

## **Municipality of Lakeshore**

### **Minutes of the Committee of Adjustment Meeting**

**Wednesday, March 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

---

#### **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. A-02-2025 - Minor Variance - 256 Donald Crescent**

Speaking to the application was the applicant Darren Janke of Renew Home Solutions.

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

**14032025**

**Moved By** Member Barrette

**Seconded By** Member Prince

Approve minor variance application A/02/2025, 256 Donald Crescent, to permit the following relief from Lakeshore Zoning By-Law (2-2012) for the development of a new covered porch addition to the existing single-detached dwelling on the Subject Property:

- Relief from Subsection 6.42 g) to permit the porch (including any eaves and cornices) to encroach a maximum of 5.37 metres (17.62 feet) into the required 7.5 metre (24.6 feet) rear yard setback, whereas Subsection 6.42 g) permits a porch (including eaves and cornices) to encroach a maximum of 2.5 metres (8.2 feet) into required rear and front yards.

Impose the following conditions on minor variance approval:

- 1) The minor variance relief is only for the covered porch addition to the existing dwelling on the Subject Property and development is to be in accordance with the minor variance application submission to the satisfaction of Lakeshore;
- 2) The owner must submit a lot grading plan to the satisfaction of the Building Department.
- 3) All roof drains/downspouts for the development are to be splash padded and not tie into storm water management system, to the satisfaction of the Municipality of Lakeshore

Include the following Notice in the Notice of Decision:

The Owner must contact the Municipality of Lakeshore and Essex Region Conservation Authority (ERCA) if there are any changes to the proposal.

**Carried Unanimously**

**b. A-05-2025 - Minor Variance - 1255 County Road 2**

Speaking to the application was applicant Scott Paxton.

It is noted that condition #2 is to be addressed if a bathroom or bathroom fixtures are proposed.

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

**15032025**

**Moved By** Member McKinlay

**Seconded By** Member Prince

Approve minor variance application A/05/2025, 1255 County Road 2, to permit the following relief from Lakeshore Zoning By-law (2-2012) for the development of a new accessory building on the Subject Property:

- Relief from subsection 6.5 a) ix) to permit an accessory building to have a maximum gross floor area of 89.19 m<sup>2</sup> (960 ft<sup>2</sup>), whereas subsection 6.5 a) ix) states that an accessory building shall not exceed a gross floor area of 55 m<sup>2</sup> (592 ft<sup>2</sup>), for each accessory building on a lot in an R1, R2, R3, RW1, RW2, RM or HR zone.

Impose the following conditions on minor variance approval:

1. The minor variance relief is only for the proposed accessory building on the Subject Property and development is to be in accordance with the minor variance application submission to the satisfaction of Lakeshore;
2. If deemed necessary for the development by the Building Department, the septic system capacity is to be verified and submitted to the Building Department for approval;
3. The applicant must contact Essex Region Conservation Authority (ERCA) for a permit review (ERCA Permit # 396) as the site plan appears to have changed based on their permit.

Include the following Notice in the Notice of Decision:

The minor variance application is granted based on the use of the accessory building being for personal storage only. If that use changes in the future the building and property may be subject to fire safety inspections and/or Ontario Fire Code requirements. 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, if the intention is to permit a commercial or residential use in the accessory building in the future.

**Carried Unanimously**

**c. A-35-2024 - Minor Variance - 1 & 3 East Pike Creek Road**

Speaking to the application was the applicant Cindy Prince of Amico Properties.

The following residents made oral submissions to express concerns regarding the proposed parking area, height and style of wall/fence, questioning that the application meets the four tests of a minor variance, impact on views, increased traffic, number of parking spaces and landscaping design.

- 1) Mende Teleski of 275 Elmgrove DR.
- 2) Lou Macera of 264 Elmgrove Dr.; read comments for residents at 262 Elmgrove Dr.
- 3) Mia Macera of 264 Elmgrove Dr.
- 4) Lori Lessard of 5 E. Pike Creek Rd.
- 5) Anne Marie Ofner of 8 E. Pike Creek Rd.
- 6) Jackie Dent of 265 Russell Woods Dr.
- 7) Todd Welsh of 257 Russell Woods Dr.

Cindy Prince provided confirmation on the following; the applicant wants to provide secured parking to avoid damage to vehicles; there will not be any generators onsite in the parking area; ERCA has not imposed elevation requirements; the entrance will be off of E. Pike Creek Rd.; current landscape design includes greenery/ivy to cover concrete wall/fence; minor variance on length of the driveway is contained to the portion inside the gates; will provide a copy of final landscape design to the residents and those in attendance at the meeting.

Administration reasserted the application meets the four tests of a minor variance and overall objectives of the Official Plan and is an improvement for the neighbourhood and will address traffic congestion.

**16032025**

**Moved By** Member Barrette

**Seconded By** Member McKinlay

Approve minor variance application A/35/2024, 1 & 3 East Pike Creek Road (Subject Land), to permit the following reliefs from Lakeshore Zoning By-law (2-2012) for the development of a non-commercial parking area on the Subject Land that will be used for staff, guests and contractors of 234 Elmgrove Drive:

Relief from Subsection 6.41.2 m) to permit the parking area to be within 124.3 metres (407.8 feet) from the location which it is intended to serve (234 Elmgrove Drive), whereas Subsection 6.41.2 m) states that parking areas shall either be located on the same lot as the use for which such parking is required or within 90 metres (295.2 feet) of the location which it is intended to.

Relief from Subsection 6.41.4 a) to permit the driveway for the parking area to be a minimum 4.4 metres (14.4 feet) in length, whereas Subsection 6.41.4 a) states that the driveway for a residential use shall have a minimum length of 6 metres (19.7 feet).

Impose the following conditions on the minor variance approval:

- 1) The Subject Land (1 & 3 East Pike Creek Road) be merged into one property to the satisfaction of the Municipality of Lakeshore;
- 2) A legal mechanism be implemented that prohibits the future conveyance/transfer of 234 Elmgrove Drive or the Subject Land (1 & 3 East Pike Creek Road) without the consent of the Municipality. The legal mechanism used to achieve this, any supporting agreements, and the registration of instruments on title to achieve same, will be to the satisfaction of the Municipality of Lakeshore;
- 3) The parking area is to be used exclusively for the residential property known municipally as 234 Elmgrove Drive, to the satisfaction of the Municipality of Lakeshore;
- 4) The applicant provide, implement and maintain for the development, to the satisfaction of the Municipality of Lakeshore: lot grading and servicing requirements, stormwater quality and quantity measures, oil and grit separator, lighting plan, all to be reviewed through Engineering Reviews and obtain a Clearance Letter from the Operations Department;
- 5) The applicant provide, implement and maintain for the development, to the satisfaction of the Municipality of Lakeshore: a site plan and a landscaping plan;

In Favour (4): Member Barrette, Member Flagler-Wilburn, Member McKinlay, and Member Prince

Opposed (1): Member Hacon

**Carried**

**17032025**

**Moved By** Member Barrette

**Seconded By** Member McKinlay

Approve the issuance of a certificate of consent cancellation under Subsection 53(45) of the Planning Act for 3 East Pike Creek Road (legal description: PT LT 1 PL 1549 MAIDSTONE AS IN R1137290; LAKESHORE) to merge the Subject Land (1 & 3 East Pike Creek Road) into one lot.

**Carried Unanimously**

**d. A-31-2024 - Minor Variance - 473 Charron Beach Road**

Speaking to the application was the applicant Sawyer Everitt-Dejonge.

There were no questions from the applicant or audience.

**18032025**

**Moved By** Member Flagler-Wilburn

**Seconded By** Member Prince

Approve minor variance application A/31/2024, 473 Charron Beach Road, to permit the following reliefs for the development of a new accessory building that will contain an additional residential unit on the Subject Property (473 Charron Beach Road):

Relief from Subsection 6.7 e) iii) to permit the accessory building to have a maximum gross floor area of 148 m<sup>2</sup> (1,593 ft<sup>2</sup>), whereas Subsection 6.7 e) iii) states that an accessory building containing an additional residential unit shall not exceed a total gross floor area of 120 m<sup>2</sup> (1,291.67 ft<sup>2</sup>) for all uses, unless within an Agriculture zone, where a maximum combined gross floor area of 140 m<sup>2</sup> (1,506.95 ft<sup>2</sup>) shall be permitted.

Relief from Section 6.50 to permit the accessory building containing the additional residential unit to be setback a minimum of 20.52 metres (67.32 feet) from the right-of-way of the railway; whereas Section 6.50 states that no dwelling shall be erected closer than 30 metres (98.43 feet) to the right-of-way of any railway;

The approval of the relief from Subsection 6.7 e) iii) is subject to the following conditions that the Applicant will need to satisfy:

- 1) The gross floor area of the main dwelling must exceed the gross floor area of the accessory building containing an additional residential unit;
- 2) Downspouts are to be splash padded and are not to be tied into the Storm Water Management System, to the satisfaction of the Municipality of Lakeshore;
- 3) Establishment of a formal driveway permit through Public Works is required, if not already obtained or on file.

The approval of the relief from Section 6.50 is subject to the following conditions that the Applicant will need to satisfy:

- 1) The completion of a study to assess and mitigate the impact of the noise, vibration and safety (such as setback, berm, security fencing, etc.) on the proposed accessory building containing an additional residential unit to the satisfaction of the Municipality of Lakeshore in consultation with the appropriate railway agency;
- 2) Implementation and maintenance (where necessary) of any required rail noise, vibration and safety impact mitigation measures to the satisfaction of the Municipality of Lakeshore;
- 3) Any required notices such as warning clauses and/or environmental easements will be secured through appropriate legal mechanisms to the satisfaction of the Municipality of Lakeshore and the appropriate railway agency.
- 4) Downspouts are to be splash padded and are not to be tied into the Storm Water Management System, to the satisfaction of the Municipality

of Lakeshore;

5) Establishment of a formal driveway permit through Public Works is required, if not already obtained or on file.

Include the following Notices in the Notice of Decision:

The gross floor area of the accessory building is based on the floor plan drawings submitted with the minor variance application, as they appear in Appendix B of the Planning recommendation report, to the satisfaction of the Municipality of Lakeshore.

**Carried Unanimously**

**5. Completion of Unfinished Business**

**6. Approval of Previous Meeting Minutes**

**19032025**

**Moved By** Member Barrette

**Seconded By** Member Prince

Approve the February 12, 2025 Committee of Adjustment minutes as listed on the agenda.

**Carried Unanimously**

**7. New Business**

**a. Ontario Association of Committee of Adjustment 2025 Conference**

Attendance of Committee of Adjustment members at the upcoming 2025 OACA conference was discussed.

**8. Adjournment**

**20032025**

**Moved By** Member McKinlay

**Seconded By** Member Prince

The Committee of Adjustment adjourn its meeting at 8:01 PM.

**Carried Unanimously**



---

Mark Hacon

Chair

---

Ian Search

Secretary-Treasurer