



**Minutes of a Committee of Adjustment Meeting
Electronic Participation**

**February 3, 2021, 6:00 p.m.
Chair and Secretary-Treasurer Participating Remotely
The Corporation of the Town of Orangeville**

Members Present: Rita Baldassara
Grant Bennington
Jason Bertrand
Alan Howe
Hiedi Murray, Chair

Staff Present: L. Russell, Senior Planner
B. Ward, Manager, Planning
C. Khan, Secretary-Treasurer

1. Call to Order

The meeting was called to order at 6:00 p.m.

2. Disclosures of (Direct or Indirect) Pecuniary Interest

None

3. Adoption of Minutes of Previous Meeting

Recommendation: 2021-001

Moved by Alan Howe

That the minutes of the following meeting are approved:

2020-12-02 Committee of Adjustment Minutes

Carried

4. Statutory Public Hearing

4.1 File No. A-01/21 - 18 Young Court

The Chair asked if anyone wished to speak in favour of the application. Ilya Rastorguev (Applicant) identified himself as present. Natalia Filipova (Agent) explained that there had been previous approved minor variance requests for the property and are now seeking to do more renovations.

The Chair asked if anyone wished to speak in opposition of the application. No comments made.

Recommendation: 2021-002

Moved by Jason Bertrand

That the following reports and correspondence be received:

- A report from L. Russell, Senior Planner, Infrastructure Services, dated February 3, 2021.
- A report from A. Li, Planner, Planning & Development Services, Credit Valley Conservation, dated January 28, 2021.

And that the application by Ilya Rastorguev for a minor variance to Zoning By-law 22-90, as amended, on property described as Lot 46 on Registered Plan 7M-40, municipally known as 18 Young 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 a minor variance to increase the maximum lot coverage from 30% to 41% in order to permit the construction of a proposed addition to the front of the garage, an addition to the front of the porch, a shed, and legalize an existing raised deck; and to reduce the minimum front yard setback from 6 metres to 5.5 metres to permit the construction of a proposed addition to the front of the garage, be approved with the following condition:

- That the variances be limited to the extent shown on the sketch attached to the Public Notice.

Carried

4.2 File No. A-02/21 - 41 William Street

The Committee heard applications A-02/21 and B-01/21 concurrently.

The Chair asked if anyone wished to speak in favour of the application. Nick Bogaert (Agent) explained that the subject property is a large lot as it was originally two separate lots on an old plan of subdivision which merged over time and the purpose of the application is to re-establish the former lot lines in order to accommodate an additional detached dwelling.

Rita Baldassarra asked if the existing trees would need to be cut down to allow for the proposed development. Nick Bogaert advised that some trees would need to be removed but not the ones on the boulevard.

Spencer Brown spoke in favour of the application and advised that the intent is to keep as many trees as possible.

Jason Bertrand asked if the Town has a tree cutting policy and the Manager of Planning advised in the negative.

The Chair asked if anyone wished to speak in opposition of the application. No comments made.

The Chair expressed concerns, particularly noting that the size of the lot is small and that the street is comprised of single storey and one and a half storey homes and that the proposed two-storey house would have a higher profile than others which make it incompatible for the street.

Spencer Brown advised that the Town has communicated that it would allow for the property to access the town easement portion to act like a

wider lot for use as the side yard of the proposed single detached dwelling.

Rita Baldassarra asked why the new lot is not planned at the back of the property as opposed to using the town easement portion and was advised by Nick Bogaert that the current proposal is with respect to stage one which seeks to re-establish the lot lines as part of a comprehensive infill development and that stage 2 will address the rezoning of the property.

Spencer Brown explained that the application before the Committee was to re-establish the former lot lines and that the Town already services the property (water, sanitary, storm sewer). Also, that the proposal is consistent with provincial policy and that the Town of Orangeville Official Plan allows for intensification. Spencer Brown further explained that the proposed project seeks to develop around the existing house and improve it. Furthermore, that large lots in the area with homes averaging 2,500 sq. ft. would be sold on the market for about \$1 million but smaller lots are more affordable.

Grant Bennington expressed concerns with respect to the creation of a new lot.

Spencer Brown advised that there are various other comparable lot sizes in the area.

Brandon Ward advised that in considering the application, it is not a question of likeness or duplication of surroundings but rather a question of planning compatibility with respect to considerations regarding setbacks and streetscapes. Furthermore, that in this regard, the setbacks and variances proposed present good similarities in terms of the existing built environment and that the introduction of a single detached dwelling and broader intensification is similar to the detached surroundings.

Brandon Ward also noted that it is important to proceed with the proposed development comprehensively and that a rezoning process is encouraged. Lastly, that the proposed development can be regarded as gentle intensification which is in line with surroundings and with the policy framework.

Alan Howe inquired if the proposed development included a semi-detached dwelling and was advised by Brandon Ward that it does but that it is planned for the second phase of the development and is to be located at the rear of the existing dwelling.

Alan Howe inquired as to why the severance was not proposed for other areas of the lot and was advised by Brandon Ward that the current zoning does not allow for a semi-detached dwelling, hence requiring a zoning amendment.

Alan Howe noted that it would have been preferable for the proposal to go through the zoning by-law amendment process prior to being considered by the Committee to allow for a better picture of the proposed end result and was advised by Spencer Brown that these applications were submitted prior to the zoning by-law amendment process in an effort to accumulate the necessary capital for the development of the property.

Recommendation: 2021-003

Moved by Alan Howe

That the following reports and correspondence be received:

- A report from B. Ward, Manager of Planning, Infrastructure Services, dated February 3, 2021.
- A report from C. Khan, Deputy Clerk, Corporate Services for the Heritage Orangeville Committee, dated January 21, 2021.
- A report from J. Lackey, Manager of Transportation & Development, Infrastructure Services, dated January 31, 2021

And that the application by Duncan Shaw for a minor variance to Zoning Bylaw 22-90, as amended, on property described as Lots 8 & 9, Block 1 on Registered Plan 216, municipally known as 41 William 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 reduce the minimum lot area from 464 sq. metres to 250 sq. metres, to reduce the minimum lot frontage from 17 metres to 9.9 metres, to reduce the minimum exterior side yard from 3.5 metres to 0.3 metres, to reduce the minimum interior side yard from 1.5 metres to 1.2 metres, and to increase the maximum lot coverage from 35% to 39%, be approved.

Defeated

Recommendation: 2021-004

Moved by Alan Howe

That the following reports and correspondence be received:

- A report from B. Ward, Manager of Planning, Infrastructure Services, dated February 3, 2021.
- A report from C. Khan, Deputy Clerk, Corporate Services for the Heritage Orangeville Committee, dated January 21, 2021.
- A report from J. Lackey, Manager of Transportation & Development, Infrastructure Services, dated January 31, 2021

And that the application by Duncan Shaw for a minor variance to Zoning Bylaw 22-90, as amended, on property described as Lots 8 & 9, Block 1 on Registered Plan 216, municipally known as 41 William 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 reduce the minimum lot area from 464 sq. metres to 250 sq. metres, to reduce the minimum lot frontage from 17 metres to 9.9 metres, to reduce the minimum exterior side yard from 3.5 metres to 0.3 metres, to reduce the minimum interior side yard from 1.5 metres to 1.2 metres, and to increase the maximum lot coverage from 35% to 39%, be approved with the following conditions:

- That the variances be limited to the extent of the “retained parcel” as shown on the sketch attached to the Notice of Hearing; and
- That the front façade of the proposed single detached dwelling be aligned with the existing heritage building in order to be consistent with the streetscape

Defeated

Recommendation: 2021-005

Moved by Grant Bennington

That the following reports and correspondence be received:

- A report from B. Ward, Manager of Planning, Infrastructure Services, dated February 3, 2021.
- A report from C. Khan, Deputy Clerk, Corporate Services for the Heritage Orangeville Committee, dated January 21, 2021.
- A report from J. Lackey, Manager of Transportation & Development, Infrastructure Services, dated January 31, 2021

And that the application by Duncan Shaw for a minor variance to Zoning Bylaw 22-90, as amended, on property described as Lots 8 & 9, Block 1 on Registered Plan 216, municipally known as 41 William 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 reduce the minimum lot area from 464 sq. metres to 250 sq. metres, to reduce the minimum lot frontage from 17 metres to 9.9 metres, to reduce the minimum exterior side yard from 3.5 metres to 0.3 metres, to reduce the minimum interior side yard from 1.5 metres to 1.2 metres, and to increase the maximum lot coverage from 35% to 39%, be refused for the following reasons:

- not compatible with the adjacent properties;
- insufficient lot size; and
- not found to be minor in nature, desirable for the appropriate development or use of the lands, and that the general intent and purpose of the Official Plan and the Zoning by-law are maintained.

Carried

4.3 File No. B-01/21 - 41 William Street

Recommendation: Recommendation 2021-006

Moved by Hiedi Murray

That the following reports and correspondence be received:

- A report from B. Ward, Manager of Planning, Infrastructure Services, dated February 3, 2021.
- A report from C. Khan, Deputy Clerk, Corporate Services for the Heritage Orangeville Committee, dated January 21, 2021.

- A report from J. Lackey, Manager of Transportation & Development, Infrastructure Services, dated January 31, 2021

And that the application by Duncan Shaw for consent to sever a parcel of land described as Lots 8 & 9, Block 1 on Registered Plan 216, municipally known as 41 William Street, in the Town of Orangeville, in the County of Dufferin, under the provisions of Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended, be received;

And that the request for consent to sever a parcel of land to create two separate lots. The severed parcel of land to have a frontage on William Street of 9.93 metres, a depth of approximately 25.32 metres and an area of approximately 250 sq. metres. The retained parcel of land to have a frontage on William Street of 19.84 metres, a depth of approximately 40.20 metres and an area of approximately 961 sq. metres, be refused for the following reason:

- that the proposal does not conform to the policies of the Town of Orangeville Official Plan, specifically with respect to intensification criteria.

Carried

5. Items for Discussion

None

6. Correspondence

None

7. New Business

None

8. Date of Next Meeting

The next meeting is scheduled for March 3, 2021 at 6:00 p.m.

9. Adjournment

The meeting was adjourned at 7:00 p.m.