



Minutes

The Township of Cavan Monaghan

Committee of Adjustment

Friday January 27, 2023

9:30 a.m.

Those Members in Attendance remotely were:

Aaron Glover	Member
Michael Semple	Member
Dave Grant	Member

Staff:

Karen Ellis	Director of Planning
Karlie Cornish-Tkalec	Deputy Clerk/Corporate Services Administrator

1. Call to Order

Ms. Karlie Cornish-Tkalec, Deputy Clerk called the meeting to order at 9:31 a.m.

2. Committee of Adjustment Terms of Reference

Ms. Cornish-Tkalec reviewed the Committee of Adjustment Terms of Reference with the Committee.

3. Appointment of Chair

CA-2023-01

Moved by: Grant

Seconded by: Glover

That the Committee appoint Michael Semple as Chair for the 2022-2026 term.

Carried

Ms. Cornish-Tkalec transferred the Chair to Michael Semple at 9:35 a.m.

4. Disclosure of Pecuniary Interest and the General Nature Thereof

There were no pecuniary interests noted.

5. Minutes

5.1 Minutes of the Committee of Adjustment meeting held June 13, 2022

CA-2023-02

Moved by: Glover

Seconded by: Grant

That the minutes of the Committee of Adjustment meeting held June 13, 2022 be approved as presented.

Carried

6. Reports

6.1 Report - PEB 2023-03 529 Highway 7A MV-01-23

Ms. Ellis reviewed the application. The Application applies to the property at 529 Highway 7A described as part of Lot 7, Concession 8 (Cavan). The Application was applied for on behalf of Mehmet Kaya, Jamie Hoefling of One Community Planning.

The subject property is an existing agricultural property developed with a single detached dwelling, a shed, and three (3) barns. The property is approximately 32.8 hectares (81.1 acres) in size with approximately 189.7 metres (622 feet) of frontage on Highway 7A. The property is zoned Agricultural (A), Natural Core (NC) and Natural Linkage (NL) as illustrated on Map D-2 to By-law No. 2018-58, as amended. Agri-tourism and on-farm diversified uses are permitted on lands in the Agricultural (A) Zone subject to a number of regulations.

One of the regulations for on-farm diversified uses limits the operation of an on-farm diversified use to the person or persons whose principal residence is the dwelling on the lot and a maximum of two persons other than the residents of the dwelling on the lot. As proposed, more than two (2) people, who are not residents of the dwelling on the lot, will be employed in the on-farm diversified use. A variance is required to permit the increased number of employees for the proposed wedding venue use.

The purpose of the minor variance is to increase the maximum number of employees for an on-farm diversified, who are not residents of the dwelling on the lot, from two (2) to a maximum of fifteen (15). All other standard regulations of the Agricultural (A) Zone will apply to the property.

Notice of the minor variance application was circulated, by first class prepaid mail, to all assessed persons within 60 metres (200 feet) of the subject property and to all required ministries and agencies. A sign was also posted on the frontage of the property and the Notice of Public Meeting was posted on the Township website. The Notice complies with the requirements of the Planning Act.

6.2 Correspondence Received

Ms. Ellis spoke to the correspondence received. Noting that to date, the Planning Department received one inquiry and two letters of objection from members of the public.

Township Staff had no objections to the Application.

The Ministry of Transportation has indicated that approvals and permits from the MTO are required prior to the construction and or alterations to any buildings and or structures and prior to the issuance of any municipal planning permits of approvals.

Peterborough Public Health had no objection to the proposed Minor Variance.

Otonabee Region Conservation Authority indicated that the application is consistent with Section 3.1 of the Provincial Policy Statement (PPS). ORCA has indicated that the application is consistent with Section 2.1 and 2.2 of the PPS and Section 4.2 of the Growth Plan

ORCA indicated that permits will not be required from their agency at this time. The Township and Applicant should note that if non-temporary development is proposed within an ORCA regulated area a permit from the agency is required.

ORCA has also indicated that the property is not located within an area that is subject to the policies contained in the Trent Source Protection Plan.

6.3 Questions/Comments from the Committee

Mr. Grant noted the addition of a parking lot would increase the volume of traffic on the property.

Mr. Glover asked for clarification on if the farming employees are included in the diversified use total number of employees or if they are separate.

Mr. Semple asked Ms. Ellis if the owner must live on the residence to establish a diversified use and if there is a definition of employee for this use.

6.4 Questions/Comments from the members of the Public

Ms. Hoefling spoke to the application to address comments received by members of the public.

Mr. Hunter spoke in objection to the minor variance requested in the application.

Ms. Tobin spoke in objection to the minor variance requested in the application.

6.5 Consideration of the Application by the Committee

CA-2023-03

Moved by: Glover

Seconded by: Grant

That the Committee add a condition that the property owner provide a written affidavit that they are residing on the subject property as their primary residence.

Carried

CA-2023-04

Moved by: Grant

Seconded by: Glover

That the Committee remove item ii of condition 2 as listed in the report, that a traffic impact study, acceptable to the Ministry of Transportation, is completed by the applicant.

Carried

CA-2023-05

Moved by: Glover

Seconded by: Grant

That the Committee approve application MV-01-23 with conditions as amended.

Carried

7. Adjournment

CA-2023-06

Moved by: Grant

Seconded by: Glover

That the meeting adjourn 10:41 a.m.

Carried

MJSemple

Michael Semple
Chair

Karlie Cornish-Tkalec

Karlie Cornish-Tkalec
Deputy Clerk

Signature: Michael Semple
Michael Semple (Feb 27, 2024 12:30 EST)

Email: msemple@michaelsemple.com