



COMMITTEE MINUTES

COMMITTEE OF ADJUSTMENT

AUGUST 20, 2019 @ 6:00 P.M.

Council Chambers, 2021 Division Road North, Kingsville

A. CALL TO ORDER

Chairperson Thomas Neufeld called the Meeting to order at 6:00 p.m. with the following persons in attendance:

MEMBERS OF COMMITTEE OF ADJUSTMENT:

Deputy Mayor Gord Queen
Councillor Thomas Neufeld
Russell Horrocks
Allison Vilardi

Absent: Shannon Olson

MEMBERS OF ADMINISTRATION:

Town Planner, George Robinson
Administration – Stephanie Coussens

B. DISCLOSURE OF PECUNIARY INTEREST

Chairperson T. Neufeld reminded the Committee that any declaration is to be made prior to each items being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

C. MINUTES OF THE PREVIOUS MEETING

1. **ADOPTION OF COMMITTEE OF ADJUSTMENT MEETING MINUTES DATED JUNE 18TH, 2019.**

CA-37-2019

Moved by Russell Horrocks, seconded by Allison Vilardi that the Committee of Adjustment Meeting Minutes dated June 18th, 2019 be adopted.

CARRIED

D. HEARINGS

1. B/12/19 – 2400 GRAHAM SIDE ROAD – JD MARKETING (LEAMINGTON) INC.

Town Planner, George Robinson introduced the Consent application and reviewed his report dated, August 5th, 2019 which provides details regarding the requested consent to sever and convey lands from an existing agricultural parcel (2400 Graham Side Road), as lot addition to an abutting agricultural property, known as 1233 Road 4 E, in the Town of Kingsville.

The subject property is a 15.95 ha (39.4 ac.) agricultural parcel with an existing warehouse and distribution centre for agricultural produce. In 2015 the lands were actually two separate parcels and were the subject of a lot addition. The end result was a lot for the distribution centre (Parts 2, 3 and 5) with the balance vacant farm land (Retained Parcel Parts 1 and 6) The owner is now proposing to convey or sale Parts 1 and 6 to the abutting farm at 1233 Road 4 E. Unfortunately because parts 1 and 6 were classified as the retained lands from the 2015 severance they cannot be separately conveyed without consent (severance).

- Parts 1 and 6 (the severed) – are to be conveyed to the abutting parcel to the north: Area of 11.55 ha (28.5 ac.), Frontage of 30.48 m (100 ft.);
- Parts 2, 3 and 5 – will remain as the retained parcel: Area of 4.3 ha (10.65 ac.), Frontage 70.6 m (231.7 ft.).

The applicant, Steve Macchio was in attendance.

Chairperson, T. Neufeld asked if there were any comments or questions from the committee, applicant or the public.

Committee Member G. Queen, asked if the conditions been reviewed with the applicant. Town Planner G. Robinson confirmed that the applicant received a copy of the report prior to the meeting, and is aware and in agreement with the conditions.

Chairperson, T. Neufeld confirmed there were no other comments or questions from the committee, applicant or the public.

CA-38-2019

Moved by Allison Vilardi, seconded by Gord Queen that Consent application B / 12 / 19 to sever and convey Parts 1 and 6, on Plan 12 R 26228, being 11.552 ha (28.55 ac.) in



COMMITTEE MINUTES

area, from the subject parcel (P.I.N. 75145-0298) to an abutting parcel, known as 1233 Road 4 E (P.I.N. 75145-0248) as a lot addition, in the Town of Kingsville, be **Approved** subject to the following conditions;

1. That the lot addition to be severed, shown on the applicant's sketch as Parts 1 and 6, be conveyed to the owner of the abutting parcel (1233 Road 4 E) and Section 50(3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
2. That a reference plan be deposited in the registry office, ***both an electronic and paper*** copy of the registered plan is to be provided for the files of the Secretary-Treasurer.
3. That the deeds, such plan of survey or reference plan, for property lines being newly created, shall be in accordance with the existing zoning requirements for the municipality.
4. That the owner shall provide that all municipal taxes be paid in full.
5. That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds.
6. That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or the Municipal Act be paid in full.
7. An easement in favour of Bell Canada shall be registered on 2400 Graham Side Road (P.I.N. 75145-0297) to protect infrastructure to the satisfaction of the Secretary-Treasurer.
8. That the necessary deed(s), transfers or charges be **submitted in triplicate**; signed and fully executed (**no photocopies**), including a copy of the reference plan, prior to certification.
9. The conditions imposed above shall be fulfilled by **August 20, 2020** or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

CARRIED



COMMITTEE MINUTES

E. NEW AND UNFINISHED BUSINESS

1. **Town Planner, G. Robinson** — Resignation as Secretary Treasurer. Appointment of Manager of Planning Services Mr. Robert Brown as the Secretary Treasurer.

CA-39-2019

Gord Queen second by Russell Horrocks to accept the resignation and appoint Manager of Planning Services Mr. R. Brown as the Secretary Treasurer.

CARRIED

2. **Thank you from Committee of Adjustment** – Committee Member G. Queen thanked Town Planner, Mr. G. Robinson for all of his hard work and knowledge. Mr. G. Robinson was a great asset to the Town and to the Committee of Adjustment.

F. NEXT MEETING DATE

The next meeting of the Committee of Adjustment shall take place on September 17th, 2019 at Council Chambers, 2021 Division Road North, Kingsville @ 6:00 p.m.

G. ADJOURNMENT

CA-40-2019

Moved by Gord Queen, seconded by Allison Vilardi to adjourn this Meeting at 6:07 p.m.

CARRIED



CHAIR, Thomas Neufeld



**SECRETARY TREASURER,
Robert Brown**