

# THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

## Committee of Adjustment

Monday November 7, 2011 at 6:30 p.m. - Council Chambers  
102 Derby Street West, Alexandria, Ontario, K0C 1A0

### Draft Agenda

The Council of the Township of North Glengarry would like to advise the public that this meeting is or may be recorded by either the press or any other individuals, but not by the Township.

1. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**
2. **ACCEPT THE AGENDA** (Additions/Deletions) ® (Carma)
3. **RATIFY MINUTES** ® (Gary)  
[a\) Committee of Adjustment Meeting of October 11, 2011](#)
4. **MINOR VARIANCES**  
[a\) Jean Noel Laviolette - 15 Main St, Maxville](#) ® (Carma)
5. **OLD BUSINESS**
6. **NEW BUSINESS**
7. **NOTICE OF MOTION**
8. **ADJOURNMENT** ® (Gary)

# THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

## *COMMITTEE OF ADJUSTMENT*

**Tuesday October 11, 2011  
Council Chambers  
"Centre Sandfield Centre"  
102 Derby Street West, Alexandria**

A meeting of the Committee of Adjustment was held in the Council Chambers on Tuesday October 11, 2011 at 6:00 p.m.

**PRESENT:** **Mayor:** - Grant Crack  
**Deputy Mayor** - Chris McDonell  
**Councillor at Large** - Gary Shepherd  
**Councillor (Lochiel Ward)** - Eric MacSweyn  
**Councillor (Alexandria Ward)** - Jamie MacDonald  
**Councillor (Maxville Ward)** - Carma Williams

**ALSO PRESENT:** **CAO/Clerk-** Daniel Gagnon  
**CBO/By-law Enforcement/Planning Manager** – Gerry Murphy

**ABSENT:** **Councillor (Kenyon Ward)** - Jim Picken

### **1. MEETING CALLED TO ORDER**

**The chair of the Committee called the meeting to order at 6:03 pm.**

### **2. ACCEPT THE AGENDA**

#### **Resolution No. 1**

**Moved by:** Gary Shepherd

**Seconded by:** Eric MacSweyn

That the Committee of Adjustment accepts the agenda of the Tuesday October 11, 2011 meeting as presented.

**Carried**

### **3. RATIFY MINUTES**

#### **Resolution No. 2**

**Moved by:** Chris McDonell

**Seconded by:** Jamie MacDonald

That the Committee of Adjustment hereby ratify the minutes of the September 12, 2011 meeting as presented.

**Carried**

#### **4. MINOR VARIANCE:**

**Owner: Estate of Nancy MacDonald**

**Location: 20163 Conc 4 Rd**

The meeting was turned over to the Planning Manager who reported as follows;

The Committee of Adjustment meeting was held in accordance with the requirements Section 45 of the Planning Act. The Municipality has received an application for a Minor Variance. The Notice of the meeting was circulated to all property owners within a designated radius of the subject property, as well as all agencies listed in the Planning Act requiring such notice.

To date we have received no written comments pertaining to this application. The Committee of Adjustment meeting shall proceed as follows:

- 1) I will introduce the Minor Variance
- 2) The meeting will be open for the Committee to discuss the application
- 3) The meeting will then be opened to the floor for comments, discussion or submission of documents. Any person addressing the Committee will be asked to identify them prior to addressing their concerns, comments or questions
- 4) The Clerk shall ask if there are any further comments 3 times and that if any person has documentation that they present it to the Clerk at that time.
- 5) The Committee may continue the discussion and make a recommendation to approve or disapprove the application or to defer any decision to a later time
- 6) This will conclude the Committee of Adjustment Meeting.

Any person not satisfied with any decision made by the Committee may appeal such decision to the Ontario Municipal Board in accordance with the provisions of the Planning Act. Any person requesting a copy of the decision should leave their name and address with the Clerk at this time:

The Planning Manager then introduced the Minor Variance:

**Re:** Request for Minor Variance  
Applicant: Estate of Nancy MacDonald  
20163 Conc 4 Rd

**Proposed Variance :** To permit the existence of a Barn with a reduced side yard setback, from the required 15 m to the proposed 7.6 m.

**Background:** The authorized agent of (Estate of Nancy MacDonald) applied for a severance in September, 2011. The severance was passed on September 26, 2011 and one of the conditions imposed was to apply for and obtain a minor variance to allow for the setback of the existing barn to be 7.6 m (24.93 ft) from the new lot lines from the required 15m (49.21 ft).

**Recommendation:** That the Committee approves the Variance as it is minor in nature and complies with the intent of the Official Plan and Zoning By-law #39-2000.

The Clerk asked 3 times if there was anyone who wished to speak in favour or against the application & there was no response.

#### **Resolution No. 3**

**Moved by:** Chris McDonell

**Seconded by:** Jamie MacDonald

**That the Committee of Adjustment agrees with the recommendation from the Planning Manager as presented.**

**Carried**

**4b)**

**Owner: George Dee**

**Location: 19087 Father Randal St - Greenfield**

The meeting was turned over to the Planning Manager who reported as follows;

The Committee of Adjustment meeting was held in accordance with the requirements Section 45 of the Planning Act. The Municipality has received an application for a Minor Variance. The Notice of the meeting was circulated to all property owners within a designated radius of the subject property, as well as all agencies listed in the Planning Act requiring such notice.

To date we have received no written comments pertaining to this application. The Committee of Adjustment meeting shall proceed as follows:

- 1) I will introduce the Minor Variance
- 2) The meeting will be open for the Committee to discuss the application
- 3) The meeting will then be opened to the floor for comments, discussion or submission of documents. Any person addressing the Committee will be asked to identify them prior to addressing their concerns, comments or questions
- 4) The Clerk shall ask if there are any further comments 3 times and that if any person has documentation that they present it to the Clerk at that time.
- 5) The Committee may continue the discussion and make a recommendation to approve or disapprove the application or to defer any decision to a later time
- 6) This will conclude the Committee of Adjustment Meeting.

Any person not satisfied with any decision made by the Committee may appeal such decision to the Ontario Municipal Board in accordance with the provisions of the Planning Act. Any person requesting a copy of the decision should leave their name and address with the Clerk at this time:

The Planning Manager then introduced the Minor Variance:

**Re:** Request for Minor Variance  
Applicant: George Dee  
19087 Father Randal St - Greenfield

**Proposed Variance :** To permit the construction of a porch with a reduced front yard setback, from the required 6m to the proposed 3.96m.

**Background:** The applicant applied for a building permit to construct a porch in order to issue the permit the front yard setback needs to be address.

**Recommendation:** That the Committee approves the Variance as it is minor in nature and complies with the intent of the Official Plan and Zoning By-law #39-2000.

The Clerk asked 3 times if there was anyone who wished to speak in favour or against the application & there was no response.

**Resolution No. 4**

**Moved by:** Eric MacSweyn

**Seconded by:** Gary Shepherd

**That the Committee of Adjustment agrees with the recommendation from the Planning Manager as presented.**

**Carried**

4c)

**Owner: Pierre Brunet**

**Location: County Rd 34**

The meeting was turned over to the Planning Manager who reported as follows;

The Committee of Adjustment meeting was held in accordance with the requirements Section 45 of the Planning Act. The Municipality has received an application for a Minor Variance. The Notice of the meeting was circulated to all property owners within a designated radius of the subject property, as well as all agencies listed in the Planning Act requiring such notice.

To date we have received no written comments pertaining to this application. The Committee of Adjustment meeting shall proceed as follows:

- 1) I will introduce the Minor Variance
- 2) The meeting will be open for the Committee to discuss the application
- 3) The meeting will then be opened to the floor for comments, discussion or submission of documents. Any person addressing the Committee will be asked to identify them prior to addressing their concerns, comments or questions
- 4) The Clerk shall ask if there are any further comments 3 times and that if any person has documentation that they present it to the Clerk at that time.
- 5) The Committee may continue the discussion and make a recommendation to approve or disapprove the application or to defer any decision to a later time
- 6) This will conclude the Committee of Adjustment Meeting.

Any person not satisfied with any decision made by the Committee may appeal such decision to the Ontario Municipal Board in accordance with the provisions of the Planning Act. Any person requesting a copy of the decision should leave their name and address with the Clerk at this time:

The Planning Manager then introduced the Minor Variance:

**Re:** Request for Minor Variance  
Applicant: Pierre Brunet  
County Rd 34

**Proposed Variance :** To permit erection of 2 additional advertisement signs of the property.

**Background:** The applicant Mr. brunet applied for and obtained a sign permit for his 3 pre-existing signs on his vacant lot and wishes to install 2 additional signs on his property. By-law #44-99 states that a property shall contain only 3 signs and Mr. brunet would like to erect a total of 5 signs on his vacant lot. A minor Variance needs to be considered and approved by this committee.

**Recommendation:** That the Committee approves the Variance as it is minor in nature and complies with the intent of the Official Plan and Zoning By-law #39-2000

The Clerk asked 3 times if there was anyone who wished to speak in favour or against the application & there was no response.

**Resolution No. 5**

**Moved by:** Jamie MacDonald

**Seconded by:** Chris McDonell

**That the Committee of Adjustment agrees with the recommendation from the Planning Manager as presented.**

**Carried**

**4d)**

**Owner: Nicholas Michaud**

**Location: 133 Bishop St N, Alexandria**

The meeting was turned over to the Planning Manager who reported as follows;

The Committee of Adjustment meeting was held in accordance with the requirements Section 45 of the Planning Act. The Municipality has received an application for a Minor Variance. The Notice of the meeting was circulated to all property owners within a designated radius of the subject property, as well as all agencies listed in the Planning Act requiring such notice.

To date we have received no written comments pertaining to this application. The Committee of Adjustment meeting shall proceed as follows:

- 1) I will introduce the Minor Variance
- 2) The meeting will be open for the Committee to discuss the application
- 3) The meeting will then be opened to the floor for comments, discussion or submission of documents. Any person addressing the Committee will be asked to identify them prior to addressing their concerns, comments or questions
- 4) The Clerk shall ask if there are any further comments 3 times and that if any person has documentation that they present it to the Clerk at that time.
- 5) The Committee may continue the discussion and make a recommendation to approve or disapprove the application or to defer any decision to a later time
- 6) This will conclude the Committee of Adjustment Meeting.

Any person not satisfied with any decision made by the Committee may appeal such decision to the Ontario Municipal Board in accordance with the provisions of the Planning Act. Any person requesting a copy of the decision should leave their name and address with the Clerk at this time:

The Planning Manager then introduced the Minor Variance:

**Re:** Request for Minor Variance  
Applicant: Nicholas Michaud  
133 Bishop St N, Alexandria

**Proposed Variance :** To permit the construction of a detached garage with a reduced side yard setback from the required 6.9 m (19.6 ft) to the proposed .6m (2ft).

**Background:** The applicant Mr. Michaud would like to obtain a construction permit to erect a detached garage on his property. The reduced setback on a corner lot would normally not be recommended, however the setback from Kincardine St is sufficient in size to ensure the new garage will not impede the view of drivers or interfere with the maintenance or upkeep of the Buffer Strip owned by the Township.

**Recommendation:** That the Committee approves the Variance as it is minor in nature and complies with the intent of the Official Plan and Zoning By-law #39-2000

The Clerk asked 3 times if there was anyone who wished to speak in favour or against the application & there was no response.

**Resolution No. 6**

**Moved by:** Gary Shepherd

**Seconded by:** Eric MacSweyn

**That the Committee of Adjustment agrees with the recommendation from the Planning Manager as presented.**

**Carried**

**5. OLD/NEW BUSINESS**

**None**

**6. NEW BUSINESS**

**7. NOTICE OF MOTION**

**Next Regular Committee of Adjustment Meeting  
Call of the Chair**

**8. ADJOURNMENT**

**Resolution No. 7**

**Moved by:** Gary Shepherd

**Seconded by:** Eric MacSweyn

There being no further business to discuss, the meeting was adjourned at 6:22 p.m.

**Carried**

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**CAO/Clerk – Daniel Gagnon**

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**Chris McDonell – Deputy Mayor**

# TOWNSHIP OF NORTH GLENGARRY

## STAFF REPORT

**Date:** Monday November 7 , 2011

**To:** Committee Members

**From:** \_\_\_\_\_  
Gerry Murphy - CBO/Planning Manager

**Approved by:** \_\_\_\_\_  
Daniel Gagnon, CAO/Clerk

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**Re:** Request for Minor Variance Hearing  
Applicant: Jean Noel Laviolette

**Property:** 15 Main St, Maxville, ON

**Proposed Variance :** To ask for relief for the allowable amount of parking spaces for a residential apartment construction.

**Evaluation:** The property of Mr. Laviolette in Maxville being the Home hardware store was undergoing construction to renovated an upstairs area into an apartment dwelling unit. This office was informed of the work and issued the property owner a notice requiring him to obtain the required building permit for the construction. The property owner submitted an application for a construction (as attached ) however upon reviewing the application for compliance with the Township Zoning by law it was apparent that the building was deficient in parking spaces based on the requirement of 1 parking space for every 20 meters square of commercial floor area and 1.5 parking spaces for each dwelling unit in the building.

The building is in the area of 5000 ft sq (460 m2) \* 20 = 23 parking spaces required for commercial areas + the 2 existing apartments @1.5 each for a total of 3 23+3 = 26 total parking spaces required + 2 new spaces for the proposed third apartment. Total requirement being 28. A review of the GIS print out indicates that there is room for 11 parking spaces on the south side of this lot. The remaining portion of the lot would be required for access ways, entrances, truck delivery and fire routes.

Although there was no site plan included in the application for construction the attached print out of the GIS clearly indicates that the lot does not have the 28 spaces. This being the case the Chief Building official is not permitted to issue a building permit for construction that does not comply with applicable law. The Zoning by law is applicable law as stipulated in the Ontario Building Code Act. The property owner was advised that a minor variance would need to be obtained before any construction permit could be issued. The applicant applied for a minor variance of September 26, 2011 and the matter is being presented to the planning committee tonight for consideration.

**Recommendation :**

That the committee of adjustment approve the variance as submitted provided the applicant clearly mark the fire route on the side and rear of the building as areas where no parking may take place in order to ensure any fire department vehicles can access the lot unhindered.