



Agenda
Committee of Adjustment Meeting

Wednesday, April 2, 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 meeting are approved:

4.1 2025-03-05 Committee of Adjustment Meeting Minutes

5. **Statutory Public Hearing**

5.1 File No. A-04/25 - 200 Jull Court

In the matter of an application by Jamieson Fine Homes Inc. for a minor variance to Zoning By-law 22-90, as amended, on property described as Lot 31, Plan 313, municipally known as 200 Jull 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 Second Density (R2)".

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 7.0 metres to 1.5 metres.

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

Recommendations:

That Planning Report A04-25 – 200 Jull Court be received;

And that Minor Variance Application (File No. A04-25) to reduce the rear yard setback required from 7.0 metres to 1.5 metres, only as it relates to the extent of a deck with associated stairs generally as shown on Attachment No. 2, be approved.

6. Items for Discussion

None.

7. Correspondence

None.

8. Announcements

9. Date of Next Meeting

The next meeting is scheduled for May 7, 2025.

10. Adjournment



Minutes of Committee of Adjustment

Wednesday, March 5, 2025, 6:00 p.m.

In-Person Participation

The Corporation of the Town of Orangeville

Town Hall - 87 Broadway

Orangeville, Ontario

Members Present: Alan Howe, Chair
Ashley Harris, Vice-Chair
Rita Baldassara
Michael Demczur
Brian Wormington

Staff Present: M. Adams, Secretary-Treasurer
L. Russell, Senior Planner

1. Call to Order

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

2. Disclosures of (Direct or Indirect) Pecuniary Interest

None.

3. Land Acknowledgment

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 Alan Howe

That the minutes of the following meeting be approved:

4.1 2025-01-08 Committee of Adjustment Meeting Minutes

Carried

Moved by Rita Baldassara

That the minutes of the following meeting be approved:

4.2 2025-02-05 Committee of Adjustment Meeting Minutes

Carried

5. Statutory Public Hearing

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

Larysa Russell, Senior Planner, provided the committee with an overview of the Planning report.

Robbie Mair identified himself as the applicant. He advised the committee that he has secured a 10-year lease with another property on the street for one parking space. This space will provide a parking space for one of the residential units.

Debbie Greer, owner of 72 Broadway, spoke to the committee and shared her concerns which included:

- applicant's contractors parking on her property;
- vehicles blocking the Town-owned laneway leading to her property; and
- damage to the asphalt on her property as described in her submitted correspondence.

Alan Howe advised Ms. Greer that the committee is unable to assist her with her concerns and that she should seek legal advice.

Mr. Howe asked the applicant if he owns the offsite property. Mr. Mair advised that he does not own the property.

Mr. Howe asked if the parking spaces on his property will be designated spaces. Mr. Mair advised they will be designated spaces.

Rita Baldassara asked for clarification on how many parking spaces will be on site. Mr. Mair confirmed there will be three parking spaces on site and one offsite.

She asked if the 10-year lease will be placed on title of the property. Mr. Mair said it will not be on title. She expressed her concerns about the lease not being on title, and the fact that it expires in ten years.

She asked if the offsite property meets the required parking for the uses on site. Ms. Russell said she did not have that information.

Note: The committee recessed from 6:25 p.m. to 6:34 p.m.

Moved by Rita Baldassara

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 refused.

Carried

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

None.

9. Date of Next Meeting

The next meeting is scheduled for April 2, 2025.

10. Adjournment

The meeting was adjourned at 6:36 p.m.

Subject: Planning Report A04-25 – 200 Jull Court

Department: Infrastructure Services

Division: Committee of Adjustment

Meeting Date: 2025-04-02

Recommendations

That Planning Report A04-25 – 200 Jull Court be received;

And that Minor Variance Application (File No. A04-25) to reduce the rear yard setback required from 7.0 metres to 1.5 metres, only as it relates to the extent of a deck with associated stairs generally as shown on Attachment No. 2, be approved.

Introduction

Legal Description: Lot 31, Plan 313

Municipal Address: 200 Jull Crt

Applicant(s): Jamieson Fine Homes Inc.

Official Plan Designation: Residential

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

Purpose: The applicant is requesting a minor variance to reduce the minimum rear yard setback from 7.0 metres to 1.5 metres.

Background

The subject property, 200 Jull Court, is located on the corner of Jull Court and Edenwood Crescent. Edenwood Crescent is located off Credit Creek Boulevard. The property is approximately 761 square metres in area with a lot frontage of 15.22 m along Jull Court (Attachment 1).

The applicant submitted a building permit application in November 2024 for an additional residential unit (ARU) in the basement and interior renovations in the main

floor dwelling unit. The renovations proposed for the main floor included a patio door and deck, as an additional egress for the main floor dwelling unit and access to the rear yard. The deficient rear yard setback was identified by Planning staff and the permit was revised to only include the basement ARU. The applicant has decided to proceed with constructing the deck, but based on the irregular layout of this lot, it would encroach into the required 7.0 metre minimum rear yard setback, leaving a 1.5 metre setback from the lot line. The applicant has therefore applied for this Minor Variance to seek a reduction from this rear yard setback requirement to allow the deck off the main floor unit.

Pending approval by the Committee of Adjustment of this application, the proposed development will comply with the Zoning By-law; however it will still require a permit 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 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 proposed deck is an accessory structure to the permitted residential use. It does not present any conflict with relevant policies under the Community Form and Identity Section D7 of the Town's Official Plan. Therefore, it is staff's opinion that the application conforms to the intent and purpose of the Town's Official Plan.

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

The subject property is zoned Residential, Second Density (R2) in Zoning By-law 22-90, as amended. The R2 zone permits single detached dwellings and other residential uses. Additional Residential Units (ARUs) are permitted in detached dwellings in accordance with Section 5.29 of the Zoning By-law.

The required rear yard setback for single detached dwellings in the R2 zone is 7.0 metres. The Zoning By-law was enacted by Town Council on March 19, 1990. The existing house, built in 1988, has a legal non-complying rear yard setback of approximately 4.42 metres. The irregular shaped corner lot and the size and orientation of the dwelling on the lot resulted in this rear yard setback (Attachment 1 and 2).

Section 5.22 permits a rear yard encroachment of 1.8 metres for decks, inclusive of any associated stairs and landings. The applicant is proposing a 2.89 metre encroachment into the rear yard, reducing the rear yard setback from 7.0 metres to 1.5 metres.

The general intent of a rear yard setback is to provide adequate rear yard amenity space, manage massing, and reduce potential overlook and privacy issues. In addition, setbacks ensure sufficient separation from the lot line for lot drainage and maintenance purposes, and access around the property in the case of an emergency.

Given the irregular shape of the subject property which provides a generous side yard to the south of the dwelling and the purpose and height of the proposed deck, a reduction in outdoor amenity space is not anticipated. However, the reduced rear yard setback and the height of the proposed deck (2.74 metres) could present privacy and overlook concern for the adjacent neighbour. The applicant has demonstrated that the proposed deck will face the driveway and the side of the neighbours garage, not the house or rear yard, which would present a more significant concern for the adjacent property (Attachment 3). The 1.5 metre remaining between the deck and the property line is anticipated to be adequate for drainage, maintenance, and emergency access. It is the same as the side yard setback required for a dwelling having more than one storey in the R2 zone. In order to avoid potential impacts that could result if a larger deck were to be constructed with this reduced setback permission, planning staff have recommended that the requested variance be limited only to the extent of deck that is proposed with this application, as show in Attachment 2.

It is staff's opinion that the requested variance as recommended in this report, 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

Adding additional residential units (ARUs) to residential properties is considered gentle intensification and is desirable and appropriate use of the land. The requested variance will provide a deck amenity space and access to the rear yard and side yard amenity space from the main floor dwelling unit.

4. Minor in Nature

Based on the above analysis, the requested variance is considered to be minor in nature. There are no anticipated negative impacts on the property or adjacent properties.

Summary

In summary, based on the application as submitted, planning staff are of the opinion that the applicable tests under the Planning Act are satisfied and have no objections to the approval of Minor Variance Application A-04/25 – 200 Jull Crt.

Infrastructure Services – Transportation & Development Comments:

Transportation & Development does not object to this application provided that the Applicant acknowledges that the grading and drainage scheme of this lot is not to be

altered so as to impact abutting properties and or the municipal rights-of-way. Any adverse impacts or matters that may arise as a result of this proposed variance shall be rectified by the Applicant at their expense.

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

Susan Pottle
Planning Technician, Infrastructure Services

Reviewed by

Brandon Ward, MCIP, RPP
Planning Manager, Infrastructure Services

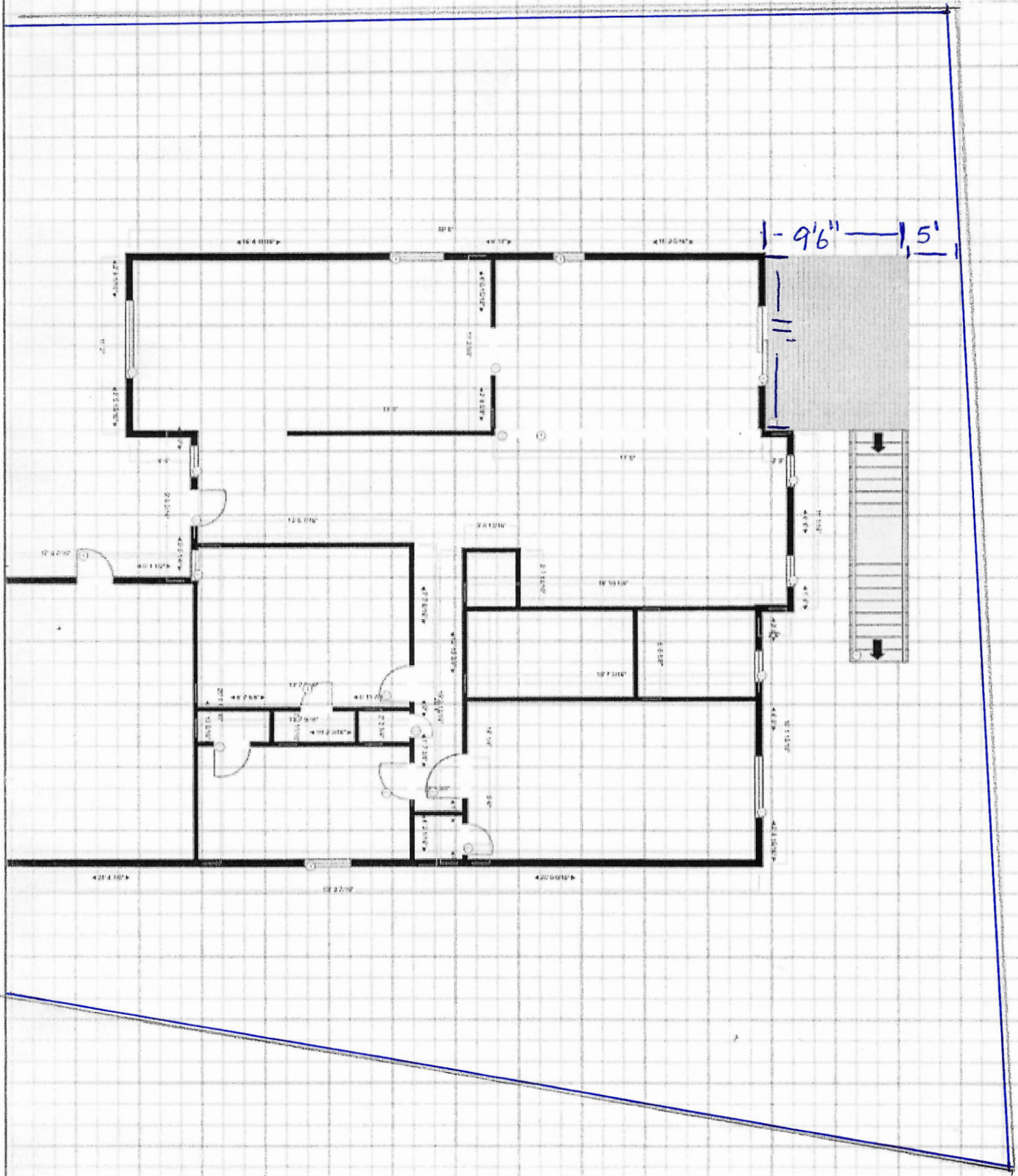
Attachment(s):

1. Location Map
2. Site Plan
3. Aerial Photo & Photo from Patio Door

Attachment 1: Location Map
File: A-04/25
Applicant(s): Jamieson Fine Homes



EDENWOOD CRES



VIEW FROM INSIDE KITCHEN



