



**DECISION OF THE COMMITTEE OF ADJUSTMENT**

**FILE # A-31/2020**

Application made by: **Gary and Shana Graham**  
Application Heard: **November 25, 2020**  
Property: **21 Shady Lane, Grand Bend**

The Applicant has requested a variance to permit a 1.2 metre setback from the parcel's most northerly lot line.

**DECISION:** The variance is granted.

**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:** None

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 26<sup>th</sup> day of November, 2020.

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Deputy Secretary,  
Committee of Adjustment,  
Municipality of Lambton Shores

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

The last day for appeal of the above decision to the Local Planning Appeals Tribunal is **December 15<sup>th</sup>, 2020**. 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 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 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.



## DECISION OF THE COMMITTEE OF ADJUSTMENT

### FILE # B-14/2020

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

As made by Elly Ann Marie Leenders, Agent Paul J. Hendrikx, for the lands municipally known as 8678 Rawlings Road, requesting permission to create a residential parcel of approximately 3.2 acres for the disposal of a surplus farm dwelling from lands known as 8678 Rawlings Road.

**DECISION: Consent is granted.**

### **CONDITIONS:**

1. That the Owners submit to the Municipality, two copies of a reference plan, showing the severed parcel 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 Municipality of Lambton Shores with respect to the payment of cash-in-lieu of parkland dedication, which shall be \$750.00.
4. That the Applicant convey a 17 foot road widening to the County of Lambton along the Frayne Drain on Thomson Line.
5. That the Owner provide the County of Lambton with a copy of the legal survey with the septic tank and bed location plotted thereon.
6. That the County of Lambton Building Services Department review the existing septic system to ensure it is contained to the lot and properly functioning or, alternatively, that the system be upgraded or replaced as necessary to the satisfaction of that Department.
7. That the drainage apportionment be divided between the resultant parcels.
8. That the Applicant obtain a zoning amendment with respect to the retained farm parcel, to prohibit a dwelling and recognize a reduced lot area.
9. That the applicable road authority be satisfied that all resultant parcels have suitable, independent road access.

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 26<sup>th</sup> day of November, 2020.

\_\_\_\_\_  
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 **December 16<sup>th</sup>, 2020**. 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.



**DECISION OF THE COMMITTEE OF ADJUSTMENT**

**FILE # B-13/2020**

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

As made by Dan and Donna Masfrankc, Agent Deryck Walden), for the lands municipally known as 8435 Kennedy Line, requesting permission to create a residential parcel of 2 acres for the disposal of a surplus farm dwelling from the lands known as 8345 Kennedy Line.

**DECISION: Consent is granted.**

**CONDITIONS:**

1. That the Owners submit to the Municipality, two copies of a reference plan, showing the severed parcel 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 Municipality of Lambton Shores with respect to the payment of cash-in-lieu of parkland dedication, which shall be \$750.00.
4. That the retained farm be conveyed to, registered in the same name and interest as and merged with the lands abutting to the south.
5. That the Owner provide the County of Lambton with a copy of the legal survey with the septic tank and bed location plotted thereon.
6. That the County of Lambton Building Services Department review the existing septic systems to ensure they are contained to the lot and properly functioning or, alternatively, that the system(s) be upgraded or replaced as necessary to the satisfaction of that Department.
7. That the residential lots southerly lot line be placed no closer than 7 metres to existing buildings.
8. That the drainage apportionment be divided between the resultant parcels.
9. That the applicable road authority be satisfied that all resultant parcels have suitable, independent road access.

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 26<sup>th</sup> day of November, 2020.

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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 **December 16<sup>th</sup>, 2020**. 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.