



### **Electronic Participation**

The Corporation of the Town of Orangeville  
Chair and Secretary-Treasurer participated remotely

## **Minutes of a meeting of the Committee of Adjustment Held on July 8, 2020 at 6:00 p.m.**

### **Members Present**

Grant Bennington (at 6:45pm)  
Jason Bertrand  
Alan Howe  
Hiedi Murray, Chair

### **Staff Present**

Larysa Russell, Senior Planner  
Brandon Ward, Manager of Planning  
Carolina Khan, Secretary-Treasurer

## **1 Notice**

The Chair, Hiedi Murray, advised of the continued closure of Town Hall and that Council Chambers is not available for the public to physically attend the Committee of Adjustment meeting. However, steps have been taken to facilitate public viewing and access.

## **2 Call to Order**

The Chair called the meeting to order at 6:06 p.m.

## **3 Disclosures of (Direct or Indirect) Pecuniary Interest**

None

## **4 Adoption of Minutes of Previous Meeting**

Moved by Jason Bertrand

**That the minutes of the following meeting are hereby approved:**

- **May 27, 2020**

**Carried.**

## **5 Statutory Public Meeting**

- 5.1** In the matter of an application by Steddy Corp for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Lot 7 and Part of Unnumbered Lot B, Block 5, Registered Plan 138, Part 2, Reference Plan 7R-6603 municipally known as 96-98 Broadway (portion fronting onto 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". File No. A-06/20.

Explanatory Note:

The applicant is requesting a minor variance to increase the maximum permitted encroachment for an unenclosed fire escape in the rear yard from 1.2 metres to 1.91 metres and to reduce the minimum required landscape strip adjacent to the street line from 3 metres to 1.5 metres.

- 5.1.1 A report from L. Russell, Senior Planner, Infrastructure Services, dated July 8, 2020
- 5.1.2 A report from J. Lackey, Manager, Transportation & Development, dated June 29, 2020

The Chair asked if anyone wished to speak regarding the application.

Rob Mair of Steddy Corp, indicated that the application was submitted due to plans to build on the lot and a variance being required.

The Chair asked if anyone wished to speak in opposition – no one spoke in opposition.

Moved by Alan Howe

**That the following reports be received:**

- **A report from L. Russell, Senior Planner, Infrastructure Services, dated July 8, 2020.**

- **A report from J. Lackey, Transportation and Development, dated June 29, 2020.**

**And that the application by Steddy Corp for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Lot 7 and Part of Unnumbered Lot B, Block 5, Registered Plan 138, Part 2, Reference Plan 7R-6603 municipally known as 96-98 Broadway (portion fronting onto 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, be received;**

**And that the request for a minor variance to increase the maximum permitted encroachment for an unenclosed fire escape in the rear yard from 1.2 metres to 1.91 metres and to reduce the minimum required landscape strip adjacent to the street line from 3 metres to 1.5 metres, be approved, subject to the following conditions:**

- 1. That the variances be limited to the extent shown on the approved Site Plan (File No. SP2/20).**

**Carried.**

- 5.2** In the matter of an application by Pankaj Mohan and Kavita Mohan for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Lot 222, Registered Plan 43M-1187, Parts 10-12 on Reference Plan 7R-4400, municipally known as 383 Jay Crescent, 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) Zone". File No. A-07/20.

Explanatory Note:

The applicants are requesting a minor variance to increase the maximum driveway width from 4.0 metres to 5.67 metres to accommodate the parking requirements for two dwelling units.

- 5.2.1 A report from L. Russell, Senior Planner, Infrastructure Services, dated July 8, 2020.
- 5.2.2 A report from J. Lackey, Manager, Transportation & Development dated June 29, 2020.

The Chair asked if anyone wished to speak regarding the application.

Pankaj Mohan of 383 Jay Crescent, explained that the nature of the application is to be able to have 2 parking spaces

The Chair asked if anyone wished to speak in opposition – no one spoke in opposition.

Recommendation 2020-015

Moved by Jason Bertrand

**That the following reports be received:**

- **A report from L. Russell, Senior Planner, Infrastructure Services, dated July 8, 2020.**
- **A report from J. Lackey, Transportation and Development, dated June 29, 2020.**

**And that the application by Pankaj Mohan and Kavita Mohan for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Lot 222, Registered Plan 43M-1187, Parts 10-12 on Reference Plan 7R-4400, municipally known as 383 Jay Crescent, 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, be received;**

**And that the request to increase the maximum driveway width from 4.0 metres to 5.67 metres to accommodate the parking requirements for two dwelling units, be approved, subject to the following conditions:**

- 1. That a maximum 5.0 metre portion of the driveway, matching the exterior extent of the garage, be paved, and the additional driveway width be constructed of a different material such as patio stones or permeable pavers.**
- 2. That the damaged concrete curb between the applicant's driveway and the adjacent driveway at 385 Jay Crescent be replaced.**

**Carried.**

- 5.3** In the matter of an application by Shokeen (Nina) K. Singh for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Block 6, Registered Plan 7M-71, Part 36 on Reference Plan 7R-6458, municipally known as 72 Winterton 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 "Multiple Residential Medium Density (RM1) Zone". File No. A-08/20.

Explanatory Note:

The applicant is requesting a minor variance to reduce the minimum rear yard setback from 6 metres to 2.53 metres to permit the construction of a deck.

- 5.3.1 A report from B. Ward, Manager of Planning, Infrastructure Services, dated July 8, 2020.
- 5.3.2 A report from J. Lackey, Manager, Transportation & Development dated June 29, 2020.
- 5.3.3 A letter from E. Paudel, Technician, Planning, Credit Valley Conservation dated June 23, 2020.

The Chair asked if anyone wished to speak regarding the application.

Shokeen (Nina) Singh of 72 Winterton Court advised that the purpose of the application is to construct a deck.

The Chair asked if anyone wished to speak in opposition – no one spoke in opposition.

Recommendation 2020-016

Moved by Alan Howe

**That the following reports be received:**

- **A report from B. Ward, Manager of Planning, Infrastructure Services, dated July 8, 2020.**
- **A report from J. Lackey, Transportation & Development, dated June 29, 2020.**
- **A letter from E. Paudel, Technician, Planning, Credit Valley Conservation dated June 23, 2020.**

**And that the application by Shokeen (Nina) K. Singh for a minor variance to Zoning By-law 22-90, as amended, on property described as Part of Block 6, Registered Plan 7M-71, Part 36 on Reference Plan 7R-6458, municipally known as 72 Winterton 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, be received;**

**And that the request for minor variances to reduce the minimum rear yard setback from 6 metres to 2.53 metres to permit the construction of a deck, be approved.**

**Carried.**

- 5.4** In the matter of an application by Heather Beaumont for a minor variance to Zoning By-law 22-90, as amended, on property described as Lot 24, Block 10, Registered Plan 222, municipally known as 59 First 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) Zone". File No. A-09/20.

Explanatory Note:

The applicant is requesting a minor variance to permit the sale of food or food products for a cannabis retail store to a maximum of fifteen percent (15%) of the floor area.

- 5.4.1 A report from B. Ward, Manager of Planning, Infrastructure Services, dated July 8, 2020
- 5.4.2 A report from J. Lackey, Manager, Transportation & Development dated June 29, 2020

The Chair asked if anyone wished to speak regarding the application.

George Thomson of 57 First Street expressed concerns with respect to a cannabis store within the area and questioned if it would be more appropriate for such a store to be in a downtown or commercial area.

Brandon Ward, Manager of Planning, explained that the use is permitted per the Zoning By-law and that the matter in question is the sale of food products. It was further explained that a transitional type neighbourhood accommodates neighbourhood, service, commercial uses and traditional food uses are restricted, such as retail or grocery stores. However, with respect to cannabis products, it is in keeping with Official Plan policy.

Sharlene Lochan, agent for Heather Beaumont of 59 First Street, addressed the concerns regarding cannabis products in the area, outlining that food products and beverages are pre-packaged, sealed, tested, and government certified. Furthermore, that no cannabis food products would be produced on-site and all are purchased from the Province. Also, does not currently expect cannabis food products to cover more than 5-10% of floor space.

It was further explained that strict rules would be in place to ensure that no cannabis consumption or smoking would be allowed on site and that all products leave the store in black bags. Moreover, an entrance on the side of the building will be used to try and mitigate any potential impact on other properties.

Jason Bertrand inquired if the business owners are going through the AGCO approval process for the cannabis retail store and was advised in the affirmative and that it was estimated to be far along the approval process.

Jason Bertrand inquired as to how the business might be impacted, should the minor variance application be denied, and how that might impact the AGCO application. Sharlene Lochan advised that it would limit the extent of items that

could be offered in the store, which would contribute to individuals continuing to turn to illicit sources to attain products and that it could affect the business and its application with the AGCO.

Alan Howe inquired if any food products would be prepared on-site, if all items would be pre-packaged, and if all customers would leave with black bags. Sharlene Lochan advised in the affirmative and that products are packaged in child-proof containers and each product is wrapped and pre-sealed.

Recommendation 2020-017

Moved by Jason Bertrand

**That the following reports be received:**

- **A report from B. Ward, Manager of Planning, Infrastructure Services, dated July 8, 2020.**
- **A report from J. Lackey, Transportation & Development, dated June 29, 2020.**

**And that the application by Heather Beaumont for a minor variance to Zoning By-law 22-90, as amended, on property described as Lot 24, Block 10, Registered Plan 222, municipally known as 59 First 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, be received;**

**And that the request for a minor variance to permit the sale of food or food products for a cannabis retail store to a maximum of fifteen percent (15%) of the floor area, be approved.**

**Carried.**

## **6 Items for Discussion**

### **6.1 Committee meeting times**

The committee discussed changing the start time of future Committee of Adjustment meetings from 7:00 p.m. to 6:00 p.m.

Recommendation 2020-018

Moved by Grant Bennington

**That the start time of future Committee of Adjustment meetings be changed to 6:00p.m.**

**Carried.**

**7 Correspondence**

None

**8 New Business**

None

**9 Date of Next Meeting**

The next meeting is scheduled for August 5, 2020.

**10 Adjournment**

The meeting was adjourned at 7:05 p.m.