



MINUTES

COMMITTEE OF ADJUSTMENT MEETING

TUESDAY DECEMBER 19<sup>TH</sup>, 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"><li>Deputy Mayor Gord Queen</li><li>Thomas Neufeld</li><li>Russell Horrocks</li><li>Allison Vilardi</li><li>Jim Gaffan Jr.</li></ul>	<ul style="list-style-type: none"><li>Manager of Planning &amp; Development Services – Robert Brown</li><li>Interim Planner – David French</li></ul>

ABSENT: 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, NOVEMBER 21<sup>ST</sup>, 2017.

CA - 54 - 2017

Moved by Allison Vilardi, seconded by Thomas Neufeld the Committee of Adjustment Meeting Minutes dated November 21<sup>st</sup>, 2017 be adopted.

CARRIED

D. HEARINGS

1. B / 16 / 17 – 2100 Road 4 East – Mastron Enterprises Ltd.

Interim Planner, David French introduced the consent application and reviewed his report dated December 11<sup>th</sup>, 2017 in which the property owner is requesting consent to create a new farm parcel containing an existing greenhouse growing facility and ancillary facilities on a 32.85 ha (81.18 ac.) lot from lands known as 2100 Road 4 East, in the Town of Kingsville.

The subject parcel is 37.87 ha (93.587 ac.) in area and contains an existing greenhouse growing operation and a packaging plant. It is proposed that the existing lot be subdivided as follows; Severed Parcel: 32.85 ha (81.18 ac.) and will contain existing greenhouse growing facility, bunkhouse, storage shed and northern parking lot (shown as Parts 4 & 5 on applicant's sketch); Retained Parcel: 5.02 ha (12.4 ac.) and will contain existing packaging plant, associated parking lot and two access driveways (shown as Parts 1, 2, 3 and 6 on applicant's sketch). Further to the above, it is proposed that: an access right-of-way be established, shown as Parts 2 & 3 on the applicant's sketch, over the retained parcel, in favour of the severed parcel; A right-of-way be established, shown as Part 6 on the applicant's sketch, over the retained parcel, in favour of the severed parcel for future installation of and maintenance of a sanitary sewer force main, and an easement over the severed parcel, shown at Part 5, for access to and maintenance of a sign required by the retained parcel.

In addition to the above noted consent, the applicant also filed an application for a zoning by-law amendment, which will be considered by Council at a future date, in order to recognize the any performance standard reductions, such as reduced lot area and setbacks.

It should be noted, as per the November, 2017 Planning Justification Report, prepared by Dillon Consulting Ltd., that the severance is proposed in order to provide the applicant with the ability to sell the greenhouse operation as a separate entity.

The applicant, was in attendance.

Committee member, R. Horrocks asked what the zoning will be once rezoned? Interim Planner, David French explained that it will recognize any necessary reductions.

Lucy Coppola, 2057 Road 4 E, asked if there would be any additional driveways. Interim Planner, David French explained that any future changes will require approval.

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

#### **CA - 55 - 2017**

Moved by Jim Gaffan Jr., seconded by Thomas Neufeld that Consent Application B/16/17, to sever a 32.85 ha (81.18 ac.) lot containing an existing greenhouse growing facility, bunkhouse, storage shed and parking lot (shown as Parts 4 and 5 on the applicant's sketch) establish an access easement, shown as Parts 2 & 3, over the retained parcel, in favour of the severed parcel; establish a permanent easement, shown as Part 6, over the retained parcel, in favour of the severed parcel for future installation and access to a sanitary sewer force main, and establish a permanent easement, shown as Part 5, over the severed parcel in favour of the retained parcel for access to a sign, on lands known as 2100 Road 4 East, in the Town of Kingsville, be **Approved** subject to the following conditions:

1. That a reference plan be deposited in the registry office, ***both an electronic and paper*** copy of the registered plan is to be provided for the files of the Secretary-Treasurer;
2. That the owner shall provide that all municipal taxes be paid in full and that necessary apportionments be undertaken for any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or the Municipal Act;
3. 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;
4. A clearance letter of approval for the septic systems on the severed and retained parcels must be obtained from the Town's Building Department. If approval is not granted the applicant enter into an agreement with the Town to outline how it will address sanitary sewer service to the severed and retained parcels to the satisfaction of the Town and any other applicable Ministry;
5. That the applicant amend the existing site plan approval on the subject lands to reflect the new lot configuration and ownership to the satisfaction of the Town;
6. That the applicant file a zoning amendment application and receive approval of said application to address any applicable zoning provisions;
7. That the applicant request and receive new addresses applicable to each parcel to the satisfaction of the Town and at the applicant's expense;
8. That the applicant provide confirmation to the satisfaction of the Town that the severed and retained parcels are separately serviced by storm water management systems;

9. That the applicant provide confirmation to the satisfaction of the Town that the severed and retained parcels are separately serviced with municipal water;
10. That if the applicant cannot provide separate servicing (water and/or storm water management) to the severed and retained parcels that the applicant provide any necessary agreement(s) or establishment of easements/right-of-way to the Town to provide for ongoing access and maintenance of any joint services, and
11. The conditions imposed above shall be fulfilled by December 19, 2018 or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.

**CARRIED**

**E. OTHER BUSINESS**

**F. ADJOURNMENT**

**CA - 56 - 2017**

Moved by Thomas Neufeld, seconded by Allison Vilardi there being no further hearings scheduled, the meeting was adjourned at 6:10 p.m.

**CARRIED**

  
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CHAIRPERSON G. QUEEN

  
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SECRETARY-TREASURER