



Municipality of Lakeshore

Minutes of the Committee of Adjustment Meeting

Wednesday, August 21, 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, Planner II Urvi Prajapati, Administrative Assistant Gisele Pillon

1. Call to Order

Chair Hacon called the meeting to order at 6:02 PM.

2. Land Acknowledgement and O Canada

3. Disclosures of Pecuniary Interest

There were no disclosures of Pecuniary Interest.

4. Public Meetings under the Planning Act

a. A-12-2024 - 435 Lakeview Drive

Ian Search presented the application and the Planning recommendation to the Committee of Adjustment.

Speaking to the application was the Authorized Agent for the application, Ray Proulx. Donald Njegovan was in attendance online through Microsoft Teams.

The following members of the audience spoke to the application:

Gary Kriza raised concerns regarding the electrical and natural gas services to the proposed garage, questioned how the garage would be

finished, and raised concerns regarding runoff from the proposed development.

Michael and Cindy Lanoue expressed concerns over the size of the proposed building relative to the size of the property. They stated that the proposed building would impact view of oncoming traffic for their property. They state that this is already an issue with respect to the current garage on the property. They state that local residents have regretted not providing comment on previous minor variance applications on Lakeview Drive, and asked the Committee members to listen to the residents concerns.

Ray Proulx made comments to address expressed concerns. He stated that the current accessory building is serviced by a 100 amp service, and that the proposal will utilize same.

Ray Proulx stated that the proposed accessory building will be an extension north compared to the existing garage, and that this will keep the front yard setback the same as the current accessory building, thereby not affecting current line of sight.

Ray Proulx mentioned how drainage and standing water concerns were previously addressed on the property. He stated that the applicant has agreed to pay for the works required to move the current overhead hydro lines that run from Gary Kriza's property to an underground service to the specification and satisfaction of Hydro One.

Ray Proulx stated that the current accessory building doesn't have the depth to accommodate today's larger vehicles, and that the new design and improved aesthetics will provide the area and space to do so.

Member Linda McKinlay raised concerns about lack of landscaping/lot coverage on the property that would result from the proposed development and stated that she had concerns with drainage as a result.

Member Hoffman asked if there was any consideration in reducing the size of the proposed accessory building. Mr. Proulx did not think that option would be viable as a reduction in size would not afford the space needed for desired storage.

Moved By Linda McKinlay

Seconded By Nancy Flagler-Wilburn

Deny Minor Variance Application A-12-2024

Carried

(Member Jeremy Prince was the only member who did not concur in the decision)

b. A-20-2024 - 1107 Charlotte Crescent

Ian Search presented the application and the Planning recommendation to the Committee of Adjustment.

Speaking to the application was Nicholas Niforos

There were no questions/comments from the audience or Committee members.

Moved By Michael Hoffman

Seconded By Jeremy Prince

Approve minor variance application A/20/2024, 1107 Charlotte Crescent, for the following reliefs to permit the development of accessory structures and relocation of pool equipment on the subject property:

- Relief from subsection 6.5 a) vii) to permit a pool house/gazebo structure to be setback a minimum of 0.91 metres (3 feet) from the rear lot line (setback to wall), whereas subsection 6.5 a) vii) states that accessory structures shall not be built closer than 1.5 m from any lot line except that common semi-detached private garages or carports may be centred on a mutual side lot line.

- Relief from subsection 6.5 a) vii) to permit a shed to be setback a minimum of 0.91 metres (3 feet) from the rear lot line (setback to wall), whereas subsection 6.5 a) vii) states that accessory structures shall not be built closer than 1.5 m from any lot line except that common semi-detached private garages or carports may be centred on a mutual side lot line.

- Relief from subsection 6.5 b) iii) to permit pool heater equipment to be a minimum of 0.91 metres (3 feet) from the rear lot line and west side lot line, and to permit pool pump and pool filter equipment to be a minimum of

0.91 metres (3 feet) from the west side lot line, whereas subsection 6.5 b) iii) states that water circulating or treatment equipment such as pumps or filters, or pool heaters, shall not be located closer than 1.5 metres to any side or rear lot line.

It is recommended that the following condition be imposed on approval:

Overland flow and downspout flows be diverted within the property limits/yard drain for the development, and that the grading from the property lines to the structures be maintained in such a way that overland flow stays within the proposed property limit to not impact adjacent properties, to the satisfaction of the Municipality of Lakeshore.

It is recommended that the Committee of Adjustment include the following Notice in the Decision:

The reliefs are granted based on the use of the structures being accessory to a residential property. Should commercial or residential use be proposed for any of the accessory structures, 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

5. Completion of Unfinished Business

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

Ian Search presented the application and the Planning recommendation to the Committee of Adjustment.

Speaking to the application was Mark Makowski.

There were no questions/comments from the audience or Committee members.

Moved By Jeremy Prince

Seconded By Linda McKinlay

Approve application, A-06-2024, to permit the enlargement of a legal non-conforming building (building used for personal storage without a dwelling on the subject property), subject to the following conditions:

- 1) That the recommendations in the Structural Report from Patterson Engineering, dated June 18, 2024 be implemented to the satisfaction of the Municipality of Lakeshore;
- 2) The proposed building height does not exceed 6.74 metres (22.12 feet) from proposed grade to “top of gambrel truss”, to the satisfaction of the Municipality of Lakeshore;
- 3) The building will remain in the same footprint on the property, to the satisfaction of the Municipality of Lakeshore; and
- 4) The relief is granted based on the use of the building being used for storage. Should a commercial or residential use be proposed in the 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. Approval of Previous Meeting Minutes

Moved By Jeremy Prince

Seconded By Mark Hacon

Approve minutes of the July 17, 2024, meeting.

Carried Unanimously

7. New Business

8. Adjournment

Moved By Linda McKinlay

Seconded By Jeremy Prince

The Committee of Adjustment adjourn its meeting at 7:15 PM.

Carried Unanimously

Mark Hacon

Chair

Ian Search

Secretary-Treasurer