

**THE CORPORATION OF THE TOWNSHIP OF NORTH
GLENGARRY**

Committee Of Adjustment Hearing

Tuesday, April 11, 2023, 5:30 pm

Council Chamber

3720 County Road 34

Alexandria, On. K0C 1A0

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)**
- 3. RATIFY MINUTES**
 - a. Committee of Adjustment Minutes - Nov 28 2022
- 4. MINOR VARIANCES**
 - a. MV-04-2023
- 5. OLD BUSINESS**
- 6. NEW BUSINESS**
- 7. NOTICE OF MOTION**
- 8. ADJOURNMENT**

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Committee of Adjustment Hearing

Monday, November 28th 2022
Council Chambers
Township of North Glengarry
3720 County Road 34, Alexandria, ON

A Committee of Adjustment Hearing was held in the Council Chamber on Monday, November 28th 2022 at 6:00pm.

COUNCIL MEMBERS PRESENT: Mayor – Jamie MacDonald
Deputy Mayor – Carma Williams
Councillor (Lochiel Ward) – Brian Caddell
Councillor (Maxville Ward) – Gary Martin
Councillor (At Large) – Jacques Massie
Councillor (Kenyon Ward) – Jeff Manley
Councillor (Alexandria Ward) – Michael Madden

MUNICIPAL STAFF PRESENT: CAO/Clerk – Sarah Huskinson
Director of Building, By-law & Planning – Jacob Rhéaume
Planning Department – Chantal Lapierre

COMMITTEE OF ADJUSTMENT HEARING CALLED TO ORDER

The chair of the Committee called the Meeting to order at 6:00pm.

1. DISCLOSURE OF CONFLICT INTEREST

- There were no declarations of interest.

2. ACCEPT THE AGENDA (Additions/Deletions)

Resolution No. 1

Moved By: Jeff Manley

Seconded By: Gary Martin

That the Council of the Township of North Glengarry accepts the Committee of Adjustment Hearing agenda of Monday, November 28th/2022.

Carried

3. RATIFY MINUTES

Resolution No. 2

Moved By: Jacques Massie

Seconded By: Jeff Manley

That the Council of the Township of North Glengarry accepts the minutes of the Committee of Adjustment Hearing of **Monday, September 26th, 2022**.

Carried

The meeting was then turned over to the Planning Department
- Director of Building, By-law & Planning – Jacob Rhéaume

4. MINOR VARIANCES

MV-06-2022

Owner: Asobe Assets Corp.

Location: 66-68-70 Lochiel St. E, Alexandria

Purpose of application: To seek relief from the Comprehensive Zoning By-law 39-2000 requirements;

- For a reduction in the minimum parking spaces from the required 13 (8 for the proposed 5 apartments & 5 for the proposed new commercial unit) to the proposed 12 and,
- To permit the 2-way traffic access driveway (from Bishop Street South) minimum width from the required 6m in width to the proposed 3.1m (existing via right-of-way on Lochiel Street East).

Resolution No. 3

Moved by: Michael Madden

Seconded by: Brian Caddell

It is the recommendation of the Planning Department that the Committee of Adjustment approves Minor Variance application MV-06-2022 as submitted.

The clerk asked for comments from the public in attendance and from members of Council.

Neighbour – Kim Burton (74 Lochiel St.) – Resides next door. Concerned with problems with parking. The driveway is frequently blocked. She wants to be able to access her house. She needs to be able to get in and out of the driveway. She also wanted to clarify that there is no commercial space, it's an apartment at the back. But her biggest concern is the parking.

Director of Building, By-law & Planning – Jacob Rhéaume – Can not comment at this time on the apartment at the back but once the building permit is issued, all apartments can be inspected.

Mayor – Jamie MacDonald – Was asking if there was currently parking at the back of the building?

Director of Building, By-law & Planning – Jacob Rhéaume – Yes, there is parking. There is a legal right of way to access the back of the building.

Deputy Mayor – Carma Williams – Was inquiring if there were designated parking spaces? If not, can it be added as a condition?

Director of Building, By-law & Planning – Jacob Rhéaume – Yes, we can ask for designated parking as a condition.

The clerk asked two additional times for comments from the public and from members of Council.

No other comments were received.

Carried

5. OLD BUSINESS

6. NEW BUSINESS

7. NOTICE OF MOTION

8. ADJOURNMENT

Resolution No. 4

Moved by: Brian Caddell

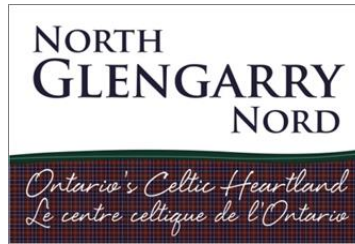
Seconded by: Michael Madden

There being no further business to discuss, the Committee of Adjustment Hearing was adjourned at 6:16pm.

Carried

CAO/Clerk/Deputy Clerk

Mayor/Deputy Mayor



STAFF REPORT COMMITTEE OF ADJUSTMENT

April 11, 2024

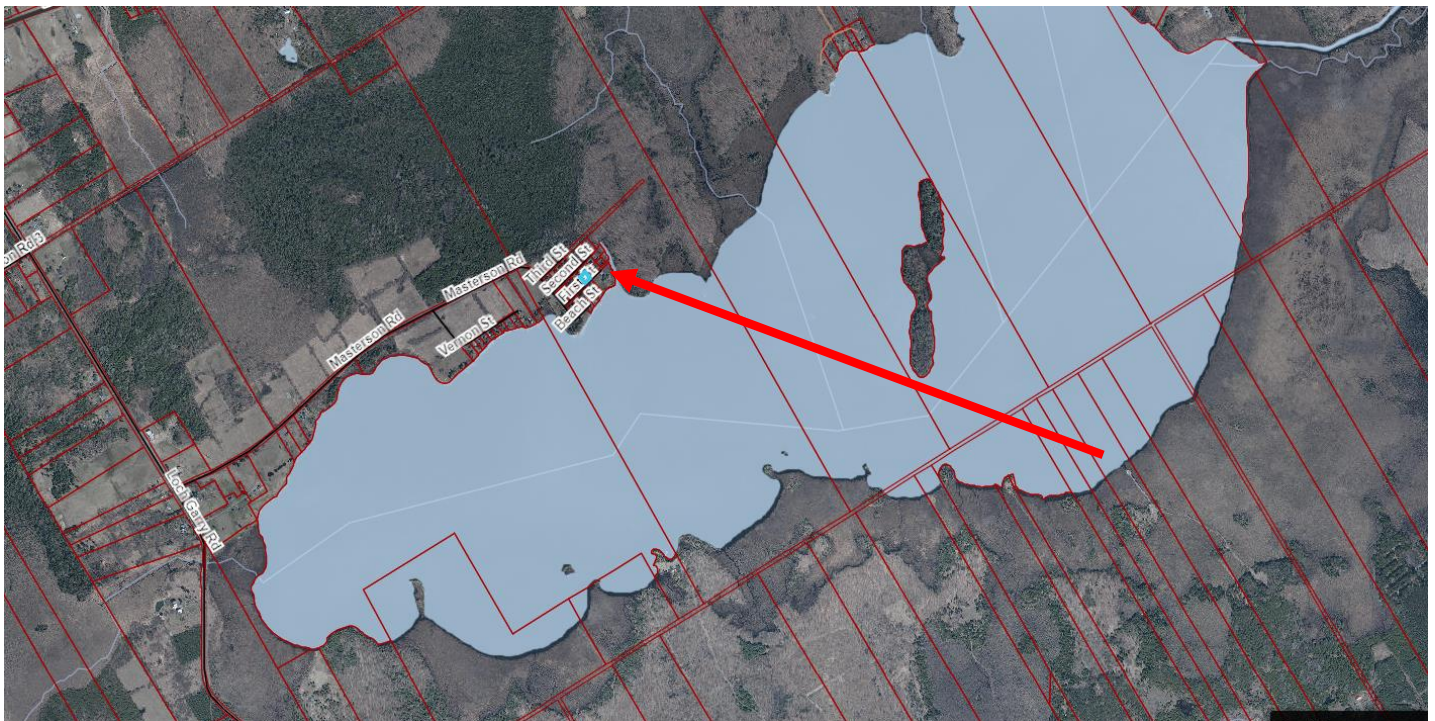
TO: Committee of Adjustment Members

FROM: Jacob Rheaume, Director of Building, By-law & Planning

RE: MV-04-2023

Owner: Lynn GALLANT-WHIPPS and David WHIPP

Location: 19217 First Street, Apple Hill, ON
Reg Comp Plan 135, Lot 25; RP14R1979 Part 1

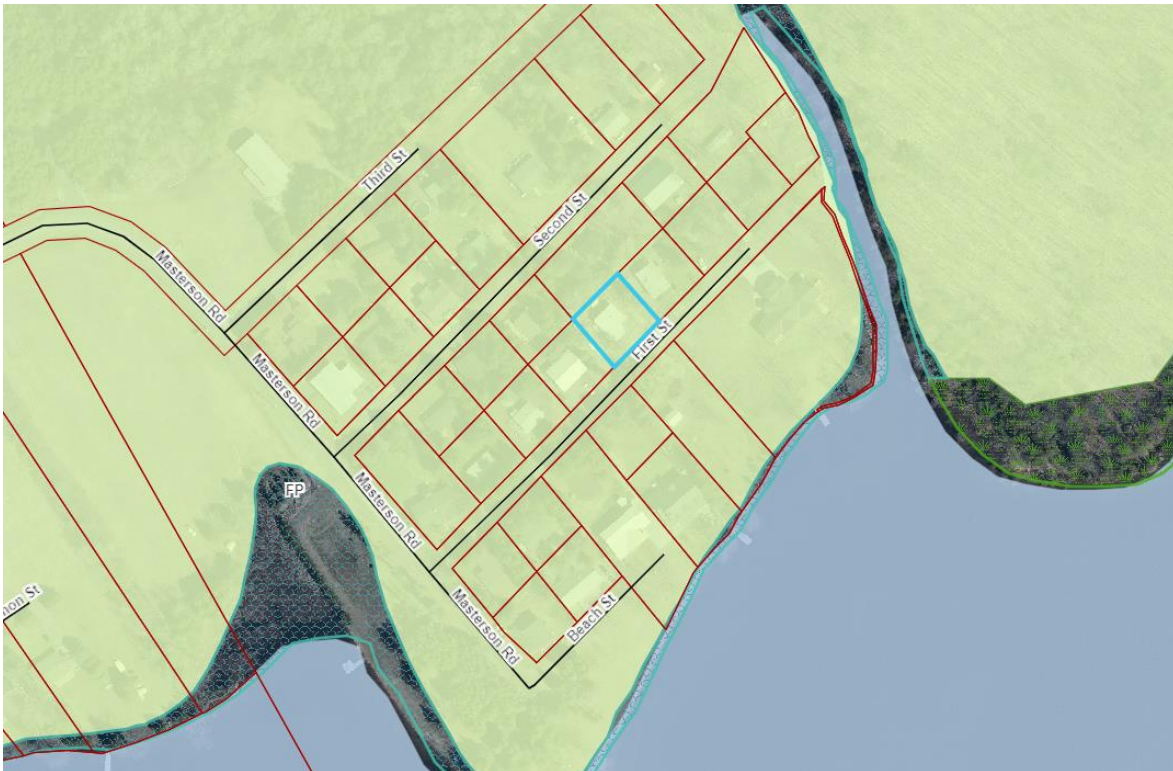




Official Plan designation: Rural District



Zoning: Rural (RU)



Purpose of the Application: To seek relief from the Comprehensive Zoning By-law 39-2000 within Section 12.1 (2) (iii) (f) & (h) for:

- A reduction in the interior side yard width setback from the required 1.5m (for accessory storage building - ZBA 3.1 (a) (ii)) to the proposed 0.6m; and
- An increase in lot coverage from the maximum permitted 10% to the proposed 20%, to permit the construction of an accessory storage building for residential use.

Discussion:

The property located at 19217 First Street, Apple Hill, is approximately 80' x 80', with an approximate area of 0.15 acres. This lot is not compliant with all the Rural Zone requirements but is considered "legal non-confirming" as the building was there prior to the passing of the current Township's Zoning By-law. The lots are very small in that area so most properties in the surroundings are also legal non-confirming, making any development difficult.

This existing lot of record is in the rural residential neighborhood just north of Loch Garry Lake. It's an existing residential property that currently consists of a single-family dwelling with access decks, and a few smaller accessory storage buildings. The owner wishes to construct a new, larger accessory storage building 18' x 22' just West of the dwelling, to replace the smaller ones, that currently sits in the proposed location.

The owners, Lynn GALLANT-WHIPP and David WHIPP, wishes to construct a 18' x 22' accessory storage building in a strategic location to allow for enough room for the required septic system and to accommodate the existing location of the driveway. The building will be at least 0.6m from the West property lines (MV) and will be compliant with the Zoning By-law minimum required setbacks for rear and front yard depth setback, and for maximum building height. The minor variance is required only for the interior side yard depth setbacks (West).



The property being zoned Rural (RU) permits residential uses as such, Public Works confirmed that this will not create an issue for their department, the existing civic number will remain, and we have not received any feedback or comments from the United Counties of Stormont Dundas & Glengarry or any other agencies. Also, no members of the public expressed any concerns or comments for the minor variance.

The property will not be subject to Site Plan Control to deal with the development, servicing, driveway, entrance, lighting, garbage, access, storm water management, lot grading, soil conditions, etc. will all be evaluated at building permit stage.

Four Tests of the Minor Variance: Planning Act Section 45(1)

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

1. Comply with the intent and purpose of the Official Plan.

The lands are designated Rural District in the United Counties of Stormont, Dundas and Glengarry Official Plan (2018). The Rural District designation permits residential uses, as well as any accessory buildings to the residential use.

The proposed use conforms to the relevant policies of the United Counties of Stormont, Dundas and Glengarry Official Plan 2018.

2. Comply with the intent and purpose of the Zoning By-law.

The Township of North Glengarry Zoning By-law Rural (RU) zone permits residential uses including single detached homes and all accessory uses. The proposed does comply with the intent and purpose of the zoning by-law.

The building is subject to a building permit under section 8 of *Building Code Act* and the owner is to obtain the permit prior to the work being started. The lot area is large enough to comply with the required other setbacks for the proposed accessory building.

The proposed residential accessory storage building is permitted as an accessory use to a residential property.

3. Are deemed suitable and desirable for the surrounding area.

The surrounding area is rural in all directions. The surrounding uses consist of rural residential properties. Loch Garry Lake is located just South of the subject property.



4. *Are minor in nature.*

The proposed relief from the zoning by-law requirement will generate minimal impact on the adjacent lands and property owners despite the reduction in the required minimum Interior Side Yard Depth and lot coverage, the property affected the most being the one on the West, with whom I have discussed, and he has no objections with the reductions. Thus, the minor variance is considered minor in nature.

Planning staff is of the opinion that the applicant's requested variance to the zoning by-law requirements can be considered minor in nature, desirable and appropriate, and meets the intent and purpose of the Zoning By-law and the objectives and policies of the Official Plan.

It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application MV-04-2023 as submitted.