



STAFF REPORT PUBLIC MEETING

February 27, 2023

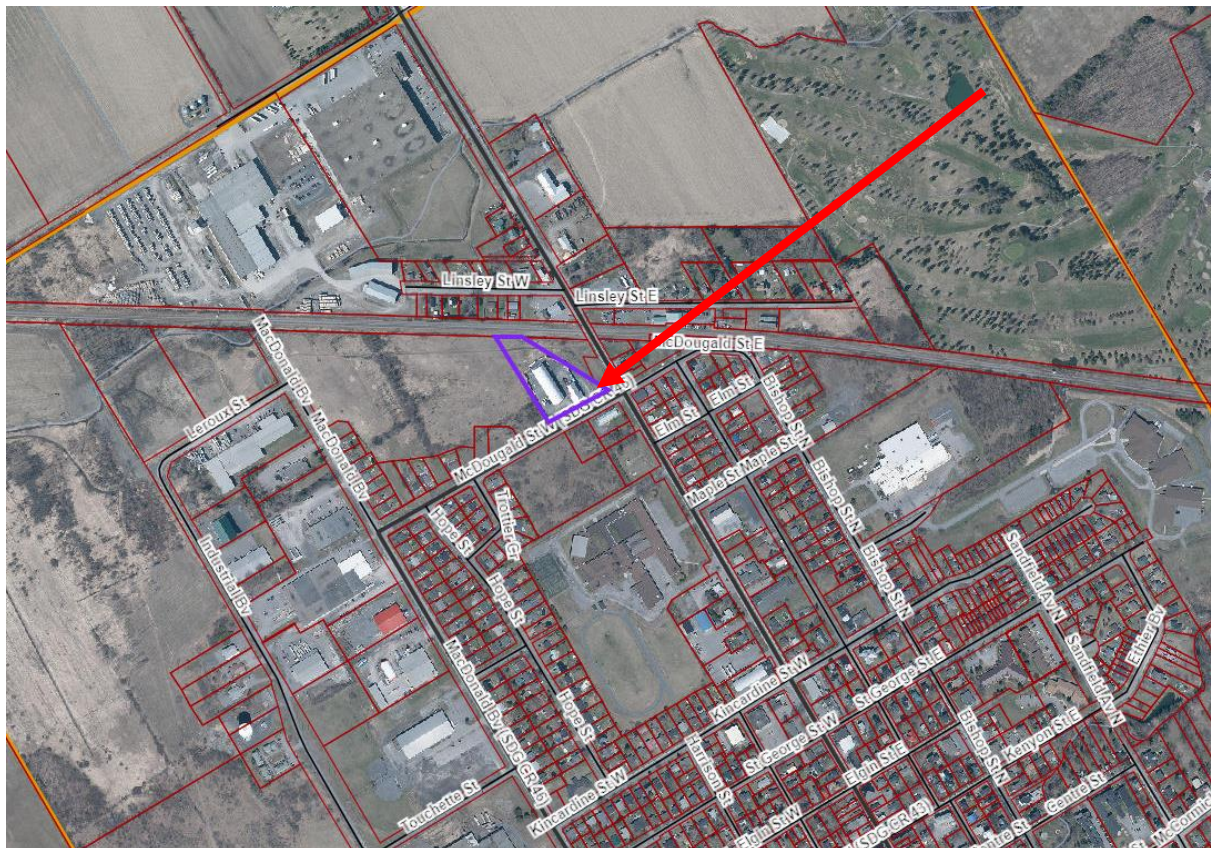
TO: Committee of Adjustment Members

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

RE: MV-01-2023

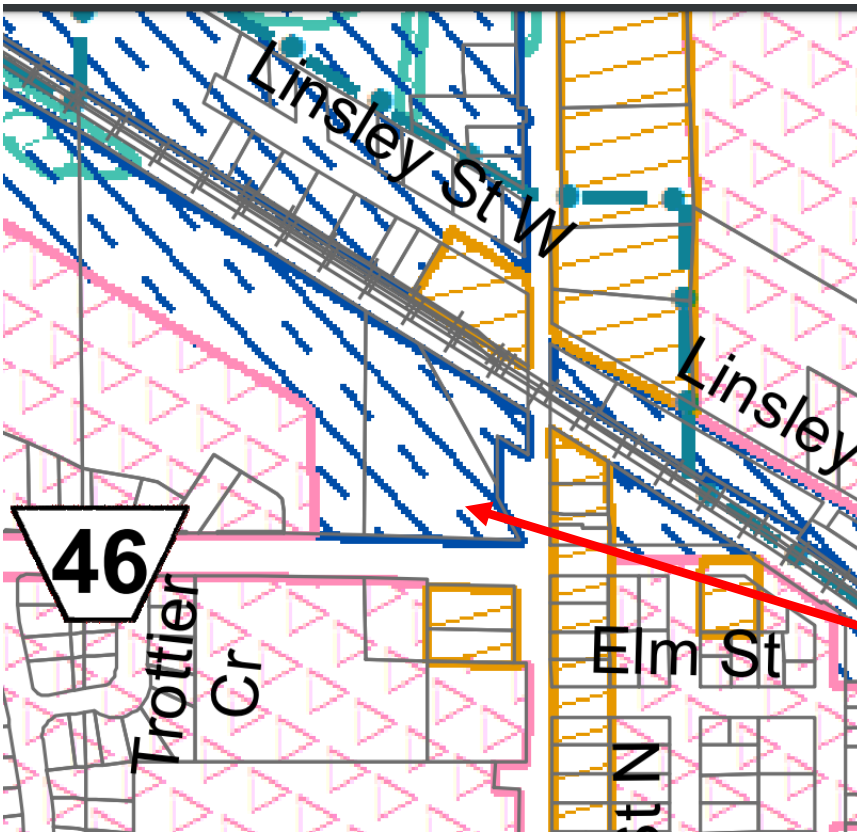
Owner: 5022837 Ontario Inc. (Murray Motor Sports)

Location: 294 Main Street North, Alexandria, K0C 1A0

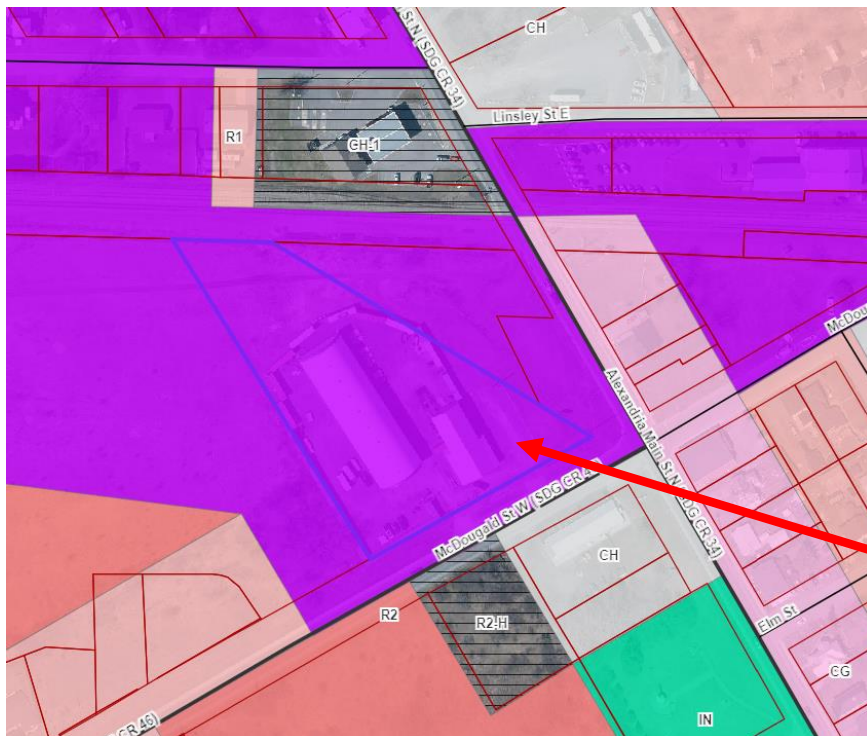




Official Plan designation: Employment District



Zoning: General Industrial (MG)



Purpose of the Application: to seek relief from the Comprehensive Zoning By-law 39-2000 requirements within Section 10.1 (2) (e) for a reduction of the Interior Side Yard Depth from the required 6.0m to 1.6m to acknowledge the existing deficiency at the North-East corner of the new 40' x 80' storage addition constructed in 2021 (building permit 2021-096).

Discussion:

The property located at 294 Main Street North in Alexandria is a commercial property of approximately 2.34 acres, having frontage onto McDougald Street West (County Road 46). The property entrance/driveway is located along McDougald Street West (County Road 46). The property has a civic address assigned on Main Street North, which has been as such since the business was established.

The property, where a small engine retail business is located, is zoned General Industrial (MG) making the use of the business compliant with the Township's Zoning By-law. The existing containers are also deemed "legal non-conforming" as they were installed prior to the passing of our Shipping Container By-law, prohibiting the use of such containers.

This application proposes a variance to reduce the interior side yard to acknowledge an existing deficiency. In 2021, a building permit application was applied for by the owner for a 40' x 80' storage addition. Based on the provided site plan, and on the GIS layers, the addition was deemed to be well over the minimum 6m requirement. An offset in the property lines from the PIN number layer and the roll number layer shows a large difference in the property line location, and also in the actual shape and location of the neighbouring lot, owned by the United Counties of SD & G.

A survey was done in 2022 by the owner to evaluate the location of the property line in reference to a future addition on the showroom at the front of the building, which enlightened the deficiency for the existing addition. That neighbouring property is owned by the United Counties and acts a buffer zone for the railway and Main Street North (County Road 34) so there is no intention by the United Counties to sell it to the owner. However, they do not object or oppose to this proposed variance. No comments were submitted by SD & G.

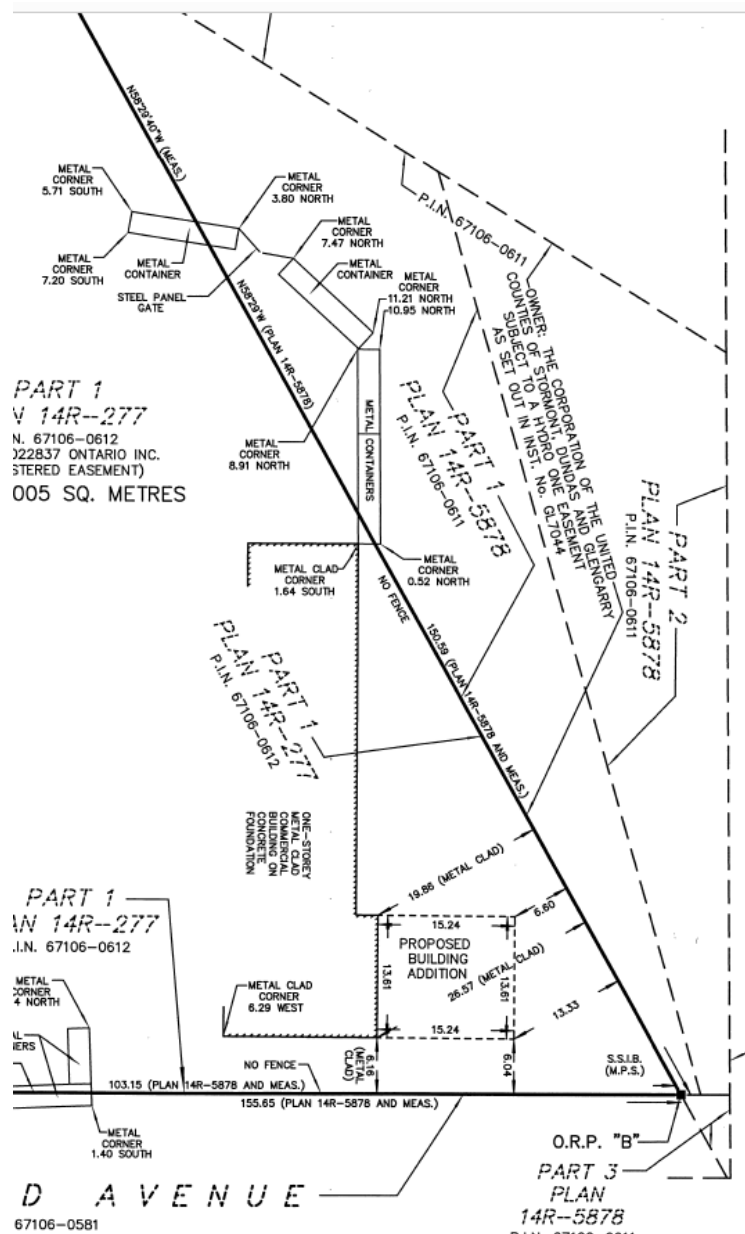
The shorter setback will also not be an issue for any other departments of the Township, and we have not received any feedback or comments from members of the public or any other agencies for the proposed minor variance.

Neighbouring properties includes a large mix of commercial, industrial, institutional and residential properties on all sides, and vacant lands on the South (future subdivision) and on the West (owned by the same owner). Most of the neighbouring properties are compliant with both the SDG Official Plan and our Zoning By-law and we are not getting any complaints regarding Murray Motor Sports day to day activities.

The final location of the future addition may differ from the proposed site plan but will be compliant with the Zoning By-law (6m setback), but the existing storage does not. The owner has completed the addition, and the permit was closed without any knowledge of the deficiency. The addition is compliant with all other Zoning By-law requirements.

The property was not subject to Site Plan Control to deal with the new construction, servicing, driveway, entrance, lighting, garbage, access, storm water management, lot grading, soil conditions, etc. wo they remain existing.

The parking space requirements in section 3.21 of the Zoning By-law is compliant for the commercial property. The parking area was not affected by the addition. There is also enough room for snow storage to avoid affecting the neighbouring properties, and the roadway.



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

The Committee of Adjustment may approve any variance provided that, in their opinion, the variances:

- 1. Comply with the intent and purpose of the Official Plan.*

The lands are designated Employment District in the United Counties of Stormont, Dundas and Glengarry Official Plan (2018). Employment District permits, in fact encourages any development for existing uses as such.

The proposed use conforms to the relevant policies of the United Counties of Stormont, Dundas and Glengarry Official Plan 2018.

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

The Township of North Glengarry Zoning By-law No. 39-2000 General Industrial (MG) permits the continued operation of the existing business, Murray Motor Sports, as a permitted use. The construction of the storage addition does comply with the intent and purpose of the zoning by-law.

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

Neighbouring properties include a large mix of commercial, industrial, institutional and residential properties on all sides, and vacant lands on the South (future subdivision) and on the West (owned by the same owner). The new addition was constructed far from the roadway, and away from any potential visibility or noise issues to neighbours. The property being the most affected is the property just East, being the SD & G “buffer” lands where no development is proposed in the near future.

- 4. Are minor in nature.*

The proposed relief from the zoning by-law requirement will generate minimal impact on the adjacent lands despite the reduction in the required minimum Interior Side Yard Depth, 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.

It is the recommendation of the Planning Department that the Committee of Adjustment approve Minor Variance application **MV-01-2023** as submitted.