



COMMITTEE MINUTES

Committee of Adjustment & Appeals

April 18th, 2023, 6:00 p.m.

Town Hall, Council Chambers

2021 Division Road North

A. Call to Order

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

MEMBERS OF COMMITTEE OF ADJUSTMENT:

Councillor Thomas Neufeld
Sandra Zwiers
Nicole Hackett-Winkels
Gord Queen
Russell Horrocks

MEMBERS OF ADMINISTRATION:

George Robinson, Manager of Planning
Sarah Campbell, Planner
Angelina Pannunzio, Recording Secretary

B. Disclosure of Pecuniary Interest

Chairperson Gord Queen 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

Adoption of Committee of Adjustment & Appeals Meeting Minutes, dated March 21st, 2023

CA-16-2023

Moved by Russell Horrocks, seconded by Sandra Zwiers, that the Committee of Adjustment & Appeals Meeting Minutes dated March 21st, 2023, be adopted.

CARRIED

D. Hearings

1. B-2023-6 – Lot Addition – Ian Daniel Barr – 101 & 93 Chelsea Crescent

Sarah Campbell, Planner, introduced the Consent application, and reviewed the report dated March 13, 2023, which provides details regarding the requested consent to sever the lot for the purpose of a boundary adjustment, for lands known as 101 & 93 Chelsea Crescent, in the Town of Kingsville.

The lands are located on the south side of County Road 50, east of County Road 23. The subject properties are designated 'Lakeshore Residential West' by the Official Plan and zoned 'Lakeshore Residential (LR)' under the Kingsville Comprehensive Zoning By-law.

The subject application relates to two separate parcels: 101 Chelsea Crescent, which contains a single detached dwelling, detached garage, and an accessory structure and 93 Chelsea Crescent, which is a vacant residential parcel with a proposed single detached dwelling. The applicant is requesting a consent to fix a boundary adjustment to include the detached accessory structure with 101 Chelsea Crescent. The applicant's sketch shows the new lot line adjustment and their separate boundaries. The post-severance lot area of 93 Chelsea is 508.82 m² (5,476.89 ft²), with a lot frontage of 11.190 m (36.71 ft.). The post-severance lot area of 101 Chelsea is 730.35 m² (7,861.42 ft²), with a lot frontage of 20.378 m (66.85 ft.).

Chairperson, Gord Queen, noted the applicant was not present, nor members of the public, and asked if there were any comments or questions from the Committee.

Chairperson, Gord Queen, confirmed there were no comments or questions from the Committee.

CA-17-2023

Moved by Councillor Thomas Neufeld, seconded by Nicole Hackett-Winkels, that Consent application B-2023-6 for the purpose of a lot-line adjustment, shown on the Applicant's Sketch, for the lands known as 101 & 93 Chelsea Crescent, PLAN 1051 LOT 26 TO 27 PT LOT 25 & PLAN 1051 LOT 28 in the Town of Kingsville, be APPROVED, subject to the following conditions:

- a) That a plan of survey be prepared, or a reference plan deposited in the registry office, **both an electronic and paper** copy be provided to the Town for the files of the Secretary-Treasurer.*
- b) 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 favorable minor variances shall have been processed for any non-compliances.

- c) 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.*
- d) 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.*
- e) The conditions imposed above shall be fulfilled by **April 18th, 2025**, or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.*

CARRIED

2. B-2023-4 – Lot Creation – W Homes Inc. – 74 Jasperson Drive

Sarah Campbell, Planner, introduced the application and reviewed the report dated March 29, 2023, which provides details regarding a requested consent for the creation of two new lots for lands known as 74 Jasperson Drive, in the Town of Kingsville.

The lands are located on the East side of Jasperson Drive, North of the intersection with Applewood Road. The subject parcel is designated 'Residential' by the Official Plan and is partially zoned 'Residential Zone 1 Urban (R1.1)' and Residential Zone 2 Urban (R2.1) under the Kingsville Comprehensive Zoning By-law. The applicant recently went through a Zoning By-Law amendment for the North portion of the lot to Residential Zone 2 Urban (R2.1) to permit a semi-detached dwelling.

The total subject site is 2,101.5 m² (22,619.9 ft².) in area with a 39.6 m (130 ft.) frontage along Jasperson Drive. The applicant is requesting to create a new parcel for a semi-detached dwelling. The proposed severed parcels are shown as Part 2 and Part 3 on the applicant's sketch, with the existing dwelling on the retained land as Part 1. Part 2 will have an area of 533.4 m² (5,742 ft²) and a frontage of 10.1 m (33 ft.), while part 3 will have an area of 533.4 m² (5,742 ft²) and a frontage of 10.1 m (33 ft.). Parts 2 and 3 combined have an area of 1,066.89 m² (11,483.91 ft²) and a frontage of 20.12 m (66 ft.). The retained land, Part 1, will have an area of 1,034.5 m²

(11,135.9 ft²) and a frontage of 19.5 m (64 ft.). All zoning complies with the proposed lot creation and retained parcel.

The applicant's agent, Tracey Pillon-Abbs, was in virtual attendance.

Chairperson, Gord Queen, asked if there were any comments or questions from the Committee or the applicant's agent.

Committee Member Russell Horrocks mentioned a revised version of the Planner's report for this application was provided to the Committee prior to the meeting, and requested confirmation that the decision would be reflective of the revisions.

Recording Secretary, Angelina Pannunzio, confirmed the decision would relate to the revisions in the Planner's report.

Chairperson, Gord Queen, confirmed there were no other comments or questions from the Committee, nor the applicant's agent.

CA-18-2023

Moved by Russell Horrocks, seconded by Councillor Thomas Neufeld, that Consent application B-2023-4 to create two (2) lots, shown as Parts 2 and 3 on the Applicant's Sketch, be APPROVED, subject to the following conditions:

- a) That a plan of survey be prepared, or a reference plan deposited in the registry office, both an electronic and paper copy of to be provided to the Town for the files of the Secretary-Treasurer.*
- b) 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;*
- c) 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;*
- d) 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;*

- e) That the applicants pay for and install a new water service to the severed parcel;*
- f) That the applicants pay for and install a new sanitary service connection to the severed parcel;*
- g) That the applicants demonstrate that the existing municipal services remain aligned with the frontage of the parcel to be severed;*
- h) That the applicant obtain a permit for the installation for a new access;*
- i) That the applicant obtain a new municipal address for the severed parcel;*
- j) A park fee of \$1,500.00 per lot is paid to the municipality for the creation of the new lot prior to certification.*
- k) The applicant will be required to fund reconstruction of roadway to current standard. The applicant shall remit a \$20,000.00 deposit to be held until such time as the underground work is complete and all restorations completed to the Town's satisfaction.*
- l) The conditions imposed above shall be fulfilled by April 18, 2025, or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.*

CARRIED

E. Next Meeting Date

The next meeting of the Committee of Adjustment & Appeals shall take place May 16, 2023 at 6:00 p.m.

F. Adjournment

CA-19-2023

Moved by Sandra Zwiers, seconded by Nicole Hackett-Winkels, to adjourn this meeting at 6:11 p.m.

CARRIED

CHAIR, Gord Queen

**SECRETARY TREASURER,
Sarah Campbell**