



# COMMITTEE MINUTES

**Committee of Adjustment & Appeals  
December 19, 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

### **MEMBERS OF ADMINISTRATION:**

Margaret Schroeder, Acting Clerk  
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 items being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

**CARRIED**

## **C. New Business**

Margaret Schroeder, Acting Clerk, advised the Committee that the Town's Code of Conduct Policy for Council, Committees, and Local Boards was amended on October 10, 2023. Ms. Schroeder provided an overview of the amendments with Committee members, which includes expectations for Town Council and Committees concerning integrity, confidentiality, and having the understanding that members are representative of the Town and should act with dignity. Ms. Schroeder advised that the Town has retained an integrity commissioner who will be available to address questions and concerns. She added that the Committee should complete and submit the form to acknowledge their understanding of the policy by mid-February 2024.

## **D. Minutes of the Previous Meeting**

Adoption of Committee of Adjustment & Appeals Meeting Minutes, dated November 21<sup>st</sup>, 2023

### **CA-61-2023**

*Moved by Russell Horrocks, seconded by Councillor Thomas Neufeld, that the Committee of Adjustment & Appeals Meeting Minutes dated November 21<sup>st</sup>, 2023, be adopted.*

**CARRIED**

## **E. Committee of Adjustment & Appeals – Hearings**

### **1. B-2023-18 – 1117 & 1135 Road 2 East – Lot Addition**

Vitra Chodha, Planner, introduced the consent application and reviewed the report dated December 19, 2023, which provides details regarding lands located east of Graham Side Road and south of Road 2 East. The subject property is designated 'Agricultural' by the Official Plan and zoned 'Agricultural (A1)' under the Kingsville Comprehensive Zoning By-law.

1117 Road 2 East has a total area of 0.35 acres (15,246 square feet), with approximately 25.91 metres (85.0 feet) of frontage. The lot has an existing house and two accessory structures. 1135 Road 2 East has a total area of 1.2 acres (52,272 sq. ft.) with approximately 114.5 m (375.66 feet) of frontage. The lot has an existing house and three accessory structures. The applicant is requesting to sever the lot for the purpose of a lot-line adjustment to add 0.217 hectares (23,522.4 square feet) from 1135 Road 2 East to 1117 Road 2 East. The intent is to merge the severed lands from 1135 Road 2 East that are land locked to 1117 Road 2 East. The proposed lot line adjustment does not result in any zoning infringement. All zoning requirements are met.

The applicant, BJ Van Kempen, was in attendance.

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

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

**CA-62-2023**

Moved by Councillor Thomas Neufeld, seconded by Nicole Hackett, that consent application B-2023-18, for the purpose of a lot-line adjustment for the lands known as 1117 & 1135 Road 2 East, CON 1 ED PT Lot 7, 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 applicant must confirm that all servicing on the severed and retained lots are maintained on the respective lot.
- f) The conditions imposed above shall be fulfilled by **December 19<sup>th</sup>, 2025**, or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.

**CARRIED**

## **2. A-2023-15 – 11 Queen Street – Minor Variance**

Vitra Chodha, Planner, introduced the minor variance application, and reviewed the report dated December 19, 2023, which provides details regarding a request for lands located south of Main Street and west of Queen Street. The subject property is designated 'Central Commercial' by the Official Plan and zoned 'Central Commercial (C2)' under the Kingsville Comprehensive Zoning By-law.

The subject land is a commercial lot with an area of 198 square metres (6,993 square feet) containing a residential dwelling and an accessory building. The applicant is proposing a covered porch with a width of 2 metres (6.6 feet) wrapping around the front and partially into the western side yard of the existing residential dwelling. The owner is requesting a minor variance for relief from the front-yard setback requirement for an enclosed porch, from 3.0 metres (9.8 feet) to 1.67 metres (5.5 feet). All other zoning by-law requirements are proposed to be met

The applicant, David Cabral, was not in attendance.

Chairperson, Gord Queen noted there were no audience members present at this time, and asked if there were any comments or questions from the Committee.

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

### **CA-63-2023**

*Moved by Russell Horrocks, seconded by Nicole Hackett, that minor variance application A-2023-15, to allow relief from the regulations for covered and unenclosed porches, allowing for a 1.67 metre (5.5 feet) front-yard setback, instead of 3.0 metre (9.8 feet) as per the Kingsville Comprehensive Zoning By-law (1-2014) be APPROVED.*

**CARRIED**

## **F. Next Meeting Date**

The next meeting of the Committee of Adjustment & Appeals shall take place January 16, 2024 at 6:00 p.m. at the Unico Community Centre.

## **G. Adjournment**

**CA-64-2023**

*Moved by Councillor Thomas Neufeld, seconded by Russell Horrocks, to adjourn this meeting at 6:15 p.m.*

**CARRIED**

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**CHAIR, Gord Queen**

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**SECRETARY TREASURER,  
Vitra Chodha**