

**TOWNSHIP OF ESSA
COMMITTEE OF ADJUSTMENT**

AGENDA

March 22nd, 2024 - 10:00 a.m.

**Council Chambers
Chair to open the meeting.**

1. DISCLOSURE OF INTEREST:

2. MINUTES:

Committee to accept Minutes from the February 23rd, 2024, Meeting. See attached.

3. APPLICATIONS:

**i) A1/24
13 Roth Street
Description:**

Steve O’Leary
Minor Variance

The applicant is seeking relief from Section 4.38.3b) of Essa Township’s Zoning By-law (2003-50) which regulates the maximum height of a structure in which an Additional Residential Unit (ARU) can exist at 4.5 meters. In addition, relief would be needed for the gross floor area of the Additional Residential Unit, being greater than 50% of the size of the primary dwelling. The application also seeks relief from Section 8.1 (d), which permits accessory buildings in Residential Zones less than 1.0 ha in size to be allowed a maximum height of 4.5 meters. The applicant is proposing to construct an ARU in the second story of a detached accessory building that will be 7.2 meters.

Zoning:

Residential, Low Density, Detached (R1)

ii) **A3/24**
5 Dunn Court
Description:

Seeta Lall
Minor Variance

The applicant is seeking relief from Section 9.4.22b) of Essa Township's Zoning By-law (2003-50) which regulates the minimum exterior yard setback for lands zoned 'Residential, Low Density, Detached with Special Provisions (R1-22) at 4.5 meters. The applicant is proposing to construct a below-grade entrance that would have an exterior yard setback of 3.55 meters.

Zoning:

Residential, Low Density, Detached with Special Provisions (R1-22)

4. OTHER BUSINESS

5. ADJOURNMENT

**COMMITTEE OF ADJUSTMENT
MINUTES
February 23rd, 2024**

Present: John Stelmachowicz, Chair
Joe Pantalone, Member
Joan Truax, Member
Henry Sander, Member

Also Present: Owen Curnew, Secretary-Treasurer

The Chair, John Stelmachowicz called the meeting to order at 10:00 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.

MINUTES:

The Minutes of January 26th, 2024, were accepted by the Committee.

DISCLOSURE OF INTEREST:

No conflicts of interests were disclosed.

APPLICATIONS

A21/23	Ian Johns
5223 6 th Line	Minor Variance

Present (other than Committee & Staff Members):

Ian Johns, Applicant
Vincent Giorgis, Resident

Owen Curnew provided a brief synopsis, outlining the purpose of the applications, all comments received, and the recommendation of Planning Staff, APPROVAL of the application.

John Stelmachowicz invited the applicant to present.

Ian Johns stated that he was here to answer any questions the committee may have.

John Stelmachowicz asked if there were any comments from the public.

Henry Sander called a motion to approve.

Joe Pantalone seconded the motion to approve.

The Committee voted to APPROVE A21/23 with the suggested conditions from staff.

A1/24
13 Roth Street

Steve O'Leary
Minor Variance

Present (other than Committee & Staff Members):

Steve O'Leary, Applicant
Eric Leclair, Resident
Barton Blakely, Resident

Owen Curnew provided a brief synopsis, outlining the purpose of the applications, all comments received, and the recommendation of Planning Staff, APPROVAL of the application.

John Stelmachowicz invited the applicant to present.

Steve O'Leary provided a brief presentation.

Steve O'Leary asked for clarification on the NVCA condition as the property is not regulate by the NVCA.

Owen Curnew explained it is a standard condition and would likely be considered complete based on the property is not regulated and asked that the applicant provide correspondence with themselves and the NVCA.

Steve O'Leary asked for clarification regarding the condition to register a warning clause.

Owen Curnew explained that the Planning Department does not regulate burn permits and can no validate if the burn permit would be impacted by the building, so they are pursuing a warning clause as it is a familiar condition.

John Stelmachowicz asked for them to state the intention of the proposal.

Steve O'Leary provided a statement as to what he is proposing.

Joe Pantalone asked for clarification regarding the state of the trees on the property and distances related to the new building.

Steve O'Leary spoke to the location of the building in relation to the trees.

Henry Sander asked for further clarification.

Joe Pantalone inquired further as to the size of the tree trunk and distance to the building.

Steve O'Leary spoke to the size of the tree and distance to the building.

Joe Pantalone asked for clarification from staff regarding setbacks.

Owen Curnew clarified that the building is not encroaching the rear yard setback and that relief would not be required for revising the site plan as long as the side yard setback is not encroached.

Eric Leclair stated they would not be in support of the building being any higher than its current proposal and asked that the building be moved closer to Roth Street. Asked when Zoning Schedules haven't been updated and why the Township can't provide the Plan of Subdivision and/or R-Plan.

Owen Curnew provided clarification regarding the process and the regulations regarding R-plan.

Joe Pantalone asked if the applicant would be okay with the application being deferred.

Steve O'Leary stated he would be okay with the application being deferred.

John Stelmachowicz asked if there were any comments from the public.

Henry Sander said there is lots of cars on the road and is concerned about parking.

Owen Curnew stated that the parking requirements were met.

Henry Sander requested that additional parking be applied for.

Owen Curnew stated that additional parking beyond one parking space for an additional residential unit can not be a requirement under provincial policy.

John Stelmachowicz asked how much the additional residential unit's height deviates from the existing structure on neighbouring lot.

Steve O'Leary was not sure of the height difference.

Joe Pantalone called a motion to defer.

The Committee voted to DEFER A1/24 with the suggested conditions from staff.

OTHER BUSINESS

ADJOURNMENT

The Chair, John Stelmachowicz, closed the meeting at 10:40 a.m.