

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Committee of Adjustment

Monday February 13, 2012 at 6:00 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 January 23, 2012](#)
4. **MINOR VARIANCES**
a) [Jacques Levesque - 3462 C County Rd 45](#) ® (Jim)
5. **OLD BUSINESS**
6. **NEW BUSINESS**
7. **NOTICE OF MOTION**
8. **ADJOURNMENT** ® (Gary)

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

COMMITTEE OF ADJUSTMENT

**Monday January 23, 2012
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 January 23, 2012 at 6:00 p.m.

PRESENT: Mayor - Chris McDonell
Councillor at Large - Gary Shepherd
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

ABSENT:

1. MEETING CALLED TO ORDER

The chair of the Committee called the meeting to order at 6:00 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 January 23, 2012 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 December 12, 2011 meeting as presented.

Carried

4. **MINOR VARIANCE:**

Owner: Victor Danyluk

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 Hearing
Applicant: Victor Danyluk

Property: Part of Lot 11 Concession 9 RP15R-5422 Part 1 - Dunvegan

Proposed Variance : To permit the development of a vacant agricultural lot with zero frontage on a public Rd, such development to include all uses permitted in a agricultural zoned properties.

Discussion:

The property in question consists of 6 acres of land with a Zoning of Agricultural. The property has Zero frontage on a public road. The Township Zoning by-law 39-2000 requires a minimum of 45 meters of road frontage. The reasoning is obvious as access to fire and ambulance services can be impeded by private road access not being kept up to standards.

The applicant wishes to construct a single family dwelling on his, land locked.

Recommendation:

The recommendation from the Planning Department is that this Minor Variance be granted for the following reasons with the suggested conditions.

- 1) The private Road serving the property already provides access to an existing dwelling adjacent to the property in question.

Suggested conditions:

- 1) That the applicant provide the municipality with a copy of a Registered Rite of Way over the existing property to the West granting an interrupted access to the lands owned by Mr. Danyluk

Resolution No. 3

Moved by: Jim Picken

Seconded by: Jamie MacDonald

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 6:12 p.m.

Carried

CAO/Clerk – Daniel Gagnon

Chris McDonell – Mayor

TOWNSHIP OF NORTH GLENGARRY

STAFF REPORT

Date: Monday February 13, 2012
To: Mayor and Committee Members
From: _____
Gerry Murphy - CBO/Planning Manager

Re: Request for Minor Variance Hearing
Applicant: Jacques Levesque

Property: Part of Lot 7 Concession 2 on 14R-187 Part 1 and R.O.W. over part 4- Kenyon

The property in question is almost wholly located in a flood plan area and would not normally be eligible for a building permit for a single family dwelling as per section 16 of the Township Zoning by law. However there exists a single family dwelling on the lot and it is considered legal non conforming. The Official Plan permits minor expansions to existing structures provided approval from the Conservation Authority is obtained.

The expansion is more than minor and a Variance is required to permit the expansion of the dwelling unit. A copy of the application will be forwarded to the RR Conservation Authority where that may comments on the merits of the application and possibly request conditions to any approval.

Site alteration will occur on the lot due to the installation of a new septic system which again will be subject to RRCA approval.

The applicant has been made aware of these possible conditions and that no building permit may be issued pending approval of same.

Recommendation :

That the Committee of Adjustment approve the application as the application is minor in nature and complies with the intent of the OP and Zoning by law. Further that no new hazards are being created and existing hazards are not aggravated by this development. Further that the application will be forwarded to the RRCA where conditions may be imposed that mitigate any hazards resulting for flooding or site alteration and that the lot already contains a legal non conforming single family dwelling.