



# COMMITTEE OF ADJUSTMENT AGENDA

For the Corporation of the Town of Española

Committee of Adjustment Meeting

To Be Held On

**Thursday, August 29, 2024**  
**Council Chambers**  
**Municipal Building**

100 Tudhope Street

5:45 pm

1. Appointment of Chair and Vice Chair
2. Disclosure of Pecuniary Interest or General Nature Thereof
3. Minor Variance Application A-02/24

Be It Resolved That:

**Minor Variance Application A-02/24 be approved with the following conditions:**

**1. All other applicable bylaws and legislation be adhered to.**

4. Minor Variance Application A-03/24

Be It Resolved That:

**Minor Variance Application A-03/24 be approved with the following conditions:**

**1. All other applicable bylaws and legislation be adhered to.**

5. Other Business
6. Adjournment

**NOTICE OF PUBLIC MEETING  
CONCERNING MINOR VARIANCE APPLICATION A-02/24**

IN THE MATTER of Section 45 of The Planning Act, TAKE NOTICE that the Committee of Adjustment of the Corporation of the Town of Espanola will be considering the following application for a minor variance at a public meeting on August 29, 2024 at 5:45 pm in Council Chambers at 100 Tudhope Street, Espanola, Ontario.

Application No.: A-02/24  
Agent / Applicant: 2628927 Ontario Limited c/a Olivadel Developments  
Address: 473A Queensway Ave  
Purpose: Relief is requested from the Zoning Bylaw to permit parking in the minimum front yard requirement.  
Zoning: R3 – Residential Third Density

You may attend the meeting and/or submit written comments (email or letter) to the undersigned. If you are submitting comments in advance of the meeting please submit them by **Tuesday, August 27th** so that they can be given to Committee Members in advance of the meeting. If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the undersigned.

Additional information regarding the application is available for public inspection at the Town of Espanola Municipal Office at 100 Tudhope Street, Ste 2 or by contacting the undersigned during regular business hours, Monday to Friday, 7:30 am to 5:00 pm.

DATED at the Town of Espanola this 16<sup>th</sup> Day of August, 2024.

Traci Denault-Roque  
Deputy Clerk  
Town of Espanola  
100 Tudhope Street, Suite 2  
Espanola, Ontario P5E 1S6  
Telephone: (705) 869-1540 x2104



# STAFF REPORT

**Department: Planning Services**

**Date: August 15, 2024**

**Item: A02/24**

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**Recommendation: Be It Resolved That: Minor Variance Application A02/24 be approved with the following conditions:**

1. All other applicable bylaws and legislation be adhered to.

**Background:** Minor variances are tools provided to owners of land under s. 45 of the *Planning Act* that represent a recognition that the strict application of zoning bylaws may be overly prescriptive in certain instances and that in those cases, it may be appropriate to permit small adjustments and modification that do not require a rezoning process.

The Committee of Adjustment, by virtue of Bylaw 820/88, has been delegated authority to deliberate on minor variances as outlined in the *Planning Act* and is required to consider four key factors when evaluating minor variance applications. These four key factors are conjunctive, meaning that all four parts must be satisfied in order for approval to be granted. The four tests are:

1. The variance is minor
2. The variance is desirable for the appropriate development or use of the land, building or structure;
3. The variance maintains the general intent and purpose of the Zoning Bylaw;
4. The variance maintains the general purpose of the Official Plan

Minor variance application A02/24 requests the following relief from the Zoning Bylaw:

Relief to permit parking in the minimum front yard requirement in an R3 zone.

Public notice application was provided pursuant to the requirements of the Planning Act and O. Reg. 200/96. Any written submissions are either included in the agenda or have been circulated to the Committee if submitted before the deadline.

Written submissions not included in the agenda package will be referred to verbally at the Committee Meeting.

**Analysis:** The minor variance under consideration with application A03/24 is recommended for approval according to the below analysis for each test.

- 1. The variance is minor:** The intent of the zoning bylaw with respect to the front yard parking is to provide greenspace in front yards. The proposal addresses this in that a 3.0 m landscape buffer will be provided on both sides of the proposed parking.  
Provincial policies and strategies such as *More Homes Built Faster Act* Ontario strives to create additional housing throughout the province. Being flexible with our Zoning Bylaw and allowing minor adjustments to help accommodate needed housing, while ensuring the intent of the Bylaw still applies, supports and goes hand in hand with obtaining the desired results of increasing housing options.
- 2. The variance is desirable for the appropriate development or use of the land.** The owner would like to construct a semi-detached dwelling with two accessory dwelling units. This type of parking is consistent with the area and often seen when constructing semi-detached homes.
- 3. The variance maintains the general intent and purpose of the zoning bylaw.** The general intent and purpose of the zoning bylaw is maintained. This is a small variation to allow front yard parking.
- 4. The variance maintains the general intent and purpose of the Official Plan.**  
The variance maintains the general intent and purpose of the Official Plan in that it does not contravene any policies of the Official Plan and that it will accommodate the development of a choice of dwelling types, according to location, size, design, accessibility and affordability to meet the housing needs for the Town of Espanola.

**Existing Policy:** Bylaw No 3022/21, Zoning Bylaw

**Strategic Goal:** Excellence in Government

**Financial Commitment:** NA

**Budgeted:** NA

**Implementation:** Upon Committee Approval

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**Prepared By:** Traci Denault-Roque

**Department Manager:**



APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

DATE RECEIVED: August 6, 2024 APPLICATION NO: A02/24

The undersigned hereby applies to the Committee of Adjustment for the CORPORATION OF THE TOWN OF ESPANOLA, under Section 45 (2)(a) of the Planning Act, for relief, as described in this application, from Bylaw No. 3022/21.

1. Name of Owner: 2628927 Ontario Limited o/a Olivadel Developments
Municipal Address: PO Box 5022, Espanola, ON P5E 1S1
P.O. Box No: Telephone No: 705-863-0487/office@olivadel.com

2. Name of owner's authorized agent of solicitor (if any)
Municipal Address
P.O. Box No Telephone No.

Please specify to whom all communications should be sent:

Owner: Warren Bishop Solicitor Agent

3. Nature and extent of relief applied for:
Require a minor variance for relief to permit parking in the minimum front yard requirement in the R3 Zone. This minor variance would accommodate the construction of a semi-detached dwelling with two accessory dwelling units at 473A Queensway Avenue, whereby the R1 zoning provisions would apply. Similar relief was approved by Council (A06/23) located next door at 473B-C Queensway Avenue. The building designs at 99 Yusko, 36 Yusko and 473A Queensway would be very similar, providing 4 rental dwelling units each.

4. Why is it not possible to comply with the provisions of the bylaw?
The lot frontage is 21.65 m wide, in order to meet the zone requirements for the construction of semi-detached dwellings this variance is required. The requested variance conforms with the intent and purpose of the Zoning Bylaw as it facilitates a development that conforms with neighbouring properties, while supporting urban infill and much needed rental housing. Bylaw 2381/18, adopted by Council in 2018 included similar driveway configuration for the initial development on Yusko Cres, and most recently approved for A01/23 and A06/23.

5. Legal Description of Subject Land: 473A Queensway Avenue Town: Espanola
Roll #
Lot: Concession: Plan: 53R-21861 Part(s): 2 & 5

6. Dimensions of Land Affected:
Frontage: 21.65 m Avg. Depth: 39.73 m Area: 860 m2

7. Particulars of buildings and structures on or proposed for the subject land:  
(specify: ground floor area, gross floor area, number of stories, etc.)

EXISTING: Vacant  
\_\_\_\_\_  
\_\_\_\_\_

PROPOSED: See attached Site Plan.  
\_\_\_\_\_

8. Particulars of buildings and structures on or proposed for the subject land:  
(Specify distance from side, rear and front lot lines)

EXISTING: Vacant  
\_\_\_\_\_  
\_\_\_\_\_

PROPOSED: See attached Site Plan. This Application is specific for relief to permit parking  
in the minimum front yard in the R3 zone.  
\_\_\_\_\_

9. Date of acquisition of subject land:

2022

10. Date of construction of all buildings and structures on subject land:

Pending Minor Variance approval, start of construction in 2025 with occupancy in Spring 2026.

11. Existing uses of the subject property:

Vacant land zoned R3 prime for residential housing in high demand, including medium-density rentals.

12. Existing uses of abutting properties:

Abutting properties include 473B-C Queensway (semi-detached with accessory dwellings - total of 4 units),  
another rental property owned by Olivadel Developments, along with R3 zoned vacant residential lands.

13. Length of time the existing uses of the subject property have continued:

Prior to 2003. The Town of Espanola has worked diligently for many years to attract residential development.

14. Municipal services available (check appropriate space or spaces):

Water X Connected \_\_\_\_\_  
Sanitary  
Sewers X Connected \_\_\_\_\_  
  
Storm Sewers X

15. Present Official Plan provisions applying to the land:

Residential  
\_\_\_\_\_  
\_\_\_\_\_

16. Present Zoning Bylaw provisions applying to the land:

Residential Third Density. Capacity has been confirmed for municipal services and a Development Agreement is in place. Certificate of Official for the creation of this Lot was issued by the Town on August 18, 2023.

17. Has the owner previously applied for relief in respect of the subject property?

Yes  No

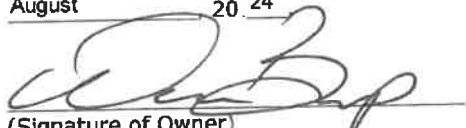
If the answer is yes, describe briefly

\_\_\_\_\_  
\_\_\_\_\_

18. Is the subject property the subject of a current application for consent under Section 52 of the Planning Act, 1983?

Yes  No

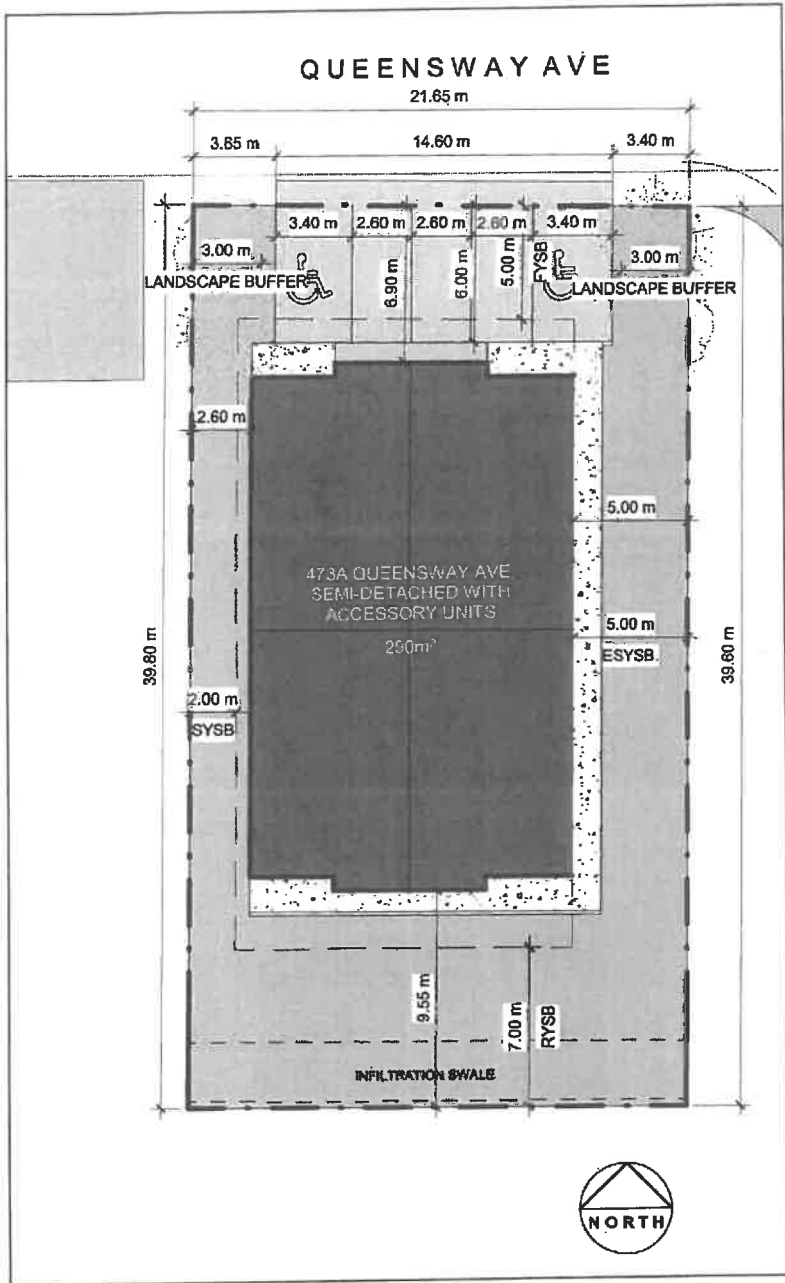
Dated at the Town \_\_\_\_\_ of Espanola \_\_\_\_\_, this 6<sup>th</sup> day of August 20 24

  
(Signature of Owner)

\_\_\_\_\_  
(Signature of Applicant or authorized Agent)  
if Applicable

\_\_\_\_\_  
(Signature of Commissioner)  
if Applicable





**LEGEND**

- DENOTES PROPERTY LINE
- DENOTES REQUIRED SET BACK
- DENOTES SODDED AREA
- DENOTES DRIVEWAY
- DENOTES CONCRETE PATIO
- DENOTES TYPICAL 2.6m x 6.0m PARKING SPACE
- DENOTES ACCESSIBLE 3.4m x 6.0m PARKING SPACE
- DENOTES REQUIRED LANDSCAPE BUFFER

LOT 2 SITE PLAN  
1 : 200

**BY-LAW NO. 3002/21 SECTION 6.5 e) ZONE R3-S**

**REQ. SEMI-DETACHED DWELLINGS:**

	REQUIRED	PROPOSED
LOT AREA (MIN.)	400m <sup>2</sup>	860m <sup>2</sup>
LOT FRONTAGE (MIN.)	9.0m/UNIT	21.85m
FYSB/ESYSB(MIN.)	5.0m	6.9m / 5m
RYSB (MIN.)	7.0m	9.55m
SYSB (MIN.)	2.0m	2.5m
LOT COVERAGE (MAX.)	40%	34%

**PARKING REQUIREMENTS**

	REQUIRED	PROPOSED
DISTANCE BETWEEN DRIVEWAYS:	4.25m	
MIN. REQUIRED PARKING DWELLING	1.5/UNIT = 3 SPOTS	
ACCESSORY UNIT	1/UNIT = 2 SPOTS	5 SPOTS

WHEN MORE THAN 4 OFF-STREET PARKING SPACES ARE PROVIDED A 3m LANDSCAPE BUFFER SHALL BE PROVIDED.

**EXCEPTIONS**

- \* DENOTES EXCEPTION REQUIRED
- PROPOSED EXCEPTIONS
- 3.23 d)(v) PARKING IN MINIMUM FRONT YARD IN ZONE R3

MERRITT CON 4 PT LOT, 8 PCL 30369  
RP 53R14866 PART 1 & 2

OLIVADEL DEVELOPMENTS

473a QUEENSWAY



**NOTICE OF PUBLIC MEETING  
CONCERNING MINOR VARIANCE APPLICATION A-03/24**

IN THE MATTER of Section 45 of The Planning Act, TAKE NOTICE that the Committee of Adjustment of the Corporation of the Town of Espanola will be considering the following application for a minor variance at a public meeting on August 29, 2024 at 5:45 pm in Council Chambers at 100 Tudhope Street, Espanola, Ontario.

Application No.: A-03/24  
Agent / Applicant: 2628927 Ontario Limited c/a Olivadel Developments  
Address: 36 Yusko Crescent  
Purpose: Relief is requested from the Zoning Bylaw to allow a rear yard set back of 4.87 m where 7 m is required.  
Zoning: R3 – Residential Third Density

You may attend the meeting and/or submit written comments (email or letter) to the undersigned. If you are submitting comments in advance of the meeting please submit them by **Tuesday, August 27th** so that they can be given to Committee Members in advance of the meeting. If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the undersigned.

Additional information regarding the application is available for public inspection at the Town of Espanola Municipal Office at 100 Tudhope Street, Ste 2 or by contacting the undersigned during regular business hours, Monday to Friday, 7:30 am to 5:00 pm.

DATED at the Town of Espanola this 16<sup>th</sup> Day of August, 2024.

Traci Denault-Roque  
Deputy Clerk  
Town of Espanola  
100 Tudhope Street, Suite 2  
Espanola, Ontario P5E 1S6  
Telephone: (705) 869-1540 x2104



# STAFF REPORT

**Department: Planning Services**

**Date: August 15, 2024**

**Item: A03/24**

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**Recommendation: Be It Resolved That: Minor Variance Application A03/24 be approved with the following conditions:**

1. All other applicable bylaws and legislation be adhered to.

**Background:** Minor variances are tools provided to owners of land under s. 45 of the *Planning Act* that represent a recognition that the strict application of zoning bylaws may be overly prescriptive in certain instances and that in those cases, it may be appropriate to permit small adjustments and modification that do not require a rezoning process.

The Committee of Adjustment, by virtue of Bylaw 820/88, has been delegated authority to deliberate on minor variances as outlined in the *Planning Act* and is required to consider four key factors when evaluating minor variance applications. These four key factors are conjunctive, meaning that all four parts must be satisfied in order for approval to be granted. The four tests are:

1. The variance is minor
2. The variance is desirable for the appropriate development or use of the land, building or structure;
3. The variance maintains the general intent and purpose of the Zoning Bylaw;
4. The variance maintains the general purpose of the Official Plan

Minor variance application A03/24 requests the following relief from the Zoning Bylaw:

Rear yard setback of 4.87 m where 7.0 m is required.

Public notice application was provided pursuant to the requirements of the Planning Act and O. Reg. 200/96. Any written submissions are either included in the agenda or have been circulated to the Committee if submitted before the deadline.

Written submissions not included in the agenda package will be referred to verbally at the Committee Meeting.



**Analysis:** The minor variance under consideration with application A03/24 is recommended for approval according to the below analysis for each test.

- 1. The variance is minor:** The intent of the zoning bylaw with respect to the minimum yard setback is to ensure the dwellings are appropriately setback from adjacent properties, to establish sufficient space to accommodate grading and drainage and to offer privacy for the homeowner. The property is located directly beside a stormwater dry pond to address drainage. A natural vegetation landscape buffer of 5 m will be retained at the back of the property to provide privacy.
- 2. The variance is desirable for the appropriate development or use of the land.** The owner would like to construct a semi-detached dwelling with two accessory dwelling units. The land is zoned R3 where R1 zoning provision apply and conforms directly to the zoning bylaw as a permitted use.
- 3. The variance maintains the general intent and purpose of the zoning bylaw.** The general intent and purpose of the zoning bylaw is maintained. This is a small variation to the set back of the rear yard requirements.
- 4. The variance maintains the general intent and purpose of the Official Plan.** The variance maintains the general intent and purpose of the Official Plan in that it does not contravene any policies of the Official Plan and that it will accommodate the development of a choice of dwelling types, according to location, size, design, accessibility and affordability to meet the housing needs for the Town of Espanola.

**Existing Policy:** Bylaw No 3022/21, Zoning Bylaw

**Strategic Goal:** Excellence in Government

**Financial Commitment:** NA

**Budgeted:** NA

**Implementation:** Upon Committee Approval

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**Prepared By:** Traci Denault-Roque

**Department Manager:**

**CAO/Clerk:**

**Approval of Recommendation:** Yes\_\_\_ No\_\_\_

**Comments:**



APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

DATE RECEIVED: August 6, 2024 APPLICATION NO: A03/24

The undersigned hereby applies to the Committee of Adjustment for the CORPORATION OF THE TOWN OF ESPANOLA, under Section 45 (2)(a) of the Planning Act, for relief, as described in this application, from Bylaw No. 3022/21.

1. Name of Owner: 2628927 Ontario Limited o/a Olivadel Developments
Municipal Address: PO Box 5022, Espanola, ON P5E 1S1
P.O. Box No: Telephone No. 705-863-0487/office@olivadel.com

2. Name of owner's authorized agent of solicitor (if any)
Municipal Address
P.O. Box No Telephone No.

Please specify to whom all communications should be sent:

Owner Warren Bishop Solicitor Agent

3. Nature and extent of relief applied for:
Require a minor variance for relief in the rear yard set back requirement from 7m to 4.87m in the R3 Zone.
This minor variance would accommodate the construction of a semi-detached dwelling with two accessory dwelling units at 36 Yusko Crescent, whereby the R1 zoning provisions would apply. The rear abutting property is owned by the Applicant Olivadel Developments, and will include a 5m landscape buffer with existing natural vegetation, in accordance with Zoning By-law 3171/23. The building designs at 99 Yusko, 36 Yusko and 473A Queensway would be very similar, providing 4 rental dwelling units each.

4. Why is it not possible to comply with the provisions of the bylaw?
The lot depth is 35m and in order to meet the zone requirements for the construction of semi-detached dwellings and the established building area requirements for the selected accessible design with covered porches for 4 dwelling units, this variance is required. The requested variance conforms with the intent and purpose of the Zoning Bylaw as it facilitates a development that conforms with neighbouring properties, while supporting urban infill and much needed rental housing. The building design is very similar to 99 Yusko (4 units).

5. Legal Description of Subject Land: 36 Yusko Crescent Town: Espanola
Roll #
Lot: Concession: Plan: 53R-21861 Part(s): 7 & 8

6. Dimensions of Land Affected:
Frontage: 20 m Avg. Depth: 35 m Area: 700 m2

7. Particulars of buildings and structures on or proposed for the subject land:  
(specify: ground floor area, gross floor area, number of stories, etc.)

EXISTING: Vacant

PROPOSED: See attached Site Plan.

8. Particulars of buildings and structures on or proposed for the subject land:  
(Specify distance from side, rear and front lot lines)

EXISTING: Vacant

PROPOSED: See attached Site Plan. This Application is specific for relief to permit a rear yard set back reduced from 7m to 4.87m in the R3 zone.

9. Date of acquisition of subject land:

2022

10. Date of construction of all buildings and structures on subject land:

Pending Minor Variance approval, start of construction in Spring 2025 with occupancy in Fall 2025.

11. Existing uses of the subject property:

Vacant land zoned R3 prime for residential housing in high demand, including medium-density rentals.

12. Existing uses of abutting properties:

Abutting properties include a triplex multi-dwelling unit (north), storm water management dry pond (south) and vacant residential lands Zoned R3 (East at rear), owned by the Applicant Olivadel Developments.

13. Length of time the existing uses of the subject property have continued:

Prior to 2003. The Town of Espanola has worked diligently for many years to attract residential development.

14. Municipal services available (check appropriate space or spaces):

Water X Connected \_\_\_\_\_  
Sanitary Sewers X Connected \_\_\_\_\_  
Storm Sewers X

15. Present Official Plan provisions applying to the land:

Residential

16. Present Zoning Bylaw provisions applying to the land:

Residential Third Density. Capacity has been confirmed for municipal services and a Development Agreement is in place. Certificate of Official for the creation of this Lot was issued by the Town on August 18, 2023.

17. Has the owner previously applied for relief in respect of the subject property?

Yes  No

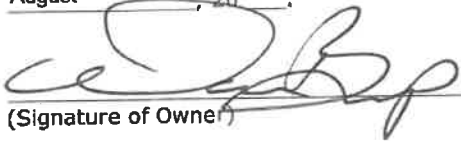
If the answer is yes, describe briefly

Council approved Minor Variance A01/23, with the following relief still applicable including: R3 Zone parking to be permitted in the front yard setback, and lot coverage increased to 41.7% (41% now required).

18. Is the subject property the subject of a current application for consent under Section 52 of the Planning Act, 1983?

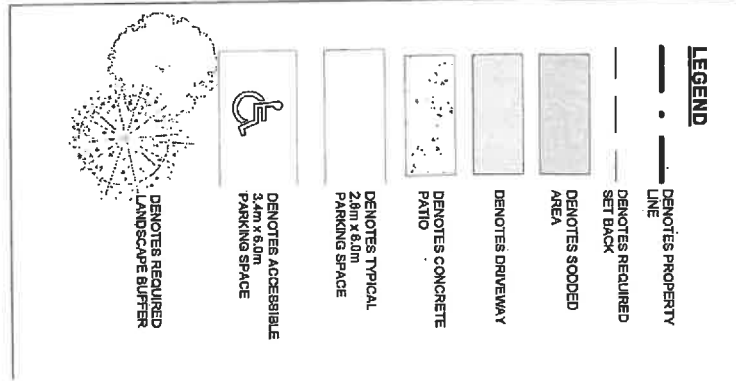
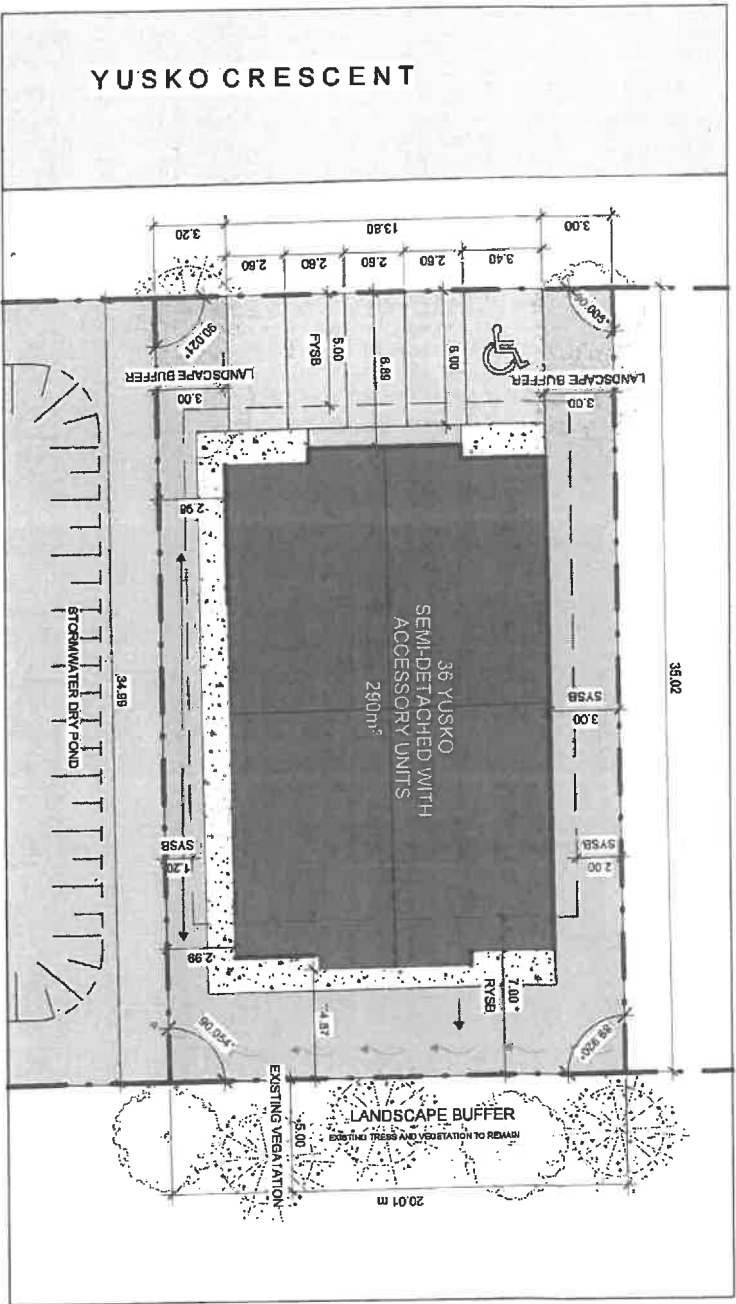
Yes  No

Dated at the Town of Espanola, this 6th day of August, 2024.

  
(Signature of Owner)

\_\_\_\_\_  
(Signature of Applicant or authorized Agent)  
*if Applicable*

\_\_\_\_\_  
(Signature of Commissioner)  
*if Applicable*



**BY-LAW NO. 300221 SECTION 6.6.4 ZONE R3.6**

**REQ. SEMI-DETACHED DWELLINGS:**

REQ. SEMI-DETACHED DWELLINGS:	REQUIRED	PROPOSED
LOT AREA (MIN.)	400m <sup>2</sup>	707m <sup>2</sup>
LOT FRONTAGE (MIN.)	6.0m	4.0m
REAR YARD (MIN.)	7.0m	4.87m
FRONT YARD (MIN.)	12.0m / 61.2m	3m
LOT COVERAGE (MAX.)	41.7%	41%

**EXCEPTIONS**

- DENOTES EXCEPTION REQUIRED
- PREVIOUSLY APPROVED EXCEPTIONS
- PARKING IS PERMITTED IN MINIMUM FRONT YARD IN ZONE R3
- LOT COVERAGE INCREASED TO 41%
- SOUTH SIDE YARD SET BACK DECREASED TO 1.2m
- DISTANCE BETWEEN DWELLINGS REDUCED TO 2.28m

**PARKING REQUIREMENTS**

DISTANCE BETWEEN DWELLINGS:	REQUIRED	PROPOSED
MIN. DISTANCE BETWEEN DWELLINGS	2.28m	1.50m
ACCESSORY UNIT	1.50m	2 SPOTS
		5 SPOTS

WHEN MORE THAN 1 OFF-STREET PARKING SPACES ARE PROVIDED A 3m LANDSCAPE BUFFER SHALL BE PROVIDED.

**BRENTWOOD VILLAGE**

**3RD LINE STUDIO** ARCHITECTURE  
Project No: 2061

**36 YUSKO CRESCENT**

MERRITT CON 4 PT LOT 8  
PCL 30369; RP 53R14866 PART 1 & 2

2024 07 18

SK-8