



December 21, 2020

**MINUTES OF  
COMMITTEE OF ADJUSTMENT**

**Township of South Glengarry**

A meeting of the Committee of Adjustment was held at 5:30 pm on December 21st, 2020 via a public zoom webinar with phone access.

**Committee Members present were:** Mayor Frank Prevost, Deputy Mayor Lyle Warden (Chairperson), Councillor Sam McDonell, Councillor Martin Lang, Councillor Stephanie Jaworski, Kaylyn MacDonald, Deputy Clerk, and Secretary-Treasurer Joanne Haley

**MOVED BY:** Sam McDonell  
**SECONDED BY:** Frank Prevost

**BE IT RESOLVED THAT** the Committee of Adjustment meeting of December 21st, 2020 is hereby called to order.

**CARRIED**

**Meeting was called to order at 5:30 pm**

**Approval of Agenda**

**MOVED BY:** Martin Lang  
**SECONDED BY:** Sam McDonell

**BE IT RESOLVED THAT** the Agenda be approved as presented.

**CARRIED**

**Approval of Minutes**

**MOVED BY:** Stephanie Jaworski  
**SECONDED BY:** Martin Lang

**BE IT RESOLVED THAT** the Minutes of the December 7, 2020 meeting be approved as presented.

**CARRIED**



## **Declaration of Pecuniary Interest**

None

**Members of the public that participated in this meeting via zoom or by phone were as follows:**

- Luc Marion
- Alan Kruszel
- William Berryman
- Jacqueline Milner

## **Review of Application:**

### **1. Application A-41-20- Berryman**

Joanne Haley provided to the Committee the following information:

- **Subject Property:**  
Part of Lot 8 & 9 Concession 1, in the Geographic Township of Lancaster, now in the Township of South Glengarry, County of Glengarry, located on 149<sup>th</sup> Ave.
- **Proposed Minor Variance:**
  - The applicant proposes to construct a single detached dwelling and a detached residential garage within the watercourse setback, the following relief from the Zoning By-Law 38-09 is requested:
  - Part 3.39 (7) (c) - to reduce the Watercourse Setback from 30 meters to 15 meters to the proposed single detached dwelling and to 24.5 meters to the proposed detached residential garage.
  - The property owner retained an OLS to obtain a topographical survey. The survey revealed that the subject property is above the floodplain and therefore developable
  - The subject property is .66 acres in size and will be serviced by a septic system and a well
- **Planning:**  
The property is designated Residential District in the County Official Plan; this application conforms to the general intent of the Official Plan. The property is zoned Flood Plain-Holding and conforms to the general intent of the Zoning By-law.



- **Consultation:**

The RRCA was involved in pre-consultation meetings, completed a property inquiry and reviewed the topo survey; I have not received formal written comments to date I have received no public comments to date.

- **Recommendation:**

- These applications were circulated to applicable municipal staff; Planning and Building have no concerns with this application.

**Discussion:**

No comments from Committee Members.

Mr. Berryman thanked Committee members and Mrs. Haley and expressed he is looking forward to moving forward with the project.

**MOVED BY:** Sam McDonell

**SECONDED BY:** Frank Prevost

This application has been **Approved** as the variance is considered minor in nature and desirable for the use of the land. No public comments were received regarding this application that resulted in the need to refuse the application; therefore, the committee **approves** the application.

**CARRIED**

**Application A-42-20-Rimman**

Joanne Haley provided to the Committee the following information:

- **Subject Property:**

Part of Lot 4, Concession 2 NRR, in the Geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 20212 Cedar Grove Road.

- **Proposed Minor Variance:**

The applicant proposes to construct a new dairy barn and to expand an existing manure storage facility, the following relief from the Zoning By-Law 38-09 is requested: Part 3.24 (c) - to reduce the Minimum Distance Separation II setback from the proposed expanded manure storage facility from 368 meters to the following dwellings:  
to 250m at 20150 Cedar Grove Road  
to 180m at 20153 Cedar Grove Road  
to 165m at 20207 Cedar Grove Road



to 155m at 20229 Cedar Grove Road  
to 170m at 20258 Cedar Grove Road

- **Planning:**

- The property is designated Agricultural Resource in the County Official Plan. This application conforms to the general intent of the Official Plan. The property is zoned Agricultural and conforms to the general intent of the Zoning By-law.

- **Consultation:**

- The United Counties of SDG was circulated on this application; they have the following comments:
  - Transportation will not permit a second entrance to the newly constructed secondary dwelling.
  - A setback permit from SDG would be required if the new secondary dwelling is located less than 45m from the centreline of SDG 27.
- I have received no public comments to date.

- **Recommendation:**

These applications were circulated to applicable municipal staff; Planning and Building have no concerns with this application.

### **Discussion:**

S. Jaworski expressed she has no issues with the requested variances however, she has a question about the permissions for crossing the peanut line. S. Jaworski explains that she understands there is a historical crossing, but it has never been formalized. J. Haley explains there is a possibility of including a formal agreement at the time of the building permit issuance. She will work with the GM of Infrastructure to define the proposed access of where the pipe is going to go.

L. Warden asks if they have legal access to cross the peanut line and if it have any implications to issuing the building permit without an easement to cross. L. Warden is fully in support of the application but feels we need to formalize something regarding the peanut line and include language that they are not allowed to block the peanut line.

M. Lang has the same concerns has L. Warden however is in support of the application. He would also like to see something formal in place for the peanut line.

S. McDonell expressed his concerns were the same as the other Committee members and they have been addressed.



J. Haley suggests if the Committee is moving to approve this application, there are conditions that can be added that would state that the applicants would need to secure a formal agreement with the Township of South Glengarry for a defined access of traversing the peanut line. If that is added, a building permit wouldn't be issued until that is achieved. J Haley explains it's her understanding that the farmer is anxious to get started.

L. Warden likes the suggestion made by J Haley and believes it needs to be addressed to ensure everyone is on the same page.

L. Warden is looking for a mover and a seconder to approve the application with a condition of formalizing an access agreement with the Township of South Glengarry.

Mr. Riemann: Thanked the committee members and has nothing further to add.

J. Haley reads the approval would be conditional upon citing an access agreement with the Township of South Glengarry to ensure permissions to traverse the peanut line to access the proposed dairy barn and to install adequate infrastructure to access the manure storage facility.

No Comments from the public.

**MOVED BY:** Stephanie Jaworski

**SECONDED BY:** Sam McDonell

### **CARRIED**

This application has been **Approved** as the variance is considered minor in nature and desirable for the use of the land. No public comments were received regarding this application that resulted in the need to refuse the application; therefore, the committee **approves** the application. The approval would be conditional upon citing an access agreement with the Township of South Glengarry to ensure permissions to traverse the peanut line to access the proposed dairy barn and to install adequate infrastructure to access the manure storage facility.

Next Meeting date: January 18, 2021

**Adjournment BE IT RESOLVED THAT** the meeting of December 21, 2020 be adjourned to the call of the Chair @ 5:56 p.m.