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

**Department: Infrastructure Services**

**Division: Committee of Adjustment**

**Meeting Date: 2025-03-05**

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### **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;
2. 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 4<sup>th</sup> 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 5<sup>th</sup> 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

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Attachments:

1. Location Map
2. Site Plan
3. Floor Plans & Elevations