



**CORPORATION OF THE CITY OF ORILLIA**

**COMMITTEE OF ADJUSTMENT**

**DECISION**

CONSENT APPLICATION NO. B6/19  
1701510 ONTARIO LIMITED  
115 MISSISSAGA STREET EAST

**DATE OF DECISION:** June 19, 2019

**FINAL DAY FOR APPEAL:** July 9, 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 creation of an easement over a portion of the property municipally known as 115 Mississaga Street East in favour of the adjoining property at 109 Mississaga Street East. The easement is to be for the purpose of locating a fire escape staircase and a refrigerator used in conjunction with 109 Mississaga Street East on the property at 115 Mississaga Street East and for ingress/egress to 109 Mississaga Street East.

**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 easement. 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.
  - b. One (1) copy of the electronic registration "in preparation" draft Transfer for the easement 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.

Committee of Adjustment Decision  
B6/19 (1701510 Ontario Limited) - 115 Mississauga Street East  
Meeting of June 19, 2019

2. 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.
3. 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*.
4. THAT Minor Variance application A17/18 be approved by the Committee subject to the following conditions:
  - a. That the Committee of Adjustment approve Application for Consent B6/19.
  - b. That all conditions of approval of Consent Application B6/19 be fulfilled and that Consent be issued prior to the expiry of the provisional approval.

**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 June 19, 2019.

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

  
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Joe Fecht

  
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Richard Bates

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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. A17/18**  
**(CITY OF ORILLIA/MARIPOSA MARKET LTD./1701510 ONTARIO LTD.)**  
**109 & 115 MISSISSAGA ST. EAST & 30 PETER STREET SOUTH**

**DATE OF DECISION: June 19, 2019**

**FINAL DAY FOR APPEAL: July 9, 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 A17/18 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>
5.35 Shipping Containers	Shipping containers may be used as structural components of a building provided a roof that is finished with shingles, tiles or other similar materials is added;	Shipping containers without finished roofs to be used as accessory buildings	No roofs
Section 9.4 Zone Provisions, Table 9.2 Zone Provisions for Commercial Zones	Maximum Lot Coverage in the C1 Zone - 60%	Maximum Lot Coverage for 115 Mississaga Street East - 100%	40% increase in Maximum Lot Coverage

- 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 the Committee of Adjustment approve Application for Consent B6/19.
2. That all conditions of approval of Consent Application B2/17 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.

A17/18 (City of Orillia, Mariposa Market Ltd. & 1701510 Ontario Ltd.)  
109 & 115 Mississauga Street East/30 Peter Street South  
Meeting of June 19, 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 June 19, 2019.

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

  
Richard Bates

  
Joe Fecht

  
Ted Southern

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**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. B8/19  
ORILLIA CHRISTIAN CENTRE  
75 QUEEN STREET EAST

**DATE OF DECISION:** June 19, 2019

**FINAL DAY FOR APPEAL:** July 9, 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 granting of an easement over property municipally known as 75 Queen Street East in favour of property municipally known as 55 Queen Street East. The easement is for the purpose of future sanitary sewer servicing to the property at 55 Queen Street East. The easement is 6.0 m in width and is described as Part 3 on Plan 51R-42033.

**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 the Reference Plan prepared by an Ontario Land Surveyor, identifying the easement. Upon review and approval of the Reference Plan by the Secretary-Treasurer, one copy of the registered reference plan shall be provided to the City.
  - b. One (1) copy of the electronic registration "in preparation" draft Transfer for the easement 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. The easement document shall clearly identify that responsibility for ongoing maintenance and repair of the sanitary service infrastructure located within the easement is the responsibility of the owners of the dominant and/or servient tenements (as agreed between the parties).

Committee of Adjustment Decision  
B8/19 (Orillia Christian Centre) - 75 Queen Street East  
Meeting of June 19, 2019


2. 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.
3. That the owners of the dominant and servient tenements each provide a written acknowledgement to the Secretary-Treasurer confirming that the City of Orillia is not obligated or responsible to repair or maintain the private sanitary service infrastructure located within the easement.
4. ~~That the registered easement document shall stipulate that no structures or improvements are permitted to be constructed or located on the easement lands.~~
5. 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.
6. The full cost of the electrical services and any relocation of any OPDC owned poles, wires or other equipment that may be required is the sole responsibility of the property owner/developer.

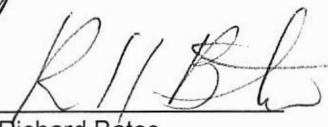
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**EFFECT OF PUBLIC INPUT:**

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 June 19, 2019.

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

  
Joe Fecht

  
Richard Bates

  
Ted Southorn

**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**

**DECISION**

CONSENT APPLICATION NO. B7/19  
2058509 ONTARIO LTD.  
65 COLBORNE STREET EAST, 66 & 68 ELGIN STREET

**DATE OF DECISION:** June 19, 2019

**FINAL DAY FOR APPEAL:** July 9, 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 severance of the property municipally known as 65 Colborne Street East and 66/68 Elgin Street in order to re-separate the property at 65 Colborne Street East to correct an accidental merger. The resultant parcels will be as follows:

- a. The severed lot at 65 Colborne Street East will have a frontage of approximately 24.28m (79.65 ft) and an area of approximately 2,771.02 m<sup>2</sup> (29,827.00 ft<sup>2</sup>); and
- b. The retained lot at 66/68 Elgin Street will have a frontage of 21.54m (70.67 ft) and an area of 482.91m<sup>2</sup> (5,198.00 ft<sup>2</sup>).

**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 severed and retained parcels. 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. Alternatively, a description pre-approval from the Land Registry Office confirming that the existing legal description of the property is acceptable for registration shall be provided to the Secretary-Treasurer.
  - b. One (1) copy of the electronic registration "in preparation" draft Transfer for the new lot

Committee of Adjustment Decision  
B7/19 (2058509 Ontario Ltd.) - 65 Colborne Street East, 66/68 Elgin Street  
Meeting of June 19, 2019


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 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.
3. 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*.


**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 June 19, 2019.

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

  
Joe Feeht

  
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. A9/19 (LESPERANCE)  
419 DRINKWATER DRIVE**

**DATE OF DECISION: June 19, 2019**

**FINAL DAY FOR APPEAL: July 9, 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 A9/19 is hereby approved and the following variance is granted to the provisions of Zoning By-law 2014-44, as amended:

<b>Section</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Variance</b>
Section 7.4, Table 7.2, Zone Provisions for Residential Zones	Minimum Required Front Yard in R2 Zone - 6.00 m	Minimum Front Yard - 2.80 m	3.20 m
Section 7.4, Table 7.2, Zone Provisions for Residential Zones	Minimum Required Rear Yard in R2 Zone - 7.5 m (note pursuant to Minor Variance Application A14/89 the Minimum Rear Yard for this property was reduced to 2.7 m)	Minimum Rear Yard for length of cantilevered floor area on second storey - 0.50 m	2.20 m for length of cantilevered floor area on second storey

in order to allow an addition having ground floor area of approximately 83.6 m<sup>2</sup> (900 ft<sup>2</sup>) to be added to the existing single detached dwelling on the property.

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

**CONDITIONS:**

1. That the development of the property shall proceed in substantial compliance with the plans and drawings submitted with the application.
2. A detailed lot grading plan prepared by a Consulting Engineer or an Ontario Land Surveyor knowledgeable in such matters is to be submitted and approved by the City prior to issuance of a building permit. A lot grading deposit of \$750 may be required and a lot grading processing fee of \$145 applies.

**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.

A9/19(Lesperance) - 419 Drinkwater Drive  
Committee of Adjustment Decision  
Meeting of June 19, 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 June 19, 2019.

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

  
Richard Bates

  
Joe Fecht

  
Ted Southorn

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**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**

**NOTICE OF DECISION**

**MINOR VARIANCE  
APPLICATION NO. A10/19 (EDGHILL)  
67 OLIVE CRESCENT**

**DATE OF DECISION: June 19, 2019**

**FINAL DAY FOR APPEAL: July 9, 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 A10/19 is hereby approved and the following variance is granted to the provisions of Zoning By-law 2014-44, as amended:

<b>Section</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Variance</b>
Section 5.1.2, Table 5.1 Minimum Required Yards for Accessory Buildings	Minimum Interior Side Yard in the R1 Zone - 1.2 m (3.94 ft)	Minimum Interior Side Yard (westerly side) - 0.5 m (1.64 ft)	Reduction of 0.7 m (2.30 ft)

in order to allow the construction of a detached garage having an area of approximately 67.50 m<sup>2</sup> (726.56 ft<sup>2</sup>) on the subject property

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

**CONDITIONS:**

1. That the siting of the garage shall be substantially in compliance with the plan submitted with the application.
2. That the roof of the proposed garage be designed such that water, ice and snow runoff is directed away from the adjoining properties.
3. That the eave overhang on the westerly side of the structure shall not exceed 0.25 m (0.82 ft).
4. A detailed lot grading plan prepared by a Consulting Engineer or an Ontario Land Surveyor knowledgeable in such matters is to be submitted and approved by the City prior to issuance of a building permit. A lot grading deposit of \$750 may be required and a lot grading processing fee of \$145 applies.

**Notes:**


- This Minor Variance does not relieve the applicant of any permits or other permissions required under the Building Code or any other applicable legislation.
- 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.

A10/19 (Edghill)  
Committee of Adjustment Decision  
Meeting of June 19, 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 June 19, 2019.

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

  
Richard Bates

  
Joe Fecht

  
Ted Southern

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**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.

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