



Municipality of Lakeshore

Minutes of the Committee of Adjustment Meeting

Wednesday, July 13, 2022, 6:00 PM

Members Present: Member Ron Barrette, Member Steve Diemer, Member Robert Sylvestre, Member Michael Hoffman

Members Absent: Chair Mark Hacon

Staff Present: Planner I Ian Search, Planner II Urvi Prajapati, Team Leader - Development Approval Kristina Brcic, Planning Student Ian Rawlings

1. Call to Order

Acting Chair Ron Barrette called the meeting to order at 6:02 PM. All members participated in the meeting through video conferencing technology from remote locations.

2. Land Acknowledgement

3. Disclosures of Pecuniary Interest

No disclosures of pecuniary interest were made.

4. Public Meetings under the Planning Act

a. Minor Variance Application A/28/2022

Ian Rawlings presented the application. The owners did not have any comments. Public no comments. Committee Member Robert clarified about the entrance permit. The applicants confirmed that they are not needing any entrances and are going to be using the existing one.

approve

Moved By Michael Hoffman

Seconded By Steve Diemer

Approve the minor variance application A/28/2022 to permit the construction of an accessory structure with a maximum gross floor area of 71.34m².

In Favour (4): Ron Barrette, Steve Diemer, Robert Sylvestre, and Michael Hoffman

Carried

b. Minor Variance Application A/29/2022

Owner comments: Needs the space for working on cars and storage.

Public Comments: None.

Committee members comments: Michael, is working on cars a commercial endeavor or a personal and are you willing to decrease the size.

Owner said it is personal and has already decreased the size and doesn't want to go any smaller.

Steve: is the area behind the property zone for something other than farmland. Urvi advised that the zoning is agriculture.

Steve asked if any neighbours had objections, Urvi expressed no comments received. Applicant said all neighbours are in support.

Ron said that the garage is big. Urvi said that the lands behind are zoned M2(holding). Steve says he would like to make a motion that it gets approved along with the conditions.

Approve application along with conditions

Moved By Steve Diemer

Seconded By Michael Hoffman

Refuse Minor Variance Application A/29/2022, since the requested minor variance does not pass the four tests as the size of the proposed structure cannot be deemed minor, and the proposal is not consistent nor compatible with the existing built form.

In Favour (4): Ron Barrette, Steve Diemer, Robert Sylvestre, and Michael Hoffman

Carried

c. Minor Variance Application A/30/2022

Owner comments: I don't have any rear neighbours that would be bothered by the noise.

Public Comments: None

Committee comments: None

Approved with conditions as read

Moved By Robert Sylvestre

Seconded By Steve Diemer

Approve minor variance application A/30/2022 conditional upon:

1) An approved pool permit of the existing pool;

2) Obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

In Favour (4): Ron Barrette, Steve Diemer, Robert Sylvestre, and Michael Hoffman

Carried

d. Minor Variance Application A/31/2022

Owner comments: none

Public Comments: none

Committee comments: Robert asked what is the timeframe for moving the house?

Owner: 1 year and moving it across the field so depends on the crop and the ground conditions.

Ian S : clarified that the owners have a year to get into an agreement with the Municipality, the timeframe to move the house can be revised and set out during that agreement.

Approve with conditions as read

Moved By Steve Diemer

Seconded By Michael Hoffman

Approve Minor Variance A/31/2022, subject to the following conditions:

1) The owner of the subject property enter into an agreement with the Municipality of Lakeshore by July 13, 2023 that will require the existing dwelling to be demolished, dismantled, relocated and/or removed (including any and all debris) in accordance with the agreement, and this agreement is to be to the satisfaction of the Municipality of Lakeshore, and registered on title if required by the Municipality of Lakeshore, and all the details of this agreement and requirements of the owner of the subject property under this agreement are to be determined by the Municipality of Lakeshore;

2) That a demolition permit be obtained for MPEC to conduct their assessment;

3) All setbacks from the Municipal Drain that runs along the front of the property (2nd Concession Road Drain South of Malden) must be adhered to;

4) Any new entrances or hard surfacing (concrete, asphalt, etc.) will require the applicant to submit an entrance permit to the Municipality of Lakeshore;

5) That prior to occupancy being issued for the new house, the water service from the new house will be connected to the existing curb stop on the property, and a representative from Lakeshore's water division must be on-site at the time of connection to the existing curb stop.

In Favour (4): Ron Barrette, Steve Diemer, Robert Sylvestre, and Michael Hoffman

Carried

e. Consent Application B/12/2022

Owner comments: There is an existing entrance and we do not wish to connect water as we do not want to build on the lot.

Public comments: none

Committee comments: none

Approve with conditions as read

Moved By Steve Diemer

Seconded By Robert Sylvestre

Approve Consent Application B/12/2022 subject to the following conditions:

1. That the applicant obtains a proper survey and Reference Plan from an Ontario Land Surveyor for the severed parcel of land to the satisfaction of the Municipality, including setbacks of any buildings along the new lot line;
2. That all municipal taxes be paid in full prior to the stamping of the Deed;
3. That a Park Fee be imposed on the granting of this Application in the amount of \$600.00 and that such fee shall be paid prior to the stamping of the Deed;
4. That, the severed lot is subject to water buy-in fee according to the tariff of fees by-law at the time of servicing;
5. That any additional modifications to the driveway in the municipal right-of-way or the addition of hard surfacing (concrete, asphalt, etc.) will require the applicant to submit an entrance permit to the County of Essex;
6. That the applicant enter into a drain apportionment agreement as it pertains to the municipal drain Puce River Drain at the rear of the property;
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 **July 15, 2024**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

In Favour (4): Ron Barrette, Steve Diemer, Robert Sylvestre, and Michael Hoffman

Carried

5. Completion of Unfinished Business

None

6. Approval of Previous Meeting Minutes

accept as read

Moved By Steve Diemer

Seconded By Michael Hoffman

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

In Favour (4): Ron Barrette, Steve Diemer, Robert Sylvestre, and Michael Hoffman

Carried

a. June 15, 2022 Meeting Minutes

7. New Business

November 16th meeting moved to Wednesday November 9th due to new Council

8. Adjournment

Meeting adjourned at 6:56pm

Moved By Steve Diemer

Seconded By Michael Hoffman

The Committee of Adjustment adjourn its meeting at 6:56 PM.

In Favour (4): Ron Barrette, Steve Diemer, Robert Sylvestre, and Michael Hoffman

Carried

Mark Hacon

Chair

Ian Search

Secretary-Treasurer