



**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION**

File No. **B4-25** Roll No: 432101000116605/16601

Owner: Stephanie Ashley / Edwin & Krista Strutz

Location: 5475 & 5493 5th Line

Date of Decision: April 25th, 2025

Purpose: 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.

Upon application for consent for the lands described in the above noted file, the decision of the Committee of Adjustment for the Township of Essa is that **PROVISIONAL CONSENT BE GRANTED** subject to the following *Conditions of Approval*:

- ☐ 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 in the Land Titles Office.
- ☐ That the applicant provide to the Secretary-Treasurer of the Committee of Adjustment copies of transfer documentation associated with the lands.
- ☐ That all municipal taxes be paid up-to-date.
- ☐ The application satisfy concerns (if any) from the NVCA.
- ☐ That all external cost associated with the application be borne by the applicant.
- ☐ That Planning Act Sections 50(3) and (5) will continue to apply to the lot to be created (for both parcels).

For the following reasons:

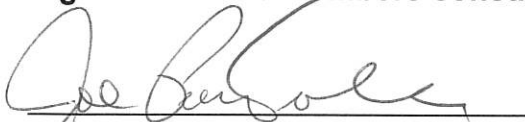
- ☒ In keeping with the Official Plan and Provincial Policy Statement
- ☒ The Committee has considered all public comments received and believes their decision is based on the best evidence available.

NOTICE OF DECISION

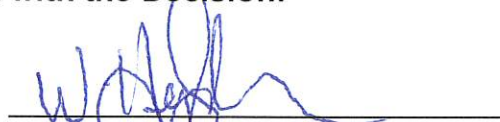
Pursuant to Subsection 41 of Section 53 of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended), all conditions imposed must be fulfilled within two (2) years from the date of the sending of the Notice of Decision or the application is deemed refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of the consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended).

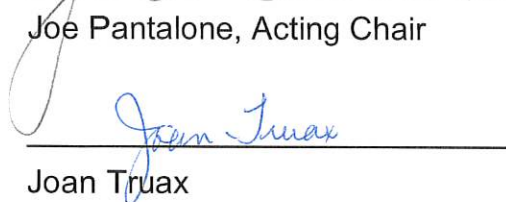
Signature of the Members concurring with the Decision:



Joe Pantalone, Acting Chair



Henry Sander



Joan Truax

THIS NOTICE OF DECISION DOES NOT OFFICIALLY SEVER A LOT:

- A CONSENT CERTIFICATE IS REQUIRED BEFORE A LOT CAN BE SEVERED.
- ALL CONDITIONS MUST BE SATISFIED BEFORE THE ISSUANCE OF THE CONSENT CERTIFICATE.
- LOTS SHOULD NOT BE SOLD BEFORE THE ISSUANCE OF A CONSENT CERTIFICATE. THE TOWNSHIP TAKES NO RESPONSIBILITY FOR LOST SALES, FEES INCURRED, NOR ANY OTHER COSTS/MONETARY LOSSES RESULTING FROM THE FAILURE TO FULFILL THE CONDITIONS LISTED ON THIS NOTICE OF DECISION.

IN READING THIS, THE APPLICANT AND/OR AGENT ACKNOWLEDGES THE ABOVE.

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 (OLT). 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; all Township administrative fees related to the appeal can be found in the Township's [Fee & Charges By-law](#). Please note the Secretary-Treasurer (plan@essatownship.on.ca) must receive this Notice within the 20-day period in order to be considered by the OLT. Please note, appeals and payments can also be made through the OLT E-File Service (<https://olt.gov.on.ca/e-file-service>).

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 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:	<u>April 25th, 2025</u>
Last date for Appeal to O.L.T.:	<u>May 15th, 2025</u>
This Notice Dated:	<u>April 25th, 2025</u>



Secretary-Treasurer, Committee of Adjustment