



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

Wednesday, November 6, 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: 807 944 431#  
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](mailto: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](mailto:clerksdept@orangeville.ca)

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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 **2024-10-02 Committee of Adjustment Meeting Minutes**

5. **Statutory Public Hearing**

## **5.1 File No. A-12/24 - 24 Lawton Court**

In the matter of an application by Lorraine Green for a minor variance to Zoning By-law 22-90, as amended, on property described as Lot 53, Plan 337, municipally known as 24 Lawton Court, 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 Sixth Density (R6)".

Explanatory note:

The applicant is requesting a minor variance to Zoning By-law No. 22-90, as amended, for the subject property, to:

1. reduce the minimum rear yard setback from 7 metres to 5.4 metres.

The purpose of the requested variance is to permit the construction of a deck.

### **5.1.1 Planning Report – Application No A-12/24 – 24 Lawton Court, PLA-2024-014**

Recommendations:

**That Planning Report – A-12/24 – 24 Lawton Court be received;**

**That Minor Variance Application (File No. A12/24) to reduce the minimum rear yard setback from 7.0 metres to 5.4 metres be approved subject to the following condition:**

1. **That to the satisfaction of planning staff, the applicant construct a 2.1 metre-high privacy screen on top of the entire easterly side of the deck.**

## **6. Items for Discussion**

None.

## **7. Correspondence**

None.

## **8. Announcements**

## **9. Date of Next Meeting**

The next meeting is scheduled for December 4, 2024.

## **10. Adjournment**



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

### **Electronic Participation**

**October 2, 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:     Alan Howe, Chair  
                                 Rita Baldassara  
                                 Michael Demczur  
                                 B. Wormington

Regrets:                 Ashley Harris, Vice-Chair

Staff Present:           M. Adams, Secretary-Treasurer  
                                 S. Pottle, Planning Technician  
                                 L. Russell, Senior Planner

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#### **1.     Call to Order**

The Chair called the meeting to order at 6 p.m.

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

None.

#### **3.     Land Acknowledgement**

The Chair acknowledged the treaty lands and territory of the Williams Treaty Nations and the Mississaugas of the Credit First Nation. The 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 Rita Baldassara

That the minutes of the following meeting are approved:

##### **4.1     2024-09-04 Committee of Adjustment Meeting Minutes**

**Carried**

#### **5.     Statutory Public Hearing**

##### **5.1     File No. A-10/24 - 324 Perry Road**

##### **5.1.1   Planning Report – Application No A-10/24 – 324 Perry Road, PLA-2024-012**

Susan Pottle, Planning Technician, provided an overview of the application and explained the rationale for the recommendations. The Chair asked if anyone wished to speak to the application. Davinder Mangat, the property owner, and Sukhdeep Bhangu, the agent, identified themselves and advised they did not have any comments and agreed with staff's report. There was nobody else in attendance in support or in opposition of the application. The Committee asked staff a question on whether a post-construction inspection will be conducted with respect to the grading and drainage on the property and staff provided a response.

Note: The Committee recessed from 6:11 p.m. to 6:12 p.m.

Moved by Rita Baldassara

**That Planning Report A-10/24 – 324 Perry Road be received;**

**And that the Minor Variance Application (File No. A-10/24) to increase the maximum permitted rear yard encroachment from 0.6 metres to 1.57 metres into the required rear yard to permit the construction of below grade entry stairs be approved on the following condition:**

- 1. That the following 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**

## **5.2 File No. A-11/24 - 21 Centre Street**

### **5.2.1 Planning Report – Application No. A-11/21 – 21 Centre Street, PLA-2024-013**

Larysa Russell, Senior Planner, provided an overview of the application, and the rationale for the recommendations. The Chair asked if anyone wished to speak to the application. Rob Mair, the applicant, said he had nothing further to add. There were three residents: Tom Kenny, Lynne MacLeod, and Kristy Nahirniak of 17 Centre Street in the gallery. Their concerns included tree loss, the inappropriate size of the building, and a tree preservation study. Staff and the applicant provided responses to their concerns. The Committee had questions regarding tree removal, an arborist study, and whether the number of variances being sought were considered minor, and staff provided a response.

Moved by B. Wormington

**That Planning Report – A-11/24 – 21 Centre Street be received;**

**That Minor Variance Application (File No. A11/24) to reduce the minimum rear yard from 10 metres to 6.1 metres be approved subject to the following conditions:**

- 1. That a satisfactory Low Impact Development Brief is submitted as part of an application for site plan approval; and,**

2. That the minor variance be limited to the extent shown in accordance with the approved site plan drawings for the proposed development at 21 Centre Street.

Carried

6. Items for Discussion

None.

7. Correspondence

None.

8. Announcements

None.

9. Date of Next Meeting

The next meeting is scheduled for November 6, 2024 at 6 p.m.

10. Adjournment

The meeting was adjourned at 6:37 p.m.

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**Subject:** Planning Report – Application No. A-12/24 – 24 Lawton Court

**Department:** Infrastructure Services

**Division:** Committee of Adjustment

**Meeting Date:** 2024-11-06

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### **Recommendations**

**That Planning Report – A-12/24 – 24 Lawton Court be received;**

**That Minor Variance Application (File No. A12/24) to reduce the minimum rear yard setback from 7.0 metres to 5.4 metres be approved subject to the following condition:**

- 1. That to the satisfaction of planning staff, the applicant construct a 2.1 metre-high privacy screen on top of the entire easterly side of the deck.**

### **Introduction**

**Legal Description:** Lot 53, Plan 337

**Municipal Address:** 24 Lawton Court

**Applicants:** Lorraine Green

**Official Plan Designation:** Low Density Residential

**Zoning (By-law 22-90):** Residential Sixth Density (R6)

**Purpose:** The applicant is requesting a minor variance to reduce the minimum rear yard setback from 7.0 metres to 5.4 metres.

## **Background**

The subject property is located on the south side of Lawton Court, between Eastview Crescent and Blaine Line. The subject property is approximately 500 square metres in area, with 12.8 metres of frontage onto Lawton Court. It currently contains a 2-storey detached residential building and is located within a residential area. The location of the subject property is indicated on Attachment No. 1.

The applicant is proposing to construct a 26 square metre deck in the rear yard, as indicated in Attachment 2. It is proposed to be located directly above the entrance to a walk-out basement, making it 4.4 metres above grade. The Zoning By-law requires decks more than 1.2 metres above grade to comply with the rear yard setback, which in this case is 7.0 metres. The rear yard setback to the deck ranges from 6.8 metres to 5.4 metres. Therefore, the purpose of this application is to reduce the rear yard setback from 7.0 metres to 5.4 metres to permit the construction of a deck in the rear yard.

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, 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 "Residential" and "Low Density Residential" in the Town of Orangeville Official Plan. Detached dwellings are a permitted land use pursuant to the residential policies of the Official Plan. The proposed reduction to the rear yard setback does not conflict or offend any of the high-level policy statements of the Official Plan.

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

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

The subject property is zoned R6 – Residential Sixth Density on Schedule 'A' of Zoning By-law 22-90, as amended. The R6 zone permits a range of residential uses including single detached dwellings. The regulations of the R6 Zone prescribe several performance standards to guide development. The required rear yard setback for detached dwellings in the R6 zone is 7.0 metres. Furthermore, the Zoning By-law requires that decks more than 1.2 metres above grade meet the prescribed rear yard setback.

The applicant is requesting a minor variance to reduce the rear yard setback from 7.0 metres to 5.4. The general intent of a rear yard setback is to provide adequate rear yard amenity space and reduce potential overlook and privacy issues.

The applicant is proposing to construct a deck in the rear yard, as indicated in Attachment No. 2. It is proposed to be 26 square metres in area and is 4.4 metres above grade due to its location above the entrance to a walk-out basement. The proposed deck provides additional useable amenity area within the rear yard, however, is required to be setback 7.0 metres from the rear lot line. Due to the nature of the pie shaped lot and the angled rear lot line, the rear yard setback to the proposed deck tapers from 6.8 metres on the east side to 5.4 metres on the west side. The applicant has proposed a 2.0 metre privacy screen on the east side of the deck. Staff are of the opinion that the proposed privacy screen will reduce any potential overlook issues. As such, staff have recommended the inclusion of the privacy screen on the east side of the deck as a condition of approval.

Subject to the condition for a privacy screen, the proposed variance maintains the general intent of the Zoning By-law.

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

Single detached dwellings as well as decks are permitted uses pursuant to the policies of the Zoning By-law No. 22-90. Subject to the recommended condition, the proposed variance will not have adverse impacts on surrounding properties, while increasing the useability of the rear amenity area for 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 considered minor in nature.

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

Transportation and Development (T&D) 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.

Planning staff note that any grading and drainage matters associated with this proposal will be satisfactorily addressed through the related building permit approvals process.



## Strategic Alignment

### Strategic Plan

Strategic Goal: 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

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Prepared by

Larysa Russell, MCIP, RPP  
Senior Planner, Infrastructure Services

Reviewed by

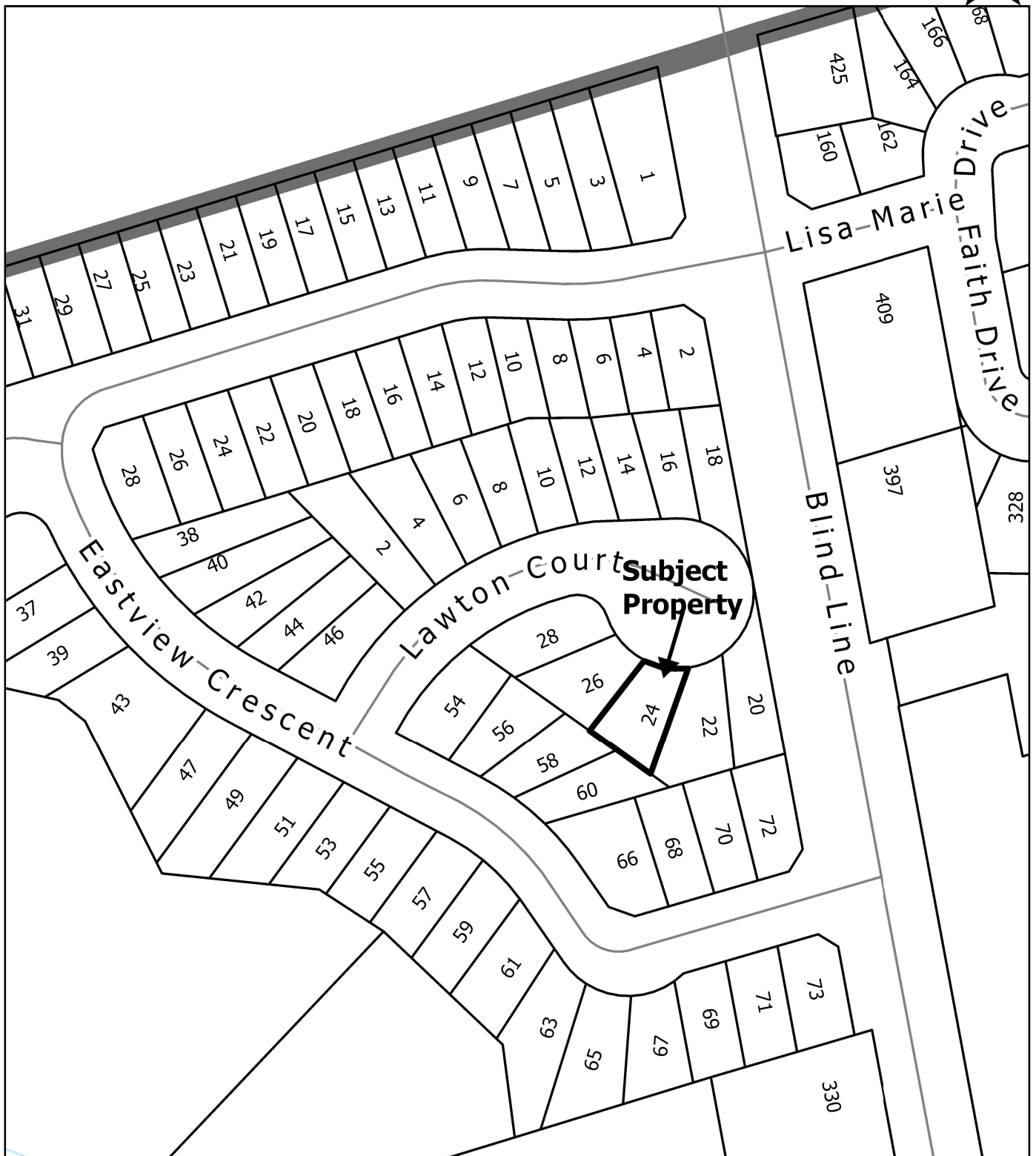
Brandon Ward, MCIP, RPP  
Planning Manager, Infrastructure Services

Attachments: 1. Location Map  
2. Site Plan & Elevations

# Attachment 1

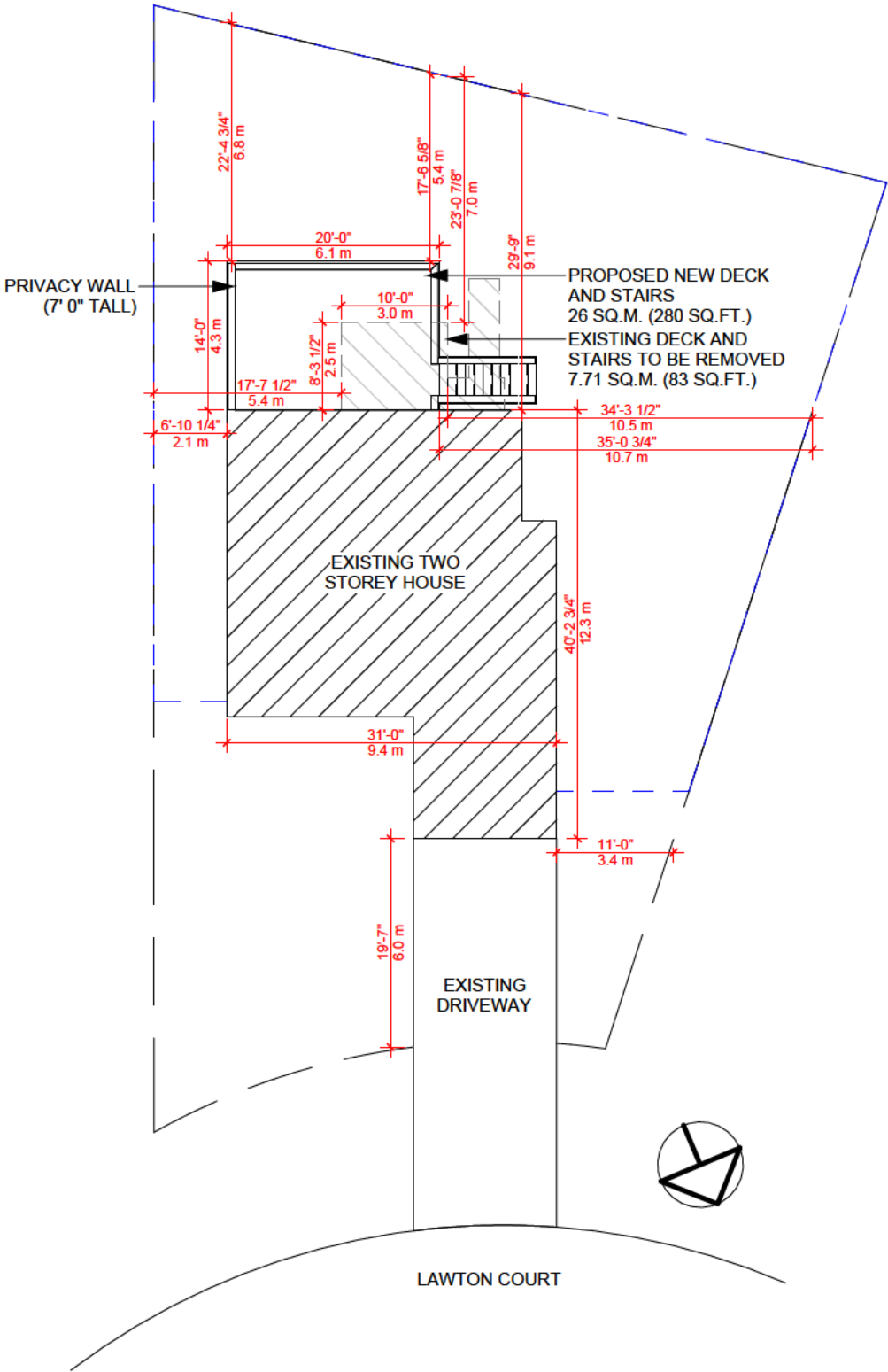
Location Map  
File: A-12-24  
Applicant: Lorraine Green

N



SITE STATISTICS	ZONING BY-LAW: (R6 - Residential Sixth Density)		
SETBACKS	REQUIRED	EXISTING	PROPOSED
FRONT YARD	6.0 M	N/A	N/A
REAR YARD	7.0 M (DECK CAN ENCROACH 0.8M INTO REAR)	7.0 M	5.4 M
SIDE YARD	0.1 M	5.4 M	2.1 M
SIDE YARD	1.2 M	10.5 M	10.7 M
BUILDING HEIGHT	9.2 M (Max.)	-	-
LOT COVERAGE	45 %	19 %	22.4 %
LOT AREA	-	536 SQ.M. (5769 SQ.FT.)	-

Attachment 2



Drawings are only valid for permits after they have been signed  
They are only valid for the original address in the titleblock.  
Scale of drawings is based on 11x17 paper size printed at a custom scale of 100%  
Do not scale drawings.

Design Loads Criteria  
Floor Loads:  
Live Load = 40 P.S.F.  
Dead Load = 12 P.S.F.  
Total Floor Load = 52 P.S.F.  
Roof Loads:  
Live Loads = 00 P.S.F. (snowload)  
Dead Load = 15 P.S.F.  
Total Roof Load = 00 P.S.F.  
Specified Snow Load = 0.0 KPA.

CLIENT NAME:  
**Orangeville & Area Handyman**  
Deck  
Project Location:  
24 Lawton Court,  
Orangeville, ON



JANSSEN DESIGN  
23 COMMERCE ROAD  
ORANGEVILLE, ON L9W 3X5  
PHONE #: 519-925-0663  
FAX #: 519-925-1371  
EMAIL: NATASHA@JANSSENDESIGN.CA



THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.

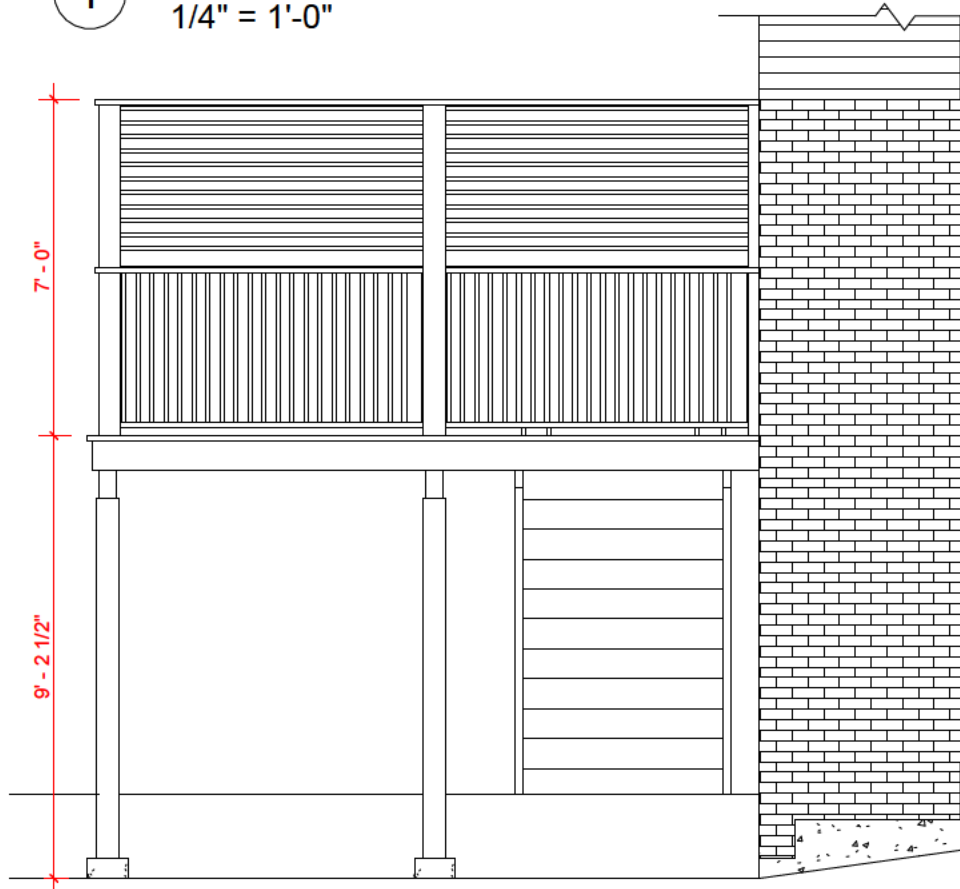
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
QUALIFICATION INFORMATION  
Paul Janssen BCIN 25681  
REGISTRATION INFORMATION  
Firm Name: Janssen Design & Construction  
(Div. of JDC Custom Homes Inc.)  
BCIN 32079

DRAWING TITLE:  
**Site Plan**

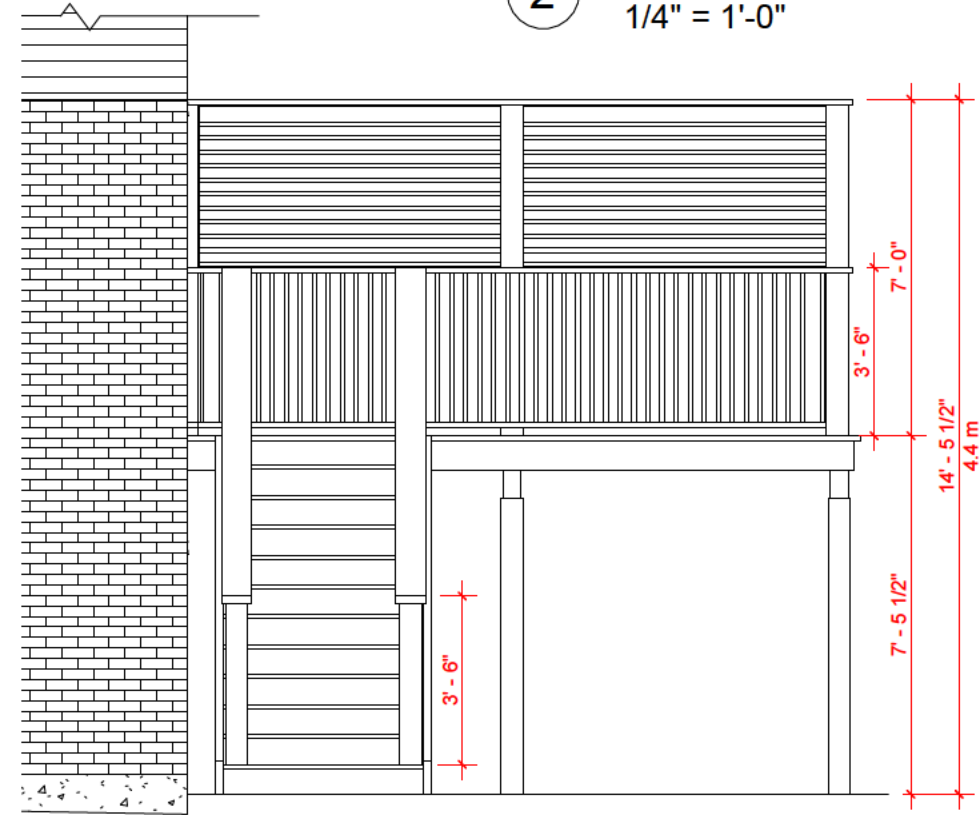
DATE:	REVISIONS
Sept. 13, 2024	
DRAWN BY:	
Natasha J.	
CHECKED BY:	
Paul Janssen	
PROJECT NO:	
2404-0016	

S100

1 Left Elevation  
1/4" = 1'-0"



2 Right Elevation  
1/4" = 1'-0"



3 Rear Elevation  
1/4" = 1'-0"



**PRIVACY WALL (84" TALL)**  
6X6 PT WOOD POSTS  
W/ 2X6 PT BOARDS LOUVERED ON HORIZONTAL  
OR VERTICAL BETWEEN POSTS  
(SEE ADDITIONAL ELEVATIONS FOR DIRECTION)  
W/ 2X8 PT TOP PLATE

**RAILING (42" TALL)**  
6X6 PT WOOD POSTS  
W/ 2X6 PT BOARDS LOUVERED VERTICALLY  
BETWEEN POSTS  
W/ 2X8 PT TOP PLATE AND 2X6 BOTTOM PLATE  
(MAX. 3 1/2" ABOVE DECK)

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They are only valid for the original address in the titleblock.  
Scale of drawings is based on 11x17 paper size printed at a custom scale of 100%  
Do not scale drawings.

Design Loads Criteria  
Floor Loads:  
Live Load = 40 P.S.F.  
Dead Load = 12 P.S.F.  
Total Floor Load = 52 P.S.F.  
Roof Loads:  
Live Loads = 00 P.S.F. (snowload)  
Dead Load = 15 P.S.F.  
Total Roof Load = 00 P.S.F.

Specified Snow Load = 0.0 KPA.

CLIENT NAME:  
**Orangeville & Area Handyman**  
Deck

Project Location:  
24 Lawton Court,  
Orangeville, ON

  
JANSSEN DESIGN

23 COMMERCE ROAD  
ORANGEVILLE, ON L9W 3X5  
PHONE #: 519-925-0663  
FAX #: 519-925-1371  
EMAIL: NATASHA@JANSSENDESIGN.CA

  
Paul J. Janssen M.A.A.T.O. B.A.C.B.E.C.B.

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.

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  
Paul Janssen BCIN 25681

REGISTRATION INFORMATION  
Firm Name: Janssen Design & Construction  
(Div. of JDC Custom Homes Inc.)  
BCIN 32079

**DRAWING TITLE:**  
Elevations

DATE:	REVISIONS
Sept. 13, 2024	
DRAWN BY: Natasha J.	
CHECKED BY: Paul Janssen	
PROJECT NO: 2404-0016	

**A102**