



Municipality of Lakeshore

Minutes of the Committee of Adjustment Meeting

Wednesday, October 18, 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: Planner Ian Search, Corporate Leader - Growth & Sustainability Tammie Ryall, Administrative Assistant - Community Planning Gisele Pillon, Division Leader Community Planning – Sahar Jamshidi

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-31-2023 - 0 Oriole Park Drive

Speaking on behalf of the application is Linda Fontes, Applicant and Ed Hooker, Solicitor for the applicant.

Mr. Hooker confirmed that there aren't any current trespass issues and that it appears that the legal survey stakes have been removed without consent. On behalf of the applicant, Mr. Hooker acknowledges the mutual drainage access be solidified and look to work for a resolution. A land surveyor should be hired to re-establish the property boundaries.

Gerald Papineau, owns the property to the east; he is requesting a new survey be presented.

Julien Papineau spoke: To clarify, the letter he presented to the committee is submitted on behalf of himself, Gerald Papineau and Gisele Hutchings. Mr. Papineau stated that the stakes were not established by a surveyor since Mr. and Mrs. Fontes have taken ownership. A new survey has been requested, and does not appear to have been produced. If there is a new survey, Mr. Papineau is requesting it be submitted to the committee.

95/10/2023

Moved By Linda McKinlay

Seconded By Michael Hoffman

That the application be deferred for a land survey to be obtained verifying property limits, for drainage concerns to be addressed

Carried Unanimously

b. A-32-2023 - 1610 County Road 22

The application was presented to the Committee of Adjustment.

Chair Hacon asked Ian Search if there was any clarity from Essex Region Conservation Authority (ERCA) regarding their request for deferral. Ian Search stated that he reached out to ERCA for clarity but they only stated that the proposal is not consistent with the permit that was issued for the original development requiring minor variance. ERCA has not been provided with the opportunity to review the new scope and scale of works and has concerns that they may not be permissible.

96/10/2023

Moved By Michael Hoffman

Seconded By Jeremy Prince

Defer so Essex Region Conservation Authority (ERCA) can review the scope and scale of works

Carried Unanimously

c. A-33-2023 - 1203 Faith Drive

Speaking to the application: Sarah Ilijanich, Applicant and Jackie Lassaline, Agent

Applicant confirms that the occupant load of 300 people will not change as a result of the two pergolas. They also confirmed that the second pergola will not be enclosed.

Fire department comments include the installation of panic hardware and that the second pergola remain unenclosed and that the occupant load of the existing building with addition of the two new pergolas remain unchanged at 300 persons and require site plan approval.

97/10/2023

Moved By Jeremy Prince

Seconded By Michael Hoffman

Approve the following relief from Lakeshore Zoning By-law for a pergola that is already constructed and a planned pergola on the subject property:

- Relief from Section 6.5 a) x) to permit the pergola that is already constructed and the planned pergola to be located 0 metres from the main building, whereas accessory structures shall not be erected within 3 metres of the main building.

Impose the following conditions on approval:

- 1) The combined occupant load between the proposed structures and the existing main building shall remain unchanged at 300 persons;
- 2) Panic hardware on the exit gates to be included to the satisfaction of the Municipality of Lakeshore;
- 3) That site plan approval is obtained from the Municipality of Lakeshore for development of the subject property.

Carried Unanimously

d. B-34-2023 - 11841 Lakeshore Road 309 & 0 Lakeshore Road 310

Speaking to the application: James Sova, Applicant and Paul Pearson, Agent

There were no noted questions regarding the application.

98/10/2023

Moved By Linda McKinlay

Seconded By Michael Hoffman

Approve consent application B/34/2023 to sever the farm property 11841 Lakeshore Road 309 & 0 Lakeshore Road 310 (legal: Con 9 S Pt Lot 11) into two farm parcels approximately 50 acres in lot area, subject to the following conditions:

- 1) That, if required by Community Planning, the applicant obtains a proper survey and Reference Plan from an Ontario Land Surveyor for the severed and retained lot to the satisfaction of the Municipality;
- 2) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 3) 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;
- 4) That, if required by the Operations Division, 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;
- 5) That the Deed and a copy for our records be forwarded to the Secretary for stamping;
- 6) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by October 19, 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

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

a. September 13 2023 Meeting Minutes

99/10/2023

Minutes approved as presented.

Carried Unanimously

7. New Business

8. Adjournment

100/10/2023

The Committee of Adjustment adjourn its meeting at 7:27 PM

Mark Hacon

Chair

Ian Search

Secretary-Treasurer