



THE MUNICIPALITY OF

LAMBTON SHORES

Community Services

9575 Port Franks Road, R.R. #1

Thedford, ON N0M 2N0

T: 519-243-1400 / 1-866-943-1400

www.lambtonshores.ca

## DECISION OF THE COMMITTEE OF ADJUSTMENT

### FILE # B-10/2021

In the matter of an application under *Section 53 of The Planning Act, R.S. O. 1990, C. 13*, as amended:

As made by, Carol King., for the lands municipally known as Plan 4, Lots 63-64 and Part Lot 65 (Thedford), requesting permission to create a parcel with 12.1 m frontage, 50.3 m depth, and 609 m<sup>2</sup> for a residential lot to lands known as 202 Pearl St.

**DECISION:** Consent is granted.

### **CONDITIONS:**

1. That the Owner submit to the Municipality two copies of a reference plan showing the severed lot or submit a written description which is acceptable to the County of Lambton Registrar;
2. That all municipal taxes and local improvements including interest and penalties thereon that are owing and payable with respect to the lands be paid to date;
3. That the Owner satisfy the Municipal of Lambton Shores with respect to the payment of cash-in-lieu of parkland dedication, which shall be \$750.00;
4. That the owner install connections (laterals) to the municipal water, sanitary and storm services;
5. That the drainage apportionment be divided between the resultant parcels, if applicable;
6. That the lot width be not less than the 11.97m granted by minor variance application A-08/2021 and not more than 11.976m, in order to provide a 1.2m setback to the existing house on the retained parcel; and
7. That the applicant lay topsoil and grass seed and establish as lawn the area of the retained lands and boulevard between the shoulder of the road and the attached accessory building, to the satisfaction of the roads superintendent, except as would obstruct access to existing building entrances

Members concurring in the above ruling:

S. Ferguson \_\_\_\_\_

M. Gilpin \_\_\_\_\_

D. Hales \_\_\_\_\_

D. Marsh \_\_\_\_\_

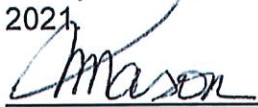
S. Rinaldi \_\_\_\_\_

S. Robinson \_\_\_\_\_

M. Simpson \_\_\_\_\_

\*\*\*\*\* CERTIFICATION \*\*\*\*\*

I, Jackie Mason, Deputy Secretary of the Committee of Adjustment for the Municipality of Lambton Shores, hereby certify that the above is a true copy of the decision of the Committee of Adjustment with respect to the application recorded herein. Dated this 28<sup>th</sup> day of May, 2021.



Jackie Mason, Deputy Secretary,  
Committee of Adjustment,  
Municipality of Lambton Shores

**NOTE:**

The last day for appeal of the above decision to the Local Planning Appeals Tribunal is **June 17<sup>th</sup>, 2021**. To appeal Committee's decision to the Tribunal a notice of appeal must be filed with the Secretary of the Committee of Adjustment of the Municipality of Lambton Shores, 7883 Amtelecom Parkway, Forest, ON, N0N 1J0. The appeal must set out the reasons for the appeal, must be submitted using the Appeal Form required by the Tribunal, and must be accompanied by the fee required by the Tribunal, paid by certified cheque or money order, made payable to the Ontario Minister of Finance.

Written and verbal submissions were received by the Committee of Adjustment and assisted the Committee to make an informed decision.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of the changes to the conditions of the provisional consent.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeals Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

The subject lands are not the subject of any application to amend the Official Plan, to amend the Zoning By-law, or any Minister's Zoning Order.





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## DECISION OF THE COMMITTEE OF ADJUSTMENT

### FILE # A-04/2021

Application made by: **Patti Hodgins, Authorized Agent: Lucas Design Group Inc**  
Application Heard: **May 26, 2021**  
Property: **20 Shady Lane, Grand Bend**

The Applicant has requested a variance from Section 10.2 c), e), g) and i) of Zoning By-law 1 of 2003. In this respect, the applicants propose to demolish the existing one-storey dwelling and replace it with a two-storey single detached dwelling with a front yard (west) setback of 4.9m rather than the required 6m, an interior side yard (south) setback of 2.3m rather than 3m, a rear yard (east) setback of 1.8m rather than 6m, and a lot coverage of 43.4% rather than the 35% maximum.

**DECISION:** The variance is granted, subject to conditions

**REASON:** In the opinion of the Committee:

1. The variance is minor in nature;
2. The intent of the official plan is maintained;
3. The intent of the zoning by-law is maintained; and
4. The variance is desirable for the appropriate development or use of the land, building or structure.

**CONDITIONS:** **The variance is granted, subject to the following conditions:**

1. That the dwelling be constructed in general conformity with the plans submitted, including being limited to two storeys in height; and
2. That the owner collect and manage stormwater runoff in a way that does not negatively impact adjacent property or road allowances, including the installation of an engineered stormwater management facility to the satisfaction of the Municipal Engineer.

Members concurring in the above ruling:

S. Ferguson \_\_\_\_\_

M. Gilpin \_\_\_\_\_

D. Hales \_\_\_\_\_

D. Marsh \_\_\_\_\_

S. Rinaldi \_\_\_\_\_

S. Robinson \_\_\_\_\_

M. Simpson \_\_\_\_\_

\*\*\*\*\* CERTIFICATION \*\*\*\*\*

I, Jackie Mason, Deputy Secretary of the Committee of Adjustment for the Municipality of Lambton Shores certify that the above is a true copy of the decision of the Committee with respect to the application recorded herein.

Dated this 28<sup>th</sup> day of May, 2021.



Deputy Secretary,  
Committee of Adjustment,  
Municipality of Lambton Shores

**NOTICE FOR APPEALING TO THE LOCAL PLANNING APPEALS TRIBUNAL**

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Please note that Section 45 Subsection 17 of the Planning Act states that the Local Planning Appeals Tribunal may dismiss all or part of an appeal without holding a hearing, on its own motion or on the motion of any party if,

- (a) it is the opinion that,
  - (i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,
  - (ii) the appeal is not made in good faith or is frivolous or vexatious, or
  - (iii) the appeal is made only for the purpose of delay.





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## DECISION OF THE COMMITTEE OF ADJUSTMENT

### FILE # A-12/2021

Application made by: **Larry & Becky Moore**  
Application Heard: **May 26, 2021**  
Property: **8783 Birch Street, Lambton Shores**

The Applicant has requested a variance from Section 10.2 c), e), g) and i) of Zoning By-law 1 of 2003. In this respect, the applicants propose to demolish the existing one-storey dwelling and replace it with a two-storey single detached dwelling with a front yard (west) setback of 4.9m rather than the required 6m, an interior side yard (south) setback of 2.3m rather than 3m, a rear yard (east) setback of 1.8m rather than 6m, and a lot coverage of 43.4% rather than the 35% maximum.

**DECISION:** The variance is granted, subject to conditions

**REASON:** In the opinion of the Committee:

1. The variance is minor in nature;
2. The intent of the official plan is maintained;
3. The intent of the zoning by-law is maintained; and
4. The variance is desirable for the appropriate development or use of the land, building or structure.

**CONDITIONS:** **The variance is granted, subject to the following conditions:**

1. That the variance only apply to permit the relocation of the detached garage currently located on lands known as 8779 Birch St, in that building's current dimensions;
2. That the applicant obtain a building permit and any required Conservation Authority approvals for the building prior to its relocation;
3. That the variance only apply as long as the lands are owned in the same name adjacent lands; and
4. That, if the building is ever used for a use prohibited by the zoning by-law or converted without appropriate building permits, the permission granted by this variance shall be deemed to be expired and the building prohibited.

Members concurring in the above ruling:

S. Ferguson \_\_\_\_\_

M. Gilpin \_\_\_\_\_

D. Hales \_\_\_\_\_

D. Marsh \_\_\_\_\_

S. Rinaldi \_\_\_\_\_

S. Robinson \_\_\_\_\_

M. Simpson \_\_\_\_\_

\*\*\*\*\* CERTIFICATION \*\*\*\*\*

I, Jackie Mason, Deputy Secretary of the Committee of Adjustment for the Municipality of Lambton Shores certify that the above is a true copy of the decision of the Committee with respect to the application recorded herein.

Dated this 28<sup>th</sup> day of May, 2021.



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Committee of Adjustment,  
Municipality of Lambton Shores

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**DECISION OF THE COMMITTEE OF ADJUSTMENT**

**FILE # A-13/2021**

Application made by: **Nelson Desjardine, Authorized Agent: JK Development  
GP2 Limited Consulting**  
Application Heard: **May 26, 2021**  
Property: **91, 89, 87, 85, and 77 Ontario St South, Grand Bend**

The Applicant has requested a variance from Section 21.4 k) iii) c. of Zoning By-law 1 of 2003 to reduce the minimum front yard setback of the C2-11 Zone from 16m to 7.6m and also requests a variance with respect to the boundary of the C2-11 Zone. In this respect, the applicant proposes to construct a retirement home and circumstances require the applicant to change the proposed building position from what was originally proposed. The building would be located 7.6m from what would eventually become the site's north (and front) lot line, when the lot is severed and a new road allowance is eventually created. The building would also be positioned 5.3m further north than the area that was originally zoned C2-11 and the applicant seeks to have the proposed building location deemed to be within the C2-11 Zone.

**DECISION:** The variance is granted, subject to conditions

**REASON:** In the opinion of the Committee:

1. The variance is minor in nature;
2. The intent of the official plan is maintained;
3. The intent of the zoning by-law is maintained; and
4. The variance is desirable for the appropriate development or use of the land, building or structure.

**CONDITIONS:** **The variance is granted, subject to the following conditions:**

1. That the setback requirements on the north side be measured to the lot line and not the zone boundary;
2. That the applicant enter into an agreement with the Municipality to formally amend the approved site plan agreement and the building be positioned as generally shown in the applicant's submitted drawing; and
3. That the applicant apply for and obtain a zoning amendment to remove the holding provisions from the property.

Members concurring in the above ruling:

S. Ferguson \_\_\_\_\_

M. Gilpin \_\_\_\_\_

D. Hales \_\_\_\_\_

D. Marsh \_\_\_\_\_

S. Rinaldi \_\_\_\_\_

S. Robinson \_\_\_\_\_

M. Simpson \_\_\_\_\_

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