



**CITY OF ORILLIA  
COMMITTEE OF ADJUSTMENT MINUTES**

**MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT,  
WEDNESDAY, OCTOBER 20, 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  
Nick Skerratt – Intermediate Planner  
Anna Dankewich – Intermediate Planner

**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 October 20, 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 the Development Service's Staff have successfully joined the electronic hearing.

**Call to Order**

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

The chair requested that the motion re: Acting Deputy Secretary Treasurer be moved to the end of the Agenda

**Approval of Agenda**

Moved by Richard Bates, seconded by Ted Southorn:

THAT the agenda for the October 20, 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:

- September 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 A18/21– 3069 Monarch Drive (Maza)**

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

### **Proposal**

The purpose of this application is to request an increase in the allowable lot coverage to permit an existing deck in the rear yard.

### **Comments from the Public**

None

### **Comments from Departments/Agencies**

- Planning Comments

#### **Planning Comments:**

Nick Skerratt, Intermediate Planner.

#### **Applicant's Comments:**

Sandra Maza (Owner/Applicant), was present and provided a brief description of the deck and the situation of non-compliance. Ms. Maza indicated that the increase in lot coverage was required to give her suitable space on her deck or outdoor items and to her to construct stairs and landing to the yard below.

#### **Public Comments (at meeting):**

none

#### **Committee Comments:**

- Committee commented on the present of elevated decks and had no concerns regarding them.
- Committee asked questions as to whether stairs would be added?

- Applicant indicated that the stairs would be added as a result of the approval.
- Committee asked whether measurements were taken on site by staff.
- The Planner indicated that suitable City officials would be onsite to review the construction.

The Committee approved Application A18/21 for the following variances from the provisions of Zoning By-law 2014-44, as amended:

	<b>Table 8.2 Zone Provisions for West Ridge Residential Zone</b>	<b>Requirement WRR2 Zone</b>	<b>Proposed</b>	<b>Variance</b>
1	Lot Coverage (Maximum)	45%	46.17% (existing)	1.17%

**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 drawings and any future development be subject to the Zoning Bylaw standards and provisions.

**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 October 20, 2021.

**b) Application for Minor Variance and Consent A19/21 & B10/21 – 163 Barrie Road (2601293 Ontario Inc.)**

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

**Proposal**

The applicant wishes to sever a portion of the property municipally known as 163 Barrie Road, from one lot into 2 new residential lots.

The severed lot proposed to have a reduced frontage. Zoning By-law 2014-44 requires new lots in the “Residential Two – Intensification” (R2i) Zone to have a Minimum Lot Frontage of 15.00m (49.21 ft), whereas the proposes served lot will have a Minimum Lot Frontage of 12.00m (45.14 ft).

**Comments from the Public**

None

**Comments from Departments/Agencies**

- Planning Division
- Engineering Division

**Engineering Division, Development Services and Engineering**

- A 3.0m wide road widening along Barrie Road was requested for the severed lot, which resulted in deficient lot area, which required additional Committee Approvals.
- Further to this the request for a Traffic Impact Study and Entrance Analysis were not supported and reasons provided to the Committee.

**Planning Comments:**

Nick Skerratt, Intermediate Planner

**Applicant's Comments:**

Cloey Black, resident of 163 Barrie Road and relative of the property owner. She attended the hearing on behalf of the application.

**Public Comments (at meeting):**

none

**Committee Comments:**

- Committee wondered about parking on the retained lot, and if required parking is permitted in the front yard.
- Planner indicated that Zoning By-law allows for parking in the front yard.
- Committee asked if a Variance was necessary to identify the Road Widening needs?
- Deficiencies as per a Road Widening are recognized by the By-law, save and except Lot Area.
- Committee believed a re-circulation should be required.
- Committee wondered about access to the carport?
- Applicant indicated that the carport will be removed when the severed lands are sold.
- Committee asked if the proposed new parking would be sufficient for the retained lot.
- Applicant indicated that they believed the proposed parking area would be sufficient.
- Committee asked regarding existing setbacks of the dwelling to the adjacent lot line (not abutting the proposed severed property) and whether they need to be identified.
- Secretary Treasurer indicated that they did not, as they were existing deficiencies.
- Committee wondered about the existing shed on the severed parcel.
- Applicant indicated that the shed would be removed once the lot was established.
- Committee asked whether a condition needed to be added to reflect the deficient lot area from the road widening.
- Secretary Treasure indicated that a condition was not required as the decision reflected the lesser lot area (with the knowledge of the road widening).
- Committee then asked again if a recirculation should occur.

- Secretary Treasurer indicated that a recirculation was not recommended due to the variance occurring as a result of the City’s request of the road widening and that this was not a variance brought forward by the applicant.
- Committee asked if there were any neighbours that showed interest in the application.
- Secretary Treasurer indicated that no neighbours has made communications with the City regarding this application.
- As a result of this hearing's discussions the Committee requests that any future deficiencies as a result of a Road Widening that require a variance be indicated in advance of a hearing, through the Notice.

The Committee approved Application B10/21 and A19/21 for consent to sever for one lot under File No. B10/21 together with the associated Minor Variances to permit a lot with reduced lot frontage and area, under File No. A19/21.

**PROPOSED CONSENT: B10/21**

To sever a portion of the property municipally known as 163 Barrie Road, from one lot into 2 new residential lots.

Lot	Proposed Lot Frontage	Proposed Depth	Proposed Area
Lot 1 - Severed	12.00 (45.14ft)	45m +/- (147.63ft +/-)	424 sq.m +/- (4563.89 sq.ft) result of road widening
Lot 2 - Retained	18.00 (45.14ft)	45m +/- (147.63ft +/-)	500 sq.m +/- (5381.95 sq.ft)

**PROPOSED MINOR VARIANCE: A19/21**

The severed lot proposed to have a reduced frontage and area. Zoning By-law 2014-44 requires new lots in the “Residential Two – Intensification” (R2i) Zone to have a Minimum Lot Frontage of 15.00m (49.21 ft) and a minimum lot area of 460 sq.m, whereas the proposed severed lot will have a Minimum Lot Frontage of 12.00m (45.14 ft) and a minimum lot area of 424 sq.m as a result of a City requested road widening.

Section	Requirement	Proposed	Variance
7.4, Table 7.2 “Zone Provisions for Residential Zones”	Lot Frontage (Minimum) for a property in the R2i Zone - 15.00 m (49.21 ft)	Minimum Lot Frontage of 12.00 m (39.37 ft)	Reduction of 2.00m (6.56 ft) to the Minimum Lot Frontage
7.4, Table 7.2 “Zone Provisions for Residential Zones”	Lot Area (Minimum) for a property in the R2i Zone - 460 m (4951 sq. ft)	Minimum Lot Area of 424 sq. m (4951 sq. ft)	Reduction of 36 sq.m (387 sq. ft) to the Minimum Lot Area

**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:**

THAT the Committee of Adjustment grants provisional approval to Application B10/21, subject to the following conditions:

1. That all taxes, local improvements, and/or other charges, both current and in arrears be paid for the calendar year to the satisfaction of the Treasurer/Chief Finance Officer;
2. The applicant/owner shall submit to the Secretary Treasurer of the Committee of Adjustment a reference plan of survey, both hard copy and digital format, duly deposited in the Office of the Land Registrar, (this shall include two hard copies as well as a digitized copy), which sets out the lands which are the subject of this application;
3. The applicant/owner shall submit to the Secretary Treasurer of the Committee of Adjustment a draft Transfer deed for review. (Upon registration, a final copy of the Transfer deed shall be provided to the City);
4. That the applicant/owner remove any accessory structure from the severed lands, subject to Staff satisfaction;
5. That the applicant/owner submit and receive approval for an Entrance Permit for the creation of a new driveway access on the severed lands, subject to Staff satisfaction;
6. That the applicant/owner shall be required to pay the Development Review Fee (\$75.00) as approved by City Council.
7. That the applicant/owner shall be required to pay any fees for approval of the documents (certificate) by the Secretary-Treasurer, as approved by City Council.
8. That the applicant/owner pay a set fee of \$2,000.00 for Cash-in-Lieu of Parkland as set out in the Planning Act and in the City of Orillia Municipal Code.
9. That the applicant/owner obtain confirmation from the City that water and sanitary laterals can be installed to the lot line of the severed lot and that the applicant is responsible for all associated expenses in obtaining these services.
10. That the Owner/Applicant convey to the City, at the expense of the applicant, free and clear of encumbrance a 3.00 metre road widening across the frontage of the severed property, to the satisfaction of the City.

Please note that all conditions of provisional consent shall be fulfilled within one (1) year from the date of the giving of notice of provisional consent, in accordance with Subsection 53(41) of the *Planning Act*.

THAT the Committee of Adjustment grants provisional approval to Application A19/21, subject to the following conditions:

1. That the minor variance application A19/21 be subject to approval of the

severance application

**Motion to Approve Deputy Secretary Treasurer**

Moved by Joe Fecht, seconded by Richard Bates:

THAT any Intermediate and Senior level Planner for the City of Orillia, shall be appointed as Deputy Secretary Treasurer to the City of Orillia Committee of Adjustment to preform duties in the absence of the appointed Secretary Treasurer – Ali Chapple and named as follows:

Anna Dankewich – Intermediate Planner

Nick Skerratt – Intermediate Planner

Jeff Duggan – Senior Planner

Jill Lewis – Senior Planner

Carried.

**Correspondence**

None.

**Date of Next Meeting**

Wednesday, November 17, 2021.

**Adjournment**

Moved by Richard Bates seconded by Ted Southorn:

THAT the Committee of Adjustment meeting be adjourned at 10:08 a.m. on October 20, 2021. The Committee will reconvene at 9:15 a.m. on November 17, 2021.

Carried.

MEETING ADJOURNED – 10:08 A.M.

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J. Fecht, Chair