

Municipality of Lakeshore

Committee of Adjustment Meeting Agenda

Wednesday, July 19, 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-23-2023 - 959 Lakeshore Park Road

7

Recommendation:

Approve minor variance application A/23/2023 to permit a dwelling to have a front yard setback of 12.85 metres, whereas the by-law requires a minimum front yard setback of 15 metres where municipal sanitary servicing is unavailable, subject to the following condition:

1) A compliant private septic design is provided to the Municipality of Lakeshore's Building Division prior to building permit issuance.

- b. A-24-2023 - 377 County Road 31

22

Recommendation:

Approve minor variance application A/24/2023 to permit two new accessory structures used for agricultural purposes (storage of equipment/supplies, etc.) within the portion of the subject property zoned RW1-16 with the following reliefs from Lakeshore Zoning By-law 2-2012:

- Section 6.5 a) ix) to permit an accessory structure to have a gross floor area of 602.02 m², whereas the by-law permits a maximum gross floor area of 55 m². Relief from Section 6.5 a) xi) to permit this accessory structure to have a maximum height of 6.1 metres (halfway to its highest point from where the structure begins to curve) – 8.96 metres to its highest point – whereas the By-law permits a maximum height of 5 metres;

- Section 6.5 a) ix) to permit an accessory structure to have a gross floor

area of 120.41 m², whereas the by-law permits a maximum gross floor area of 55 m². Relief from Section 6.5 a) xi) to permit this accessory structure to have a maximum height of 4.5 metres (halfway to the highest point from where the structure begins to curve) – 5.11 metres to its highest point – whereas the By-law permits a maximum height of 5 metres;

subject to the following conditions:

- 1) Both accessory structures are to be restricted for agriculture purposes (storage of equipment/supplies, etc.) and are only permitted on the lot in support of the existing agriculture use that exists on the lot;
- 2) Both accessory structures are not permitted to house livestock of any kind;
- 3) Neither accessory structure is permitted on any future lot severed from the subject property;
- 4) The 120.41 m² gross floor area accessory structure shall be setback a minimum of 60 metres from the front lot line and a maximum of 105 metres from the south side lot line;
- 5) The 602.02 m² gross floor area accessory structure shall be located in the area indicated on the site plan drawing submitted with the minor variance application, to the satisfaction of Building Services;
- 6) That if required by Building Services, the applicant provide engineering designs that include foundations for the structures and provide information regarding the location of the septic system on the property, to the satisfaction of Building Services.

c. A-25-2023 - 131 Rourke Line Road

42

Recommendation:

Approve minor variance application A/25/2023 to permit a dwelling to have a minimum north interior side yard setback of 1.35 metres, and a minimum front yard setback of 6.96 metres subject to the following condition:

- 1) A grading plan is to be submitted prior to building permit issuance, if required by Building Services.

Recommendation:

Approve minor variance application A/26/2023 to permit a dwelling to have a front yard setback of 13.05 metres, whereas the by-law requires a minimum front yard setback of 15 metres where municipal sanitary servicing is unavailable, subject to the following condition:

1) A compliant private septic design is provided to the Municipality of Lakeshore's Building Division prior to building permit issuance.

Recommendation:

Approve minor variance application A/26/2023 to permit a dwelling to have a front yard setback of 13.05 metres, whereas the by-law requires a minimum front yard setback of 15 metres where municipal sanitary servicing is unavailable, subject to the following condition:

1) A compliant private septic design is provided to the Municipality of Lakeshore's Building Division prior to building permit issuance

Recommendation:

Defer Minor Variance Application A/27/2023 to provide the Applicant with the opportunity to reduce the height and gross floor area of the proposed accessory building.

Recommendation:

Approve minor variance application A/28/2023 to permit reduced setbacks to accommodate an existing accessory structure and pool equipment.

Recommendation:

Approve consent application B/12/2023 to sever approximately 2.89 ha (7.15 ac) of lot area and approximately 200.1 m (656.51 ft) of frontage along County Road 8 (Part 1 on PLAN 12R-29140) from a subject property known municipally as 492 County Road 8 and 244 Talbot Street North, subject to the following conditions:

- 1) That the applicant obtains a proper survey and Reference Plan from an Ontario Land Surveyor for the severed parcel of land to the satisfaction of the Municipality;
- 2) That, if deemed required by the Drainage Superintendent, 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;
- 3) That the applicant remove or relocate any fencing the crosses the boundary of the severed lot onto the retained land to the satisfaction of Community Planning;
- 4) That the applicant provide that services are not crossing the proposed property lines, to the satisfaction of the Building Department;
- 5) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 6) That the Deed and a copy for our records be forwarded to the Secretary for stamping;
- 7) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by July 20, 2025. Failure to fulfill the conditions by this date, shall deem the consent refused, as per the Planning Act

Recommendation:

Approve consent application B/15/2023 to sever approximately 50 acres from the farm parcel known municipally as 16300 County Road 42 subject to the following conditions:

1) That, to the satisfaction of the Municipality, the applicant obtain a proper Survey and Reference Plan from an Ontario Land Surveyor for the severed and retained parcel of land that confirms zoning compliance and details existing accesses to ensure no shared accesses between the severed and retained land.

2) That the applicant establish and/or construct a legal and separate access for the severed lot and/or retained lot to the satisfaction of the County of Essex if access(es) do not exist.

3) That all municipal taxes be paid in full prior to the stamping of the Deed. 4) That a park fee be provided under the current By-law that is in effect to provide for the dedication of parkland or the payment of cash in lieu to the satisfaction of the Municipality of Lakeshore.

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 if required by the Municipality of Lakeshore.

6) That the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands to the satisfaction of the Municipality prior to the stamping of the Deeds.

7) That the Deed and a copy for our records be forwarded to the Secretary for stamping.

8) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by **July 20, 2025**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

5. Completion of Unfinished Business

6. Approval of Previous Meeting Minutes

Recommendation:

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

7. New Business

8. Adjournment

Recommendation:

The Committee of Adjustment adjourn its meeting at ____ PM.