



CORPORATION OF THE CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT

DECISION

APPLICATION NO.	A14-24
APPLICANT/OWNER	Judy Edminson
ADDRESS	35 Ruby Crescent
DATE OF DECISION	August 14, 2024

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 to allow for a reduction of the Rear Yard setback for a deck and the reduction in the required Landscaped Open Space.

	Section	Requirement	Proposed	Variance
1	5.6.1 a) ii) – Decks – Setback Requirements - If not located on a waterfront property, the Deck may encroach into the Front, Exterior Side or Rear Minimum Required Yard by a distance equal to half of the Minimum Required Yard for the Principal Structure	Minimum Required Rear Yard of Principal Structure is 6.0 m – Permitted Encroachment of Deck into Required Rear Yard - 3.0 m	Encroachment of Deck into Required Rear Yard – 3.6 m	Increase of 0.6 m

2	Table 7.4 – Residential Two (R2) Zone Exceptions (R2-15i)	Landscaped Open Space (min.) (Per POTL) – 21%	Landscaped Open Space (min.) - 20.5%	Reduction of 0.5%
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- 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:

There was no public input received prior to the conclusion of the Public Hearing held on August 14, 2024.

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

The applicant, the Minister, a specified person or public body may, not later than **20 days** after the decision has been made, 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 September 3, 2024.

Notice of this decision of the Committee of Adjustment was circulated on August 16, 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. A14-24 rendered on August 14, 2024.

A handwritten signature in blue ink that reads "L. 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.

1. That a permit shall be obtained for the deck, as constructed.
2. That no obstructions (i.e. patio stones, stairs, etc.) shall be permitted within the rear yard swale.



Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment