



Committee of Adjustment Meeting Agenda

April 21, 2026, 5:00 pm

Location: Essex Municipal Building, 33 Talbot Street South

Accessible formats or communication supports are available upon request. Please contact the Clerk’s Office at clerks@essex.ca or 519-776-7336 extension 1144.

Pages

1. Call to Order

1.1 Introduction Members / Staff

1.2 Meeting Procedures

2. Land Acknowledgement

We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.

3. Closed Meeting Report

3.1 Committee of Adjustment Closed Meeting - February 18, 2026

4. Declarations of Conflict of Interest

5. Adoption of Published Agenda

5.1 Committee of Adjustment Meeting Agenda for April 21, 2026

Moved by _____

Seconded by _____

That the published agenda for the April 21, 2026 Committee of Adjustment Meeting be adopted as presented / amended.

6. Adoption of Minutes

6.1 Committee of Adjustment Minutes for February 18, 2026

1

Moved by _____

Seconded by _____

That the minutes of the Committee of Adjustment meeting held February 18, 2026 be adopted as circulated.

7. Reports from Administration/Applications

13

7.1 A-06-26 | 2323 County Road 20 | Paula Combdon, Kasey Combdon & Ryan Balon (Agent: Floro Culmone)

14

An application for minor variance has been received by the Town of Essex

Committee of Adjustment for the lands located at 2323 County Road 20, former Colchester South, Ward 3. The applicants are proposing to construct a one (1) storey Additional Dwelling Unit (ADU) with a gross floor area of 59.5 sqm (640 sqft). The ADU will be located 9.1 m (30 ft) from the rear lot line, and 1.5 m (5 ft) from the interior side lot line. The applicant is requesting relief from section 8.15 c) x) of the Zoning By-law which prohibits an ADU in a detached accessory or ancillary building from being located within a required rear yard and side yard. The subject property is zoned Agricultural District 1.1 which requires a minimum rear yard depth of 15m (50 ft) and a minimum side yard depth of 3m (10 ft).

Furthermore, the ADU will have an attached porch which will encroach up to 1.5 m (5 ft) into the minimum required side yard. Under Section 9.15 i) of the Zoning By-law a porch is not permitted to encroach into a required side yard for any zoning district. Therefore, the applicants are requesting relief from this section to allow the attached porch to encroach into the required side yard, alongside the ADU.

Moved by _____

Seconded by _____

That application A-06-26 be approved, denied with reasons, or deferred.

7.2 Planning Presentation Committee of Adjustment Regular Meeting April 21, 2026

35

Moved by _____

Seconded by _____

That the presentation entitled Committee of Adjustment, Regular Meeting, April 21, 2026, be received.

7.3 Planning Reports - Committee of Adjustment April 21, 2026

Moved by _____

Seconded by _____

That the Planning Report for Application A-06-26 be received.

8. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at _____.

9. Future Meetings

Wednesday, May 20, 2026, at 5:00 p.m. in Council Chambers, 33 Talbot Street, South, Essex ON.



The Corporation of the Town of Essex
Committee of Adjustment Meeting Minutes

February 18, 2026, 5:00 pm
Location: Essex Municipal Building, 33 Talbot Street South

Present: Chair - Baker, William
Vice Chair - Sauve, Danny
Member - Child, Matthew
Member - Lester, Dorene
Member - Pocock, Phil

Also Present: Ian Rawlings, Junior Planner
Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk
Lori Chadwick, Director, Development Services
Rita Jabbour, Manager, Planning Services
Marsha Buchta, Recording Secretary

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

1. Call to Order

The Chair called the meeting to order at 5:00 p.m. Joe Malandrucolo left at 5:52 p.m.

1.1 Introduction Members / Staff

1.2 Meeting Procedures

2. Land Acknowledgement

We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.

3. Closed Meeting Report

3.1 Committee of Adjustment Closed Meeting - January 20, 2026

Marsha Buchta, Recording Secretary / Planning Clerk, reported that on January 20, 2026 at 5:00 p.m. the Committee of Adjustment met in Closed Session as permitted to do so pursuant to Section 239 (3.1) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, to receive procedural training.

4. Declarations of Conflict of Interest

There were no declarations of conflict of interest noted at this time.

5. Adoption of Published Agenda

5.1 Committee of Adjustment Meeting Agenda for February 18, 2026

COA26-02-102

Moved By Dorene Lester
Seconded By Matthew Child

That the published agenda for the February 18, 2026 Committee of Adjustment Meeting be adopted as presented.

Carried

6. Adoption of Minutes

6.1 Committee of Adjustment Minutes for January 20, 2026

COA26-02-103

Moved By Dorene Lester
Seconded By Phil Pocock

That the minutes of the Committee of Adjustment meeting held January 20, 2026 be adopted as circulated.

Carried

7. Reports from Administration/Applications

7.1 B-22-25 | 0 County Road 50 West | Colchester Heights Development Inc. (M. Tabib) , Committee of Adjustment-2026-05

(Previously Deferred from October 21, 2025)

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 0 County Road 50 West, former Colchester South, Ward 3. The applicants are proposing to sever a + 1.69 ha (4.18 acre) parcel, comprising of Parts 2, 3, 4 and 5 on Plan 12R-20377, and Parts 1 on Plan 12R-30065, from the existing + 6.82 ha (16.85 acres) lot to be added to the adjacent property to the west identified as 0 County Road 50 West. The retained lot is proposed to have an area of + 5.14 ha (12.7 acres). The applicant is proposing this consent for the purposes of a lot addition.

The application was previously deferred to permit the owners who have not been notified, the opportunity to be notified of the application, so they may provide comments to the municipality and to allow all parties to have more information and clarification regarding the Easement. The application is now being brought back for consideration.

Mr. Ian Rawlings, Junior Planner, provided an overview of the application.

Delegations:

Applicant: M. Tabib - Colchester Heights Development Inc. advised that the application is for a lot addition only, it doesn't discuss development or zoning.

Kathryn Hengl - 487 Lakecrest Court - Addressed concerns of the right of way serving 23 Lakecrest Beach Road properties that she feels is not properly recognized on the applicant's title. She requests that the severance description explicitly state that the severed property is subject to all existing easements that grant right-of-way access for all Lakecrest Beach properties—not to create new rights, but to ensure future owners are aware of the longstanding access rights already registered on individual titles.

Donna Monk - 469 Lakecrest Court - Requests clarity on the right of way on title. She also expressed concerns of road maintenance agreements being unclear with respect to responsibilities of all parties.

Mike Kelly - 487 Lakecrest Court - Expressed concerns regarding the deteriorated condition of the road leading to Lake Crest Beach and the complications resulting from its connection to a privately owned section. He noted that only limited access exists and emphasized the need to address long-standing oversight to prevent future disputes over access and maintenance responsibilities. He believes resolving these issues now would be low-cost and beneficial for all parties, encouraging cooperative solutions among neighbouring property owners. He noted that residents in his area maintain their own road and receive fewer municipal services, and he requests any support available to improve the situation.

Applicant M. Tabib advised all existing rights-of-way and access will remain exactly as they are, with no loss of access for any residents. Colchester Heights Development Inc. will not alter or assume road maintenance at this stage but will honor all current legal rights. In the future, if neighbors choose to update or restructure the right-of-way, the company is willing to cooperate. The change is simply an ownership title change and a step toward potential future development that could eventually improve road conditions.

COA26-02-104

Moved By Danny Sauve, Vice Chair
Seconded By Dorene Lester

That the Committee of Adjustment move into Closed Session at 5:32 p.m. under Section 239 (2) (f) of Municipal Act, 2001, S.O. 2001, c.25 as amended, to receive legal advice.

Carried

COA26-02-105

Moved By Dorene Lester
Seconded By Phil Pocock

That the Committee move from Closed session to open session to resume proceedings of the Committee of Adjustment Regular meeting.

Carried

COA26-02-106

Moved By Dorene Lester
Seconded By Phil Pocock

That application B-22-25 for a lot addition be approved to sever a ± 1.69 ha (4.18 acre) parcel, comprising of Parts 2, 3, 4 and 5 on Plan 12R-20377, and Parts 1 on Plan 12R-30065, from the existing ± 6.82 ha (16.85 acres) lot to be added to the adjacent property to the west identified as 0 County Road 50 West subject to the following conditions:

1. That at the time the conveyance is prepared for certification, a reference plan prepared by an Ontario Land Surveyor, which has been numbered,

dated, signed and registered, be submitted to the satisfaction of the Town of Essex;

2. That the appropriate documents for the conveyance be prepared and suitable for registration. All copies shall have original signatures and one digital copy will remain as a record with the Town;
3. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town; That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
4. That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
5. That the severed parcel be consolidated with the lands known as 0 County Road 50. In accordance with Subsection 3 of Section 50 of the Planning Act, the applicant shall submit to the Secretary-Treasurer satisfactory evidence that the transferee of the severed portion of the property and the owner of the abutting property are identical, together with an undertaking from the applicant's solicitor to consolidate the severed portion and the abutting into one parcel. Within the date that is the latter of, thirty days of the issuance of the certificate of consent to sever and the abutting parcel being converted to Land Title Conversion Qualified (LTCQ), the applicant shall provide evidence to the Secretary-Treasurer that an application to consolidate parcels has been filed with the Land Registry Office.
6. That the registered instruments R439115 and R439297 remain on title for the severed parcel and when the parcel is consolidated the instruments remain on title for that parcel as well.
7. That all of the above conditions be fulfilled on or before February 18th, 2028, as per Section 53(41) of the Planning Act, R.S.O. 1990.

Reason for Decision:

The Application is in keeping with subsection 6.4 of the Town of Essex Official Plan respecting "Consents".

Carried

7.2 B-01-26 | 0 Maidstone Avenue West | Essex Town Centre Ltd. (Agent: Corey St. Onge), Committee of Adjustment-2026-01

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 0 Maidstone Avenue West, Essex Centre, Ward 1. The applicants are proposing to establish an easement in perpetuity to provide access, services and parking in favour of the abutting property to the

south (0 Maidstone Avenue West) over parts 1, 7 and 9 on the draft plan attached.

Ian Rawlings provided an overview of applications B-01-26, B-02-26 and A-02-26 together.

Ms. Dorene Lester questioned whether zoning permitted uses beyond an office which may require loading facilities in the future.

Mr. Rawlings clarified that the zoning is C1.1 and that should future owners choose to utilize the building in a different capacity, they would be able to within permitted uses.

COA26-02-107

Moved By Danny Sauve, Vice Chair

Seconded By Phil Pocock

That application B-01-26 be approved to establish an easement in perpetuity to provide access, services and parking in favour of the abutting property to the south (0 Maidstone Avenue West) over parts 1, 7 and 9 on the draft plan provided subject to the following conditions:

1. That at the time the conveyance is prepared for certification, a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, be submitted to the satisfaction of the Town of Essex;
2. That the appropriate documents for the conveyance be prepared and suitable for registration. All copies shall have original signatures, and one digital copy will remain as a record with the Town;
3. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;
4. The applicant and applicant's solicitor shall provide and undertake to provide a copy of the deed cover page, as registered with the instrument number being shown thereon, to the Secretary-Treasurer within thirty days of the issuance of the consent certificate.
5. That all of the above conditions be fulfilled on or before February 18, 2028, as per Section 53(41) of the Planning Act, R.S.O. 1990.

Reasons for Decision:

The Application is in keeping with subsection 6.4 of the Town of Essex Official Plan respecting "Consents".

Carried

7.3 B-02-26 | 0 Maidstone Avenue West | Essex Town Centre Ltd. (Agent: Corey St. Onge), Committee of Adjustment-2026-01

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 0 Maidstone Avenue West, Essex Centre, Ward 1. The applicants are proposing to establish an easement in perpetuity to

provide access, services and parking in favour of the abutting property to the north (0 Maidstone Avenue West) over parts 2, 6 and 10 on the draft plan attached.

COA26-02-108

Moved By Matthew Child

Seconded By Dorene Lester

That application B-02-26 be approved to establish an easement in perpetuity to provide access, services and parking in favour of the abutting property to the south (0 Maidstone Avenue West) over parts 2, 6 and 10 on the draft plan provided, subject to the following conditions:

1. That at the time the conveyance is prepared for certification, a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, be submitted to the satisfaction of the Town of Essex;
2. That the appropriate documents for the conveyance be prepared and suitable for registration. All copies shall have original signatures, and one digital copy will remain as a record with the Town;
3. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;
4. The applicant and applicant's solicitor shall provide and undertake to provide a copy of the deed cover page, as registered with the instrument number being shown thereon, to the Secretary-Treasurer within thirty days of the issuance of the consent certificate.
5. That all of the above conditions be fulfilled on or before February 18, 2028, as per Section 53(41) of the Planning Act, R.S.O. 1990.

Reasons for Decision: The Application is in keeping with subsection 6.4 of the Town of Essex Official Plan respecting "Consents".

Carried

7.4 A-02-26 | 0 Maidstone Avenue West | Essex Town Centre Ltd. (Agent: Corey St. Onge), Committee of Adjustment-2026-01

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 0 Maidstone Avenue West, Essex Centre, Ward 1. The applicant is looking to construct a business office with a gross floor area of 1,109.5 sqm (11,938 sqft) and a parking area that accommodates forty-five (45) parking spaces. The applicant intends to enter into an easement agreement to establish mutual access, parking, loading and servicing with the neighboring lands to the north. Therefore, the applicant is requesting relief from section 11.9. b) of the Zoning By-law to eliminate the need to provide an on-site loading space, whereas one (1) loading space is required for

every building with a gross floor area between 275 sqm (2960 sqft) and 3,999 sqm (43,046 sqft).

COA26-02-109

Moved By Phil Pocock

Seconded By Danny Sauve, Vice Chair

That application A-02-26 be approved with the requested relief of section 11.9 b) of the Zoning By-Law to eliminate the need to provide an on-site loading space, subject to the following condition:

1. That the consent certificates for B-01-26 and B-02-26 be issued, registered, and proof of registration be provided to the Town of Essex.

Reasons for Decision:

The Application is in keeping with the general intent and purpose of the Town of Essex Zoning Bylaw and the prescribed criteria for Minor Variances under subsection 9.8 of the Town of Essex Official Plan:

1. The general intent of the Town of Essex Official Plan is maintained;
2. The general intent of the Zoning Bylaw is maintained;
3. The variance(s) is minor;
4. The variance(s) is desirable for the appropriate use of the land;
5. The variance is compatible with the established character of the neighbourhood, traffic and parking patterns;
6. The variance deals with circumstances particular to the site and development.

Carried

7.5 B-03-26 | 7969 County Road 18 | Jeremy & Maegan Brown, Committee of Adjustment-2026-02

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 7969 County Road 18, former Colchester South, Ward 3. The applicants are proposing to sever a + 4.02 ha (9.93 acre) parcel from the existing ± 7.76 ha (19.18 acres) lot to be added to the adjacent property identified as 7985 County Road 18. The retained lot is proposed to have an area of ± 3.74 ha (9.24 acres). The applicant is proposing this consent for the purposes of a lot addition.

Mr. Rawlings provided a synopsis of the application indicating the purpose is to support agricultural uses, firewood collecting and tree tapping.

COA26-02-110

Moved By Danny Sauve, Vice Chair

Seconded By Dorene Lester

That application B-03-26 for a lot addition be approved to sever a ± 4.02 ha (9.93 acre) parcel from the existing ± 7.76 ha (19.18 acres) lot to be added to the

adjacent property identified as 7985 County Road 18 subject to the following conditions:

1. That at the time the conveyance is prepared for certification, a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, be submitted to the satisfaction of the Town of Essex;
2. That the appropriate documents for the conveyance be prepared and suitable for registration. All copies shall have original signatures, and one digital copy will remain as a record with the Town;
3. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;
4. That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
5. The applicant and applicant's solicitor shall provide and undertake to provide a copy of the deed cover page, as registered with the instrument number being shown thereon, to the Secretary-Treasurer within thirty days of the issuance of the consent certificate;
6. That the severed parcel be consolidated with the lands known as 7985 County Road 18. In accordance with Subsection 3 of Section 50 of the Planning Act, the applicant shall submit to the Secretary-Treasurer satisfactory evidence that the transferee of the severed portion of the property and the owner of the abutting property are identical, together with an undertaking from the applicant's solicitor to consolidate the severed portion and the abutting into one parcel. Within thirty days of the issuance of the certificate of consent to sever, the applicant shall provide evidence to the Secretary-Treasurer that an application to consolidate parcels has been filed with the Land Registry Office;
7. That Minor Variance Application A-03-26 which requests relief from section 13.1 b) ii) of the Zoning By-law, be approved;
8. That all of the above conditions be fulfilled on or before February 18, 2028, as per Section 53(41) of the Planning Act, R.S.O. 1990.

Reasons for Decision:

The Application is in keeping with subsection 6.4 of the Town of Essex Official Plan respecting "Consents".

Carried

7.6 A-03-26 | 7969 County Road 18 | Jeremy & Maegan Brown, Committee of Adjustment-2026-02

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 7969 County Road 18, former

Colchester South, Ward 3. As a result of a severance on the subject lands, the lot area for the retained parcel will be reduced from ± 7.76 ha (19.18 acres) to ± 3.74 ha (9.24 acres). Relief is therefore required from Section 13.1 b) ii) of the Zoning By-law which states that the minimum lot area for lots within Agricultural District 1.1 (A1.1) is: 40 hectares (100 acres) or as existing.

COA26-02-111

Moved By Dorene Lester
Seconded By Phil Pocock

That application A-03-25 be approved with the required relief from section 13.1 b) ii) of the Zoning By-Law to reduce the lot area for the retained parcel from ± 7.76 ha (19.18 acres) to ± 3.74 ha (9.24 acres).

Reasons for Decision:

The Application is in keeping with the general intent and purpose of the Town of Essex Zoning Bylaw and the prescribed criteria for Minor Variances under subsection 9.8 of the Town of Essex Official Plan:

- 1. The general intent of the Town of Essex Official Plan is maintained;
- 2. The general intent of the Zoning Bylaw is maintained;
- 3. The variance(s) is minor;
- 4. The variance(s) is desirable for the appropriate use of the land;
- 5. The variance is compatible with the established character of the neighborhood, traffic and parking patterns;
- 6. The variance deals with circumstances particular to the site and development.

Carried

7.7 A-04-26 | 213 Maidstone Avenue East | Tim Cambell, Tabitha Corey & Johnathon Corey, Committee of Adjustment-2026-03, Committee of Adjustment-2026-03

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 213 Maidstone Avenue East, Essex Centre, Ward 1. The applicant is looking to construct a porch that will encroach 3.8m (12.5 ft) into the required front yard, leaving a distance of 3.8m (12.5 ft) between the porch and the front lot line. The applicant is requesting relief from the Zoning

Mr. Rawlings reviewed the application with members and the public.

COA26-02-112

Moved By Dorene Lester
Seconded By Matthew Child

That Application A-04-26 be approved with the required relief from section 9.5. i) of the Zoning By-law to permit a porch to encroach 3.8 m (12.5 ft) into the required front yard subject to the following condition:

1. That the applicant obtains a Building Permit from the Town of Essex.

Reasons for Decision:

The Application is in keeping with the general intent and purpose of the Town of Essex Zoning Bylaw and the prescribed criteria for Minor Variances under subsection 9.8 of the Town of Essex Official Plan:

1. The general intent of the Town of Essex Official Plan is maintained;
2. The general intent of the Zoning Bylaw is maintained;
3. The variance(s) is minor;
4. The variance(s) is desirable for the appropriate use of the land;
5. The variance is compatible with the established character of the neighborhood, traffic and parking patterns;
6. The variance deals with circumstances particular to the site and development.

Carried

7.8 A-05-26 | 13 Alice Street North | Mark & Joceline Sweeney, Committee of Adjustment-2026-04, Committee of Adjustment-2026-04

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 13 Alice Street North, Essex Centre, Ward 1. The applicant is looking to construct an addition to the existing single unit dwelling to accommodate an additional dwelling unit. The addition will be located 1.89 m (6.2 ft) from the rear lot line. Section 15.1 b) vii) of the Zoning By-law requires a minimum rear yard depth of 7.5 m (25 ft), therefore, the applicant is requesting relief to reduce the minimum required rear yard depth requirement.

Mr. Rawlings provided an overview of the application.

Mr. Phil Pocock requested clarification on lot coverage and water-related considerations. Administration confirmed that because an Additional Dwelling Unit (ADU) is proposed, the permitted lot coverage is 45%, and the application's coverage—just over 41%—is compliant.

Mr. Pocock inquired whether the ADU is considered a separate structure or simply an addition to the existing home. Administration explained that ADUs may be located within the primary dwelling (e.g., basement or upper level) or in a detached structure, and that the proposal remains consistent with the permitted form of an ADU.

COA26-02-113

Moved By Danny Sauve, Vice Chair

Seconded By Matthew Child

That Application A-05-26 be approved with the requested relief from Section 15.1 b) vii) of the zoning By-law to reduce the minimum rear yard depth to 1.89 m (6.2 ft) to accommodate an additional dwelling unit subject to the following condition:

1. That the applicant obtains a Building Permit from the Town of Essex.

Reasons for Decision:

The Application is in keeping with the general intent and purpose of the Town of Essex Zoning Bylaw and the prescribed criteria for Minor Variances under subsection 9.8 of the Town of Essex Official Plan:

1. The general intent of the Town of Essex Official Plan is maintained;
2. The general intent of the Zoning Bylaw is maintained;
3. The variance(s) is minor;
4. The variance(s) is desirable for the appropriate use of the land;
5. The variance is compatible with the established character of the neighborhood, traffic and parking patterns;
6. The variance deals with circumstances particular to the site and development.

Carried

7.9 Planning Presentation Committee of Adjustment Regular Meeting, February 18, 2026

COA26-02-114

Moved By Dorene Lester
Seconded By Phil Pocock

That the presentation entitled Committee of Adjustment Regular Meeting, February 18, 2026 be received.

Carried

8. Adjournment

COA26-02-115

Moved By Danny Sauve, Vice Chair
Seconded By Matthew Child

That the meeting be adjourned at 6:32 p.m.

Carried

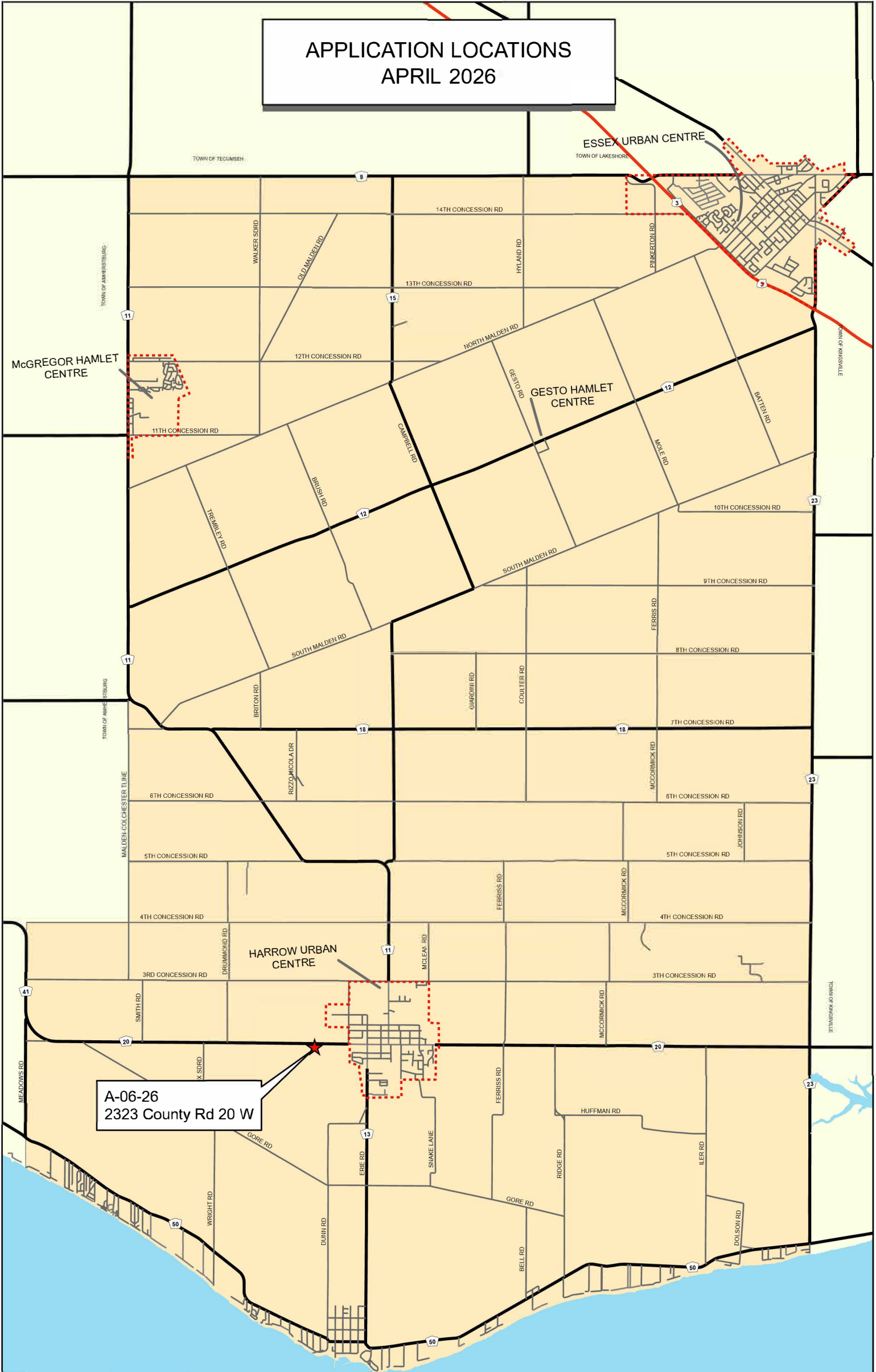
9. Future Meetings

Tuesday, April 21, 2026, at 5:00 p.m. in Council Chambers, 33 Talbot Street South, Essex, ON

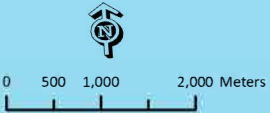
Chair

Recording Secretary

APPLICATION LOCATIONS APRIL 2026



A-06-26
2323 County Rd 20 W





**Notice of Public Hearing
Application for Minor Variance
Town of Essex Committee of Adjustment**

File Number: A-06-26
Applicant(s): Paula Combdon, Kasey Combdon & Ryan Balon
Agent(s): Floro Culmone
Location: 2323 County Road 20 (Colchester South, Ward 3)

Purpose:

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 2323 County Road 20, former Colchester South, Ward 3. The applicants are proposing to construct a one (1) storey Additional Dwelling Unit (ADU) with a gross floor area of 59.5 sqm (640 sqft). The ADU will be located 9.1 m (30 ft) from the rear lot line, and 1.5 m (5 ft) from the interior side lot line. The applicant is requesting relief from section 8.15 c) x) of the Zoning By-law which prohibits *an ADU in a detached accessory or ancillary building from being located within a required rear yard and side yard*. The subject property is zoned Agricultural District 1.1 which requires a minimum rear yard depth of 15m (50 ft) and a minimum side yard depth of 3m (10 ft).

Furthermore, the ADU will have an attached porch which will encroach up to 1.5 m (5 ft) into the minimum required side yard. Under Section 9.15 i) of the Zoning By-law a porch is not permitted to encroach into a required side yard for any zoning district. Therefore, the applicants are requesting relief from this section to allow the attached porch to encroach into the required side yard, alongside the ADU, in accordance with the attached drawings.

Take Notice:

An application under the above file number will be heard by the Town of Essex Committee of Adjustment on **Tuesday, April 21st, 2026 at 5:00 p.m.** in Council Chambers, at Town of Essex Municipal Building, 33 Talbot Street South, Essex, ON, N8M 1A8. Any owner of land that contains seven (7) or more residential units is requested to post this notice in a location that is visible to all residents.

Public Hearing:

You are entitled to attend this public hearing to express your views about this application or you may be represented by counsel for the purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice, you are requested to inform that person of this hearing. If you wish to make written comments on this application, they may be forwarded to the Secretary-Treasurer of the Committee of Adjustment for the Town of Essex, via email at essexplanning@essex.ca.

Please Note:

This meeting will be available for members of the public to attend in person. Please note there is limited space for in-person attendees and delegates, therefore pre-registration is recommended to essexplanning@essex.ca. Delegates and the public requesting to attend electronically due to special accommodation is permitted, however pre-registration is mandatory to essexplanning@essex.ca. Please provide your contact information (name,

address, email and phone number) to the Committee Recording Secretary via email to essexplanning@essex.ca or phone 519-776-7336 extension 1128 no later than the deadline of 24 Hours prior to the date and time of the scheduled meeting. Electronic participation in meeting practices shall be in accordance with Subsection 3.13 of the Town of Essex Procedural Bylaw.

Where and when feasible, all Committee of Adjustment meetings shall be livestreamed and/or made available electronically for public viewing with such determination to be based on the resources available at the time, the prevailing circumstances of the Meeting including the location thereof, any other factors that support the livestreaming or electronic availability of such Meeting. The failure to livestream and/or make available electronically for public viewing any particular Committee of Adjustment meeting shall not affect the validity of the Meeting or any action lawfully taken at the Meeting.

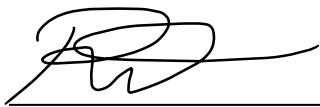
The livestream for this meeting will be available at the YouTube address listed below. The stream will be made live approximately 10 minutes before the start of the meeting and accordingly, the meeting will not appear on the YouTube account page until then.

<https://www.youtube.com/user/EssexOntario/videos>

Notice of Decision:

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment for the Town of Essex, 2610 County Road 12, Essex Ontario, N8M 2X6

April 7th, 2026



Rita Jabbour, RPP

Deputy Secretary-Treasurer/ Manager, Planning Services

Town of Essex Committee of Adjustment

Telephone: 519-776-7336, extension 1112

Email: rjabbour@essex.ca

82°56'20"W

82°56'10"W

82°56'0"W

42°2'20"N

42°2'20"N

42°2'10"N

42°2'10"N

42°2'0"N

42°2'0"N

2165

2416

2372

2380

2406

2400

2408

2410

2414

2404

2420

County Rd 20

2323

2353

This map should only be used for illustrative purposes and not as a precise indicator of parcel or lot boundaries.

APPLICATION A-06-26



Subject Lands

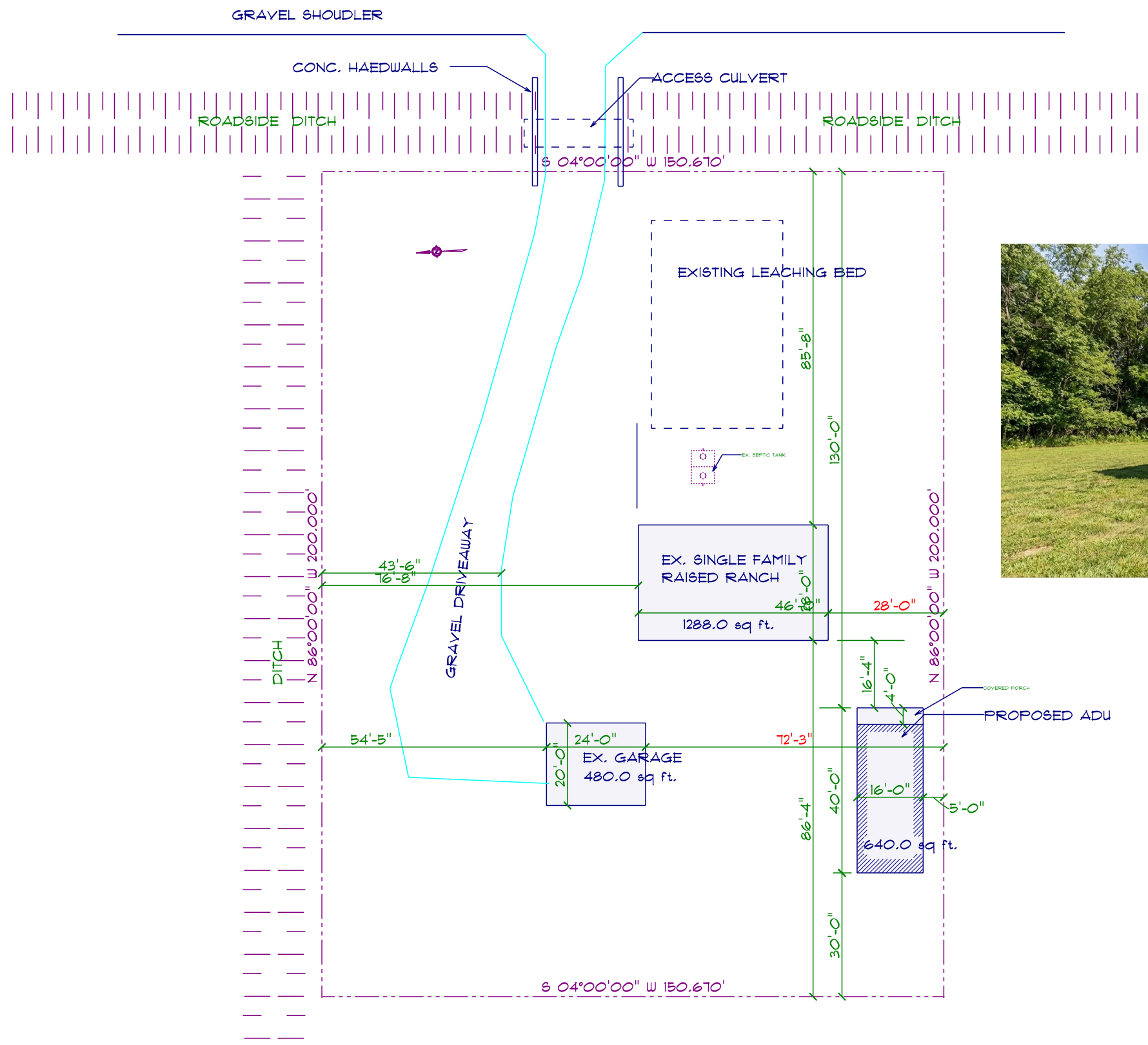
Applicant Name: *Paula Combdon, Kasey Combdon and Ryan Balon*

Location: 2323 County Rd 20 W



0 62.5 125 160 250 Feet

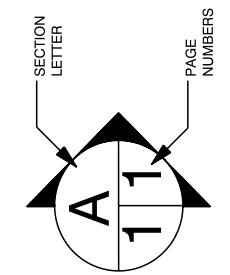
COUNTY ROAD 20



DRAWING SCHEDULE	
SITE PLAN	1
FLOOR PLAN	2
ELEVATIONS	3
SECTIONS	4

SITE PLAN
SCALE: 1" = 30'-0"

Paula Combdon



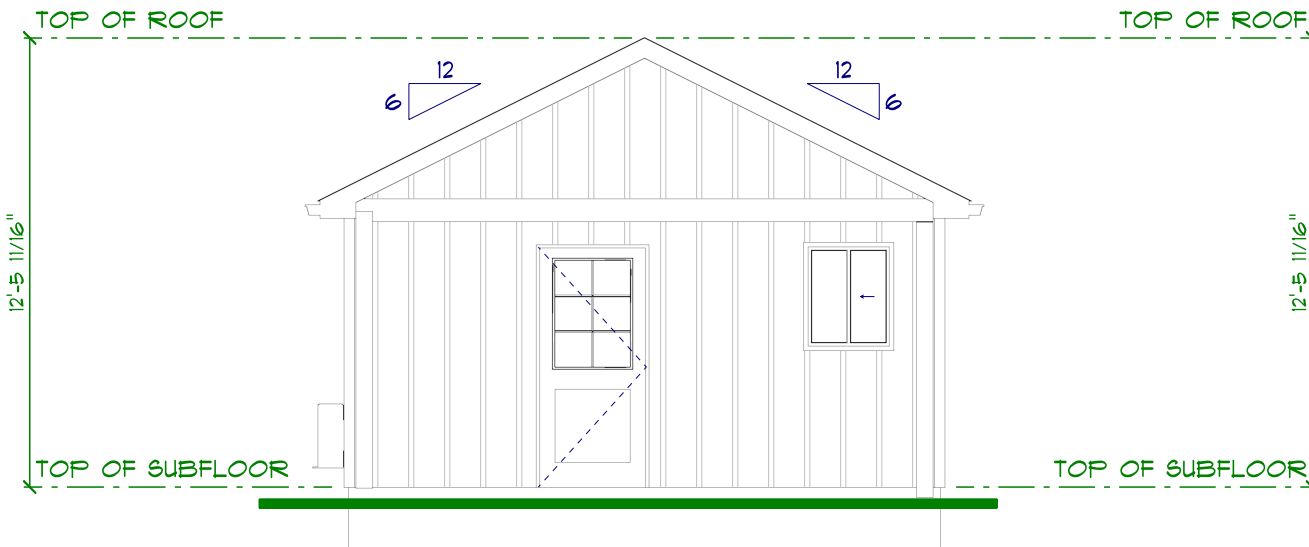
DRAWN BY: Paula Combdon
SCALE: 1" = 30'-0"
DATE: March 13, 2026
PAGE: 1/4

SITE PLAN

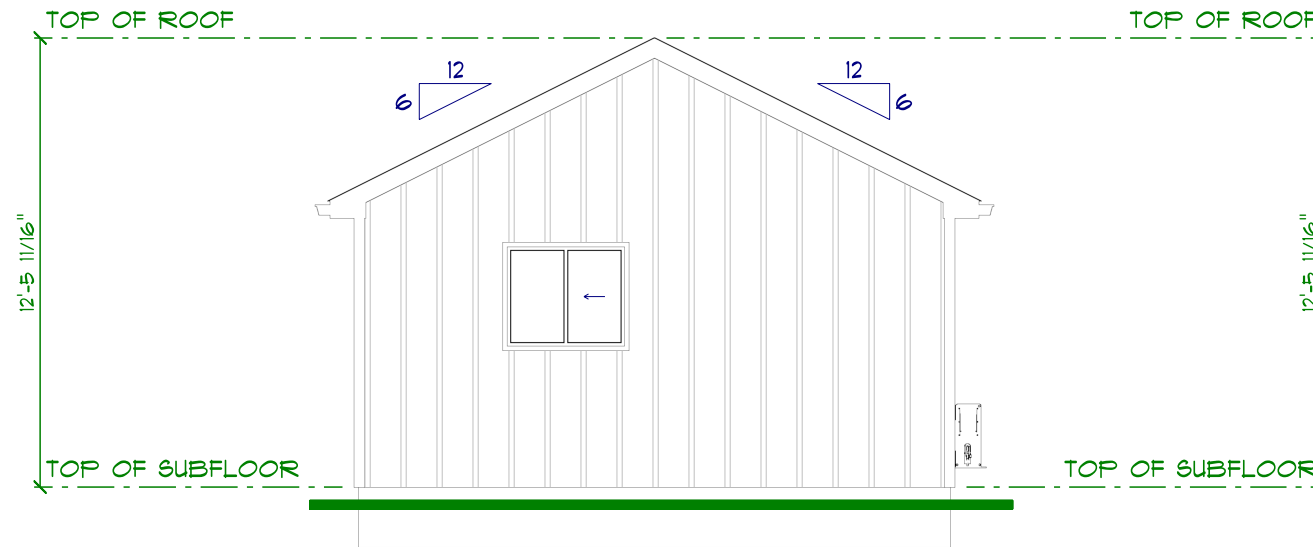
Dan Boudreau Designs
225 Herring Ave PHONE: 519 738 4859
Harrow danboudreaudesigns@gmail.com
Dan Boudreau BCIN 32825



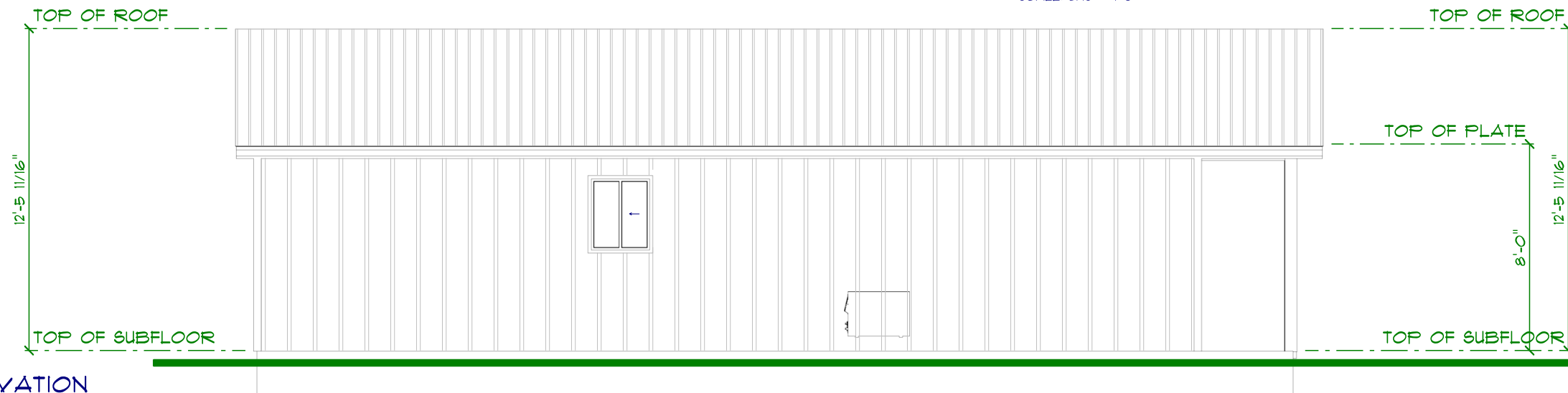
WEST ELEVATION
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



EAST ELEVATION
SCALE: 3/16" = 1'-0"

Paula Combdon

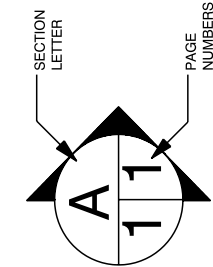
DRAWN BY:

SCALE: 3/16" = 1'-0"

DATE: March 13, 2026

PAGE:

3/4



ELEVATIONS

Dan Boudreau Designs

225 Herring Ave PHONE: 519 738 4859

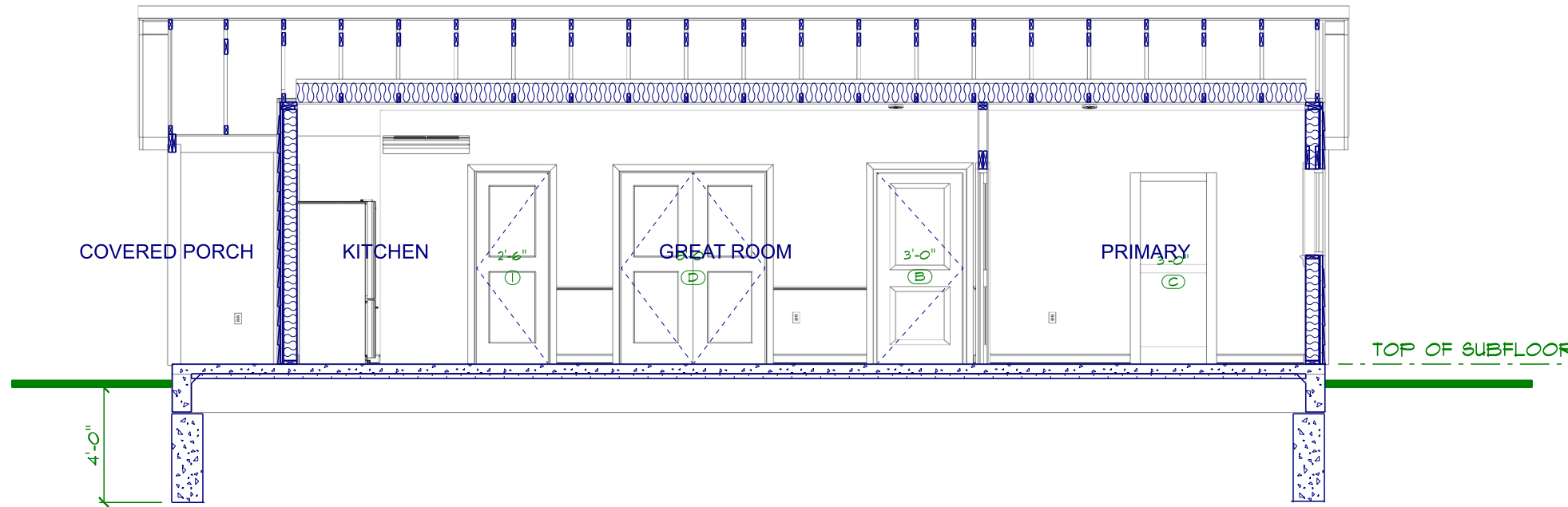
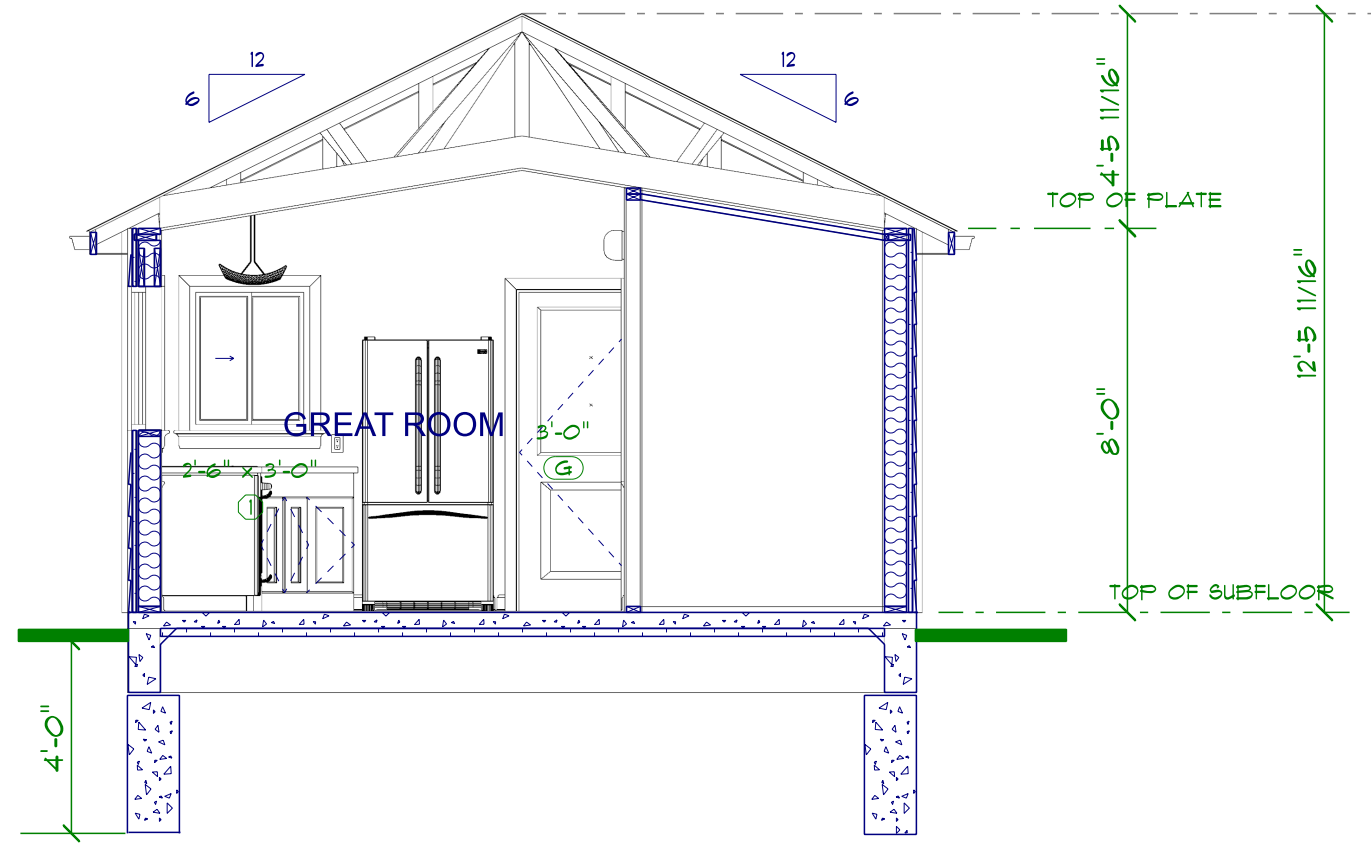
Harrow danboudreadesigns@gmail.com

Dan Boudreau BCIN 32825

A
24

CROSS SECTION A

SCALE: 1/4" = 1'-0"

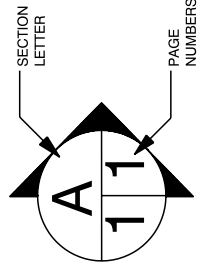


B
24

CROSS SECTION B

SCALE: 3/16" = 1'-0"

Paula Combdon



SECTIONS

Dan Boudreau Designs
225 Herring Ave PHONE: 519 738 4859
Harrow danboudreadesigns@gmail.com

Dan Boudreau BCIN 32825

DRAWN BY:

SCALE: As Noted

DATE: March 13, 2026

PAGE:

4/4



**Committee of Adjustment
Planning Comments**

Department: Planning Services

Hearing Date: April 21, 2026

Prepared by: Ian Rawlings, Junior Planner

Reviewed by: Rita Jabbour, RPP, Manager, Planning Services

Submitted to: Town of Essex Committee of Adjustment

Report Number: Committee of Adjustment 2026-07

Subject: A-06-26

Applicant(s): Paula Combdon, Kasey Combdon & Ryan Balon

Agent(s): Floro Culmone

Location: 2323 County Road 20 (former Colchester South, Ward 3)

Number of Pages: 12 including attachments

Please note that this Planning Report was prepared as of April 16, 2026. Any public comments received after this date have not been incorporated into this report; however, consideration of such public comments will be given at the Committee of Adjustment hearing on April 21st, 2026.

Recommendation(s)

It is recommended that minor variance application A-06-26 which requests relief from section 8.15 c) x) and 9.15 i) of the Zoning By-law to permit a one (1) storey Additional Dwelling Unit with a gross floor area of 59.5 sqm (640 sqft) to be located 9.1 m (30 ft) from the rear lot line, and 1.5 m (5 ft) from the interior side lot line, be approved, subject to the following condition(s):

- 1) That the applicant obtains a Building Permit from the Town of Essex

Proposal

A minor variance application has been received by the Town of Essex Committee of Adjustment for the property located at 2323 County Road 12, former Colchester South, Ward 3. The property is located in an Agricultural Area, as identified on Schedule A1 of the County of Essex Official Plan; is designated 'Agricultural' on Schedule A-3 of the Town of Essex Official Plan; and is zoned Agricultural District 1.1 (A1.1) on Map 14 of the Town of Essex Zoning By-law, By-law 1037.



The applicants are requesting the reduction to the rear and side yard setbacks due to site constraints as a result of the deficient size of the property and the location of the existing dwelling which was constructed at a time where ADUs were not considered in the Zoning By-law, which now hinders the ability for the applicant to construct an ADU and service it accordingly. The reduced side and rear yard setbacks would allow the ADU to be located in a manner which would permit an additional septic system if the existing septic system located in the front yard is unable accommodate the additional capacity.

Furthermore, the ADU will have an attached porch which will encroach up to 1.5 m (5 ft) into the minimum required side yard. Under Section 9.15 i) of the Zoning By-law a porch is not permitted to encroach into a required side yard for any zoning district. Therefore, the applicants are requesting relief from this section to allow the attached porch to encroach into the required side yard, alongside the ADU, in accordance with the attached drawings. Relief from this section is considered technical in nature as the porch is attached to the ADU. The respective tests of a Minor Variance were therefore applied to both the ADU and the attached porch simultaneously as identified within this report.

Policy Consideration

In accordance with subsection 45(1) of the Planning Act, the Committee of Adjustment may authorize such minor variance from the provisions of a By-law passed under section 34 of the Planning Act, being By-law 1037, only if the minor variance conforms with the prescribed criteria as detailing in section 45 (1) of the Planning Act, and the criteria established by the local municipality, being Section 9.8 of the Town of Essex Official Plan.

In accordance with subsection 3(5) of the Planning Act, any decision of a Committee on an application under the Planning Act, is required to be consistent with the Provincial Planning Statement, 2024 (PPS, 2024).

The following PPS (2024) policies are relevant to the proposed application for Minor Variance:

4.3.2.5. Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:

- a) comply with the minimum distance separation formulae;*
- b) are compatible with, and would not hinder, surrounding agricultural operations;*

- c) *have appropriate sewage and water services;*
- d) *address any public health and safety concerns;*
- e) *are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and*
- f) *minimize land taken out of agricultural production.*

Comments: Section 4.3.2.5 of the PPS permits ADU's within agricultural areas and contains policy direction that ADUs within Prime Agricultural areas must abide. The Town of Essex Building Department has verified that the subject lands comply with Minimum Distance Separation Formulae as of March 11th, 2026. The ADU is compatible with, will not hinder, and does not remove land taken out of agricultural production as it will be located on a lot that does not contain any agricultural operations. The ADU will utilize municipal water services and private sanitary services. The ADU will be limited in scale based on the regulations within the Town of Essex Zoning By-law, By-law 1037. The Town of Essex Zoning By-law requires that the ADU remains smaller in GFA than the main dwelling situated on the property. The main dwelling is ± 119 sqm (1,288sqft) in GFA, whereas the ADU has a GFA of 59.5sqm (640sqft) and is therefore limited in scale. No public safety or public health concerns will result from the requested variance.

It is our opinion that this proposal is consistent with the Provincial Planning Statement, 2024 (PPS, 2024).

As per section 9.8 of the Town of Essex Official Plan, when reviewing applications for minor variance to the Zoning By-law, the Committee of Adjustment should ensure that the four (4) tests provided by the Planning Act and the two (2) tests provided by the Official Plan are satisfied:

- a. *The general intent of the Town of Essex Official Plan and County of Essex Official Plan is maintained;*

Comments: Section 5.A.2.1 of the County of Essex Official Plan details that Additional Residential Dwelling units are permitted, in accordance with the provisions in the Planning Act. The Provincial Planning Statement (PPS, 2024) is sanctioned under the Planning Act. The PPS allows up to two additional residential units in prime agricultural areas.

Section 4.B.4.1. provides tools to be considered to support the development of affordable and attainable housing such as:

e) Site standards that facilitate the development of additional residential units, such as non-hazard related setbacks, narrower lot sizes, and reduced parking standards.

Permitting the construction of the ADU facilitates residential intensification through the reduction of non-hazardous related setbacks, such as the rear and side yard setback, which is intended to maintain private amenity space and separation of neighbouring land uses.

Section 5.4 of the Town of Essex Official Plan includes goals, permitted uses, and provisions for lands designated 'Agricultural'. Additional Dwelling units are permitted in an accessory buildings and is required *to be serviced with potable water, stormwater management and sanitary sewage collection and treatment facilities to the satisfaction of the Town*. A porch is considered an accessory component to an ADU, and is therefore permitted, with building regulations delegated to the local Zoning By-law.

b. The general intent of the Zoning By-law is maintained;

Comments: The intent of the 15 meter (50 feet) rear yard setback and the 3 meter (10 foot) interior side yard setback within an agricultural zone is to ensure adequate separation between all uses permitted within the Agricultural 1.1 (A1.1) zoning district 1.1. The A1.1 zoning district permits a number of uses that are both sensitive in nature and can adversely impact the use and enjoyment of neighbouring properties, such as a variety of Agricultural Operations, Farm Production Support Uses, Veterinarian Clinics, Dwellings, etc. The variances meet the intent of the Zoning By-law as amenity space is still provided for the applicants, the site can be circulated for access and maintenance, and adjacent agricultural operations are not impacted as a result of the encroachment. Directly east of the proposed ADU is an existing barn which serves the onsite agricultural operations of the neighbouring property. The location of the ADU would not impact the ability for the existing agricultural operation to either continue operation, or expand its operation, in accordance with the Zoning By-law. Therefore, the intent of the Zoning By-law is maintained.

The requested relief to allow for the encroachment of the attached porch is technical in nature and was assessed alongside the additional dwelling unit.

c. The variance(s) is minor:

Comments: The proposed ADU is reflective in mass and location of a typical structure that is accessory to a main dwelling within Agricultural Districts and would abide by all zoning regulations for an accessory structure. The ADU is one (1) storey in height, with a building height of 3.1 m (10.25ft) and has a total GFA of 59.5sqm (640sqft). The applicant will be

required to maintain their own storm water runoff, and the Building Department has reviewed the provided plans and has provided no objections at this time. Therefore, impacts to site circulation, drainage capabilities and fire separation are not anticipated due to the location of the structure itself.

The attached porch will face the main dwelling and does not encroach on the privacy of the neighbouring agricultural lands.

Rear yard amenity space is still provided between the main dwelling, accessory structure and the ADU. The use of the structure as an ADU does not result in the creation of any nuisances or impacts to neighbouring properties as it is only utilizing more of the rear yard to serve its permitted uses and the lands to the south are used for cash crop farming, and the lands to the east contains a barn (with no livestock) which serves the farm. The Town of Essex has passed By-laws to regulate items such as property standards, and noise, to ensure impacts and nuisances are prevented and/or addressed appropriately should any arise. The use maintains the general intent of the agricultural designation and is therefore minor.

d. The variance(s) is desirable for the appropriate use of the land:

Comments: The variance is desirable and appropriate as it allows for the construction of an ADU on a property that is both deficient in size and developed at a time when ADUs were not considered permitted uses in Agricultural Districts. The variance is consistent with Provincial Policy and conforms to the County of Essex, and Town of Essex Official Plan.

The requested variance to permit the encroachment of the porch is viewed as technical in nature as it is a supporting use to the additional dwelling unit. The location of the ADU and the attached porch allows for the maximization of the site without impacting the neighbouring land uses.

e. The variance is compatible with the established character of the neighborhood, traffic and parking patterns:

Comments: The established character of the neighbourhood will be maintained as the ADU will be located in the rear yard and will remain smaller in scale compared to the main dwelling and maintains the character of the area being agricultural uses and low density residential uses, where permitted. The applicant is required to provide an additional onsite parking space in accordance with the Town of Essex Zoning By-law. No new access is being constructed to accommodate the additional dwelling unit. Therefore, the variance is deemed compatible with

the character area of the neighbourhood and will not adversely impact traffic and parking patterns.

f. The variance deals with circumstances particular to the site and development:

Comments: The variance is required to facilitate the construction of an additional dwelling unit on an agricultural lot that is deficient in lot area and width, which was developed prior to the permittance of additional dwelling units.

Administration/ Agency Comments

Town of Essex Infrastructure Services	No Objections
Town of Essex Building Services	<p>I (Chief Building Official) have reviewed the submitted drawings for 2323 County Road 20 along with the circulated notice and can provide the following from a Building perspective regarding drainage and the reduced side yard setback.</p> <p>While the proposed ADU is shown at approximately 1.5 m (5 ft) from the interior side lot line, drainage control is addressed through the Building Permit process, not through the variance itself.</p> <p>As part of permit review and construction, the following measures are applied:</p> <p>Lot grading and drainage control: The site must be graded to direct surface water away from the building and toward appropriate drainage outlets (typically roadside ditch or rear/side yard swales), without impacting adjacent properties.</p> <p>No adverse impact requirement: Drainage cannot be directed onto neighbouring lands. This is a standard requirement under the Building Code and is verified through review and inspection.</p>

	<p>Foundation drainage: The ADU will be required to manage roof drainage (eavestroughs/downspouts) and foundation drainage in a controlled manner, typically discharging to grade in a manner that does not create runoff toward the lot line.</p> <p>Site inspection: Building staff will attend site to confirm grading intent and ensure positive drainage is achieved prior to final approval. Adjustments can be required in the field if needed.</p> <p>Based on the site plan (see page 1), the property appears to drain toward the roadside ditch along County Road 20, which provides a reasonable outlet, provided final grading is properly established.</p> <p>In this case, although the reduced side yard setback limits the available area for drainage swales along that side, it does not remove the requirement for the owner to manage runoff on-site. Compliance is achieved through grading design and inspection rather than setback alone.</p> <p>In short, Building will ensure through the permit and inspection process that stormwater is managed on the subject property and not directed onto the neighbouring lands.</p>
Town of Essex Community Services	Circulated/no comments
Town of Essex Corporate Services	Circulated/no comments
Town of Essex Fire Services	Circulated/no comments
Town of Essex Accessibility Committee	Circulated/no comments

Essex Region Conservation Authority	Our office has no objection to A-06-26. The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.
County of Essex	The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original right-of-way. Permits are necessary for any changes to existing entrances or structures, or the construction of new entrances and structures.

Public Comments:

The public hearing, in accordance with the requirements of the Planning Act, will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the application.

Notice of public meeting and information regarding the Minor Variance was sent to all property owners within 60 m of the subject lands.

Planning Services received one (1) phone call regarding the application where the individual expressed concerns regarding water runoff to the neighbouring property to the east. Comments provided by the Building Services addresses such concerns.

Attachments:

Comments provided by the Essex Region Conservation Authority dated 04/07/26.

Comments provided by the County of Essex dated 04/14/26.

Summary/conclusion:

In the absence of additional public input or the introduction of other pertinent issues, it is the opinion of the writer that the application satisfies the four tests of the Planning Act, and two tests prescribed by the Town of Essex Official Plan.

I hereby certify that this plan/report was prepared under the supervision of a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



Rita Jabbour, RPP

Deputy Secretary-Treasurer/ Manager, Planning Services



2026-04-07

File Number: 0602-26

Ian Rawlings, Town of Essex
Development Services, 2610 County Road 12
Essex, ON
N8M 2X6

RE: Construct an ADU
2323 COUNTY RD 20, Town of Essex
Municipal File Number: A-06-26

The Town of Essex has received Application for Minor Variance A-06-26 for the above noted subject property. The Applicant is proposing to construct a single storey Additional Dwelling Unit (ADU) with a gross floor area of 59.5 sqm (640 sq ft). The ADU will be located 9.1 m (30 ft) from the rear lot line, and 1.5 m (5 ft) from the interior side lot line. The applicant is requesting relief from section 8.15 c) x) of the Zoning By-law which prohibits an ADU in a detached accessory or ancillary building from being located within a required rear yard and side yard. The subject property is zoned Agricultural District 1.1 which requires a minimum rear yard depth of 15m (50 ft) and a minimum side yard depth of 3m (10 ft).

Furthermore, the ADU will have an attached porch which will encroach up to 1.5 m (5ft) into the minimum required side yard. Under Section 9.15 i) of the Zoning By-law a porch is not permitted to encroach into a required side yard for any zoning district.

Therefore, the applicants are requesting relief from this section to allow the attached porch to encroach into the required side yard, alongside the ADU.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT.
O. REG 686/21

The Essex Region Conservation Authority is reviewing this application circulated under the Planning Act pursuant to its delegated Provincial authority for the purpose of ensuring that the decisions under the Act are consistent with the natural hazards policies under the Provincial Planning Statement, 2024. Conservation Authorities also regulate development activities in areas affected by natural hazards under s. 28 of the Conservation Authorities Act and may provide comments related to satisfying permit requirements for the benefit of the Applicant.

The above noted lands are subject to our Regulation under the Conservation Authorities Act (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Bayliss Drain and the Quick Drain. The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

FINAL RECOMMENDATION



Our office has no objection to A-06-26. The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

Sincerely,

Alicia Good

Alicia Good
Watershed Planner
/a.l.g



April 14, 2026

Ms. Rita Jabbour
Town of Essex
33 Talbot Street South
Essex, Ontario
N8M 1A8

Dear Ms. Jabbour:

Re: Application for Minor Variance, A-06-26, Combdon & Balon,

Please be advised that the County has reviewed the aforementioned application and the comments provided are engineering-related only. This application has not been reviewed from a planning perspective. There are no objections as it pertains to this application. The subject lands have frontage on County Road 20. The Applicant will be required to comply with the following County Road regulations:

County By-Law Number 2481 – A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.

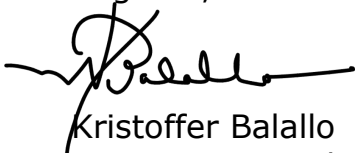
County By-Law Number 2480 – A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.

The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original right-of-way. Permits are necessary for any changes to existing entrances or structures, or the construction of new entrances and structures.

We are requesting a copy of the Decision on the aforementioned applications. Thank you for your assistance and cooperation in this matter.

Should you require further information, please contact me by email at kbalallo@countyofessex.ca or by phone at extension 1564.

Regards,



Kristoffer Balallo
Engineering Technologist

519-776-6441
TTY 1-877-624-4832

360 Fairview Ave. W.
Essex, ON N8M 1Y6

countyofessex.ca



Committee of Adjustment Regular Meeting

April 21st, 2026

Application: A-06-26

Property:

- 2323 County Road 20

OP designation:

- Agricultural

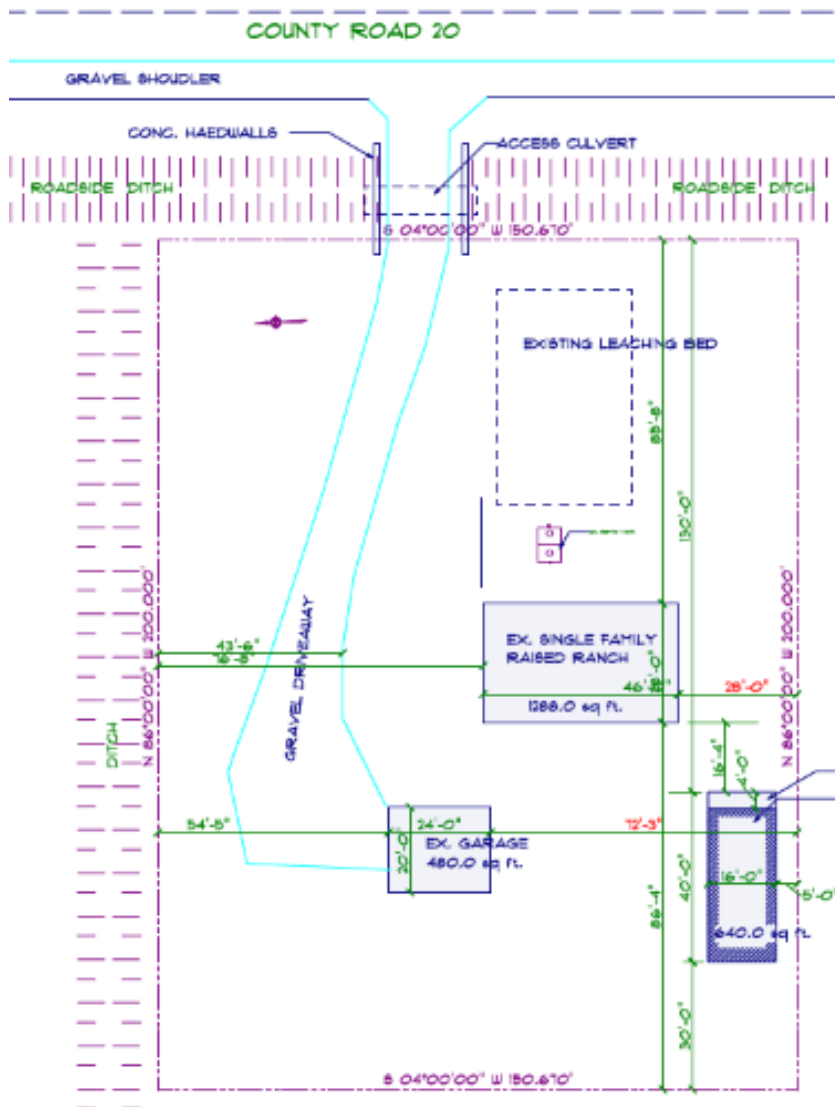
Zoning Category:

- Agricultural District 1.1 (A1.1)

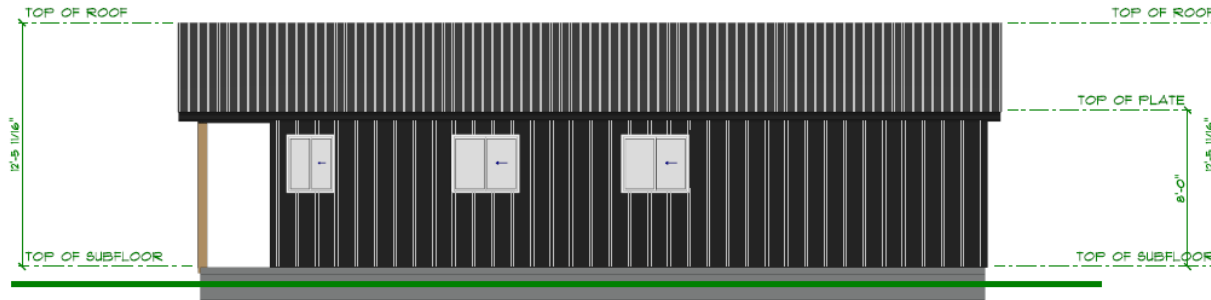
Proposal (Minor Variance):

- To construct an additional dwelling Unit (ADU) with an attached Porch within a required yard
- Reduction to required rear yard from 15 m to 9.1 m
- Reduction to required side yard from 3.0 m to 1.5 m
- To permit the attached porch in a required yard

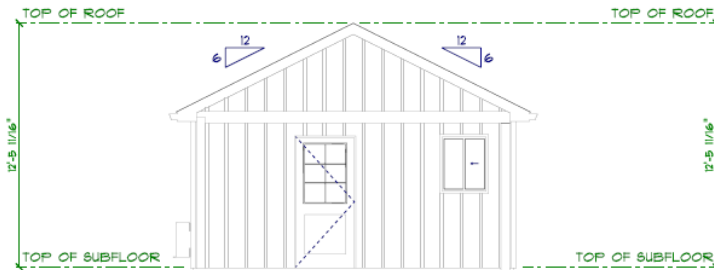
Site Plan and Rendering



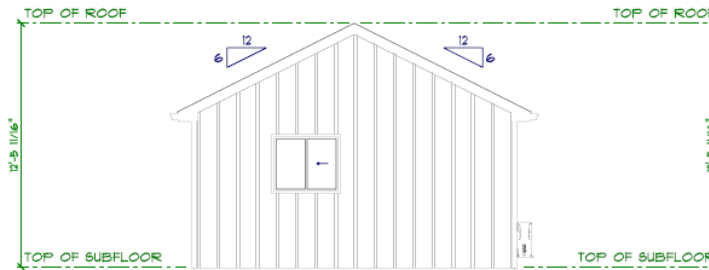
Elevations



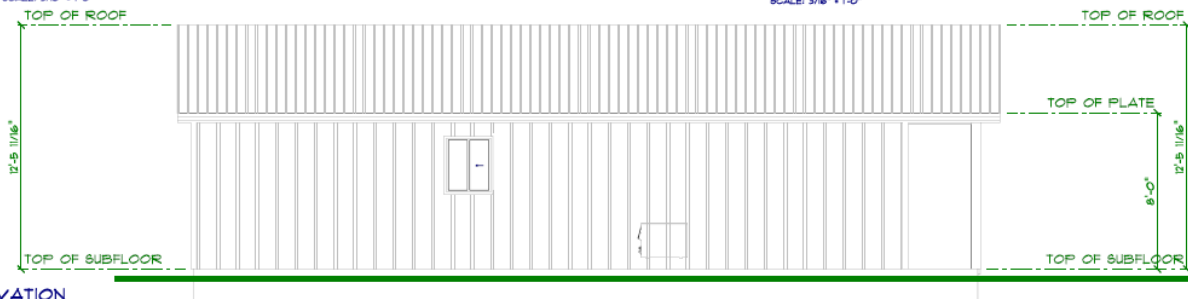
WEST ELEVATION
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



EAST ELEVATION
SCALE: 3/16" = 1'-0"

Consideration of Policy: Minor Variance

Planning Act – 4 Tests

Assessment

1. Intent of Official Plan is maintained.	<ul style="list-style-type: none">• Supports the reduction of non-hazardous setbacks to accommodate additional dwelling units.• Requires ADUs to be services with potable water and sewage systems.
2. Intent of Zoning Bylaw is maintained.	<ul style="list-style-type: none">• Intent is to ensure private amenity space is provided, privacy to neighbouring land uses is maintained, site circulation is achievable.• No impacts to privacy to neighbouring agricultural uses.
3. Proposal is considered “Minor”.	<ul style="list-style-type: none">• Comparable in size and location to a standard accessory structure.• Applicant required to maintain their own storm water runoff.• Abides by MDS calculations.• Property standard By-laws established to address any potential nuisances.
4. Proposal is appropriate and desirable for land use.	<ul style="list-style-type: none">• Allows for the construction of an ADU on a restricted site, while maximizing the potential for the property without hindering neighbouring agricultural operations.

Official Plan – 2 Tests

5. Compatible with character of neighbourhood.	<ul style="list-style-type: none">• Deemed compatible as the use is permitted and will remain accessory to main dwelling.• No impacts to parking as off-street parking regulations are met
6. Circumstances are particular to the site.	<ul style="list-style-type: none">• Application to accommodate an ADU on a restricted site that was previously developed.

Comments

External Agencies:

- Essex Region Conservation Authority – No Objections
 - Required to obtain an approval prior to any construction or site alteration – No Concerns.
- County of Essex
 - The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original right-of-way. Permits are necessary for any changes to existing entrances or structures, or the construction of new entrances and structures – No Concerns.

Comments

Internal Departments:

- Building Department - Building will ensure through the permit and inspection process that stormwater is managed on the subject property and not directed onto the neighbouring lands.
- Infrastructure Services – No Objections

Comments

Public notice:

- No written comments or objections received as of April 16, 2026.
- One (1) phone call received expressing concerns for water runoff

Recommendation

The Planning Department is Recommending **Approval**, subject to the following Conditions:

1. That the applicant obtain a Building Permit from the Town of Essex.

Thank you