

COMMITTEE OF ADJUSTMENT

PLANNING REPORT

Application: B4-26
Owner(s): Joseph Dube
Agent(s): Mark Kimel
Meeting Date: September 25th, 2026
Prepared by: Anmol Burmy, Development Planner

PROPERTY INFORMATION:

Municipal Address	12 Fraser Street
Legal Description	PT LT 30 CON 3 ESSA TWP PART 1, 51R5670 ; ESSA
Roll No.	432101001011200
Official Plan	Commercial
Zoning By-law	Core Commercial (C2)

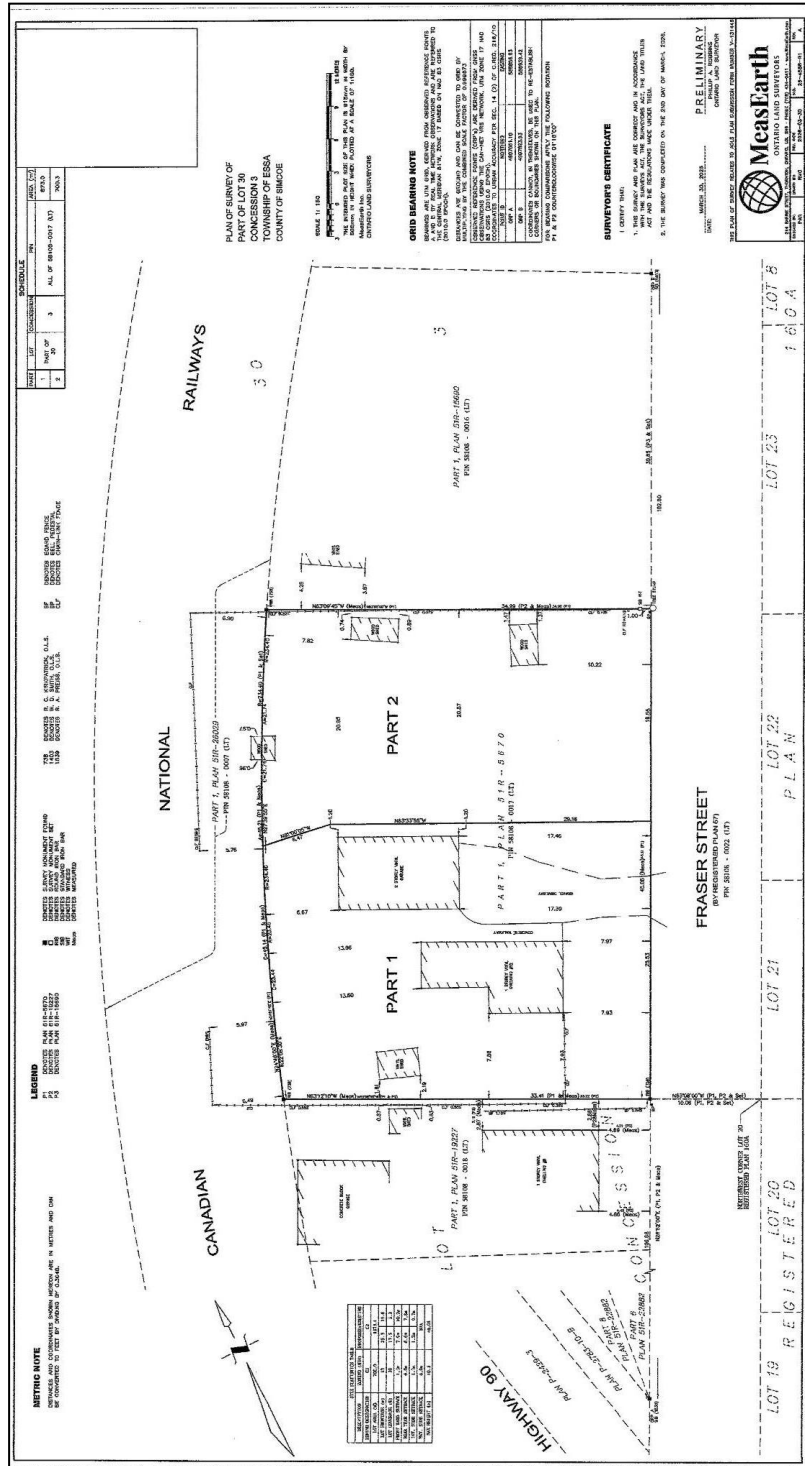
RECOMMENDATION:

Planning Staff recommends **APPROVAL** of Application B4-26 based on Planning Policy and all considerations, with the following conditions:

1. That a reference plan of the severed parcel(s) be prepared by an Ontario Land Surveyor and copies provided to the Secretary-Treasurer. The plan should be approved by Township Staff prior to depositing it in the Land Registry Office.
2. That the applicant provides to the Secretary-Treasurer of the Committee of Adjustment copies of transfer documentation associated with the lands.
3. That all municipal taxes be paid up to date.
4. That any and all external costs associated with the application be borne by the applicant.
5. That the applicant satisfies concerns from the NVCA (if any).
6. That a lot grading and drainage plan prepared by a professional engineer to be approved by the municipality at no cost to the municipality, to the satisfaction of the municipality will be required if/when development is proposed on the lot.
7. That all structures/buildings on the new lot be removed to the satisfaction of the Township.

- 8. That the applicant obtain an entrance permit from the Township of Essa Public Works Department and pay all associated fees.**

PROPOSAL (attachment 1):



REASON FOR THE APPLICATION:

The applicant is proposing to sever a 658.39m² parcel of land of an existing 1,516.68m² parcel. The retained lot would be 858.29m², and the severed lot would be 658.39m². The applicant is not proposing any development currently.

SITE INSPECTION DATE

September 15th, 2026

PLANNING ANALYSIS

1. Planning Act (1990)

Section 53 of the *Planning Act* provides that a Consent must be approved through the Committee of Adjustment.

2. Provincial Policy Statement

The Provincial Planning Statement (PPS) 2024 provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Section 2.3.1 General Policies for Settlement Areas of the PPS outlines and directs development of lands located in Settlement Areas.

The PPS does not regulate nor provide comments on Consents but does outline the criteria for land use patterns, clear direction to support intensification and redevelopment to achieve complete communities in Section 2.3.1.3.

The proposed Consents would provide the opportunity to increase commercial opportunity within the settlement area by potentially creating more economic opportunity and job creation. The development utilizes existing land to provide opportunities for commercial units to be developed in a compact form through intensification and redevelopment of the existing lands and would not impact public health or safety. Thus, the proposal to create a new lot is generally consistent with the intent and purpose of the PPS.

3. County of Simcoe Official Plan

The County of Simcoe Official Plan ("County OP") was adopted by the County of Simcoe Council on November 25, 2008 and was fully approved by the Ontario Municipal Board in December 2016. Within the County OP, the subject property is designated as "Settlements" in

accordance with Schedule 5.1.

Section 3.3 of the County of Simcoe's Official Plan outlines and directs the general development policies for subdividing land across the County.

Section 3.3.4 of the County OP requires lots to have appropriate road access. The proposed severed lot will need to apply for an entrance permit with the Township.

Section 3.5.1 states, that development within settlement areas should aim to develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services. Additionally, Section 3.5.4 also states that an objective of the Settlement designation is to promote development forms and patterns which minimize land consumption and servicing costs. The proposed new lot will contribute to the compact urban design of the surrounding area and will be an efficient use of the land with access to existing municipal services. Therefore, the proposed consent generally aligns with the stated objectives of the Settlement designation in the County OP.

Based on a review of the County OP, the proposed new lot is generally consistent with the intent and purpose of the County OP.

4. Township of Essa Official Plan

The Township of Essa Official Plan designates the subject property as "Commercial" in accordance with Schedule "B" – Angus and is located within a Settlement Area.

Section 26.6 of the Township of Essa's Official Plan outlines policies and consideration for Consents with Settlement Areas.

Section 26.6.1 When considering applications for consent to sever parcels in the settlement areas, in addition to the general consent policies, consideration shall be given to the following:

a. In consideration of severance for residential, commercial, industrial, or institutional purposes, that approval of the application will conform to all applicable policies of this Plan including the general development policies and the applicable land-use policies.

The application conforms with the general development policies, and it has been recommended that the applicant be granted conditional approval to ensure that conformance is met before issuance of Consent Certificate.

b. That all other municipal services and improvements deemed necessary are, or will be, made available.

There are existing municipal services to the lot, and septic will have to be dealt with during

the Building Permit stage and issuance of occupancy.

c. That the lot size, width and area are adequate for the use proposed and that the lot size and proposed use will not contravene the provisions of the Zoning By-law.

The lot size, width and area are adequate for a Core Commercial (C2) Zone lot.

d. That the topography, hydrogeology, and drainage of the site are satisfactory for the lot size and use proposed.

The applicant will need to provide the Township with a lot grading and drainage plan by a professional engineer to the satisfaction of the Township's Engineer; this is a recommended condition of approval.

e. That consideration has been given to the availability and adequacy of existing community facilities such as schools, parks and shops to ensure that the proposed new development does not place an undue burden on existing facilities.

There has been consideration given to the availability and adequacy of existing community facilities such as schools, parks and shops to ensure that the proposed new lot does not place an undue burden on existing facilities.

f. That consideration has been given to the compatibility of the proposed use or type of structure with the surrounding uses, including Cultural Heritage Resources.

The proposed lot will have no existing Cultural Heritage Resources and any existing resources will not be impacted.

g. That the application represents the logical in filling of an existing settlement area and in no way could be considered an expansion of the settlement area.

The proposed lot is within the settlement area and does not abut any settlement boundaries or borders; thus, this is not a concern.

h. Notwithstanding anything else contained within the Plan, within a settlement area more than one severance may be permitted provided the proponent enters into a Development Agreement with the Township

The proposed Consent (severance) proposes only one new lot.

Thus, the proposed Consent (severance) is generally consistent with the intent and purpose of the Township of Essa's Official Plan.

5. Township of Essa Zoning By-law (2003-50)

The property is currently zoned Core Commercial (C2) Zone and both lots are meeting the zoning regulations listed in Section 30 of the Zoning by-law 2003-50.

Therefore, the proposed lots will comply with the Zoning By-law 2003-50.

DEPARTMENT AND AGENCY COMMENTS:

No comments from Departments or Agencies were received.

PUBLIC COMMENTS :

No comments from the public were received.

CONCLUSION:

Staff are recommending **APPROVAL** of this application since it generally complies with all appropriate provincial and municipal requirements.

Respectfully submitted,



Anmol Burmy
Development Planner
Township of Essa