

**TOWNSHIP OF ESSA
COMMITTEE OF ADJUSTMENT**

AGENDA

February 23rd, 2024 - 10:00 a.m.

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

1. DISCLOSURE OF INTEREST:

2. MINUTES:

Committee to accept Minutes from the January 26th, 2024, Meeting. See attached.

3. APPLICATIONS:

- i) **A21/23**
 5223 6th Line
 Description:
- Ian & Claudine Johns**
Minor Variance
The applicant is seeking relief from Section 4.38.3b) and 5.3a) 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 and the maximum height of an accessory building on lands between 1.0 to 4.0 hectares at 6.0 meters. The applicant is proposing to construct an ARU in the second story of a detached accessory building that will be 6.9 meters.
- Zoning:**
- Agricultural (A)**
- ii) **A1/24**
 13 Roth Street
 Description:
- Steve O'Leary**
Minor Variance
The applicant is seeking relief from Section 4.38.3b) and 8.1d) 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 and the maximum height of an accessory building on lands

between 1.0 to 4.0 hectares at 6.0 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)

4. OTHER BUSINESS

5. ADJOURNMENT

**COMMITTEE OF ADJUSTMENT
MINUTES
January 26th, 2024**

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

Also Present: Owen Curnew, Secretary-Treasurer
Oliver Ward, Policy Planner
Ronald Moore, Applicant
Catherine Pan, Agent of Applicant
Stefan Torelli, Applicant
Mike Warburton, Applicant
Heather Warburton, Applicant
Leo Losereit, 136 Denney Drive Resident

Q`1

The Acting Chair for this meeting, Joe Pantalone, 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 November 24th, 2023, were accepted by the Committee.

DISCLOSURE OF INTEREST:

No conflicts of interests were disclosed.

APPLICATIONS

B11/23
128 & 136 Denney Drive

Ronald Moore
Lot Line Adjustment

Present (other than Committee & Staff Members):

Catherine Pan (Brookfield Residential), Agent of Applicant
Ronald Moore, Applicant

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.

Catherine Pan spoke to the application and provided a brief synopsis.

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

Henry spoke to through the Secretary-Treasurer to clarify if the conditions will be the same as stated on the notice of decision.

Owen Curnew spoke through the chair and stated that the conditions on the notice of decision would be the same as those listed in the report.

The Committee voted to APPROVE B11/23 with the suggested conditions from staff.

A16/23

6607 20th Sideroad

Stefan Torelli

Minor Variance

Present (other than Committee & Staff Members):

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.

Stefan Torrelli spoke to the application.

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

Joe Pantalone asked if the building resided completely within the applicant's property.

Stefan Torelli clarified that it would.

Henry Sander asked how the surveying error occurred, he also asked if it was the result of a surveyor or survey; he was not sure if the report clarified how the surveying error occurred.

Owen Curnew spoke through the chair and clarified that the report generalized the error calling it a "surveying error".

Stefan Torelli indicated that the property was previously staked when they bought it, and they want off the initial measurements.

Henry Sander requested if a severance was ever considered, and asked staff what the setbacks are.

Oliver Ward spoke through the chair to clarify the setback requirements.

Owen Curnew spoke through the chair and clarified the setbacks are 3 meters.

Oliver Ward spoke through the chair and clarified how staff reviews severances.

Henry Sander suggested that the setbacks are insufficient and may not be minor, also stated that if we approve such major setback reductions, why do we even have setbacks?

Joe Pantalone agreed with the opinion of staff, and suggested the application should be approved.

John Stelmachowicz asked if there were any comments from the neighbour abutting the applicant's property.

Owen Curnew spoke through the chair and clarified there was not.

The Committee voted to APPROVE A16/23 with the suggested conditions from staff.

A20/23

81 Brykman Road

Michael & Heather Warburton

Minor Variance

Present (other than Committee & Staff Members):

Michael Warburton, Applicant

Heather Warburton, Applicant

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.

Michael & Heather Warburton spoke to the application suggesting that the building size requires a higher pitched roof to accommodate for potential uses down the round like storage, hobbies, workshop, etc.

Heather Warburton suggested that the height is only two feet, and that the trees surrounding the property would block sight of the building and will not impact neighbours.

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

Joe Pantalone asked if there were any intentions to remove trees.

Heather Warburton stated that they had no intentions to remove the trees.

Henry spoke through the chair and asked if there had been any comments received from neighbours.

Owen Curnew spoke through the chair and stated that there were not.

The Committee voted to APPROVE A20/23 with the suggested conditions from staff.

A21/23
5223 6th Line

Ian Johns
Minor Variance

Present (other than Committee & Staff Members):

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.

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

Henry spoke through the chair and asked if the planner could provide clarification about the Gross Floor Area for Additional Residential Units.

Oliver Ward spoke through the chair and clarified what gross floor area is and how staff reviews additional residential units.

John Stelmachowicz spoke to the planner to get clarification regarding the report and the intention of the height relief and if the variance would only apply to the additional residential unit, as the report states the height relief is only for the section pertaining to the additional residential unit.

Oliver Ward spoke through the chair and explained the intention of the height relief and the consideration made in the report, and that there may have been an error in interpretation.

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

OTHER BUSINESS

John Stelmachowicz requested information from the planner pertaining to the approval of A21/23, and if there was sufficient information provided to the Committee to approve the minor variance.

Oliver Ward spoke through the chair and suggested that the variance should have been providing relief from two separate provisions of the Zoning By-law 2003-50, rather than just the one mentioned in the report.

Owen Curnew spoke through the chair and suggested that the current variance would be sufficient as it would tacitly approve the height relief for the portion of the building that does not contain the additional residential unit.

Joe Pantalone suggested that the item be re-opened and revisited to amend the wording of the

decision or the decision itself.

John Stelmachowicz requested that the item be re-opened.

Ron Henderson, suggest we defer to next meeting.

Henry suggested we defer and recirculate.

Oliver Ward agreed that the application be deferred.

Committee voted to re-open the application **A21/23**.

A21/23
5223 6th Line

Ian Johns
Minor Variance

Present (other than Committee & Staff Members):

John Stelmachowicz called a motion to defer.

Joanne Truax seconded the motion.

Committee voted to amend the decision on **A21/23** and voted to **DEFER** the application.

ADJOURNMENT

The Chair, John Stelmachowicz, closed the meeting at 10:45 a.m.