



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

HEARING MINUTES

COMMITTEE OF ADJUSTMENT

HEARING OF

July 20, 2022

The July hearing of the City of Orillia Committee of Adjustment was held on July 20, 2022 in-person in the Tudhope Boardroom on the Main Floor at City Centre, with the following in attendance:

Vice Chair: Rick Bates
Member: Ted Southorn

Nick Skerratt – Secretary-Treasurer
Jeff Duggan – Senior Planner
Jill Lewis – Senior Planner
Ali Chapple – Senior Planner
Kyle Kane – Development Coordinator
Lorrie Jackson – Administrative Assistant

1. Introduction by the Secretary-Treasurer

2. Opening of Hearing:

The hearing was called to order at 9:18 a.m.

3. Approval of Agenda:

028-22 ***Moved by: Ted Southorn***
Seconded by: Rick Bates

That the Agenda for the July 20, 2022, be approved.
Carried

4. Confirmation of Minutes of the June 15, 2022 Hearing:

(4.1) Minutes of the Committee of Adjustment Hearing dated June 15, 2022 shall be approved.

029-22 ***Moved by: Ted Southorn***
Seconded by: Rick Bates

That the Minutes of June 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) A5-22 3091 Orion Blvd.

In attendance: Drew Douglas, Property Owner, present.

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

Proposal

The purpose of the proposed variance is to request a deficient side yard setback for an existing inground pool.

The application came before the Committee at the May 18, 2022 Hearing and was deferred for the following reasons:

1. That the owner/applicant provide a drainage report, which has been accepted by the City, indicating that the existing built drainage will accommodate the design flows.
2. That the owner/applicant provide the above by September 1, 2022.

Comments from the Public

- Support letter received.

Comments from Departments/Agencies

- Engineering Division has confirmed that the Owner has rectified the grading along the interior property lines, and the grades now appear to be in general conformance with the approved lot grading plan on file. Pearson Engineering has completed a site visit and provided their Lot Grading Certification Letter for 3089 and 3093 Orion Boulevard.

Staff Report:

- Planning Division recommends approval without conditions.

Applicant's Comments:

Drew Douglas, Property Owner, was present. Advised that everything was outlined in letters and the application. Acknowledges by-law and that measurement was in error when installing the pool.

Public Comments (at hearing):

None.

Committee Comments:

The Committee asked about letter from drainage consultant, Pearson Engineering. Kyle Kane, Development Coordinator, Engineering Division, advised that he had conducted a site visit with Pearson Engineering and the drainage has now been corrected. The Committee asked if Mr. Douglas was increasing his liability coverage, Mr. Douglas confirmed that he would. The Committee confirmed that the Applicant was prepared to accept full responsibility for any harm/injury caused by the pool. The Committee commented that the pool installer should have known the City By-laws, but that they could take no recourse on the installer.

030-22 ***Moved by: Ted Southorn***
Seconded by: Rick Bates

Application A5/22 3091 Orion Blvd., be approved without conditions, as per the Decision.

Carried

(7.2) T07-040 157 Coldwater Road West

- DEFERRED by the applicant prior to the hearing to the August 17, 2022 Hearing.

(7.3) A8-22 694 Broadview Avenue

In attendance: Muhammed Naeem, Property Owner, present.

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

Proposal

The purpose of the proposed variance is to request an existing driveway to exceed the maximum allowable width.

Comments from the Public

- Letters of opposition have been received.

Comments from Departments/Agencies

- None.

Staff Report:

- Planning Division recommends approval with conditions.

Applicant's Comments:

Muhammed Naeem, Property Owner, present. Movement of vehicle is the reason for extension of the driveway, difficult to exit property, snow creates issues in winter.

Public Comments (at hearing):

698 Broadview – Bonnie Hill

- Environmentally, driveway causes more runoff, drainage in culvert has been blocked.
- Front yard looks like a parking lot, excessive parking.
- Long concrete surfaces create heat, multiple healthy trees have been cut down on the property.

696 Broadview – Janet Gysbers

- Concerned trees were removed to widen driveway.

668 Broadview – Don McIssac

- By-law was ignored.

692 Broadview – Dan Newman

- 2017 house built, no variances sought, respected by-laws including driveway requirements.
- A lot of concrete on the property.
- They reside on the north side therefore there is potential for runoff onto their property, including lack of draining culvert.
- Property owner should have known what they were doing but ignored requirements.

866 Broadview - Joy Skinner

- Snow is not an issue.

758 Broadview - Roseanne Staman

- Driveway was widened to accommodate more cars for AirBnB as it is not a family home but rather a commercial use.

675 Broadview – Ron Vance

- Doesn't know why the owner has to correct problem that the contractor had caused.

701 Broadview Avenue – Brian Jewett

- Supersized concrete driveway to allow commercial business that is not allowed per City by-laws, it is inappropriate use and not compatible with the surrounding neighbourhood.

Committee Comments:

The Committee asked regarding Tree By-law and Fence By-law. The Secretary-Treasurer confirmed that the City does have a tree by-law for properties of a certain size, and the specifications of the fence by-law.

The Committee asked if the property was an AirBnB, Mr. Naeem confirmed that he lived there on and off, otherwise the dwelling is rented. Other houses in neighbourhood operate as AirBnB establishments. Mr. Naeem stated that he stays at the house with his family when he is in the neighbourhood. The Committee asked if he thought there would be opposition to such a use. Mr. Naeem advised that once or twice there was up to 9 cars at the property, normally one to four cars. The Committee asked if the City culvert was extended? Mr. Naeem advised that the contractor put in supports to support the existing culvert but did not make it longer or get a permit. The Committee expressed concern that the driveway is not in-keeping with neighbourhood character and would oppose the variance request as they determined no reason why the driveway had to be widened.

031-22 ***Moved by: Ted Southorn***
Seconded by: Rick Bates

Application A8-22 694 Broadview Avenue, be denied.

Carried

The Committee recessed the hearing to allow for the public to exit the boardroom at 9:53 a.m. and reconvened at 9:56 a.m. in accordance with the approved agenda.

(7.4) A10-22 142 Dunedin Street

In attendance: Tony Vassallo, Property Owner, was present.

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

Proposal

The purpose of the proposed variances is to request the conversion of an existing detached garage to a detached Additional Dwelling Unit with deficient setbacks to the principal Dwelling and side yard.

Comments from the Public

- None.

Comments from Departments/Agencies

- None.

Staff Report:

- Planning Division recommends approval with conditions.

Applicant's Comments:

Tony Vassallo, Property Owner, present. Mr. Vassallo advised that they will be adding to the economic fabric of the City.

Public Comments (at hearing):

None.

Committee Comments:

The Committee asked if the Applicant had a Tenant in mind. Mr. Vassallo advised that it would become available to the general public, but that they do rigorously screen potential tenants. Mr. Vassallo stated that the existing garage has a full foundation and the existing trees located on the south property line are located on the neighbouring property. The Committee supports the application subject to the conditions, as there is a need for affordable housing throughout the City. The Committee asked the applicant if exterior windows are proposed facing the south property line. The Applicant stated that no windows are proposed along the south facing wall and displayed an elevation drawing to the Committee for review.

032-22 **Moved by: Ted Southorn**
Seconded by: Rick Bates

Application A10-22 142 Dunedin Street, be approved with conditions, as per the Decision.

Carried

(7.5) A11-22 628 High Street

In attendance: Aleksander Ratsimor, Property Owner, was present.

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

Proposal

The purpose of the proposed variance is to request the construction of a detached accessory structure (gazebo) with a reduced side yard setback.

Comments from the Public

- None.

Comments from Departments/Agencies

- None.

Staff Report:

- Planning Division recommends approval with conditions.

Applicant's Comments:

Aleksander Ratsimor, Property Owner, present.

Public Comments (at hearing):

None.

Committee Comments:

The Committee asked about eaves and drainage from the gazebo structure and abutting property line. The Property Owner confirmed that the eavestrough was ready to be installed on the structure and there would be no drainage affecting the building property. Committee asked staff regarding the proposed planning condition regarding screening. Jeff Duggan, Senior Planner, advised that a satisfactory Landscaping Plan was requested and received from the Property Owner.

033-22

***Moved by: Ted Southorn
Seconded by: Rick Bates***

Application A11-22 628 High Street, be approved with conditions, as per the Decision.

Carried

(7.6) B7-22 4387 Huronia Road

In attendance: Josh Morgan, Morgan Planning & Development,
Agent for the Property Owner, 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 two (2) new residential parcels of land.

Comments from the Public

- None.

Comments from Departments/Agencies

- Engineering Division has comments and requested conditions.

Staff Report:

- Planning Division recommends approval with conditions.

Applicant's Comments:

Josh Morgan, Agent for the Property Owner, present. Mr. Morgan outlined the history of and process that occurred on the property to rezone the lands from Rural zoning to R1 zoning which was approved by Council. Mr. Morgan concluded that the severance applications complete the planning processes to create two new residential lots in conformity with the Zoning Bylaw and will be serviced through agreements with the City. The Agent asked if installation of municipal services had to be completed within two years. The Secretary-Treasurer advised that two years from the decision date, services had to be extended to the property. Jill Lewis, Senior Planner, advised that a development agreement was also required to complete the Holding provision assigned to this property to ensure that all properties are municipally serviced.

Public Comments (at hearing):

None.

Committee Comments:

The Committee commented that the lots would be an asset to the City.

034-22 **Moved by: Ted Southorn**
Seconded by: Rick Bates

Application B7-22 4387 Huronia Road, be approved with conditions, as per the Decision.

Carried

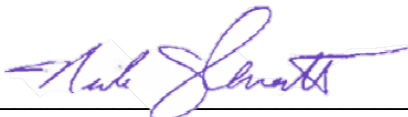
8. Adjournment:

035-22 **Moved by: Rick Bates**
Seconded by: Ted Southorn

We now adjourn at 10:17 a.m.
Carried

The Committee will reconvene at 9:15 a.m. on August 17, 2022.

Joe Fecht, Chair



Nicholas Skerratt, Secretary-Treasurer