

**TOWNSHIP OF ESSA
COMMITTEE OF ADJUSTMENT**

AGENDA

January 27th, 2023 - 10:00 a.m.

**IN-PERSON MEETING
Council Chambers
Chair to open the meeting**

1. DISCLOSURE OF INTEREST:

2. MINUTES:

Committee to accept Minutes from the November 25th, 2022, Meeting. See attached.

3. APPLICATIONS:

- i) **B21/22** **Christine Dorner**
8358 County Road 27 *Severance – Lot Line Adjustment*
Description: Proposing to adjust the lot lines between two abutting lots. This will reduce the frontage of lot 28, while increasing the frontage of lot 29.
Designation: **Rural, Environmental - Wetland, and Environmental - Significant Area**
- ii) **B27/22** **Pieter Kiezebrink**
9077 Don Ross Drive *Validation of Title(s)*
Description: Not applicable.
Designation: **Rural and Environmental – Wetland**
Designation: **Agricultural and Rural**
- iii) **A3/22** **Gerald and Angela Hickey**
11 Pioneer Ridge Court *Minor Variance - Simple*
Description: Asking for relief from maximum fence height provision of 4 ft. Proposing to build a 5 ft fence in front and part of side yard.
Zoning: **Low Density, Residential (R1)**
- iv) **A4/22** **Michael Ferreira**

6600 County Road 21
Description:

Minor Variance – Simple
Asking for relief from the minimum rear and interior side yard in Rural Zone (3.0m). The existing building doesn't conform and is 3.4m from the side and <1m from the rear.

Zoning:

Rural (RL) & Environmentally Protected (EP)

4. OTHER BUSINESS:

Adjournment

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**COMMITTEE OF ADJUSTMENT
MINUTES
November 25th, 2022**

Present: Don Davis, Chair
Scott Fisher, Member
Dan Tucker, Member
Kim Ogilvie, Member

Also Present:

Owen Curnew, Secretary Treasurer Committee of Adjustments
Sam Haniff, Senior Planner
Steve Eisses, Son of Applicant
Stephen Dykstra, Professional Planner
Paul,
Lee Bull,

The Chair, Don Davis, called the meeting to order at 10:10 a.m. and explained the meeting process and the time frame for appeals to those persons present. He advised that all statements and evidence given before the Committee are of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DISCLOSURE OF INTEREST:

There was no disclosure of interest.

APPLICATIONS:

B11/21
7009 11th Line

Eisses
Severance – Lot Creation

The Applicant **Steve Eisses** attended the meeting.
The Planner of the Applicant **Stephen Dykstra** attended the meeting
The Applicant's Environmental Consultant **Paul**

Steve Eisses, presented his proposal

Lee Bull from MHBC provided a presentation summarizing the subject application, and read the planning report provided by MHBC followed by the recommended Decision and Conditions.

Lee Bull recommended **Refusal** of case **B11/22**

Paul, the original severance already occurred, the lands where they want to develop

the house already isn't being farmed. If they put up a fence, they would be able to protect the existing farm land. The proposed house won't affect any trees, and there is already a driveway there. Won't affect wildlife in anyway. House would be elevated above the creek (says about 8m), he says there has been no affect on trees on the slope, indicating little to no erosion occurred on the property since the 1950s (last flood). They will no increase water and air contamination. Will not affect the natural rural landscape or physique of the Township.

Stephen Dykstra, says its not part of the agricultural land, wont effect environment, wont impact settlement expansion, won't impact surrounding areas. Is saying the NVCA generalizes its areas, and further research is required to determine the actual relevance of the floodplain/erosion within the proposed lot. Agrees the application doesn't conform with policy but is saying the physical character of the area wouldn't impact the rural area because there is already an existing driveway and features there that indicate the land isn't and won't be used for agricultural uses. Is saying the potential expansion area won't even reach the property so it won't be a concern for settlement area expansion. The area is unique in the sense that it isn't and won't be used for agricultural uses in the future and is suitable already for development. Recommended conditional approval based on a proposed 14 or more-meter setback, also recommended to shift building envelope South.

There were no other Department Comments.

Rob: says the proposed change will bring unwanted change to the Township of Thornton

Mike West: says the proposal would set a precedent that would contravene previous decisions, does it set a precedent for legal retaliation for previous applications?

Casey Van Kessel: the planning report indicates that it goes against every policy available. "If you pass this, you are avoiding every policy there is." Suggests any planner in this room have recommended against this severance.

Steve Eisses: The goal of severing the properties is to build a small home in the country for him and his family. Asking to consider the physical characteristics for a practical decisions regardless of policy.

The Committee considered all comments received, weighed all evidence available, and voted and DENIAL the severance application.

The Applicant **PAUL LYNCH** attended the meeting.

Paul Lynch presented his opening comments.

Lee Bull from MHBC provided a presentation summarizing the subject application, followed by the recommended Decision and Conditions. **Lee Bull** recommended approval based on a conditional approval: 1) land must be rezoned to A; 2) archeological impact assessment be done.

There were no other Department Comments.

The Committee considered all comments received, weighed all evidence available, voted and APPROVED the severance application, with the standard conditions.

B24/22
59 Centre

San Diego Homes
Severance – Lot Creation

The Agent for **Clair Desousa** attended the meeting

Claire Desousa, provided a brief opening for the application introducing herself and her role. Says the current land is surrounded by a residential landscape and features, and the ZBA would allow for exceptions to make the proposal conform with the Zoning-By Law allowing for two single-detached, two-storey buildings with backyards, and garages with tandem parking. Says the parking will be sufficient. Says it already meets to Official Plan, Growth Plan, Provincial Planning Policy.

Sam Haniff (Essa Township) provided a presentation summarizing the subject application, followed by the recommended Decision and Conditions.

There were no other Department Comments.

The Committee considered all comments received, weighed all evidence available, voted and APPROVED the severance application, with the standard conditions.

B25/22
Inc.
8677 County Rd 56
farm dwelling

Skelton Brumwell & Associates
Severance for consolidation of excess

The Applicant **Craig Moyer** did not attend the meeting.

Marissa Handley attended the meeting

Samuel Haniff (Essa Township) provided a presentation summarizing the subject application, and planning report followed by the recommended Decision and Conditions.

There were no other Department Comments.

The Committee considered all comments received, weighed all evidence available, voted and APPROVED the severance application, with the standard conditions.

OTHER BUSINESS:

ADJOURNMENT:

The meeting adjourned at 11:20 am

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