

**TOWNSHIP OF ESSA
COMMITTEE OF ADJUSTMENT**

AGENDA

February 27th, 2026 - 10:00 a.m.

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

1. DISCLOSURE OF INTEREST:

2. MINUTES:

Committee to accept Minutes from the November 28th, 2025, Meeting. See attached.

3. APPLICATIONS:

- i) **B1-26**
8866 Smith Road
Description:
- Tom Smith**
New Lot Creation
The applicant has submitted a Lot Creation consent application to create one (1) residential lot. The one (1) consent would allow for the creation of a separate residential lot for the home that has been situated on the property for approximately 60 years.
- Designation:** **Rural (RL)**
- ii) **A1-26**
7682 11th Line
Description:
- Essalea Farms Ltd. / Aaron Triemstra**
Minor Variance
The applicant is seeking relief from Section 5.3 (c) of Essa Township's Zoning By-law 2003-50 which stipulates the minimum front yard setback for all accessory buildings/structures is 18.0 m for a property zoned Agricultural (A). The applicant is proposing to project build a wrap around porch which will have a front yard setback of 16.60 m.
- Zoning:** **Agricultural (A)**

4. OTHER BUSINESS

5. ADJOURNMENT

**COMMITTEE OF ADJUSTMENT
MINUTES
November 28th, 2025**

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

Also Present: Owen Curnew, Development Planner
Anmol Burmy, Secretary-Treasurer
Samuel 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 September 26th, 2025 were approved by the Committee.

DISCLOSURE OF INTEREST:

No conflict of interest was disclosed.

APPLICATIONS

**A14-25
61 Vernon Street**

**Terry Arnem
Minor Variance**

Present (other than Committee & Staff Members):

Anmol Burmy provided a brief synopsis, outlining the purpose of the application, all comments received, and the recommendation of Planning Staff: APPROVAL of the application.

John Stelmachowicz invited the applicant to present.

Applicant was not present.

John Stelmachowicz asked if there were any comments from the public. No comments were received.

Joe Pantalone asked staff why there was a garage in the backyard where no car could access it and stated that it should be referred to as a shed

Anmol Burmy confirmed that garages and sheds are all considered accessory structures in our zoning by-law, so homeowners tend to use the terms interchangeably.

Joe Pantalone motioned to approve the application.

Henry Sander seconded the motion.

The Committee voted to APPROVE the variance with the conditions recommended by Staff.

**A15-25
128 Wood Crescent**

**Brittney Gay
Minor Variance**

Present (other than Committee & Staff Members):

Brittney Gay, Owner

Anmol Burmy provided a brief synopsis, outlining the purpose of the application, all comments received, and the recommendation of Planning Staff: APPROVAL of the application.

John Stelmachowicz invited the applicant to present.

Brittney Gay provided a brief presentation.

John Stelmachowicz asked if there were any comments from the public. No comments were received.

Joe Pantalone asked what the requirements are for parking on a provincial level and why the driveway shows that four parking spaces can fit on the driveway.

Owen Curnew confirmed that the Planning Act requires one parking for an ARU and two for primary dwellings and that the applicant was just showcasing that the way the driveway is situated, it can technically fit four parking spaces but only two external ones are located on their property and not in the township's right-of-way (R.O.W.).

Henry Sander stated that garages are usually used for storage and then asked what would happen to the parking spot then.

The applicant responded stating that currently there is enough space for two parking spots in the garage and that if necessary, there is enough space in the backyard to build a shed to store stuff that would regularly go in the garage.

John Stelmachowicz asked what the R2-6 special exception zoning meant and also asked if by-law were to drive by and see a car parked in the township's R.O.W. if a ticket could be issued to the homeowner.

Owen stated that the R2-6 special exception zoning was done during the subdivision

application process and allows for exceptions for side yard and rear yard setbacks and confirmed that by-law would be able to ticket the homeowner for parking in the R.O.W.

John Stelmachowicz asked when the zoning by-law will be getting updated to reflect the same parking provisions as the Planning Act for ARUs.

Samuel Haniff stated that the provision to have ARUs require two external parking spots was left in the zoning by-law because council submitted a letter to the ministry to require two parking spaces instead of the one. He also confirmed that no response was received from the ministry on the matter as of right now.

Joe Pantalone motioned to add the following condition: that the site plan be amended to remove the parking spaces in the Township of Essa's R.O.W. before moving to the building permit stage.

Henry Sander seconded the motion.

Joe Pantalone motioned to approve the application.

Joan Truax seconded the motion.

The Committee voted to APPROVE the variance with the conditions recommended by Staff.

**B8-25, B9-25, B10-25 and B11-25
8949 Smith Road**

**T.C. Lands
Lot line Adjustment**

Present (other than Committee & Staff Members):

Alan Lever, Owner
Kevin Bechard, Innovative Planning Solutions, Planner

Anmol Burmy provided a brief synopsis, outlining the purpose of the application, all comments received, and the recommendation of Planning Staff: APPROVAL of the application.

John Stelmachowicz invited the applicant to present.

Applicant provided a brief presentation.

John Stelmachowicz asked if there were any comments from the public. No comments were received.

Joe Pantalone asked if the environmental wetlands in the south corner of the property can be protected even more by registering them on title to stay environmental wetlands and no development be allowed on those lands.

Kevin Bechard stated that this is a layered process and a Draft Plan of Subdivision (DPS)

applies to the application, and the NVCA has been involved throughout the subdivision's development. The subject lands form a separate block within the DPS, with the intention that this block will be conveyed to the NVCA as part of the DPS process. There is no relationship between the identified wetlands and the severance applications currently before the Committee.

Joe Pantalone asked staff how they feel about putting in a motion to register the Environmental Wetlands on title.

Owen Curnew stated that there are multiple layers of protection for the environmental wetland due to its designation and the policy protections established by the NVCA. While this is an important consideration, it is more appropriately addressed through the DPS process. Including it at this stage would be redundant, as it will be fully considered within the DPS.

Samuel Haniff agreed with Owen Curnew and stated that there are three levels of policies that protect the land and that the DPS will include conditions from NVCA about the Environmental Wetlands. Including it at this stage will have cost and time implications for the applicant.

Joe Pantalone asked what the cost will be to include it at this stage.

Samuel Haniff noted that if this were imposed as a condition of the severance, the process would be delayed, resulting in additional costs to the applicant, who indicated they are currently paying a substantial rent at their present location.

Joe Pantalone asked if staff can ensure that this will be a condition in the DPS.

Samuel Haniff stated that the township will ensure that all of NVCA's conditions are put into the DPS.

John Stelmachowicz asked for clarification about the CPKC Rail line comments as they stated that they do not support the residential severances.

Owen Curnew clarified that these are standard comments that the CPKC rail line provides to every application.

Henry Sander asked whether a condition could be included to acknowledge the CPKC rail line comments and to ensure that any required studies are completed prior to the finalization of the severances.

Owen Curnew stated that there is already a condition put in place for a D-series study which is a study done for noise, dust and odour.

Samuel Haniff stated that we can amend the current condition to state "industrial and CPKC rail".

John Stelmachowicz asked to clarify what the Simcoe County comments are stating.

Owen Curnew stated that the Official Plan Amendment (OPA) by-law was passed on the 25th; however, an appeal has been filed, though it has not yet been processed by the OLT. No changes can be made until the appeal is submitted and resolved. At this time, staff are awaiting confirmation regarding the land-use designation change.

John Stelmachowicz asked if the residential severances are not approved can the rest still be approved.

Owen Curnew stated that at least one residential severance needs to be approved.

Henry Sander asked for clarification of the last condition of on the draft notice of decision as it says adopted not approved.

Samuel Haniff stated that we can amend it to say “finally approved” instead of adopted.

Hendry Sander asked for clarification on a statement made on page 9 of the staff report which stated: *That the subject lands be rezoned to accurately reflect the proposal and accommodate for the proposed uses.*

Samuel Haniff stated that council has approved the Zoning By-Law Amendment (ZBA), however, with the County’s recent change to the OPA, the ZBA must now be revised accordingly and brought back to Council for consideration.

Henry Sander asked whether approving the three residential severances would set a precedent for similar requests from other farmers.

Samuel Haniff stated that this is an issue staff also considered, but consents are tied to the land-use designation. Originally the applicant submitted an OPA proposing a change from Rural to Residential, however, the County approved a Rural-Exception designation instead. Such exceptions are rare at the OPA level, and in this case, it was supported to provide a residential buffer between residential and industrial uses. Therefore, the approval of these severances would not set a broader precedent.

John Stelmachowicz asked what the appeal process means.

Samuel Haniff stated that if the appeal stands, the county has 15 days to submit it to the Ontario Land Tribunal (OLT), and it is up to the County to defend their decision.

Henry Sander motioned to amend Condition 7 for the Notice of Decision for B8-25, B9-25 and B10-25 to say: *That the Township Solicitor place a Restrictive Covenant on title as a condition of approval, stating that all potential buyers of the rural residential lots abutting the TC Lands Inc. be made aware that there is a proposed Industrial Subdivision and CPKC Rail line on the abutting lands and that there may be excess noise generated as a result of the potential industrial uses. This is to be completed at the applicant’s expense, and at no cost to the Township and condition 10 to say: That the Official Plan Amendment be finally approved and the corresponding land-use designations be successfully amended.*

Joe Pantalone seconded the motion.

Henry Sander motioned to approve the application.

Joe Pantalone seconded the motion.

Henry Sander motioned to amend Condition 8 for the Notice of Decision for B11-25 to say:
That the Official Plan Amendment be finally approved and the corresponding land-use designations be successfully amended.

Joe Pantalone seconded the motion.

Henry Sander motioned to approve the application.

Joan Truax seconded the motion.

The Committee voted to APPROVE the variance with the conditions recommended by Staff.

OTHER BUSINESS

ADJOURNMENT

The Chair, John Stelmachowicz closed the meeting at **11:06** a.m.