

# **Municipality of Lakeshore**

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



**Wednesday, October 20, 2021, 6:00 PM**

**Electronically hosted from Town Hall, 419 Notre Dame Street, Belle River**

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

Staff Present: Planner I Ian Search

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

Chair Hacon called the meeting to order at 6:00 PM. All members participated in the meeting through video conferencing technology from remote locations.

### **2. Disclosures of Pecuniary Interest**

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

#### **a. Minor Variance Application A/36/2021, 453 Lakeview Drive**

Chair Hacon opened the public meeting at 6:01 PM.

The Secretary Treasurer provided a PowerPoint as overview of the application and comments received from various departments and agencies.

Mark Campeau (authorized applicant) stated that he observed quite a few accessory buildings of the same size in the area, and stated that he is of the opinion that the accessory building will be in keeping with the area. Mark also stated that he was not aware of any concerns from neighbours.

Member Barrette asked if there was any opportunity to lower the height of the proposed building. Mark Campeau said they needed the height for head room on the second storey.

Wladyslaw Piwowarski (owner) stated that the dwelling on the property was built in the 1950's, akin to a cabin, and that it is difficult to add to or renovate. He also stated that the renovations that have been made to the

dwelling over the years have taken away space in the dwelling which is why they are requesting the accessory building.

Wladyslaw stated that there are several accessory buildings on properties along Lakeview Drive comparable to the proposed building, and that these accessory buildings may also exceed the massing of the principal dwellings on the properties. He also stated that the accessory buildings in the area have deficient setbacks. He said the neighbours he talked to had no issues with the proposal.

Member Diemer stated that one of the main issues is the proposed plumbing fixtures and asked for clarity from Ian Search on this issue. Ian Search explained that the condition with respect to plumbing fixtures was recommended due to current sanitary capacity constraints at the treatment plant in this area.

Chair Hacon stated that he was of the opinion that a proposal for an accessory building with this massing did not meet the four tests of a minor variance.

Chair Hacon closed the public meeting at 6:44 PM.

**Moved By** Ron Barrette

**Seconded By** Michael Hoffman

That the minor variance be refused.

In Favour (4): Ron Barrette, Steve Diemer, Mark Hacon, and Michael Hoffman

Opposed (1): Robert Sylvestre

**Carried**

**b. Combined Minor Variance & Consent Application B/39/A/37/2021, 0 Ellis Sideroad**

Chair Hacon opened the public meeting at 6:45 PM.

The Secretary Treasurer provided a PowerPoint as overview of the application and comments received from various departments and agencies.

Edwin Hooker stated that he had no questions or concerns

Member Barrette asked about affects on drainage ditches in the area. Edwin Hooker said there was no plans to alter the drainage ditches and

that future development will proceed under site plan control with an opportunity for municipal staff to review storm water management plans.

Chair Hacon closed the public meeting at 6:59 PM.

**Moved By** Steve Diemer

**Seconded By** Michael Hoffman

Approve Combined Minor Variance & Consent Application B/39/A/37/2021 – 0 Ellis Sideroad, subject to the following conditions of consent:

1. The applicant must obtain a proper Survey and Reference Plan from an Ontario Land Surveyor for the severed parcel of land to the satisfaction of the Municipality;
2. All municipal taxes must be paid in full prior to the stamping of the Deed;
3. If required, the applicant must 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;
4. The existing driveway/approach must be extended along the frontage of the severed/lot addition parcel and retained parcel so that it is sufficient to provide exclusive access from Ellis Sideroad to the parcel receiving the lot addition and to the retained parcel, to the satisfaction of the Municipality;
5. The Deed for the lot addition be prepared and a copy be forwarded to the Secretary for stamping;
6. Section 50(3) and (5) of The Planning Act shall apply to the severance and that the lot addition lands shall be conveyed and merged to PIN: 750170076;
7. The Applicant must 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;
8. The Applicant and/or a Solicitor must 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; and

9. All conditions must be met in accordance with Section 53(41) of the Planning Act, R.S.O. by **October 22, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

**Carried Unanimously**

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

**Moved By** Ron Barrette

**Seconded By** Robert Sylvestre

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

**Carried Unanimously**

- a. **September 15, 2021 Meeting Minutes**

6. **New Business**

7. **Adjournment**

**Moved By** Mark Hacon

**Seconded By** Michael Hoffman

The Committee of Adjustment adjourn its meeting at 7:00 PM.

**Carried Unanimously**

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Mark Hacon  
Chair

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Ian Search  
Secretary-Treasurer