



**CORPORATION OF THE CITY OF ORILLIA**

**COMMITTEE OF ADJUSTMENT**

<b>DECISION</b>
-----------------

<b>APPLICATION NO.</b>	B11-23
<b>APPLICANT/OWNER</b>	Zelinka Priamo Ltd. (c/o Azar Davis) / Charter Properties GP Inc.
<b>ADDRESS</b>	3285 Monarch Drive
<b>DATE OF DECISION</b>	October 18, 2023

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 a lease with a term in excess of 21 years pursuant to provisions of Section 50(3) of the *Planning Act*, as amended.

<b>Lands subject to the lease</b>	<b>Proposal</b>
Part 1, Draft Plan 51R-XXXX Approx. 0.22ha of a boarder 4.59 ha parcel	<p>The area subject to the lease is shown as Part 1 on the Consent Sketch dated July 5, 2023. The lease will be for a new drive-thru restaurant.</p> <p>The term of the lease is summarized as follows:</p> <ul style="list-style-type: none"> <li>• Original Lease: to permit a term of fifteen (15) years and:</li> <li>• A further term of five (5) years and one (1) further term of five (5) years less one (1) day.</li> </ul>

**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 October 18, 2023.

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 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>

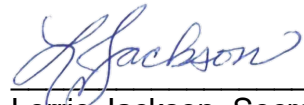
A copy of an appeal form is available from the OLT website at <https://olt.gov.on.ca/tribunals/lpat/forms/appellant-applicant-forms/>.

Notice of the last day of appealing this decision to the Ontario Lands Tribunal is November 9, 2023.

Notice of this decision of the Committee of Adjustment was given on October 20, 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. B11-23 rendered on October 18, 2023.

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

---

Lorie Jackson, Secretary-Treasurer to the Committee of Adjustment

**CONDITIONS OF DECISION**

<b>APPLICATION NO.</b>	B11-23
<b>APPLICANT/OWNER</b>	Zelinka Priamo Ltd. (c/o Azar Davis) / Charter Properties GP Inc.
<b>ADDRESS</b>	3285 Monarch Drive
<b>DATE OF DECISION</b>	October 18, 2023


**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.

Planning 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. That the applicant shall pay the required fee for issuance of the Certificate of Official (2023 fee - \$69.00).

  
\_\_\_\_\_  
Lorrie Jackson, Secretary-Treasurer to the Committee of Adjustment