



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

May 21, 2025, 5:00 pm
Location: Essex Municipal Building, 33 Talbot Street South

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

Absent: Member - Baker, William

Also Present: Ian Rawlings, Junior Planner
 Marsha Buchta, Recording Secretary
 Cheyenne Mailloux, Heritage & Planning Intern

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.

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. Declarations of Conflict of Interest

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

4. Adoption of Published Agenda

4.1 Committee of Adjustment Meeting Agenda for May 21, 2025

COA25-05-22

Moved By Danny Sauve, Vice Chair

Seconded By Dorene Lester

That the published agenda for the May 21, 2025 Committee of Adjustment Meeting be adopted as presented.

Carried

5. Adoption of Minutes

5.1 Committee of Adjustment Minutes for April 15, 2025

COA25-05-23

Moved By Matthew Child

Seconded By Dorene Lester

That the minutes of the Committee of Adjustment meeting held April 15, 2025, be adopted as circulated.

Carried

6. Reports from Administration/Applications

6.1 A-05-25 | 205 Centre Street | Lisa & Michael Girard (Agent: Dean Santarossa)

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 205 Centre Street, Essex Centre, Ward 1. The applicant is looking to construct an additional dwelling unit that is 70.0 sqm (753 sqft) in gross floor area to be located 1.2 m (4 ft) from the rear lot line. Therefore, the applicant is requesting relief from section 8.15 c) xi) of the Zoning By-law which states: an Additional Dwelling Unit located in a detached accessory or ancillary building shall be permitted in a rear yard, except in a required rear yard. The subject property is zoned Residential District 1.1 which requires a minimum rear yard depth of 7.5m (25ft).

Ian Rawlings, Junior Planner, detailed that application A-05-25 was voluntarily deferred by the applicant prior to the meeting.

6.2 B-06-25 | 265 Maidstone Avenue East | Robert & Stephen Mathies

An application for consent has been received by the Town of Essex Committee of Adjustment for the lands located at 265 Maidstone Ave E, in Essex Centre, Ward 1. The applicants are proposing to sever a + 9,299.34 sqm (2.3 acre) parcel from the existing + 13,322.3 sqm (3.29 acre) lot to be added to the vacant residential property to the south identified as 0 Maidstone Ave E. The retained lot is proposed to have an area of + 2,111 sqm (0.52 acres). The applicant is proposing this consent for the purposes of a lot addition.

Ian Rawlings, Junior Planner, provided an overview of the application by way of the presentation titled Committee of Adjustment, Regular Meeting. May 21, 2025.

Matthew Child sought clarification on timing of the Zoning By-law Amendment and Consent applications as well as why the driveway access was not included as a condition. Mr. Rawlings advised a zoning by-law amendment application has been submitted but had not been deemed complete as of yet. Driveway access will be addressed at the building stage.

COA25-05-24

Moved By Dorene Lester

Seconded By Matthew Child

That application B-06-25 be approved to sever a \pm 9,299.34 sqm (2.3 acre) parcel from the existing \pm 13,322.3 sqm (3.29 acre) lot to be added to the vacant residential property to the south identified as 0 Maidstone Ave East, 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. That the severed parcel be consolidated with the lands known as 0 Maidstone Avenue East. 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;
6. That the existing accessory structures located in rear yard be brought into compliance with the Zoning By-law.
7. That the subject lands be re-zoned from Development Reserve District 1.1 (DR1.1) to Residential District 1.1 (R1.1).
8. That all of the above conditions be fulfilled on or before May 21st, 2027, 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

6.3 B-07-25 | 265 Maidstone Avenue East | Robert & Stephen Mathies

An application for consent has been received by the Town of Essex Committee of Adjustment for the lands located at 265 Maidstone Ave E, in Essex Centre, Ward 1. The applicants are proposing to sever a + 1,912 sqm (0.47 acre) parcel from the existing + 13,322.3 sqm (3.29 acre) lot. The retained lot is proposed to have an area of + 2,111 sqm (0.52 acres). The applicant is proposing this consent for the creation of one (1) new lot.

COA25-05-25

Moved By Dorene Lester
Seconded By Danny Sauve, Vice Chair

That application B-07-25 be approved to sever a \pm 1,912 sqm (0.47 acre) parcel from the existing \pm 13,322.3 sqm (3.29 acre) lot for the creation of one lot 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. That the subject lands be re-zoned from Development Reserve District 1.1 (DR1.1) to Residential District 1.1 (R1.1).
6. That all of the above conditions be fulfilled on or before May 21st, 2027, 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

COA25-05-26

Moved By Dorene Lester
Seconded By Danny Sauve, Vice Chair

That the presentation entitled Committee of Adjustment, Regular Meeting, May 21, 2025, be received.

Carried

7. Adjournment

COA25-05-27

Moved By Matthew Child
Seconded By Danny Sauve, Vice Chair

That the meeting be adjourned at 5:18 p.m.

Carried

8. **Future Meetings**

Tuesday, June 17, 2025, at 5:00 p.m. in Council Chambers, 33 Talbot Street, South, Essex
ON.

Chair

Recording Secretary