



Municipality of Lakeshore

Minutes of the Committee of Adjustment Meeting

Wednesday, May 22, 2024, 6:00 PM

Council Chambers, 419 Notre Dame Street, Belle River

Members Present: Chair Mark Hacon, Member Nancy Flagler-Wilburn, Member Jeremy Prince

Members Absent: Vice-Chair Michael Hoffman, Member Linda McKinlay

Staff Present: Planner I Ian Search, Administrative Assistant Gisele Pillon

1. Call to Order

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

2. Singing of O Canada

3. Land Acknowledgement

4. Disclosures of Pecuniary Interest

5. Public Meetings under the Planning Act

a. A-05-2024 - 2616 Victoria Street

Applicants speaking to the application were Brian and Katherine McGuinness.

There was some discussion regarding the current use, and it was confirmed that the use will remain the same.

There were no questions or concerns from the applicants or the audience.

24/05/2024

Moved By Jeremy Prince

Seconded By Nancy Flagler-Wilburn

Approve minor variance application A-05-2024, 2616 Victoria Street to permit an accessory building to have a maximum gross floor area of 76.7 square meters, whereas the Zoning By-law limits an accessory building to have a maximum gross floor area of 55 m² in the “Hamlet Residential” (HR) zone for the parking of vehicles. It is recommended that the following notice be attached to the Notice of Decision:

The relief is granted based on the use of the building being accessory to a residence. Should a commercial or residential use be proposed in the accessory building, the owner must contact the Municipality of Lakeshore to apply for the appropriate permissions under the Zoning By-law or the Building Code, as the case may be.

Carried Unanimously

b. A-06-2024 - 12960 Laforet Beach Road

Speaking to the application was Mark Makowski

Applicant confirmed with ERCA that the accessory building is deemed a non-habitable building and is not being completely rebuilt and therefore is not subject to their development requirements.

Applicant has engaged an engineering firm who will proceed with a structural review as per comments received.

There were no questions or comments from the audience.

25/05/2024

Moved By Nancy Flagler-Wilburn

Seconded By Jeremy Prince

Defer application A/06/2024 Laforet Beach Road, until engineering review is complete and approved by administration and, that the application be brought back to the Committee of Adjustment for consideration on or before September 18, 2024.

Carried Unanimously

c. A-07-2024 - 364 Puce Road

Ryan and Shannon Hunter (owners) and Greg Weaver (Agent) were present to speak to the application.

There were no questions or concerns brought forward by the applicant or member of the audience.

26/05/2024

Moved By Jeremy Prince

Seconded By Nancy Flagler-Wilburn

Approve minor variance application A-07-2024, 364 Puce Road, to permit an accessory building to have a maximum gross floor area of 83.25 square meters, whereas the Zoning By-law limits an accessory building to have a maximum gross floor area of 55 m² in the Low-Density Residential (R1) zone. It is recommended that the following notice be attached to the Notice of Decision:

The relief is granted based on the use of the building being accessory to a residence. Should a commercial or residential use be proposed in the accessory building, the owner must contact the Municipality of Lakeshore to apply for the appropriate permissions under the Zoning By-law or the Building Code, as the case may be.

Carried Unanimously

d. A-08-2024 - 374 East Ruscom River Road

Applicants Paul Pruyn and Harley Meyerink were present to speak to the application.

Committee members received confirmation that the subject property does not have water access.

There were no questions or concerns from the applicants or members of the audience.

27/05/2024

Moved By Nancy Flagler-Wilburn

Seconded By Jeremy Prince

Approve minor variance application A-08-2024, 374 East Ruscom River Road, to permit an accessory building to have a maximum gross floor area of 82.1 square meters, whereas the Zoning By-law limits an accessory building to have a maximum gross floor area of 55 m² in the Residential Waterfront – Watercourse (RW1) zone. It is recommended that the following notice be attached to the Notice of Decision:

The relief is granted based on the use of the building being accessory to a residence. Should a commercial or residential use be proposed in the accessory building, the owner must contact the Municipality of Lakeshore to apply for the appropriate permissions under the Zoning By-law or the Building Code, as the case may be.

Carried Unanimously

e. A-09-2024 - 1242 Lakeshore Road 107

Applicant Jelena Riberdy was present to speak to the application.

It was noted that the speed limit reduces to 50 km/hr in front of the subject property.

There were no questions or concerns from the applicants or members of the audience.

28/05/2024

Moved By Jeremy Prince

Seconded By Nancy Flagler-Wilburn

Approve minor variance application A-09-2024, 1242 Lakeshore Road 107, to permit the following reliefs for a building addition:

- Relief from Section 8.9 to permit a minimum front yard setback of 13 metres, whereas Section 8.9 requires a 15 metre front yard setback in the Agriculture zone on residential lots;
- Relief from Section 6.42 d) to permit a maximum 2.01 metre encroachment of eaves/gutters into the required front yard setback, whereas Section 6.42 d) permits eaves/gutters to encroach 1 metre into any yard setback.

It is recommended that the following notice be attached to the Notice of Decision:

The application requests a front yard setback of 13 metres, while the site plan drawing submitted with the application states that the front yard setback will be 13.4 metres. Additionally, the eave and overhang will be 16 inches according to the site plan drawing. For the applicant to benefit from their relief from Section 6.42 d) to permit a maximum 2.01 metre

encroachment of eaves/gutters into the required front yard setback, the building will need to have a front yard setback of at least 13.4 metres – with the understanding that the eaves and overhang will be 16 inches. The eaves/gutters cannot be closer to the front lot line than 12.99 metres.

Carried Unanimously

f. A-10-2024 - 1192 Shoreline Ave Unit 20

Applicants Rick Demars and Jeremy Decker were present to speak to the application.

There were no questions or concerns from the applicant or members of the audience.

29/05/2024

Moved By Nancy Flagler-Wilburn

Seconded By Jeremy Prince

Approve minor variance application A-10-2024, 1192 Shoreline Ave (Unit 20) to permit the following reliefs for the development of a new dwelling on the subject property that will replace an existing dwelling (Unit 20) on the subject property:

1. For the deck of the proposed dwelling to be a minimum of 1.08 metres (3 feet 6.7 inches) from the west neighbouring dwelling (Unit 19);
2. For the proposed dwelling to be a minimum of 1.27 metres (4 feet 2 inches) from the deck of the east neighbouring dwelling (Unit 21);
3. For the proposed dwelling to be a minimum of 3.98 metres (13 feet 1 inch) from the front lot line;
4. For the proposed dwelling to be a minimum of 1.294 metres from the west neighbouring dwelling (Unit 19), accounting for overhang of dwellings. The dwellings will be setback a minimum of 2 metres from wall to wall;
5. For the proposed dwelling to be a minimum of 2.13 metres from east dwelling (Unit 21), accounting for overhang of dwellings. The dwellings will be setback a minimum of 2.69 metres from wall to wall;

6. For the proposed dwelling to be a minimum of 2.59 metres from the shed located in front of west neighbouring dwelling (Unit 19).

That the following conditions be imposed on approval of the minor variance application:

1. The door on the west side of the proposed dwelling will need to be removed or changed to a fire rated door equipped with self-close device to the satisfaction of the Building Division at the Municipality of Lakeshore;
2. Construction details of the deck are to be submitted to the Building Division of the Municipality of Lakeshore to the satisfaction of the Building Division;
3. Existing grade is to be unaltered, or a grading plan needs to be submitted to the Building Division of the Municipality of Lakeshore to the satisfaction of the Building Division.

That the following notice be included in any approval of the minor variance:

The deck on the west side of the dwelling is to be 3 feet wide according to the site plan drawing submitted with the minor variance application. The “first floor plan” on drawing A2 (Elevations) submitted with the minor variance application needs to be revised to show a 3-foot-wide deck (at most) on the west side of the proposed dwelling.

Carried Unanimously

g. A-11-2024 - 1047 County Road 31

Applicant Joseph Natyshak was present to speak to the audience.

There were no questions or concerns from the applicants or members of the audience.

30/05/2024

Moved By Jeremy Prince

Seconded By Nancy Flagler-Wilburn

Approve minor variance application A-11-2024, 1047 County Road 31 to permit an accessory building to have a maximum gross floor area of 95.2

square meters, whereas the Zoning By-law limits an accessory building to have a maximum gross floor area of 55 square meters in the Residential Waterfront – Watercourse (RW1). It is recommended that the following notice be attached to the Notice of Decision:

The relief is granted based on the use of the building being accessory to a residence. Should a commercial or residential use be proposed in the accessory building, the owner must contact the Municipality of Lakeshore to apply for the appropriate permissions under the Zoning By-law or the Building Code, as the case may be.

Carried Unanimously

6. Completion of Unfinished Business

7. Approval of Previous Meeting Minutes

31/05/2024

Moved By Jeremy Prince

Seconded By Nancy Flagler-Wilburn

Approve minutes of the April 17, 2024 Committee of Adjustment meeting

Carried Unanimously

8. New Business

9. Adjournment

32/05/2024

Moved By Nancy Flagler-Wilburn

Seconded By Jeremy Prince

The Committee of Adjustment adjourn its meeting at 6:51 PM.

Carried Unanimously

Mark Hacon

Chair

Ian Search
Secretary-Treasurer