

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: A11-26
Related Application(s): N/A
Owner(s): Mark and Sarah Moffatt
Meeting Date: September 25th, 2026
Prepared by: Anmol Burmy, Development Planner

PROPERTY INFORMATION:

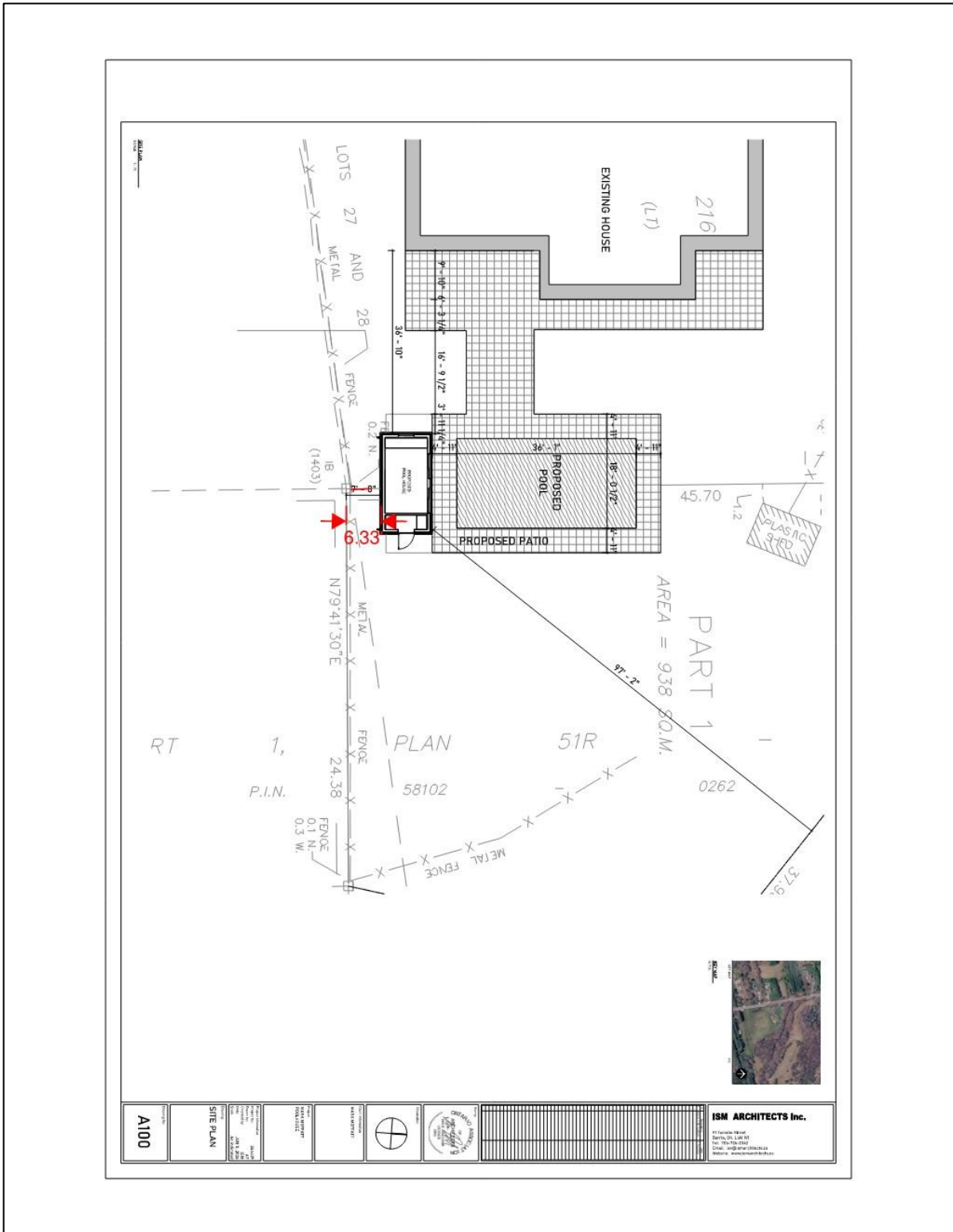
Municipal Address	8285 8 th Line
Legal Description	PART LOTS 27 AND 28, CONCESSION 8, BEING PART 2, 51R21678 AND PART 1, 51R41273 TOWNSHIP OF ESSA
Roll No.	432101000814524
Official Plan	Agricultural
Zoning By-law	Agricultural (A) Zone

RECOMMENDATION:

Staff recommend APPROVAL of Application A11-26 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 proper Building Permit(s) be obtained.**

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 (d) of Essa Township's Zoning By-law 2003-50 which stipulates that the minimum interior side yard setback for an accessory building shall be 3.0 m. The applicant is requesting a 1.93 m setback.

SURROUNDING LANDS:

North	The subject property abuts 8261 8 th Line to the North. The neighbouring property is a wooded Agricultural Property.
West	The subject property abuts 8 th Line to the West.
South	The subject property abuts 8275 8 th Line to the South. The neighbouring property is a vacant Agricultural Residential property.
East	The subject property abuts 8261 8 th Line to the East. The neighbouring property is a wooded Agricultural Property.

BACKGROUND:

The subject property is municipally known as 8285 8th Line. 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 interior side yard requirement for an accessory building, which is limited to 3.0 m. The applicant is proposing to build a new pool house with a side yard setback of 1.93 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. pools and pool houses).

The proposed variance would not expand beyond the residential uses permitted as a pool house 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 (d) of ZBL 2003-50 identifies that the minimum interior side yard setback for accessory structures for a property zoned Agricultural shall be 3.0 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 interior side yard setback from 3.0 m to 1.93 m is minor in nature and is not anticipated to result in any significant visual impacts or compromise emergency access.

Given that the subject property is an agricultural lot with no directly adjacent residential neighbours who would be adversely affected by the reduced setback, the proposed 1.93 m setback will continue to provide adequate spatial separation from the nearest neighbouring property.

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, several neighbouring properties contain similar accessory structures. The applicant is going through the building permit process to ensure all relevant considerations are made regarding the construction of the pool house. There are no perceivable impacts to neighbouring properties as a result of the setback reduction.

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 side yard setback is 3.0 m for accessory structures for properties zoned Agricultural. The applicant is proposing a 1.07 m reduction, representing a 35.67% reduction to the minimum setback. Although this is numerically somewhat large, the visual impact is minimal and emergency access unaffected. 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