

**TOWNSHIP OF ESSA  
COMMITTEE OF ADJUSTMENT**

**AGENDA**

**March 24<sup>th</sup>, 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 February 24<sup>th</sup>, 2023, Meeting. See attached.

**3. APPLICATIONS:**

- i) **B11/22**  
**5485 County Road 15**  
**Description:** **Douglas Alan & Jane Downey**  
*Consent – Lot Line Adjustment*  
The proposed lot adjustment would not create a new lot but transfer a portion of the subject lands to the property immediately adjacent to the east known municipally as 7235 5th Sideroad, which is also owned by the applicant. The subject property has an existing frontage of 605.85m and a depth of 64m. The proposed lot to be transferred to 7235 5th Sideroad has frontage of 114.35m and a depth of 64m. The remnant parcel would have a frontage of 491.5m and a depth of 64m.
- Designation:** **Agricultural**
- ii) **B2/23**  
**4919 County Road 90**  
**Description:** **James Worsnop & Tosca Eveleigh**  
*Consent – Lot Line Adjustment*  
Proposing a lot line adjustment that would reduce the lot area of 4919 County Road 90 from 28.6ha to 3.296ha (8.1ac). The lands would be transferred to 8786 10<sup>th</sup> Line changing the lot area from 10.45ha (25.82ac) to 35.58ha (87.9ac).
- Designation:** **Agricultural**

- iii) **B3/23**  
**8786 10<sup>th</sup> Line**  
**Description:** **James Worsnop**  
*Severance – New Lot Creation*  
Proposing to sever a surplus dwelling from 8786 10<sup>th</sup> Line. The property will have a proposed lot area of 35.58ha (87.9ac) and will sever a .311ha (.768ac) lot in order to sever a surplus dwelling that would be the result of a farm consolidation.
- Designation:** **Agricultural**
- iv) **A2/23**  
**5444 County Road 21**  
**Description:** **Leigh Recker**  
*Minor Variance - Simple*  
The applicant is seeking relief from the maximum floor area of 139m<sup>2</sup> for an accessory building as outlined in Section 5.3 (a) of the Essa Township's Zoning By-law 2003-50. The applicant is proposing a building greater than 139m<sup>2</sup>.
- Zoning:** **Rural (RL)**

**4. OTHER BUSINESS**

**5. ADJOURNMENT**

**COMMITTEE OF ADJUSTMENT  
MINUTES  
February 24<sup>th</sup>, 2023.**

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

**Also Present:** Owen Curnew, Secretary-Treasurer  
Colleen Healey-McDowall, CAO  
Laura Jeane Dawe, Applicant  
Mike Allan, Applicant  
Anca Debrinescu, Applicant  
Arianna Swetlinksy, Member of Public  
Paul Neals, Environmental Consultant  
Lilian Reed, Member of the Public

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 27<sup>th</sup>, 2023 were accepted by the Committee.

**DISCLOSURE OF INTEREST:**

There was no disclosure of interest.

**APPLICATIONS**

**B1/23**  
96 King Street

**ANCA DEBRINESCU & MIKE ALLEN**  
Severance – New Lot Creation

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.

Joe Pantalone asked that the conditions for rezoning be amended from the notice of decision.

Colleen Healey-McDowall defended the condition.

Mike Allen presented his case.

Arianna Swetlinski asked why the condition for the BCRY be included.

Colleen Healey-McDowall spoke through the chair to the audience about the BCRY objectives and need to preserve the rail line as potentially 'active'.

Joe Pantalone asked for a condition that the applicant obtain an arborist report.

**The Committee voted to APPROVE the condition for an Arborist Report.**

**The Committee voted to APPROVE the condition for a Rezoning.**

**The Committee voted to APPROVE the Consent Application with conditions.**

**A1/23**  
96 King Street

**ANC DEBRINSECU & MIKE ALLEN**  
Minor Variance

**The application was deferred by the applicant prior to the Committee Meeting.**

**A3/23**  
6888 County Road 10

**LAURA JEANE DAWE**  
Minor Variance

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.

Colleen Healey-Dowdall made comments on the case regarding NVCA procedure regarding "lots of record", and the standards for permitting buildings/structures on these lots.

The chair asked the applicant to present their case.

Paul Neals introduced himself.

Laura Jeane Dawe presented her case: her parents need housing, and she is hoping that the ARU will provide them adequate housing and comfort being in the care of family.

Paul Neals assured the Committee that the ARU is completely safe and up to standard. Explained the distinction between floodplain and flood hazards. That the proposed development is within the level of "acceptable risk". Emergency services had confirmed via correspondence that they would be able to access the property in the event of a flood.

Lilian Reed made comments on the case.

Henry Sander clarified that there was no formal support from Council that he was aware of.

Henry Sander asked where the state of the NVCA permit was at.

Paul Neals said that the permit was denied, and argued as to why the decision from the NVCA was not adequate and did not adhere to their guidelines.

John Stelmachowicz asked about the existing Garden Suite on the neighbouring property to the south. He also asked for the applicant for proof of correspondence where the NVCA said they would allow an addition but not the detached ARU.

Joe Pantalone says he would like to approve the application subject to the following condition:

- The applicant improves the grade of the driveway and meet the required standards of Essa Township.

Henry Sanders spoke through the chair to talk about the liability the Township would assume if they approved this application.

**The Committee of Adjustment voted on the condition that the landowner enter an agreement to be registered on title to relieve the Township and CA from any possible liability due to flooding, to the satisfaction of the Township and at no cost to the Township.**

**The Committee of Adjustment voted to approve the condition that the owner improve the grade of the driveway to allow safe and easy exit, to the satisfactory of the municipality, and at no cost to the municipality.**

**The Committee of Adjustment voted to APPROVE the Minor Variance with conditions.**

### **ADJOURNMENT**

The chair, John Stelmachowicz closed the meeting at 11:28 a.m.