



**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](mailto: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 18<sup>th</sup>, 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  $\pm 7.76$  ha (19.18 acres) to  $\pm 3.74$  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  $\pm 7.76$  ha (19.18 acres) to  $\pm 3.74$  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

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Chair

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Recording Secretary