



**CITY OF ORILLIA  
COMMITTEE OF ADJUSTMENT MINUTES**

**HEARING MINUTES**

**COMMITTEE OF ADJUSTMENT**

**HEARING OF**

**June 19, 2024**

The June hearing of the City of Orillia Committee of Adjustment was held on June 19, 2024 by virtual meeting with the following in attendance:

Peter Bowen – Committee Member (Chair)  
Ian Gordon – Committee Member  
Kelly Smith – Committee Member  
Jeff Duggan – Senior Planner  
Susan Votour – Intermediate Planner  
Lorrie Jackson – Secretary-Treasurer  
Sue McCormick – Planning Administrator

**1. Introduction by the Secretary-Treasurer**

**2. Appointment of Deputy Secretary:**

**027-24          Moved by: Kelly Smith  
                      Seconded by: Ian Gordon**

That Susan Votour be appointed as Deputy Secretary-Treasurer of the Meeting should she be called upon by the Chair.

**Carried**

**3. Opening of Hearing:**

The hearing was called to order at 9:15 a.m.

**4. Approval of Agenda:**

**028-24          Moved by: Kelly Smith  
                      Seconded by: Ian Gordon**

That the Agenda for the June 19, 2024, be approved.

**Carried**

**5. Confirmation of Minutes of the May 15, 2024 Hearing:**

**029-24          Moved by: Ian Gordon  
                      Seconded by: Kelly Smith**

That the Minutes of May 15, 2024 be approved.

**Carried**

**6. Notification of Pecuniary Interest:**

None.

**7. Manner in which Notice was provided:**

The Secretary-Treasurer described the Committee of Adjustment procedures for the Hearing.

**8. Applications:**

**8.1 A09-24 55 Nottawasaga Street**

In attendance: Tyson Haecker of PH Engineering & Builders Inc., agent on behalf of the Owner was present.

The Secretary-Treasurer read all correspondence received relative to the application.

**Proposal:**

The purpose of the proposed variance is for a reduction of the number of Off-Street Parking Spaces for a Dwelling Unit in a non-Residential Building.

**Comments from the Public:**

None.

**Comments from Departments/Agencies:**

Engineering Division has no comments or conditions.

Canada Post has no comments or conditions.

Hydro One has no comments or conditions.

**Staff Report:**

Planning Division recommends approval of the application with conditions.

**Owner/Applicant's Comments:**

Mr. Haecker addressed the Committee and advised he had nothing further to add to the presentation.

**Public Comments (at hearing):**

None.

**Committee Comments**

None.

The Committee made a motion to approve the application.

**030-24      Moved by: Ian Gordon  
                  Seconded by: Kelly Smith**

**Application A09-24 – 55 Nottawasaga Street, be approved with conditions, as per the Decision.**

**Carried**

**8.2    A10-24      649 Driftwood Road**

In attendance:      None

The applicant has requested a minor variance to permit an increase in the maximum floor area of a Building Accessory to the Residential Use on the property.

During staff review of the application, an additional required variance has been identified. The applicant has requested a deferral of the application to the July 17th Committee meeting in order that the application can be revised and recirculated.

The Committee made a motion to defer the application.

**031-24      Moved by: Kelly Smith  
                  Seconded by: Ian Gordon**

**Application A10-24 – 649 Driftwood Road, be deferred until the next Committee of Adjustment Hearing on July 17, 2024.**

**Carried**

**8.3    A11-24      3079 Monarch Drive**

In attendance:      Kelly Allen, the Owner were present.

The Secretary-Treasurer read all correspondence received relative to the application.

**Proposal:**

The purpose of the proposed variance is to allow for an increase in the maximum lot coverage in order to construct a deck at the rear of the dwelling.

**Comments from the Public:**

None.

**Comments from Departments/Agencies:**

Engineering Division has no comments or conditions.

Canada Post has no comments or conditions.

Hydro One has no comments or conditions.

**Staff Report:**

Planning Division recommends approval of the application with conditions.

**Owner/Applicant's Comments:**

Kelly Allen advised that the presentation covered the proposal and was there to answer any questions.

**Public Comments (at hearing):**

None

**Committee Comments:**

A Committee member just wanted to state that, through planning processes years ago, these lots were created too small which causes the requirement for increased deck coverage.

The Committee made a motion to approve the application.

**032-24      Moved by: Kelly Smith  
                  Seconded by: Ian Gordon**

**Application A11-24 – 3079 Monarch Drive, be approved with conditions, as per the Decision.**

**Carried**

#### **7.4 B07-24 and A08-24 67 and 71 Victoria Street**

In attendance: None

The Secretary-Treasurer read all correspondence received relative to the application.

#### **Proposal:**

The purpose of the proposed severance is to reconfigure the property to create two residential lots and the proposed variance is for a reduced lot frontage and lot area for both the severed and retained lots and for a reduced setback for a proposed driveway on the retained lot.

#### **Comments from the Public:**

None

#### **Comments from Departments/Agencies:**

Engineering Division has no comments or conditions.

Canada Post has no comments or conditions

Hydro One has no comments or conditions.

#### **Staff Report:**

Planning Division recommends approval of the application with conditions.

#### **Owner/Applicant's Comments:**

None

#### **Public Comments (at hearing):**

None

#### **Committee Comments:**

A Committee member commented that this development has been going on for years and hopes that the applicant moves ahead and gets the buildings completed and rented.

A Committee member indicated that they had done a site visit and there appears to be a wooden fence 8 feet from the building. The drawings shows the parking spaces but the member does not see how a vehicle can pull in and open the door with this distance. The member asked the number of parking spaces required.

Staff advised that 2 parking spaces are required for the 1<sup>st</sup> dwelling unit and then for 1 for the additional dwelling unit. The owner may be also able to adjust some parking in the rear yard.

Staff further advised that the owner could come back to Committee for a reduced size of a parking space.

A Committee member indicated that the fence would need to be put in the right location once the lot line is determined

Staff advised that they are comfortable moving forward with the applications and feel they can deal with the parking after the fact. Staff further advised that we deal with the application based on the material submitted an, if there is any infraction, that can be dealt with at a later date.

A Committee member asked what is the required width of a parking space. Staff advised that 2.7 m (8.8 feet) is required. Staff further advised that we could add a condition of the consent that parking on the retained lot be brought into compliance with the Zoning by-law either by a minor variance or removal of the fence.

The Committee made a motion to approve the application with the added condition.

**033-24            Moved by: Ian Gordon  
                      Seconded by: Kelly Smith**

**Application B07-24 and A08-24 – 67 and 71 Victoria Street, be approved with conditions, as per the Decisions.**

**Carried**

## **7.5 B09-24 and A12-24 105 Douglas Street**

In attendance: Tahmineh Feyzabi and Greg Barker of IPS Innovative Planning Solutions, agents on behalf of the Owner, were present.

The Secretary-Treasurer read all correspondence received relative to the application.

### **Proposal:**

The purpose of the proposed severance of the proposed severance is to create one (1) new residential lot to construct a single detached residential dwelling and the proposed variance is for a reduced lot frontage for both the severed and retained lot as well as the front yard setback to the existing dwelling on the retained lot

**Comments from the Public:**

One letter of opposition was received.

**Comments from Departments/Agencies:**

Engineering Division has no comments or conditions.

Canada Post has no comments or conditions

Hydro One has no comments or conditions.

**Staff Report:**

Planning Division recommends approval of the application with conditions.

**Owner/Applicant's Comments:**

Ms. Feyzabi provided a presentation to the Committee in connection with the severance. Ms. Feyzabi reviewed the site description, surrounding land uses, land use designation, proposed concept plan, surrounding area, minor variances requested with the 4 tests, consent analysis and summary and conclusion.

**Public Comments (at hearing):**

Greg Murphy of 112 Douglas addressed the Committee and advised he was concerned with the minimum parking shown and concerns with the lot size and frontage. He noted that because most of the homes are older, the lots are bigger in the area, and these lots should be a minimum of 15 metre frontages. Mr. Murphy is concerned of the number of trees that will need to be removed in the rear yard. He is also is concerned with the property values going down.

Mr. Murphy questioned what type of dwelling is proposed on the new lot and will it be a duplex? He noted the property is currently not maintained and he is concerned with the increase in traffic along the road.

Greg Barker of IPS Innovative Planning addressed the Committee. He noted that each lot will have the minimum required parking of 2 spaces each. The variance for the setback of the existing home is to legalize a situation of an older home and by removing the front entry way will bring the building into compliance.

Mr. Barker noted that the maintenance of the property will be kept up by his client. His client was just waiting to hear the outcome of the applications before investing further in properties.



Mr. Barker noted that they propose to keep as many trees as possible and have shown in the drawing the maximum zoning envelope to build. They are proposing a single family dwelling which should not really add too much to the traffic on the road.

Suzanne Richard of 108 Douglas Drive addressed the Committee. She is concerned about the addition of 4 cars which is not safe for children in the area and there should be a stop sign at Nottawasaga and Douglas.

Mr. Murphy asked about the tree by-law and staff advised that the By-law is for properties that are ½ hectare and this lot does not meet the size requirement for the By-law to apply.

**Committee Comments:**

A Committee member questioned if there is enough space for parking on the new severed lot and Mr. Barker advised that it does have the minimum requirement of 6 metres.

The Committee made a motion to approve the application.

**034-24            Moved by: Kelly Smith  
                      Seconded by: Ian Gordon**

**Applications B09-24 and A12-24 – 105 Douglas Street, be approved with conditions, as per the Decisions.**

**Carried**

**9. Correspondence / other business:**

**a. Request to Change Conditions**

**9.1 B11-22 – 70 Front Street North**

Staff introduced the applications and advised that the Planning Act does allow the applicant to request a change to conditions prior to the issuance of the Certificate by the Secretary-Treasurer. If in opinion of Committee it is deemed to be a minor change, then no further notice of the decision requires circulation and the original lapsing date stays as the date for the completion of the conditions. Should the Committee deem the change to be a major change, then a new decision is issued and circulated and the 2 year requirement for completion of the conditions is reset.

In attendance:        None

**Condition Changes:**

1. Removal of condition #6 requiring payment of cash-in-lieu of parkland since this will be collected at the site plan control stage.

*“6. That the Owner/Applicant shall pay to the City of Orillia Cash-In-Lieu of Parkland dedication the amount of which shall be in accordance with the Parkland Dedication By-law, to the satisfaction of the Secretary Treasurer.”*

2. Amendment of Condition #7 from:

*“7. That Part 12, Plan 51R-42746 be transferred to the City free and clear of encumbrances at the owner’s expense.”*

To:

*“7. That Part 12, Plan 51R-42746 be transferred to the City free and clear of encumbrances at the owner’s expense as detailed in the Utility Installation and Maintenance Access Easement registered as SC1958925.”*

The applicant has already entered into a satisfactory agreement with the City regarding the Transfer of Part 12, Plan 51R-42746.

3. Removal of condition #8 which also requires a transfer of Part 12, 51R-42746 since the condition is redundant:

*““Engineering Conditions:*

*8. That the Owner/Applicant shall convey to the City, at the expense of the Applicant, free and clear of encumbrance a road dedication a noted on Registered Plan 51R-42746 being Part 12, to the satisfaction of the City.”*

The Committee made a motion to approve the changes to the conditions.

**035-24            Moved by: Ian Gordon  
                      Seconded by: Kelly Smith**

**Application B11-22 – 70 Front Street North, change of conditions be approved. The changes to the conditions are considered minor.**

**Carried**

## 9.2 B17-23 – 256 Harvey Street

In attendance: Fior Tucci and Eric Csekey, applicants

### Condition Changes:

1. Removal of condition #7 requiring installation of new water and sewer laterals prior to issue of the Consent Certificate.
  
7. *That the Owner/Applicant shall enter into a Lateral Service Agreement with the City for the design and installation of water and sanitary service laterals to the front property line of the one (1) new lot at the expense of the applicant and to the satisfaction of the City. The installation of services must be installed and inspected to the satisfaction of the City prior to the lapsing of Conditional Consent Approval.”*

Mr. Tucci advised they had provided further written documentation in support of the change to the condition.

The Committee made a motion to approve the change to the condition.

**036-24 Moved by: Kelly Smith**  
**Seconded by: Ian Gordon**

**Application B17-23 – 256 Harvey Street change of conditions be approved. The change of condition is considered minor.**

**Chair Bowen did not vote on this motion as he was not in attendance at the original meeting that decided on the application.**

**Carried**

**10. Adjournment:**

**037-24      Moved by: Ian Gordon  
                  Seconded by: Kelly Smith**

**We now adjourn at 10:25 a.m.**

**Carried**

The Committee will reconvene at 9:15 a.m. on July 17, 2024.



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Pete Bowen, Chair



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Lorrie Jackson, Secretary-Treasurer