UPPER THAMES RIVER

Meeting of the Upper Thames River Conservation Authority Hearing Committee – Agenda Tuesday March 26, 2024 12:30pm, 1424 Clarke Rd. London

Memo to Hearing Committee Members: Sandy Levin, Paul Mitchell, Brian Petrie, Mark Schadenberg, Dean Trentowsky.

Please be advised that a meeting of the Hearings Committee will be as follows:

- 1. Approval of Agenda
- 2. Declaration of Conflicts of Interest
- 3. Minutes of the Previous Meeting: January 30, 2024
- 4. Business Arising from the Minutes

# 5. Application #33-24

Proposed Development within a Riverine Flood Hazard Area Regulated by the Upper Thames River Conservation Authority at 49 Blackburn Crescent, Municipality of Middlesex Centre (Komoka), Ontario

6. Adjournment

Dracy Ant

Tracy Annett, General Manager

#### NOTICE OF HEARING

#### IN THE MATTER OF

The Conservation Authorities Act, R.S.O. 1990, Chapter C. 27 as amended;

#### AND IN THE MATTER OF

An Application By: Aaron and Lindsay Lyndsay (Application #33-24)

For the permission of the Upper Thames River Conservation Authority pursuant to Regulations made under Section 28 (12) of said Act.

**TAKE NOTICE** that a hearing before the Hearings Committee of the Upper Thames River Conservation Authority will be held under Section 28 of the <u>Conservation Authorities Act</u> at the offices of said Authority at the UTRCA Administration Office, 1424 Clarke Road, London, Ontario N5V 5B9 at the hour of 12:30 pm, Tuesday, March 26, 2024 with respect to the application by Aaron and Lindsay Lyndsay to permit interference with a flood hazard associated with a river or stream valley and within an area regulated by the Upper Thames River Conservation Authority under Ontario Regulation 157/06 - *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* made pursuant to Section 28 of the <u>Conservation Authorities Act</u> at 49 Blackburn Crescent in the Municipality of Middlesex Centre (Komoka), Ontario.

**TAKE NOTICE THAT** you are invited to make a delegation and submit supporting written material (electronically) to the Hearings Committee for the meeting of March 26, 2024. If you intend to appear and/or submit further written material, please contact Cari Ramsey ((519)-451-2800 ext. 289, e-mail ramseyc@thamesriver.on.ca). Any further written material (submitted electronically) will be required as soon as possible, to enable the Committee members to review the material prior to the meeting.

**AND FURTHER TAKE NOTICE** that if you do not attend at this Hearing, the Hearings Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

**PLEASE NOTIFY THIS OFFICE** by 12:00 noon March 18, 2024 (local time) as to whether you and/or your agent(s) will be attending. A copy of Ontario Regulation 157/06 and Section 28 of the <u>Conservation Authorities Act</u> will be made available to you upon request.

**DATED** the 4<sup>th</sup> Day of March 2024

Registered

The Hearings Committee of The Upper Thames River Conservation Authority

many Ant

Tracy Annett, General Manager/Secretary-Treasurer

## **HEARING PROCEDURES**

- 1. Motion to sit as a Hearings Committee to consider the application by Aaron and Lindsay Lyndsay, 49 Blackburn Crescent in the Municipality of Middlesex Centre, Komoka, Ontario (Application #33-24)
- 1. Chair's opening remarks.
- 2. Staff will introduce Hearings Committee members (and the UTRCA Solicitor if present) to the applicant/owner, his/her agent and others wishing to speak.
- 3. Staff will indicate the nature and location of the subject application.
- 4. Staff will present their report on the application.
- 5. The applicant and/or his/her agent will speak and also make any comments on the staff report, if he desires.
- 6. Members of the Hearings Committee will question, if necessary, both the staff and the applicant/agent.
- 7. The Hearings Committee may make a motion to adjourn and go into camera and/or may make a motion to arrange to visit the subject site.
- 8. Upon completion of their deliberations, members of the Hearings Committee may make a motion regarding the application or may resolve to defer any decision on the application.
- 9. A motion will be carried which will culminate in the decision.
- 10. The Hearings Committee will move out of camera.
- 11. The Chair will advise the owner/applicant of the Hearings Committee decision, through Conservation Authority staff if the applicant/agent has left the Hearing location or in person if a decision is rendered with the Applicant/agent still on hand at the UTRCA office.
- 12. If decision is made to "to refuse", the Chair or Acting Chair shall notify the owner/applicant of his right to appeal the decision to the Minister of Natural Resources and Forestry within 30 days of receipt of the reasons for the decision.
- 13. Motion to move out of the Hearing.

# UPPER THAMES RIVER



To: Chair and Members of the UTRCA Hearing Committee From: Cari Ramsey, Land Use Regulations Officer Date: March 13, 2024 File Number: HC-03-24-02 Agenda Number: 5 Subject: Section 28 Permit Application #33-24 for Proposed Development within a Riverine Flood Hazard Area Regulated by the Upper Thames River Conservation Authority at 49 Blackburn Crescent, Municipality of Middlesex Centre (Komoka), Ontario

# Recommendation

THAT Application #33-24 for the proposed development within a riverine flood hazard associated with a river or stream valley and area regulated by the Upper Thames River Conservation Authority (UTRCA) at 49 Blackburn Crescent, Municipality of Middlesex Centre (Komoka), Ontario be denied as it is contrary to UTRCA riverine flood hazard policies.

# The Application

A Section 28 Application for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit application (#33-24) has been submitted for a proposed addition of 1097 square feet to an existing single family residence located on a property entirely regulated by the UTRCA due to the presence of riverine flood hazard land associated with the main branch of the Thames River at 49 Blackburn Crescent in the Municipality of Middlesex Centre (Komoka), Ontario.

# **Site Information**

The property located at 49 Blackburn Crescent in Komoka, ON is entirely regulated by the Upper Thames River Conservation Authority (in accordance with Ontario Regulation 157/06), due to the presence of riverine flood hazard land associated with the main branch of the Thames River. The property is zoned as urban residential. While the existing residence is serviced by the municipal drinking water supply system, it is connected to a private septic system located in the rear yard (also in the floodplain).

**Attachment #1** is a basic location map of the property at 49 Blackburn Crescent, Komoka, ON. **Attachment #2** is a UTRCA map showing the approximate size of house and garage in 2000. **Attachment #3** is a UTRCA map showing the approximate size of the house and garage as they are in 2024.

According to current elevation information and flood modeling, the flood depths on the property during a Regulatory (1:250 Year) Flood Event would be estimated to range from a depth of 3.5 metres at the rear of the property to approximately 1.5 metres at the front of the property. According to current flood modeling, the road would overtop in a Regulatory Flood event (potentially to a depth of more than a metre), cutting off flood free access to the lot.

# Background

The property at this address falls entirely within an area impacted by the floodplain of the Thames River. Due to the extent of the floodplain (**Attachment 4**), this property lies entirely within the flood hazard and does not have what would be considered "safe/dry access" according to current provincial technical standards (*Ontario Ministry of Natural Resources (OMNR) River and Stream Systems: Flooding Hazard Limit, Technical Guide, 2002*) and UTRCA flood hazard policies. For a scenario such as this (no provision for safe and/or dry access), the accepted UTRCA standard has been that new additions of greater than 25% of the original house size (as it existed on April 25, 2000) would not be supported. The residence and garage already acquired a previous addition greater than the 25% within the last 10 years.

# 2015 – Previous Proposal/Permit

In 2015, previous landowners and their builder (Oke Woodsmith Building Sytems Inc.) applied to UTRCA (K. Winfield) for an addition to the existing home and garage at 49 Blackburn Crescent. At that point, the single family dwelling and attached garage was a total of 3184 sq. ft. in size. Landowners applied for an increase in size of 1255 sq. ft. which was a 39% increase from the original residence/garage as it existed as of April 2000. In 2015, with the most up-to-date elevation and flood modeling information available at the time, floodproofing requirements for the garage were set at the elevation of 219.31 metres geodetic and the top of the foundation for the addition to the home was at 219.68 metres geodectic. The floodproofing requirements were met through engineering design by the applicant and on November 2, 2015, UTRCA staff approved a 39% increase in size for the residence and attached garage at 49 Blackburn Crescent (Application #165-15).

Google Street View - September 2009



Google Street View - January 2023



# 2023 – Current Proposal

On August 8, 2023, UTRCA (C. Ramsey) received an application from Oke Woodsmith Building Systems Inc. on behalf of new landowners (Aaron and Lyndsay Lindsay) for a second addition. This new proposal would be for a 1085 sq. ft. addition (an additional 34% over what existed in April 2000) onto the current home which had already had an increase of 1255 sq. ft. (39%) in 2015 (over the original structure size as of April 2000). This new proposal would result in a 73% total increase from the original structure size.

**Attachment #5** is meant to quantify the approximate size of the original structure (as it existed in April 2000), the addition(s) constructed in 2015-2016, and the current proposal.

As of 2023, UTRCA engineering staff had a more accurate floodline available due to updated survey and hydraulic modelling information which showed that the flood plain had a far greater reach than initially modelled (**Attachment #4**) and verified that there is no safe or dry access into the property. C. Ramsey informed the applicant that since an addition has already been constructed in the floodplain, and given there is no provision for safe/dry access, any additional increase in size could not be approved at a staff level. The applicant was further advised that they were welcome to apply for a Hearing before the UTRCA Hearing Committee for review. It was also discussed that should they choose to request a hearing, any plans submitted as part of their application would need to confirm how the addition could be floodproofed to an elevation of 220.5 metres geodetic. If floodproofing to 220.5 metres geodetic would not be technically feasible, then any plans submitted would have to show the elevation to which the addition could be floodproofed.

# **Discussion/Analysis**

Copies of the UTRCA Permit Application Form and the Report from Oke Woodsmith Building Systems Inc. (Attachment #6), – as well as applicable UTRCA Natural Hazard policies are included with this report. The application has been evaluated for conformity with our general flood hazard policies contained within Section 4.2 of the UTRCA Environmental Planning Policy Manual (June 2006). There are a variety of policies contained within this section that speak to new development, additions, and access. These policies are included with this report for comparison.

# **Applicable Policy**

**Please Note:** the following policies referenced are taken from the *UTRCA Environmental Planning Policy Manual,* approved by the Board of Directors, June 28, 2006. While the following policies have been included within this report to assist with review, we note that policies in the manual are intricately interwoven and should always be read in their entirety. The UTRCA Environmental Planning Policy Manual (2006) is available on our website at:

http://thamesriver.on.ca/wp-content/uploads//PlanningRegulations/UTRCA-EnvironmentalPlanningPolicyManual-2006.pdf.

A hard-copy can be made available to you upon request. It is advised that you refer to all the policies contained within the manual as other policies, not listed below, may also be applicable.

# A) Regulation of Development

The proposed addition would be considered development (by definition).

## **Definitions**

#### **Development:**

(a) the construction, reconstruction, erection or placing of a building or structure of any kind,

(b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,

(c) site grading, or

(d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

(Conservation Authorities Act, R.S.O. 1990 c. C.27)

Through our individual *Development, Interference With Wetlands and Alterations to Shorelines and Watercourses* Regulations and *Ontario Regulation 97/04,* Conservation Authorities have a legislated responsibility to regulate development and activities in or adjacent to river or stream valleys, Great Lakes and inland lakes shorelines, watercourses, hazardous lands, and wetlands. Development taking place on these lands within the watershed requires permission from the Conservation Authority.

Section 3 of Ontario Regulation 157/06 states that "the Authority may grant permission for development in or on the areas described in subsection 2(1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development." These are referred to as the "5 Tests" and these tests must be considered in Conservation Authority decisions for permit applications. (Please note that the UTRCA only considers "4 Tests" as without Great Lakes Shoreline there are no dynamic beaches within our watershed.)

# **B)** General Flood Hazard Policies

Section 4.2.2 (subsections 1 & 2) of the UTRCA Environmental Planning Policy Manual reads:

- 1. Floodway New development is generally not permitted within the floodway of any watercourse.
- Flood Fringe Development and site alteration is permitted in identified flood fringe areas, subject to satisfying floodproofing requirements through the UTRCA's Section 28 Permit Process. Specific policies are provided below.
  - a) Residential For new development, no building openings are permitted below the *Regulatory Flood* Elevation. Construction drawings with *floodproofing* considerations must be prepared by a qualified professional. If a basement is proposed, *dry, passive floodproofing* measures must be presented on detailed drawings prepared by a qualified professional. Sufficient surveys and inspections will be required to allow for provision of as-built drawings upon completion of the project. Additions will be permitted (including bedrooms and associated increases in density) if access is safe or dry and *floodproofing* is achieved to the level of the *Regulatory Flood* Elevation. If *floodproofing* to the Regulatory Flood Elevation is not feasible, additions must be less than 25 per cent of the existing ground floor area and must not include bedrooms or require zoning by-law amendments to increase population density.

The above noted (Floodway and Flood Fringe policy) sections are meant to refer to areas of the watershed identified as "Two-Zone". Two-Zones are specific to, among other things, urban areas that have both municipal water and wastewater servicing, and where the flood fringe (outer floodplain with generally slower moving shallower water that poses a lower risk to life and property during a flood event) and the floodway (main channel of the floodplain with generally higher velocity, deeper water that poses a higher risk to life and property during a flood event) have been identified through site specific modeling, depth, and velocity studies. The subject property at 49 Blackburn Crescent does not meet the criteria of an identified Two-Zone but the referenced 25% size increase is a standard consideration in the evaluation of any new additions in a flood hazard. Generally, staff do not approve an increase in size greater than 25% for habitable space in the floodplain in the absence of flood-free access, unless the works fall under a Special Policy Area location approved by the province. Komoka does not fall within an area designated as a provincially approved Special Policy Area.

# C) Reference To Structure Sizes As They Exist April 25, 2000

Section 4.2.2.6 of the Environmental Planning Policy Manual reads:

- 6. Replacement Structures in the Floodway Replacement structures are structures that replace existing building or structures, including buildings and structures designated as architecturally or historically important and that have (recently) been demolished or destroyed but does not include reconstruction on remnant foundations. Replacement structures may be permitted by the UTRCA provided that the replacement structure, its construction and any new servicing requirements comply with the following:
  - a) The structure can be *floodproofed* to the level of the *Regulatory Flood*. If *Regulatory Flood* protection is not technically feasible, a lower level of flood risk protection may be permitted and must be provided to the maximum elevation possible as determined on the basis of site-specific evaluation.

UTRCA Environmental Planning Policy Manual Approved by Board of Directors June 28, 2006 Revised October 24, 2017 4-4

b) The proposed structure must not exceed the total "footprint" area of the original structure as it existed on (April 25, 2000).

These Replacement Structures in the Floodway policies are meant to refer to the replacement of an existing structure while the current application is for an addition. However, the April 25, 2000 date is the standard point in time that staff use in the comparison and evaluation of sizing for new additions in a flood hazard.

## D) Policies Related to New Development, Vehicle, and Pedestrian Access

With regard to access, Section 4.2.1.2 of the Environmental Policy Manual reads:

- 2. Development and site alteration may only be permitted in hazard lands provided that all of the following conditions can be implemented to the satisfaction of the Authority:
  - a) Appropriate *floodproofing* measures, *protection works* and safe and dry *access* during times of *flooding*, *erosion* and other emergencies are provided.

Also with regard to access, Section 4.2.2.13 of the Environmental Policy Manual reads:

13. Access – For new development, vehicular and pedestrian access must be dry, to an elevation matching or exceeding the Regulatory Flood Elevation. For existing development and infill proposals, vehicular and pedestrian access must be "safe", within 0.3 metres of the Regulatory Flood Elevation or as determined through use of the following documents: a) <u>Technical Guide – River and Stream Systems: Erosion Hazard</u> Limit and b) <u>Technical Guide – River and Stream Systems: Flooding Hazard</u> Limit (Ministry of Natural Resources & Watershed Science Centre, 2002)

According to current flood modeling, the road may overtop in a Regulatory Flood Event to an elevation of more than a metre and accordingly, there is neither safe nor dry flood-free access to the property.

# E) General Policy for Addition in a Flood Hazard

Section 4.2.2.4 addresses our general addition policy:

4. Additions to existing buildings and *replacement structures* may be permitted in the *flood plain* subject to satisfying the Authority's requirements.

As "subject to satisfying the Authority's requirements" has always been a particularly vague policy direction, staff use the following internal guidelines when reviewing addition proposals to ensure greater consistency, clarity, and precedent setting for applications in what constitutes the "Authority's requirements":

- Size increases for additions should be calculated based on the structure as it existed on April 25, 2000, as per the "replacement structures in the floodway" policy.
- Where floodproofing to the regulatory flood elevation is not feasible, additions must be less than 25% of the existing gross floor area (GFA) and building area (BA).
- For Residential:
  - Additions (up to 50%) will be permitted (including bedrooms and associated increases in density) if access is safe or dry and floodproofing is achieved to the level of the Regulatory Flood Elevation.
  - If floodproofing to the regulatory flood elevation is not feasible or they do not have safe access, additions must be less than 25% of the existing ground floor area and must not include bedrooms or require zoning by-law amendments to increase population density.

The addition for 49 Blackburn Crescent as currently proposed:

- Will be larger than 25% of the structure as it existed in April of 2000.
- Does not have flood-free access.
- Contains one opening below the level of the Regulatory Flood Elevation. Generally, the UTRCA does not permit new openings (windows, doors, servicing vents) below the level

of the floodproofing elevation. However, they have advised that the proposed door is a floodproofing door made to withstand hydraulic pressures.

Therefore, the proposed addition does not meet all of the standard review criteria for staff to permit another addition greater than 25% of what existed in April 2000. This proposal is contrary to the types of residential additions that have been approved at a staff level in a flood hazard.

# Conclusion

The Authority's approval is required for the issuance of permits under Ontario Regulation 157/06 – *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses,* in accordance with Section 28 of the *Conservation Authorities Act.* Applications which conform to this regulation and board-approved policy found within the UTRCA *Environmental Planning Policy Manual* (June 2006) may be recommended for approval by Authority staff who have been granted responsibility to process such proposals. If applications are submitted which do not conform to board-approved policy, Authority staff cannot approve the application and a hearing may be requested. The application is then subject to the consent of the UTRCA Hearing Committee. Only the UTRCA Hearing Committee can refuse the application.

This report is provided to the Hearing Committee to advise that the application does not meet the riverine flood hazard policies (found within Section 4 of the *UTRCA Environmental Planning Policy Manual* (June 2006) and the standard review guidelines used by UTRCA staff. Staff recommend denial of Application #33-24 as it is contrary to policy and previous staff approvals. The applicant has advised they wish to proceed with a hearing before the UTRCA Hearing Committee to obtain consent for the proposed addition within the riverine flood hazard.

Recommended by:

Jenna Allain, Manager Environmental Planning and Regulations

Prepared by:

Cari Ramsey Land Use Regulations Officer

c.c. Members of the UTRCA Hearing Committee Tracy Annett, UTRCA Grant Inglis, UTRCA Solicitor

#### Attachments:

Notice of Hearing Hearing Procedures Attachment #1 – Location map of the property at 49 Blackburn Crescent, Komoka, ON Attachment #2 – UTRCA map showing approximate size of house in 2000 Attachment #3 – UTRCA map showing approximate size of house as it is in 2023 Attachment #4 – UTRCA 2024 floodplain mapping Attachment #5 – House size increases 2000 – 2024 Attachment #6 and 6a – Oke Woodsmith Building Systems Inc. report and Application for Consent











# ATTACHMENT #5



Oke Woodsmith Building Systems Inc.

Upper Thames River Conservation Authority Attention: Cari Ramsey 1424 Clarke Road London, Ontario, N5V 5B9

Attention: Cari Ramsey From: Kristi Willmore RE: Hearing - 49 Blackburn Crescent, Part Lot 31, Concession Geographic Township of Komoka, Municipality of Middlesex, Aaron Lindsay

Cari, please find the attached documents for the proposed addition for the Lindsay Hearing. Proposed 2-story addition on to the existing residence.

# Description:

This is a Proposal for a 2-story addition to be added to the existing residence. The home owners have been in the home since August of 2022 and realize that they need more space for family and guests to visit comfortably.

We have shown that the proposed development for the addition fits within Municipal standards of the bylaws for setbacks and lot coverages, etc.

To Ensure all flood plain regulations align with the design and have been considered; the professional services of a licensed Engineering company (MTE Engineering) were obtained. The professional services were also obtained from (FlowSpec) to ensure and assess the feasibility of onsite wastewater and the characterization of the subsurface for the septic.

The new addition will include a main level (659 sq ft) and second story (438 sq ft), the design is conceptual and will be finalized as we look for your guidance in the development of the property in your governance.

Sincerely,

iste Willnore

Kristi Willmore

# HEARING LINDSAY FAMILY

OWNERS Aaron and Lyndsay Lindsay 49 Blackburn Cresent Komoka, ON

OKE WOODSMITH BUILDING SYSTEMS INC.

70964 Bluewater Highway,Grand Bend, ON NOM 1TO jeremy.oke@okewoodsmith.com kwillmore@okewoodsmith.com rsoke@okewoodsmith.com www.okewoodsmith.com

# **Table of Contents**

Lindsay Family - Address to UTRCA Committee:	2
Attendees:	3
Objective:	3
Explanation of Property:	3
History of property:	3
Improvements Made to the Home:	3
Proposed New Addition Explanation:	4
Letters From the Neighbours	

## FIGURES

Figure 1 – ENGLOBE CORP. (2015).	6
Figure 2 – MTE REPORT (2015)	7
Figure 3 – MTE REPORT (2024)	8
Figure 4 - FlowSpec Engineering (2024)	9

# DRAWINGS

A1 Main Floor Level & Cross SectionA2 Second Story PlanA3 ElevationsA4 ElevationsS1 Site Plan N.T.S

#### Statement to committee:

Owner: Aaron and Lyndsay Lindsay 49 Blackburn Cresent Komoka, ON

#### Lindsay Family - Address to the Committee:

I would like to formally present a proposal for the addition to be added on to our residence located at 49 Blackburn Crescent, Komoka, Ontario.

We have familiarized ourselves with the floodplain regulations including the restrictions on the type of construction, elevation requirements, and mitigation measures to reduce flood risk. We are seeking an exception to the limitation of addition size of 25%, to accommodate the unique needs of our family.

Our property is of a larger-than-normal lot size in the community, and should also be an exception to the limiting size restrictions to accommodate the unique needs of our family.

We have hired professionals, such as MTE engineering firm who are familiar with the history of our home and have extensive experience and expertise in floodplain management. They have assessed our property, provided expert advice, and helped develop a plan that aligns with the regulations. Our objective is to create an addition to our home that not only meets the needs of our family but also contributes to the overall aesthetics of the area.

The primary motivation behind this proposal is to provide a supportive living arrangement for my aging parents. As they enter a phase where additional assistance is required, having a secondary suite within our home will enable us to offer the necessary care and support while maintaining their autonomy. As of recently my father has been diagnosed with Alzheimer's. As his condition worsens, he will require ongoing assistance and care. As a result, our family would like to create a supportive living environment that allows him to age in place while receiving the necessary care and attention from his loved ones. We believe this will enable us to offer the required care within the comfort and familiarity of our family home.

Thank you for considering our proposal. We appreciate the role of the conservation authority in ensuring responsible development, and we look forward to your decision for the possibility of creating a supportive and environmentally conscious living space for our aging parents.

Sincerely,

Hur

# Attendees:

Home Owner - Aaron Lindsay Jeremy Oke – Owner - Oke Woodsmith Building Systems Inc. Kristi Willmore – Designer - Oke Woodsmith Building Systems Inc. Mario Duscio - Structural Engineer - MTE Consultants Inc.

## Objective:

To gain permission for development in creating a secondary suite to accommodate the needs of the family.

# Explanation of Property:

## History of property:

Residential Renovation and Construction information as of 2015

Oke Woodsmith Building Systems Inc. has once more been retained as the building contractor for this project. The original renovation was completed in 2015. The 2015 renovations were constructed at a Finished Floor Elevation of 219.68. Due to the Site grading limitations and building code requirements, it was the concern of MTE Engineering, at that time, that the exterior grading was not to be raised anymore and it would restrict the water flow around the building.

Floodproofing measures that were included into the construction when the renovations took place in 2015 are listed below and referenced in the Figures 1-3 of this document.

- 1. Figure 1 Englobe Corp. Conducted T-Time Testing (Percolation Time Assessment) on November 20, 2015. The testing and results are found in Figure 1
- 2. Figure 2 *MTE Report from 2015*. The Report reflects the flood proofing measures taken from the addition and renovations competed in 2015.
- 3. Figure 3 *MTE Report from 2024.* Review of Flood Proofing Measures for the Proposed Addition.
- 4. Figure 4 FlowSpec Engineering Report. Completed on March 4, 2024

# Improvements Made to the Home:

Improvements made to the home since the Lindsay family have taken ownership as of August of 2022.

- 1. Updates to the Septic Tank and Water Shed, which was completed by Atchinson Plumbing & Heating.
- 2. RH2O Conducts annual Site Inspections that include sample testing and measurements of sludge levels.

# **Proposed New Addition Explanation:**

To ensure all floodplain regulations align with the design and have been considered; the professional services of a licensed Engineering company (MTE Engineering) were obtained to ensure the addition meets flood-resistant Building Design Standards and the addition shall be flood-proofed as required by the Upper Thames River Conservation Authority (UTRCA).

The proposed new addition will be Slab-on-Grade and will include Insulated Concrete Form (ICF) walls that will be waterproofed from the footings to the top of floor and will withstand the lateral pressures. The top of the concrete foundation wall around the proposed addition will be at the regulatory flood elevation of 220.50 meters.

The Exterior Foundation will be wrapped with Damproofing (Roll or Spray Type) and drainage board (Dimpleboard). The new foundation walls have been designed for lateral loads due to soil pressure and potential flood-water pressure and will provide a drainage system under new flood slabs that are connected to a sump that empties outside to prevent hydrostatic uplift on the concrete floor slab. There is an option of continuing the ICF to the second story using the floor-system as support if needed.

The concrete foundation wall for the addition has been reviewed by a structural engineer (MTE) and designed to resist the lateral load imposed by flood waters up to an elevation of 220.00 meters.

In regard to the Septic System, the services from FlowSpec Engineering were obtained to complete an assessment of the current subsurface, via test pit. The finding and full report are included in Figure 4 of this document.

In the proposed design, Flood Mitigation techniques were also met by introducing a flood door at the rear of the addition, that will be installed in the opening between the existing and new addition. By including this door and waterproofing at the end wall of the existing house, the new addition will be "dry-flood protected", meaning no water should enter into the addition. The door openings will be the only cutout from the floor level to the top of wall and will have added outswing doors to handle the pressure at that point. The windows in the addition are at or above the 220.50 meter geodetic and can be used as means of egress if necessary.

Our design prioritizes minimal impact on neighboring properties, and adheres to environmental regulations to preserve the integrity of local watercourses. The proposed addition demonstrates compliance with the Act by meeting the regulated setbacks and property line regulations.

It is our belief that the proposed design will benefit the community by increasing the property value and implementing design concepts that reflect forward thinking for aging-in-place housing for residents. To whom it may concern:

The Lindsay family have been our neighbors for 1.5 years. We have grown to know them as being a family that is community oriented, respectful and kind neighbors. They show regard to the landscaping and upkeep of their property. We know that family matters to them and have learned recently about the decline in their parents' heath. It would make things easier for them and the family to have the parents close by to look after them and care for them in a way that I know they all want to.

I would like to give my personal endorsement for the Lindsay family to be granted permission to build the addition to their home.

45 Blackburn Cresent

To whom it may concern:

The Lindsay have been great neighbors. We fully support them building an addition and give them permission to do so. We think it will be good for the community.

41 Blackburn Cresent

#### Figure 1 – ENGLOBE CORP (2015)



englobecorp.com

November 27, 2015

#### Mr. Steve Poortinga

Oke Woodsmith Building Systems Inc. 70964 Bluewater Highway Grand Bend, Ontario NOM 1TO

T-Time Testing for Oke Woodsmith Subject: Percolation Time Assessment Van Holst Residence Lot 31, Registered Plan No. 958 Blackburn Crescent and Kilworth Park Drive Municipality of Middlesex Centre, Ontario 161-B-0008978-5-TU-L-0001-00

#### Dear Mr. Poortinga:

Englobe Corp. is pleased to submit this letter that provides the results of a particle size distribution analysis and percolation time assessment for a sample of soil submitted to our laboratory on November 20, 2015. It is understood that the sample was taken from the above-referenced property by the client.

The results of the particle size distribution analysis are presented on Figure 1, appended, and indicate that the sample contains 2% gravel, 61% sand, 30% silt, and 7% clay. The percolation time of the sample was assessed based on soil type as described by the Unified Soil Classification System in MMAH Supplementary Standard SB-6 "Percolation Time and Soil Descriptions" of the Ontario Building Code (OBC), and determined by the laboratory test results. The sample is classified as "SM", for which the OBC specifies a percolation time (T) in the range of 8 to 20 min/cm. A minimum percolation time of T=20 min/cm is appropriate for the sample.

In addition to gradation, the percolation time of the soil is dependent upon many on-site factors that were not considered as part of this assessment, such as density, structure, and moisture content. It is the responsibility of the sewage system designer to consider these factors prior to choosing a percolation time suitable for design.

Englobe supervised on-site the excavating of one test pit in the area of the proposed sewage system installation on November 26, 2015 to confirm that the soil and groundwater conditions. The test pit encountered approximately 300 mm of surficial topsoil overlying native silty sand, which was in turn underlain by sand and gravel. The native soils were damp to moist at the time of the fieldwork. The test pit was terminated in the sand and gravel at a depth of 2.1 m below existing grade. The test pit was open and dry, and no groundwater was encountered.

Englobe Corp.

T 519.273.0101 25 Market Place F 519.273.7188 Canada N5A 1A4 info@englobecom com

Stratford (ON)

5

# Figure 2 - MTE REPORT (2015)



# STRUCTURAL REPORT

JOB NAME:	Van Hoist Residence	MTE FILE NO :	40857-100
LOCATION:	49 Blackburn Crescent, Komoka	DATE/TIME:	October 15, 2015
CONTRACTOR:	Oke Woodsmith	WEATHER:	N/A
CC.	Karen Winfield - LITRCA		

#### Review and Comment:

At the request of Oke Woodsmith, MTE reviewed the flood proofing measures for the proposed addition and renovation to the existing single family residential house at 49 Blackburn Crescent in Komoka. The existing house is in the floodplain and the main floor elevation is 219.68. This is about 0.32 m (12") below the regulatory flood elevation of 220.00. In addition, the existing garage floor elevation is 219.00. This is 1.0 m (39") below the regulatory flood elevation of 220.00.

The proposed work involves renovating the interior of the existing house and the construction of a new expanded garage on the west side of the house. It is not feasible for the addition to fully conform to the Flooding Hazard Policy because the existing house is below the regulatory flood elevation of 220.00. Outlined below is a description of the proposed measures being proposed to mitigate damage in the event of a flood.

- 1. The garage floor is being raised 12° (0 3m) to elevation 219.31 to minimize the potential for flooding. This will apply to the new and existing garage floor areas. Due to site grading limitations and building code requirements we are unable to raise the floor any higher. In addition, we were concerned that raising exterior grades further to accommodate a higher floor would restrict water flowing around the building in the event of a flood.
- There will be no bedrooms on the main floor of the house. All bedrooms will be on the second storey level (elevation 222.42) above the regulatory flood elevation of 220.00.
- The addition is being constructed on the downstream side of the house where water levels will be slightly lower and where the addition does not restrict water flowing around the house.
- 4 The top of the concrete foundation wall around the proposed garage will be at elevation 219.69. This is the same elevation as the existing main floor.
- 5 The concrete foundation wall for the addition has been reviewed by a structural engineer and designed to resist the lateral load imposed by flood waters up to an elevation of 220.00
- Lastly, the existing house and proposed addition are at least 30 meters from the bank of the river.

Based on the measures noted above, it is our opinion that no new hazards will be created and existing hazards will not be aggravated. In addition, the proposed work will have no adverse environmental impact on the floodplain.

If you have any questions or require additional information please contact the undersigned



27

#### Figure 3 – MTE REPORT (2023)



MTE Consultants 365 Home St., Stratford, ON N5A 2A5

January 12, 2023 MTE File No.: C 40857-102

Cari Ramsey Upper Thames River Conservation Authority 1424 Clarke Road London, ON N5V 5B9

Dear Cari Ramsey:

#### RE: Lindsay Residence

#### 49 Blackburn Crescent, Komoka, ON NOL 1R0

At the request of Oke Woodsmith, MTE reviewed the flood proofing measures for the proposed addition and renovation to the existing single family residential house at 49 Blackburn Crescent in Komoka. The existing house is in the floodplain and the main floor elevation is 219.68. This is about 0.82 m (+/-32") below the regulatory flood elevation of 220.50. In addition, the existing garage floor elevation is 219.00. This is 1.5 m (59") below the regulatory flood elevation of 220.50.

The proposed work involves the construction of a new addition on the east side of the house. It is not feasible for the addition to fully conform to the Flooding Hazard Policy because the existing house is below the regulatory flood elevation of 220.50. Outlined below is a description of the proposed measures being proposed to mitigate damage in the event of a flood.

- There will be no bedrooms on the main floor of the house. All bedrooms will be on the second storey level (elevation 222.42) above the regulatory flood elevation of 220.50.
- The top of the concrete foundation wall around the proposed addition will be at the regulatory flood elevation of 220.50.
- The concrete foundation wall for the addition has been reviewed by a structural engineer and designed to resist the lateral load imposed by flood waters up to an elevation of 220.00.
- There will be no opening in the proposed addition below the regulatory flood elevation except for a flood proof door at the rear of the addition.
- Lastly, the existing house and proposed addition are at least 30 meters from the bank of the river.

Based on the measures noted above, it is our opinion that no new hazards will be created and the existing hazards will not be aggravated.

If you have any questions or require additional information please contact the undersigned. Body

Yours Truly,

# MTE Consultants Inc.

Mario Duscio

Mario Duscio, M.Eng, P.Eng Structural Engineer 519-271-7952 ext. 2347 mduscio@mte85.com



Encl. CC: M340857\102\40857-100\_LTR\_2024-01-12.docx



March 4, 2024

Oke Woodsmith Building Systems Inc. Attention: Kristi Willmore 70964 Bluewater Highway Grand Bend, ON NOM 2TO File Number: 00961-1 Document Number: 00961-1.01

Dear Ms. Willmore:

Subject:

Onsite Wastewater Servicing Assessment for Existing Dwelling with Proposed Addition Lindsay Property 49 Blackburn Crescent, Kilworth Municipality of Middlesex Centre

Our firm was retained to assess the technical feasibility of onsite wastewater servicing of an existing single-family dwelling with a proposed addition at the above-referenced location.

The property is currently serviced by an onsite "Class 4" wastewater system, comprised of a WSB Clean treatment unit, pump tank, and shallow buried trench bed. The system is insufficiently sized to service the dwelling, upon expansion; and therefore, the purpose of this assessment is to derive an appropriate servicing solution for the expanded dwelling from the following options: (i) upgrade of the existing system, (ii) a new system dedicated to the addition only, or (iii) a new system for the entire dwelling, upon expansion. This report sets forth our assessment and recommendations.

#### **Characterization of Subsurface**

We recently explored the subsurface via test pit excavation (by others) and performed laboratory particle-size analysis of collected soil. The resultant test pit and soil particle-size distribution information are enclosed, and the test pit location and approximate elevation are depicted on Figure A, enclosed.

The soil stratigraphy encountered in the test pit was comprised of surficial topsoil and silty sand to a depth of 0.8 m (approximate elevation of 216.7 m), overlying a deposit of sand and gravel. Major groundwater seepage was observed at a depth of 1.7 m (approximate elevation of 215.8 m); and given recent snowmelt and rain, is taken to represent the seasonal high groundwater-table.

#### **Derivation of Assessment Parameters**

Soil percolation time (i.e., infiltration rate) and peak wastewater flow were the principal parameters used for the assessment, and are discussed further in the following sections.

#### Soil Percolation Time

A soil percolation time was determined using the following methodology: (i) classification of each relevant soil deposit using the Unified Soil Classification System, (ii) correlation with a percolation time using Ontario Building Code ("OBC") Supplementary Standard SB-6, "Percolation Time and Soil Descriptions", and (iii) modification, as necessary, to reflect observed physical characteristics (i.e., density, consistency, and structure). Table 1 summarizes the relevant soil deposits and corresponding percolation times, as follows:

#### Table 1: Percolation Time

Soil Description	Unified Soil Classification	Percolation Time (min/cm)
SILTY SAND (above approximate elevation of 216.7 m)	SM	20 (Englobe, 2015)
SAND AND GRAVEL, trace silt (below approximate elevation of 216.7 m)	SW	3

Based on founding of a new bed on the lower sand and gravel deposit, a soil percolation time of 3 minutes per centimetre ("min/cm") was used for the assessment.

#### Peak Wastewater Flow

A <u>theoretical</u> peak wastewater flow was calculated for the entire dwelling, upon expansion, using supplied occupancy data and <u>prescribed</u> flow-rates from OBC Table 8.2.1.3.A. Table 2 details the calculation, as follows:

#### Table 2: Peak Wastewater Flow - Entire Dwelling (upon expansion)

	Occupancy Data	Peak Wastewater Flow (L/day)	
А	4 bedrooms (3 current plus 1 proposed)	2000	
В	515 m <sup>2</sup> finished floorspace (above-grade storeys only) (413 m <sup>2</sup> current plus 102 m <sup>2</sup> proposed)	2900	
С	44.5 plumbing fixture units as per OBC Table 7.4.9.3. (33.5 current plus 11 proposed)	1250	
	Total = A + (greater of B and C)	4900	

A peak wastewater flow of 4900 L/day was used for the assessment.



#### **Preliminary Design**

With consideration for the options described above (upgrade of the existing system, a new system dedicated to the addition only, or a new system for the entire dwelling, upon expansion), the presence of a soil deposit with a favourable percolation time (i.e., sand and gravel) would accommodate construction of a new "conventional" system (i.e., septic tank treatment only) to service the entire dwelling, upon expansion. This option would thereby eliminate the existing WSB Clean treatment unit (with its inherent mechanical componentry and requirement for a maintenance/servicing agreement) and shallow buried trench bed.

The new system is recommended to consist of a septic tank (with a minimum effective volume of 9800 L) and an inground trench bed with a total <u>Type II chamber</u> length of 50.4 m. A preliminary layout of the bed is illustrated on Figure A to demonstrate spatial feasibility.

The following calculations depict the OBC's minimum capacity requirements for a septic tank and inground trench bed:

#### Septic Tank

V

L

= Q x 2 (OBC Sentence 8.2.2.3.(1)) = 4900 L/day x 2 = 9800 L

where: V = required minimum effective volume (L) Q = peak wastewater flow (L/day)

#### Inground Trench Bed

= Q x T ÷ 300 (OBC Sentence 8.7.3.1A.(2)) = 4900 L/day x 3 min/cm ÷ 300 = 49 m

> where: L = required minimum length of Type II chamber (m) Q = peak wastewater flow (L/day) T = soil percolation time (min/cm)

The preliminary system layout illustrated on Figure A demonstrates compliance with the OBC's minimum capacity requirement, as well as the OBC's minimum required clearances.

Of note, the septic tank location is yet to be confirmed, and is therefore shown conceptually on Figure A; a specific location will be illustrated in future detailed design documents. <u>The property's location within</u> <u>the regulatory floodplain of the Thames River requires the septic tank to be anchored in accordance</u> with OBC Sentence 8.2.2.2.(7).



#### Conclusion

In conclusion, based on the soil percolation time and peak wastewater flow determined above, it is the opinion of our firm that the proposed addition to the existing dwelling is technically feasible with respect to onsite wastewater servicing. The entire dwelling, upon expansion, may be serviced by a wastewater system comprised of a septic tank and inground trench bed (as illustrated preliminarily on Figure A).

Upon site plan approval, a detailed wastewater system design should be prepared and submitted for approval to the Municipality of Middlesex Centre Building Department.

Should you have any questions regarding the above, please do not hesitate to contact the undersigned.

Yours truly, FlowSpec Engineering Ltd.

David Morlock, P.Eng. Consulting Engineer



encl. Figure A - preliminary layout plan Test pit and particle-size distribution information





# Test Pit 1

Date of excavation:	February 22, 2024		
Machine:	Mini-Excavator		
Ground-surface elevation:	±217.5 m (geodetic)		
Field Technician:	DM		

Depth Elevation (m) (m)		Elevation (m) Soil Description		Sample Depth (m)
0.0	±217.5	<u>TOPSOIL</u> : Dark brown silt, moist		
0.2	±217.3	<u>SILTY SAND</u> : Loose to compact, light brown fine sand, some silt to silty, moist		
0.8	±216.7	<u>SAND AND GRAVEL</u> : Loose to compact, brown sand and gravel, trace silt, damp	1	1.0 - 1.3
1.7	±215.8	saturated		

Comments:

- test pit terminated due to wet caving at 2.0 m (±215.5 m)
- major groundwater seepage observed at 1.7 m (±215.8 m)
- caving observed at 1.5 m
- irrigation line and associated tracer-wire encountered at 0.15 m





#### D1 - Flood Doors

FODTINGS 217.13 BRICK 219.578

Flood-resistant door systems are designed to prevent floodwater from entering your building. These systems are a great option if you are worried about rising floodwater pushing against your exterior doors, or if you have a building/room that could be easily damaged by water but still needs to be accessible (pump rooms, electrical/data centers, manufacturing floors, warehouses, etc.). Flood doors allow for a small amount of water leakage, but not enough to cause severe damage to the building's interior; they still help to minimize damage compared to a non-flood resistant door and comply with FEMA and FIMA guidelines.

Flood doors are "passive" systems,



0KL

NOODSMITH,

BUILDING SYSTEMS INC 🗸











Oke Woodsmith Building Systems Inc.

Upper Thames River Conservation Authority Attention: Jenna Allain 1424 Clarke Road London, Ontario, N5V 5B9

Attention: Jenna Allain From: Kristi Willmore RE: 49 Blackburn Crescent, Part Lot 31, Concession Geographic Township of Komoka, Municipality of Middlesex, Aaron Lindsay

Jenna, please find the attached application for permit to add a 2-story addition on to the existing residence.

# Description:

The home owners have been in the home for a year now, and realize that they need more space for family and guest to visit comfortably.

We have shown the proposed development for the addition that fits within Municipal standards of the bylaws for setbacks and lot coverages and etc.

The new addition will include a main level (659 sq ft) and second story (438 sq ft), the design is conceptual and will be finalized as we look for your guidance in the development of the property in your governance.

Thank you for your consideration and we look forward to hearing from you soon.

Sincerely,

Kristi Willmore

Kristi Willmore

# UPPER THAMES RIVER CONSERVATION AUTHORITY

Application For Development, Interference with Wetlands and Alterations to Shorelines and Watercourses

Upper Thames River Conservation Authority 1424 Clarke Road London, Ontario N5V 5B9 Tel. (519) 451-2800 Fax (519) 451-1188

Conservation Authorities Act - Ontario Regulation 157/06, under O.reg. 97/04

com

Application #

Name of Landowner: Record Lundson		Tel. Home:
Address:	Postal Code:	Tel. Business:
Location of Project: 49 Black turn Cr	escent LOT 31	Middle sex.
Street and Number, or Lot(s) and (	Concession Number/ 911 Address	Municipality

DESCRIPTION OF PROJECT				
General description of project: Proposed here Addition Roposed Main Floor 659 59ff. Proposed Second Story 426 59ft.				
<ul> <li>All applications must be accompanied by a detailed site plan, providing information on the following: <ol> <li>general location of property in relation to roads</li> <li>location and dimensions of all existing structures on the property</li> <li>location of any watercourse, wetland or steep slope on or near the subject property</li> <li>intended location of all proposed work, including construction, filling/grading/excavation, wetland interference or watercourse alteration</li> <li>location of septic system, if applicable and other property utilities, wells, etc.</li> <li>cross-section of proposed work, showing existing and final grades and structure openings</li> </ol> </li> </ul>				
Works including floodproofing of structures must be accompanied by detailed drawings, prepared by qualified professional engineers, with proper dates and stamps appearing on all plans. If filling is proposed, details on the type, area and volume of fill must be provided to the UTRCA, with existing and proposed grades clearly presented on plans. UNLESS OTHERWISE REQUESTED, THE CONSERVATION AUTHORITY ONLY REQUIRES ONE COPY OF ALL PROJECT DRAWINGS.				
Dates of Commencement and Completion of Project:       to         If other approvals required for this project please indicate         Federal - Fisheries Act       Other         Province - MNR Work Permit       Permit to Take Water         Municipal - Building Permit       Zoning       Severance				
Name of Applicant if different than Landowner:         Mailing Address if different than above:         Postal Code:       Phone Number:				
Applicant's Signature: <u>Auit: Willmore</u> Application Date Month: <u>8</u> Day: <u>08</u> Year: <u>0003</u> Agent for Applicant (if different from above): <u>Oke wood smith Building Systems Inc</u> . Mailing Address: <u>20964 Bloewagter Honwoy</u> , <u>Grand Bend</u> Postal Code: <u>NOM ITO</u> Phone Number: <u>Email Address: <u>Kuilloore</u> <u>G</u> <u>Chewood</u> Sr <u>519-238-8893</u></u>				

For UTRCA Completion Only Application fee:	Date received:		Received by-	
Regulatory floodline elevation:		Typical ground elevation:		
Other pertinent comments		_ // 0 _		
Project-specific requirements (refer to page	ge 2 for general conditions)			
Approved by:		Date approved:		
Site inspection: Date:		By:		

# **TERMS AND CONDITIONS**

The Owner and Applicant, by acceptance of and in consideration of the issuance of this permit, agree to the following terms and conditions:

- 1. Permission granted by the Upper Thames River Conservation Authority cannot be transferred without prior written approval from the Upper Thames River Conservation Authority.
- 2. Approvals may be required from other agencies prior to undertaking the work proposed. The Upper Thames River Conservation Authority does not exempt the Applicant from complying with any or all other approvals, laws, statutes, or regulations.
- The Upper Thames River Conservation Authority may at any time withdraw any permission given if, in the opinion of the Conservation Authority, the representations contained in the application for permission are not carried out or the conditions/requirements of the permit are not complied with.
- 4. Authorized representatives of the Upper Thames River Conservation Authority may at any time enter onto the lands that are described herein, in order to make any surveys, examinations, investigations or inspections that are required for the purpose of insuring that the work(s) authorized by this permit are being carried out according to the terms of this permit.
- 5. The Owner and Applicant agree:
- To indemnify and save harmless the Upper Thames River Conservation Authority and its officers, employees, or agents from and against all dam
  age, loss, costs, claims, demands, actions and proceedings, arising out of or resulting from any act or omission of the Owner and/or Applicant or
  any of his agents, employees or contractors relating to any of the particulars, terms or conditions of this permit;
- That this permit shall not release the Applicant from any legal liability or obligation and remains in force subject to all limitations, requirements
  and liabilities imposed by law;
- That all complaints arising from the execution of the works authorized under this permit shall be reported immediately by the Applicant to the Up
  per Thames River Conservation Authority. The Applicant shall indicate any action that has been taken, or is planned to be taken, with regard to
  each complaint.
- 6. The project shall be carried out in full accordance with the plans submitted in support of the application.
- 7. The Applicant agrees to install and maintain all sedimentation controls until all disturbed areas have been stabilized.
- 8. All disturbed areas shall be seeded, sodded, or stabilized in some other manner acceptable to the Conservation Authority as soon as possible, and prior to the expiry of this permit.
- 9. The Applicant agrees to maintain all existing drainage patterns, and not to obstruct external drainage from other adjacent private lands.

NOTE: The information on this form is being collected for the purpose of administering a regulation made pursuant to Section 28, Conservation Authorities Act, R.S.O. 1990, Chapter 27. This application and supporting documents and any other documentation received relating to this application, may be released, in whole or in part, to other persons in accordance with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990c. M.56, as amended July 24, 2023

To whom it may concern

I, Aaron Lindsay, authorize Oke Woodsmith Building Systems Inc. and its staff to act on our behalf with regards to our property located at: 49 Blackburn Crescent, Part Lot 49, Concession Geographic Township of Komoka, Municipality of Middlesex. With regards to planning, preparation, permitting and the addition/renovations of our existing home with Municipal and Provincial authorities.

Hung

Aaron Lindsay











