



## Municipality of Lakeshore

### Minutes of the Committee of Adjustment Meeting

**Wednesday, September 13, 2023, 6:00 PM**

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

Staff Present: Division Leader – Community Planning, Sahar Jamshidi  
 Planner I Ian Search  
 Team Leader - Development Approval Kristina Brcic  
 Administrative Assistant, Gisele Pillon

#### **1. Call to Order**

Chair Hacon called the meeting to order at 6:00 PM.

#### **2. Land Acknowledgement**

#### **3. Disclosures of Pecuniary Interest**

#### **4. Public Meetings under the Planning Act**

##### **a. A-30-2023 - 1996 South Middle Road**

Robert Zelko (applicant) was present and had no comments.

Member Flagler-Wilburn asked how wide the driveway would be. The applicant stated approximately 12 feet from the lot line, and 12 feet wide.

Member McKinlay asked if there was a definition of pole barn versus shed. Ian Search stated they are both defined as accessory building in the By-law.

**88/09/2023**

**Moved By** Member Hoffman

**Seconded By** Member Flagler-Wilburn

Approve minor variance application A/30/2023 to permit an accessory building to have a maximum gross floor area of 237.9 m<sup>2</sup> subject to the following conditions:

The accessory building will be setback a minimum 4.5 metres from side lot lines;

The accessory building will be located in the rear yard;

The accessory building will have a maximum height of 4.7 metres as depicted on the elevation drawing (Appendix D) submitted with the minor variance application that was deemed complete by Community Planning.

**Carried Unanimously**

**b. B-31-2023 - 1189 Lakeshore Road 107**

Jackie Lassaline (Authorized Agent) was present and stated she was in support of the recommendation.

**89/09/2023**

**Moved By** Member Flagler-Wilburn

**Seconded By** Member McKinlay

Approve consent application B/31/2023 to sever a lot with an area of approximately 3,051.33 m<sup>2</sup> (0.754 acres) from 1189 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 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;

5) That the applicant confirm that the lot to be created will comply with the minimum distance separation formulae to the satisfaction of the Secretary-Treasurer;

6) 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;

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

8) That the vacant residential lot subject to the certificate of consent cancellation in condition 9 be transferred into the same ownership as the subject property (1189 Lakeshore Road 107);

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 vacant residential lot located adjacent to the subject property to the north on PIN 750110206 (Legal Description: PART LOT 17, CONCESSION 6, WBR, MAIDSTONE, PARTS 1 AND 2, PLAN 12R-13388; SUBJECT TO AN EASEMENT OVER PART 2, PLAN 12R-13388 AS IN MB19396; TOWN OF 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 September 14, 2025. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

**Carried Unanimously**

**90/09/2023**

**Moved By** Member McKinlay

**Seconded By** Member Hoffman

Approve the issuance of a certificate of consent cancellation for the vacant residential lot located adjacent to the subject property to the north on PIN 750110206 (Legal Description: PART LOT 17, CONCESSION 6, WBR, MAIDSTONE, PARTS 1 AND 2, PLAN 12R-13388; SUBJECT TO AN EASEMENT OVER PART 2, PLAN 12R-13388 AS IN MB19396; TOWN OF LAKESHORE);

**Carried Unanimously**

**c. B-32-2023 & B-33-2023 - 9141 Lakeshore Road 305**

Member Flagler-Wilburn asked for clarification about accesses. Ian Search clarified that each parcel will have its own access and that the access for the retained farmland will be shared by both parcels for access.

**B/32/2023**

**91/09/2023**

**Moved By** Member McKinlay

**Seconded By** Member Flagler-Wilburn

Approve consent application B/32/2023 to sever a surplus dwelling with a lot area of approximately 1.513 acres from 9141 Lakeshore Road 305, 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 Community Planning at the Municipality of Lakeshore;
- 2) That the applicant transfer the subject property to a buyer who owns multiple farm holdings, at least one of which contains a dwelling, prior to the stamping of the Deed;
- 3) That the applicant confirm existing municipal services are fronting the lot to be severed to the satisfaction of the Municipality of Lakeshore;
- 4) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 5) 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;

6) That the applicant obtain a Zoning By-law amendment to rezone the retained farmland to prohibit dwellings and to address any zone regulations (lot area, frontage, etc.);

7) 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 Deed;

8) 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;

9) 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;

10) 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;

11) That the Deed and a copy for our records be forwarded to the Secretary for stamping;

12) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by September 14, 2025. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.

**Carried Unanimously**

**B/33/2023**

**92/09/2023**

**Moved By** Michael Hoffman

**Seconded By** Nancy Flagler-Wilburn

Approve consent application B/33/2023 to establish an easement over Part 2 on the draft survey in favour of the owner of Part 1 for access, subject to the following conditions:

- 1) That the applicants obtain a proper survey and Reference Plan from an Ontario Land Surveyor to the satisfaction of Community Planning at the Municipality of Lakeshore, 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 Easement/Right-of-Way Agreement be prepared to the satisfaction of Community Planning at the Municipality of Lakeshore and be forwarded to the Secretary for Stamping;
- 4) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by September 14, 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**

**6. Approval of Previous Meeting Minutes**

**93/09/2023**

**Moved By** Michael Hoffman

**Seconded By** Nancy Flagler-Wilburn

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

**Carried Unanimously**

**a. August 16 Meeting Minutes**

**7. New Business**

**a. Scheduling of future Special Committee of Adjustment Meeting**

It was determined that a requested Special Committee of Adjustment meeting be held on October 19 2023.

**8. Adjournment**

**94/09/2023**

**Moved By** Michael Hoffman

**Seconded By** Nancy Flagler-Wilburn

The Committee of Adjustment adjourn its meeting at 6:41 PM.

**Carried Unanimously**

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Mark Hacon

Chair

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Ian Search

Secretary-Treasurer