



**CORPORATION OF THE CITY OF ORILLIA**

**COMMITTEE OF ADJUSTMENT**



**MINOR VARIANCE**  
**APPLICATION NO. A12/19 (2058309 ONTARIO INC./SMALL)**  
**64, 66, 68, 70 & 74 ELGIN STREET**

**DATE OF DECISION: August 21, 2019**

**FINAL DAY FOR APPEAL: September 10, 2019**

Upon application to the Committee of Adjustment pursuant to Section 45 (1) of the Planning Act, R.S.O. 1990, Chapter P.13, the decision of the City of Orillia Committee of Adjustment is as follows:

Application A12/19 is hereby approved and the following variances are granted to the provisions of Zoning By-law 2014-44, as amended:

<b>Section</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Variance</b>
5.12 Landscaping Requirements (Table 5.2)	Minimum 2.0 m (6.56 ft) Landscaped Buffer Area required for a Multiple Residential Use abutting a Residential Zone.	1.2 m (3.94 ft) Landscaped Buffer Area at easterly Interior Side Yard of 74 Elgin Street and at westerly Interior Side Yard of 64 Elgin Street.	0.8 m (2.63 ft) reduction of Landscaped Buffer Area in two places, remaining buffers will comply.
6.2.2.1 Residential Parking Requirements (Table 6.1)	For a Residential Building containing more than 3 Dwelling Units in the Downtown Area, Parking is required at a rate of 0.75 Parking Spaces per Dwelling Unit, of which 25% shall be for visitor parking. Total Required - 21 Parking Spaces including 6 Visitor Parking Spaces	17 Parking Spaces (0.63 Parking Spaces per Dwelling Unit) including 6 Visitor Parking Spaces	A reduction of four (4) Parking Spaces
6.3 Parking Area Location on a Lot (Table 6.7)	For Residential Uses where five or more Parking Spaces are required, the Parking Area and Driveway shall not cover more than 50% of the Front or Rear Yard.	Parking Area and Driveway is proposed to cover 65% of the Rear Yard.	15% or 144.76 m <sup>2</sup> (1558.24 ft <sup>2</sup> )
7.4 Zone Provisions for Residential Zones (Table 7.2)	Minimum Lot Area in R3i Zone - 300.0 m <sup>2</sup> for the first Dwelling Unit plus 90.0 m <sup>2</sup> for each additional Dwelling Unit. In this case the Minimum Required Lot Area is 2,640 m <sup>2</sup> .	Minimum Lot Area of approximately 1700 m <sup>2</sup> (18,298.65 ft <sup>2</sup> )	A reduction of the Minimum Lot Area by 940 m <sup>2</sup> (10,118.08 ft <sup>2</sup> )

Section	Requirement	Proposed	Variance
7.4 Zone Provisions for Residential Zones (Table 7.2) (cont'd)	Minimum Lot Frontage in R3i Zone - 12.0 m for the first Dwelling Unit plus 2.0 m for each additional Dwelling Unit. In this case the Minimum Required Lot Frontage is 64.0 m.	Minimum Lot Frontage of 53.9 m (176.84 ft)	A reduction of the Minimum Lot Frontage by 10.10 m (33.14 ft)
	Minimum Interior Side Yard in R3i Zone - 1.50 m (4.92 ft)	Minimum Interior Side Yard (Easterly and Westerly Interior Side Yards) - 1.20 m (3.94 ft)	A reduction of the Minimum Interior Side Yards by 0.30 m (0.98 ft)
	Maximum Building Height in R3i Zone - 11.0 m (36.09 ft)	Maximum Building Height - 12.6 m (41.34 ft) (Building "A")	1.6 m (5.25 ft)

in order to allow the construction of two, three-storey multiple residential buildings containing a total of 27 Dwelling Units on the subject property.

- REASONS:**
- (1) The variances are minor;
  - (2) The variances are desirable for the appropriate development or use of the land, building or structure;
  - (3) The variances maintain the general intent and purpose of the Zoning By-law; and
  - (4) The variances maintain the general intent and purpose of the Official Plan.

**CONDITIONS:**

1. That construction shall be substantially in compliance with the plans and drawings submitted with the application.
2. That the Committee of Adjustment approve Application for Consent B10/19.
3. That all conditions of approval of Consent Application B10/19 be fulfilled and that Consent be issued prior to the expiry of the provisional approval.

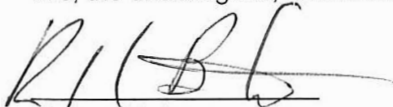
**Notes:**

- o This Minor Variance does not relieve the applicant of any permits or other permissions required under the Building Code or any other applicable legislation.
- o The full cost of electrical servicing and any relocation of any OPDC owned poles, wires, or other equipment that may be required is the sole responsibility of the property owner.

**EFFECT OF PUBLIC INPUT:**

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on August 21, 2019.

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

  
 Richard Bates

  
 Joe Fecht

  
 Ted Southorn

**NOTICE OF THE LAST DAY FOR APPEALING TO THE  
LOCAL PLANNING APPEAL TRIBUNAL**

45(12)

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal under the *Local Planning Appeal Tribunal Act, 2017* as payable on an appeal from a committee of adjustment to the Tribunal.

A copy of an appeal form is available from the LPAT website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

NOTE: The *Planning Act* provides for appeals to be filed by "persons". Groups or associations, such as residents or ratepayers groups, which do not have incorporated status, may not be considered "persons" for purposes of the *Act*. Groups wishing to appeal this decision should do so in the name or names of individual group members, and not in the name of the group.



**CORPORATION OF THE CITY OF ORILLIA**

**COMMITTEE OF ADJUSTMENT**

**DECISION**

CONSENT APPLICATION NO. B10/19  
2058309 ONTARIO LTD./SMALL  
64, 66, 68, 70 & 74 ELGIN STREET & 65 COLBORNE STREET EAST

**DATE OF DECISION:** August 21, 2019

**FINAL DAY FOR APPEAL:** September 10, 2019

Upon application to the Committee of Adjustment for consent pursuant to Section 53(1) of the Planning Act, R.S.O. 1990, Chapter P.13, the decision of the City of Orillia Committee of Adjustment is as follows:

**THAT:** Consent is provisionally granted with respect to the following easements:

- 1) An easement over 64-74 Elgin Street in favour of 65 Colborne Street East (The Village Inn property) to allow parking and snow storage on 64-74 Elgin and to allow access to 65 Colborne over the Elgin Street driveway;
- 2) An easement over 65 Colborne Street East in favour of 64-74 Elgin Street for parking and snow storage;
- 3) An easement over 64-74 Elgin Street in favour of 65 Colborne Street East for stormwater; and
- 4) An easement over 65 Colborne Street East in favour of 64-74 Elgin Street for stormwater.

**REASONS:** The application conforms with the requirements of the City of Orillia Zoning By-law and the City of Orillia Official Plan and satisfies the requirements of all commenting agencies.

**SUBJECT TO THE FOLLOWING CONDITIONS:**

Pursuant to Subsection 41 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, all conditions imposed must be fulfilled within one year from the date of the sending of the Notice of 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 and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

1. That the applicant submit to the Secretary/Treasurer of the Committee of Adjustment:
  - a. One (1) copy of a draft Reference Plan prepared by an Ontario Land Surveyor, identifying the easements. Upon review and approval of the draft Reference Plan by the Secretary-Treasurer, one copy of the registered reference plan shall be provided to the City.

Committee of Adjustment Decision  
B10/19 (2058309 Ontario Ltd./Small) - 64-74 Elgin Street & 65 Colborne St. E.  
Meeting of August 21, 2019

- b. One (1) copy of the electronic registration "in preparation" draft Transfer for each of the easements shall be provided to the Secretary/Treasurer of the Committee of Adjustment together with a signed Acknowledgement and Direction so that the consent certificate may be issued.
2. That all encumbrances on title shall be postponed in favour of the easements.
3. That the applicants shall pay:
  - a. the required Severance Review Fee (\$75.00) as approved by City Council.
  - b. the required fees for approval of the documents by the Secretary/Treasurer, as approved by City Council.
4. That all conditions of provisional consent shall be fulfilled within one (1) year from the date of the giving of notice of provisional consent, in accordance with Subsection 53(41) of the *Planning Act*.
5. THAT Minor Variance application A12/19 be approved by the Committee.

**EFFECT OF PUBLIC INPUT:**

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on August 21, 2019.

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

  
Joe Fecht

  
Richard Bates

  
Ted Southern

**NOTICE OF THE LAST DAY FOR APPEALING TO THE  
LOCAL PLANNING APPEAL TRIBUNAL**

53(19) Any 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 *Local Planning Appeal Tribunal Act, 2017*.

A copy of an appeal form is available from the LPAT website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

NOTE: Only individuals, corporations, and public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.



**CORPORATION OF THE CITY OF ORILLIA**

**COMMITTEE OF ADJUSTMENT**

**NOTICE OF DECISION**

**MINOR VARIANCE  
APPLICATION NO. A13/19 (ROWBOTHAM)  
149 SHANNON STREET**

**DATE OF DECISION: August 21, 2019**

**FINAL DAY FOR APPEAL: September 10, 2019**

Upon application to the Committee of Adjustment pursuant to Section 45 (1) of the Planning Act, R.S.O. 1990, Chapter P.13, the decision of the City of Orillia Committee of Adjustment is as follows:

Application A13/19 is hereby approved and the following variances are granted to the provisions of Zoning By-law 2014-44, as amended:

<b>Section</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Variance</b>
5.5.1 & 15.1.5 Decks	Deck to comply with Interior Side Yard (1.2 m/3.94 ft) if on waterfront property	0.92 m (3.01 ft)	0.28 m (0.93 ft)
7.4 Zone Provisions for Residential Zones, Table 7.2	Minimum Interior Side Yard for a Dwelling - 1.2 m (3.94 ft) in R1 Zone	Minimum Interior Side Yard for a Dwelling - 1.13 m (3.71 ft)	0.07 m (0.23 ft)

in order to allow the construction of :

- a. an addition having area of approximately 29.10 m<sup>2</sup> (313.28 ft<sup>2</sup>) onto the front (water-facing) side of the existing dwelling; and  
a new <sup>covered</sup> deck having an area of approximately 48.02 m<sup>2</sup> (516.92 ft<sup>2</sup>).

ERB RB JS

**REASONS:**

- (1) The variances are minor;
- (2) The variances are desirable for the appropriate development or use of the land, building or structure;
- (3) The variances maintain the general intent and purpose of the Zoning By-law; and
- (4) The variances maintain the general intent and purpose of the Official Plan.

**CONDITIONS:**

1. That construction shall be substantially in compliance with the plans and drawings submitted with the application.

**Notes:**

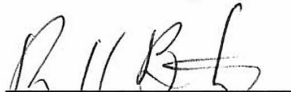
- o This Minor Variance does not relieve the applicant of any permits or other permissions required under the Building Code or any other applicable legislation.
- o The full cost of electrical servicing and any relocation of any OPDC owned poles, wires, or other equipment that may be required is the sole responsibility of the property owner.

A13/19 (Rowbotham) - 149 Shannon Street  
Committee of Adjustment Decision  
Meeting of August 21, 2019

**EFFECT OF PUBLIC INPUT:**

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on August 21, 2019.

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

  
Richard Bates

  
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