



Agenda
Committee of Adjustment Meeting

Wednesday, September 4, 2024, 6:00 p.m.
Electronic and In-Person Participation - Committee of Adjustment
The Corporation of the Town of Orangeville
(Chair and Secretary-Treasurer at Town Hall - 87 Broadway)
Orangeville, Ontario

NOTICE

Members of the public wishing to view Committee of Adjustment meetings will have the option to attend in-person or by calling 1-289-801-5774 and entering Conference ID: 262 667 224# 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.

Prior to the meeting, written comments may be sent to the Secretary-Treasurer of the Committee of Adjustment by email at committeeofadjustment@orangeville.ca. Such written comments will become part of the public record.

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 2242 or via email at clerksdept@orangeville.ca

-
- 1. Call to Order**
 - 2. Disclosures of (Direct or Indirect) Pecuniary Interest**

- 3. Land Acknowledgement**

We would like to acknowledge the treaty lands and territory of the Williams Treaty Nations and the Mississaugas of the Credit First Nation. We also recognize that Dufferin County is the traditional territory of the Wendat and the Haudenosaunee, and is home to many Indigenous people today.

- 4. Adoption of Minutes of Previous Meeting**

Recommendations:

That the minutes of the following meeting are approved:

4.1 2024-08-07 Committee of Adjustment Meeting Minutes

- 5. Statutory Public Hearing**

5.1 File No. A-07/24 - 40 Centennial Road

In the matter of an application by Quality Cheese Inc. for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Lot 21 and 112, Plan 335, Parts 1, 2, 3, municipally known as 40 Centennial Road, 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 "General Industrial (M1)".

Explanatory Note:

The applicant is requesting a minor variance to:

1. Permit a maximum of twelve silos (accessory structures) in front of the front wall of the main building whereas the Zoning By-law currently permits a maximum of six.

The purpose of the requested variance is to allow the construction of six additional silos in front of the main building. Section 19 (14) of Zoning By-law 22-90, as amended, states that all accessory buildings and accessory structures, with the exception of a security post, shall be located to the rear of the front wall of the main building. Minor Variance A20-14 was approved in 2015 to allow the construction of six silos, five of which are now constructed.

5.1.1 Planning Report – A-07/24 – 40 Centennial Road, PLA-2024-010

Recommendations:

That Planning Report – A-07/23- 40 Centennial Road, dated September 4th 2024, be received:

That Minor Variance – Application File No. A-07/24 to permit 12 silos in front of the front wall of the main building on the property, be approved, subject to the following condition;

That the applicant/owner submit a satisfactory landscape plan detailing landscape improvement works to be carried out along the frontage of the building to mitigate the visual impact of the proposed silos and related equipment, to the satisfaction of the Town.

5.2 File No. A-08/24 - 2 Fead Street

In the matter of an application by E.C. Marshall Insurance/Financial Services Inc. for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Lot 9 and 10, Plan 212, municipally known as 2 Fead 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 "Restricted Commercial/Residential (C5)".

Explanatory note:

The applicant is requesting a minor variance to:

1. Permit a dwelling unit without a required parking space in a mixed use building whereas Section 5.7 1) (d) of the Zoning By-law requires one parking space per dwelling unit in a mixed use building.

The purpose of the requested variance is to allow a dwelling unit to be constructed within an existing non-residential building. Four parking spaces are proposed (one space per 20 square metres of commercial floor area) for the commercial use in the existing rear parking lot.

5.2.1 Planning Report – A-08/24 – 2 Fead Street, PLA-2024-007

Recommendations:

That Planning Report – A-08/24 – 2 Fead Street be received;

That Minor Variance Application File No. A-08/24 to allow a basement dwelling unit without the required parking space, be approved.

5.3 File No. A-09/24 - 62 Mill Street

In the matter of an application by Marianne Zach for a minor variance to Zoning By-law 22-90, as amended, on property described as Lot 2, Part Lot 1, Plan 19A, municipally known as 62 Mill 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 Second Density (R2)".

Explanatory note:

The applicant is requesting a minor variance to:

1. Increase the maximum permitted height of an accessory structure from 4.3 m to 5.99 m.

The purpose of the requested variance is to allow a second storey above the proposed accessory building (garage) for additional living space (additional dwelling unit).

5.3.1 Planning Report – A-09/24 – 62 Mill Street, PLA-2024-011

Recommendations:

That Planning Report A-09/24 – 62 Mill St. be received;

And that the Minor Variance Application (File No. A-09/24) to permit an increase in the maximum permitted height of an accessory structure from 4.3 metres to 5.99 metres be approved, generally in accordance with the submitted plans, and subject to the following condition:

- 1. That any deck associated with the accessory building shall only be permitted adjacent to the rear (west) or north side of the building.**

5.3.2 Correspondence submitted by David Carbert & Karen Daughton - August 27, 2024

5.4 File No. B-02/24 - 17 & 19 McCarthy Street

In the matter of an application by the Estate of John Ray Russell for consent to sever a parcel of land described as Part Lots 11 to 15, Block 13, Plan 212, municipally known as 17 and 19 McCarthy Street, in the Town of Orangeville, in the County of Dufferin, under the provisions of Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended. The subject property is zoned “Residential Second Density (R2).”

Explanatory note:

The applicant is applying for a consent to sever a parcel of land into two parcels, the retained parcel being 19 McCarthy Street and the severed parcel being 17 McCarthy Street. The two properties merged on title under the Planning Act. There is no proposed development or redevelopment and there are no changes to lot area, lot frontage or lot depth of either parcel.

5.4.1 Planning Report – B-02/24 – 17 and 19 McCarthy Street, PLA-2024-009

Recommendations:

That Planning Report – B-02/24 – 17 and 19 McCarthy Street be received;

And that Consent Application B-02/24 to sever a parcel of lands into two pre-existing parcels which have merged on-title the Planning Act, with the severed parcel being 17 McCarthy Street and the retained parcel being 19 McCarthy Street, be approved, subject to the following conditions:

- 1. That the applicant/owner submit a digital version of a draft Reference Plan (R-Plan) to the satisfaction of the Secretary-Treasurer, Committee of Adjustment.**
- 2. That the applicant/owner submit confirmation to the satisfaction of the Planning Division, that the severed and retained parcels, including the location of any existing structure(s) and parking areas thereon, conform to the requirements of the Zoning By-law or alternatively, the applicant/owner apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law.**
- 3. That any outstanding municipal taxes, fees or charges be paid in full.**
- 4. That all above conditions be fulfilled within two (2) years of the date of the Notice of Decision, so that the Town is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act.**

6. Items for Discussion

None.

7. Correspondence

None.

8. Announcements

9. Date of Next Meeting

The next meeting is scheduled for October 2, 2024.

10. Adjournment



Minutes of a Committee of Adjustment Meeting

Electronic Participation

August 7, 2024, 6:00 p.m.

Electronic and In-Person Participation - Committee of Adjustment

The Corporation of the Town of Orangeville

(Chair and Secretary-Treasurer at Town Hall - 87 Broadway)

Orangeville, Ontario

Members Present: A. Howe
 R. Baldassara
 M. Demczur
 A. Harris
 B. Wormington

Staff Present: J. Lavecchia-Smith, Deputy Clerk
 M. Mair, Development and Community Improvement Planner
 L. Raftis, Acting Secretary-Treasurer
 B. Ward, Manager of Planning

1. Call to Order

Ashley Harris, Vice-Chair assumed the role of the Chair and called the meeting to order at 6:00 p.m.

2. Disclosures of (Direct or Indirect) Pecuniary Interest

None.

3. Land Acknowledgement

The Vice-Chair acknowledged the treaty lands and territory of the Williams Treaty Nations and the Mississaugas of the Credit First Nation. The Vice-Chair also recognized that Dufferin County is the traditional territory of the Wendat and the Haudenosaunee, and is home to many Indigenous people today.

4. Adoption of Minutes of Previous Meeting

Moved by A. Howe

That the minutes of the following meeting are approved:

4.1 2024-06-05 Committee of Adjustment Meeting Minutes

Carried

5. Statutory Public Hearing

5.1 File No. A-06/24 - 448 Jay Crescent

**5.1.1 Planning Report – Application No A-06/24 – 448 Jay Crescent,
PLA-2024-006**

The Vice-Chair asked staff to speak to the application. Brandon Ward, Planning Manager spoke to the application for 448 Jay Crescent and provided the Planning Division's recommendation. The Vice-Chair asked if the applicant wished to speak to the application. Harpreet Kaur identified herself as the applicant and owner of 448 Jay Crescent and provided background information to support the application and staffs recommendation.

Brian Wormington asked if the Town would conduct an inspection after the construction had been completed. Mr. Ward advised that the applicant is in the process of obtaining a building permit and such inspections would happen as part of that process. Michael Demzcur asked if the stairs constructed are currently constructed. Mr. Ward advised that the stairs were constructed prior to submitting a minor variance application. Rita Baldassara expressed concern with the current walkway being constructed as one solid cement pad. Mr. Ward advised that the applicant still has to go through the building permit process and the walkway will have to be modified if not up to appropriate standards. Mr. Demzcur asked about the process to obtain a building permit. Mr. Ward advised that in order to obtain a building permit, the applicant must comply with the Zoning By-law. Alan Howe asked if the current owners constructed the stairs. The applicant confirmed that they constructed the stairs.

Note: The Committee of Adjustment recessed from 6:18 p.m. to 6:25 p.m.

Moved by R. Baldassara

That Planning Report A-06/24 – 448 Jay Crescent be received;

And that the Minor Variance Application (File No. A-06/24) to increase the maximum permitted rear yard encroachment from 0.6 metres to 2.7 metres to bring the existing constructed stairs into conformity with Zoning By-law 22-90, as amended, be approved on the following condition:

- 1. That the comments from Transportation & Development staff outlined in the Planning report are addressed through the Building Permit process to avoid adverse impacts to swales, grades and drainage.**

Carried Unanimously

5.2 File No. B-01/24 - 63 Zina Street

5.2.1 Planning Report – B-01-24 – 63 & 65 Zina Street, PLA-2024-004

The Vice-Chair asked staff to speak to the application. Matthew Mair, Development and Community Improvement Planner spoke to the application and provided the Planning Division's recommendation. The Vice-Chair asked if the applicant or agent would like to speak to the application. Mark Hicks, Agent advised that he is in attendance to answer any questions. Michael Demzcur asked if there will be a driveway added on Clara Street to access the garage on 65 Zina Street. Robert Murray, applicant advised that there will not be a driveway constructed to access the garage at 65

Zina Street as a driveway already exists. Alan Howe asked if the owner is aware that there are four conditions that need to be met. Mr. Murray responded that they are aware of the conditions and have no concerns with them. Rita Baldassara advised that she would like to see a fifth condition added to the recommendation in order to ensure the driveways are constructed. Mr. Murray advised that they are in the process of obtaining a driveway permit through the Town.

Moved by Michael Demczur

That Planning Report – B-01-24 – 63 & 65 Zina Street be received;

And that Consent Application B-01-24, to sever a parcel of land which has an area of approximately 150 square meters from the lot at 63 Zina Street to form a lot addition to the adjacent property at 65 Zina Street, be approved, subject to the following conditions:

1. **That the owner shall register an Application to Consolidate Parcels in order to include the severed parcel with the abutting lands known as 65 Zina Street. In fulfillment of this condition, the Town will accept an Undertaking from a solicitor to effect this registration.**
2. **That the applicant/owner submit a digital version of a draft Reference Plan (R-Plan) to the satisfaction of the Secretary-Treasurer, Committee of Adjustment.**
3. **That any outstanding municipal taxes, fees or charges be paid in full.**
4. **That a driveway permit be obtained for 63 Zina Street and construction be completed satisfactory to Town Staff.**
5. **That all above conditions be fulfilled within two (2) years of the date of the Notice of Decision, so that the Town is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act.**

Carried Unanimously

6. Items for Discussion

6.1 Appointment of Secretary-Treasurer

Moved by A. Howe

That Mary Adams be appointed as the Secretary-Treasurer to the Committee of Adjustment; and

That Jordyn Lavecchia-Smith be appointed as the Deputy Secretary-Treasurer to the Committee of Adjustment.

Carried Unanimously

6.2 2025 Committee of Adjustment Meeting Schedule

Moved by A. Howe

That the 2025 Committee of Adjustment meeting schedule, be approved.

Carried Unanimously

7. Correspondence

None.

8. Announcements

None.

9. Date of Next Meeting

The next meeting is scheduled for Wednesday, September 4, 2024 at 6:00 p.m.

10. Adjournment

The meeting was adjourned at 6:48 p.m.

Subject: Planning Report – A-07/24 – 40 Centennial Road

Department: Infrastructure Services

Division: Committee of Adjustment

Meeting Date: 2024-09-04

Recommendations

That Planning Report – A-07/23- 40 Centennial Road, dated September 4th 2024, be received:

That Minor Variance – Application File No. A-07/24 to permit 12 silos in front of the front wall of the main building on the property, be approved, subject to the following condition;

That the applicant/owner submit a satisfactory landscape plan detailing landscape improvement works to be carried out along the frontage of the building to mitigate the visual impact of the proposed silos and related equipment, to the satisfaction of the Town.

Introduction

Legal Descriptions: Part of Lot 21 and 112, Plan 335, Parts 1, 2, 3

Municipal Addresses: 40 Centennial Road

Applicant(s): Quality Cheese Inc. (2391110 Ontario Inc.)

Official Plan Designation: Employment Area (Schedule A – Land Use Plan)

Zoning (By-law 22-90): General Industrial (M1)

Purpose: Permit a maximum of twelve silos (accessory structures) in front of the front wall of the main building whereas the Zoning By-law currently permits a maximum of six.

Background

The land subject to this application is an existing lot on the east side of Centennial Road, adjacent to the corner of Centennial and Tideman Drive, municipally known as 40 Centennial Road. The lot area is approximately 46,388.85 square metres, with approximately 275 metres of frontage along Centennial Road and a lot depth of approximately 158.5 metres. Please refer to the attached location map (Attachment 1).

The site is the location of a large cheese processing facility in an existing one storey industrial building having a floor area of approximately 8,876.08 square meters. The property has been subject to multiple applications for Site Plan Approval as part of ongoing expansion works to the facility. The first phase addition was approved in 2022 (File No. SPA-2022-06), for a 3,966.81 square meter addition which has been completed and is apart of the existing structure. The second phase addition was approved in 2024 (File No. SPA-2024-01), for a 3,170.02 square meter addition which is currently under construction. The proposed minor variance is related to an application for the third phase expansion which is currently under review (File No. SPA-2024-04), to permit the construction of a 696.56 square meter addition at the easterly corner of the property. Please refer to the attached Site Plan for details of each addition (Attachment 02).

The facility currently has 5 large silos at the front of the building which are required for processing and storage of ingredients. The attached Site Plan shows an additional 7 silos being proposed for construction at the front of the building (refer to Attachment 02), which will result in a total of 12 silos. Section 19(14) of Zoning By-law 22-90 states that all accessory buildings and accessory structures, with the exception of a security post, shall be located to the rear of the front wall of the main building. The silos would meet the definition of accessory structures under the By-law. A Minor Variance to permit a maximum of 6 silos in front of the building was approved in 2015 (File No. A20-14), five of which are now constructed. Therefore an additional Minor Variance is required to permit a total of 12 silos in front of the building to account for the additional 7 silos being proposed.

The location of the silos at the front of the building is required due to operational needs and the internal layout of the facility, as the mechanical infrastructure in place will be utilized for the additional silos, which are needed for the planned increase in production. The silos have a proposed height of 12.8 meters, and will be arranged in two rows as opposed to the 1 existing row (see Attachment 2).

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:

Analysis

1. Conformity with the Official Plan

The subject property is designated as "Employment Lands" in the Town of Orangeville Official Plan, which permits a range of industrial uses, including the current use of the

property for food processing. The policies for this designation are found in Section E.3 of the Official Plan, and encourage the “expansion of existing industries” to increase the employment base in Town. The proposed variance is required as part of ongoing expansion of the business operations on the property.

Therefore, 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 property is zoned “General Industrial (M1) Zone”, which permits a range of industrial and commercial uses, as outlined in Section 19 of the Town’s Zoning By-law (22-90 as amended). Further, Section 19(14) of the By-law states:

14) With the exception of a security post, all accessory buildings and accessory structures shall be located to the rear of the front wall of the main building.

The intent of prohibiting accessory structures from locating in front of the front wall of the main building on a property is to support a high quality urban design and minimize unaesthetic structures from being clearly visible from the street. This also assists in creating more welcoming entrances into a site, as the entrance to buildings within this zone are typically at the front of the building.

It is noted that the construction of this industrial building pre-dates any Town urban design guidelines, and that the main entrance and offices for the building are located at the side of the building and not the front of the building where the existing silos and other mechanical works are located. The front of the building is not the entrance, and is an established area for facility infrastructure, therefore the expansion of this infrastructure will not further detract from the entrance.

Based on the above, it is staff’s opinion that the general intent and purpose of the Zoning By-law will be maintained.

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

The proposed variance will allow for the expansion from the 6 silos currently permitted in front of the building to a total of 12 silos permitted in front of the building. This will facilitate increased production in the facility after the planned expansions are complete, which will satisfy higher order policies in the Official Plan to support the expansion of businesses in the Employment Area. However, these silos will result in an increase of accessory structures being visible from the street and this impact should be properly mitigated so as not to detract from the streetscape.

Furthermore, in the recommendation report for the previous Minor Variance approved in 2015 (File No. A20-14) to permit six silos in front of the building, it was noted that there was existing “mature conifer trees” along the frontage which would mitigate the impact of these silos and that should they need to be removed, the owner would be encouraged to

incorporate additional landscaping in the front yard. These trees have since been removed, as shown in the attached streetview images (Attachments 03 and 04). The applicant is now requesting to construct additional silos further into the front yard, which will increase this visual impact, and should properly restore landscaping along this frontage. This property is a prominent business within the Town, and should be supported in ongoing expansion, however these works should not come at the cost of detracting from the public streetscape.

Therefore, staff believe that the proposed variance can be considered desirable, provided that the applicant implements appropriate landscape improvements to mitigate visual impacts associated with the silos and related mechanical equipment. This has been included within a recommended condition of approval for this application.

4. Minor in Nature

The proposed silos will still be meet the minimum required front yard setback prescribed in the Zoning By-law and due to the entrance of the building and main offices being at the side of the building, the silos will not detract from that public entrance. Despite the requested variance resulting in twice the permitted accessory structures in front of the building, in the context of the significant expansions to the building being constructed, this variance is considered minor in nature.

Therefore, in consideration of the above analysis, staff are of the opinion that the requested Minor Variance to permit 12 silos (accessory structures) in front of the front wall of the main building to allow for expanded operations, meets the four tests in the Planning Act. It is recommended that approval be given, on the condition that the applicant/owner will implement landscape improvements through a satisfactory landscape plan as part of the ongoing Site Plan Approval application under review by Town staff.

Infrastructure Services – Transportation & Development Comments:

Transportation and Development has reviewed this application and has no objection to the Minor Variance being requested by the Applicant. All work being completed on the site are subject to the site plan approval process and shall be done in accordance with the approved plans and agreement.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Economic Resilience

Objective: Retain local business

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

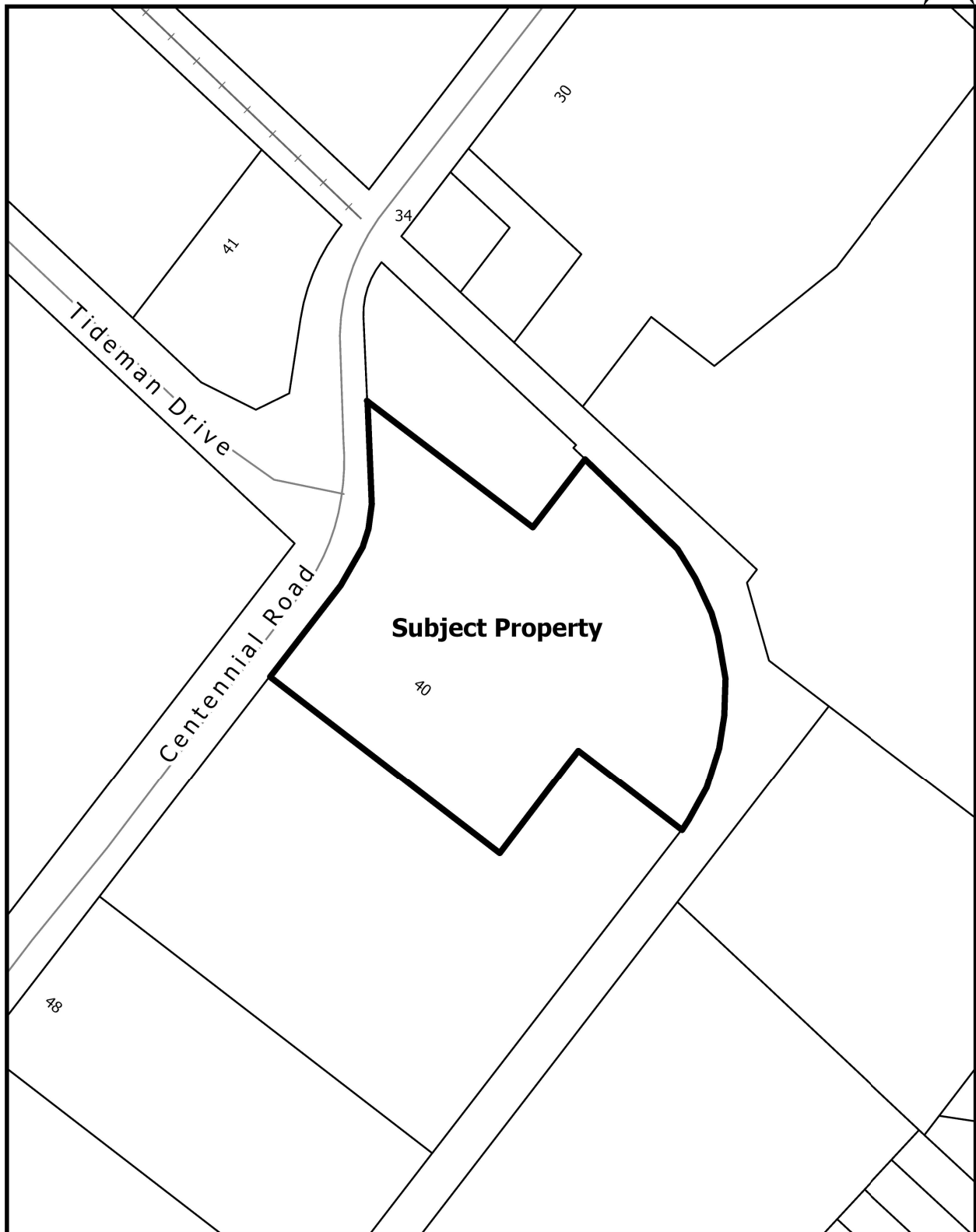
Matthew Mair, MA , BURPI
Development Planner, Infrastructure Services

Reviewed by

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

Attachment(s):

1. Location Map
2. Site Plan
3. Streetview Before
4. Streetview of Silos After



SYMBOL LEGEND	
[Symbol]	MAN DOOR LOCATIONS
[Symbol]	LOADING DOOR LOCATIONS
[Symbol]	DRIVE-IN LOCATIONS
[Symbol]	ENTRANCE & EXIT VESTIBULES
[Symbol]	DIRECTION OF TRAFFIC FLOW
[Symbol]	LANDSCAPE ISLANDS: LOW CONC. CURB CONT. AS SHOWN LOW LANDSCAPING - SEE LANDSCAPE DWG.
[Symbol]	PAINTED ISLANDS: PAINTED TRAFFIC ISLAND COLOUR AS PER PAINT SPEC.
[Symbol]	CURB CUTS FOR ACCESSIBLE ACCESS
[Symbol]	LIGHT DUTY ASPHALT PAVING: CAR PARKING AND DRIVEWAYS SEE SITE SERVICE & GRADING DWGS FOR DETAILS
[Symbol]	HEAVY DUTY ASPHALT PAVING: TRUCKING ROUTE SEE SITE SERVICE & GRADING DWGS FOR DETAILS
[Symbol]	SNOW STORAGE
[Symbol]	EASEMENT
[Symbol]	PROPERTY LINE
[Symbol]	DESIGNATED FIRE ROUTE
[Symbol]	ACCESSIBLE PARKING SIGN
[Symbol]	ACCESSIBLE PARKING STALL
[Symbol]	FIRE HYDRANT AND VALVE (REFER TO TYPICAL SITE PLAN DETAILS)
[Symbol]	FIRE DEPT. CONNECTION
[Symbol]	ALTERNATIVE FUELING STATION
[Symbol]	GARAGE ROOM
[Symbol]	ELECTRICAL ROOM
[Symbol]	MECHANICAL ROOM
[Symbol]	CART CORRAL
[Symbol]	BICYCLE RACK LAYOUT CONFORMS TO YOURSELVES FOR DESIGN AND MANAGEMENT OF BICYCLE PARKING FACILITY
[Symbol]	ROOF DRAIN
[Symbol]	FIRE ANNUNCIATOR PANEL
[Symbol]	FIRE ALARM
[Symbol]	CANADA POST FACILITY
[Symbol]	LIGHTING REFERENCE (REFER TO ELECTRICAL DRAWINGS)
[Symbol]	FIRE ROUTE SIGN
[Symbol]	IMPRESSED ASPHALT

SITE ANALYSIS (INTERIOR)

ZONING:
M1

LOT AREA 1: 39,345.09 S.M. (9.72 ACRES)
LOT AREA 2: 7,043.76 S.M. (1.74 ACRES)
TOTAL LOT AREA: 46,388.85 S.M. (11.46 ACRES)

BUILDING AREA:
EXISTING (BLDG A): 4,909.27 S.M. (52,844.67 S.F.)
PROPOSED A1 (PHASE 1): 3,966.81 S.M. (42,699.78 S.F.)
PROPOSED B (PHASE 2): 3,170.02 S.M. (34,122.93 S.F.)
PROPOSED B (PHASE 3): 696.56 S.M. (7,497.95 S.F.)
TOTAL GROUND FLOOR: 12,742.66 S.M. (137,165.33 S.F.)

COVERAGE: 27.47%
F.S.I.: 0.28

PARKING REQUIRED:
1,800.00 S.M. @ 1 CAR / 95 S.M. 19 SPACES (INDUSTRIAL)
12,562.66 S.M. @ 1 CAR / 460 S.M. 28 SPACES (INDUSTRIAL)
180 S.M. @ 1 CAR / 20 S.M. 9 SPACES (OFFICE)
TOTAL PARKING REQUIRED: 56 SPACES

PARKING PROVIDED: 64 SPACES
STAFF PARKING PROVIDED: 32 SPACES
TOTAL PARKING PROVIDED: 96 SPACES

ACCESSIBLE PARKING REQ'D: 1 TYPE A (3.5 x 5.5)
1 TYPE B (2.7 x 5.5)

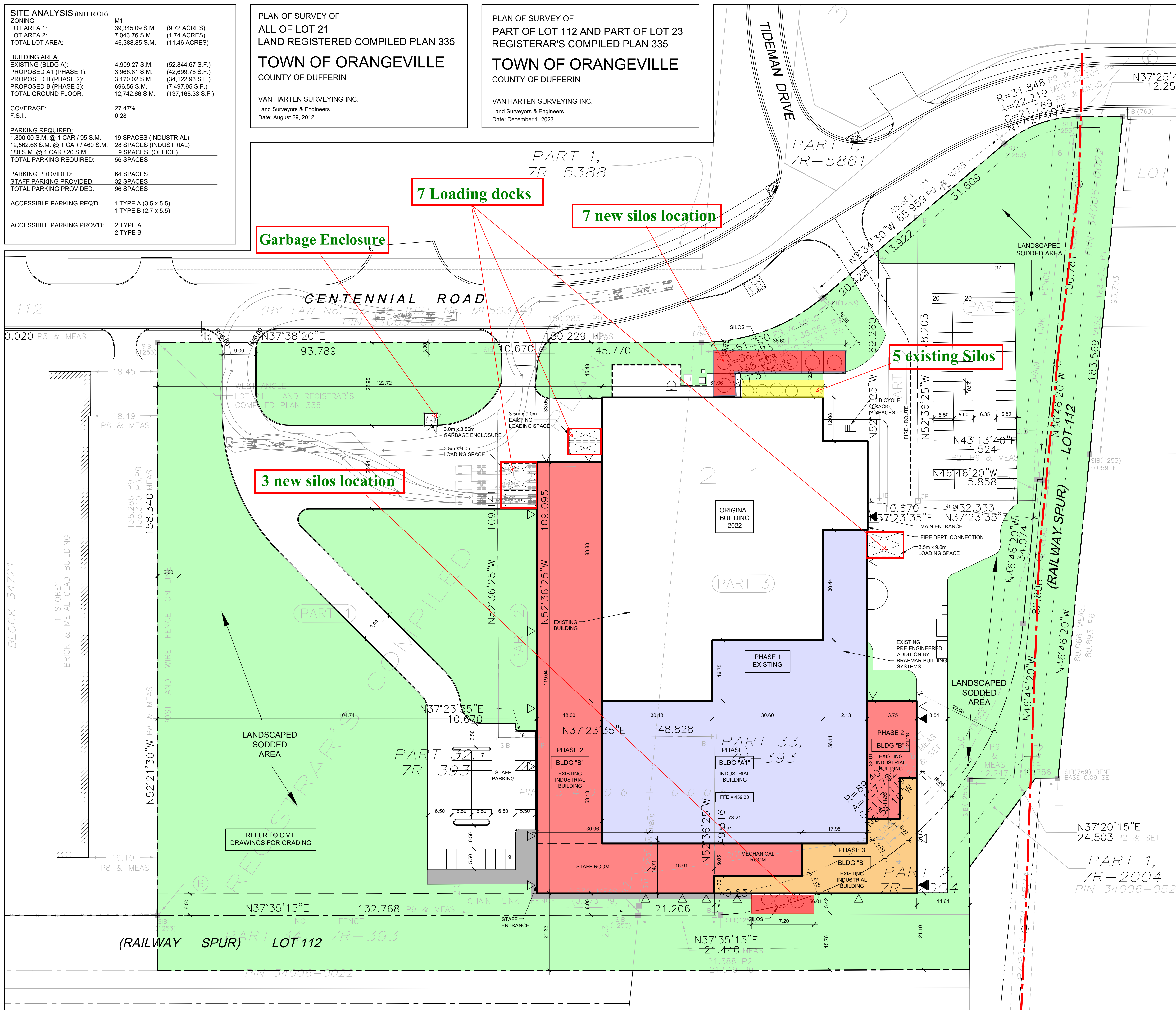
ACCESSIBLE PARKING PROVD: 2 TYPE A
2 TYPE B

PLAN OF SURVEY OF
ALL OF LOT 21
LAND REGISTERED COMPILED PLAN 335
TOWN OF ORANGEVILLE
COUNTY OF DUFFERIN

VAN HARTEN SURVEYING INC.
Land Surveyors & Engineers
Date: August 29, 2012

PLAN OF SURVEY OF
PART OF LOT 112 AND PART OF LOT 23
REGISTERAR'S COMPILED PLAN 335
TOWN OF ORANGEVILLE
COUNTY OF DUFFERIN

VAN HARTEN SURVEYING INC.
Land Surveyors & Engineers
Date: December 1, 2023



1 SITE PLAN
A-100 SCALE: 1:400

NO.	DATE	REVISIONS	BY
#2	JULY 22, 2024	CITY COMMENTS	DWL
#1	JUNE 25, 24	FINAL SILO UPDATE	DWL

DRAWING ISSUE

DATE	PARTICULARS	BY
	Issued for Design Approval	
	Issued for Site Plan Approval	
	Issued for Pricing and Budgeting	
03.18.24	Issued for Building Permit	E.T.
	Issued for Tendering	
	Issued for Construction	
	Issued for Record Set of Docs.	

This drawing, as an instrument of service, is provided by and is the property of Venchiarutti Gagliardi Architect Inc. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify Venchiarutti Gagliardi Architect Inc. of any variations from the supplied information.

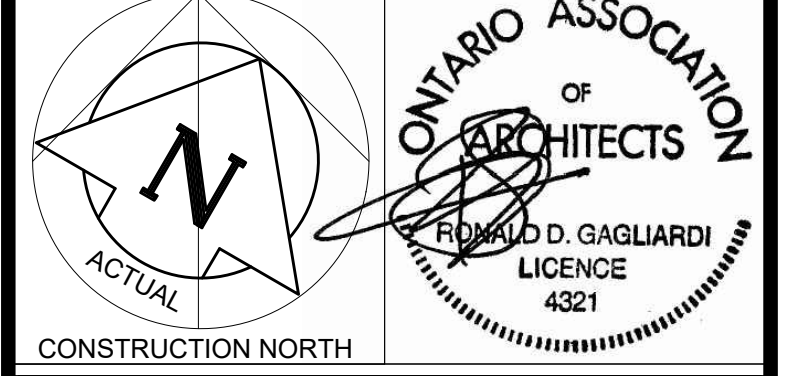
Venchiarutti Gagliardi Architect Inc. is not responsible for the accuracy of survey, structural, mechanical, electrical, etc. engineering information shown on this drawing. Refer to the appropriate engineering drawings before proceeding with the work.

Construction must conform to all applicable codes and requirements of authorities having jurisdiction. This drawing is not to be scaled.

Venchiarutti Gagliardi Architect Inc. is not responsible for any environmental conditions, geotechnical conditions or any pollutants found on site.

All architectural symbols indicated are graphic representations only.

This drawing is not to be used for construction purposes until the architectural seal is signed by the Architect of Record.



HALLMARK DESIGN BUILD

5945 Oriator Drive, Building 7, Suite 201
Mississauga, ON L4W 4Y4 Canada
www.hallmarkdesignbuild.com

Tel: (905) 625-1570
Fax: (905) 625-5320

VGA Venchiarutti Gagliardi Architect Inc.

2551 John Street, Unit 13, Markham, ON L3R 2W5
T905-477-1065 F905-477-1067
www.vgarch.net

PROJECT

PROPOSED INDUSTRIAL DEVELOPMENT INTERIOR ALTERATIONS

40 CENTENNIAL ROAD
ORANGEVILLE, ONTARIO

DRAWING NAME
SITE PLAN
CITY FILE #

SCALE	DATE OF DWG	PROJECT NO.
1:400	JULY 30, 2024	22020-C

DRAWN BY	SHEET NO.
DWL	A-100

CHKD BY: RDG WORKING DRAWINGS

LAST PLOTTING DATE: JULY 30, 2024





Subject: Planning Report –A-08/24 – 2 Fead Street

Department: Infrastructure Services

Division: Committee of Adjustment

Meeting Date: 2024-09-04

Recommendations

That Planning Report – A-08/24 – 2 Fead Street be received;

That Minor Variance Application File No. A-08/24 to allow a basement dwelling unit without the required parking space, be approved.

Introduction

Legal Descriptions: Part of Lot 9 and 10, Plan 212

Municipal Addresses: 2 Fead Street

Applicant(s): E.C. Marshall Insurance/Financial Services Inc.

Official Plan Designation: Restricted Commercial Residential (Schedule A – Land Use Plan)

Zoning (By-law 22-90): Restricted Commercial Residential (C5-H)

Purpose: Permit a dwelling unit without a required parking space in a mixed use building whereas Section 5.7 1) (d) of the Zoning By-law requires one parking space per dwelling unit in a mixed use building.

Background

The land subject to this application is an existing lot on the south side of Fead Street, one lot west of the corner of Fead Street and Broadway, municipally known as 2 Fead Street. The lot area is approximately 1022.9 square metres, with approximately 20.57 metres of frontage along Fead Street and a lot depth of approximately 20.5 metres (see Attachment 1). A 1-storey detached commercial building currently exists on the property, located within the mixed-use corridor of commercial and residential uses along First Street.

The applicant is proposing to construct a residential dwelling unit within the basement of the existing structure, which will require the structure being shifted slightly on to a new foundation and a new below-grade entrance to access the unit. The basement dwelling unit will consist of a one-bedroom apartment accessed through the below grade entrance at the east side of the property, and the existing office spaces on the main level will remain, as shown in the attached Floor Plans (Attachment 02).

The proposed basement dwelling would require an additional parking space as per section 5.7 of Town's Zoning By-law (By-law 22-90). The applicant is proposing a total of four parking spaces on the site for the commercial space, as shown in the attached Site Plan (Attachment 03). This will meet the requirement for one parking space for every 20 square meters of commercial floor area. However, the applicant is seeking relief from the one additional space required for the basement dwelling unit.

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:

Analysis

1. Conformity with the Official Plan

The subject property is designated "Restricted Commercial Residential" in the Town of Orangeville Official Plan, which permits a range of commercial and residential uses, as stand alone uses or in combination. This area is intended to transition from adjacent residential areas towards the Town's commercial focused Central Business District. A residential unit in the basement is a permitted use. The reduction in parking requirements will not conflict with any policies within the Official Plan.

Therefore, 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 property is zoned "Restricted Commercial Residential" (C5) Zone, with Holding (H) Symbol". The C5 zone permits a range of commercial uses, as well as residential uses including single detached dwellings, semi-detached dwellings and triplexes. A Holding (H) Zone Symbol applies to the lands and requires that any major redevelopment demonstrates that it can be appropriately serviced (Section 5.24). The Holding (H) Symbol would only be removed once the Town is satisfied that the required servicing infrastructure and capacities are available to support a redevelopment proposal. This Holding (H) Zone Symbol restriction does not apply to the proposed basement dwelling unit.

Section 5.17 of the Zoning By-law provides criteria for parking requirements for certain uses, and for office commercial uses, prescribes 1 parking space per 20 square metres of floor area. The four parking spaces proposed satisfies this requirement.

Further, Section 5.7 of the Zoning By-law provides criteria for any permitted dwelling unit within a non-residential building, such as parking, separate entrance, adequate floor area, etc. The subject basement dwelling unit complies with all these provisions, except for section 5.7.1(d):

One or more dwelling units shall be permitted provided that each dwelling unit:

(d) has a separate parking space

The applicant is seeking relief from this provision in the Zoning By-law based on the four spaces that will already be provided for the office space on the main level, to be shared between the new dwelling unit and the existing offices.

Given the location of the property within short walking distance of many amenities, and the provision of these four parking spaces, the property will still have sufficient parking on-site which potential tenants of the building can share in a manner that best suits their needs.

Given the above, staff are of the opinion that the requested variance maintains the general intent and purpose of the Zoning By-law.

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

The proposed variance will allow the creation of an additional dwelling unit within the Downtown area, therefore creating more housing options, and will not impact the existing commercial uses. The proposed dwelling unit represents a gentle intensification of the property and will more efficiently use the existing structure and services. The reduction in required parking can be justified due to the property being located within a more walkable mixed-use area.

Therefore, given that the relief will allow the creation of an additional dwelling unit, and its close location to amenities, the requested variance can be considered desirable and appropriate for the subject property.

4. Minor in Nature

In consideration of the forgoing, and considering the relief being requested is a reduction of only one parking space, whereas four spaces are to be provided, the requested variance to Zoning By-law No 22-90 can be considered minor in nature.

Infrastructure Services – Transportation & Development Comments:

Transportation and Development has reviewed this application and offer the following comments:

T&D has no objection to the Minor Variance being requested by the Applicant. Access to the parking area on this property will be from Bromont Lane. The applicant is advised that vehicles parked in those spaces must not overhang into the public lane.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Economic Resilience

Objective: Ensure availability and affordability of employment lands and housing

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

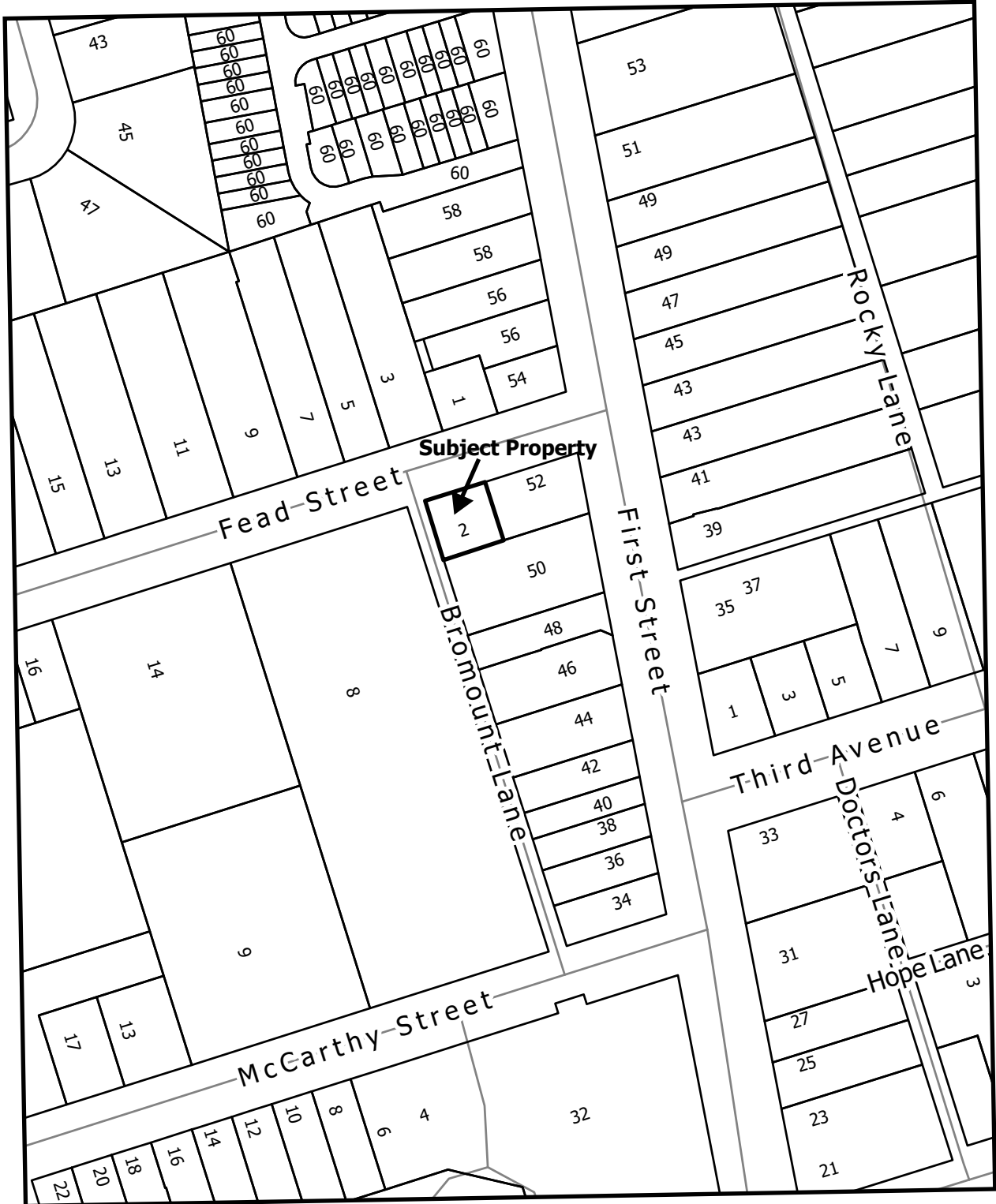
Matthew Mair, MA , BURPI
Development Planner, Infrastructure Services

Reviewed by

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

Attachment(s): 1. Location Map
2. Floor Plans
3. Site Plan

Location Map
File: A-08/24
Applicant(s): EC Marshall



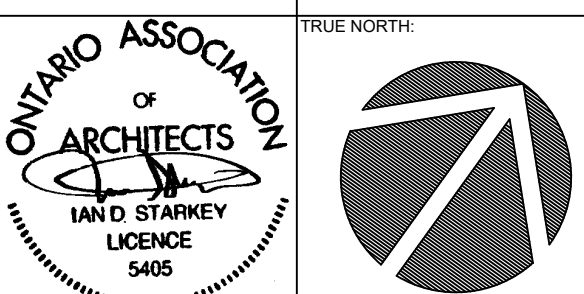
All drawings are the property of the Architect and may not be reproduced without permission. Contractor shall check and verify all dimensions on site and report all errors, omissions or discrepancies.

This drawing must not be scaled.

LL	DATE	REVISION DESCRIPTION
A		

- EXHAUST FAN
- C.O. DETECTOR
- SMOKE DETECTOR
- HALOGEN POT LIGHT
- STANDARD CEILING FIXTURE
- COACH LIGHT/WALL SCONCE

No.	DATE	ISSUED FOR (DESCRIPTION)
3	24-04-29	ENGINEERING REVIEW - FULL FOUNDATION WALL
2	24-03-08	BUILDING PERMIT APPLICATION SUBMISSION
1	24-02-23	CLIENT REVIEW



Starkey Group Architects Inc.
TORONTO - ORANGEVILLE

Design Studio:
Heart's Rest
873382 Fifth Line E.H.S.
Mono, ON
L9W 1K6
T: (519) 940-3668
C: (416) 859-9358
info@starkeygroup.ca

PROJECT NAME:
Additions & Alterations for Proposed Basement (New Foundation)

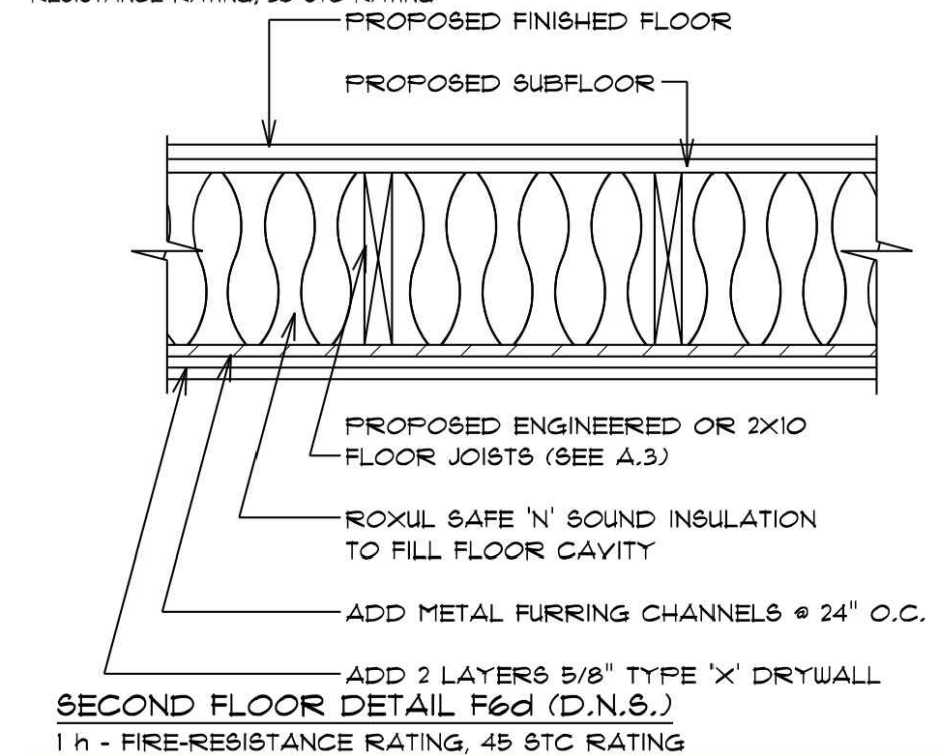
PROJECT ADDRESS:
2 Fead Street, Orangeville Ontario

DRAWING TITLE:
BASEMENT & GROUND PLANS

SCALE:	1/4"=1'-0"	DRAWING #:	
DATE:	January 2020		
DRAWN BY:	KS		A100
CHECKED BY:	IDS		
PROJECT #:	19-024		

GENERAL NOTES
FOUNDATION SHALL BE 8'-10" FORMED FROM STRIP FOOTING c/w 20" WIDEX6" DEEP TO 1/8" OF BELL FLATE TO SUPPORT EXISTING FLOOR FRAMING ABOVE.
ALLOW MIN. 12"X12" JOIST SPACE IN FRAMING FOR PLUMBING FIXTURES/DRAINS
MAX BACKFILL HEIGHT TO BE 1'-1"
ALL WINDOWS TO CONFORM TO CAN/CSA 4440-M
ALL EXTERIOR HANDRAILS & GUARDS TO BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH ATTACHED O.B.C. 9.98-1
ALL BELL AND CABLE OUTLETS TO HAVE STD ELEC. RECEPTACLE DIRECTLY BESIDE
ALL OPENINGS TO BE FRAMED c/w WOOD LINTELS TO BE AT UNDERSIDE OF DOUBLE TOP PLATE
WINDOWS ACTING AS EGRESS FROM BEDROOMS SHALL CONFORM TO OBC 9.9.10. AND SHALL (IF REQUIRED) HAVE WINDOW WELLS THAT CONFORM TO SENTENCE (5) OF THAT SAME SECTION
CO/SMOKE DETECTORS SHALL BE INTERCONNECTED AND SHALL HAVE VISUAL COMPONENT. SHALL BE LOCATED IN COMMON AREA IN HOME. ONE SMOKE DETECTOR SHALL BE LOCATED IN EACH BEDROOM

W/4 WALL AS SHOWN IN DETAIL SHALL BE USED AS THE FIRE REPAIRATION AND KNEE WALL ON STAIRS CREATING STORAGE AREA AND SHALL CONSIST OF 2X4 STUDS @ 16" O.C. ROCKWOL SAFENOUND ABSORPTIVE MATERIAL c/w MIN. 2 LAYERS OF 5/8" TYPE 'X' DRYWALL 1/2 LAYERS ON SAME SIDE WHERE SINGLE LAYER TYP. DRYWALL IS ALREADY INSTALLED/FINISHED @ EXISTING RESIDENCE/1 h - FIRE-RESISTANCE RATING, 36 5TC RATING



EXIST'G EXTERIOR WALLS:

W3 MAIN FLOOR EXIST'G EXTERIOR WALL (RETROFIT BRICK & INSULATION)

- 1" THIN BRICK VENEER
- MORTAR & EXPANDED METAL LATH
- 3/4" CEMENT BOARD BACKING
- DRAINAGE COURSE - 10mm MTI SURECAVITY
- 4" XPS RIGID INSULATION
- 2" DENGLASS SHEATHING
- 2"x6" WOOD FRAMING (EXIST'G)
- CLOSED-CELL 2 LB SPF INSULATION
- GYPSON BOARD & PAINT FIN.

W4 MAIN FLOOR EXIST'G EXTERIOR WALL

- ALUMINUM SIDING
- 3/4" TIMBER FURRING
- WATER BARRIER
- 3/8" PLYWOOD SHEATHING
- 2"x6" WOOD FRAMING
- ROCKWOL BATT INSULATION
- 5 MIL POLY V.B.
- LATH & PLASTER FIN.

NEW EXTERIOR WALLS:

W1 FOUNDATION WALL UNDER UPGRADED WALL

- 4" XPS RIGID INSULATION
- PARGING ABOVE GRADE
- WATERPROOF MEMBRANE
- 10" SITECAST CONCRETE FOUNDATION WALL - (SEE STRUC FOR REINFORCING)
- BUILDING PAPER
- AIR SPACE
- 2"x4" WOOD STUD FRAMING @ 16" O.C. MAX.
- CLOSED-CELL 2 LB SPF INSULATION
- CONT. DRYWALL DIAPHRAGM
- FURRING CHANNEL
- GYPSON BOARD & PAINT FIN.

W2 FOUNDATION WALL UNDER EXIST'G WALL

- WATERPROOF MEMBRANE
- 10" SITECAST CONCRETE FOUNDATION WALL - (SEE STRUC FOR REINFORCING)
- BUILDING PAPER
- AIR SPACE
- 2"x4" WOOD STUD FRAMING @ 16" O.C. MAX.
- CLOSED-CELL 2 LB SPF INSULATION
- CONT. DRYWALL DIAPHRAGM
- FURRING CHANNEL
- GYPSON BOARD & PAINT FIN.

NOTE:
ALL ASSEMBLIES TO BE CROSS REFERENCED TO PLAN TO DETERMINE IF ADDITIONAL SHEAR WALL STRUCTURAL MEASURE IS TO BE INCLUDED IN ASSEMBLY.

NOTE:
ALL ASSEMBLIES WITHIN 3'-0" OF PROPERTY LINE TO HAVE 45 MIN. F.R.R. & EXTERIOR CLADDING TO BE NON-COMBUSTIBLE

NOTE:
CLEAN AND MAKE GOOD ALL EXISTING SURFACES MEETING DEMOLISHED ELEMENTS; ALL NEW SURFACES TO BE MADE FLUSH AND LEVEL WITH EXISTING CONTEXT

3 ASSEMBLY NOTES
SCALE: N.T.S.

NEW FLOOR ASSEMBLIES:

F2 NEW BASEMENT FLOOR

- 3/4" ENGINEERED FIN. FLOOR
- WAXED PAPER UNDERLAYMENT
- T&G PLYWOOD SUBFLOORING
- 6" CONCRETE SLAB
- w/ W/M REINFORCING
- POLY VAPOUR SHEATHING
- XPS RIGID INSULATION
- CRUSHED STONE
- UNDISTURBED SOIL

EXIST'G ROOF ASSEMBLIES:

R1 EXISTING ROOF STRUCTURE

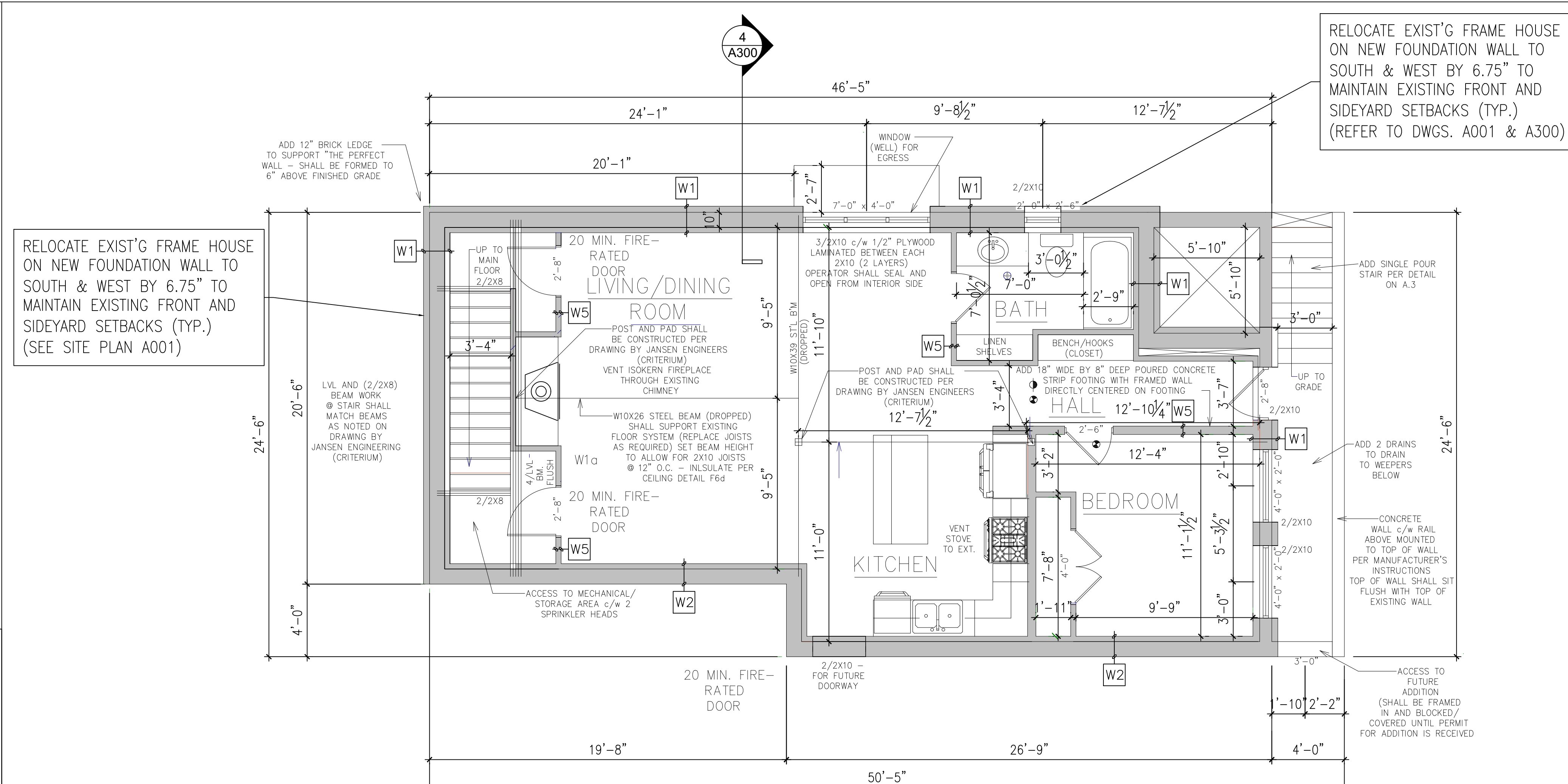
- ASPHALT SHINGLES
- WATERPROOF MEMBRANE
- EXT. PLYWOOD SHEATHING
- EXIST'G ROOF RAFTERS @ 16" O.C. MAX.
- VENTILATED ATTIC SPACE
- FIBREGLASS BATT INSULATION
- EXIST'G CEILING JOISTS @ 16" O.C. MAX
- 6MIL POLY VAPOUR BARRIER
- CONT. DRYWALL DIAPHRAGM
- FURRING CHANNEL
- GYPSON BOARD & PAINT FIN.

EXIST'G FLOOR ASSEMBLIES:

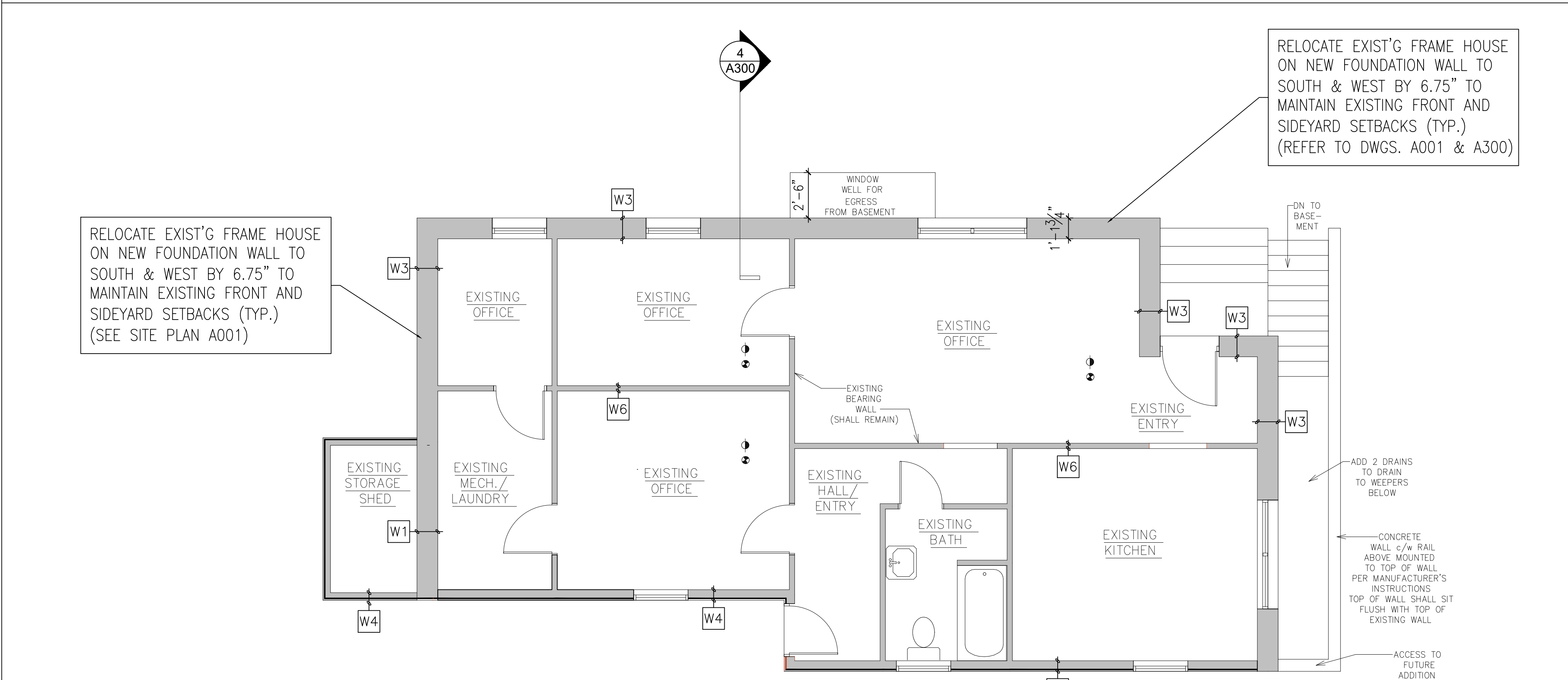
F1 EXISTING MAIN FLOOR

- ENGINEERED FIN. FLOOR
- WAXED PAPER UNDERLAYMENT
- T&G PLYWOOD SUBFLOORING
- FLOOR JOISTS
- CONTINUOUS DRYWALL DIAPHRAGM (TAPED)
- FURRING CHANNEL
- GYPSON BOARD

1 BASEMENT FLOOR PLAN (NEW)
SCALE: 1/4"=1'-0"



2 GROUND FLOOR PLAN (EXIST'G)
SCALE: 1/4"=1'-0"



Subject: Planning Report – Application No. A-09/24 – 62 Mill Street
Department: Infrastructure Services
Division: Committee of Adjustment
Meeting Date: 2024-09-04

Recommendations

That Planning Report A-09/24 – 62 Mill St. be received;

And that the Minor Variance Application (File No. A-09/24) to permit an increase in the maximum permitted height of an accessory structure from 4.3 metres to 5.99 metres be approved, generally in accordance with the submitted plans, and subject to the following condition:

- 1) That any deck associated with the accessory building shall only be permitted adjacent to the rear (west) or north side of the building.**

Introduction

Legal Description: Lot 2, Part Lot 1, Plan 19A

Municipal Address: 62 Mill St, Orangeville

Applicants: Marianne Zach

Official Plan Designation: Low Density Residential

Zoning (By-law 22-90): Residential, Second Density (R2)

Purpose: To allow a second storey above the proposed accessory building (garage) for additional living space (additional dwelling unit) in the Residential, Second Density (R2) Zone.

Background

The subject property is located on the west side of Mill Street, between Church Street to the north and Mary Street to the south. It backs onto 17 Church Street, which is zoned Multiple Residential, Medium Density (RM1). Beyond this property is the former Orangeville – Brampton Railway (Attachment 1).

62 Mill Street is zoned Residential, Second Density (R2) and designated Low Density in the Town's Official Plan. The property is approximately 1,573 square metres in area and has a frontage of 16.5 metres. Existing on the property is a two storey detached Italianate red brick dwelling, listed on the Town's Municipal Heritage Register but not designated under the Ontario Heritage Act. An existing two car garage in a similar location to the proposed garage will be demolished.

The applicant is proposing to construct a two storey 80 square metre garage with space for two cars on the ground floor and a one bedroom accessory dwelling unit on the second floor (Attachment 2). The height of the proposed building is 5.99 metres to the roof mid point. According to Section 5.2 2) of the Zoning By-law, the maximum height of an accessory building is 4.3 metres. Other provisions in the Zoning By-law such as location, size, setbacks, and parking requirements of an accessory building have been met. Therefore, the purpose of this application is to permit an increase in the height of the accessory building from 4.3 metres to 5.99 metres.

Pending approval by the Committee of Adjustment, the proposed development will comply with the Zoning By-law. A building permit and compliance with the Ontario Building Code will be required.

Analysis

Section 45(1) of the Planning Act, RSO 1990, as amended, stipulates that a Committee of Adjustment may authorize a minor variance from the provision of a zoning by-law if, in the committee's opinion, the variance meets four tests:

1. Conformity with the Official Plan

The subject property is designated as Low Density Residential in the Town of Orangeville Official Plan (Schedule C). The Low Density Residential designation permits residential uses on the property. The uses of the existing dwelling and proposed dwelling unit are residential. Section E1.5.3 of the Official Plan permits the creation of an accessory building on a lot as a second dwelling unit, subject to the provisions of the Zoning By-law regarding placement, height, parking requirements and other provisions. It is staff's opinion that the application conforms to the intent and purpose of the Town's Official Plan.

2. General Intent and Purpose of the Zoning By-law

The subject property is zoned Residential, Second Density (R2) in Zoning By-law 22-90, as amended. The R2 zone permits a range of residential uses including single detached dwellings with minimum 6.0 metre front yard setback, a 1.5 metre interior side yard setbacks for dwellings of two or more storeys, and a rear yard setback of 7.0 metres. The maximum height of a single detached dwelling in the R2 zone is 9.2 metres.

Accessory dwelling units are permitted in single and semi-detached dwelling units under the Zoning By-law. The Planning Act has recently been amended to also allow accessory dwelling units within detached structures on a dwelling lot, which prevails over any municipal zoning by-law regulations to the contrary. The proposed accessory dwelling unit is permitted in the accessory building, however it must meet all applicable accessory building standards of the Zoning By-law.

Accessory buildings are to be located to the rear of the front line of the main building. They are not to occupy more than 10 percent of the lot, exceed 4.3 metres in height, nor be closer than 1.2 metres to a side or rear lot line.

The proposed accessory building would occupy approximately 5 percent of the lot and be located 12.8 metres from the rear property line. A second storey deck is proposed to be constructed on the south side of the accessory building, providing amenity space to the upper-level dwelling unit. The proposed deck level is 2.8 metres in height and would be setback approximately 2.9 metres from the south side property line, with the building itself being 6.3 metres to the south side property line. The building is located 17.2 metres from the north side property line.

The proposed accessory building exceeds the 4.3 metres maximum height requirement (Attachment 2). The 4.3 metre height restriction will not allow an upper storey dwelling unit above the garage. Thus, the applicant is requesting a minor variance to increase the maximum permitted accessory building height from 4.3 metres to 5.99 metres.

Height restrictions are in place to minimize privacy and sight line impacts on adjacent properties. Since the proposed accessory building is set back 17.2 metres from the north side property line, 6.3 metres from the south side property line to the building, and 12.8 metres from the rear property line, the increased building height to 5.99 metres is not anticipated to have adverse impacts on adjacent properties, although there are matters related to the second storey deck discussed further below. For comparison, the minimum standard setback for a two storey single detached dwelling in the R2 zone is 1.5 metres from side lot lines, with a maximum height of 9.2 metres. For these reasons, it is staff's opinion that the requested variance will not create substantial adverse impacts and maintains the general intent and purpose of the Town's Zoning By-law.

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

The appropriate use of the land is residential, including single detached dwellings and accessory structures, which may contain additional dwelling units within the main dwelling and/or within a detached accessory structure, provided that all applicable standards of the By-law are met. The proposed accessory building includes an attached

deck that will provide exterior amenity space for the upper-storey dwelling unit. The deck is proposed to be constructed on the south side of the accessory building and will be 2.8 metres in height, with a side yard setback of 2.9 metres from the south side property line. Due to the second-storey height of the proposed deck and its location within a side yard area, staff are concerned with potential privacy and overlook conflicts that could arise with the adjacent property. To alleviate this concern, staff recommend a condition be included with the approval of this application permitting an exterior deck associated with the accessory dwelling unit only to be located at the rear or north side of the building, where there is an increased setback to adjacent properties. With the deck oriented to the rear or north side of the building, staff are satisfied that the requested variance to permit an increased accessory building height allowing an upper-level additional dwelling unit is appropriate and desirable for this property.

4. Minor in Nature

Based on the above analysis, the requested variance is considered to be minor in nature.

Infrastructure Services – Transportation & Development Comments:

Transportation and Development has reviewed this application and offer the following comments.

T&D has no objection to the land use approvals being requested by the Applicant. The Applicant is advised that all grading, drainage and servicing must be completed to the satisfaction of the Town.

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

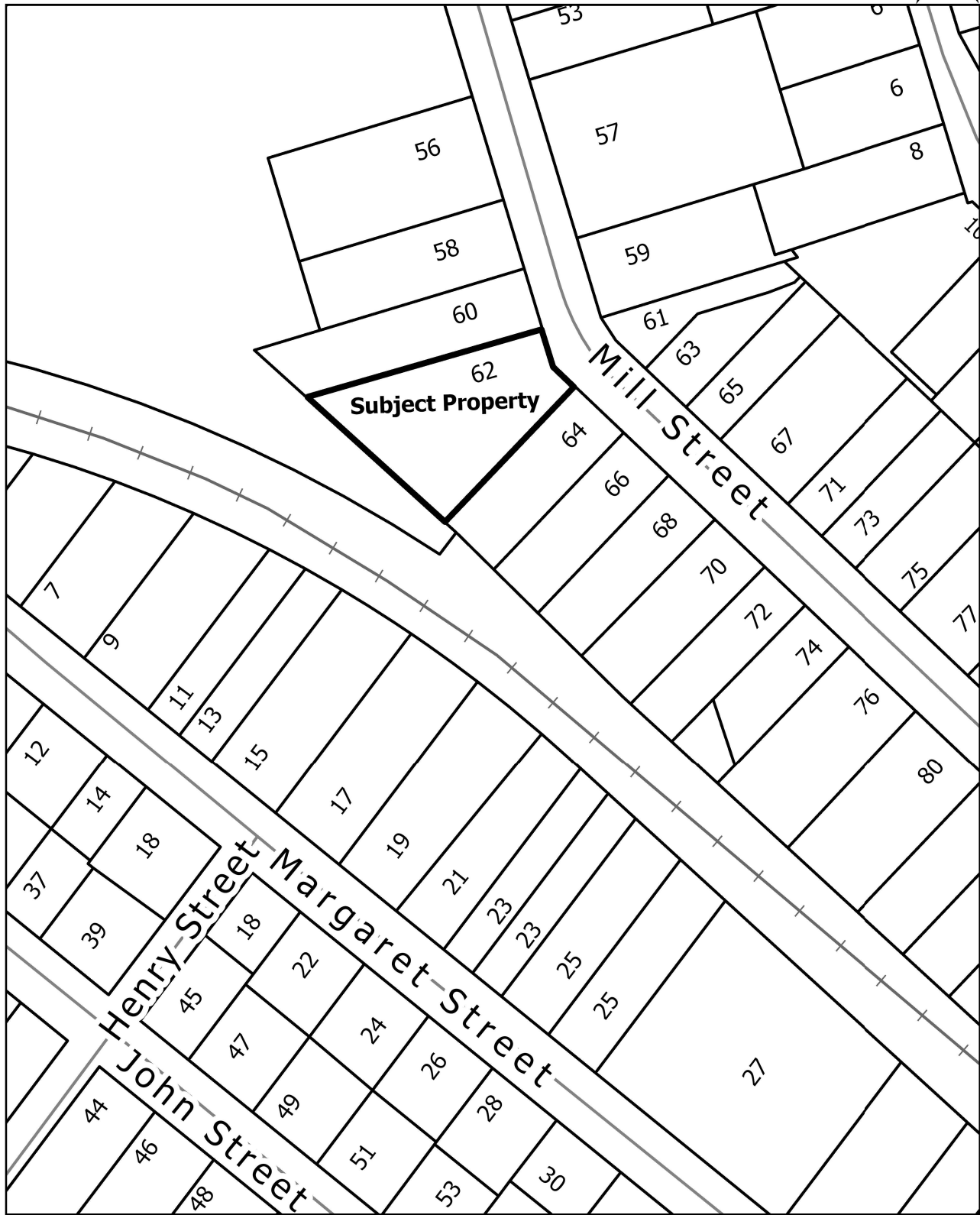
Susan Pottle
Planning Technician,
Infrastructure Services

Reviewed by

Brandon Ward, MCIP, RPP
Manager, Planning

Attachment(s):

1. Location Map
2. Site Plan, Floor Plans & Elevations



Attachment 2: Site Plan, Floor Plans, and Elevations

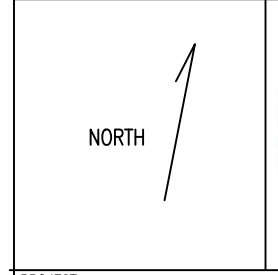
ARCHACEPT INCORPORATED
 8687 COUNTY ROAD 1
 LORETTO, ONTARIO
 LOG 1LO
 905-729-4723
 archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON JULY 4, 2024
 SIGNED DATE

- BUILDING ENTRANCES
- DIRECTION OF SURFACE FLOW
- EX. ELEVATIONS
- PROPOSED GRADES
- APPROX. LOCATION OF RWL
- EXISTING TREE
- SILT FENCE

JUL 4, 2024 ISSUED FOR PERMIT
 REVISIONS



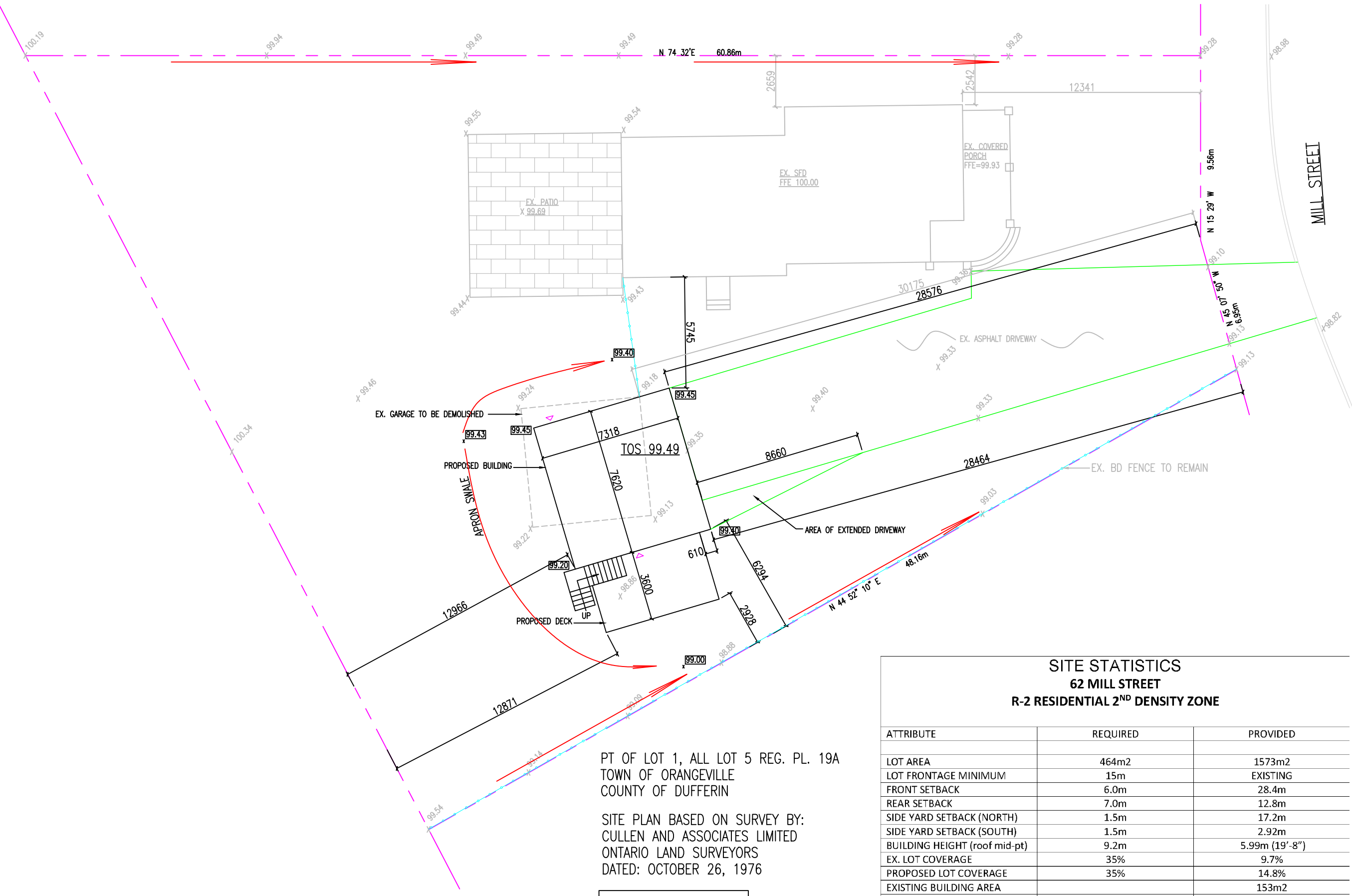
PROJECT
 ACCESSORY DWELLING FOR:
 M. ZACH
 62 MILL STREET
 ORANGEVILLE, ON

TITLE
 SITE PLAN

PROJ. NO 23-21 DRN. BY

DATE DEC. 2023 CKD. BY

SCALE 1:200 DWG. NO. SP-1



PT OF LOT 1, ALL LOT 5 REG. PL. 19A
 TOWN OF ORANGEVILLE
 COUNTY OF DUFFERIN
 SITE PLAN BASED ON SURVEY BY:
 CULLEN AND ASSOCIATES LIMITED
 ONTARIO LAND SURVEYORS
 DATED: OCTOBER 26, 1976

NO ALTERATIONS TO EXISTING BOUNDARY
 DRAINAGE PATTERNS AND FLOWS.

SITE STATISTICS 62 MILL STREET R-2 RESIDENTIAL 2 ND DENSITY ZONE		
ATTRIBUTE	REQUIRED	PROVIDED
LOT AREA	464m ²	1573m ²
LOT FRONTAGE MINIMUM	15m	EXISTING
FRONT SETBACK	6.0m	28.4m
REAR SETBACK	7.0m	12.8m
SIDE YARD SETBACK (NORTH)	1.5m	17.2m
SIDE YARD SETBACK (SOUTH)	1.5m	2.92m
BUILDING HEIGHT (roof mid-pt)	9.2m	5.99m (19'-8")
EX. LOT COVERAGE	35%	9.7%
PROPOSED LOT COVERAGE	35%	14.8%
EXISTING BUILDING AREA		153m ²
PROPOSED ADDITION BUILDING AREA (INCL. DECK)		80m ²
FLOOR AREA MINIMUM	N/A	

CLIMATIC DATA AND DESIGN LOADS		
CLIMATIC LOCALITY	ORANGEVILLE, ON	
	KPa	psf
ROOF LOADING:		
GROUND SNOW LOAD (Ss)	2.3	48.04
RAIN LOAD (Sr)	0.4	8.35
SNOW LOAD FACTOR (cb)	0.55	0.55
ROOF DESIGN SNOW LOAD	1.7	35.50
ROOF AND CEILING DESIGN DEAD LOAD	0.6	12.53
FLOOR LOADING:		
MAIN FLOOR LIVE	1.9	40
SECOND FLOOR DEAD	1.9	40
WIND LOADING:		
1/10 WIND PRESSURE	0.28	5.85
1/50 WIND PRESSURE	0.36	7.52
TEMPERATURE:		
DEGREE DAYS	4450	
SOIL:		
ASSUMED SOIL BEARING CAPACITY AT FOOTING ELEVATION	75	1566

THE DESIGN LOADS SPECIFIED ABOVE ARE BASED ON THE DESIGN DRAWINGS AND MATERIAL EITHER SPECIFIED OR ASSUMED. WHERE DIFFERENT OR HEAVIER MATERIALS ARE PROPOSED THE CONTRACTOR MUST NOTIFY THE DESIGNER PRIOR TO CONSTRUCTION OF ANY LOADBEARING ELEMENTS THAT MAY BE ADVERSELY AFFECTED.

FLOOR/ROOF TRUSSES: FLOOR/ROOF TRUSS MANUFACTURER TO PROVIDE FLOOR/ROOF LAYOUT DRAWING. IF IT VARIES FROM THIS DESIGN, THE MANUFACTURER PLAN SUPERCEDES THESE PLANS.

ARCHACEPT INCORPORATED

8687 COUNTY ROAD 1
LORETTO, ONTARIO
LOG 1L0

905-729-4723
archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON
SIGNED

JUL. 4, 2024
DATE

● INTERCONNECTED COMBINATION CARBON MONOXIDE & SMOKE ALARM C/W STROBE LIGHT

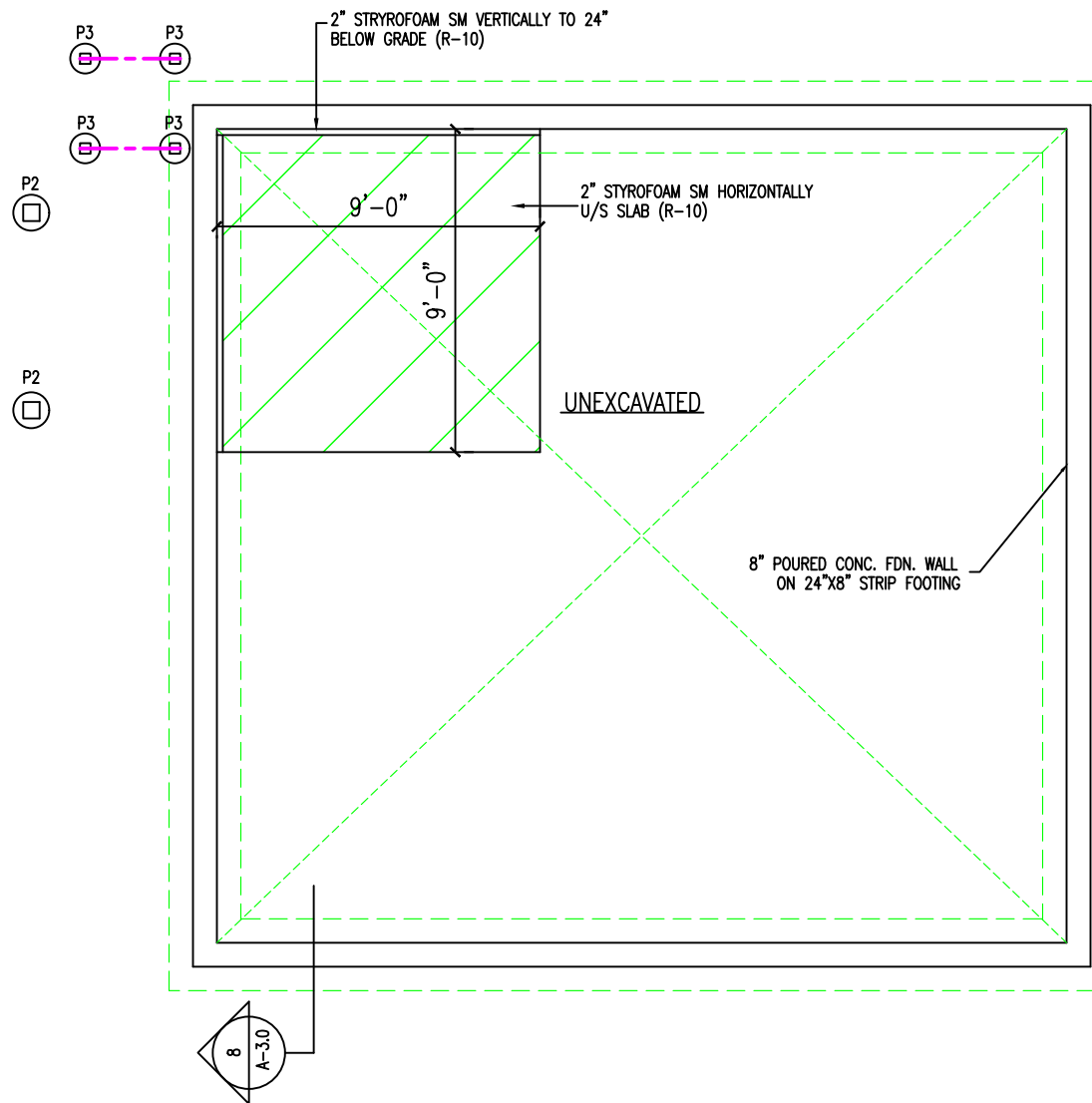
ⓔ EXHAUST FAN

Ⓢ SOLID BEARING

ENSURE FOOTING REACHES NATIVE SOIL DUE TO THE DEMOLITION OF THE EXISTING ACCESSORY BUILDING.

- P1 18" CONC. BELL FTG MIN 4'-0" BELOW GRADE ON UNDISTURBED SOIL
- P2 12" CONC. PIER/FTG MIN 4'-0" BELOW GRADE ON UNDISTURBED SOIL
- P3 10" CONC. PIER/FTG. MIN 4'-0" BELOW GRADE ON UNDISTURBED SOIL

ABU66 GALV. SADDLE BY SIMPSON STRONG STRONG TIE, EPOXY CONNECT 5/8" DIA. GALV THREADED ROD, 5" INTO PIER, C/W GALV. NUT AND WASHER, 12" POURED CONC PIER



JUL 4, 2024 ISSUED FOR PERMIT
REVISIONS



PROJECT
ACCESSORY DWELLING FOR:
M. ZACH
62 MILL STREET
ORANGEVILLE, ON

TITLE
FOUNDATION FLOOR PLAN

PROJ. NO
23-21

DRN. BY

DATE
NOV. 2023

CKD. BY

SCALE
3/16" = 1'-0"

DWG. NO
A-1.0

ARCHACEPT INCORPORATED

8687 COUNTY ROAD 1
LORETTO, ONTARIO
LOG 1L0

905-729-4723
archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON
SIGNED

JUL. 4, 2024
DATE

- INTERCONNECTED COMBINATION CARBON MONOXIDE & SMOKE ALARM C/W STROBE LIGHT
- ⊠ EXHAUST FAN
- ▣ SOLID BEARING

JUL 4, 2024 ISSUED FOR PERMIT
REVISIONS

NORTH



PROJECT
ACCESSORY DWELLING FOR:
M. ZACH
62 MILL STREET
ORANGEVILLE, ON

TITLE
MAIN FLOOR PLAN

PROJ. NO
23-21

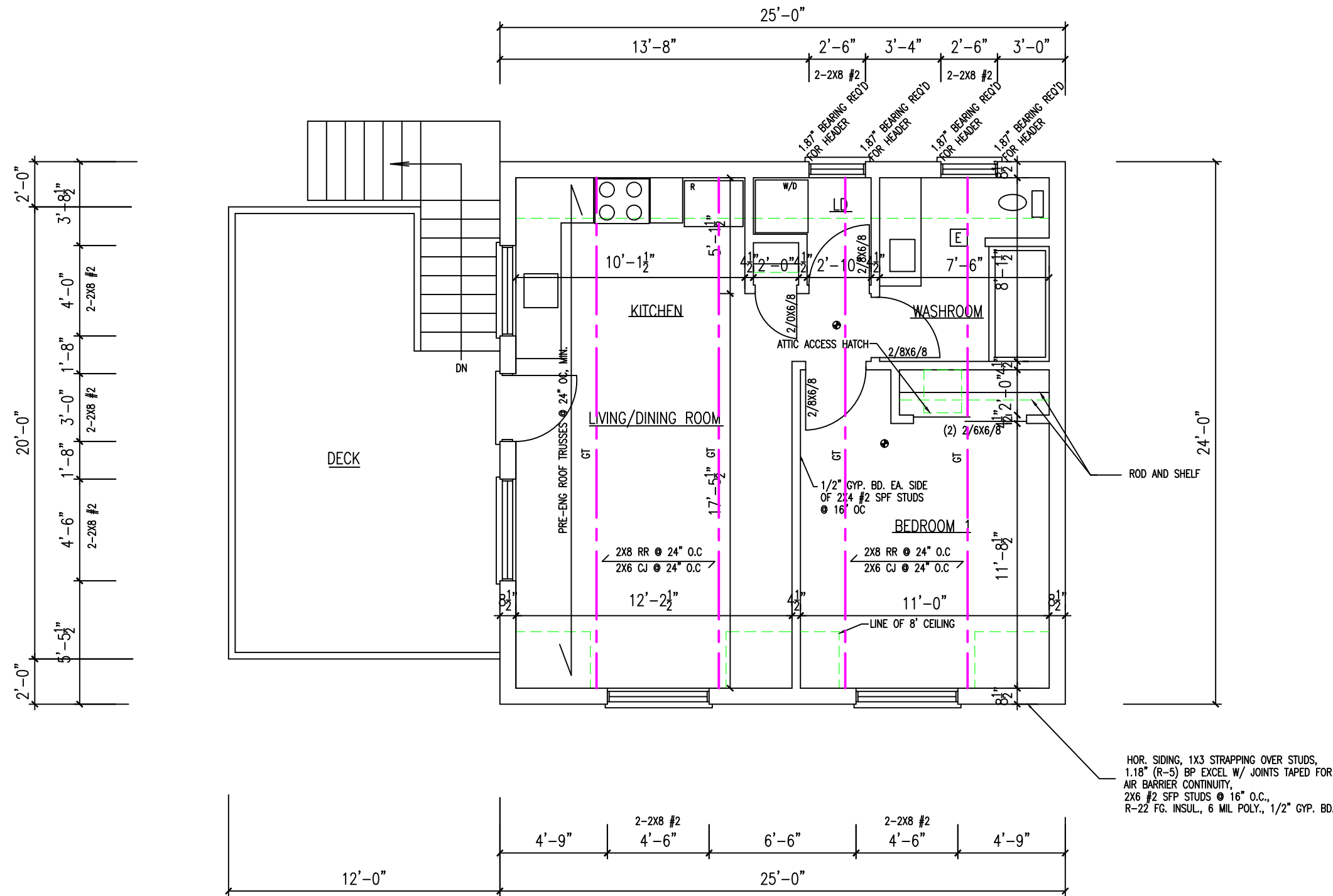
DRN. BY

DATE
NOV. 2023

CKD. BY

SCALE
3/16"=1'-0"

DWG. NO
A-1.2



ARCHACEPT INCORPORATED

8687 COUNTY ROAD 1
LORETTO, ONTARIO
LOG 1L0

905-729-4723
archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON
SIGNED

JUL. 4, 2024
DATE

JUL. 4, 2024 ISSUED FOR PERMIT
REVISIONS



PROJECT
ACCESSORY DWELLING FOR:
M. ZACH
62 MILL STREET
ORANGEVILLE, ON

TITLE
EAST ELEVATION

PROJ. NO
23-21

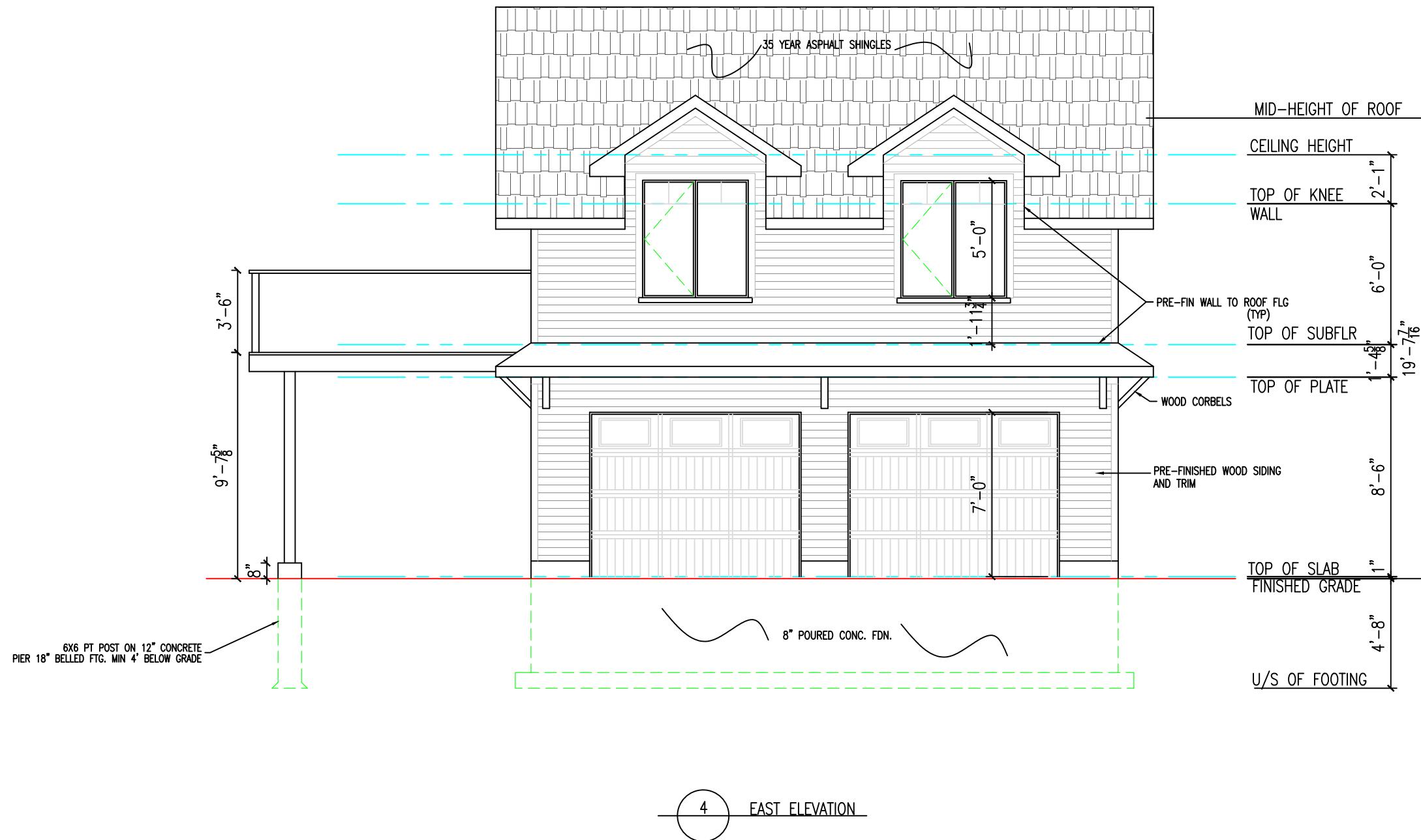
DRN. BY

DATE
NOV. 2023

CKD. BY

SCALE
3/16"=1'-0"

DWG. NO
A-2.0



ARCHACEPT INCORPORATED

8687 COUNTY ROAD 1
LORETTO, ONTARIO
LOG 1L0

905-729-4723
archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON
SIGNED

JUL. 4, 2024
DATE

JUL 4, 2024 ISSUED FOR PERMIT
REVISIONS



PROJECT
ACCESSORY DWELLING FOR:
M. ZACH
62 MILL STREET
ORANGEVILLE, ON

TITLE
WEST ELEVATION

PROJ. NO
23-21

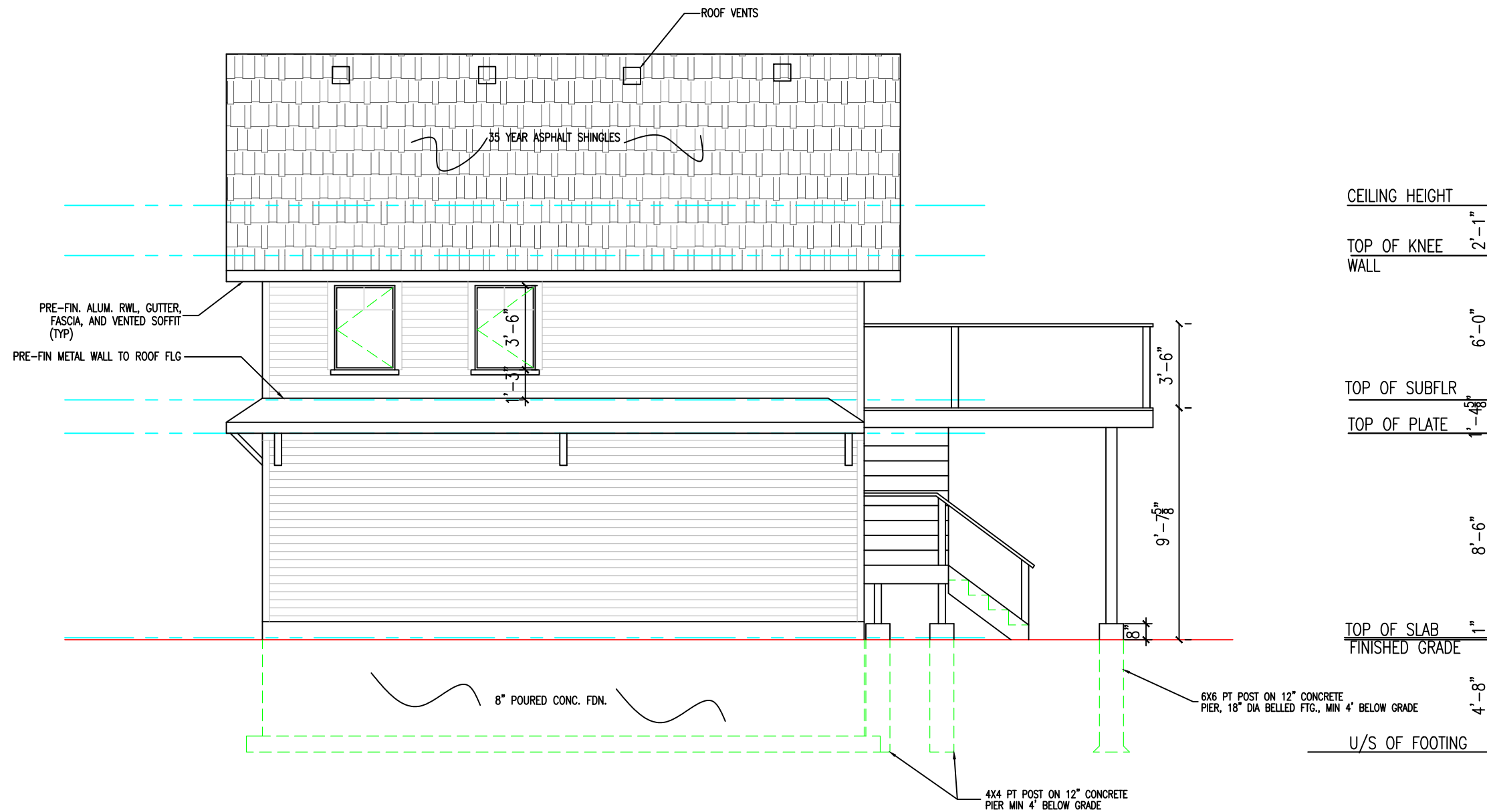
DRN. BY

DATE
NOV. 2023

CKD. BY

SCALE
3/16"=1'-0"

DWG. NO
A-2.1



4 WEST ELEVATION

ARCHACEPT INCORPORATED

8687 COUNTY ROAD 1
LORETTO, ONTARIO
LOG 1L0

905-729-4723
archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON
SIGNED

JUL. 4, 2024
DATE

JUL. 4, 2024 ISSUED FOR PERMIT
REVISIONS



PROJECT
ACCESSORY DWELLING FOR:
M. ZACH
62 MILL STREET
ORANGEVILLE, ON

TITLE
NORTH ELEVATION

PROJ. NO
23-21

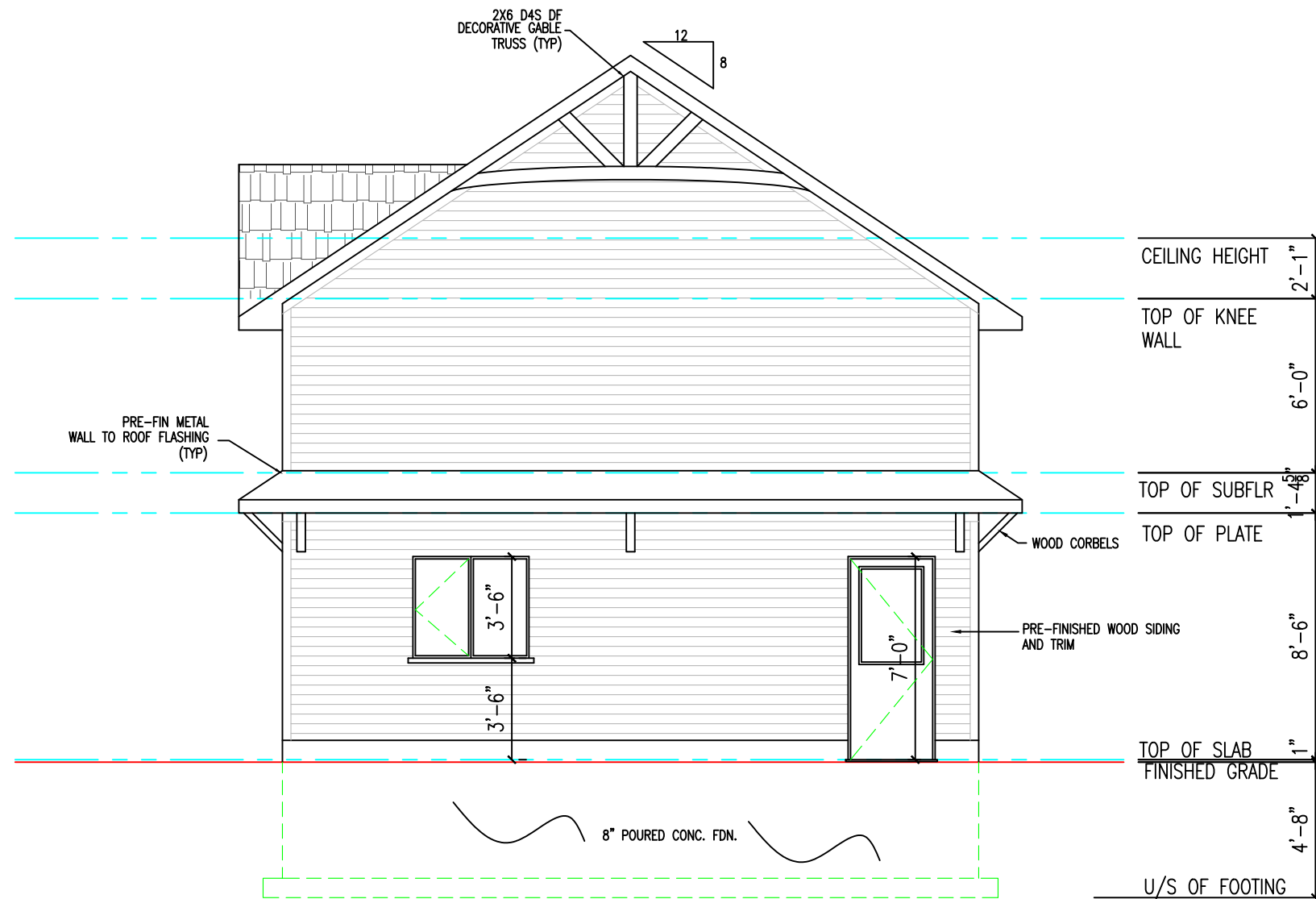
DRN. BY

DATE
NOV. 2023

CKD. BY

SCALE
3/16"=1'-0"

DWG. NO
A-2.2



5 NORTH ELEVATION

ARCHACEPT INCORPORATED

8687 COUNTY ROAD 1
LORETTO, ONTARIO
LOG 1LO

905-729-4723
archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON
SIGNED

JUL. 4, 2024
DATE

JUL. 4, 2024 ISSUED FOR PERMIT
REVISIONS



PROJECT
ACCESSORY DWELLING FOR:
M. ZACH
62 MILL STREET
ORANGEVILLE, ON

TITLE
SOUTH ELEVATION

PROJ. NO
23-21

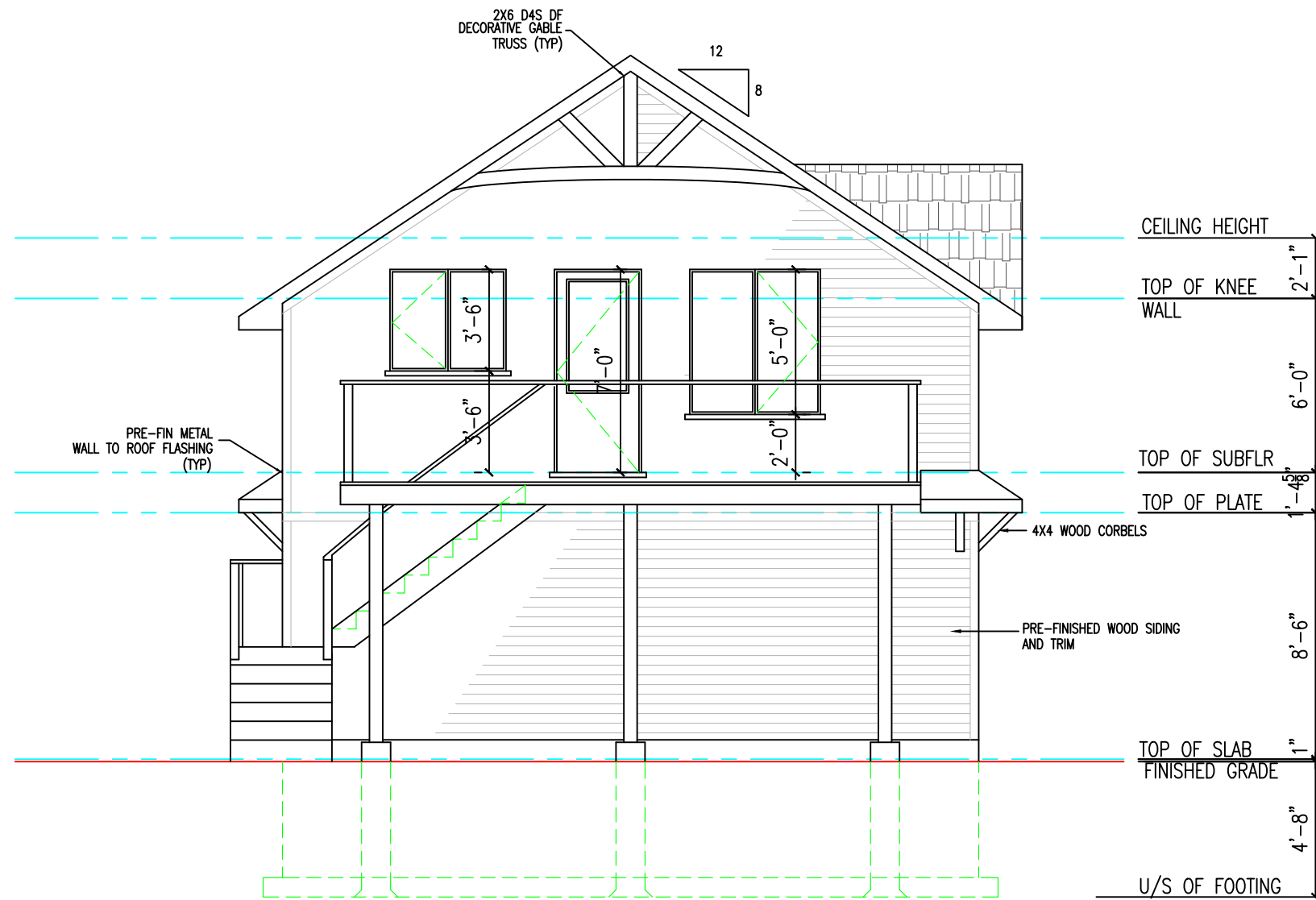
DRN. BY

DATE
NOV. 2023

CKD. BY

SCALE
3/16"=1'-0"

DWG. NO
A-2.3



6 SOUTH ELEVATION

GENERAL

1. USE ONLY THE LATEST ISSUES OF ANY GOVERNMENT CODES, STANDARDS, OR REGULATIONS MENTIONED IN THE FOLLOWING NOTES.
2. EXCEPT WHERE NOTED OTHERWISE, PROVIDE ALL MATERIALS AND WORKMANSHIP IN ACCORDANCE WITH THE REQUIREMENTS OF THE ONTARIO BUILDING CODE (OBC) AND ITS LATEST REGULATIONS.
3. VERIFY ALL DIMENSIONS, LEVELS AND ELEVATIONS PROVIDED BY THE DRAWINGS WITH OTHER DOCUMENTS AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK. DO NOT SCALE THESE DRAWINGS.
4. CO-ORDINATE WITH ALL OTHER TRADES WHERE SUCH TRADES AFFECT THE STRUCTURE.
5. THE STRUCTURAL DESIGN OF THE BUILDING IS BASED ON THE FULL INTERACTION OF ALL ITS COMPONENT PARTS. NO PROVISIONS HAVE BEEN MADE FOR CONDITIONS OCCURRING DURING CONSTRUCTION. MAKE ADEQUATE PROVISIONS FOR CONSTRUCTION STRESSES AND FOR SUFFICIENT TEMPORARY BRACING AND SHORING TO KEEP THE STRUCTURE PLUMB AND LEVEL DURING ALL PHASES OF THE WORK.
6. NO HOLES, OTHER THAN THOSE DETAILED ON THE STRUCTURAL DRAWINGS OR SHOP DRAWINGS APPROVED BY THE DESIGNER, WILL BE PERMITTED THROUGH STRUCTURAL MEMBERS.
7. ALL DESIGN LOADS INDICATED ON THE DRAWINGS ARE SPECIFIED LOADS (i.e. UNFACTORED SERVICE) LOADINGS UNLESS NOTED OTHERWISE.

FOUNDATION

1. THE FOOTINGS HAVE BEEN DESIGNED FOR AN ASSUMED MINIMUM ALLOWABLE NET BEARING CAPACITY OF 1566 psf. FOUND ALL FOOTINGS ON NATURAL UNDISTURBED INORGANIC SOIL.
2. A SOILS CONSULTANT SHALL APPROVE ON SITE THE ASSIGNED SAFE NET BEARING PRESSURE FOR EACH FOOTING. IF THE SAFE NET BEARING PRESSURE USED FOR DESIGN IS NOT APPROVED, THE FOUNDATION DETAILS WILL BE ADJUSTED BY THE DESIGNER ACCORDING TO ACTUAL SITE CONDITIONS.
3. REMOVE ANY SOFT OR FROZEN SOIL MATERIAL ENCOUNTERED UNDER FOOTINGS AND REPLACE WITH MASS CONCRETE OF 2000 psi MINIMUM 28 DAY STRENGTH TO UNDERSIDE OF FOOTING.
4. INSTALL THE UNDERSIDE OF ALL EXTERIOR WALL AND COLUMN FOOTINGS AT LEAST 4'-0" BELOW THE FINISHED NEW GRADE. PROTECT ALL FOOTINGS, WALLS, SLAB-ON-GRADE AND ADJACENT SOIL AGAINST FREEZING AND FROST ACTION AT ALL TIMES DURING CONSTRUCTION.
7. IF SOIL SOFTENING OCCURS BEFORE FOOTING CONCRETE CAN BE POURED, OR AS REQUIRED BY THE SOILS REPORT, CONSTRUCT THE FOOTINGS ON A LEVEL 2" THICK SKIM SLAB OF 2000 psi MINIMUM 28 DAY STRENGTH, PLACED IMMEDIATELY AFTER COMPLETION OF EXCAVATION.
9. USE EXCAVATED MATERIALS AS BACKFILL ONLY AS APPROVED BY THE SOILS CONSULTANT.
10. HORIZONTAL CONSTRUCTION OR "COLD" JOINTS IN CONCRETE RETAINING WALLS ARE NOT PERMITTED UNLESS OTHERWISE INDICATED ON THE DRAWINGS.

CAST IN PLACE CONCRETE

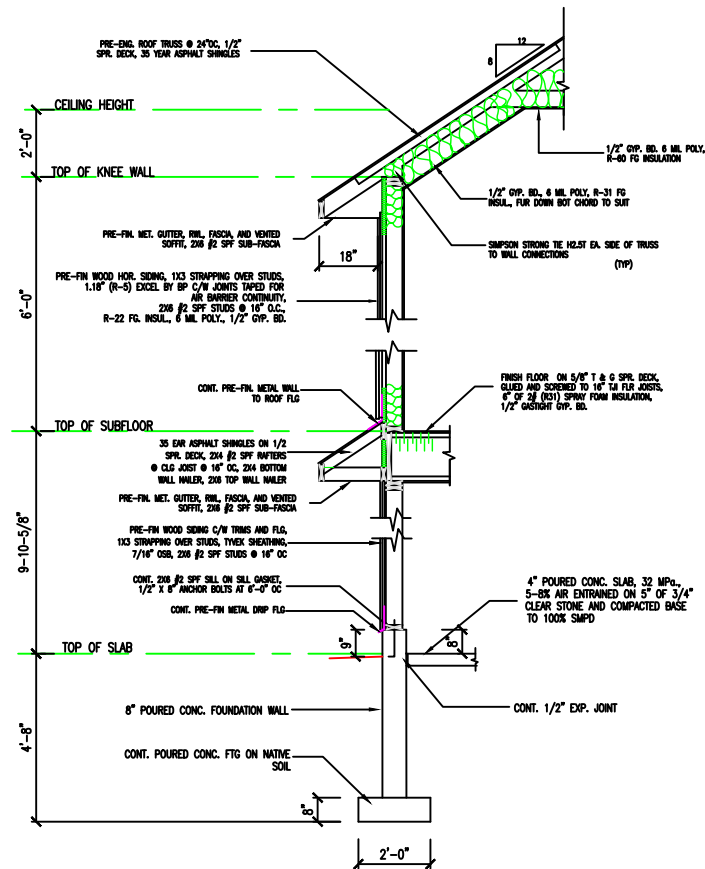
1. CONFORM TO THE REQUIREMENTS OF CSA STANDARDS CAN3-A23.1-M AND CAN3-A23.2-M FOR CONCRETE MIX COMPONENTS, PLACING, CURING AND TESTING.
2. CEMENT: NORMAL (TYPE 10) PORTLAND CEMENT CONFORMING TO CSACAN3-A5-M.
3. FORMWORK: TO CSA STANDARD S289.1, TREAT ALL FORMWORK SURFACES IN ACCORDANCE WITH THE REQUIREMENT OF CSA STANDARD CAN3-A23.1M.
4. USE CONCRETE EXPOSURE CLASS A FOR SIDEWALKS, CLASS B FOR EXTERNALLY EXPOSED CONCRETE AND CLASS C FOR ALL OTHER CONCRETE.
5. PROVIDE CONCRETE WITH A MINIMUM COMPRESSIVE STRENGTH OF 20 MPa AT 28 DAYS AND A SLUMP AT DISCHARGE OF 3", +/- 1", UNLESS OTHERWISE NOTED.
6. REINFORCING STEEL FOR ALL REINFORCEMENT, USE DEFORMED BARS OF GRADE 400 (60,000psi). COMPLY WITH THE REQUIREMENTS OF CSA STANDARD G30.18-M FOR ALL REINFORCEMENT.
7. CONFORM TO CSA STANDARD G30.5-M REQUIREMENTS FOR WELDED WIRE FABRIC. MINIMUM YIELD STRENGTH TO BE 65,000 psi.
8. LAP CONTINUOUS REINFORCING STEEL 30 BAR DIAMETERS AT SPLICES AND CORNERS UNLESS NOTED OTHERWISE.
9. UNLESS NOTED OTHERWISE, PROVIDE THE FOLLOWING CLEAR COVER TO REINFORCING STEEL:
 - (a) FORMED SLABS AND WALLS NOT EXPOSED TO SOIL OR WEATHER - 3/4"
 - (b) CONCRETE PLACED ON SOIL - 3"
 - (c) TOP OF SLAB TO WELDED WIRE FABRIC - 1-1/2"

LUMBER

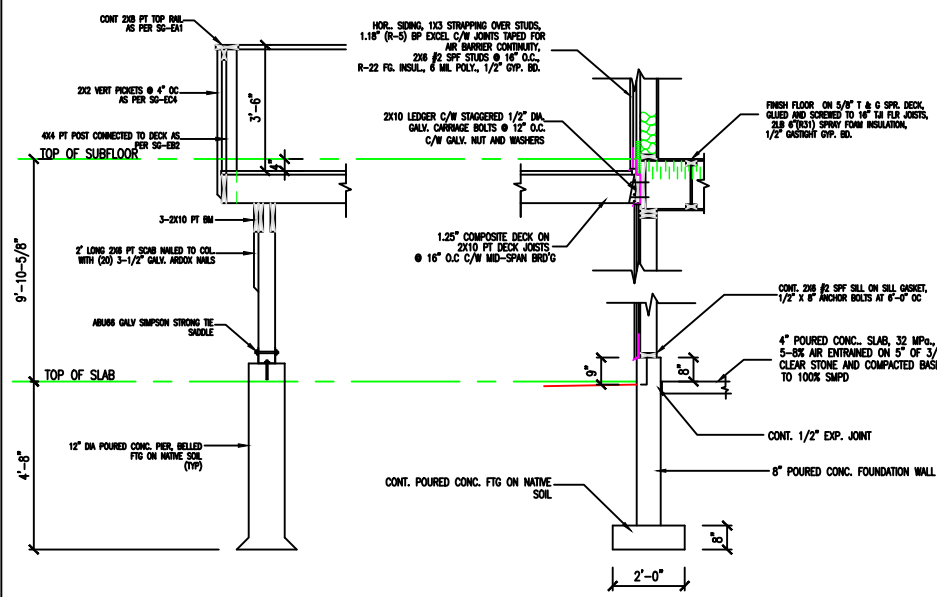
1. CONFORM TO THE STANDARD GRADING RULES OF THE NATIONAL LUMBER GRADE AUTHORITY (NLGA) AND TO CSA STANDARD CAN3-086-M.
2. ALL FRAMING LUMBER TO BE #2 GRADE SPRUCE UNLESS NOTED OTHERWISE.
2. FRAMING LUMBER FOR THE EXTERIOR IS TO BE PRESSURE TREATED TO CAN/CSA-080.1-M UNLESS OTHERWISE NOTED.
3. PSL/LVL MATERIAL AND FLOOR TRUSSES ARE TO BE BY "TRUS JOIST MACMILLAN". THE MANUFACTURER IS TO PROVIDE SHOP DRAWINGS OF ALL MATERIALS TO THE DESIGNER.

HARDWARE AND CONNECTIONS

1. NAILS AND SPIKES: TO CSA STANDARD B111 FOR COMMON SPIRAL (ARDOX) NAILS.
2. CONFORM TO THE REQUIREMENTS OF TABLE 9.23.3.4 AND 9.23.4.5 OF THE ONTARIO BUILDING CODE UNLESS NOTED OTHERWISE.
3. NAILS USED WITH PRESSURE TREATED LUMBER OR IN LOCATIONS EXPOSED TO THE WEATHER SHALL BE HT DIPPED GALVANIZED.



8 EXTERIOR WALL SECTION
A-1.0



9 DECK DETAIL
A-1.0

ARCHACEPT INCORPORATED

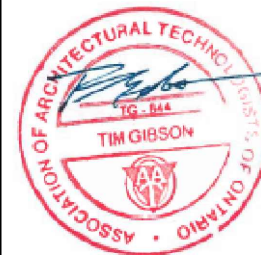
8687 COUNTY ROAD 1
LORETTO, ONTARIO
LOG 1L0

905-729-4723
archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON JUL 4, 2024
SIGNED DATE

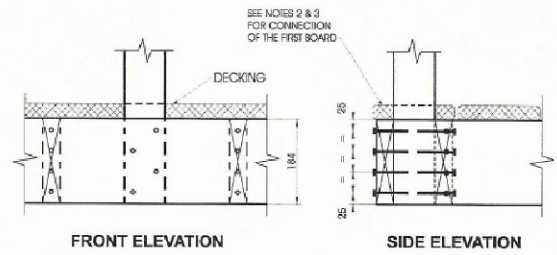
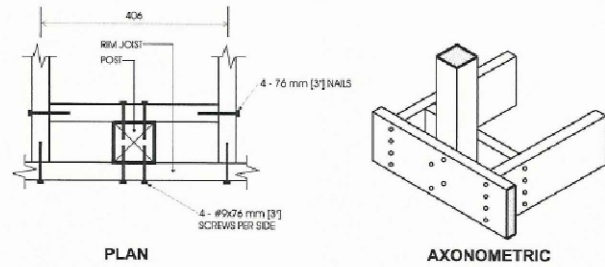
JUL 4, 2024 ISSUED FOR PERMIT
REVISIONS



PROJECT
ACCESSORY DWELLING FOR:
M. ZACH
62 MILL STREET
ORANGEVILLE, ON

TITLE
SECTIONS

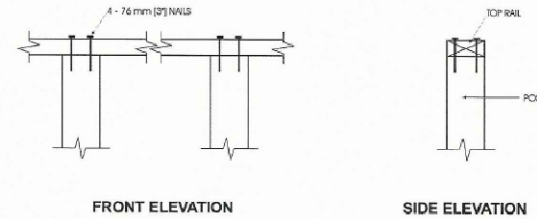
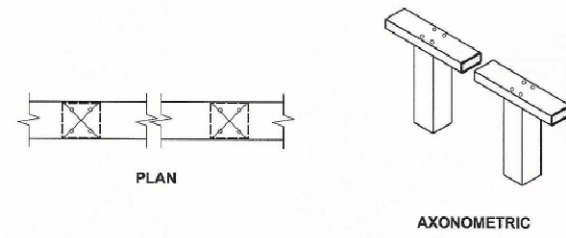
PROJ. NO 23-21	DRN. BY
DATE NOV. 2023	CKD. BY
SCALE 1/2" = 1'-0"	DWG. NO A-3.0



Detail EB-2
Exterior Connection: Post Screwed to Rim Joist

- Notes:**
- Decking is omitted from the plan view and the axonometric view for clarity.
 - Fasten 25 mm x 140 mm (1" x 6" nominal) outer deck board to rim joist with 63 mm (2 1/2") nails at 300 mm (12").
 - Fasten 25 mm x 140 mm (1" x 6" nominal) outer deck board to floor joist with 1 - 63 mm (2 1/2") nail at each joist.
 - The post may be positioned anywhere between the joists.
 - #9 screws may be replaced by #8 screws if the maximum spacing between posts is not more than 1.20 m (3'-11").
 - Dimensions shown are in mm unless otherwise specified.

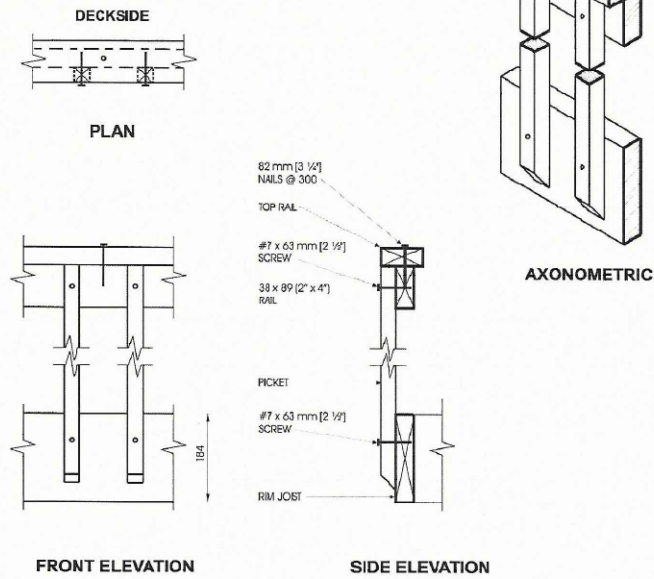
MAXIMUM SPAN OF RAIL BETWEEN POSTS	
Species	Maximum Span, m (ft-in)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir	1.56 (5'-1")
Northern Species	1.20 (3'-11")
Column 1	2



Detail EA-1
Exterior Connection: Top Rail Nailed to Post

- Notes:**
- The top rail must be continuous. Use Detail EA-5 at the end spans, where continuity ends.

MAXIMUM SPAN OF RAIL BETWEEN POSTS	
Species	Maximum Span, m (ft-in)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir	1.52 (5'-0")
Northern Species	1.52 (5'-0")
Column 1	2



Detail EC-4
Exterior Connection: Infill Picket Screwed to Top Rail and Rim Joist

- Note:**
- Dimensions shown are in mm unless otherwise specified.

ARCHACEPT INCORPORATED

8687 COUNTY ROAD 1
LORETTO, ONTARIO
LOG 1L0

905-729-4723
archacept@sympatico.ca

I, TIM GIBSON, BCIN 10148, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE ATTACHED PLANS AND DOCUMENTS.

TIM GIBSON
SIGNED

JUL 4, 2024
DATE

JUL 4, 2024 ISSUED FOR PERMIT

REVISIONS



PROJECT
ACCESSORY DWELLING FOR:
M. ZACH
62 MILL STREET
ORANGEVILLE, ON

TITLE
SECTIONS

PROJ. NO
23-21

DRN. BY

DATE
NOV. 2023

CKD. BY

SCALE
1/2"=1'-0"

DWG. NO
A-3.1

From: [David Carbert](#)
To: [Committee of Adjustment](#)
Cc: [Mary Adams](#); [David Carbert](#); [Karen Daughton](#)
Subject: Secretary-Treasurer COA A-09/24 - 62 Mill Street, Orangeville
Date: Tuesday, August 27, 2024 12:02:39 PM
Importance: High

Re: Application File Number: A-09/24
Subject Property Address: 62 Mill Street, Orangeville
Legal Description: Lot 2, Part 1, Plan 19A
Applicant: Marianne Zach
MINOR VARIANCE Application to COA

We, Karen Daughton and David Carbert, are the Registered owners of the property at 64 Mill St, in Orangeville, directly South of 62 Mill Street and we strongly object to the Minor Variance application A-09/24.

The applied for structure - height Variance from 4.3 Meters (14.1 ft) to 5.99 Meters (19.65 ft) is not a Minor Variance. It is a 39% increase over and above the existing Bylaw maximum height.

The addition in height Variance and the submitted design of the proposed structure above the garage for a rental suite will have an immediate and permanent impact on our privacy of our own property.

A key reason we bought our property in 2011 was for our long-term retirement and especially the enjoyment of its privacy; not being in a new subdivision with neighbours directly overlooking neighbours.

This Variance, as submitted, will directly and permanently effect our property privacy. This potential change is not of our doing and solely at the request and pleasure of the neighboring property owner to create a new rental suite above a new garage.

The proposed second storey rental structure has two large windows directly overlooking our backyard. There is also a second level exit and a large patio deck, once again, directly overlooking our backyard.

The owner of 62 Mill Street has adequate land space available to revise the existing plans, with a better orientation or actual location, as to not compromise our existing privacy for this proposed addition.

We have no objection to a new garage or a rental suite above, but strongly object to the present design with placement of South windows and a very large deck that will, absolutely, affect the privacy and enjoyment of our property and will directly cause a negative effect on our property's value.

We do not want to be forced into accepting this Variance as submitted.

Note: We hereby authorize this correspondence to be posted on the COA Hearing agenda.

David Carbert & Karen Daughton
64 Mill Street,
Orangeville, ON
L9W 2M7



Subject: Planning Report – B-02/24 – 17 and 19 McCarthy Street

Department: Infrastructure Services

Division: Committee of Adjustment

Meeting Date: 2024-09-04

Recommendations

That Planning Report – B-02/24 – 17 and 19 McCarthy Street be received;

And that Consent Application B-02/24 to sever a parcel of lands into two pre-existing parcels which have merged on-title the Planning Act, with the severed parcel being 17 McCarthy Street and the retained parcel being 19 McCarthy Street, be approved, subject to the following conditions:

- 1. That the applicant/owner submit a digital version of a draft Reference Plan (R-Plan) to the satisfaction of the Secretary-Treasurer, Committee of Adjustment.**
- 2. That the applicant/owner submit confirmation to the satisfaction of the Planning Division, that the severed and retained parcels, including the location of any existing structure(s) and parking areas thereon, conform to the requirements of the Zoning By-law or alternatively, the applicant/owner apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law.**
- 3. That any outstanding municipal taxes, fees or charges be paid in full.**
- 4. That all above conditions be fulfilled within two (2) years of the date of the Notice of Decision, so that the Town is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act.**

Introduction

Legal Description: Part of Lots 11 to 15, Block 13, Plan 213

Municipal Address: 17 and 19 McCarthy Street

Applicant(s): The Estate of John Ray Russell

Official Plan Designation:	Residential (Schedule “A”), Low Density Residential (Schedule “C”)
Zoning (By-law 22-90):	Residential, Second Density (R2) Zone
Purpose (B-02/24):	The applicant is requesting a consent to sever a parcel of land that has inadvertently merged under the Planning Act by way of both properties sharing the same title of ownership. The Planning Act prohibits conveyance of any part of a lot(s) or block(s) not within a registered plan of subdivision while retaining ownership of the abutting part(s). The effect of this consent would sever the pre-existing parcel known as 17 McCarthy Street, with the retained pre-existing parcel known as 19 McCarthy Street.

Background and Analysis

The subject lands consist of two pre-existing lots located at the northeast corner of McCarthy Street and Faulkner Street. Each parcel contains a two-storey single-detached dwelling and the lands are situated within a mature residential area comprised predominantly of single-detached dwellings. The location of the subject lands is shown in the attached location map (Attachment No. 1)

The applicant is seeking a consent to sever the pre-existing parcels. The severed parcel is known as 17 McCarthy Street and would have a lot frontage of 19.8 metres / 65 feet and a lot area of approximately 603 square-metres / 6,490 square-feet. The retained parcel is known as 19 McCarthy Street and is situated at the immediate corner of McCarthy Street and Faulkner Street. It has a frontage of approximately 18.2 metres / 60 feet along McCarthy Street, an exterior side flankage of 45.7 metres / 150 feet along Faulkner Street and an irregular orientation resulting in a larger lot area of approximately 1,480.2 square metres / 15,930 square-feet, with rear-yard area abutting the adjacent properties of 17 McCarthy Street (i.e. severed parcel) and 13 McCarthy Street. The configuration of the proposed severance properties is shown on the Location Map included as Attachment No. 1.

Section 50 of the Planning Act (the “Act”) regulates the division of land in Ontario. The Act prohibits an owner from transferring any part of a whole lot or block of land while retaining an interest in the remnant lands, unless a “consent” is given by the approval authority, or unless the transfer of part of the lands is occurring under specific circumstances (i.e. for a municipality or the province, a public utility, etc.) as prescribed by the Act. When abutting lots or blocks do not constitute whole lots or blocks within a plan of subdivision and are placed under the same title of ownership, they are deemed to have “merged on title” because any attempt to transfer abutting part(s) of the lots/blocks now creates circumstances where the transferor retains an interest in the abutting lands (i.e. owns the abutting parcel) and therefore contradicts Section 50 of the

Planning Act. A “consent” from the Town is therefore required in order to permit the severance and transfer of the “merged” parcel.

The proposed severed (17 McCarthy Street) and retained (19 McCarthy Street) lots were once independent properties. The applicant has explained how the properties have inadvertently merged through ownership succession and now share the same title of ownership. Because the legal descriptions for each property constitute “parts” of lots within the original subdivision Plan 213 for the area, they are not whole lots or blocks and as a result, any attempt to transfer such now contradicts Section 50 of the Planning Act because the transferor would retain ownership of the abutting “part” due to the same ownership title. As a result, this severance application is required to reinstate the two separate lots that existed independently.

Planning Analysis – Consent Application B-04-24

Section 51(24) of the Planning Act, R.S.O. 1990, as amended, provides a list of matters to be regarded in relation to the division of land. Staff have reviewed the consent application in light of the Planning Act criteria and is satisfied that the consents can meet all applicable criteria in Section 51(24).

1. Provincial Policy Statement, 2020 (PPS)

The current Provincial Policy Statement (PPS) came into effect on May 1, 2020. All planning decisions made as of this point forward must be consistent with the 2020 PPS. The subject lands are located within a “Settlement Area” pursuant to the policies of the PPS. Accordingly, the policies pertaining to development within settlement areas direct land use patterns to be based on a mix of land uses and densities, which support the efficient use of resources; are appropriate for the efficient use of infrastructure and public service facilities; and support active transportation. The proposed consent seeks to reinstate the previous lot fabric, recognizing the established single-detached dwellings located on the lands. It does not facilitate any further development or infrastructure demands. Staff are satisfied that this application is consistent with the policies of the 2020 PPS.

2. Town of Orangeville Official Plan

The Town’s Official Plan (OP) designates the subject property as ‘Residential’ (Schedule ‘A’: Land Use Plan) and ‘Low-Density’ (Schedule ‘C’: Residential Density Plan). The policies for Low Density Residential areas permit single detached and two-unit dwellings up to a maximum density of 25 units per net residential hectare. The proposed consent is facilitating an existing use permitted by the Low Density Residential policies of the Official Plan.

Section 17 of the Official Plan outlines general policies for considering where land division may occur by consent. The proposed consent satisfies these criteria based on the following:

- The subject lands are located within an area serviced with full municipal water and sanitary infrastructure and stormwater run-off is accommodated by overland flow into the municipal stormwater management network (Section 17.1). No new development or additional demand on Town infrastructure would be enabled by this consent application.
- The proposed consent will maintain existing lot frontage onto McCarthy Street, designated as a Local Road on Schedule 'E' of the Official Plan (Section 17.2).
- The proposed reinstatement of the pre-existing lots is consistent with the linear orientation of the surrounding lot fabric in the area and is appropriate to accommodate the existing detached dwellings (Section 17.3).

Staff are of the opinion that the proposed consent to reinstate the pre-existing lot fabric for the property conforms to the policies of the Town's Official Plan.

3. Town of Orangeville Zoning By-law No. 22-90, as amended

The subject lands are zoned Residential Second Density (R2) Zone on Schedule "A" of Zoning By-law No. 22-90, as amended. The R2 Zone permits only single-detached dwellings and home occupations, among other similar permitted uses.

The proposed consent intends to reinstate the pre-existing detached dwelling lot fabric. The detached dwellings are permitted by the R2 zone. However, staff are unable to confirm that the re-instatement of the pre-existing lot fabric will not create a contravention with the zone standards of the R2 zone, with respect to yard setbacks from the reinstated property boundaries. Confirmation as to whether the proposed lot fabric will comply with the provisions of the Zoning By-law is one of the key considerations when making a decision on a proposed consent. Staff recommend that a condition of approval be included to obtain confirmation from the applicant/owner that the location of existing structure(s), parking and landscaping (where applicable), conforms to the requirements of the Zoning By-law.

4. Parkland Dedication

Section 53 of the Planning Act and the Town's Parkland Dedication By-law (No. 47-2012) enable the acquisition of parkland dedication, or payment of cash in lieu thereof, in conjunction with the consent approval process. The proposed severance aims to reinstate the pre-existing lot fabric for the property. No additional new development lots are being created and no new dwelling construction will occur as a result of this application. Parkland dedication (or payment in lieu thereof) is therefore not applicable to this application.

Infrastructure Services – Transportation & Development Comments:

Transportation and Development has reviewed this application and has no objection to the proposed severance being requested by the Applicant. The Applicant is advised that all domestic water use must be plumbed in such a way that it passes through the water meter.

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.

Respectfully submitted

Brandon Ward, MCIP, RPP
Manager of Planning
Infrastructure Services

Attachment(s): 1. Location Map with Proposed Severance Layout

Location Map
File: B-02/24
Applicant(s): Estate of John Ray Russell

