



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](http://www.lambtonshores.ca)

## **DECISION OF THE COMMITTEE OF ADJUSTMENT**

### **FILE # B01-2022**

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

As made by, Gilpin Funeral Chapel, Authorized Agent: Jackie Mason, for the lands municipally known as 123 King St E, Forest, seeking consent to sever a vacant lot on the west having approximately 76m frontage and 2200m<sup>2</sup> lot area, leaving a retained parcel on the east with approximately 126m frontage, 37468m<sup>2</sup> lot area, and containing a funeral home and parking lot. In this respect the applicant proposes to sever the vacant land to the west of an existing business for development for residential purposes.

**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 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 applicant pay the Municipality's fee to stamp the deed;
4. That the applicant pay \$1000 as cash-in-lieu of parkland dedication;
5. That the applicant install independent connections to municipal water and sewer mains for both the severed and retained lots, where connections do not already exist;
6. That the new lot line be placed so that the severed lot includes none of the existing parking lot; and
7. That the severed lot area comply with the C2(8) Zone's minimum required 2200m<sup>2</sup> lot area and 76m frontage.

Members concurring in the above ruling:

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

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

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

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

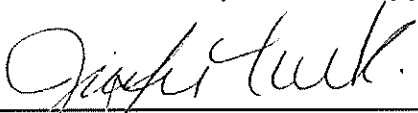
S. Rinaldi \_\_\_\_\_

S. Robinson \_\_\_\_\_ (Absent) \_\_\_\_\_

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

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

I, Jennifer Turk, 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 January, 2022.

  
\_\_\_\_\_  
Jennifer Turk, Dipl. M. M., Deputy Secretary,  
Committee of Adjustment,  
Municipality of Lambton Shores

**NOTE:**

The last day for appeal of the above decision to the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) is **February 17<sup>th</sup>, 2022**. 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 Ontario Land 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 # A03-2022

Application made by: **Stewart & Sandra Plotnick**  
Authorized Agent: **Justine Nigro**  
Application Heard: **January 26, 2022**  
Property: **10413 Grand Oaks Drive**

The applicant requests relief from section 12.3 b) of Zoning By-law 1 of 2003, which requires a minimum front yard setback of 10.7m (35 feet) in the R6-2 Zone – exception 2 to the standard Residential-6 Zone. In this respect, the applicant proposes to construct an attached garage as an addition to the front of an existing single detached dwelling. The garage would have an 8m front yard setback.

### **DECISION:**

That Minor Variance Application A03-2022, affecting lands known as 10413 Grand Oaks Drive, Southcott Pines, which would permit an attached garage with an 8m front yard setback, be **DENIED**.

Members concurring in the above ruling:

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

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

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

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

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

S. Robinson \_\_\_\_\_ (Absent)

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

### \*\*\*\*\* CERTIFICATION \*\*\*\*\*

I, Jennifer Turk, 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 January, 2022.

Deputy Secretary, Jennifer Turk, Dipl. M. M.  
Committee of Adjustment, Municipality of Lambton Shores

## NOTICE FOR APPEALING TO THE ONTARIO LAND TRIBUNAL

The last day for appeal of the above decision to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) is **February 17<sup>th</sup>, 2022**. 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, 9575 Port Franks Road, Thedford, ON, N0M 2N0. The appeal must set out the objection to the decision and the reasons in support of the objection, 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.

Please note that Section 45 Subsection 17 of the Planning Act states that the Ontario Land 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 # A02-2022

Application made by: **Mark & Annie Stoneburgh**  
Application Heard: **January 26, 2022**  
Property: **9 Dietrich Crescent**

The applicant requests relief from sections 10.2 f) and i), which require a 6m minimum exterior side yard and allow a maximum 35% lot coverage, respectively, in the Residential-4 (R4) Zone. In this respect, the applicant proposes to construct an addition to an existing single detached dwelling; the addition would have a 5.81m exterior side yard setback and would bring the lot coverage to 36.4%.

### **DECISION:**

That **Minor Variance Application A-02/2022**, affecting lands known as 9 Dietrich Crescent, Grand Bend, which would permit an exterior side yard of 5.8m and a lot coverage 36.4% for the construction of a 17.1m<sup>2</sup> addition, **be APPROVED**, subject to the following condition:

1. That the variance only apply to the proposed construction as presented in the application.

Members concurring in the above ruling:

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

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

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

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

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

S. Robinson \_\_\_\_\_(Absent)\_\_\_\_\_

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

### \*\*\*\*\* CERTIFICATION \*\*\*\*\*

I, Jennifer Turk, 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 January, 2022.

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Committee of Adjustment, Municipality of Lambton Shores

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**DECISION OF THE COMMITTEE OF ADJUSTMENT**

**FILE # A01-2022**

Application made by: **Geoff Murray**  
Application Heard: **January 26, 2022**  
Property: **8428 Goosemarsh Line**

The applicant requests relief from section 3.3.3 a) of Zoning By-law 1 of 2003, which generally prohibits detached accessory buildings in residential zones from being located closer to a front lot line than the house to which it is accessory. In this respect, the applicant proposes to construct a 30 feet by 30 feet (900 square feet) detached garage, which would be located between the existing house and the front lot line.

**DECISION:** That Minor Variance Application A-01/2022, affecting lands known as 8428 Goosemarsh Line, which would permit a detached accessory building in a front yard, be **DENIED**.

Members concurring in the above ruling:

S. Ferguson	_____	M. Gilpin	_____
D. Hales	_____	D. Marsh	_____
S. Rinaldi	_____	S. Robinson	_____(Absent)_____
M. Simpson	_____		

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