



Committee of Adjustment
Decision of Committee with Reasons
Re Application for Minor Variance

Planning Act, R.S.O. 1990, c. P.13, ss. 45(8)

Approval Authority: The Corporation of the Town of Orangeville

Applicants: Alan McFayden

Location of Property: Part of Lots 11, 12, and 13, Block 8, Registered Plan 159, municipally known as 35 Second Street, in the Town of Orangeville, in the County of Dufferin.

Purpose of Application: The applicant is requesting minor variances to reduce the minimum interior side yard setback from 1.5 metres to 1.2 metres and to permit a 7.52-metre-wide driveway within 11.14 metres of the face of the proposed attached garage located in the rear yard. These variances are to permit the construction of a two-storey addition at the rear of the existing home.

We, the undersigned, in making the Decision upon this application have considered whether or not the variances requested were minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the zoning by-law and the official plan will be maintained, or in the case of a change in a use of property which is lawfully non-conforming under the by-law as to whether or not this application has met the requirements of Section 45(1) of the Planning Act,

Concur in the following Decision and reasons for the Decision made on the **2nd day of February, 2022**.

The Request is hereby: **Approved**

This Decision:

If **approved**: is subject to the conditions and for the reasons set out on page two of the Notice of Decision of the Committee of Adjustment.

If **refused**: is for the reasons set out on page two of the Notice of Decision of the Committee of Adjustment.

Scott Wilson, Vice Chair
Rita Baldassara, Member
Alan Howe, Member

Approved by all members present who concur in this Decision.

Certification
Planning Act, 1990, R.S.O. c. P.13, ss. 45(10)

I, Carolina Khan, Secretary-Treasurer of the Committee of Adjustment certify that this is a true copy of the Decision of the Committee given on **February 2, 2022** with respect to the application recorded therein.

Carolina Khan, Secretary-Treasurer
Committee of Adjustment

This Decision or any condition is subject to appeal to the Ontario Land Tribunal. The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the Secretary-Treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal.

For more information on the prescribed fee and to obtain a copy of the appeal form, please visit the Tribunal website at: <https://olt.gov.on.ca/appeals-process/>

Due to the COVID-19 declared emergency, the appeal form and payment may be delivered in person to the Town's drop box located outside Town Hall or mailed to:

Carolina Khan, Secretary-Treasurer
Committee of Adjustment
Town of Orangeville
87 Broadway
Orangeville, ON
L9W 1K1

Date Decision Mailed:

February 7, 2022

Last Day for Appealing this Decision:

February 22, 2022

(Appeals must be received no later than 4:00 p.m. on the above date)

Conditions: None

Reason for Decision:

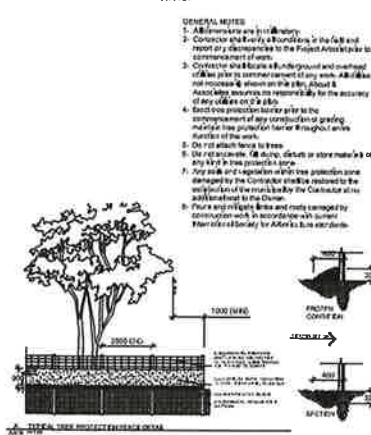
The Committee has received written and/or oral submission from the following during the hearing and has taken these submissions into consideration.

- Report from L. Russell, Senior Planner, Infrastructure Services, dated February 2, 2022.

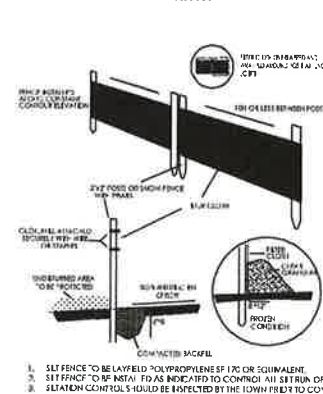
The Committee supports the report by L. Russell, Senior Planner regarding the application and finds the request to be minor in nature, desirable for the appropriate development or use of the lands and believes that the general intent and purpose of the Official Plan and the Zoning by-law are maintained.

ZONING TABLE				
ZONE R2 - RESIDENTIAL SECOND DENSITY				
	REQUIRED	EXISTING	PROPOSED	COMPLIANCE
1. MINIMUM LOT AREA	488 m ²	761.1 m ²	761.1 m ²	YES
2. MINIMUM LOT FRONTAGE	15.0 m	13.34 m	13.34 m	YES / EXISTING NON-COMPLIANCE
3. MINIMUM FRONT YARD	6.0 m	10.30 m	10.30 m	YES
4. MINIMUM EXTERIOR SIDE YARD	3.5 m	3.39 m	3.39 m	YES / EXISTING NON-COMPLIANCE
5. MINIMUM INTERIOR SIDE YARD	1.5 m	0.57 m	0.57 m	YES / EXISTING NON-COMPLIANCE
6. MINIMUM REAR YARD	7.0 m	39.26 m	23.82 m	YES
7. MAXIMUM BUILDING HEIGHT	9.2 m	9.2 m	8.80 m	YES
8. MAXIMUM COVERAGE	35%	9.54 % [24.6 m ²]	24.85 % [187.4 m ²]	YES

TREE PROTECTION FENCE DETAIL N.T.S.



SILT FENCE DETAIL N.T.S.



SITE PLAN APPLICATION NUMBER

TOWN OF ORANGEVILLE
ARCHITECTURAL SITE PLAN
PART OF LOTS 11, 12 and 13
BLOCK 8
REGISTERED PLAN 159
TOWN OF ORANGEVILLE



PROJECT NAME
35 SECOND STREET

PROJECT ADDRESS
35 SECOND STREET
ORANGEVILLE, ON

CLIENT
MASON WILMOT

ARCHITECT
KHALSA DESIGN INC.

DESIGN
KHALSA

BRAMPTON, ON
TELEPHONE: 647-668-2940

CONSULTANTS:

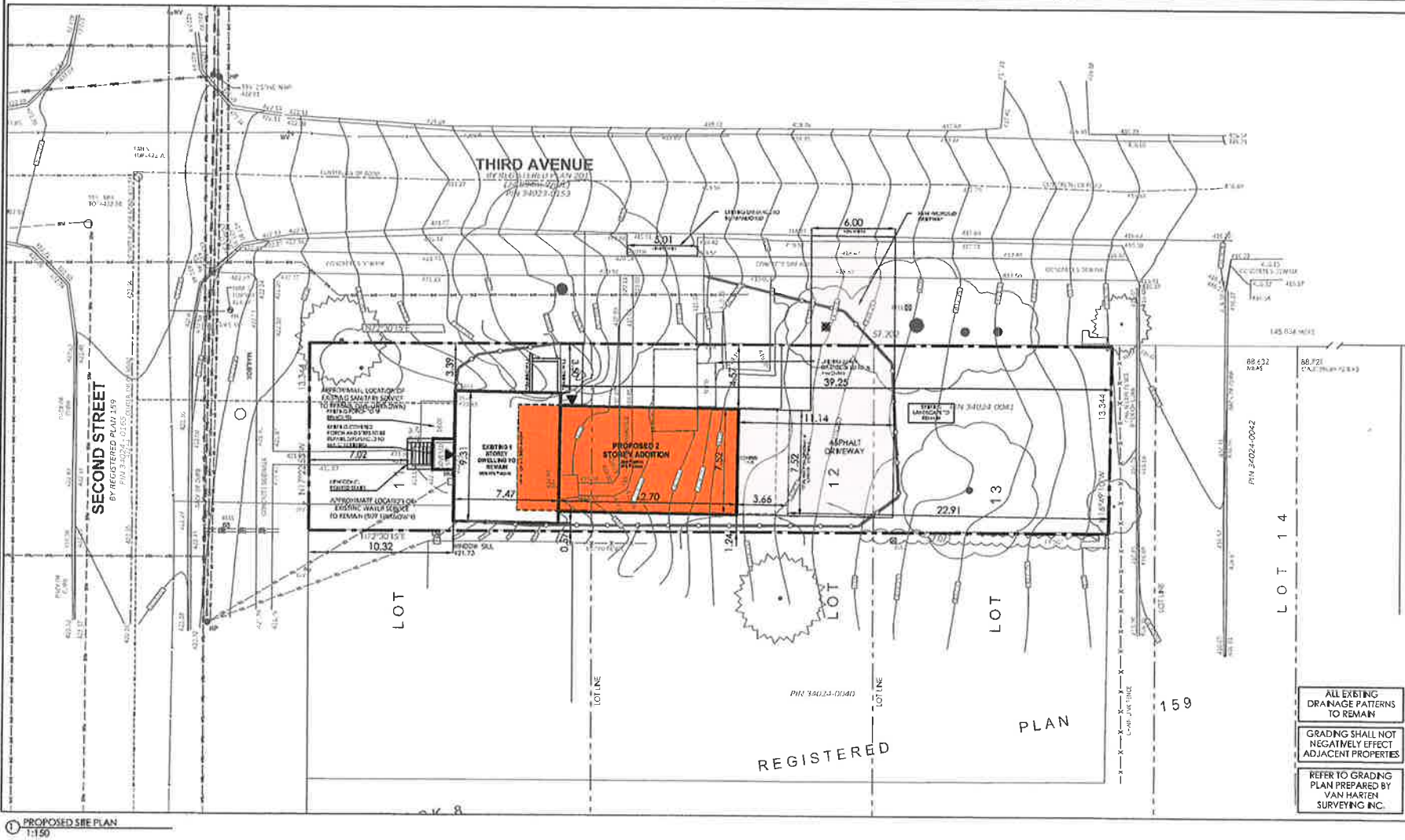
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CONSENT IS PROHIBITED AND SHALL
BE IN THE FULL ESTEEM OF THE LAW

Project number 21074
Date 12/01/2021
Drawn by AB
Checked by KJ
Scale As indicated

REVISIONS		
No.	Description	Date

PROPOSED
SITE PLAN

ASP-1
35 SECOND STREET



- GRADING & DRAINAGE NOTES**
- MINIMUM GRADE OF GRASS SWALES ALONG SIDE AND REAR LOT LINES SHALL BE 2.0% SLOPE. THE PROPOSED ELEVATION OF THE SIDE YARD SHALL BE A MINIMUM OF 0.1m BELOW THE FINISHED GRADE AT THE BUILDING LINE. THE MAXIMUM SWALE GRADE SHALL BE 1.0%.
 - TAKE UP REAR YARD GRADE DIFFERENCE USING SLOPES BETWEEN 2.0% AND 5.0% FOR A MAXIMUM OF 75% OF THE REAR YARD AND SLOPES OF 3% HORIZONTAL AND 1% VERTICAL MAXIMUM TO THE REAR LOT LINE.
 - EDGE OF THE DRIVEWAYS ARE A MINIMUM OF 1.0m FROM EDGE OF STREET CATCH BASIN AND STREET TURNING. THE BULKHEAD TO VERIFY THE LOCATION AND TO VERIFY THE ENGINEER'S DESIGN. THE DRAINAGE CANNOT BE MAINTAINED PRIOR TO EXCAVATION FOR THE "DOINGS".
 - BECK LINE SHALL BE 0.15m (6") ABOVE SOG ELEVATION.
 - ALL EXISTING STRUCTURES ADJACENT TO PUBLIC LANDS AND ON LOTS 11 AND 12 SHALL BE CONSIDERED WITH MATERIAL INCLUDING TO INDICATE COMPLIANCE WITH PRIVATE LANDS AND TOTAL "CLEAR OF 4.0m (13' 0") REDUCTIONS".
 - SOIL CONSULTANTS VERIFICATION REQUIRED FOR FOOTINGS CONSTRUCTED ON UNIMPROVED LOTS.
 - THE BULKHEAD MUST VERIFY THE AS CONSTRUCTED ON SANITARY AND STORM SERVICES. BULKHEAD AND FROM THE ENGINEER'S DESIGN. THE MINIMUM 2.0% GRADE CANNOT BE MAINTAINED PRIOR TO PLACING OF "CONCRETE FOOTING".
 - BULKHEAD TO VERIFY LOCATION ALL HYDRAULIC SHEET PILES TRANSFORMERS AND OTHER SERVICES. FURNISH DIMENSIONS ARE NOT MAINTAINED BULKHEAD TO RELOCATE AT THE OWN DISCRETION.
 - BULKHEAD TO STATE OUT DRIVEWAY CURB DEPRESSION AT TIME OF TOP CURB INSTALLATION.
 - THE PROPOSED GRADING AND APPROPRIATE DRAINAGE WORKS COMPLY WITH SOUND ENGINEERING PRINCIPLES.
 - THE PROPOSED GRADING IS IN CONFORMANCE WITH THE GRADING PLANS APPROVED ON THE 10% SPECIFIC AND WELLS AND WELLS ADJACENT ADJACENT LANDS.
 - THE PROPOSED GRADING IS IN CONFORMANCE WITH THE PROPOSED GRADING.
 - THE BULKHEAD IS RESPONSIBLE FOR RELOCATION OF ALL UTILITIES ON THE SITE, WHICH ARE NOT IN THE 10% SPECIFIC AND WELLS ADJACENT ADJACENT LANDS.
 - APPROVED 3% GRADE DRAWINGS AND CONSTRUCTION NOTES MUST BE REVIEWED AND COUNTERSIGNED WITH THE GRADING AND GRADING PLAN. BULKHEAD TO VERIFY BUILDING DEVELOPMENT ON THE PLAN. MATCHES APPROVED PERMITS DRAWINGS AND CONSTRUCTION NOTES PRIOR TO POURING CONCRETE. IF THERE ARE ANY DISCREPANCIES, THE ARTIST TO BE BROUGHT TO THE ATTENTION OF KHALSA DESIGN INC.
 - UNLESS NOTED ON BUILDING ENVELOPE OR APPROVED "TERM" DRAWINGS AND CONSTRUCTION NOTES, ALL TOP OF FOUNDATION WALLS INCLUDING GARAGE WALLS ARE TO BE CONSIDERED WITH THE DESIGN PROVIDED FOR IT. EITHER ON GRADING AND GRADING PLAN. THE DESIGN OF THE FOUNDATION WALLS TO BE PROVIDED WITH A REINFORCEMENT IN THE FORM FOR MASONRY VENEER AS REQUIRED.
 - THE BULKHEAD / APPLICANT AGREES THAT BY REQUESTING THE LOT GRADING CERTIFICATE BEFORE THE AVAILABILITY OF ANY CONSTRUCTION, THE BULKHEAD / APPLICANT ASSUMES ALL RESPONSIBILITIES OR ANY POTENTIAL COMPLETION OF THE LOT GRADING CERTIFICATE SHALL BE THE ULTIMATE SWEET CONNECTION ELEVATIONS AT THE STREET LINE.

SUMP PUMP TO BE CONNECTED TO THE STORM SERVICE WITH A 50mm AIR GAP AS PER TOWN STANDARDS.

- LEGEND:**
- (395.70) - PROPOSED ELEVATION
 - 394.82 - EXISTING ELEVATION
 - SLOPE
 - DIRECTION OF FLOW
 - PERFORATED PIPE
 - TEST PIT
 - WELL
 - AREA OF SAND
 - AREA OF STONE
 - TREE
 - TREELINE
 - RAIN WATER LEADER
 - 844 BELL PEDESTAL
 - UP UTILITY POLE
 - HP HYDRO POLE
 - CB CATCH BASIN
 - MANHOLE
 - FW FIRE HYDRANT
 - BOLLARD
 - GW GUY WIRE
 - LS LIGHT STANDARD
 - GV GAS VALVE
 - GM GAS METER
 - MONITORING WELL
 - WV WATER VALVE
 - WELL
 - IP1
 - RAIN WATER LEADER

ALL EXISTING DRAINAGE PATTERNS TO REMAIN

GRADING SHALL NOT NEGATIVELY EFFECT ADJACENT PROPERTIES

REFER TO GRADING PLAN PREPARED BY VAN HARTEN SURVEYING INC.