

Municipality of Lakeshore

Committee of Adjustment Meeting Agenda

Wednesday, November 13, 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-18-2024 -1 to 21 - 21 Properties on Xavier Circle 7

Recommendation:
Approve Minor Variance Applications A/18/2024-1 through A/18/2024-21 for 21 semi-detached lots on Xavier Circle, to permit the encroachment of air conditioning units in the required interior side year setback. The requested maximum allowed encroachment for each lot is listed below in Table 1.
 - b. A-28-2024 - 1819 County Road 27 18

Recommendation:
Approve minor variance application A/28/2024 to permit an accessory building to have a maximum gross floor area of 143.07 m² and a maximum height of 5.27 m.

Note to minor variance approval: The relief is granted based on the use of the building being accessory to a residence. Should 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.

Recommendation:

Approve minor variance application A/30/2024 to permit the following reliefs from Lakeshore Zoning By-law 2-2012:

- Relief from subsection 6.52 a) to permit: the steps of the porch to be setback a minimum of 7.7 metres from the centreline of a private road, for the roof overhang (eaves, gutters, etc.) of the porch to be setback a minimum of 8.6 metres from the centreline of the private road, for the wall/foundation of the porch to be setback a minimum of 9 metres from the centreline of the private road. Whereas, subsection 6.52 a) requires buildings/structures to be setback 10.0 metres from the centreline of a private road or driveway providing access to multiple lots, plus the lesser of 6.0 metres or the front yard or exterior side yard setback for that zone.

- Relief from section 8.3 and 6.42 to permit: the wall/foundation of the porch to be setback a minimum of 11.6 metres from the front lot line (encroaching a maximum of 3.4 metres into the required front yard setback), for the roof overhang (eaves, gutters, etc.) of the porch to be setback a minimum of 11.2 metres from the front lot line (encroaching a maximum of 3.8 metres into the required front yard setback), for the steps of the porch to be setback a minimum of 10.3 metres from the front lot line (encroaching a maximum of 4.7 metres into the required front yard setback). Whereas, section 8.3 requires a 15 metre front yard setback and subsection 6.42 permits porches (including eaves and cornices) and steps to encroach a maximum of 2.5 metres into the required front yard setback.

Recommendation:

Approve consent application B/09/2024 for the creation of one lot containing an existing dwelling and accessory buildings/structures that will have a lot area of approximately 1.71 acres (approx. 6,920.2 m²) and a lot frontage of approximately 70.1 metres (approx. 230 feet), subject to the following conditions:

- 1) That the applicant obtains a Reference Plan from an Ontario Land Surveyor for the severed lot to the satisfaction of Community Planning at the Municipality of Lakeshore - the draft Plan of Survey is to be approved by Community Planning at the Municipality of Lakeshore prior to registration and will detail setbacks of buildings/structures from lot lines and will provide information about the area of both the severed lot and

retained farmland;

2) That the applicant provide confirmation to Community Planning at the Municipality of Lakeshore that the private sanitary system for the severed lot will be located on the severed lot and will meet required setbacks from lot lines, to the satisfaction of this Division;

3) That all municipal taxes be paid in full prior to the stamping of the Deed;

4) That a Park Fee be imposed on the granting of this application in the amount specified by the By-law to provide for the dedication of payment of cash in lieu of parkland at the time of payment, and that such fee shall be paid prior to the stamping of the Deed;

5) That the applicant obtain a Zoning By-law amendment to rezone the retained farmland parcel to prohibit new dwellings/additional residential units and to address any zoning compliance issues;

6) That the applicant enters 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 the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands, to the Municipality's satisfaction, and make any necessary corrections to drainage tiles/drainage tile boundaries so that the retained farmland does not drain through the severed lot, to the satisfaction of the Municipality and prior to the stamping of the Deed;

8) That the Deeds and a copy for our records be forwarded to the Secretary for stamping for both the severed lot and retained land, and that the applicant/their solicitor provide an undertaking that the retained land will be transferred to an individual(s)/company that owns other farm parcel(s) and is acquiring the retained land to expand their farming operation, to the satisfaction of the Community Planning Division at the Municipality of Lakeshore;

9) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by November 14, 2026. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.

Recommendation:

Approve consent application B/11/2024 for the creation of two semi-detached dwelling residential lots, with one of the residential lots having a frontage of approximately 12.708 metres (approx. 41.7 feet) and a lot area of approximately 673.7 m² (approx. 7,251.7 ft²), and the other residential lot having a frontage of approximately 10.119 metres (approx. 33.2 feet), and a lot area of approximately 1048.7 m² (approx. 11,288.1 ft²), subject to the following conditions:

- 1) That the applicant obtains a Reference Plan from an Ontario Land Surveyor for the severed lots to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 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 all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by November 14, 2026. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.

Including the following notice in the approval: Development of the two lots is subject to the provisions of the Subdivision Agreement dated September 11, 2018 and registered on October 3, 2018 (registered as CE852528).

Recommendation:

Approve consent application B/12/2024 to separate 475 Charron Beach Road and 477 Charron Beach Road back to the same two separate properties that they were prior to merging on title, with the severed lot (475 Charron Beach Road) having a frontage of approximately 15.24 metres (approximately 50 feet) and a lot area of approximately 1,300 m² (approximately 0.32 acres), and the retained lot (477 Charron Beach Road) having a frontage of approximately 96 feet (approximately 29.3 metres) and a lot area of approximately 2,400 m² (approximately 0.6 acres), subject to the following conditions:

- 1) That the applicant obtains a Reference Plan from an Ontario Land Surveyor for the severed and retained lot to the satisfaction of Community Planning at the Municipality of Lakeshore;
- 2) That, to the satisfaction of Community Planning at the Municipality of Lakeshore, the applicant obtain a draft Plan of Survey that confirms that buildings/structures and private sanitary system(s) are wholly located on their respective lot;
- 3) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 4) That the Deed and a copy for our records be forwarded to the Secretary for stamping;
- 5) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by November 14, 2026. 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.

- a. October 16 Meeting Minutes

7. New Business

- a. Election of Vice-Chair for the Committee of Adjustment

8. Adjournment

Recommendation:

The Committee of Adjustment adjourn its meeting at ____ PM.