

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Committee of Adjustment
Monday June 11, 2012 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. DECLARATION OF CONFLICTS OF INTEREST
2. ACCEPT THE AGENDA (Additions/Deletions) ® (Carma)
3. ADOPTION OF PREVIOUS MINUTES ® (Gary)
 - a) Committee of Adjustment Meeting of May 14, 2012
4. MINOR VARIANCE
 - a) Richard Deguire - Kincardine St E, 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 May 14, 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 May 14, 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

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

ABSENT: **Councillor (Lochiel Ward)** - Eric MacSweyn

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: Gary Shepherd

That the Committee of Adjustment accepts the agenda of the Monday May 14, 2012 meeting as presented.

Carried

3. ADOPT MINUTES

Resolution No. 2

Moved by: Gary Shepherd

Seconded by: Carma Williams

That the Committee of Adjustment hereby adopt the minutes of the March 12, 2012 meeting as presented.

Carried

4. *MINOR VARIANCE:*

Owner: Jean Paul Levert

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: 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.

Resolution No. 3

Moved by: Jacques Massie

Seconded by: Jim Picken

That the Committee of Adjustment concurs with the Planners Recommendation regarding Minor variance MV-04-2012.

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: Carma Williams

There being no further business to discuss, the meeting was adjourned at 6:10 p.m.

Carried

CAO/Clerk – Daniel Gagnon

Chris McDonell – Mayor

TOWNSHIP OF NORTH GLENGARRY

STAFF REPORT

Date: June 11, 2012
To: Mayor and Committee Members
From: _____
Gerry Murphy - CBO/Planning Manager

Re: Request for Minor Variance Hearing
Applicant: Richard Deguire

Property: Lot 4 Plan 14M-6 - Kincardine St - Alexandria)

Proposed Variance : To permit the rear yard setback for R2 for the above lot to be reduced from the required 7.5meters (24.6 ft) to the proposed 2 meters (6.56 feet). This reduction will permit the construction of a patio deck as per the application of the owner.

The applicant is seeking relief from the rear yard set back provisions of the zoning by-law, in this case 7.5 meters (24.6 ft). The applicant wish to construct an attached residential deck that will be set at 2 meters (6.56 ft) from the rear yard lot line. The property is currently being developed with a semi detached residential building. If the relief is granted both sides of the semi-detached will have the ability to erect decks at this reduced set back.

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.