

# THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

## COMMITTEE OF ADJUSTMENT

**Monday November 7, 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 Monday November 7, 2011 at 6:30 p.m.

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

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

### 1. MEETING CALLED TO ORDER

**The chair of the Committee called the meeting to order at 6:30 pm.**

### 2. ACCEPT THE AGENDA

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

**Moved by:** Carma Williams

**Seconded by:** Eric MacSweyn

That the Committee of Adjustment accepts the agenda of the Monday November 7, 2011 meeting as presented.

**Carried**

### 3. RATIFY MINUTES

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

**Moved by:** Gary Shepherd

**Seconded by:** Eric MacSweyn

That the Committee of Adjustment hereby ratify the minutes of the October 11, 2011 meeting as presented.

**Carried**

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

**Owner: Jean Noel Laviolette**  
**Location: 15 Main St, Maxville**

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: Jean Noel Laviolette  
15 Main St, Maxville

**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.

**Resolution No. 3**

**Moved by:** Carma Williams

**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. 4**

**Moved by:** Gary Shepherd

**Seconded by:** Eric MacSweyn

There being no further business to discuss, the meeting was adjourned at 6:40 p.m.

**Carried**

---

**CAO/Clerk – Daniel Gagnon**

---

**Chris McDonell – Deputy Mayor**