

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: A14-26
Owner(s): Wilhelmina Vanderpost
Agent(s): Jarrett Vanderpost
Meeting Date: September 25th, 2026
Prepared by: Anmol Burmy, Development Planner

PROPERTY INFORMATION:

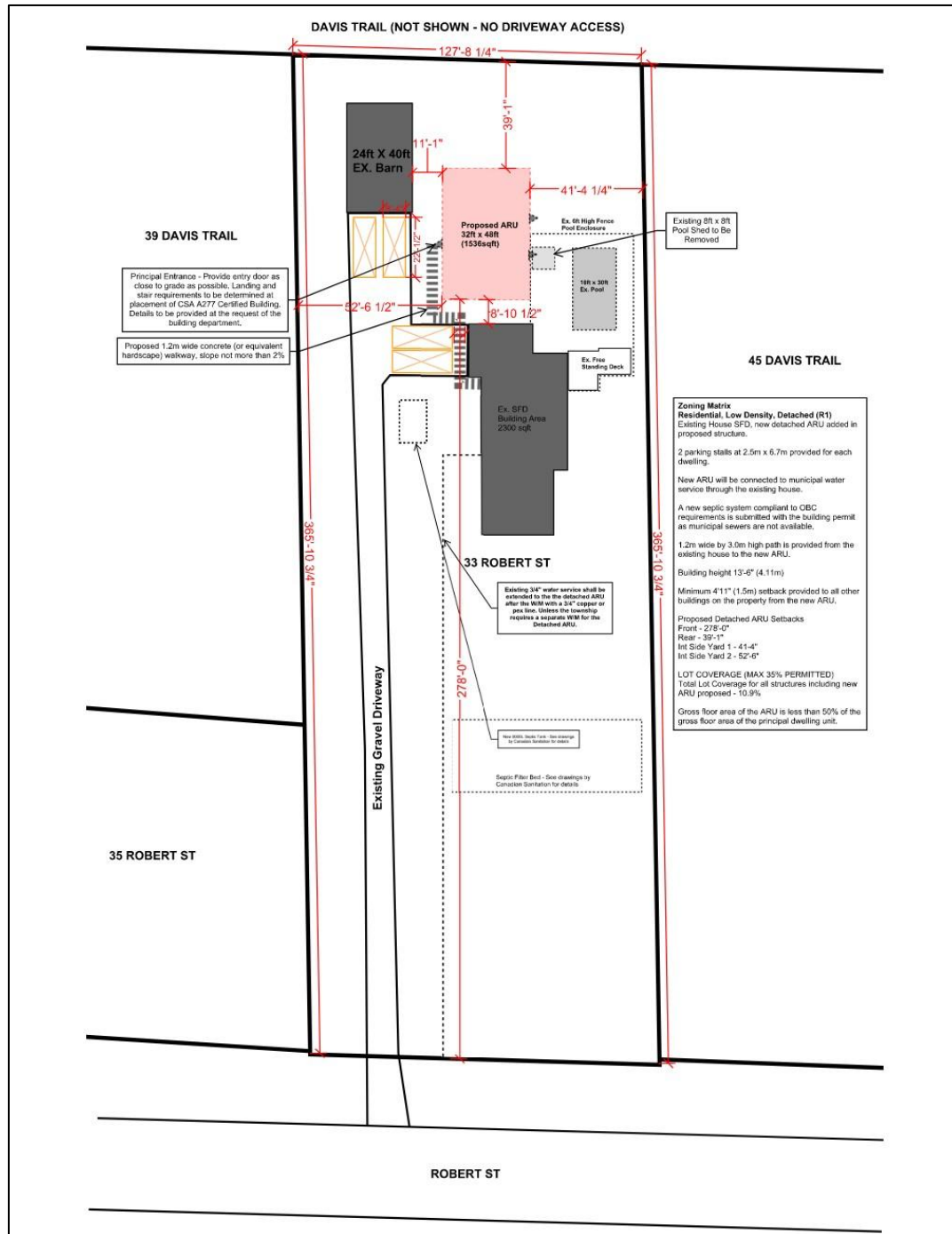
Municipal Address	33 Robert Street
Legal Description	CON 11 E PT LOT 16
Roll No.	432101001108601
Official Plan	Residential
Zoning By-law	Residential, Low Density, Detached (R1) Zone

RECOMMENDATION:

Staff recommend **APPROVAL** of Application A14-26 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.
4. That the applicant service the Additional Residential Unit (ARU) through a private well and septic system.

PROPOSAL (attachment 1):



DATE OF SITE INSPECTION:

September 15th, 2026

REASON FOR THE APPLICATION:

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

- a) Section 4.38.3(a) of Essa Township's Zoning By-law 2003-50 which stipulates the maximum gross floor area of an Additional Residential unit in a Detached Accessory Structure shall be the lessor of 102m² or 50% of the gross floor area of the principal dwelling unit in all other zones (residential zones). The applicant is proposing to increase the gross floor area to 142.0 m².

SURROUNDING LANDS:

North	The subject property abuts Davis Trail to the North.
West	The subject property abuts 39 Davis Trail (Residential Property) and 35 Robert Street (Park) to the West.
South	The subject property abuts Robert Street to the South.
East	The subject property abuts 45 Davis Trail to the East, which is a Residential Property.

BACKGROUND:

The subject property is municipally known as 33 Robert Street. The property is zoned Residential, Low Density, Detached (R1) Zone as per Schedule 'C' of Essa Township's Zoning By-law (ZBL) 2003-50. The applicant has applied for a minor variance to get relief from the maximum gross floor area requirement for a detached Additional Residential Unit (ARU).

The applicant submitted a building permit (2026-0169) in July, 2026 for an Additional Residential Unit (ARU) which is where the discrepancy in size was discovered.

COMMENTS:

Test 1.

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

Section 8.1 states that Angus, Thornton and Baxter are to be the main growth centres for the Township's future growth.

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 variance would not expand beyond the residential uses permitted as an ARU is a permitted use under residential uses.

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 14 of Essa Township's ZBL 2003-50 outlines permitted uses in lands zoned Residential, Low Density, Detached (R1) Zone. Specifically, the table of permitted uses in residential zones identifies Additional Residential Units (ARUs) as a permitted use for the R1 zone.

The applicant is seeking relief from Section 4.38.3(a) of Essa Township's ZBL 2003-50 which stipulates the maximum gross floor area of an ARU in a Detached Accessory Structure shall be the lessor of 102m² or 50% of the gross floor area of the principal dwelling unit in all other zones (residential zones). The applicant is proposing to increase the gross floor area to 142.0 m²

The purpose of the above-mentioned section is to ensure that ARUs are secondary to the primary dwelling in size, shape, and function. The increase of from 102m² to 142.0 m² represents an increase to the maximum gross floor area of 40.0 m² (39.2%). Although this is numerically significant, the proposal meets all other zoning provisions including maximum lot coverage, building height, required setbacks, and parking requirements. In addition, the proposed ARU will remain less than 50% of the gross floor area of the primary dwelling. Therefore, the variance maintains the general intent and purpose of the ZBL.

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.

Staff has reviewed the proposal and has determined that the ARU would be in-keeping with all other requirements of the ZBL 2003-50. The variance should be considered appropriate with the conditions mentioned above, as it would not impact the existing use of the land, building, or structure, nor neighbouring lands.

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

Test 4.

Is the requested variance minor in nature? Yes

Again, the increase of from 102m² to 142.0 m² represents an increase to the maximum gross floor area of 40.0 m² (39.2%). Although this is numerically significant given that the proposal meets all other zoning provisions including maximum lot coverage, building height, required setbacks, parking requirements and remains under 50% of the gross floor area of the primary dwelling, there are no perceivable impacts as a result of the increase.

Thus, the Variance should be considered minor in nature.

ADDITIONAL COMMENTS:

No comments have been received at this time.

CONCLUSION:

Staff recommends **APPROVAL** of this application with conditions.

Respectfully submitted,



Anmol Burmy
Development Planner
Township of Essa

ATTACHMENTS:

1. Attachment 1 – Site Plan