



## **Municipality of Lakeshore**

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

**Wednesday, April 16, 2025, 6:00 PM**

**Council Chambers, 419 Notre Dame Street, Belle River**

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

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#### **1. Call to Order**

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

#### **2. O Canada and Land Acknowledgement**

#### **3. Disclosures of Pecuniary Interest**

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

##### **a. B-02-2025 - 1078 Countryview Lane - Consent Application**

Ian Search presented background information about the application and the highlights from the recommendation report in the agenda.

Speaking to the application was Courtney Sinclair, acting as the agent for the applicant (the applicant is experiencing technical issues and was unable to comment directly.) She requested the removal of Condition 7, which pertains to parkland dedication. She stated that, given the current circumstances, this condition feels inappropriate and unreasonable. She believes the applicant should not be required to provide parkland or cash-in-lieu and requested that this condition be reconsidered. Member McKinlay stated that Condition 7, the requirement for parkland dedication applies to all lot creation applications. She expressed that she would not support an exception in this case, as she believes the condition is appropriate.

It was confirmed that all buildings would remain within the 1.5-lot area being created.

No questions or comments were received from the audience.

**21042025**

**Moved By** Member McKinlay

**Seconded By** Member Flagler-Wilburn

Approve consent application B/02/2025 for the creation one lot containing an existing dwelling (surplus farm dwelling) and accessory buildings/structures that will have a lot area of approximately 6,232 m<sup>2</sup> (approx. 1.54 acre) and a lot frontage of approximately 61.2 metres (approx. 200 feet) along Countryview Lane, subject to the following conditions:

- 1) That the applicant obtain a draft Plan of Survey to be reviewed 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 submits a Reference Plan prepared by an Ontario Land Surveyor for the severed lot to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 3) 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;
- 4) That the applicant remove all livestock from the severed lot to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 5) That the applicant obtain the appropriate permit(s) deemed necessary by the Building Department and convert the existing livestock building(s) on the severed lot to accessory building(s) used for storage to the satisfaction of the Building Department
- 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 Lakeshore Parkland Dedication By-law 110-2024, and that such fee shall be paid prior to the stamping of the Deed;

8) 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;

9) That the applicant complete the process under the Drainage Act for the severance required by the Operations Department to the satisfaction of the Operations Department;

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

11) That all conditions be met in accordance with Subsection 53(41) of the Planning Act, R.S.O. 1990 by April 17, 2027. Failure to fulfil the conditions by this date shall deem the consent refused, as per the Planning Act.

**Carried Unanimously**

**b. B-03-2025-A, B-03-2025-B, B-03-2025-C - 2462 County Road 27 - Consent Application**

Ian Search presented background information about the application and the highlights from the recommendation report in the agenda”.

Speaking to the application was applicant John “Tom” Fuerth. He stated that the property was obtained through a family estate and confirmed he is willing to accept the attached conditions.

**Audience Comments & Discussion:**

Ray Tracey (a property owner of land directly east of the subject lands) requested clarification regarding whether the approval of the lots is based on sewage capacity or if septic systems would be considered under the Hamlet zoning. He also mentioned about the property being at the end of the current sanitary line and what that might mean for future lot applications in the area. He asked whether access to the sanitary system is a requirement within the Hamlet area.

Ian Seach responded by displaying a map showing the settlement area boundary for North and South Woodslee, confirming that the subject property lies within this boundary making the application eligible for consideration. He explained there is an existing sanitary main where the proposed lots are located, and this will be fully utilized. North and South Woodslee is equipped with both a collection system and a sanitary treatment facility, and due to this infrastructure, full municipal servicing is required. It was clarified that if an applicant were to request further lots to the east, outside of the serviced area, they would be responsible for extending the sanitary system in order to proceed.

John “Tom” Fuerth reiterated that development on sanitary sewers is a requirement for the removal of the holding symbol. To his knowledge, there may be one additional lot that could meet the same servicing conditions as the current proposal. However, beyond that, he is at the end of the current sewer line. Any future lots to the east would likely require a Plan of Subdivision.

Shaun Fuerth (son of applicant) added that stormwater management was completed when the first three lots were created three years ago.

Ian Seach read an Enbridge Gas email that confirmed the availability of gas service for the proposed residential lots.

**22042025**

**Moved By** Member Barrette

**Seconded By** Member McKinlay

Approve consent file B-03-2025-A, being the creation of one residential lot that will have a lot frontage of approximately 27.8 metres (91.21 feet) and a lot area of approximately 1,696 m<sup>2</sup> (0.419 acres), subject to the following conditions of approval:

- 1) That the applicant submits a Reference Plan prepared by an Ontario Land Surveyor of the development to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 2) That the applicant obtain an archaeological assessment conducted by a licensed archaeologist in compliance with guidelines set out by the Ministry of Tourism, Culture and Gaming, as well as licensing requirements developed under the Ontario Heritage Act. The report is to be entered into the Ontario Public Register of Archaeological Reports and

will identify and recommend any conservation/mitigation strategies that need to be implemented by the applicant to the satisfaction of the Community Planning Division;

3) That the applicant satisfy all requirements of the Operations Department;

4) That the applicant enters into a severance agreement to the satisfaction of Community Planning that is to be registered on the title of the property and binding on future owners;

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 each file (per lot) 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 remove the holding symbol from the zoning on each of the lots, to the satisfaction of the Community Planning division;

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

9) That all conditions be met in accordance with Subsection 53(41) of the Planning Act, R.S.O. 1990 by April 17, 2027. Failure to fulfil the conditions by this date shall deem the consent refused, as per the Planning Act.

**Carried Unanimously**

**23042025**

**Moved By** Member Barrette

**Seconded By** Member McKinlay

Approve consent file B-03-2025-B, being the creation of one residential lot that will have a lot frontage of approximately 27.8 metres (91.21 feet) and a lot area of approximately 1,696 m<sup>2</sup> (0.419 acres), subject to the following conditions of approval:

1) That the applicant submits a Reference Plan prepared by an Ontario Land Surveyor of the development to the satisfaction of Community Planning at the Municipality of Lakeshore;

- 2) That the applicant obtain an archaeological assessment conducted by a licensed archaeologist in compliance with guidelines set out by the Ministry of Tourism, Culture and Gaming, as well as licensing requirements developed under the Ontario Heritage Act. The report is to be entered into the Ontario Public Register of Archaeological Reports and will identify and recommend any conservation/mitigation strategies that need to be implemented by the applicant to the satisfaction of the Community Planning Division;
- 3) That the applicant satisfy all requirements of the Operations Department;
- 4) That the applicant enters into a severance agreement to the satisfaction of Community Planning that is to be registered on the title of the property and binding on future owners;
- 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 each file (per lot) 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 remove the holding symbol from the zoning on each of the lots, to the satisfaction of the Community Planning division;
- 8) That the Deed and a copy for our records be forwarded to the Secretary for stamping;
- 9) That all conditions be met in accordance with Subsection 53(41) of the Planning Act, R.S.O. 1990 by April 17, 2027. Failure to fulfil the conditions by this date shall deem the consent refused, as per the Planning Act.

**Carried Unanimously**

**24042025**

**Moved By** Member Barrette

**Seconded By** Member McKinlay

Approve consent file B-03-2025-C, being the creation of one residential lot that will have a lot frontage of approximately 27.8 metres (91.21 feet) and a lot area of approximately 1,696 m<sup>2</sup> (0.419 acres), subject to the following conditions of approval:

- 1) That the applicant submits a Reference Plan prepared by an Ontario Land Surveyor of the development to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 2) That the applicant obtain an archaeological assessment conducted by a licensed archaeologist in compliance with guidelines set out by the Ministry of Tourism, Culture and Gaming, as well as licensing requirements developed under the Ontario Heritage Act. The report is to be entered into the Ontario Public Register of Archaeological Reports and will identify and recommend any conservation/mitigation strategies that need to be implemented by the applicant to the satisfaction of the Community Planning Division;
- 3) That the applicant satisfy all requirements of the Operations Department;
- 4) That the applicant enters into a severance agreement to the satisfaction of Community Planning that is to be registered on the title of the property and binding on future owners;
- 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 each file (per lot) 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 remove the holding symbol from the zoning on each of the lots, to the satisfaction of the Community Planning division;
- 8) That the Deed and a copy for our records be forwarded to the Secretary for stamping;
- 9) That all conditions be met in accordance with Subsection 53(41) of the Planning Act, R.S.O. 1990 by April 17, 2027. Failure to fulfil the conditions by this date shall deem the consent refused, as per the Planning Act.

**Carried Unanimously**

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

**25042025**

**Moved By** Member Barrette

**Seconded By** Member Flagler-Wilburn

Approve minutes of the previous meeting as listed on the agenda.

**Carried Unanimously**

**a. March 12 2025 Meeting Minutes**

**7. New Business**

None

**8. Adjournment**

**26042025**

**Moved By** Member Barrette

**Seconded By** Member McKinlay

The Committee of Adjustment adjourn its meeting at 6:47 PM.

**Carried Unanimously**

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Mark Hacon

Chair

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Ian Search

Secretary-Treasurer