



Agenda
The Township of Cavan Monaghan
Committee of Adjustment

Thursday, May 29, 2025

9:00 a.m.

Zoom

Members in attendance are asked to please turn off all electronic devices during the Meeting. Any special needs requirements pertaining to accessibility may be directed to the Clerk's Office prior to the meeting. Please be reminded meeting are livestreamed and recorded. Members may be participating remotely.

Pages

1. Call to Order

2. Land Acknowledgement

We respectfully acknowledge that the Township of Cavan Monaghan is located on the Treaty 20 Michi Saagiig territory, in the traditional territory of the Michi Saagiig Anishnaabeg. We offer our gratitude to First Nations for their care for and teachings about these lands. May we honour these teachings.

3. Disclosure of Pecuniary Interest and the General Nature Thereof

4. Minutes

4.1 Minutes of the Committee of Adjustment meeting held February 13, 2025 2 - 4

5. Report from Planner

5.1 Report - PEB 2025-25 Minor Variance Application MV-03-25, 1748 Syer Line (MW) 5 - 12

5.2 Correspondence Received

5.3 Questions/Comments from the Committee

5.4 Questions/Comments from Members of the Public

5.5 Consideration of Application by the Committee

6. Adjournment



Minutes
The Township of Cavan Monaghan
Committee of Adjustment Meeting
Thursday, February 13, 2025
9:00 a.m.
Zoom

Those members in attendance remotely were:

Michael Semple	Chair
Aaron Glover	Member
Paul Rosebush	Alternate Member

Those members absent:

Dave Grant	Member
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Staff members in attendance:

Mark Froment	Deputy Clerk
Matthew Wilkinson	Planner

1. Call to Order

Chair Michael Semple called the meeting to order at 9:02 p.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 August 22, 2024

CA-2025-01

Moved by: Glover

Seconded by: Rosebush

That the minutes of the Committee of Adjustment meeting held August 22, 2024, be approved as presented.

Recorded	For	Against	
Semple	X		
Glover	X		
Rosebush	X		
Results	3	0	Carried

5. Reports

5.1 Report – PEB 2025-10 69 Highlands Boulevard Minor Variance Application MV-01-25

Matthew Wilkinson, Planner, reviewed the Application. The Application applies to the property at 69 Highlands Boulevard.

The subject property is an existing lot of record approximately 490 square metres (0.12 acres) in size with approximately 16 metres (50 feet) of frontage on Highlands Boulevard. A single detached dwelling is currently located on the subject property.

The owner of the property seeks to recognize the location of a deck approximately 34 square metres (366 square feet) in size in the rear yard.

The property is zoned Urban Residential One Subzone A Exception One (UR1-A-1) as shown on Map E-2B to By-law No. 2018-58, as amended. The UR1-A-1 Zone permits accessory residential uses including decks. The Zone requires a minimum rear yard setback of 4.5 metres (14.75 feet) for decks. The deck is located 1.5 metres (5 feet) from the rear lot line.

The purpose of the minor variance was to reduce the minimum rear yard setback from 4.5 metres (14.75 feet) to 1.5 metres (5 feet) to recognize the location of a 34 square metre (366 square foot) deck. All other standard regulations of the UR1-A-1 Zone will apply to the property.

Notice of the 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 Highlands Boulevard frontage of the property.

As of the date of drafting of the Report, no public comment had been received. Notice of the application was also circulated to all Township Department Directors. Township Building, Public Works and Fire Departments Staff have no objection to the proposed variance. After the drafting of the Report, Otonabee Region Conservation Authority (ORCA) provided comment that they had no objection to the Application, but stated that a permit from their agency would be required.

5.2 Correspondence Received

Matt Wilkinson, Planner, spoke to the correspondence that was received. The Township received one (1) written comment in support of the application from the neighboring property owners after the Report was published.

5.3 Questions/Comments from the Committee

Aaron Glover asked if the lands to the south of the property were owned by the Township.

5.4 Questions/Comments from members of the Public

Tyler Love, the property owner of 69 Highlands Boulevard, spoke to the background of the application stating that they were not aware of the regulations and apologised for the variance.

5.5 Consideration of the Application by the Committee

CA-2025-02

Moved by: Glover

Seconded by: Rosebush

That the Committee approve Application MV-01-25 with the condition that the reduced rear yard setback of 1.5 metres (5 feet) applies to the deck as shown on the Site Plan dated January 16, 2025.

Recorded	For	Against
Glover	X	
Rosebush	X	
Semple	X	
Results	3	0

Carried

6. Adjournment

CA-2025-03

Moved by: Rosebush

Seconded by: Glover

That the meeting adjourn at 9:14 a.m.

Recorded	For	Against
Rosebush	X	
Semple	X	
Glover	X	
Results	3	0

Carried

Michael Semple
Chair

Mark Froment
Deputy Clerk



Committee of Adjustment

To:	Committee of Adjustment
Date:	May 29, 2025
From:	Matt Wilkinson, Planner
Report Number:	Planning Report 2025-25
Subject:	Minor Variance Application MV-03-25, 1748 Syer Line

Recommendations:

1. That the Committee of Adjustment review and consider all verbal and written comments received regarding this Application; and
2. That the Committee approve Application MV-03-25 without conditions.

Overview:

Mike Doherty applied to the Township of Cavan Monaghan for a minor variance for lands known municipally as 1748 Syer Line in part of Lot 23, Concession 8 (Cavan).

A minor variance is required to add a total of 140 square metres (1,500 square feet) of additional floor area to the existing martial art studio. The proposal adds approximately 74.3 square metres (800 square feet) of interior floor area and approximately 62.4 square metres (672 square feet) of floor area for an outdoor martial arts ring.

The subject property is an existing lot of record approximately 0.6 hectares (1.5 acres) in size with approximately 38 metres (125 feet) of frontage on Syer Line. A key map showing the location of the property and aerial image of the surrounding area are provided as Attachment Nos. 1 and 2 to this Report.

The subject property is zoned Hamlet Residential Exception Five (HR-5) as shown on Map D-4 to By-law No. 2018-58, as amended. The property was rezoned in 2021 to permit the martial arts use in an existing dance studio. The property is currently developed with a single detached dwelling, a detached garage, swimming pool, shipping container and a detached building that is used as a marital arts studio. The property is serviced with a well and septic system. No Shipping containers are permitted in the HR-5 Zone. The landowner has agreed to remove the shipping container after the addition to the studio is completed.

The purpose and effect of the minor variance is to increase the maximum floor space for the martial arts studio from 200 square metres (2,150 square feet) to 340 square metres (3,650 square feet) and increase the maximum number of employees who do not reside on site from two (2) to four (4) full time equivalent employees.

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 and posted on the Township Website. A sign was also posted on the Syer Line frontage of the property.

As of the date of drafting of this Report, no public comment had been received.

Notice of the application was also circulated to all Township Department Directors. Township Building, Public Works and Fire Departments Staff have no objection to the proposed variance.

Otonabee Region Conservation Authority (ORCA) have confirmed the proposed development will not create new or aggravate any existing hazards. The development will not require a permit from the Conservation Authority.

Planning Review

Section 45 of the Planning Act provides the tests that must be satisfied to support a minor variance application. The tests are as follows:

1. Does the minor variance maintain the general intent and purpose of the Official Plan?

The subject property is within the Fraserville Settlement Area as illustrated on Schedule F - Map 8 to the Official Plan for the Township of Cavan Monaghan (Official Plan) and is designated Hamlet as shown on Schedule 'A' to the Official Plan.

Lands designated Hamlet represent small scale settlement areas that provide an important residential, commercial and social focus in the Rural area (S. 4.9). Key objectives of the Hamlet designation are to recognize the unique and historic nature of the smaller settlement areas in the Township, to maintain the character and amenities of the existing rural communities in the Township and to provide opportunities for small-scale commercial, industrial and tourism related uses that service the rural community and are compatible with the character and scale of the Hamlet (S. 4.9.1).

Permitted uses in the Hamlet designation include single detached or semi-detached dwellings, home based businesses, public institutional uses, small scale commercial and industrial uses serving the Hamlet, surrounding rural areas and supporting tourism in the area, and public parks (S. 4.9.2).

In accordance with Section 4.9.2.3 h), new small scale commercial uses or expansions to existing uses may be permitted provided that Council is satisfied that:

1. The business is compatible with the character of the surrounding neighbourhood;
2. The gross floor area of the use does not exceed 500 square metres (5,382 square feet);
3. The use has frontage and direct access onto a public road;
4. The use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
5. The use does not have a negative impact on the enjoyment and privacy of neighbouring properties;
6. Adequate parking and loading facilities and landscaping can be provided on the site; and
7. Fencing, landscaping, berming or a combination of these features are utilized to ensure that the use is adequately screened from existing and planning residential uses.

The Application will permit the expansion of the existing martial arts studio approximately 73 square metres (800 square feet). As proposed, the interior of martial arts studio is approximately 274 square metres (2,950 square feet) in size and the outdoor martial arts ring is approximately 62.4 square metres (672 square feet) in size.

The property fronts onto Syer Line and has an existing entrance. The existing entrance to Syer Line is being maintained. Syer Line is suitable to accept any minor traffic increases from the studio expansion.

For buildings and structures with more than 250 square metres and less than 2,500 square metres of gross floor area, a loading space is typically required. However, the existing zoning states that no loading spaces are required (S. 3.4.35 (vi)).

The studio space has been in use since 2015. No complaints or comments have been received by the Township regarding the enjoyment and privacy of neighbouring properties.

Standard parking area regulations for a commercial school or studio are one (1) parking space per 30 square metres of net floor area. With a floor area of 340 square metres, a minimum of 12 parking spaces are required. One of those spaces needs to be barrier free. The site accommodates the required number of parking spaces.

The current by-law regulations for the property requires a minimum of fifteen (15) parking spaces. As proposed, the requirement for the fifteen (15) parking spaces will be maintained.

The application conforms to the Township of Cavan Monaghan Official Plan.

2. Does the minor variance maintain the general intent and purpose of the Zoning By-law?

The property is zoned Hamlet Residential Exception Five (HR-5) as shown on Map D-4 to By-law No. 2018-58, as amended. A single detached dwelling and a studio for the arts (including marital art) are permitted in the HR-5 Zone.

The studio space complies with the minimum front yard and interior side yard regulations of the HR-5 Zone.

As proposed, the Application seeks an expansion of the existing studio building and to permit the equivalent of an additional two (2) full time employees to support the existing business.

The variance maintains the general intent and purpose of the Zoning By-law.

3. Is the proposed use desirable for the appropriate development or use of the land?

The subject lands are in a residential neighbourhood with houses to the east and west. The property backs onto the Kawartha Downs commercial property to the north. The small-scale commercial use has been permitted since 2015 without complaint or objection from the neighbourhood.

The property is zoned and designated to permit the martial arts studio area.

With the approval of the minor variance, the look and the use of the property will not be obtrusive to the nearby neighbours. The variance will permit a land use that is compatible with the existing development in the area.

The proposed use is considered appropriate development for the property.

4. Is the variance minor?

The property is zoned and designated to permit the small-scale martial arts studio. As proposed, the variance will permit a 30 percent increase to the interior floor area and construct a roof structure over the existing outdoor martial arts ring.

The HR-5 Zone currently permits a maximum of two (2) employees who do not reside on site (3.4.34.a.ii)). The Application proposes to add the equivalent of two (2) more full-time employees. The intent of the small-scale commercial business owner is not to have all four (4) employees on site at one time. Rather, the intent is to employ a limited number of additional part-time employees to support the business on an as needed basis throughout the week.

As proposed, the Application seeks a small expansion of a permitted small-scale martial arts studio. Therefore, the variance is minor in nature.

After hearing public comment and considering all written submissions, the Committee has the following options:

1. approve the minor variance with no conditions;
2. approve the minor variance with conditions;
3. defer the minor variance for further consideration at a later date; or
4. reject the minor variance.

Financial Impact:

The Applicant has paid the Minor Variance Fee as posted the User Fee and Charges By-law.

Attachments:

Attachment No. 1: Key Map

Attachment No. 2: Aerial Image of the Subject Property

Attachment No. 3: Site Plan

Respectfully Submitted by,

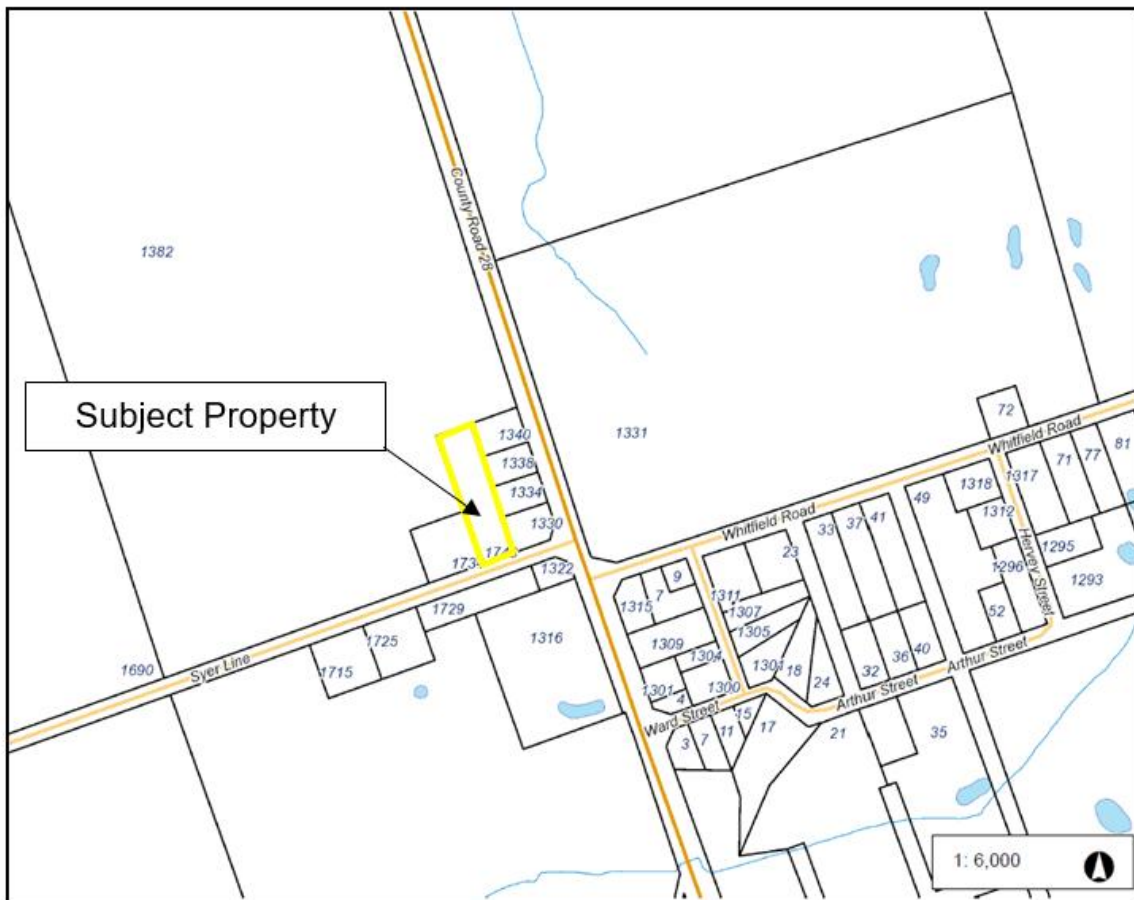
Reviewed by,

Matt Wilkinson,
Planner

Yvette Hurley
Chief Administrative Officer

Attachment No. 1: Key Map

Key Map



Attachment No. 2: Aerial Image



Attachment No. 3: Site Plan

