



**Revised Agenda  
Committee of Adjustment Meeting**

**Wednesday, August 4, 2021, 6:00 p.m.  
Chair and Secretary-Treasurer Participating Remotely  
The Corporation of the Town of Orangeville**

**NOTICE**

Due to efforts to contain the spread of COVID-19, the Council Chambers at Town Hall will not be open to the public to attend Committee of Adjustment meetings until further notice.

Prior to the meeting, written comments may be sent to the Secretary-Treasurer of the Committee of Adjustment by email at [tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca). Such written comments will become part of the public record.

Members of the public may access the meeting on the above-noted date and time by telephone at: +1 289-801-5774 and enter Conference ID: 332059592#

Please note that your full name and comments will be part of the public record and will be included in the minutes of the meeting.

**Accessibility Accommodations**

If you require access to information in an alternate format, please contact the Clerk's division by phone at 519-941-0440 x 2256 or via email at [clerksdept@orangeville.ca](mailto:clerksdept@orangeville.ca)

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1. **Call to Order**
2. **Disclosures of (Direct or Indirect) Pecuniary Interest**
3. **Adoption of Minutes of Previous Meeting**  
Recommendations:  
That the minutes of the following meeting are approved:  
  
2021--07-07 Committee of Adjustment
4. **Statutory Public Hearing**

**4.1. File No. A11-21, 7 Mason Street**

In the matter of an application by Sunny Sharma and Nitika Sharma for a minor variance to Zoning By-law 22-90, as amended, on property described as Lot 42, Plan 7M 42, municipally known as 7 Mason Street, in the Town of Orangeville, in the County of Dufferin, under the provisions of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, as amended. The subject property is zoned “Residential Fourth Density (R4) Zone, S.P. 24.169”.

Explanatory Note:

The applicants are requesting a minor variance to increase the rear yard encroachment from 0.6 metres to 1.2 metres. This variance is to permit the construction of stairs for access into an accessory apartment.

**4.1.1. A Report from L. Russell, Senior Planner, Infrastructure Services dated August 4, 2021**

Recommendations:

**That Planning Report – A11-21 – 7 Mason Street be received;**

**And that the Minor Variance Application (File No. A11-21) to increase the maximum permitted rear yard encroachment from 0.6 metres to 1.2 metres in order to permit the construction of stairs for access into an accessory apartment, be approved, generally in accordance with the submitted Site Plan.**

**4.1.2. A Report from the Township of Amaranth dated July 19, 2021**

**\*4.1.3. A Memo to the County of Dufferin dated August 3, 2021**

**4.2. File No. A12-21, Southwest Corner C Line and Alder Street**

In the matter of an application by 2679504 Ontario Inc. for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Lot 3, Concession C, designated as Parts 1-3 on Reference Plan 7R-5739, located at the southwest corner of C Line and Alder Street, in the Town of Orangeville, in the County of Dufferin, under the provisions of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, as amended. The subject property is zoned “Neighbourhood Commercial (C2), S.P. 24.147”.

Explanatory note:

The applicant is requesting minor variances to reduce the number of required parking spaces from 191 to 178, and to increase the coverage for all buildings and hard-surfaced areas from 70% to 80%.

- 4.2.1. A Report from L. Russell, Senior Planner, Infrastructure Services dated August 4, 2021

Recommendations:

That Planning Report – A12-21 – SW Corner of C Line and Alder Street be received;

And that Minor Variance Application (File No. A12-21) to reduce the number of required parking spaces from 191 to 178, and to increase the coverage for all buildings and hard-surfaced areas from 70% to 80%, be approved.

- 4.2.2. A Report from the Township of Amaranth dated July 19, 2021

- \*4.2.3. A Memo to the County of Dufferin dated August 3, 2021

**5. Items for Discussion**

**5.1. Official Plan Steering Committee Appointment**

Recommendations:

That be appointed as a member of the Official Plan Steering Committee.

**6. Correspondence**

None.

**7. New Business**

**8. Date of Next Meeting**

The next meeting is scheduled for September 1, 2021.

**9. Adjournment**



## Minutes of a Committee of Adjustment Meeting

### Electronic Participation

July 7, 2021, 6:00 p.m.

### Chair and Secretary-Treasurer Participating Remotely The Corporation of the Town of Orangeville

Members Present: Hiedi Murray, Chair  
Jason Bertrand  
Alan Howe  
Rita Baldassara  
S. Wilson

Staff Present: L. Russell, Senior Planner  
T. MacDonald, Acting Secretary-Treasurer

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#### 1. Call to Order

The meeting was called to order at 6:00 p.m.

#### 2. Disclosures of (Direct or Indirect) Pecuniary Interest

None.

#### 3. Adoption of Minutes of Previous Meeting

##### **Recommendation: 2021-018**

Moved by Jason Bertrand

That the minutes of the following meeting are approved:

2021-06-02 Committee of Adjustment Minutes

**Carried**

#### 4. Statutory Public Hearing

##### **4.1 File No. A-08-21 - 101 John Street**

The Chair asked if anyone wished to speak in favour of the application. No comments were made. The Chair asked if anyone wished to speak in opposition to the application. No comments were made. The Chair asked if there were any questions from the members and there were none.

##### **Recommendation: 2021-019**

Moved by Jason Bertrand

That Planning Report – A08-21 – 101 John Street be received;

And that Minor Variance Application (File No. A08-21) to increase the maximum height of a fence in the front yard from 0.9 metres to 1.8 metres, be approved, generally in accordance with the submitted Site Plan.

**Carried Unanimously**

#### **4.2 File No. A-09-21 - 15-17 York Street**

The Chair asked if anyone wished to speak in favour of the application. No comments were made. The Chair asked if anyone wished to speak in opposition to the application. No comments were made. The Chair asked if there were any questions from the members and there were none.

##### **Recommendation: 2021-020**

Moved by Rita Baldassara

That Planning Report – A09-21 – 15-17 York Street be received;

And that a Report from Annie Li, Planner, Planning and Development Services, Credit Valley Conservation dated June 29, 2021 and a revised Report from Annie Li, Credit Valley Conservation dated July 5, 2021, be received;

And that Minor Variance Application (File No. A09-21) to increase the maximum accessory building height from 4.3 metres to 5 metres; permit an accessory dwelling unit only within the accessory structure of a detached dwelling; and, increase the maximum driveway width from 6 metres to 6.41 metres, in order to permit a second dwelling unit on the property, be approved, generally in accordance with the submitted Site Plan, and subject to the following condition:

1. That the owner implement the Mitigation Plan and LID Design as included in the Stormwater Management Brief prepared by Urban Watershed Group Limited, dated June 18, 2021.

**Carried Unanimously**

#### **4.3 File No. A10-21 - 3 Amanda**

The Chair asked if anyone wished to speak in favour of the application. No comments were made. The Chair asked if anyone wished to speak in opposition to the application. No comments were made. The Chair asked if there were any questions from the members and there were none.

##### **Recommendation: 2021-021**

Moved by Jason Bertrand

That Planning Report – A10-21 – 3 Amanda Street be received;

And that a report from Annie Li, Planner, Credit Valley Conservation, dated June 29, 2021, be received;

And that Minor Variance Application (File No. A10-21) to increase the maximum accessory building height from 4.3 metres to 7.3 metres, to permit an accessory dwelling unit only within the accessory structure of a detached dwelling, and to permit a 10.10 metre wide driveway within 8.74 metres of the face of the proposed detached garage located in the rear yard, be approved, generally in accordance with the submitted Site Plan.

**Carried Unanimously**

### **5. Items for Discussion**

None.

**6. Correspondence**

**7. New Business**

None.

**8. Date of Next Meeting**

The next meeting is scheduled for August 4, 2021.

**9. Adjournment**

The meeting was adjourned at 6:17 p.m.

**Subject: Planning Report – A11-21 – 7 Mason Street**

**Department: Infrastructure Services**

**Division: Planning**

**Meeting Date: 2021-08-04**

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### Recommendations

**That Planning Report – A11-21 – 7 Mason Street be received;**

**And that the Minor Variance Application (File No. A11-21) to increase the maximum permitted rear yard encroachment from 0.6 metres to 1.2 metres in order to permit the construction of stairs for access into an accessory apartment, be approved, generally in accordance with the submitted Site Plan.**

### Introduction

Legal Description: Lot 42, Plan 7M 42

Municipal Address: 7 Mason Street

Applicant(s): Sunny & Nitika Sharma

Official Plan Designation: 'Low Density Residential' (Schedule 'C')

Zoning (By-law 22-90): Residential Fourth Density (R4) Zone

Purpose: The applicants are requesting a minor variance to increase the rear yard encroachment from 0.6 metres to 1.2 metres. This variance is to permit the construction of stairs for access into an accessory apartment.

### Background

The subject property is located on the east side of Mason Street, between Hansen Boulevard and Meyer Drive. The property is approximately 365 square metres (3,930 square feet) in area, with 13.8 metres (46 feet) of frontage along Mason Street. A 2-storey detached dwelling exists on the property and is situated within a low-density residential neighbourhood. The location of the subject lands is indicated on Attachment No. 1.

The applicants are proposing to construct a below-grade entrance and associated staircase at the rear of the building, in order to provide access to a second dwelling unit within the basement. The width of the proposed staircase is 1.2 metres, as shown on Attachment No. 2. The Zoning By-law permits a maximum encroachment of 0.6 metres into any yard for ornamental structures including stairs (Section 5.22).

The property meets all the Zoning By-law requirements for second dwelling units, including parking; however, the below grade-entrance is proposed in the rear yard. Therefore, the purpose of this application is to increase the rear yard encroachment from 0.6 metres to 1.2 metres, to permit the construction of stairs for access into a second dwelling unit in the basement.

Pending approval by the Committee of Adjustment of this application, the proposed development will comply with the Zoning By-law; however, will still require applicable permits under the Ontario Building Code.

## **Analysis**

Section 45(1) of the Planning Act, R.S.O. 1990, as amended, outlines four tests that the Committee of Adjustment must be satisfied have been met when considering an application for a minor variance. Planning Division staff offer the following comments for the Committee's consideration in review of these four tests:

### **1. Conformity with the Official Plan**

The subject property is designated "Low Density Residential" in the Town of Orangeville Official Plan. Detached dwellings and second dwelling units are permitted land uses pursuant to the residential policies of the Official Plan. The increased rear yard encroachment for a below-grade access to a second dwelling unit does not conflict with or offend any high-level policy direction of the Official Plan.

The proposed variance is considered to conform with the intent of the Official Plan.

### **2. General Intent of the Zoning By-law is Maintained**

The subject lands are zoned Residential Fourth Density (R4) Zone on Schedule 'A' of Zoning By-law 22-90, as amended. The R4 Zone permits a range of residential uses, including detached dwellings.

The Zoning By-law permits second dwelling units within single and semi-detached dwellings (Section 5.29), provided that there is only one entrance in the front wall of the dwelling unit, and at least 3 parking spaces are provided. The proposed second dwelling unit meets these requirements.

The applicants are requesting a minor variance to increase the rear yard encroachment from 0.6 metres to 1.2 metres. This variance is to permit the construction of stairs for access into an accessory apartment.



Section 5.22 of the Zoning By-law prescribes that ornamental structures, including stairs, can encroach up to a maximum of 0.6 metres into any yard, provided that a setback of at least 0.6 metres is maintained.

The purpose of restricting encroachments into the rear yard is to allow certain structural features to extend slightly beyond the main building wall while ensuring that sufficient amenity area is maintained.

The amenity area located in the rear yard of the property is approximately 80 square metres (860 square feet). The below-grade entrance and staircase are located against the rear of the dwelling and proposed to be 1.2 metres wide. The addition of this staircase in order to facilitate access to a second dwelling unit in the basement will not have any impact on the useability of the amenity area. To prevent the potential for additional encroachments being enabled through this variance, beyond what has been contemplated through this application, it is recommended that the approval of this variance be limited to the extent of the stairs shown on the submitted site plan.

The requested variance maintains the general intent of the Zoning By-law.

### **3. Desirable Development or Use of the Land, Building or Structure**

Single detached dwellings, encroachments and second dwelling units are permitted uses pursuant to the policies of the Zoning By-law No. 22-90. The proposed variance will not have adverse impacts on surrounding properties, while facilitating an additional unit on the property.

The requested variance is considered desirable and appropriate for the use of the land.

### **4. Minor in Nature**

In consideration of the foregoing, the application for minor variance to Zoning By-law No. 22-90 is deemed minor in nature.

### **Infrastructure Services – Transportation & Development Comments:**

Infrastructure Services has reviewed the Notice of Hearing for a minor variance for the property described as Lot 42, Plan 7M 42, municipally known as 7 Mason Street in the Town of Orangeville. The request for a minor variance is to increase the maximum permitted rear yard encroachment from 0.6 metres to 1.2 metres in order to permit the construction of stairs for access into an accessory apartment.

Infrastructure Services is not aware of any grading, drainage or servicing issue that would preclude the granting of this minor variance. Concluding, Infrastructure Services, Transportation and Development Division does not object to the minor variance to increase the maximum permitted rear yard encroachment from 0.6 metres to 1.2 metres in order to permit the construction of stairs for access into an accessory apartment.

## **Strategic Alignment**

### **Orangeville Forward – Strategic Plan**

Priority Area: Sustainable Infrastructure

Objective: Plan for Growth

### **Sustainable Neighbourhood Action Plan**

Theme: Land Use and Planning

Strategy: Co-ordinate land use and infrastructure planning to promote healthy, liveable and safe communities

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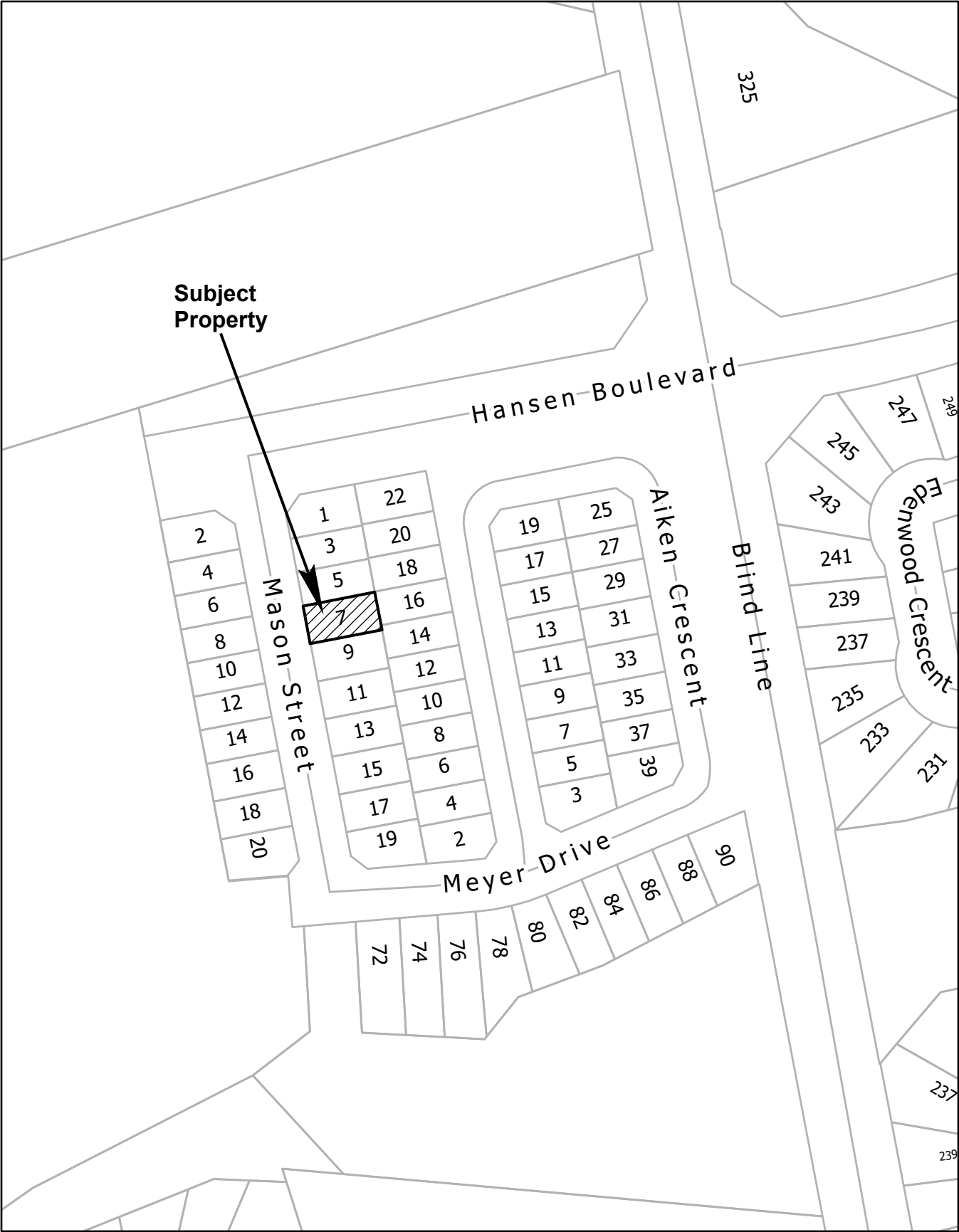
Prepared by

Larysa Russell, MCIP, RPP  
Senior Planner, Infrastructure Services

Reviewed by

Brandon Ward, MCIP, RPP  
Planning Manager, Infrastructure Services

**Attachment(s):** 1. Location Map  
2. Site Plan



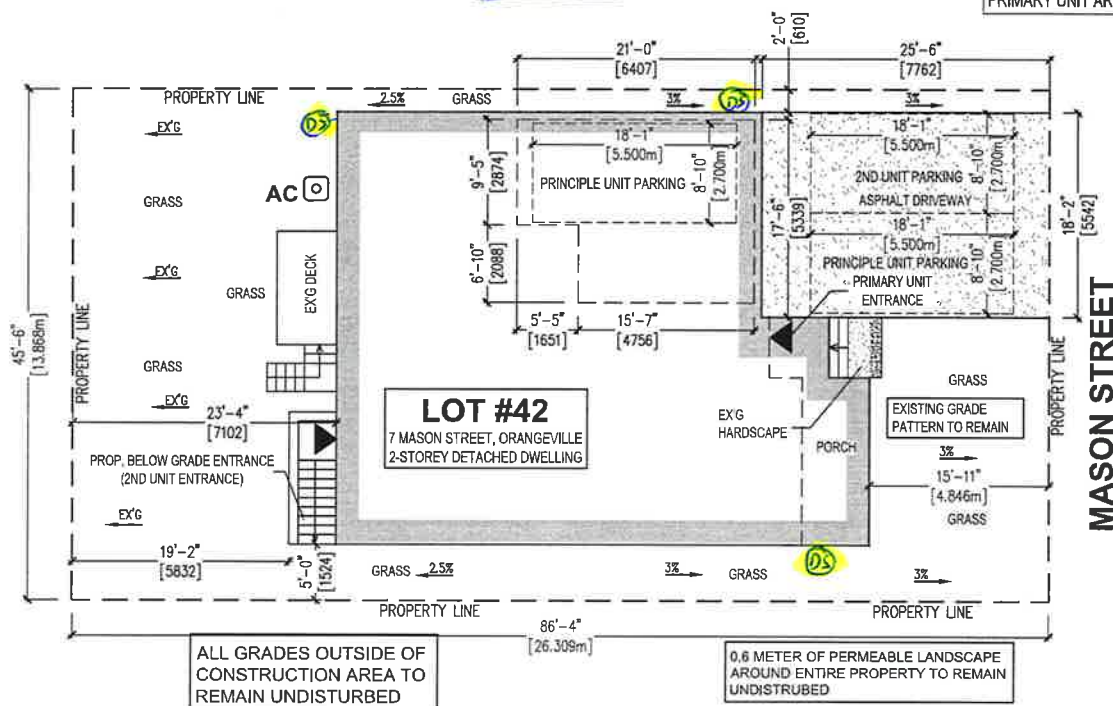
**PROPOSED SECOND UNIT IN BASEMENT**

7 MASON STREET, ORANGEVILLE

*DOWN SPOUT INDICATION*

## SECOND UNIT DWELLING STATISTICS

2ND UNIT AREA	818.4 SF	
PRIMARY UNIT AREA	2143.8 SF	100.00%

**1 SITE PLAN**

3/32" = 1'-0"

**GENERAL NOTES:**

- CONTRACTOR TO CAREFULLY READ THESE NOTES AND FOLLOW DURING CONSTRUCTION. CHANGES/SUBSTITUTION WILL NOT BE ACCEPTABLE WITHOUT ARCHITECTS APPROVAL. ENSURE COMPLIANCE WITH ALL THE NOTES.
- DO NOT SCALE DRAWING. CONCLUSIONS DERIVED BY SCALING OF DRAWINGS WILL NOT BE ACCEPTED. PLEASE VERIFY INFORMATION WITH THE ARCHITECT OF RECORD.
- CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO PROCEEDING WITH OFFICE LAYOUT AND DESIGN WORK.
- ALL CONSTRUCTION PRACTICES TO COMPLY WITH THE ONTARIO BUILDING CODE (O.B.C.), REGULATIONS.
- ALL DIMENSIONS GIVEN IN IMPERIAL & METRIC
- CONTRACTOR TO CO-ORDINATE WITH MECH. AND ELECT. CONTRACTORS FOR LOCATION AND SIZES OF ALL WALLS, FLOORS & CEILING OPENINGS, EQUIPMENT ETC.
- THE CONTRACTOR SHALL LOCATE AND VERIFY ALL EXISTING SERVICES (EXPOSED AND CONCEALED) PRIOR TO ANY DEMOLITION, CUTTING DRILLING OR DIGGING. SERVICES CUT OR DAMAGED AND ANY RESULTING DAMAGE TO PREMISES CAUSED FROM FAILURE TO DO SO WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- ANY EXISTING SPRAYED FIREPROOFING DAMAGED OR REMOVED IS TO BE REPAIRED AND ITS REPAIR APPROVED BY THE ARCHITECT.
- FOR FINISHES SPECIFICATIONS, COORDINATE WITH OWNER.
- ALL WOOD USED IN THE CONSTRUCTION SHALL BE SPF NO.1 OR NO.2
- MINIMUM BEARING OF WOOD BEAM / LINTELS 90 MM.
- VERIFY EXISTING SUPPORT SYSTEM, INCLUDING FOUNDATIONS, FOR LOADS IMPOSED BY THE PROPOSED CONSTRUCTION.
- PROVIDE ALL BRACING, SHORING AND NEEDLING NECESSARY FOR THE SAFE EXECUTION OF THIS WORK.
- INFORM CITY OF ALL INSPECTION AHEAD OF TIME AND AT EACH STAGE OF CONSTRUCTION
- FOR ALL ELECTRICAL WORK AND PERMIT CONTACT ELECTRICAL SAFETY AUTHORITY

No.	Description	Date

**PROPOSED SECOND UNIT IN BASEMENT**

7 MASON STREET, ORANGEVILLE

Drawing by:

**NESTA DESIGN CO.**  
 48 COVEBANK CRESCENT  
 BRAMPTON, ON, L6P 2Y1  
 PHONE: 647-741-4552  
 EMAIL: amiri@nestadesign.ca

Checked by:

Drawn by:

Date: 03/07/2021

DRAWING NAME:

SITE PLAN

SHEET NUMBER

**A100**

**From:** [James Johnstone](#)  
**To:** [Tracy MacDonald](#)  
**Subject:** RE: Notice of Hearing - 7 Mason Street.  
**Date:** Monday, July 19, 2021 12:25:15 PM  
**Attachments:** [image001.png](#)

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Tracy,

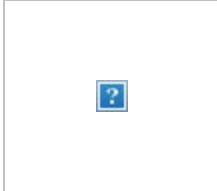
The Township of Amaranth has no objections/comments. Thanks.

## **James Johnstone**

Township Planner | Township of Amaranth  
374028 6th Line | Amaranth | ON | L9W 0M6  
Tel: 519-941-1007 ext. 228 | Fax: 519 - 941-1802

**All municipal facilities and parks are closed until further notice during the COVID-19 pandemic. Staff is working to keep critical services operational during this difficult time. Updates will be posted to our website ([www.amaranth.ca](http://www.amaranth.ca)) and through our Facebook accounts. Calls to the office at 519-941-1007 will be answered as soon as possible.**

**For accurate information on COVID-19 please visit: [www.ontario.ca/COVID-19](http://www.ontario.ca/COVID-19)**



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**From:** Tracy MacDonald <[tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca)>  
**Sent:** Thursday, July 15, 2021 5:04 PM  
**Subject:** Notice of Hearing - 7 Mason Street.

Good afternoon,

Please find attached the Committee of Adjustment Notice of Hearing relating to 7 Mason St.

Regards,

**Tracy Macdonald | Assistant Clerk | Corporate Services**

**Town of Orangeville** | 87 Broadway | Orangeville ON L9W 1K1

519-941-0440 Ext. 2256 | Toll Free 1-866-941-0440 Ext. 2256

[tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca) | [www.orangeville.ca](http://www.orangeville.ca)

## MEMO

**TO:** County of Dufferin

**FROM:** Matt Alexander, Project Manager, WSP

William Turman, Planner, WSP

**SUBJECT:** Applications for Minor Variance (A-11/21) – 7 Mason Street, Town of Orangeville.

**DATE:** August 3, 2021

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### Recommendation

Based on our review, the proposal is consistent with the Urban Settlement Area designation and related policies of the Dufferin County Official Plan, provided that:

- Consultation occur with the Township of Grand Valley, and the Grand River Conservation Authority (GRCA) related to the potential impacts to source water related to the property location within a source water protection area (Significant Groundwater Recharge Area).

### Summary

The purpose of the Minor Variance is to increase the permitted yard encroachment into the rear yard from a maximum of 0.6 metres to 1.2 metres to facilitate the construction of stairs for access into an accessory apartment.

The documents received by WSP on July 12<sup>th</sup>, 2021 includes:

- Application Form

### Dufferin County Official Plan (2017)

The subject property is designated as Urban Settlement Area in the County Official Plan Schedule B – Community Settlement Structure and Land Use. The intent of the Urban Settlement Area designation is to function as the primary centre for growth, development, and urban activities. Per policy 3.3.1, local municipalities are encouraged to promote development within settlement areas that is compact, mixed use, with a broad range of housing types for all residents.

Per Policy 3.3.2, Urban Settlement Areas accommodate a broad range of uses and are the focus of growth. The County Official Plan directs that the range of permitted uses and associated land use policies will be established in the local municipal official plans and in accordance with the policies of this Plan. The County Official Plan also directs that urban settlement areas to provide a range of land uses and densities, a mix of housing types including affordable housing options. Local municipalities are encouraged to identify and promote intensification, infill and redevelopment of designated and vacant and/or underutilized sites, in the urban settlement areas, taking into account existing building stock

and the availability of suitable existing or planned infrastructure and public service facilities to accommodate projected needs.

The County Official Plan defines “Second residential units” as follows:

Second Residential Units: Means a separate and complete dwelling unit that is contained within the structure of a single detached, semi-detached, or townhouse residential dwelling or within a secondary building on the same property as a principal dwelling unit.

Section 3.7.4 states it is a priority for the County to support the provision of second residential units and garden suites as a means to provide a greater diversity of housing types and housing affordability. The County generally encourages the permission of second residential units within single detached, semi-detached, and townhouse dwelling units where a residential unit is not permitted in an accessory structure to those housing types on the property. Local municipalities may permit the second residential unit to be located within a residential accessory structure, subject to the policies and regulations of the local municipal official plan and zoning by-law. In addition, local municipal official plans and implementing zoning by-laws will contain detailed policies and requirements relating to second residential units which generally support their creation, and will have consideration for such matters as: land use permissions for second residential units, parking requirements, servicing, and compliance with other relevant municipal and provincial requirements.

Appendix 2 (Source Water Protection) indicates that the subject property is within a Significant Groundwater Recharge Area, and a Water Quantity Area. It is recommended that the applicant consult with Credit Valley Conservation (CVC) to determine the significance of the aquifer and groundwater recharge area.

Per section 5.4.2(d), prior to the approval of new or expanded development within well head protection areas (shown as “Water Quantity Area on Appendix 2), the proponent shall demonstrate that pre-development groundwater recharge rates will be maintained and/or where possible improved.



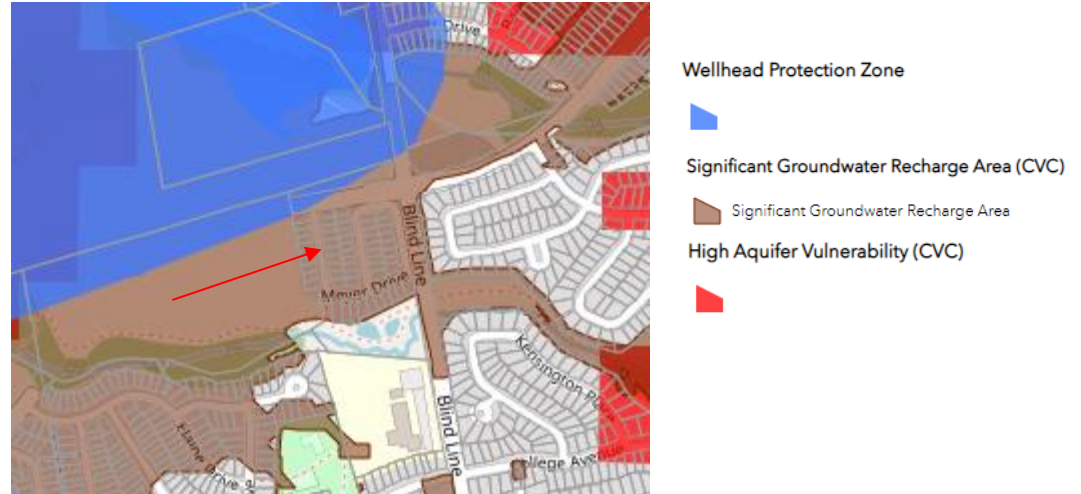


Figure 1 Dufferin County Official Plan - Appendix 2, Source Water Protection

### Recommendation

Based on our review, the proposal is consistent with the Urban Settlement Area designation and related policies of the Dufferin County Official Plan, provided that:

- Consultation occur with the Township of Grand Valley, the Grand River Conservation Authority (GRCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Significant Groundwater Recharge Area).

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**Subject: Planning Report – A12-21 – SW Corner of C Line and Alder Street**

**Department: Infrastructure Services**

**Division: Planning**

**Meeting Date: 2021-08-04**

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### **Recommendations**

**That Planning Report – A12-21 – SW Corner of C Line and Alder Street be received;**

**And that Minor Variance Application (File No. A12-21) to reduce the number of required parking spaces from 191 to 178, and to increase the coverage for all buildings and hard-surfaced areas from 70% to 80%, be approved.**

### **Introduction**

**Legal Description:** Part of Lot 3, Concession C, designated as Parts 1-3 on Reference Plan 7R-5739

**Municipal Address:** SW Corner of C Line and Alder Street

**Applicant(s):** 2679504 Ontario Inc.

**Official Plan Designation:** 'Neighbourhood Commercial' (Schedule 'C')

**Zoning (By-law 22-90):** Neighbourhood Commercial (C2) Zone, S.P. 24.147

**Purpose:** The applicant is requesting minor variances to reduce the number of required parking spaces from 191 to 178, and to increase the coverage for all buildings and hard-surfaced areas from 70% to 80%.

### **Background**

The subject property is located on the southwest corner of Alder Street and C Line. The property is approximately 1.28 hectares (3 acres) in area, with 121 metres (397 feet) of frontage along Alder Street and 109 metres (358 feet) of frontage along C Line. The

subject lands are currently vacant. The location of the subject lands is indicated on Attachment No. 1.

The applicant is proposing to construct three 1-storey (5 metre) commercial buildings, with a total gross floor area of 3,846 square metres (41,400 square feet), as shown on Attachment No. 2. The applicant has submitted a Site Plan application (SPA-2019-08) which is in its' final review stages, pending the approval of the required variances.

The Zoning By-law requires that a minimum of 191 spaces be provided (Section 5.17.1), and prescribes a maximum coverage for all building and hard surfaced areas of 70%. (Special Provision 24.147).

In order to permit the development as proposed, a reduction in parking and an increase in coverage is required. Therefore, the purpose of this application is to reduce the number of required parking spaces from 191 to 178, and to increase the coverage for all buildings and hard-surfaced areas from 70% to 80%.

Pending approval by the Committee of Adjustment of this application, the proposed development will comply with the Zoning By-law; however, will still require Site Plan approval, and applicable permits under the Ontario Building Code.

## **Analysis**

Section 45(1) of the Planning Act, R.S.O. 1990, as amended, outlines four tests that the Committee of Adjustment must be satisfied have been met when considering an application for a minor variance. Planning Division staff offer the following comments for the Committee's consideration in review of these four tests:

### **1. Conformity with the Official Plan**

The subject property is designated "Neighbourhood Commercial" in the Town of Orangeville Official Plan. Neighbourhood Commercial areas are distributed in various parts of Orangeville, primarily in response to the location of residential uses. These areas accommodate retail and service commercial uses at moderate scale, usually in the form of shopping centres with consolidated parking (Section E2.6). The reduced parking and increased coverage do not conflict with, or offend any high-level policy direction of the Official Plan.

The proposed variances are considered to conform with the intent of the Official Plan.

### **2. General Intent of the Zoning By-law is Maintained**

The subject lands are zoned Neighbourhood Commercial (C2) Zone with Special Provision 24.147 on Schedule 'A' of Zoning By-law 22-90, as amended. The C2 Zone permits a mix of residential and commercial uses. The Special Provision removes permissions for residential and automotive uses, as well as drive-through facilities.

The Zoning By-law (Section 5.17.1) stipulates the required parking rates based on use. The following table summarizes the parking requirement for the proposed development.

Proposed Use	By-law Requirement	Parking Calculation
Retail (2,660.90 sq. m)	1 space per 20 sq. m	133 spaces
Restaurant (448 sq. m)	1 space per 9 sq. m	49 spaces
Daycare (9 classroom)	1 space per classroom	9 spaces
		<b>Total: 191 spaces</b>

Based on the proposed uses, a total of 191 parking spaces are required. The applicant is requesting a minor variance to reduce the number of required parking spaces from 191 to 178.

As part of the Site Plan application, the applicant has submitted a Transportation Study, which speaks to the requested parking reduction. The study demonstrates that the retail, office, restaurant uses and other personal service establishments have different parking peaks, therefore opportunities exist to share parking spaces among these different land uses. It concluded that the proposed 178 parking spaces are sufficient to meet the parking demand requirements of the development. As such, staff are satisfied that the reduced parking will not have an adverse impact on the functionality of the proposed development or the surrounding area.

Special Provision 24.147 prescribes a maximum coverage for all building and hard surfaced areas of 70%. The applicant is requesting a minor variance to increase the coverage for all buildings and hard-surfaced areas from 70% to 80%.

The purpose of the lot coverage restriction is to ensure that adequate landscaping is provided, that the parking is setback and/or screened from the street, and that pervious areas are maintained on the property in order to promote groundwater infiltration.

Per the Site Plan included as Attachment No. 2, the proposed buildings are pulled up to the street line. This provides a 3.0 metre landscape strip between the sidewalk and the front of the buildings, while screening the parking spaces located behind the buildings. The parking lot itself also includes landscaped medians, further breaking up the hardscape. The total proposed landscape area is 2,606 square metres (28,000 square feet).

As part of the Site Plan application, the applicant must demonstrate how pre-development groundwater infiltration rates will be maintained post-development, which is typically accomplished through the incorporation of softscape and Low Impact Development (LID) features. The submitted studies conclude that due to the physical constraints of the property, which include a high water table, the incorporation of LID features is not feasible. As such, in order to compensate for the inability to infiltrate groundwater through LID features, the applicant will be required to pay cash-in-lieu. This will subsidize the design and construction of suitable infiltration enhancement features off-site, where conditions

would be more favourable for such features. The cash-in-lieu compensation will be collected through the Site Plan Agreement.

The requested variances maintain the general intent of the Zoning By-law.

### **3. Desirable Development or Use of the Land, Building or Structure**

A range of retail and commercial uses are permitted pursuant to the policies of the Zoning By-law No. 22-90. The proposed variances will not have adverse impacts on surrounding properties.

The requested variances are considered desirable and appropriate for the use of the land.

### **4. Minor in Nature**

In consideration of the foregoing, the application for minor variances to Zoning By-law No. 22-90 is deemed minor in nature.

### **Infrastructure Services – Transportation & Development Comments:**

Infrastructure Services has reviewed the Notice of Hearing for minor variances for the property described as Part of Lot 3, Concession C, Designated as parts 1-3 on Reference Plan 7R-5739, municipally known as the SW corner of “C” Line and Alder Street in the Town of Orangeville. The request for minor variances is to reduce the number of required parking spaces from 191 to 178, and to increase the coverage of all buildings and hard surfaced areas from 70% to 80%.

Infrastructure Services is not aware of any grading, drainage or servicing issue that would preclude the granting of these minor variances. Concluding, Infrastructure Services, Transportation and Development Division does not object to the minor variances to reduce the number of required parking spaces from 191 to 178, and to increase the coverage of all buildings and hard surfaced areas from 70% to 80%.

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## **Strategic Alignment**

### **Orangeville Forward – Strategic Plan**

Priority Area: Sustainable Infrastructure

Objective: Plan for Growth

### **Sustainable Neighbourhood Action Plan**

Theme: Land Use and Planning

**Strategy:** Co-ordinate land use and infrastructure planning to promote healthy, liveable and safe communities

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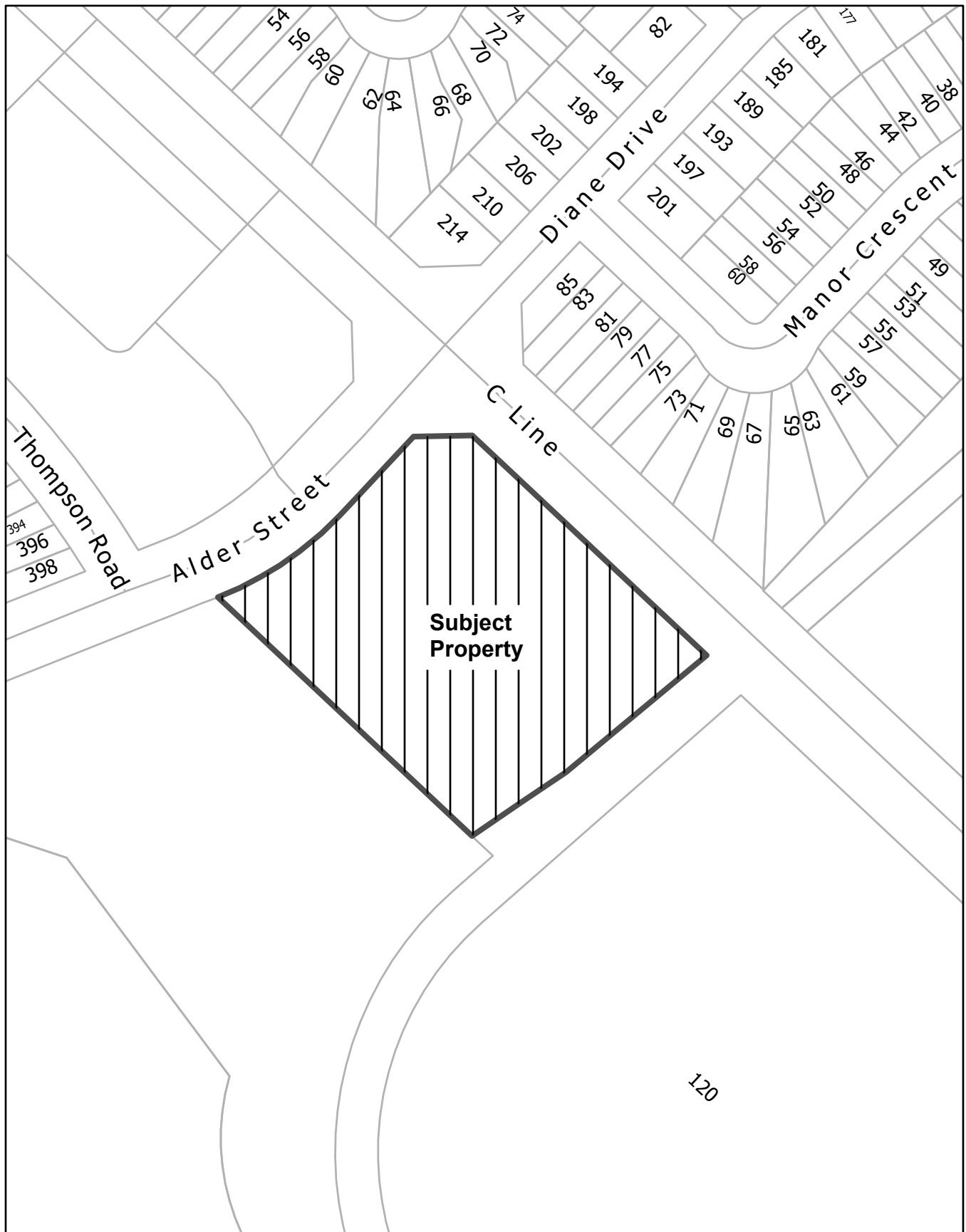
**Prepared by**

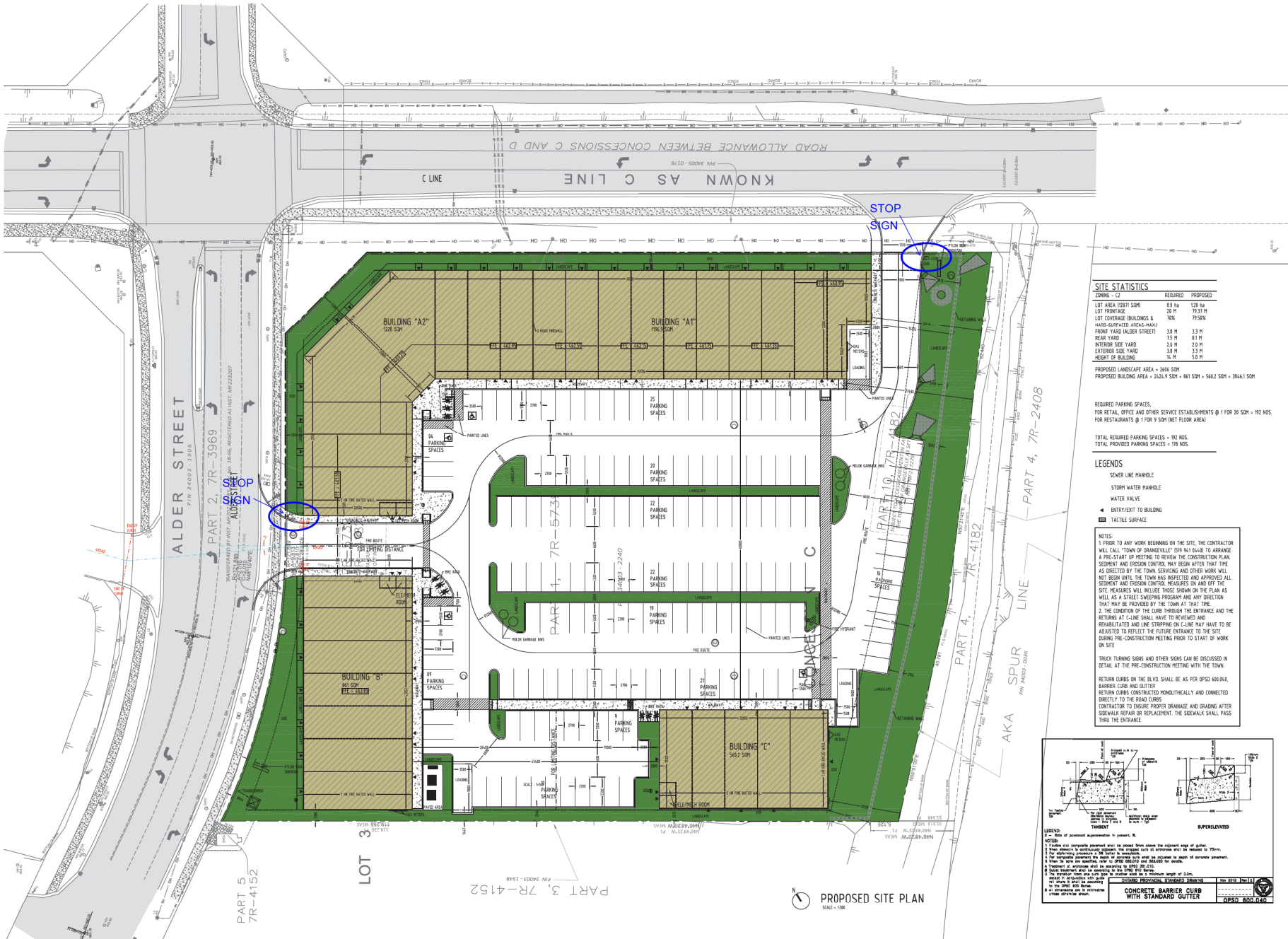
Larysa Russell, MCIP, RPP  
Senior Planner, Infrastructure Services

**Reviewed by**

Brandon Ward, MCIP, RPP  
Planning Manager, Infrastructure Services

**Attachment(s):** 1. Location Map  
2. Site Plan





SITE STATISTICS		
ZONING - C2	REQUIRED	PROPOSED
LOT AREA (TOTAL SQM)	8.9 HA	1.28 HA
LOT FRONTAGE	20 M	75.31 M
LOT COVERAGE BUILDINGS & HARD-SURFACED AREAS (%)	70%	75.50%
FRONT YARD (ALDER STREET)	3.0 M	3.3 M
REAR YARD	2.5 M	8.1 M
INTERIOR SIDE YARD	2.0 M	2.0 M
EXTERIOR SIDE YARD	1.0 M	3.0 M
HEIGHT OF BUILDING	10 M	13 M

PROPOSED LANDSCAPE AREA = 3606 SQM  
PROPOSED BUILDING AREA = 2424.9 SQM + 841 SQM + 546.2 SQM + 384.1 SQM

REQUIRED PARKING SPACES:  
FOR RETAIL, OFFICE AND OTHER SERVICE ESTABLISHMENTS @ 1 FOR 20 SQM + 192 NOS.  
FOR RESTAURANTS @ 1 FOR 9 SQM (NET FLOOR AREA)

TOTAL REQUIRED PARKING SPACES = 192 NOS.  
TOTAL PROVIDED PARKING SPACES = 178 NOS.

LEGENDS

- SEWER LINE MANHOLE
- STORM WATER MANHOLE
- WATER VALVE
- ENTRY/EXIT TO BUILDING
- TACTILE SURFACE

NOTES:

1. PRIOR TO ANY WORK BEGINNING ON THE SITE, THE CONTRACTOR WILL CALL "TOWN OF SHANAGHLEVILLE" (519 841 6400) TO ARRANGE A PRE-START UP MEETING TO REVIEW THE CONSTRUCTION PLAN, SETBACK AND EROSION CONTROL, THAT BEGIN AFTER THAT TIME AS DIRECTED BY THE TOWN. SERVICES AND OTHER WORK WILL NOT BEGIN UNTIL THE TOWN HAS INSPECTED AND APPROVED ALL SETBACK AND EROSION CONTROL MEASURES ON AND OFF THE SITE. MEASURES WILL INCLUDE THOSE SHOWN ON THE PLAN AS WELL AS A STREET CLOSING PROGRAM AND ANY DIRECTION THAT MAY BE PROVIDED BY THE TOWN AT THAT TIME.

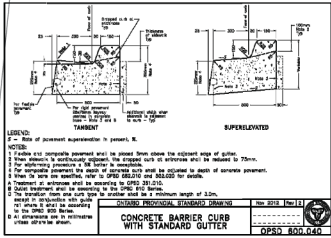
2. THE CONDITION OF THE CURB THROUGH THE ENTRANCE AND THE RETURNING AT C-LINE SHALL HAVE TO BE REFINISHED AND REHABILITATED AND LINE STOPPING ON C-LINE MAY HAVE TO BE ADJUSTED TO REFLECT THE FUTURE ENTRANCE TO THE SITE DURING PRE-CONSTRUCTION MEETING PRIOR TO START OF WORK ON SITE.

TRUCK TURNING SIGNS AND OTHER SIGNS CAN BE DISCUSSED IN DETAIL AT THE PRE-CONSTRUCTION MEETING WITH THE TOWN.

RETURN CURBS ON THE BELVUS SHALL BE AS PER OPSD 400 640, BARRIER CURB AND GUTTER.

RETURN CURBS CONSTRUCTED MONOLITHICALLY AND CONNECTED DIRECTLY TO THE ROAD CURBS.

CONTRACTOR TO ENSURE PROPER DRAINAGE AND GRADING AFTER SIDEWALK REPAIR OR REPLACEMENT. THE SIDEWALK SHALL PASS THRU THE ENTRANCE.



No.	Revisions	Date
1	REQUIRED FOR SITE PLAN APPROVAL	2020 08 31
2	REQUIRED FOR SITE PLAN APPROVAL	2020 08 31
3	Issued for Site Plan Review	2018 08 31
No.	Issue	Date



Drawing Title:  
PROPOSED SITE PLAN

(SP 8/19)  
Scale: 1:300 Date: NOV 05, 2018  
Drawn by: NL Checked by: NL  
Job No. 1871 Drawing No. A0

Feb 15, 2019



**From:** [James Johnstone](#)  
**To:** [Tracy MacDonald](#)  
**Subject:** RE: Notice of Hearing  
**Date:** Monday, July 19, 2021 12:24:53 PM  
**Attachments:** [image001.png](#)

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Tracy,

The Township of Amaranth has no comments/objections.

## **James Johnstone**

Township Planner | Township of Amaranth  
374028 6th Line | Amaranth | ON | L9W 0M6  
Tel: 519-941-1007 ext. 228 | Fax: 519 - 941-1802

**All municipal facilities and parks are closed until further notice during the COVID-19 pandemic. Staff is working to keep critical services operational during this difficult time. Updates will be posted to our website ([www.amaranth.ca](http://www.amaranth.ca)) and through our Facebook accounts. Calls to the office at 519-941-1007 will be answered as soon as possible.**

**For accurate information on COVID-19 please visit: [www.ontario.ca/COVID-19](http://www.ontario.ca/COVID-19)**



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**From:** Tracy MacDonald <[tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca)>  
**Sent:** Thursday, July 15, 2021 5:07 PM  
**Subject:** Notice of Hearing

Good afternoon,

Please see attached Committee of Adjustment Notice of Hearing with respect to Southwest Corner of C Line and Alder Street.

Regards,

**Tracy Macdonald | Assistant Clerk | Corporate Services**

**Town of Orangeville** | 87 Broadway | Orangeville ON L9W 1K1

519-941-0440 Ext. 2256 | Toll Free 1-866-941-0440 Ext. 2256

[tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca) | [www.orangeville.ca](http://www.orangeville.ca)

## MEMO

**TO:** County of Dufferin

**FROM:** Matt Alexander, Project Manager, WSP  
William Turman, Planner, WSP

**SUBJECT:** Applications for Minor Variance (A-12/21) –Southwest Corner of C Line and Alder Street, Town of Orangeville.

**DATE:** August 3, 2021

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### Recommendation

Based on our review, the proposal is consistent with the Urban Settlement Area designation and related policies of the Dufferin County Official Plan, subject to:

- Consultation with Credit Valley Conservation (CVC) related to the potential impacts to source water related to the property location within a source water protection area (Significant Groundwater Recharge Area and Water Quantity Area)

### Summary

The purpose of the Minor Variance is to reduce the number of required parking spaces from 191 to 178, and to increase the maximum permitted coverage for all buildings and hard surfaced areas from 70% to 80% to facilitate construction of a commercial plaza.

The documents received by WSP on July 12<sup>th</sup>, 2021 includes:

- Committee of Adjustment Application for Minor Variance.
- Proposed Site Plan

### Dufferin County Official Plan (2017)

The subject property is designated as Urban Settlement Area in the County Official Plan Schedule B – Community Settlement Structure and Land Use. The intent of the Urban Settlement Area designation is to function as the primary centre for growth, development, and urban activities. Per policy 3.3.1, local municipalities are encouraged to promote development within settlement areas that is compact, and mixed use, which efficiently uses land resources, infrastructure and public service facilities, and minimizes negative impacts to air quality and climate change.

Per Policy 3.3.2, Urban Settlement Areas accommodate a broad range of uses and focus of growth. The County Official Plan directs that the range of permitted uses and associated land use policies will be established in the local municipal official plans and in accordance with the policies of this Plan. The County Official Plan also directs urban settlement areas to provide a range of land uses and densities. Local municipalities are encouraged to identify and promote intensification, infill and redevelopment of designated and vacant and/or

underutilized sites, in the urban settlement areas, taking into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities to accommodate projected needs. In addition, it encourages development patterns that minimize land consumption and reduce servicing costs, and discourages land use patterns which may cause environmental, heritage conservation or public health and safety concerns.

The subject property is also located within the Built Boundary Area. The County supports redevelopment within the existing built boundary/built-up area wherever feasible and appropriate.

Appendix 2 (Source Water Protection) indicates that the subject property is within a Significant Groundwater Recharge Area, and a Water Quantity Area. It is recommended that the applicant consult with Credit Valley Conservation (CVC).



Figure 1 Dufferin County Official Plan - Appendix 2, Source Water Protection

## Recommendation

Based on our review, the proposal is consistent with the Urban Settlement Area designation and related policies of the Dufferin County Official Plan, provided that:

- Consultation with Credit Valley Conservation (CVC) related to the potential impacts to source water because the subject properties are located within a source water protection area (Significant Groundwater Recharge Area and Water Quantity Area)



## **Terms of Reference**

### **Official Plan Review Steering Committee**

**Date Approved by Council:** June 28, 2021

**Sunset Date:** Will dissolve upon the final reporting to Council with respect to the adoption of the final Official Plan amendment related to this review.

**Mandate:**

- 1) To provide input, guidance and recommendations regarding the Official Plan Review (OPR), based on:
  - good planning principles
  - maintaining harmony with provincial and County planning policy frameworks; and
  - planning objectives of importance to the Town
- 2) To engage in public consultation throughout the OPR Process.

**Goals/Objectives:**

The Official Plan Review Steering Committee will accomplish its mandate through its involvement in the phasing of the OPR process as follows:

**Phase 1 - Amendments and updates to policies not related to growth management or land use permissions:**

- Review draft amendments and background information and provide general guidance and input to Town staff through the completion of the Phase 1 amendment to the Plan
- Hold meetings, as required, throughout Phase 1 of the OPR to discuss the proposed amendments to the Plan
- Provide direction to Council with respect to the final amendment proposed for adoption to conclude Phase 1 of the OPR.

**Phase 2 - Updates to growth management and allocation framework, including land use designations and use permissions:**

- Provide input and guidance to Town staff and to any consultant retained by the Town, with respect to the advancement and completion of Phase 2 of the OPR.
- Review and provide input and comment on any draft background report(s), engagement plans and draft amendments to the Official Plan.

- Hold meetings, as required, to review and discuss: i) amendments proposed to the plan; ii) supporting background information; and iii) comments received through public engagement and agency consultation.
- Facilitate additional public engagement by hosting public consultation meetings and/or inviting members of the public or stakeholder group representatives to appear before the Steering Committee to provide input on the OPR.
- Invite Town staff or agency representatives, that have subject matter expertise, to provide advice to the Steering Committee regarding the OPR.
- Provide direction to Council with respect to the final amendment proposed for adoption to conclude Phase 2 of the OPR.

### **Reporting to Council:**

The Committee will:

- 1) Report to Council through the distribution of minutes,
- 2) Submit comments to the Planning Division for inclusion in any recommendation reports and/or presentations to Council,
- 3) Provide presentations and/or delegate to Council, as necessary.

### **Enabling Legislation, By-Law or Staff Report:**

Council passed Resolution 2020-284, to establish a Steering Committee for the Town of Orangeville Official Plan Review, in order to increase awareness and inclusion in the decision-making process with respect to the completion of the review and update to the Town's Official Plan

### **Committee Composition:**

The Committee shall consist of nine (9) members comprised of:

2 Members of Council\*

1 member recommended from each of the following Advisory Committees and interest groups:

- Heritage Orangeville
- Joint Accessibility Advisory Committee (JAAC)
- Sustainable Orangeville
- Business and Economic Development Advisory Committee (BEDAC)
- Committee of Adjustment
- Orangeville Business Improvement Area (BIA)
- Greater Dufferin Area Homebuilders Association

\*Councillors that serve on any of the Committees or interest groups listed cannot be appointed as the representative of that Committee.

## **Skills Requested**

Members should:

- i) be advocates for good planning and the broader public interest; and
- ii) have a reasonable understanding of land use planning related matters at the Town, County and Provincial levels.

## **Administration Section**

Department Linkage: Infrastructure Services Department, Planning Division

Administrative Support: Administrative Assistant, Planning and Building

Staff Support: Manager, Planning: to provide technical expertise and advice; and to assist in facilitating meeting discussions

Senior Planner: to provide technical expertise and advice.

Meeting Frequency: Monthly, or at the call of the Chair