



**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:** Brian Divona and Laryssa Divona

**Location of Property:** Lot 43, Registered Plan 7M-42  
9 Mason Street, Orangeville

**Purpose of Application:** The applicant is requesting minor variances to: (1) increase the lot coverage from 45% to 53%; (2) reduce the northerly interior side yard setback from 1.2 metres to 0.46 metres; and (3) to reduce the rear yard setback from 1.2 metres to 0.15 metres to permit the construction of a deck in the rear yard.

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 **2<sup>nd</sup> day of September, 2020**.

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.

Hiedi Murray, Chair  
Rita Baldassara, Member  
Jason Bertrand, 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 **September 2, 2020** 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 Local Planning Appeal Tribunal (LPAT). 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 under the Local Planning Appeal Tribunal Act, 2017 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 LPAT website at: <https://elto.gov.on.ca/tribunals/lpat/about-lpat/>

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

**Date Decision Mailed:** September 4, 2020

**Last Day for Appealing this Decision:** September 22, 2020

(Appeals must be received no later than 4:30 p.m. on the above date)

**Conditions:** 1. That the variances be limited to the extent shown on the sketch attached to the Public Notice.

**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 September 2, 2020
- Report from J. Lackey, Manager, Transportation & Development, dated August 21, 2020

The Committee supports the reports by the Senior Planner and Manager of Transportation & Development, 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.