



The Corporation of the Town of Kingsville

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

Tuesday, October 21, 2025

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:

Allen Burgess, Manager of Planning

Vitra Chodha, Town Planner

Lu-Ann Marentette, Drainage Superintendent

Clare Janisse, Drainage Analyst

Angelina Pannunzio, Office Support

Natalie Sharp, Deputy Clerk

Matthew Ducharme, Recording Secretary

A. Call to Order

The Chair called the meeting to order at 5:30 p.m.

B. Closed Session

COAA-42-20251021

Moved By: Thomas Neufeld, Councillor

Seconded By: Ed Cornies

That the Committee of Adjustment and Appeals **enter** into Closed Session at 5:30 p.m. on October 21, 2025, pursuant to Section 239(3.1) of the Municipal Act, 2001, being educating or training members of the council, a local board or committee, to discuss the following item:

Item I - Court of Revision Procedure

Carried



COAA-43-20251021

Moved By: Thomas Neufeld, Councillor
Seconded By: Phil Caruana

That the Committee of Adjustment and Appeals **rise** from Closed Session at 5:45 p.m.

Carried

COAA-44-20251021

Moved By: Russell Horrocks
Seconded By: Ed Cornies

That the Committee of Adjustment and Appeals **resume** the open portion of its Regular Meeting at 6:00 p.m.

Carried

C. Disclosures of Pecuniary Interest

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

D. Adoption of Minutes

COAA-45-20251021

Moved By: Thomas Neufeld, Councillor
Seconded By: Phil Caruana

That the Minutes of the Committee of Adjustment and Appeals meeting dated August 19, 2025, **be adopted** as presented.

Carried

E. Appointments

COAA-46-20251021

Moved By: Russell Horrocks
Seconded By: Phil Caruana

That Vitra Chodha **be appointed** Secretary-Treasurer for the limited purpose of Committee of Adjustment applications and decisions in accordance with Section



44 of the Planning Act for the term of their employment with the Town of Kingsville or until a successor is appointed;

And that Allen Burgess and Richard Wyma **be appointed** Alternate Secretary-Treasurer for the term of their employment with the Town of Kingsville or until a successor is appointed;

And that all previous appointments of Secretary-Treasurer **be rescinded**.

Carried

F. Committee of Adjustment Hearings

1. Requests for Withdrawal or Deferral

None noted.

2. Current Applications

a. A-2025-09 - Application for Minor Variance

Vitra Chodha, Town Planner, presented the application.

COAA-47-20251021

Moved By: Thomas Neufeld, Councillor

Seconded By: Ed Cornies

That the Committee of Adjustment and Appeals **approve** Minor Variance Application A-2025-09, to permit a reduced interior side yard setback of 0.9 metres (3 feet) for a proposed detached garage at 11 O'Halloran Street, subject to the fulfillment of conditions associated with Consent Application B-2025-11.

Carried

b. B-2025-12 - Application for Consent

Vitra Chodha, Town Planner, presented the application.

COAA-48-20251021

Moved By: Phil Caruana

Seconded By: Russell Horrocks



That the Committee of Adjustment and Appeals **approve** Consent Application B-2025-12 for the purpose of a new residential lot creation, shown on the Applicant's Survey as Part 2, for the lands known as 667 County Road 20, subject to the following conditions:

1. That the following is provided to the satisfaction of the Town:
 - a. confirmation of connection to municipal water, municipal storm sewer and municipal sanitary sewer on severed vacant lot, to the satisfaction of the Town;
 - b. confirmation through lot grading plan that the stormwater management for both retained and severed lots are designed and maintained separately;
 - c. a registered 12R-Plan, be submitted to the Town in a digital format (.pdf and .dwg.); and
 - d. confirmation that all existing accessory structures on the severed vacant lot are removed and necessary demolition permits are obtained;
2. That the necessary deed(s), transfer documents, or applicable changes be submitted electronically, fully signed and executed, along with a copy of the reference plan, prior to final certification; and
3. The conditions imposed above shall be fulfilled by October 21, 2027, or this application shall be deemed to be denied in accordance with Section 53(41) of the *Planning Act*.

Carried

- c. B-2025-14 - Application for Consent

Vitra Chodha, Town Planner, presented the application.

The applicant was present and spoke to the application.

COAA-49-20251021

Moved By: Thomas Neufeld, Councillor

Seconded By: Phil Caruana



That the Committee of Adjustment and Appeals **approve** Consent Application B-2025-15 for the purpose of severing existing dwellings deemed surplus to the needs of the Applicant's farming operation on a 0.78 hectare (1.928 acre) lot shown as Parts 1 & 2 on the Applicant's Sketch, and establish a permanent access easement shown as Part 3 for a shared driveway between the retained and severed lots, known as 1520 Road 5 W, subject to the following conditions:

1. That the following be provided to the satisfaction of the Town:
 - a. private locates to confirm that municipal water services do not cross the proposed severed and retained lots;
 - b. a drainage assessment apportionment agreement;
 - c. a lot grading plan showing that the stormwater is retained separately on the retained and severed lot; and
 - d. a registered 12R-Plan, be submitted to the Town in a digital format (.pdf and .dwg.);
2. That the applicant registers an easement for mutual access over Part 2, and an easement for utilities over Part 3, if separate access is not completed, to the satisfaction of the Town;
3. That the necessary deed(s), transfer documents, or applicable changes be submitted electronically, fully signed and executed, along with a copy of the reference plan, prior to final certification; and
4. The conditions imposed above shall be fulfilled by October 21, 2027, or this application shall be deemed to be denied in accordance with Section 53(41) of the *Planning Act*.

Carried

G. Court of Revision

Matthew Ducharme, Recording Secretary, reminded members of the procedure for Court of Revision matters.



1. Extension of the Branch of the Smith Newman Drain

a. Engineer's Report

Lu-Ann Marentette, Drainage Superintendent, introduced this drainage work.

Shane Lafontaine, Engineer from RC Spencer Associates, presented the report.

b. List of Appeals

Matthew Ducharme, Recording Secretary, noted no appeals were received by the Clerk's Office before the sitting of the Court of Revision, however, in accordance with Section 52(4) of the Drainage Act, the Court of Revision has the discretion to hear "late" appeals, if they first pass a resolution to do so.

COAA-50-20251021

Moved By: Russell Horrocks

Seconded By: Phil Caruana

That the appeals introduced at the Court of Revision on October 21, 2025, for the Extension of the Branch of the Smith Newman Drain, **be heard** in accordance with Section 52(4) of the Drainage Act.

Carried

c. Deliberation and Decision

Diane Hislop, property owner of 137 County Road 34 East and 143 County Road 34 East, appealed the assessment for her properties on the grounds that the assessment is too high as she believes the proposed swale intended to benefit her properties is not required.

COAA-51-20251021

Moved By: Thomas Neufeld, Councillor

Seconded By: Phil Caruana

That the Committee of Adjustment and Appeals **enter** into Closed Session at 6:45 p.m. on October 21, 2025, pursuant to Section 239 of the Municipal Act, 2001, to discuss the following item:



Item I - Court of Revision Assessment Appeal (Diane Hislop) to be heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees.

Carried

COAA-52-20251021

Moved By: Russell Horrocks

Seconded By: Phil Caruana

That the Committee of Adjustment and Appeals **rise** from Closed Session at 6:54 p.m.

Carried

COAA-53-20251021

Moved By: Phil Caruana

Seconded By: Russell Horrocks

That the Committee of Adjustment and Appeals **resume** the open portion of its Regular Meeting at 6:55 p.m.

Carried

Matthew Ducharme, Recording Secretary, reported that during the Closed Session that Committee of Adjustment and Appeals, acting as the Court of Revision, passed the following resolution:

"That the appeal of Diane Hislop respecting the properties municipally known as 137 County Road 34 East and 143 County Road 34 East be dismissed as the technical aspects of the Engineer's Report are outside the jurisdiction of the Court of Revision."

COAA-54-20251021

Moved By: Thomas Neufeld, Councillor

Seconded By: Russell Horrocks

That the Schedule of Assessment for the Extension of the Branch of the Smith Newman Drain, forming part of the Engineer's Report as prepared by RC Spencer Associates Inc. and dated May 20, 2025, **be adopted** as presented.



Carried

H. Property Standards Appeal Hearings

None at this time.

I. By-law Appeal Hearings

None at this time.

J. Next Meeting Date

The next regularly scheduled meeting of the Committee of Adjustment and Appeals is November 18, 2025, at 6:00 p.m. at the Unico Community Centre.

K. Adjournment

COAA-55-20251021

Moved By: Russell Horrocks

Seconded By: Ed Cornies

That the meeting **be adjourned** at 6:56 p.m.

Carried

Chair

Recording Secretary