



Municipality of Lakeshore

Minutes of the Committee of Adjustment Meeting

Wednesday, August 16, 2023, 6:00 PM

Members Present: Chair Mark Hacon
Vice-Chair Michael Hoffman
Member Nancy Flagler-Wilburn
Member Jeremy Prince

Staff Present: Team Leader of Development Approvals, Kristina Brcic
Planner I, Ian Search
Planning Student, Paige Docherty

1. Call to Order

Chair Hacon called the meeting to order at 6:00 PM. All members participated in the meeting at the Council Chambers.

2. Land Acknowledgement

3. Disclosures of Pecuniary Interest

4. Public Meetings under the Planning Act

a. A-29-2023 - 7700 Tecumseh Road

Marg Patrick was present to represent the Applicant and had no comments.

Member Hoffman asked if the new accessory building will be used as a business. Marg said that it was not to be used as a business to her knowledge and that the existing building would be removed right away. She said the things stored in the storage container will be stored in the new building.

79/08/2023

Approve

Moved By Member Hoffman

Seconded By Member Flagler-Wilburn

Approve minor variance application A/29/2023 to permit an accessory building to have a gross floor area of 89.24 m² subject to the following condition:

1) The accessory building to be located a maximum of 3 metres from the rear lot line, as depicted in the Site Plan drawing (Appendix B).

Carried Unanimously

b. B-28-2023 - 1096 Lakeshore Road 107

Neil and Justin Colenutt (Applicants) were present and had no comments or concerns with the recommendation in the Planning report.

Member Flager-Wilburn asked if the dwelling will be rented. The Applicants stated that they will be selling the severed lot to a new owner.

80/08/2023

Approve

Moved By Member Flagler-Wilburn

Seconded By Member Prince

Approve consent application B/28/2023 to sever a surplus dwelling with a lot area of approximately 4,653.8 m² (1.15 ac) from 1096 Lakeshore Road 107, subject to the following conditions:

- 1) That the applicants obtain a proper survey and Reference Plan from an Ontario Land Surveyor for the severed and retained parcel of land to the satisfaction of the Municipality, including setbacks of any buildings, septic systems, and existing entrances;
- 2) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 3) That the Deed and a copy for our records be forwarded to the Secretary for stamping;
- 4) That the applicants obtain a Zoning By-law amendment respecting the remnant farm parcel to prohibit the construction of a residential dwelling and to recognize the deficient lot area;

5) That the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands, to the Municipality's satisfaction, prior to the stamping of the Deed;

6) That the applicants complete the septic test report attached to the consent application to the satisfaction of the Municipality for the lot to be severed, and if required, install a new septic system on the severed lots to the satisfaction of the Municipality, prior to the stamping of the Deed;

7) If required, the applicants enter into an Agreement with the Municipality prior to the stamping of the Deed regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property;

8) That a Park Fee be imposed on the granting of this Application in the amount subjected by the Parkland By-law at the time of payment, and that such fee shall be paid prior to the stamping of the Deed;

9) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by August 17, 2025. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act

Carried Unanimously

c. B-29-2023 - 0 Renaud Line Road

Anthony Malandrucolo (Authorized Agent) was present and did not have any comments or concerns with the recommendation in the Planning report.

81/08/2023

Approve

Moved By Member Hoffman

Seconded By Member Flagler-Wilburn

Approve Consent Application B/29/2023 to sever two lot additions – approximately 2,199.54 m² to be added to 455 Renaud Line Road and approximately 1,149.15 m² to be added to 457 Renaud Line Road – from land known legally as Part of Lot 6, Concession East of River Puce, Maidstone, designated as Part 1 on Plan 12R17696; Lakeshore, subject to the following conditions:

- 1) That the applicant obtains a proper survey and Reference Plan from an Ontario Land Surveyor for the severed parcels of land, including setbacks of any buildings and entrances along the new lot line, to the satisfaction of the Municipality of Lakeshore;
- 2) That all municipal taxes be paid in full prior to the stamping of the Deeds;
- 3) That the Deeds for the lot additions be prepared and a copy for our records be forwarded to the Secretary for stamping;
- 4) That Section 50(3) and (5) of the Planning Act shall apply to the severances;
- 5) That the applicant produce Deeds and/or a Solicitor's Undertaking to the Secretary prior to the stamping of the severance Deed, in evidence that the severed parcels and the abutting parcels will be registered in the same name(s) in satisfaction that all parcels will merge;
- 6) That the applicant/and or a Solicitor provide an Undertaking to the Secretary prior to the stamping of the severance Deed(s), in evidence that "Application to consolidate PINs" will be submitted to the Land Titles/ Registry Office for each lot addition and provide proof of the consolidation;
- 7) That the applicant enter into an Agreement with the Municipality prior to the stamping of the Deed regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property;
- 8) That, if required by the Secretary-Treasurer to the Committee of Adjustment, a certificate of consent cancellation be granted by the Committee of Adjustment and registered with respect to 455 Renaud Line Road (Legal Description: Part of Lot 6, Concession East of River Puce, Maidstone, designated as Part 1 on Plan 12R9371; Lakeshore); to the satisfaction of the Secretary-Treasurer;
- 9) That, if required by the Secretary-Treasurer to the Committee of Adjustment, a certificate of consent cancellation be granted by the Committee of Adjustment and registered with respect to the Subject Property (Legal Description: Part of Lot 6, Concession East of River Puce, Maidstone, designated as Part 1 on Plan 12R17696; Lakeshore); to the satisfaction of the Secretary-Treasurer;
- 10) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by August 17, 2025. Failure to fulfill the conditions by this date, shall deem the consent refused, as per the Planning Act.

Carried Unanimously

- a. Issuance of a Certificate of Consent Cancellation - 455 Renaud Line Road

82/08/2023

Approve

Moved By Member Prince

Seconded By Member Hoffman

Carried Unanimously

- b. Issuance of a Certificate of Consent Cancellation for Subject Property

83/08/2023

Approve

Moved By Member Flagler-Wilburn

Seconded By Member Hoffman

Carried Unanimously

d. B-30-2023 - 17840 Lakeshore Road 311

Michael & Tammy Labonte (Applicants) were present and did not have any questions or concerns with the recommendation in the Planning report.

84/08/2023

Approve

Moved By Member Hoffman

Seconded By Member Prince

Approve consent application B/30/2023 to sever a surplus dwelling with a lot area of approximately 0.835 acres from 17840 Lakeshore Road 311, subject to the following conditions:

1) That the applicant obtains a proper survey and Reference Plan from an Ontario Land Surveyor for the lot to be severed to the satisfaction of the Municipality;

2) That the applicant provide information regarding the setback of the existing septic system from the lot lines of the lot to be severed to the satisfaction of the Municipality of Lakeshore;

- 3) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 4) That a Park Fee be imposed on the granting of this application in the amount specified by the By-law to provide for the dedication of Parkland or the Payment of Cash in Lieu Thereof at the time of payment, and that such fee shall be paid prior to the stamping of the Deed;
- 5) That, if deemed required by Community Planning, the applicant obtain a Zoning By-law amendment to rezone any land of the severed lot currently zoned Agriculture Zone Exception (A-1) to Agriculture (A);
- 6) That the applicant complete the septic test report attached to the consent application to the satisfaction of the Municipality of Lakeshore for the existing septic system on the lot to be created, and if deemed required by the Municipality of Lakeshore, install a new septic system on the severed lot to the satisfaction of the Municipality of Lakeshore, prior to the stamping of the Deeds;
- 7) That the applicant enter into an Agreement with the Municipality of Lakeshore to be registered on title prior to the stamping of the Deed, to pay any applicable water rates or fees with respect to the subject lands;
- 8) That the applicant enters into an Agreement with the Municipality prior to the stamping of the Deed regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property;
- 9) That the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands, to the Municipality's satisfaction, prior to the stamping of the Deeds;
- 10) That the Deed and a copy for our records be forwarded to the Secretary for stamping;
- 11) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by August 17, 2025. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.

Carried Unanimously

5. Completion of Unfinished Business

a. Deferred Item Revisited - A-27-2023 - 1406 Caille Ave

Ken and Sheila Camphorst (Applicants) were present and did not have any comments or concerns with the recommendation in the Planning report.

85/08/2023

Approve

Moved By Member Hoffman

Seconded By Member Flagler-Wilburn

Approve Minor Variance Application A/27/2023 to permit the following reliefs from Lakeshore Zoning By-law 2-2012 for the construction of an accessory building on the subject property:

- Section 6.5 a) ix) to permit an accessory building to have a maximum gross floor area of 90.91 m², whereas the By-law permits a maximum gross floor area of 55 m².
- Section 6.52 a) to permit an accessory building to be setback a minimum of 4 metres from the centreline of a private road, whereas the By-law requires a minimum setback of 13 metres if the garage doors are facing away from the private road.

Impose the following conditions on approval of A/27/2023:

- 1) The building footprint of the accessory building will be restricted to the size depicted on the attached Site Plan drawing (Appendix B) to the satisfaction of the Building Division at the Municipality of Lakeshore;
- 2) The accessory building will not include dormers;
- 3) The accessory building will not include washroom facilities, if deemed required by the Operations Department;
- 4) Garage doors for vehicles will not face the street.

Carried Unanimously

6. Approval of Previous Meeting Minutes

86/08/2023

Approve

Moved By Member Prince

Seconded By Member Hoffman

Approve minutes of the previous meeting as listed on the agenda.

Carried Unanimously

a. July 19 Meeting Minutes

7. New Business

8. Adjournment

87/08/2023

Approve

Moved By Member Hoffman

Seconded By Member Flagler-Wilburn

The Committee of Adjustment adjourn its meeting at 6:36 PM.

Carried Unanimously

Mark Hacon

Chair

Ian Search

Secretary-Treasurer