

Municipality of Lakeshore

Minutes of the Committee of Adjustment Meeting

Wednesday, February 12, 2025, 6:00 PM

Council Chambers, 419 Notre Dame Street, Belle River

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

Staff Present: Planner I Ian Search, Corporate Leader - Growth & Sustainability Tammie Ryall, Division Leader - Community Planning Daniel Mercer, Planner II Urvi Prajapati, Administrative Assistant Community Planning – Gisèle Pillon

1. Call to Order

Chair Hacon called the meeting to order at 6:09 PM.

2. O Canada and Land Acknowledgement

3. Disclosures of Pecuniary Interest

4. Public Meetings under the Planning Act

a. A-37-2024 - Minor Variance - 516 Blanchard Road

Speaking to the application was authorized agent, Greg Weaver.

It was confirmed that there are currently less than 40 parking spaces and that this is adequate for the current business operation.

There were no other questions or concerns from the authorized agent or the public.

06022025

Moved By Member McKinlay

Seconded By Member Prince

Approve Minor Variance Application A/37/2024 for the development of a new building addition to an automobile repair establishment on the Subject Property (516 Blanchard Road):

Relief from subsection 6. 11 j) to permit land which is not used for buildings, ingress or egress ramps or paving to be graveled; whereas subsection 6. 11 j) requires lands not used for buildings, ingress or egress ramps or paving to be landscaped.

Relief from subsection 6.41.2 h) to permit a 0 m setback between parking areas and a lot line, whereas subsection 6.41.2 h) requires that parking areas shall be located no closer to any lot line than the greater of 1.5 m or the applicable buffer strip requirement as specified in the Zone provisions.

Relief from subsection 6.41.2 k) to permit a "gravel" parking area, whereas subsection 6.41.2 k) requires parking areas and approaches within the "M1" Zone to have a cement or asphaltic binder or any other permanent type of surfacing.

Relief from subsection 6.41.3 a) to eliminate the requirement of providing any loading spaces for the subject property, whereas subsection 6.41.3 a) requires two loading spaces to be provided.

Relief from subsection 6.41.1 to reduce the required number of parking spaces to 81, whereas subsection 6.41.1 requires 194 parking spaces for an automobile repair establishment.

Carried Unanimously

b. A-01-2025 - Minor Variance - 169 Lakeview Drive (formerly 177 Lakeview Drive)

Speaking to the application was authorized agent Dan Caster and applicant's legal counsel, Edwin Hooker.

There were no questions or concerns from the authorized agent, legal counsel or the public.

07022025

Moved By Member Prince

Seconded By Member Barrette

Approve Minor Variance Application A/01/2025 to allow a second driveway on the Subject Lands (169 Lakeview Drive/177 Lakeview Drive):

Relief from Subsection 6.41.4 d) to permit a second driveway on the subject lands; whereas Subsection 6.41.4 d) only allows for not more than one driveway per lot within the RW2 Zone.

Carried Unanimously

c. A-03-2025 - Minor Variance - 81 Puce Road

Speaking to the application was authorized agent, Dan Soleski.

The neighbour from 85 Puce Road to the south requested confirmation on the proposed setback for the three-car garage. It was confirmed the proposed setback for the three-car garage meets the required setbacks. It was also confirmed the construction will not infringe or disrupt the use of the abutting parkette.

08022025

Moved By Member Barrette

Seconded By Nancy Flagler-Wilburn

Approve minor variance application A-03-2025 for the development of a new dwelling on the Subject Property:

Relief from Section 8.3 to permit a minimum front yard setback of 3.048 metres (10 feet), whereas Section 8.3 requires a minimum front yard setback of 7.5 metres (24.6 feet) in the RW2 zone where municipal sanitary servicing is available;

Relief from Subsection 6.42 d) to permit the roof overhang (eaves, gutters, etc.) of the new dwelling to encroach a maximum of 5.07 metres (16.64 feet) into the required front yard setback, whereas subsection 6.42 d) permits a roof overhang (eaves, gutters, etc.) to encroach a maximum of 1 metre (3.28 feet) into any required yard.

Carried Unanimously

d. A-04-2025 - Minor Variance - 389 Cooper Crescent

Speaking to the application was authorized agent, Dan Pare.

There were no questions or concerns from the authorized agent or the public.

09022025**Moved By** Member Prince**Seconded By** Member Flagler-Wilburn

Approve minor variance application A-04-2025, for the development of a sunroom building addition on the Subject Property:

Relief from subsection 9.2.11 b) ix) to permit a minimum rear yard of 4.87 metres (16 feet), whereas subsection 9.2.11 b) ix) states that the minimum rear yard shall be 7.6 metres (24.94 feet);

Relief from subsection 6.42 d) to permit the eaves and gutters of the sunroom to encroach a maximum of 3.03 metres (9.94 feet) into the required rear yard, whereas subsection 6.42 d) permits eaves and gutters to encroach a maximum of 1 metre (3.28 feet) into any required yard.

Carried Unanimously**e. B-01-2025 - Consent - 9525 Essex Kent Road/County Road 1**

Speaking to the application was the applicant's legal counsel, Mark Skipper.

Mr. Skipper question condition number 4 in the recommendation which speaks to the existing septic system servicing the existing dwelling. He notes the buyers of the severed parcel intend on demolishing the existing dwelling and installing a new septic system.

Planner I, Ian Search outline the municipality's concern with portions of the existing septic possibly encroaching on the retained parcel which is why the condition is included in the recommendation.

Condition number 4 was amended to read as follows: "That the applicant provide confirmation to Community Planning at the Municipality of Lakeshore that the existing private sanitary system on the severed lot will be located on the severed lot and will meet required setbacks from lot lines, to the satisfaction of Community Planning at the Municipality of Lakeshore, or be decommissioned to the satisfaction of the Building Department at the Municipality of Lakeshore".

10022025**Moved By** Member Barrette**Seconded By** Member Flagler-Wilburn

Approve consent application B/01/2025 for the creation of one surplus farm dwelling lot containing an existing dwelling and accessory structures that will have a lot area of approximately 4,064.5 m² (approx. 1 acre) and a lot frontage of approximately 53.34 metres (approx. 175 feet) along Essex Kent Road (County Road 1), subject to the following conditions:

- 1) That the applicant obtain a draft Plan of Survey to be approved by Community Planning at the Municipality of Lakeshore prior to registration that details setbacks of buildings/structures from lot lines and provides information regarding the frontage and area of the lot to be severed;
- 2) 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;
- 3) That the applicant provide proof that the lot to be severed can be provided with potable water supply to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 4) That the applicant provide confirmation to Community Planning at the Municipality of Lakeshore that the existing private sanitary system on the severed lot will be located on the severed lot and will meet required setbacks from lot lines, to the satisfaction of Community Planning at the Municipality of Lakeshore, or be decommissioned to the satisfaction of the Building Department at the Municipality of Lakeshore;
- 5) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 6) That a Parkland Dedication fee be imposed on the granting of this application in the amount specified by Lakeshore Parkland Dedication By-law 110-2024, and that such fee shall be paid prior to the stamping of the Deed;
- 7) That the applicant obtain a Zoning By-law amendment to rezone the retained farmland parcel to prohibit new dwelling(s) and additional residential unit(s) on the retained farmland parcel;
- 8) 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;
- 9) That the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands, to the Municipality's satisfaction, prior to the stamping of the Deed;

10) That the applicant establish a separate access for the retained farmland parcel from Essex Kent Road (County Road 1) and obtain the necessary permits;

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

12) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by February 13, 2027. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.

Carried Unanimously

f. B-14-2024 - Consent - 1361 County Road 27

Speaking to the application were applicants Daniel and Colleen Barrette.

Applicants request the application be deferred for a period of 3 months to review the property with the conservation authority and explore the creation of an “L” shaped lot that would exist entirely outside the floodway.

11022025

Moved By Member Barrette

Seconded By Member Flagler-Wilburn

Defer consent application B-14-2024 for three months to give the Applicant the opportunity to explore an alternative severance proposal for the creation of a new viable lot located outside the floodway.

Carried Unanimously

5. Completion of Unfinished Business

6. Approval of Previous Meeting Minutes

12022025

Moved By Jeremy Prince

Seconded By Member Barrette

Approve January 22, 2025 Committee of Adjustment minutes.

Carried Unanimously

7. New Business

8. Adjournment

13022025

Moved By Member Barrette

Seconded By Member Prince

The Committee of Adjustment adjourn its meeting at 7:50 PM.

Carried Unanimously

Mark Hacon

Chair

Ian Search

Secretary-Treasurer