

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

Committee Of Adjustment Hearing

Monday, January 29, 2024, 5:45 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.

- 1. DISCLOSURE OF CONFLICT INTEREST**
- 2. ACCEPT THE AGENDA (Additions/Deletions)**
- 3. RATIFY MINUTES**
 - a. Committee of Adjustment Hearing Minutes - Nov 27 2023
- 4. MINOR VARIANCES**
 - a. MV-01-2024
- 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 27, 2023, 5:45 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

REGRETS: Councillor (At Large) - Jacques Massie

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

1. **DISCLOSURE OF CONFLICT INTEREST**
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, November 27th/2023.**

Carried

3. **RATIFY MINUTES**

Resolution No. 2

Moved By Gary Martin
Seconded By Jeff Manley

THAT the Council of the Township of North Glengarry accepts the Committee of Adjustment Hearing Minutes of **Monday, September 11th/2023.**

Carried

4. **MINOR VARIANCES**

- a. **MV-10-2023**

Owner: Michael Chenier & Carole Lauzon

Location: 3880 County Rd 45, Alexandria

Resolution No. 3

Moved By Michael Madden

Seconded By Brian Caddell

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

- For a reduction in the lot frontage from the required 45m to the proposed 20.48m for a residential-use lot creation, as per the condition No.4 of consent application B-8-23.

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

Councillor (Lochiel Ward) – Brian Caddell - Asked if the property owner could build further back?

Director of Building, By-law & Planning – Jacob Rhéaume - Explained that the home owner can build anywhere in the rural area.

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

No other comments were received.

It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application **MV-10-2023** as submitted.

Carried

- 5. **OLD BUSINESS**
- 6. **NEW BUSINESS**
- 7. **NOTICE OF MOTION**
- 8. **ADJOURNMENT**

Resolution No. 4

Moved By Jeff Manley

Seconded By Gary Martin

THERE being no further business to discuss the Committee of Adjustment Hearing was adjourned at 5:53pm.

Carried

CAO/Clerk/Deputy Clerk

Mayor/Deputy Mayor



**STAFF REPORT
COMMITTEE OF ADJUSTMENT**

January 29, 2024

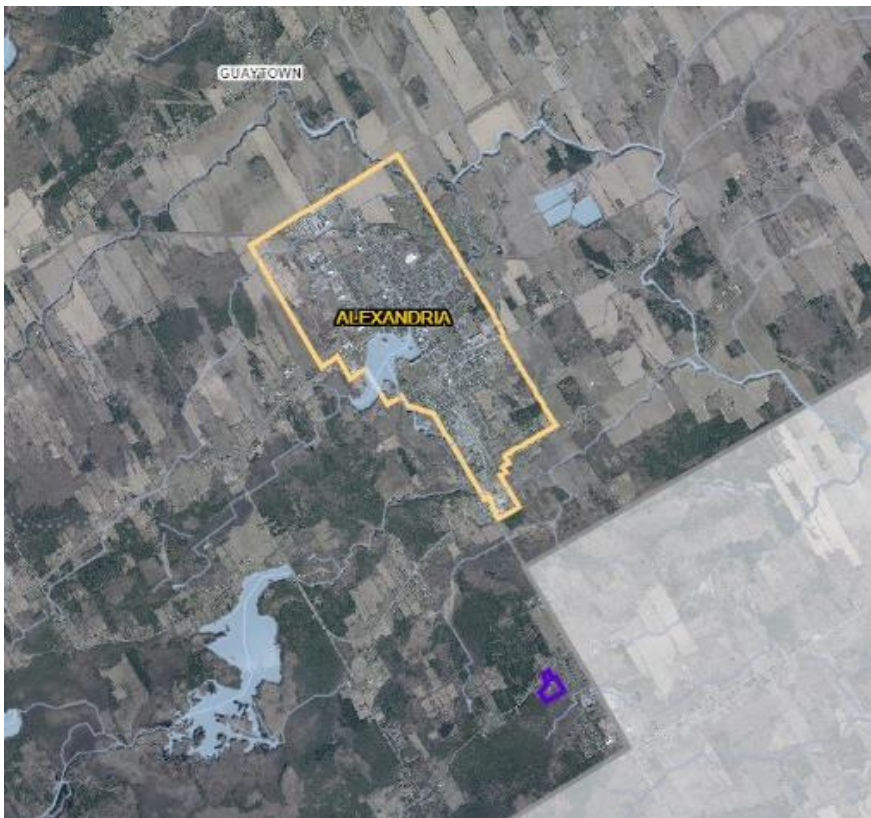
TO: Committee of Adjustment Members

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

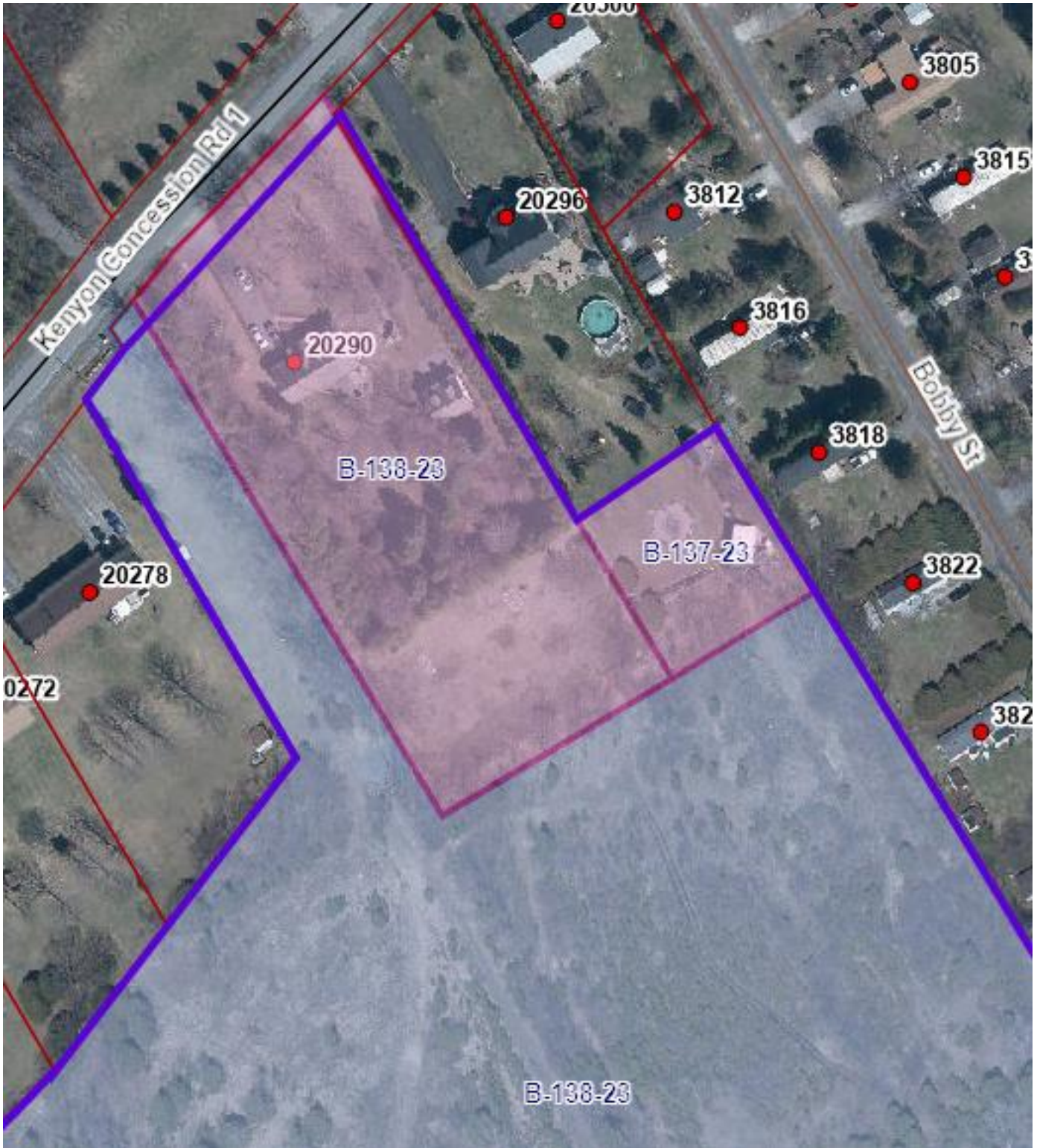
RE: MV-01-2024

Owner: Kathleen DICAIRE

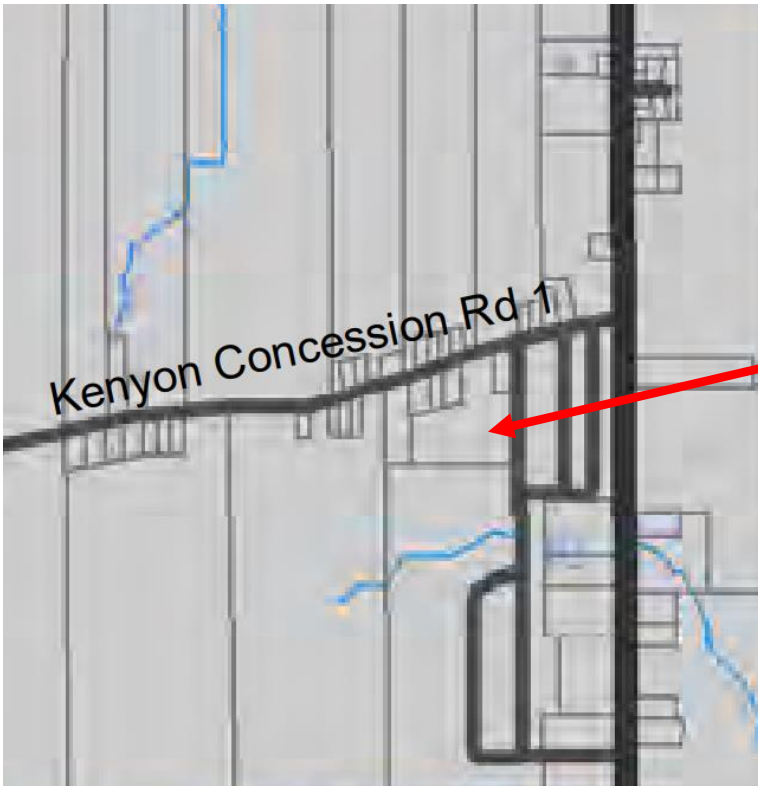
Location: 20290 Kenyon Concession Road 1, Alexandria, ON
Con 1, Part Lot 1; RP14R881 Part 1 & 4; RP14R3128 Part 4



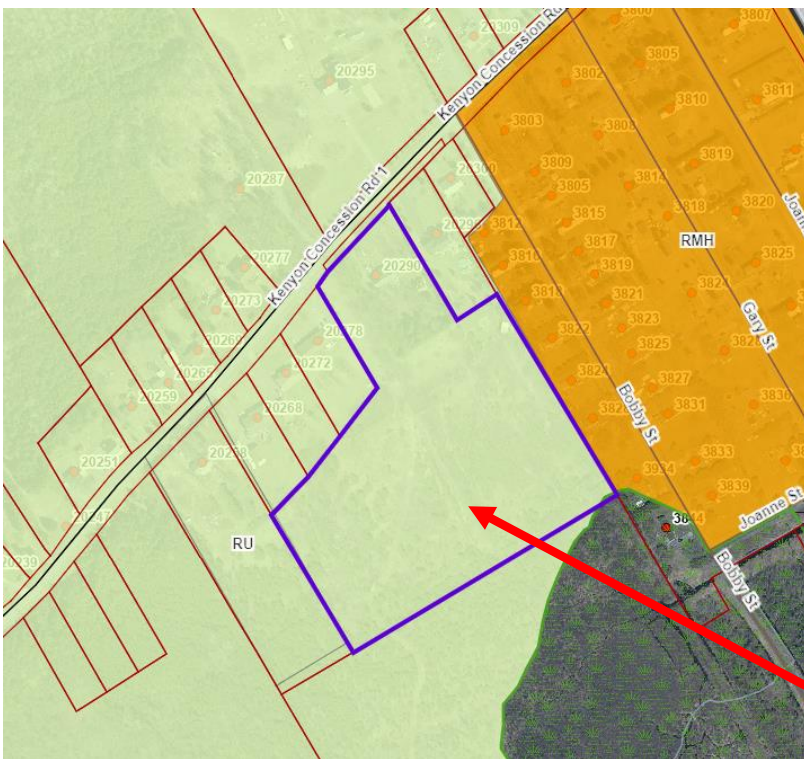




Official Plan designation: Rural District



Zoning designation: Rural (RU) & Wetlands (WL)



Purpose of the Application: to seek relief from the zoning by-law requirements within Section 12.2(2)(iii)(b) for a reduction in lot frontage from the required 45m to the proposed 21.4m for a residential-use lot creation, as per the condition No. 4 of Consent Application B-138-23.

Discussion:

The owner, Kathleen DICAIRE, applied for a Consent Application (B-138-23) to sever lands for residential purposes, located on Kenyon Concession Road 1, in Alexandria. The retained portion of the consent application is the only portion affected for this minor variance application.

A Notice of Decision was issued by the United Counties of Stormont Dundas & Glengarry Department of Transportation and Planning Services and a **PROVISIONAL CONSENT WAS GIVEN** to the owner for the new proposed lot and lot addition on December 7, 2023.

One of the conditions is that the owner obtains a Minor Variance for the lot frontage from the required 45m to the proposed 21.4m (retained portion) for a residential-use lot creation.



The Minor Variance application is only for the lot frontage of the retained portion. All other requirements are being met, including the lot area, where 1 acre minimum is required and 8.28 acres is proposed for the retained portion and 1.91 is proposed for the severed portion, which is where the existing single-family dwelling is located. A 0.35 acre is also being severed but will be added as a “lot addition” to the neighbouring property to the East, also a residential use property with a single-family dwelling located on it, at 20296 Kenyon Concession Road 1.

The proposed lot area for the retained portion can accommodate the construction of a single-family dwelling, a conventional septic system and a well, while complying with all required minimum setbacks. The proposed severed portion also is compliant with all of the Zoning By-law requirement, and Ontario Building Code setbacks.

The newly created property already has an existing entrance on Kenyon Concession Road 1 and will remain for the retained portion. There currently is no civic number assigned for the retained portion, but one could be issued. The entrance and civic number for the severed portion, where the existing dwelling is located, will remain the same.



A Site Plan Control Development Agreement will not be required for the development. A building permit will have to be obtained for a dwelling and for the septic system, to ensure Ontario Building Code compliance. The building permit will also deal with parking, pedestrian safety, minor neighborhood character details, drainage, grading, actual building size and location, setbacks, servicing, lighting, garbage collection, etc., no issues are anticipated throughout the process.

We have received a comment from RRCA as there is a mapped watercourse on and within 15m of the subject lot. Alterations to the watercourse including but not limited to shoreline restoration, crossings, bridges, culverts, channelization, channel closures, realignment and cleanouts shall require permission from the Raisin Region Conservation Authority, as per O. Reg. 175/06.

No other agencies, Township departments or members of public expressed concerns or provided any comments regarding this Minor Variance Application.

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

The Committee of Adjustment may approve any variance provided, 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 permits residential uses. (Table 3.5), as well as lot creation for residential purposes (8.12.13.3(6)a).

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

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

The Township of North Glengarry Zoning By-law (2000) Rural (RU) zone permits residential uses including single detached homes. Despite the relief requested from the zoning by-law provisions for lot frontage, the proposed use complies with the intent and purpose of the zoning by-law.

Provision	Description	Required	Proposed	Relief
12.2(2)(iii)(b)	Lot frontage (min)	45m	21.4m	23.6m

As mentioned above, all other requirements such as lot area, are compliant with the Township Zoning By-law, and there is enough area to comply with all the required setback for a single-family dwelling and a conventional septic system and well, and any accessory uses like a detached garage or a pool.

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

The surrounding area is zoned Rural (RU) in mostly all directions, except East where the Mobile Home Park is located, also for residential use. The surrounding uses consist of vacant and rural residential properties all around, except on the East where the Mobile Homes are permitted to be located.

The Raisin Region Conservation Authority confirmed that there is sufficient water supply for a new well, one additional well is very unlikely to cause any drop in the water table as there are already many wells around, and no known issues. Typical residential usage of water drawn from a well is 350L/day.

The SDG United Counties, and the Township's Public Works Director and Roads Department Manager deemed the entrance compliant with the Entranceway By-law as no concerns were expressed.



4. *Are minor in nature.*

The proposed relief from the zoning by-law requirements will generate minimal impact on the adjacent lands and dwellings despite the reduction in the required lot frontage for lot creation, 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.

Recommendation:

It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application **MV-01-2024** as submitted.