



June 22, 2020

MINUTES OF
COMMITTEE OF ADJUSTMENT

Township of South Glengarry

A meeting of the Committee of Adjustment was held at 5:00 pm on June 22, 2020 via a public zoom webinar with phone access.

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

Chairperson Lyle Warden chose not to Chair this meeting incase he had connectivity issues therefore Member Lang, Seconded Member McDonell appointed Member Prevost to Chair the meeting.

CARRIED

MOVED BY: Sam McDonell
SECONDED BY: Martin Lang

BE IT RESOLVED THAT the Committee of Adjustment meeting of June 22, 2020 is hereby called to order at 5:00pm.

CARRIED

Approval of Agenda

MOVED BY: Sam McDonell
SECONDED BY: Stephanie Jaworski

BE IT RESOLVED THAT the Agenda be approved as presented.

CARRIED

Approval of Minutes

MOVED BY: Martin Lang



SECONDED BY: Sam McDonell

BE IT RESOLVED THAT the Minutes of the June 15, 2020 meeting be approved as presented.

CARRIED

Member Prevost declared Pecuniary Interest for Application A-14-20 as he is the agent for the applicants on this application; he asked Member Sam McDonell to chair the meeting for this application

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

Frank Prevost- Agent for A-14-20

Tammy Arseneau- Applicant A-15-20

Diana Stelmach- Supporter of Application A-15-20 located at 21231 Concession 6

Rod, Moira and Aidan McRae- Supporter of Application A-15-20 located at 21674 Concession 6

Gordon Gauthier- Agent for A-16-20

Rules of Engagement:

- Welcome
- For members of the public that are participating by zoom or by phone you will be permitted to speak to your/the respective application following my presentation; Prior to speaking, please state your name and address for the record

Review of Application:

Application A-14-20 Laframboise- Agent Frank Prevost

J Haley provided to the Committee the following information:

Subject Property:

- Part of Lot 4, Registered Plan #113, in the Geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 6554 Tree Haven Road
- Township building staff have been working with the former property owner since 2012 to bring this property into compliance as construction occurred without a permit on the dwelling, the detached garage, a breezeway to connect the detached garage to the dwelling and on the shed located in the rear yard.



Proposed Minor Variance:

- Township building staff have been working with the former property owner since 2012 to bring this property into compliance as construction occurred without a permit on the dwelling, the detached garage, a breezeway to connect the detached garage to the dwelling and on the shed located in the rear yard.
- The applicant proposes to bring existing residential structures into compliance with the Township's Zoning By-Law that were built without approvals and permits.
- Part 10.2- to reduce the front yard setback from 15 meters to 5.21 meters and to reduce the interior side yard setback on the south side from 10 to 1.21 meters and from 10 meters to 1.47 meters on the north side.
- Part 3.1 (4)- to reduce the interior side yard setback for an accessory structure from 1.2 meters to 0.55 meters
- Part 3.39 (7) (c) - to reduce the Watercourse Setback from 30 meters to 15.6 meters to the shed and from 30 meters to 11.2 meters to the gazebo

Planning:

- The property is designated Residential District and Provincially Significant Wetland in the County Official Plan. This application conforms to the general intent of the Official Plan
- The property is zoned Estate Residential and conforms to the general intent of the Zoning By-law

Consultation:

- I have received no formal oral or written comments from the public to date

Recommendation:

- Planning and Building have no concerns with the proposed minor variances
- The RRCA supports the application but recommends that the framed shed undergo a permit with the RRCA to ensure floodproofing, and/or bring the structure into compliance with RRCA O. Reg. 175/06 under the Conservation Authorities Act.

Discussion:

Member Jaworski asked why staff is supportive of a variance for the shed when it is less than 15 meters to the water. J Haley explained that the shed was existing and the additions on



both side of the shed were within the established building line and not going closer to the water.

Member Warden commented that the was happy that this property is being addressed.

MOVED BY: Martin Lang

SECONDED BY: Stephanie Jaworski

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-15-20 Areseneau & Danielis

J Haley provided to the Committee the following information:

Subject Property:

- Part of Lot 24, Concession 6, in the Geographic Township of Lancaster, now in the Township of South Glengarry, County of Glengarry also known as 4792 2ND Line Road
- In 2014 the current property owner applied for a severance to sever 75.6 acres of farmland to be sold while retaining 4 acres of developed land containing a dwelling and a barn
- Severance Application B-114-14 was approved subject to conditions, one condition being:
 - To decommission the existing barn to prevent the habitation of any animals or to rezone the retained lands to reduce the minimum lot area
 - The applicant agreed to decommission the barn through the building department process as opposed to the rezoning and declared not to have any agricultural use on the subject property



- This was a public process, once all conditions were fulfilled final severance approval was granted
- The Township received a complaint from a member of the public that the subject property had horses. The By-Law department investigated the complaint and provided options to the property owner to remove the horses or to apply for a minor variance to seek permission to have an agricultural use on an undersized lot
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Proposed Minor Variance:

- Part 10.2 - to permit an Agricultural Use on an existing lot that is 1.63 Hectares in size where the Zoning By-law Requires a minimum lot area of 20 Hectares.

Planning:

- The property is designated Agricultural Resource on the northern portion and Rural Settlement Area on the southern portion, if the minor variance is approved only the area located in the Agricultural Resource portion will conform to the general intent of the Official Plan
- The property is zoned Agricultural on the northern portion and Residential One on the southern portion, if the minor variance is approved only the area located in the Agricultural Resource portion will conform to the general intent of the zoning by-law

Consultation:

- I have received four written comments via email supporting the proposed variance
- I received a phone call from a member of the public informing me that there are now three horses on the subject property, and they have seen the horses be put in the barn

Recommendation:

- Planning does not support this application as the severance was approved based on a public process that the retained land would not be used for an agricultural use. The property owner agreed to this and the Township's Building Official Attended the site and deemed the barn to be decommissioned
- If the Committee chooses to approve this application, then I strongly suggest that it is subject to conditions:
 - to cap the number of horses permitted on the subject property as the applicant informed me that they rescue horses and;



to prevent the barn from being used as the barn is located in the rural settlement area designation and the residential zone

Discussion:

Member McDonnell requested confirmation from the applicant on the number of horses; the applicant responded 2.

Member Jaworski requested clarification on the size of the property; she was concerned with lot size.

Member Warden is in favour of this application; thinks the by-law is excessive. He agrees that setting a limit of the number of horses is prudent; owner is aware that they cannot use the barn; feels there should be a limit of 2 or 3 horses.

Member Lang asked if the application can be approved with a limit of 2 horses; J Haley explained that an approval can be granted subject to conditions.

Member McDonnell asked about the size of the area where the horses are permitted; J Haley explained that it is approximately 2 acres. Member Lang reminded the Committee that the area of the house and yard must be removed therefore the are is probably just over 1 acre.

The Applicant explained that she had never had more than 3 horses and that she has no intention having more animals or operating a rescue.

A member of the public Diana Stelmach; spoke in support of the applicant and the application and indicated that the applicant's yard is always kept clean and that they currently have a horse and a pony.

A member of the public Aidan McRae spoke on behalf of her parents Rod and Moira provided their support for the application also and commented that the applicant is a very professional and caring landowner and that the animals are well cared for.

Member McDonnell requested to put a limit on the number of horses.

Member Jaworski asked the applicant to explain how many horses they have; the applicant responded 2.

J Haley explained that why there are maximum numbers in the zoning by-law and how the Township would enforce it.



Member Warden indicated that he would support a maximum of 3 horses; Member McDonell moved to approve the application with a maximum of 2 horses.

MOVED BY: Martin Lang
SECONDED BY: Lyle Warden

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 subject to a **condition** that must be adhered to at all times:

- A maximum of 2 horses will be permitted on the norther portion of the property only that is located within the Agricultural Resource Designation and the Agricultural Zone.

Application A-16-20 1655710 Ontario Inc.- Agent, Gordon Gauthier

J Haley provided to the Committee the following information:

Subject Property:

- Part of Lots 15 to 18, Concession 2 I.L in the Geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 6251 Boundary Road

Proposed Minor Variance:

- Part 7.2 - to reduce the minimum lot frontage from 40 meters to 18.435 meters on a parcel of property that recently received provisional consent (severance) approval.

Planning:

- The property is designated Employment District and conforms to the general intent of the Official Plan
- The property is zoned Highway Commercial; and conforms to the general intent of the zoning by-law

Consultation and Recommendation:



- I have received no formal oral or written comments from the public to date
- Planning and building have no concerns with the proposed minor variance
- The City of Cornwall was circulated, I have not received comments to date, they had no concerns during the severance process they just had one condition requiring the applicant to acknowledge that no further entrances will be granted

Discussion:

Member Lang indicated he had no concerns for this application as the entrance is still wide enough for access.

Member McDonell indicated he had no concerns for the application

Member Warden was concerned that the City of Cornwall had not commented and that he is supportive of the application.

MOVED BY: Sam McDonell

SECONDED BY: Lyle Warden

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.

Next Meeting date: Possibly July 6th, 2020

Adjournment

BE IT RESOLVED THAT the meeting of June 22, 2020 be adjourned to the call of the Chair.