

**COMMITTEE OF ADJUSTMENT  
PLANNING REPORT**

**Application:** A5-25  
**Related Application(s):** N/A  
**Owner(s):** Gary & Sandra Lee  
**Meeting Date:** April 25<sup>th</sup>, 2025  
**Prepared by:** Anmol Burmy, Planning and Development Coordinator

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**PROPERTY INFORMATION:**

<b>Municipal Address</b>	7887 8 <sup>th</sup> Line
<b>Legal Description</b>	CON 8 W PT LOT 24
<b>Roll No.</b>	432101000312202
<b>Official Plan</b>	Rural
<b>Zoning By-law</b>	Rural (RL)

**RECOMMENDATION:**

Staff recommends **APPROVAL** of Application A5/25 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.

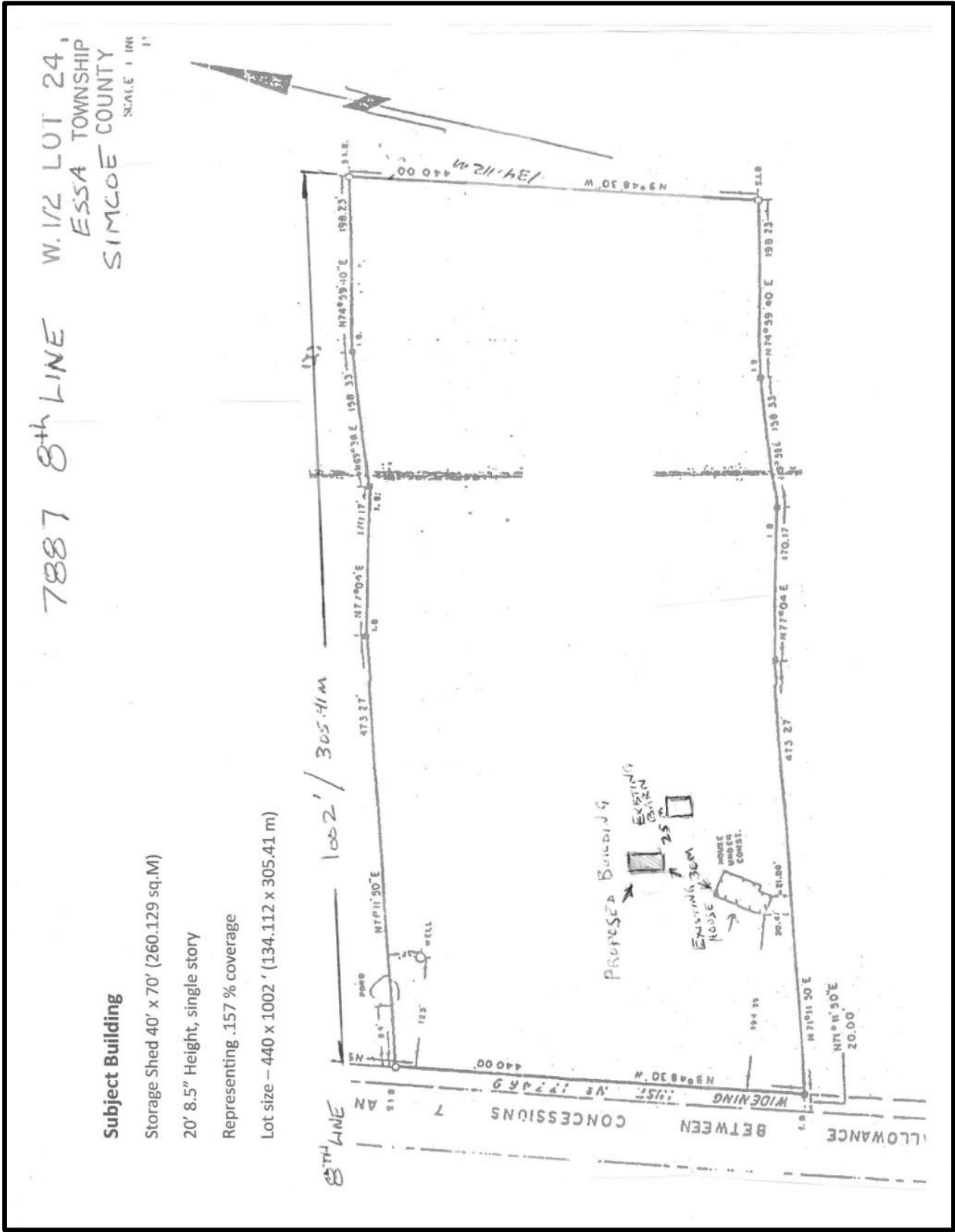
**Proposal:**

W. 1/2 LOT 24,  
 ESSA TOWNSHIP  
 SIMCOE COUNTY  
 SCALE 1" = 11'

7887 8th LINE

**Subject Building**

- Storage Shed 40' x 70' (260.129 sq.M)
- 20' 8.5" Height, single story
- Representing .157 % coverage
- Lot size - 440 x 1002' (134,112 x 305.41 m)



**DATE OF SITE INSPECTION**

April 1<sup>st</sup>, 2025

**REASON FOR THE APPLICATION:**

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

- 1. Section 5.3 (a), which regulates the maximum floor area and maximum height for accessory buildings on lots greater than or equal to 1.0 ha in size. The applicant would exceed the maximum permitted floor area, increasing it from 139.0 m<sup>2</sup> to 261.0 m<sup>2</sup>, and raise the height from 6.0 m to 6.3 m.

**SURROUNDING LANDS:**

<b>North</b>	The property abuts 7913 8 <sup>th</sup> line which is comprised of a single-family dwelling.
<b>East</b>	The property abuts 7835 8 <sup>th</sup> line which is comprised of an actively farmed field.
<b>South</b>	The property abuts 7835 8 <sup>th</sup> line which is comprised of an actively farmed field.
<b>West</b>	The property fronts onto 8 <sup>th</sup> Line.

**BACKGROUND:**

The subject property, municipally known as 7887 8<sup>th</sup> Line, is zoned Rural (RL) Zone in the Essa Zoning By-law (2003-50).

The applicant is seeking relief from Section 5.3 (a) of Essa Township’s Zoning By-law 2003-50 which stipulates that no accessory building or structure shall occupy more than 8% or 139.0 m<sup>2</sup> of floor area, whichever is the lesser, of the area of a lot, nor exceed 6.0 m in height on any lot, which is greater than or equal to 1.0 ha in size.

The applicant is requesting a minor variance to construct an accessory storage building that would exceed the maximum permitted floor area, increasing it from 139.0 m<sup>2</sup> to 261.0 m<sup>2</sup>, and raise the height from 6.0 m to 6.3 m. This structure is intended to store tractors, agricultural implements, and vehicles. The property is zoned for Rural uses but is primarily used for residential use and currently contains a single-family dwelling with an attached garage and a shed.

The proposed variance would allow the owners to build an adequate accessory storage building for their needs.

**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 Rural, stating that a building and structures normally incidental to an agricultural operation such as farm residences, barns, sheds, etc. are also permitted.

The Variance would not expand beyond the residential uses permitted in lands designated Rural.

**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 7 of Essa Township's Zoning By-law 2003-50 outlines permitted uses in lands zoned Rural (RL). Specifically, Section 7.2 (h) identifies Accessory Buildings as a permitted use.

The applicant is seeking relief from Subsection 5.3 (a) of Zoning By-law 2003-50 which stipulates no accessory building or structure shall occupy more than 8% or 139.0 m<sup>2</sup> of floor area, whichever is the lesser, of the area of a lot, nor exceed 6.0 m in height on any lot, which is greater than or equal to 1.0 ha in size. The applicant has requested to increase the maximum gross floor area from 139.0 m<sup>2</sup> to 261.0 m<sup>2</sup>, and increase the height from 6.0 m to 6.3 m.

The intent and purpose of the above-mentioned section is to preserve the streetscape and overall aesthetic character of a property. Given that the proposed accessory storage building will be located more than 30.0 m from the front property line, its height and increased floor area will not negatively impact the visual appearance of neighboring properties. Additionally, the proposed building will occupy only 0.157% of the total lot coverage, which is significantly less than the 8% lot coverage permitted for properties greater than 1.0 hectare.

The total lot coverage allowance is 8% for accessory storage buildings, which equates to 3,248 m<sup>2</sup> for this property. When considering the area of the existing shed and the proposed accessory storage building, the total coverage would be 394.13 m<sup>2</sup>, representing only 0.97% of the total lot area. The height of the building would only increase by 0.3 m, which would only represent a 5% increase from what is permitted in the zoning 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 impact any additional provisions, nor would it create any conflicting uses or nuisances for neighbouring properties in terms of visual, noise, or developmental impacts when considering the tree coverage and distances from the neighbouring properties.

Staff has reviewed the proposal and has determined that the accessory storage building would be in-keeping with all other requirements of the Zoning By-law (e.g., lot line setbacks) the variance should be considered appropriate, and it 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 5.3 (a) of Zoning By-law 2003-50. The variance proposes to increase the floor area and height of an accessory storage building. The change results in no practical impact on the subject property, municipal roads, or neighbouring properties.

Furthermore, the accessory storage building would conform to all other provisions of the Zoning By-law (2003-50) with no perceivable impacts to the neighbouring properties.

**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,

A handwritten signature in black ink, appearing to read 'Anmol Burmy', with a stylized flourish at the end.

**Anmol Burmy**  
Planning Department  
Township of Essa