



THE CORPORATION OF THE TOWNSHIP OF ESSA  
COMMITTEE OF ADJUSTMENT

NOTICE OF DECISION

File No. A1/24 Roll No: 432101000419400  
Owner: Steve O'Leary  
Location: 13 Roth Street  
Date of Decision: March 22<sup>nd</sup>, 2024  
Purpose: 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.

IN THE MATTER OF A MINOR VARIANCE for relief from the provisions of Zoning By-Law:

2003-50 (Essa)

in the form of a minor variance as indicated in the application, the Committee of Adjustment for the Township of Essa hereby **GRANTS THE MINOR VARIANCE** subject to the following *Conditions of Approval*:

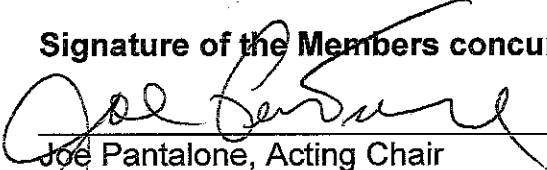
- That all municipal taxes be paid and up to date.
- That the applicant satisfies concerns from the NVCA.
- That the applicant provide staff with a lot grading and drainage plan to the satisfaction of the Township and at no cost to the Township.
- The applicant provided a revised site plan and commit to providing two dedicated parking spots for the sole use of the additional residential unit.
- The two additional full-shade canopy trees be planted at the applicant's cost, and to the satisfaction of the Township in the area indicated in the applicant's site plan.
- That any and all external costs associated with this application be borne by the

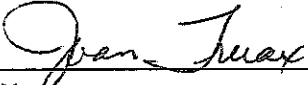
applicant.


For the following reasons:

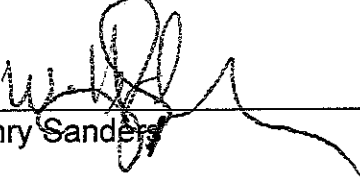
- The general intent and purpose of the By-law and Official Plan is being maintained.
- the Committee has considered all public comments received and believes their decision is based on the best evidence available.

**Signature of the Members concurring with the Decision:**

  
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Joe Pantalone, Acting Chair

  
\_\_\_\_\_  
Joan Truax

  
\_\_\_\_\_  
Ron Henderson

  
\_\_\_\_\_  
Henry Sanders

## 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:** March 22<sup>nd</sup>, 2024  
**Last date for Appeal to O.L.T.:** April 11<sup>th</sup>, 2024  
**This Notice Dated:** March 22<sup>nd</sup>, 2024

  
Secretary-Treasurer, Committee of Adjustment