

Municipality of Lakeshore

Committee of Adjustment Meeting Agenda

Wednesday, March 12, 2025, 6:00 PM
Council Chambers, 419 Notre Dame Street, Belle River

Pages

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

Recommendation:

Approve minor variance application A/02/2025, 256 Donald Crescent, to permit the following relief from Lakeshore Zoning By-Law (2-2012) for a proposed covered porch addition to the existing single-detached dwelling on the Subject Property:

- Relief from Subsection 6.42 g) to permit the porch (including any eaves and cornices) to encroach a maximum of 5.37 metres (17.62 feet) into the required 7.5 metre (24.6 feet) rear yard setback, whereas Subsection 6.42 g) permits a porch (including eaves and cornices) to encroach a maximum of 2.5 metres (8.2 feet) into required rear and front yards.

Impose the following conditions on minor variance approval:

- 1) The minor variance relief is only for the covered porch addition to the existing dwelling on the Subject Property and development is to be in accordance with the minor variance application submission to the satisfaction of Lakeshore;
- 2) The owner must submit a lot grading plan to the satisfaction of the Building Department.
- 3) All roof drains/downspouts for the development are to be splash padded and not tie into storm water management system, to the satisfaction of the Municipality of Lakeshore

Include the following Notice in the Notice of Decision:

The Owner must contact the Municipality of Lakeshore and Essex Region Conservation Authority (ERCA) if there are any changes to the proposal.

Recommendation:

Approve minor variance application A/05/2025, 1255 County Road 2, to permit the following relief from from Lakeshore Zoning By-law (2-2012) for the development of a proposed accessory building on the Subject Property:

- Relief from subsection 6.5 a) ix) to permit an accessory building to have a maximum gross floor area of 89.19 m² (960 ft²), whereas subsection 6.5 a) ix) states that an accessory building shall not exceed a gross floor area of 55 m² (592 ft²), for each accessory building on a lot in an R1, R2, R3, RW1, RW2, RM or HR zone.

Impose the following conditions on minor variance approval:

1. The minor variance relief is only for the proposed accessory building on the Subject Property and development is to be in accordance with the minor variance application submission to the satisfaction of Lakeshore;
2. If deemed necessary for the development by the Building Department, the septic system capacity is to be verified and submitted to the Building Department for approval;
3. The applicant must contact Essex Region Conservation Authority (ERCA) for a permit review (ERCA Permit # 396) as the site plan appears to have changed based on their permit.

Include the following Notice in the Notice of Decision:

The minor variance application is granted based on the use of the accessory building being for personal storage only. If that use changes in the future the building and property may be subject to fire safety inspections and/or Ontario Fire Code requirements. 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, if the intention is to permit a commercial or residential use in the accessory building in the future.

Recommendation:

1) Approve minor variance application A/35/2024, 1 & 3 East Pike Creek Road (Subject Land), to permit the following reliefs from Lakeshore Zoning By-law (2-2012) for the development of a non-commercial parking area on the Subject Land that will be used for staff, guests and

contractors of 234 Elmgrove Drive:

Relief from Subsection 6.41.2 m) to permit the parking area to be within 124.3 metres (407.8 feet) from the location which it is intended to serve (234 Elmgrove Drive), whereas Subsection 6.41.2 m) states that parking areas shall either be located on the same lot as the use for which such parking is required or within 90 metres (295.2 feet) of the location which it is intended to.

Relief from Subsection 6.41.4 a) to permit the driveway for the parking area to be a minimum 4.4 metres (14.4 feet) in length, whereas Subsection 6.41.4 a) states that the driveway for a residential use shall have a minimum length of 6 metres (19.7 feet).

2) Approve the issuance of a certificate of consent cancellation under Subsection 53(45) of the Planning Act to merge the Subject Land (1 & 3 East Pike Creek Road) into one lot.

Impose the following conditions on the minor variance approval:

1) The Subject Land (1 & 3 East Pike Creek Road) be merged into one property to the satisfaction of the Municipality of Lakeshore;

2) A legal mechanism be implemented that prohibits the future conveyance/transfer of 234 Elmgrove Drive or the Subject Land (1 & 3 East Pike Creek Road) without the consent of the Municipality. The legal mechanism used to achieve this, any supporting agreements, and the registration of instruments on title to achieve same, will be to the satisfaction of the Municipality of Lakeshore;

3) The parking area is to be used exclusively for the residential property known municipally as 234 Elmgrove Drive, to the satisfaction of the Municipality of Lakeshore;

4) The applicant provide, implement and maintain for the development, to the satisfaction of the Municipality of Lakeshore: lot grading and servicing requirements, stormwater quality and quantity measures, oil and grit separator, lighting plan, all to be reviewed through Engineering Reviews and obtain a Clearance Letter from the Operations Department;

5) The applicant provide, implement and maintain for the development, to the satisfaction of the Municipality of Lakeshore: a site plan and a landscaping plan;

Recommendation:

Approve minor variance application A/31/2024, 473 Charron Beach Road, to permit the following reliefs for the development of a new accessory building that will contain an additional residential unit on the Subject Property:

Relief from Subsection 6.7 e) iii) to permit the accessory building to have a maximum gross floor area of 148 m² (1,593 ft²), whereas Subsection 6.7 e) iii) states that an accessory building containing an additional residential unit shall not exceed a total gross floor area of 120 m² (1,291.67 ft²) for all uses, unless within an Agriculture zone, where a maximum combined gross floor area of 140 m² (1,506.95 ft²) shall be permitted.

Relief from Section 6.50 to permit the accessory building containing the additional residential unit to be setback a minimum of 20.52 metres (67.32 feet) from the right-of-way of the railway; whereas Section 6.50 states that no dwelling shall be erected closer than 30 metres (98.43 feet) to the right-of-way of any railway;

The approval of the relief from Subsection 6.7 e) iii) is subject to the following conditions that the Applicant will need to satisfy:

- 1) The gross floor area of the main dwelling must exceed the gross floor area of the accessory building containing an additional residential unit;
- 2) Downspouts are to be splash padded and are not to be tied into the Storm Water Management System, to the satisfaction of the Municipality of Lakeshore;
- 3) Establishment of a formal driveway permit through Public Works is required, if not already obtained or on file.

The approval of the relief from Section 6.50 is subject to the following conditions that the Applicant will need to satisfy:

- 1) The completion of a study to assess and mitigate the impact of the noise, vibration and safety (such as setback, berm, security fencing, etc.) on the proposed accessory building containing an additional residential unit to the satisfaction of the Municipality of Lakeshore in consultation with the appropriate railway agency;

2) Implementation and maintenance (where necessary) of any required rail noise, vibration and safety impact mitigation measures to the satisfaction of the Municipality of Lakeshore;

3) Any required notices such as warning clauses and/or environmental easements will be secured through appropriate legal mechanisms to the satisfaction of the Municipality of Lakeshore and the appropriate railway agency.

4) Downspouts are to be splash padded and are not to be tied into the Storm Water Management System, to the satisfaction of the Municipality of Lakeshore;

5) Establishment of a formal driveway permit through Public Works is required, if not already obtained or on file.

Include the following Notices in the Notice of Decision:

The gross floor area of the accessory building is based on the floor plan drawings submitted with the minor variance application, as they appear in Appendix B of the report, to the satisfaction of the Municipality of Lakeshore.

5. Completion of Unfinished Business

6. Approval of Previous Meeting Minutes

Recommendation:

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

- a. February 12 2025 Meeting Minutes

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7. New Business

8. Adjournment

Recommendation:

The Committee of Adjustment adjourn its meeting at ____ PM.