



**CORPORATION OF THE CITY OF ORILLIA**

**COMMITTEE OF ADJUSTMENT**

<b>DECISION</b>
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<b>APPLICATION NO.</b>	B11-24
<b>APPLICANT</b>	1923019 Ontario Inc.
<b>OWNER</b>	1967523 Ontario Inc. (David Patterson)
<b>ADDRESS</b>	43 Fittons Road West
<b>DATE OF DECISION</b>	October 16, 2024

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 land to create three (3) new residential lots to construct a total of two (2) Semi-Detached Dwellings.

<b>Lot</b>	<b>Proposed Lot Frontage</b>	<b>Proposed Lot Area</b>	<b>Minimum Lot Frontage &amp; Lot Area as per Bylaw 2014-44</b>
Lot 1 - Severed	+/- 9.2m	+/- 257 sq. m	7.0 m & 250.0 sq. m
Lot 2 - Severed	+/- 9.2m	+/- 257 sq. m	7.0 m & 250.0 sq. m
Lot 3 - Severed	+/- 9.2m	+/- 257 sq. m	7.0 m & 250.0 sq. m
Lot 4 - Retained	+/- 12.1m	+/- 340 sq. m	7.0 m & 250.0 sq. m

**REASONS:** The application conforms with the requirements of the City of Orillia Zoning By-law, the City of Orillia Official Plan, a Plan of Subdivision is not required and satisfies the requirements of all commenting agencies.

**EFFECT OF PUBLIC INPUT:**

In making this Decision, the Committee of Adjustment had regard for all public input received through written, electronic, and verbal submissions prior to the conclusion of the Public Hearing held on October 16, 2024.

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



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Pete Bowen



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Ian Gordon



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Kelly Smith

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

The applicant, the Minister, a specified person or public body may, not later than **20 days** after the giving of notice is completed, appeal the decision or any condition imposed by the Committee or appeal both the decision and any condition to the Tribunal by filing with the Secretary-Treasurer of the municipality a notice of appeal setting out the reasons for the appeal, accompanied by the fee charged under the *Ontario Land Tribunal Act, 2021*. Specified person is defined in Section 1 (1) of the *Planning Act* linked here:

<https://www.ontario.ca/laws/statute/90p13>

A copy of an appeal form is available from the OLT website at

<https://olt.gov.on.ca/forms-submissions/>

Notice of the last day of appealing this decision to the Ontario Land Tribunal is **November 7, 2024**.

Notice of this decision of the Committee of Adjustment was given on **October 18, 2024**.

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. B11-24 rendered on October 16, 2024.

A handwritten signature in blue ink that reads "L. Jackson". The signature is written in a cursive style with a large initial "L" and a decorative flourish at the end.

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Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment

## CONDITIONS OF DECISION

<b>APPLICATION NO.</b>	B11-24
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<b>DATE OF DECISION</b>	October 16, 2024

### 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 2 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, 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 for review. Once duly deposited with the Office of the Land Registrar, an electronic copy is to be provided.
3. The Owner/Applicant shall submit to the Secretary-Treasurer of the Committee of Adjustment draft Transfers for review. Upon registration, a final copy of the Transfers shall be provided to the City.
4. That the applicant/owner shall be required to pay any fees for approval of the documents by the Secretary-Treasurer, as approved by City Council.
5. That the Owner/Applicant shall be required to pay the Development Review Fee (\$75.00) as approved by City Council.
6. That the Owner/Applicant shall pay to the City of Orillia Cash-In-Lieu of Parkland dedication the amount of which shall be in accordance with City Policy 8.1.2.1, to the satisfaction of the Secretary-Treasurer.
7. That the Owner/Applicant shall submit Building Elevation Drawings, in compliance with Official Plan Policy 3.3.7.4.2 c) for the Semi-Detached Dwelling on the corner (Retained) lot, to the satisfaction of the City.

8. That the Owner/Applicant shall submit a Landscape Plan, to the satisfaction of the City, with the requirement that the following be identified on the said Plan:
  - a. A minimum of 1 tree per Lot to be located on private property within the Front Yard of each Lot.
  - b. Each tree is to have a minimum 80mm caliper Diameter at Breast Height, to be measured at a point 1.37 metres above the ground at the base of the tree.
  - c. Each tree is to be either a Sugar Maple or Red/White Oak.
  - d. A privacy fence along the lot lines between the subject property and 41 Fittons Road West and 24 Leach Street.
  
9. That the Owner/Applicant shall enter into a Lateral Servicing Agreement with the City and install water and sanitary service laterals to the front property line on the severed and retained lots at the expense of the applicant, and have such works inspected to the satisfaction of the City;
  
10. That the Owner/Applicant shall enter into a Consent Agreement with the City to include:
  - a. the construction of the buildings in substantial compliance with the Building Elevation Drawings approved by the City;
  - b. the planting of trees, at the expense of the applicant, as identified on the Landscape Plan as approved by the City; and
  - c. provision of securities by the applicant to ensure completion of all of the works required under the Consent Agreement; and
  - d. The construction of a privacy fence, at the expense of the applicant, to be installed between the subject property and 41 Fittons Road West and 24 Leach Street
  
11. That the Owner/Applicant shall submit and obtain a demolition permit for the existing buildings and structures on the subject lands, to the satisfaction of the City.
  
12. That the Owner/Applicant complete an Entrance Analysis to the City's satisfaction.



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Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment