

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: A7-25
Related Application(s): N/A
Owner(s): Stacey Knobel
Meeting Date: April 25th, 2025
Prepared by: Anmol Burmy, Planning and Development Coordinator

PROPERTY INFORMATION:

Municipal Address	146 Mill Street
Legal Description	PLAN 1330 LOT 3 UNREG
Roll No.	432101000416900
Official Plan	Commercial
Zoning By-law	Core Commercial (C2)

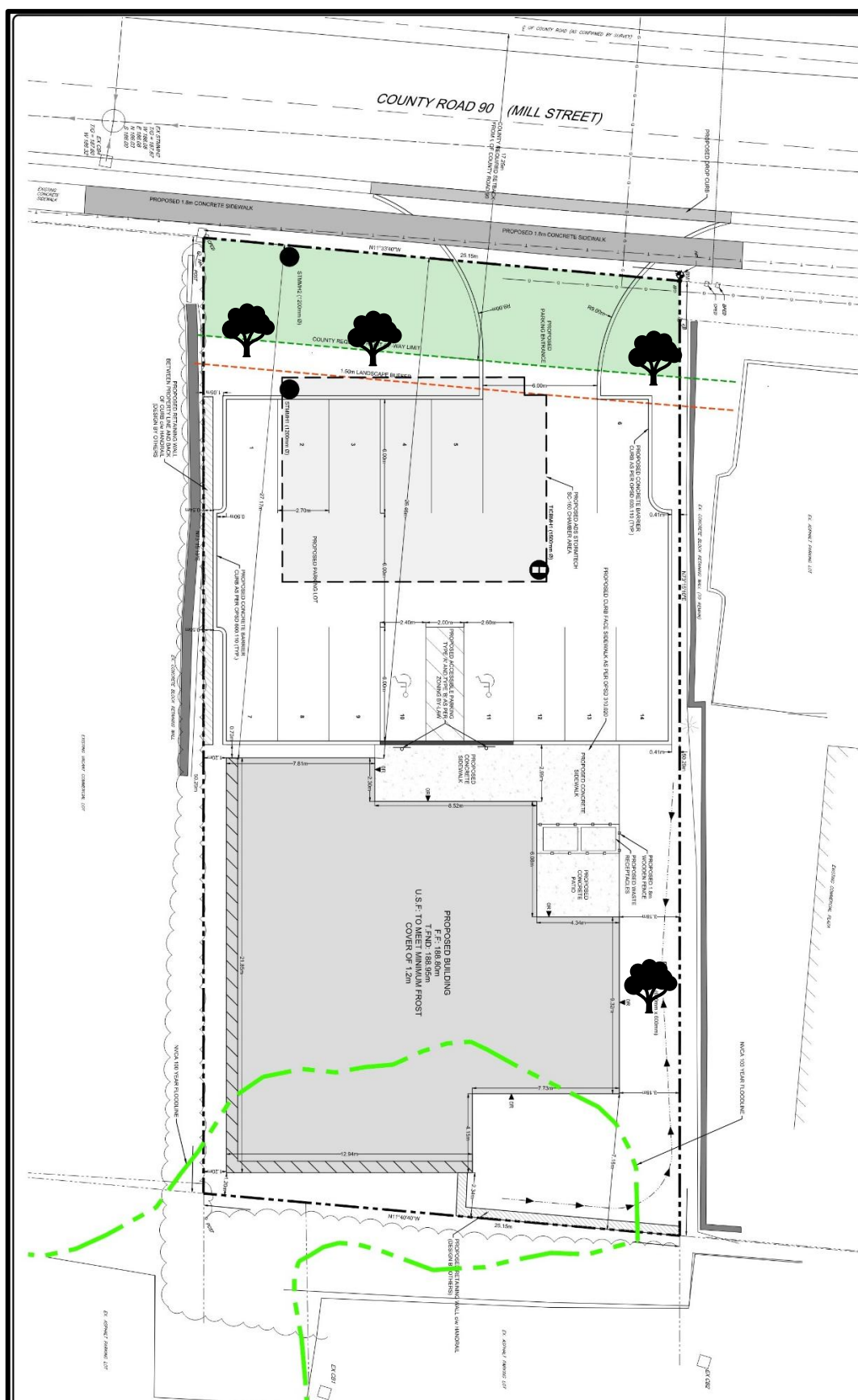
RECOMMENDATION:

Staff recommends **APPROVAL** of Application A7/25 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 applicant satisfies concerns from the NVCA.
4. That the proper Building Permit(s) be obtained.
5. That the applicant incorporates four full-shade canopy trees on the remaining landscaped areas of the property, as indicated in the designated areas on the site plan on page 3.

Proposal:





DATE OF SITE INSPECTION

April 1st, 2025

REASON FOR THE APPLICATION:

The applicant is requesting relief from the following sections of the Zoning By-Law 2003-50:

1. Section 4.28.7(b), which regulates a minimum entrance width of 9.0 meters for commercial properties with more than 5 parking spaces. The applicant is proposing a 6.0 m wide entrance;
2. Section 4.36.1, which requires a 3.0-meter buffer strip on non-residential lots to serve as a buffer against road allowances. The applicant is proposing a 1.5 m landscape buffer strip;
3. Section 4.36.2(a), which mandates a 1.5-meter buffer strip along the lot line where two non-residentially zoned properties abut. The applicant is proposing a 0.41 m buffer;
4. Section 4.36.2(b) which states that where abutting lots have conflicting residential and non-residential zoning along a lot line a buffer strip of 3.0 m must be provided. The applicant is proposing a 1.2 m buffer strip; and
5. Section 30, which sets a minimum rear yard setback of 6.0 meters for properties zoned C2. The applicant is proposing a 1.2 m setback.

SURROUNDING LANDS:

North	The property abuts 6 River Drive which is zoned Core Commercial (C2) and comprised of a Pharmacy and Medical Clinics.
East	The property abuts 12 River Drive which is zoned Residential, High Density, Apartments (R5) and comprised of the Angus Co-Operative Homes Inc.
South	The property abuts 140 Mill Street, a vacant property that is zoned Core Commercial (C2).
West	The property fronts onto Mill Street.

BACKGROUND:

The subject property, municipally known as 146 Mill Street, is zoned Core Commercial (C2) in the Essa Zoning By-law (2003-50).

The Township received a Pre-Consultation application on July 16th, 2024, to gather comments prior to the submission of a Site Plan Control Application. Following this, the applicant submitted a Site Plan Control Application (SP2-25), during which the need for these variances was identified. The use of the proposed building is a Veterinary Clinic.

The proposed variances would bring the veterinary building into conformance with Zoning By-

law 2003-50, would resolve the non-compliance issue, and allow the applicant to continue with their site plan control application.

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 Commercial, stating that the predominant use of land in areas so designated shall be for the buying and selling of goods and services or business offices.

The Variance would not expand beyond the commercial uses permitted in lands designated Commercial.

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

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

Section 20 of Essa Township's Zoning By-law 2003-50 outlines permitted uses in lands zoned Core Commercial (C2). Specifically, Section 20.2 (p) identifies Vet Clinics as one of the permitted uses.

The applicant is requesting relief from several provisions of the Zoning By-law 2003-50. Specifically, they seek an exemption from Section 4.28.7(a), which regulates a minimum entrance width of 9.0 meters for commercial properties with more than 5 parking spaces. Additionally, the applicant is requesting relief from Section 4.36.1, which requires a 3.0-meter buffer strip on non-residential lots to serve as a buffer against road allowances. They are also seeking an exemption from Section 4.36.2(a), which mandates a 1.5-meter buffer strip along the lot line where two non-residentially zoned properties abut and Section 4.36.2(b) which states that where abutting lots have conflicting residential and non-residential zoning along a lot line a buffer strip of 3.0 m must be provided. Lastly, the applicant seeks relief from Section 30, which sets a minimum rear yard setback of 6.0 meters for properties zoned C2.

The intent of the above-mentioned sections is to ensure safety, reduce potential conflicts,

preserve neighborhood character, and improve the overall environment by incorporating natural elements. These regulations are designed to protect both residents and the wider community, and the requested variances do not diminish their intent. As the proposal has been circulated to the County of Simcoe and the Township Engineering Consultants during the Site Plan Control process, and both parties have indicated no concerns regarding the granting of these variances, it can be concluded that this development will generally uphold the intent and purpose of the zoning by-law. Additionally, the condition to incorporate four full-shade canopy trees will enhance the design with natural elements and support the overall intent of the by-law.

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 affect any other provisions, nor would it create conflicts or nuisances for neighboring properties in terms of visual, noise, or developmental impacts, especially considering the property abuts two other commercial properties. Additionally, the property is zoned to permit veterinary clinics, and the requested variances are necessary to accommodate parking requirements.

Staff has reviewed the proposal and has determined that the building would be in-keeping with all other requirements of the Zoning By-law (e.g., maximum gross floor area, parking requirements, etc.). The variances should be considered appropriate and 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.

Test 4.

Is the requested variance minor in nature? Yes

The Minor Variance would allow the applicant relief from Section 4.28.7(a), which regulates a minimum entrance width of 9.0 meters for commercial properties with more than 5 parking spaces. Additionally, the applicant is requesting relief from Section 4.36.1, which requires a 3.0-meter buffer strip on non-residential lots to serve as a buffer against road allowances. They are also seeking an exemption from Section 4.36.2(a), which mandates a 1.5-meter buffer strip along the lot line where two non-residentially zoned properties abut and Section 4.36.2(b) which states that where abutting lots have conflicting residential and non-residential zoning along a lot line a buffer strip of 3.0 m must be provided. Lastly, the applicant seeks relief from Section 30, which sets a minimum rear yard setback of 6.0 meters for properties zoned C2.

The requested changes result in no practical impacts on the subject property, municipal roads, or neighbouring properties. Furthermore, since the property is under site plan control, the property is required to submit various studies (e.g., traffic impact study, stormwater management plan, functional servicing report). The proposed commercial building would conform to all other provisions of the Zoning By-law (2003-50) and contribute to the economic development of Angus.

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