

**CROWE VALLEY WATERSHED ADVISORY BOARD HEARING**  
**Virtual Meeting via Google Meet**  
**16 November 2023**

**MINUTES**

**MEMBERS PRESENT:**

|                 |                                    |
|-----------------|------------------------------------|
| Michael Metcalf | Municipality of Trent Hills        |
| Jim Martin      | Havelock-Belmont-Methuen Townships |
| Jan O'Neill     | Municipality of Marmora and Lake   |
| Colin McLellan  | Township of North Kawartha         |
| John O'Donnell  | Municipality of Faraday            |
| Paul Ordanis    | Wollaston Township                 |
| Jerry Chadwick  | Tudor & Cashel Township            |
| Jeremy Solmes   | Stirling-Rawdon Township           |
| Kim Carson      | Limerick Township                  |

**MEMBERS ABSENT:**

|             |                                |
|-------------|--------------------------------|
| Dave Burton | Municipality of Highlands East |
|-------------|--------------------------------|

**ALSO PRESENT:**

Tim Pidduck, General Manager/Secretary Treasurer, CVCA  
Amanda Donald, Recording Secretary, CVCA  
Beth Lowe, Regulations Officer, CVCA  
Andrew McIntyre, Regulations Officer, CVCA  
Anthony Quinn, Bennet Group, Deshane's Agent  
Rob West, Senior Biologist, Oakridge Environmental  
Trevor Day, Engineer, Trevor Day & Associates  
Christopher Degeer, Applicant

**CALL TO ORDER**

The Chair, Jim Martin, called the meeting to order at 10:04am.

Kim Carson arrived at 10:06am.

## **LAND ACKNOWLEDGEMENT**

Jim Martin read a land acknowledgement thanking generations of Indigenous people who have taken care of the land for thousands of years before us.

## **APPROVAL OF AGENDA**

### **Motion H 08/23**

Moved by: Colin McLellan

Seconded by: Jeremy Solmes

To approve the Watershed Advisory Hearing agenda as circulated.

Carried.

## **WELCOME**

Jim Martin welcomed the Board, staff, applicants and members of the public to the Watershed Advisory Hearing.

## **HEARING #1 – Permit 232/23**

### **CHAIR'S OPENING REMARKS**

The Chair, Jim Martin, informed the Watershed Advisory Hearing Board that a Hearing under Section 28 of the *Conservation Authorities Act* will now be held with respect to Mr. Christopher Degeer & Mrs. Beverley Degeer for permission to construct a dwelling and septic system within the flood hazard of Wollaston Lake.

Chair Jim Martin gave the opening remarks as outlined in the hearing guidelines with respect to Ontario Regulation 159/06 and reviewed the procedure of the Hearing.

## **CONFLICT OF INTEREST**

None Declared.

## **STAFF REPORT – ANDREW MCINTYRE**

CVCA Regulations Officer, Andrew McIntyre gave the Board a presentation on the proposed project and background of the property. Andrew reviewed the location of the property on Wollaston Lake and provided details of the proposed work which includes a 1,368 ft<sup>2</sup> dwelling within the floodplain of Wollaston Lake and a septic system outside the floodplain. Andrew provided a timeline of the application and reviewed imposed setbacks of the minor variance from Wollaston Township. These setbacks may create building envelope implications for development on the property.

An application was submitted to CVCA in November of 2023. The property owner worked with CVCA staff and has completed an elevation survey with an illustration of the floodplain and cut and grading plans have been prepared by an engineer.

The application does not conform with CVCA policy as new development is not permitted within the floodplain and the proposed dwelling exceeds the allowable size increase. CVCA staff recommend the application be denied as it does not conform with CVCA's Watershed Planning and Regulations Policies.

## **APPLICANT REPORT**

Mr. Degeer thanked the Board for their time. Mr. Degeer explained the only reason they purchased the property is because they were informed by a Wollaston minor variance decision and CVCA staff, at that time, the property could be developed. Mr. Degeer has sold their house and is renting until the property could be developed. He has worked with staff to complete the requested reports and has reduced the size of the proposed dwelling. Mr. Degeer has conformed all the procedures he was directed to follow by municipal and CVCA staff.

## **BOARD DELIBERATIONS**

The Board asked if the minor variance setbacks were still in place. Andrew McIntyre informed the Board there was a meeting with Hastings County and Wollaston Township to discuss the property.

There was also some discussion on the importance of consistency of CVCA reports and of liability for CVCA and the property owner.

## **Motion H 09/23**

Moved by: Paul Ordanis

Seconded by: John O'Donnell

To approve Permit Application 232/23 in order to uphold CVCA's previous application permission which had expired.

Carried.

## **HEARING #2 – Permit 166/23**

### **CHAIR'S OPENING REMARKS**

The Chair, Jim Martin, informed the Watershed Advisory Hearing Board that a Hearing under Section 28 of the *Conservation Authorities Act* will now be held with respect to Mr. John Deshane and Mrs. Laurie Deshane for permission to construct a dwelling, detached garage and septic system within the setback of a wetland and a driveway located within the Belmont Lake flood hazard and the setback of a wetland.

Chair Jim Martin gave the opening remarks as outlined in the hearing guidelines with respect to Ontario Regulation 159/06 and reviewed the procedure of the Hearing.

### **CONFLICT OF INTEREST**

None.

### **STAFF REPORT – BETH LOWE**

CVCA Regulations Officer, Beth Lowe reviewed the location of the vacant lot on Belmont Lake with the Board. Beth provided a timeline including the CVCA PIF response stating the property has no suitable building envelope, site visits with Oakridge Environmental and submission of the application. Beth reviewed the proposed 2,533ft<sup>2</sup> dwelling, detached garage, septic, and 75m long driveway with the Board. Beth reviewed elevation requirements for safe access and reminded the Board CVCA policy does not allow changes to grade to allow development within the floodplain on vacant lots.

Beth further indicated CVCA policies do not permit 1) development within the floodplain on vacant lots, 2) placement of fill for the purpose of changing grade on a property within the flood hazard for the purpose of permitting development, 3) development of a driveway through a floodplain in order to provide access may

be permitted if safe access is present (safe access is not present) and 4) that development is not permitted within the setback of a wetland on vacant land. CVCA staff recommend the application be denied as it does not conform with CVCA's Watershed Planning and Regulations Policy.

## **APPLICANT REPORT**

Mr. Anthony Quinn broke the application into three main issues. First being the driveway and safe access issue which can be resolved by implementing an engineered solution which was not part of the application that had been submitted. The second issue is the setbacks to wetlands and the third is the floodplain. He informed the Board FR19 has multiple homes and cottages located on it. Mr. Rob West informed the Board the road could be situated so it does not impact the wetlands. Trevor Day explained the road would be built up to allow for safe access to the property. The Board asked if the proposed development could be moved to the North East portion of the property. Mr. West informed the Board this location is the only area that has adequate elevation.

## **BOARD DELIBERATIONS**

There was some discussion on water access only and the need to have a detached garage on the property. Trevor Day provided a LIDAR image of the proposed driveway and the portion that would not meet the safe access requirements. There were some discussions on attaching the garage to the dwelling.

### **Motion H 10/23**

Moved by: Jan O'Neill

Seconded by: Jerry Chadwick

To defer the decision on application 166/23 and request the applicant gather more information.

Carried.

The applicant's agent asked for clarification on the motion.

**Motion H 11/23**

Moved by: Jan O'Neill

Seconded by: Kim Carson

The CVCA Watershed Advisory Board (WAB) recommends the applicants provide additional clarification and evidence by a qualified engineer to support remediation actions to potentially alleviate policy concerns regarding the zoning, safe access and the impact of the proposed project.

Carried.

**ADJOURNMENT**

**Motion H 12/23**

Moved by: Jan O'Neill

Seconded by: Kim Carson

That the Watershed & Advisory Board Hearing Meeting be adjourned at 12:00pm.

Carried.

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Amanda Donald  
Recording Secretary

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Jim Martin  
Chair