

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: A14-25
Related Application(s): Permit No. 2025-0217
Owner(s): Terry Arnem
Meeting Date: November 28th, 2025
Prepared by: Owen Curnew, Development Planner

PROPERTY INFORMATION:

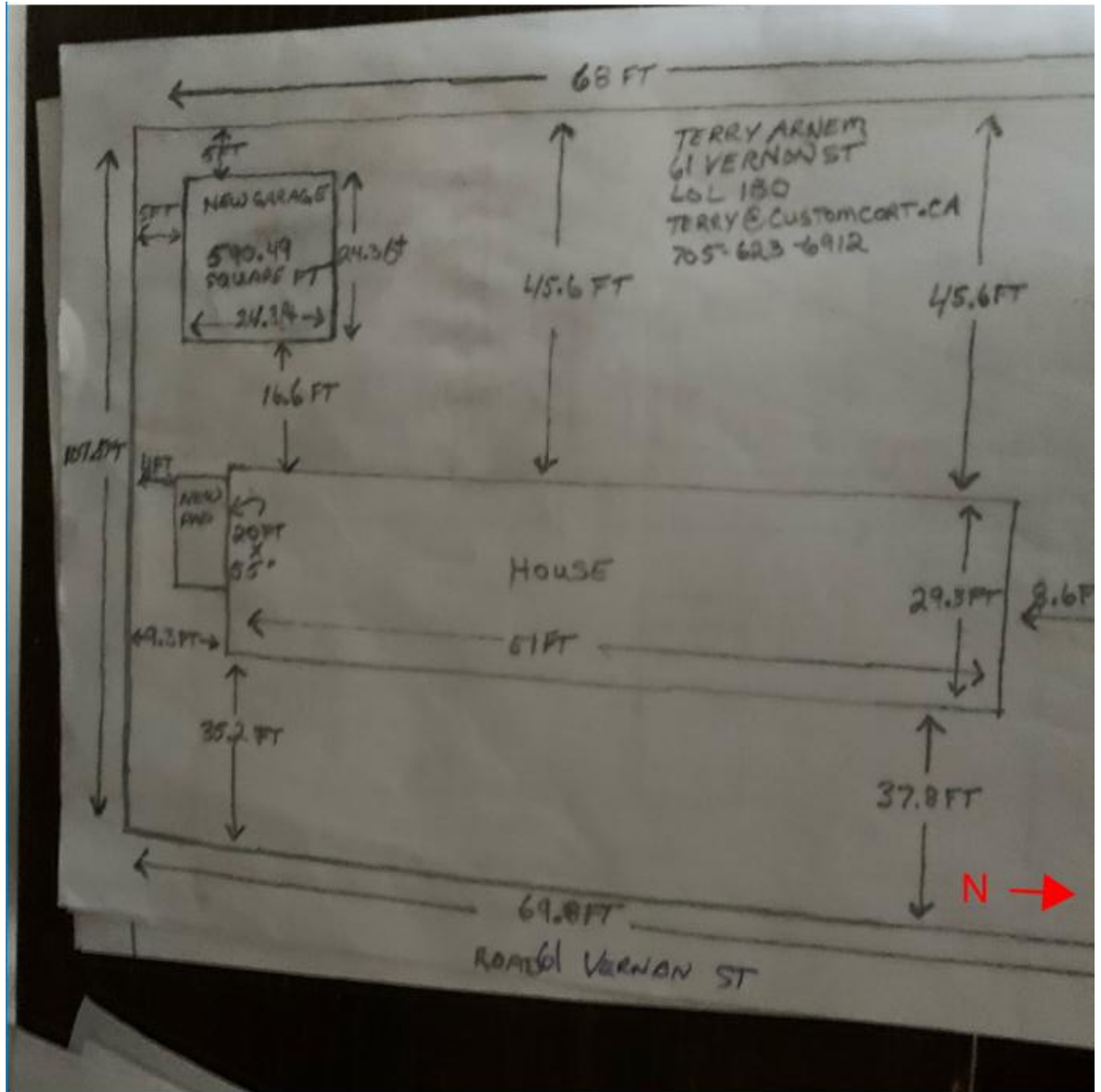
Municipal Address	61 Vernon Street
Legal Description	PLAN 1567 LOT 1
Roll No.	432101001038104
Official Plan	Residential
Zoning By-law	Residential (R1)

RECOMMENDATION:

Staff recommends **APPROVAL** of Application A14-25 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:



DATE OF SITE INSPECTION

November 18th, 2025.

REASON FOR THE APPLICATION:

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

1. Section 8.1.1 (a) of Essa Township's Zoning By-law 2003-50 stipulates that unenclosed decks in the specified zones must have a minimum interior side yard setback of 1.5-metres.

SURROUNDING LANDS:

North	The subject property abuts 63 Vernon to the North. The neighbouring property is comprised of a single-family dwelling and accessory buildings/structures.
West	The subject property abuts 5 Berwick Crescent to the West. The neighbouring property is comprised of a single-family dwelling and accessory buildings/structures.
South	The subject property abuts 1 & 3 Sandspring Crescent to the South. The neighbouring properties are comprised of single-family dwellings and accessory buildings/structures.
East	The subject property abuts Vernon Street to the East.

BACKGROUND:

The subject property is municipally known as 61 Vernon Street. The property is zoned Residential, Low Density, Detached (R1) as per Schedule 'B' of Essa Township's Zoning By-law 2003-50.

The applicant has submitted a building permit (Permit No. 2025-0217) for review. During the Zoning Review, it was determined that the unenclosed porch is not in conformance with the provisions set out in Section 8.1 of Zoning By-law 2003-50, as stated above. The applicant has applied for a variance at the request of the Township.

COMMENTS:

Test 1.

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

Section 8.2 outlines permitted uses in lands designated Residential, stating that this designation shall be for single detached, semi-detached and duplex dwellings. It also

allows for building and structures accessory to residential uses (i.e. decks).

The Variance would not expand beyond the residential uses permitted as a deck 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 8.1.1(a) of Zoning By-law (ZBL) 2003-50 states that accessory buildings and/or structures must provide a minimum 1.5-metre setback from the interior side yard lot line.

ZBL 2003-50 states in Section 14 that accessory buildings/structures subsidiary to a residential use are permitted in the R1 Zone.

The proposed variance would not result in the expansion or limitation of any used beyond what is set out in Section 14.

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

Based on a visual analysis of the property and neighbouring lands, all abutting lots contain decks. The applicant is going through the building permit process to ensure all relevant considerations are made regarding the construction of the deck. There is no perceivable impact on the neighbouring properties as a result of the proposed 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

Section 8.1.1(a) of Zoning By-law (ZBL) 2003-50 states that accessory buildings and/or structures must provide a minimum 1.5-metre setback from the interior side yard lot line. The applicant is proposing a 1.2-metre setback, which would result in a 0.3-metre (15%)

reduction in the required setback. This is a minimal reduction to accommodate for the proposed unenclosed deck, and as stated in Test 3, there are no perceivable impacts to neighbouring properties as a result of this variance.

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.

Staff advises that:

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

Respectfully submitted.



Owen Curnew
Development Planner
Township of Essa