



**Agenda**  
**Committee of Adjustment Meeting**

**Wednesday, October 5, 2022, 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 Acting 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, Conference ID 415652682#

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)

---

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:  
  
2022-08-03 Committee of Adjustment Minutes
  - 3.1. **2022-08-03 Committee of Adjustment**
4. **Statutory Public Hearing**

**4.1. File No. A12/22 - 3 Paisley Way**

In the matter of an application by Chetan Sachdeva for a minor variance to Zoning By-law 22-90, as amended, on property described as Lot 47, Plan 7M-70 municipally known as 3 Paisley Way, 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, Special Provision 24.181".

**Explanatory Note:**

The applicant is requesting a minor variance to increase the rear yard encroachment from 0.6 metres to 1.7 metres. This variance is to permit the construction of stairs for access into an accessory apartment.

**4.1.1. Planning Report - A12-22 - 3 Paisley Way**

Recommendations:

**That Planning Report – A12-22 – 3 Paisley Way be received;**

**And that the Minor Variance Application (File No. A12-22) to increase the maximum permitted rear yard encroachment from 0.6 metres to 1.7 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. Report from Orangeville Hydro dated September 16, 2022**

**4.1.3. Report from Annie Li, Planner, Planning and Development Services, Credit Valley Conservation dated September 16, 2022**

**5. Items for Discussion**

**5.1. 2023 Calendar of Meeting Dates**

**6. Correspondence**

None.

**7. New Business**

**8. Date of Next Meeting**

The next meeting is scheduled for November 2, 2022 at 6 p.m.

**9. Adjournment**



## **Minutes of a Committee of Adjustment Meeting**

### **Electronic Participation**

**August 3, 2022, 6:00 p.m.**

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

Members Present:     A. Howe  
                              R. Baldassara  
                              S. Wilson  
                              Councillor Taylor

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

---

#### **1.     Call to Order**

Note: Alan Howe Chaired the meeting as Member Wilson was experiencing technical issues.

The meeting was called to order at 6:02 p.m.

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

None.

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

Moved by Todd Taylor

That the minutes of the following meeting are approved:

2022-06-01 Committee of Adjustment Minutes

**Carried**

#### **3.1    2022-06-01 Committee of Adjustment**

#### **4.     Statutory Public Hearing**

##### **4.1    File No. A10/22 - 71 Mill Street**

##### **4.1.1   Planning Report - A-10-22 - 71 Mill Street**

The Chair asked if anyone wished to speak in favour of the application.

Damian Stezinar, the applicant spoke in favour of the application and indicated that the property has become home to his family and it is currently challenging with no place to park a vehicle and no extra storage space.

The Chair asked for questions from the committee and there were none.

Councillor Taylor commented that the variance seemed to be an attractive addition to the community.

Moved by Scott Wilson

**That Planning Report – A10-22 – 71 Mill Street, be received;**

**And that correspondence from Teagan and Laszlo Pandy in support of the application, be received;**

**And that the Minor Variance Application (File No. A10-22) to increase the maximum height of an accessory building from 4.3 metres to 5.8 metres, to reduce the minimum interior side yard setback of an accessory building from 1.2 metres to 0.60 metres, to increase the maximum lot coverage for accessory buildings from 10% to 11%, and to increase the maximum lot coverage from 35% to 36%, be approved, generally in accordance with the submitted site plan.**

**Carried**

## **4.2 File No. A11/22 - 311A Broadway**

### **4.2.1 Planning Report - A11-22 - 311A Broadway**

The Chair asked if there was anyone wishing to speak in support of the application and Sonia McDonald, a community member who would like to move into the property spoke in favour of the application and referenced the difficulty in obtaining a suitable rental.

The Chair asked if there were any questions or comments from the committee.

Councillor Wilson asked if the two year option been discussed with the owner.

Larysa Russell, Senior Planner indicated that the two year option has been agreed upon which is appropriate given it is not being completed through a temporary use by law which typically has a length of three years.

Councillor Taylor commented on his support of the application.

Moved by Todd Taylor

**That Planning Report – A11-22 – 311A Broadway, be received;**

**And that the Minor Variance Application (File No. A11-22) to permit an office in an existing building, be approved, subject to the following condition:**

- 1. That the variance be approved for a temporary period of two (2) years from the date of the Committee's decision.**

**5. Items for Discussion**

Councillor Taylor inquired if the committee would continue to meet in the period running up to the Municipal Election.

Tracy Macdonald, Acting Secretary-Treasurer indicated that the committee would continue to meet on a monthly basis so long as an application is submitted.

**6. Correspondence**

None.

**7. New Business**

The committee inquired as to applications for the next meeting and at this time there are no applications.

**8. Date of Next Meeting**

The next meeting is scheduled for September 7, 2022 at 6:00 p.m.

**9. Adjournment**

The meeting was adjourned at 6:22 p.m.

**Subject: Planning Report – A12-22 – 3 Paisley Way**

**Department: Infrastructure Services**

**Division: Planning**

**Meeting Date: 2022-10-05**

---

### **Recommendations**

**That Planning Report – A12-22 – 3 Paisley Way be received;**

**And that the Minor Variance Application (File No. A12-22) to increase the maximum permitted rear yard encroachment from 0.6 metres to 1.7 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 47, Plan 7M-70

Municipal Address: 3 Paisley Way

Applicant(s): Chetan Sachdeva

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

Zoning (By-law 22-90): Residential Fourth Density (R4) Zone, Special Provision 24.181

Purpose: The applicant is requesting a minor variance to increase the rear yard encroachment from 0.6 metres to 1.7 metres to permit the construction of stairs for access into an accessory apartment.

### **Background**

The subject property is located on the north side of Paisley Way, between Hansen Boulevard and Drew Brown Boulevard. The property is approximately 440 square metres (4,305 square feet) in area, with 13.7 metres (45 feet) of frontage along Paisley Way. 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 applicant is 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 1.93 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 1.7 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, with Special Provision 24.181 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 applicant is requesting a minor variance to increase the rear yard encroachment from 0.6 metres to 1.7 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 93 square metres (860 square feet). The below-grade entrance and staircase are located against the rear of the dwelling and proposed to be 1.93 metres wide by 4 metres long, or approximately 8 square metres in size. The addition of this staircase in order to facilitate access to a second dwelling unit in the basement will not have adverse impacts 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 application for a Minor Variance, Application No. A12-22 for the property described as Lot 47, Registered Plan 7M-70, municipally known as 3 Paisley Way, in the Town of Orangeville. The Applicant is requesting a minor variance to increase the rear yard encroachment from 0.6 metres to 1.7 metres to permit the construction of stairs for access into an accessory apartment.

Infrastructure Services is not aware of any grading, drainage or servicing issues that would preclude the granting of this minor variance. Concluding, Infrastructure Services, Transportation and Development Division does not object to granting the minor variance for the purpose of increasing the rear yard encroachment from 0.6 metres to 1.7 metres 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

---

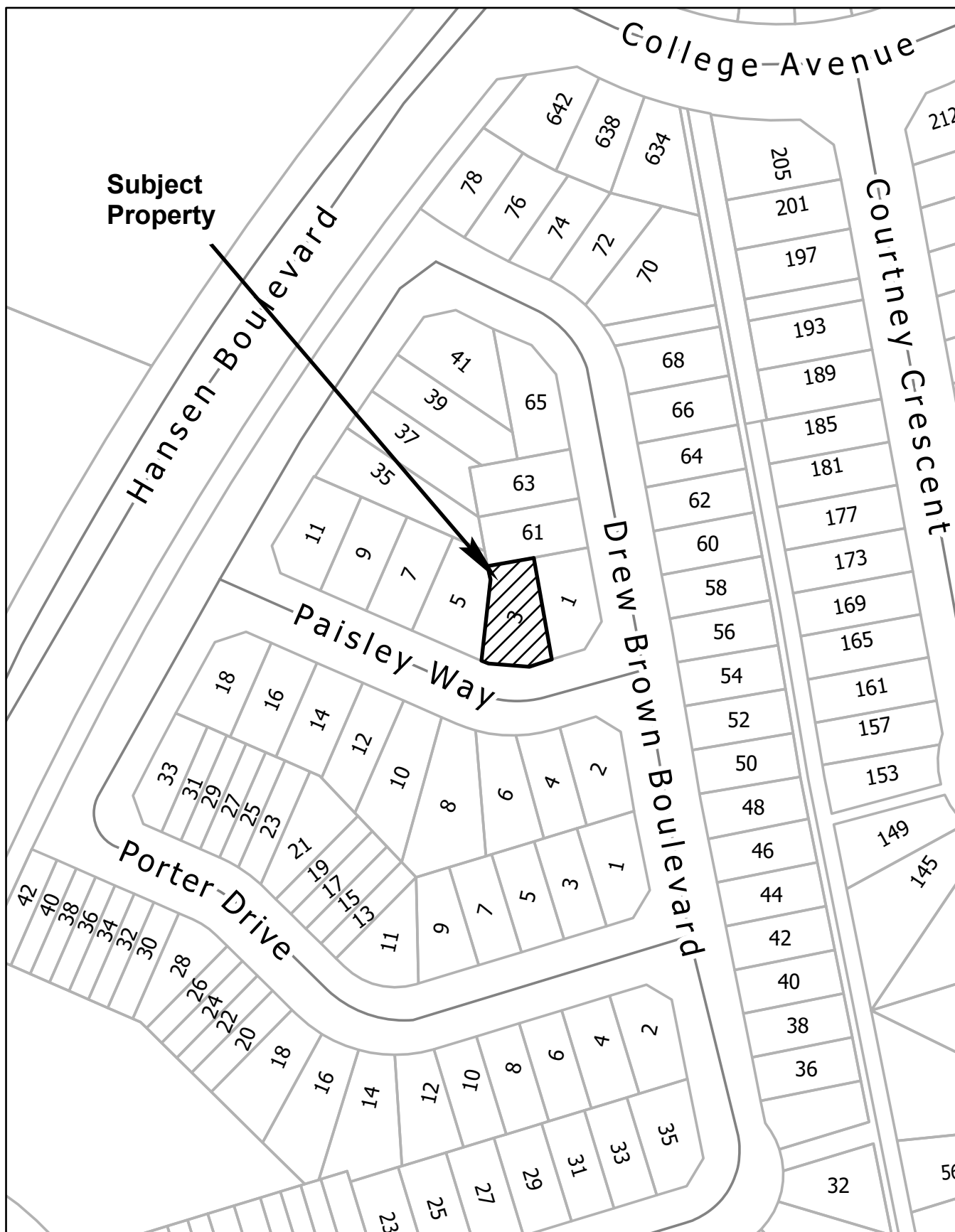
Prepared by

Larysa Russell, MCIP, RPP  
Senior Planner, Infrastructure Services

Reviewed by

Brandon Ward, MCIP, RPP  
Manager of Planning, Infrastructure Services

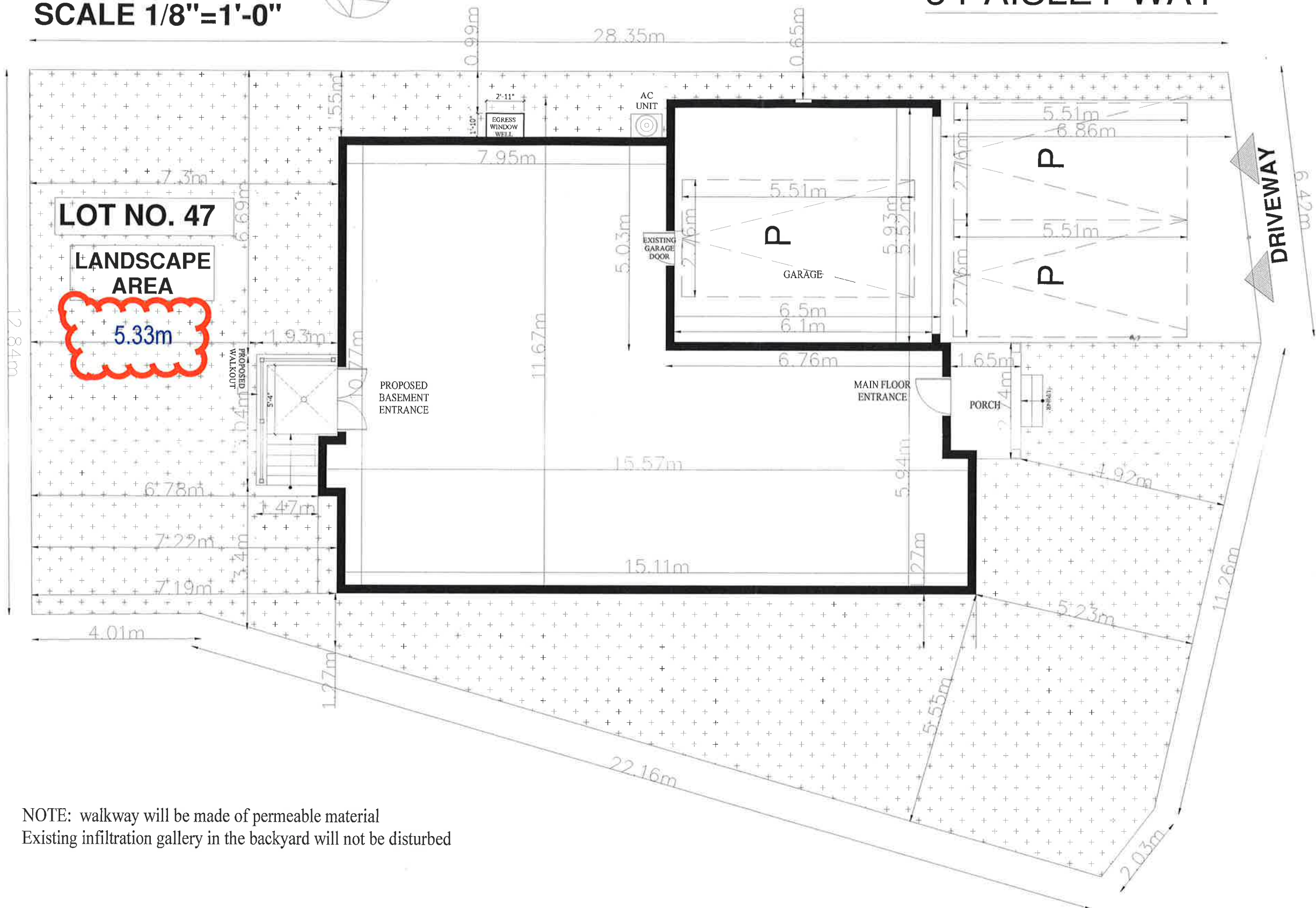
**Attachment(s):** 1. Location Map  
2. Site Plan



**SITE PLAN**  
**SCALE 1/8"=1'-0"**



**3 PAISLEY WAY**



NOTE: walkway will be made of permeable material  
Existing infiltration gallery in the backyard will not be disturbed

GENERAL NOTES

DO NOT SCALE DRAWINGS  
PROPERTY RIGHTS RETAINED BY:  
BG CONSTRUCTION DESIGN  
ANY REPRODUCTION IN WHOLE OR IN PART  
UNDER THE RULES AND BY-LAWS OF THE  
CORPORATION IS STRICTLY FORBIDDEN.  
ANY REPRODUCTIONS MUST BE  
AUTHORIZED BY  
ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

PROPOSAL TO CONSTRUCT  
SECONDARY UNIT AND  
BELOW GRADE ENTRANCE  
FROM REAR YARD

THE UNDERSIGNED HAS REVIEWED AND  
TAKES RESPONSIBILITY FOR THIS DESIGN,  
AND HAS THE QUALIFICATIONS AND  
MEETS THE REQUIREMENTS SET OUT  
IN THE ONTARIO BUILDING CODE  
TO BE A DESIGNER.

QUALIFICATION INFORMATION  
REQUIRED UNLESS DESIGN IS EXEMPT  
UNDER DIV.C-32.5.1 OF THE BUILDING CODE

SHIVANG TARIKA

106440

NAME

SIGNATURE

BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE
SITE PLAN		
CITY : ORANGEVILLE		
3 PAISLEY WAY		
EXISTING DWELLING		
PROJECT	SHEET	
SEP 2021	A1	
SCALE 1/8"=1'-0"		

**From:** [Rob Koekkoek](#)  
**To:** [Laurel Yarenko](#)  
**Cc:** [Tracy MacDonald](#); [REDACTED]  
**Subject:** RE: Notice of Hearing - 3 Paisley Way  
**Date:** Friday, September 16, 2022 10:30:05 AM  
**Attachments:** [image001.png](#)  
[Notice of Hearing Package - A12-22 - 3 Paisley Way.pdf](#)

---

Hello Laurel,

Orangeville Hydro has no issues/concerns.

[Rob Koekkoek](#)  
[REDACTED]

---

**From:** Laurel Yarenko <[lyarenko@orangeville.ca](mailto:lyarenko@orangeville.ca)>  
**Sent:** September 16, 2022 10:25 AM  
**Cc:** Tracy MacDonald <[tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca)>  
**Subject:** Notice of Hearing - 3 Paisley Way

Good morning,

Please find attached the notice of hearing with respect to the minor variance application relating to 3 Paisley Way. The agenda for the October 5 Committee of Adjustment meeting will be available on the Town of Orangeville website by September 30.

Thanks and have a great weekend,

**Laurel Yarenko | Administrative Assistant | Corporate Services**

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

519-941-0440 Ext. 2219 | Toll Free 1-866-941-0440 Ext. 2219

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



**Election Day is October 24, 2022**

Visit [elections.orangeville.ca](http://elections.orangeville.ca) to learn more.

**From:** [Li, Annie](#)  
**To:** [Laurel Yarenko](#)  
**Cc:** [Tracy MacDonald](#)  
**Subject:** RE: [External] Notice of Hearing - 3 Paisley Way  
**Date:** Friday, September 16, 2022 11:02:42 AM  
**Attachments:** [image003.png](#)

Hi Laurel,

The subject lot is located outside of the Credit Valley Conservation (CVC) Regulated Area and any other natural heritage features of concern. We would have no comment on the application.

Just to confirm, there was no cheque which was mailed to CVC for the review of this application?

Thanks,

**Annie Li | B.E.S.**  
Planner, Planning & Development Services | Credit Valley Conservation  
[REDACTED]  
[annie.li@cvc.ca](mailto:annie.li@cvc.ca) | [cvc.ca](http://cvc.ca)



[View our privacy statement](#)

**From:** Laurel Yarenko <[lyarenko@orangeville.ca](mailto:lyarenko@orangeville.ca)>  
**Sent:** Friday, September 16, 2022 10:25 AM  
**Cc:** Tracy MacDonald <[tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca)>  
**Subject:** [External] Notice of Hearing - 3 Paisley Way

Good morning,

Please find attached the notice of hearing with respect to the minor variance application relating to 3 Paisley Way. The agenda for the October 5 Committee of Adjustment meeting will be available on the Town of Orangeville website by September 30.

Thanks and have a great weekend,

**Laurel Yarenko** Administrative Assistant | Corporate Services

**Town of Orangeville** | 87 Broadway | Orangeville ON L9W 1K1  
519-941-0440 Ext. 2219 | Toll Free 1-866-941-0440 Ext. 2219

## **2023 Meeting Calendar Committee of Adjustment**

**First Wednesday of each month - 6:00pm**

<b>Meeting Date</b>
<b>January 4, 2023</b>
<b>February 1</b>
<b>March 1</b>
<b>April 5</b>
<b>May 3</b>
<b>June 7</b>
<b>July 5</b>
<b>August 2</b>
<b>September 6</b>
<b>October 4</b>
<b>November 1</b>
<b>December 6</b>
<b>January 3, 2024</b>