



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

HEARING MINUTES

COMMITTEE OF ADJUSTMENT

HEARING OF

August 17, 2022

The August hearing of the City of Orillia Committee of Adjustment was held on August 17, 2022 in-person in the Tudhope Boardroom on the Main Floor at City Centre, with the following in attendance:

Chair: Joe Fecht
Member: Ted Southorn

Nick Skerratt – Secretary-Treasurer
Jeff Duggan – Senior Planner
Jill Lewis – Senior Planner
Ali Chapple – Senior Planner
Anna Dankewich – Intermediate Planner
Lorrie Jackson – Administrative Assistant

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:

036-22 **Moved by: Ted Southorn**
 Seconded by: Joe Fecht

That the Agenda for August 17, 2022, be approved.
Carried

4. Confirmation of Minutes of the July 20, 2022 Hearing:

(4.1) Minutes of the Committee of Adjustment Hearing dated July 20, 2022 shall be approved.

037-22 **Moved by: Ted Southorn**
 Seconded by: Joe Fecht

That the Minutes of July 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) T07/040 157 Coldwater Road West

In attendance: Ron Brooks, Prosigns, Agent, was present.

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

Proposal

An application has been made by Pro Signs (applicant) for a Sign Variance under File Number T07-040. The applicant proposes to construct an illuminated ground sign including an electronic programmable portion Ground Sign located on the subject property and is requesting a variance from the provisions of the City's Sign By-law.

Comments from the Public

- Support letter received.
- Letters of concern and opposition have been received.

Comments from Departments/Agencies

- Engineering Division has no comment or condition.

Staff Report:

- Planning Division recommends approval without conditions.

Applicant's Comments:

Ron Brooks, Prosigns, Agent, was present. Mr. Brooks advised that signage was an LED screen with the lower portion being programmable to announce upcoming programs for the community. He is willing to work with the community to come to a resolution for sign installation and lighting. The top sign is constantly illuminated but can be programmed to go off at a certain time. The lower illuminated screen which is a video monitor and subject to the Sign By-law, will be programmed to go off and on at times prescribed by the City, between 10 pm and 7 am.

Public Comments (at hearing):

162 Coldwater Road – Teresa Smith

- None.

Comments from Departments/Agencies

- Engineering Division has no comment or condition.

Staff Report:

- Planning Division recommends approval with conditions.

Applicant's Comments:

Jeannine Gourlie and John Dowley, Property Owners, were present. They have spoken with their neighbours to the left, they have no concerns. There is a road to the right. They tried several variations and sizes for the garage, however, due to the shape of the lot, they were unable to accommodate the garage without the required variance.

Public Comments (at hearing):

None.

Committee Comments:

The Committee commented that it was a reasonable use of space.

039-22 ***Moved by: Ted Southorn***
Seconded by: Joe Fecht

Application A12-22 267 Fittons Road East, be approved with conditions, as per the Decision.

Carried

(7.4) B9-22 43 Fittons Road West

In attendance: Savas Varadas, Plan Muskoka, Agent, 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 parcels of land for a total of two (2) pairs of Semi Detached Dwellings.

Comments from the Public

- Letter of opposition has been received from Tom Bristow.

Comments from Departments/Agencies

- Engineering Division has comments and requested conditions.

Staff Report:

- Planning Division recommends that the application be deferred.
- Should the Committee approve the application, the Planning Division have proposed certain conditions.

Applicant's Comments:

Savas Varadas, Plan Muskoka, Agent, was present. He believes that the Staff's main concern surrounds the Engineering request for a road widening, however, he does not see the future need or reasonable expectation for a road widening on Leach Street. Otherwise the proposal meets all zoning requirements and its design is in keeping with the existing neighbourhood. Mr. Varadas confirmed that the existing driveway off Fittons would be removed should the development go forward.

Public Comments (at hearing):

Tom and Lynda Bristow were present. Mr. Bristow advised that the proposed development is out of place for the neighbourhood. The proposed duplexes will be closer to the roadway than other surrounding houses. There are no other nearby duplexes in this neighbourhood. Mr. Bristow commented that one duplex would be reasonable, but not two as proposed with a total of four units. He commented that new builds should be compatible in design in accordance with the Building Code. He is not concerned with the height, but rather the footprint, and the proposed structures would encroach onto the sightline of the neighbouring properties. Mr. Bristow advised that other neighbours would have submitted letters of opposition should they have been given additional time. Mr. Bristow asked if other parties outside of the 60m circulation area could join a possible appeal. Nick Skerratt, Secretary-Treasurer, advised that anyone could be added as a party to an appeal.

Committee Comments:

The Committee asked that Anna Dankewich, Intermediate Planner, comment on the requirements under the Zoning By-law with respect to the built form. Ms. Dankewich advised that the property was zoned R2 and permits single detached

dwelling and also semi-detached or additional dwelling units, as well as other forms of residential units to allow for residential intensification. Zoning standards provide for lot size requirements for lot usage, which this proposal does comply with. The road widening requirement from Engineering would cause several minor variances to be applied for should it be granted. The Committee commented that the Province was also requiring through legislation that Cities provide for intensification by providing for things like additional dwelling units on residential properties thereby allowing two units. Ms. Dankewich commented that compatible with respect to design was defined as not having an adverse effect on the surrounding buildings. Ms. Dankewich advised that if there was no road widening requirement, that the application would comply; however, given the road widening requirement, it may affect Planning's report on the application. The Committee advised of the appeal process and that should the application be approved, there was no mechanism to oppose the development following approval at the Building Permit stage. The Committee asked what the deferral condition implied. Jill Lewis, Senior Planner, advised that the primary reason for Staff to suggest the deferral was the road widening requirement, and that the Committee must decide whether to impose the road widening as requested by the Engineering Division. They also have an interest in taking a road widening off of Fittons Road as well. Committee asked why a road widening on Leach Street was being requested. Ali Chapple advised that there were no known plans for widening of Leach Street in the near future. Committee asked for clarification as to whether Fittons was a collector or arterial road. Ms. Chapple confirmed that it was an arterial road. Committee asked if the corner sight line was in compliance, Ms. Dankewich confirmed that it was. Ms. Dankewich confirmed the Zoning By-law does allow for the minimum setback of a driveway to a roadway be further reduced at the City's discretion. Ms. Lewis confirmed that further reductions were on an individual consideration basis. Committee commented that intensification requirements and individual municipal policies were in conflict in situations like this. Committee commented that they were not in support of the road widening request from Engineering, as the application in all other aspects met the provisions of the Zoning By-law. Ms. Lewis confirmed that Engineering did express an interest to take a road widening from the retained lot off Fittons; however, the existing policy did not provide for road widenings to be taken from the retained property, only from the severed property, being the proposed lots on Leach. Committee asked if Fittons was scheduled for sidewalk redevelopment, Ms. Lewis did not have that information. All proposed conditions were reviewed.

040-22

***Moved by: Ted Southorn
Seconded by: Joe Fecht***

Application B9-22 43 Fittons Road West, be approved with conditions, as per the Decision.

The proposed condition with respect to a required Minor Variance application be removed.

The proposed Engineering conditions with respect to the road widening requirement and minimum 20m entrance distance be removed.

The proposed Engineering conditions for Geotechnical Report requirement, Stormwater Management Report requirement, be removed, as this was part of the Building Permit process.

Carried

8. Correspondence / other business:

8.1 The Secretary-Treasurer advised that an appeal has been received with respect to the Decision for A8-22 694 Broadview Avenue minor variance.

9. Adjournment:

041-22 *Moved by: Ted Southorn*
Seconded by: Joe Fecht

We now adjourn at 10:41 a.m.
Carried

The Committee will reconvene at 9:15 a.m. on September 21, 2022.

Joe Fecht, Chair



Nicholas Skerratt, Secretary-Treasurer