



Municipality of Lakeshore

Minutes of the Committee of Adjustment Meeting

Wednesday, May 21, 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 Jeremy Prince

Members Absent: Member Linda McKinlay

Staff Present: Planner I Ian Search, Division Leader - Community Planning Daniel Mercer, Planner II Jacob Dickie, Planner II Matt Alexander, Administrative Assistant Maggi Dewolf-Russ

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-05-2025 - 2825 Lakeshore Road 303

The Chair opened the public meeting at 6:00 pm

Ian Search provided a PowerPoint presentation as overview of the application and recommendation of Administration.

Applicants Mike and Jocelyne Mailloux and Jay Johnson were present and spoke in favour of the application.

Mike Mailloux had no questions or concerns, however wanted to go through the eight conditions of the application.

Jay Johnson had no questions or concerns, but asked for clarity with respect to the condition related to retained land access.

Ian Search informed Jay Johnson that the retained land access must be formalized by obtaining a permit.

Chair Hacon asked the audience if they had any questions or concerns. There was no questions or concerns from the audience.

The Chair closed the public meeting at 6:13 pm

27-05-2025

Moved By Member Barrette

Seconded By Member Flagler-Wilburn

Approve consent application B/05/2025 for the creation of one lot (residence surplus to an agricultural operation) containing two existing dwellings and accessory structures that will have a lot area of approximately 5,293 m² (approx. 1.3 acres) and a lot frontage of approximately 65.53 meters (approx. 215 feet), 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 confirmation to Community Planning at the Municipality of Lakeshore that the existing private sanitary systems 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 all municipal taxes be paid in full prior to the stamping of the Deed;
- 5) 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, and to rezone the severed lot to recognize the two existing single detached dwellings on the

severed lot;

6) That the applicant satisfy all the requirements of the Operations Department, including completing the required process under the Drainage Act as provided in the comment from the Operations Department, and formalize the retained land parcel access by obtaining a permit;

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

8) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by May 22, 2027. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.

Carried Unanimously

b. A-10-2025 - 822 Southwood Drive

Chair Hacon opened the public meeting at 6:15 PM.

Ian Search provided a PowerPoint presentation as overview of the application and recommendation of Administration.

Jordan Tellier (822 Southwood Dr) was present and spoke in favour of the application.

Chair Hacon asked the applicant if they had any questions or concerns. Applicant did not have any questions or concerns.

Jordan had no questions or concerns and says he's fine with all the conditions put in place on the application.

Chair Hacon asked the audience if they had any questions or concerns. There was no questions or concerns from the audience.

Chair Hacon asked the staff and committee members if they had any questions or concerns.

Committee member Ron Barrette had a question on the site plan about the location of the AC unit. On the drawing it shows the AC unit will be placed at the back of the building. He asked if the Zoning By-law permits the AC unit to be at the back of the building or does the AC unit have to be located on the side of the building.

Ian Search answered Barrette's question. The Zoning By-law permits the AC unit to be on the back of the building.

Chair Hacon asked the audience if they had any questions or concerns. There was no questions or concerns from the audience.

Chair Hacon asked the staff and committee members if they had any questions or concerns. There was no questions or concerns from the staff and committee members.

The public meeting concluded at 6:22PM.

28-05-2025

Moved By Nancy Flagler-Wilburn

Seconded By Jeremy Prince

Approve minor variance application A/10/2025, 822 Southwood Drive, 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 the new accessory building to have a maximum gross floor area of 85 m² (915 ft²), whereas Subsection 6.5 a) ix) states that an accessory building shall not exceed a gross floor area of 55 m² (592 ft²), for each accessory building on a lot in an R1, R2, R3, RW1, RW2, RM or HR zone.

Impose the following condition on the minor variance approval:

The development of the new accessory building will proceed in conformance with the drawings submitted for the minor variance application, including the application of the Exterior Insulation and Finish System (EIFS) finishing or similar finishing, to the satisfaction of the Building Department.

Include the following Notice in the Notice of Decision:

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 of any kind in the accessory building now or in the future.

Carried Unanimously

c. A-09-2025 - 2090 County Road 27

Chair Hacon opened the public meeting at 6:23 PM.

Matt Alexander provided a PowerPoint presentation as overview of the application and recommendation of Administration.

Jack Ramieri, Ron Sharon, Stefan Sharon (2090 County Rd 27) were present and spoke in favour of the application.

Chair Hacon asked the applicant if they had any questions or concerns. No questions or concerns from the applicant.

Chair Hacon asked the audience if they had any questions or concerns.

The resident of 2130 County Rd 27 was present and spoke in opposition to the application. They state that they sent a letter regarding several significant concerns about the current activity on the property at 2090 County Rd 27. The concerns relate to current drainage patterns that affect their property. They also stated that diesel services are running out of the pole barn and debris drains onto their farmland. They raised concerns over current light pollution and privacy concerns related to cameras.

Chair Hacon asked the staff and committee members if they had any questions or concerns.

Matt Alexander noted that By-law related concerns about current activity should be directed by the resident to the By-law and Drainage department.

Chair Hacon said the concerns should be addressed to the By-law and Drainage department. The Committee of Adjustment is only considering the application in front of us. The resident of 2130 County Road 27 said they understood.

Member Flagler-Wilburn asked where the new dwelling would be built. Matt Alexander stated near the accessory building on the property.

The public meeting concluded at 6:41 PM.

29-05-2025

Moved By Member Barrette

Seconded By Member Flagler-Wilburn

Approve minor variance application A-09-2025, 2090 County Road 27 to permit the following relief from Lakeshore Zoning By-law (2-2012) for the development of an Additional Residential Unit (ARU).

- Relief from subsection 6.7 f) to permit additional residential unit in an accessory building located no more than 120 metres from the associated main dwelling, whereas the by-law requires a separation distance of no more than 50 metres from the associated main dwelling.

Carried Unanimously

d. A-21-2024 - 593 Railway Avenue

Chair Hacon opened the public meeting at 6:42 PM.

Matt Alexander provided a PowerPoint presentation as overview of the application and recommendation of Administration.

Shawn Sauve and Bryan Pearce (applicants) were present and spoke in favour of the application.

Chair Hacon asked the applicant if they had any questions or concerns. None were noted.

Chair Hacon asked the audience if they had any questions or concerns. There was no questions or concerns from the audience.

Chair Hacon asked the staff and committee members if they had any questions or concerns.

Committee member Ron Barrette had a question on the elevation of the parking lot compared to the sidewalk.

Shawn Sauve responded to Ron's question and stated that the parking lot will be a foot lower. Bryan Pearce added that the site plan will ensure the parking lot will be level with the sidewalk with a curbing system included.

The public meeting concluded at 6:55 PM.

30-05-2025

Moved By Member Prince

Seconded By Member Flagler-Wilburn

Approve minor variance application A-21-2024, 593 Railway Avenue, to permit the following reliefs from Lakeshore Zoning By-law (2-2012) for the proposed parking lot to the building supply outlet.

- Relief from subsection 6.41.2 h) to reduce the minimum distance from the parking area to the lot line from the required 1.5 metres to 0.4 metres,

- Relief from subsection 6.53 a) iii) to reduce the minimum sight triangle of the railway from the existing driveway to the parking area to be 22.8 metres from the required 50 metres,
- Relief from subsection 6.53 a) iii) to reduce the sight triangle of the railway from 50 metres to 19.3 metres to recognize the existing building,
- Relief from subsection 6.53 a) i) to reduce the sight triangle for the intersection of 1st Street and Railway Avenue from the required 6.0 metres to 2.7 metres;

Include the following Notice in the Notice of Decision:

The owner must complete a Site Plan Control Application under the *Planning Act*, to recognize the new parking lot area as built on the site and to further amend the existing Site Plan Agreement.

Carried Unanimously

e. A-38-2024 - 0 Middle Road

Chair Hacon opened the public meeting at 6:55 PM.

Jacob Dickie provided a PowerPoint presentation as overview of the application and recommendation of Administration.

Steven O'Neil (applicant) was present and spoke in favour of the application.

Jennifer Deschaine (applicant) was present virtually and spoke in favour of the application.

Chair Hacon asked the applicants if they had any questions or concerns. There were no questions or concerns from the applicants.

Chair Hacon asked if there were any questions or concerns from the audience. No questions or concerns from the audience.

Chair Hacon asked if there were any questions or concerns from staff and committee members.

Staff member Ian Search added that there is one notice recommended to be put on the decision that the applicants should be aware of.

The public meeting concluded at 7:04 PM.

31-05-2025

Moved By Member Barrette

Seconded By Member Flagler-Wilburn

Approve Minor Variance Application A-38-2024, 0 Middle Rd (subject property), to permit the following reliefs from Lakeshore Zoning By-law (2-2012) for the development of a new “Building Supply Outlet” on the subject property that will be used for a stone and brick veneer cutting business.

- Relief from subsection 6.41.1 to reduce the required number of parking spaces to 11, whereas subsection 6.41.1 requires 40 parking spaces for the proposed “Building Supply Outlet”.
- 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 one loading space to be provided for the proposed “Building Supply Outlet”.

Include the following Notice in the Notice of Decision:

The owner must complete the active Site Plan Control Application (SPC-11-2024) under the *Planning Act*.

Carried Unanimously

f. A-08-2025 - 1272 County Road 22

Chair Hacon opened the public meeting at 7:05 PM.

Ian Search provided a PowerPoint presentation as overview of the application and recommendation of Administration.

James Dorner (applicant) was present and spoke in favour of the application.

Chair Hacon asked the applicant if they had any questions or concerns. There was no questions or concerns from the applicant.

Chair Hacon asked if there were any questions or concerns from the audience. No questions or concerns from the audience.

Chair Hacon asked if there were any questions or concerns from staff and committee members.

Committee member Ron Barrette asked the applicant if they will be tearing down the house and rebuilding a new one on the property. James Dorner confirmed that was the case.

The public meeting concluded at 7:18 PM.

32-05-2025

Moved By Member Prince

Seconded By Member Flagler-Wilburn

Deny Minor Variance Application A/08/2025 as the requested reliefs for the development of a proposed accessory building on the subject property do not pass each of the four tests under the Planning Act.

Carried Unanimously

g. A-07-2025 - 432 West Belle River Road

Chair Hacon opened the public meeting at 7:18 PM.

Ian Search provided a PowerPoint presentation as overview of the application and recommendation of Administration.

Alicja Szewczyk was present and spoke in favour of the application.

Chair Hacon asked the applicant if they had any questions or concerns.

The applicant Alicja asked if there were any solutions for the issue related to parking on the property.

Chair Hacon asked if there were any questions or concerns from the audience.

The resident of 421 West Belle River Road raised concerns about safety. The resident mentioned that a car travelling south on West Belle River Road had to swerve onto his front yard. Concerns were raised regarding the number of dwelling units on the property.

The resident of 429 West Belle River Road raised concerns about safety. They raised concerns over the number of residents that reside at the property.

Committee member Ron Barrette asked administration what the current zoning of the property is. Ian Search stated that the current zoning of the property is "R1", which is a low designatory of residential zone.

Committee Member Ron Barrette asked if it allows an additional residential unit. Ian Search stated that the property has a building permit for one additional residential unit. There is no sanitary servicing capacity currently for multiple additional residential units.

Chair Hacon asked if the driveway was originally planned to be in the side yard of the property. Ian Search confirmed that to be the case.

The public meeting concluded at 7:38 PM.

33-05-2025

Moved By Member Flagler-Wilburn

Seconded By Member Barrette

Deny Minor Variance Application A/07/2025 as it does not meet the four tests set out under Subsection 45(1) of the Planning Act.

Carried Unanimously

h. B-14-2024 - 1361 County Road 27

Chair Hacon opened the public meeting at 7:39 PM.

Ian Search provided a PowerPoint presentation as overview of the application and recommendation of Administration.

Colleen and Daniel Barrette (applicants) were present and spoke in favour of the application.

Chair Hacon asked the applicant if they had any questions or concerns. There were no questions or concerns.

Chair Hacon asked if there were any questions or concerns from the audience. No questions or concerns from the audience.

Chair Hacon asked if there were any questions or concerns from staff and committee members. No questions or concerns.

The public meeting concluded at 7:55 PM.

34-05-2025

Moved By Member Barrette

Seconded By Member Flagler-Wilburn

Approve consent application B/14/2024 for the creation of one lot that will have a lot area of approximately 2,100 m² (approx. 0.52 acres) and a lot frontage of approximately 30 metres (approx. 98.43 feet). The lot to be created will have a lot area of approximately 2,008.5 m² (approx. 0.496 acres) following conveyance of land along the front of the subject property to the County of Essex. The approval is 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 and the lot to be retained;
- 2) That the applicant obtains a Reference Plan from an Ontario Land Surveyor for the severed and retained 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 all municipal taxes be paid in full prior to the stamping of the Deed;
- 5) That the applicant obtain a Zoning By-law amendment to temporarily permit the accessory building to exist on the retained lot without a dwelling, or demolish/remove the accessory building from the retained lot to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 6) That the applicant obtain approval under the Planning Act to permit any lot deficiencies (frontage, setbacks, etc.) under the Zoning By-law with respect to the severed and/or retained lot;
- 7) That the applicant submit a memo to Community Planning from a qualified professional that confirms the following to the satisfaction of Community Planning: no negative impacts on the natural features or their ecological functions; the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no

negative impacts on the natural features or on their ecological functions; no harmful alteration, disruption, or destruction of fish habitat, and that proposed development/site alteration would be in accordance with provincial and federal requirements as it relates to fish habitat; no development and site alteration in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

8) That the applicant obtain an archaeological assessment of the subject property 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;

9) That the applicant establish a new access and driveway for the severed lot to the satisfaction of the Municipality of Lakeshore and obtain all necessary permits for its establishment;

10) That the applicant enter into an Agreement with the Municipality of Lakeshore to be registered on title prior to the stamping of the Deed, for the establishment of a water connection and to pay any applicable water rates or fees with respect to the subject lands;

11) That the applicant address all drainage concerns raised by the Operations Department to the satisfaction of this department, and ensure that a proper outlet for drainage has been established for the severance to the satisfaction of the Operations Department. Any agreement associated with establishing a proper outlet for drainage is to be binding by registering the agreement on title, if required by the Operations Department and to the satisfaction of the Municipality of Lakeshore;

12) Formal confirmation is required regarding the abandonment of existing water services to the accessory building on the retained lot. If the accessory building is currently serviced by a water line originating from the proposed south lot, the applicant must abandon the service by capping it off at the new lot line separating the two lots to the satisfaction of the Operations Department, or connect it to a new water service to the

satisfaction of the Operations Department.

13) That the applicant pay a \$3,800.00 parkland dedication fee in accordance with By-law 110-2024 (Dedication of Parkland By-law)

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

15) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by May 22, 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

Staff Member Ian Search declared there is a formatting issue with the April 16, 2025, meeting minutes from the previous meeting. The meeting minutes will be brought to the next Committee of Adjustment meeting for approval.

a. April 16 2025 Meeting Minutes

7. New Business

Committee Member Nancy asked a question about being reimbursed for conference expenses. The Committee Members and staff discussed the reimbursement process.

8. Adjournment

35-05-2025

Moved By Member Barrette

Seconded By Member Prince

The Committee of Adjustment adjourn its meeting at 8:03 PM.

Carried Unanimously

Mark Hacon
Chair

Ian Search
Secretary-Treasurer