



V 860442

Ontario Municipal Board

IN THE MATTER OF Section 44(12) of the Planning Act, 1983

RECEIVED  
FEB 2 1987

AND IN THE MATTER OF an appeal by Bill Deffett from a decision of the Committee of Adjustment of the Town of Orangeville whereby the Committee granted an application numbered A-18/86 by Carolellen Norskey for a variance from the provisions of By-law 60-77 as amended, upon conditions, premises known municipally as 28 Zina Street

B E F O R E :

G.M. HOBART  
Member

- and -

E.F. CROSSLAND  
Member

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Tuesday, the 30th day

of December, 1986

THIS MATTER having come on for public hearing;

THE BOARD ORDERS that this appeal is hereby dismissed and the application is hereby granted subject to the conditions imposed by the Committee of Adjustment of the Town of Orangeville in their decision dated the 30th day of July, 1986.

SECRETARY

U.S. No.	U86-1
FILE No.	314
JAN 30 1987	



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Ontario Municipal Board

DISPOSITION as noted on Hearing Sheet dated December 30, 1986

The only planning evidence adduced was by the planner for the Town of Orangeville. He testified that the variance conformed with the general intent and purpose of the by-law and the Official Plan. He was also of the opinion that it was minor and was appropriate for the development of the property.

The appellant's concern was that the variance would bring the proposed addition two feet closer to his property and affect his light and accessibility. The appellant's home is located two feet closer to the lot line than the proposed addition of the applicant. The Board does not share the concern of the appellant. The Board accepts the evidence of the planner.

The Board therefore finds that the proposed variance is minor, is appropriate for the development of the land and buildings and conforms with the general intent and purpose of the by-law.

The appeal is dismissed, the decision of the Committee of Adjustment is confirmed and the application is allowed subject to the conditions imposed by the Committee of Adjustment.

G. M. HOBART  
MEMBER

E. F. CROSSLAND  
MEMBER

NOTICE - The last day for appealing this decision is August 29, 1986

Committee of Adjustment

**DECISION OF COMMITTEE WITH REASONS  
RE APPLICATION FOR MINOR VARIANCE**

Planning Act, 1983, c. 1, ss. 44 (8)

(a) Name of committee (a) Committee of Adjustment for the Corporation of the Town of Orangeville

(b) Name of applicant RE AN APPLICATION BY (b) Dr. Paul Martin-Smith, agent for Ms. C. Norskey

(c) Brief description LOCATION OF PROPERTY (c) Lot 23, Block 1, Plan 212 (28 Zina Street)

(d) As set out in application PURPOSE OF APPLICATION (d) Minor Variance to By-law No. 60-77 of 2 feet to the interior side yard. The Current By-law requires 6 feet.

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 44 (2) of the *Planning Act*,

(e) Date of decision CONCUR in the following decisions and reasons for decisions made on the (e) 5th day of July 1986

**DECISION:**

In the matter of an application by Paul Martin-Smith, agent for Ms. C. Norskey, 28 Zina Street, Orangeville for a Minor Variance to By-law No. 60-77 of the Town of Orangeville on Lot 23, Block 1, Plan 212, Town of Orangeville under the provisions of Section 44 of the Planning Act, S.O. 1983, c.1.


BE GRANTED WITH CONDITIONS

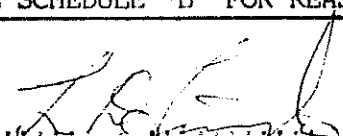
(f) State conditions to be satisfied before granting of consent **CONDITIONS - This decision has been made subject to the following conditions: (f)**

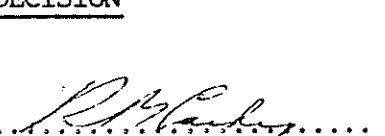
CONDITION NO. 1: THAT the building addition conform to the Ontario Building Code.

CONDITION NO. 2: THAT the building addition be inspected by both the Chief Building Official and the Fire Chief, prior to receiving an Occupancy Permit.

(g) State reasons for decision: **REASONS FOR DECISION: (g) SEE SCHEDULE 'B' FOR REASONS FOR DECISION**

  
Signature of member of committee.

  
Signature of member of committee.

  
Signature of member of committee.

.....  
Signature of member of committee.      Signature of member of committee.      Signature of member of committee.

**CERTIFICATION**  
Planning Act, 1983, c. 1, ss. 44 (10)

I, Edward C. Salisbury.....  
Secretary-Treasurer of the (h) Committee of Adjustment for the Corporation of the Town of Orangeville.....  
.....certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.

Dated this 5th day of August 1986 .....  
Signature of Secretary-Treasurer

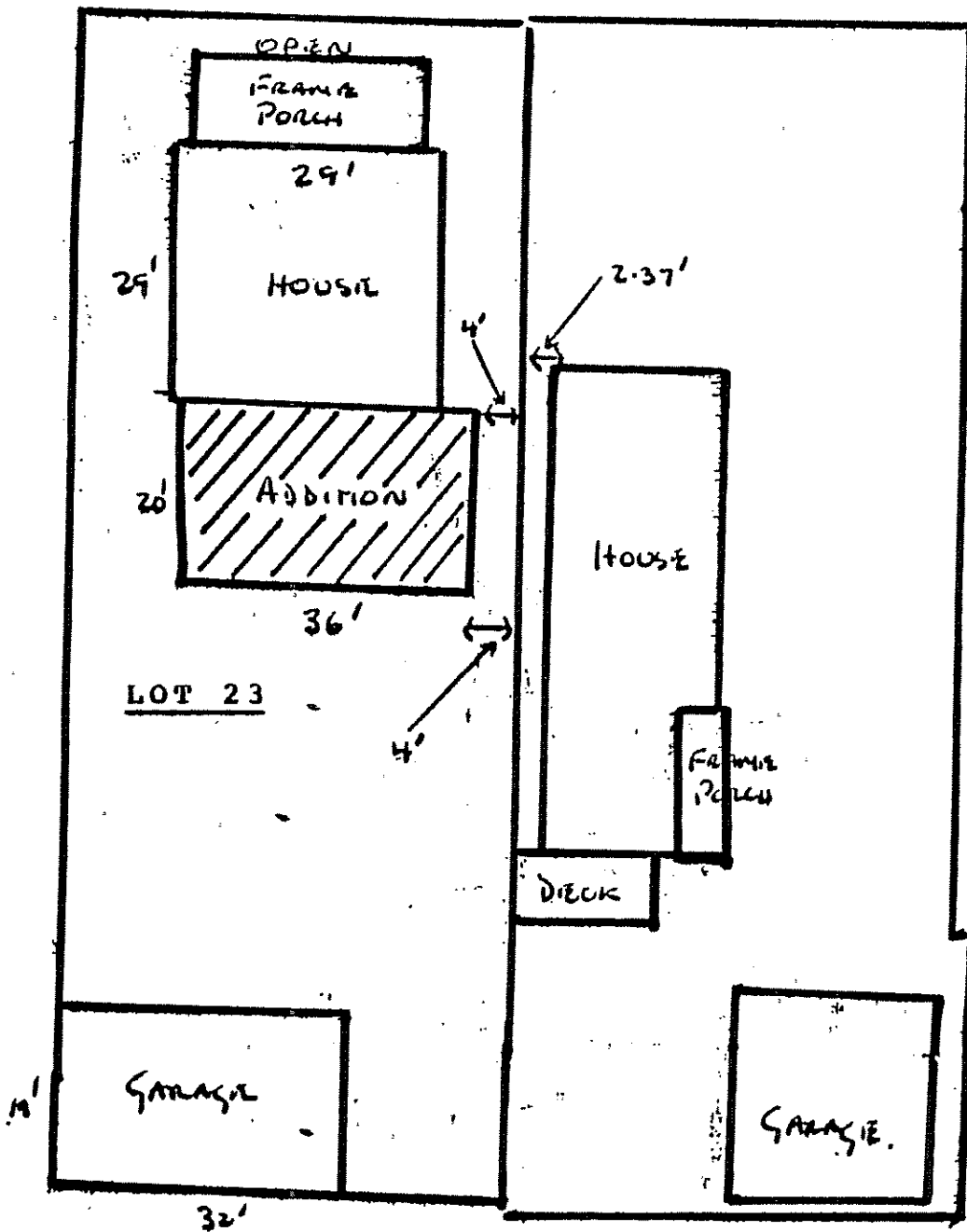
SCHEDULE 'B' TO SUBMISSION NO. A-18/86

- (g) The Chairman stated that in the opinion of the Committee, the Official Plan designated the subject property Low Density Residential, the subject property is a residential building within a neighbourhood of similarly aged buildings. The Zoning By-law requires a 6 foot sideyard and the Variance being requested is 2' to permit a 4' sideyard. There is separation between the two buildings and in the opinion of the Committee, the Variance is minor. Further the design and appearance of the addition will enhance the neighbourhood and may indeed increase property values.

ZINA ST

28

26



LOT 23

LANE.

SCALE 1" = 20'

Lot 28 (FROM)  
Plan 212 Block 1  
Plan of Survey  
1985  
D.S. COLLIER, O.C.S.



THE CORPORATION OF THE TOWN OF ORANGEVILLE

MUNICIPAL BUILDING  
87 BROADWAY  
PHONE 519-941-0440  
L9W 1K1

DEPT. COMMITTEE OF ADJUSTMENT

REPLY TO: Edward C. Salisbury  
Secretary-Treasurer

SUBMISSION NO. A-18/86

THE  
COMMITTEE OF ADJUSTMENT  
OF THE  
TOWN OF ORANGEVILLE  
and

IN THE MATTER OF AN APPLICATION BY P. Martin Smith, agent for Ms. C. Norskey, 28 Zina Street, Orangeville for a Minor Variance to By-law No. 60-77 of the Town of Orangeville on Lot 23, Block 1, Plan 212, Town of Orangeville under the provisions of Section 44 of the Planning Act, S.O. 1983, c.1.

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NOTICE OF HEARING

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THE COMMITTEE OF ADJUSTMENT of the Town of Orangeville hereby appoints the 30th day of July, 1986, at the hour of 7:30 o'clock in the afternoon (local time) in the Council Chambers, Municipal Building, 87 Broadway, Orangeville, for the hearing of all parties interested in supporting or opposing this application. In accordance with Ontario Regulation 447/83, written comments are requested and may be delivered to the undersigned prior to the above Hearing date. If you do not attend and are not represented at this Hearing, the Committee may proceed in your absence and you will not be entitled to any further notice of the proceedings.

Edward C. Salisbury,  
Secretary-Treasurer,  
Committee of Adjustment

DATED AT ORANGEVILLE, THIS 15TH DAY OF JULY, 1986

Explanatory note: The applicant wishes to receive a Minor Variance of 2 feet to the interior side yard. The current By-law standard requires 6 feet whereas the subject property has 4 feet. The property is zoned R2 - Residential Second Density under By-law No. 60-77 of the Town of Orangeville.