



Report

Subject: Planning Report – A10-22 – 71 Mill Street

Department: Infrastructure Services

Division: Planning

Meeting Date: 2022-08-03

Recommendations

That Planning Report – A10-22 – 71 Mill Street, be received;

And that the Minor Variance Application (File No. A10-22) to increase the maximum height of an accessory building from 4.3 metres to 5.8 metres, to reduce the minimum interior side yard setback of an accessory building from 1.2 metres to 0.60 metres, to increase the maximum lot coverage for accessory buildings from 10% to 11%, and to increase the maximum lot coverage from 35% to 36%, be approved, generally in accordance with the submitted site plan.

Introduction

Legal Description: Part of Lots 35 & 36, Part of Lane, Block 7, Registered Plan 138

Municipal Address: 71 Mill Street

Applicant(s): Damian & Kym Stezinar

Official Plan Designation: Low Density Residential (Schedule 'C')

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

Purpose: The applicant is requesting minor variances to:

- (1) increase the maximum height of an accessory building from 4.3 metres to 5.8 metres;
- (2) to reduce the minimum interior side yard setback of an accessory building from 1.2 metres to 0.60 metres;
- (3) to increase the maximum lot coverage for accessory buildings from 10% to 11%; and
- (4) to increase the maximum lot coverage from 35% to 36%

These variances are to permit the construction of a detached garage.

Background

The subject property is legally described as Part of Lots 35 & 36, Part of Lane, Block 7, Registered Plan 138, and is municipally known as 71 Mill Street. It is located on the east side of Mill Street between Church Street and Mary Street. The property is approximately 486 square metres (5,231 square feet) in area, with 11.43 metres (37.5 feet) of frontage along Mill Street. A 2-storey detached dwelling exists on the property and is situated within a primarily residential area. The dwelling is included on the Town's Municipal Heritage Register of Properties of Cultural Value or Interest, as non-designated. The location of the subject property is indicated on Attachment No. 1.

The applicant is proposing to construct a 2-storey detached garage at the rear of the existing dwelling, as shown on Attachment No. 2. The existing shed will be removed. The General Provisions of the Zoning By-law stipulate that an accessory building shall not occupy more than 10% of the lot, exceed 4.3 metres in height, nor be closer than 1.2 metres to a side lot line (Section 5.2.2). Further, the Zoning By-law prescribes a maximum lot coverage of 35% (Section 8.2.8).

The proposed garage has a height of 5.8 metres and is setback 0.6 metres from the interior (south) property line, mimicking the setback of the existing shed which will be removed. The gross floor area from the garage counts towards the total lot coverage permissions for the property. Collectively it brings the total lot coverage for the property to approximately 36% when combined with the existing dwelling. Therefore, the purpose of this application is to increase the maximum height of an accessory building from 4.3 metres to 5.8 metres, to reduce the minimum interior side yard setback of an accessory building from 1.2 metres to 0.60 metres, to increase the maximum lot coverage for accessory buildings from 10% to 11%; and to increase the maximum lot coverage from 35% to 36%, in order to permit the construction of a detached garage.

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, R.S.O. 1990, as amended, outlines 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 these four tests:

1. Conformity with the Official Plan

The subject property is designated "Low Density Residential" in the Town of Orangeville Official Plan. Detached dwellings are permitted land uses pursuant to the policies of the Official Plan. The variances needed to facilitate the proposed garage do not offend any high-level policy direction of the Official Plan.

The proposed variances are 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 Residential Second Density (R2) Zone on Schedule 'A' of Zoning By-law 22-90, as amended. The R2 Zone permits single detached dwellings.

Section 5.2.2 of the By-law prescribes a minimum interior side yard setback of 1.2 metres to an accessory building. The applicant is requesting a minor variance to reduce the minimum interior side yard setback for an accessory structure from 1.2 metres to 0.6 metres to construct a 2-storey detached garage.

The purpose of a side yard setback is to provide ease of access to the rear amenity area, allow for property maintenance, and ensure privacy between properties.

There is an existing shed in a similar location on the property, which is currently setback approximately 0.6 metres from the interior (south) property line. The new garage proposes to mimic this existing condition. As such, the proposed 2-storey garage is similar to the existing condition and does not further impede the ability for maintenance or rear yard access.

Further, the proposed garage does not contain any new windows on the southerly (interior) side. This eliminates any concerns associated with overlook into the neighbouring rear yard. In order to further mitigate any impacts, planning staff have recommended that the reduced side yard setback is only to the extent of the proposed garage, as shown in Attachment 2.

The Zoning By-law prescribes a maximum height of 4.3 metres (Section 5.2.2) for an accessory structure, which is not adequate to facilitate a second storey above the garage. The applicants are requesting a minor variance to increase the maximum accessory building height from 4.3 metres to 5.8 metres.

The purpose of the 4.3 metre height restriction is to limit accessory structures to 1-storey in order to minimize sight-line and privacy impacts on adjacent properties.

As previously described, the 2-storey garage is proposed to have an interior (south) side yard setback of 0.6 metres (south), mimicking the existing shed condition. It does not contain any new windows on the southerly (interior) side, and is proposed to be used as an office and storage space, as opposed to a habitable dwelling unit. This eliminates any concerns associated with overlook into the neighbouring rear yard.

The Zoning By-law prescribes a total maximum lot coverage of 35% (Section 8.2.8) and a maximum lot coverage for an accessory building of 10% (Section 5.2.2). The applicants are requesting a minor variance to increase the total lot coverage from 35% to 36% and the lot coverage for an accessory building from 10% to 11%.

The purpose of the lot coverage restriction is to ensure that adequate amenity area is provided and that there are opportunities for landscaping. Lot coverage is defined as "part of the lot covered by a building or other structure including an accessory building or structure". Further restricting accessory structure lot coverage to 10% is to ensure that the dwelling is the predominant structure.

The proposed accessory structure footprint is approximately 49 square metres, or 11% of the total lot area. This size is required to provide adequate space on the ground floor of the garage for parking (approximately 2 cars in tandem), and adequate loft space for an office and storage. The footprint of the existing dwelling is approximately 123 square metres, or 25% of the total lot area. As such, the dwelling remains as the predominant structure on the property. When combining the footprints of the dwelling and proposed garage, the total proposed lot coverage is 36%. Given that this is only 1% more than the maximum, staff are satisfied that adequate amenity space will be available on the property and that the increase in lot coverage will not have any adverse impacts.

The requested variances maintain the general intent of the Zoning By-law.

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

Single detached dwellings, as well as detached garages, are permitted pursuant to the policies of the Zoning By-law No. 22-90. The proposed variances will not have adverse impacts on surrounding properties, while providing covered parking and storage space on the 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 variances to Zoning By-law No. 22-90 is deemed minor in nature.

Infrastructure Services – Transportation & Development Comments:

Infrastructure Services has reviewed the Notice of Hearing for minor variances, Application No. A-10/22 for the property described as Part of Lots 35 & 36, Part of Lane, Block 7, Registered Plan 138 municipally known as 71 Mill Street in the Town of Orangeville. The minor variances are to increase the maximum height of an accessory building from 4.3 metres to 5.8 metres, to reduce the minimum interior side yard setback of an accessory building from 1.2 metres to 0.60 metres, to increase the maximum lot coverage for accessory buildings from 10% to 11%, and to increase the maximum lot coverage from 35% to 36% in order to construct a detached garage.

Infrastructure Services is not aware of any grading, drainage or servicing issues that would preclude the granting of these minor variances. Concluding, Infrastructure Services, Transportation and Development Division does not object to the minor variances to increase the height of an accessory building from 4.3 metres to 5.8 metres, to reduce the minimum interior side yard setback of an accessory building from 1.2 metres to 0.60 metres, to increase the maximum lot coverage for accessory buildings from 10% to 11%, and to increase the maximum lot coverage from 35% to 36% in order to construct a detached garage.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Sustainable Infrastructure

Objective: Plan for Growth

Sustainable Neighbourhood Action Plan

Theme: Land Use and Planning

Strategy: Co-ordinate land use and infrastructure planning to promote healthy, liveable and safe communities

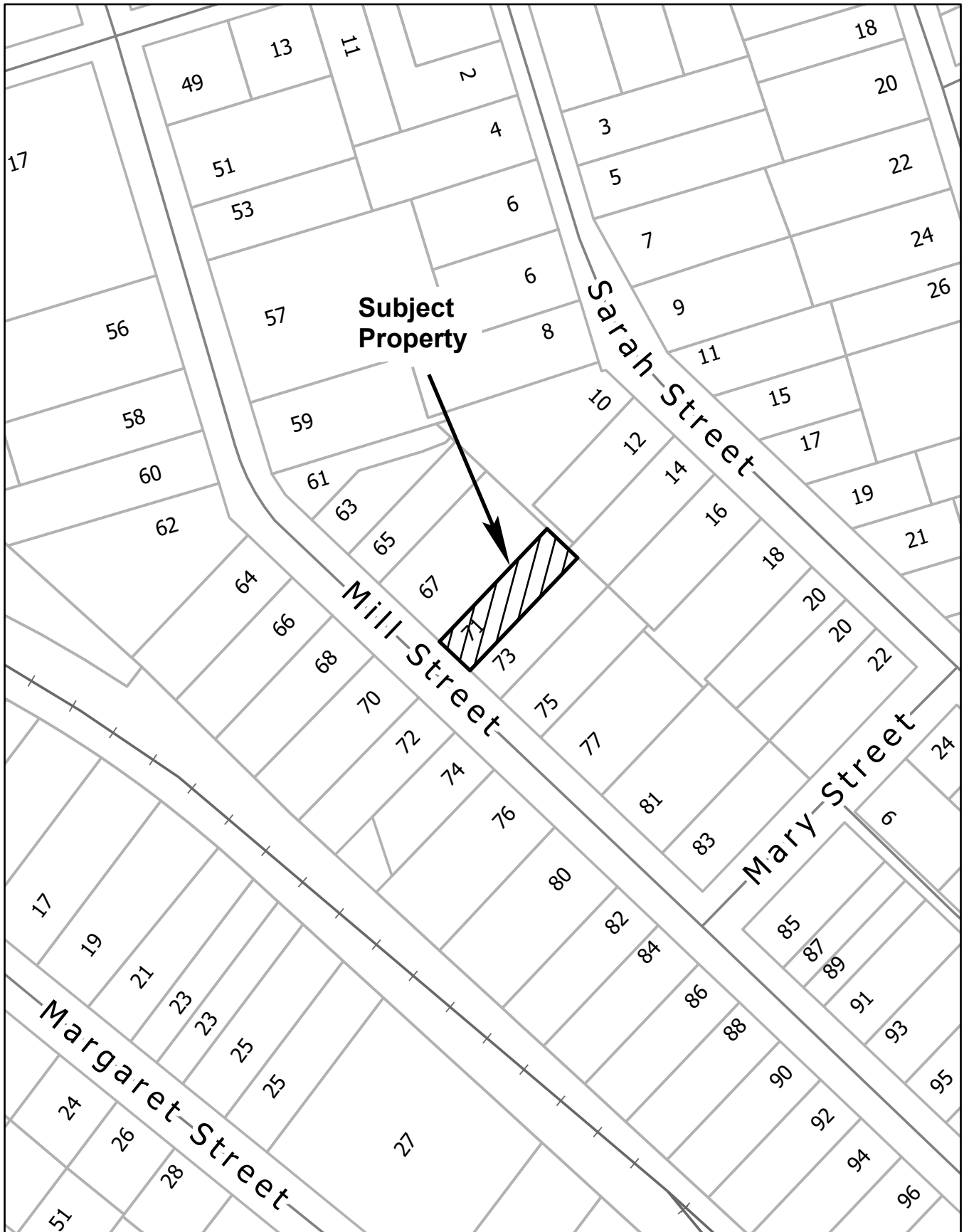
Prepared by

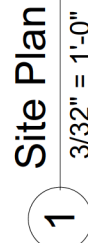
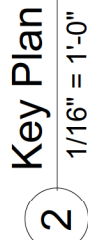
Larysa Russell, MCIP, RPP
Senior Planner, Infrastructure Services

Reviewed by

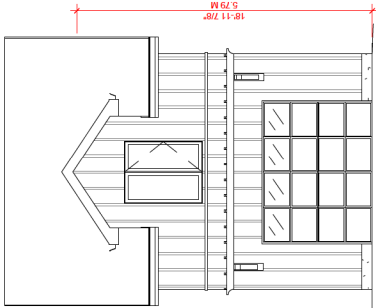
Brandon Ward, MCIP, RPP
Planning Manager, Infrastructure Services

Attachment(s): 1. Location Map
2. Site Plan, Elevations & Floor Plans

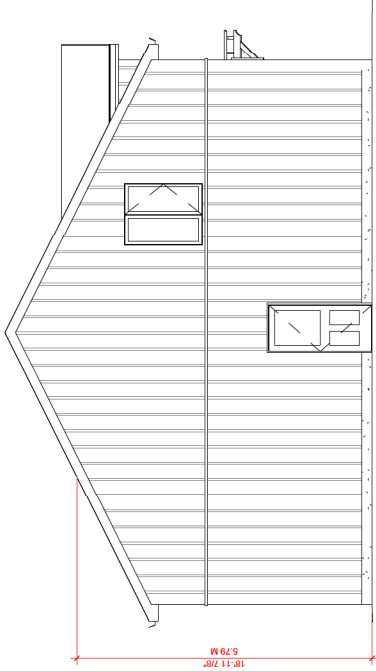




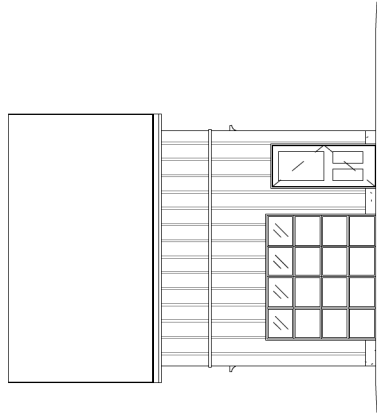
PJ	PROJECT NO: 2202-1127	S100



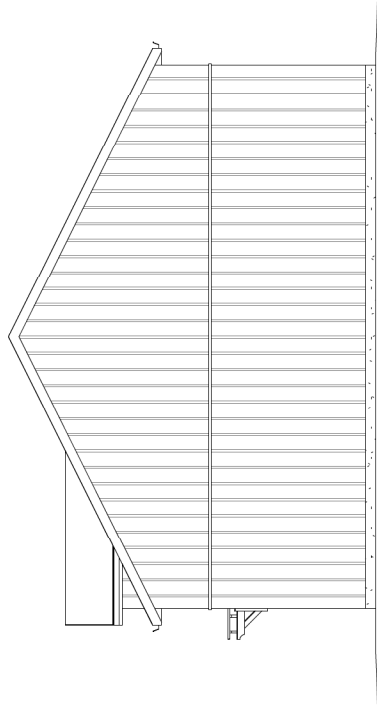
1 Garage - Front Elevation
1/8" = 1'-0"



2 Garage - Left Elevation
1/8" = 1'-0"



3 Garage - Rear Elevation
1/8" = 1'-0"



4 Garage - Right Elevation
1/8" = 1'-0"

Drawings are only valid for permits after they have been signed and sealed. They are only valid for the project and location specified in the title block. Scale of drawings is based on 11x17" paper size printed at a custom scale of 100%. Do not scale drawings.

Design Loads/Criteria

Floor Loads:
Live Load = 40 P.S.F.
Dead Load = 12 P.S.F.
Total Floor Load = 52 P.S.F.

Roof Loads:
Live Load = 48 P.S.F.
Dead Load = 15 P.S.F.
Total Roof Load = 63 P.S.F.

CLIENT NAME:
Damion & Kim Stezinar

Proposed Garage

LOCATION:
71 Mill Street,
Orangeville, L9W 2M6

JDC
JANSSEN DESIGN

23 Commerce Rd.
Orangeville, ON L9W 3X5
Phone #: 519.925.0663
Fax #: 519.925.1371
Email: natasha@janssengdesign.ca

BCIN QUALIFIED CERTIFIED
MAINTO, P. Arch. B. Tech.
PAUL JANSSEN
1994 - 2008

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.

The undersigned has reviewed and takes responsibility for the design and construction of the project and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Paul Janssen BCIN 25631

REGISTRATION INFORMATION
Firm Name: Janssen Design & Construction
(Div. of JDC Custom Homes Inc.)
BCIN 32079

DRAWING TITLE:
Garage Elevations

DATE:
June 27, 2022

DRAWN BY:
NJ

CHECKED BY:
PJ

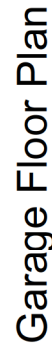
PROJECT NO:
2202-1127

REVISIONS

A104

- NOT FOR CONSTRUCTION - NOT FOR CONSTRUCTION - NOT FOR CONSTRUCTION -

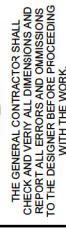
EXISTING SHED: 143 SQ. FT.
PROPOSED GARAGE: 530.8 SQ. FT.
PROPOSED LOFT: 530.8 SQ. FT.



Design Loads Criteria
Floor Loads:
 Live Load = 40 P.S.F.
 Dead Load = 12 P.S.F.
 Total Floor Load = 52 P.S.F.
Roof Loads:
 Live Loads = 48 P.S.F.
 Dead Load = 15 P.S.F.
 Total Roof Load = 63 P.S.F.

Proposed Garage

LOCATION:
71 Mill Street,
Orangeville, L9W 2M6



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
 Paul Janssen BCIN 25631

DRAWING TITLE:
Garage Floor
Plan

DATE: June 27, 2022	REVISIONS
DRAWN BY: NJ	
CHECKED BY: PJ	
PROJECT NO: 2202-1127	A102

EXISTING SHED: 143 SQ.FT.
PROPOSED GARAGE: 530.8 SQ.FT.
PROPOSED LOFT: 530.8 SQ.FT.

Loft Floor Plan

$$1/4" = 1'-0"$$
