



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: David Kerr

LOCATION OF PROPERTY: Lot 14, Block 1, Registered Plan 237
96 Zina Street

PURPOSE OF APPLICATION: The applicant is requesting a minor variance to reduce the minimum interior side yard setback requirement from 1.2 metres (3.94 feet) to approximately 0.57 metres (1.87 feet) to permit the construction of a carport along the west side of the dwelling.

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 5th day of August, 2009.

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, Cheryl Johns, Acting Secretary-Treasurer of the Committee of Adjustment certify that this is a true copy of the decision of the committee given on **August 5, 2009** with respect to the application recorded therein.


Cheryl Johns, Acting 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: AUGUST 7, 2009

LAST DAY FOR APPEALING THIS DECISION: AUGUST 25, 2009

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

CONDITION:

1. The existing side yard swale between 96 and 98 Zina Street is not to be altered by the construction of the proposed carport.
2. That the roof drainage from the proposed carport be directed to either the front or the rear of the carport. Runoff from the roof is not to be directed to the side yard between the carport and 98 Zina Street.

REASONS FOR DECISION: The variance as approved is 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.