



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

**MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT,
WEDNESDAY, JANUARY 19, 2022 AT 9:15 A.M. – VIRTUAL HEARING**

Present:

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

Also Present:

Ali Chapple – Senior Planner
Jeff Duggan – Senior Planner
Jill Lewis – Senior Planner
Nick Skerratt – Secretary-Treasurer
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:

- The Committee of Adjustment is being held in a virtual 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 Powers Procedure Act* regarding electronic hearings.
- As of the morning of January 19, 2022, the Secretary-Treasurer has not received any submission from any party claiming that the holding of the hearings in a virtual 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 virtual 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 January 19, 2022 meeting of the Committee of Adjustment is approved as amended.

Carried.

Disclosure of Interest

None

Minutes

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

- December 15, 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 A1/22 (Hachey) – 103 Matchedash Street North

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

Proposal

The purpose of the proposed two (2) variances is to construct a detached garage with second floor containing an Additional Dwelling Unit that exceeds area and height.

Comments from the Public

None.

Comments from Departments/Agencies

Engineering Division, Development Services and Engineering Department

- Traffic Information Request Form is required, and is linked [here](#).
- Upon application to construct the Additional Dwelling unit the following are comments to the applicant:
 - A Detailed individual lot grading plan prepared by a Consulting Engineer or an Ontario Land Surveyor knowledgeable in such matters will be required to be submitted at the building permit application stage.
 - A lot grading deposit of \$2,000.00 will be required (\$225.00 is an inspection fee and is non-refundable) will be required at building permit stage.

Canada Post

- No comments.

Staff Report:

Jill Lewis, Senior Planner.

Applicant's Comments:

John Hachey, the Applicant, was present, and advised the following:

- Accessory Dwelling Unit will be for his parents.
- Several neighbours were consulted and had no concerns.

Public Comments (at meeting):

None.

Committee Comments:

- Committee asked if there was a count of residents above garages and if it was becoming more common. Jeff Duggan, Senior Planner, advised that there was no official count and it was becoming more common.
- Committee asked why the greenspace in the rear yard wasn't being utilized. The Applicant advised that they want to leave it as greenspace at this time.
- Committee asked for clarification of the size limit for ADU's. Jill Lewis, Senior Planner, advised that the maximum is 75m² including decks and porches for detached structures, and that the interior space of this met that requirement, but the deck addition caused the overage.
- Committee confirmed that the applicant was aware of and in agreement with the conditions and comments subject to the condition regarding demolition being removed and replaced with a condition that the Applicant submit a site plan confirming the relocation of the shed to accommodate the required parking.

That the Committee of Adjustment approved Application A1/22 with conditions as per the signed decision.

Carried.

b) Application for Consent B1/22 (Povereni) – 60 South Street

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

Proposal

The purpose of the proposed severances is to request a division of land to create three (3) new parcels and construct two (2) pairs of Semi-detached Dwelling units.

Comments from the Public

Concerns were raised regarding the proposed variance were received from:

1. Lorenzo and Golda Gauthier who reside at 8 Cole Court, neighbouring property to the west.
2. Margaret and Paul Sallows who reside at 58 South Street, neighbouring property to the east.
3. Ron and Patricia Bolger who owns 56 South Street, second neighbouring property to the east.

Staff Report:

Anna Dankewich, Intermediate Planner, and Jeff Duggan, Senior Planner.

Comments from Departments/Agencies

Engineering Division, Development Services and Engineering Department:

- A driveway entrance is required to City of Orillia standards.

- The applicant is subject to the Road Widening Policy of the City of Orillia. A Road Widening of 2.4m is required.
- If the existing driveway undertakes any modifications, an entrance permit will be required and fee is applicable based on rates at the time of application. We will require an entrance permit application for each new site once they get developed.
- Upon application to construct the Semi-detached Dwelling units the following are comments to the applicant:
 - Detailed individual lot grading plans prepared by a Consulting Engineer or an Ontario Land Surveyor knowledgeable in such matters will be required to be submitted at the building permit application(s) stage.
 - A lot grading deposit of \$2,000.00 per lot will be required (\$225.00 is an inspection fee and is non-refundable) will be required at building permit stage.
 - New sanitary and water services to be installed on City Property will be completed by the City at the applicant's expense and will be required at building permit stage.
 - Service Connection Permits for water and sanitary connections will be required and will be required at building permit stage. Connection Permits are \$100.00 each.
- The proposed lands for development are located within the Fittons Road Pumping Station Area and are subject to an "Area" service charge as per By-law 1977-87, as repealed and replaced.

Canada Post:

- No comment.

Applicant's Comments:

Ryan Pattison, Designer for the Applicant, was present. Igor Poverini, the Applicant was also present. Mr. Pattison advised the following:

- All of the requirements seemed reasonable and their design that was in keeping with the size and design of lots and buildings in this neighbourhood.
- Trees at the rear will not be removed.
- Every effort will be made to keep the remaining trees on the property.
- Drainage will be addressed through a lot grading plan.
- Proposed semi-detached houses will be stepped down so that the height will not appear inconsistent with the neighbouring houses.

Public Comments (at meeting):

Patsy (Patricia) Bolger was present and expressed the following concerns:

- High number of units to be built on the property – Anna Dankewich, Intermediate Planner, advised that maximum lot area and maximum lot frontage was reviewed in relation to the number of units proposed, and this meets those requirements.
- Traffic and parking issues that additional residences will cause – Ms. Dankewich advised that current parking restrictions in the cul-de-sac or on the street would remain in place. Mr. Pattison advised that the driveway for each unit will accommodate two cars, plus a garage for a third car. He also commented on the size of the unit being 40 feet in width in keeping with other houses on the street.

Committee Comments:

- Committee asked if there was anything in the Zoning By-law for building shadows in the R2 zone. Ms. Dankewich, advised that there are no provisions for shading, only height and setbacks, and this application meets the current height and setback requirements.
- Committee asked what was previously on the property, Planning Staff advised that a house and detached garage were demolished in 2014.
- Committee commented that the application meets the Zoning By-law requirements in all aspects and will be a positive asset to the neighbourhood and support infill development.
- Committee commented that their authority with respect to the consent application was limited to the provision of the Zoning By-law.
- Committee commented that the Committee does not have the authority under the policies of the Official Plan to grant the road widening in relation to this application and will not be included in the decision.
- Committee confirmed that the applicant was aware of and in agreement with the conditions and comments and understood the appeal process.

That the Committee of Adjustment approved Application B2/22 with conditions as per the signed decision.

Carried.

Correspondence

None.

Motion for Remuneration

Member Bates requested that the current Committee Member's names be removed, and any reference to Property Standards Committee should be removed. Member Fecht requested that technical support and training be included as well.

THAT the current Members of the Committee of Adjustment request Council to consider a review of Chapter 493 of the City of Orillia Municipal Code entitled "Renumeration" as it pertains to the Committee of Adjustment.

AND THAT the Committee of Adjustment respectfully request that Council direct staff to prepare a report reviewing the current remuneration values and provide recommendations to Council for consideration in the 2023 budget.

AND THAT if modifications are approved direct staff to amend "Chapter 493 – Renumeration" of the City of Orillia Municipal Code.

The Committee's reasoning for these requests is as follows:

- The current remuneration rate has not been altered since 1980, however, salaries (Council and staff), and applications fees all had significant increases in the last 42 years.
- Committee of Adjustment is not advisory to Council but have their own legislative mandate and power to reach decisions.

- Committee members are committed to meeting on a monthly basis and therefore experience a high frequency of attendance to their duties.
- Monthly duties include: site visits, review of documents and materials, supplying personal devices computers/tablets/ technical devices, in order to participate in the hearing. Members do not receive reimbursement for mileage for site visits, or support for updating devices and software and or supplies to print documents.
- Ongoing technical support and training needs
- Background work required at least 1 – 1 1/2 hours of preparations per application.

Moved by Richard Bates,
seconded by Ted Southorn.
Carried.

Date of Next Meeting

Wednesday, February 16, 2022.

Adjournment

Moved by Richard Bates

Seconded by Ted Southorn:

THAT the Committee of Adjustment meeting be adjourned at 10:40 a.m. on January 19, 2022. The Committee will reconvene at 9:15 a.m. on February 16, 2022.

Carried.

MEETING ADJOURNED – 10:40 A.M.

J. Fecht, Chair

Nick Skerratt, Secretary-Treasurer