

**COMMITTEE OF ADJUSTMENT  
PLANNING REPORT**

**Application:** A8/23  
**Related Application(s):** N/A  
**Owner(s):** Christine Brayford  
**Meeting Date:** May 26<sup>th</sup>, 2023  
**Prepared by:** Owen Curnew, Planning Technician

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**PROPERTY INFORMATION:**

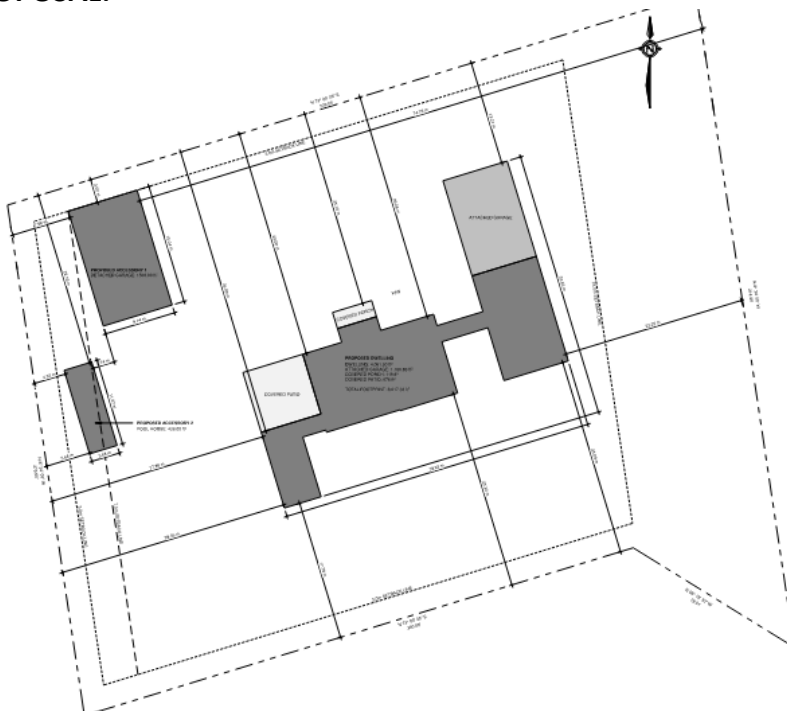
<b>Municipal Address</b>	N/A
<b>Legal Description</b>	PT LT 7 CON 1 ESSA PT 1 51R34720, S/T INTEREST IN RO912503; ESSA
<b>Roll No.</b>	432101000102325
<b>Official Plan</b>	Agricultural
<b>Zoning By-law</b>	Agricultural (A)

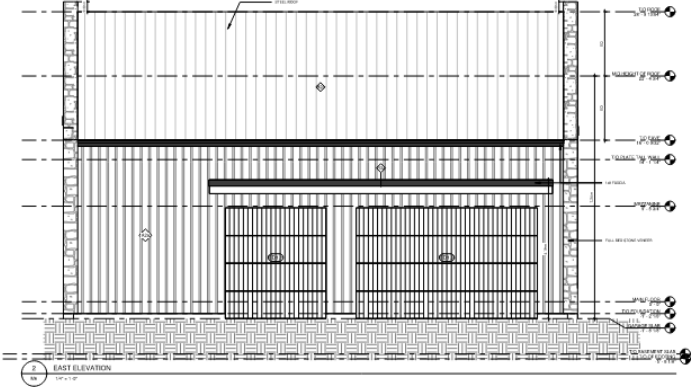
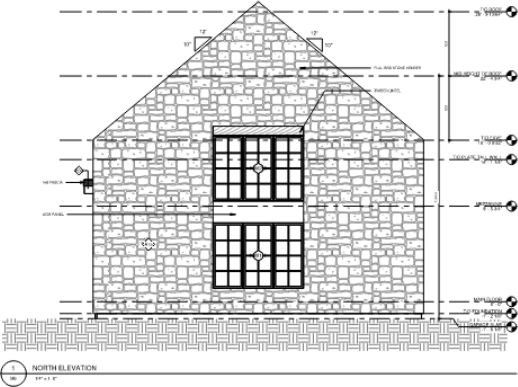
**RECOMMENDATION:**

Staff recommends **APPROVED** of Application A8/23 based on Planning Policy and all considerations, with the following conditions:

1. That all municipal taxes be paid up to date.
2. That the proper Building Permit(s) be obtained.

**PROPOSAL:**





**DATE OF SITE INSPECTION**

**May 17<sup>th</sup>, 2023.**

**REASON FOR THE APPLICATION:**

The applicant is seeking relief from Section 8.1d of Essa Township’s Zoning By-law 2003-50, which regulates the maximum height of a detached accessory building at 4.5 meters. The applicant is proposing a building with a height of 7.3 meters.

**SURROUNDING LANDS:**

<b>North</b>	The property to the North is municipally known as 5850 Scotch Line, it is moderately treed between the properties.
<b>East</b>	The property abuts Scotch Line, the property municipally known as 5801 Scotch Line is a vacant farm land on the East side of Scotch Line.
<b>South</b>	The property to the North is municipally known as 5736 Scotch Line, it is heavily treed between both properties.
<b>West</b>	The property to the North is municipally known as 5736 Scotch Line, it is heavily treed between both properties.

**BACKGROUND:**

The subject property is zoned Agricultural (A) and has an area of 0.7 hectares (~1.7 acres). The property is legally described as PT LT 7 CON 1 ESSA PT 1 51R34720, S/T INTEREST IN RO912503; ESSA and does not have a municipal address.

Section 6.2 permits the construction of an accessory building in Agricultural (A) zones.

The surrounding lands are heavily treed to the West and South of the property, while mostly farmland with a few Agricultural buildings neighbour the property.

**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 of Essa Township's Official Plan outlines the Permitted Uses in lands designated Agricultural:

"The permitted uses within the agricultural designation include agriculture and farm related uses. Agriculture and farm related uses shall include the raising of animals and birds, and the growing of agricultural crops, mushrooms and nursery stock, and farm related commercial and farm related industrial uses that are small in scale, directly related to the farm operation and required in close proximity to the farm operation. Building and structures normally incidental to an agricultural operation such as farm residences, barns, sheds, etc. are also permitted."

The accessory building will be incidental to the residence and thus, is a permitted structure in the Agricultural designation.

**The Minor Variance is generally consistent with the intent and purpose of the Township of Essa'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 6.2 of Essa Township's Zoning By-law 2003-50 outlines the Permitted Uses in lands zoned Agricultural.

Section 6.2h) permits Accessory Buildings on lands zoned agricultural.

The applicant is proposing an Accessory Building that would be 7.3 meters in height which exceeds the minimum height of 4.5 meters outlined in Section 6.3 of the ZBL and would not change the use of the Accessory Building.

**The Minor Variance is generally consistent with 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 an Accessory Building that would be 7.3 meters in height which exceeds the minimum height of 4.5 meters outlined in Section 6.3 of the ZBL.

Given that the Minor Variance would not change the use of the building nor impact the Rural character of the subject property as well as the surrounding properties, due to the heavy tree coverage and large separation between neighbouring houses, the structure would not create any practical or aesthetic disturbances to other properties.

**The Minor Variance is desirable as it appropriately develops the structure without impacting the land, changing the use of the land, and does not change the use of the structure.**

Test 4.

**Is the requested variance minor in nature? Yes**

The Minor Variance is proposing approximately a 3-meter increase in the maximum allowable height for detached accessory structures or Agricultural zoned lands. This is nominally insignificant given that the size and location of the subject property would not create a building that seems abnormal to the rural community.

The heavy tree coverage, separation between neighbouring houses, and the general size of the land heavily diminish the impact of the size increase. The natural buffers from the tree and large fields make it a practical and aesthetically insignificant development with no negative impact on neighbouring properties or the rural character of the community.

**The Minor Variance, for these reasons, should be considered minor in nature.**

**PUBLIC COMMENTS:**

**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  
Planning Technician  
Township of Essa