



**CORPORATION OF THE CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT**

DECISION

APPLICATION NO.	A03-23
APPLICANT/OWNER	Riocan Holdings (West Ridge 1) Inc. (Chick-fil-a)
ADDRESS	3285 Monarch Drive
DATE OF DECISION:	March 15, 2023

Upon application to the Committee of Adjustment for a minor variance pursuant to Section 45 of the Planning Act, as amended, the decision of the City of Orillia Committee of Adjustment is as follows:

THAT: Consent to a variance(s) 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 minor variance(s) from Zoning By-law 2014-44 for a required Loading Space to be permitted in a proposed Drive-Thru Lane.

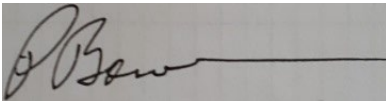
	Section	Requirement	Proposed	Variance
1	6.2.8, 6.2.20.7, 6.5.3 and 6.5.4 – Exclusive Use of a Parking or Loading Space, Delineation of Queuing Lane Requirements, Location of Loading Spaces and Access to Loading Spaces	A Queuing Lane shall function independently of the Parking Area and Loading Spaces. A Loading Space shall be exclusively available as a Loading Space at all times	Loading Space to be located in Drive-Thru Lane (Queuing Lane)	To permit a Loading Space in a Queuing Lane whereas Queuing Lanes are to to be exclusive of any Loading Space

- REASONS:**
- (1) The variance is minor;
 - (2) The variance is desirable for the appropriate development or use of the land, building or structure;
 - (3) The variance maintains the general intent and purpose of the Zoning By-law; and
 - (4) The variance maintains the general intent and purpose of the Official Plan.

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 March 15, 2023.

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



Pete Bowen



Ian Gordan



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 clerk of the municipality a notice of appeal setting out the reasons for the appeal, accompanied by the fee charged under the *Ontario Lands Tribunal Act, 2017*. Specified person is defined in Section 1 (1) of the *Planning Act* linked here:

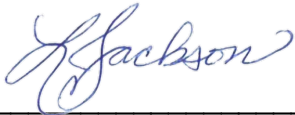
<https://www.ontario.ca/laws/statute/90p13#BK0>

A copy of an appeal form is available from the OLT website at <https://olt.gov.on.ca/tribunals/lpat/forms/appellant-applicant-forms/>.

Notice of the last day of appealing this decision to the Ontario Lands Tribunal is April 4, 2023.

Notice of this decision of the Committee of Adjustment was circulated on March 17, 2023.

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. A03-23 rendered on March 15, 2023.

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

Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment

CONDITIONS TO DECISION

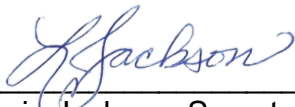
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SUBJECT TO THE FOLLOWING CONDITIONS:

It is a requirement that all conditions imposed are completed to ensure the minor variance decision is granted.

Planning Conditions:

1. That construction shall proceed in substantial compliance with the plans and drawings submitted with the Minor Variance and the concurrent Site Plan Approval application.
2. That Site Plan Approval be obtained prior to the issuance of a Building Permit.



Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment