



Minor Variance Application *Planning Justification Report*

To:	City of Orillia
Attention:	JILL LEWIS, B.Com., M.A., RPP <i>Senior Planner</i>
From:	Vanessa Simpson, RPP, MCIP, M.Pl.
Date:	January 12, 2026
Delivered:	Delivered by Email
Subject Property:	466 WEST STREET NORTH, CITY OF ORILLIA

1.0 INTRODUCTION

MORGAN Planning & Development Inc. ('MP&D') has been retained by Robert Grin of 1961806 Ontario Inc to assist with obtaining a Minor Variance approval related to a proposed 4-storey, 25 unit apartment building located at 466 West Street North within the City of Orillia. The Minor Variance application seeks relief from a number of zoning provisions within the City of Orillia's Zoning By-law 2014-44.

This report provides an overview of the existing conditions of the property, the proposed development, summarizes the purpose of the Minor Variance application and how the four tests under Section 45(1) of *The Planning Act* have been met.

2.0 LOCATION AND DESCRIPTION OF LAND

The subject property is known municipally as 466 West Street North within the City of Orillia. The development lands are on a corner lot, with frontage onto both West Street and Commerce Road.

The lot is developed with a single detached dwelling and detached garage. There are mature maple trees along the perimeter of the property and manicured lawn. The subject property has a total lot area of 2,270 m², and a lot frontage along West Street North of 24.03 metres. **Appendix 1** of this report provides site photo(s) of the subject lands.

Figure 1 below (*following page*) provides the location of the subject property, with **Figure 2** providing aerial imagery of the lands as of 2022 (County of Simcoe Interactive Mapping).

Figure 1 Location of Subject Property

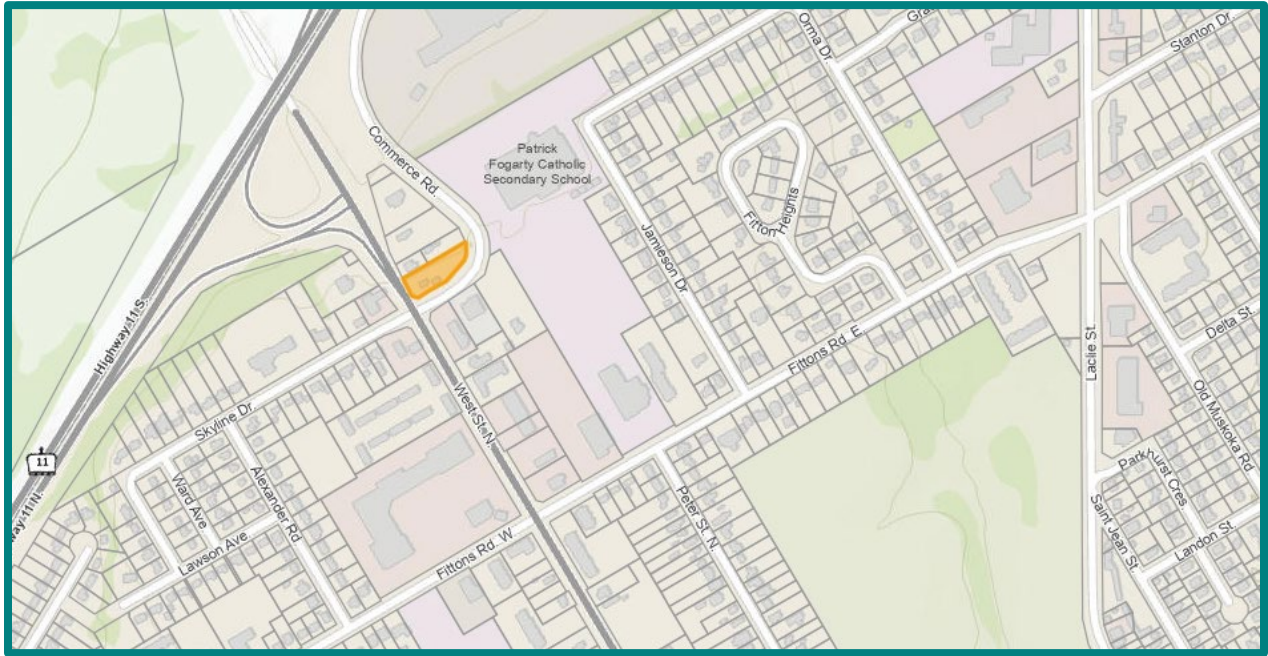


Figure 2 Aerial Imagery of Subject Lands and Adjacent Uses



The surrounding uses are categorized as follows, and illustrated on **Figure 3** below:

- North: The property is bound to the north by a commercial tailoring business.
- East: The property is bound to the east by Commerce Road, to the east of Commerce Road is Patrick Fogerty High School.
- South: The property is bound to the south by Commerce Road. To the south of Commerce Road is an office commercial building, with a three-storey multi-unit apartment building further south.
- West: The property is bound to the west by West Street North, with two gas stations across the road and single family residential dwellings further west.

Figure 3 Surrounding Land Uses



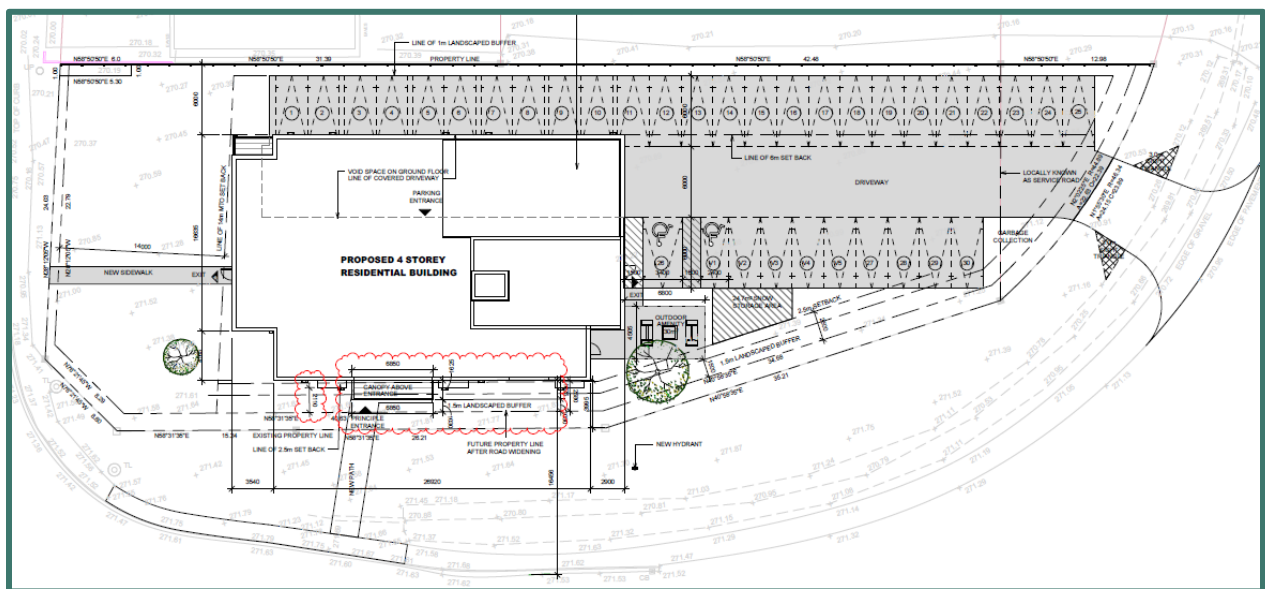
3.0 OVERVIEW OF PROPOSAL AND PLANNING INSTRUMENTS

3.1 Overview of Proposal

The Minor Variance application seeks to permit the construction of a 25 unit four-storey apartment building, with exterior parking and a small amenity space. The site will be accessed by a new driveway from Commerce Road, there will be no vehicular access to West Street North. The site will be serviced by municipal sanitary sewer, storm and watermain.

Figure 4 below provides an excerpt from the Site Plan Drawing (A101a).

Figure 4 Excerpt from Site Plan Drawing



The following figure(s) provide elevation sketches/ floor plans of the proposed development. Full scale versions of these elevation plans are provided as part of the enclosed application package.

Figure 5 North Elevation



Figure 6 South Elevation



3.2 Planning Instruments

3.2.1 Minor Variance Application

To facilitate the proposed development, the application proposes the following minor variances:

1. Notwithstanding Section 7.4, Table 7.2, a maximum height of 12.8m is permitted, whereas 12.5m is required;
2. Notwithstanding Section 7.4, Table 7.2 a minimum landscape open space of 36% is permitted, whereas 40% is required;
3. Notwithstanding Section 5.12, a minimum landscape buffer area abutting a residential zone (along north lot line) of 1m is permitted, whereas 2m is required;

4. Notwithstanding Section 5.12, a minimum landscape buffer area abutting a street (along Commerce Road, at end parking space) of 0m is permitted, whereas 1.5m is required;
5. Notwithstanding Section 5.27, a minimum yard encroachment (for the canopy) of 1m is permitted, whereas 1.2m is required; and,
6. Notwithstanding Section 6.2.2.1, Table 6.1, a parking ratio of 1.4 spaces per unit of which 15% shall be for visitor parking, is permitted, whereas 1.5 spaces per unit of which 25% shall be for visitor parking.

A zoning compliance matrix is provided in the following table, with the zoning provisions that require relief highlighted:

Table 1 Zoning Matrix

Table 7.1 R5 Zoning Provisions	Residential Five (R5)	Proposed
Minimum Lot Area (m ²)	1000 m ²	2,270 m ² (after road widening)
Minimum Lot Frontage (m)	30m	22.79m (on West St N, after road widening)
Maximum lot coverage	60%	27.5% (625.7 largest floor plate / 2270)
Minimum front yard (West Street)	2.5 m (footnote 3)	14 m
Maximum front yard (West Street)	5.0 m (footnote 3)	14.0 m (to adhere to required MTO setback)
Minimum interior yard (north lot line)	6.0 m	6.0 m
Minimum exterior yard (Commerce Road)	2.5 m (footnote 3)	2.58m to building at grade
Maximum exterior yard (Commerce Road)	5.0 m (footnote 3)	2.58m to building at grade
Minimum rear yard (The point where the interior side yard and the exterior side yard meet, which would be the north-east corner of the property)	7.5 m	n/a
Setback from MTO corridor	14.0 m	14.0 m
Minimum building height	6.0 m	12.5 m
Maximum building height	12.5 m	12.8 m (top of parapet) <i>Note: height exception (ZBL Section 5.9) includes a</i>

		<i>mechanical penthouse, roof access staircase structures or other ornamental roof structures etc.</i>
Minimum Open landscape	40%	36.0%
Section 5: General Provisions		
<p>5.3 Angular Planes</p> <p>Notwithstanding the Height provisions of this By-law, all Development in excess of three storeys shall be subject to an Angular Plane in accordance with the following:</p> <p>Angular Planes shall not apply to a property line abutting a public road allowance.</p>	<p>a) A 45 degree Angular Plane shall be established with its vertex 7.5m directly above the Abutting property line and its initial and terminal sides extending toward the Building for the following:</p> <p>i. Development located in an Intensification Area, as identified with the symbol 'i' on Schedule 'A'</p>	<p>Conforms. Refer to Architectural Drawing Package, elevations drawings.</p>
<p>5.12 Landscape Requirements / Table 5.3</p> <p>Multiple Residential –</p> <p>Landscaped Buffer Area (min width):</p> <p>i. Abutting a residential zone/use</p> <p>ii. Abutting any other zone/use</p> <p>iii. Abutting a street</p> <p>Landscape Screening Strip (min height):</p> <p>i. Abutting a residential zone/use</p> <p>ii. Abutting any other zone/use</p>	<p>Landscaped Buffer Area (min width):</p> <p>i. North / Residential use: 2.0m</p> <p>ii. n/a</p> <p>iii. Commerce Drive / West Street: 1.5m</p> <p>Landscape Screening Strip (min height):</p> <p>i. North / Residential use: 2.0m</p> <p>ii. n/a</p>	<p>Landscaped Buffer Area (min width):</p> <p>i. North / Residential use: 1.0m</p> <p>ii. n/a</p> <p>iii. Commerce Drive / West Street: 0.0m, with the exception of parking space</p> <p>Landscape Screening Strip (min height):</p> <p>i. North / Residential use: 2.0m</p> <p>ii. n/a</p>

<p>5.27 Permitted Yard Encroachments</p> <p>Notwithstanding the minimum yard provisions of this By-law, the following may be permitted:</p>	<ul style="list-style-type: none"> a) Architectural Features, may project into any required yard a distance of not more than 0.5m. b) n/a c) n/a d) Balconies, canopies or porches, may project into any Required Front, Rear or Exterior Side Yard, a distance of not more than 2.5m, but shall not be closer than 1.2m to any Lot Line. e) n/a f) n/a 	<ul style="list-style-type: none"> a) Setback 2.1m b) n/a c) n/a d) Canopy extends into exterior side yard by 1.6m, however it has a setback of 1.0m e) n/a f) n/a
<p>5.37 Snow Storage Areas</p>	<p>5% of asphalted area (~1,018.5m²)</p>	<p>5% (~51m²)</p>
<p>5.40 Waste Storage Areas</p>	<p>A minimum of one waste storage area shall be required:</p> <ul style="list-style-type: none"> a) shall be used to contain all garbage, recycling, compost and waste or refuse; b) shall be regularly emptied on the prescribed days when municipal or privately contracted waste collection services are available; c) shall be screened from view of the street and neighbouring Lots through the use of Landscaped Screening Strips or opaque enclosures; 	<p>A garbage rooms has been provided within the building. On collection day, a building manager will move the required bins to the collection area noted on the Site Plan for City pick-up.</p>

	<p>d) Shall not be located in a Front yard;</p> <p>e) Shall be at least 0.5m from any Lot line.</p>	
Section 6: Parking and Loading Standards		
<p>6.2.2 Residential Parking Requirements / Table 6.1</p> <p>Residential Building containing more than 3 dwelling units</p>	<p>1.5 spaces per dwelling unit of which 25% shall be for visitor parking</p> <p>25 units x 1.5 = 38 spaces, of which 10 are visitor</p>	<p>35 spaces; 1.4 spaces per unit of which 15% shall be for visitor parking</p>
<p>6.2.2.2 Bicycle Parking Requirements</p>	<p>Where more than 10 parking spaces are required by this By-law, for a residential use, one bicycle parking space shall be provided for every ten parking spaces.</p> <p>38 spaces / 10 = 4 bicycle parking spaces</p>	<p>9 spaces provided</p>
<p>6.2.7 Barrier Free Parking / Table 6.3</p> <p>Number of Required Parking Spaces: 13 to 100</p>	<p>4% of required parking, to include Type A and Type B Barrier-Free Parking spaces</p> <p>38 spaces X 4% = 2 spaces</p>	<p>2 spaces provided, 1 Type A and 1 Type B</p>
<p>6.2.13 Size of Parking Spaces / Table 6.4</p>	<p>Standard: 2.7m x 6.0 m</p> <p>Type A Barrier Free: 3.4m x 6.0m*</p> <p>Type B Barrier Free: 2.4m x 6.0m*</p> <p>*connected by 1.5m hatched aisle strip</p>	<p>Provided</p>
<p>6.2.14 Aisles</p>	<p>a) Minimum width of an aisle is 6.0 m</p>	<p>a) 6.0 m provided</p> <p>b) 1.0 m provided</p>

	b) Dead End shall extend a minimum of 1.0 m beyond parking space	
6.2.15 Width of Access Ramps and Driveways	Residential, two-way, minimum 7.2m	Provided

3.3 Supporting Studies/

3.3.1 Functional Servicing Brief

Tatham Engineering Limited was retained by the owner to prepare a Functional Servicing Report (FSR) in support of the proposed 25-unit apartment building. The purpose of the study was to review sanitary servicing, water distribution & servicing, grading as well as erosion & sediment control.

The 25-unit development will be serviced by a new sanitary sewer conveying sewage to the existing system on Commerce Road. The post development average daily flow is 0.28 L/s, with a peak sewage flow of 1.12 L/s. Peak sanitary sewage flows from the site do not exceed existing capacity within the collection system and downstream truck main.

Water demands for the domestic and fire protection services can be supplied by the existing municipal distribution system using connections to the existing watermain on the Commerce Drive. The proposed domestic service is sufficiently sized for the adequate supply of water to meet peak flow demand while maintaining a maximum velocity between 1.0 and 2.0 m/s. The firefighting service is sized for the adequate fire flow, plus maximum daily demands with a maximum flow velocity of 2.7 m/s. Mechanical infrastructure to improve pressures on the upper floors of the building may be required.

The site grades will follow the general existing topography of the site, while providing storm water quantity and quality controls and an erection of a 1.0 meter retaining wall along the northern limit of the proposed parking area. The proposed grading for the site is consistent with the property boundaries and will not direct run off to the neighbouring properties.

Erosion control will be installed to meet OPSS and the City requirements to protect neighbouring properties from negative impact during the construction phase.

The full copy of this report has been submitted in support of this application, enclosed for review.

3.3.2 Stormwater Management Report

Tatham Engineering Limited was retained by the owner to prepare a Final Stormwater Management (SWM) Plan in support of the proposed development. This report was prepared to achieve the relevant stormwater management design criteria and ultimately ensure that the property is developed to minimize the impact on the downstream drainage systems.

The SWM plan includes underground storage chambers beneath the parking lot with surface ponding to provide water quantity control. Water quality treatment to Level 1 'Enhanced' 80% TSS removal efficiency will be achieved through a treatment train approach provided by the ADS Stormtech isolator row and Jellyfish Filter OGS unit. This unit will provide 71% phosphorus removal, reducing the annual phosphorus load to 0.18kg/yr.

The report concluded that the proposed SWM plan supports the concept of an environmentally sustainable development.

The full copy of this report has been submitted in support of this application, enclosed for review.

3.3.3 Traffic Impact Brief

Tatham Engineering Limited was retained by the owner to address traffic impacts associated with the proposed development. The purpose of the study was to review the development from a transportation perspective, addressing site traffic volumes, no-site circulation, parking requirements and impacts to the adjacent roads.

The study found that the proposed development would generate 9 trips during the AM peak hour, and 11 trips during the PM peak hour. The site access is expected to provide excellent operations upon full build out and occupancy of the development through 2027 and therefore no improvements are required to accommodate the proposed development.

The study found that left and right turn lanes are not considered necessary to serve the proposed development. Finally, the report found that the available sight lines satisfied the TAC requirements and the subject site is not anticipated to have any impact on the existing road network.

The full copy of this report has been submitted in support of this application, enclosed for review.

3.3.4 Parking Study

Tatham Engineering Limited was retained by the owner to complete a parking study in support of the proposed development. The proposed parking supply for the development is 35 parking spaces, 1.4 parking spaces per dwelling unit. The proposed supply does not satisfy the City's parking requirements of 1.5 spaces per unit, 38 spaces.

The study found that while the proposed parking supply does not satisfy the minimum parking requirements of the City’s By-Law, it is supported with the Institute of Transportation Engineers empirical data, the findings and recommendations of the Vaughn Parking Study along with the parking demand study collected from proxy sites.

The Institute of Transportation Engineers empirical data determined that a peak parking demand of 1.31 spaces per unit is anticipated for a multi-unit mid-rise development. The findings of the Vaughan Parking Study, category ‘rest of city’ (for suburban areas with limited transit), recommends parking 0.85 to 1.40 spaces per unit. Finally, the parking demand survey data collected from the proxy sites: 135 Atherly Road, 48-unit building; 107-125 Bond Street, 24-unit building; and 1047 Mississauga Street, 19-unit development, indicate peak parking demands of 0.68 to 0.95 per unit. *It is noted the parking provisions at each site are lower than that required by the City’s Zoning By-law.*

In consideration of this review, the proposed parking supply for the 25-unit development is considered appropriate.

The full copy of this report has been submitted in support of this application, enclosed for review.

4.0 APPLICABLE PLANNING DOCUMENTS – OVERVIEW

The subject property is identified in the applicable planning policy documents as follows:

Policy Document	Designation/ Zone
Provincial Planning Statement	<i>Settlement Area</i>
City of Orillia Official Plan	<i>Living Area – Intensification Area</i>
City of Orillia Zoning By-law	<i>Central Core Intensification Area (C4i)</i>

The following subsections provide a detailed analysis of the above noted designations and zones as they pertain to the proposed application.

4.1 *The Planning Act R.S.O. 1990*

The following table provides an overview of how the proposed development has regard for the Provincial Interest as outlined in Section 2 of the *Planning Act*:

Section 2 of the <i>Planning Act</i> (Provincial Interest)	
<i>The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,</i>	
	Morgan Planning Comment:
<i>(a) the protection of ecological systems, including natural areas, features and functions;</i>	There are no identified natural heritage features present on the property.
<i>(b) the protection of the agricultural resources of the Province;</i>	The subject lands are located in a Settlement Area, planned for development. Therefore, the proposed does not have any impact on agricultural resources.
<i>(c) the conservation and management of natural resources and the mineral resource base;</i>	There are no identified features on the property.
<i>(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;</i>	The subject lands have been previously developed.
<i>(e) the supply, efficient use and conservation of energy and water;</i>	The subject lands are in a Settlement Area, therefore providing a development proposal that make efficient use of energy and water located within Orillia.
<i>(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;</i>	The subject lands are located within a Settlement Area, where existing municipal water and wastewater services are located, the lands being serviced by both. In addition, the lands are located on a local road, connecting to the larger transportation network in the area.
<i>(g) the minimization of waste;</i>	The proposed development provides an efficient built form design, which will minimize waste.
<i>(h) the orderly development of safe and healthy communities;</i>	The subject lands are located in a Settlement Area and will contribute to a safe and healthy, complete community through the provision of pedestrian connections (sidewalks), a building close to the street frontage (providing eyes on the street), and amenity areas both ground related and rooftop providing outdoor space for building residents.
<i>(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;</i>	Not applicable.
<i>(j) the adequate provision of a full range of housing, including affordable housing;</i>	The proposed building will contribute 25 units to the housing stock within Orillia, further increasing the range of unit types.

<i>(k) the adequate provision of employment opportunities;</i>	Not applicable.
<i>(l) the protection of financial and economic well-being of the Province and its municipalities;</i>	Not applicable.
<i>(m) the co-ordination of planning activities of public bodies;</i>	Not applicable.
<i>(n) the resolution of planning conflicts involving public and private interests;</i>	Not applicable.
<i>(o) the protection of public health and safety;</i>	The proposed development is proposing a residential use which is permitting within Settlement Areas and is not noxious. The proposed development does not intend to cause harm to the public health or safety.
<i>(p) the appropriate location of growth and development;</i>	The subject lands are within a Primary Settlement Area, which is fully serviced and contains amenities to serve residential development.
<i>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;</i>	The subject lands are approximately 250.0m from the nearest traffic stop (North Route), which connects to the Orillia downtown bus terminal, where all transit routes can be accessed.
<i>(r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;</i>	The proposed development will provide a structure that is well designed and meets the requirements of the Ontario Building Code (OBC) and the Accessibility for Ontarians Disabilities Act (AODA). An outdoor amenity area is provided for the residents of the development
<i>(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate</i>	Not applicable.

It is the professional opinion of the undersigned that the enclosed application, and resulting development, has regard for the applicable provincial interests outlined within the *Planning Act*.

4.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS, 2024) provides policy direction on matters related to land use planning and sets the policy foundation for regulating the development and use of all land in the province. The subject property is located within the City of Orillia, and is identified as Settlement Area under the Provincial Planning Statement ('PPS').

The most directly applicable policy areas regarding the proposed development are reviewed below.

Section 2.1.4 *To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.*

MP&D Comment: The proposed development contributes to the range and mix of housing options within Orillia, assisting the City in achieving residential demands for future growth.

Section 2.2 ***Housing***

Section 2.2.1 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
- b) permitting and facilitating:*
 - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
 - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and

d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

MP&D Comment: The proposed development will assist the City in accommodating the projected residential growth as anticipated by Provincial policy.

The site design promotes a compact urban form while still ensuring appropriate levels of health and safety by providing an appropriate amenity area, access to local and regional services, and high-quality built form.

Section 2.3 Settlement Areas and Settlement Area Boundary Expansion

Section 2.3.1.1 *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

MP&D Comment: The subject property is located within the City of Orillia, which is identified as a Settlement Area.

Section 2.3.1.2 *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*
a) efficiently use land and resources;
b) optimize existing and planned infrastructure and public service facilities;
c) support active transportation;
d) are transit-supportive, as appropriate; and
e) are freight-supportive.

MP&D Comment: The subject land currently contains one single detached dwelling. The proposed development provide intensification in a residential area where services and infrastructure exist.

Section 2.3.1.3 *Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and*

prioritizing planning and investment in the necessary infrastructure and public service facilities.

MP&D Comment: The proposed development represents residential intensification through the development of under-utilized lands within an existing settlement area. A Functional Servicing Report concludes that the proposed development can be adequately serviced utilizing existing water and sewer laterals to the site.

Section 2.3.1.4 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*

MP&D Comment: The proposed development represents residential intensification through the development of under-utilized lands within an existing settlement area.

Section 2.3.1.5 *Planning authorities are encouraged to establish density targets for designated growth areas, based on local conditions. Large and fast-growing municipalities are encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas.*

MP&D Comment: The proposed development represents residential intensification through the development of under-utilized lands within an existing settlement area. The proposed development provides a density of 110 units per hectare.

Section 3.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.*

MP&D Comment: A Functional Servicing Report submitted herein confirms that the proposed development is achievable with the existing municipal servicing available to the subject property.

Section 3.6.8 *Planning for stormwater management shall:*
a) *be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;*
b) *minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*

- c) *minimize erosion and changes in water balance including through the use of green infrastructure;*
- d) *mitigate risks to human health, safety, property and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces;*
- f) *promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*
- g) *align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.*

MP&D Comment: A Functional Servicing Report and Stormwater Management Report submitted herein confirms that the proposed development is achievable with the existing municipal servicing available to the subject property.

It is the professional opinion of the undersigned that the enclosed application, and resulting development, conforms with the Provincial Planning Statement.

4.3 City of Orillia Official Plan

The subject property is designated *‘Living Area – Intensification Area’* within the City of Orillia Official Plan (‘OP’) – Schedule A – Land Use Plan. It is the intent of the City’s OP to promote the development of lands designated as intensification areas for higher density, transit supportive and mixed-use proposals in order to take advantage of their location on or in close proximity to public transit routes and major thoroughfares.

The following summarizes the most applicable policies regarding the proposed development:

Section 3.3.3.3

Built Form / Density

- a) *An array of housing and building types is encouraged throughout the ‘Living Area’ designations. It is the intent of this Plan that built form be the determining factor for the types of development permitted in each land use designation.*
- b) *Density can also be used in defining the amount of development permitted on a lot. However, density as a planning tool used by itself, will not ensure that any specific built form will be produced. As such, density will be considered a product of the relationship between built form, height and lot coverage.*

MP&D Comment: The proposed development contributes to the array of housing and building types within the Living Area.

Section 3.3.3.7

Apartment Buildings

- a) *Where permitted, apartment buildings may be considered on a Local Road provided sufficient evidence indicates that the road is capable of handling additional dwellings and that the development is deemed acceptable to the City.*
- b) *Where permitted, apartment buildings shall be located at highly accessible locations, ideally within 250 metres of an existing or planned public transit route within the 'Intensification Area' designation and within 400 metres of a planned transit route within the 'Neighbourhood Greenfield' designation. It is also desirable that apartment buildings be developed in proximity to community facilities and commercial facilities.*
- c) *all apartment developments within the 'Living Area' shall be compatible with the character of the surrounding community.*
- d) *All apartment building developments within the 'Living Area' shall be subject to Site Plan Control and may be subject to a Zoning By-law Amendment.*

MP&D Comment:

An apartment building is proposed through this development:

- a) The proposed development is located along Commerce Road and West Street North. The proposed entrance will be on Commerce Road. A Traffic Impact Study was completed, and found that the proposed development is not anticipated to have any impact on the existing road network. A full copy of this report has been submitted in support of this application, enclosed for review.
- b) The proposed development is located on West Street North which is an Arterial Road and public transit route. There is a bus stop directly across the street from the proposed development.
- c) The subject property is in close proximity to low, medium and high density residential built form types along West Street North. The apartment building will be four storeys in height and has been prepared in accordance with applicable OP design policies related to apartment buildings (Section 3.3.7.4.4).
- d) Stage 2 Pre-Consultation for Site Plan Control is in process.

Section 3.3.6

Intensification Area Designation

Section 3.3.6.1

Intent

- a) *The 'Intensification Area' designation shown on Schedule 'A', represents identified locations that have been targeted for intensified development. These lands are locations that have the potential to accommodate a mixture of residential, office, retail and service commercial uses.*
- b) *It is the intent of this Plan to promote the development of the lands designated as 'Intensification Area' for higher density, transit supportive and mixed-use proposals that take advantage of their location on roads*

that accommodate public transit routes. All new development shall conform with the 'Design Policies for Living Area' and any other applicable policies of this Plan.

MP&D Comment: The proposed development is located within an 'Intensification Area'.

Section 3.3.6.2 Permitted Uses

- a) *Permitted uses on lands identified as 'Intensification Area' on Schedule 'A' include:
 - i) *Stand-alone multiple-unit buildings, all forms of townhouses, and apartment buildings.**

MP&D Comment: As permitted, the proposed development provides a stand-alone apartment building on the subject lands.

Section 3.3.6.4 Development Policies (Intensification Area)

- a) *All permitted uses within the 'Intensification Area' designation shall be subject to Site Plan Control, and shall conform to the 'Design policies for Living Area', and all other applicable policies of this Plan. The Site Plan Control provisions may include detailed design, colour, materials and sustainable building practices.*
- b) *All new development must be compatible with its surrounding context, in consideration of the height permissions and restrictions that follow.*
- c) *Buildings within the 'intensification area' designation shall be between 2, or equivalent, and 8 storeys in height, subject to the following angular plane provisions:*
- d) *Where a rear or exterior lot line or the rear or side building façade abuts a public road, public open space, and/or a residential lot, special landscaping/ building treatments shall be required to ensure that building facades and servicing areas are attractive and/or appropriately screened from view.*

MP&D Comment: The development policies, within the intensification area are applicable as follows:

- a) It is noted that Site Plan Control is required and is being processed concurrently with this application. Further 'Design policies for Living Area' have also been reviewed below.
- b) Compatibility has been reviewed and considered through the design of the site and building.
- c) The proposed development incorporates a four (4) storey apartment building.

- d) The subject property is adjacent to residential lots. Appropriate fencing and landscaping has been proposed to ensure appropriate screening from the adjacent lots.

Section 3.3.7.4

Design Policies for Buildings

Section 3.3.7.4.1

General Policies for all Buildings

- a) *An appropriate range of housing types and tenures should be provided to make a variety of housing options available to the community.*
- b) *The design of built form shall incorporate principles of sustainable development, energy and resource efficiency.*
- c) *When considering building forms, development which results in extensive loss of sunlight to adjacent land uses shall be discouraged.*
- d) *Energy efficient building design including passive solar energy gain, increased insulation, Energy Star appliances, alternative energy systems, and conformity with LEED certification shall be encouraged in all new buildings.*
- e) *New commercial, institutional, industrial and apartment buildings shall be encouraged to incorporate a 'green-roof' into the design of the building.*
- f) *Architectural styles of individual units and blocks should be sensitive to and complement each other.*
- g) *New development will be compatible with adjacent and neighboring development by ensuring that the siting and massing of new buildings does not result in undue, adverse impacts on adjacent properties in regard to adequate privacy conditions for residential buildings and their outdoor amenity areas.*
- h) *Development should be designed to support public transit and, for reasons of public safety and convenience, primary building entrances to principal buildings should be clearly visible, direct, with minimum changes in grade and located on a road or onto public open spaces.*
- i) *To enhance the quality and safety of the public streetscapes, the development of parking lots/structures which occupy significant proportions of the at-grade frontage of public roads shall not be permitted.*
- j) *For multiple-unit buildings, townhouses and apartment buildings, in order to reduce the impact of surface parking and to provide at-grade amenity areas, the provision of structured or underground parking shall be encouraged for high density forms of development. Where it is not feasible to located parking in structures either below or above grade, parking shall be encouraged to be located to the rear of principal buildings.*

MP&D Comment:

The proposed development meets the above requirements as follows:

- a) The proposed apartment building contributes to the range of housing types within Orillia.
- b) The design will incorporate principles of sustainable development, energy and resource efficiency where feasible within the design and construction.
- c) The building footprint is compact, ensuring adequate sight lines and exposure to sunlight on adjacent lands.
- d) The design will incorporate principles of sustainable development, energy and resource efficiency where feasible within the design and construction.
- e) Acknowledge.
- f) n/a
- g) The proposed development provides a compact built form, sited on the property to ensure setbacks are met and that appropriate fencing and landscaping strips are provided.
- h) Public transit stops are located within walking distance from the property. Pedestrian sidewalks provide safe connectivity from the building to municipal sidewalks along the street. The main building entrance faces the street to provide clear visible and direct access.
- i) The subject lands are constrained by MTO setbacks, which restrict the possible placement of the building, driveway entrance and parking area. Significant efforts have been made to ensure they are placed in the most feasible location possible. Landscaping is proposed to provide visual barrier around the proposed parking lot.
- j) Underground parking is not feasible for a development of this scale. In addition to the comments provide above in (i) a portion of the parking lot is covered by the proposed building.

Section 3.3.7.4.4

Apartment Buildings

- a) *Apartment buildings and communal housing should be oriented to the front road, with a minimum setback.*
- b) *Permanent parking, loading and service areas shall be located in side or rear yards and set back from the front façade of the building.*
- c) *A visitor drop-off area should be located at the front of the building.*
- d) *Rooftop mechanical equipment should be screened from view with materials that are complementary to the building or through architectural features.*
- e) *Where an apartment building is part of a private complex and/or condominium project, parkettes or other outdoor amenity areas shall be provided. An outdoor amenity area shall generally be centrally located and shall be of sufficient size to support the creation of a gathering place for residents of the development. The outdoor amenity area shall be*

designed either as a passive sitting area incorporating such amenities as benches, planting beds, trees, shade structures or as an active play area with such amenities as benches, landscaping, curbed play space with safety surfacing and play equipment in compliance with CAN/CSA-Z614-07 or successor. Outdoor amenity areas shall not be located in snow storage areas and should be connected to a sidewalk to facilitate access.

- MP&D Comment: The proposed development meets the above requirements as follows:
- a) The proposed development fronts onto West Street North Road and has a 14 meter setback requirement by the Ministry of Transportation.
 - b) The parking lot is partial covered by the building, and it located to the side and rear of the property.
 - c) Visitor parking spaces have been located close to the entrance.
 - d) All rooftop mechanical equipment will be screened as required by the buildings parapet or additional screening materials.
 - e) The proposed development incorporates an amenity space located in the southern corner of the property, as well as a second amenity space located on the rooftop of the building. Further details regarding the proposed amenity area design will be determined during the Site Plan Control process.

Section 3.3.7.6 Policies for Fencing/Walls

Section 3.3.7.6.1 Privacy Fencing Guidelines

- a) *Hedges and garden walls are encouraged. They should be limited in height and visually permeable to allow overview from publicly accessible spaces.*
- b) *Rear and side yard fences, where required, shall be consistent in design, colour, and materials and in accordance with any applicable City standards.*
- c) *Fences may be subject to review by the City.*

- MP&D Comment: Fencing and landscaping buffer strip are proposed, as per the Zoning Bylaw requirements.

Section 3.3.7.6.2 Corner Lot Fencing/Buffering for New Development

- a) *Corner lot fencing or buffering shall be provided for screening of rear yard amenity area on all flankage lots where the rear yard is exposed to the road.*
- b) *The exact location of corner lot fencing will be determined in a subdivision agreement.*

MP&D Comment: The proposed development is located on a corner lot. Fencing and landscaping buffer strip are proposed, as per the Zoning Bylaw requirements.

Section 3.3.7.7 *Policies for Lighting*

- a) *Lighting is an essential consideration to ensure safe pedestrian and transportation movement. The following guidelines shall apply to the 'Living Area' designations:*
- i) *Exterior lighting shall be designed to promote pedestrian comfort, safety and provide a high quality ambiance;*
 - ii) *Only LED lighting or equivalent energy efficient technology will be permitted;*
 - iii) *Only Dark Skies friendly lighting will be permitted in the 'Living Area'. In addition, accent lighting is encouraged where it can emphasize built form and landscape elements; and,*
 - iv) *Pedestrian scale lighting shall be provided adjacent to roads, walkways, urban squares, pedestrian routes and within parks and courtyards.*

MP&D Comment: The proposed development will meet the required standards for all exterior lighting. This will be reviewed through the Site Plan Control process.

Section 6.3.2 *Water & Sanitary Services*

- a) *Unless otherwise permitted in this Plan or by Amendment to this Plan, all new development shall be connected to municipal sewer and water systems. No new development shall be permitted to connect to the municipal systems unless adequate capacity exists in both the plant and lines to accommodate such development.*

MP&D Comment: The proposed development has been designed on both municipal water and sewer services. A Functional Servicing Report has been submitted in support of the enclosed applications.

It is the professional opinion of the undersigned that the enclosed application, and resulting development, conforms with the City of Orillia Official Plan.

4.4 City of Orillia Zoning By-law (2014-44)

The subject property is zoned '**Central Core Area – Intensification (C4i)**' within the City of Orillia Zoning By-law. An apartment dwelling is a permitted use within the 'Central Core Area – Intensification' zone. It is important to note that footnote (8) for Table 9.1 notes that *apartment dwellings are permitted in accordance with the Zone Requirements of the R5 Zone outlined in Table 7.2. The Intensification Area Requirements continue to apply.*

A detailed analysis of the proposed variance(s) and their regard for the Zoning By-law is provided within Section 5.0 of this Report.

5.0 FOUR TESTS OF A MINOR VARIANCE

In formulating the planning rationale for any Minor Variance application, the applicant and the approval authority must consider the following 4 tests as per Section 45(1) of the *Planning Act*:

1. *Is the variance minor when considering the impact on adjacent properties and/or uses?*
2. *Is the variance desirable for the appropriate development of the land?*
3. *Is the general intent and purpose of the zoning by-law maintained?*
4. *Is the general intent and purpose of the official plan maintained?*

The following analysis demonstrates that each of the requested variances meets the legislative criteria, is consistent with good planning principles, and facilitates the appropriate development of the subject lands.

The requested variance **to permit a maximum building height of 12.8 metres, whereas 12.5 metres is permitted**, maintains the general intent of the Official Plan and Zoning By-law by ensuring a built form that is compatible with the surrounding area. The increase is minimal in scale and does not generate any adverse impacts related to massing, shadowing, or overlook. The variance is technical in nature and supports the functional design of the building.

The reduction in **landscaped open space from 40% to 36%** also maintains the intent of both policy documents by continuing to provide generous landscaping across the site. The proposed landscape areas remain sufficient to support stormwater management, visual appeal, and site compatibility. The reduced amount still achieves the qualitative objectives of greenspace provision and does not negatively affect the overall character of the development.

Two variances relate to landscaped buffers: **a reduction from 2.0 metres to 1.0 metre abutting a residential zone, and the elimination of a landscaped buffer abutting the street, in a small area to accommodate parking, where 1.5 metres is required.** In both cases, the proposal maintains appropriate transitions through alternative design measures such as fencing, plantings, and high-quality architectural treatments. These measures continue to fulfill the intent of buffering requirements by minimizing visual and functional impacts. The reduced buffer widths will not compromise privacy, safety, or streetscape quality and still represent a desirable and appropriate form of development.

The variance to permit a **canopy encroachment of 1.0 metre, whereas a maximum projection of 1.2 metres is permitted**, is minor and continues to meet the intent of the Zoning By-law by regulating the extent of yard encroachments. The canopy provides important weather protection

and contributes to a high-quality pedestrian environment without obstructing access or affecting neighbouring properties.

Finally, the variance to reduce the parking requirement from **1.5 to 1.4 spaces per dwelling unit and to reduce the proportion of required visitor parking from 25% to 15%** maintains the intent of the Official Plan by supporting efficient land use and encouraging a balanced transportation system. The proposed parking supply is sufficient to meet anticipated demand, based on site design, unit mix, and comparable development performance, and is supported by a Parking Justification Study. The reduction will not result in operational issues such as overflow parking or traffic impacts.

The following summary table provides a planning analysis which addresses each of the proposed variances (*following page*).

Proposed Variance	<i>Is the variance minor in nature?</i>	<i>Is the variance desirable for the development or use of the land?</i>	<i>Is the general intent and purpose of the Zoning By-law maintained?</i>	<i>Is the general intent and purpose of the Official Plan maintained?</i>
Planning Justification				
Section 7.4, Table 7.2 <i>Maximum Building Height of 12.8m is permitted, whereas 12.5m is required.</i>	The numerical increase is small (2.4% deviation) with no adverse impacts expected. The increase accounts for the height to the top of the parapet, which is a required building detail. The variance is technical in nature and considered minor. For these reasons, it is the opinion of the undersigned that the variance is minor in nature.	The variance facilitates functional building design without altering site operations or affecting adjacent properties. The height increase is not visually perceptible and does not create shadow or overlook impacts. For these reasons, it is the opinion of the undersigned that the variance is desirable for the development of the land.	The height standard aims to control scale and ensure compatibility. An increase of 0.3 m does not create negative impacts and preserves the intent of limiting excessive height or massing. For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Zoning By-law.	The slight increase in building height does not conflict with OP policies related to built form, character, or compatibility. The proposal maintains appropriate massing and integrates with surrounding development. For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Official Plan.
Section 7.4, Table 7.2 <i>Minimum Landscape Open Spaces of 36% is permitted, whereas 40% is required.</i>	Road widenings along both Commerce Road and West Street North are required, which have further reduced the lot area. Reduction of 4% does not materially change the character or operation of the site and is not anticipated to create impacts, considered minor. For these reasons, it is the opinion of the undersigned that the variance is minor in nature.	The landscaped areas remain functional and visually supportive of the site design. SWM performance and landscape buffering can be provided and maintained. For these reasons, it is the opinion of the undersigned that the variance is desirable for the development of the land.	The requirement ensures adequate greenspace and site permeability. A reduction to 36% continues to provide meaningful landscaping and does not undermine the intent. For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Zoning By-law.	The OP encourages landscaping to support aesthetics and stormwater functions. The proposal maintains substantial landscaped area and meets overall design objectives. For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Official Plan.
Section 5.12 <i>A landscaped buffer area, abutting a residential zone, of 1.0m is permitted, whereas 2.0m is required.</i> <i>A landscaped buffer area, abutting a street, of 0.0m is permitted, whereas 1.5m is required.</i>	Adjacent to a residential zone – the reduction is limited and functional screening is still achievable; impacts are manageable and minor. A 2m high fence is proposed along this property line, along with landscaping as required. Adjacent to a street – the deficiency here is isolated to a small area near the corner of the parking lot and is required to achieve additional parking spaces. Despite the numerical difference, functional impacts are negligible due to compensatory design features. A 1.5m buffer is provided along the majority of the street. For these reasons, it is the opinion of the undersigned that the variance is minor in nature.	Adjacent to a residential zone – The reduced buffer still supports adequate separation and does not introduce adverse impacts such as noise or visual intrusion. Adjacent to a street – The variance allows efficient site layout without compromising safety or visual quality. Public realm impacts are minimal. For these reasons, it is the opinion of the undersigned that the variance is desirable for the development of the land.	Adjacent to a residential zone – The intent is to soften edges between sensitive uses. A 1.0 m buffer, enhanced through plantings, maintains compatibility. Adjacent to a street – The buffer requirement aims to enhance aesthetics and pedestrian experience. Alternative design elements (e.g., architectural detailing, street trees in ROW) continue to meet this intent. For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Zoning By-law.	Adjacent to a residential zone – OP promotes appropriate transitions between uses. The buffer—supported by fencing or plantings—continues to achieve separation and screening objectives. Adjacent to a street – Streetscape quality remains supported through building design, materials, and remaining landscaped areas. For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Official Plan.

<p><i>Section 5.27</i></p> <p><i>A minimum yard encroachment (for the canopy) of 1m is permitted, whereas 1.2m is required.</i></p>	<p>The reduction is small (0.2 m) and does not create visual or functional impacts, minor in nature.</p> <p>For these reasons, it is the opinion of the undersigned that the variance is minor in nature.</p>	<p>Allows weather protection and improves pedestrian usability without affecting adjacent properties or access routes.</p> <p>For these reasons, it is the opinion of the undersigned that the variance is desirable for the development of the land.</p>	<p>Intent is to regulate projections to maintain clear access and streetscape consistency. A 0.2 m difference does not impede these objectives.</p> <p>For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Zoning By-law.</p>	<p>OP permits minor architectural encroachments to enhance pedestrian comfort and building functionality.</p> <p>For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Official Plan.</p>
<p><i>Section 6.2.2.1, Table 6.1</i></p> <p><i>A parking ratio of 1.4 spaces per unit, of which 15% shall be for visitor parking, is permitted, whereas 1.5 spaces per dwelling unit of which 25% shall be for parking is required.</i></p>	<p>The reduced parking ratio is supported by a Parking Justification Study. The reduction is limited and does not create operational issues such as overflow, safety concerns, or congestion, considered minor.</p> <p>For these reasons, it is the opinion of the undersigned that the variance is minor in nature.</p>	<p>Parking demand analyses demonstrate sufficiency. Reduced visitor parking does not impede site function.</p> <p>For these reasons, it is the opinion of the undersigned that the variance is desirable for the development of the land.</p>	<p>The requirement ensures adequate resident and visitor parking. The site design, combined with available on-street or shared parking strategies, maintains adequate supply.</p> <p>For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Zoning By-law.</p>	<p>OP supports efficient land use, compact design, and modal shift. The reduced parking aligns with transportation objectives and anticipated demand.</p> <p>For these reasons, it is the opinion of the undersigned that the variance maintains the general intent and purpose of the Official Plan.</p>

In reviewing the proposed variances individually and collectively, it is evident that each variance meets the four tests under Section 45(1) of the Planning Act. The general intent and purpose of the Official Plan and Zoning By-law are maintained, as the proposed development continues to align with the planned function of the area and respects established design and compatibility objectives. The variances represent desirable and appropriate development, enabling efficient site design while ensuring that no adverse impacts will result. Each variance is minor in both scale and effect.

Accordingly, the requested variances constitute good planning and represent an appropriate and desirable use of the land. Approval of the Minor Variance Application is therefore warranted.

6.0 PUBLIC CONSULTATION

In accordance with Provincial and City of Orillia, requirements, notice of the application will be issued by the City of Orillia to property owners within 120 metres of the subject property detailing the date, time and attendance options for the statutory public hearing.

7.0 CONCLUSION

The Minor Variance application seeks to facilitate the development of a 25-unit four-storey apartment building within a designated intensification area of the City of Orillia. The proposed development will required relief from the following:

- Maximum Building Height
- Minimum Landscape Open Space
- Minimum Landscape Buffer Area
- Minimum Permitted Yard Encroachments
- Minimum Parking Ratio

It is the professional planning opinion of the undersigned that the enclosed application and resulting development: has regard for applicable Provincial interests; is consistent with the Provincial Planning Statement; conforms with the City of Orillia Official Plan; meets the four tests of a Minor Variance as prescribed under Section 45(1) of the *Planning Act*; and, represents good land-use planning.

We trust this submission is complete and respectfully request that it be considered by the Committee of Adjustment at the next available meeting.

Respectfully submitted,
MORGAN Planning & Development Inc.



Vanessa Simpson, RPP, MCIP, M.Pl.
Senior Planner

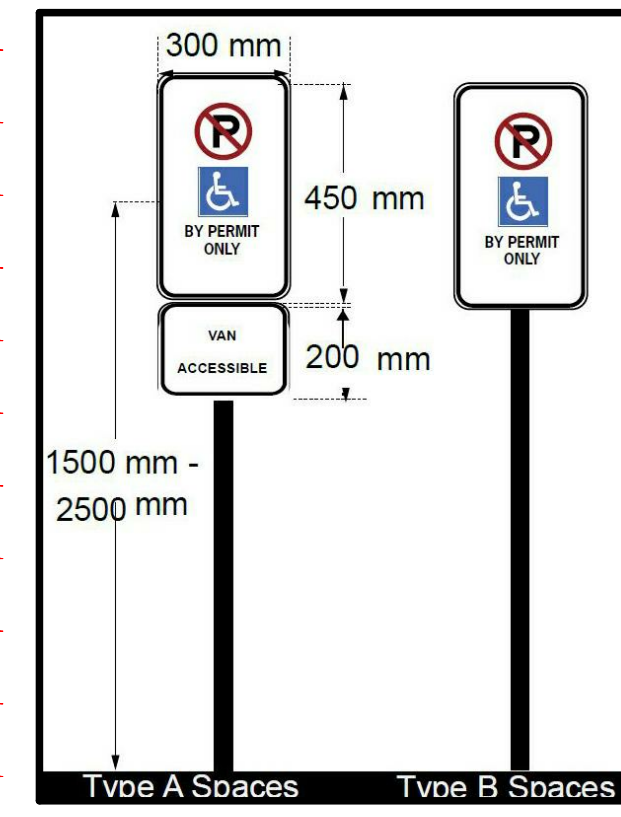
PROJECT STATISTICS

CITY OF ORILLIA ZONING BY-LAW: R4 - Residential Four	
TOTAL PROPERTY AREA (AFTER ROADE WIDENING):	2,270 m ² 24,434 sf
OBC BUILDING CLASSIFICATION	
GROUP C, RESIDENTIAL APARTMENT, UP TO 4 STOREY	
BUILDING GROSS FLOOR AREA	
GROUND GFA:	406.6 m ² 4,377 sf.
2ND FLOOR GFA:	621.2 m ² 6,687 sf.
3RD FLOOR GFA:	621.2 m ² 6,398 sf.
4TH FLOOR GFA:	625.7 m ² 6,735 sf.
MPH GFA:	200.00 m ² 2,153 sf.
TOTAL GFA:	2,474.7 m ² 26,838sf.
BUILDING HEIGHT	
12.72m TO MAIN ROOF PARAPET	
TOTAL NUMBER OF UNITS	
25	

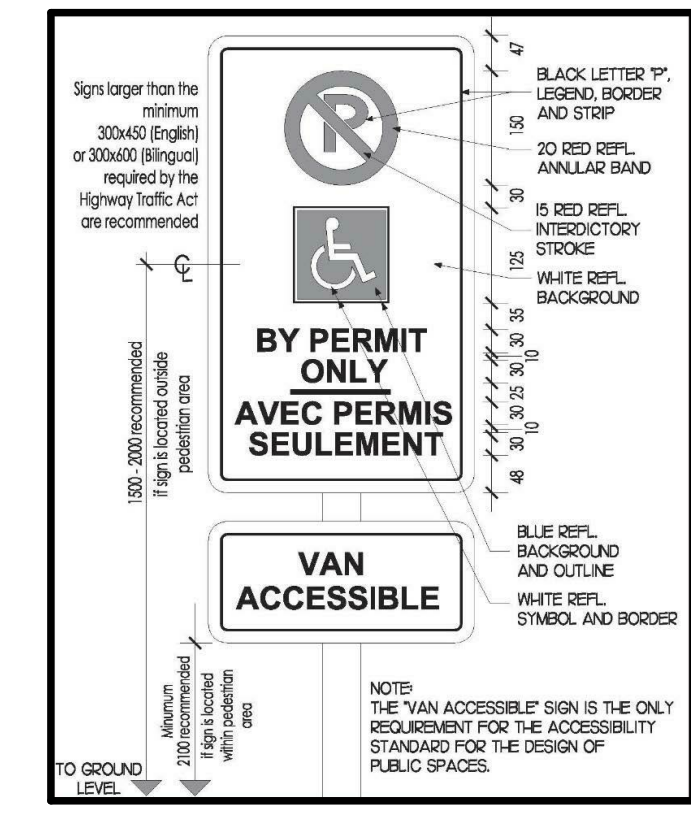
COVERAGE CALCULATION			
BUILDING FOOTPRINT AREA:	406.6 m ²	17.44%	
BUILDING AREA:	625.7 m ²	46.29%	
ASPHALT AREA:	1018.5 m ²		
SNOW STORAGE AREA:	51 m ²	(5% OF PARKING/DRIVEWAY)	
LANDSCAPED AREA:	823.2 m ²	36.26%	
SETBACK			
FRONT YARD:	14 m	REQUIRE	PROVIDED
EXTERIOR SIDE YARD:	2.5 m	REQUIRE	PROVIDED
INTERIOR SIDE YARD:	6.0 m	REQUIRE	PROVIDED
REAR YARD:	7.5 m	REQUIRE	PROVIDED

CONDO UNIT CALCULATION					
2 BEDROOM UNITS: 6					
1 BEDROOM + DEN UNITS: 3					
1 BEDROOM UNITS: 16					
TOTAL UNITS: 25					
AMENITY					
REQUIRE	PROVIDED				
12X25=300m ²	220 m ²	(65 Indoor + 155 Outdoor)			
BICYCLE PARKING					
REQUIRE	PROVIDED				
4	9	(5 resident + 4 visitor)			

INFORMATION FOR THIS SITE PLAN WAS TAKEN FROM:
 PLAN OF
 PART OF LOT 51 AND ALL OF LOT 52,
 REGISTRAR'S COMPILED PLAN 1722
 CITY OF ORILLIA
 COUNTY OF SIMCOE
 AS PREPARED BY:
 EPLETT WOROBEO RAIKES SURVEYING LTD.,
 ONTARIO LAND SURVEYO



TYPE A & TYPE B ACCESSIBLE PARKING SIGN ON POST

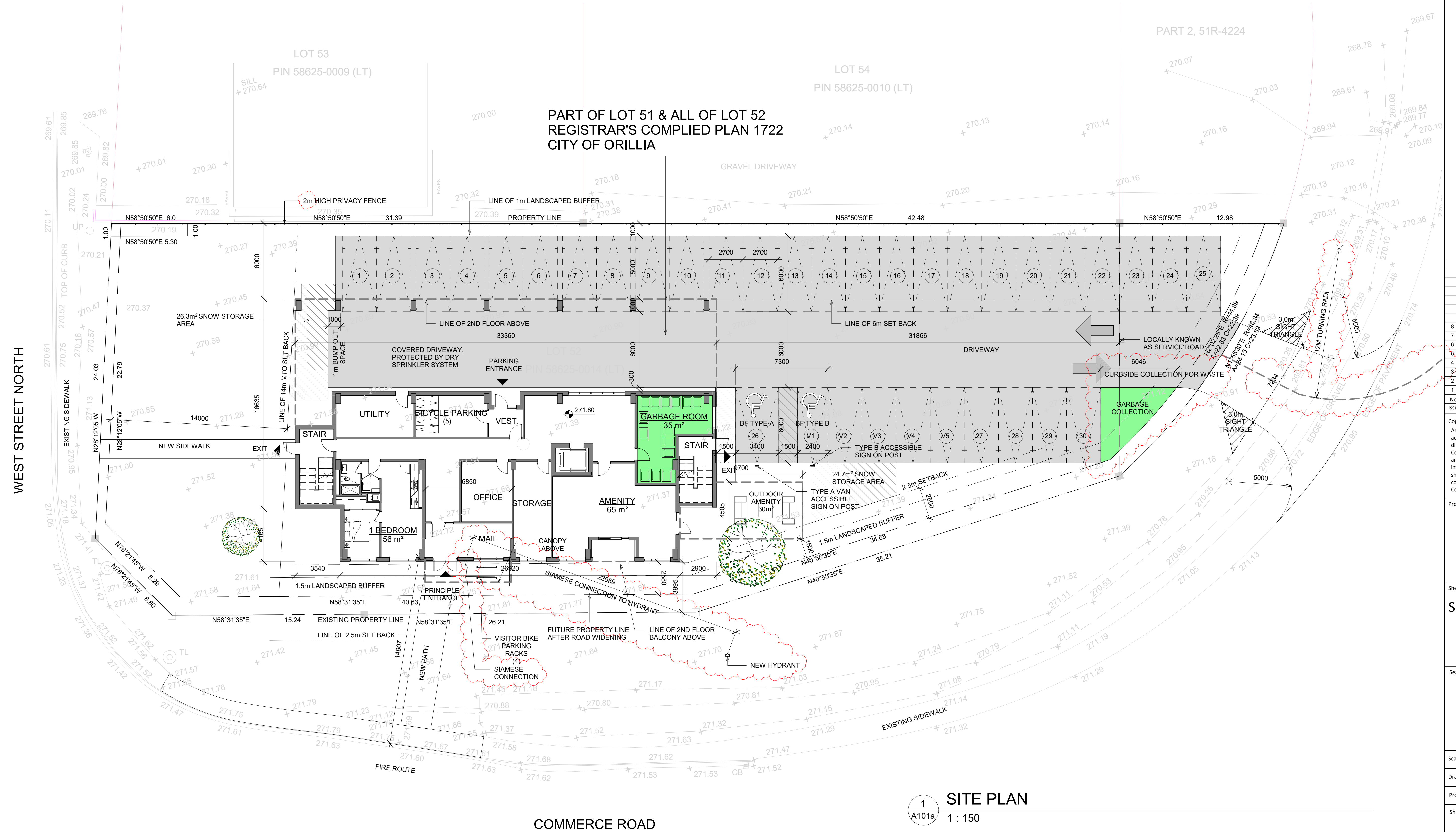


TYPE A - VAN ACCESSIBLE SIGN



TYPE B - REGULAR ACCESSIBLE SIGN

MEI ASSOCIATES ARCHITECTS
 7250 Keele Street, Unit 33, Concord, Ontario L4K 1Z8
 T: 416-953-0606 E: info@mei-associates.com

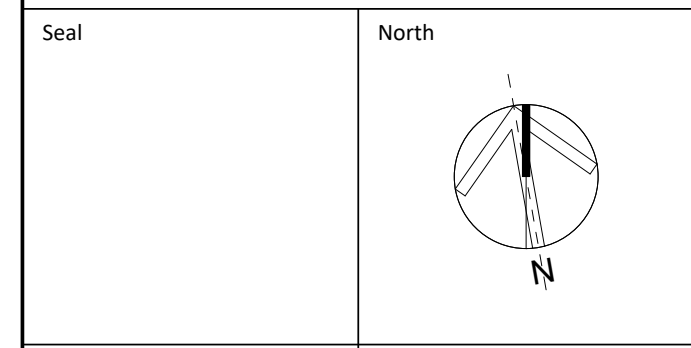


No.	Date	Description
8	2025-10-31	ISSUED FOR SITE PLAN APPROVAL
7	2025-02-03	ISSUED FOR REVIEW
6	2024-10-16	ISSUED FOR REVIEW
5	2023-11-10	ISSUED FOR COORDINATION
4	2022-06-09	ISSUED FOR COORDINATION
3	2022-05-19	ISSUED FOR COORDINATION
2	2022-03-08	ISSUED FOR COORDINATION
1	2021-11-19	ISSUED FOR PRE-CONSULTATION

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Project Title
4 STOREY CONDOMINIUM
 466 WEST STREET, ORILLIA, ONTARIO

Sheet Title
SITE PLAN



Scale: As indicated Date: 11/07/21

Drawn By: SC Checked by: FM

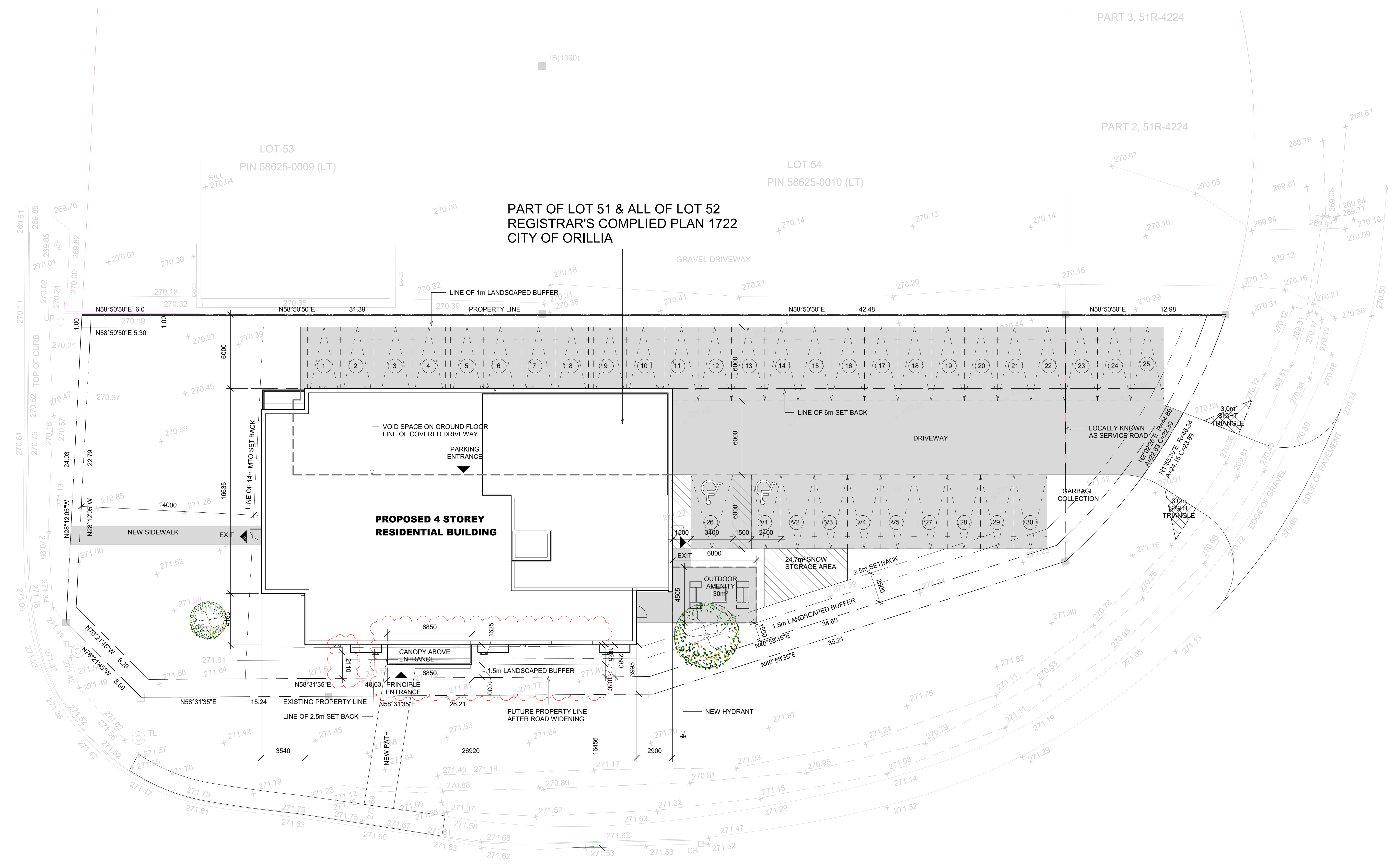
Project No: 20013 Revision:

Sheet Number: **A101a**



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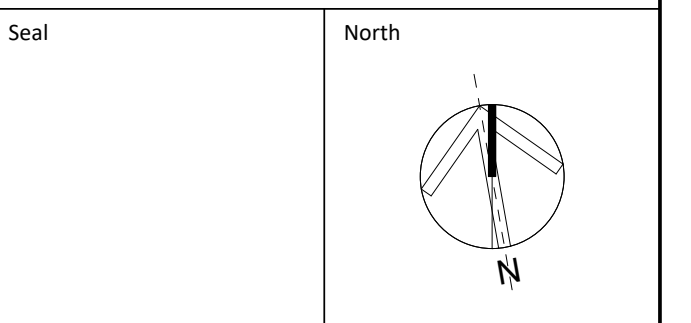
No.	Date	Description
2	2025-09-05	ISSUED FOR REVIEW
1	2025-02-03	ISSUED FOR REVIEW

Issues

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Project Title
4 STOREY CONDOMINIUM
466 WEST STREET, ORILLIA, ONTARIO

Sheet Title
Site Plan - Roof Top View



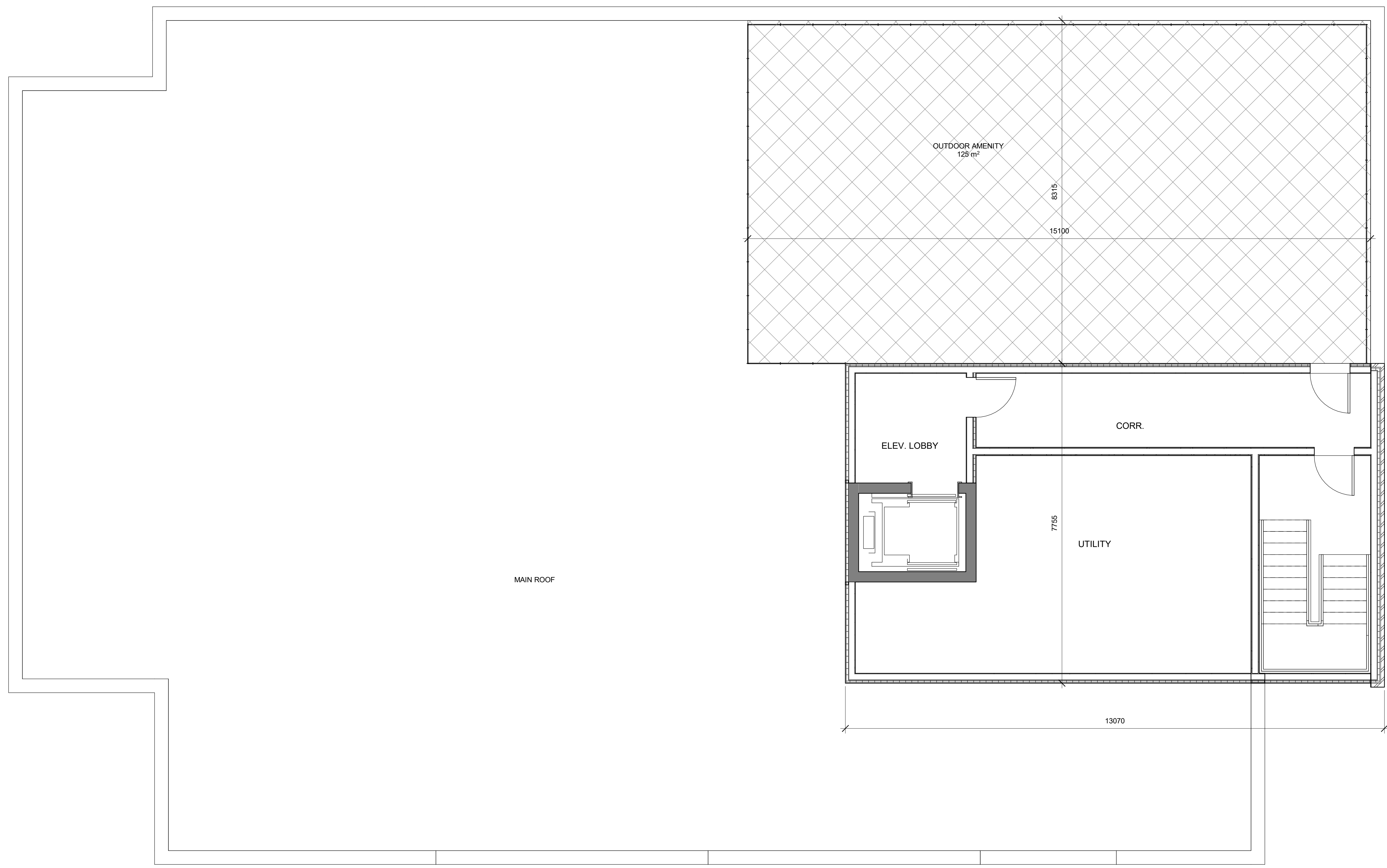
Scale: 1 : 150 Date: 09/29/24

Drawn By: SC Checked by: FM

Project No: 20013 Revision:

Sheet Number:
A101b

1 Site Plan - Roof Top View
A101b 1 : 150



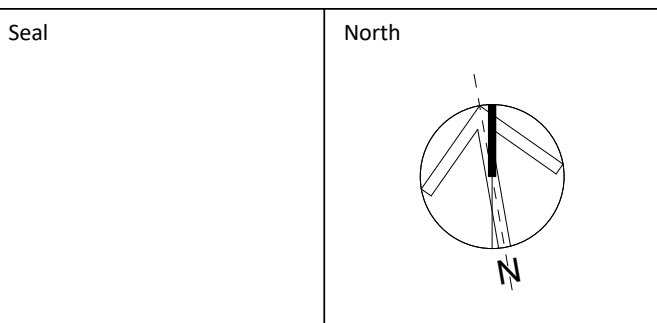
Comment #11, 12

No.	Date	Description
2	2025-02-03	ISSUED FOR REVIEW
1	2024-10-16	ISSUED FOR REVIEW

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Project Title
**4 STOREY
CONDOMINIUM**
466 WEST STREET, ORILLIA, ONTARIO

Sheet Title
ROOF PLAN



Scale: 1 : 50 Date: 09/29/24

Drawn By: Author Checked by: Checker

Project No: 20013 Revision:

Sheet Number:
A103

1 ROOF PLAN
A103 1 : 50



2 NORTH ELEVATION
 A301 1 : 100



1 SOUTH ELEVATION
 A301 1 : 100

No.	Date	Description
4	2025-02-03	ISSUED FOR REVIEW
3	2024-10-16	ISSUED FOR REVIEW
2	2023-11-10	ISSUED FOR COORDINATION
1	2021-12-06	ISSUED FOR PRE-CONSULTATION

Issues

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Project Title

**4 STOREY
 CONDOMINIUM**

466 WEST STREET, ORILLIA, ONTARIO

Sheet Title

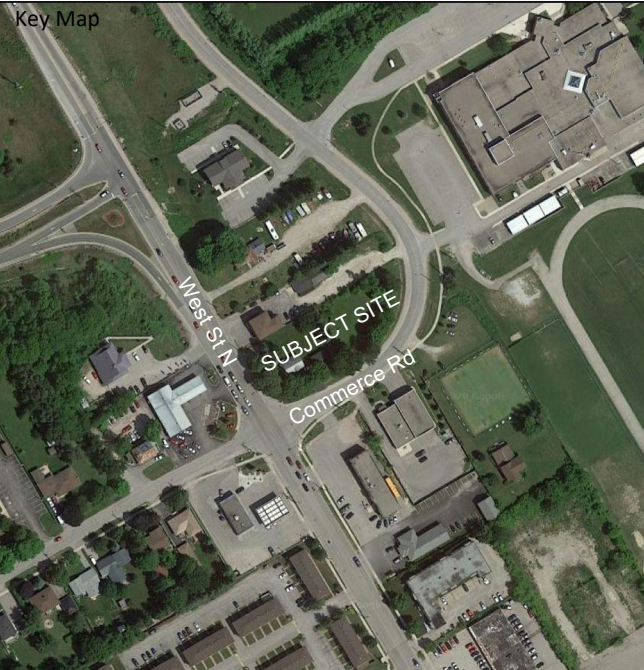
BUILDING ELEVATIONS

Scale: 1 : 100 Date: 12/05/21

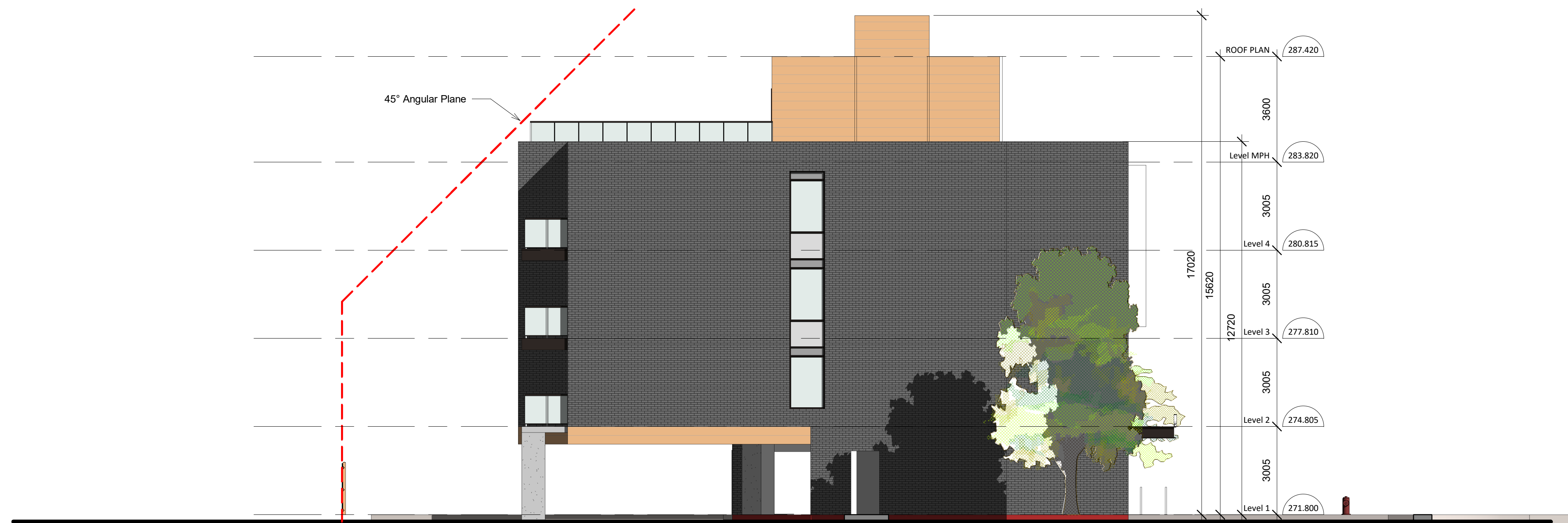
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Project No: 20013 Revision:

Sheet Number:



2 EAST ELEVATION
A302 1 : 100



1 WEST ELEVATION
A302 1 : 100

No.	Date	Description
5	2025-09-05	ISSUED FOR REVIEW
4	2025-02-03	ISSUED FOR REVIEW
3	2024-10-16	ISSUED FOR REVIEW
2	2023-11-10	ISSUED FOR COORDINATION
1	2021-12-06	ISSUED FOR PRE-CONSULTATION

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Project Title
**4 STOREY
CONDOMINIUM**
466 WEST STREET, ORILLIA, ONTARIO

Sheet Title
BUILDING ELEVATIONS

Seal	North
Scale: 1 : 100	Date: 09/29/24
Drawn By: SC	Checked by: FM
Project No: 20013	Revision:
Sheet Number:	A302

Transfer/Deed of Land

Form 1 - Land Registration Reform Act

A

FOR OFFICE USE ONLY

1469482

CERTIFICATE OF REGISTRATION
CERTIFICATE OF REGISTRATION
SIMCOE (51) BARRIE

'06 FEB 27 PM 1 42

Additional: See Schedule

Additional: See Schedule

Additional: See Schedule

Executions

Additional: See Schedule

(1) Registry Land Titles (2) Page 1 of 3 pages **LB**

(3) Property Identifier(s) Block Property
58625-0011(R) Additional: See Schedule

(4) Consideration
FIVE HUNDRED DOLLARS --- Dollar \$ 500.00--
00/100

(5) Description This is a: Property Division Property Consolidation
Part of Lot 52, Registrar's Compiled Plan 1722, Geographic Township of South Orillia, in the City of Orillia, County of Simcoe, designated as PART 3, PLAN 51R-34166.

(6) This Document Contains (a) Redescription New Easement Plan/Sketch (b) Schedule for: Description Additional Parties Other (7) Interest/Estate Transferred ~~xxxxxx~~ **EASEMENT IN GROSS**

(8) Transferor(s) The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that I am not a spouse. **URBAN CORNEILIUS HANNAN was my spouse at the time of his death on August 28, 2001.**

Name(s) **HANNAN, Patricia Anne** Signature(s) *Patricia A. Hannan* Date of Signature Y M D **2006 01 04**

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction
Name(s) _____ Signature(s) _____ Date of Signature Y M D _____

(10) Transferor(s) Address for Service **466 West Street North, Orillia, ON L3V 5E8**

(11) Transferee(s) **ORILLIA POWER DISTRIBUTION CORPORATION** Date of Birth Y M D _____

(12) Transferee(s) Address for Service **360 West Street South, P.O. Box 398, Orillia, ON L3V 6J9**

(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 50 of the Planning Act.
Date of Signature Y M D _____ Signature _____ Date of Signature Y M D _____
Signature _____ Date of Signature Y M D _____
Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing. Date of Signature Y M D _____
Name and Address of Solicitor _____ Signature _____

Planning Act - Optional
Affix Statement by Solicitor for Transferee(s) here if necessary

(14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 50(22)(c)(ii) of the Planning Act and that to the best of my knowledge and belief this transfer does not contravene section 50 of the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.
Name and Address of Solicitor _____ Date of Signature Y M D _____
Signature _____

(15) Assessment Roll Number of Property _____ City _____ Mun. _____ Map _____ Sub. _____ Par. _____ **not assigned**

(16) Municipal Address of Property **Not Assigned**

(17) Document Prepared by: **DOUGLAS S. CHRISTIE** 72-122-018
Russell, Christie, LLP
Barristers & Solicitors
P.O. Box 158, 505 Memorial Avenue,
Orillia, Ontario L3V 6J3

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Fees and Tax	
Registration Fee	600
Land Transfer Tax	2.50
Total	602.50

1. Transfer of Easement In Gross

The Transferor does hereby transfer unto the Transferee, its successors and assigns, the right and easement in gross, in, over, along, upon, under and through the lands more particularly described as Part Lot 52, Registrar's Compiled Plan 1722, designated as PART 3, PLAN 51R-34166 (the "Tract") for two (2) pole anchors and associated steel guy wires for an electricity distribution line including the right to construct, maintain, inspect, alter, remove, replace, reconstruct, repair or use such anchors and guy wires as may be required by the Transferee.

2. Right of Ingress and Egress

Together with the right of ingress and egress to, from, in and over the Tract for itself, its servants, agents, contractors, sub-contractors with or without vehicles, machinery and equipment for all purposes, useful or convenient in connection with or incidental to the exercise and enjoyment of the right and easement herein transferred as and from the date hereof and continuing in perpetuity.

3. Terms and Conditions

The aforesaid right and easement in gross is herein granted and transferred on the following terms.

(a) Rights of Transferor

The Transferor shall have the right fully to use and enjoy the Tract provided, however that without the prior written consent of the Transferee the Transferor shall not after construction of the works, remove or permit to be removed, any soil from the Tract, nor shall the Transferor excavate, drill, install, erect or permit to be excavated, drilled, installed or erected in, over, upon, under, or through the Tract, any pit, well, foundation, pavement, building, tree, shrub or other structure or installation.

(b) Transferee's Rights Not To Be Interrupted

The Transferee performing and observing the covenants and conditions on its part to be observed and performed, shall and may peaceably hold and enjoy the right and easement in gross herein granted without hindrance, molestation or interruption on the part of the Transferor or of any person claiming by, through, under or in trust for the Transferor.

(c) Restoration

The Transferee agrees after it has performed any work on the Tract to restore the surface as far as practicable.

(d) Additional Documents

The Transferor will, if so requested by the Transferee, execute such further and other documents of title and assurances in respect of the Tract as may be requisite and such documents shall be prepared at the expense of the Transferor.

4. Covenants Running With The Land

(a) The right and easement in gross herein transferred, and the burden herein set forth, shall be of the same force and effect to all intents and purposes as a covenant running with the Tract.

5. Successors and Assigns

This Indenture, including all the covenants and conditions herein contained, shall extend to, be binding upon and enure to the benefit of each and all of the heirs, executors, administrators, successor-in-title and assigns of the parties hereto respectively and wherever the singular or masculine is used in this Indenture, it shall be construed as if the plural or the feminine or the neuter, as the case may be, had been used, where the context or the Party or Parties hereto so require, and the rest of the sentence shall be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

This Easement In Gross is being acquired for an electricity distribution/transmission line within the meaning of the Ontario Energy Board Act, 1998.

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part of Lot 52, Registrar's Compiled Plan 1722
Geographic Township of South Orillia, City of Orillia, County of Simcoe, designated as
PART 3, PLAN 51R-34166.

BY (print names of all transferors in full) PATRICIA ANNE HANNAN

TO (print names of all transferees in full) ORILLIA POWER DISTRIBUTION CORPORATION

I/We have personal knowledge of the facts herein deposed to and MAKE OATH AND SAY THAT:

1. I am/We are (place a clear mark within the square opposite the following paragraph(s) that describe(s) the capacity of the deponents):

- (a) the transferee(s) named in the above-described conveyance;
- (b) the authorized agent or solicitor acting in this transaction for the transferee(s);
- (c) the President, Vice-President, Secretary, Treasurer, Director or Manager authorized to act for _____ (the transferee(s));
- (d) a transferee and am making this affidavit on my own behalf and on behalf of (insert name of spouse or same-sex partner) _____ who is my spouse or same-sex partner.
- (e) the transferor and I am tendering this document for registration and no tax is payable on registration of this document.

2. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

(a) Monies paid or to be paid in cash	\$ <u>500.00</u>	} All blanks must be filled in. insert "Nil" where applicable.
(b) Mortgages (i) Assumed (principal and interest)	\$ <u>nil</u>	
(b) Mortgages (ii) Given back to vendor	\$ <u>nil</u>	
(c) Property transferred in exchange (detail below in para. 5)	\$ <u>nil</u>	
(d) Other consideration subject to tax (detail below)	\$ <u>nil</u>	
(e) Fair market value of the lands (see instruction 2)	\$ <u>nil</u>	
(f) Value of land, building, fixtures and goodwill subject to Land Transfer Tax (Total of (a) to (e))	\$ <u>500.00</u>	\$ <u>500.00</u>
(g) Value of all chattels - items of tangible personal property which are taxable under the provisions of the Retail Sales Tax Act	\$ <u>nil</u>	
(h) Other consideration for transaction not included in (f) or (g) above	\$ <u>nil</u>	
(i) Total Consideration	\$ <u>500.00</u>	

3. To be completed where the value of the consideration for the conveyance exceeds \$400,000.00

I have read and considered the definition of "single family residence" set out in subsection 1(1) of the Act. The land conveyed in the above-described conveyance:

- does not contain a single family residence or contains more than two single family residences.
- contains at least one and not more than two single family residences.
- contains at least one and not more than two single family residences and the lands are used for other than just residential purposes. The transferee has accordingly apportioned the value of consideration on the basis that the consideration for the single family residence is \$ _____ and the remainder of the lands are used for _____ purposes.

Note: Subsection 2(1)(b) imposes an additional tax at the rate of one-half of one percent upon the value of the consideration in excess of \$400,000.00 where the conveyance contains at least one and not more than two single family residences and 2(2) allows an apportionment of the consideration where the lands are used for other than just residential purposes.

4. If consideration is nominal, is the land subject to any encumbrance? Yes No

5. Other remarks and explanations, if necessary. This Easement In Gross is being acquired for an electricity distribution/transmission line within the meaning of the Ontario Energy Board Act, 1998.

Sworn before me at City of Orillia
in the County of Simcoe
this 30 day of December, 2005
A Commissioner for taking Affidavits, etc. [Signature]

[Signature]
DOUGLAS S. CHRISTIE (Signature(s))

Property Information Record

- A. Describe nature of instrument: Transfer of Easement In Gross
- B. (i) Address of property being conveyed (if available) not assigned
- (ii) Assessment Roll No. (if available) not assigned
- C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed n/a
- D. (i) Registration number for last conveyance of property being conveyed (if available) 01402617
- (ii) Legal description of property conveyed: Same as in D.(i) above. Yes No Not Known
- E. Name(s) and address(es) of each transferee's solicitor: _____

For Land Registry Office Use Only	
Registration No.	_____
Registration Date (Year/Month/Day)	_____
Land Registry Office No.	_____

School Support (Voluntary Election) (See reverse for explanation)

- | | | |
|---|------------------------------|-----------------------------|
| (a) Are all individual transferees Roman Catholic? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (c) Do all individual transferees have French Language Education Rights? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (d) If Yes, do all individual transferees wish to support the French Language School Board (where established)? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Note: As to (c) and (d) the land being transferred will receive French Public School Board Election unless otherwise directed in (a) and (b).