
Subject: Planning Report – Application No. A-11/21 – 21 Centre Street

Department: Infrastructure Services

Division: Committee of Adjustment

Meeting Date: 2024-10-02

Recommendations

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.**

Introduction

Legal Description: Part of Lot 6, Registered Plan 170

Municipal Address: 21 Centre Street

Applicant(s): Mair Corp.

Official Plan Designation: Residential (Schedule “A”), Medium Density Residential (Schedule “C”)

Zoning (By-law 22-90): Multiple Residential Medium Density (RM1) Zone

Purpose: The applicant is requesting a minor variance to reduce the minimum rear yard from 10 metres to 6.1 metres.

Background and Analysis

The land subject to this application is an existing lot located on the east side of Centre Street just north of Hillside Drive, municipally known as 21 Centre Street. The lot area is approximately 833.5 square metres, with approximately 24.9 metres of frontage along Centre Street and a depth of 38.5 metres (see Attachment 1). A one storey single detached dwelling occupies the lot, which is proposed to be demolished to facilitate the development a multi-unit building.

The proposed building is 15.2 metres (4-storeys) in height and contains 8 units with a mix of one- and two-bedroom suites (see Attachments 2 and 3).

Due to constraints of the site, the proposal does not meet the zone standards for the side yard setback, parking, height and rear yard. As such, minor variances are required to permit the 4-storey multi-unit building.

The applicant previously submitted a minor variance application (File No. A10/24). The application was approved, with conditions, by the Committee of Adjustment on March 6, 2024, as follows:

1. to reduce the minimum side yard setback from 7.6 metres to 3 metres;
2. to reduce the minimum parking requirement from 14 parking spaces to 11 parking spaces; and,
3. to increase the maximum building height from 14 metres to 15.2 metres.

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

These approved variances address the deficiencies in the zone standards for the side yard setback, parking and height; however, the rear yard setback was overlooked and not considered as part of the approval. As such, this minor variance application seeks to reduce the minimum rear yard from 10 metres to 6.1 metres.

Pending approval by the Committee of Adjustment of this application, the proposed development will comply with the Zoning By-law; however, will still require Site Plan approval, and any applicable permits under the Ontario Building Code.

Analysis

Section 45(1) of the Planning Act, R.S.O. 1990, as amended, prescribes 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 the four tests:

1. Conformity with the Official Plan

The subject property is designated "Residential" in the Town of Orangeville Official Plan. This designation allows a range of housing types and densities. The subject site is designated "Medium Density Residential" (Schedule C), which permits row/townhouses and apartments with a maximum density of 99 units per net residential hectare.

The proposed development is a small multi-unit building with one and two-bedroom suites, which will contribute to a range of housing types in accordance with policy objectives outlined in section E1.2.3 of the Official Plan.

Section D7 "Community Form and Identity" of the Official Plan seeks to ensure all new development will be compatible with and compliment the Town's existing character and built form. These policies speak to appropriate heights, massing, and setbacks, to limit impacts on adjacent buildings, and are most applicable to development within an established residential neighbourhood.

The subject property is located on the edge of a mature residential area and is next to a recently developed 24 unit stacked townhouse development known municipally as 17 Centre Street, and older 3-storey multi-unit buildings at 4, 8 and 12 Hillside Drive. Directly across from the subject site is the County of Dufferin administrative offices (Edelbrock Centre) and the Orangeville Transit Hub. Therefore, the impact on community form and identity that could result from the proposed variance will be negligible.

The proposed variance does not conflict any high-level policy direction of the Official Plan.

As such, 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 Multiple Residential Medium Density (RM1) on Schedule 'A' of Zoning By-law 22-90, as amended. The RM1 zone permits a wide range of residential uses including a converted dwelling house containing four or more dwelling

units, a multiple dwelling, a townhouse dwelling, a group home, a long-term care facility, a retirement home, and a crisis care centre.

Section 12.2.5 prescribes a minimum rear yard setback of 10 metres. The applicant is requesting a minor variance to reduce the minimum required rear yard setback from 10 metres to 6.1 metres.

The subject property is located on the edge of a mature residential area and surrounded by the following uses:

- north: a recently developed 24 unit stacked townhouse development at 17 Centre Street;
- south and east: older 3-storey multi-unit apartment buildings at 4, 8 and 12 Hillside Drive;
- west: the County of Dufferin administrative offices (Edelbrock Centre) and the Orangeville Transit Hub.

The rear yard setback (east) abuts the surface parking area of 12 Hillside Drive, which is approximately 20 metres wide. Approximately 12 metres further east is the building located at 8 Hillside Drive. This results in a setback of approximately 32 metres from the rear property line at 21 Centre Street to the closest building at 8 Hillside Drive. Given the ample setback to adjacent buildings from the rear property line, staff do not anticipate any adverse impacts in terms of privacy or overlook due to the proposed rear yard reduction.

Consistent with the previous Committee of Adjustment approval, staff are recommending the same conditions. These include the preparation of a satisfactory Low Impact Development Brief, and that the variance be limited in accordance with approved Site Plan drawings.

Considering the above, the proposed rear yard setback reduction maintains the general intent and purpose of the Town's Zoning By-Law, subject to the proposed conditions.

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

Multi-residential uses are permitted pursuant to the policies of Zoning By-law No. 22-90. The proposed variance will not have adverse impacts on surrounding properties, while allowing for the redevelopment of an underutilized residential property.

The requested variances are 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:

Transportation & Development has no objection to approval of the variance subject to the conditions currently imposed through this application. Staff will provide further construction, grading and servicing comments and direction during the site plan review 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

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. Proposed Site Plan
3. Proposed Building Elevations