



## **The Corporation of the Town of Kingsville**

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

Tuesday, December 17, 2024

6:00 p.m.

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

#### Members Present:

Nicole Hackett, Chair

Thomas Neufeld, Councillor

Phil Caruana

Ed Cornies

Russell Horrocks

#### Administration Present:

Vitra Chodha, Town Planner

Angelina Pannunzio, Office Support

Matthew Ducharme, Recording Secretary

#### **A. Call to Order**

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

#### **B. Disclosures of Pecuniary Interest**

The Chair asked members if there were any disclosures of pecuniary interest.

None were noted.

#### **C. Adoption of Minutes**

##### **CA-63-2024**

Moved By: Phil Caruana

Seconded By: Thomas Neufeld, Councillor

That the Minutes of the Committee of Adjustment and Appeals meeting dated November 19, 2024, **BE ADOPTED** as presented.

**Carried**

**D. Reports from Administration**

1. 2025 Meeting Schedule

**CA-64-2024**

Moved By: Russell Horrocks

Seconded By: Ed Cornies

That the 2025 Meeting Schedule of the Committee of Adjustment and Appeals **BE APPROVED** as presented.

**Carried**

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

**CA-65-2024**

Moved By: Thomas Neufeld, Councillor

Seconded By: Russell Horrocks

That the Committee of Adjustment and Appeals **RECOMMEND** to Council that Section 4.2 Accessory Buildings and Structures of the Comprehensive Zoning By-law 1-2014 **BE AMENDED** to read as follows:

**Section 4.2 h)**

*Accessory buildings and structures shall not exceed the following heights:*

- a. in residential *zones* within the primary and secondary settlement area – 5.8 m (19 ft.)
- b. in residential *zones* or lots under 2 ha that are outside the settlement area – 6.5 m (21.3 ft)

**Section 4.2 i)**

Notwithstanding any other provision of this by-law, the *maximum building height* for an *accessory building* which contains a *dwelling unit* is not to exceed 6.5 m (21.3 ft).

**Carried**

**E. Committee of Adjustment Hearings**

1. Requests for Withdrawal or Deferral

None noted.

## 2. Current Applications

### a. B-2024-28 & A-2024-10 - Application for Consent & Minor Variance

Vitra Chodha, Town Planner, presented the application.

The applicants, Charles and Rachel Grover, were present and available for questions from the members.

Written comments were received from the following individuals and read into the public record:

- Gary & Judy McFadden, 1481 Heritage Road
- Christine Stanson, 1485 Heritage Road
- Justyn & Sydney Fenos, 1486 Heritage Road

The following members of the public spoke to the application:

- Linda Martschenko, 1482 Heritage Road
- Justyn Fenos, 1486 Heritage Road

#### **CA-66-2024**

Moved By: Thomas Neufeld, Councillor

Seconded By: Phil Caruana

That the Committee of Adjustment and Appeals **APPROVE** consent application B-2024-28 for the purpose of a residential lot creation as shown on the Applicants' Sketch, for the lands known 1500 Heritage Road (County Road 50), in the Town of Kingsville, subject to the following conditions:

1. A plan of survey be prepared, or a reference plan deposited in the registry office, and an **electronic** copy be provided to the Town for the files of the Secretary-Treasurer.
2. Prior to consent being endorsed on the deeds, the property owners obtain a permit from the County of Essex for a new driveway access that is physically separated from the existing driveway access at 1500 Heritage Road, for the retained farm lot on County Road 23.
3. Prior to consent being endorsed on the deeds, the property owners must disconnect the existing water and sewer connection to the accessory building on the severed parcel

and reconnect through a separate connection to the satisfaction of the Town of Kingsville Building Department and the owner must obtain a building permit to undertake this work.

4. Prior to consent being endorsed on the deeds, the property owners are to execute an agreement for drainage apportionment due to lands severance approved by the Municipality for each parcel being severed and provide us with a lot grading plan. Drainage Apportionment Agreement Request, 12R plan and lot grading plan shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.
5. Prior to consent being endorsed on the deeds, the property owner must remove the overhang on the accessory structure and provide confirmation to the Town of Kingsville Planning department of the removal.
6. Prior to consent being endorsed on the deeds, the property owner must obtain an approved building permit to convert the accessory structure on the severed parcel into a primary residence and obtain any other planning approval that may be required as a result.
7. The conditions imposed above shall be fulfilled by **December 17, 2026**, or this application shall be deemed to be denied in accordance with Section 53(41) of the *Planning Act*.

And that the Committee of Adjustment and Appeals **APPROVE** minor variance application A-2024-10 to reduce the required lot frontage for the severed parcel, for the lands known as 1500 Heritage Road (County Road 50), in the Town of Kingsville from 24 m to 13.8 m.

**Carried**

**F. Court of Revision**

None at this time.

**G. Property Standards Appeal Hearings**

None at this time.

**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 January 21, 2025 at 6:00 p.m. at the Unico Community Centre.

**J. Adjournment**

**CA-67-2024**

Moved By: Phil Caruana

Seconded By: Thomas Neufeld, Councillor

That the meeting be adjourned at 6:24 p.m.

**Carried**

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Chair

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Recording Secretary