

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: A1/25
Related Application(s): N/A
Owner(s): Walter & Heather Vaz
Meeting Date: March 28th, 2025
Prepared by: Anmol Burmy, Planning and Development Coordinator

PROPERTY INFORMATION:

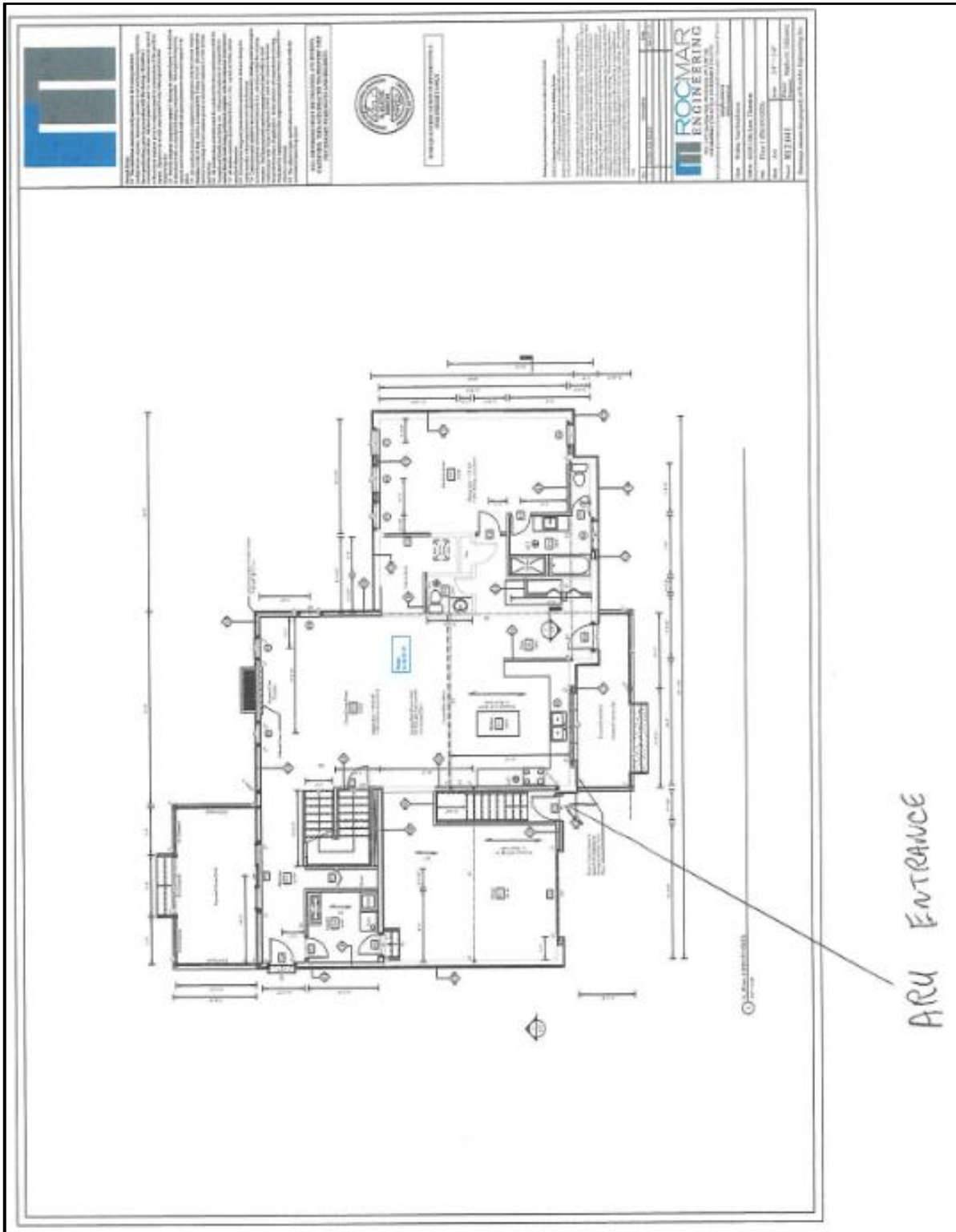
Municipal Address	6608 11 th Line
Legal Description	CON 10 S PT LOT 14
Roll No.	432101000602302
Official Plan	Agricultural
Zoning By-law	Agricultural (A)

RECOMMENDATION:

Staff recommends **APPROVAL** of Application A1/25 based on Planning Policy and all considerations, with the following conditions:

1. That all municipal taxes be paid and up to date.
2. That any and all external costs associated with this application are borne by the applicant.
3. That the proper Building Permit(s) be obtained.

Proposal:



Additional Residential Unit Entrance:



DATE OF SITE INSPECTION

March 5th, 2025

REASON FOR THE APPLICATION:

The applicant is seeking relief from Subsection 4.38.2 (a) of Zoning By-law 2003-50 which regulates the separate entrances for Additional Residential Units (ARU) stating that they shall be located on the rear or side of the primary residence.

SURROUNDING LANDS:

North	The property abuts 6614 11 th line which is comprised of a single-family dwelling.
East	The property fronts onto 11 th Line.
South	The property abuts lands which are comprised of an actively farmed field.
West	The property abuts 6650 11 th line which is comprised of an actively farmed field.

BACKGROUND:

The subject property, municipally known as 6608 11th Line, is zoned Agricultural (A) Zone in the Essa Zoning By-law (2003-50).

The applicant is seeking relief from Section 4.38.2 (a) of Essa Township’s Zoning By-law 2003-50 which stipulates that an entrance to an Additional Residential Unit (ARU) may only be located in the rear or side yard of a property.

During the building permit review process, the Township identified a non-compliance issue with the completed design. In accordance with Zoning By-law 2003-05, the Township advised that the property owner must apply for a minor variance. This variance is necessary to permit the entrance to the Accessory Residential Unit (ARU) to be located at the front of the primary dwelling, rather than the side or rear, which is the standard requirement under the by-law.

The proposed variance would bring the entrance into conformance with Zoning By-law 2003-50 and would resolve the non-compliance issue.

COMMENTS:

Test 1.

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

Essa Townships Official Plan:

Section 6.2 outlines permitted uses in lands designated Agricultural, stating that a building and structures normally incidental to an agricultural operation such as farm residences, barns, sheds, etc. are also permitted.

The Variance would not expand beyond the residential uses permitted in lands designated Agricultural.

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 Zoning By-law?
Yes**

Essa Township Zoning By-law (2003-50):

Section 6 of Essa Township's Zoning By-law 2003-50 outlines permitted uses in lands zoned Agricultural (A). Specifically, Section 6.2 (j) identifies Additional Residential Units (ARUs) as a permitted use.

The applicant is seeking relief from Subsection 4.38.2 (a) of Zoning By-law 2003-50 which stipulates that an entrance to an Additional Residential Unit (ARU) may only be located in the rear or side yard of a property. The applicant has an existing entrance which is currently located on the front of the primary dwelling. The applicant is hoping to bring the entrance into compliance through a Minor Variance.

The intent and purpose of Subsection 4.38.2 (a) can be said to be to preserve the streetscape and aesthetic character of a home. As seen in the image above, the entrance gives the appearance of a garage entrance door rather than an ARU entrance. Another purpose of ARU entrances being on the side or rear of a building is minimizing the visual impact of intensification on neighbours. The complementary building materials and detailing used by the applicant maintain the rural aesthetic and do not impose any landscape clutter to the community. Additionally, the applicant has stated in writing that he has spoken to his immediate neighbours, who are generally in agreement with the entrance. As such, staff has no concerns with the variance causing conflicts between the subject and neighbouring properties at this time.

Thus, the variance would generally maintain the intent and purpose of Essa Township's Zoning By-law (2003-50).

Test 3.

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

The proposal does not appear to impact any additional provisions, nor would it create any conflicting uses or nuisances for neighbouring properties in terms of visual, noise, or developmental impacts when considering the modest tree coverage and distances from the neighbouring properties.

Staff has reviewed the proposal and has determined that the ARU would be in-keeping with all other requirements of the Zoning By-law (e.g., maximum gross floor area, parking requirements, etc.). The variance should be considered appropriate as it would not impact the existing use of the land, building, or structure.

Therefore, the variance should be considered appropriate use of the land and building as it will help accommodate the province’s goal of adding residential units to solve the housing crisis.

Test 4.

Is the requested variance minor in nature? Yes

The Minor Variance would allow the applicant relief from Section 4.38.2 (a) of Zoning By-law 2003-50. The variance proposes to relocate the entrance of an ARU from side or rear of the primary dwelling to the front, respectively. The change results in no practical impact on the subject property, municipal roads, or neighbouring properties.

Furthermore, the ARU would conform to all other provisions of the Zoning By-law (2003-50) and contribute to addressing the shortage of rental options within the Township and Ontario in large with no perceivable impacts to the neighbouring properties.

Thus, the variance should be considered ‘minor’ in nature.

ADDITIONAL COMMENTS:

No other comments were received during the circulation of the application.

CONCLUSION:

For the above reasons, Staff recommends **APPROVAL** of this application.

Staff advises that:

The applicant be **GRANTED** the minor variance with conditions.

Respectfully submitted,



Anmol Burmy
Planning Department
Township of Essa