



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 # A08-2022

Application made by: **Fred & Brenda Smith**
Application Heard: **April 27, 2022**
Property: **3 Warwick Ave.**

The applicant is requesting relief from Zoning By-law 1 of 2003 Section 10.2 e) to reduce the Minimum Interior Side Yard Setback required from 1.2 m (3.94 ft) to 0.47 m (1.54 ft) to accommodate the construction of a sunroom addition to the single detached dwelling.

DECISION:

That **Minor Variance Application A08-2022**, affecting lands known as 3 Warwick Ave., Grand Bend, which would permit an interior side yard setback of 0.47 m for the construction of an enclosed sunroom, as an addition to a single detached dwelling, be **APPROVED**, subject to the following condition(s):

1. That an additional minor variance for a maximum lot coverage of 37.95%, not indicated on the application, be recognized, and approved; and
2. That the variances only apply to permit construction as proposed in the applicant's sketch

Members concurring in the above ruling:

S. Ferguson (Absent)

D. Hales

S. Rinaldi

M. Simpson

M. Gilpin

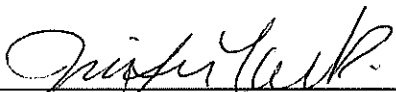
D. Marsh

S. Robinson

***** 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 29th day of April, 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 **May 19th, 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 # A09-2022

Application made by: **Jim Archibald**
Authorized Agent: **Mitchell Finlay, MR Engineering & Design**
Application Heard: **April 27, 2022**
Property: **37 Lakeside Circle**

The applicant is requesting a variance from the Municipality of Lambton Shores' Zoning By-law Section 10.2 e) to reduce the Minimum Interior Side Yard Setback required from 3 m (9.84 ft) to 1.45 m (4.75 ft) to accommodate the construction of a wood deck to the single detached dwelling.

DECISION:

That **Minor Variance Application A09-2022**, affecting lands known as 37 Lakeside Circle, Grand Bend, which would permit an interior side yard setback of 1.55 m for the construction of an open-sided covered deck, as an addition to a single detached dwelling, be APPROVED, subject to the following condition(s):

1. That the variance only apply to permit construction as proposed in the applicant's sketch; and
2. That the applicant obtain the required permit from the Ausable Bayfield Conservation Authority.

Members concurring in the above ruling:

S. Ferguson (Absent)

D. Hales [Signature]

S. Rinaldi [Signature]

M. Simpson [Signature]

M. Gilpin [Signature]

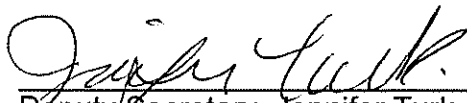
D. Marsh [Signature]

S. Robinson [Signature]

***** CERTIFICATION *****

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Dated this 29th day of April, 2022.



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

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DECISION OF THE COMMITTEE OF ADJUSTMENT

FILE # B03, B04, and B05-2022

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

As made by, Sam Petroleum Inc., Authorized Agent: Dave Hannam, Zelinka Priamo Ltd., for the lands municipally known as 75 Main St (fronting McNab St.), three (3) applications for consent to sever which would result in a total of four (4) lots for the construction of four (4) semi-detached dwellings (two (2) sets of two (2)). Each of the proposed lots will front along MacNab Street and have a frontage of 10.1 m (33.13 ft), a depth of 40.4 m (132.54 ft), and an area of 408.04 m² (4,392.11 ft²).

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 of each severed lot (three total);
4. That severance application B-03/2022 be completed and registered prior to B-04/2022, and B-04/2022 prior to B-05/2022;
5. That the severed lot in application B-03/2022 consist of a parcel with 132 feet frontage on McNab Street and 134 feet depth;
6. That the retained lands in application B-03/2022, containing a gas retail facility, be merged on title with the balance of the gas station lands known as 73 Main St South, including merger of property identification numbers and assessment roll numbers;
7. That the severed lot in application B-04/2022 be severed from the severed lot created by application B-03/2022 and consist of a lot with 33 feet frontage on McNab St and 134 feet depth, positioned to create remnant parcels of 33 feet by 134 feet to its south and 66 feet by 134 feet to its north;
8. That the severed and remnant parcels created by application B-04/2022 all be stamped with the unstipulated certificate of consent;
9. That the severed lot in application B-05/2022 be severed from the 66 feet by 134 feet remnant parcel created by application B-04/2022 and consist of a lot with 33 feet frontage and 134 feet depth, positioned to create a remnant parcel also of 33 feet by 134 feet to its south;
10. That the severed and remnant parcels created by application B-05/2022 all be stamped with the unstipulated certificate of consent;

11. That the applicant pay \$1000 as cash-in-lieu of parkland dedication for each residential lot created (\$4000 in total);
12. That the applicant install independent connections to municipal water and sewer mains for each of the 4 resulting lots fronting McNab St, where connections do not already exist;
13. That the existing buildings and parking area (including gravel base) be removed from the proposed residential lots, or a security for same be provided to the satisfaction of the Municipality, prior to finalization of the consents; and
14. That a planting strip consisting of a cedar hedge or a fence and row of trees be established on the proposed residential lots abutting the rear lot line, or a security for same be provided to the satisfaction of the Municipality, prior to finalization of the consents.

Members concurring in the above ruling:

S. Ferguson ____ (Absent) ____

D. Hales 

S. Rinaldi 

M. Simpson 

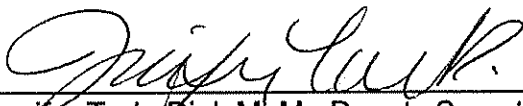
M. Gilpin 

D. Marsh 

S. Robinson 

***** 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 29th day of April, 2022.


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

NOTE:

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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.