



**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:** Mark and Penny Kaminski.

**Location of Property:** 25 First Avenue  
Part of Lot 1, Block 5, Registered Plan 159

**Purpose of Application:** The applicants are requesting minor variances to reduce the minimum required rear yard set-back from 7 metres to 5.37 metres and to increase the maximum permitted lot coverage from 35% to 40.7% to facilitate the construction of a single storey rear addition and the reconstruction of a covered porch.

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 **21<sup>st</sup> day of March, 2018.**

The Request is hereby **Approved with Conditions**

This Decision:

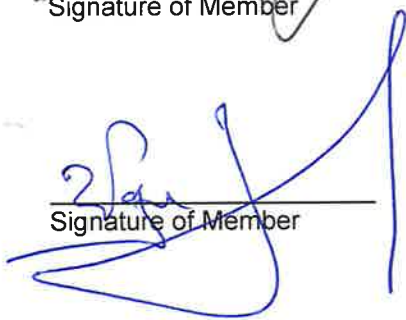
If **approved:** is subject to the conditions and for the reasons set out on page two of the Notice of Decision of the Committee of Adjustment.

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

  
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 **March 21, 2018** 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 an appeal form, available from the OMB website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). The appeal form must be accompanied by a certified cheque or money order in the amount of \$300.00 payable to the Minister of Finance plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications.

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:** March 22, 2018

**Last Day for Appealing this Decision:** April 10, 2018

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

**Conditions:**

1. That the applicant confirms that the proposed porch not be enclosed or modified to be used for permanent habitation (i.e. bedrooms or bathrooms), including the installation of screening or glazing of any description (including, but not limited to, windows or patio doors) and shall remain unenclosed.
2. That Council approval of the demolition of the existing porch be obtained in accordance with the Ontario Heritage Act and Town policies.

**Reason for Decision:**

1. The requested variances conform to the existing Official Plan
2. The requested variances conform to the Zoning By-law.
3. The requested variances are desirable for the lot.
4. The requested variances are considered minor in nature.
5. The Committee has received written and/or oral submission from the following during the hearing and has taken these submissions into consideration.
  - Report from G. Dickson, Senior Planner, dated March 21, 2018.
  - Report from R.J. Lackey, Manager of Operations and Development, dated March 6, 2018.

\*\*Please refer to the approved Minutes of the March 21, 2018 Committee of Adjustment meeting for submission details.