

# Municipality of Lakeshore

## Committee of Adjustment Meeting Agenda

Wednesday, May 17, 2023, 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

- a. A-13-2023 - 211 Rafih Crescent

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**Recommendation:**

Approve minor variance application A-13-2023 to permit the construction of a covered porch in the rear yard of 211 Rafih Crescent resulting in a lot coverage of 38.9 %, in accordance with the site plan provided.

- b. A-14-2023 - 216 Renaud Line Road & 1303 County Road 22

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**Recommendation:**

Approve minor variance application A/14/2023 to permit a minimum interior side yard of 5.5 metres, as shown in the site drawing in Appendix B, subject to the following conditions:

1) The minor variance approval applies specifically to the interior side lot line of the subject land that is mutual with the north interior side lot line of 218 Renaud Line Road;

2) The height of a building with an interior side yard setback of 5.5 metres will not exceed a height of 6.1 metres to the highest point of the roof assembly to the satisfaction of Community Planning;

3) A fence, berm or the planting and maintaining of a continuous unpierced hedgerow of natural shrubs will be provided south of any building that has an interior side yard setback of 5.5 metres to the satisfaction of Community Planning.

- c. A-15-2023 - 1646 Caille Ave 34
- Recommendation:**  
Approve minor variance application A-15-2023 to permit a 130.06 m<sup>2</sup> accessory structure in the front yard of 1646 Caille Ave to be located 6.92 m from the front lot line, and 0.91 m from the eastern interior lot line, in accordance with the site plan provided.
- d. A-16-2023 - 0 O'Brien Sideroad 54
- Recommendation:**  
Approve minor variance application A/16/2023 to permit a dwelling to have a minimum front yard setback of 13.4 metres.
- e. A-17-2023 - 1723 Oriole Park Drive 63
- Recommendation:**  
Approve minor variance application A/17/2023 at 1723 Oriole Park Drive, to permit an accessory structure with a gross floor area of 74.33 m<sup>2</sup>, subject to the following conditions:
- 1) The length of all dormers together will not exceed one third the length of the building to the satisfaction of Municipality of Lakeshore's Building Division;
  - 2) The building will be constructed in the rear yard of the property outside of the easement lands to the satisfaction of Municipality of Lakeshore's Building Division.
- f. A-18-2023 - 538 Blanchard Drive 79
- Recommendation:**  
Approve minor variance application A/18/2023 to permit 11% minimum landscaped open space on the subject property subject to the following condition:
- 1) That, if required by Community Planning following a required pre-consultation meeting, the existing site plan agreement be amended, which will include the provision of stormwater management to the satisfaction of the Municipality of Lakeshore.
- g. B-09-2023 - 3776 Comber Sideroad 95
- Recommendation:**  
Approve Consent Application B/09/2023 to sever a surplus dwelling with

a lot area of 7,600.00 m<sup>2</sup> from 3776 Comber Sdrd as in Parts 1 & 2 on the draft 12R plan provided. Subject to the following conditions:

- 1) That the applicants obtain 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, septic systems, 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 applicants obtain a Zoning By-law amendment respecting the remnant farm parcel to prohibit the construction of a residential dwelling and to recognize the deficient lot area, and the surplus lot be rezoned to recognize the non-farm use;
- 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 applicants obtain any necessary driveway permits from the County of Essex and complete the works to provide a separate access for the retained farmland prior to the stamping of the deed;
- 7) That the applicant complete the septic test report attached to the consent application to the satisfaction of the Municipality for both lots to be severed, and if required, install a new septic system on the severed lots to the satisfaction of the Municipality, prior to the stamping of the Deeds;
- 8) That the applicants 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 a Park Fee be imposed on the granting of this Application in the amount subjected by the Parkland By-law at the time of payment, and that such fee shall be paid prior to the stamping of the Deed;
- 10) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by May 17, 2025. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

**Recommendation:**

Approve consent application B/10/2023 to sever two lot additions, approximately 371.78 m<sup>2</sup> to be added to 356 E Ruscom River Road, and approximately 813.54 m<sup>2</sup> to be added to the vacant residential lot south of 356 E Ruscom River Road (PT LT 4 CON ERR ROCHESTER, NOW PART 3 & PART 4 IN 12R28979; LAKESHORE; subject to an easement in gross over Pt 3 12R28979 as in CE946674). Subject to the following conditions:

- 1) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 2) That the Deeds for the lot additions be prepared and a copy for our records be forwarded to the Secretary for stamping; 3) That Section 50(3) and (5) of the Planning Act shall apply to each lot addition severance;
- 4) That the applicant produce Deeds and/or a Solicitor's Undertaking to the Secretary prior to the stamping of the severance Deeds, in evidence that the severed parcels and the abutting parcels will be registered in the same name(s) in satisfaction that all parcels will merge for each lot addition;
- 5) 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;
- 6) That, if required by the Secretary-Treasurer to the Committee of Adjustment, a consent cancellation be granted by the Committee of Adjustment and registered with respect to the vacant residential lot south of 356 E Ruscom River Road (PT LT 4 CON ERR ROCHESTER, NOW PART 3 & PART 4 IN 12R28979; LAKESHORE; subject to an easement in gross over Pt 3 12R28979 as in CE946674) to the satisfaction of the Secretary-Treasurer;
- 7) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by May 18, 2025. Failure to fulfill the conditions by this date, shall deem the consent refused, as per The Planning Act.

Approve consent cancellation for the vacant residential lot south of 356 E Ruscom River Road (PT LT 4 CON ERR ROCHESTER, NOW PART 3 &

PART 4 IN 12R28979; LAKESHORE; subject to an easement in gross over Pt 3 12R28979 as in CE946674);

- i. B-11-2023 - 0 Main Street

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**Recommendation:**

Deny Consent Application B/11/2023 as the proposal is inconsistent with the Provincial Policy Statement and does not currently conform to the Lakeshore Official Plan and County of Essex Official plan.

**5. Completion of Unfinished Business**

**6. Approval of Previous Meeting Minutes**

**Recommendation:**

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

- a. April 12 Meeting Minutes

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**7. New Business**

- a. B-01-2023 - Minor Condition Change

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**8. Adjournment**

**Recommendation:**

The Committee of Adjustment adjourn its meeting at \_\_\_\_ PM.