

Municipality of Lakeshore

Committee of Adjustment Meeting Agenda

Wednesday, August 21, 2024, 6:00 PM

Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order
2. Land Acknowledgement and O Canada
3. Disclosures of Pecuniary Interest
4. Public Meetings under the Planning Act

- a. A-12-2024 - 435 Lakeview Drive

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Recommendation:

Approve minor variance application A-12-2024, 435 Lakeview Drive, for the development of a new accessory building on the subject property, which will replace an existing 50.54 m² (544 ft²) accessory building located south of the dwelling:

- Relief from subsection 6.5 a) v) to permit the new accessory building to be setback a minimum of 3.79 metres (12.43 ft) from the front lot line to building foundation, with a minimum 3.56 metre (11.67 ft) setback from front lot line to building roof overhang (eaves, eavestrough, etc.). Subsection 6.5 a) v) requires a minimum front yard setback of 6 metres (19.68 feet) where a garage door faces the street;

- Relief from subsection 6.5 a) vii) to permit the new accessory building to be setback a minimum of 0.85 metres (2.78 feet) from the east side lot line to building foundation. Subsection 6.5 a) vii) states that accessory buildings shall not be built closer than 1.5 metre (4.92 feet) from any lot line except that common semi-detached private garages or carports may be centred on a mutual side lot line. Please note a minimum 0.52 metre (1.7 feet) setback from the east side lot line to building roof overhang (eaves, eavestrough, etc.) is planned.

- Relief from subsection 6.5 a) ix) to permit the new accessory building to have a maximum gross floor area of 87.4 m² (940 ft²). Subsection 6.5 a) ix) states that an accessory building shall not exceed a gross floor area of 55 m² (592 ft²) in the RW2 zone.

- Relief from subsection 6.5 a) x) to permit the new accessory building to be setback a minimum of 2.5 metres (8.2 ft) (wall to wall) from the porch of the dwelling, with a minimum 1.9 metre (6.23 ft) setback between roof overhangs (eaves, eavestroughs, etc.). Subsection 6.5 a) x) states that an accessory building shall not be erected within 3 metres (9.84 ft) of the main building.

Include the following Notice in the Decision: The applicant will need to ensure that the detached accessory building's proposed setback from the eastern property line complies with the requirements of the Ontario Building Code. The owner is encouraged to incorporate noise and vibration mitigation measures in the design of the structure given its proximity to the VIA Rail Canada Inc. right-of-way. The reliefs are granted based on the use of the building being accessory to a residence. Should a commercial or residential use be proposed in the accessory building, the owner must contact the Municipality of Lakeshore to apply for the appropriate permissions under the Zoning By-law or the Building Code, as the case may be.

b. A-20-2024 - 1107 Charlotte Crescent

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Recommendation:

Approve minor variance application A/20/2024, 1107 Charlotte Crescent, for the proposed development of accessory structures and the location of pool equipment in the rear yard of the property requesting the following reliefs:

- Relief from subsection 6.5 a) vii) to permit a pool house/gazebo structure to be setback a minimum of 0.91 metres (3 feet) from the rear lot line (setback to wall), whereas subsection 6.5 a) vii) states that accessory structures shall not be built closer than 1.5 m from any lot line except that common semi-detached private garages or carports may be centred on a mutual side lot line.
- Relief from subsection 6.5 a) vii) to permit a shed to be setback a minimum of 0.91 metres (3 feet) from the rear lot line (setback to wall), whereas subsection 6.5 a) vii) states that accessory structures shall not be built closer than 1.5 m from any lot line except that common semi-detached private garages or carports may be centred on a mutual side lot line.
- Relief from subsection 6.5 b) iii) to permit pool heater equipment to be a minimum of 0.91 metres (3 feet) from the rear lot line and west side lot

line, and to permit pool pump and pool filter equipment to be a minimum of 0.91 metres (3 feet) from the west side lot line, whereas subsection 6.5 b) iii) states that water circulating or treatment equipment such as pumps or filters, or pool heaters, shall not be located closer than 1.5 metres to any side or rear lot line.

It is recommended that the following condition be imposed on approval:

Overland flow and downspout flows be diverted within the property limits/yard drain for the development, and that the grading from the property lines to the structures be maintained in such a way that overland flow stays within the proposed property limit to not impact adjacent properties, to the satisfaction of the Municipality of Lakeshore.

It is recommended that the Committee of Adjustment include the following Notice in the Decision:

The reliefs are granted based on the use of the structures being accessory to a residential property. Should commercial or residential use be proposed for any of the accessory structures, the owner must contact the Municipality of Lakeshore to apply for the appropriate permissions under the Zoning By-law or the Building Code, as the case may be.

5. Completion of Unfinished Business

Recommendation:

Approve application, A-06-2024, to permit the enlargement of a legal non-conforming building (building used for personal storage without a dwelling on the subject property), subject to the following conditions:

- 1) That the recommendations in the Structural Report from Patterson Engineering, dated June 18, 2024 be implemented to the satisfaction of the Municipality of Lakeshore;
- 2) The proposed building height does not exceed 6.74 metres (22.12 feet) from proposed grade to “top of gambrel truss”, to the satisfaction of the Municipality of Lakeshore;
- 3) The building will remain in the same footprint on the property, to the satisfaction of the Municipality of Lakeshore; and
- 4) The relief is granted based on the use of the building being used for storage. Should a commercial or residential use be proposed in the building, the owner must contact the Municipality of Lakeshore to apply for the appropriate permissions under the Zoning By-law or the Building Code, as the case may be.

6. Approval of Previous Meeting Minutes

Recommendation:

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

- a. July 17 2024 Meeting Minutes

7. New Business

8. Adjournment

Recommendation:

The Committee of Adjustment adjourn its meeting at ____ PM.