

**TOWNSHIP OF ESSA  
COMMITTEE OF ADJUSTMENT**

**AGENDA**

**May 26<sup>th</sup>, 2023 - 10:00 a.m.**

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

**1. DISCLOSURE OF INTEREST:**

**2. MINUTES:**

Committee to accept Minutes from the April 28<sup>th</sup>, 2023, Meeting. See attached.

**3. APPLICATIONS:**

- i) **B4/23**  
**8786 8<sup>th</sup> Line**  
**Description:**
- Anthony Musso**  
*Consent – Lot Line Adjustment*  
The applicant is proposing a lot line adjustment that would transfer approximately 4.14 hectares (11.25ac) from the property municipally known as 8786 8th Line to the property municipally known as 5413 County Road 90. The retained lot (8786 8th Line) would be approximately 21.2 hectares (52.1 acres). The proposed lot (5413 County Road 90) would be approximately 4.75 hectares (11.7 acres).
- Designation:** **Rural & Aggregate Potential**
- ii) **B6/23**  
**7716 County Road 27**  
**Description:**
- Blaine Gerrity**  
*Consent – Lot Line Adjustment*  
The applicant is proposing a lot line adjustment that would change the configuration of the lot lines between the properties known as 7716 County Road 27 which has a lot of area of approximately 4 hectares (9.9 acres), and 7722 County Road 27 which has a lot area of approximately 4 hectares

(9.9 acres). The change would not result in a change in lot area, lot frontage or lot depth.

**Designation:**

**Agricultural & Aggregate Potential**

iii) **B7/23**  
**5136 9<sup>th</sup> Line**  
**Description:**

**White Veal Meat Packers Ltd**  
*Consent – Lot Line Adjustment*  
The applicant is proposing a lot line adjustment that would transfer approximately 1.5 hectares (3.7 acres) from the property legally known as PT E1/2 LT 2 CON 8 ESSA PT 1 51R33706; ESSA to the property known municipally as 5136 9<sup>th</sup> Line, which has a lot area of approximately 3.9 hectares (9.6 acres).

**Designation:**

**Agricultural & Commercial**

iv) **A8/23**  
**Lot 7, Concession 1**  
**Description:**

**Rob & Christine Brayford**  
*Minor Variance*  
The applicant is seeking relief from Section 8.1d of Essa Township's Zoning By-law 2003-50, which regulates the maximum height of a detached accessory building at 4.5 meters. The applicant is proposing a building with a height of 7.3 meters.

**Zoning:**

**Agricultural (A)**

v) **A9/23**  
**58 Tree Top Street**  
**Description:**

**Michael Carter**  
*Minor Variance*  
The applicant is seeking relief from Section 8.1d of Essa Township's Zoning By-law 2003-50, which regulates the maximum height of a detached accessory building at 4.5 meters. The applicant is proposing a building with a height of 5.5 meters.

**Zoning:**

**Residential, Low Density, Detached (R1)**

**4. OTHER BUSINESS**

**5. ADJOURNMENT**

**COMMITTEE OF ADJUSTMENT  
MINUTES**

**April 28<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  
Sam Haniff, Manager of Planning

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 March 24<sup>th</sup>, 2023 were accepted by the Committee.

**DISCLOSURE OF INTEREST:**

Ron Henderson claimed a conflict of interest for file no. **B4/23**, as his nephew is a lawyer representing the applicant.

**APPLICATIONS**

<b>B22/22</b> 8616 8 <sup>th</sup> Line	<b>Linda Brown</b> Consent – Validation Certificate
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**APPLICATION WAS WITHDRAWN.**

<b>B4/23</b> 8786 8 <sup>th</sup> Line	<b>Anthony Musso</b> Consent – Lot Line Adjustment
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**Present (other than Committee & Staff Members):**

Anthony Musso, Applicant  
Joshua Matson, Applicant's Agent

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.

Joshua Matson made a presentation for file no. B4/23

Joshua Matson asked that Condition #6 and #7 be removed from the Notice of Decision.

Joe Pantalone asked that the reasoning for the condition regarding the Aggregate Impact Assessment to be explained.

Owen Curnew spoke through the chair to explain the reasoning, and agreed the condition could be removed from the Notice.

Henry Sander spoke through the Chair and referred to the previous meeting where the CAO, Colleen Healey recommended the agreement be applied.

Conversation about the condition for a legal agreement between the Township and the applicant carried on between Anthony Musso, Joshua Matson, Sam Haniff, John Stelmachowicz, and Joe Pantalone.

**The Committee voted to DEFER at the applicant's request.**

**A5/23**  
6606 8<sup>th</sup> Line

**Danette Coles**  
Minor Variance

**Present (other than Committee & Staff Members):**

Danette Coles, Applicant  
Danette Coles Son, Applicant's Son

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's son to present.

Danette Cole's Son made a presentation regarding file no. A5/23.

**Henry Sander requested that applicant replace the trees that have a will be lost due to construction of the proposed building.**

**Committee voted to approve the condition that trees be replanted at the cost of the applicant.**

**The Committee voted to approve A5/23 with the suggested conditions from staff.**

**A6/23**  
227 Margaret Street

**Richard Struth**  
Minor Variance

Ron Henderson left the Council Chambers while the application was discussed.

**Present (other than Committee & Staff Members):**

Richard Struth, Applicant

Kim Clarke, 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's son to present.

Richard Struth made a presentation making the point that the variance would allow them to re-pitch the roof.

Kim Clarke said that the current set up is hazardous and dangerous and that minor variance would allow them to make the house safer.

**The Committee voted to approve A6/23 with the suggested conditions from staff.**

**A7/23**

5795 Old Mill Road

**Walter Drobny**

Minor Variance

**Present (other than Committee & Staff Members):**

Walter Drobny, Applicant

Martin Drobny, 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's son to present.

Walter and Martin Drobny made a presentation regarding file no. A7/23.

Joe Pantalone spoke to the potential for the resident and future residence to development access off of the existing drive-way to the new building.

Joe Pantalone asked staff if they could speak to the potential for this access to occur.

Owen Curnew spoke through the chair and explained that if an additional driveway was applied for, that it would be the responsibility of Public Works to approve and would require a permit.

Joe Pantalone asked for clarification on the potential to extend access of the existing

driveway.

Owen Curnew spoke through the chair and said that it is not something the planning staff would regulate.

Joe Pantalone asked for further clarification and suggested the potential for that access to be extended is problematic for neighbouring properties.

John Stelmachowicz asked for clarification about the distinction between what planning staff would regulate in terms of a new access off the public road vs. new access off the existing driveway.

Sam Haniff spoke through the chair and suggested that planning staff would not regulate an extension of the existing driveway, but permit would be required for a new entrance off the public road.

Joe Pantalone suggested that the owner sign an agreement/acknowledgement to be registered on title that the current and future owners can not extend access from the existing driveway to the rear of the property.

Owen Curnew spoke through the chair and suggested the condition was not reasonable and not something planning staff could enforce.

John Stelmachowicz called the condition suggested by Joe Pantalone to a vote.

**Joe suggested a condition that the owner sign an agreement/acknowledgement to be registered on title that the current and future owners can not extend access from the existing driveway to the rear of the property.**

**The Committee voted to DENY the suggested condition.**

**The Committee voted to APPROVE A7/23 with the suggested conditions from staff.**

## **ADJOURNMENT**

The chair, John Stelmachowicz closed the meeting at 10:55 a.m.

**X**

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John Stelmachowicz  
Chair