

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY
Committee Of Adjustment Hearing

AGENDA

Monday, September 8th, 2025, 5:30 pm Council Chamber
3720 County Road 34
Alexandria, On.
K0C 1A0

1. DISCLOSURE OF CONFLICT INTEREST

2. ACCEPT THE AGENDA (Additions/Deletions)

3. RATIFY MINUTES

Committee of Adjustment Hearing Minutes – Monday August 11,
2025

4. MINOR VARIANCES

i. MV-07-2025: Marseni Real Estate Inc

5. OLD BUSINESS

6. NEW BUSINESS

7. NOTICE OF MOTION

8. ADJOURNMENT

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Committee of Adjustment Hearing

MINUTES

Monday, August 11, 2025,

5:30 pm

Council Chamber

3720 County Road 34

Alexandria, On. K0C 1A0

PRESENT: Mayor - Jamie MacDonald
Deputy Mayor - Carma Williams
Councillor (Kenyon Ward) - Jeff Manley
Councillor (Alexandria Ward) - Michael Madden
Councillor: Brian Caddell
Councillor: Gary Martin

ALSO PRESENT: CAO/Clerk - Sarah Huskinson
Director of Building, By-law & Planning - Jacob Rhéaume
Deputy Clerk: Jena Doonan

1. DISCLOSURE OF CONFLICT INTEREST

None

2. ACCEPT THE AGENDA (Additions/Deletions)

Resolution No. 1

Moved By: Carma Williams

Seconded By: Brian Caddell

THAT the Council of the Township of North Glengarry accepts the Committee of Adjustment Hearing agenda of Monday, August 11, 2025.

Carried

3. RATIFY MINUTES

Resolution No. 2

Moved By: Brian Caddell

Seconded By: Jeff Manley

THAT the Council of the Township of North Glengarry accepts the Committee of Adjustment Hearing Minutes of Monday May 26, 2025.

Carried

4. MINOR VARIANCES

MV-03-2024

Owner: Tyler & Jennifer Wray

Location: 20340-20342 Laggan-Glenelg Road (County Road 24), Dalkeith, ON
Concession 6, Part Lot 38; 14R5315 Part 1

Purpose of application: To seek relief from the Comprehensive Zoning By-law 39-2000 Section 11.2 (2)(c) for a reduction in the Front Yard (North) Depth minimum setback from the minimum required 15m (from County Road 24) to the proposed 9m to the building foundation for a new attached garage.

Resolution No. 3

Moved By: Jeff Manley

Seconded By: Michael Madden

It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application MV-03-2025 as submitted.

The clerk asked 3 times for comments from the public in attendance and from members of Council.

No questions or comments were received from members of public in attendance

Council questions and comments

Deputy Mayor Williams inquired about the potential outcome if the application were to be voted down, specifically asking what would happen to the building currently under construction.

CBO Jacob Rheaume explained that when a conditional permit is issued, the property owner must sign a letter acknowledging that all applicable laws have not yet been met. Should the application be denied, the owner would be required to demolish the building and restore the property to its original condition.

CBO Jacob Rheaume noted that the applicant would likely appeal such a decision, given that staff had recommended approval and the counties had already approved the setback. He stated that the outcome of any appeal to the tribunal could not be predicted; however, if the appeal were unsuccessful, the tribunal would uphold the committee's decision.

No further questions or comments were received

Carried

MV-04-2024

Owner: Salzburg Farms Inc

Location: 20181 County Road 43, Alexandria
Kenyon Concession 3, Part Lots 3 & 4

Purpose of application: Purpose of the Application: To seek relief from the Comprehensive Zoning By-law 39-2000 to permit the expansion of a manure storage

(heifer/dry cow pack) to be located closer than the minimum distance separation to “Type A Land Use” & “Type B Land Use”, as determined by the MDS II Formula, as per implementation guideline #43 of the MDS Document.

The required minimum manure storage setback distance from “Type A Land Use” is 294m to the proposed 143m, a variance of 151m AND the required minimum manure storage setback distance from “Type B Land Use” is 588m to the proposed 202m, a variance of 386m.

Resolution No. 4

Moved By: Michael Madden

Seconded By: Carma Williams

It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application MV-04-2025 as submitted.

The clerk asked 3 times for comments from the public in attendance and from members of Council.

No questions or comments received from members of public in attendance.

Comments and questions from Council:

Deputy Mayor Williams thanked staff for the report, noting that the Planner had been thorough and had addressed questions earlier in the day. Deputy Mayor Williams further commended the enhanced notification process, stating it was an appropriate measure in this instance.

Councillor Madden echoed the Deputy Mayor’s sentiments, complimenting the thoroughness of the report. They noted that at least 115 notification letters were sent out, with no complaints or comments received, and confirmed the proposal reduces the setback from 588 metres to 202 metres, a 65% decrease. They inquired about potential remedies should complaints arise in the future.

CBO Jacob Rheume responded that any complaints regarding the agricultural facility would be addressed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). And explained that the nutrient units would increase slightly from 188 to 203 (approximately 7%), which is not expected to adversely affect neighbouring properties. Nearby subdivisions were informed and understood the rural nature of the area, noting the barn’s existing presence.

Councillor Manley asked the applicants, Tony and Angela Nussbaumer, about their future plans and whether they foresee changes within the next 10, 15, or 20 years.

Mr. Tony Nussbaumer, co-owner of Salber Farms, responded that industry regulations have evolved, requiring larger housing areas and improvements in animal welfare. These regulations will necessitate modifications to existing buildings. He explained that the proposed changes focus on housing existing livestock in a more humane and modern manner, including separating fibres from manure to reduce odour and adding concrete storage pads and animal pack areas to encourage natural behaviour, emphasizing the importance of securing the minor variances now to allow for planned upgrades without future uncertainty. Expansion will be modest due to quota limitations under the supply-managed dairy industry. Currently milking approximately 80 cows, they may increase to around 100 cows if quota licenses become available, a process which is slow.

He stressed the farm's commitment to maintaining strong relationships with neighbours and the community and working collaboratively to address any concerns.

No further questions or comments were received

Carried

MV-05-2024

Owner: Marc Delorme

Location: 270-272 Industrial Boulevard, Alexandria
Kenyon Concession 3, Part Lot 2; RP14R3520 Part 1
Roll 0111 018 000 76595
PIN 67106-0493

Purpose of application: To seek relief from the Comprehensive Zoning By-law 39-2000 Section 5.4 (2) (b) for the reduction of the minimum Lot Frontage from the required 30m to the proposed 24m, and from Section 5.4 (2) (h) for the reduction of the minimum Landscaped Open Space from the required 35% to the proposed 0% for the retained portion of Consent Application B-34-25 (SDG) and:
To seek relief from Section 5.4 (2) (b) for the reduction of the minimum Lot Frontage from the required 30m to the proposed 7m for the severed portion of Consent Application B-34-25 (SDG).

Resolution No. 5

Moved By: Carma Williams

Seconded By: Brian Caddell

It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application MV-05-2025 as submitted.

The clerk asked 3 times for comments from the public in attendance and from members of Council.

No questions or comments were received

Carried

MV-06-2024

Owner: 729027 ONTARIO INC / Richard VAILLANCOURT

Location: Kenyon Concession Road 1, Alexandria
Kenyon Concession 1, Part Lots 2 & 3; RP14R2853 Part of Part 2 & Parts 6, 7, 9
Roll 0111 011 000 26000
PIN 67115-0309

THE PURPOSE: To seek relief from the Comprehensive Zoning By-law 39-2000 Section 12.1 (2) (iii) (b) for the reduction of the minimum Lot Frontage from the required 45m to the proposed 30m, and from Section 12.1 (2) (iii) (1) for the reduction of the minimum Lot Area from the required 1 acre to the proposed 0.64 acre for the severed portion of Consent Application B-108-24 (SDG).

Resolution No. 6

Moved By: Brian Caddell

Seconded By: Jeff Manley

It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application MV-06-2025 as submitted.

The clerk asked 3 times for comments from the public in attendance and from members of Council.

No questions or comments were received

Carried

5. OLD BUSINESS

None

6. NEW BUSINESS

None

7. NOTICE OF MOTION

None

8. ADJOURNMENT

Resolution No.

Moved By Jeff Manley

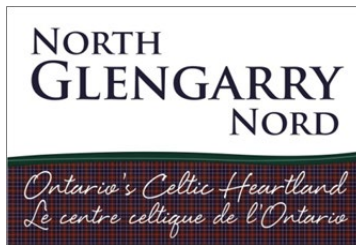
Seconded By Michael Madden

THERE being no further business to discuss the Committee of Adjustment Hearing was adjourned at 6:21 pm.

Carried

CAO/Clerk/Deputy Clerk

Mayor/Deputy Mayor




STAFF REPORT COMMITTEE OF ADJUSTMENT

Date: **September 8, 2025**

To: **Committee of Adjustment Members**

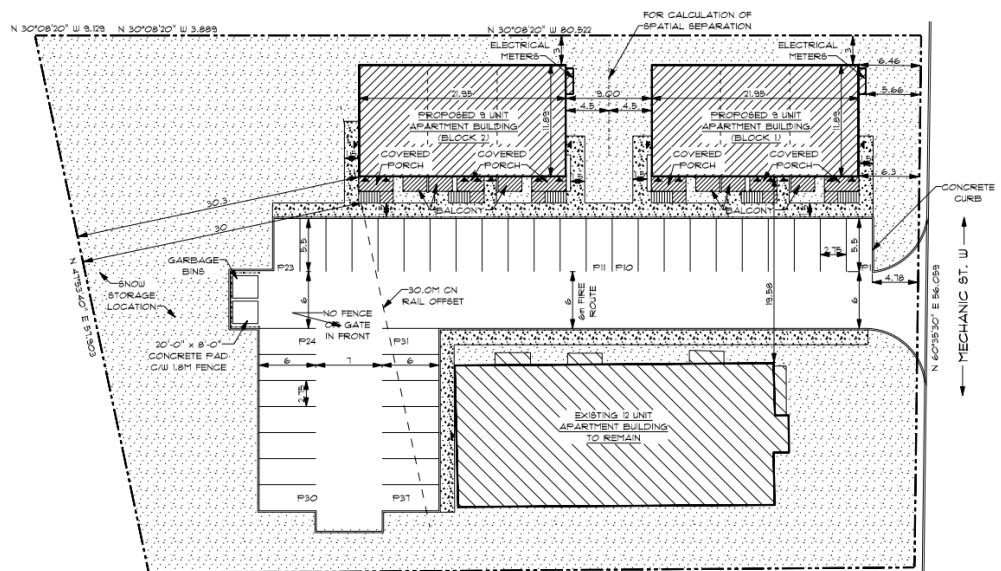
From: **Jacob Rheume, Director of Building, By-law & Planning**

File	Minor Variance Application No. MV-07-2025
Owner	MARSENI REAL ESTATE INC
Address (Civic & Legal)	10 Mechanic Street West, Maxville Plan 32 Part Mill Lot; 14R1736 Parts 1, 2 & 3 Roll 0111 014 000 58200 PIN 67103-0405
Location	

Property



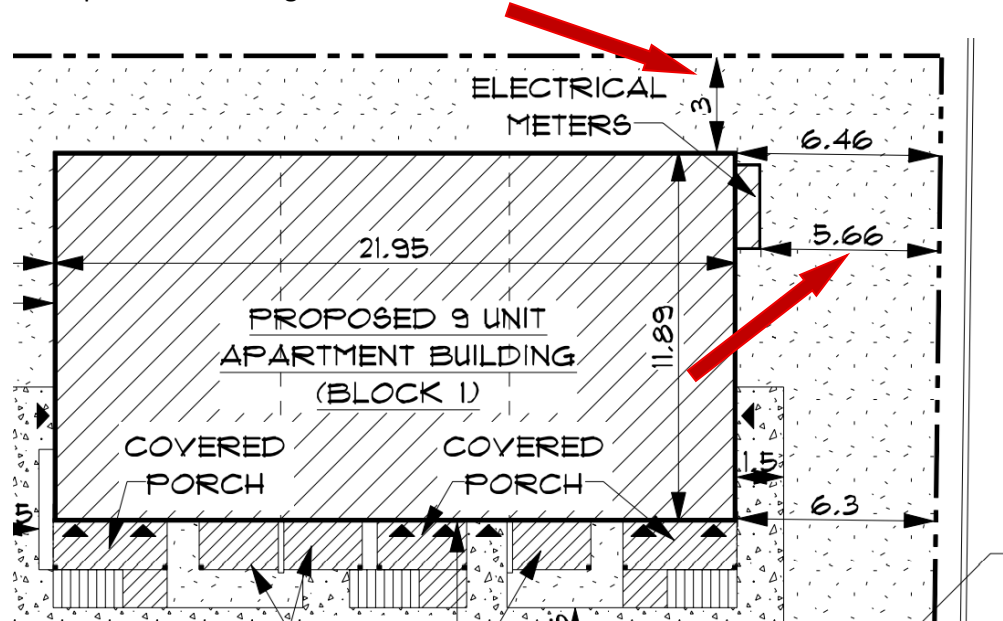
Site



Purpose of application

THE PURPOSE of the Minor Variance Application is:

To seek relief from the Comprehensive Zoning By-law 39-2000 Section 5.4 (2)(i)(c) for a reduction in the Front Yard (North) Depth setback from the minimum required 9m (from Mechanic Street West - County Road 22) to the proposed 5.66m AND from Section 5.4 (2)(i)(e) for a reduction in the Interior Side Yard (West) Width setback from the minimum required 4.5m to the proposed 3m, to the building foundation for a new apartment building construction.

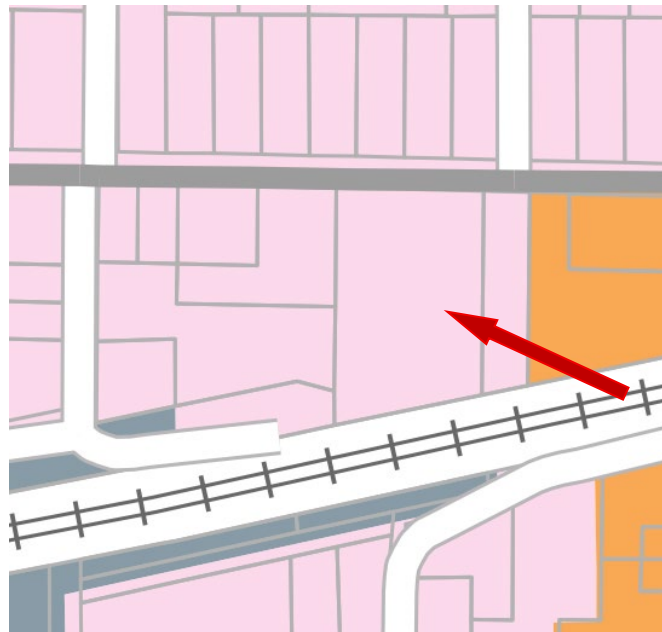


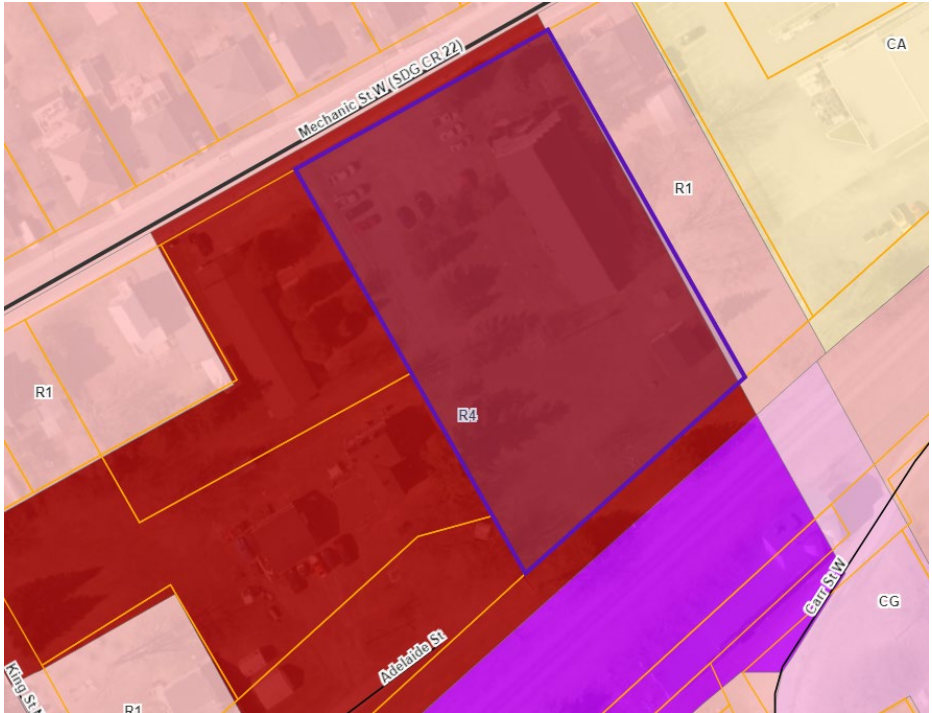
Effect of application

To accommodate the proposed construction of two new 9-unit apartment buildings for a total of 18 new units and the reconfiguration of the parking lot for the existing 12-unit apartment building, which will remain.

Official Plan & surroundings

Urban Settlement Area (Maxville) – Residential District



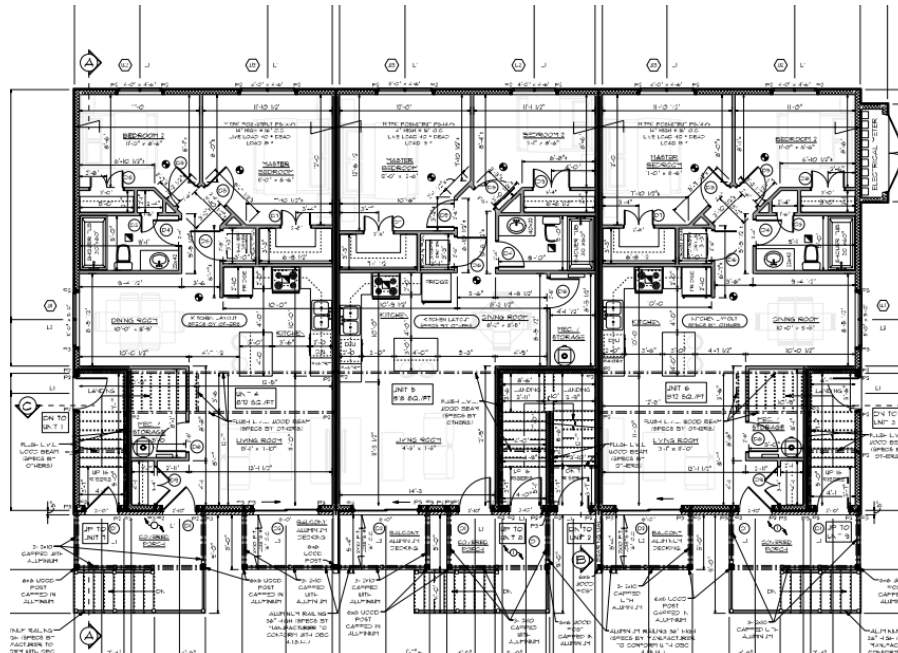
Zoning & surroundings	<p>Residential Fourth Density – R4</p> 
Use	<p>Existing residential use - 12-unit apartment building with parking lot – to remain.</p> <p>Proposed project also residential use - two new 9-unit apartment buildings (total of 18) and reconfiguration of the parking lot.</p> <p>Compliant in size with R4 zone</p>
Surrounding Uses	<p>North – Rural residential properties</p> <p>East – 1 residential dwelling and Home Hardware & Scotia Bank</p> <p>South – Via Rail and Residential area</p> <p>West – 1 apartment building on the neighbouring lot, also consistent with Zoning, and residential properties, MacEwen, Maxville Manor.</p>
Size/Area	<p>+/- 1.19 acres</p> <p>No proposed changes to size.</p> <p>Compliant in size with R4 zone requirements for 30 apartments (12 existing + 18 proposed)</p>
Frontage	<p>56.6m on Mechanic Street West (30m required)</p> <p>Compliant with R4 zone requirements for 30 apartments (12 existing + 18 proposed)</p>
Dimensions	<p>+/- 56.6m x 91.1m – Irregular</p>

Buildings

Existing 12-unit apartment building with parking lot – to remain.

The proposed project consists of the construction of two new 9-unit apartment buildings (total of 18) and reconfiguration of the parking lot.

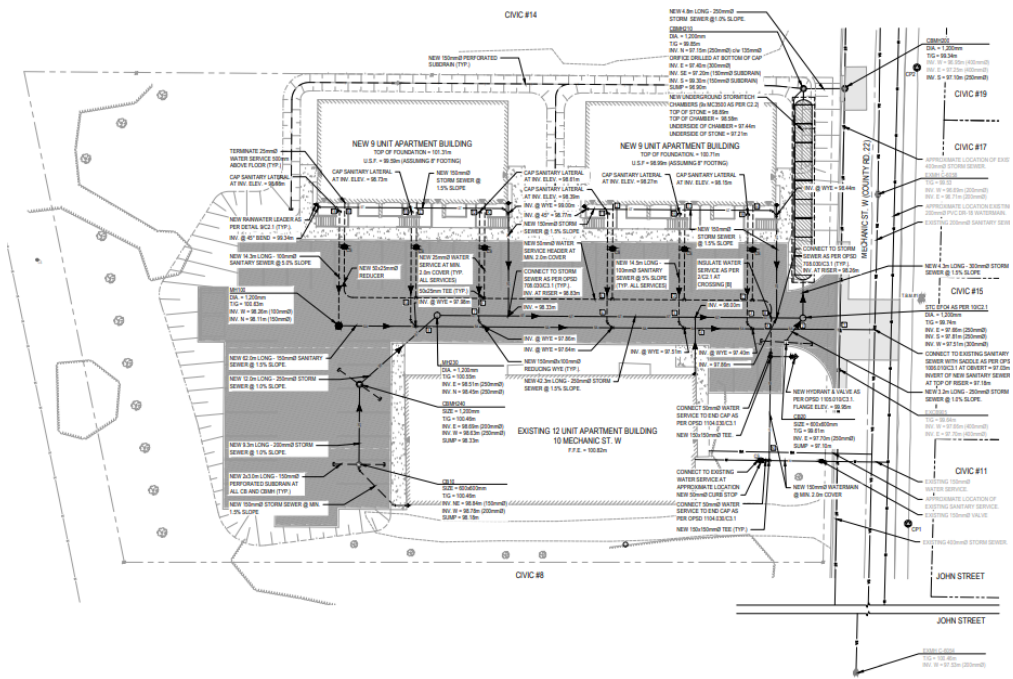
The new buildings are located along the west side of the property and are located outside VIA Rail's 30.0m setback from the southern property line.



Building Height	Compliant with R4 zone requirements.
Setbacks	<p>Front Yard (North) Depth setback minimum required 9m (from Mechanic Street West) - proposed 5.66m</p> <p>Interior Side Yard (West) Width setback minimum required 4.5m - proposed 3m</p> <p>Both to the building foundation for a new apartment building construction.</p> <p><u>Not compliant with Zoning By-law. – Minor Variance required.</u></p> <p>Rear Yard (South) & Interior Yard (East) compliant with R4 zone requirements.</p>
Lot Coverage	Compliant with R4 zone requirements for 30 apartments (12 existing + 18 proposed)
Parking	<p>Parking, 37 spaces provided vs. 45 required (30 units x 1.5 space per unit as ZB)</p> <p>New Provincial legislation only requires 1 parking space per unit.</p>
Access	<p>Access to the apartments will be through a new private lane from Mechanic Street W.</p> <p>Sidewalk will be placed along the extents of the parking lot on the west and east side and provide access to the new and existing building entrances.</p> <p>The east gravel lane, along the east side of the existing building, will remain.</p>
AODA	<p>New apartment buildings in Ontario must meet accessibility requirements under the Ontario Building Code, which mandate that at least 15% of suites in new multi-unit residential buildings have basic accessibility features.</p> <p>To be evaluated at building permit stage.</p>
Sanitary/Septic	<p>Three 100mm diameter sanitary sewer laterals will be installed for each new building and will join into a 150mm sanitary lateral which will then discharge to the existing 200mm sanitary sewer on Mechanic Street West.</p> <p>The sanitary service for the existing 12-unit apartment will remain.</p>
Water/Well	<p>The proposed water supply will consist of a new 150mm water service which will be connected near property line to a water service of matching diameter installed as part of the recent Maxville water distribution project.</p> <p>The water service will then reduce to 50mm after the new hydrant.</p> <p>3 - 25mm water services will be installed for each new building.</p>
Storm	New storm sewer collection system, underground stormwater management (SWM) facility and an oil & grit interceptor are proposed for the development.

	<p>The underground SWM facility will provide storage to reduce post-development flows to the pre-development conditions for both the 5- and 100- year design storms.</p> <p>The oil & grit interceptor will provide qualitative treatment.</p> <p>The proposed storm sewer system consists of catchbasins, catchbasin maintenance holes and storm sewers which have been sized to accommodate the peak flows.</p>
Grading	<p>Site grading was provided to ensure a minimum slope of 1.0% for all asphalt and grassed areas with terracing.</p> <p>Swales have been graded with a minimal slope of 0.5% and will feature subdrains to promote drainage and avoid surface flooding.</p>
Entrance/Driveway	<p>1 existing driveway from Mechanic Street West (County Road 10) will be used to access all apartments parking spaces, existing and new.</p> <p>No new entrances are proposed.</p>
Civic number	<p>1 existing civic number for the apartment building – 10.</p> <p>Civic number 8 and 12 are already issued, a system within civic number 10 will have to be used.</p> <p>To be evaluated at building permit stage.</p>
Lighting/Noise/ Nuisance	<p>The building will be lighted as per requirements in the Ontario Building for exits, access to parking, etc., no additional lighting proposed is cause for nuisance on neighbouring properties.</p> <p>The new apartment buildings and parking will generate noise as it can be expected from a residential sector for traffic, pedestrian traffic, etc., no noise issues are expected.</p> <p>The proposed development is not anticipated to have any undue adverse impacts on any surrounding uses and neighbouring properties.</p>
SDG	<p>No new proposed entranceway on any County Roads.</p> <p>Setback permit already applied for with the United Counties of Stormont Dundas & Glengarry.</p> <p>No other comments submitted.</p>
RRCA & SNRCA	No comments submitted.
EOHU	No comments submitted.
MTO	No comments submitted.
CP/CN/Via Rail	The new buildings are located along the west side of the property and are located outside VIA Rail's 30.0m setback from the southern property line.

	<p><u>The 30m setback is the main reason for the Minor Variance application as the buildings are proposed as far North-West as possible to avoid any corrective actions or mitigation measures.</u></p>
OMAFRA	No comments submitted.
Hydro one, OPG, Bell, Enbridge	No comments submitted.
NG Roads Dept.	No comments submitted.
NG Public Works Dept.	<p>A private garbage contractor is hired to provide for environmental services.</p> <p>A new garbage bin location is proposed on the site, hidden from public view.</p>
NG Fire Dept.	<p>A new hydrant and fire access route will be provided on site to meet the requirements of the OBC.</p> <p>The required fire flow was calculated as per the OBC for each building.</p>
NG By-law Dept.	No comments submitted.
NG Building Dept.	<p>A building permit will have to be applied for as per OBCA.</p> <p>A Site Plan Control By-law will also have to be passed by Council for the proposed development.</p>
Info Plans	



**Planning Act
Four Tests
Section 45(1)**

A minor variance must meet all four tests under the Planning Act:

1. Maintains the general 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. Urban Settlement Area – Residential District permits and encourages any residential uses for properties. The proposed use conforms to the relevant policies of the Official Plan.

2. Maintains the general intent and purpose of the Zoning By-law

*The Township of North Glengarry Zoning By-law - Residential Fourth Density (R4) zone permits any types of residential uses including single detached homes and all accessory uses, **apartment buildings**, row houses, duplexes, semi-detached, etc.*

The property is subject to a Site Plan Development Agreement, to deal with items such as site plan, building location, servicing, driveway, entrance, parking, lighting, garbage, access, storm water management, lot grading, soil conditions, etc. all compliant.

The general intent of the proposed minor variance does comply with the intent and purpose of the Zoning By-law.

3. Desirable for the appropriate development or use of the land, building, or structure

The requested minor variance is desirable for the appropriate development and use of the subject property, as it will allow for the efficient placement of two additional residential apartment buildings on a site that already accommodates this form of use. The proposed buildings comply with all applicable zoning provisions aside from the

	<p><i>front and interior side yard setbacks, and their siting will create minimal adverse impacts on surrounding properties or the streetscape. Allowing a reduction in setbacks will facilitate a logical and compatible expansion of the existing residential development, making better use of serviced urban land while maintaining the character of the neighbourhood and contributing positively to the local housing supply.</i></p> <p>4. Minor in nature</p> <p><i>The requested variance is minor in nature as the relief sought relates only to a modest reduction in the front and interior side yard setbacks, while all other provisions of the Zoning By-law are being met. The proposed adjustment will not result in any undue adverse impacts on neighbouring properties, such as loss of privacy, shadowing, or obstruction of sightlines, and the overall scale, massing, and function of the proposed buildings remain consistent with what is otherwise permitted as-of-right. In this context, the variance represents a technical adjustment that facilitates appropriate site design rather than a fundamental change to the intent of the By-law or the character of the area. The application “maintains the compatibility and context” of the neighbourhood, thus, the minor variance is considered minor in nature.</i></p>
Provincial Policy Statement	<p>According to the Provincial Policy Statement (2020) Minor Variance Applications should be passed if it:</p> <ul style="list-style-type: none"> - Supports efficient land use and development patterns - Facilitates diverse Housing and Growth Management options and compact built forms - Supports sustainable development by promoting a mix of land uses
Official Plan	<p>According to the United Counties of Stormont Dundas & Glengarry Official Plan Minor Variance Applications should be passed if it:</p> <ul style="list-style-type: none"> - Conforms with land use designation and does not conflict with permitted uses - Promotes high-quality, context-sensitive infill development - Supports communities - Maintains or enhances neighbourhood compatibility, the existing character and context of the area
Zoning By-law 39-2000	<p>The Minor Variance Application is compliant with Zoning By-law for reasons such as:</p> <ul style="list-style-type: none"> - General intent is preserved - Variance does not result in overdevelopment or unsafe conditions - Setbacks, lot coverage, and height can be complied with existing site conditions - Unique lot shape, size, topography, or constraints warrant a minor relief - No feasible alternative that would comply strictly with the by-law - No major adverse impact on neighbouring properties such as sun/shadow, privacy, overlook, traffic, or stormwater impacts which are all negligible or non-existent - Consistent with previously approved variances in the Township - Adjacent owners have expressed no objections

Planning staff is of the opinion that the applicant's requested variance to the zoning by-law requirements can be considered minor in nature, suitable, desirable and appropriate for the surrounding area, and meets the intent and purpose of the Zoning By-law and the objectives and policies of the Official Plan as per the Four Tests of the Planning Act Section 45(1).

Recommendation: It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application MV-07-2025 as submitted.