

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: A9-26, A10-26 & B3-26
Owner(s): Timothy Gilman & Janelle Bernier
Meeting Date: September 25th, 2026
Prepared by: Anmol Burmy, Development Planner

PROPERTY INFORMATION:

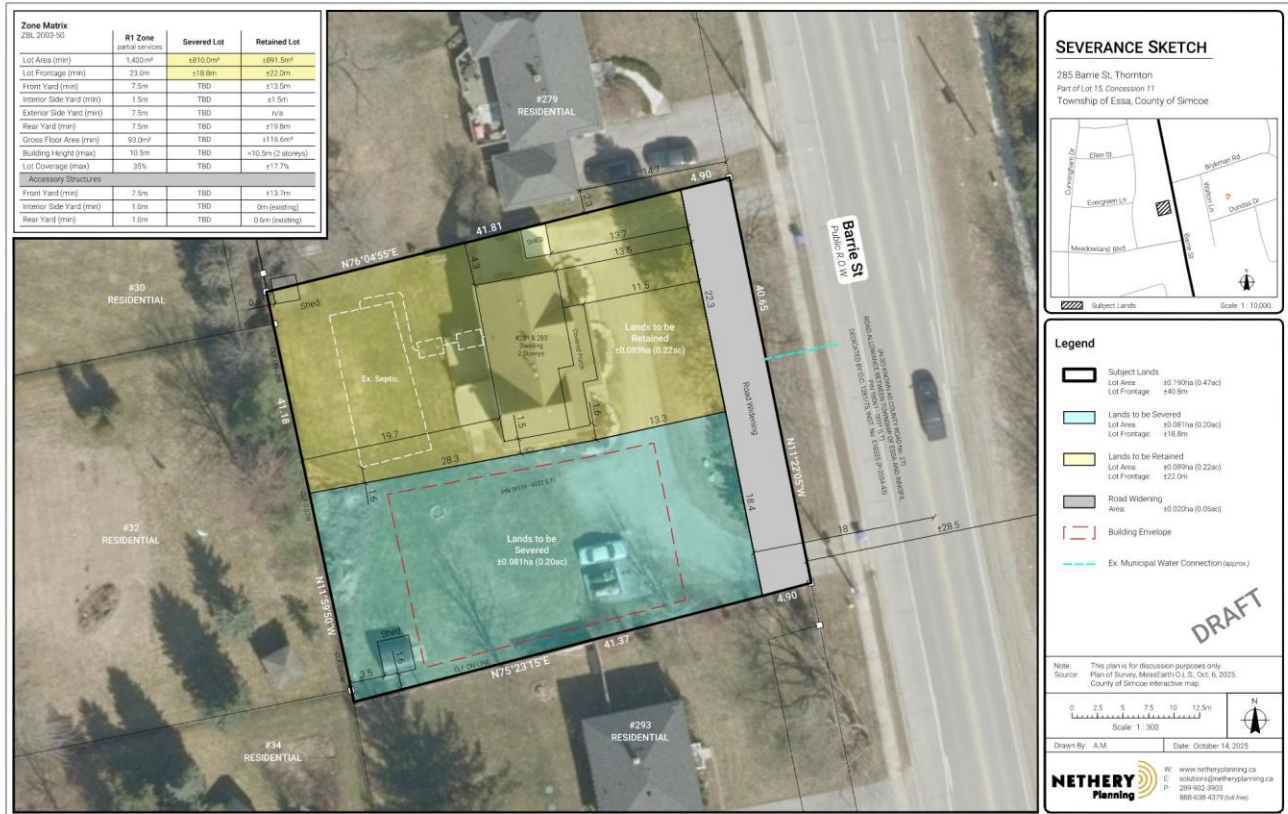
Municipal Address	285 Barrie Street
Legal Description	CON 11 E PT LOT 15
Roll No.	432101001100401
Official Plan	Residential, Settlement Area
Zoning By-law	Residential, Low Density, Detached (R1) Zone

RECOMMENDATION:

Planning Staff recommends APPROVAL of Application A9-26, A10-26 and B3-26 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 Titles 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 this application are borne by the applicant.
5. That the proper Building Permit(s) be obtained.
6. The applicant provides 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.
7. That the new lot will be serviced by private and septic until municipal servicing becomes available.

PROPOSAL (Attachment #1):



REASON FOR THE APPLICATION:

The applicant is proposing to sever an 810.0 m² parcel of land of an existing 0.19 hectares parcel. The retained lot would be 891.5 m², and the severed lot would be 810.0 m². The applicant is not proposing any development currently.

The applicant is also seeking relief from the following Section(s) of Zoning By-law 2003-50:

- Section 17 of Essa Township's Zoning By-law 2003-50 which stipulates that the minimum lot area shall be 1,400.0 m² for a property zoned R1 with partial services. The applicant is requesting that the retained parcel be 891.5 m² in size, while the severed parcel be 810.0 m².
- Section 17 of Essa Township's Zoning By-law 2003-50 which stipulates that the minimum lot frontage shall be 23.0 m. The applicant is requesting that the retained parcel be 22.0 m, and the severed parcel be 18.8 m.

SITE INSPECTION DATE

September 15th, 2026

SURROUNDING LANDS:

North	The subject property abuts 279 Barrie Street to the North. The neighbouring property is a Residential Property.
West	The subject property abuts 32 Henry Street to the West. The neighbouring property is a Residential Property.
South	The subject property abuts 293 Barrie Street to the South. The neighbouring property is a Residential Property.
East	The subject property abuts Barrie Street to the East.

MINOR VARIANCE PLANNING ANALYSIS

Test 1.

Does the minor variance maintain the general intent and purpose of the Township Official Plan (OP)? Yes

Section 8.2 outlines permitted uses in lands designated Residential, stating that this designation shall be for single detached, semi-detached and duplex dwellings.

The proposed variances would not expand beyond the residential uses permitted as the severance is intended to create a new residential lot, with the expectation that a residential dwelling will be constructed on the property.

Therefore, the variance generally maintains the intent and purpose of the Township's Official Plan.

Test 2.

Does the minor variance maintain the general intent and purpose of the By-law? Yes.

Section 17 of ZBL 2003-50 identifies that the minimum lot area for a property zoned R1 with partial services shall be 1400.0 m² and the minimum frontage shall be 23.0 m.

ZBL 2003-50 states in Section 14 that detached dwellings are allowed on properties zoned R1.

The proposed variances would not result in the expansion or limitation of any use beyond what is set out in Section 14. Additionally, the purpose of the larger 1,400.0 m² standard is generally to

ensure that residential lots that use partial or private servicing have sufficient area to accommodate the dwelling and associated private servicing infrastructure. Provided that the proposed lot can adequately accommodate the required private servicing system and other applicable development standards, as shown in the concept plan provided by the applicant, the reduction in lot area would maintain the overall intent of the By-law.

The proposed reductions in frontage from 23.0 m to 22.0 m for the retained lot and 18.8 m for the severed lot are considered appropriate given the proposed lot configuration. While the proposed frontages are below the minimum, both lots already have an entrance to the lots, can accommodate a residential dwelling that is in compliance with the setback provisions set out in the zoning by-law.

Thus, the variances would generally maintain the intent and purpose of Essa Township's ZBL (2003-50).

Test 3.

Is the minor variance desirable for the appropriate development or use of the land, building or structure? Yes.

Based on a visual analysis of the property and neighbouring lands, several neighbouring properties contain similar lot sizes and frontages on the same street in Thornton. The proposed lot would provide sufficient area for a residential dwelling and associated site improvements while maintaining the established residential character of the area. There are no perceivable impacts to neighbouring properties as a result of the lot area reduction.

Therefore, the Variance should be considered appropriate use of the land and building.

Test 4.

Is the requested variance minor in nature? Yes

Although the proposed variance represents a reduction of approximately 42% from the 1,400.0 m² minimum lot area, the resulting 810.0 m² lot area is an established minimum lot area within the R1 Zone for interior lots with full municipal servicing. The requested variance does not result in the creation of an unusually small residential lot within the context of the Township's Zoning By-law.

Similarly, the proposed reductions in frontage from 23.0 m to 22.0 m and 18.8 m would not prevent the resulting lots from functioning appropriately for their intended residential use. The proposed frontages remain sufficient to accommodate appropriate access and residential development, applicable setbacks, lot coverage, parking and other zoning requirements.

The resulting lot would continue to be subject to the applicable zoning requirements for building setbacks, parking, servicing and other development standards. Provided these requirements can be

satisfied, the reduced lot area and frontage are not expected to impact on neighbouring properties or the surrounding areas.

Thus, the Variance should be considered minor in nature.

CONSENT 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 Consent would provide the opportunity to add to the existing housing stock within the settlement area by potentially allowing a range of different housing options to be developed on the proposed lot. The development utilizes existing land to provide opportunities for housing 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 proposed lot creation 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 already has an entrance established on Barrie Street (County Road 27).

Section 3.5.2 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 “Residential” in accordance with Schedule “C” – Thornton 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.

The lot will require private services which will 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 application was submitted with two minor variance applications to allow for a reduction in lot size and lot frontage as a result of the severance.

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 is no proposed unit size to assess the burden, the Zoning itself will allow for a range of housing types but none that will put any 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 infilling 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 currently has two minor variance applications to allow for the reduction of the lot sizes for both the retained and severed parcels as well as the lot frontage. Except for these

two reductions, the proposed lots comply with the minimum zoning standards that are outlined in the Township's Zoning By-law 2003-50.

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

ADDITIONAL COMMENTS:

No comments at this time.

CONCLUSION:

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anmol Burmy', with a stylized flourish at the end.

Anmol Burmy
Development Planner
Township of Essa