



## COMMITTEE OF ADJUSTMENT

### MINUTES

Wednesday September 20, 2023  
10:00AM

### ELECTRONIC MEETING Held via Zoom

Members: Mayor Cathy Miller, Chair  
Deputy Mayor Dayne Malloch  
Marlene Pierce  
Gordon Pow  
Danielle Truax

Municipal Staff: Interim Clerk Mary Masse, Secretary Treasurer

Other: Heather Garrett, Planner, Zelinka Priamo Ltd.  
Schmoranz and Pelee Island Winery Representatives

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#### 1. CALL TO ORDER

Called to order at 10:03 a.m. with all members present.

#### 2. INTRODUCTION AND ADOPTION OF THE AGENDA

No amendments to the agenda were made.

#### 3. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of interest.

#### 4. MINUTES

#### 5. NEW BUSINESS

There were no new business items.

#### 6. DEFERRED MATTERS

## **A. CO-01-2023 WALTER AND HEDWIG SCHMORANZ – 222 STEWART ROAD**

### **i) Introduction of Matter**

The Chair introduced the application and advised of the procedural rules in place for the Committee meeting.

### **ii) Method of Notice**

The notice was circulated to all neighbouring properties, The Essex Region Conservation Authority, posted at the Municipal Office, on pelee.org,.

### **iii) Presentation from Applicant**

Mr. Sebastian Schmoranz presented the application on behalf of his parents Walter and Hedwig Schmoranz and advised that they are seeking to sever the home and buildings from the farmland .

### **iv) Response from Public**

1. A letter requesting deferral of the matter was received from the Pallett Velo Law Firm on behalf of their client Pelee Island Winery and Vineyard. Anne Twigg and Patrick Egan of the Pallett Velo law firm were participants in the meeting and advised that their client has a beneficial property interest in the subject lands and have registered a Caution-Land against the property.
2. Essex Region Conservation advised they have no objection to the application.

### **v) Committee Discussion**

Considerable discussion took place regarding the correspondence received from legal counsel for Pelee island Winery and Vineyards regarding their beneficial property interest and the caution-land registered against the land.

Planner Heather Garrett suggested that further information regarding registered owners of the land and the caution registered against the land should be obtained prior to moving ahead with the application for consent .

After a lengthy discussion regarding the correspondence submitted and on the advice of the Planner some members of the committee suggested a deferral of a decision on the application to allow the applicant time to provide confirmation of the registered owners identified on the application for consent and further information regarding the caution registered against the land.

### **vi) Decision of Application**

**Resolution 2023 – CoA01**

**Moved By: Committee member Marlene Pierce**

**Seconded By: Deputy Mayor Dayne Malloch**

**That the consent application C01-2023 is deferred pending further information being submitted from the applicant regarding the beneficial property interest and Caution -Land registered against the subject lands by Pelee Island Winery and Vineyards.**

**CARRIED**

**7. ADJOURNMENT**

**The September 20, 2023 Committee of Adjustment meeting was ADJOURNED at 10:58 a.m.**

**CARRIED**

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**Catherine Miller,  
Mayor & Chair**

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**Mary Masse  
Interim Clerk &  
Secretary Treasurer**