



August 31, 2023

via email

GRCA File: A2023-113 – 9 Siebert Avenue

Marilyn Mills
Secretary-Treasurer
Committee of Adjustment
City of Kitchener
200 King Street West
Kitchener, ON N2G 4G7

Dear Marilyn Mills,

Re: Application for Minor Variance A2023-113
9 Siebert Avenue, City of Kitchener
Robert Westbury

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted minor variance application.

Recommendation

The GRCA recommends deferral of this application to allow the applicant an opportunity to confirm the proposed Additional Dwelling Unit will be located outside of the floodplain. Please see additional comments below.

Documents Reviewed by Staff

Staff have reviewed the following documents submitted with this application:

- Application for Minor Variance
- Site Plan Sketch

GRCA Comments

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a regulatory authority under Ontario Regulation 150/06, and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at this office indicates that a portion of the subject property is within the regulated allowance adjacent to the floodplain associated with Montgomery Creek. A copy of GRCA's resource mapping is attached.

Due to the presence of the features noted above, a portion of the property is regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future

development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

The proposed minor variance application requests permission to allow an Additional Dwelling Unit (ADU) partially within the exterior side yard. The proposed ADU is in close proximity to the floodplain and GRCA policies do not permit new dwelling units within the floodplain. As such, GRCA staff request a topographic survey with the floodplain delineated to confirm that the proposed ADU will be outside of the floodplain. GRCA staff will provide the floodplain elevation to the applicant under separate cover.

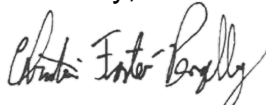
Consistent with GRCA's 2023 approved fee schedule, this application is considered a 'minor' minor variance and the applicant will be invoiced in the amount of \$300.00 for the GRCA's review of this application.

For Municipal Consideration

Please be advised that on January 1, 2023, a new Minister's regulation (Ontario Regulation 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Conservation Authorities Act) came into effect. As a result, non-mandatory technical review services that the GRCA formerly provided under agreement with some municipalities (e.g., technical reviews related to natural heritage and select aspects of stormwater management) will no longer be provided.

Should you have any questions, please contact the undersigned at 519-621-2763 ext. 2319 or cfosterpengelly@grandriver.ca.

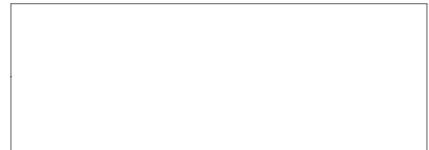
Sincerely,



Chris Foster-Pengelly, M.Sc.
Assistant Supervisor of Resource Planning
Grand River Conservation Authority

Enclosed: GRCA Mapping

Copy: Robert Westbury (via email)



Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
 - Special Policy Area
- Slope Valley (GRCA)
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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