



COMMITTEE OF ADJUSTMENT

DECISION OF COMMITTEE WITH REASONS  
RE APPLICATION FOR MINOR VARIANCE

Planning Act, R.S.O. 1990, c. P.13, Section 45

APPROVAL AUTHORITY: THE CORPORATION OF THE TOWN OF ORANGEVILLE

RE AN APPLICATION BY: Timothy A. Callaghan

LOCATION OF PROPERTY: Part of Lot 5, Registered Plan 48  
(Parts 2 and 3, Reference Plan 7R-4511)  
34 Mill Street

PURPOSE OF APPLICATION: The applicant is requesting a minor variance to permit three dwelling units on the upper floor in a non-residential building. The proposed units have an area of approximately 32 square metres (344.34 square feet), 17.37 square metres (186.97 square feet) and 33.4 square metres (358.88 square feet). Zoning By-law 22-90, as amended, permits one or more dwelling units provided that each dwelling unit has a minimum floor area of 42 square metres (452.10 square 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 45(1) of the Planning Act,

CONCUR in the following decisions and reasons for decisions made on the 4<sup>th</sup> day of June, 2003.

THE REQUEST IS HEREBY APPROVED WITH CONDITIONS

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.

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Signature of Member

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Signature of Member

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Signature of Member

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Signature of Member

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Signature of Member

CERTIFICATION

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 4, 2003 with respect to the application recorded therein.

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Susan Lankheit,  
Secretary-Treasurer, Committee of Adjustment

**THIS DECISION OR ANY CON. ION IS SUBJECT TO APPEAL TO THE C. LARIO 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 6, 2003**

**LAST DAY FOR APPEALING THIS DECISION: JUNE 24, 2003**

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

**CONDITIONS:**

1. That an entrance separate from that provided for the commercial use be provided for the three dwelling units.
2. No building permit shall be issued for works at 34 Mill Street until such time as the existing Encroachment Agreement is amended to the satisfaction of the Public Works Department and registered on title.
3. That prior to a building permit being issued the Building and By-law Enforcement department shall inspect the exterior of the additions located at the south side of the building abutting Little York Street to ensure that they meet the current building standards and code.

**REASONS FOR DECISION:**

The variance 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.