

# THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Committee of Adjustment  
Monday May 14, 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. DECLARATION OF CONFLICTS OF INTEREST
2. ACCEPT THE AGENDA (Additions/Deletions) ® (Carma)
3. ADOPTION OF PREVIOUS MINUTES ® (Gary)  
[a\) Committee of Adjustment Meeting of March 12, 2012](#)
4. MINOR VARIANCE  
[a\) Jean Paul Levert - 89 Main St S, Alexandria ® \(Jacques\)](#)
5. OLD BUSINESS
6. NEW BUSINESS
7. NOTICE OF MOTION
8. ADJOURN ® (Gary)

# 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**

# TOWNSHIP OF NORTH GLENGARRY

## STAFF REPORT

**Date:** May 14, 2012  
**To:** Mayor and Committee Members  
**From:** \_\_\_\_\_  
Gerry Murphy - CBO/Planning Manager

---

**Re:** Request for Minor Variance Hearing  
Applicant: Jean Paul Levert

**Property:** 89 Main St South, Alexandria

**Proposed Variance :** To apply for relief for the rear yard set back of the existing commercial garage from the required 6 meters (19.68 ft) to the proposed 2.5 meters (8.2 ft) to allow for an increase in height of the building. The proposed height increase is required to allow for the construction of a raised roof.

The applicant is seeking relief from the provision of the Zoning by law that relate to height increase restrictions on buildings that do not meet minimum set back requirements The rear yard set back of the garage being only 2.5 meters, as opposed to the required 6 meters is considered legal non conforming, however any increase in height, size or volume of a legal non conforming building cannot be permitted unless a minor variance is granted by the Committee of adjustment. The applicant wishes to construct a truss roof over the existing flat roof and in order for the building department to issue the required permit this minor variance will need to be approved.

**Recommendation:**

That the committee of adjustment approve the minor variance application as it is minor in nature and complies with the intent of the Official plan and zoning by law.  
A condition that the roof rain water be directed so as to not flow onto the rear yard adjacent neighbour should be imposed.