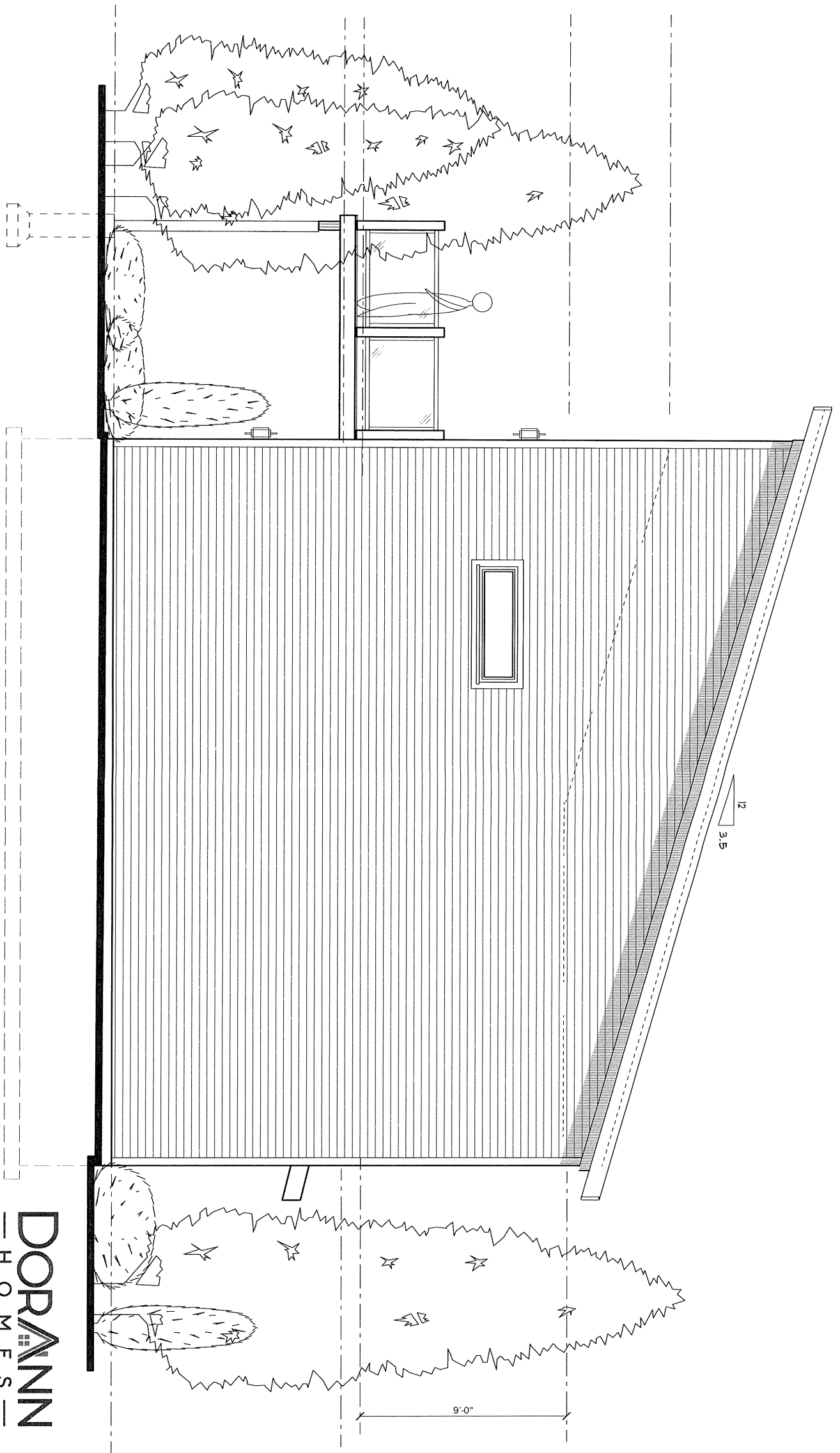
*Troke Property
Rosebush Road
Quinte West*





BACK (NORTH) ELEVATION
Troke Property
Rosebush Road
Quinte West

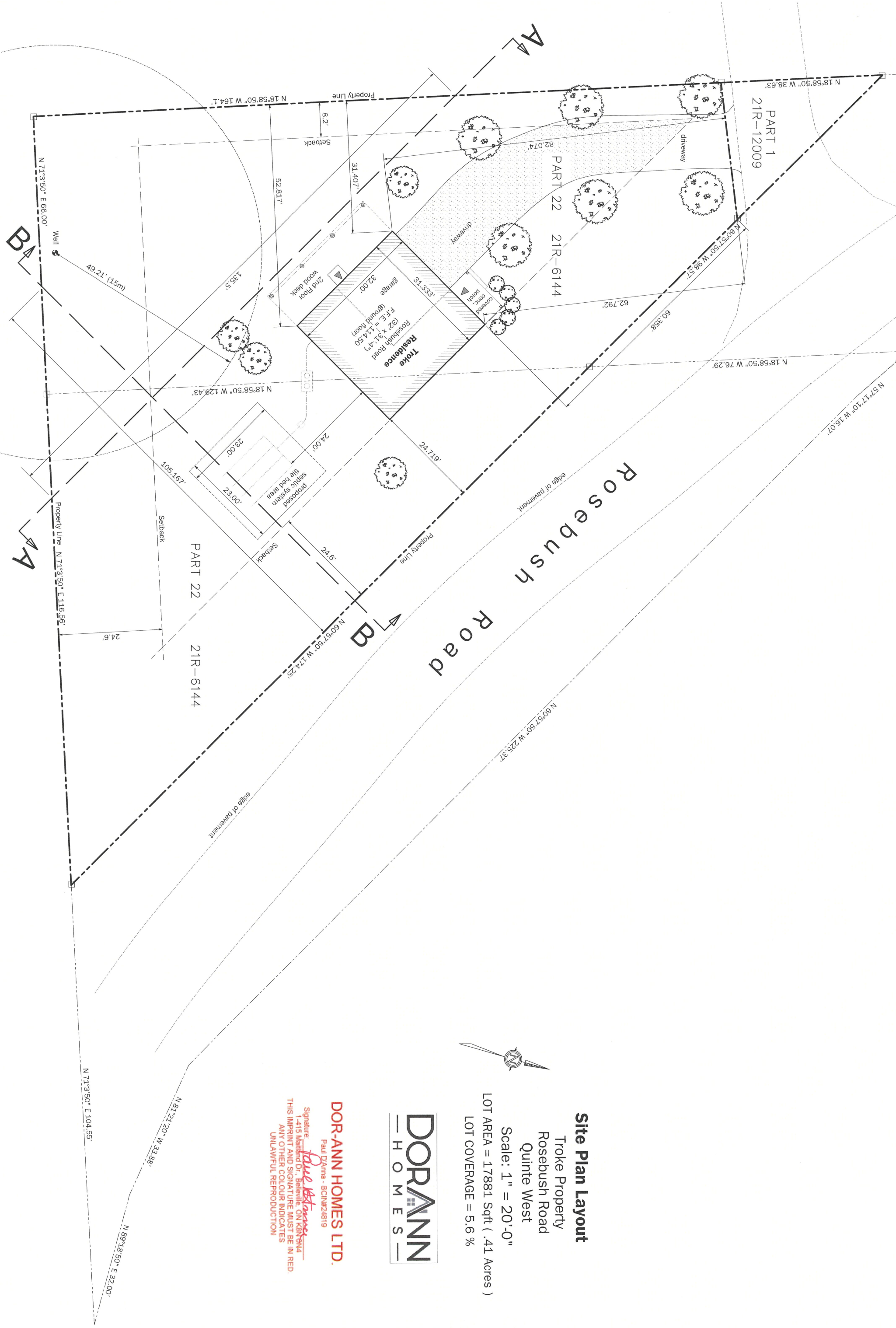




SCALE: 1/8" = 1'-0"
0 6" 2'-0" 5'-0" 8'-0" 10'-0"
1 3" 1'-0" 4'-0" 6'-0"

RIGHT (EAST) ELEVATION

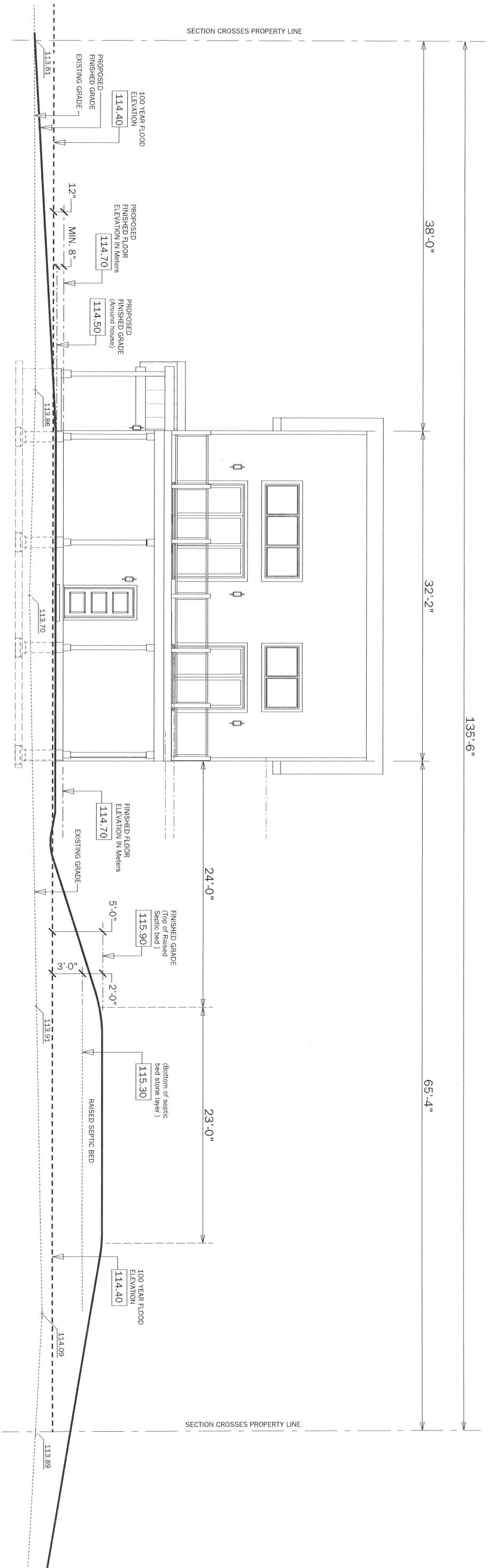
*Troke Property
Rosebush Road
Quinte West*



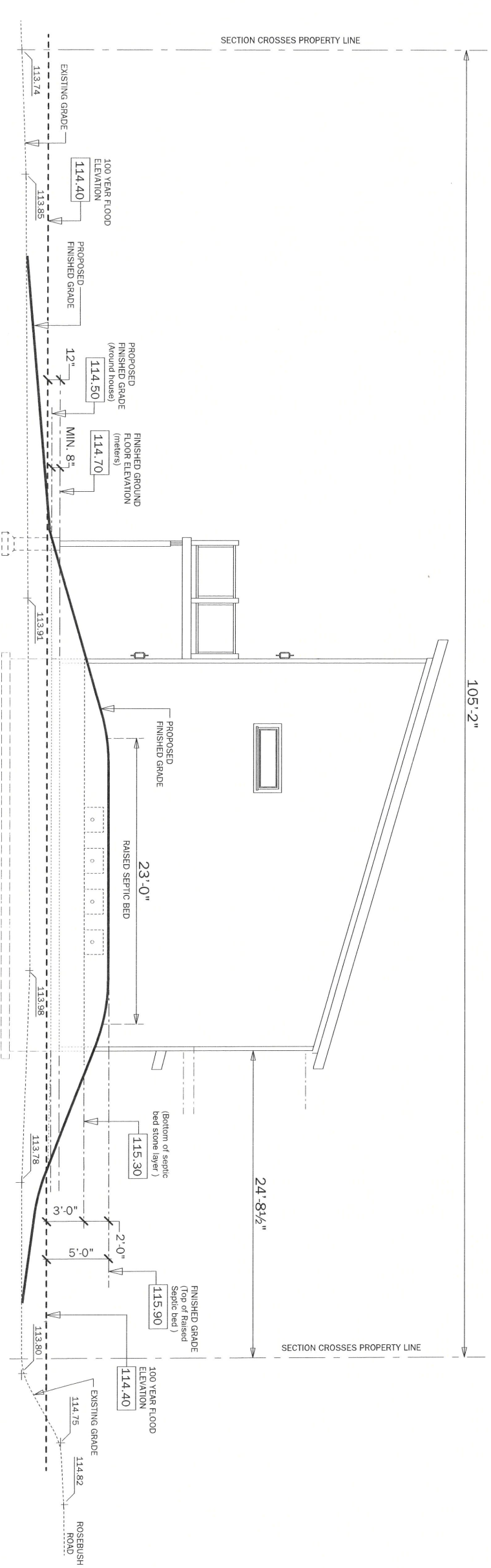
Site Plan Layout
 Troke Property
 Rosebush Road
 Quinte West
 Scale: 1" = 20' 0"
 LOT AREA = 17881 Sqft (.41 Acres)
 LOT COVERAGE = 5.6 %



DOR-ANN HOMES LTD.
 Paul Danna - BCIN#248119
 Signature: *Paul Danna*
 1-415 Mainland Dr., Belleville, ON K8N5M4
 THIS IMPRINT AND SIGNATURE MUST BE IN RED
 ANY OTHER COLOUR INDICATES
 UNLAWFUL REPRODUCTION



SITE CROSS SECTION A-A



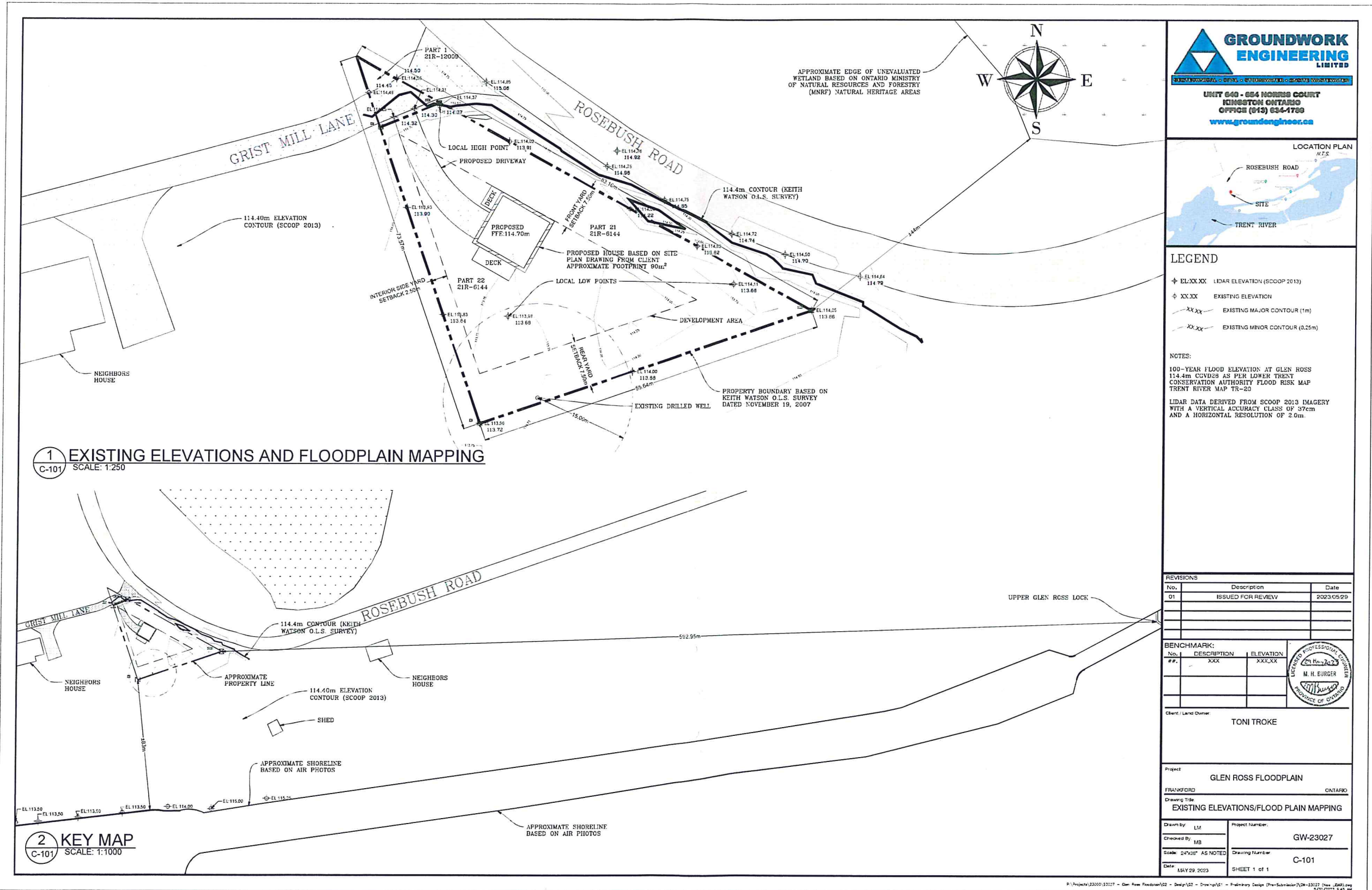
SITE CROSS SECTION B-B

Troke Property
Rosebush Road
Quinte West

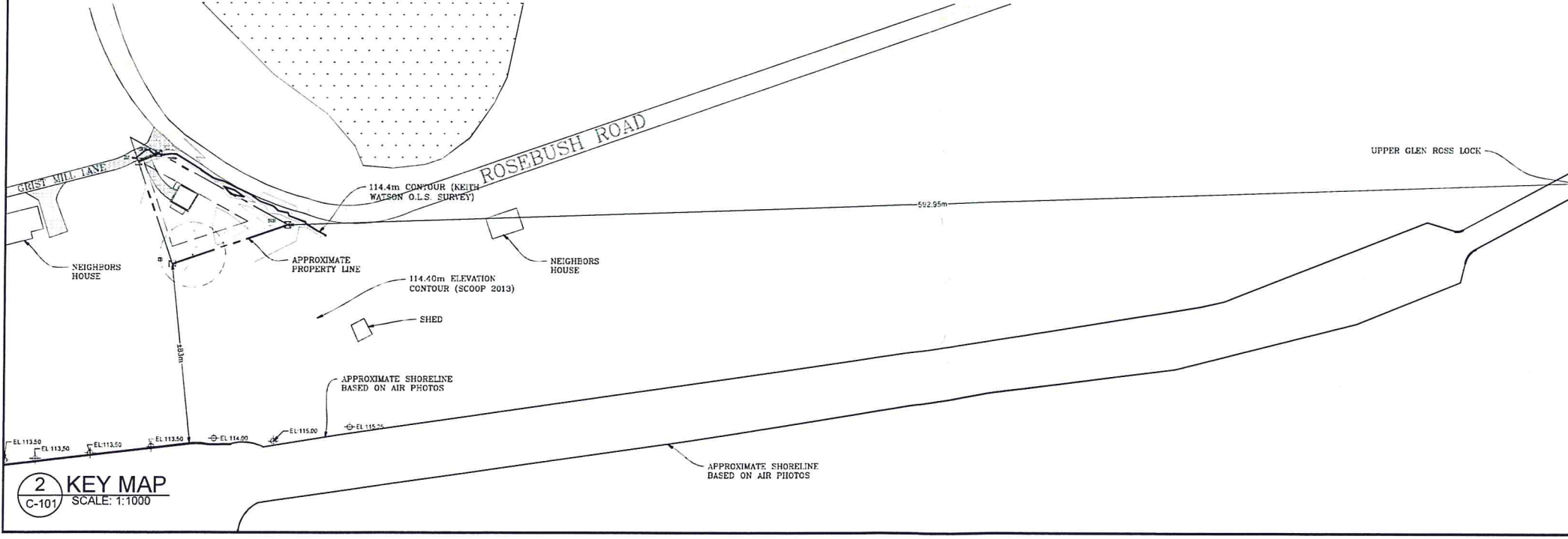
SCALE : 1" = 10'-0"



DOR-ANN HOMES LTD.
 Paul D'Amico - BCIN#24819
 Signature: *Paul D'Amico*
 1-415 Mainland Dr., Belleville, ON K8N 0N4
 THIS IMPRINT AND SIGNATURE MUST BE IN RED
 ANY OTHER COLOUR INDICATES
 UNLAWFUL REPRODUCTION



1 EXISTING ELEVATIONS AND FLOODPLAIN MAPPING
 C-101 SCALE: 1:250



2 KEY MAP
 C-101 SCALE: 1:1000

GROUNDWORK ENGINEERING LIMITED
 UNIT 640 - 654 HOURS COURT
 KINGSTON ONTARIO
 OFFICE (613) 634-1780
 www.groundengineer.ca



- LEGEND**
- ⊕ EL.XX.XX LIDAR ELEVATION (SCOOP 2013)
 - ⊕ XX.XX EXISTING ELEVATION
 - - - - - EXISTING MAJOR CONTOUR (1m)
 - - - - - EXISTING MINOR CONTOUR (0.25m)

NOTES:

100-YEAR FLOOD ELEVATION AT GLEN ROSS
 114.4m CONTOUR AS PER LOWER TRENT
 CONSERVATION AUTHORITY FLOOD RISK MAP
 TRENT RIVER MAP TR-20

LIDAR DATA DERIVED FROM SCOOP 2013 IMAGERY
 WITH A VERTICAL ACCURACY CLASS OF 37cm
 AND A HORIZONTAL RESOLUTION OF 2.0m.

REVISIONS

No.	Description	Date
01	ISSUED FOR REVIEW	2023.05.29

BENCHMARK:

No.	DESCRIPTION	ELEVATION
##.	XXX	XXX.XX



Client / Land Owner
TONI TROKE

Project
GLEN ROSS FLOODPLAIN

FRANKFORD ONTARIO

Drawing Title
EXISTING ELEVATIONS/FLOOD PLAN MAPPING

Drawn by LM	Project Number GW-23027
Checked by MB	Drawing Number C-101
Scale 24"x36" AS NOTED	Date MAY 29 2023
	SHEET 1 of 1

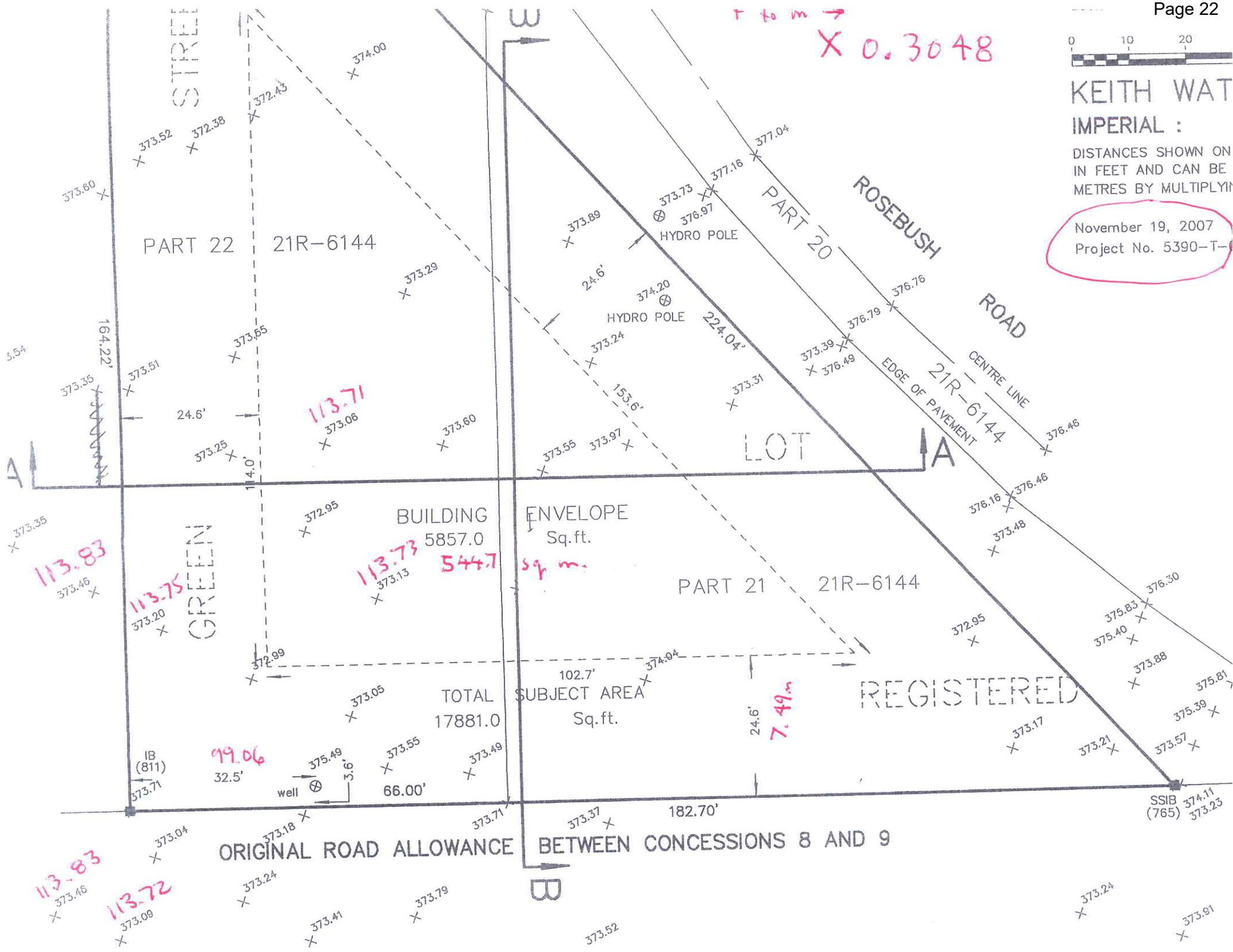
P:\Projects\230201\23027 - Glen Ross Floodplain\02 - Design\01 - Drawings\1 - Preliminary Design (Pre-Submittal)\24-23027 (Rev. 04).dwg
 2/27/2023 9:45 AM



KEITH WAT IMPERIAL :

DISTANCES SHOWN ON
IN FEET AND CAN BE
METRES BY MULTIPLYING

November 19, 2007
Project No. 5390-T-1



r to m →
X 0.3048

113.71
373.06

113.83
373.46

113.75
373.20

113.73
373.13

99.06
32.5'

7.49m

113.83
373.46

113.72
373.09

TOTAL SUBJECT AREA
17881.0
Sq.ft.

BUILDING ENVELOPE
5857.0
Sq.ft.

5447
sq.m.

ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 8 AND 9

REGISTERED

PART 21 21R-6144

PART 22 21R-6144

PART 20 ROSEBUSH ROAD

LOT

21R-6144
CENTRE LINE

ENVELOPE
Sq.ft.

TOTAL SUBJECT AREA
Sq.ft.

3.54

A ↑

↑ A

W

W

IB (811)
373.71

well

SSIB (765)
374.11
373.23



Via: email

July 18, 2023
File: ASC-823 1011

Toni Troke
Part Lot 8, Concession 9 Grist Mill Lane
Former Township of Sidney (Glen Ross), ON K0K 2C0

RE: Proposed Development – Part Lot 8, Concession 9 – Grist Mill Lane, Glen Ross, ON

Dear Toni,

We provide this letter as an overview of the floodplain assessment for the residential property at Part Lot 8, Concession 9 Grist Mill Lane. A 3D topographical map was developed for the subject site and surrounding area using survey data collected from a survey conducted by Keith Watson O.L.S. surveyor and contours extracted from the Scoop 2013 Imagery-Derived Digital Elevation Model (DEM). The Scoop 2013 DEM has a horizontal resolution of 2.0 m and a vertical accuracy class of 37 cm. Using 3D modeling we have established the location of the 100-year flood elevation of 114.40 m (Lower Trent Conservation Flood Risk Map TR-20) in relation to the site.

The normal average water level of the Trent River at this location is approximately 113.4 m based on water level data from December 2021 to July 2023. The maximum navigable water level is 113.47 m and the minimum navigable water level 113.32 m at upper Glen Ross.

Topography in the study area is irregular but generally slopes gently north to south. The subject property is located approximately 83 m north of the Trent River shoreline. Nearly the entire site is below the 100-year flood elevation with most of the site having an elevation between 113.75 m and 114.50 m. The majority of the subject property is tree covered with sporadic open areas. Ground surface primarily consists of exposed bedrock, and sporadic areas with shallow soil cover. Overall, the property does not exhibit characteristics of the four types of wetlands in Ontario, as described under the Conservation Act.

It is recommended that the elevation of the site's development area be raised to an elevation of at least 114.50 m with the proposed residential dwelling's finished floor elevation (FFE) being located at a minimum elevation of 114.70 m to reduce the likelihood of flood damage to the dwelling or its infrastructure.

If a conventional filter media bed is used for wastewater treatment the Ontario Building Code (OBC) Clause 8.7.5.3.(7) states "The stone layer or bottom of the leaching chambers shall be not less than 900 mm above the high ground water table, rock or soil with a percolation time of more than 50 minutes". Therefore, the bottom of the septic bed's stone layer is required to be at a minimum elevation of 115.30 m if a conventional filter media bed system is used. If a Type A bed with Level IV treatment system is used this separation distance is reduced to 0.6 m (OBC Clause 8.7.7.1.(5)(d)), resulting in a minimum elevation of 115.00 m at the bottom of the stone layer.

1305 Princess Street, Kingston, ON
K7M 3E3
(613) 634-5596
paul@ascenvironmental.ca

STAFF REPORT 07-88PD

<p>Date: June 14th, 2007</p> <p>To: Chair Hamilton & Members City of Quinte West Planning Advisory Committee</p> <p>From: Scott Pordham, B.E.S. Area Planner</p>	<p>Subject: Planning Report / Analysis Rezoning Application File No: D09/S19/07 Grist Mill Lane Part Lot 8, Concession 9 Former Township of Sidney Owner: Troke, Toni E. Agent: Greg King, GSK Consulting Roll #: 211.070.29411</p>
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Recommendation

It is recommended that Application D09/S19/07 to amend the zoning on property located in Part of Lot 8, Concession 9, former Township of Sidney from E – Environmental Protection to RR-51 – Special Residential Rural **be approved**.

1.0 Background

This application was considered by the Planning Advisory Committee on May 17, 2007. The Committee deferred the application so that Lower Trent Conservation could be consulted. The staff memo prepared for that meeting is attached for your reference.

Staff have reviewed additional information regarding the Official Plan Amendment and Zoning By-law Amendment applications made in 1988 intended to permit a dwelling on the subject lands. Minutes from a Council meeting of September 5, 1989, indicate that the previously submitted Official Plan Amendment was approved and that “proof satisfactory to the Township be submitted that potable water is available to serve the subject property prior to the approval of the Implementing Zoning By-law.” The minutes suggest that approval of the Zoning By-law Amendment hinged solely on proof of water.

2.0 Purpose and Effect

Application D09/S19/07 applies to lands owned by Toni Elaine Troke having a lot area of approximately 0.24 hectares (.6 acres) on the side of Rosebush Road in Part of Lot 8, Concession 9, former Township of Sidney.

The purpose of Application D09/S19/07 is to amend the zoning on the subject lands from E – Environmental Protection to RR-51 – Special Residential Rural zone.

Approval of rezoning application D09/S19/07 will have the effect of permitting a single detached dwelling on the lands.

The lands subject to this application are identified on Schedule “A”.

3.0 Subject Property

3.1 Site Characteristics

The lands subject to the application are currently vacant and wooded. The parcel is somewhat low lying with a drainage course crossing the property and flowing to the nearby Trent River.

3.2 Adjacent Land Uses

The subject property is located in a rural area with a mix of rural residential and seasonal residential uses in the area. In particular, there are several dwellings located to the west along a private road known as Grist Mill Lane. Those dwellings are also within the E – Environmental Protection zone and do not appear to have legal access to Rosebush Road.

4.0 Zoning By-law

The subject lands are currently zoned E – Environmental Protection zone.

The proposed zoning by-law amendment will rezone the lands to RR-51 – Special Residential Rural Zone. The special zone provisions will recognize the existing lot dimensions.

Based on elevation information available to staff, the existing E – Environmental Protection zone on the subject lands generally represent the eastern extent of the 100 year flood line for the Trent River. However, portions of the property fall inside and outside of the flood line. Therefore, E – Environmental Protection zone boundaries on the Sidney Zoning maps are not a definitive representation of the true environmental feature on the ground (i.e. 100 flood line). The E – Environmental Protection zone was created as a red flag to identify the potential for environmental features and their boundaries are not written in stone. The E – Environmental Protection zone deficiencies comes from the air photos used during the original interpretation of environmental areas and the 4 step process to convert the initial hand drawn information onto the zoning bases. The limitations in accuracy have been accepted in previous applications by planning staff, LTC staff and even at the OMB.

The subject lands are located a large distance from the banks of the Trent River. Any potential flooding would take a significant amount of time to travel to the boundary of the site. Further, flood waters slow down as they travel further inland and movement would be almost non-existent as it approached the subject property.

The proposal appears to meet the intent of the Sidney Zoning By-law provided site plan control is used to ensure development is located so as not to be subject to potential flooding.

5.0 Official Plan

The subject lands are designated Rural through the Official Plan.

The designation permits limited low density residential development subject to other policies of the Plan. Other policies of the Plan to be considered include:

- Section 3.3.4(v) which indicates that no development shall be permitted on lands until it has been demonstrated that an adequate supply of potable water and an adequate method of sanitary sewage disposal is available. The applicant has provided a well record indicating a pump rate of 5.68 litres per minute (1.5 gallons per minute). Staff understands that a well yielding 1.5 gallons per minute in conjunction with a trickle system can satisfy the requirements of a single detached dwelling.
- Section 3.3.4(viii) which indicates that no development shall be permitted on lands that are subject to flooding and/or erosion, or have the potential of negatively impacting the natural environment. Written comments from Lower Trent Conservation still have not been received in this regard. Given the elevation information available to staff, a portion of the property is above the flood line.

The proposal appears to meet the intent of the Official Plan provided site plan control is used to ensure development is located above the flood line.

6.0 Application Circulation

6.1 External Agency Circulation

Notice of Application D09/S19/07 was circulated for comment to the following external agencies on April 20th, 2007.

- a) Lower Trent Conservation

To date, no comments have been received regarding this application. Planning staff understood that the applicant's agent had consulted with LTC staff. However, staff from Lower Trent Conservation have verbally indicated that additional information regarding elevation of the lot is required.

6.2 Internal Department Circulation

Notice of Application D09/S19/07 was circulated to the various City Departments for comment on April 20th, 2007.

Comments from Protective Services dated April 24, 2007 indicate no objections or concerns.

Additional comments from Protective Services dated June 14, 2007, recommend that Grist Mill Lane be re-opened.

To date, no other comments have been received regarding this application.

6.3 Public Circulation

Notice of Application D09/S19/07 was circulated to all registered owners of land within 120 metres (400 feet) of the subject property on April 27th, 2007. A notice of the application was also posted on the subject property as of April 27th, 2007.

To date, no comments have been received regarding this application.

7.0 Comments

7.1 Municipal Plan Review

Section 3.1.1 of the Provincial Policy Statement (PPS) indicates that development shall generally be directed to areas outside of hazardous lands adjacent to river, stream, and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and hazardous sites. Given elevation information available, staff feel site plan control can be used to ensure development is located above the flood line of the Trent River.

The proposal appears consistent with the PPS provided site plan control is required.

7.2 Planning Analysis

Lands subject to this application are approximately 0.24 hectares (0.6 acres) in area located on Grist Mill Lane, in Part of Lot 8, Concession 9, former Township of Sidney.

The purpose of this application is to rezone the subject lands from E – Environmental Protection to RR-51 – Special Residential Rural zone. Approval of the application will permit a single detached dwelling. Approval of the application will also facilitate a resolution to the lack of legal access for residents along Grist Mill Lane. The applicant has provided proof of water to support the proposed development.

The property is surrounded by existing and former road allowance on all three sides. I would note the road allowance on the west side of the subject lands was deeded to Ms. Troke back in the 1980's. Development will be subject to the approval of a site plan control application that includes a storm water management plan detailing how storm water control (i.e. ditching and ponding) would be controlled. The proposed ditching could be easily tied in to the Rosebush Road ditching network.

The subject lands have frontage on Rosebush Road and Grist Mill Lane. Portions of those traveled roads are also within the flood line. Development on the subject lands would raise the elevation of the property which would act as a buffer for potential flood waters. Together with improved ditching the potential for flooding could be eliminated on those traveled roads.

Part B Section 3 – Boundaries of the Zones of the Sidney Ward Zoning By-law encourages that the boundary of the zone lines follow property lines where possible to provide more accurate reference points. The E – Environmental Protection zone could be established on the western boundary thereby providing an accurate reference point for the 100 year flood line.

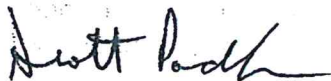
LTC is supporting development in a similar situation to the west. The property is located on Grist Mill Lane and portions of the property have E – Environmental Protection zoning. The adjacent development potential relies on the approval of the subject application as it would give Grist Mill Lane residents direct access to Rosebush Road.

The property was subject to an Official Plan and Zoning By-Law amendment in 1988. The applications were approved pending the owner providing proof of potable water. Potable water was not available until recently due to technological improvement in trickle systems. The property owner has spent a significant amount of money to provide this proof subsequent to the verbal approval from the LTC. The property may have inherent development rights due to the previous approvals granted.

Approval of the site plan control agreement will also be subject to conveyance of land at the north end of the subject property. Conveyance of the land will provide a suitable access point from Grist Mill Lane for both the subject property and the adjacent land locked parcels. This will ensure unobstructed delivery of emergency service as needed by the Protective Services Department.

The proposal appears to meet the intent of the Official Plan, Sidney Zoning By-law and is consistent with the PPS.

Report written by,



Scott Pordham, B.E.S.
Area Planner

Report reviewed by,



Charlie Murphy, M.Sc.
Director of Planning and Development Services.

SP:CM:lms