

CROWE VALLEY WATERSHED ADVISORY BOARD HEARING
Virtual Meeting via Google Meet
August 9, 2021

MINUTES

MEMBERS PRESENT:

Suzanne Partridge	Municipality of Highlands East
Jim O'Shea	Township of North Kawartha
Catherine Redden	Municipality of Trent Hills
Jim Martin	Havelock-Belmont-Methuen Townships
Dan Bujas	Municipality of Faraday
Ronald Carroll	Tudor & Cashel Township
Jan O'Neill	Municipality of Marmora and Lake

MEMBERS ABSENT:

Edgar Storms	Stirling-Rawdon Township
Jan MacKillican	Limerick Township
No Representation	Wollaston Township

ALSO PRESENT:

Tim Pidduck, General Manager/Secretary Treasurer, CVCA
Amanda Donald, Recording Secretary, CVCA
Andrew McIntyre, Regulations Officer, CVCA
Len and Penny Stadler, Applicants
Stuart Bairde, Cambium Inc.
Jeremy Prah, Cambium Inc.

CALL TO ORDER

The Chair, Catherine Redden, called the meeting to order at 10:03am.

WELCOME

Catherine Redden introduced herself to the applicants present and asked that all participants ensure their microphones remain on mute for the duration of the meeting. She reminded everyone present, no members of the public except the applicants may participate in the meeting today. All Board participants in attendance must be present when a decision is made about the permit. Catherine informed the Board that if a connection is lost with one of the participants, the meeting will be paused until they are able to rejoin.

APPROVAL OF AGENDA

Motion H 04/21

Moved by: Jim Martin

Seconded by: Suzanne Partridge

To approve the Watershed & Advisory Board Hearing Agenda as circulated.

Carried.

Motion H 05/21

Moved by: Dan Bujas

Seconded by: Jan O'Neill

To sit as a Watershed Advisory Hearing Board.

Carried.

DECLARATION OF CONFLICT OF INTEREST

None.

CHAIR'S OPENING REMARKS

The Chair, Catherine Redden, informed the Watershed Advisory Hearing Board that a Hearing under Section 28 of the *Conservation Authorities Act* will now be held with respect to Leonard and Penny Stadler's application for permission to replace the current dwelling with the construction of a 1 1/2 story dwelling with a full-height walkout basement, covered porch, decks and the installation of a septic system within an erosion hazard on Oak Lake.

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

STAFF REPORT – ANDREW MCINTYRE

CVCA Regulations Officer, Andrew McIntyre, gave a presentation reviewing the location of the property and the permit application. The property is located within the regulated area and the erosion hazard of Oak Lake. Andrew reviewed the background of the permit and planning process that this applicant has been a part of since 2017.

Andrew reviewed the application for the proposed dwelling with the Board and reviewed mapping of the property. The proposed dwelling is 4,034 square feet which includes the main floor, upper floor, basement and covered decking.

Andrew pointed out the setbacks on the property including setbacks for a right of way, hydro, Provincially Significant Wetland (PSW), septic and slope. He informed the Board the applicants have obtained an Environmental Impact Study (EIS), and a slope stability report from Cambium. The reports indicate the slope is stable and the impacts to the PSW will be minimal with mitigation measures being implemented.

Andrew reviewed the policies that are of main concern for this application. He explained the policy regarding slope setback requirements normally being 6 metres from stable top of slope. However, for this application and with the information provided in the slope stability report, CVCA staff determined this setback could be reduced to 2 metres.

Andrew recommended the application for permit 215/20 be denied as it does not meet CVCA policy requirements for development in hazardous lands, the size of the dwelling does not meet CVCA policy restrictions and the project does not represent a least impact approach given that feasible alternatives may exist.

There were some questions about the proposed basement of the cottage and on access to the shoreline for emergency personnel.

APPLICATION REPORT – MR. STADLER

Mr. Len Stadler thanked the Board for the opportunity to have a hearing today. He answered questions the Board had regarding the construction of the basement of the proposed dwelling. Mr. Stadler reviewed the lengthy permitting and planning process beginning in 2017 and the expense he has endured. He has completed CVCA requests to complete an Environmental Impact Study (EIS) and Slope Stability Report. The results of the EIS indicate minimal impacts to the PSW located near the property and the Slope Stability Study indicated the slope is stable. He informed the Board the proposed dwelling will be an energy efficient building with extra insulation, which has reduced the habitable space. Mr. Stadler does not agree with CVCA's calculation of habitable space for the dwelling and has calculated it as being 2,341 square feet.

There was some discussion on the methods used in each calculation of the square footage of the dwelling. CVCA includes all habitable space of the dwelling including the basement, main floor second floor and covered decks. Mr. Stadler calculated the square footage using just the first and second floors of the dwelling.

Mr. Stadler explained that through this process they have changed their plans three times and have spent a considerable amount of money trying to get approval for the project.

The Board asked several questions related to the size of the dwelling, the construction of the basement, and the distance from the shoreline.

Catherine Redden thanked Mr. and Mrs. Stadler for their presentation. She informed the applicant that the Board is governed by legislation and the intent is not to make it impossible to complete their project but to ensure it is completed in the safest manner possible.

BOARD DELIBERATIONS

Catherine Redden informed the applicant the Board will now adjourn the open session of the meeting and go into closed session to deliberate the application as it was presented to them. She ensured Mr. and Mrs. Stadler had no further comments for the Board prior to leaving the meeting.

Motion H 06/21

Moved by: Jim Martin
Seconded by: Jim O'Shea

To adjourn the public hearing and to move in camera session for deliberations.

Carried.

Motion H 07/21

Moved by: Dan Bujas
Seconded by: Suzanne Partridge

That the Watershed Advisory Hearing Board move into open session.

Carried.

Motion H 08/21

Moved by: Suzanne Partridge
Seconded by: Jan O'Neill

THAT, CVCA permit application #215/20 by STADLER for permission to construct a 4,034 ft² dwelling within the Oak Lake erosion hazard and the installation of a septic system within the river valley be approved with conditions.

Carried.

Motion H 09/21

Moved by: Jim Martin
Seconded by: Jim O'Shea

To close the Watershed Advisory Board Hearing for permit 215/20 for Mr. and Mrs. Stadler.

Carried.

The Board took a break until 12:30pm.

HEARING #2 – Lammana

MEMBERS PRESENT:

Suzanne Partridge	Municipality of Highlands East
Catherine Redden	Municipality of Trent Hills
Jim Martin	Havelock-Belmont-Methuen Townships
Dan Bujas	Municipality of Faraday
Ronald Carroll	Tudor & Cashel Township
Jan O’Neill	Municipality of Marmora and Lake

MEMBERS ABSENT:

Edgar Storms	Stirling-Rawdon Township
Jan MacKillican	Limerick Township
Jim O’Shea	Township of North Kawartha
No Representation	Wollaston Township

ALSO PRESENT:

Tim Pidduck, General Manager/Secretary Treasurer, CVCA
Amanda Donald, Recording Secretary, CVCA
Robert Cole, Regulations Officer, CVCA
Rocco and Lori Lammana, Applicants

CALL TO ORDER

The Chair, Catherine Redden, called the meeting to order at 12:30pm and welcomed the applicants Mr. and Mrs. Lammana to the meeting.

Catherine Redden reminded the Board and applicants to keep their microphones muted for the duration of the meeting and if a Board member should lose connection, the meeting will pause until the member can reconnect to the meeting.

Motion H 010/21

Moved by: Suzanne Partridge
Seconded by: Jan O’Neill

To sit as a Watershed Advisory Hearing Board.

Carried.

DECLARATION OF CONFLICT OF INTEREST

None.

CHAIR'S OPENING REMARKS

The Chair, Catherine Redden, informed the Watershed Advisory Board that a Hearing under Section 28 of the *Conservation Authorities Act* will be held with respect to Mr. Rocco Lammana's application to construct an addition, 270 square feet, to their cottage within the flood plain of Crowe Lake.

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

STAFF REPORT – ROBERT COLE

CVCA Regulations Officer Robert Cole reviewed the location of the property and the proposed addition to the dwelling on Crowe Lake. He explained the 270 square foot addition will be placed on helical piles which will reduce any water displacement in the event of a flood. Over half of the building lot is in the flood plain of Crowe Lake. Robert reviewed the applicable policies in the policy manual and the 5 tests the application must pass for approval which include, no impact to flooding, erosion, pollution, dynamic beaches and conservation of lands. This application does not meet the flood hazard requirements for Crowe Lake as the addition size is larger than the recommended size located in the flood plain.

The Board asked about safe access to the dwelling and if the dwelling is on pillars. Robert confirmed safe access and since the dwelling is on pillars, there will be a very small amount of water displacement in the event of a flood.

APPLICANT REPORT - MR. LAMMANA

Mr. Rocco Lammana thanked the Board and CVCA staff for taking the time to hold the additional meeting. Mr. Lammana informed the Board he plans to make his Marmora home his permanent residence and that is why they would like to put the addition onto the dwelling. Mr. Lammana referred to the policy that restricts the allowable size of additions in a flood plain and does not think it is fair that larger cottages are permitted larger additions and smaller dwellings are only allowed small additions.

The proposed addition will be on piers to minimize the negative impact on the environment and to minimize the amount of water that would be displaced in the event of a flood. He has had discussions with neighbours about the addition and none of the neighbours have any objections.

Catherine Redden asked if the Board had any additional questions for Mr. Lammana and she reminded the applicant the Board needs to follow guidelines and policy with making a decision today.

BOARD DELIBERATIONS

Catherine Redden informed the applicant the Board will now adjourn the open session of the meeting and go into closed session to deliberate the application as it was presented to them. She ensured Mr. and Mrs. Lammana had no further comments for the Board prior to leaving the meeting.

Motion H 011/21

Moved by: Dan Bujas

Seconded by: Jim Martin

To adjourn the public hearing and to move an in camera session for deliberations.

Carried.

Motion H 012/21

Moved by: Jan O'Neill

Seconded by: Jim Martin

That the Watershed Advisory Hearing Board move into open session.

Carried.

Motion H 013/21

Moved by: Dan Bujas

Seconded by: Jim Martin

THAT, CVCA permit application #151/21 by LAMMANA for permission to construct a 270 ft² addition within the flood plain of Crowe Lake be approved with conditions.

Carried.

ADJOURNMENT

Motion H 014/21

Moved by: Suzanne Partridge

That the Watershed & Advisory Board Hearing Meeting be adjourned at 1:10pm.

Carried.

Amanda Donald
Recording Secretary

Catherine Redden
Chair

DRAFT