



**The Corporation of the Town of Saugeen Shores
Committee of Adjustment Meeting Minutes**

**Monday, March 17, 2025, 5:00 p.m.
Council Chambers
600 Tomlinson Drive
Port Elgin, Ontario**

Present: Diane Huber, Deputy Mayor
Mike Myatt, Vice Deputy Mayor
Richard Beckett
Michael Martin
Cheryl Grace, Councillor
Herb Schmid

Staff Members: Kara Van Myall, Chief Administrative
Officer
Mark Paoli, Director, Development
Services
Jay Pausner, Manager, Planning and
Development
Dana Mitchell, Secretary-
Treasurer/Zoning Coordinator
Morgan McCulloch, Licensing and
Records Clerk
Candace Hamm, Development Services
Officer
Jake Bousfield-Bastedo, Planner
Julie Steeper, Planner
Dawn Mittelholtz, Manager, Legislative
Services/Clerk
Coreena Smith, Planner

1. Call To Order

Chair Huber called the meeting to order at 5:00 p.m.

2. Land Acknowledgement

Member Schmid read the land acknowledgement.

3. Disclosure of Pecuniary Interest and Nature

None declared.

4. Additions, Deletions, or Amendments

None.

5. Adoption of Minutes

5.1 Committee Minutes - February 18, 2025

Moved by: M. Myatt

Seconded by: H. Schmid

That the Committee of Adjustment approve the minutes of February 18, 2025, as presented.

CARRIED

6. Public Hearings

**6.1 A-2024-032 Extension/Enlargement of a Legal Non-Conforming Use
243 Lake Street**

Chair Huber declared the public hearing open and indicated the purpose of the public hearing.

Planner Julie Steeper presented the report regarding the subject file. The purpose of the application is to permit an enlargement of a legal non-conforming residential use. The proposed front yard setback is 5m whereas the required in the Zoning By-law is 6 m. The proposed rear yard setback is 3 m whereas the required in the Zoning By-law is 7.5 m. The proposed site coverage is 47% whereas the required in the Zoning By-law is 45%. If approved, the application would facilitate the replacement of the existing single detached dwelling on site at 243 Lake Street.

Chair Huber asked if any members of the public would like to address the Committee on this matter.

Steve Dennison, Agent for the Applicant, was present virtually to answer any questions regarding the application.

Claudia Wunder, a member of public, shared commentary from neighbour David Inch who was not able to be present at the meeting. Ms. Wunder relayed Mr. Inch's concern for the application's proposal to double its volume on the lot and made mention that cottage areas are low density and special areas. Ms. Wunder, speaking for herself, discussed the size of the proposal and its direct impact on the character of the neighbourhood.

She suggested the rear yard setback be maintained at the current setback of 4.47m.

Bill Bowden, a member of public, discussed concerns for the lots ability to provide adequate space for parking, a fence encroaching on a neighbouring property and the proposed facade of the dwelling.

There were no other members of the public wanting to address the Committee on this matter.

Secretary-Treasurer, Dana Mitchell, reports that there were two written submissions received by the County of Bruce and were forwarded on to Committee Members on Friday, March 14th. Comments are attached to the minutes.

Committee members had the following clarifying questions:

- A question was raised regarding the accuracy of the air photo supplied within the Planning Report. Planner Steeper explained the air photo is only an approximation and what was used for review was the property survey in the Planning Report.
- A question was raised regarding the square footage of the existing and proposed cottage. Applicant, Mr. Dennison, answered the total square footage of the proposed dwelling would be a little under 2000 square feet.
- A question was raised regarding whether there will be a basement. Julie answered that the applicant has not finalized their plans but believe it will be a crawlspace or slab on grade.
- A question was raised regarding not being permitted to increase volume on a non-conforming dwelling. Planner Steeper explains that they have the ability to rebuild on same footprint at the same height and that any increase in volume requires a planning application.
- A question was raised regarding adding a condition for a lower height of 7.5 m. Planner Steeper explained it could be added however staff do not recommend and that the restriction on height would need to be justified with planning reasons.
- A question was raised regarding where the front setback is measured to. Planner Steeper explained it is measured from the foundation wall of the dwelling and not the porch. A follow up question asking if the porch was included in the lot coverage calculation. Planner Steeper explains that porches are included in lot coverage calculations.
- A question was raised about the legal nonconforming status of the existing dwelling. Planner Steeper confirmed to the Committee that

the owner could re-build in the exact same location at the same elevation.

- A question was raised about the lot drainage. Planner Steeper explained there is a condition proposed to require a lot grading and drainage plan prior to issuance of the building permit.
- A question was raised regarding the existence of two storey homes on Lake Street. Planner Steeper confirmed the area has a mixture of single and two storey homes.
- A question was raised regarding parking requirements for the R1 zone. Planner Steeper explained there are two spaces required and two spaces proposed in the driveway.
- A question was raised regarding the justification for the need to reduce the rear yard setback. Applicant, Mr. Dennison, explained that they were trying to improve the front yard setback and therefore had to reduce the rear yard. Mr. Dennison further explained this is planned to be the owner's retirement home and trying to fit in the necessities such as laundry as well as providing space for guests and family members.
- A question was raised regarding the actual lot size. Planner Steeper answered that the lot is 224 square metres. Mr. Dennison added that the lot dimensions are 44' and 55' deep.
- A question was raised regarding the fence encroaching onto a neighbouring property. Planner Steeper explained the fence is shown on the survey as a boundary fence.
- A question was raised regarding change of use, asking if rental constitute as a change of the use. Planner Steeper answered that the use is considered residential and that no change in use has been proposed.

In the absence of any further questions, Chair Huber declared the public hearing closed.

Committee Members had the following comments:

- Concerns were raised over adverse impact regarding the reduced rear yard setback.
- Concerns were raised over the height of the proposed dwelling in relation to the neighbouring residences.
- A concern was raised regarding adequate parking on the lot for the size of the proposed dwelling.

- A concern was raised over tree and hedge removal required on Town property for the development of the lot.

Moved by: Member Beckett

Seconded by: Member Martin

That the application for enlargement/extension of a legal non-conforming structure is hereby granted subject to the following provisions:

- 2 storey single detached dwelling with a minimum front yard setback of 5m;
- minimum interior side yard setbacks of 1.2m;
- a minimum rear yard setback of 4.47m (with a 2.7m setback to the rear step);
- a maximum height of 7.5m; and
- a maximum lot coverage of 47%.

with the following conditions:

1. That all encroachments within the Lake Street road allowance be removed to the satisfaction of the Town.
2. That an engineered grading and drainage plan be completed by the owner or their agent to the satisfaction of the Town as part of the building permit process

WITHDRAWN

Moved by: M. Myatt

Seconded by: C. Grace

That the application be deferred to a future meeting.

CARRIED

7. Report of Municipal Officers / Committees

7.1 Final Draft Sign By-law

On February 20th, 2024, staff brought a report to the Committee of Adjustment outlining the proposed method for drafting a new Sign By-law. Staff committed to bring the draft By-law back to the Committee for discussion before it is advanced to Council for approval.

Josh Planz, Manager of Building and Chief Building Official, was present.

Committee members had the following clarifying questions:

- A question was made about how the Town of Saugeen Shores Sign By-law compares in regulations to other Municipalities. Manager, Building Services and Chief Building Official, Josh Planz, explained the new Sign By-law was based on the current Sign By-law and most clauses are unchanged.
- A question was raised regarding the capability of enforcing the Sign By-law. Manager Planz explained enforcement is primarily based on complaints received and there will be more capacity to deal with signs in the summer as there will be summer by-law students to assist.
- A comment was provided that the number of signs permitted per property should be limited.
- A comment was made in agreement of the preservation of the profanity clause.
- A concern was voiced regarding the proposed freestanding sign height in Highway Commercial zones.
- A comment was provided regarding flashing lights on signs. A suggestion was made to prohibit all flashing even without resembling emergency lights.

Moved by: M. Myatt
 Seconded by: M. Martin

That the Committee receive the Final Draft Sign By-law for information.

CARRIED

8. Next Meeting

The next meeting will be held on April 22, 2025.

9. Adjournment

Moved by: M. Myatt
 Seconded by: H. Schmid

That this Committee of Adjustment meeting of March 17, 2025, hereby adjourns at 6:44 p.m.

CARRIED