

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

Committee Of Adjustment Hearing

Monday, February 27, 2023, 5:00 pm

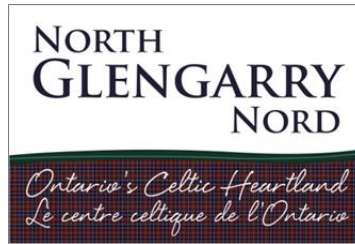
Council Chamber

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. No minutes to Approve at this time
- 4. MINOR VARIANCES**
 - a. MV-01-2023
 - b. MV-02-2023
 - c. MV-03-2023
- 5. OLD BUSINESS**
- 6. NEW BUSINESS**
- 7. NOTICE OF MOTION**
- 8. ADJOURNMENT**



STAFF REPORT PUBLIC MEETING

February 27, 2023

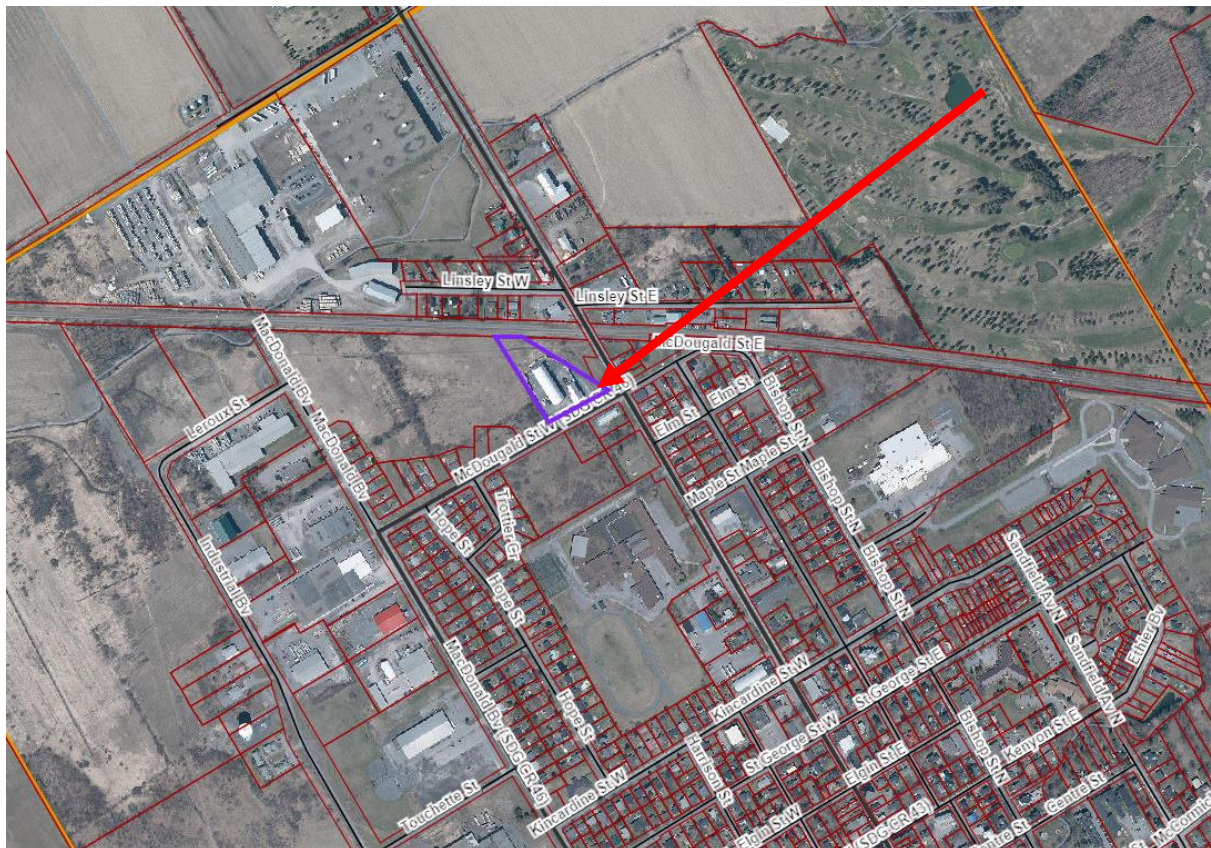
TO: Committee of Adjustment Members

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

RE: MV-01-2023

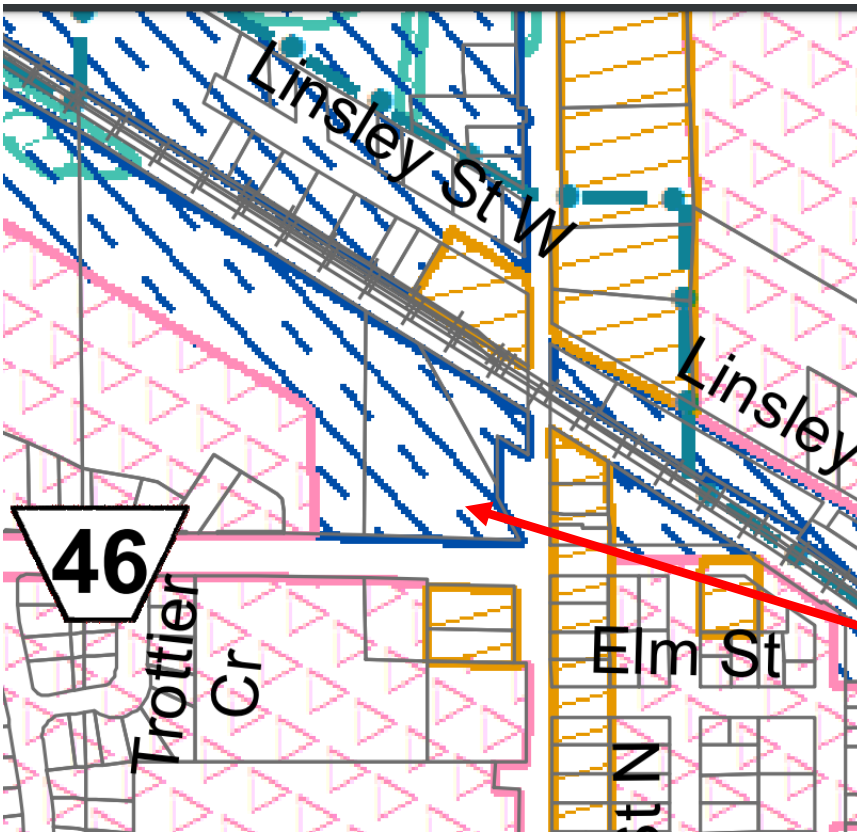
Owner: 5022837 Ontario Inc. (Murray Motor Sports)

Location: 294 Main Street North, Alexandria, K0C 1A0

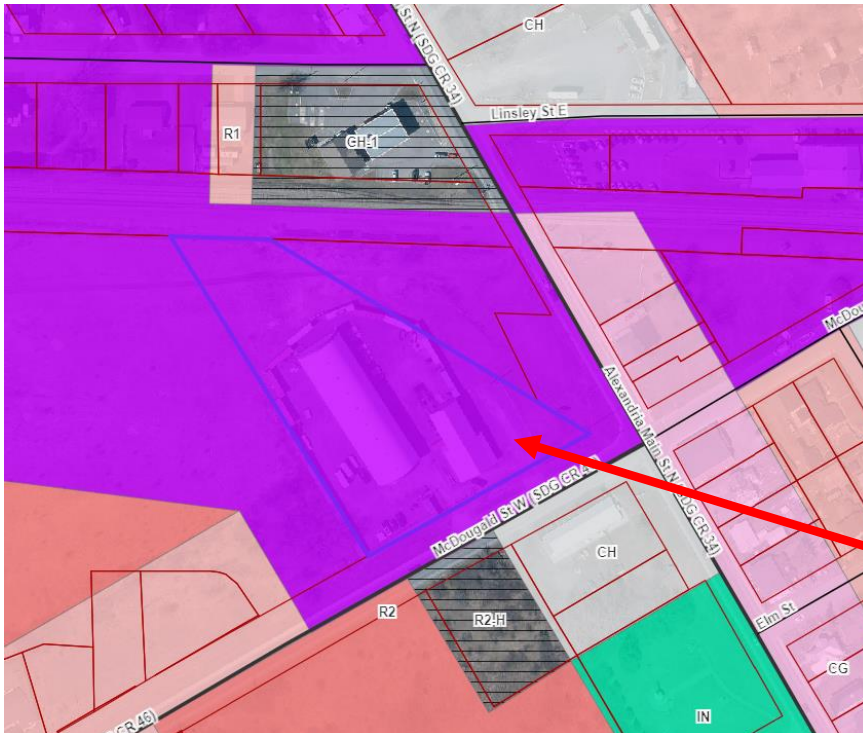




Official Plan designation: Employment District



Zoning: General Industrial (MG)



Purpose of the Application: to seek relief from the Comprehensive Zoning By-law 39-2000 requirements within Section 10.1 (2) (e) for a reduction of the Interior Side Yard Depth from the required 6.0m to 1.6m to acknowledge the existing deficiency at the North-East corner of the new 40' x 80' storage addition constructed in 2021 (building permit 2021-096).

Discussion:

The property located at 294 Main Street North in Alexandria is a commercial property of approximately 2.34 acres, having frontage onto McDougald Street West (County Road 46). The property entrance/driveway is located along McDougald Street West (County Road 46). The property has a civic address assigned on Main Street North, which has been as such since the business was established.

The property, where a small engine retail business is located, is zoned General Industrial (MG) making the use of the business compliant with the Township's Zoning By-law. The existing containers are also deemed "legal non-conforming" as they were installed prior to the passing of our Shipping Container By-law, prohibiting the use of such containers.

This application proposes a variance to reduce the interior side yard to acknowledge an existing deficiency. In 2021, a building permit application was applied for by the owner for a 40' x 80' storage addition. Based on the provided site plan, and on the GIS layers, the addition was deemed to be well over the minimum 6m requirement. An offset in the property lines from the PIN number layer and the roll number layer shows a large difference in the property line location, and also in the actual shape and location of the neighbouring lot, owned by the United Counties of SD & G.

A survey was done in 2022 by the owner to evaluate the location of the property line in reference to a future addition on the showroom at the front of the building, which enlightened the deficiency for the existing addition. That neighbouring property is owned by the United Counties and acts a buffer zone for the railway and Main Street North (County Road 34) so there is no intention by the United Counties to sell it to the owner. However, they do not object or oppose to this proposed variance. No comments were submitted by SD & G.

The shorter setback will also not be an issue for any other departments of the Township, and we have not received any feedback or comments from members of the public or any other agencies for the proposed minor variance.

Neighbouring properties includes a large mix of commercial, industrial, institutional and residential properties on all sides, and vacant lands on the South (future subdivision) and on the West (owned by the same owner). Most of the neighbouring properties are compliant with both the SDG Official Plan and our Zoning By-law and we are not getting any complaints regarding Murray Motor Sports day to day activities.

The parking space requirements in section 3.21 of the Zoning By-law is compliant for the commercial property. The parking area was not affected by the addition. There is also enough room for snow storage to avoid affecting the neighbouring properties, and the roadway.



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 Employment District in the United Counties of Stormont, Dundas and Glengarry Official Plan (2018). Employment District permits, in fact encourages any development for existing uses as such.

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 No. 39-2000 General Industrial (MG) permits the continued operation of the existing business, Murray Motor Sports, as a permitted use. The construction of the storage addition does comply with the intent and purpose of the zoning by-law.

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

Neighbouring properties include a large mix of commercial, industrial, institutional and residential properties on all sides, and vacant lands on the South (future subdivision) and on the West (owned by the same owner). The new addition was constructed far from the roadway, and away from any potential visibility or noise issues to neighbours. The property being the most affected is the property just East, being the SD & G “buffer” lands where no development is proposed in the near future.

4. *Are minor in nature.*

The proposed relief from the zoning by-law requirement will generate minimal impact on the adjacent lands despite the reduction in the required minimum Interior Side Yard Depth, 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-01-2023** as submitted.



STAFF REPORT PUBLIC MEETING

February 27, 2023

TO: Committee of Adjustment Members

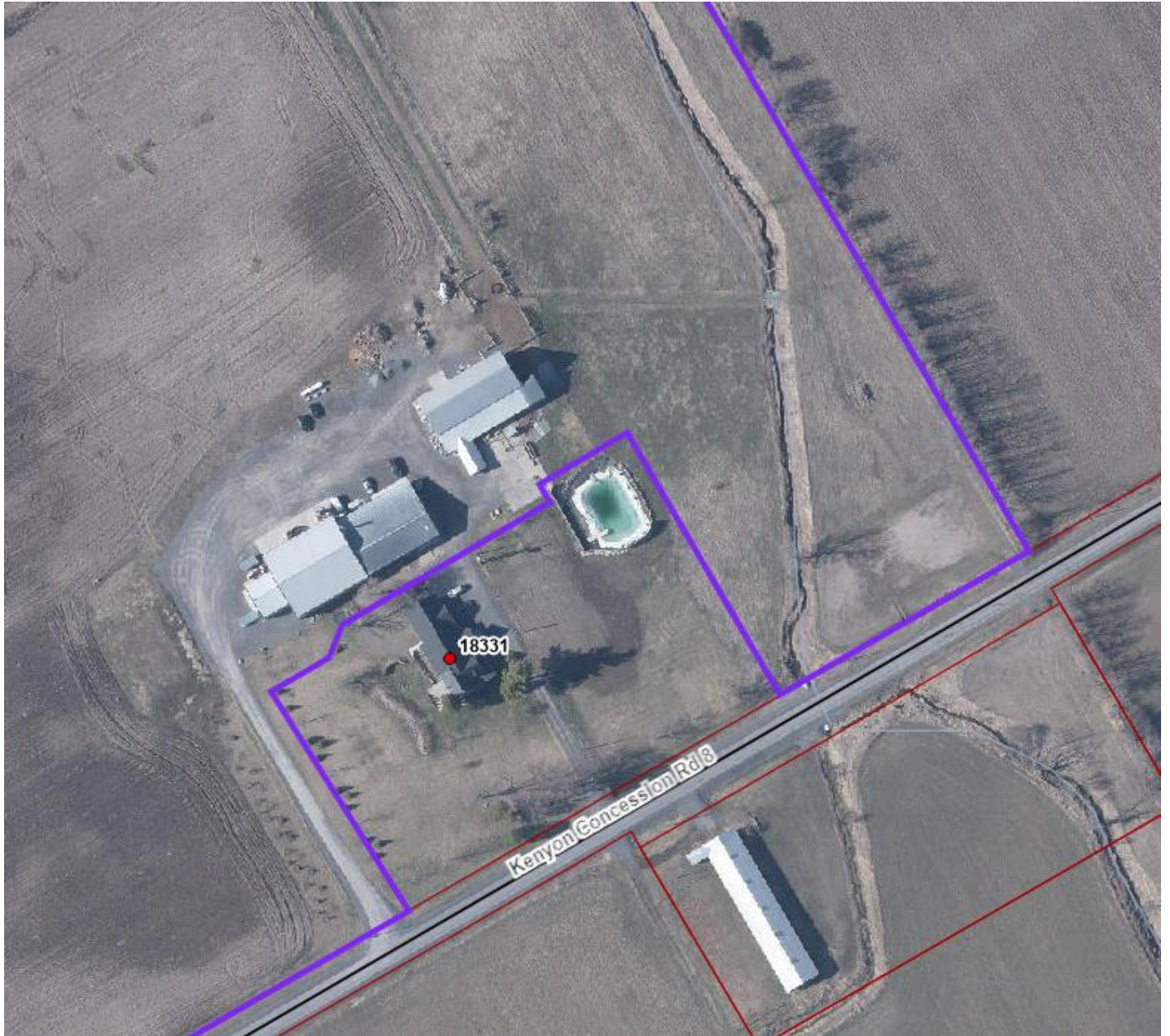
FROM: Jacob Rheaume, Director of Building, By-law & Planning

RE: MV-02-2023

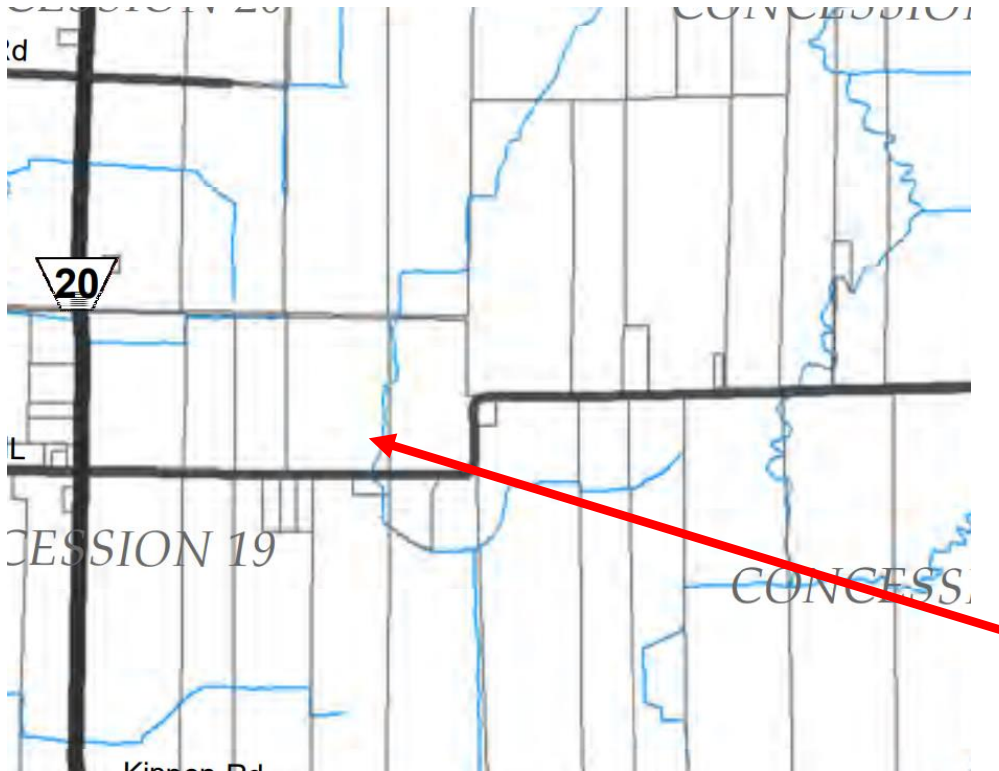
Owner: 1945154 Ontario Inc. (Cedar Ridge Designs)

Location: 18331 Kenyon Concession Road 8, Maxville, K0C 1T0

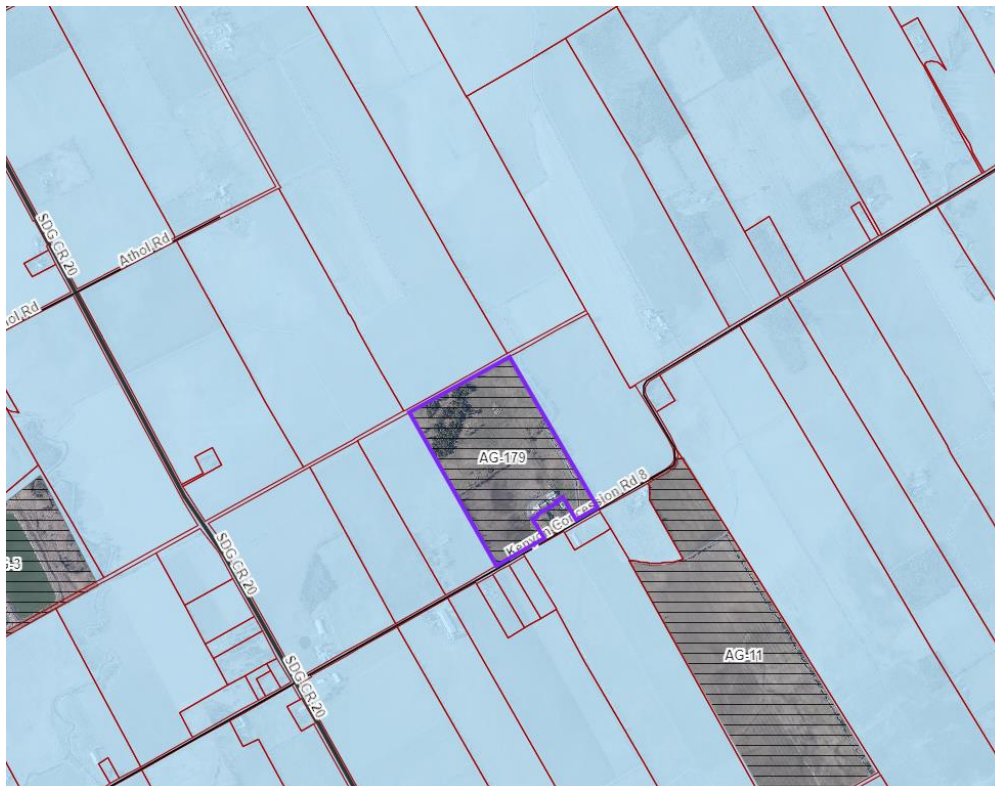




Official Plan designation: Agricultural Resource Lands



Zoning: General Agricultural – Special Exception AG-179



Purpose of the Application: to seek relief from the Comprehensive Zoning By-law 39-2000 requirements within Section 11.2 (2) (e) for a reduction of the Interior Side Yard Depth from the required 6.4m (AG-179) to the proposed 3m to permit the construction of an accessory storage building to the existing woodworking shop (Cedar Ridge Designs).

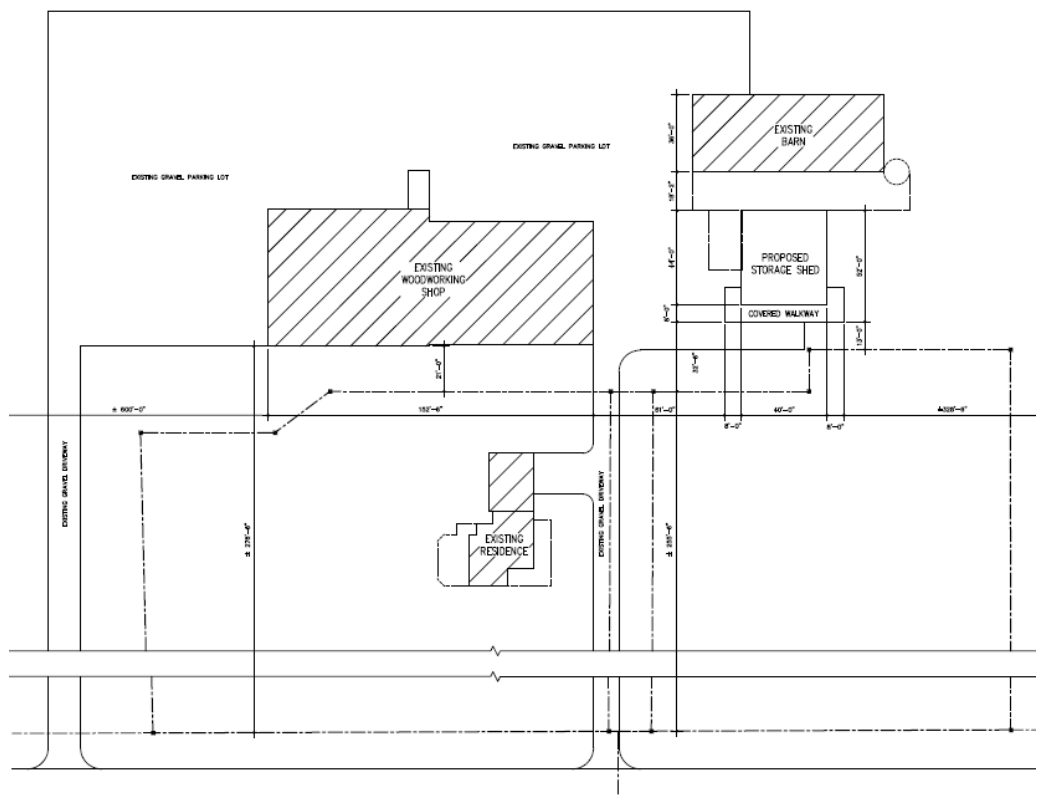
Discussion:

The property located at 18331 Kenyon Concession Road 8, Maxville is a commercial/agricultural property of approximately 51.66 acres, having frontage onto the municipal road. The property's entrance/driveway is located along Kenyon Concession Road 8, just West of the residential property (where the owner resides) for commercial vehicles, at this time, the same civic number is assigned for the residential property and for the commercial woodworking business.

The property where the cabinet woodworking shop is located is zoned AG-179 to prohibit residential development and a variance was also applied to acknowledge the shortage of minimum required interior side yard setback from the required 12 meters to 6.4 meters. That was passed by Council when the owner severed off the dwelling from the business by creating a new property through a severance process with the United Counties of SD & G.

This application proposes an additional variance to reduce the interior side yard now to 3m for the new proposed construction of an accessory storage building to the existing woodworking shop (Cedar Ridge Designs).

AG-179 was also passed to permit the continued operation of the commercial cabinet manufacturing facility as a permitted use, being Cedar Ridge Designs. The dwelling is zoned AG-178 to prohibit agricultural use activities.



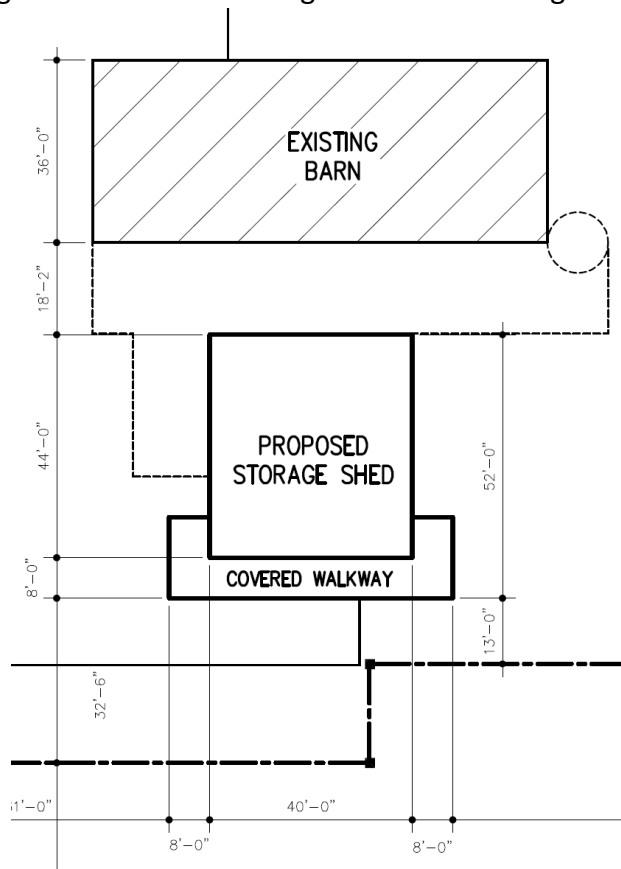
Neighbouring properties on all sides consists mostly of agricultural properties, some with livestock facilities, some cash crop, and rural residential dwellings, compliant with both the SDG Official Plan and our Zoning By-law.

The final location may differ from the proposed site plan, depending on the existing demolition location, hence the requested 3m to ensure no issues at building permit stage. The owner has all the architectural drawings completed at this time and he is waiting for the result of this application to apply for a building permit and start the construction. The addition would be compliant with all other Zoning By-law requirements.

The property being zoned AG-179 permits buildings as such, the shorter setback will not be an issue for any other departments of the Township, and we have not received any feedback or comments from members of the public or any other agencies for the proposed minor variance.

The property will not be subject to Site Plan Control to deal with the new construction, servicing, driveway, entrance, lighting, garbage, access, storm water management, lot grading, soil conditions, etc. are all existing and will remain the same.

The parking space requirements in section 3.21 of the Zoning By-law is compliant for the commercial/agricultural property. The parking area will not be affected by the addition. There will also be enough room for snow storage to avoid affecting the neighbouring properties, and the roadway.



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 Agricultural Resource Lands in the United Counties of Stormont, Dundas and Glengarry Official Plan (2018). Agricultural Resource Lands permits, in fact encourages any development for existing uses.

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 No. 39-2000 AG-179 permits the continued operation of the commercial cabinet manufacturing facility as a permitted use, being Cedar Ridge Designs. The proposed construction of an accessory storage building to the existing woodworking shop does comply with the intent and purpose of the zoning by-law.

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

Neighbouring properties on all sides consist mostly of agricultural properties, some with livestock facilities, some cash crop, and rural residential dwellings. The new proposed construction is also being constructed far from the roadway, and away from any potential visibility or noise issues to neighbours. The property being the most affected is the property just South, being where the owner resides.

- 4. Are minor in nature.*

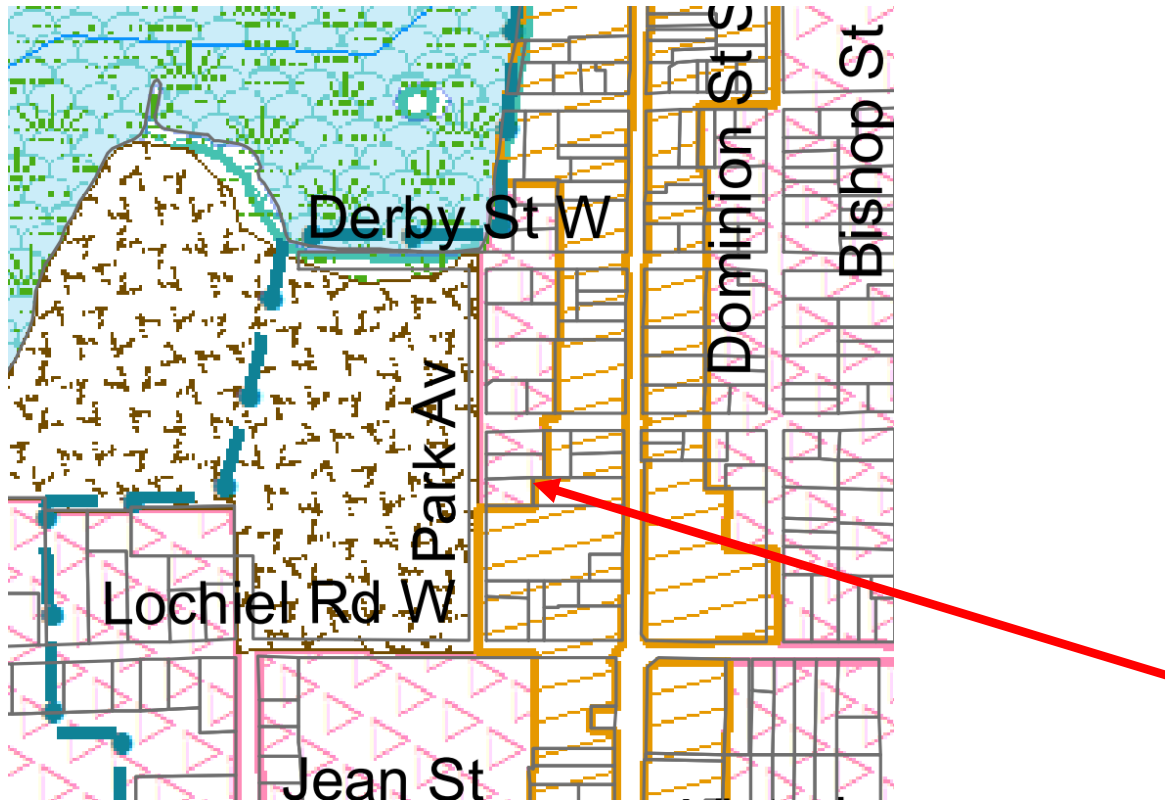
The proposed relief from the zoning by-law requirement will generate minimal impact on the adjacent lands and dwellings despite the reduction in the required minimum Interior Side Yard Depth, thus, the minor variance is considered minor in nature.



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-02-2023** as submitted.

Official Plan designation: Urban Settlement Area – Residential District (Alexandria)



Zoning: Residential First Density (R1)

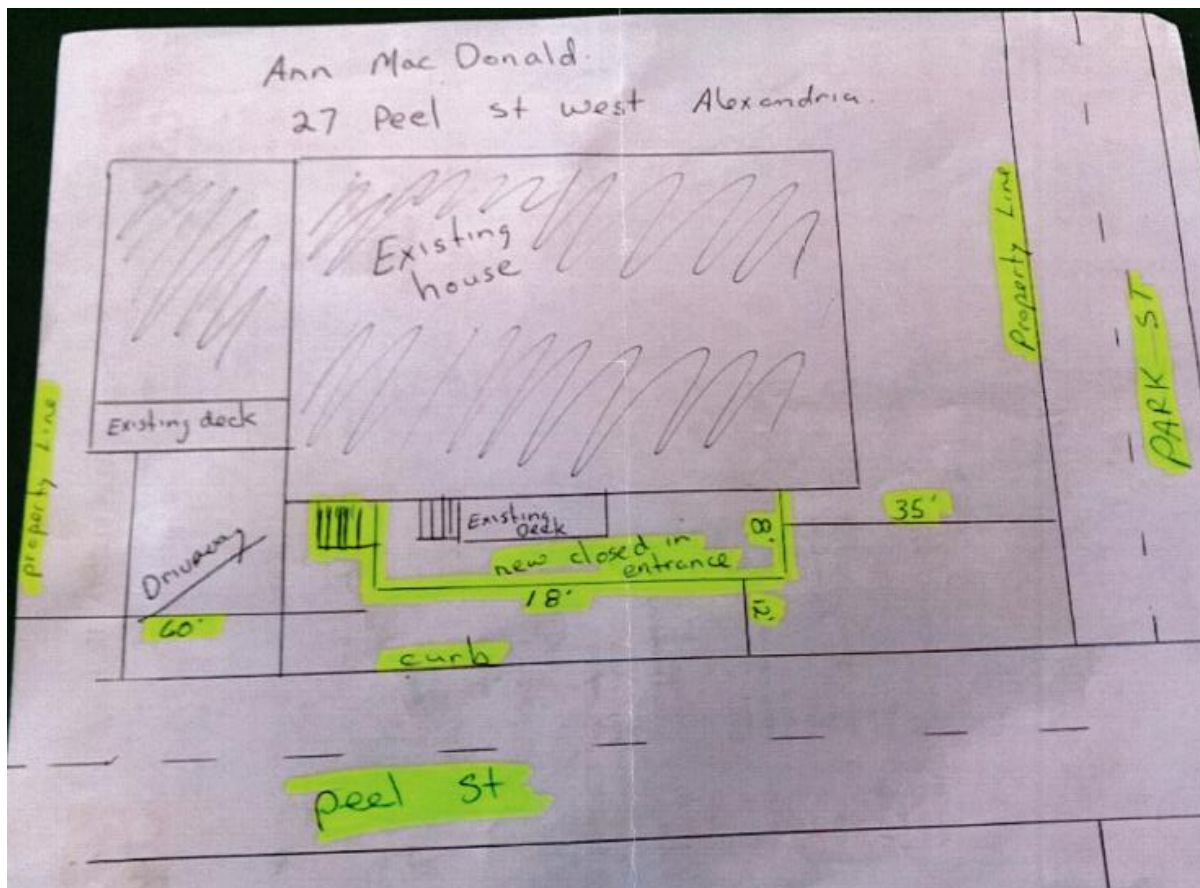


Purpose of the Application: To seek relief from the Comprehensive Zoning By-law 39-2000 requirements within Section 5.1 (2) (c) for a reduction of the Front Yard Depth from the required 6m to the proposed 2m to permit the construction of a residential addition (entrance) & porch onto the existing single family dwelling unit.

Discussion:

The property located at 163 Park Avenue in Alexandria is a residential property of approximately 0.16 acres, having 15.6m of frontage onto Park Avenue by approximately 41.1m in depth along Peel Street West. The property "entrance" is along Peel Street for both pedestrians and vehicles even if the "frontage" and civic number is on Park Avenue for Zoning purposes. The property being a corner lot, the front yard and exterior side yard are considered the same for setback, sight triangle view, etc.

The existing single-family dwelling is currently setback approximately 5m from the exterior side property line (Peel Street West). The required setback being 6m means the property is already within the required setback. The owner, Anne MACDONALD wishes to construct an addition on the "front" of the existing dwelling which would consist of mostly an entrance and access for the entrance. The addition will result in being approximately 4m closer than the required 6m setback from the exterior side property line, therefore the owner is applying for this minor variance.



Neighbouring properties in the East side are already very close to the property adjacent to Peel Street East, making the proposed minor variance a “known” situation. The final designs may end up being a lot less than what is being proposed. The owners did not complete the architectural drawing at this time as they are waiting for the result of this application. The addition would be compliant with all other Zoning By-law requirements and would not be higher than the existing dwelling.

The property being zoned R1 permits residential additions as such, Public Works confirmed that the shorter setback will not be an issue for their department and we have not received any feedback or comments from members of the public or any other agencies for the proposed minor variance.

The property will not be subject to Site Plan Control to deal with the small addition, servicing, driveway, entrance, lighting, garbage, access, storm water management, lot grading, soil conditions, etc. are all existing and will remain the same.

The parking space requirements in section 3.21 of the Zoning By-law is compliant as only 2 parking spaces are required, and 2 are provided. The parking area will not be affected by the addition.

There will also be enough room for snow storage to avoid affecting the neighbouring properties, and the roadway.



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 Urban Settlement Area – Residential District in the United Counties of Stormont, Dundas and Glengarry Official Plan (2018). Urban Settlement Area – Residential District permits, in fact encourages any residential uses for properties.

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 No. 39-2000 Residential First Density (R1) zone designation permits single family dwellings and accessory use buildings. The proposed small addition & access does comply with the intent and purpose of the zoning by-law.

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

The surrounding area consists of residential properties on the North and South, and mostly single-family dwellings. Some existing dwellings and the commercial building nearby are already closer to their front property lines than what is proposed in this application. The only other use in the surrounding area is the Institutional lands, owned by the Township (the park/soccer fields), just across the street, West of Park Avenue.





4. *Are minor in nature.*

The proposed relief from the zoning by-law requirement will generate minimal impact on the adjacent lands and dwellings despite the reduction in the required minimum Exterior Side Yard Depth, vehicular circulation for sight triangle being affected the most but still compliant with our Zoning By-law, and Public Works, 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-03-2023** as submitted.