

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council
From: Ian Search, Planner II
Date: November 23, 2022
Subject: Zoning By-law Amendment Application ZBA-15-2022, Katie and Paul Amato, 353 Lakeview Drive

Recommendation

Approve Zoning By-law Amendment Application ZBA-15-2022 (Zoning By-law 2-2012, as amended), to rezone the subject property from “Residential Waterfront – Lake St. Clair (RW2)” to “Residential Waterfront – Lake St. Clair Zone Exception 15 (RW2-15)” zone (Indicated on the Key Map, Attachment 1), in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 96-2022 during the Consideration of By-laws, all as presented at the December 13, 2022 Council meeting.

Background

The subject property is a 1,659.21 m² (0.41 acre) residential lot, located on the north side of Lakeview Drive, west of Ducharme Street, known municipally as 353 Lakeview Drive (See Attachment 1). The applicant is planning on demolishing and replacing the existing dwelling and accessory building on the property. The proposed two-storey accessory building will have a gross floor area of 196.3 m² and a height of 7.15 metres (see Attachments 2 and 3). The subject property is zoned Residential Waterfront – Lake St. Clair (RW2) which permits an accessory building on the property to have a maximum gross floor area of 55 m² and a maximum height of 5 metres. Therefore, a zoning by-law amendment is required to permit the proposed accessory building.

The applicant has indicated that the massing of the proposed accessory building is necessary to sufficiently be used as storage. In addition, they desire to use the second floor as a personal fitness space and storage area. Their existing accessory building has a three-piece washroom which is a feature that will be incorporated into the design of the new build. The Operations Division did not express any concerns with this aspect of the proposal.

Subject Parcel	Lot Area – 0.41 acres
	Proposed Use – accessory building with a gross floor area of 196.3 m ² and a height of 7.15 metres

	Access – Lakeview Drive Servicing – municipally owned and operated piped water supply and sanitary services
Surrounding Uses	North – Lake St. Clair East – residential land uses West – residential land uses South – VIA rail right-of-way, residential land uses
Official Plan	Residential
Existing Zoning	RW2, Residential Waterfront – Lake St. Clair

Comments

Provincial Policy Statement (PPS)

There are no issues of Provincial significance raised by this application.

County of Essex Official Plan and Lakeshore Official Plan

The subject property is designated “Primary Settlement Area” in the County of Essex Official Plan and “Residential” in the Lakeshore Official Plan. A single detached dwelling and accessory uses/buildings are permitted on lands designated “Residential”.

The subject property is designated “Lake St. Clair Shoreline Floodprone Area” in the Lakeshore Official Plan and is located within the Essex Region Conservation Authority (ERCA) Limit of the Regulated Area. ERCA was circulated the application for comment and stated that they had no objection. An ERCA permit has been issued for the proposed accessory building – all openings into the structure must meet the minimum required floodproofing elevation.

Zoning By-law

A zoning by-law amendment is required to permit the proposed gross floor area and height of the accessory building. Section 6.5 a) ix) states that an accessory building shall not exceed a gross floor area of 55 m² in the R1, R2, R3, RW1, RW2, RM or HR zone. Additionally, the by-law restricts the height of an accessory building to 5 metres unless within an Agriculture Zone.

The proposed building will have a gross floor area of 196.3 m² and a height of 7.15 metres. The gross floor area includes the total floor area of each storey. As such, the proposed lot coverage/building footprint is only 98.1 m². Elevation drawings provided with the application indicate that the building is proposed to be constructed with dormers. Building Services has indicated the height to be the vertical distance from grade to the midpoint of

the dormer. The gable roof with dormers design is compatible with the neighbourhood as similar structures exist in the immediate area.

The applicant is proposing to construct a dwelling on the property that will have a gross floor area of 370.69 m², with a main house footprint of 176.7 m², and a 112.2 m² attached garage. Despite the requested massing, the proposed accessory building will be clearly subordinate to the future main building on the property. Also, with the property having a lot area of 0.41 acres, the proposed development will comfortably meet the maximum lot coverage allowance of 35%, and the accessory building will only result in 6.8% lot coverage as proposed.

The applicant is proposing to locate the building 17.67 metres from the edge of the street (Lakeview Drive) and 7.92 metres from the front lot line. This setback will help reduce the impact of the accessory building on the streetscape. There do not appear to be any dwellings or other sensitive land uses near the proposed building location. There are numerous properties in the immediate area along Lakeview Drive which currently support similar two-storey accessory buildings. The massing of these buildings resemble the subject building, including the proposed architectural style of gable roof with dormers.

The site design appears to be safe, functional and similar accessory buildings exist in the immediate area.

Others Consulted

Notice was given to agencies and the general public as required under the provisions of the *Planning Act* and regulations for the December 13, 2022 public meeting.

Financial Impacts

There are no budget impacts resulting from the recommendation.

Conclusion

Based on the foregoing, Administration recommends that Council approve ZBA-15-2022 as per the Recommendation section of the report.

Attachments

Attachment 1 – Key Map

Attachment 2 - Elevations

Attachment 3 – Site Plan

Attachment 4 – Floor Plan

Report Approval Details

Document Title:	ZBA-15-2022 - 353 Lakeview Drive .docx
Attachments:	- Attachment 1 - Key Map.pdf - Attachment 2 - Elevations.pdf - Attachment 3 - Site Plan.pdf - Attachment 4 - Floor Plan.pdf
Final Approval Date:	Dec 8, 2022

This report and all of its attachments were approved and signed as outlined below:

Prepared by Ian Search

Submitted by Kristina Brcic, Aaron Hair and Tammie Ryall

Approved by Krystal Kalbol, Justin Rousseau and Truper McBride