

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

**Committee Of Adjustment Hearing**

Monday, June 26, 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 Hearing - Feb 27 023
- 4. MINOR VARIANCES**
  - a. MV-05-2023
- 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, February 27<sup>th</sup> 2023**  
**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, February 27<sup>th</sup> 2023 at 5:00pm.

**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

**COMMITTEE OF ADJUSTMENT HEARING CALLED TO ORDER**

The chair of the Committee called the Meeting to order at 5:00pm.

**1. DISCLOSURE OF CONFLICT INTEREST**

- Mayor – Jamie MacDonald declared a conflict of interest regarding file No. MV-03-2023 as Anne MacDonald is his sister.

**2. ACCEPT THE AGENDA (Additions/Deletions)**

**Resolution No. 1**  
**Moved By:** Brian Caddell  
**Seconded By:** Michael Madden

That the Council of the Township of North Glengarry accepts the Committee of Adjustment Hearing agenda of Monday, February 27<sup>th</sup>/2023.

**Carried**

**3. RATIFY MINUTES**

**Resolution No.**  
**Moved By:**  
**Seconded By:**

No minutes to approve at this time.

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

**4. MINOR VARIANCES**

**MV-01-2023**  
**Owner:** 5022837 Ontario Inc. (Murray Motor Sports)  
**Location:** 294 Main St. N, Alexandria

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

- For a reduction of the interior side yard depth from the required 6m to 1.6m to acknowledge the existing deficiency at the North-East corner of the new addition constructed in 2021 (Building permit No. 2021-096).

**Resolution No. 2**

**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-01-2023 as submitted.

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

**Deputy Mayor – Carma Williams** – Was commenting on the use of containers and if the container by-law can be further discussed to be able to use it more effectively in order to eventually eliminate them.

**Director of Building, By-law & Planning – Jacob Rhéaume** – Our By-law is strict, considering that some other Townships don't have any by-laws at all to regulate containers but yes, we can discuss it in further detail.

**Mayor – Jamie MacDonald** – Asked if containers were removed from the property, can they be brought back at a later date?

**Director of Building, By-law & Planning – Jacob Rhéaume** – No, once removed they can not be brought back onto the lot.

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

**No other comments were received.**

**Carried**

**MV-02-2023**

**Owner:** 1945154 Ontario Inc. (Cedar Ridge Designs)

**Location:** 18331 Kenyon Concession Rd 8, Maxville

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

- For a reduction of the interior side yard depth from the required 6.4m to the proposed 3m to permit the construction of an accessory storage building to the existing woodworking shop (Cedar Ridge Designs).

**Resolution No. 3**

**Moved by:** Gary Martin

**Seconded by:** Jeff Manley

It is the recommendation of the Planning Department that the Committee of Adjustment approves Minor Variance application MV-02-2023 as submitted.

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

**No comments were received.**

**Carried**

**MV-03-2023**  
**Owner:** Anne MacDonald  
**Location:** 163 Park Ave., Alexandria

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

- For a reduction of the front yard depth setback 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.

**Resolution No. 4**  
**Moved by:** Jacques Massie  
**Seconded by:** Michael Madden

It is the recommendation of the Planning Department that the Committee of Adjustment approves Minor Variance application MV-03-2023 as submitted.

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

**No comments were received.**

**Carried**

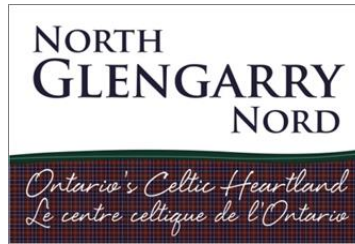
- 5. OLD BUSINESS**
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**Resolution No. 5**  
**Moved by:** Jeff Manley  
**Seconded by:** Gary Martin

There being no further business to discuss, the Committee of Adjustment Hearing was adjourned at 5:30pm.

**Carried**

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CAO/Clerk/Deputy Clerk	Mayor/Deputy Mayor



## STAFF REPORT COMMITTEE OF ADJUSTMENT

June 26, 2023

**TO:** Committee of Adjustment Members

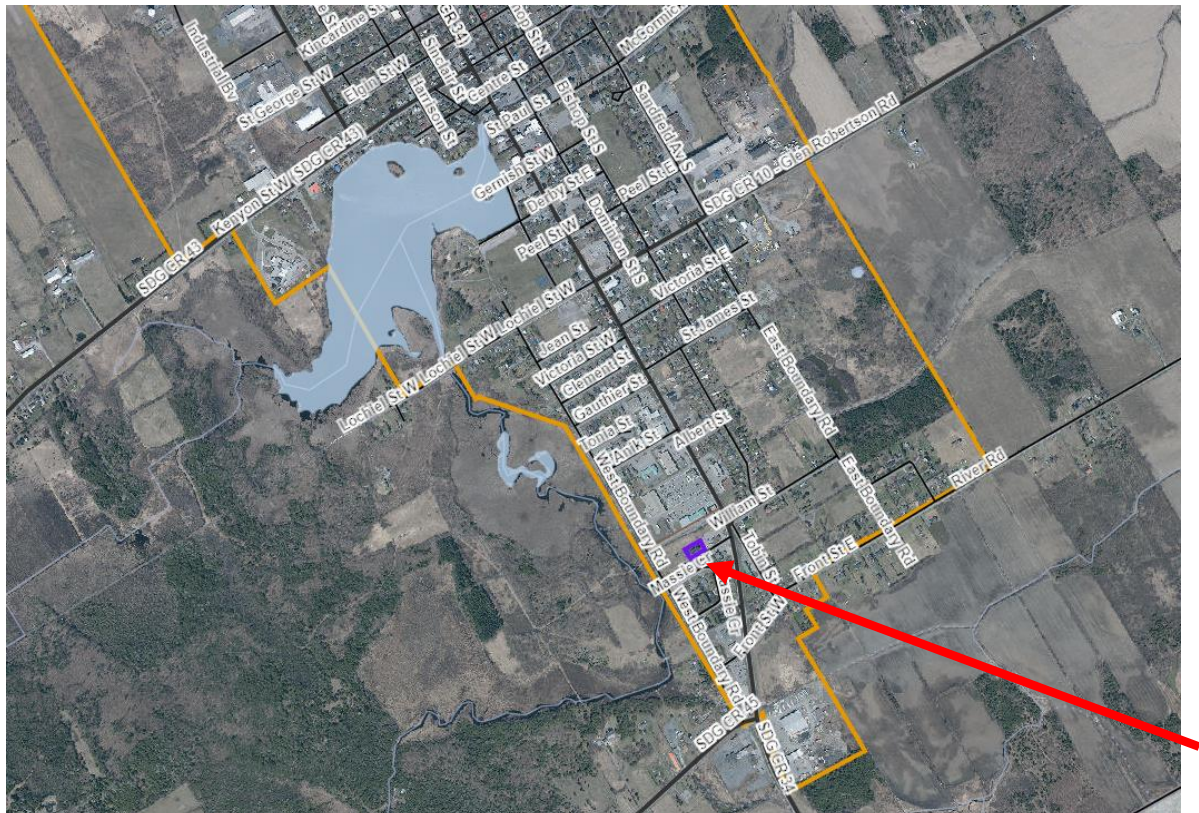
**FROM:** Jacob Rheaume, Director of Building, By-law & Planning

**RE:** MV-05-2023

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**Owner:** Joanne & Mario NADEAU

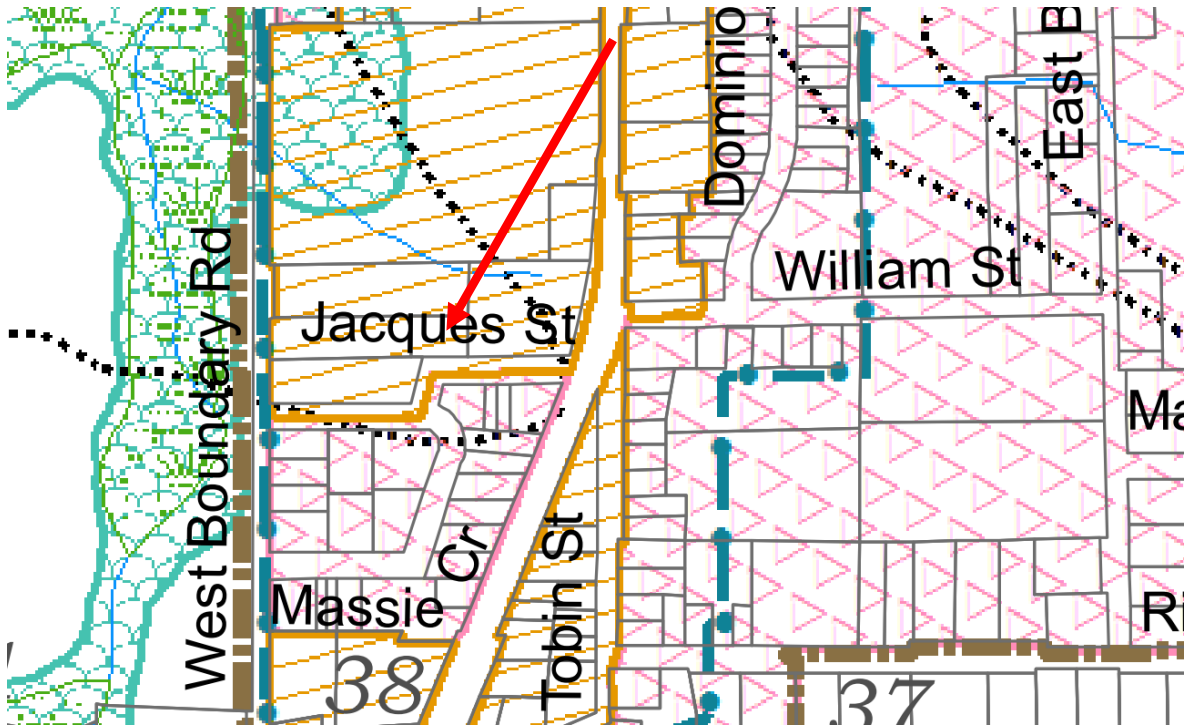
**Location:** 25 Jacques Street, Alexandria, ON  
Con 1, Part Lot 38; RP 14R5327 Part 3



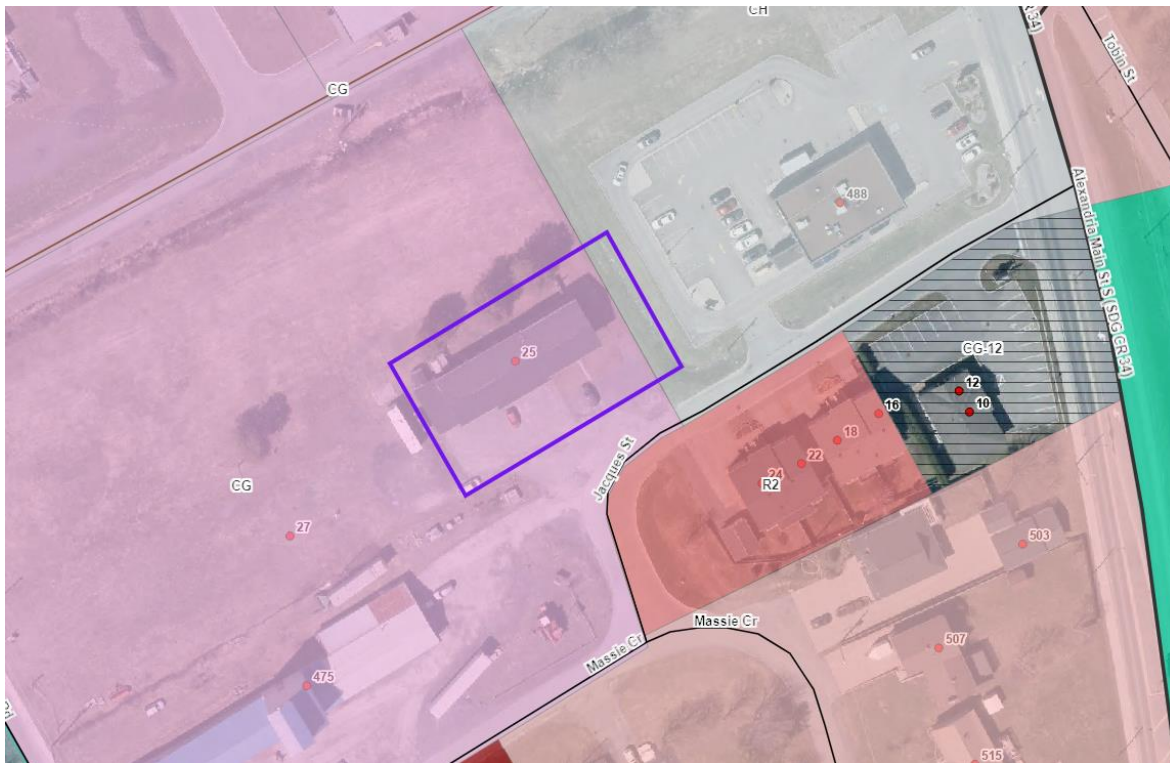




**Official Plan designation:** Urban Settlement Area (Alexandria) – Commercial District



**Zoning:** General Commercial (CG)



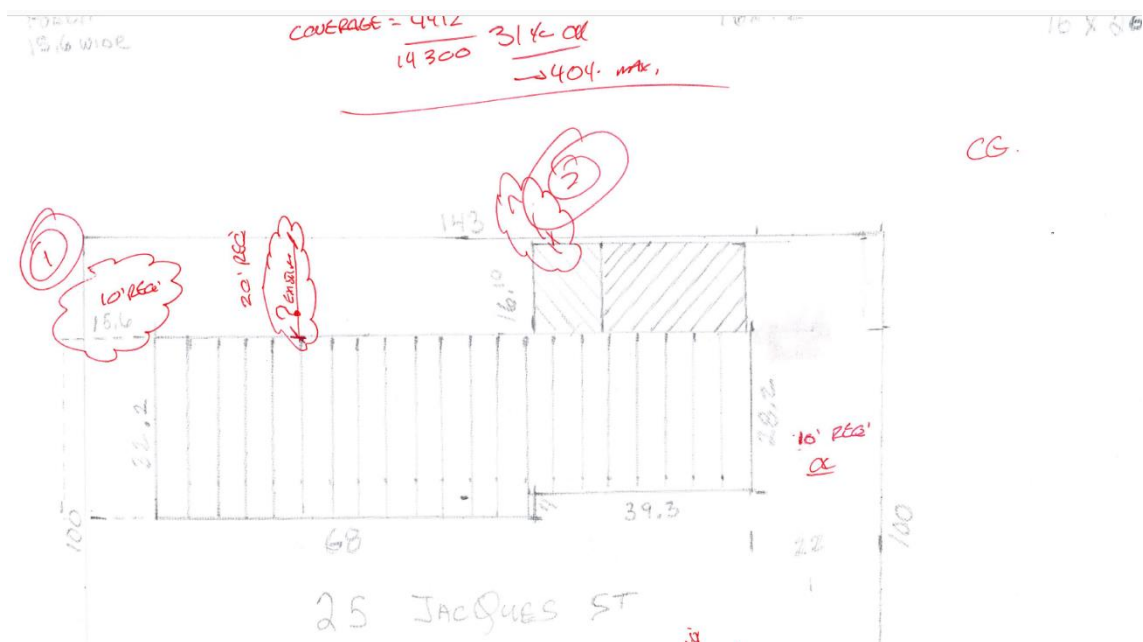
**Purpose of the Application:** To seek relief from the Comprehensive Zoning By-law 39-2000 within Section 6.1 (2) (f) & 3.33 (b) for a reduction in the rear yard depth setback from the required 4.5m (6m – 1.5m as per 3.33 (b)) to the proposed 0.3m to permit the construction of an exterior 2-storey deck attached to the existing apartment building.

**Discussion:**

The property is located at 25 Jacques Street, in Alexandria, and is approximately 142' x 102' with an approximate area of 0.34 acres. This lot is compliant with all the General Commercial Zone requirements and the use is considered "legal and conforming" as existing residential uses, existing when the By-law was passed are permitted in Commercial zones. There is a discrepancy with the West property line exact location from our GIS and surveys. The owner is working on clarifying the location of the property line. This Minor Variance application does not affect such property line setback.

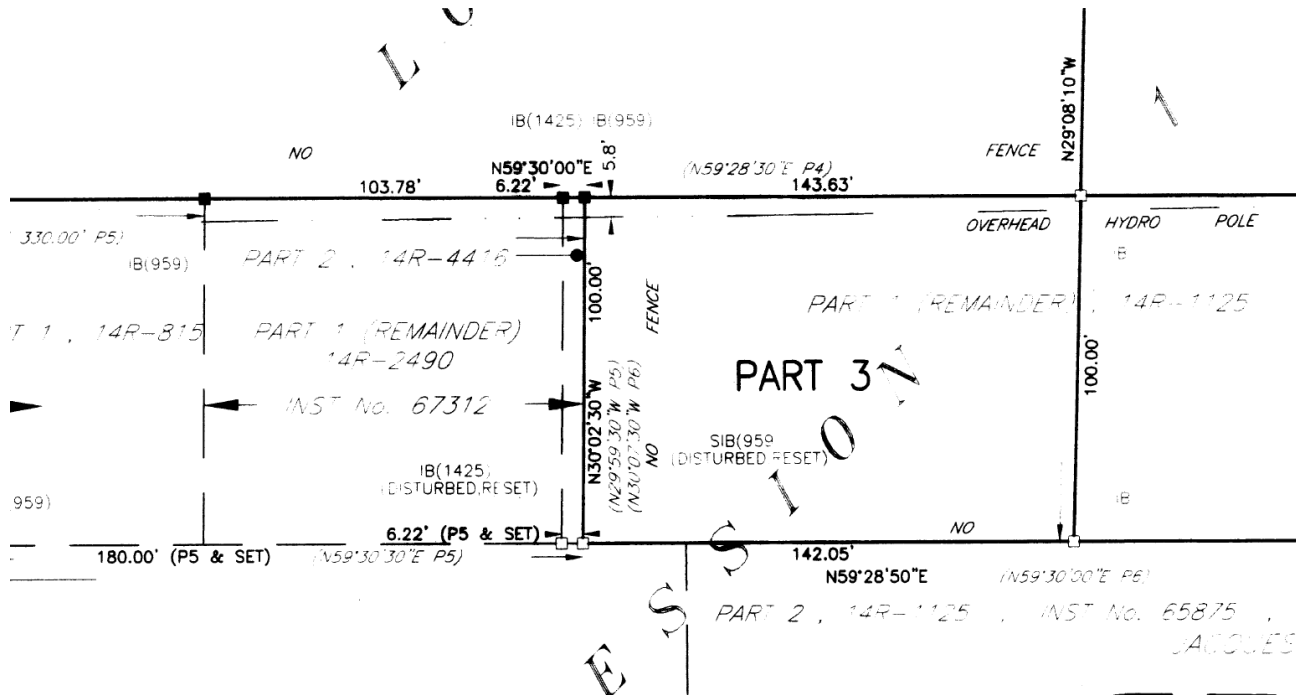
This existing lot, building and use is located between a residential neighborhood on the South and commercial properties on the North. The property currently consists of an apartment building of 7 rental units, plus an area for the owner, mainly used as storage. The owner wishes to construct a new deck, 2-storey high, for access to both main floor and second floor apartments, at the rear of the building, being the North side.

The owner wants to maximize the use of the rear decks for both access and exterior areas. The minor variance is applicable for the entire rear yard setback property line, but only a small portion on the East end of the building will have a new deck. It is located at a strategic location for access to both storey's apartment units. Such construction is permitted as an accessory access to the apartment within our Zoning By-law, and as per Stormont Dundas & Glengarry Official Plan.





A survey/building location certificate will be required after the construction is completed, prior to obtaining a final inspection report (building permit) to ensure the Minor Variance reduced setback was maintained and compliant.



As per the neighbour's request, the trees will have to be protected, and maintained intact throughout the construction, and thereafter. The owner will be notified that extra protection is to be taken to ensure that the trees lying on the North property are to be kept unharmed.

The property being General Commercial permits residential uses, as such, Public Works confirmed that this will not create any issues for their department. The existing civic numbers and entrances, driveway will remain, and we have not received any feedback or comments from the United Counties of Stormont Dundas & Glengarry or any other agencies.

The Raisin River Conservation Authority (RRCA) does not object to this proposed amendment to the Zoning By-Law. There are no known watercourses or floodplains identified on the subject property or within a 15-meter proximity of it. There are no recognized wetlands on the subject property or within 120 metres of it. The subject property is located within an area mapped as organic soils.

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 the 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 as Commercial District within the Urban Settlement Area of Alexandria in the United Counties of Stormont, Dundas and Glengarry Official Plan (2018). Commercial Districts may include mixed uses such as commercial, residential, public service facilities and institutional uses. Existing standalone residential uses may also be considered a conforming use in a local municipality's zoning by-law

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.***

This lot is compliant with all the General Commercial Zone requirements and the use is considered "legal and conforming" as existing residential uses, existing when the By-law was passed are permitted in Commercial zones.

The building is subject to a building permit under section 8 of the Building Code Act and the owner is to obtain the permit prior to the work being started.

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

The surrounding uses for this lot includes mostly a residential neighborhood on the South and commercial properties on the North and East, and West.



**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 Rear Yard Depth, the property affected the most being the one on the North and they have expressed their concerns for the trees, which the owner will have to maintain unharmed. 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-05-2023** as submitted.