



## Municipality of Lakeshore

### Minutes of the Committee of Adjustment Meeting

Wednesday, July 17, 2024, 6:00 PM

Council Chambers, 419 Notre Dame Street, Belle River

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

Staff Present: Planner I - Ian Search,  
Corporate Leader - Growth & Sustainability - Tammie Ryall,  
Team Leader – Community Planning - Urvi Prajapati

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#### 1. Call to Order

Chair Hacon called the meeting to order at 6:01 PM.

#### 2. Land Acknowledgement and O Canada

#### 3. Disclosures of Pecuniary Interest

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

##### a. A-19-2024 - Minor Variance - 469 Lakeview Drive

Speaking to the application was Jodi Mason (Applicant) and Denis Buj (Agent).

The Applicant acknowledged the conditions as read. Discussions clarified that the condition referring to the grading review is in place should the Building Division require it for their review. It was confirmed that floor area will remain the same, the use will be storage and hobby space, and the parking will solely serve the main dwelling.

Attending online was Walter Piwowarski from 453 Lakeview Dr. who expressed support for the proposal and feels it will be a benefit to the neighbourhood.

**38/07/2024**

**Moved By** Jeremy Prince

**Seconded By** Michael Hoffman

Approve minor variance application A/19/2024, 469 Lakeview Drive, to permit the following reliefs from Lakeshore Zoning By-law 2-2012 for the renovation of an existing accessory building containing a garage and second storey dwelling unit:

Relief from Section 6.5 a) xi) to permit an accessory building to have a maximum height of 6.4 metres, whereas Section 6.5 a) xi) states that an accessory building shall not exceed 5 metres in height unless within an Agriculture Zone;

Relief from Section 6.5 d) i) to permit an air conditioning unit or heat pump to be located in the front yard, whereas Section 6.5 d) i) states that air conditioning units and heat pumps shall not be located in any front yard;

Relief from Section 6.42 to permit a deck for the accessory building to encroach a maximum of 4.57 metres into the required front yard setback (to be setback a minimum of 2.93 metres from the front lot line), whereas Section 6.42 states that every part of any yard setback required by the By-law shall be open and unobstructed by any such structure, and does not provide front yard encroachment allowance for decks having a maximum height greater than 0.2 metres from grade.

Relief from Section 6.41.2 h) to permit a new parking area to be located a minimum of 1 metre from an interior side lot line, whereas Section 6.41.2 h) states that parking areas shall be located no closer to any lot line than 1.5 metres.

Relief from Section 6.5 a) v) to permit an accessory building that will not have garage doors facing the street to have a minimum front yard setback of 2.9 metres, whereas Section 6.5 a) v) states that accessory buildings may be permitted with a minimum front yard setback of 3 metres where a garage door does not face the street.

It is recommended that the Committee of Adjustment impose the following conditions on approval of the minor variance application A/19/2024:

- 1) That the owner/applicant provide any materials/plans requested by the Building Division that demonstrate no issues with proposed lot grading for any aspect of the development, to the satisfaction of the Building Division;
- 2) That the owner/applicant provide the proposed parking space and driveway in accordance with the site plan drawing submitted with the application if the accessory building undergoing renovation does not support parking in the building, to the satisfaction of the Municipality of Lakeshore;
- 3) That the granted height relief applies to the proposed roof design of the accessory building subject to the renovation, as depicted in the elevation drawings submitted with the application, to the satisfaction of the Building Division.

It is recommended that the Committee of Adjustment require the following notices to be included in the approval: (1) The owner/applicant is encouraged to incorporate noise and vibration mitigation measures in the renovation of their accessory building given its proximity to the VIA Rail Canada Inc. right-of-way; and (2) Air conditioning units and/or heat pumps are not permitted to encroach into the required side yard setback (1.5 metre) of the RW2 zone.

**Carried Unanimously**

**b. B-05-2024 - Consent - 1297 & 1287 County Road 22**

Speaking to the application was Amy Farkas (Agent) from Dillon Consulting.

As part of the presentation from the Secretary Treasurer, the list of conditions was read.

The Agent expressed concerns with condition number 6, which speaks to requiring a shared access or easement in favour of the retained portion of lands over the severed lot due to Transportation Association of Canada (TAC) guidelines. As the applicant does not have immediate plans to

develop the retained portion of the lands, the Agent does not feel the applicant would support condition number 6.

**39/07/2024**

**Moved By** Linda McKinlay

**Seconded By** Jeremy Prince

Defer consent application B/05/2024, 1287 & 1297 County Road 22, until the applicant demonstrates that appropriate access can be provided for the severed and retained lots to the satisfaction of the Operations Department;

Direct Community Planning to bring a report back to the Committee of Adjustment by the October 16 Committee of Adjustment meeting that includes an update on the progress of the application, and a recommendation if appropriate, if the consent application is not included on a future Committee of Adjustment agenda before that date.

**Carried Unanimously**

**5. Completion of Unfinished Business**

**6. Approval of Previous Meeting Minutes**

**40/07/2024**

**Moved By** Jeremy Prince

**Seconded By** Linda McKinlay

Approve the June 19, 2024 meeting minutes as listed on the agenda.

**Carried Unanimously**

**7. New Business**

**8. Adjournment**

**41/07/2024**

**Moved By** Jeremy Prince

**Seconded By** Nancy Flagler-Wilburn

The Committee of Adjustment adjourn its meeting at 6:54 PM.

**Carried Unanimously**

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Mark Hacon

Chair

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Ian Search

Secretary-Treasurer