



CORPORATION OF THE CITY OF ORILLIA

COMMITTEE OF ADJUSTMENT

DECISION

APPLICATION NO.	B01-24
APPLICANT/OWNER	Yaseen Nimjee (2440536 Ontario Inc.)
ADDRESS	600 Sundial Drive
DATE OF DECISION	February 14, 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 1 new lot (Phase 3 portion) and to recognize that the new lot will be accompanied by reciprocal blanket easements for access and services across for the entirety of the site as shown in the attached sketch.

This application will be subject to and heard in conjunction with variance application A03-24.

Lot	Proposed Lot Frontage	Proposed Area	Minimum Lot Frontage & Area as per Bylaw 2014-44
Lot 1 – Severed (Phase 3)	156m (Laclic Street)	11,350 sq. m	30m and 1000 sq.m
Lot 2 – Retained (Phases 1 and 2)	151m (Laclic Street)	22,340 sq. m	30m and 1000 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:

There was no public input received prior to the conclusion of the Public Hearing held on February 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 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 March 7, 2024.

Notice of this decision of the Committee of Adjustment was given on February 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. B01-24 rendered on February 14, 2024.

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

Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment

CONDITIONS OF DECISION

APPLICATION NO.	B01-24
APPLICANT/OWNER	Yaseen Nimjee (2440536 Ontario Inc.)
ADDRESS	600 Sundial Drive
DATE OF DECISION	February 14, 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 to the satisfaction of the Treasurer/Chief Financial Officer;
2. That the Owner/Applicant submit to the Secretary Treasurer of the Committee of Adjustment a Draft reference plan of survey, in a digital format, for review which sets out the boundary of the new lots and parts subject which are the subject of this application.
3. That the Owner/Applicant shall submit to the Secretary Treasurer of the Committee of Adjustment a registered reference plan of survey, in a digital format, duly deposited in the Office of the Land Registrar which sets out the new lots and parts subject to easements which are the subject of this application;
4. The Owner/Applicant 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); Please note that the deeds to the severed and retained parcels must be placed in separate titles.
5. That the Owner/Applicant provide a solicitor undertaking, endeavoring to register the blanket 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.
6. That the Owner/Applicant shall be required to pay the Development Review Fee (\$75.00) as approved by City Council.

7. That the Owner/ Applicant be directed to pay Parkland Dedication Contributions through the Site Plan Approval process and not via the lot creation process.

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

Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment