

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

COMMITTEE OF ADJUSTMENT

**Monday March 12, 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 March 12, 2012 at 6:00 p.m.

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

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

ABSENT: None

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 March 12, 2012 meeting as presented.

Carried

3. ADOPT MINUTES

Resolution No. 2

Moved by: Gary Shepherd

Seconded by: Eric MacSweyn

That the Committee of Adjustment hereby adopt the minutes of the February 13, 2012 meeting as presented.

Carried

4. **MINOR VARIANCE:**

Owner: Jacques Levesque

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: Jacques Levesque

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

During the Committee of Adjustment meeting of February 13, 2012, the Committee of Adjustment, heard an application from Jacques Levesque. The application was to allow for an increase in size to a legal non conforming house constructed in a flood plain. A copy of the original application is attached for reference. The Committee heard from the property owner to the east being the owner of the right of way, over which the applicant accesses the lot in question. There was concern that the construction would have an adverse effect on the private road way. To this end it was suggested that the applicant contact the neighbour and attempt to alleviate this concern. The committee deferred any decision pending the outcome of this suggestion. Attached to this report is an agreement that was signed by the applicant and neighbouring property owners where by Mr. Levesque has agreed to pay for any damages incurred as a result of the proposed renovation.

The property owner and Mr. Lévesque have been advised that the Minor variance hearing will be re opened tonight for further discussion.

The Township is also in receipt of a letter from the Raisin Region Conservation Authority addressing the variance. The letter was submitted after the date of the hearing. This letter and my response are included in this report. The concerns of the RRCA will be addressed prior to the issuance of any septic or building permits.

Recommendation:

That the Committee of Adjustment approve Minor Variance application MV 03-2012 for the following reasons;

- 1) The concerns of neighbouring property owners regarding the private road has been addressed by way of a mutual agreement submitted in writing as attached.
- 2) That the concerns of the Raisin Region Conservation Authority regarding construction on a flood plain will be addressed at the time of the submission of a septic and building permit application, where approval from the conservation authority will be required prior to the issuance of either permit.
- 3) That the building is a legal non conforming structure.
- 4) That the proposal conforms to the intent of the Official plan and provisions of the Zoning by law 39-2000.
- 5) That the applicant prior to issuance of a building permit be subject to a Site Plan Control in accordance with section 423 of the Township Official Plan.

Resolution No. 3

Moved by: Jim Picken

Seconded by: Jacques Massie

That the Committee of Adjustment concurs with the Planners Recommendation regarding Minor variance MV-03-2012.

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 6:16 p.m.

Carried

CAO/Clerk – Daniel Gagnon

Chris McDonell – Mayor