



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 Gaston Bottero and Stone Ridge Holdings

LOCATION OF PROPERTY: 60 and 62 First Street  
Lot 1 and 2, Registered Plan 275 and  
Part of 5, Block 17, Registered Plan 212

PURPOSE OF APPLICATION: The applicants are requesting minor variances to increase the maximum permitted height of a building from 14 metres (45.9 feet) to 18.4 metres (60.37 feet) and to permit a 2 metre (6.56 foot) encroachment into the front yard to accommodate a proposed porch whereas the Zoning By-law permits a porch to encroach 0.6 metres (1.97 feet) into any yard requirement provided a setback of at least 0.6 metres is maintained. The variances are required to accommodate a proposed retirement facility.

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 decisions and reasons for decisions made on the 4<sup>th</sup> day of May, 2011.

THE REQUEST IS HEREBY APPROVED IN PART 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 **May 4, 2011** 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 \$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: MAY 6, 2011**

**LAST DAY FOR APPEALING THIS DECISION: MAY 24, 2011**  
(Appeals must be received no later than 4:30 p.m. on the above date)

**CONDITIONS:**

1. That the minor variance to increase the maximum permitted encroachment of a front porch from 0.6 metres to 2 metres be approved.
2. That the minor variance to increase the maximum permitted height of a building from 14 metres to 18.4 metres be refused.
3. That a minor variance to increase the maximum permitted height of a building from 14 metres to 16.4 metres be approved.
4. That the minor variances will only come into force and effect once the site plan has been approved for a building substantially similar to the proposal submitted with the application and attached as Schedule "A" (Drawing A3.1 prepared by Robert J. Dyck Architect & Engineer Inc., dated April 5, 2011).

**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.

