



**Minutes
The Township of Cavan Monaghan
Committee of Adjustment
Thursday, August 22, 2024
9:00 a.m.
Zoom**

Those members in attendance remotely were:

Aaron Glover	Member
Michael Semple	Member
Dave Grant	Member

Staff members in attendance:

Mark Froment	Deputy Clerk
Matthew Wilkinson	Planner

1. Call to Order

Chair Michael Semple called the meeting to order at 9:00 a.m.

2. Land Acknowledgement

Chair Michael Semple recited the land acknowledgement.

3. Disclosure of Pecuniary Interest and the General Nature Thereof

There were no pecuniary interests noted.

4. Minutes

4.1 Minutes of the Committee of Adjustment meeting held July 4, 2024

CA-2024-15

Moved by: Grant

Seconded by: Glover

That the minutes of the Committee of Adjustment meeting held July 4, 2024, be approved as presented.

Carried

5. Reports

5.1 Report - PEB 2024-43 14 Scout Crescent Minor Variance Application MV-07-24

Matthew Wilkinson, Planner, reviewed the application. The application applies to the property owned by Monica Ruiz at 14 Scout Crescent.

The subject property is an existing lot of record approximately 1.56 hectares (3.87 acres) in size with approximately 130 metres (430 feet) of frontage on Scout Crescent. The property is currently a vacant wooded lot with wetlands and a watercourse traversing west of the proposed building site.

The owner wishes to develop the site and build a 407.2 square metre (4,383.2 square foot) single detached dwelling on the subject property. A variance is required to increase the maximum amount of lot coverage on the property and reduce the southern interior side yard setback to permit the construction of a dwelling.

The property is zoned Natural Linkage (NL) and Natural Core (NC) as shown on Map E-2 to By-law No. 2018-58, as amended. The NL and NC Zones permit a single detached dwelling provided an Environmental Impact Study (EIS) demonstrates there is no alternative and the proposal is directed away from the feature to the maximum extent possible, the impact of the proposal on the feature and its functions is minimized to the maximum extent possible and the proposal is not located in a floodplain or erosion hazard area.

The purpose of the minor variance is to:

- 1) increase the maximum amount of lot coverage from 2.0% to 2.6%; and
- 2) reduce the southern interior side yard setback from 15 metres (49 feet) to 9 metres (29.5 feet) to permit the construction of a single detached dwelling on the property.

All other regulations of the NL and NC Zones 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 Scout Crescent frontage of the property.

As of the date of the drafting of this report, no public comment had been received. Notice of the application was circulated to all Township Department Directors, applicable Ministries, and agency partners. As of the date of the drafting of this report, the Township Building Department has not provided comment. The Township's Public Works Department has reviewed the lot grading and drainage plan and is satisfied that the plans demonstrate the lot will be developed in a manner that will not impact the

neighbouring properties. Due to the large amount of fill being brought on site, a Site Alteration Permit in accordance with the Control the Dumping of Fill and Alteration of Grades By-law No. 2020-19 is required as a condition of approval. The Township Fire Department has no objection to the application.

As of the date of drafting of this report, comments from Otonabee Region Conservation Authority (ORCA) have not been received. Development permits from ORCA were issued prior to the submission of the application.

Hiawatha First Nation provided comment requesting clarification regarding the status of the wetland and whether a stage one archaeology study should be completed. The comment also noted that traditional materials, medicines and food staples are on site. Township Staff reached out to Hiawatha First Nation to discuss the comments and as of the time of the writing of this report are still awaiting reply.

If Township Staff receives further information or clarification from Hiawatha First Nation prior to the public meeting, that information will be provided verbally to the Committee and attendees of the public meeting. Upon consideration of the information, the Committee may decide to add the requirement for an archaeology study as a condition of approval of the minor variance.

5.2 Correspondence Received

Matthew Wilkinson, Planner, spoke to the correspondence received. Three comments were received from the owners of neighbouring properties and addressed in the planning report.

One written comment was received by the owner of 36 Deer Avenue, which abuts 14 Scout Crescent to the east. They are concerned about the impact of the proposed changes on water drainage and tree coverage.

ORCA has provided additional comments after the report was published. ORCA Staff are satisfied that the proposed development plans submitted as part of this application are consistent with the recommendations outlined in the Environmental Impact Study and ORCA's comments made May 2, 2022. Therefore, the proposed development is located outside of the known natural hazards and it is the opinion of ORCA that the application is consistent with Section 3.1 of the Provincial Policy Statement (PPS) referencing Natural Hazards.

Under Ontario Regulation 686/21, provincial policies dictate that development shall not create new or aggravate existing natural hazards. ORCA has reviewed this application through their mandated responsibility and are satisfied that the two (2) culverts combined will convey the 100-year storm flows. However, the grass swale does not provide a sufficient capacity to convey the 100-year flows without affecting the adjacent property. ORCA requested that the design of the swales be revised to provide capacity for the combined 100-year flows.

ORCA's mapping indicates that the lands are subject to their development regulations. An ORCA permit to carry out the construction of a new dwelling, driveway, and septic system for the proposed development was issued on April 4, 2024. However, a permit amendment is required to include any additional excavation, grading, and fill placement on the property.

5.3 Questions/Comments from the Committee

Aaron Glover asked if 14 Scout Crescent is the last property to be developed on Scout Crescent.

Dave Grant asked what happened to the request from one of the neighbouring property owners to plant more trees on the south-east corner of the property.

Aaron Glover asked if the proposed developments would require a minor variance application if the property was zoned Rural Residential as the neighbouring properties are.

Michael Semple asked if the changes to the tree coverage on the property were a concern for other neighbouring property owners.

5.4 Questions/Comments from the members of the public

Alen Ronco – 23 Scout Crescent

Commented that the development on the property has impacted the tree coverage on the property. They are concerned about the effect that the proposed changes might have on water drainage on their property as well as their septic system. They stated that they opposed the minor variance application.

5.5 Consideration of the Application by the Committee

CA-2024-16

Moved by: Glover

Seconded by: Grant

That the Committee approve the minor variance Application MV-07-24 with the three amended conditions that:

the proposed development of the property occur in accordance with a Site Plan, engineered lot grading plan, drainage plan, tree planting plan, and adhere to the recommendations of the Environmental Impact Study (EIS), to the satisfaction of the Township of Cavan Monaghan;
the Applicant obtains a Site Alteration Permit from the Township of Cavan Monaghan prior to any development of the site; and
the Applicant obtain a permit amendment from Otonabee Region Conservation Authority to include any additional excavation, grading, and fill placement.

CA-2024-17

Moved by: Glover

Seconded by: Grant
That the Committee approve Application MV-07-24 with conditions.

Carried

6. Adjournment

CA-2024-18
Moved by: Grant
Seconded by: Glover
That the meeting adjourn at 9:35 a.m.

Carried

Michael Semple
Chair

Mark Froment
Deputy Clerk