

Agenda Committee of Adjustment Meeting

Wednesday, March 5, 2025, 6:00 p.m.
In-Person Participation
The Corporation of the Town of Orangeville
Town Hall - 87 Broadway
Orangeville, Ontario

NOTICE

Members of the public wishing to view the Committee of Adjustment meeting are welcome to attend in-person.

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 Acknowledgment

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 meetings are approved:

- 4.1 2025-01-08 Committee of Adjustment Meeting Minutes
- 4.2 2025-02-05 Committee of Adjustment Meeting Minutes
- 5. Statutory Public Hearing

5.1 File No. A-03/25 - 37 Armstrong Street

In the matter of an application by Mair Corp for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Lot 1, Concession E, Part of Lot 3, Block 5, Plan 138, Parts 10 to 17, RP 7R-2865, municipally known as 37 Armstrong 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 "Central Business District (CBD) Zone, S.P. 24.148".

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 total required parking from 5 spaces to 4 spaces.

The purpose of the requested variance is to permit a four-unit multi-residential building.

Recommendations:

That Planning Report – A03-25 – 37 Armstrong Street be received;

And that the Minor Variance Application (File No. A03-25) to reduce the total parking required from 5 spaces to 4 spaces be approved.

- 5.1.1 Correspondence received from the Orangeville Business Improvement Area regarding Minor Variance Application A-03/25 37 Armstrong Street
- 5.1.2 Correspondence received from Debbie Greer regarding Minor Variance Application A-03/25 37 Armstrong Street
- 6. Items for Discussion

None.

7. Correspondence

None.

- 8. Announcements
- 9. Date of Next Meeting

The next meeting is scheduled for April 2, 2025.

10. Adjournment



Minutes of Committee of Adjustment

Wednesday, January 8, 2025, 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

Ashley Harris, Vice-Chair

Rita Baldassara

Michael Demczur (arrived at 6:05 p.m.)

Brian Wormington

Staff Present: M. Adams, Legislative Co-ordinator

M. Mair, Planner, Development and Community Improvement

S. Pottle, Planning Technician B. Ward, Manager of Planning

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 Acknowledgment

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 Brian Wormington

That the minutes of the following meeting are approved:

4.1 2024-11-06 Committee of Adjustment Meeting Minutes

Carried

5. Statutory Public Hearing

5.1 File No. A-01/25 - 51 Centennial Road

Susan Pottle, Planning Technician, gave an overview of the application and provided a summary of the Planning report. The applicant and agent were in attendance and had no comments. There were no questions from the committee members.

Moved by Rita Baldassara

That Planning Report A-01/25 – 51 Centennial Road be received;

And that the Minor Variance Application (File No. A01/25) to increase the maximum height permitted from 18 metres to 18.5 metres to allow the construction of three silos be approved.

Carried

5.2 File No. A-02/25 - 319 Marshall Crescent

Matthew Mair, Development Planner, gave an overview on the history of the application, and provided a summary of the report outlining the reasons for not recommending approval for the driveway widening. He touched on the comments that were provided by Transportation and Development Division, and their reasons for not supporting the minor variance.

Jatinder Dhanauta, the property owner, spoke and advised that when he purchased the property, the driveway area that was widened was previously dirt, and it appeared to be used as part of the driveway. When he hired a paving company to repave the driveway, he asked them to include the unpaved area.

The committee asked staff if the application can be considered minor in nature, and staff said that it cannot be considered minor in nature. They also asked the applicant if a driveway widening permit was acquired from the municipality, and he responded that he did not acquire one.

Note: The committee recessed from 6:24 p.m. to 6:28 p.m.

Moved by Rita Baldassara

That Planning Report – A02-25 – 319 Marshall Crescent be received;

That Minor Variance Application (File No. A02-25) to increase the maximum driveway width from 5.2 metres to 7.63 metres, be refused.

Carried

6. Items for Discussion

None.

7. Correspondence

None.

8. Announcements

None.

9. Date of Next Meeting

The next meeting is scheduled for February 5, 2025 at 6 p.m.

10. Adjournment

The meeting was adjourned at 6:33 p.m.



Minutes of Committee of Adjustment

Wednesday, February 5, 2025, 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: Ashley Harris, Vice-Chair

Rita Baldassara

Regrets: Alan Howe, Chair (with notice)

Michael Demczur

Brian Wormington (with notice)

Staff Present: M. Adams, Secretary-Treasurer

L. Russell, Senior Planner

1. Notice

Please be advised that the February 5th, 2025, Committee of Adjustment meeting was not convened due to the lack of quorum. The date of the next meeting is Wednesday, March 5th, 2025, at 6 p.m.





Subject: Planning Report – A03-25 – 37 Armstrong Street

Department: Infrastructure Services

Division: Committee of Adjustment

Meeting Date: 2025-03-05

Recommendations

That Planning Report – A03-25 – 37 Armstrong Street be received;

And that the Minor Variance Application (File No. A03-25) to reduce the total parking required from 5 spaces to 4 spaces be approved.

Introduction

Legal Description: Part of Lot 3, Block 5, Registered Plan 138, Part of

Lot 1, Concession E, Parts 10-17 on Reference Plan

7R-2865

Municipal Address: 37 Armstrong Street

Applicant(s): Robert Mair

Official Plan Designation: 'Central Business District' (Schedule 'A')

Zoning (By-law 22-90): Central Business District, S.P. 24.148

Purpose: The applicant is requesting a minor variance to

reduce the total required parking from 5 spaces to 4

spaces.

Background

The subject property is located on the north side of Armstrong Street, south of Broadway, between Wellington Street and Mill Street and is municipally known as 37 Armstrong Street. The property is approximately 333 square metres (3,585 square feet) in area, with 12.73 metres (42 feet) of frontage along Armstrong Street. Adjacent to the western property line is the Train Station building at 35 Armstrong Street (currently Barley Vine Rail), which is designated (under Part V of the Ontario Heritage Act) within

the Downtown Heritage Conservation District. The location of the subject property is indicated on Attachment No. 1.

In accordance with the approved Site Plan (SPA-2022-04), construction of a triplex on the subject property is currently ongoing. In order to facilitate the triplex, 3 variances were approved by the Committee of Adjustment on November 2, 2022, as follows:

- 1. increase the maximum permitted building height from 12 metres to 13.5 metres;
- reduce the minimum required landscape strip adjacent to the street line from 3 metres to 1.5 metres; and
- 3. reduce the minimum required rear yard setback from 7.5 metres to 0.30 metres.

The applicant is now proposing to enclose the groundfloor courtyard to facilitate a 4th unit as indicated on Attachment Nos. 2 and 3. Per the Zoning By-law, a 4-unit multiple dwelling requires 4 resident parking spaces (1 space per unit) and 1 visitor parking space (0.25 spaces per unit). Based on the current configuration 3 resident parking spaces are provided on site, and 1 resident parking space is proposed to be accommodated off-site. As such, the requested variance is to reduce the required total parking from 5 spaces to 4 spaces, effectively removing the requirement for 1 visitor parking space.

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 "Central Business District" in the Town of Orangeville Official Plan. The CBD is a mixed-use area that permits a range of commercial and residential uses. The reduction of parking from 5 spaces to 4 spaces does not conflict with or offend any high-level policy direction of the Official Plan.

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

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

The subject lands are zoned Central Business District (CBD) Zone, with Special Provisions (S.P.) 24.148 on Schedule 'A' of Zoning By-law 22-90, as amended. The CBD zone permits a range of commercial uses, including retail, and also permits residential

uses on upper floors. Stand alone residential uses, including a multiple dwelling, are permitted on lots that do not abut Broadway.

Section 5.17.1 of the Zoning By-law prescribes the required parking rates depending on the use. A multiple dwelling in the CBD zone requires 1 space per unit for resident parking and an additional 0.25 spaces per unit for visitor parking. As such, the total parking required for the proposed 4-unit multiple dwelling is 5 parking spaces, consisting of 4 resident parking spaces and 1 visitor parking space. The applicant is requesting a minor variance to reduce the total required parking from 5 spaces to 4 spaces.

Section 5.17.2 of the Zoning By-law states that "the parking area shall be located on the same lot as the use it is intended to serve, except for those properties located within the Central Business District (CBD) Zone. Within the Central Business District (CBD) Zone parking may be provided in a location other than on the same lot that requires such spaces provided that such parking is located within 120 metres of the said lot and is located within the same zone but is not located on a municipal parking lot."

The applicant is providing a total of 4 resident parking spaces. 3 resident parking spaces are being provided within the subject property, and 1 additional resident parking space is being provided at the rear of 96-98 Broadway (within 120m of the subject property) via a 10 year lease with the owner. This meets the requirement for 1 resident parking space per unit. As such, the requested reduction is to remove the required 5th parking space, which is a visitor parking space. Staff are of the opinion that there are temporary parking options available for visitors in the nearby parking lots within the Central Business District.

Staff are satisfied that the requested variance will not adversely impact parking availability for surrounding properties.

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

A multiple dwelling is a permitted use pursuant to the policies of the Zoning By-law No. 22-90. The proposed variance will not have adverse impacts on surrounding properties, while facilitating an additional dwelling unit within the downtown core.

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

4. Minor in Nature

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

Infrastructure Services – Transportation & Development Comments:

It is Transportation & Development's understanding that the proponent is required to provide 5 parking spaces with the fifth being "visitor" parking. With this understanding, the reduction being proposed is acceptable in that there are options available for visitors to park, temporarily, in the nearby parking lot. As such, Staff have no objections to this request.

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

Prepared by Reviewed by

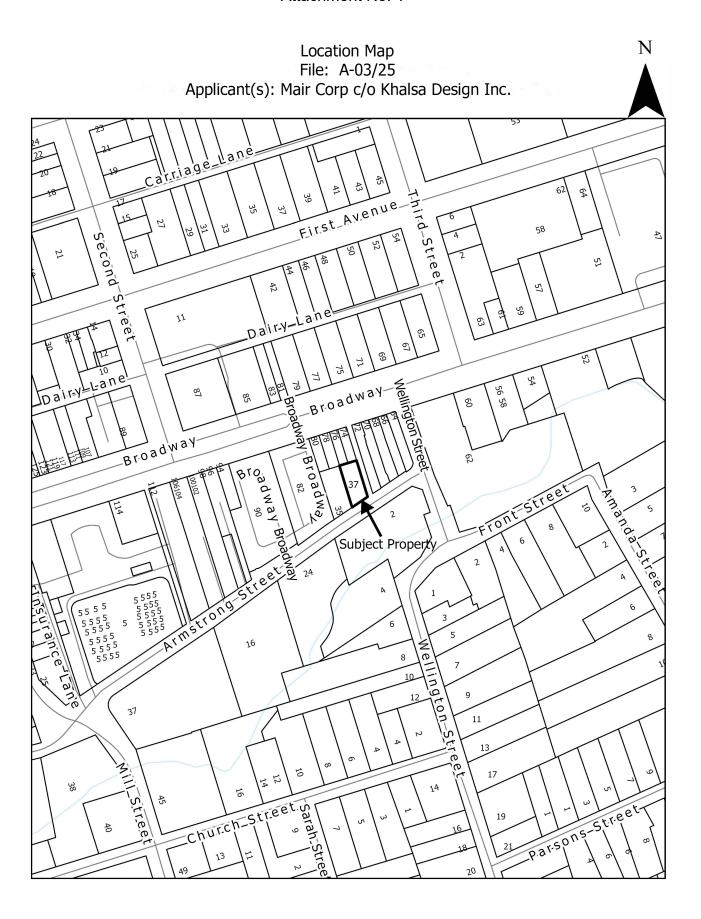
Larysa Russell, MCIP, RPP Brandon Ward, MCIP, RPP

Senior Planner, Infrastructure Services Planning Manager, Infrastructure Services

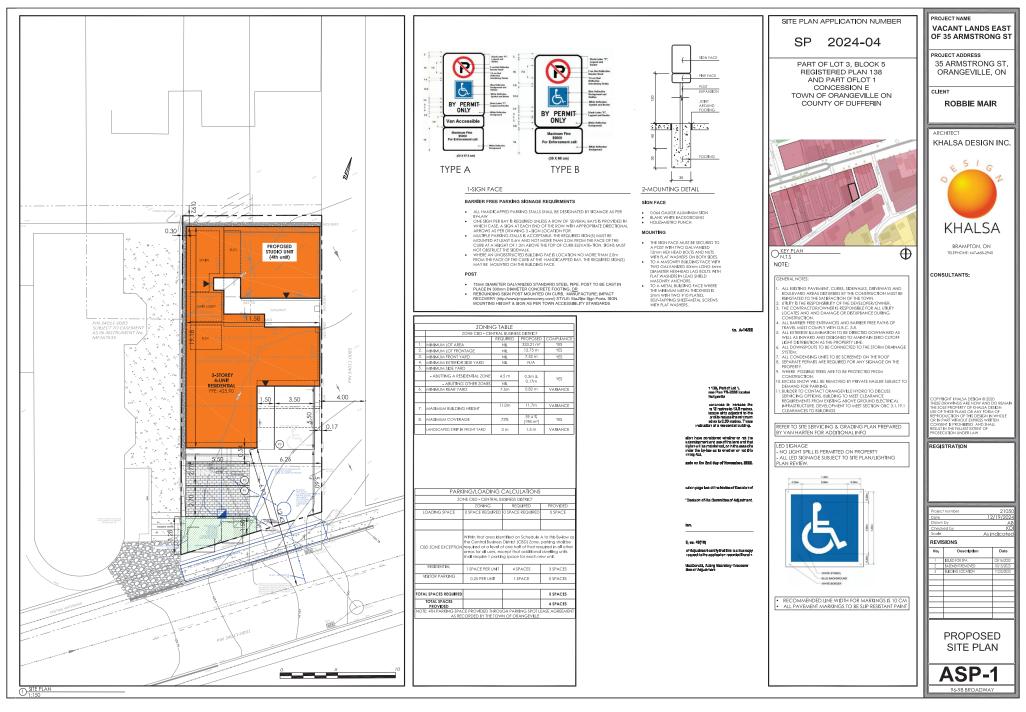
Attachments: 1. Location Map

2. Site Plan

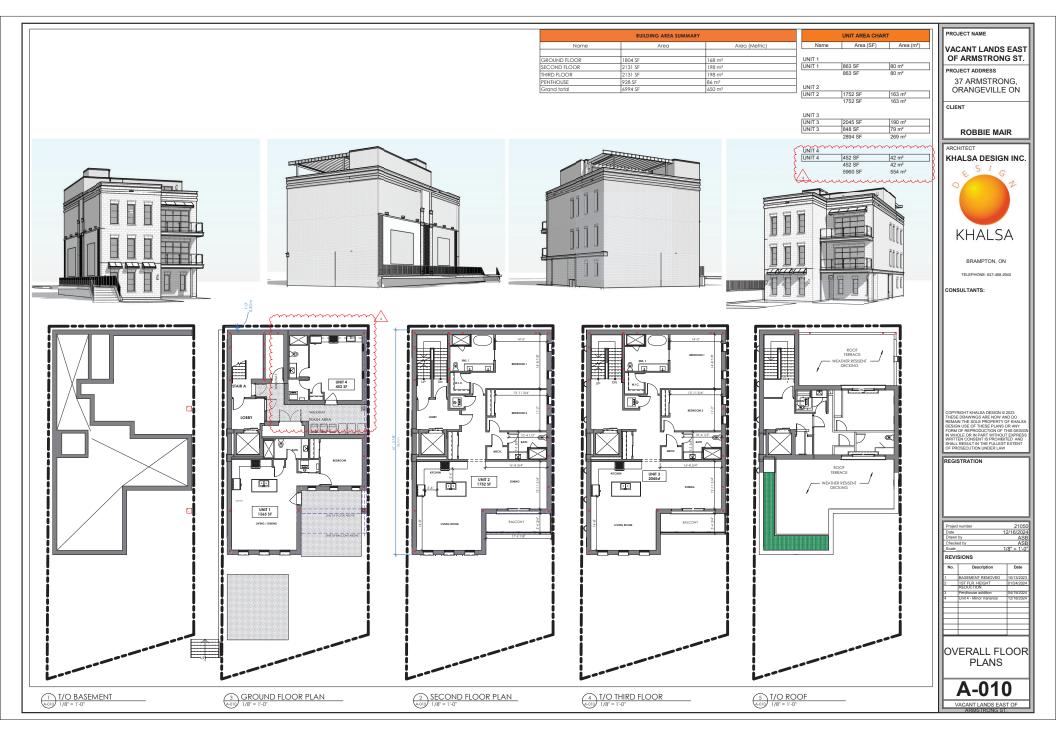
3. Floor Plans & Elevations



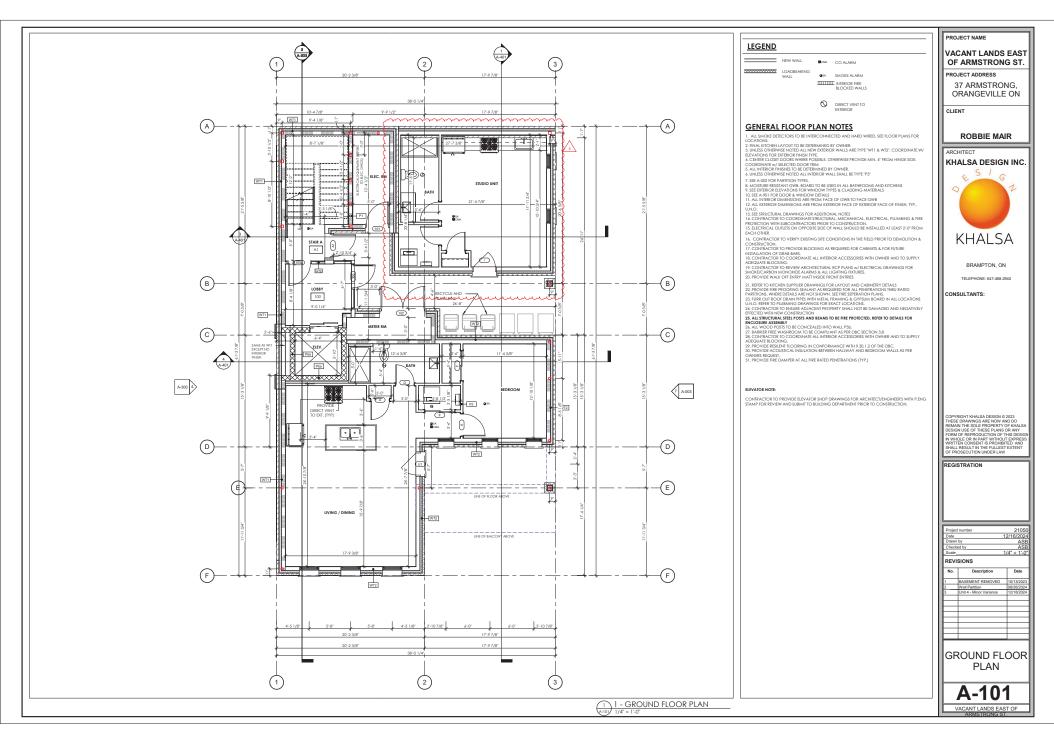
Attachment No. 2



Attachment No. 3



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From: Alison Scheel

To: <u>Committee of Adjustment</u>

Cc:Larysa Russell; Mary Adams; Todd TaylorSubject:RE: [External Email] 37 Armstrong StreetDate:Tuesday, February 25, 2025 11:16:46 AM

Attachments: <u>image001.png</u>

image002.png

Hello,

Please disregard the OBIA's previous comments (see email dated Feb. 3rd below) regarding the 37 Broadway application to reduce parking requirements. Instead, the OBIA respectfully submits the revised comments for the Committee of Adjustment's consideration:

The Orangeville BIA does not support the 37 Broadway application to reduce parking requirements from 5 spaces to 3 on-site spaces plus 1 off-site space. However, understanding the site limitations, the OBIA supports a change that would provide 3 onsite parking spaces plus 2 off-site parking spaces.

Thanks in advance for incorporating this updated comment for the Committee of Adjustment's consideration.

Cheers, Alison





Alison Scheel

Executive Director
Orangeville Business Improvement Area
(OBIA)

Phone 519 942 0087 Email info@dowtownorangeville.ca Address 10 First Street, Orangeville ON, L9W 2C4

www.downtownorangeville.ca

Facebook | Instagram

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.

From: Alison Scheel

Sent: February 3, 2025 2:05 PM

To: committeeofadjustment@orangeville.ca

Cc: Larysa Russell < lrussell@orangeville.ca>; Mary Adams < madams@orangeville.ca>; Todd Taylor

<ttaylor@orangeville.ca>

Subject: 37 Armstrong Street

Hello,

This email is regarding the upcoming Committee of Adjustment hearing for a reduction in parking requirements for 37 Armstrong Street.

The Orangeville BIA is not in support of the application to reduce parking requirements and respectfully requests that all developments meet or exceed the Town's parking requirements.

Thank you, Alison



Alison Scheel

Executive Director
Orangeville Business Improvement Area
(OBIA)



Phone 519 942 0087

Email info@dowtownorangeville.ca

Address 10 First Street, Orangeville ON, L9W 2C4

www.downtownorangeville.ca Facebook | Instagram

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Committee of Adjustments

Applicant File Number A-03/05

Subject: Property address 37 Armstrong St.

I own the adjoining property to 37 Armstrong Street.

The developer for 37 Armstrong Street is Land and Lakes Custom Homes. Mason Wilmot deliberately solicited my tenants to sign a lease agreement for my parking lot despite the fact neither had legal authority to allow third party access to the property.

As a direct result of the unauthorized use of my parking lot by the developer, significant physical damage has occurred, including structural degradation of the asphalt and pavement caused by repeated movements and storage of heavy machinery.

I have included photos along with a quote from Coppertone Paving for repairs.

Mason Wilmot and Rob Mair have been sent cease-desist notices and have ignored them. I asked Rob to put in writing that he will fix my lot. He said I will just have to take his word for it.

I feel they have willfully disregarded my legal rights. I have exhausted all reasonable avenues to resolve the matter. My concern is that this is going to continue now with their tenants and tenants' guests who will be using my parking lot, as theirs does not provide enough parking if there are four units with two cars per unit - where will the extra four cars park along with any guests, deliveries, et cetera?

I do not care what they do on their own property, I just want them to stop using and abusing my parking lot, and to repair the damage they have done.

Thank you,

Debbie Greer

Coppertone Paving Ltd. 373226 6th Line

373226 6th Line Amaranth, Ontario L9W 0M4 Canada

QUOTE

Quote No.:

493

Date:

05/05/2024

Page:

1

Ship Date:

Sold To:

Debble Greer

72 Broadway Orangeville, ON L9W 1J9 Ship To:

Debbie Greer 72 Broadway

Orangeville, ON L9W 1J9

Business No.:

856821764RT0001

Tax	Unit Price	Amount
нѕ	8,500.00	8,500.00
		1,105.00
	1	
		(T)

Comments

Total Amount

9,605.00





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