



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

**MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT,
WEDNESDAY, DECEMBER 15, 2021 AT 9:15 A.M. – ELECTRONIC HEARING**

Present:

Joe Fecht – Chair
Richard Bates – Committee Member
Ted Southorn – Committee Member

Also Present:

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

Introduction by Secretary-Treasurer

The Secretary-Treasurer advised those present of the following:

- Due to the current emergency situation, this meeting of the Committee of Adjustment is being held in an electronic format
- The Notices of Hearing that were circulated with respect to the applications being heard at the meeting contained the statements required under Section 5.2 of the *Statutory Power Procedures Act* regarding electronic hearings.
- As of the morning of December 15, 2021, the Secretary-Treasurer has not received any submission from any party claiming that the holding of the hearings in an electronic format will cause them significant prejudice and therefore the Committee has no such submissions to consider prior to proceeding with the hearing of the applications.

The Secretary-Treasurer confirmed that the Chair, Committee Members and Planning Staff had successfully joined the electronic hearing.

Call to Order

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

Approval of Agenda

Moved by Richard Bates, seconded by Ted Southorn:

THAT the agenda for the December 15, 2021 meeting of the Committee of Adjustment is approved.

Carried.

Disclosure of Interest

None

Minutes

Moved by Ted Southorn, seconded by Richard Bates:
THAT the minutes of the following meeting be adopted:

- November 17, 2021

Carried.

Welcome to Attendees and Explanation of Procedures

The Chair welcomed those in attendance and explained the meeting procedures and the appeal process.

Applications

a) Application for Minor Variance A17/21 (Lowe Properties Inc.) – 7 Fittons Road East

The Secretary-Treasurer outlined the application and reported on correspondence received.

Proposal

The purpose of the application is to request variance to the required “backing out area” or “bump out” adjacent to a parking space.

Comments from the Public

None.

Comments from Departments/Agencies

MTO

- 7 Fittons Road East – Site outside MTO permit control area and does not require MTO review

Engineering Division – Development Services and Engineering Department

- This variance is not acceptable as a 2.0m parking area, “bump out”, is required to aid in the safe parking of a vehicle.

Staff Report:

Nick Skerratt, Intermediate Planner, and Jeff Duggan, Senior Planner.

Applicant’s Comments:

Kevin Lowe from Lowe Properties, the Applicant, was present. He advised of the following:

- Minor variance application was made pursuant to the recommendations of the Planning Division and was for the purpose of facilitating adding an additional dwelling unit into the building.

Public Comments (at meeting):

None.

Committee Comments:

- Committee asked if this will impede snow storage. The Applicant advised that it would not as there was still sufficient lawn area for same.
- Committee requested that the conditions be amended to refer to the date of the drawing to be approved, being December 7, 2021.
- Committee requested that the condition regarding aisle width be amended to remove reference to minimum aisle width. Nick Skerratt, Intermediate Planner, advised that the prescribed width allows increased turning radius in the absence of a bump-out.
- Committee expressed concern that the recommendation was not practical due to snow storage and garbage containers being placed in existing parking spaces.
- Nick Skerratt, Intermediate Planner, advised that the variance met the four tests, and that the parking on the road allowance is preexisting legal non-complying and not the subject of the application.
- Committee asked if the current and previous Zoning By-laws required snow storage, Ali Chapple, Secretary-Treasurer advised that the previous by-law did not; however, the current one does.
- The Secretary-Treasurer confirmed that the Applicant was aware of and understood the appeal period.

The Committee approved Application A17/21 for the following variances from the provisions of Zoning By-law 2014-44, as amended:

	Section 6.2.14 (b) - Aisles	Requirement	Proposed	Variance
1	An aisle servicing a Parking Area which terminates in a dead end shall extend a minimum of 2.0m beyond the final Parking Space (to aid in backing up a vehicle) as illustrated in A1-13a - below	2.00m	0.00 m (west side only)	2.00m

REASONS: The application conforms with the requirements of the City of Orillia Zoning By-law, the City of Orillia Official Plan, meet all four tests of a minor variance, and satisfies the requirements of all commenting agencies and/or public parties.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the variance only apply to the submitted application drawing of December 7, 2021, and any future development be subject to the Zoning Bylaw standards and provisions.
2. That the owner/applicant submit a site plan drawing demonstrating a minimum aisle width of 7.2 metres abutting the two (2) southern most parking spaces, to the satisfaction of the City.

EFFECT OF PUBLIC INPUT:

In making this Decision, the Committee of Adjustment had regard for all public input received through written, electronic, and verbal submissions prior to the conclusion of the Public Hearing held on December 15, 2021.

b) Minor Variance A6/20 (Ventures Inc.) – 144 Elgin Street – Clarification of Decision

The Secretary-Treasurer outlined the proposal and reported on correspondence received and circulated.

Proposal

The Committee of Adjustment previously approved minor variance application A6/20 on June 17, 2020 with the following conditions;

1. That the owner convey the lands described as Blocks 8, 9 & 16 on the draft plan of subdivision prepared by Nanfara & Ng Surveyors Inc. dated November 20, 2019 (revised January 7, 2020) to the City of Orillia on or before December 31, 2021, free and clear of encumbrance; and
2. That prior to the conveyance as set out in Condition 1 herein, the owner shall allow the City to access the parcels to be conveyed at a mutually agreed upon time or times, if required by the City, in order that the City may conduct due diligence investigations as set out in the City's Real Property Policy.

The City is requesting that Condition No. 1 be altered to remove the identified deadline of December 31, 2021 and allow for the underlining permissions of the development's Draft Plan Approval lapsing date of May 2023 to take precedent.

Staff Report:

Ali Chapple, Senior Planner, and Jill Lewis, Senior Planner.

Applicant's Comments:

None.

Public Comments (at meeting):

None.

Committee Comments:

- Committee asked if another date should be inserted. Staff advised that they did not feel it was necessary as the transfer is imminent and that the Draft Plan Approval lapsing date of May 2023 should take precedent as an completion date.

Moved by Richard Bates, seconded by Ted Southorn:

THAT the Committee of Adjustment's previous approval for minor variance application A6/20 on June 17, 2020 remain intact, but that the conditions be clarified to remove reference to the December 31, 2021 date:

1. That the owner convey the lands described as Blocks 8, 9 &16 on the draft plan of subdivision prepared by Nanfara & Ng Surveyors Inc. dated November 20, 2019 (revised January 7, 2020) to the City of Orillia ~~on or before December 31, 2021, free and clear of encumbrance;~~ and
2. That prior to the conveyance as set out in Condition 1 herein, the owner shall allow the City to access the parcels to be conveyed at a mutually agreed upon time or times, if required by the City, in order that the City may conduct due diligence investigations as set out in the City's Real Property Policy.

Correspondence

None.

2022 Meeting Schedule

Moved by Ted Southorn seconded by Richard Bates:

THAT the Committee of Adjustment 2022 Meeting Schedule be approved.

Carried.

Appointment of Chair for 2022

Moved by Richard Bates, seconded by Ted Southorn:

THAT Joe Fecht is appointed as Chair of the City of Orillia Committee of Adjustment for the term ending on December 31, 2022.

Carried.

Discussion Item 1: Chapter 493 - Remuneration

Committee Comments:

- Committee Members have drafted comments regarding the Committee's current remuneration and requesting that it be reviewed.
- A motion is to be drafted from the Committee to Council, requesting that Council consider a review of remuneration for the Committee for the up and coming budget cycle of 2023.
- Council will then have to pass their own motion directing staff to undertake this review.
- Staff will draft a motion from to the Committee to Council, outlining their points and provide this for the Committee's review and direction at the January 2022 Committee of Adjustment Hearing

Discussion Item 2: Property Standards Training – Scheduled – Wednesday, March 23rd, 1:00pm – Council Chambers (In person)

Secretary-Treasurer advised of the following:

- Shawn Crawford, Manager of Legislative Services, will be organizing municipal training on Property Standards matters.
- For the Committee's Information, a fee will be implemented for a Property Standards Appeal going forward.

Discussion Item 3: New generic email addresses for COA

Secretary-Treasurer advised of the following:

- Generic emails have been created for the Committee of Adjustment, coa@orillia.ca, and for the Secretary-Treasurer, secretarytreasurer@orillia.ca, in order to maintain better continuity of communication to the Committee.

Discussion Item 4: New Committee ID badges

Secretary-Treasurer advised of the following:

- Sample ID badges were shared.
- Staff will arrange for photos to be taken of Committee Members if necessary, or a stock photo can be submitted by Members for the badge.

Discussion Item 5: Transition of the Secretary Treasurer role

Secretary-Treasurer advised of the following:

- Nick Skerratt, Intermediate Planner has agreed to accept the appointment as Secretary-Treasurer to the Committees of Adjustment.

Appointment of Secretary-Treasurer

Moved by Richard Bates seconded by Ted Southorn:

THAT Nick Skerratt is appointed as Secretary-Treasurer to the City of Orillia Committee of Adjustment.

Appointment of Deputy Secretary-Treasurer

Moved by Ted Southorn seconded by Richard Bates:

THAT the following Intermediate and Senior Level Planners for the City of Orillia, shall be appointed as Deputy Secretary-Treasurer to the City of Orillia Committee of Adjustment to perform duties in the absence of the Secretary -Treasurer.

Ali Chapple, Senior Planner

Jeff Duggan, Senior Planner

Anna Dankewich, Intermediate Planner

Maria Pinto, Zoning Administrator (Maternity Leave May 2022)

Date of Next Meeting

Wednesday, January 19, 2022.

Adjournment

Moved by Richard Bates seconded by Ted Southorn:

THAT the Committee of Adjustment meeting be adjourned at 10:15 a.m. on December 15, 2021. The Committee will reconvene at 9:15 a.m. on January 19, 2022.

Carried.

MEETING ADJOURNED – 10:15 A.M.

J. Fecht, Chair