

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: A13-26
Related Application(s): N/A
Owner(s): Charles and Garyfallia Xerri (Xerri Holdings Inc.)
Meeting Date: September 25th, 2026
Prepared by: Anmol Burmy, Development Planner

PROPERTY INFORMATION:

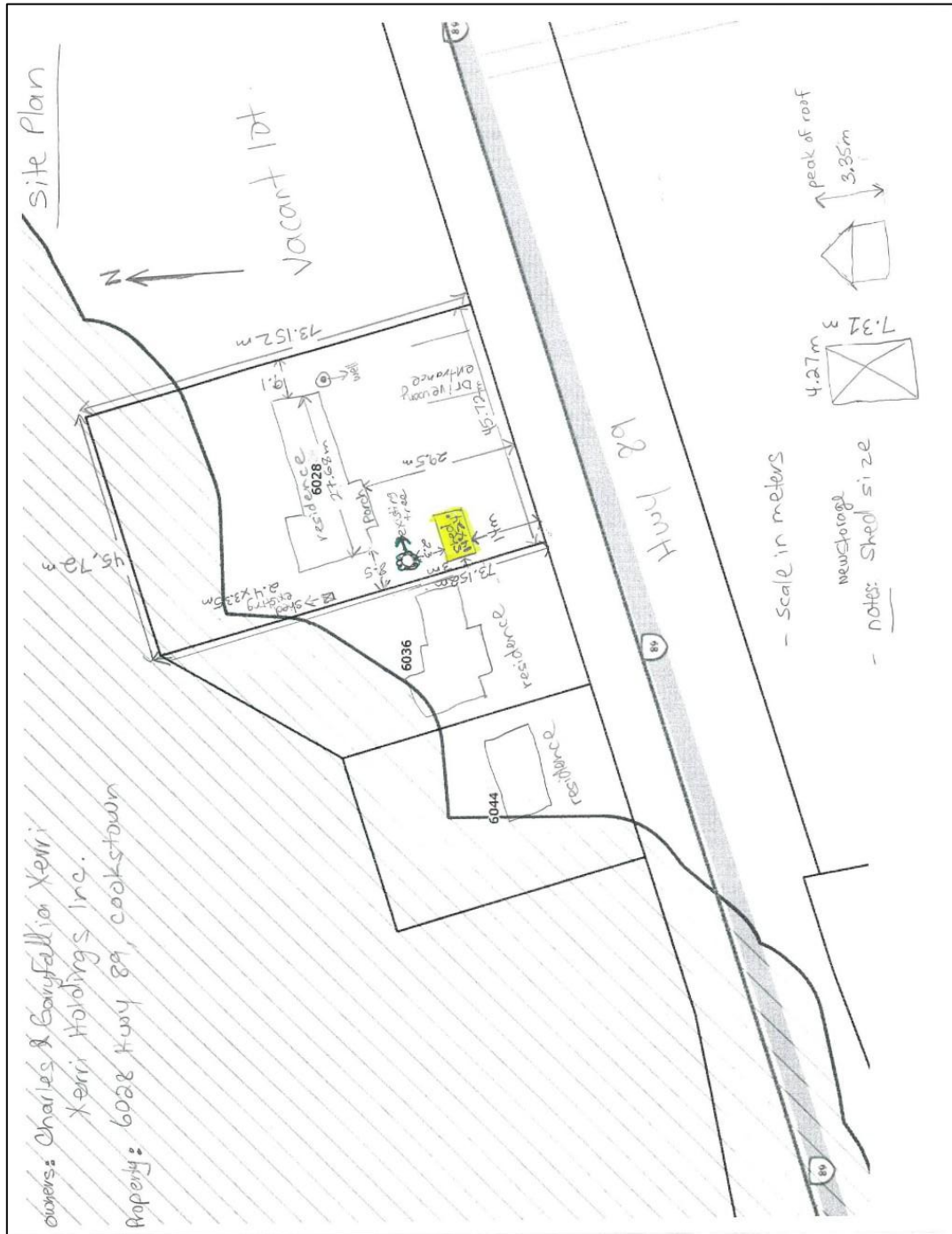
Municipal Address	6028 Highway 89
Legal Description	CON 5 E PT LOT 1 RP 51R2712
Roll No.	432101000116002
Official Plan	Agricultural
Zoning By-law	Agricultural (A) Zone

RECOMMENDATION:

Staff recommend **APPROVAL** of Application A13-26 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 applicant satisfies concerns from the NVCA (if any).
4. That the proper Building Permit(s) be obtained.
5. That the applicant satisfies concerns from the Ministry of Transportation (if any).

PROPOSAL (attachment 1):



DATE OF SITE INSPECTION:

September 15, 2026

REASON FOR THE APPLICATION:

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

- (a) Section 5.3 (c) of Essa Township's Zoning By-law 2003-50 which stipulates that the minimum front yard setback for an accessory building shall be 18.0 m. The applicant is requesting a 14.0 m setback.

SURROUNDING LANDS:

North	The subject property abuts 5140 6 th Line to the North. The neighbouring property is an agricultural property.
West	The subject property abuts 6036 Highway 89 to the West. The neighbouring property is an Agricultural Property.
South	The subject property abuts Highway 89
East	The subject property abuts 5140 6 th Line to the East. The neighbouring property is an agricultural property.

BACKGROUND:

The subject property is municipally known as 6028 Highway 89. The property is zoned Agricultural (A) as per Schedule 'A' of Essa Township's Zoning By-law (ZBL) 2003-50. The applicant has applied for a minor variance to get relief from the minimum front yard requirement for an accessory building, which is limited to 18.0 m for a property zoned Agricultural. The applicant is proposing to build a new detached garage with a front yard setback of 14.0 m.

As stated in the applicants' cover letter, due to the location of an existing large tree on the lot, the applicant would like to reduce the setback from the required 18.0 m to 14.0 m.

COMMENTS:

Test 1.

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

Section 6.2 outlines permitted uses in lands designated Agricultural, stating that this designation shall allow single detached dwellings. It also allows for building and structures accessory to residential uses (i.e. detached garages).

The proposed variance would not expand beyond the residential uses permitted as a detached garage is a permitted accessory use to a residential dwelling.

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 5.3 (c) of ZBL 2003-50 identifies that the minimum front yard setback for accessory structures for a property zoned Agricultural shall be 18.0 m.

ZBL 2003-50 states in Section 6.2 (h) that accessory buildings/structures are permitted in the Agricultural Zone.

The proposed variance would not result in the expansion or limitation of any use beyond what is permitted under Section 6.2(h). The reduction of the required front yard setback from 18.0 m to 14.0 m is minor in nature as this property has a large frontage which is wooded/vegetated which will limit the visual projection of the building. The detached garage still maintains appropriate separation from the roadway as the Ministry of Transportation has stated that they require a 14.0 m setback from their right-of-way.

Thus, the Variance 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, neighbouring properties have homes which are set closer to the front property line which would be in line with the proposed detached garage the applicant is proposing. The applicant is going through the building permit process to ensure all relevant considerations are made regarding the construction of the garage. Due to the constraint of the matured existing tree location on the property, the placement of the garage is appropriate for the lot.

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

Test 4.

Is the requested variance minor in nature? Yes

Regarding the setback reduction, the minimum interior yard setback is 18.0 m for accessory structures for properties zoned Agricultural. The applicant is proposing a 4.0 m reduction, representing a 22.2% reduction to the minimum setback. Although this is numerically somewhat large, the impact is minimal as the wooded lot frontage will maintain a visual barrier from the roadway to the proposed garage. Thus, there is not much concern for the proposed setback as it is a minor deviation from the required setback.

Thus, the Variance should be considered minor in nature.

ADDITIONAL COMMENTS:

No comments were received from any agency, department, or neighbours at the time of this report.

CONCLUSION:

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

Respectfully submitted,



Anmol Burmy
Development Planner
Township of Essa

ATTACHMENTS:

1. Attachment 1 – Site Plan