



CORPORATION OF THE CITY OF ORILLIA

COMMITTEE OF ADJUSTMENT

DECISION

APPLICATION NO.	B07-25
APPLICANT/OWNER	2079085 Ontario Inc. and RS Holdings Inc.
ADDRESS	388, 390 and 434 West Street South
DATE OF DECISION	December 17, 2025

Upon application to the Committee of Adjustment for consent to sever land pursuant to Section 53 of the Planning Act, as amended, the decision of the City of Orillia Committee of Adjustment is as follows:

THAT: Consent to sever land is:

- Approved
- Approved with conditions*
- Denied
- Deferred

* Conditions of approval are attached and form part of the Committee of Adjustment decision.

The Committee has Granted the following consent to sever approximately 1,440 square metres from the property located at 388 West Street South (Retained Lands) and add it to the abutting subject property at 434 West Street South (Benefiting Lands). The properties municipally known as 388 and 390 West Street South have merged on title, and the consent application seeks to sever the previously existing parcel boundary of 390 West Street South (parking lot). No new construction is proposed.

A vehicle right-of-way is also proposed between the two properties.

Lot	Proposed Lot Frontage	Proposed Area	Minimum Lot Frontage & Area as per Bylaw 2014-44
Lot 1 – 388 West Street South (Retained Lands)	30.7 m	2,789.0 m ²	10 m and 200 m ²
Lot 2 – 434 West Street South (Benefiting Lands)	75.3 m	6,949.0 m ²	10 m and 200 m ²

REASONS: The application conforms with the requirements of the City of Orillia Zoning By-law, the City of Orillia Official Plan, and satisfies the requirements of all commenting agencies.

EFFECT OF PUBLIC INPUT:

There was no public input received prior to the conclusion of the Public Hearing held on December 17, 2025.

We, the undersigned, acknowledge the above as being the decision of the Committee.





Pete Bowen

Ian Gordon

Kelly Smith

NOTICE OF THE LAST DAY FOR APPEALING TO THE ONTARIO LANDS TRIBUNAL

An appeal to the Ontario Land Tribunal in respect to all or part of this Consent may be made by filing a Notice of Appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting City of Orillia as the Approval Authority or by mail to 50 Andrew Street South, Suite 300, Orillia, ON, L3V 7T5 no later than 4:30 p.m. on January 8, 2026. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$400 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to planning@orillia.ca. There is also an administrative fee payable to the City of Orillia by cash, debit or cheque in the amount of \$5,000 for any appeal filed regarding a Consent.

Notice of this decision of the Committee of Adjustment was given on **December 19, 2025**.

I, Lorrie Jackson, Secretary-Treasurer of the Committee of Adjustment do hereby certify that the above is a true copy of the decision of the Committee of Adjustment for Application No. B07-25 rendered on December 17, 2025.

A handwritten signature in blue ink that reads "L. Jackson". The signature is written in a cursive style with a large, looping initial "L".

Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment

CONDITIONS OF DECISION

APPLICATION NO.	B07-25
APPLICANT/OWNER	2079085 Ontario Inc. and RS Holdings Inc.
ADDRESS	388, 390 and 434 West Street South
DATE OF DECISION	December 17, 2025

SUBJECT TO THE FOLLOWING CONDITIONS:

Pursuant to the Planning Act, as amended, all conditions imposed must be fulfilled within Two (2) years from the date of the sending of the Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent before the issuance of the Certificate of Official under a Form 4 by the Secretary-Treasurer.

1. That the Owner/Applicant arrange for all taxes, local improvements, and/or other charges, both current and in arrears, be paid prior to issuing of the Certificate of Consent, for the calendar year to the satisfaction of the Treasurer/Chief Financial Officer;
2. The applicant/owner shall submit to the Secretary Treasurer of the Committee of Adjustment a draft reference plan of survey which sets out the lands which are the subject of this application including the new lot boundaries and access easement. Once duly deposited with the Office of the Land Registrar, an electronic copy is to be provided;
3. The applicant/owner shall submit to the Secretary Treasurer of the Committee of Adjustment draft Transfer deeds and any easement documentation for review. (Upon registration, a final copy of the Transfer deeds shall be provided to the City);
4. That the Owner/Applicant provide a solicitor undertaking, endeavoring to register the easement upon the lands after the transfer creating the severed parcel as soon as reasonably possible once the new parcel descriptions (PINS) have been created for the severed and retained parcels.
5. That the Owner/Applicant shall be required to pay the Development Review Fee (\$75.00) as approved by City Council.
6. That a 3.0 m road widening shall be conveyed to the City, at the applicant's expense, along the frontage of the benefitting lands (434 West Street South). The said road widening shall be identified on the draft reference plan submitted to the Secretary-Treasurer required under Condition #2 herein and shall be transferred to the City free and clear of encumbrance.

7. That the applicant's solicitor shall provide written confirmation to the Secretary-Treasurer that the lot addition lands will merge under the *Planning Act* with 434 West Street South.
8. That, immediately following registration of the Transfer of the lot addition lands, the applicant/owner shall register an Application to Consolidate Parcels in order to include the lot addition with the abutting lands municipally known as 434 West Street South. The Secretary-Treasurer shall accept, to their satisfaction of this condition, an Undertaking from an Ontario solicitor in good standing to register within 60 days following registration of the Transfer of the lot addition lands.
9. Section 50(3) of the Planning Act, R.S.O. 1990, c. P.13 shall apply to all future transactions with respect to the property.
10. That an application for a Deeming By-law with respect to Lots 14, 15, 16 and 17 on Plan 576 shall be submitted, approved by Council and registered on title at the expense of the applicant, OR, that satisfactory evidence shall be provided to the City that Lots 14, 15, 16 and 17 on Plan 579 have previously been the subject of a Deeming By-law pursuant to Section 50 (3) of the Planning Act.



Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment