



**CORPORATION OF THE CITY OF ORILLIA**

**COMMITTEE OF ADJUSTMENT**

**DECISION**

<b>APPLICATION NO.</b>	<b>B06-23</b>
<b>APPLICANT/OWNER</b>	<b>Morgan Planning &amp; Development Inc. / Robert J. Carson Funeral Directors Ltd.</b>
<b>ADDRESS</b>	<b>57 Neywash Street</b>
<b>DATE OF DECISION:</b>	<b>April 19, 2023</b>

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 one (1) new residential parcel of land for future development.

<b>Lot</b>	<b>Proposed Lot Frontage</b>	<b>Proposed Area</b>	<b>Minimum Lot Frontage &amp; Lot Area as per Bylaw 2014-44</b>
Lot 1 - Severed	16.5 m +/-	709.8 sq. m +/-	15.0 m and 550.0 m <sup>2</sup>
Lot 2 - Retained	29.9 m +/-	2,303.0 sq. m +/-	15.0 m and 550.0 m <sup>2</sup>

**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 April 19, 2023.

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



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Pete Bowen



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Ian Gordan



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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 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:

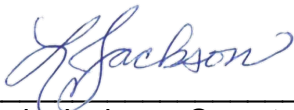
<https://www.ontario.ca/laws/statute/90p13#BK0>

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 May 11, 2023.

Notice of this decision of the Committee of Adjustment was given on April 21, 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. B06-23 rendered on April 19, 2023.



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Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment

<b>CONDITIONS OF DECISION</b>
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<b>APPLICANT/OWNER</b>	<b>Morgan Planning &amp; Development Inc. / Robert J. Carson Funeral Directors Ltd.</b>
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**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.

**Standard Conditions:**

1. That all taxes, local improvements, and/or other charges, both current and in arrears be paid for the calendar year to the satisfaction of the Treasurer/Chief Finance Officer;
2. The applicant/owner shall submit to the Secretary Treasurer of the Committee of Adjustment a reference plan of survey, both hard copy and digital format, duly deposited in the Office of the Land Registrar, (this shall include two hard copies as well as a digitized copy), which sets out the lands which are the subject of this application;
3. The applicant/owner shall submit to the Secretary Treasurer of the Committee of Adjustment a draft Transfer deed for review. (Upon registration, a final copy of the Transfer deed shall be provided to the City);

**Planning Conditions**

4. That prior to the submission of any development application, the Owner/Applicant shall provide a Heritage Impact Statement to the City for consideration.
5. That the Owner/Applicant shall provide the required amendments to the Register of Designated Properties to reflect a revised legal description as per Bylaw 1988-168 at the expense of the Applicant/Owner.

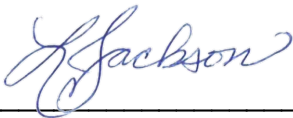
6. That the Owner/Applicant shall submit a Tree Preservation drawing illustrating the protection of healthy vegetation during active construction to the satisfaction of the City.
7. That the Owner/Applicant apply for and obtain a demolition permit, if required, to demolish or relocate the existing detached accessory structure (Gazebo) from the severed lands to the satisfaction of the City.
8. That the Owner/Applicant shall submit a Zoning Bylaw Amendment application to the City to rezone the severed lands to a 'Residential One' zone classification to the satisfaction of the City.

Engineering Conditions:

9. That the Owner/Applicant shall enter into a Consent Agreement with the City for the installation of a water and sanitary service lateral to the front property line on the severed lands at the expense of the applicant and to the satisfaction of the City.

Municipal Heritage Committee Condition:

10. That the applicant shall Request to Consult with Rama First Nation.



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Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment