

Municipality of Lakeshore Committee of Adjustment Report



Growth & Sustainability

Community Planning

To: Chair & Members of Committee of Adjustment

From: Ian Rawlings, Planner I

Date: January 18, 2023

Applicant: Sean & Heather Tracey (Owner)
Gregory Tolmie (Applicant)

Subject: Consent Application B/01/2023 – 218 Renaud Line Rd

Recommendation

Approve consent application B/01/2023 to sever approximately 1,021.93 m² from the rear yard of 218 Renaud Line Rd for a lot addition to be added to the neighboring property, 1303 County Rd 22. Subject to the following conditions:

- 1) That the applicant obtains a proper survey and Reference Plan from an Ontario Land Surveyor for the severed and retained parcel of land to the satisfaction of the Municipality, including setbacks of any buildings along the new lot line, and existing entrances;
- 2) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 3) That the Deed for the lot addition be prepared and a copy for our records be forwarded to the Secretary for stamping;
- 4) That Section 50(3) and (5) of the Planning Act shall apply to the severance;
- 5) That the applicant produce a Deed and/or a Solicitor's Undertaking to the Secretary prior to the stamping of the severance Deed, in evidence that the severed parcel and the abutting parcel will be registered in the same name(s) in satisfaction that all parcels will merge;
- 6) That the applicant/ and or a Solicitor provide an Undertaking to the Secretary prior to the stamping of the severance Deed(s), in evidence that "Application to consolidate Pins" will be submitted to the Land Titles/ Registry Office for the lot addition and provide proof of the consolidation;
- 7) That the applicant applies for a zoning by-law amendment and be granted approval to place a holding symbol on the lands to be severed, currently zoned "Residential – Low

Density (R1)”;

8) That the applicant enter into an Agreement with the Municipality prior to the stamping of the Deed regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property;

9) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by February 15, 2025. Failure to fulfill the conditions by this date, shall deem the consent refused, as per The Planning Act.

Purpose

The applicants of 218 Renaud Line Rd 46 are proposing to sever approximately 1,021.93 m² from the rear yard of their property for a lot addition to be added to the neighboring property, 1303 County Rd 22 for a future, undetermined development. The proposed severance will result in approximately 2,294.71 m² of lot area and 30.48 m of frontage for the retained land and approximately 22,227 m² of lot area for the land receiving the lot addition.

Summary

Location

The subject property 218 Renaud Line Rd is approximately 3,316.64 m² in lot area with 30.48 m of frontage along Renaud Line Rd and contains a single detached residential dwelling, a detached garage, and shed in the rear yard of the property. The subject property is located on the eastern side of 218 Renaud Line Rd, south of County Rd 22.

Surrounding Land Uses

North: Lakeshore MedArts Plaza

East: Vacant Land/Lakeshore MedArts Plaza

West: Vacant Land

South: Single Detached Dwelling/Lakeshore MedArts Plaza

Official Plan

The subject property is designated “Residential” by the Lakeshore Official Plan. The subject property receiving the lot addition is split designated “Residential” and “Mixed Use”.

Section 8.3.5.2 b) permits a consent for technical or legal purposes in all designations:

“Notwithstanding any other provisions of this Official Plan, a consent for technical or legal purposes may be permitted where a separate lot is not being created (such as a boundary adjustment, easement or right-of-way). The lots that are the subject of that type of application and any retained lands will comply with the Zoning By-law, or

the By-law will be amended or a minor variance granted as a condition of the consent.”

The proposed consent application is considered a boundary adjustment and will require the retained and severed lands to conform with the Lakeshore Zoning By-law. An Official Plan amendment will not be required at this time to achieve uniform designation throughout the subject property until a future development proposal is identified.

Zoning:

The subject property is zoned “Residential – Low Density (R1)” under the Lakeshore Zoning By-law 2-2012. The proposed lot addition will add approximately 1,021.93 m² to 1303 County Rd 8. The proposed severance will result in approximately 2,294.71 m² of lot area and will maintain its 30.48 m of frontage for the retained land.

The land receiving the lot addition is split zoned “Residential – Low Density (R1)” and “Mixed Use Zone Exception 27 (MU-27).” The Mixed Use Zone Exception 27 includes the following zoning regulations:

- i. For the purposes of this By-law, lands zoned MU-27 are considered to be a single lot.*
- ii. Notwithstanding Section 8.6, Mixed Use and Section 6.14 h), a Buffer Strip shall be a minimum 1.5 meters along the rear yard and as existing, along the interior side yard for existing buildings. No buffer strip is required for the exterior side yard.*
- iii. Section 6.17, County Road 22 Street Frontages shall not apply to lands zoned MU-27.*
- iv. Notwithstanding Section 6.41.1, Parking Requirements and Section 6.41.2, Parking Areas and Other Parking Provisions, the minimum number of parking spaces shall be two hundred and fifteen (215), which includes three (5) parking spaces for persons with disabilities.*
- v. Notwithstanding Section 6.41.2 e) and g), Parking Areas and Other Parking Provisions, parking spaces shall be a minimum of 2.8 m in width and 5.7 m in length, and parking spaces for persons with disabilities shall be a minimum of 4.5 m in width and 5.7 m in length.*
- vi. A minimum of (1) loading space shall be required.*
- vii. No waste area enclosure shall be located closer than 5.2 meters from any residential zone.*

The retained land conforms to the regulations detailed within the Lakeshore Zoning By-law 2-2012 as a residential lot containing a single detached residential dwelling and accessory uses.

The land to be severed will be required to reflect the zoning of the property receiving the lot addition. As the land receiving the lot addition is a split zoning between “Residential – Low Density (R1)” and “Mixed Use Zone Exception 27 (27)” a Zoning By-law Amendment will be required as a condition of the consent application as discussed with

the applicant. Since a developmental plan for the subject lands zoned “Residential – Low Density (R1)” has not been proposed the lands will be placed under a holding symbol until conditions for removal are satisfied. Therefore, complying with the Lakeshore Zoning By-law.

Conclusion

The proposed consent application is consistent with the Provincial Policy Statement (PPS), conforms to the Lakeshore Official Plan, and complies with the Zoning By-law 2-2012 and is subject to the conditions included in the recommendation section of the report.

Correspondence from external and internal agencies

External and Internal Agencies

The application was circulated to various external and internal agencies, comments received from them are summarized below.

ERCA recommends that the proposed severance merge with the lot being enlarged. ERCA expresses no objections as detailed within Appendix – C.

Engineering has expressed that they will provide additional comments related to servicing, grading, traffic impact, etc, through the site plan control process for the future development. Drainage reapportionment required. Full comments can be found within Appendix – D.

Public Notice Circulation

Notice of Public Meeting and information regarding the requested consent application was sent to all property owners within 60 m of the subject land. At the time of writing, no written comments were received.

Attachment(s):

Appendix A – Aerial Map
Appendix B – Site Plan
Appendix C – ERCA Comments
Appendix D – Engineering Comments

Prepared by:

A handwritten signature in black ink, reading "Ian Rawlings". The signature is written in a cursive style with a large, stylized 'I' and 'R'.

Ian Rawlings
Planner I

Report Approval Details

Document Title:	B-01-2023 Report.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Aerial Image.pdf- Appendix B - Drawings.pdf- Appendix C - ERCA Comments.pdf- Appendix D - Engineering Comments.pdf
Final Approval Date:	Jan 20, 2023

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

Kristina Brcic - Jan 20, 2023 - 1:56 PM

Report Approval Details

Document Title:	B-01-2023 Report - February 15.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Aerial Image.pdf- Appendix B - Drawings.pdf- Appendix C - ERCA Comments.pdf- Appendix D - Engineering Comments.pdf
Final Approval Date:	Feb 10, 2023

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

Kristina Brcic - Feb 10, 2023 - 11:12 AM