



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

**RE AN APPLICATION BY:** Hubert Denelzen

**LOCATION OF PROPERTY:** Lots 5, 6 and 7, Block 3, Registered Plan 159, (designated as Parts 2 to 4, Reference Plan 7R-1029) and Parts 1 and 2 on Reference Plan 7R-4594  
51 Broadway

**PURPOSE OF APPLICATION:** The applicant is requesting minor variances to reduce the front yard set back requirement from 9 metres (29.53 feet) to 4.1 metres (13.45 feet), reduce the minimum interior side yard set back requirement from 2.7 metres (8.86 feet) to 0.9 metres (2.95 feet), reduce the minimum rear yard set back requirement from 7.5 metres (24.61 feet) to 4.87 metres (15.98 feet), reduce the number of required parking spaces from 40 to 13 and to permit a parking area to be located abutting a street line. The variances are required to permit redevelopment of part of the existing automotive body repair shop.

WE, the undersigned, in making the decision upon this application have considered whether or not the variance requested was 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 decisions and reasons for decisions made on the **2<sup>nd</sup> day of June, 2004.**

THE REQUEST IS HEREBY **APPROVED IN PART WITH CONDITION**

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.

Signature of Member

Signature of Member

Signature of Member

Signature of Member

Signature of Member

**CERTIFICATION**

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

I, Susan Lankheit, Secretary-Treasurer of the Committee of Adjustment certify that this is a true copy of the decision of the committee given on **June 2, 2004** with respect to the application recorded therein.

Susan Lankheit, Secretary-Treasurer  
Committee of Adjustment

**THIS DECISION OR ANY CONDITION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED BY A CHEQUE IN THE AMOUNT OF \$125.00 PAYABLE TO THE MINISTER OF FINANCE.**

Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variance to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

**DATE DECISION MAILED: JUNE 7, 2004**

**LAST DAY FOR APPEALING THIS DECISION: JUNE 22, 2004**

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

**CONDITIONS:**

1. That a parking compound be provided in the entire area of the property located west of the building and north of the parking area.

**REASONS FOR DECISION:**

The variances as approved are considered minor in nature. It is the opinion of the Committee of Adjustment that the general intent and purpose of the Official Plan and Zoning By-law are maintained and the proposal is desirable for the appropriate development or use of the land, building or structure.

The minor variance to permit a parking area to be located abutting a street line has been refused, as in the opinion of the Committee, it is not desirable for the appropriate development or use of the land.