

Municipality of Lakeshore

Committee of Adjustment Meeting Agenda

Wednesday, October 19, 2022, 6:00 PM

Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order
2. Land Acknowledgement
3. Disclosures of Pecuniary Interest
4. Public Meetings under the Planning Act 6
 - a. Minor Variance Application A-38-2022 7

Recommendation:
Approve Minor Variance Application A-38-2022 to permit the installation of an air conditioning (AC) unit 1.22 m from the interior lot line of a single detached dwelling at 319 Elmgrove Drive.
 - b. Minor Variance Application A-39-2022 17

Recommendation:
Deny minor variance application A/39/2022, to construct a 251m² accessory structure with a height of 6.12m in the rear yard, as it does not pass the four tests prescribed under Section 45 (1) of the *Planning Act*.

Recommendation:

Approve minor variance application A/40/2022, including permission to enlarge and extend a building with an existing use not permissible within the zone in which it is located, conditional upon:

- 1) The permission to enlarge and extend the existing building is specifically for a 1,858.06 m² building addition and 92.96 m² breezeway in accordance with a site plan agreement;
- 2) Any improperly abandoned wells for resource extraction that are known or discovered on the land during development are properly plugged, capped or otherwise made safe in accordance with Provincial requirements;
- 3) Relief for a 3.05 metre west interior side yard only applies to a porch in accordance with a site plan agreement;
- 4) Relief for gravel parking area and gravel approaches only applies to areas exclusively used for fire route, fire vehicle parking and fire vehicle maneuvering in accordance with a site plan agreement;
- 5) The gravel parking area and gravel approaches shall be designed and maintained to support the weight of fire vehicles to the satisfaction of the Municipality of Lakeshore in accordance with a site plan agreement;
- 6) The gravel parking area and gravel approaches shall be kept clear of snow and maintained to prevent the raising of dust and loose particles.

Recommendation:

Approve Consent Application B/18/2022 to sever approximately 4,856 m² in lot area for a surplus dwelling severance at 1066 County Rd 42, 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 and a copy for our records be forwarded to the Secretary for stamping; 4) That the applicant complete the septic test report attached to the consent application to the satisfaction of the Municipality, and if required, install a new septic system on the severed lot that meets Part 8 OBC regulations and to the satisfaction of the Chief Building Official, prior to the stamping of the Deed;
- 5) That the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands, to the Municipality's satisfaction, prior to the stamping of the Deeds;
- 6) 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;
- 7) That a Park Fee be imposed on the granting of this Application in the amount subjected by the Parkland By-law and that such fee shall be paid prior to the stamping of the Deed;
- 8) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by October 19, 2024. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act

Recommendation:

Approve Consent Application B/19/2022 to allow a lot creation from the property 865 Lakeshore Rd 115 of approximately 12.8 hectares for the retained lot, and approximately 1,772m² for the severed lot, 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 and a copy for our records be forwarded to the Secretary for stamping;
- 4) That the applicant install an access bridge to provide access to the retained farmland in accordance with the drainage act, and to the satisfaction of the municipality and the Drainage Superintendent;
- 5) That the applicant complete the septic test report attached to the consent application to the satisfaction of the Municipality, and if required, install a new septic system on the severed lot that meets Part 8 OBC regulations and to the satisfaction of the Chief Building Official, prior to the stamping of the Deed
- 6) That the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands prior to the stamping of the Deeds;
- 7) 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;
- 8) That a Park Fee be imposed on the granting of this Application in the amount subjected by the Parkland By-law and that such fee shall be paid prior to the stamping of the Deed;
- 9) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by October 19th, 2024. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act

5. Completion of Unfinished Business

- a. Minor Variance Application A-35-2022

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Recommendation:

Deny Minor Variance Application A/35/2022 for a 12.42m wide driveway, as it does not pass the four tests prescribed under Section 45 (1) of the Planning Act. .

6. Approval of Previous Meeting Minutes

Recommendation:

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

- a. September 14, 2022 Meeting Minutes

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7. New Business

8. Adjournment

Recommendation:

The Committee of Adjustment adjourn its meeting at ____ PM.