



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

HEARING MINUTES

COMMITTEE OF ADJUSTMENT

HEARING OF

October 16, 2024

The October hearing of the City of Orillia Committee of Adjustment was held on October 16, 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
Ali Chapple – Senior Planner
Jill Lewis – Senior Planner
Susan Votour – Intermediate Planner
Lorrie Jackson – Secretary-Treasurer
Sue McCormick – Planning Administrator

1. Introduction by the Secretary-Treasurer

2. Opening of Hearing:

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

3. Approval of Agenda:

**051-24 Moved by: Ian Gordon
 Seconded by: Kelly Smith**

That the Agenda for the October 16, 2024, be approved.

Carried

4. Confirmation of Minutes of the September 11, 2024 Hearing:

**052-24 Moved by: Kelly Smith
 Seconded by: Ian Gordon**

That the Minutes of September 11, 2024 be approved.

Carried

5. Notification of Pecuniary Interest:

None.

6. Manner in which Notice was provided:

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

7. Applications:

7.1	A19-24	3019 Sierra Drive
	A20-24	3021 Sierra Drive
	A21-24	3023 Sierra Drive
	A22-24	3084 Orion Boulevard
	A23-24	3086 Orion Boulevard
	A24-24	3088 Orion Boulevard

In attendance: None.

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

Proposal:

The purpose of the proposed variances is to allow for an increase in the required height of a fence on the subject properties.

Comments from the Public:

Letter of support received from 3025 Sierra Drive.

Comments from Departments/Agencies:

The Engineering Division has a comment and no conditions.

Canada Post has no comments or conditions

Hydro One has no comments or conditions.

The Simcoe County District School Board has no comments or conditions.

Staff Report:

Planning Division recommends approval of the application with no conditions.

Owner/Applicant’s Comments:

None.

Public Comments (at hearing):

None.

Committee Comments

None.

The Committee made a motion to approve the application.

**053-24 Moved by: Ian Gordon
 Secoded by: Pete Bowen**

Application A19-24 – 3019 Sierra Drive, be approved with no conditions, as per the Decision.

Application A20-24 – 3021 Sierra Drive, be approved with no conditions, as per the Decision.

Application A21-24 – 3023 Sierra Drive, be approved with no conditions, as per the Decision.

Application A22-24 – 3084 Orion Boulevard, be approved with no conditions, as per the Decision.

Application A23-24 – 3086 Orion Boulevard, be approved with no conditions, as per the Decision.

Application A24-24 – 3088 Orion Boulevard Sierra Drive, be approved with no conditions, as per the Decision.

Carried

7.2 A17-24 51-79 Lightfoot Drive (70 Front Street North)

In attendance: Olivia Warner, agent on behalf of the Owner, was in attendance.

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

Proposal:

The purpose of the proposed developments is to construct 15, three-storey Townhouse Dwelling Units on the subject property. To construct in compliance with the proposed Site Plan, the applicant is requesting seven minor variances to achieve the desired development.

Comments from the Public:

None.

Comments from Departments/Agencies:

The Engineering Division has a comment and no conditions.

Canada Post has no comments or conditions.

Hydro One has no comments or conditions.

The Simcoe County District School Board has no comments or conditions.

Staff Report:

Planning Division recommends approval of the application with conditions.

Owner/Applicant's Comments:

Olivia Warner advised Committee that she was in attendance to answer any questions of Committee.

Public Comments (at hearing):

None.

Committee Comments

A Committee member indicated that he was not in favour of altering the handicapped spaces and changing AODA rules. In this instance, he agrees with the developer's request with a slight modification being the rolled curb onto the sidewalk. The member asks that the section of the curb be flattened, and the sidewalk rolled up and down on the north-south plane to allow a person with a wheelchair or walker can get up onto the sidewalk.

Ms. Warner indicated that they could take that request back for review. She indicated that she is not sure what the process is through the Planning Division. Staff advised that the application is in the 2nd submission for site plan approval and what we can do is have a look at this through the Engineering Division. Staff do not foresee any difficulty with this request.

The Committee member asked if we approve this as presented and hope the developer takes into consideration or are we going to put an amendment in today. Staff advised that this is something we can look to do, however, planning staff cannot speak to comments from the Engineering Division.

A Committee member noted that there could be an option to defer until we hear back, or we can approve today and hope that it is incorporated into the plan.

A Committee member noted that, as there are no applications for the November meeting this would likely have to come back for the December meeting. It was questioned if Committee can just put a condition in right now to make the sidewalk level to the driveway.

A Committee member asked if we could vote on the application and defer just item no. 7. and vote on minor variances 1 thru 6.

The Committee Member indicated that they do not want to delay but want to see item no. 7 properly addressed. Staff advised that this could occur and a timeline for a response from Engineering as to when this comes back should be implemented.

The Committee made a motion to approve items 1 – 6 and defer item no. 7.

054-24 Moved by: Ian Gordon
Seconded by: Kelly Smith

Application A17-24 – 51-79 Lightfoot Drive (70 Front Street North) Items 1 through 6 be approved with conditions, as per the Decision and Item 7 be deferred until the next available hearing date being December 11, 2024.

Carried

7.3 A13-24 4501 Uhthoff Line

In attendance: Robert McQuillan, agent, on behalf of the Owners was in attendance.

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

Proposal:

The purpose of the proposed variance is to allow for a reduction in the minimum Lot Frontage and minimum Lot Area for Blocks 50 and 51 of the existing Inch Farm Draft Plan of Subdivision to allow for the construction of 16' wide townhouses without basements as a consequence of hydrogeological limitations associated with that portion of the site.

Comments from the Public:

None.

Comments from Departments/Agencies:

The Engineering Division has a comment and no conditions.

Canada Post has no comments or conditions.

Hydro One has no comments or conditions.

Simcoe County District School Board has no comments or conditions.

Staff Report:

Planning Division recommends approval of the application with conditions.

Owner/Applicant's Comments:

Robert McQuillan addressed the Committee and indicated that he has no further comments and is in agreement with the proposed conditions.

Public Comments (at hearing):

None.

Committee Comments

A Committee member questioned the width of the townhouses at 16 feet wide and are they no longer going to have a front yard as going down to one metre. Is there one parking space and is it inside the garage?

Mr. McQuillan advised it is a request for a one metre reduction and there would still be front yard parking and one parking in the garage. A Committee member questioned if it would then be just one parking in the front yard as the units are 16 feet wide and is there still the rule of 50% parking and 50% landscaping and therefore just an 8 foot driveway?

Mr. McQuillan advised there is no relief being sought for landscaped open space. Staff advised that being a townhouse they are allowed to have 60% of coverage for the driveway which was updated in housekeeping by-law a few years back and therefore fit one vehicle width.

A Committee member asked why, since the townhouses cannot have basements due to the water table, do they now need to go from 20 foot units to 16 foot units?

Mr. McQuillan advised that they identified through issues from a hydrogeological investigation elsewhere on the site adjustments had to be made to other units which did not require variances. They committed through their draft plan 351 residential units. In order to do that on the broader plan, they adjusted the number of units in the blocks.

The Committee made a motion to approve the application.

055-24 Moved by: Ian Gordon
Seconded by: Kelly Smith

Application A13-24 – 4501 Uthoff Line be approved with conditions, as per the Decision.

Committee member Kelly Smith was opposed.

7.4 B11-24 43 Fittons Road West

In attendance: Brady McDonald, 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 severance is to request a division of land to create three (3) new residential lots to construct a total of two (2) Semi-Detached Dwellings.

Comments from the Public:

A Letter of Objection was received.

Comments from Departments/Agencies:

The Engineering Division has a comment and condition.

Canada Post has no comments or conditions.

Hydro One has no comments or conditions.

The Simcoe County District School Board has no comments or conditions.

Staff Report:

Planning Division recommends approval of the application with conditions.

Owner/Applicant's Comments:

Brady McDonald indicated that he had no further comment.

Public Comments (at hearing):

Agnes Haak of 24 Leach Street addressed the Committee and advised she had submitted a letter for Committee's consideration as well.

Ms. Haak indicated the concerns from her letter. The 1st concern is safety as Fittons Road West is very busy. The intersection at Leach and Fittons has significant traffic at high rates of speed turning onto Leach. There are no sidewalks. The density proposed

on this one lot with the number of units will cause parking to be on the street and sight line concerns for people backing out onto the street.

Ms. Haak indicated the buildings are planned right up to the side lot line which gives concern to water runoff. This lot is higher than her lot next door and concern with the structural integrity for her home with this new build. She is wondering about a possible fence in this area.

Ms. Haak noted that the buildings are out of character with the neighbourhood as the street has single storey bungalows spread apart with gardens around them which helps with sound proofing. The buildings are quite large which will impact the privacy and cause loss of light for surrounding properties. She indicated the previous owners moved because of their concern on what was proposed and would like to know how her issues will be addressed.

Mr. McDonald indicated with the water runoff that there will be a grading plan and storm water management plan which will address any water concerns upon submission with the building permit. The homes are proposed as single family homes within semi-detached buildings and the parking requirements are met. With regard to safety, the owner has given a corner of the property for visibility onto Fittons Road West. They are following the rules and feel the compatibility and that there is currently a 2 storey building on site which reflects what will be built. The surrounding uses are mixed use, 4 storey units and commercial buildings on Fittons Road.

Ms. Haak wanted confirmation that that they will be only 2 storey and 4 single family owners. She noted that this whole development is on Leach Street and this is not consistent with what the rest of the street is like.

Staff advised that parking is approved for single units which is 4 residential units. There is a possibility in the future that someone would want to apply to put 2nd or 3rd units in. At that point, the parking would have to meet the zoning requirements which may be limiting and therefore the additional use would not be permitted.

An engineered lot grading plan is required at the building permit stage and that is required to demonstrate that there are no adverse impacts from storm water runoff on neighbouring properties. With respect to the privacy fence, that may be something the Committee wishes to alter the condition to require a fence between 43 Fittons Road West and 24 Leach Street.

Staff advised that the applicants are proposing two stories, however, the Zoning By-law does allow 3 stories, and we have not seen any elevation drawings as of yet.

Committee Comments

A Committee member questioned if we could add that a fence between 43 Fittons Road West and 24 Leach Street as well as an addition to the landscaped plan be added to the conditions.

A Committee member asked if the fence should be maintained. Staff advised that, once units transferred into separate ownership, they would need to cooperate on the maintenance of the fence. We would require that the fence be installed prior to occupancy and then the maintenance requirement would be by subsequent owners.

The Committee made a motion to approve the application with an addition to 8 d. and 10 d. of the conditions to have the fence installed between the subject property at 43 Fittons Road West and 24 Leach Street.

**056-24 Moved by: Kelly Smith
 Seconded by: Ian Gordon**

Application B11-24 – 43 Fittons Road be approved with conditions, as per the Decision, as amended.

Carried

8. Adjournment:

**057-24 Moved by: Kelly Smith
 Seconded by: Ian Gordon**

We now adjourn at 10:06 a.m.

Carried

The Committee will reconvene at 9:15 a.m. on December 11, 2024.



Pete Bowen, Chair



Lorrie Jackson, Secretary-Treasurer