



COMMITTEE MINUTES

COMMITTEE OF ADJUSTMENT JUNE 22, 2021 @ 6:00 p.m. ELECTRONIC PARTICIPATION – Via Zoom

A. CALL TO ORDER

Chairperson Thomas Neufeld called the Meeting to order at 6:01 p.m. with the following persons in virtual attendance:

MEMBERS OF COMMITTEE OF ADJUSTMENT:

Councillor Thomas Neufeld
Deputy Mayor Gord Queen
Shannon Olson
Russell Horrocks

MEMBERS OF ADMINISTRATION:

Town Planner, Kristina Brcic
Administration, Stephanie Coussens

ABSENT: Allison Vilardi

B. DISCLOSURE OF PECUNIARY INTEREST

Chairperson Thomas Neufeld reminded the Committee that any declaration is to be made prior to each item 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 MAY 18TH, 2021.**

CA-29-2021

Moved by Russell Horrocks, seconded by Shannon Olson that the Committee of Adjustment Meeting Minutes dated May 18th, 2021 be adopted.

CARRIED

D. HEARINGS

1. **A / 07 / 21 – Alexander ORTON-MEUNIER – 330 County Rd 27 E**

Town Planner, Kristina Brcic introduced the Minor Variance application and reviewed her report dated, June 14th, 2021 which provides details regarding the requested minor variance to increase

the accessory structure height to allow for the construction of a pole barn on lands known as 330 County Rd 27 E, in the Town of Kingsville.

The Town of Kingsville has received the above-noted application for lands located on the east side of County Rd 27 E, north of Road 10, as shown on the location map in Appendix A. The subject property is designated 'Agriculture' by the Official Plan and zoned 'Agriculture (A1)' by the Comprehensive Zoning By-law.

The subject land is a 0.6 ha (1.4 ac.) rural residential lot with a single detached dwelling. The applicant would like to build a new pole barn in the rear yard, as shown on the applicant's sketch in Appendix B. The applicant is seeking a 1 m (3.3 ft.) variance to increase the height of the pole barn to 6 m (19.7 ft.), in order to accommodate the storage requirements of the owner. Therefore, relief is being requested from Section 4.2 h) (Accessory Buildings and Structures) of the Town of Kingsville Zoning By-law where the maximum permitted height is 5 m (16.4 ft.). All other zone performance standards shall be met in accordance with the applicant's drawings.

The applicant Alexander Orton-Meunier was in attendance.

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

Chairperson, Thomas Neufeld asked the applicant what he plans to store in the building. Mr. Orton-Meunier explained he requires the additional height to store his recreational / camping trailer.

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

CA-30-2021

Moved by Gord Queen, seconded by Russell Horrocks that Minor Variance application A/07/21 pertaining to the lands known as 330 County Rd 27 to increase the maximum accessory building height from 5m (16.4 ft.) to 6 m (19.7 ft.) for the construction of a new pole barn, in the Town of Kingsville; be **APPROVED**, subject to the following:

- i. that any new construction complies with all other applicable provisions of the By-law.
- ii. that any new construction complies with the Ontario Building Code.

CARRIED

2. B / 12 / 21 – 1552843 Ontario Limited / Noah Homes – VL Jasperson Dr

Town Planner, Kristina Brcic introduced the Consent application and reviewed her report dated, June 14th, 2021 which provides details regarding the requested consent to re-establish a lot at VL Jasperson Dr., in the Town of Kingsville.

The Town of Kingsville has received the above-noted application for lands located on the east side of Jasperson Dr, at the intersection with Peachwood Dr. The portion of the subject parcel to be severed is designated 'Residential' while the retained is 'Agriculture' in the Official Plan. The portion of the parcel to be severed is zoned 'Residential Zone 2 Urban Exception 13 Holding

(R2.1-13 (h))' the portion to be retained is zoned 'Agriculture Exception 25 Holding (A1-25 (h))' under the Kingsville Comprehensive Zoning By-law.

The parcel is a 17.9 ha (44.3 ac.) vacant lot which appears to be made up of two lots which have merged by way of ownership. The applicant is pursuing a severance of the lands designated 'Residential' with 209.3 m (686.5 ft.) of frontage along Jasperson Dr and approximately 6.0 ha (14.9 ac.) in area. The retained lands will maintain approximately 217 m (711.9 ft.) of frontage on Kratz Sd Rd and 11.9 ha (29.4 ac.) in area. The current zoning of the subject lands will remain unchanged. The severed parcel does have an approved draft plan of subdivision however a development agreement is not yet in place. The retained lands are outside the Kingsville Settlement Area and as such there are no current plans in place to develop the parcel.

The applicant's agent, Robert Molliconi was in attendance.

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

Deputy Mayor Queen, referenced the holding symbol on the property and asked the Town Planner to explain further. Town Planner, Kristina Brcic explained that the holding symbol prohibits development on the property. Building Permits would not be issued on this property until the requirements of the holding provision are fulfilled followed by an application would come to council to remove the holding symbol.

Simon Yared, the applicant's solicitor spoke to the history of the property, noting that prior to the transfer of land to the school board a consent was granted on this property, that transfer broke the consent. This is a technical consent.

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

CA-31-2021

Moved by Russell Horrocks, seconded by Shannon Olson that Consent application B/12/21 to sever a lot, shown as Part 1 on the Applicants' Sketch, known as VL Jasperson Dr., Part of Lot 3, Concession 1 ED, Parts 1, 2 & 3, 12 R-25459, in the Town of Kingsville; be **APPROVED**, subject to the following conditions:

1. That a plan of survey be prepared or a reference plan deposited in the registry office, ***both an electronic and paper*** copy of either to be provided to the Town for the files of the Secretary-Treasurer.
2. 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 including satisfactory proof as to compliance of the location of all buildings on the subject lands either by way of a plan showing the location of all buildings located thereon, or a certificate from a qualified surveyor indicating the location and sizes of all buildings on the said lands and/or favourable minor variances shall have been processed for any non-compliances.

3. That the owner shall provide that all municipal taxes be paid in full and that necessary apportionments of storm drainage be established pursuant to the provisions of the Local Improvement Act and/or the Municipal Act.
4. 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.
5. The conditions imposed above shall be fulfilled by **June 22, 2022** for this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.

CARRIED

E. NEW AND UNFINISHED BUSINESS

F. NEXT MEETING DATE

The next meeting of the Committee of Adjustment shall take place on July 20th, 2021 via Zoom at 6:00 p.m.

G. ADJOURNMENT

CA-32-2021

Moved by Queen, seconded by Shannon Olson to adjourn this Meeting at 6:17 p.m.

CARRIED

CHAIR, Thomas Neufeld

**SECRETARY TREASURER,
Kristina Brcic**