

COMMITTEE OF ADJUSTMENT MINUTES

January 22, 2025 - 7:00 pm

Members Present: Deputy Chair Diane Hales, Deputy Mayor Sageman, Councillor Dodge, Councillor Marsh, Committee Member Ryan Lichty, and Committee Member Robin Loader

Members Absent: Chair Steve Robinson

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

1. Call to Order

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

2. Declaration of Pecuniary Interest

No declarations were made January 22, 2025.

3. Approval of Agenda

COA25-0122-01 Moved by: Ronn Dodge

Seconded by: Dan Sageman

THAT the January 22, 2025 Committee of Adjustment Agenda be approved as presented.

Carried

4. Adoption of Minutes

COA25-0122-02 Moved by: Dave Marsh

Seconded by: Dan Sageman

THAT the minutes of the December 18, 2024 Committee of Adjustment Meeting be adopted as presented.

Carried

5. Applications

- 5.1 7:00 pm Consent B13-2024 for Kenneth Stead 9780 Lakeshore Road
 - 5.1.1 Report COA 03-2025 Consent Application B-13/2024 9780 Lakeshore Road Ken Stead (Agent: Ralph Naujokaitis)

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

Secretary-Treasurer Jennifer Turk provided a summary of the proposal and provided the order of procedure for the public hearing.

Planner Ken Bulgin presented the Recommendation Report.

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

Deputy Chair Hales inquired if any member of the gallery had any comments or questions regarding the subject application. Max Morden, Chair of the Land Trust where the severed lands are being transferred to provided comments in support of the proposal.

COA25-0122-03 Moved by: Dave Marsh Seconded by: Ryan Lichty

THAT Consent Application B13-2024, requesting permission to sever a vacant parcel from the lands known as 9780 Lakeshore Road, having approximately 20.18 m (66.2 ft) frontage and 10.66 ha (26.34 ac) lot area, leaving a retained lot with approximately 62.8 m (206.03 ft) frontage and 0.69 ha (1.71 ac) lot area, containing one single detached dwelling and one detached garage, and to establish an easement, if required, for access and servicing in favour of lands known as 9782 Lakeshore Road, be approved, subject to the following condition(s):

- 1. That the Owner submit to the Municipality an electronic copy of a reference plan showing the severed lot and any required easement or submit a written description which is acceptable to the County of Lambton Registrar;
- 2. That an easement in favour of lands known as 9782 Lakeshore Road, providing an access and servicing route over the remnant lot, be registered with the Land Registry Office, if one does not already exist;
- 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:
- 4. That the applicant pay the Municipality's fee to stamp the deed;
- 5. That the applicant obtain a zoning amendment to rezone the severed parcel to an Environmental Protection Zone and a portion of the retained parcel that includes the dwelling and detached garage to a Residential-6 (R6) Zone to match the zoning on the remainder of the retained lot:
- 6. That the applicable road authority be satisfied that the resultant parcels have suitable, independent road access, or the applicant install or upgrade entrances as required by the road authority;
- 7. That all conditions be fulfilled and the certificate of consent required by Section 53(42) of the *Planning Act* be obtained within two years of the notice of decision of this consent.

Carried

- 5.2 <u>7:10 pm Minor Variance A01-2025 for James and Shannon Sharp 32 Hill Street, Grand Bend</u>
 - 5.2.1 Report COA 01-2025 Minor Variance Application A-01/2025 32 Hill St, Grand Bend James and Shannon Sharp

Matt Relouw was in attendance to represent the subject application.

Secretary-Treasurer Jennifer Turk provided a summary of the proposal, provided the order of procedure for the public hearing, and advised of additional comments received from the Lambton Shores Community Association not in support of the application.

Planner Will Nywening presented the Recommendation Report.

Deputy Chair Hales inquired if the Authorized Agent had any questions or comments to add to the submission. Matt provided a summary of the minor variance request.

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

Deputy Chair Hales inquired if any member of the gallery had any comments or questions regarding the subject application. Gerry Roeder, President of the Lambton Shores Community Association provided verbal comments not in support of the proposal.

COA25-0122-04 Moved by: Dave Marsh Seconded by: Ryan Lichty

THAT Minor Variance Application A01-2025, affecting lands known as 32 Hill St, Grand Bend, which would recognize a flat-roofed, single detached dwelling with a 9 m building height and 1.54 m and 2.65 m interior side yards, be approved, subject to the following conditions:

- 1. That the variance also recognize the existing guard rail constructed above a 9 m building height; and
- 2. That the existing single detached dwelling be deemed legal non-complying with respect to height and interior side yards for the purposes of any future renovations, alterations, additions, or replacements.

Carried

- 5.3 <u>7:20 pm Consent B01-2025 for James Monteith, Sharon Monteith, Lisa Monteith & Scott Huard 9966 & 9970 Huron Dr.</u>
 - 5.3.1 Report CAO 02-2025 Consent Application B-01/2025 9966-9970 Huron Drive, Beach O'Pines Sharon Monteith, James Monteith, Jane Monteith, Scott Huard (Agent: George Murray Shipley Bell, LLP per Peter Norris)

James Monteith was in attendance to represent the subject application.

Secretary-Treasurer Jennifer Turk provided a summary of the proposal, and provided the order of procedure for the public hearing.

Planner Will Nywening presented the Recommendation Report.

Deputy Chair Hales inquired if the Applicant had any questions or comments to add to the submission. James advised the committee that the required reports were not completed ahead of the meeting due to costs, and didn't want to spend the money if the application was going to be denied.

Deputy Chair Hales inquired if any Committee Members had any comments or questions regarding the subject application. Councillor Marsh inquired if all the reports came back that the severance could be supported, could staff recommend an approval. Planner Will Nywening advised that due to the policies that are in place for this area, a severance would not be supported in any event.

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

COA25-0122-05 Moved by: Ronn Dodge

Seconded by: Ryan Lichty

THAT Consent Application B-01/2025, requesting permission to sever lands known as 9966-9970 Huron Drive into two lots, each with 70 feet frontage, be refused.

Carried

5.4 Report COA 04-2025 - Deferred Minor Variance Application A-16/2024 - 9680 Ipperwash Road – James & Karyn Thuss

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

Secretary-Treasurer Jennifer Turk provided a summary of the proposal, advising that the application was deferred from the December 18, 2024 Committee of Adjustment meeting, provided the order of procedure for the public hearing, and advised of three (3) additional comments received by the applicant, from neighbouring properties that were in support of the proposal.

Planner Ken Bulgin presented the Recommendation Report.

Deputy Chair Hales inquired if the Applicants had any questions or comments to add to the submission. Jim provided a summary of the minor variance request with the reduced request from 7.95 m to 7.25 m for maximum height.

Deputy Chair Hales inquired if any Committee Members had any comments or questions regarding the subject application. Councillor Marsh inquired about the offer from the Planner of a maximum height of 6.5 m. Jim advised the committee that it would cost him more money to construct the accessory building with a lower height limit than a higher height limit due to the cost of the trusses. Councillor Dodge inquired

where the maximum height of 6.1 m came from. Planner Will Nywening advised that the height limits on accessory buildings in the municipal zoning by-law, are municipal wide, and are to keep accessory buildings in scale to the primary building or dwelling.

Deputy Chair Hales inquired if any member of the gallery had any comments or questions regarding the subject application. None were received as there were no members of the public in the gallery.

Committee Members Ryan Lichty and Robin Loader motioned to approve the Planner's Recommendation, but was not carried.

COA25-0122-06 Moved by: Ronn Dodge Seconded by: Dave Marsh

THAT Minor Variance Application A16-2024, affecting lands known as 9680 Ipperwash Road, to permit the construction of a two-storey detached garage with an accessory building height of 7.25 m (23.75 ft), and total maximum lot coverage of 96 m² (1033.34 ft²) for accessory buildings, be approved in part, subject to the following condition(s):

- 1. That the accessory building height be limited to 6.5 m (21.33 ft); and
- 2. That the accessory building be constructed in general conformity with the placement and lot coverage shown in the plans submitted in support of the application.

Carried

6. Other Business

6.1 Next Meeting - February 26, 2025

Secretary-Treasurer Jennifer Turk advised that there would not be a meeting in February. No applications had been submitted.

7. Adjourn

COA25-0122-07 Moved by: Dan Sageman

Seconded by: Dave Marsh

That the meeting adjourns at 8:28 pm.

Carried