



MINUTES

COMMITTEE OF ADJUSTMENT MEETING

**TUESDAY MARCH 21ST, 2017 AT 6:00 P.M.
CORPORATION OF THE TOWN OF KINGSVILLE
COUNCIL CHAMBERS
2021 DIVISION RD N, KINGSVILLE, ONTARIO N9Y 2Y9**

A. CALL TO ORDER

Chairperson G. Queen called the meeting to order at 6:00 p.m. with the following Committee members in attendance:

Members of Committee of Adjustment	Members of Administration
<ul style="list-style-type: none"> • Deputy Mayor Gord Queen • Russell Horrocks • Allison Vilardi • Thomas Neufeld • Jim Gaffan Jr. 	<ul style="list-style-type: none"> • Manager of Planning & Development Services – Robert Brown • Town Planner – Kristina Brcic

B. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Chairperson G. Queen reminded Committee members to disclose any interest they may have prior to each agenda item being discussed.

C. ADOPTION OF COMMITTEE OF ADJUSTMENT MEETING MINUTES DATED TUESDAY, FEBRUARY 21ST, 2017.

CA - 15 - 2017

Moved by Jim Gaffan Jr., seconded by Thomas Neufeld the Committee of Adjustment Meeting Minutes dated February 21st, 2017 be adopted.

CARRIED

D. HEARINGS

1. A / 01 / 17 – Trevor & Kari SMITH – 19 Diane D Street

Town Planner, Kristina Brcic introduced the minor variance applications and reviewed her report dated March 8th, 2017 in which the property owners are requesting a minor variance to construct a porch on an existing dwelling located at 19 Diane D Street, in the Town of Kingsville.

The subject property currently contains a single detached dwelling and small shed. The property owners would like to rebuild the existing deck with dimensions of 5.48 m x 5.48 m (18ft. x 18ft.) in the backyard and in the same location. The new deck will be built as a covered porch, which you may extend into a required rear yard by 2.5 m (8.2 ft.) but must not be located closer than 5 m (16.4 ft.). Also, by constructing a covered porch it is not considered part of the main building, the house which has a rear yard setback of 7.5 m (25 ft.). To replace the existing uncovered deck with a new covered porch the applicants require a minor variance to permit the construction to extend into the rear yard setback by an additional 3 m (10 ft.) and be located 2.4 m (8 ft.) from the rear property line. Therefore, relief is being requested from section 4.32(b) 'Porch (covered unenclosed)' for the

extension into the rear yard, and from section 6.2.2 'Residential Zone 2 Rural/Urban (R2.2)' Rear Yard Depth.

The applicant, Trevor Smith was in attendance.

Committee Member A. Vilardi asked if a permit was issued for the current deck. Town Planner, K. Brcic replied that the deck was built with the house and it's assumed that it was build under that permit.

Committee Member A. Vilardi asked if there is an overhang is permitted past the posts of the porch. Robert Brown, Manager of Planning and Development Services replied that the zoning by-law permits a roof overhang and eaves to encroach 2 ft. into a required yard.

Committee Member R. Horrocks questioned if a screened-in porch would be considered enclosed. Town Planner, K. Brcic replied that would not be considered an enclosed porch. Chairperson, G. Queen confirmed there were no other comments from the applicant or the audience.

CA - 16 - 2017

Moved by Jim Gaffan Jr., seconded by Thomas Neufeld that Minor Variance Application A/01/17 for Trevor and Kari SMITH to grant relief from Section 4.32(b) and 6.2.2 to permit the following:

a) that a covered, unenclosed porch may extend into a required rear yard a maximum of 5.5 m (18 ft.), and;

b) that a covered, unenclosed porch may be located within 2.4 m (8 ft.) of a rear lot line;

on the lands known as 19 Diane D Street in the Town of Kingsville, be **Approved** subject to the following conditions:

1. that any new construction comply with all other applicable provisions of the By-law;

2. that the owner obtain a building permit for construction of the covered, unenclosed porch;

3. that the proposed covered, unenclosed porch remain unenclosed.

CARRIED

2. A / 05 / 17 – Mark & Lynn VAN BELLE – 4191 Graham Side Road

Town Planner, Kristina Brcic introduced the consent application and reviewed her report dated February 15th, 2017 in which the property owner is requesting a minor variance to increase the permitted maximum height of a detached accessory building for property located at 4191 Graham Side Road, in the Town of Kingsville.

The subject property is a 0.61 ha. (1.5 ac.) lot which currently contains a dwelling and farm buildings. The property owners recently severed the house lot off from the surrounding farm as surplus to the farming operation (B/12/16). The property owners would like to demolish the 100 year old barn in the backyard and build a new 392 sq. m (4,224 sq. ft.) pole barn (see Applicants' Sketch) at the rear of the property. The applicants are requesting a minor variance for relief from Section 4.2(h) to permit an increase in the permitted height for the barn from 5 m (16.4 ft.) to 6.5 m (21.4 ft.).

The applicants, Mark & Lynn Van Belle were in attendance

Committee Member A. Vilardi asked if the building would be used for farm equipment. Considering the recent consent application, A. Vilardi feels the land should now be considered rural residential and farm equipment should not be stored on the lot. Town

Planner, K. Brcic replied that the property is still agriculturally zoned and the storage of farm equipment is not prohibited.

Chairperson, G. Queen confirmed there were no other comments from the applicant or the audience.

CA - 17 - 2017

Moved by Russell Horrocks, seconded by Thomas Neufeld that Minor Variance Application A/05/17 for Mark & Lynn VAN BELLE for a property located at 4191 Graham Side Road to grant relief from Section 4.2(h) to permit the following:

- a) increase the permitted detached accessory building height from 5 m (16.4 ft.) to 6.5 m (21.4 ft.);

subject to the following conditions:

1. that any new construction comply with all other applicable provisions of the By-law.

CARRIED

E. OTHER BUSINESS

F. ADJOURNMENT

CA - 18 - 2017

Moved by Jim Gaffan Jr., seconded by Thomas Neufeld there being no further hearings scheduled, the meeting was adjourned at 6:24 p.m.

CARRIED



CHAIRPERSON G. QUEEN



SECRETARY-TREASURER