

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Committee of Adjustment

Monday June 03, 2013 at 6:00 p.m. - Council Chambers
102 Derby Street West, Alexandria, Ontario, K0C 1A0

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. DECLARATIONS OF CONFLICTS OF INTEREST
2. ACCEPT THE AGENDA (Additions/Deletions) ® (Carma)
3. **RATIFY MINUTES ® Jim**
- Committee of Adjustment May 6, 2013
4. **MINOR VARIANCES**
 - a) MV-04- 2013 Ricky & Nicole Pattyn - 89 Kincardine St. East Alexandria, ON - North Glengarry Township ®Jacques
 - b) MV-05-2013 Sylvain Jeaurond - 19200 Beach Rd., Concession 2 PT Lot 23 plan 35, Apple Hill, ON - North Glengarry Township ®Jim
 - c) MV-06-2013 T.R. Léger - Concession 3, PT Lot 2, RP143035 PT 5 AND 6 RP14R51381 PART 2, Town of Alexandria, ON - North Glengarry Township ®Eric
5. **OLD BUSINESS**
6. **NEW BUSINESS**
7. **NOTICE OF MOTION**
8. **ADJOURNMENT ® (Jacques)**

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

COMMITTEE OF ADJUSTMENT

Monday May 6, 2013
Council Chambers
Centre Sandfield Centre
102 Derby Street West, Alexandria, ON

A meeting of the Committee of Adjustment was held in the Council Chamber on Monday May 6, 2013.

PRESENT: Mayor - Chris McDonell

Deputy Mayor - Jamie MacDonald

Councillor (Maxville Ward) - Carma Williams

Councillor (Alexandria Ward) - Jacques Massie

Councillor (Kenyon Ward) - Jim Picken

Councillor (Lochiel Ward) - Eric MacSweyn

CAO/Clerk - Daniel Gagnon

CBO/By-Law Enforcement/Planning Manager - Gerry Murphy

REGRETS:

1. MEETING CALLED TO ORDER

The chair of the Committee called the public meeting to order at 6:00 p.m.

2. ACCEPT THE AGENDA

3. ZONING AMENDMENT

- a) Tonight's Public meeting sessions regarding Zoning Amendment Z-03-2013 and Zoning Amendment Z-06-2013 is held as part of the requirements under Section 34 of the Planning Act.

Notice of the Public Meeting Zoning Amendment Z-03-2013 and Zoning Amendment Z-06-2013 was circulated to all property owners within 120 meters of the subject property.

- a) Zoning Amendment Z-03-2013- Murray McEwen

Location Plan 39 BLK "D" Lot 18 to 22 Fronting Carr Street, Maxville

Discussion:

On March 04, 2013, a public planning meeting was held to discuss Mr. McEwen's application to rezone his property on Carr Street, Maxville from Institutional to Residential. As Council is

aware comments submitted from VIA Rail request that the property owner enter into an agreement with VIA regarding impact mitigation measures. This office was directed by Council on March 25, 2013 to defer the application pending clarification that the applicant was aware of the implications of such agreement. The applicants lawyer Mr. Tolhurst then contacted VIA Rail and has received confirmation that the agreement is no longer required. This being the case, the Zoning Amendment will be re-submitted to Council for approval on May 13, 2013.

To date we have not received any negative comments.

The Clerk asked 3 times for any public comments from those in attendance no comments were provided.

- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
- 6. NOTICE OF MOTION**
- 7. ADJOURNMENT**

The meeting was adjourned at 6:40 p.m.

Daniel Gagnon - CAO/Clerk

Mayor - Chris McDonell

TOWNSHIP OF NORTH GLENGARRY

DATE: June 3, 2013
TO: Mayor and Council Members
FROM: _____
Gerry Murphy - CBO/Planning Manager

Daniel Gagnon - CAO/Clerk

Re: MINOR VARIANCE APPLICATON MV-04-2013

Property Owner: Rick and Nicole Pattyn

Location: 89 Kincardine St. Alexandria

Zoning Residential Fourth Density R4

Purpose: To seek relief from the required rear yard setback from 9 meters (29.5 feet) to the proposed 7 meters (23 feet) in order to permit the construction of an addition to the existing single family dwelling.

Discussion: The property owner is desirous to construct a family room addition to the existing single family dwelling unit. The proposed rear yard addition will encroach into the required rear yard set by 2 feet (.696 of a meter).

Recommendation: The rear yard variance is minor in nature and would not, in the opinion of the planning department, have any adverse effect of neighbouring properties. The variance complies with the intent of the township official plan for residential designations. This being the case it is the recommendation of the planning department that the variance be approved.

All of which is respectfully submitted.

Gerry Murphy
Chief Building Official Planning Manager

TOWNSHIP OF NORTH GLENGARRY

DATE: June 3, 2013
TO: Mayor and Council Members
FROM: _____
Gerry Murphy - CBO/Planning Manager

Daniel Gagnon - CAO/Clerk

Re: MINOR VARIANCE APPLICATON MV-05-2013

Property Owner: Sylvain Jeurond

Location: 19200 Beach Road, Apple Hill, Concession 2 PT Lot 23 plan 135

Zoning Rural RU

Official Plan Designation: Rural

Purpose: To seek relief from the exterior side yard setback of 10 meters to the proposed 4.6 meters

AND

from the rear yard setback from the required 10 meters to the proposed 7.62 meters

Discussion: The property owner is desirous to construct an addition to the single family dwelling located at 19200 Beach Street, commonly known as the Masterson Beach Area. The proposed addition is designed in two parts, one being a kitchen addition constructed towards the west exterior side yard which normally requires a 10 meters setback now proposed at 4.6 meters. The second portion being a bathroom and utility room being constructed towards the north rear yard normally required 10 meters now proposed at 7.62 meters. Both new portions will be clear of the (sight triangle) which is the lot area required to be fully open so as to ensure automobile traffic can see around any corner lot. Any proposed addition would be subject to septic approval and at this point in time the location of any new or additions to the existing septic system have not been considered in this application. The applicant is aware of this potential restraint to development.

Recommendation: That due to the fact the two variances are minor in nature and that the application complies with the intent of the Official Plan and Zoning bylaw the application be approved as submitted.

STAFF REPORT

MINOR VARIANCE 06-2013

Property Owner: Alexandria Moulding

Location: 95 Lochiel St East Plan 123 rcp N pt lot 3 lots 11, 12, 13, Town of Alexandria

Zoning: Industrial General MG

Official Plan designation: Industrial MG

Purpose:

To request a special exception zoning to the Industrial designation to allow for the operation of an Adult / alternative continuing education center within the existing building located at 95 Lochiel Street East Alexandria.

Discussion:

The Upper Canada District school board, T.R. Leger School of adult, alternative & continuing education, presently operates an adult education program in the former catholic school located at 47 Saint Paul Street Alexandria. The school board is looking for other accommodations and have approached Alexandria Moulding with an offer to rent office space in a portion of the mill located at 95 Lochiel St.

The present zoning being, Industrial, does not specifically accommodate this proposed use and a Minor Variance will be require in order to permit the building department to issue the change of use permit , prior to any occupancy of the building for assembly use (school).

The change of use permit will require a professional engineering review to ensure applicable building code requirements and considerations are either existing or constructed to code to ensure the proposed assembly occupancy and existing industrial occupancy are compatible. Such issues would include fire separations, barrier free access, exit facilities, emergency lighting etc. No occupancy permit will be issued pending verification of the above.

The use and occupancy load of the building at 95 Lochiel has been reduced in recent years due to the construction of the larger facility on Power Dam Road and sufficient office space has been made available for the proposed school board use. Adequate onsite parking is available for the remaining industrial uses and the proposed adult education occupants.

The intent of the Official Plan designation being, Industrial, include all forms of manufacturing, processing, assembly and fabricating with some commercial type operations these uses will continue on site however with a reduce office personal contingency. The proposed adult occupant load for T.R. Leger operation would not normally surpass 20 students with less than 5 staff members at any given time. The proposed education center would have no impact on the abutting residential uses as it

pertains to noise, orders, vibrations, emissions or waste handling issues usually associated with industrial operations. The proposed Adult education operation will have no impact on the existing operation as it pertains to local employment.

The Township Official Plan section 4.11 (Land Use Compatibility) states:

In reviewing any development application Council will be satisfied that the propose use will be or can be made to be compatible with surrounding uses. These measure usually incorporate breams, fencing or other physical features designed to mitigate any impact however none are appropriate in this application.

Recommendation:

That the Committee of adjustment approve Minor variance application MV 06 2013 as submitted being that the request is minor in nature , will have little or no impact on neighbouring properties and will comply with the land use compatibility requirement of the Township Official Plan . Further that no building permit will be granted for the adult education use pending a through engineer review addressing safety and other building code related considerations.