



THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION

File No. B11/23 Roll No: 432101000719304/19300

Owner: Ronald Moore

Location: 128 & 136 Denney Drive

Date of Decision: January 26th, 2024

Purpose: The applicant is seeking Consent to sever a portion of land from the property known municipally as 128 Denney Drive to the property known municipally as 136 Denney Drive. Consent is being requested due to a well installation error which put the newly constructed well on 128 Denney Drive instead of 136 Denney Drive. The Consent application would remedy this error.

Upon application for consent for the lands described in the above noted file, the decision of the Committee of Adjustment for the Township of Essa is that **PROVISIONAL CONSENT BE GRANTED** subject to the following *Conditions of Approval*:

- That a reference plan of the severed parcel(s) be prepared by an Ontario Land Surveyor and copies provided to the Secretary-Treasurer. The plan should be approved by Township Staff prior to depositing it in the Land Titles Office.
- That the applicant provides to the Secretary-Treasurer of the Committee of Adjustment copies of transfer documentation associated with the lands.
- That all municipal taxes be paid up-to-date.
- That Planning Act Sections 50(3) and (5) will continue to apply to the lot to be created (for both parcels).
- That any and all external costs associated with this application be borne by the applicant.

For the following reasons:


- In keeping with the Official Plan and Provincial Policy Statement
- The Committee has considered all public comments received and believes their decision is based on the best evidence available.

NOTICE OF DECISION

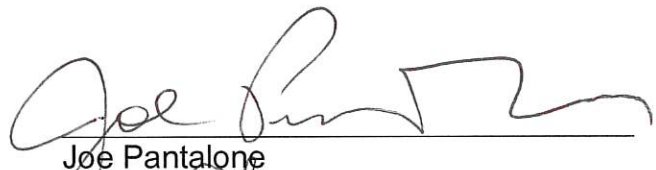
Pursuant to Subsection 41 of Section 53 of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended), all conditions imposed must be fulfilled within two (2) years from the date of the sending of the Notice of Decision or the application is deemed refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of the consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended).

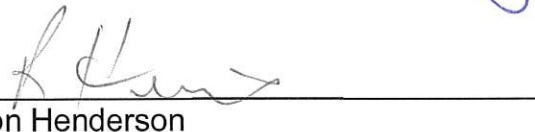
Signature of the Members concurring with the Decision:



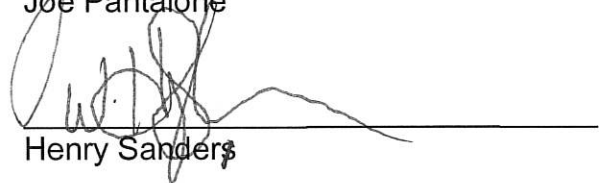
John Stelmachowicz, Chair



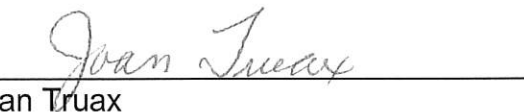
Joe Pantalone



Ron Henderson



Henry Sanders



Joan Truax

PLEASE NOTE:

THIS NOTICE OF DECISION DOES NOT OFFICIALLY SEVER A LOT.

- A CONSENT CERTIFICATE IS REQUIRED BEFORE A LOT CAN BE SEVERED.
- ALL CONDITIONS MUST BE SATISFIED BEFORE THE ISSUANCE OF THE CONSENT CERTIFICATE.
- LOTS SHOULD NOT BE SOLD BEFORE THE ISSUANCE OF A CONSENT CERTIFICATE. THE TOWNSHIP TAKES NO RESPONSIBILITY FOR LOST SALES, FEES INCURRED, NOR ANY OTHER COSTS/MONETARY LOSSES RESULTING FROM THE FAILURE TO FULFILL THE CONDITIONS LISTED ON THIS NOTICE OF DECISION.

IN READING THIS THE APPLICANT AND/OR AGENT ACKNOWLEDGES THE ABOVE.

NOTICE

The applicant, the Minister, a specified person or any public body, may appeal the decision and/or any conditions imposed to the Ontario Land Tribunal. In order to appeal, you must file a Notice of Appeal setting out written reasons for the appeal and, if applicable, specifying which conditions are being appealed, within twenty (20) days of the making of the decision.

This Notice should be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by a payment of \$400.00 for the first application being appealed. If more than one application is being appealed, the fee for each additional application is \$400.00. Cheques should be made payable to the Minister of Finance. Please note the Secretary-Treasurer must actually receive this Notice within the 20-day period in order to be considered by the Ontario Land Tribunal.

Send to: Township of Essa Committee of Adjustment
Attention: Secretary-Treasurer
5786 County Road #21
Utopia, Ontario L0M 1T0

Note: Under the Planning Act, the applicant, the Minister, and specified person or any public body may appeal decisions in respect of applications for consent to the Ontario Land Tribunal.

If the last date for filing an appeal falls on a Saturday, Sunday or Statutory Holiday, appeals will be accepted on the next working day.

Forwarded by mail: January 26th, 2024
Last date for Appeal to O.L.T.: February 15th, 2024
This Notice Dated: January 26th, 2024



Secretary-Treasurer, Committee of Adjustment