

Municipality of Lakeshore

Minutes of the Committee of Adjustment Meeting

Wednesday, December 4, 2024, 6:00 PM

Operations

304 Rourke Line Rd.

Members Present: Chair Mark Hacon, Member Nancy Flagler-Wilburn, Member Linda McKinlay, Member Jeremy Prince, Member Ron Barrette

Staff Present: Planner I Ian Search, Division Leader - Community Planning Daniel Mercer, Administrative Assistant – Gisele Pillon

1. Call to Order

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

2. O Canada and Land Acknowledgement

3. Disclosures of Pecuniary Interest

4. Public Meetings under the Planning Act

a. B-08-2024 - 16325 Lakeshore Road 301

Speaking to the application was applicant Gary Sylvestre and Authorized Agent Robert Brown.

The Committee of Adjustment discussed the wording of condition number four in the recommendation and agreed that the wording of this condition was appropriate.

71-12-2024

Moved By Member McKinlay

Seconded By Member Barrette

Approve consent application B/08/2024 for the creation of one surplus dwelling lot containing an existing dwelling and accessory buildings/structures that will have a lot area of approximately 4,479.87 m²

(approx. 1.107 acres) and a lot frontage of approximately 52.1 metres (approx. 171 feet), subject to the following conditions:

- 1) That the applicant obtains a Reference Plan from an Ontario Land Surveyor for the severed lot to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 2) That the applicant obtains a draft plan of survey to be approved by Community Planning at the Municipality of Lakeshore prior to its registration that details setbacks of buildings/structures from lot lines;
- 3) That the applicant obtain a letter from a qualified water well driller/installer demonstrating that the existing well on the severed lot is capable of providing an adequate water supply to the existing dwelling, including the following deemed adequate by them: Litres per minutes, type of well pumping system including its condition and age, and acceptable location including its location relative to the private sanitary system.
- 4) That, to the satisfaction of the Building Department at the Municipality of Lakeshore, stairs and landing that are Building Code compliant be installed for operable doors on the dwelling;
- 5) That, to the satisfaction of the Municipality of Lakeshore, the applicant will install a private sanitary system for the dwelling with required setbacks on the severed lot;
- 6) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 7) That a Parkland Dedication Fee be imposed on the granting of this application in the amount specified by the By-law to provide for the dedication of payment of cash in lieu of parkland at the time of payment, and that such fee shall be paid prior to the stamping of the Deed;
- 8) That the applicant relocate or remove any existing accessory structures that are in non-compliance with the Zoning By-law (setbacks, etc.), to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 9) That, to the satisfaction of Community Planning at the Municipality of Lakeshore, the applicant obtain a Zoning By-law amendment to rezone the retained farmland parcel to prohibit new dwellings and additional

residential units on the retained farmland parcel;

10) 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;

11) That the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands, to the satisfaction of the Municipality of Lakeshore, prior to the stamping of the Deeds;

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

13) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by December 5, 2026. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.

Carried Unanimously

b. B-13-2024 - 2380 Lakeshore Road 223

Speaking to the application were the applicants Bradley and Mikeal Demers.

The land severance was explained to the Committee of Adjustment. There were no questions from the public or Committee of Adjustment members.

72-12-2024

Moved By Member Barrette

Seconded By Member Flagler-Wilburn

Approve consent application B/13/2024 for a lot addition, to sever an approximately 900 m² (approx. 9,687.52 ft²) parcel of land from 2380 Lakeshore Road 223 to be added to the rear of 2368 Lakeshore Road 223 that will increase the lot depth of 2368 Lakeshore Road 223 while maintaining its width, subject to the following conditions:

1) That the applicant 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. The draft plan of survey is to be reviewed

and approved by the Community Planning Division at the Municipality of Lakeshore prior to registration;

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 lot addition land to be severed from 2380 Lakeshore Road 223 be conveyed to and consolidated with 2368 Lakeshore Road 223, and Subsection 50 (3) or (5) of the Planning Act applies to any subsequent conveyance of or transaction involving that parcel of land;

5) That the applicant and/or a Solicitor provide an Undertaking to the Secretary prior to the stamping of the severance Deed, in evidence that "Application to consolidate PINs" will be submitted to the Land Titles/Registry Office for the lot addition and provide proof of the consolidation;

6) That if required by the Drainage Department, 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 all conditions be met in accordance with Subsection 53(41) of the Planning Act, R. S. O. 1990 by December 5, 2026. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.

That the following notice be included in the Decision for information: No development (buildings, structures, etc.) is permitted on the lands currently zoned with a "h9" holding symbol, including the lot addition land, until such time as the Zoning By-law is amended to remove the holding symbol.

Carried Unanimously

- 5. Completion of Unfinished Business**
- 6. Approval of Previous Meeting Minutes**

73-12-2024

Moved By Member Barrette

Seconded By Jeremy Prince

Approve the November 13 2024 Meeting Minutes as listed on the agenda.

a. November 13 2024 Meeting Minutes

Carried Unanimously

7. New Business

a. 2025 Committee of Adjustment Meeting Dates

74-12-2024

Moved By Linda McKinlay

Seconded By Nancy Flagler Wilburn

Approve the following Committee of Adjustment meeting dates for 2025:

- January 22, 2025
- February 12, 2025
- March 12, 2025
- April 16, 2025
- May 21, 2025
- June 18, 2025
- July 23, 2025
- August 13, 2025
- September 17, 2025
- October 15, 2025
- November 12, 2025
- December 10, 2025

Carried Unanimously

8. Adjournment

75-12-2024

Moved By Member Barrette

Seconded By Member McKinlay

The Committee of Adjustment adjourn its meeting at 6:59 PM.

Carried Unanimously

Mark Hacon

Chair

Ian Search

Secretary-Treasurer