

## Delegation to CVCA Board - February 24, 2023

By Barry Rand

I make this delegation to the new CVCA Board to ensure you are aware of my concerns, previously brought forward to last year's Board. As a former member and Chair of CVCA, and with 11 years experience on North Kawartha Council, I believe I have some credibility.

CVCA's policy framework causes enormous hardship on the residents of Crowe Valley. Inappropriate denials and delays of projects are everywhere, especially on Chandos Lake where the floodplain is just plain wrong. Staff spend enormous time making their decisions fit Policy and then justifying the positions they were required to take. Entire construction seasons have been lost, extra costs incurred for surveys and planners, and there are costs for design changes when CVCA overrules Municipal Building Departments. CVCA seems determined to block appropriate development while not preventing a single instance of flood or erosion. Residents' approval levels for CVCA are Rock Bottom – enough anger to be featured in social media and to make some people move somewhere better.

The Board sets the direction for an organization by establishing good Policy. **YOU need to revise the following elements to deal with YOUR dire situation.**

- 1) Implement interim Chandos Lake floodplain level to 313.03 masl (vs current 314.3) to correct for Staff errors re historical water levels and LiDAR mapping correlation.
- 2) Remove the “uncontrolled” status on Chandos Lake to reflect the actual control by CVCA staff, and remove the default setbacks.
- 3) Limit all staff activity to the Core Mandate – flood protection and erosion control – and forbid any infringement into Municipal jurisdiction (zoning bylaws, building code, etc)
- 4) Set maximum permit response times, and instruct the General Manager to eliminate the permit backlog as soon as possible.
- 5) Establish Watershed Advisory Hearings' role to interpret policy for local conditions and technological change, thus ensuring a useful appeal process.
- 6) Open the Office! Allow residents to talk to the person making these decisions.

### Revise Chandos Lake Floodplain to 313.03 masl

- A) The determination of 314.3 masl was made by a previous CVCA staff member who picked water gauge readings from May 10, 1991 and the fall of 1995 (see fig 1). These were faulty readings as calibrations immediately after were lower by 1.3 m and 1.6 m.
- B) Readings during 1996 – 2004 were all below 313.03 masl (see fig 2). Local experience confirms Chandos Lake has never been higher than 313.03 – CVCA must be incompetent to say the floodplain should be 4 feet higher.
- C) Staff did not calibrate the LiDAR maps (which determine if a project is in the floodplain) to the water gauge. I believe there is approximately 1 metre difference between them so almost all applications are denied. The resident must then apply for a site-specific flood assessment and get another survey – which takes \$5,000 and many more months' delays.
- D) CVCA requires a Hydro-Geological study at a cost of \$150,000 to change the Chandos floodplain. This is excessive, will take time and should not be needed if any common sense was used. In the meantime, the conservative floodplain level of 313.03 would permit applications to proceed with no denials or floods.
- E) A proposal to relocate the Chandos Lake gauge would not provide significant net benefit and should be delayed until the Hydro-G study is completed.

### **Remove the “uncontrolled” status and default setbacks on Chandos Lake**

- A) The uncontrolled status was determined because there is no outflow water control structure. In fact, the Paudash Lake dam controls inflow into Chandos Lake, as directed by CVCA staff. The high water mark occurs in Spring, when Paudash Lake is drained in preparation for the freshet. Since CVCA benefits from storing enormous quantities of water in the Chandos area to prevent downstream flooding, the Board should remove the uncontrolled status on Chandos.
- B) Site-specific flood assessment has been provided in place of the default setbacks of 15m above high-water mark, and a further 6m for emergency vehicle access. However, the default setbacks are still being invoked. Even, memorably, for an island property.

### **Limit Staff activity to the Core Mandates**

- A) This is Provincial instruction to avoid conflicts with other jurisdictions. This protects staff from concerns that they don't care about other environmental issues.
- B) There have been examples of staff changing building setbacks after Municipal approval, questioning the definition of a boathouse, and commenting on woodsheds not even in the floodplain.
- C) By focusing on the core mandates, staff will be able to approve applications much faster, and clear the permit backlog.

### **Set maximum response times**

- A) I would suggest 7 business days for information requests, 15 days for building permits, 25 days for zone amendments.
- B) Building permits based on an approved zone amendment would be immediately approved if the proponent has met all ZA conditions.
- C) It is important to clear the backlog in order to meet the maximum response time goals. The General Manager should work with staff to clear the backlog.

### **Make Watershed Advisory Hearings Useful**

- A) As members of Municipal Councils, the Board is familiar with minor variances and zone amendments as ways to take local conditions into account when applying zoning bylaws. CVCA Watershed Advisory Hearings should be designed to encourage interpretation so that Policy can stand the test of time.  
A particular case was the refusal to consider piled docks when the policy did not permit fixed docks. Many deputations, expert in their field, were opposed by lengthy staff reports, even when the proposed design was superior to every dock option.

### **Open the Office!**

- A) This has become symbolic of the closed attitudes of the CVCA organization, perhaps even of fear of dealing with the public first hand.
- B) Requiring mask use is a suitable way to protect health and open the office.

### **Summary**

The Board will need to show courage and vision in setting the new direction for staff, who should welcome being useful once again. If you address these policy changes, you will find your budget is ample. And you will avoid legal challenges from the improper denials.

Fig 1

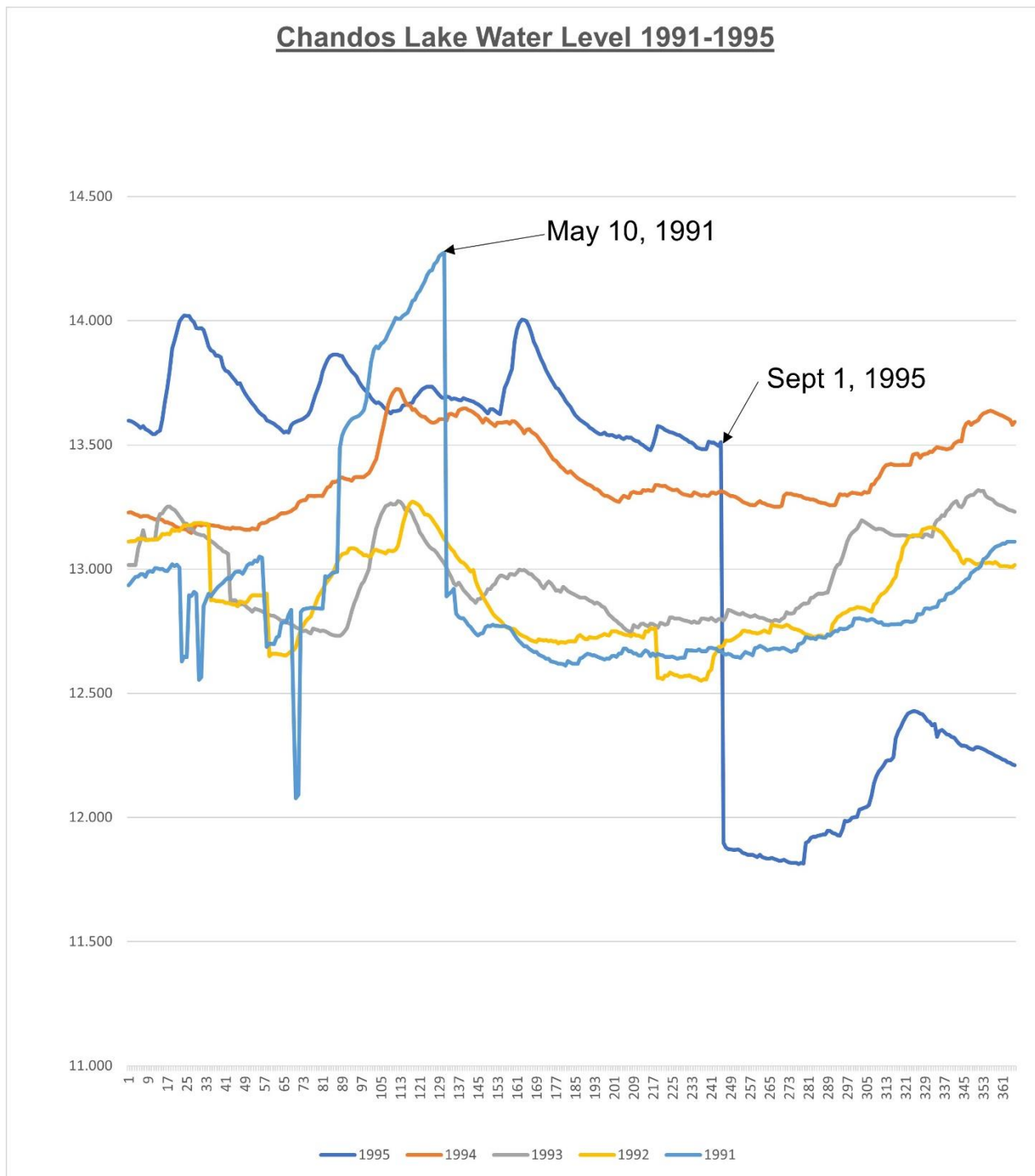


Fig 2

