

The Corporation Of The Municipality Of Chatham-Kent

**Committee of Adjustment – Citizen Panel
Room 212, Civic Centre
December 19, 2019 - 9:00 a.m.**

The Committee of Adjustment met on the above date with the following members present:
Chair – Jim Kovacs, Members – Trevor Aldous, Curtis Carter, Richard Dunlop, Ken Stevenson
and Nathaniel Suitor

Regrets: None

Also in attendance were Ryan Jacques, Manager; Anthony Jas, Planner I; and Wendy
McFadden, Administrative Assistant, Planning Services.

Provision for Disclosure of Conflict Of Interest and the General Nature Thereof:

The Chair asked if any member had a conflict of interest with any of the applications on the
agenda, in accordance with *The Municipal Conflict of Interest Act*.

Recess to Closed Session – 9:04 a.m.:

Moved by Curtis Carter, Seconded by Richard Dunlop

**“That the Committee of Adjustment move into Closed Session meeting pursuant to
Section 239 of the *Municipal Act, 2001*, as amended for ligation, including matters before
administrative tribunals, affecting the municipality or local board, with regard to 63
Murray Street, Chatham. Section 239(2)(e), *Municipal Act, 2001*.”**

Carried

Adjournment of Closed Session

Resumption of Open Committee of Adjustment Meeting – 9:10 p.m.

Approval of Minutes from Previous Meeting:

Moved by Ken Stevenson, Seconded by Nathaniel Suitor

**“That the Minutes of the Committee of Adjustment Citizen Panel held on November 21,
2019 be approved.”**

Carried

Business Arising From the Minutes:

None

Hearing of Applications:

- (a) Application for Minor Variance (File A-53/19)
CityView #PL201900158
Michael & Kerri Gray
29065 Bluewater Crescent
Part of Lot 4, Concession 1 Gore
Community of Chatham Township

The Chair asked if any person from the public had an interest in the application. There were no members from the public present with an interest in the matter. The applicant was noted as being present at the meeting.

File A-53/19

Moved by Richard Dunlop, Seconded by Ken Stevenson

“That the Committee of Adjustment approve Minor Variance application File A-53/19, in Part of Lot 4, Concession 1 Gore, in the Community of Chatham (Township), to provide relief from the Chatham-Kent Zoning By-law No. 216-2009, as amended:

- a) **Section 5.9.2(b), Rear Yard Depth Minimum, to reduce the rear yard setback from 10 m (32.8 ft.) to 7.2 m (23.6 ft.); and,**
- b) **Section 5.9.2(b), Interior Side Yard Width Minimum, to reduce the interior side yard setback from 3 m (9.8 ft.) to 1.2 m (4.0 ft.),**

to permit the construction of an addition to the southerly face of the existing dwelling, be approved, without conditions.”

The Chair put the Motion

Committee Member	Vote
Kovacs	Yes
Aldous	Yes
Carter	Yes
Dunlop	Yes
Stevenson	Yes
Suitor	Yes

Yes Votes: 6

No Votes: 0

Carried

-
- (b) Application for Consent (File B-110/19)
CityView # PL201900164
Doyle E. Patterson
297 & 301 Park Street

Part of Lot 162, Old Survey
Community of Chatham

The Chair asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

File B-110/19

Moved by Curtis Carter, Seconded by Nathaniel Suitor

“That the Committee of Adjustment Consent application File B-110/19 to sever and convey a residential lot, approximately 876 sq. m (9,429 sq. ft.) in area, shown as Part 1 on the applicant’s sketch, known as 297 Park Street, in Part of Lot 162, Old Survey, in the Community of Chatham (City), be approved, subject to the following conditions:

- a) that a hard copy and AutoCAD.dwg version of the final reference plan projected to the NAD 83/UTM Zone 17N coordinate system be submitted to the Municipality; and
- b) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification.”

The Chair put the Motion

Committee Member	Vote
Kovacs	Yes
Aldous	Yes
Carter	Yes
Dunlop	Yes
Stevenson	Yes
Suitor	Yes

Yes Votes: 6

No Votes: 0

Carried

-
- (c) Applications for Consent (File B-11/19)
& Minor Variance (File A-54/19)
CityView #PL201900165
Michiel & Annette Szucs
7489 Belle Rose Line
Part of Lots 15, Concession 6
Community of Dover

The Chair asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

File B-111/19

Moved by Ken Stevenson, Seconded by Trevor Aldous

“That the Committee of Adjustment approve Consent application File B-111/19 to sever a surplus dwelling and three (3) outbuildings (7489 Belle Rose Line) on a new 0.43 ha (1.06 ac.) lot, shown as Part 1 on the applicant’s sketch, in Part of Lot 15, Concession 6, in the Community of Dover, be approved, subject to the following conditions:

- a) that the retained parcel comply with the regulations of the Chatham-Kent Zoning By-law;**
- b) that the applicant pay \$100 for the cost associated with the apportionment of assessment under the Drainage Act related to the subject lands;**
- c) that the applicant demonstrate the septic system on the severed parcel is functioning in accordance with Municipal Protocol;**
- d) that a hard copy and AutoCAD.dwg version of the final reference plan projected to the NAD 83/UTM Zone 17N coordinate system be submitted to the Municipality; and,**
- e) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification.”**

The Chair put the Motion

Committee Member	Vote
Kovacs	Yes
Aldous	Yes
Carter	Yes
Dunlop	Yes
Stevenson	Yes
Suitor	Yes

Yes Votes: 6
No Votes: 0

Carried

File A-54/19

Moved by Nathaniel Suitor, Seconded by Richard Dunlop

“That the Committee of Adjustment approve Minor Variance application File A-54/19, in Part of Lot 15, Concession 6, in the Community of Dover, to provide relief from the Chatham-Kent Zoning By-law No. 216-2009, as amended, Section 5.21.2(b), Lot Area Minimum, to reduce the lot area of the retained parcel from 20.21 ha (49.95 ac.) to 19.8 ha (48.9 ac.), be approved, without conditions.”

The Chair put the Motion

Committee Member	Vote
Kovacs	Yes
Aldous	Yes
Carter	Yes
Dunlop	Yes
Stevenson	Yes
Suitor	Yes

Yes Votes: 6
No Votes: 0

Carried

- (d) Application for Minor Variance (File A-55/19)
CityView #PL201900166
Joe Evers and Lisa Lester-Harris
6531 River View Line
Part of Lot 9, Concession 1 Front
Community of Raleigh

The Chair asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

File A-55/19

Moved by Curtis Carter, Seconded by Nathaniel Suitor

“That the Committee of Adjustment approve Minor Variance application File A-55/19, in Part of Lot 9, Concession 1 Front, described as Parts 2 & 3, Plan 24R-10105, known as 6531 River View Line, in the Community of Raleigh, to provide relief from the Chatham-Kent Zoning By-law No. 216-2009, as amended:

- a) Section 4.2(3) Accessory Uses, Height Restrictions, to permit an accessory building with a maximum height of 6.15 m (20.2 ft.); and,**
- b) Section 4.2(4)(a) Accessory Uses, Yard Requirements, to permit an accessory building in front of the rear face of the existing dwelling;**

be approved, subject to the following conditions:

- i) that an accessory building or structure be located no closer than 6 m (20 ft.) from any side lot line; and,**
- ii) that an accessory building or structure be located no closer than 60 m (200 ft.) from the front property line.”**

The Chair put the Motion

Committee Member	Vote
Kovacs	Yes
Aldous	Yes
Carter	Yes
Dunlop	Yes
Stevenson	Yes
Suitor	Yes

Yes Votes: 6
No Votes: 0

Carried

- (e) Application for Consent (File B-112/19)
CityView #PL201900167
Dieleman Farms Ltd.
12472 & 12596 Longwoods Road
Part of Lot 7, Concession A
Community of Camden

The Chair asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

File B-112/19

Moved by Richard Dunlop, Seconded by Trevor Aldous

“That the Committee of Adjustment approve Consent application File B-112/19, to sever and convey a new agricultural parcel, approximately 38.6 ha (95.37 ac.) in area, shown as Part 1 on the applicant’s sketch, in Part of Lot 7, Concession A, in the Community of Camden, be approved, subject to the following conditions:

- a) that the applicant pay \$100 for the cost associated with the apportionment of assessment under the Drainage Act related to the subject lands;**
- b) that a hard copy and AutoCAD.dwg version of the final reference plan projected to the NAD 83/UTM Zone 17N coordinate system be submitted to the Municipality; and,**
- c) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification.”**

The Chair put the Motion

Committee Member	Vote
Kovacs	Yes
Aldous	Yes
Carter	Yes

Committee Member	Vote
Dunlop	Yes
Stevenson	Yes
Suitor	Yes

Yes Votes: 6

No Votes: 0

Carried

- (f) Application for Minor Variance (File A-56/19)
 CityView #PL201900175
 Lori Couture
 26 Wiltshire Drive
 Part of Lots 8 & 9, Plan 452
 Community of Chatham

The Chair asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

File A-56/19

Moved by Ken Stevenson, Seconded by Curtis Carter

“That the Committee of Adjustment approve Minor Variance application File A-56/19, in Part of Lots 8 & 9, Plan 452, in the Community of Chatham (City), to provide relief from the Chatham-Kent Zoning By-law No. 216-2009, as amended, Section 5.1.2 (b), Rear Yard Depth Minimum, to reduce the rear yard setback from 7.62 m (25 ft.) to 6.7 m (22 ft.), to permit the construction of a new 14.3 sq. m (154 sq. ft.) addition to the southerly face of the existing dwelling, be approved, without conditions.”

The Chair put the Motion

Committee Member	Vote
Kovacs	Yes
Aldous	Yes
Carter	Yes
Dunlop	Yes
Stevenson	Yes
Suitor	Yes

Yes Votes: 6

No Votes: 0

Carried

- (g) Applications for Consent (File B-117/19)
 CityView #PL201900179
 Phillip & Janet Richards

Camden Street
Part of Lot 1, 5 & 6, Block A, Plan 139
Community of Dresden

The Chair asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

File B-117/19

Moved by Curtis Carter, Seconded by Richard Dunlop

“That the Committee of Adjustment approve Consent application File B-117/19 to sever and convey a new residential parcel, approximately 2,440 sq. m (26,263 sq. ft.) in area, consisting of Parts 1 & 2 on the applicant’s sketch and Lot 6, Plan 24M-954, in Part of Lot 1, 5 & 6, Block A, Plan 139, in the Community of Dresden, be approved, subject to the following conditions:

- a) that a one-foot square from Lot 6, Plan 24M-964 (670 Camden Street) be conveyed to the Municipality free of charge and clear of all encumbrances, and that the transfer confirming ownership of the one-foot square being the Corporation of the Municipality of Chatham-Kent be submitted to the Municipality;**
- b) that the applicant pay \$75 for the registration of the dedication by-law for the one-foot square conveyance pursuant to condition (a);**
- c) that a red-line amendment to Draft Plan of Subdivision File No. 36T-08501, to remove Lot 7 from the draft approved plan, be finally approved;**
- d) that a hard copy and AutoCAD.dwg version of the final reference plan projected to the NAD 83/UTM Zone 17N coordinate system be submitted to the Municipality; and,**
- e) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification.”**

The Chair put the Motion

Committee Member	Vote
Kovacs	Yes
Aldous	Yes
Carter	Yes
Dunlop	Yes
Stevenson	Yes
Suitor	Yes

Yes Votes: 6

No Votes: 0

Carried

Hearing Of Changes To Conditions Of Provisional Consents:

None to Report.

Other Business:

None to Report.

Time, Date And Place For Next Meeting Of The Committee:

9:00 a.m., January 23, 2020 – Council Chambers

Adjournment:

Moved by Nathaniel Sutor, Seconded by Trevor Aldous

“That the Committee of Adjustment Citizen Panel adjourn at 9:36 a.m.”