



**CORPORATION OF THE CITY OF ORILLIA**

**COMMITTEE OF ADJUSTMENT**

<b>DECISION</b>
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<b>APPLICATION NO.</b>	B06-24
<b>APPLICANT/OWNER</b>	Plan Muskoka (Savas Varadas) / 489469 Ontario Inc.
<b>ADDRESS</b>	353 Old Muskoka Road
<b>DATE OF DECISION</b>	April 17, 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 four (4) new residential lots to construct a Semi-Detached Dwelling on each new lot, with a Single Detached Dwelling proposed on the retained lot.

<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	+/- 7.24 m	+/- 326 sq. m	7.0 m & 250.0 sq. m
Lot 2 - Severed	+/- 7.24 m	+/- 326 sq. m	7.0 m & 250.0 sq. m

Lot	Proposed Lot Frontage	Proposed Area	Minimum Lot Frontage & Lot Area as per Bylaw 2014-44
Lot 3 – Severed	+/- 7.24 m	+/- 326 sq. m	7.0 m & 250.0 sq. m
Lot 4 – Severed	+/- 7.24 m	+/- 326 sq. m	7.0 m & 250.0 sq. m
Lot 5 – Retained	+/- 15.00 m	+/- 674 sq. m	15.0 m & 460.0 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 April 17, 2024.

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

OPPOSED



\_\_\_\_\_  
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 **May 9, 2024**.

Notice of this decision of the Committee of Adjustment was given on April 19, 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. B06-24 rendered on April 17, 2024.



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Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment

**CONDITIONS OF DECISION**

<b>APPLICATION NO.</b>	B06-24
<b>APPLICANT/OWNER</b>	Plan Muskoka (Savas Varadas) / 489469 Ontario Inc.
<b>ADDRESS</b>	353 Old Muskoka Road
<b>DATE OF DECISION</b>	April 17, 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 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 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 Owner/Applicant shall be required to pay the Development Review Fee (\$75.00) as approved by City Council.
5. 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.
6. That the Owner/Applicant shall submit Building Elevation Drawings, in compliance with Official Plan Policy 3.3.7.4.2 c) for the Single Detached Dwelling on the corner (Retained) lot, to the satisfaction of the City.
7. That the Owner/Applicant shall submit a Stormwater Management Plan and comprehensive grading plan, in compliance with Official Plan Policy 6.2.3, to

the satisfaction of the City, and the Consent Agreement will be required to ensure implementation of the stormwater management works approved by the City.

8. That the Owner/Applicant shall submit a Hydrogeological Study, in compliance with Official Plan Policy 3.5.3.7, to be peer reviewed by the City's consultant at the expense of the Owner/Applicant, and the Consent Agreement will be required to ensure implementation of any recommended mitigation measures or other works arising from the Hydrogeological Study and peer review.
9. 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.
10. That, prior to the removal of any trees located on private or municipal property, the Owner/Applicant shall complete a Species At Risk Study to the satisfaction of the City.
11. That the Owner/Applicant shall submit an Entrance Analysis to the satisfaction of the City.
12. That the Owner/Applicant shall enter into a Consent Agreement with the City to include:
  - a) the installation of water and sanitary service laterals to the front property line on the severed and retained lots at the expense of the applicant, to the satisfaction of the City;
  - b) the installation of a 2.0 m high privacy fence along the west and south property lines, at the expense of the applicant, to the satisfaction of the City;
  - c) the construction of the buildings in substantial compliance with the Building Elevation Drawings approved by the City;
  - d) implementation of the comprehensive grading plan and stormwater management works identified in the Stormwater Management Plan as approved by the City;
  - e) implementation of any recommended mitigation measures or other works arising from the Hydrogeological Study and peer review;
  - f) the planting of trees, at the expense of the applicant, as identified on the Landscape Plan as approved by the City;

- g) the implementation of any mitigation measures recommended by the Species At Risk Study; and,
- h) provision of securities by the applicant to ensure completion of all of the works required under the Consent Agreement.

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

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Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment