



## Report

**Subject: Planning Report – A11-22 – 311A Broadway**

**Department: Infrastructure Services**

**Division: Planning**

**Meeting Date: 2022-08-03**

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### Recommendations

**That Planning Report – A11-22 – 311A Broadway, be received;**

**And that the Minor Variance Application (File No. A11-22) to permit an office in an existing building, be approved, subject to the following condition:**

- 1. That the variance be approved for a temporary period of two (2) years from the date of the Committee's decision.**

### Introduction

**Legal Description:** Lots 11 & 25, Part of Lots 10 & 24, Block 2, Plan 237

**Municipal Address:** 311A Broadway

**Applicant(s):** 2847162 Ontario Inc.

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

**Zoning (By-law 22-90):** Residential First Density (R1) Zone

**Purpose:** The applicant is requesting a minor variance to permit an office in an existing building.

### Background

The subject property is legally described as Lots 11 & 25, Part of Lots 10 & 24, Block 2, Plan 237, and is municipally known as 311A Broadway. It is located on the north side of Broadway, between Ada Street and Banting Drive. The property is approximately 1,649 square metres (17,750 square feet) in area. Given that the property is a through lot, it has 19 metres (62.5 feet) of frontage along both Broadway and Zina Street. A 1-storey place of worship exists on the property and is situated within a mixed-use area. The location of the subject property is indicated on Attachment No. 1.

The applicant is proposing to convert the existing place of worship into an office space which is proposed to be occupied by Edify, as shown on Attachment No. 2. Edify is a mental health centre which provides counselling services. This use is not permitted, and therefore the purpose of this application is to permit an office use within the existing building.

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 "Residential" in the Town of Orangeville Official Plan. Single detached dwellings are permitted uses pursuant to the policies of the Official Plan (Section E1.4.2). Further, public and private uses which are considered compatible and complimentary to the residential designation are also permitted. These uses include, but are not limited to: schools, cemeteries, religious institutions, meeting halls, hospitals, convalescent homes, boarding houses, group homes, nursing homes, retirement homes, crisis care facilities, nursery schools and public parks and recreational facilities (Section E1.3).

The proposed mental health centre offers a public service that is considered compatible and complimentary to the residential designation, and does not 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 "Residential First Density (R1)" on Schedule 'A' of Zoning By-law 22-90, as amended. The R1 Zone permits single detached dwellings, a crisis-care facility and group home. The existing place of worship is a legal non-conforming use, which would cease to be permitted should the variance for an office use be granted.

Section 17.1 of the By-law prescribes the permitted uses within the R1 zone, which do not include an office. Staff understand that the applicant has intentions of redeveloping the property in the future. However, at this time, the applicant is seeking a minor variance to permit an office within the existing building on an interim basis. The building is proposed to be occupied by Edify, a mental health centre which provides counselling services.

Typically land use changes and use permissions should be considered through a rezoning application in order to ensure the use is compatible with surrounding uses and will not result in adverse impacts. Currently, in addition to single detached dwellings, the R1 zone permits a “crisis-care facility” which is defined as:

“a non-profit establishment that is located within a free-standing building and that provides counselling, assistance and shelter for persons requiring immediate assistance for a short period of time, and without limiting the generality of the foregoing, shall include a halfway house, women’s shelter or a youth hostel operated on a non-profit basis.”

Although the proposed office use does not fit within the specific definition of a “crisis care facility” it can be considered similar in terms of being complimentary and compatible with the existing residential zone. Further, the proposed use meets all other performance standards of the by-law including parking.

Permitting the office use would allow a business to operate within the existing place of worship with minimal changes to the property. In order to ensure that the use is temporary in nature, and to recognize it as an interim use for the existing building, staff have recommended that the variance be approved for a temporary period of two (2) years from the date of Committee’s decision. Should the applicant choose to continue the use beyond a temporary 2-year period, a rezoning application would be more appropriate to evaluate a more permanent change in land use.

Subject to the recommended condition, the requested variance maintains the general intent of the Zoning By-law.

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

The proposed office use will not have adverse impacts on surrounding properties, while allowing a business to make use of the existing building.

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 a minor variance 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 a minor variance, Application No. A-11/22 for the property described as Lots 11 & 25, Part of Lots 10 & 24, Block 2, Plan 237 municipally known as 311A Broadway, in the Town of Orangeville. The minor variance is to permit an office use in an existing building.

Infrastructure Services is not aware of any grading, drainage or servicing issues that would preclude the granting of this minor variance. Concluding, Infrastructure Services,

Transportation and Development Division does not object to the minor variance to permit an office use in an existing building.

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## **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

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**Attachment(s):** 1. Location Map  
2. Site Plan

Location Map  
File: A-11/22  
Applicant: 2847162 Ontario Inc.



