



# COMMITTEE MINUTES

## COMMITTEE OF ADJUSTMENT & APPEALS OCTOBER 19, 2021 @ 6:00 p.m. ELECTRONIC PARTICIPATION – Via Zoom

### A. CALL TO ORDER

Chairperson Thomas Neufeld called the Meeting to order at 6:07 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:

Manager of Planning Services, Robert Brown  
Deputy Clerk, Roberta Baines

Absent: Kristina Brcic, Town Planner

### 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 SEPTEMBER 21, 2021.

**CA-49-2021**

Moved by Gord Queen, seconded by Allison Vilardi that the Committee of Adjustment Meeting Minutes dated September 21, 2021 be adopted.

**CARRIED**

### D. HEARINGS

#### 1. A / 10 / 21 – 738 Dix Alley – Abe FRIESEN and John FRIESEN

Manager of Planning, Robert Brown introduced the Minor Variance application and reviewed the report dated, October 10<sup>th</sup>, 2021 which provides details regarding the requested minor variance to decrease the front yard setback to allow construction of a new single detached dwelling on lands known as 738 Dix Alley, in the Town of Kingsville.

The Town of Kingsville has received the above-noted application for lands located on the northeast corner of Dix Alley and Heritage Rd (County Rd 50). The subject property is designated 'Lakeshore Residential West' by the Official Plan, and zoned 'Lakeshore Residential (LR)' under the Kingsville Comprehensive Zoning By-law.

The subject land is a 371.89 sq. m (4,003 sq. ft.) residential lot with an existing shed on the property. The applicants would like to build a single family dwelling on the property (see Applicant's Site Plan). Due to the shallow and long, irregular shaped lot, the applicants propose to build a long house parallel with Heritage Rd. As a result, the owner is requesting a minor variance to reduce the front yard setback (Dix Alley) from 6 m (20 ft.) to 4.1 m (13.5 ft.). All other zone performance standards appear to be met.

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

Resident Leah Read of 541 Heritage Road, was in attendance and expressed concern related to the driveway on Heritage and whether there would still be a parking spot should the County decide to pave the shoulders for a multi use pathway. Her concern was that Heritage is a busy road with lots of traffic and would like to see a paved shoulder to ensure the safety of walkers and bicyclists.

Chairperson, Thomas Neufeld explained that land would have to be expropriated for a multi use pathway and that residents had already expressed opposition to that idea.

Committee member, Allison Vilardi inquired on what would be the public's avenue to voice complaints regarding safety should this application be passed. Ms. Vilardi indicated that previous concerns were received from residents regarding the garage being so close to the road and possible safety issues. Mr. Brown stated that any concerns received will be forwarded to the County for consideration.

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

### **CA-50-2021**

Moved by Gord Queen, seconded by Russell Horrocks that Minor Variance application A/10/21 pertaining to the lands known as 738 Dix Alley to reduce the minimum required front yard setback from 6 m (20 ft.) to 4.1 m (13.5 ft.); 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;
- iii. That the owner(s) obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

**CARRIED**

**E. NEW AND UNFINISHED BUSINESS**

**F. NEXT MEETING DATE**

The next meeting of the Committee of Adjustment shall take place on November 16<sup>th</sup>, 2021, via Zoom at 6:00 p.m.

**G. ADJOURNMENT**

**CA-51-2021**

Moved by Shannon Olsen, seconded by Gord Queen to adjourn this Meeting at 6:19 p.m.

**CARRIED**

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**CHAIR, Thomas Neufeld**

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**SECRETARY TREASURER,  
Kristina Brcic**