

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: A9-25
Related Application(s): N/A
Owner(s): Robert Scolaro
Agent(s): John Jackson
Meeting Date: June 27th, 2025
Prepared by: Anmol Burmy, Planning and Development Coordinator

PROPERTY INFORMATION:

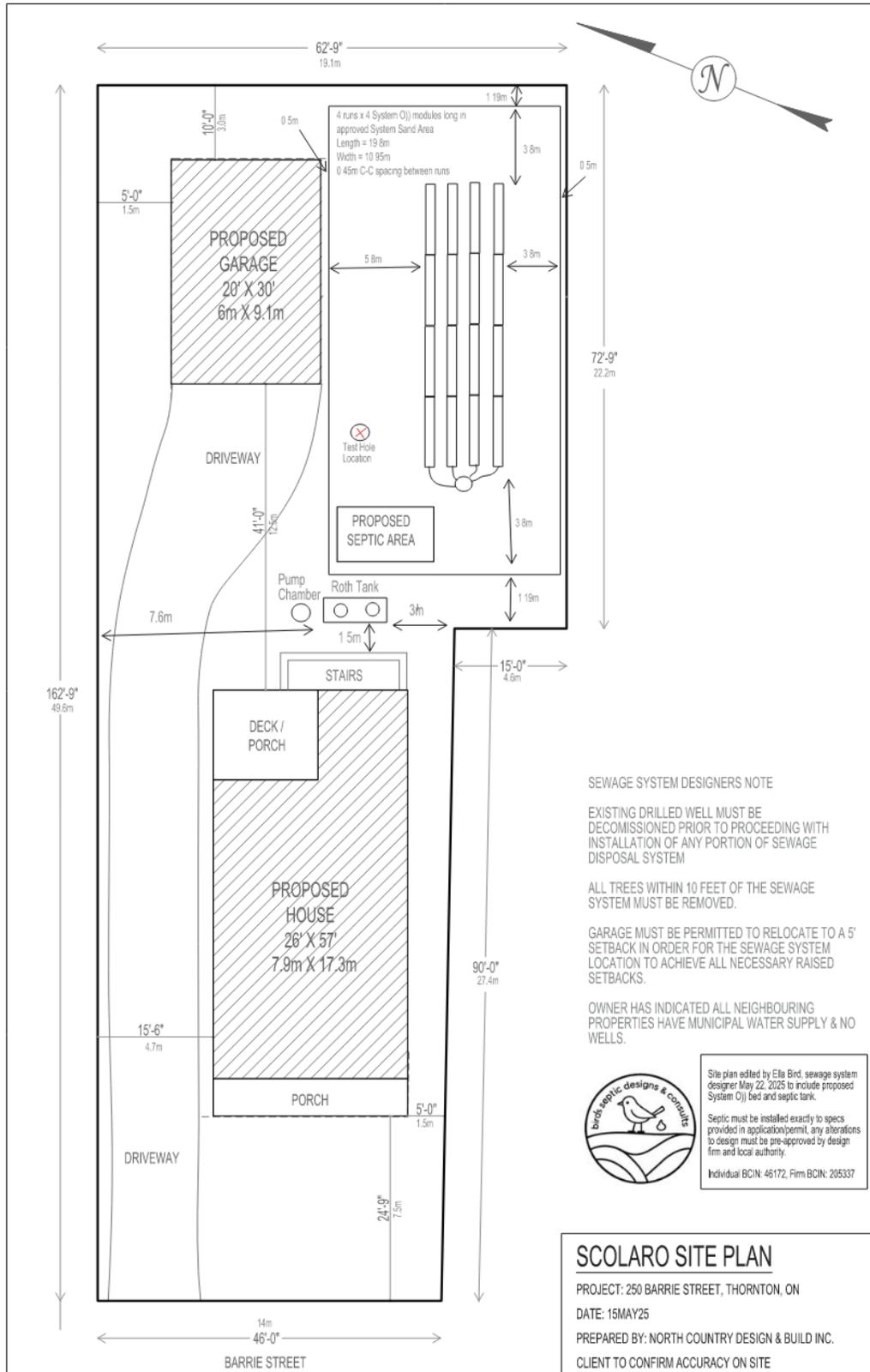
| | |
|--------------------------|--|
| Municipal Address | 250 Barrie Street |
| Legal Description | CON 7 PLAN 1332 LOT 18 |
| Roll No. | 432102000102200 |
| Official Plan | Residential |
| Zoning By-law | Residential, Low Density, Detached (R1) Zone |

RECOMMENDATION:

Staff recommend **APPROVAL** of Application A9/25 based on Planning Policy and all considerations, with the following conditions:

1. That all municipal taxes be paid and up to date.
2. That the applicant receives approval from the County of Simcoe as the property fronts onto a County Road.
3. That any and all external costs associated with this application are borne by the applicant.
4. That the applicant retain the hedge fence located on the west property line post-construction for continued visual separation between properties.
5. That the proper Building Permit(s) be obtained.

PROPOSAL:



DATE OF SITE INSPECTION

June 5th, 2025

REASON FOR THE APPLICATION:

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

1. Section 4.36.2 (b) which stipulates that a 3.0m landscape buffer shall be provided between lots with conflicting residential and non-residential uses. The applicant is proposing a 1.5-metre setback from the lot line.

SURROUNDING LANDS:

| | |
|--------------|--|
| North | The northern portion of the property abuts 248 Barrie Street, which is comprised of a property zoned Commercial (C1). |
| East | The eastern portion of the property abuts the Thornton Recreation Center which is zoned Institutional (I). |
| South | The southern portion of the property abuts 252 Barrie Street, which is zoned Residential, low Density, Detached (R1) Zone. |
| West | The western portion of the property fronts Barrie Street. |

BACKGROUND:

The subject property is municipally known as 250 Barrie Street. The property is zoned Residential, Low Density, Detached (R1). The owner is proposing a 20 ft by 30 ft garage and a 26 ft by 57 ft house with an attached deck and porch. They are also installing a new septic system in the rear yard.

The property was home to a single-detached Dwelling which was built in 1880 and two sheds built in 1991, one wood and one metal. A permit to demolish all structures and remove the current septic system was issued in the beginning of 2025.

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 8.2 of the Official Plan stipulates that the predominant use of lands designated as

Residential meaning the predominate use of the land shall be for single detached, semi-detached and duplex dwellings. Development within this designation is intended to maintain the low-density residential character of the settlement areas

The Minor Variance would not change the permitted uses for this land and will be in keeping with the residential uses outlined in the Essa Official Plan.

Therefore, the Minor 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 14 of Essa Township's Zoning By-law stipulates the permitted uses on a property zoned Residential, Low Density, Detached (R1).

The Minor Variance would not change the permitted uses defined in Section 14 of the zoning by-law as a single-family dwelling and accessory buildings are permitted.

Thus, the Minor 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 applicant is proposing to construct a garage within the backyard of the property. The Minor Variance would allow the applicant to alter the minimum interior yard setback of 3.0-metres by 1.5-metres (the applicant is proposing a setback of 1.5-metres).

As per Section 4.36.2 (b) which states that where abutting lots have conflicting residential and non-residential zone along a lot line a buffer strip of 3.0 m must be provided. As the previous house on the property was located at approximately the same setback (1.5 m) before it was demolished, staff are of the opinion that this setback is acceptable for a garage as it is not a habitable building.

The applicant is requesting that the distance between the garage and the interior lot line be 1.5 m instead of 3.0 m. The new septic system they are installing is a "System O)) BMEC" approved system and is slightly raised above existing grade and is required to meet raised setbacks as per the Ontario Building Code. The configuration of this system requires the setbacks of the septic bed to be exactly where it is proposed. Considering that the Zoning By-law 2003-50 allows a minimum distance of 1.5 meters between garages and property lines as per Section 14 (e), staff believes this variation is acceptable as the

reduced setback will have no significant impact, either visually or practically, on the subject property or neighbouring lands.

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

Test 4.

Is the requested variance minor in nature? Yes

The applicant is proposing to construct a garage within the backyard of the property. The property has a large hedge fence, obscuring vision from neighbouring commercial property. The Minor Variance would allow the applicant to alter the minimum interior yard setback of 3.0-metres by 1.5-metres (the applicant is proposing a setback of 1.5-metres).

The reduction itself is numerically minimal and is in-line with the minimum interior yard setback for garages of 1.5-metres. The reduction of the setbacks would not result in changes to the permitted uses, would not result in negative impacts on the subject lands or neighbours, and would still be required to conform with all relevant provisions of the Ontario Building Code and the Zoning By-law.

Thus, the Minor Variance should be considered 'minor' in nature.

ADDITIONAL COMMENTS:

No comments were provided at the time of the 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,



Anmol Burmy
Planning and Development Coordinator
Township of Essa