



**Minutes of a Committee of Adjustment Meeting
Electronic Participation**

**December 7, 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
 Deputy Mayor Taylor

Staff Present: B. Ward, Manager of Planning
 T. MacDonald, Acting Secretary-Treasurer

1. Call to Order

2. Disclosures of (Direct or Indirect) Pecuniary Interest

None.

3. Adoption of Minutes of Previous Meeting

That the minutes of the following meeting are approved:

November 2, 2022 Committee of Adjustment

Moved by Todd Taylor

That the minutes of the following meeting are approved:

2022-11-02 Committee of Adjustment Minutes

Carried

3.1 2022-11-02 Committee of Adjustment Minutes

4. Statutory Public Hearing

4.1 File No. A-15/22 - 19 Glengarry Road

The Chair asked if anyone wished to speak in support of the application and Patricia Sproule Ward spoke on behalf of the applicant and provided a history of the evolution of the deck including indicating that the deck was already constructed at the time of purchase. Ms. Sproule Ward indicated that the dwelling at 19 Glengarry was constructed prior to the dwelling at 21 Glengarry. Ms. Sproule Ward outlined that as the intent of the Official Plan is not being violated, that the request is minor in nature, the deck in question is not new and does not impact community form the minor variance should be approved. Ms. Sproule Ward also indicated that there is both a gate and privacy features on the deck. Ms. Sproule Ward referenced four letters of support that she has obtained from residents of

Glengarry. Ms. Sproule Ward also referenced that the use of the side yard does not change, even if the deck is removed and suggested that if the committee is not in favour of approving the minor variance that the committee could defer the decision to see if there is another acceptable alternative.

The Chair asked if there were any questions and there were none. The Chair asked if anyone else wished to speak in support of the application and there were none.

4.1.1 Cristina Murphy, 19 Glengarry

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

Cristina Murphy and Trevor Murphy spoke in opposition and presented a video to the members that outlined concerns related to the minor variance application which include non compliance with the by-law, pet damage, privacy, drainage, garbage, etc.

The Chair asked if anyone else wished to speak in opposition to the application and there were none.

The Chair asked if there were any questions and Deputy Mayor Taylor questioned the timing of the deck being built and if there are any Town records relating to that. Ms. Sproule Ward advised that she was advised the Town had no record of the deck.

4.1.2 Planning Report - A15-22 - 19 Glengarry Road

The Chair asked if the members had any questions for planning staff. Deputy Mayor Taylor questioned the existence of a building permit. Brandon Ward, Manager of Planning advised that the Town has a lot drainage plan which shows the outline of a deck which demonstrates compliance with the by law and that the Town has a survey plan showing the site after the foundation is installed. Mr. Ward indicated that it is the practice for Town staff to inspect the site to ensure lot grading is done in accordance with the plan and staff have been clear that if there was an encroachment into the side yard as exists today it would have been a red flag as it is in contravention of the drainage plan supplied.

The Chair asked if there were other questions and Mr. Howe questioned Ms. Sproule Ward's suggestion of deferring to a later meeting or granting a temporary minor variance to allow further consultation with Town staff. Ms. Sproule Ward indicated that if the matter were deferred it would likely need to be to the February meeting. Chair Wilson questioned what a temporary minor variance would accomplish.

Ms. Baldassarra asked If a building permit been requested would not the setback have needed to be 1.2 m. Mr. Ward indicated that is correct. Mr. Ward advised that it is important to look at the matter as if it was being sought to be constructed at present day.

The Chair asked for additional questions and there were none.

Moved by Todd Taylor

That Planning Report A15-22 – 19 Glengarry Road be received;
And that the minor variance to reduce the interior side yard setback
from 1.2 metres to 0 metres in order to legalize an existing non-
complying deck, be refused.

Yes (3): Alan Howe, Rita Baldassara, and Todd Taylor

No (1): Scott Wilson

Carried (3 to 1)

**4.1.3 Correspondence from Orangeville Hydro dated November 18,
2022**

Moved by Alan Howe

That the correspondence from Orangeville Hydro dated November
18, 2022, be received.

Carried

5. Items for Discussion

None.

6. Correspondence

None.

7. New Business

None.

8. Date of Next Meeting

The next meeting is scheduled for January 4, 2023.

9. Adjournment

The meeting was adjourned at 7:10 p.m.