

**Wednesday, May 31, 2023**

**CVCA Watershed Advisory Board  
P.O Box 416, 70 Hughes Lane  
Marmora, ON  
K0K 2M0**

**Re: Permit Application 188/22  
Part of Lot 29, Concession 9  
Assessment Roll Number: 1258 000 015 21900  
15 Paudash Lake Road, Township of Faraday (Paudash Lake)**

We would like to express our sincere appreciation for being able to present this application in front of respected board members and CVCA staff personnel. The subject land is located at 15 Paudash Lake Road, Faraday. The purpose of this application is to obtain a permit from CVCA to construct a new dwelling, septic tank and a dock as proposed in drawings.

The subject land was approved for a residential dwelling permit 166/19 on December 17<sup>th</sup>, 2019, by CVCA board members with 5 years extension. The permit is still valid till December 2024. The understanding was that this permit is tied to subject land but not the owner. However, we were advised by CVCA staff it is the policy of CVCA that permits are not transferable from previous owner to new owners which is why we requested this hearing.

The denial for permit by CVCA staff is based off O.Reg 159/06 and our application does not conform to the following sections: 3.8.1, 3.8.2, 5.4, 7.3.1a, 7.3.1b, 7.3.1d, 7.4.3, and 7.4.3.1. However, according to Bill 23 schedule 2 Section 15 subsection 16 O.Reg 159/06 is one of 16 regulations that had been revoked by legislative assembly of Ontario as of November 28, 2022. Copy of the subsection is attached in the report for reference.

We have attached a copy of previous hearing decision, the permit approved by the committee, an EIS report from PINCHIN which was submitted to CVCA and MNRF in previous application. Permit 166/19 and notice of decision states that both CVCA and MNRF found no concerns about potential impact to the PSW with regards to proposed works.

We confirm that proper floodproofing measures would be in place including no crawl in space or basement in proposed dwelling, the minimum opening elevation to be 0.3 m above flood contour elevation i.e., 242.80. Applicant also confirms that a ground flushed patio to be built instead of a deck proposed in application 166/19. The septic tank for this dwelling would be an improved wastewater management system (eg. Waterloo Biofilter System).

We request the committee that the application is for the following:

- a new residential dwelling within 4m of a flood elevation (6m setback), 6m of an unnamed wetland <2ha (15m setback), and 16.5m from a Provincially Significant Wetland (PSW) (30m setback), on an infilled (fill placed before Regulations) vacant lot.
- a ground level patio (no alteration of existing grade) within 1m of a flood elevation, 3m of a wetland <2ha, and 13.5m from a PSW.
- a dock anchor along the shores of Paudash Lake, 10m from a wetland <2ha, adjacent to a PSW.
- a septic being 4m from a flood elevation, 9m from a wetland <2ha, and 26m from a PSW; and,
- the rehabilitation of a wetland <2ha cleaning up trash that has been deposited over many years.

It is a humble request to the members of committee to make an exception in this case and transfer the existing permit to us or issue us a new permit so we could proceed with attaining permits from local municipality. Additionally, due to the requirement to have additional permits in place to pursue funding/finance the commercial endeavor of this and the works proposed under permit 188/22 it is requested that the permit be valid for five years instead of the standard two-year validity.

Sincere Regards,

Arpit Jain & Manav Manav

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Tuesday, December-17-19

Brian Suter and Merline Dewing  
1042 Samawaska Dr.  
RR3 Bancroft, On  
K0L 1C0



**Crowe Valley**  
C o n s e r v a t i o n

P.O Box 416, 70 Hughes Lane Phone: 613-472-3137  
Marmora, ON Fax: 613-472-5516  
K0K 2M0 [www.crowevalley.com](http://www.crowevalley.com)

Dear Mr. Suter and Mr. Dewing,

**RE: NOTICE OF DECISION - Applications 166/19 and 167/19**  
**Hearing Pursuant to Section 28 (12) of the Conservation Authorities Act**  
**Proposed development including a dwelling, septic, and building expansion on**  
**Paudash Lake.**

BY REGISTERED MAIL

**11 Paudash Lake Road and adjacent lot, Part Lot 29, Concession 9, Township of Faraday**

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In accordance with the requirement of the *Conservation Authorities Act* the Crowe Valley Conservation Authority provides the following Notice of Decision:

On November 21, 2019 the Watershed Advisory Board approved your application with conditions. The Boards resolution is provided below:

**Motion H 15/19:** That permits #166/19 and 167/19, submitted by Mr. Merlin Dewing and Mr. Brian Suter, to construct a new dwelling, septic and dock be approved with a 5-year extension and the appropriate sediment and erosion control measures be installed as per normal permit conditions for this type of development. In addition, the Board strongly encourages the applicants install an improved waste water management system (eg. Waterloo Biofilter System).

Please note that this decision is based on the Boards opinion that the dwelling and accessory developments are not at risk of being unsafe due to flooding or erosion hazards, or of negatively impacting the ecologic or hydraulic functions of the adjacent wetlands despite it not following the setbacks described in the CVCA approved policies.

In accordance with Section 8 (15) of the *Conservation Authorities Act*, an applicant who has been refused permission or objects to conditions imposed on a permission may, within 30 days of receiving the reasons under subsection (14), appeal to the Ontario Mining and Lands Commissioner who may refuse the permission; or grant permission, with or without conditions. For your information, should you wish to exercise your right to appeal the decision, a letter by you or your agent/counsel setting out your appeal must be sent within 30 days of receiving this decision addressed to:

Daniel Pascoe  
Registrar/Mediator  
Ontario Mining and Lands Commissioner  
655 Bay Street, Suite 1500  
Toronto, Ontario M5G 1E5  
Tel: (416) 314-2324

Should you require any further information, please do not hesitate to contact Robert Cole, Regulations Officer, or the undersigned.

Yours truly,

Tim Pidduck  
General Manager/Secretary Treasurer  
613-472-3137

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Tuesday, December-17-19



**Crowe Valley**  
C o n s e r v a t i o n

P.O Box 416, 70 Hughes Lane Phone: 613-472-3137  
Marmora, ON Fax: 613-472-5516  
K0K 2M0 [www.crowevalley.com](http://www.crowevalley.com)

Dear [REDACTED],

**RE: CVCA BOARD APPROVED PERMIT APPLICATION NO: 166/19**

Proposed construction of a duplex, patio, septic system and dock, and the restoration of a wetland area. Property is located adjacent to 11 Paudash Lake Road, Lot 29, Concession 5, in Faraday Township.  
ARN: 1258-000-015-21900

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**ATTENTION:** IT IS IMPORTANT THAT YOU READ AND UNDERSTAND THE CONTENTS OF THIS LETTER. IT IS ALSO IMPORTANT THAT YOU AND YOUR CONTRACTOR ARE AWARE OF ANY SPECIAL MITIGATION REQUIREMENTS OR CONDITIONS. THIS PERMIT IS VALID FOR FIVE YEARS FROM THE DATE ISSUED. SHOULD YOU HAVE ANY QUESTIONS, PLEASE DO NOT HESITATE TO CONTACT ROBERT COLE, CVCA REGULATIONS OFFICER.

The above reference property has been reviewed with regard to Ontario Regulation 159/06 the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation of the CVCA. A review of the application and information provided indicated that the subject property is within the CVCA's regulated area due to the floodplain of Paudash Lake, proximity to the Inlet Bay – Eastern Paudash Lake Wetland (PSW) and an unevaluated wetland. Every application is assessed on a site-specific basis on its own merits, while accounting for cumulative impacts on the Crowe Valley watershed.

CVCA Staff have attended the site several times in 2018 and 2019 including a site visit June 5, 2019 with both [REDACTED] to assess the proposed build location, the shoreline wetland condition, and the extent of fill that had been placed prior to the O. Reg. 159/06.

It is our understanding that the application is for the following:

- a new residential duplex within 4m of a flood elevation (6m setback), 6m of an unnamed wetland <2ha (15m setback), and 16.5m from a Provincially Significant Wetland (PSW) (30m setback), on an infilled (fill placed before Regulations) vacant lot;
  - a ground level patio (no alteration of existing grade) within 1m of a flood elevation, 3m of a wetland <2ha, and 13.5m from a PSW;
  - a dock anchor along the shores of Paudash Lake, 10m from a wetland <2ha, adjacent to a PSW;
  - a septic being 4m from a flood elevation, 9m from a wetland <2ha, and 26m from a PSW; and,
  - the rehabilitation of a wetland <2ha cleaning up trash that has been deposited over many years.
-

A scoped environmental study was performed and provided to the CVCA and the MNRF biologists in the Bancroft District Office, and correspondence between the Biologist and the applicants was provided to the CVCA where the MNRF states they have no concerns about potential impact to the PSW with regards to the proposed works. Additionally, due to the requirement to have permits in place to pursue funding/finance the commercial endeavour of this and the works proposed under permit 166/19 it is requested that the permit be valid for five years instead of the standard two-year validity.

This could not be permitted through the Policy Manual and required a hearing before the CVCA Board of Directors on November 21, 2019. After deliberation following the review of the staff report on the application and presentations by both Authority staff and the [REDACTED] representing both applicants the Board brought forth and passed the following motion:

**Motion H 15/19:** That permits #166/19 and 167/19, submitted by [REDACTED], to construct a new dwelling, septic and dock be approved with a 5-year extension and the appropriate sediment and erosion control measures be installed as per normal permit conditions for this type of development. In addition, the Board strongly encourages the applicants install an improved waste water management system (eg. Waterloo Biofilter System).

Based on the information submitted and the presentation/testimony of agents on your behalf, CVCA the proposed works are approved in principle provided the following conditions are met. The proponent must:

1. **Meet all required Municipal requirements and setbacks as well as have any necessary approval, if required, from the Chief Building Official/Inspector before any work can be done.**
  2. **Adhere to the following Sediment and Erosion Control Requirements**
    - a. **Construction or excavation that occurs within a regulated area must be mitigated to prevent entry of sediments into the floodplain, wetland area or an adjacent watercourse. As required, sediment and erosion control measures shall be implemented prior to, during, and after the work phase to prevent entry of sediment into the aforementioned areas;**
    - b. **The applicant shall be responsible to put in place effective sediment and erosion control system. The silt fence barrier must be stretched tight when installing the material and the bottom edge buried a minimum of 150 mm (6") with compaction of the excavated backfill. Diagonal bracing of the posts is recommended where deep ponding is experienced or anticipated;**
    - c. **The applicant shall be responsible to monitor sediment and erosion controls daily and upgrade if necessary, to ensure they remain effective during all types of flow and storm events.**
    - d. **Sediment and erosion control measures should remain in place until the site has stabilized.**
  3. **Ensure that all activities, including maintenance procedures, are controlled to prevent the entry of petroleum products, debris, rubble, concrete or other deleterious substance into the water.**
  4. **Ensure vehicular refueling and maintenance is conducted away from the water.**
  5. **Ensure that absorbent materials are on hand to mitigate the effects of any petroleum based spills.**
  6. **Ensure that all fill that is temporarily stored on site before and during construction must be independently surrounded by appropriate sediment and erosion controls.**
  7. **Ensure that all debris resulting from the construction, including large pieces of wood, stumps, excess fill, garbage, be removed from the site.**
  8. **Ensure all excavated material is removed from the CVCA regulated area.**
  9. **Ensure only clean fill be used.**
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10. Ensure that construction will not be undertaken during periods of high flow or flooding, or during the spring runoff. This will minimize erosion as well as simplify construction.
11. Ensure areas cleared of vegetation are re-vegetated with native species. The Authority may inspect the conditions before finalizing construction.
12. Ensure all works are constructed as per submitted documentation and subsequent information provided.
13. Notify the Authority at the start and completion of the project in order for staff to inspect the site if necessary.
14. Ensure that the approved permit letter is posted on the property.
15. Make all contractors involved in any activities related to the proposed works aware of the above conditions.

An additional board specific condition is that:

1. **The proponent must investigate/pursue an alternative waste water treatment system (ex. Waterloo Biofilter System or equivalent) and the Board strongly encourages the proponents to utilize an alternative if feasible.**

You are reminded that the granting of this permit does not remove your responsibility to obtain any necessary additional permits from other agencies or government bodies. It is also important to note that this permit does not override any other permit or setback requirements from other agencies. In the case of a conflict between setback requirements the most restrictive will apply.

Please be advised that any departure from these conditions and the submitted documentation without prior written approval from the CVCA will constitute a violation of this permit and may result in legal action in accordance with Section 28 of the *Conservation Authorities Act*. Should your plans change regarding the specifications and location of the projects described please contact this office for an amendment to be issued accordingly.

If you object to any conditions of this permit letter you may, within 30 days of receiving the permit and reasons under subsection (14), appeal to the Ontario Mining and Lands Commissioner who may refuse the permission; or grant permission, with or without conditions. For your information, should you wish to exercise your right to appeal the decision, a letter by you or your agent/counsel setting out your appeal must be sent within 30 days of receiving this decision addressed to:

Daniel Pascoe  
Registrar/Mediator  
Ontario Mining and Lands Commissioner  
655 Bay Street, Suite 1500  
Toronto, Ontario M5G 1E5  
Tel: (416) 314-2324

If you require any further assistance please do not hesitate to contact this office.

Best regards,



Robert Cole  
Regulations Officer  
613-472-3137

[Redacted]

CC: [Redacted]

- (iii) prescribing activities, areas of municipalities, types of authorizations under the *Planning Act* and other conditions or restrictions for the purposes of subsection 28 (4.2),
  - (iv) governing transitional matters resulting from an exception under subsection 28 (4.1);
- (2) **Clause 40 (3) (c) of the Act is amended by striking out “clause 21.1.1 (4) (b) and subsection 21.1.2 (2)” at the end and substituting “clauses 21.1.1 (4) (b) and 21.1.2 (3) (b)”.**
- (3) **Subsection 40 (3) of the Act is amended by adding the following clause:**
- (c.1) prescribing Acts for the purposes of subsections 21.1.1 (1.1) and 21.1.2 (1.1);
- (4) **Clause 40 (4) (b) of the Act is amended by striking out “may be attached” and substituting “may or may not be attached”.**
- (5) **Clause 40 (4) (c) of the Act is repealed.**
- (6) **Clause 40 (4) (e) of the Act is amended by adding the following subclause:**
- (i.1) limiting the types of conditions that an authority may attach to a permit under section 28.1.2;
- (7) **Clause 40 (4) (h) of the Act is repealed and the following substituted:**
- (h) specifying lands or development projects to which section 28.1.2 does not apply;
  - (h.1) exempting lands or development projects from subsections 28.1.2 (5), (17) and (19), subject to such conditions or restrictions as may be specified;

***Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020***

**15 Subsection 16 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* is repealed.**

**Revocation of Regulations**

**16 Ontario Regulations 97/04, 42/06, 146/06, 147/06, 148/06, 150/06, 151/06, 152/06, 153/06, 155/06, 156/06, 157/06, 158/06, 159/06, 160/06, 161/06, 162/06, 163/06, 164/06, 165/06, 166/06, 167/06, 168/06, 169/06, 170/06, 171/06, 172/06, 174/06, 175/06, 176/06, 177/06, 178/06, 179/06, 180/06, 181/06, 182/06 and 319/09 are revoked.**

**Commencement**

**17 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(2) Sections 2 to 5 and subsections 6 (1) and 14 (3) come into force on the later of January 1, 2023 and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(3) Subsection 6 (2) comes into force on the later of the day section 23 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(4) Sections 9 and 16 come into force on the later of the day section 25 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(5) Section 10 comes into force on the later of the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(6) Section 11 comes into force on the later of the day subsection 19 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(7) Section 12 comes into force on the later of the day subsection 20 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(8) Section 13 comes into force on the later of the day section 21 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(9) Subsections 14 (4) to (7) come into force on the later of the day subsection 25 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**

**(10) Section 7 and subsection 14 (1) come into force on a day to be named by proclamation of the Lieutenant Governor.**





May 17, 2018

REVISED

Mr. Merlin Dewing  
11 Paudash Lake Road  
Bancroft, ON K0K 3L0

Attention: Mr. Merlin Dewing  
*Land Owner*

**Re: Lot 59 Paudash Lake Road Environmental Screening and Natural Features  
Protection Recommendations**

Lot 59, Paudash Lake Road, Bancroft, Ontario  
Pinchin File: 212694

As requested by Mr. Merlin Dewing, Pinchin Ltd. (Pinchin) has completed an Environmental Screening and review of the site survey dated January 2018 for the property located at Lot 59, Paudash Lake Road, Bancroft, Ontario (the Site). The main purpose of the Environmental Screening and site survey Review was to determine if the Site is suitable for a residential development with respect to the floodplain to the Paudash Lake, Provincially Significant Wetland, and potential Species at Risk in the vicinity of the subject property. Additionally, recommendations for the protection of these natural heritage features prior to construction or site alteration are provided in this letter to ensure that there will be no adverse impacts to these features as a result of the proposed residential development.

## **1.0 BACKGROUND**

The Site is approximately 0.5 acre in area size on a vacant land. The current land use surrounding the Site consists of residential and commercial lands, with Paudash Lake located immediately adjacent to the west side of the Site. The Site and surroundings are generally flat, with a slight slope west at the water's edge of Paudash Lake (Pinchin, 2017). The Client proposes to construct a residential building on the subject property.

In response to the proposed development, Pinchin has conducted a desktop background review of the Site with regard to natural heritage resources and a site reconnaissance to review the existing terrestrial and aquatic features on the Site with a focus on the lake and wetland. The findings of background review and site visit are presented in Section 2.0 below.



## 2.0 ENVIRONMENTAL SCREENING AND SITE RECONNAISSANCE

A desktop background review of potential natural features present on and immediately adjacent to the Site was conducted, including woodland, wetland, watercourses, valleyland, and any other natural areas, as well as historical species occurrences available from the Natural Heritage Information Centre (NHIC). Additionally, documents available from the Client including site maps, site history and site survey (refer to **Attachment 1**) were also reviewed for this Site.

As a result of the background review, it was determined that no woodland, watercourse and valleyland areas were present on the Site. The Paudash Lake and the Inlet Bay – Eastern Paudash Lake Wetland, a Provincially Significant Wetland (PSW), were located adjacent to the western portion of the Site (MNRF, 2018). In addition, one plant species and one reptile species were recorded historically in the NHIC database (MNRF, 2018) as shown in **Table 1** below:

**Table 1. Likelihood of Occurrence of Species at Risk at the Site**

Species Type	Common Name	Scientific Name	SRank	SARO Status	COSEWIC Status	Last Obs Date	Likelihood of Occurrence
Plant	Potamogeton hillii X Potamogeton zosteriformis	Potamogeton x ogdenii	SH	END	END	1873	Low
Reptile	Snapping Turtle	Chelydra serpentina	S3	SC	SC	No date	Low

As shown in **Table 1**, the potamogeton plant as an aquatic Species at Risk was last observed in 1873. There is a low likelihood of this SAR occurrence in the Paudash Lake and PSW. Snapping turtle as a Special Concern reptile lives only in fresh or brackish water and prefers water with muddy bottoms and lots of vegetation. Snapping turtles spend almost all their time in water, but go on land to lay eggs in sandy and gravel soil. The western edge of the Site may be potential habitat for snapping turtle as subsurface soils consist of sand and gravel to approximately 5.0 m below ground surface (Pinchin, 2017).

A site reconnaissance of the Site was conducted in November 2017 to assess the existing conditions of natural heritage features present on the Site and the environmental sensitivities of these natural features. Pinchin also noted observations as they pertain to special attention areas including aquatic ecosystems, drainage features, and runoff patterns. Site photographs documenting the Site and Paudash Lake are included in **Attachment 2** of this letter for references.



The weather during the site visit was overcast with drizzle (0.5mm) and a temperature of -5 degrees Celsius. The subject property is bounded by the shoreline of Paudash Lake to the west, municipal roads to the east, and residential houses to the north and south. No aquatic or drainage features are present on the Site. The Site runoff appears to flow from east to west with a gentle slope towards the lake. The proposed building footprint was clearly staked in orange stakes as shown on Photos 1-3 in **Attachment 2**. It should be noted that the proposed building footprint is not located within the limits of the floodplain as depicted in the survey presented in **Attachment 1**.

From a natural environment standpoint, the subject property contains a few young to mature deciduous trees and a few young coniferous trees, likely planted (see Photos 4-5 in **Attachment 2**). The deciduous trees are comprised of sugar maple, white birch, black cherry, alder, and American basswood. The coniferous trees are mostly white spruce. The understory vegetation is sparse with golden rod and mowed grass covers most of the vegetated areas on the Site. Based on the site reconnaissance, no potamogeton plant was observed in Paudash Lake and PSW adjacent to the Site. No signs of snapping turtle or other reptiles were present or nested on the Site adjacent to the Paudash Lake and PSW.

### 3.0 RECOMMENDATIONS FOR SITE DEVELOPMENT

Although the likelihood of occurrence of Species at Risk is low at the Site, the Paudash Lake and PSW provide good ecological value for plant, fish and wildlife, protection of the lake and wetland from the residential development is warranted to prevent soil erosion from occurring and sediment-laden water from entering these natural features. The following recommendations are provided for the protection of the lake and wetland prior to construction or site alteration.

#### ***Tree and vegetation removal:***

- The extent of potential tree and vegetation removal is restricted to the construction footprint as necessary, including the areas of potential driveway, decks and septic considerations.
- Riparian trees and vegetation immediately adjacent to the Paudash Lake are preserved to provide topsoil protection via surface covers and protective root systems.
- To minimize or avoid impacts to breeding and nesting birds, the removal of trees and vegetation will be outside of the critical breeding period between May 1 and July 31.

#### ***Erosion and sediment control:***

- Prior to construction and site alteration, adequate erosion and sediment control (ESC) measures should be established and maintained along the entire shoreline of Paudash Lake until the disturbed area is restored upon construction completion.



- It is recommended that filter socks or biologs as effective ESC measures with minimal disturbance to the soil could be installed without breaks and with wooden stakes along the shoreline within the entire subject property prior to construction or site alteration. The biologs should be kept in good contact with the ground soils and, if repairs are required, be maintained regularly until construction completion.

**Reptile encounter protocol:**

- If a reptile or amphibian is encountered during construction, work should cease immediately and allow the animal to naturally move out of the construction zone. If the animal does not leave the area for a prolonged period of time, please contact the MNRF district office in Peterborough at 1-800-667-1940 or consult with a qualified biologist for possible relocation.

With the above recommendations implemented on the Site prior to construction and site alteration, the proposed residential development is suitable for the Site and will provide adequate protection of the Paudash Lake and PSW in question.

**4.0 REFERENCES**

Ministry of Natural Resources and Forestry. 2018. Make a natural heritage area map. Retrieved in April 2018 from Ontario Ministry of Natural Resources and Forestry Website:  
[http://www.gisapplication.lrc.gov.on.ca/mamnh/Index.html?site=MNR\\_NHLUPS\\_NaturalHeritage&viewer=NaturalHeritage&locale=en-US](http://www.gisapplication.lrc.gov.on.ca/mamnh/Index.html?site=MNR_NHLUPS_NaturalHeritage&viewer=NaturalHeritage&locale=en-US)

Pinchin Limited. 2017. Phase 1 Environmental Site Assessment – 11 Paudash Lake Road Bancroft, Ontario. December 22, 2017.



## 5.0 CLOSURE

Should you have any questions or concerns regarding the contents of this letter, please do not hesitate to contact the undersigned.

Yours truly,

### **Pinchin Ltd.**

Prepared by:

Rocky Yao, M.Sc., CISEC, EP  
Project Manager, Biologist  
905.363.1383  
[ryao@pinchin.com](mailto:ryao@pinchin.com)

Reviewed by:

Mario E. Buszynski, M.Sc. MCIP, RPP  
Senior Project Advisor  
416.254.6614  
[mbuszynski@pinchin.com](mailto:mbuszynski@pinchin.com)

Attachment 1 Site Survey

Attachment 2 Site Photographs

212694\_Recommendation Letter\_11 Paudash Lake Road, Bancroft, ON\_Revised\_May 9, 2018.docx

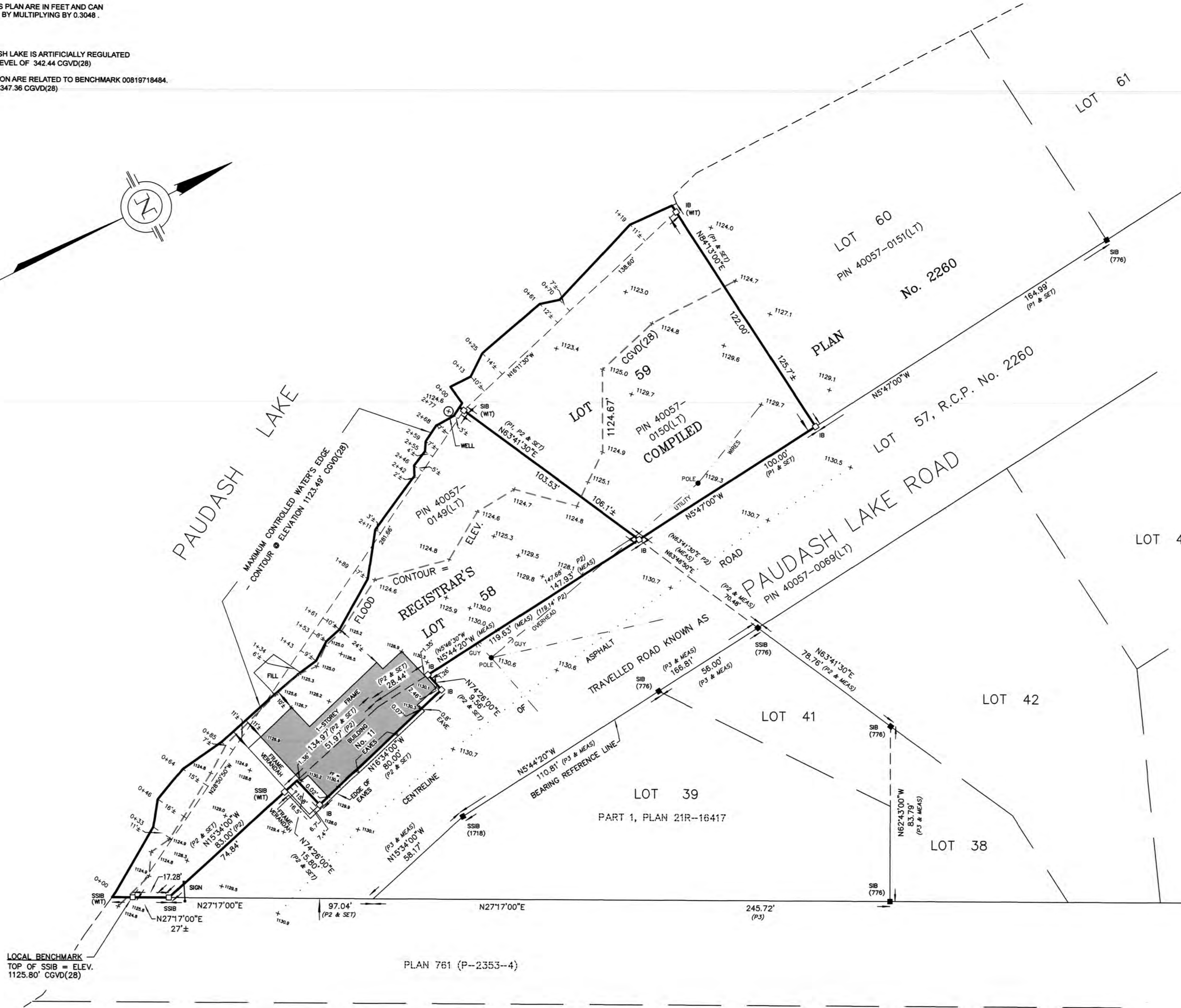
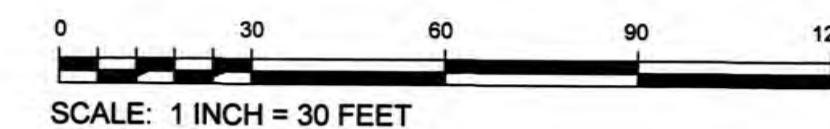
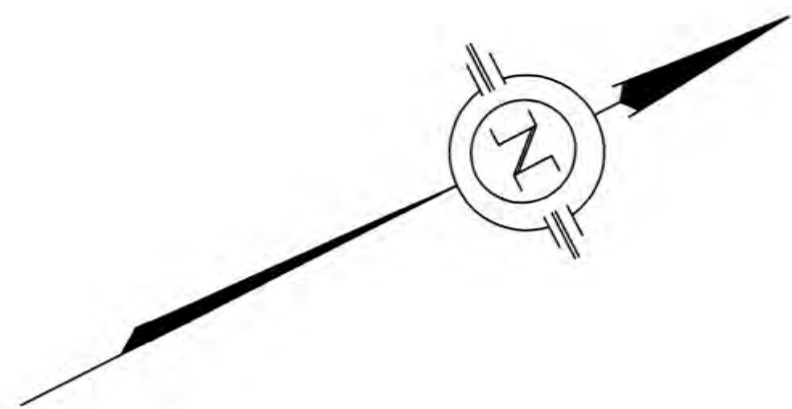
Template: Master Letter Template, September 7, 2017

IMPERIAL:  
DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN  
BE CONVERTED TO METRIC BY MULTIPLYING BY 0.3048.

PAUDASH LAKE  
THE ELEVATION OF PAUDASH LAKE IS ARTIFICIALLY REGULATED  
TO A MAXIMUM CONTROL LEVEL OF 342.44 CGVD(28)  
ELEVATIONS SHOWN HEREON ARE RELATED TO BENCHMARK 00819718484.  
BENCHMARK ELEVATION = 347.36 CGVD(28)

SURVEYOR'S REAL PROPERTY REPORT

PLAN OF SURVEY OF  
LOTS 58 & 59  
REGISTRAR'S COMPILED PLAN No. 2260  
GEOGRAPHIC TOWNSHIP OF FARADAY  
COUNTY OF HASTINGS



**PART 2 - REPORT SUMMARY**  
THIS PLAN HAS BEEN PREPARED FOR THE USE OF:  
BRIAN SUTER & MERLIN DEWING  
REGISTERED EASEMENTS AND/OR RIGHTS OF WAY:  
"NONE"  
NOTABLE FEATURES:  
FRAME VERANDAH AND EAVES LOCATED SOUTH OF SOUTHERLY  
PROPERTY LIMIT  
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:  
NOT CERTIFIED BY THIS REPORT



SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
1) THIS SURVEY AND PLAN ARE CORRECT AND ARE  
IN ACCORDANCE WITH THE SURVEYS ACT AND  
THE SURVEYORS ACT AND THE REGULATIONS  
MADE UNDER THEM.  
2) THE SURVEY WAS COMPLETED ON JANUARY 9, 2018

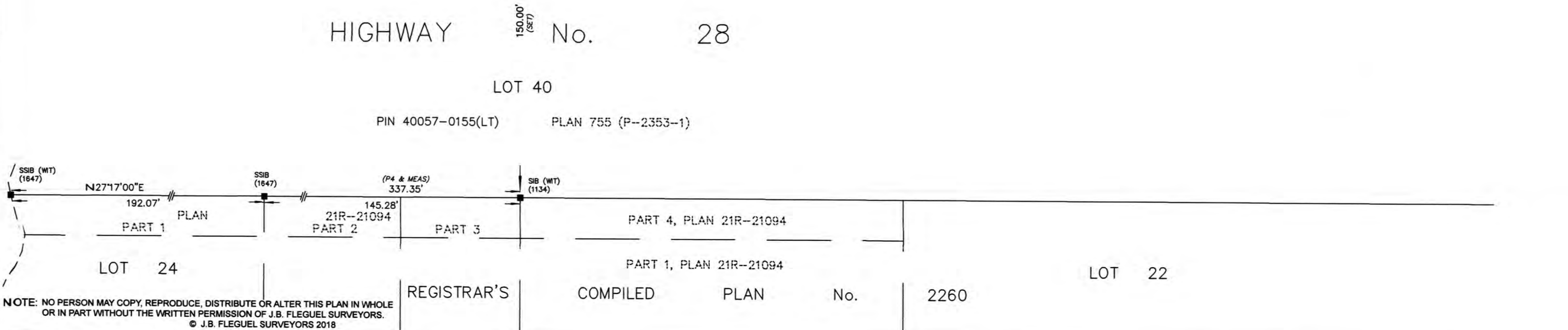
SIGNED AT LAKEFIELD, ONTARIO  
THIS 30th DAY OF JANUARY, 2018

*Christopher E. Musclove*  
CHRISTOPHER E. MUSCLOVE  
ONTARIO LAND SURVEYOR

LEGEND

- DENOTES SURVEY MONUMENT, FOUND
- DENOTES SURVEY MONUMENT, PLANTED
- WIT DENOTES WITNESS
- 778 DENOTES M.J. McALPINE, O.L.S.
- 1134 DENOTES N. VERHOEF, O.L.S.
- 1647 DENOTES J.B. FLEGUEL, O.L.S.
- 1718 DENOTES R.H. GEYER, O.L.S.
- P1 DENOTES PLAN OF SURVEY BY M.J. McALPINE, O.L.S.  
DATED JULY 15, 1958 (AMENDED JUNE 8, 1966)
- P2 DENOTES PLAN OF SURVEY BY M.J. McALPINE, O.L.S.  
DATED FEBRUARY 27, 1960 (AMENDED DEC. 7, 1973)
- P3 DENOTES PLAN 21R-16417
- P4 DENOTES PLAN 21R-21094
- FF DENOTES FINISHED FLOOR
- CGVD(28) DENOTES CANADIAN GEODETIC VERTICAL DATUM OF 1928

BEARINGS SHOWN HEREON ARE ASTRONOMIC DERIVED FROM THE  
WESTERLY LIMIT OF PART 1, PLAN 21R-16417, HAVING A BEARING OF  
N05°44'20"W.



NOTE: NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE  
OR IN PART WITHOUT THE WRITTEN PERMISSION OF J.B. FLEGUEL SURVEYORS.  
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**JBF SURVEYORS**  
J. B. FLEGUEL SURVEYORS  
44 CLEMENTI ST., BOX 70  
LAKEFIELD, ON K0L 2H0  
PHONE: 705-652-6198  
FAX: 705-652-1647  
JBFLEGUEL@KAWARTHASURVEYOR.COM  
PROJ. # 5804



### Attachment 2 Site Photographs



Photo 1 – Looking at the staked floodplain area and understory of golden rod. November 2017.



Photo 2 – Looking at the staked floodplain area and understory of golden rod. November 2017.



**Lot 59 Paudash Lake Road Environmental Screening and Natural Features  
Protection Recommendations**

Lot 59, Paudash Lake Road, Bancroft, Ontario  
Mr. Merlin Dewing

May 17, 2018  
Pinchin File: 212694  
Site Photographs



Photo 3 – Looking at the staked floodplain area and general tree and vegetation cover of the Site. November 2017.



Photo 4 – Looking at the general tree and vegetation cover of the Site with a few deciduous trees and occasional coniferous trees. November 2017.





**Lot 59 Paudash Lake Road Environmental Screening and Natural Features  
Protection Recommendations**

Lot 59, Paudash Lake Road, Bancroft, Ontario  
Mr. Merlin Dewing

May 17, 2018  
Pinchin File: 212694  
Site Photographs



Photo 5 – Looking at the general tree and vegetation cover of the Site with a few deciduous trees and occasional coniferous trees. November 2017.

April 26, 2023

Arpit Jain & Manav Manav  
82 Romanelli Crescent  
Bradford, ON  
L3Z 0X7



**Crowe Valley**  
C o n s e r v a t i o n

P.O. Box 416

Phone: (613) 472-3137

70 Hughes Lane

Fax: (613) 472-5516

Marmora, ON

Dear Mr. Jain & Mr. Manav:

**Re: Permit Application 188/22  
Part of Lot 29, Concession 9  
Assessment Roll Number: 1258 000 015 21900  
15 Paudash Lake Road, Township of Faraday (Paudash Lake)**

Upon review of your permit application to construct a duplex and patio and install a septic system adjacent to Paudash Lake, the Inlet Bay-Eastern Paudash Lake Provincially Significant Wetland and a wetland less than 2ha, Crowe Valley Conservation Authority (CVCA) staff will be making the flowing recommendation to the CVCA Watershed Advisory Board:

**That Permit 188/22 be denied.**

The construction of the duplex and patio and installation of the septic system as presented does not conform to Ontario Regulation 159/06 and CVCA policy.

The subject property is within the regulation limit as described in Section 2 of Ontario Regulation 159/06, being hazardous lands, the river or stream valley, and other areas where development could interfere with the hydrologic function of a wetland. A portion of the property, inclusive of the proposed development location is considered to be hazardous lands, as it contains the setback from the flood hazard. New development within the setback of the flood hazard is not permitted, as it would have negative impacts on the control of flooding. Such development would be contrary to Section 3(1) of Ontario Regulation 159/06. The other portion of the property, inclusive of the proposed development location, is considered to be an area where development could interfere with the hydrologic feature of a wetland as the proposed development location is within the setback from the wetland. New development within the setback of a wetland is not permitted, as it could interfere with the hydrologic function of a wetland.

In regard to conformity with the CVCA's Watershed Planning and Regulations (O. Reg. 159/06) policies, your application does not conform to the following sections: 3.8.1, 3.8.2, 5.4, 7.3.1a, 7.3.1b, 7.3.1d, 7.4.3, and 7.4.3.1. All of these policies speak to development within the setbacks of the flooding hazard and within setback of the wetlands, required setbacks and mitigation measures. Sections 5.4, 7.3.1a, and 7.3.1d are most pertinent to your application and are expanded on below.

#### **Policy 5.4 - Development Within the Allowance of the Flooding Hazard**

It is the policy of the CVCA that new development to be setback 6 metres from any natural hazard.

Conformity: The application does not conform as the proposed development is less than 6 metres from the flood hazard.

### **Policy 7.3 General Policies for Wetlands**

For Provincially Significant Wetlands and Wetlands greater than 2 hectares the following shall apply.

#### **7.3.1a - In general, there shall be no development within 30 metres of the wetland boundary**

Conformity: The proposed development is less than 30 metres from the Inlet-Bay Eastern Paudash Lake Provincially Significant Wetland.

For Wetlands less than 2 hectares in size the following shall apply:

#### **7.3.1.d - In general, there shall be no development within 15 metres of the wetland boundary**

Conformity: The proposed development is less than 15 metres from a wetland less than 2 hectares.

On account of the application not conforming to the policies outlined above, CVCA staff will recommend to the CVCA Watershed Advisory Board that the application be denied.

If you do not agree with the staff recommendation and would like to proceed with your application as submitted, you are entitled to the opportunity for a Hearing before the CVCA Watershed Advisory Board in accordance with Section 28(12) of the Conservation Authorities Act. On December 19, 2022 you made this request.

There is to be full disclosure from both parties prior to the Hearing. The Regulations Officer and yourself shall exchange written reports two weeks prior to the Hearing. Subsequently, this may affect the timing and scheduling of the Hearing. If such information is not received two weeks prior to the meeting date, the Hearing will be rescheduled to occur at the next scheduled meeting date.

In order to avoid the apprehension of bias, which could jeopardize the Hearing, it is recommended that you do not contact any member of the CVCA Watershed Advisory Board prior to the Hearing. If any communication occurs between yourself and a CVCA Watershed Advisory Board Member, you should contact the CVCA office immediately.

At the Hearing you may be represented by counsel or an agent, and you may call and examine witnesses and present evidence and submissions to the Board. Should you request a Hearing but do not attend, the Hearing will proceed in your absence and you will not be entitled to any further notice in the proceedings.

If you have any questions please contact me at 613-472-3137 or via email at [Beth.Lowe@CroweValley.com](mailto:Beth.Lowe@CroweValley.com)

Sincerely,



Beth Lowe  
Regulations Officer

Enlc: Hearing Guidelines – Crowe Valley Conservation Authority.

**NOTICE OF HEARING**

**IN THE MATTER OF**

The Conservation Authorities Act,  
R.S.O. 1990, Chapter 27

**AND IN THE MATTER OF** an application by **Arpit Jain and Manav Manav**

**FOR THE PERMISSION OF THE CROWE VALLEY CONSERATION AUTHORITY**

Pursuant to Regulations made under Section 28, Subsection 12 of the Conservation Authorities Act

**TAKE NOTICE THAT** a Hearing before the Watershed Advisory Board of the Crowe Valley Conservation Authority will be held under Section 28, Subsection 12 of the Conservation Authorities Act by either by a virtual meeting (Google Meet) or at the offices of the said Authority (70 Hughes Lane, Marmora, Ontario) on the **15<sup>th</sup> day of June, 2023 at 10:00a.m.** with respect to the application made by **Mr. Arpit Jain and Mr. Manav Manav** to permit development within an area regulated by the Conservation Authority. The application has the potential to negatively impact **the control of flooding**. The subject lands are on Part of Lot 29, Concession 9, 15 Paudash Lake Road, in the Township of Faraday.

**TAKE NOTICE THAT** you are invited to make a delegation and submit supporting written material to the Watershed Advisory Board of the Crowe Valley Conservation Authority for the meeting of Thursday June 15<sup>th</sup>, 2023. You have indicated you intend to appear on this date. Written material will be required by **Thursday June 1<sup>st</sup> (3:00pm)** to allow Board members adequate time for review prior to the Hearing.

**TAKE NOTICE THAT** this Hearing is governed by the provisions of the Statutory Powers Procedure Act. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the Ontario Evidence Act. Evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by that automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the Canada Evidence Act, that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the effect of any evidence that a witness may give.

**TAKE NOTICE THAT** you should notify the Authority if you believe the electronic format of the Hearing is likely to cause significant prejudice. The Authority shall assume that the applicant has no objection to the electronic Hearing format if no notification is received.

**AND FURTHER TAKE NOTICE THAT** if you do not attend this Hearing, the Watershed Advisory Board of the Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

**AND TAKE NOTICE THAT** Crowe Valley Conservation Authority staff are recommending refusal of the application for the following reasons:

---

The application for development, as proposed, being the construction of a dwelling(duplex) and installation of a septic system located within the setback from the flood hazard associated with Paudash Lake and within the setback of a Provincially Significant Wetland and within the setback of a wetland less than 2ha, does not conform to the Crowe Valley Conservation Authority's Watershed Planning and Regulations Policies, which are approved by the CVCA Board of Directors and are designed to ensure that the control of flooding, erosion, pollution or the conservation of land will not be affected by development (as per section 3(1) of Ontario Regulation 159/06, pursuant to section 28 of the Conservation Authorities Act, R.S.O 1990, as amended).

The location of the proposed development is within hazardous lands, being the flood hazard associated with Paudash Lake. The proposed development has the potential to negatively impact the control of flooding. The proposed development does not conform to the CVCA's Watershed Planning and Regulations Policies for the following reasons:

1. The proposed development would be located within hazardous lands, being the setback from the regulatory flood hazard associated with Paudash Lake.
2. The proposed development does not conform to applicable CVCA Policy governing development within the setback of the flood hazard or within the setback of a wetland.

**DATED** the 2<sup>nd</sup> day of May, 2023

The Board of Directors of the Crowe Valley Conservation Authority

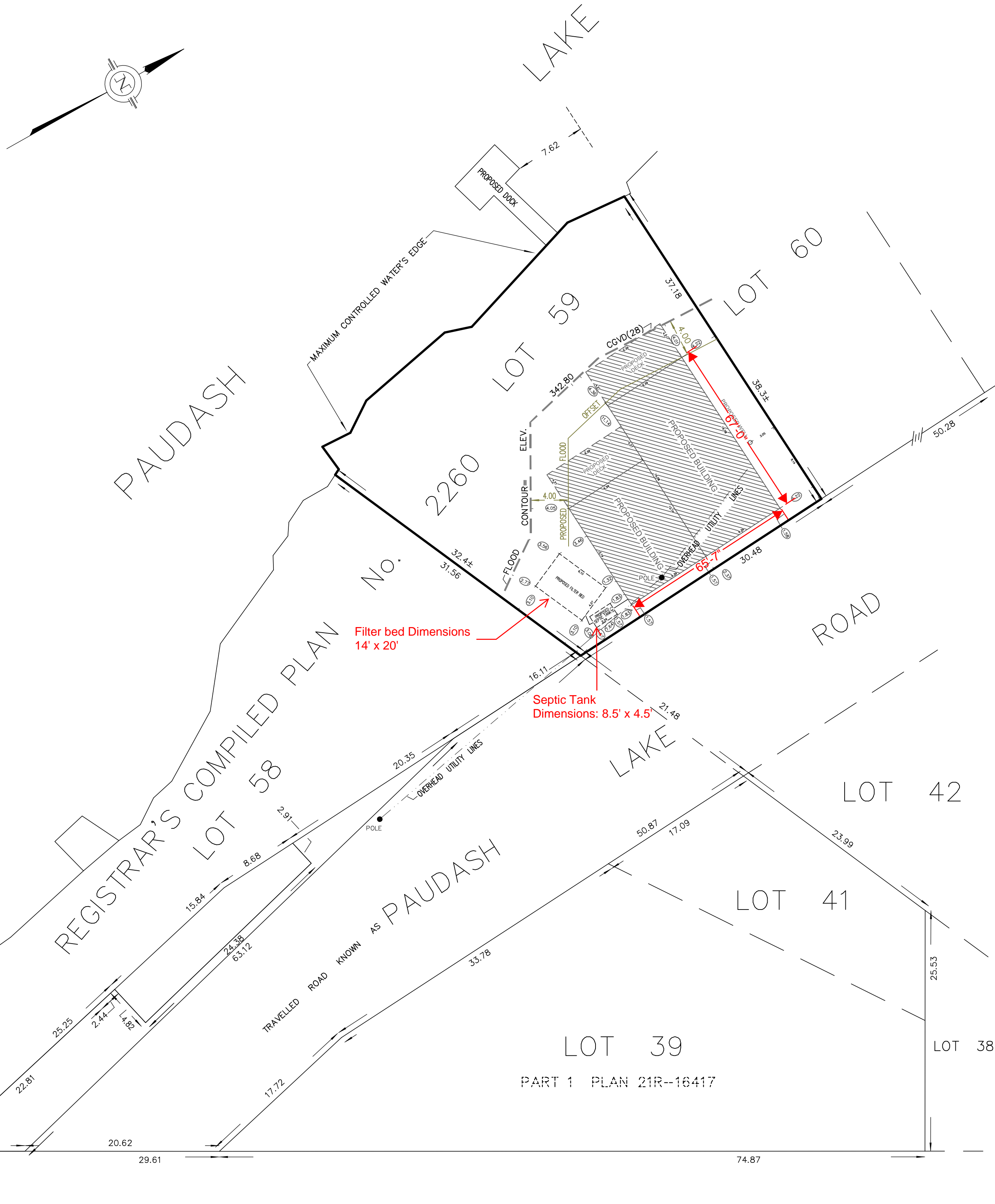


Per: General Manager / Secretary-Treasurer

---

METRIC: DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION: THIS IS NOT A PLAN OF SURVEY



**SITE PLAN SHOWING  
PROPOSED DEVELOPMENT AT  
11 PAUDASH LAKE ROAD**

COUNTY OF HASTINGS



SCALE: 1:300

DATE: DECEMBER 20 2018

**LEGEND**

Ⓢ . . . . . DENOTES PROPOSED SETBACK

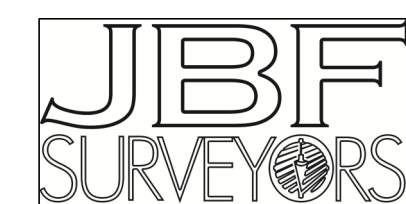
PLAN 761 (P--2353--4)  
HIGHWAY

No.

28

PLAN 761 (P--2353--1)

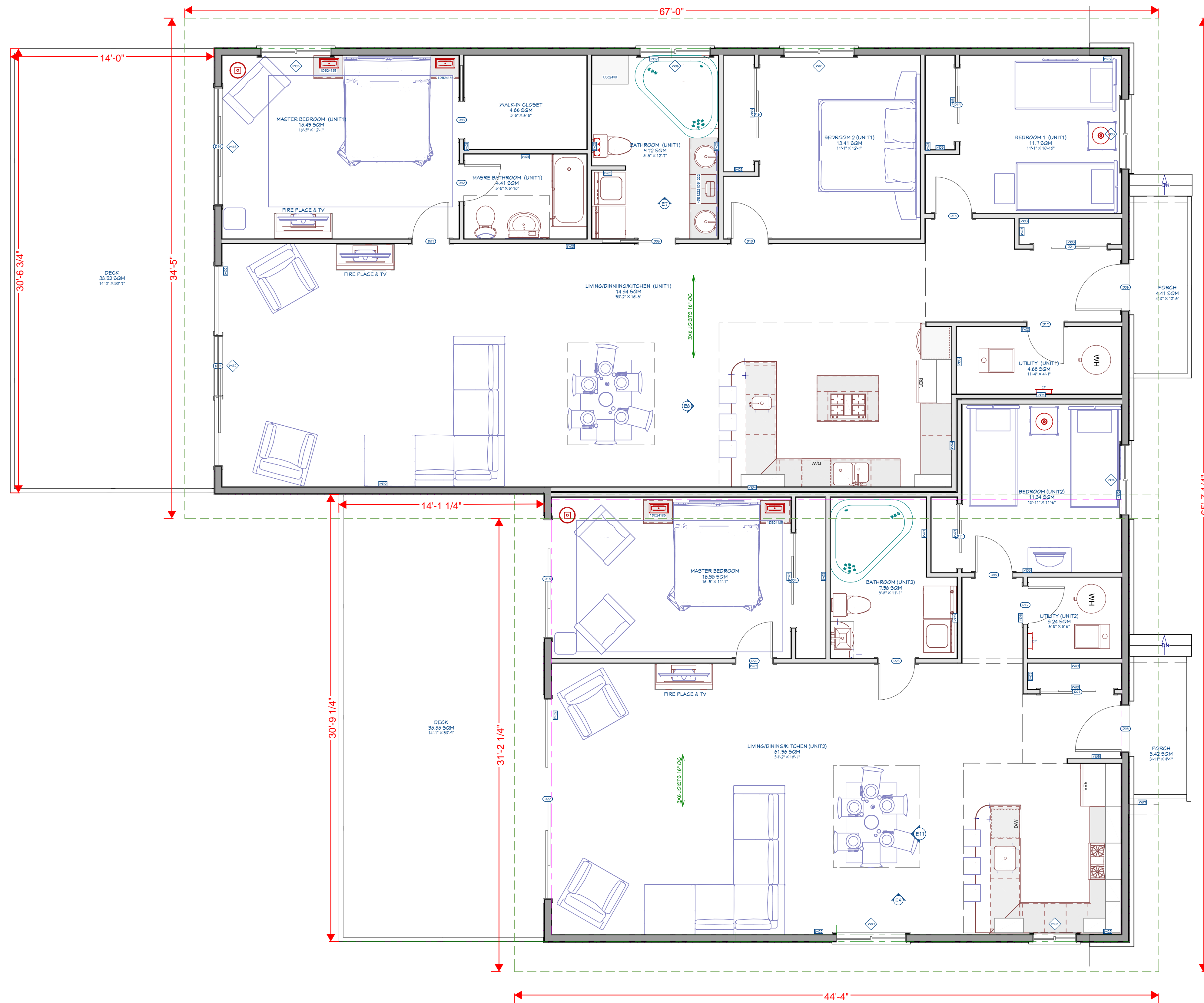
<b>SITE STATISTICS</b>
<b>LEGAL DESCRIPTION</b> LOT No. 59 REGISTRAR'S COMPILED PLAN No. 2260 GEOGRAPHIC TOWNSHIP OF FARADY
CAUTION: THIS IS NOT A PLAN OF SURVEY BOUNDARY INFORMATION SHOWN ON THIS SITE PLAN HAS BEEN TAKEN FROM A PLAN OF SURVEY PREPARED BY J.B. FLEGUEL SURVEYORS OLS, DATED 30 JANUARY 2018 NO NEW FIELD WORK HAS BEEN CONDUCTED TO VERIFY THE INFORMATION SHOWN ON THIS PLAN. THIS SITE PLAN SHOULD NOT BE UTILIZED FOR ANY TRANSFER OF TITLE/ OWNERSHIP OR FINANCING ARRANGEMENTS.
LOT AREA: 1353.3 sq. m. AREA OF EXISTING BUILDINGS: 0 sq. m. LOT COVERAGE EXISTING BUILDINGS: 0% AREA OF PROPOSED BUILDINGS WITH DECKS: 373.89 sq. m. LOT COVERAGE PROPOSED BUILDINGS: 27.6%



**JBF SURVEYORS**  
44 CLEMENTI ST., BOX 70  
LAKEFIELD, ON K0L 2H0  
PHONE: 705-652-6198  
JBFLEGUEL@KAWARTHASURVEYOR.COM

PROJ. # 6149

SPATIAL SEPARATION	
GLAZING AREA:	M <sup>2</sup>
PERIPHERAL WALL AREA:	M <sup>2</sup>
PERCENTAGE OF GLAZED WALL:	%



**MAIN FLOOR**  
SCALE 5/32"=1'

**GENERAL NOTES:**

DRAWINGS ARE TO READ, NOT SCALED. DO NOT BEGIN CONSTRUCTION UNTIL DESIGNER OR PROJECT MANAGER HAS BEEN NOTIFIED. UPON COMPLETION OF ANY STAGE OF CONSTRUCTION, THE DESIGNER OR PROJECT MANAGER SHALL BE NOTIFIED TO ENSURE PROPER INSPECTION. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED. THE DRAWINGS AND DOCUMENTS PROVIDED HERE ARE WITHIN THE EXCLUSIVE PROPERTY OF HOM DRAFTING AND DESIGN. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER.

**QUALIFICATION INFORMATION:**

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN. AS WELL AS, HAVING THE QUALIFICATIONS AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

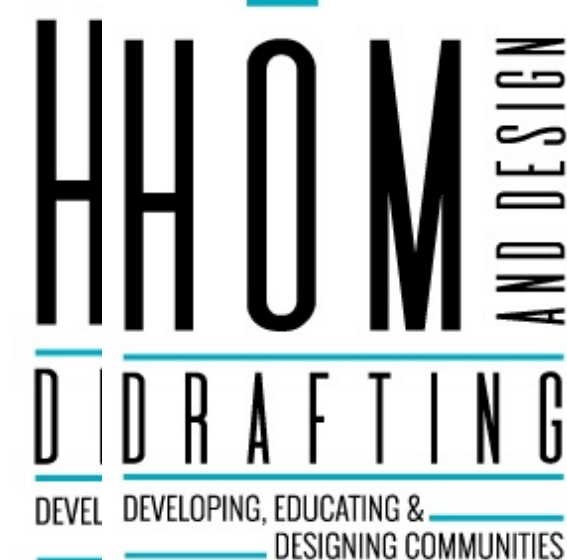
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HOM DRAFTING AND DESIGN	113937
<b>DESIGN FIRM</b>	<b>B.C.I.N.</b>

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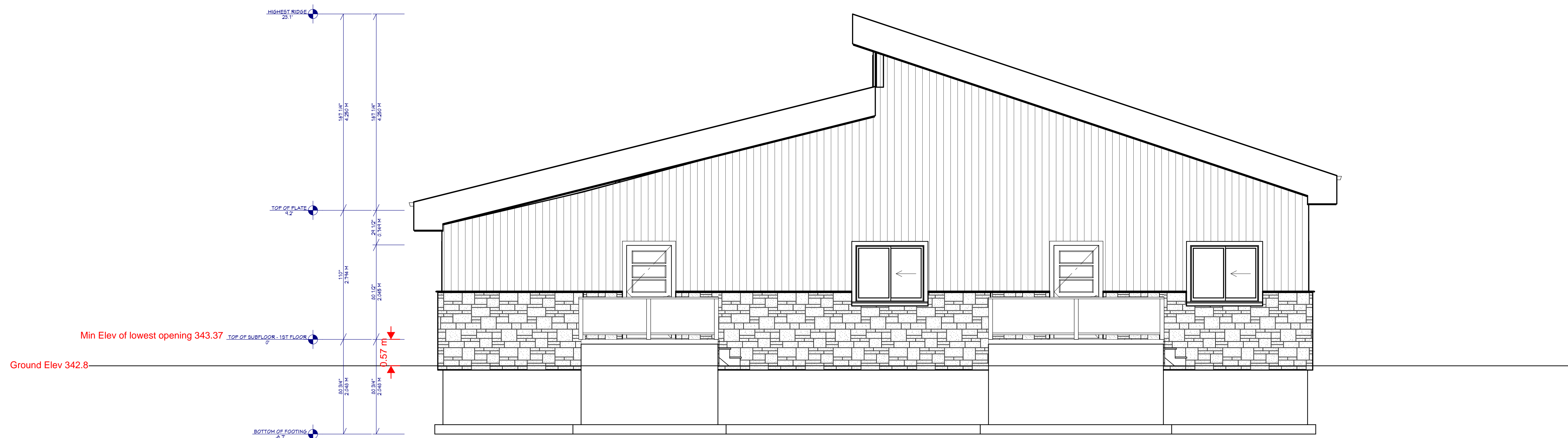


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 PROJECT ADDRESS: 11 PAUDASH LAKE  
 PROJECT NUMBER: 2020- 31  
 SCALE: AS INDICATED  
 SHEET NO.

**A-1004**

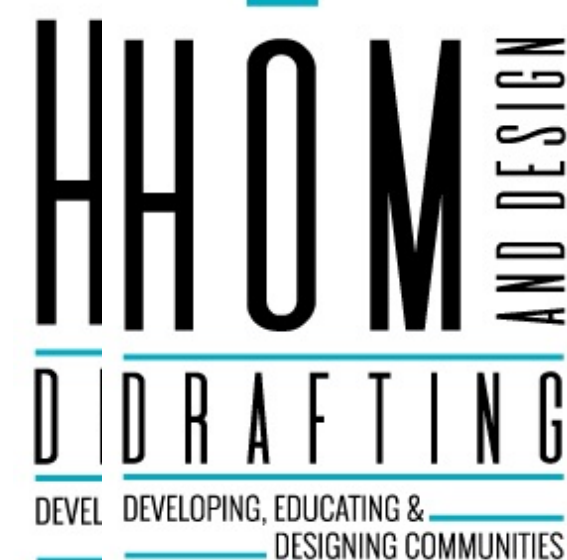


14 ASHDALE CRES  
 BOWMANVILLE, ON  
 289-355-4402  
 CLINTON@HOMDESIGN.CA



FRONT ELEVATION  
(EAST)

SCALE 1/4" = 1'-0"



14 ASHDALE CRES  
BOWMANVILLE, ON  
289-355-4402  
CLINTON@HOMDESIGN.CA

GENERAL NOTES:

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NAME	B.C.I.N.
HOM DRAFTING AND DESIGN	113937
DESIGN FIRM	B.C.I.N.

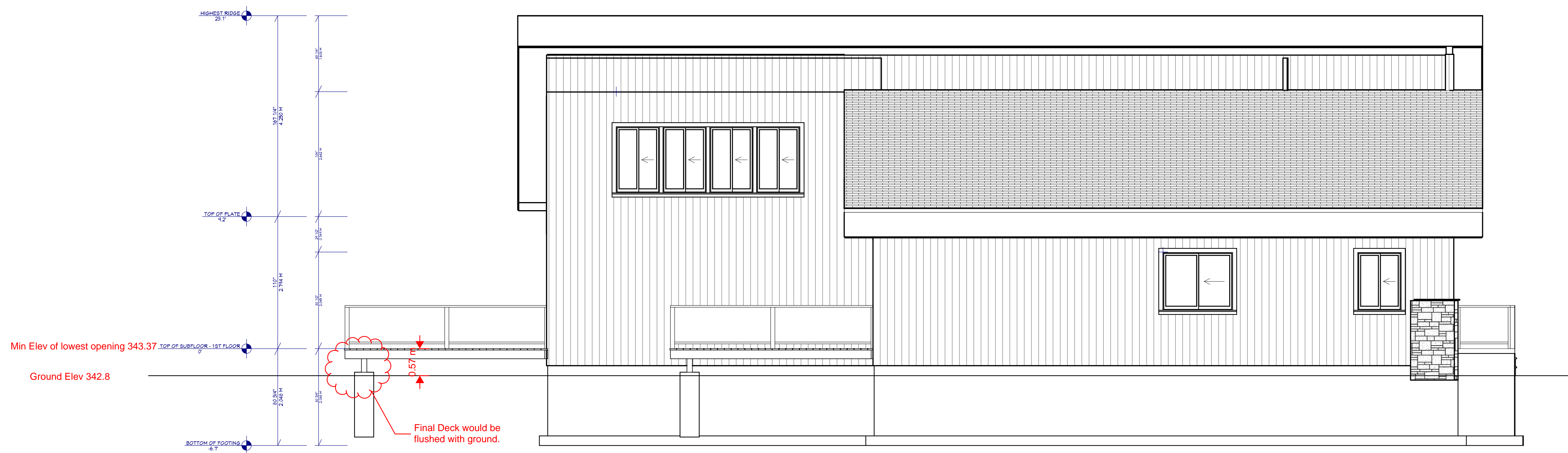
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SCALE: AS INDICATED  
SHEET NO.

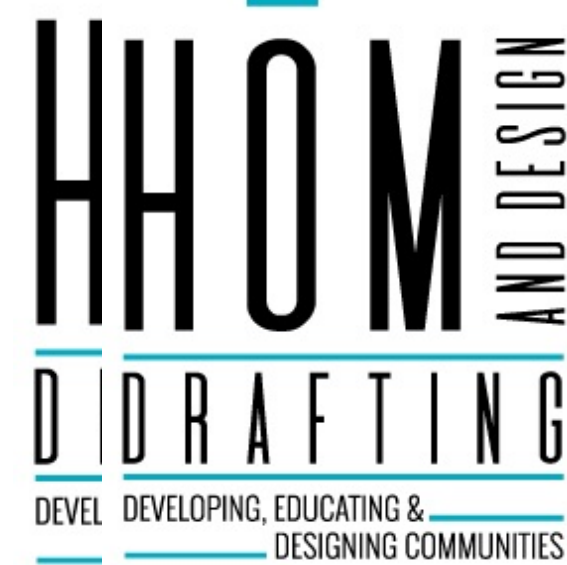
**A-1005**





RIGHT SIDE ELEVATION  
(SOUTH)

SCALE 1/4"=1'



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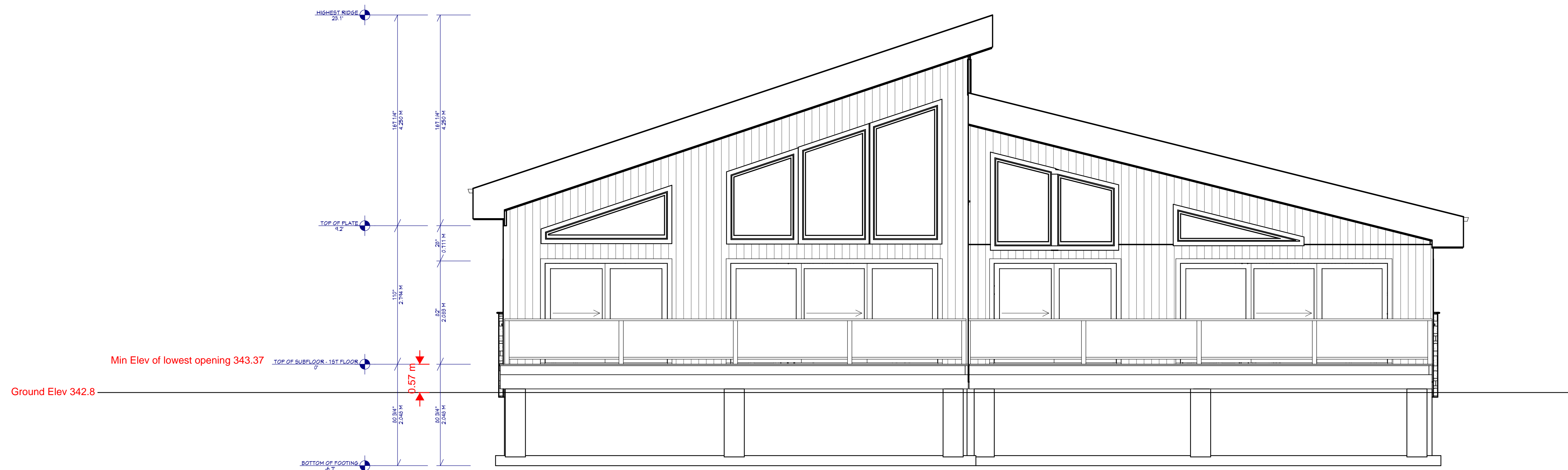
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HOM DRAFTING AND DESIGN	113937
DESIGN FIRM	B.C.I.N.

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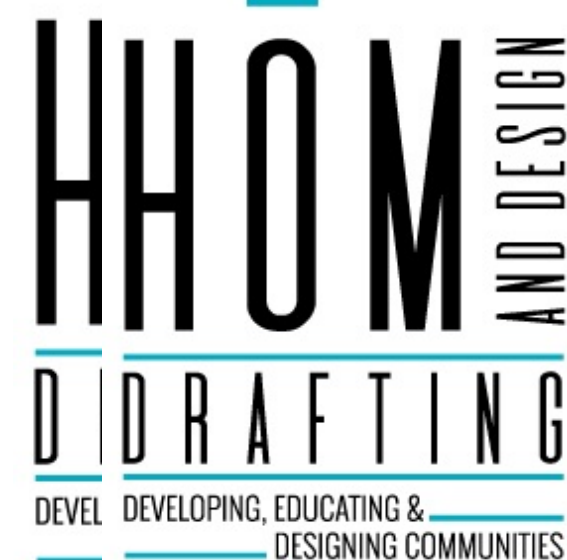


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PROJECT ADDRESS: 11 PAUDASH LAKE  
PROJECT NUMBER: 2020- 31  
SCALE: AS INDICATED  
SHEET NO.

**A-1006**



REAR ELEVATION (WEST)  
SCALE 1/4" = 1'



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BOWMANVILLE, ON  
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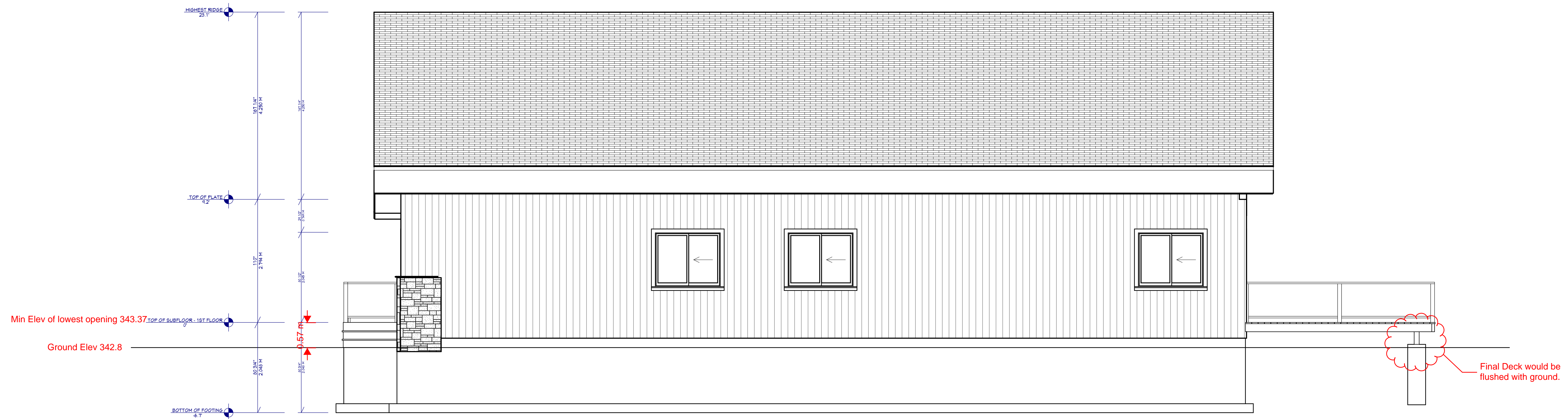
NAME	B.C.I.N.
HOM DRAFTING AND DESIGN	113937
DESIGN FIRM	B.C.I.N.

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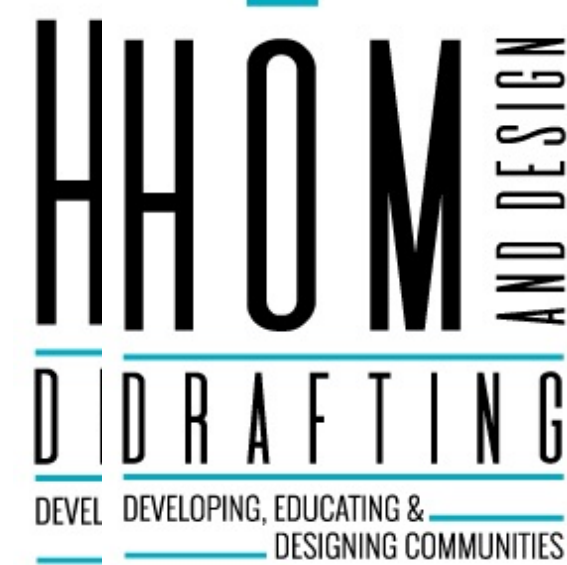


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DRAWN BY: CE CHECKED BY: CE  
PROJECT ADDRESS: 11 PAUDASH LAKE  
PROJECT NUMBER: 2020- 31  
SCALE: AS INDICATED  
SHEET NO.

**A-1007**



LEFT SIDE ELEVATION (NORTH)  
SCALE 1/4"=1'



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BOWMANVILLE, ON  
289-355-4402  
CLINTON@HOMDESIGN.CA

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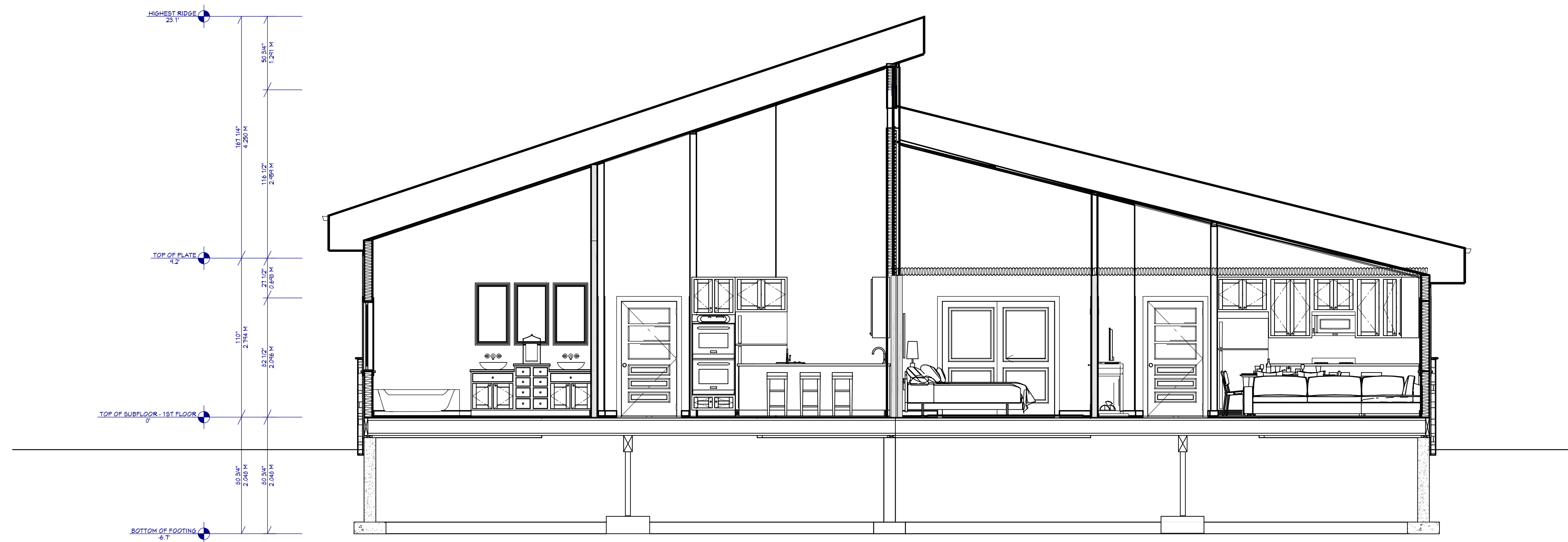
NAME	B.C.I.N.
HOM DRAFTING AND DESIGN	113937
DESIGN FIRM	B.C.I.N.

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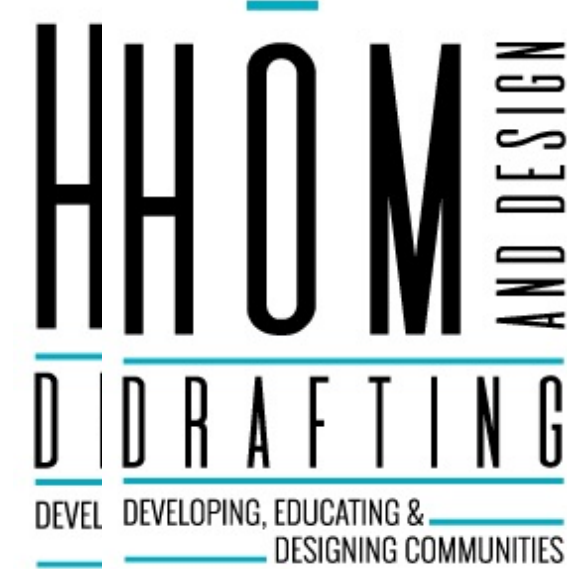


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DRAWN BY: CE CHECKED BY: CE  
PROJECT ADDRESS: 11 PAUDASH LAKE  
PROJECT NUMBER: 2020- 31  
SCALE: AS INDICATED  
SHEET NO.

**A-1008**



CROSS SECTION NS  
SCALE 3/16"=1'



14 ASHDALE CRES  
BOWMANVILLE, ON  
289-355-4402  
CLINTON@HOMDESIGN.CA

GENERAL NOTES:

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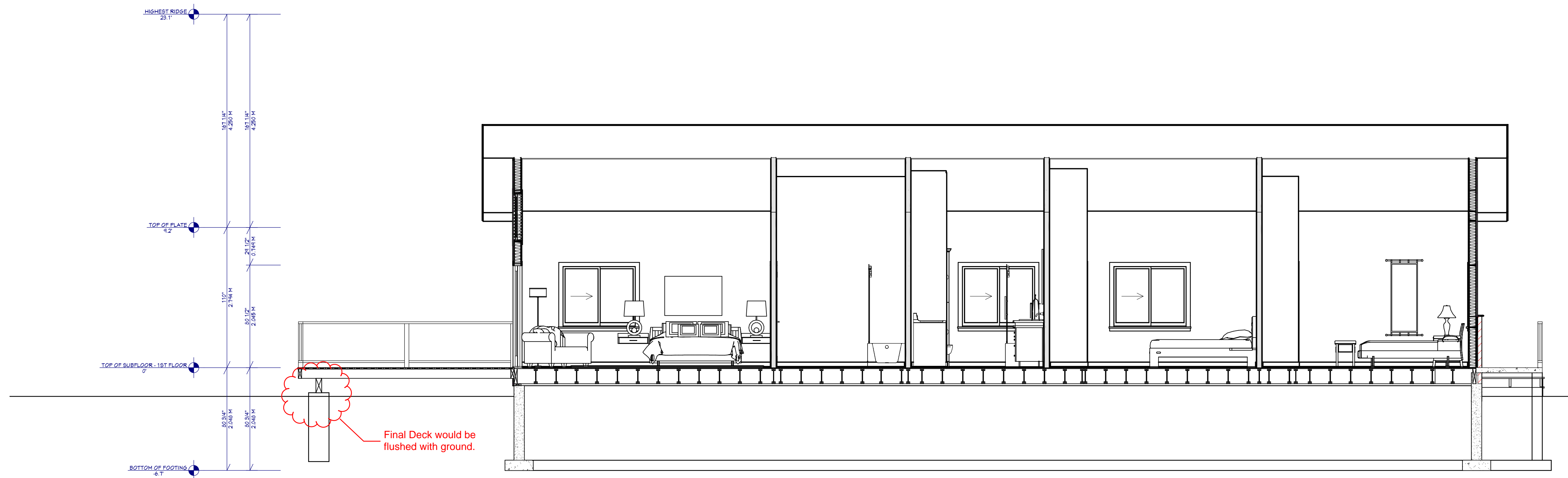
NAME	B.C.I.N.
HOM DRAFTING AND DESIGN	113937
DESIGN FIRM	B.C.I.N.

PROJECT NORTH: TRUE NORTH:



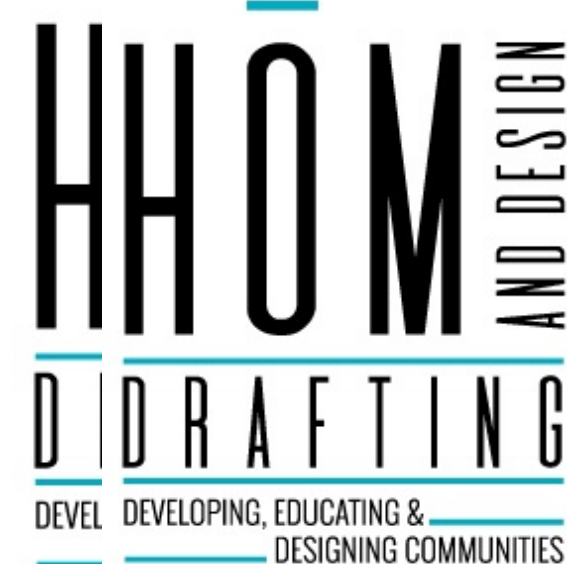
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DRAWN BY: CE CHECKED BY: CE  
PROJECT ADDRESS: 11 PAUDASH LAKE  
PROJECT NUMBER: 2020- 31  
SCALE: AS INDICATED  
SHEET NO.

**A-1009**



CROSS SECTION SE-UNIT1

SCALE 3/16"=1'



14 ASHDALE CRES  
BOWMANVILLE, ON  
289-355-4402  
CLINTON@HOMDESIGN.CA

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QUALIFICATION INFORMATION:

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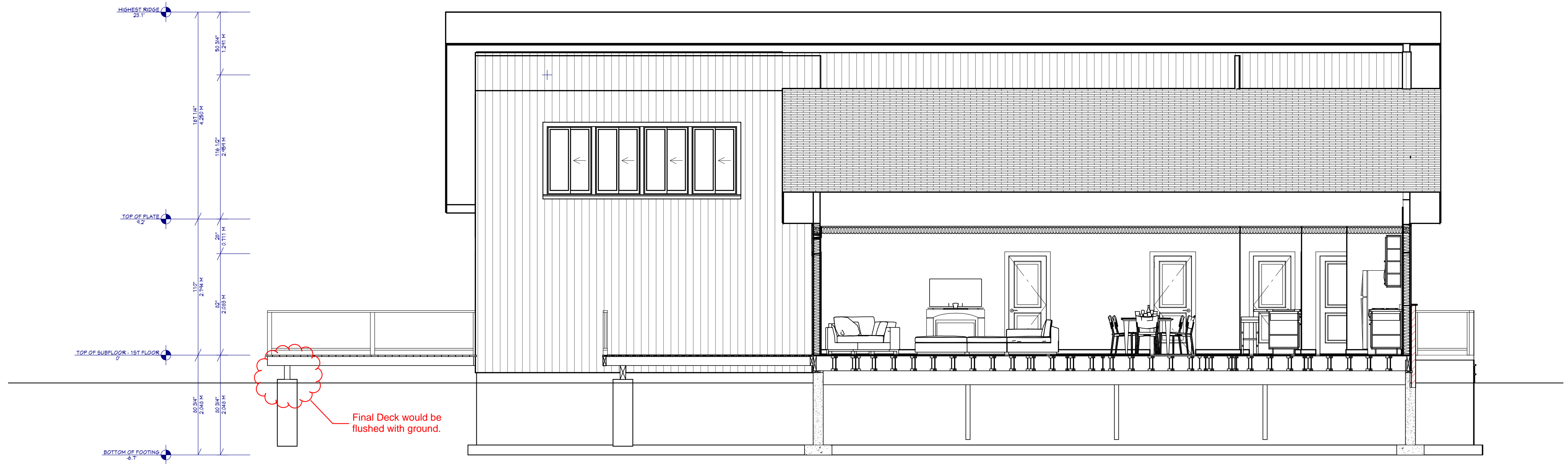
NAME	B.C.I.N.
HOM DRAFTING AND DESIGN	113937
DESIGN FIRM	B.C.I.N.

PROJECT NORTH: TRUE NORTH:

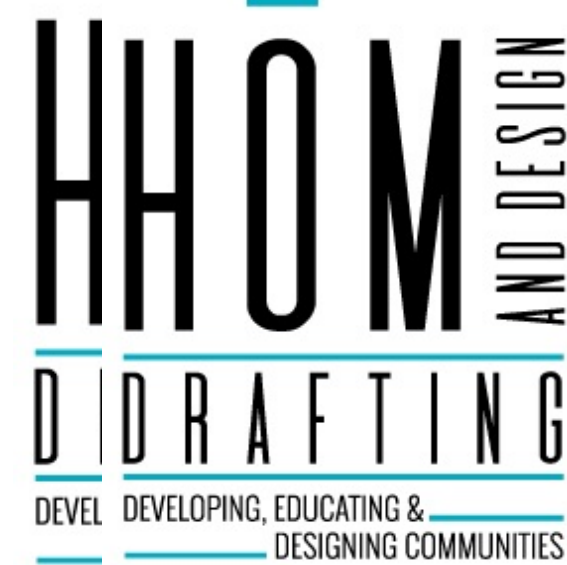


DRAWING TITLE: AS INDICATED  
DRAWN BY: CE CHECKED BY: CE  
PROJECT ADDRESS: 11 PAUDASH LAKE  
PROJECT NUMBER: 2020- 31  
SCALE: AS INDICATED  
SHEET NO.

**A-10010**



CROSS SECTION SE-UNIT2  
SCALE 3/16"=1'



14 ASHDALE CRES  
BOWMANVILLE, ON  
289-355-4402  
CLINTON@HOMDESIGN.CA

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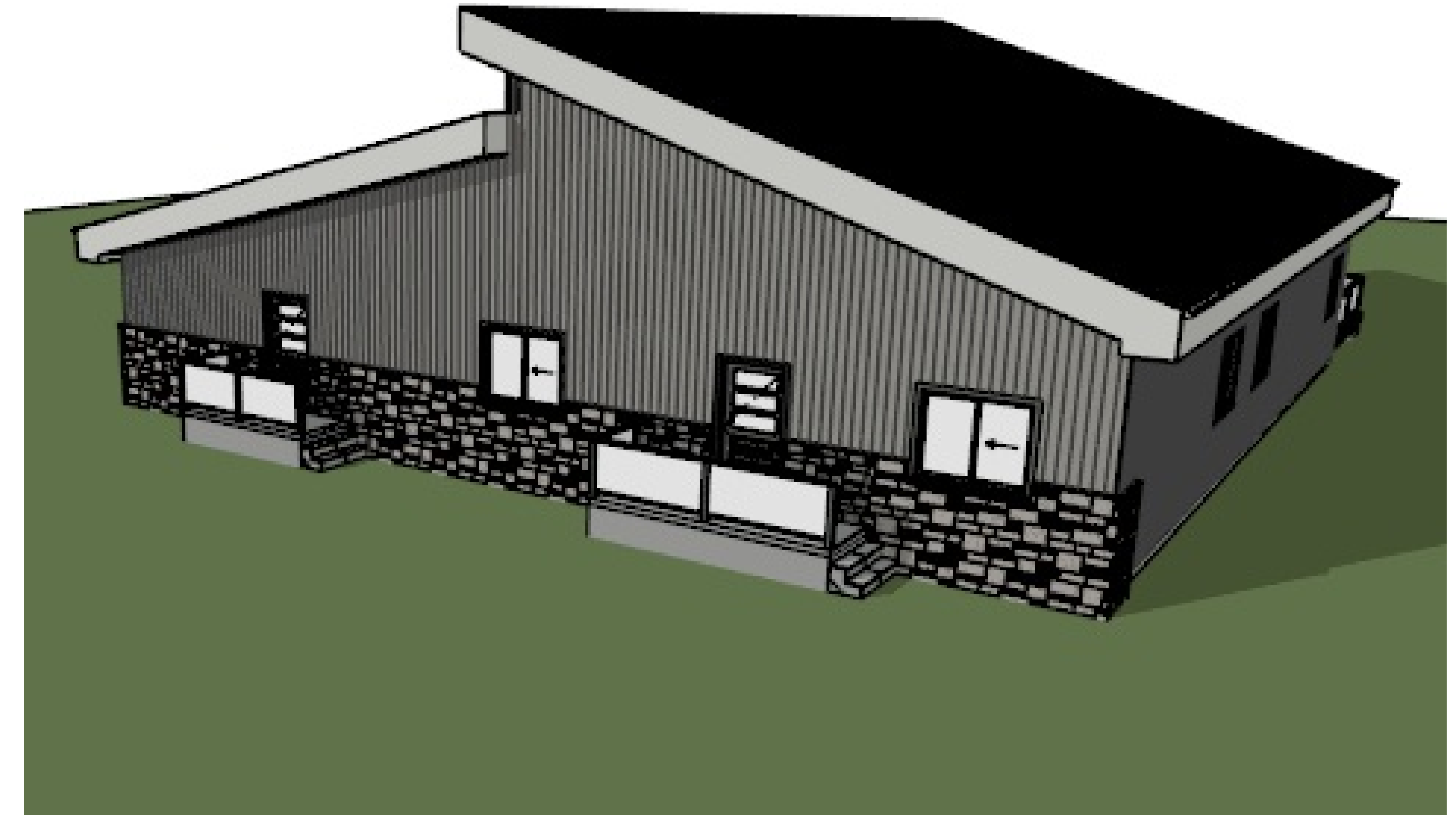
NAME	B.C.I.N.
HOM DRAFTING AND DESIGN	113937
DESIGN FIRM	B.C.I.N.

PROJECT NORTH: TRUE NORTH:



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PROJECT NUMBER: 2020- 31  
SCALE: AS INDICATED  
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**A-10011**



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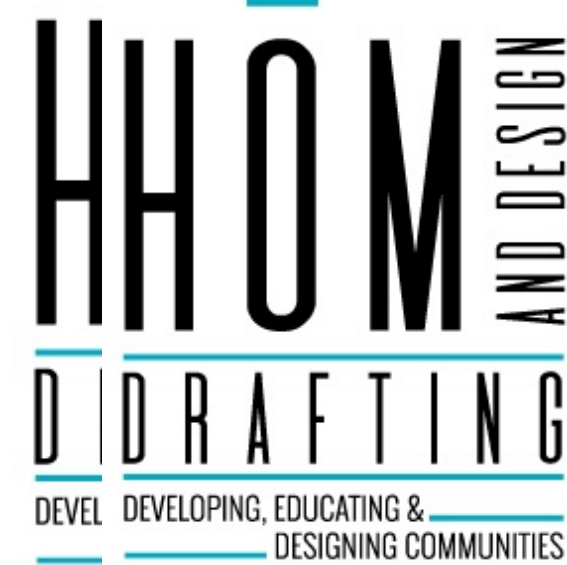
NAME	B.C.I.N.
HOM DRAFTING AND DESIGN	113937
DESIGN FIRM	B.C.I.N.

PROJECT NORTH: TRUE NORTH:



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**A-10012**



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NAME	B.C.I.N.
HOM DRAFTING AND DESIGN	113937
<b>DESIGN FIRM</b>	<b>B.C.I.N.</b>

PROJECT NORTH: TRUE NORTH:



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**A-10013**