

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: B4-25
Related Application(s): N/A
Owner(s): Stephanie Ashley / Edwin & Krista Strutz
Meeting Date: April 25th, 2025
Prepared by: Anmol Burmy, Planning and Development Coordinator

PROPERTY INFORMATION:

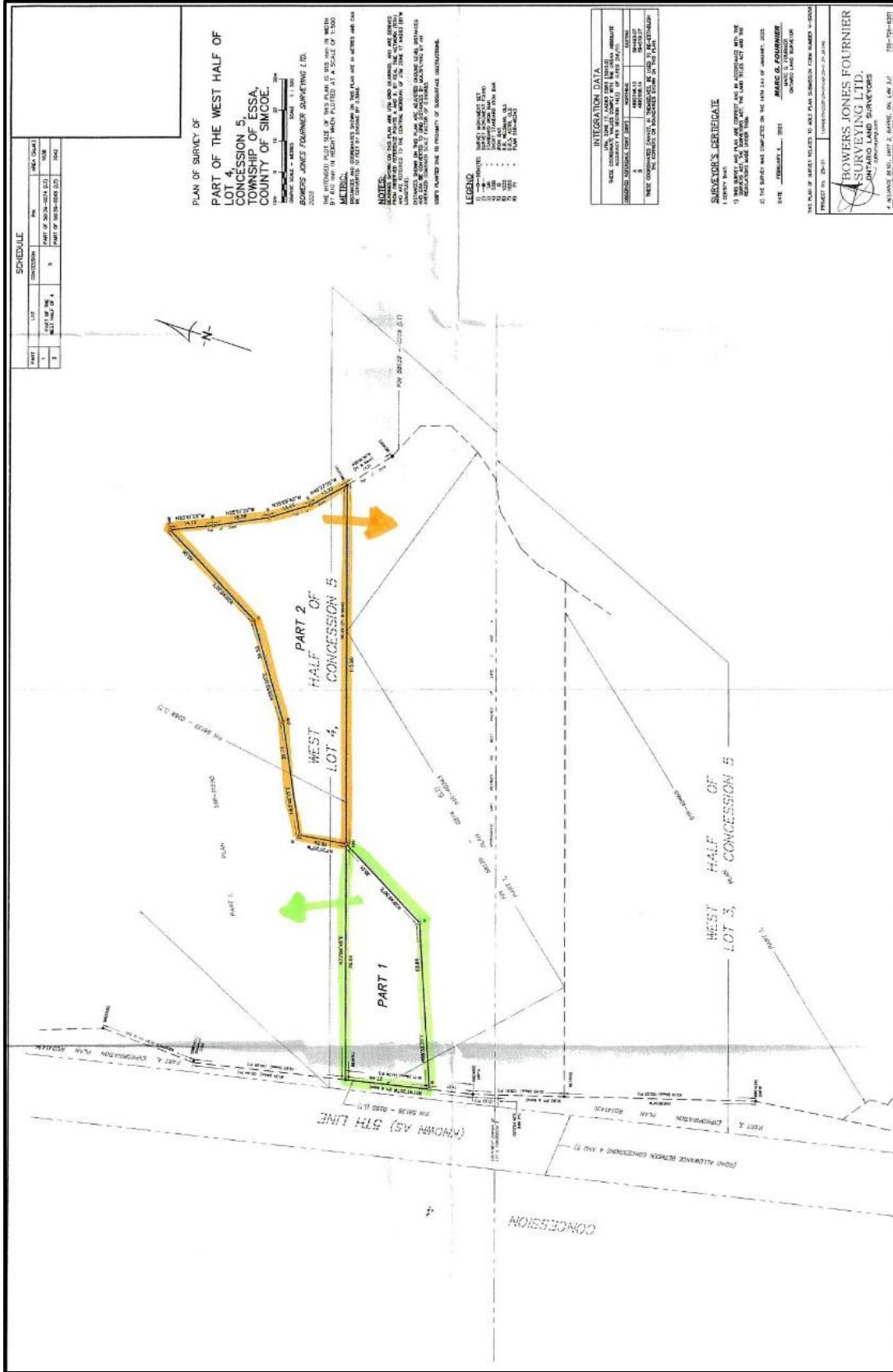
Municipal Address	5475& 5493 5 th Line, Essa
Legal Description	ESSA CON 5 W PT LOTS 3 AND 4; RP 51R40343 PART 1 RP;51R40465 PART 1 AND ESSA CON 5 PT LOTS 3 AND 4; AND RP 51R11590 PART 2 PT;PART 1
Roll No.	432101000116605 AND 432101000116601
Official Plan	Agricultural
Zoning By-law	Agricultural (A) Zone

RECOMMENDATION:

Staff recommends **APPROVAL** of Application B4-25 based on Planning Policy and all considerations, with the following conditions:

1. That a reference plan of the severed parcel(s) be prepared by an Ontario Land Surveyor and copies provided to the Secretary-Treasurer. The plan should be approved by Township Staff prior to depositing it in the Land Registry Office.
2. That the applicant provides to the Secretary-Treasurer of the Committee of Adjustment copies of transfer documentation associated with the lands.
3. That all municipal taxes be paid up to date.
4. That the applicant satisfies concerns from the NVCA.
5. That all external cost associated with the application be borne by the applicant.
6. That Planning Act Sections 50(3) and (5) will continue to apply to the lot to be created (for both parcels).

PROPOSAL:



SATELLITE IMAGERY:



*****While not 100% precise, this is included to provide a general representation of the land associated with each parcel.**

REASON FOR THE APPLICATION:

The applicant has submitted a proposal for a lot line adjustment between the adjacent properties at 5475 5th Line and 5493 5th Line. The proposal entails the transfer of 1,638 square meters of land from 5475 5th Line to 5493 5th Line, and the transfer of 3,042 square meters of land from 5493 5th Line to 5475 5th Line.

This lot line adjustment is being requested as a form of succession planning. The owners would like to formally place the existing driveway (currently associated with 5475 5th Line) entirely within the boundaries of the 5475 property rather than on the neighboring property of 5493 5th Line. This change will ensure that the driveway is properly situated within the legal limits of its intended property and it will prevent any future construction on the Part 2 parcel of land, which is what the owners of 5475 5th Line would like.

DATE OF SITE INSPECTION:

April 3rd, 2025

PLANNING ANALYSIS

1. Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) 2024 provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The subject lands are located outside of a settlement area and are designated "Greenland" by the County Official Plan, therefore being classified as Rural area and not Prime Agricultural Lands in the context of the PPS.

Section 2.5.1 states that healthy, integrated and viable rural areas should be supported by providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets.

The proposed Consent (lot line adjustment) would not result in the creation of a new lot and would facilitate a boundary adjustment. The properties house natural heritage features such as natural woodlots. Therefore, the proposed Consent is generally consistent with the policies of the Official Plan

2. County of Simcoe Official Plan

The County of Simcoe Official Plan (“County OP”) was adopted by the County of Simcoe Council on November 25, 2008 and was fully approved by the Ontario Municipal Board in December 2016. Within the County OP, the subject properties are designated as “Greenland” in accordance with Schedule 5.1.

Section 3.3.5 states Consents for the purpose of legal or technical reasons and consolidation of land holdings may be permitted but shall not be for the purpose of creating new lots except as otherwise permitted in this Plan, Provincial policies, and legislation.

Section 3.8.15 (viii) states that subject to demonstrating that the lands are not within a prime agricultural area, residential dwelling units on lots which were approved prior to the approval date of this policy (May 9, 2016) are permitted.

Section 3.8.21 specifies that any minor adjustments to the Greenlands designation, as determined by the provided information, will not necessitate an amendment to this Plan. Given that this is a lot line adjustment, it is deemed a minor adjustment in nature.

The proposed lot line adjustment would not result in a new lot and would only transfer lands between existing properties. Therefore, the proposed Consent is generally consistent with the intent and purpose of the County of Simcoe’s Official Plan.

3. Township of Essa Official Plan

The Township of Essa Official Plan designates the subject properties as “Agricultural” in accordance with Schedule “A”.

Section 26.3.1 (l) of the Official Plan contains consent criteria applicable to all land use designations: *“Consents may be granted for technical reasons such as boundary adjustments, easements, rights-of-way, or other similar purposes that do not result in the creation of a new lot provided the objectives of the Plan are upheld.”*

The proposed Consent would not result in the creation of a new lot. Therefore, the proposed lot line adjustment application is generally consistent with the intent and purpose of the Official Plan.

4. Township of Essa Zoning By-law (2003-50)

The subject properties municipally known as 5475 5th Line and 5493 5th Line are currently zoned as Agricultural (A).

The proposed Consent would not result in any compliance issues for either lot, as the existing lots would maintain compliance with relevant provisions and permitted uses for lands zoned Agricultural (A) after the lot line adjustment. Therefore, the proposed Consent is generally consistent with the intent and purpose of Zoning By-law 2003-50.

DEPARTMENT AND AGENCY COMMENTS:

No department or agency comments.

PUBLIC COMMENTS:

No public comments were received.

CONCLUSION:

Staff are recommending **APPROVAL** of this application as the proposal is generally in keeping with all relevant planning policies and staff considers the approval of said applications to be good planning.

Respectfully submitted,



Anmol Burmy
Planning and Development Coordinator
Township of Essa