THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Committee of Adjustment Hearing
Monday, September 9th, 2019 at 6:30 p.m. – Council Chambers
102 Derby Street West, Alexandria, ON, 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. DISCLOSURE OF CONFLICT INTEREST

2. ACCEPT THE AGENDA (Additions/Deletions) ® (Michel)

3. RATIFY MINUTES ® (Jeff)

   - Committee of Adjustment Meeting Thursday, August 22nd, 2019

4. MINOR VARIANCES

   a) 1024248 Ontario Inc. (Frank Suter) MV-05-2019 ® (Brenda)

5. OLD BUSINESS

6. NEW BUSINESS

7. NOTICE OF MOTION

8. ADJOURNMENT ® (Johanne)
TOWNSHIP OF NORTH GLENGARRY

Committee of Adjustment Hearing,
Public & Planning Committee Meeting

Monday, September 9th 2019
6:30 P.M.
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1.

DISCLOSURE OF CONFLICT INTEREST
2.

ACCEPT THE AGENDA
RESOLUTION # ______

MOVED BY: _______________________

SECONDED BY: _______________________

DATE: September 9th, 2019

That the Council of the Township of North Glengarry accepts the Committee of Adjustment Hearing agenda of Monday, September 9th, 2019.

Carried Defeated Deferred

________________________

MAYOR / DEPUTY MAYOR

Deputy Mayor: Carma Williams
Councillor: Brenda Noble
Councillor: Jacques Massie
Councillor: Jeff Manley
Councillor: Johanne Wensink
Councillor: Michel Depratto
Mayor: Jamie MacDonald

Section 2
3.

RATIFY MINUTES
CORPORATION OF
THE
TOWNSHIP OF NORTH GLENGARRY

DATE: September 9th, 2019

RESOLUTION # ______

MOVED BY: ________________________

SECONDED BY: ______________________

That the Council of the Township of North Glengarry accepts the minutes of the Committee of Adjustment Hearing of Thursday, August 22nd 2019.

Carried   Defeated   Deferred
    ______   ______    ______

________________________
MAYOR / DEPUTY MAYOR

Deputy Mayor: Carma Williams
Councillor: Brenda Noble
Councillor: Jacques Massie
Councillor: Jeff Manley
Councillor: Johanne Wensink
Councillor: Michel Depratto
Mayor: Jamie MacDonald

YEA      NEA
  ______  ______
  ______  ______
  ______  ______
  ______  ______
  ______  ______
  ______  ______

Section 3
THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

THE COMMITTEE OF ADJUSTMENT MEETING

Thursday, August 22\textsuperscript{nd}, 2019
Council Chambers
Centre Sandfield Centre
102 Derby Street West, Alexandria, ON

A Committee of Adjustment Meeting was held in the Council Chamber on Thursday, August 22\textsuperscript{nd}, 2019 at 5:30 p.m.

PRESENT:  Mayor – Jamie MacDonald
Councillor (At Large) – Jacques Massie
Councillor (Kenyon Ward) – Jeff Manley
Councillor (Alexandria Ward) – Michel Depratto
CAO/Clerk – Sarah Huskinson
Director of Building, By-law & Planning – Jacob Rheame

REGRETS: Deputy Mayor – Carma Williams
Councillor (Lochiel Ward) – Brenda Noble
Councillor (Maxville Ward) – Johanne Wensink
Township Planner – Kasia Olszewska

1. COMMITTEE OF ADJUSTMENT MEETING CALLED TO ORDER

The chair of the Committee called the Meeting to order at 5:30 p.m.

2. ACCEPT THE AGENDA

Resolution No. 1

\textbf{Moved by:} Jacques Massie \hspace{2cm} \textbf{Seconded by:} Jeff Manley

That the Council of the Township of North Glengarry accepts the Committee of Adjustment Hearing agenda of Thursday, August 22\textsuperscript{nd}, 2019.

\textbf{Carried}

3. ACCEPT THE MINUTES

Resolution No. 2

\textbf{Moved by:} Jeff Manley \hspace{2cm} \textbf{Seconded by:} Jacques Massie

That the Council of the Township of North Glengarry accepts the minutes of the Committee of Adjustment Hearing of Monday, March 25\textsuperscript{th}, 2019.

\textbf{Carried}

The Meeting was then turned over to the Planning Department – Jacob Rheame

4. MINOR VARIANCES

a) No. MV-03-2019
Owner: Marc Delorme
Location: 248 East Boundary Rd., Alexandria

Resolution No. 3

\textbf{Moved by:} Michel Depratto \hspace{2cm} \textbf{Seconded by:} Jacques Massie
The clerk asked three times for comments from the public in attendance. No comments were made.

b) No. MV-04-2019
   Owner: Yvon Bellefeuille
   Location: 568 Tobin St., Alexandria

Resolution No. 3

Moved by: Jeff Manley
Seconded by: Jacques Massie

The clerk asked three times for comments from the public in attendance. No comments were made.

Carried

5. OLD BUSINESS

6. NEW BUSINESS

7. NOTICE OF MOTION

8. ADJOURNMENT

Resolution No. 4

Moved by: Michel Depratto
Seconded by: Jacques Massie

There being no further business to discuss, the meeting was adjourned at 5:40 p.m.

Carried
4.

MINOR VARIANCE
CORPORATION OF
THE
TOWNSHIP OF NORTH GLENGARRY

DATE: September 9th, 2019

RESOLUTION # ______

MOVED BY: _______________________

SECONDED BY: ______________________

That the Committee of Adjustment approve Minor Variance application MV-05-2019 as recommended by the planning department.

Carried  Defeated  Deferred

Mayor / Deputy Mayor

Deputy Mayor: Carma Williams  YEA  NEA
Councillor: Brenda Noble        ___  ___
Councillor: Jacques Massie      ___  ___
Councillor: Jeff Manley        ___  ___
Councillor: Johanne Wensink    ___  ___
Councillor: Michel Depratto    ___  ___
Mayor: Jamie MacDonald         ___  ___

Section 4
TOWNSHIP OF NORTH GLENGARRY
STAFF REPORT
COMMITTEE OF ADJUSTMENT

Date: September 9th, 2019
To: Committee of Adjustment Members

From: Kasia Olszewska, Planner
Sarah Huskinson, CAO

Re: Minor Variance MV-05-2019

Owner: 1024848 Ontario Inc. (Frank Suter)

Location: (Concession 5, W Pt Lot 27) 20905 County Road 21, Alexandria, ON

Official Plan designation: Agricultural Resource Lands

Zoning designation: General Agricultural (AG) and Restricted Agricultural (AR)

Nature of relief applied for: To seek relief from the following provisions in the Zoning By-law:

To reduce the required setback distances from the Minimum Distance Separation Document (MDS II) calculations for the proposed uses:

A new Intensive Livestock Facility “dairy barn”:
- from the required 1140 feet to the proposed 611 feet to the nearest Type A Land Use (west neighbor dwelling); and,
- from the required 98 feet to the proposed 90 feet to the nearest Lot Line to the West.

And for a new proposed Manure Storage:
- from the required 1354 feet to the proposed 816 feet to the nearest Type A Land Use (west neighbor dwelling); and,
- from the required 98 feet to the proposed 90 feet to the nearest Lot Line to the West.
Discussion: The applicant submitted a Minor Variance application for a proposed dairy barn building and a manure storage building. There is an existing diary barn on the lands, the existing barn will be converted to storage use and housing calves. The livestock cattle will be moved to the new proposed diary barn, and the number of cattle will not increase. Thus, the agricultural livestock use will not be intensified. The new diary barn will include advanced technology for milk production and improved cattle accommodation.

The Minimum Distance Separation (MDS II) between the two proposed buildings: the dairy barn and the manure storage, and the existing west neighbour as well as the nearest lot line to the west is reduced, thus a Minor Variance is required.

The subject lands consist of 85 acres of land. The surrounding lands are zoned General Agricultural (AG) to the north, east and west, and General Industrial (MG) as well as Restricted Agricultural (AR) to the south. These land uses are compatible with the two proposed buildings and the reduction in the MDS.

Location of the proposed barn:

The proposed barn’s location is the best possible location given several existing constraints preventing the barn building being located further to the east because of the lot line that divides the subject lands into two halves, as well as the laneway and hydro lines running north to south.

Positioning the barn north to south to increase the MDS is also problematic because the longest elevation (side) of the barn would face west and the barn would become overheated in the summer.

Positioning to the barn to the north is not ideal because there is a slope that the trucks picking up milk would have to cross every other day.

The Committee may approve any variance provided, in their opinion, the variances:

Comply with the intent and purpose of the Official Plan.
Comply with the intent and purpose of the Zoning By Law.
Are deemed suitable and desirable for the surrounding area.
Are minor in nature.

The proposed relief of the MDS II requirements will not generate any negative impact on the adjacent lands and dwellings despite the reduction in MDS requirements, thus the minor variance is considered minor in nature.

Recommendation: It is the recommendation of the Planning Department that the Committee of Adjustment approve minor variance application MV-05-2019 as submitted.
NOTICE OF PUBLIC HEARING
OF APPLICATION FOR MINOR VARIANCE
FROM BY-LAW
(The Planning Act 1990, Section 45)

TAKE NOTICE that an application has been made by:
1024248 Ontario Inc. (Frank Suter)
of 20905 County Road 21, Alexandria, ON

for a minor variance from the provisions of the by-law No. 39-2000 of the Township of North Glengarry as amended (being a by-law respecting the use of lands and the use and location of buildings).

In respect of:
To reduce the required setback distances from the Minimum Distance Separation Document calculations (MDS II) for a proposed new Intensive Livestock Facility “dairy barn”;
- from the required 1140 feet to the proposed 611 feet to the nearest Type A Land Use (West neighbor dwelling);
- from the required 98 feet to the proposed 90 feet to the nearest Lot Line to the West;

and for a new proposed Manure Storage;
- from the required 1354 feet to the proposed 816 feet to the nearest Type A Land Use (West neighbor dwelling); and
- from the required 98 feet to the proposed 90 feet to the nearest Lot Line to the West.

Which is located on Concession 5, W Pt Lot 27, former Lochiel Township

in the Township of North Glengarry.

AND FURTHER TAKE NOTICE that the Committee of Adjustment has appointed
DATE September 9th, 2019 AT TIME 6:30 p.m.
in the evening for the purpose of a public hearing, into this matter, to be held in the Council Chamber at the Sandfield Centre 102 Derby Street West, Alexandria, On.

THIS NOTICE IS SENT TO YOU BECAUSE YOU ARE AN ASSESSED OWNER OF LAND NEAR THE SUBJECT PROPERTY, OR AN INTERESTED PARTY. (YOU ARE NOT COMPELLED TO ATTEND).

HOWEVER THE APPLICANT OR HIS AGENT MUST BE PRESENT AT THE HEARING. A copy of the decision of the Committee of Adjustment will be sent to the applicant and to each person who appeared in person or by counsel at the hearing and who filed with the secretary-treasurer a written request for notice of the decision:"If the party notified does not attend at the hearing, the tribunal may proceed in their absence and they will not be entitled to any further notice in the proceeding”.

Kasia Olszewska - Planner
APPLICATION FOR

☐ MINOR VARIANCE – s. 45 (1)  ☐ PERMISSION – s. 45 (2)

The undersigned hereby applies to the Committee of Adjustment for the ................. under section 45 (name of municipality) of the Planning Act for relief, as described in this application, from By-law No. .............. (as amended).

<table>
<thead>
<tr>
<th>NAME OF OWNER</th>
<th>NAME OF AGENT (if applicant is an agent authorized by the owner)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frank Fisher</td>
<td></td>
</tr>
<tr>
<td>ADDRESS</td>
<td>ADDRESS</td>
</tr>
<tr>
<td>20905 City Rd 21</td>
<td></td>
</tr>
<tr>
<td>Alexandria ON</td>
<td></td>
</tr>
<tr>
<td>TELEPHONE</td>
<td>TELEPHONE</td>
</tr>
<tr>
<td>613 525 9985</td>
<td></td>
</tr>
</tbody>
</table>

OFFICIAL PLAN - current designation of the subject land:
- Agricultural Resource Lands

ZONING BY-LAW - current zoning of the subject land:
- Agriculture (AG)

RELIEF - nature and extent of relief from the zoning by-law:
- Reduced from MDS 11 Requirements
- 24.8 m is required and 246 m is provided.

REASON why the proposed use cannot comply with the provisions of the zoning by-law:
- Construction of new barn.

LEGAL DESCRIPTION of subject land (such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number):

Note: See reverse of page 3 for details of sketch required.

DIMENSIONS OF LAND AFFECTED:
- Frontage: 249.97 metres
- Depth: 249.49 metres
- Area: 4.71 acres

ACCESS - Access to the subject land is by:
- Provincial highway
- Municipal road - year round
- Other public road (specify):

ORIGINAL - Office
COPY - Applicant
SUBMIT - COPIES OF APPLICATION AND PLANS
PAGE 1 OF 3
**WATER ACCESS** - Where access to the subject land is by water only:

<table>
<thead>
<tr>
<th>Docking facilities (specify)</th>
<th>Parking facilities (specify)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>distance from subject land</td>
<td>distance from subject land</td>
</tr>
<tr>
<td>distance from nearest public road</td>
<td>distance from nearest public road</td>
</tr>
</tbody>
</table>

**EXISTING USES** of the subject land:

| Agriculture | 11 years |

**EXISTING BUILDINGS - STRUCTURES** - Where there are any buildings or structures on the subject land, indicate for each:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Front lot line setback:</th>
<th>Height in metres:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rear lot line setback:</td>
<td>Dimensions:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DATE CONSTRUCTED</th>
<th>Side lot line setback:</th>
<th>Floor area:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Floor area:</td>
</tr>
</tbody>
</table>

**PROPOSED USES** of the subject land:

Construction of new barn, & manure storage

**PROPOSED BUILDINGS - STRUCTURES** - Where any buildings or structures are proposed to be built on the subject land, indicate for each:

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td></td>
<td>Floor area:</td>
</tr>
</tbody>
</table>

**DATE** - Subject land was acquired by current owner on: spring 2003

**WATER** is provided to the subject land by:

- [ ] Publicly-owned/operated piped water system
- [x] Privately-owned/operated individual well
- [ ] Privately-owned/operated communal well
- [ ] Lake or other water body
- [ ] Other means (specify)...

**SEWAGE DISPOSAL** is provided to the subject land by:

- [ ] Publicly-owned/operated sanitary sewage system
- [x] Privately-owned/operated individual septic system
- [ ] Privately-owned/operated communal septic system
- [ ] Septic
- [ ] Other means (specify)
STORM DRAINAGE is provided to the subject land by:

☐ Sewers ☐ Ditches ☐ Swales ☒ Other means (specify) Municipal drain

OTHER APPLICATIONS - If known, indicate if the subject land is the subject of an application under the Act for:

☐ Approval of a plan of subdivision (under section 51) File # _______________________________ Status _______________________________

☐ Consent (under section 59) File # _______________________________ Status _______________________________

☐ Previous application (under section 45) File # _______________________________ Status _______________________________

AUTHORIZATION BY OWNER

I, the undersigned, being the owner of the subject land, hereby authorize _______________________________

_____________________________ to be the applicant in the submission of this application.

Signature of owner

Signature of witness

Date

DECLARATION OF APPLICANT

Frank S. of the Township of North Glengarry in the County of S.O.O.

solemnly declare that:

All the statements contained in this application and provided by me are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the Township of North Glengarry in the County of Glengarry this _______________________________ day of July 2019

Signature of applicant

Signature of commissioner, etc.

Lisa Lavigne - Commissioner
by virtue of my office as Deputy Clerk
Township of North Glengarry

It is required this application be accompanied by a fee of $ ________ in cash or by cheque made payable to the Treasurer of the _______________________________.

Personal information contained on this form, collected pursuant to the Planning Act, will be used for the purpose of responding to the initial application. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.
5.

OLD BUSINESS
6.

NEW BUSINESS
7.

NOTICE OF MOTION
8.

ADJOURNMENT
CORPORATION OF
THE
TOWNSHIP OF NORTH GLENGARRY

RESOLUTION # ______

DATE: September 9th, 2019

MOVED BY: ______________________

SECONDED BY: ____________________

There being no further business to discuss, the Committee of Adjustment Hearing
was adjourned at ________.

Carried        Defeated        Deferred
____           _____            _____

______________________________
MAYOR / DEPUTY MAYOR

YEA            NEA

Deputy Mayor: Carma Williams
Councillor: Brenda Noble
Councillor: Jacques Massie
Councillor: Jeff Manley
Councillor: Johanne Wensink
Councillor: Michel Depratto
Mayor: Jamie MacDonald

Section 8