



COMMITTEE MINUTES

**Committee of Adjustment & Appeals
August 15, 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
Nicole Hackett
Gord Queen
Russell Horrocks
Absent with regrets: Sandra Zwiers

MEMBERS OF ADMINISTRATION:

George Robinson, Manager of Planning
Vitra Chodha, 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 July 18th, 2023

CA-37-2023

Moved by Councillor Thomas Neufeld, seconded by Russell Horrocks, that the Committee of Adjustment & Appeals Meeting Minutes dated July 18th, 2023, be adopted.

CARRIED

D. Committee of Adjustment & Appeals - Hearings

1. A-2023-7 – Minor Variance – 412 County Road 34 West

George Robinson, Manager of Planning, introduced the minor variance application, and reviewed the report dated August 15, 2023, which provides details regarding a request to allow relief from the maximum height limit for an accessory structure, in the Town of Kingsville.

The subject land is located on the north side of County Road 34 West, west of Cameron Side Road East. The subject property is designated 'Rural Residential' in the Official Plan and zoned 'Rural Residential (RR)' under the Kingsville Comprehensive Zoning By-Law.

The subject land is a residential lot with an area of 4,136.6 square metres (1.02 acres). A single detached dwelling exists on the property, and the applicant has proposed the construction of a detached garage. Detached garages are subject to 'Section 4.2 Accessory Buildings and Structures' in the Kingsville Comprehensive Zoning By-Law (1-2014), which states:

- h) Accessory buildings and structures shall not exceed the following heights:*
 - i) in all residential zones or lots with a total area of less than 2 ha where the accessory building does not contain a dwelling – 5m (16.4 ft.)*

The applicant is requesting a minor variance to exceed the maximum height by 0.26 metres (1 foot), for a total maximum height of 5.26 metres (17.25 feet). All other zoning regulations are proposed to be met.

The applicant, Sean Statham, was in attendance.

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

Committee Member, Russell Horrocks, noted historically, there have been additional requests for height variances, and questioned whether the Town's zoning by-laws are out-of-date and require review or revision.

George Robinson, Manager of Planning, stated the Planning Department had recommended to Council to increase the height restrictions within Section 4.2 of the Town's Comprehensive Zoning By-Laws, being a by-law to regulate Accessory Buildings and Structures, however, Council had denied the recommendation. He added that the current by-law for Accessory Structures which do not contain an Additional Dwelling Unit (ADU), the maximum allowable height, is 5 metres (16.4 feet), and those that do contain an ADU, the maximum allowable height is 6.5 metres (21.3 feet). Mr. Robinson confirmed the applicant's plans do not contain an ADU, and as such, the height restriction is 5 metres (16.4 feet).

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

CA-38-2023

Moved by Councillor Thomas Neufeld, seconded by Nicole Hackett, that minor variance application A-2023-7 be APPROVED, to grant relief from the maximum height limit for an accessory structure, allowing for a 5.26 metre (17.25 feet) height instead of 5 metre (16.40 feet) as per the Kingsville Comprehensive Zoning By-law (1-2014), in the Town of Kingsville.

CARRIED

E. New and Unfinished Business

George Robinson, Manager of Planning, introduced Vitra Chodha as the new Planner for the Town of Kingsville.

Mr. Robinson requested a motion from the Committee to appoint Mrs. Chodha as an additional Secretary Treasurer for the Committee of Adjustment and Appeals for the Town of Kingsville.

CA-39-2023

Moved by Russell Horrocks, seconded by Nicole Hackett, that Vitra Chodha be appointed as an additional Secretary Treasurer for the Committee of Adjustment and Appeals for the Town of Kingsville.

CARRIED

F. Next Meeting Date

The next meeting of the Committee of Adjustment & Appeals shall take place September 19th, 2023 at 6:00 p.m.

G. Adjournment

CA-40-2023

Moved by Councillor Thomas Neufeld, seconded by Russell Horrocks, to adjourn this meeting at 6:05 p.m.

CARRIED

CHAIR, Gord Queen

**SECRETARY TREASURER,
Vitra Chodha**