



The Corporation of the Town of Kingsville

Minutes of the Committee of Adjustment and Appeals of the Town of Kingsville

Tuesday, November 19, 2024

6:00 p.m.

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

Members Present:

Thomas Neufeld, Councillor

Russell Horrocks

Nicole Hackett

Phil Caruana

Ed Cornies

Administration Present:

Colin Kelly, Town Planner

Lu-Ann Marentette, Drainage Superintendent

Kyla Ferguson, By-law Enforcement Officer

Angelina Pannunzio, Office Support

Natalie Sharp, Deputy Clerk

Matthew Ducharme, Recording Secretary

A. Call to Order

The Vice-Chair called the meeting to order at 6:00 p.m.

B. Disclosures of Pecuniary Interest

The Vice-Chair asked members if there were any disclosures of pecuniary interest. None were noted.

C. Election of Chair

1. Call for Nominations

Matthew Ducharme, Recording Secretary, called for nominations for the position of Chair of the Committee of Adjustment & Appeals.

Russell Horrocks nominated Nicole Hackett for this position of Chair of the Committee of Adjustment and Appeals.

No other nominations were received.

Nicole Hackett accepted the nomination for the position of Chair of the Committee of Adjustment and Appeals.

2. Appointment

CA-53-2024

Moved By: Phil Caruana

Seconded By: Thomas Neufeld, Councillor

That Nicole Hackett **BE APPOINTED** Chair of the Committee of Adjustment and Appeals.

Carried

The Vice-Chair relinquished the Chair to Nicole Hackett, who then assumed her role as Chair.

D. Adoption of Minutes

1. August 20, 2024

CA-54-2024

Moved By: Russell Horrocks

Seconded By: Thomas Neufeld, Councillor

That the Minutes of the Committee of Adjustment and Appeals meeting dated August 20, 2024, **BE ADOPTED** as presented.

Carried

2. October 15, 2024

CA-55-2024

Moved By: Russell Horrocks

Seconded By: Phil Caruana

That the Minutes of the Committee of Adjustment and Appeals meeting dated October 15, 2024, **BE ADOPTED** as presented.

Carried

E. Committee of Adjustment Hearings

1. Informational Reports

- a. Housekeeping Comprehensive Zoning By-law Amendment for Accessory Structure Height

Colin Kelly, Town Planner, presented the proposed Housekeeping Comprehensive Zoning By-law Amendment for informational purposes.

2. Requests for Withdrawal or Deferral

The Chair noted that Item E-3-A on the agenda (Application for Consent & Minor Variance B-2024-19 & A-2024-9) will not be heard this evening as the applicant has requested the application be deferred.

3. Current Applications

- a. B-2024-19 & A-2024-9 - Application for Consent & Minor Variance

This application has been deferred at the request of the applicant.

- b. B-2024-26 - Application for Consent

Colin Kelly, Town Planner, presented the application.

Sebastian Schmoranz, Solicitor for the Applicant, provided a brief explanation of the application.

CA-56-2024

Moved By: Thomas Neufeld, Councillor

Seconded By: Phil Caruana

That the Committee of Adjustment and Appeals **APPROVE** consent application B-2024-26 for the purpose of a technical severance to re-establish lot lines that merged on title, shown on the Applicant's Sketch, for the lands known as 438 and 452 County Road 20, in the Town of Kingsville, subject to the following conditions:

1. Prior to the consent being endorsed on the deeds, the property owner shall provide a registered 12R-Plan to the Municipality.
2. Prior to consent being endorsed on the deeds, the applicant must provide confirmation that no servicing crosses property boundaries.

3. That the necessary deed(s), transfer, or changes be submitted electronically, signed and fully executed, including a copy of the reference plan, prior to certification.
4. The conditions imposed above shall be fulfilled by **November 19, 2026**, or this application shall be deemed to be denied in accordance with Section 53(41) of the *Planning Act*.

Carried

F. Court of Revision

1. 7th Concession Road Drain - Bridge Replacement for Valenciuik
 - a. Engineer's Report

Lu-Ann Marentette, Drainage Superintendent, and Tony Peralta, N.J. Peralta Engineering Ltd., presented the report.
 - b. List of Appeals

None noted.
 - c. Deliberation and Decision

CA-57-2024

Moved By: Russell Horrocks
Seconded By: Thomas Neufeld, Councillor

That the Schedule of Assessment for the emergency access replacement over the 7th Concession Drain for Parcel Nos. 460-00701 and 460-00702, forming part of the Engineer's Report as prepared by N.J. Peralta Engineering Ltd. and dated July 19, 2024, **BE APPROVED** as presented.

Carried

2. Kunch Drain - New Entrance at 1284 Road 4 East
 - a. Engineer's Report

Lu-Ann Marentette, Drainage Superintendent, presented the report.
 - b. List of Appeals

None noted.

c. Deliberation and Decision

CA-58-2024

Moved By: Thomas Neufeld, Councillor

Seconded By: Phil Caruana

That the Schedule of Assessment for a new bridge over the Kunch Drain for Parcel No. 390-03502, forming part of the Engineer's Report as prepared by Rood Engineering Inc. and dated March 20, 2024, **BE APPROVED** as presented.

Carried

3. West Townline Drain (Upper) - New Access

a. Engineer's Report

Lu-Ann Marentette, Drainage Superintendent, presented the report.

b. List of Appeals

None noted.

c. Deliberation and Decision

CA-59-2024

Moved By: Russell Horrocks

Seconded By: Phil Caruana

That the Schedule of Assessment for the enclosure over the West Townline Drain (Upper) for Parcel No. 580-01006, forming part of the Engineer's Report as prepared by Rood Engineering Inc. and dated August 28, 2024, **BE APPROVED** as presented.

Carried

4. Irwin Drain - New Access

a. Engineer's Report

Lu-Ann Marentette, Drainage Superintendent, presented the report.

b. List of Appeals

None noted.

- c. Deliberation and Decision

CA-60-2024

Moved By: Phil Caruana

Seconded By: Ed Cornies

That the Schedule of Assessment for the enclosure over the Irwin Drain for Parcel No. 620-03300, forming part of the Engineer's Report as prepared by Rood Engineering Inc. and dated September 6, 2024, **BE APPROVED** as presented.

Carried

G. Property Standards Appeal Hearings

- 1. 4 Cameron Side Road West, Unit 3 - Bill Morrell
 - a. Order to Remedy Violation of Standards of Maintenance and Occupancy
 - b. Notice of Appeal
 - c. Notice of Hearing

Kyla Ferguson, By-law Enforcement Officer, appeared before the Committee to make submissions on behalf of the Town respecting the Order to Remedy.

Bill Morrell, Property Owner, appeared electronically to make submissions respecting the Order to Remedy.

CA-61-2024

Moved By: Russell Horrocks

Seconded By: Ed Cornies

That the time for complying with the Order to Remedy Violation of Standards of Maintenance and Occupancy issued to William Wyatt Morrell and Drake Alexander Wyatt Morrell, dated September 18, 2024, respecting the property municipally known as 4 Cameron Side Road West, Unit 3, **BE EXTENDED** to January 21, 2025, and that the appeal be brought back at the January 21, 2025, Meeting of the Committee of Adjustment and Appeals.

Carried

H. By-law Appeal Hearings

None at this time.

I. Next Meeting Date

The next regularly scheduled meeting of the Committee of Adjustment and Appeals is December 17, 2024, at 6:00 p.m. at the Unico Community Centre.

J. Adjournment

CA-62-2024

Moved By: Thomas Neufeld, Councillor

Seconded By: Phil Caruana

That the meeting be adjourned at 6:51 p.m.

Carried

Chair

Recording Secretary