



COMMITTEE MINUTES

**COMMITTEE OF ADJUSTMENT
DECEMBER 22, 2020 @ 6:00 p.m.
ELECTRONIC PARTICIPATION – Via Zoom**

A. CALL TO ORDER

Chairperson Thomas Neufeld called the Meeting to order at 6:04 p.m. with the following persons in virtual attendance:

MEMBERS OF COMMITTEE OF ADJUSTMENT:

Councillor Thomas Neufeld
Deputy Mayor Gord Queen
Allison Vilardi
Shannon Olson
Russell Horrocks

MEMBERS OF ADMINISTRATION:

Town Planner, Kristina Brcic
Administration, Stephanie Coussens

B. DISCLOSURE OF PECUNIARY INTEREST

Chairperson Thomas 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 NOVEMBER 17TH, 2020.

CA-54-2020

Moved by Gord Queen, seconded by Shannon Olson that the Committee of Adjustment Meeting Minutes dated November 17th, 2020 be adopted.

CARRIED

D. HEARINGS

1. B / 13 / 20 – VL County Rd 20 – Jakob BAKKER & Heather LANE

Town Planner, Kristina Brcic introduced the Consent application and reviewed her report dated, December 14th, 2020 which provides details regarding the requested consent to sever and convey a portion of land as a lot addition, from 1321 County Rd 20 to an abutting parcel at 1301 County Rd 20, in the Town of Kingsville.

The subject land (receiving lot) is a 3,723.1 sq. m (40,075.2 sq. ft.) vacant lot that is mostly comprised of natural heritage feature. The prospective purchasers would like to build a house on the property however they would like to avoid disturbance to the wooded area as much as possible. Therefore, they would like to add 756.8 sq. m (8,145.7 sq. ft.) of vacant land from the neighbouring lands to the west, which is not designated as heritage feature. This land would be used for their driveway access and potential building area for accessory structures. Additionally, the applicants have conducted the necessary Species at Risk SAR review and received clearance from ERCA for their proposed development within an approved buildable area. Both the lot addition lands and receiving lands are of the same Official Plan designation however the zoning is not. The subject property is zoned 'Agriculture Restricted Zone Exception 1 (A2-1)' which prohibits the construction of dwellings. Meanwhile the receiving lands are zoned 'Agriculture (A1)' which would permit the construction of a residential dwelling.

The applicants Jakob Bakker and Heather Lane were in attendance.

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

Committee member Gord Queen asked if any correspondence had been received from the neighbouring property owners. Town Planner, Kristina Brcic confirmed no correspondence had been received to date.

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

CA-55-2020

Moved by Gord Queen, seconded by Allison Vilardi that Consent application B/13/20 to sever and convey a portions of land, shown as Part 1 on the Applicant's Sketch, from the lands known as 1321 County Rd 20, to an abutting parcel, known as 1301 County Rd 20 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 Part 1, be conveyed to the owner of the abutting parcel (1301 County Rd 20 (P.I.N. 75185-10643) and Section 50 (3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcels of land that are 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. 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.
8. That any necessary drainage reapportionments be undertaken.
9. The conditions imposed above shall be fulfilled by **December 22, 2021** or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

CARRIED

E. NEW AND UNFINISHED BUSINESS

Option to have agendas delivered digitally (Dropbox) or continue with hardcopy binders.

Committee members would prefer to continue to receive the committee binders in hard copy.

F. NEXT MEETING DATE

The next meeting of the Committee of Adjustment shall take place on February 16th, 2021 at The Council Chambers, 2021 Division Road North, Kingsville @ 6:00 p.m.

G. ADJOURNMENT

CA-56-2020

Moved by Russell Horrocks, seconded by Shannon Olson to adjourn this Meeting at 6:15 p.m.

CARRIED

CHAIR, Thomas Neufeld

**SECRETARY TREASURER,
Kristina Brcic**