

COMMITTEE OF ADJUSTMENT MINUTES

December 18, 2024 - 7:00 pm

Members Absent: Chair Steve Robinson, Deputy Chair Diane Hales, Deputy Mayor Dan Sageman, Councillor Ronn Dodge, Councillor Dave Marsh, Member Robin Loader

Staff Present: Planner Will Nywening, Planner Ken Bulgin and Secretary – Treasurer Jennifer Turk

1. Call to Order

Chair Robinson called the meeting to order at 7:00 pm.

2. Declaration of Pecuniary Interest

No declarations were made December 18, 2024.

3. Approval of Agenda

COA24-1218-01 Moved by: Ronn Dodge Seconded by: Diane Hales

THAT the December 18, 2024 Committee of Adjustment Meeting Agenda be approved as presented.

Carried

4. Adoption of Minutes

COA24-1218-02 Moved by: Dan Sageman Seconded by: Robin Loader

THAT the minutes of the November 27, 2024 Committee of Adjustment Meeting be adopted as presented.

Carried

5. Applications

- 5.1 <u>7:00 pm Minor Variance A15-2024 for Powell Holdings Inc. 69 Ontario</u> St. S., Grand Bend
 - 5.1.1 Report COA 21-2024 Minor Variance Application A-15/2024 69 Ontario St South, Grand Bend – Powell Holdings Inc

There was no one in attendance to represent the subject application.

Secretary-Treasurer Jennifer Turk advised that there were no additional comments that were received outside the Planner's Recommendation Report.

Planner Will Nywening presented the Recommendation Report.

Chair Robinson inquired if any Committee Members had any comments or questions regarding the subject application. None were received.

Chair Robinson inquired if any member of the gallery had any comments or questions regarding the subject application. None were received.

COA24-1218-03 Moved by: Diane Hales Seconded by: Dan Sageman

THAT Minor Variance Application A-15/2024, affecting lands known as 69 Ontario St South, Grand Bend, which would permit a new commercial building with a front yard setback of 4.8m for the main building and 0m for a front canopy or porch, be approved, subject to the following conditions:

- That the building be constructed in general conformity with the placement and design shown in the plans submitted in support of the application;
- 2. That the applicant enter into a site plan agreement with the Municipality to address items including but not limited to conveyance of a road widening to the Municipality and grading, retaining walls, planting strips and buffering/screening adjacent to the abutting residential use known as 75 Ontario St South; and
- 3. That the applicant pay any outstanding review fees to the Ausable Bayfield Conservation Authority.

Carried

5.2 <u>7:10 pm - Minor Variance Application A16-2024 for James & Karyn Thuss</u> <u>- 9680 Ipperwash Road</u>

5.2.1 Report CAO 22-2024 - Minor Variance Application A-16/2024 -9680 Ipperwash Road, Lambton Shores – James & Karyn Thuss

Jim and Karyn Thuss were in attendance to represent the subject planning application.

Secretary-Treasurer Jennifer Turk advised that there were no additional comments that were received outside the Planner's Recommendation Report.

Planner Ken Bulgin presented the Recommendation Report.

Chair Robinson inquired if the applicant had any further information to add to their application. Karyn Thuss presented the committee additional information regarding neighbouring properties with sizeable accessory buildings. Jim Thuss provided a summary of the proposal noting errors in the Planner's Recommendation Report.

Chair Robinson inquired if any Committee Members had any comments or questions regarding the subject application. Chair Robinson inquired if the applicant had received the Planner's Recommendation Report prior to the meeting, and if his concerns and additional information was forwarded onto the Planner's for response/review. Jim advised the information had not been forwarded onto the Planner's ahead of the meeting.

Chair Robinson inquired if any member of the gallery had any comments or questions regarding the subject application. None were received.

COA24-1218-04 Moved by: Ronn Dodge Seconded by: Diane Hales

THAT Minor Variance Application A-16/2024, affecting lands known as 9680 Ipperwash Road, to permit the construction of a two-storey detached garage be approved in part, with the requested variance to permit an accessory building height of 7.95 m (26.08 ft) and total maximum lot coverage of 96 m² (1033.34 ft²) for accessory buildings, be deferred to allow staff time to review the additional details brought forth by the applicant.

Carried

5.3 <u>7:20 pm - Minor Variance Application A18-2024 for Denis Shackel & Mary</u> Lynn Fluter-Shackel - 10413 Huron Wood Drive

5.3.1 Report COA23-2024 - Minor Variance Application A18-2024 for Denis Shackel & Mary Lynn Fluter-Shackel - 10413 Huron Wood Drive

Denis Shackel and Mary Lynn Fluter-Shackel were in attendance to represent the subject planning application.

Secretary-Treasurer Jennifer Turk advised that in addition to the two (2) sets of comments on the agenda from Keith Clarke (10421 Huron Wood Dr.) and Jim Fujii (10400 Huron Wood Dr.), there were

two (2) additional comments received opposed to the proposed accessory building constructed from Billy Crowe (10431 Huron Wood Dr.), and Jay Hancock (10412 Huron Wood Dr.).

Planner Ken Bulgin presented the Recommendation Report.

Chair Robinson inquired if the applicant had any further information to add to their application. Mary Lynn Fluter-Shackel provided a summary of the proposal. Mike Sloan, who sold the house to the Shackels, also provided comment advising the committee to approve the location of the accessory building. Mary Lynn Fluter-Shackel inquired about attaching the accessory building to the house. Planner Ken Bulgin advised he would need to see plans in order to confirm that the proposal would meet the municipality's Zoning By-Law.

Chair Robinson called for a 5-minute recess.

Chair Robinson called the meeting back to order at 7:30 pm.

Chair Robinson inquired if any Committee Members had any comments or questions regarding the subject application. None were received.

Chair Robinson inquired if any member of the gallery had any comments or questions regarding the subject application. Keith Clarke, property owner at 10421 Huron Wood Dr., summarized his comments submitted and added he has a walk out basement, and has concerns over drainage from the accessory building location, as it's very close to his property and house.

Councillor Marsh called for a motion to defer. No Seconder.

Committee Member Robin Loader called for a motion to deny. No Seconder

COA24-1218-05 Moved by: Ronn Dodge Seconded by: Diane Hales

THAT Minor Variance Application A-18/2024, affecting lands known as 10413 Huron Wood Drive, Lambton Shores, which would permit an accessory structure in a front yard, be deferred to allow the applicant time to revise their request.

Carried

5.4 <u>7:30 pm - Consent B12-2024 for Huron Shores Investments Inc. c/o</u> Nelson Desjardine - 77, 85,87, 89 & 91 Ontario St. S., Grand Bend 5.4.1 Report COA 24-2024 Consent Application B-12/2024 – 91, 89, 87, 85, and 77 Ontario St South, Grand Bend – Huron Shores Investments (Agent: JK Development GP2 Limited)

No one was present to represent the subject planning application.

Secretary-Treasurer Jennifer Turk advised that there were no additional comments that were received outside the Planner's Recommendation Report.

Planner Will Nywening presented the Recommendation Report.

Chair Robinson inquired if any Committee Members had any comments or questions regarding the subject application. Deputy Mayor Sageman inquired if this application was the exact same request that was presented to the Committee of Adjustment and was approved previously. Planner Will Nywening advised yes. An archeological report was required and took more time to complete, thus the application lapsed.

Chair Robinson inquired if any member of the gallery had any comments or questions regarding the subject application. None were received.

COA24-1218-06 Moved by: Diane Hales Seconded by: Ronn Dodge

THAT Consent Application B-12/2024, respecting lands known as 91, 89, 87, 85, and 77 Ontario Street South, Grand Bend, requesting permission to sever a lot with 116m frontage, 111m depth, and approximately 1.276 ha lot area, leaving a retained parcel with 20m of lot frontage and approximately 2.3 ha lot area, be approved together with easements over the retained lands for access, services, and a stormwater outlet, subject to the following conditions:

- 1. That the Owner submit to the Municipality two copies of a reference plan showing the severed lot and easements or submit a written description which is acceptable to the County of Lambton Registrar;
- 2. That any municipal taxes and local improvements including interest and penalties thereon that may be owing and payable with respect to the lands be paid to date;
- 3. That the applicants have a site plan agreement with the Municipality in effect for

the proposed development when the deeds are presented for certificate of consent;

- 4. That the applicant obtain Ministry concurrence respecting archaeological resources to the extent necessary to accommodate the revised development concept;
- 5. That the applicant pay cash-in-lieu of parkland to the satisfaction of the Municipality equal to 2% of the value of the severed lands;
- 6. That drainage assessment be reapportioned, if applicable; and
- 7. That the applicant pay any outstanding Ausable Bayfield Conservation Authority's application review fees.

Carried

6. Other Business

6.1 Next Meeting - January 22, 2025

Secretary-Treasurer Jennifer Turk advised that there was one (1) application scheduled for January, with another application set to be submitted this week. One consent and one potential minor variance.

7. Adjourn

COA24-1218-07 Moved by: Dave Marsh Seconded by: Diane Hales

That the meeting adjourns at 8:24 pm.

Carried