



November 16, 2020

**MINUTES OF
COMMITTEE OF ADJUSTMENT**

Township of South Glengarry

A meeting of the Committee of Adjustment was held at 5:30 pm on November 16, 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: Martin Lang

BE IT RESOLVED THAT the Committee of Adjustment meeting of November 16, 2020 is hereby called to order.

CARRIED

Meeting was called to order at 5:30 pm

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: Frank Prevost
SECONDED BY: Sam McDonell

BE IT RESOLVED THAT the Minutes of the November 2, 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:

- Steven Jarvo A-37-20
- Adrien Quenneville- A-34-20
- Claire Winchester A-37-20
- Lionel Villeneuve A-35-20
- Jim MacEwen A-36-20
- Stephane Boudreau A-37-20

Review of Application:

1. Application A-34-20- Quenneville

Joanne Haley provided to the Committee the following information:

- **Subject Property:**
 - Part of Lot 17, Concession 7, in the Geographic Township of Lancaster, now in the Township of South Glengarry, County of Glengarry.
- **Proposed Minor Variance:**
 - Property owner is currently using the subject property as an agricultural use as a variety of farm animals are on the subject property, the following relief from the Zoning By-Law 38-09 is requested: Part 10.2 - to permit an Agricultural Use on an existing lot that is 8.21 Hectares in size where the Zoning By-law Requires a minimum lot area of 20 Hectares.
 - This application was filed due to a complaint regarding animals on an undersized lot.
- **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 no comments or concerns.
- 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:

L. Warden- When did the zoning By-law that requires a minimum lot area of 20 Hectares implemented? J. Haley explained that prior to 2009 the Township had three zoning by-laws; one for Charlottenburg Township, one for Lancaster Township and one for the village of Lancaster and each land area varied. Prior to creating the by-law in 2009, the agricultural committee reviewed the requirements of the provincial policy and the previous by-laws to come up with a compromise between the two Municipalities. The provincial policy statement discouraged hobby farms in the prime agricultural areas as they wanted larger parcels of land to allow for non-hobby farm purposes. This was because the main use of hobby farms is a residence, and the secondary use of would be animals as pets as opposed to generating a living income. Moving forward, once we receive our new official plan, we will be able to look at reducing those lot areas for agricultural uses.

No comments from the public.

MOVED BY: Frank Prevost

SECONDED BY: Sam McDonell

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-35-20-Villeneuve

Joanne Haley provided to the Committee the following information:

- **Subject Property:**
 - Part of Lots 14 & 15, Concession 2, SRR in the Geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry, also known as 5654 County Road 27.
 - In 2018, the Council of the Township of South Glengarry passed a by-law known as the Secondary Unit By-law- which amended the Township's zoning by-law to permit secondary units to be constructed within a dwelling, an accessory structure or to be a second home providing that the second dwelling unit is smaller than the primary.
 - If the proposed dwelling is not smaller than the primary the property owner has 2 options:
 - Enlarge the existing dwelling or;
 - Apply for a minor variance

- **Proposed Minor Variance:**
 - The applicant proposes to construct a secondary dwelling unit that has a larger gross floor area than the gross floor area of the primary dwelling unit, the following relief from the Zoning By-Law 38-09 is requested:
 - Part 3.37 (2) - to permit the proposed secondary dwelling unit to have a gross floor area of 2,694 sq. ft where the primary dwelling unit has a gross floor area of 2,088 sq. ft.

- **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- What is the logic behind wanting the secondary residence to be smaller than the primary one, and if this goes ahead does the secondary residence become the primary residence? J. Haley explained that the main purpose of secondary unit policies the province created was to allow for aging in place, affordable housing. In South Glengarry, we chose to have the by-law to allow the secondary unit to be smaller than the primary. There is no specific hard rule that we had to do this; however, it was something other Municipalities were doing and that is why our by-law was written this way. J. Haley further explains that it does not matter what residence becomes the primary or secondary residence. Because of the requirement that these units are never allowed to be severed and will always co-exist, it just means that there is going to be two dwellings on the property.

No Comments from the public.

MOVED BY: Sam McDonell
SECONDED BY: Martin Lang

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.

Application A-36-20- MacEwen

Joanne Haley provided to the Committee the following information:

- **Subject Property:**
 - Part of Lot 10, Registered Plan 176, in the Geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry, also known as the Farlinger Point Subdivision.
- **Proposed Minor Variance:**
 - The applicant proposes to construct a single detached dwelling 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.

- **Planning:**

- The property is designated Residential District in the County Official Plan and is in the Urban Settlement Area of Glen Walter. This application conforms to the general intent of the Official Plan.
- The property is zoned Residential One and conforms to the general intent of the Zoning By-law.

- **Consultation:**

- The RRCA was circulated on this application; they require an Ontario Regulation permit is prior to development.
- 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 the public.

MOVED BY: Frank Prevost

SECONDED BY: Sam McDonell

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-37-20- Winchester

Joanne Haley provided to the Committee the following information:

- **Subject Property:**

Part of Lot 32, Registered Plan 101, in the Geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry.



- **Proposed Minor Variance:**

- This property recently received provisional Consent (Severance) approval resulting in the retained land referred to as the subject property having insufficient public road frontage on Samuel Drive.
- Part 6.2 & 10.2 - to reduce the minimum lot frontage from 40 meters to 20 meters.

- **Planning:**

- The property is designated Rural Settlement Area and Rural District in the County Official Plan. This application conforms to the general intent of the Official Plan.
- The property is zoned Residential One- Holding, Flood Plain- Holding and Rural and conforms to the general intent of the Zoning By-law.

- **Consultation:**

- The RRCA was circulated on this application; I received no comments to date; they were supportive of the severance being approved.
- I have received no formal public comments to date; I spoke with one nearby property owner wanting to know the proposed use of the retained lands.

- **Recommendation:**

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

Discussion:

Stephane Boudreau (18284 Samuel Dr.)- If the Township were to proceed with the road access to 20 meters, would it be serviced by a septic and well. If we don't allow the severance from 40 to 20, does that mean they have to go up the road on Sapphire Hills. J. Haley explains that currently there is no proposed development on the retained land. However, if a person wanted to develop that land or build a home on it, they would be required to install a septic system and a well because that land is not service or intended to be serviced. J. Haley further explains that the severance has already been approved subject to this condition of the minor variance. If the minor variance is not approved, then the severance would not be approved, and the land would be required to exist in its entirety the way it was before filing the severance application. Their only other option would be to wait until the public accesses are built off Sapphire Estates phase five which is known as Ruby Drive which has not been constructed yet. S. Boudreau indicated that he thought Lorette Rd and Sapphire Hill would be developed first. J. Haley explained that we do not know when applications will be filed so you never know when development could come forward. Because that property is zoned residential one holding, if a development application comes forward it



would have to be by plan a subdivision which means that the abutting property owners would be circulated to be able to comment on the subdivision process. Also, a condition of the subdivision would be to change the zoning to remove the holding symbol to allow building permits to be issued and the public would be circulated. If we have development in that location, you will have at least two more opportunities to participate.

No comments from the public.

MOVED BY: Sam McDonell
SECONDED BY: Martin Lang

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

Next Meeting date: December 7, 2020

Adjournment BE IT RESOLVED THAT the meeting of November 16, 2020 be adjourned to the call of the Chair @ 6:05 p.m.