



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

HEARING MINUTES

COMMITTEE OF ADJUSTMENT

HEARING OF

October 19, 2022

The October hearing of the City of Orillia Committee of Adjustment was held on October 19, 2022 in-person in the Tudhope Boardroom on the Main Floor at City Centre, with the following in attendance:

Chair: Joe Fecht
Member: Rick Bates
Member: Ted Southorn

Nick Skerratt – Secretary-Treasurer
Jill Lewis – 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:

047-22 ***Moved by: Rick Bates***
Seconded by: Ted Southorn

That the Agenda for the October 19, 2022, be approved.
Carried

4. Confirmation of Minutes of the September 21, 2022 Hearing:

(4.1) Minutes of the Committee of Adjustment Hearing dated September 21, 2022 shall be approved.

048-22 ***Moved by: Ted Southorn***
Seconded by: Rick Bates

That the Minutes of September 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) A13-22 77 Vanessa Drive

In attendance: Valerie Vautour, Agent, was present.
Pat McCarthy, Owner of 79 Vanessa Drive, was present.

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

Proposal

The purpose of the proposed variance is to request existing stairs exterior to the dwelling to encroach into the required side yard setback.

The application came before the Committee at the September 21, 2022 Hearing and was deferred for the following reasons:

1. That the applicant verify the width of the existing external stairway to City Staff satisfaction before returning to the Committee of Adjustment.

Comments from the Public

- None.

Comments from Departments/Agencies

- Engineering Division has no comments and no requested conditions.
- Canada Post had no comments.

Staff Report:

- Tyler Copeland, City Building Inspector, and Jill Lewis, Senior Planner, have confirmed the measurements of the existing external stairway and they are consistent with the information provided on the Notice of Hearing, dated September 7, 2022.
- Planning Division recommends approval with conditions.

Applicant's Comments:

Valerie Vautour, Agent, was present.

Public Comments (at hearing):

77 Vanessa Drive – Pat McCarthy

- Measured stairs at 47 inches, contrary to Planning report measurement of 1.1m, Jill Lewis, Senior Planner, advised that the *Planning Act* states that the measurements cannot be rounded up, therefore the conversion of 47 inches or 1.19m must be noted as 1.1m.
- The Secretary-Treasurer confirmed the lot dimensions from the survey.
- Mr. McCarthy expressed frustration that property owner proceeded with illegal use of the property as a duplex and allowed deficient stairway till he lodged a formal complaint.
- Ms. Lewis confirmed that the property owner has applied for permits as required for conversion to a duplex, but that the variance issue of the stairway must first be resolved so that the Zoning is in full compliance.

Committee Comments:

The Committee commented as follows:

- Understands the sentiments of the neighbour (Mr. McCarthy).
- Information regarding the appeal process was shared.

049-22

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

Application A13/22 77 Vanessa Drive, be approved with conditions, as per the Decision.

Carried

(7.2) A16-22 154 Simcoe Street

- DEFERRAL requested by Applicant prior to the October 19, 2022 Hearing due to failure to post required signage on the subject property within the legislative timeframes.

050-22

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

Application A16/22 154 Simcoe Street, be deferred to the November 23, 2022 Hearing date.

(7.3) A15-22 620 Broadview Avenue

- Application WITHDRAWN by the Applicant prior to Hearing.

(7.4) B12-22 and A14-22 140 Victoria Street

In attendance: Lori Heittola, Agent, was present.

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

Proposal

With respect to Application No. B12-22, the purpose of the proposed severance is to request a division of land to create one (1) new residential parcel of land for the development of a Semi-Detached Dwelling. This application will be heard in conjunction with minor variance application A14-22.

With respect to Application No. A14-22, the purpose of the proposed variances is to request a deficient rear yard setback, and a front yard driveway/parking area coverage & driveway width along the front property line exceeding the Bylaw requirements for the construction of a Semi-Detached Dwelling. This application will be subject to and heard in conjunction with consent application B12-22.

Comments from the Public

- None.

Comments from Departments/Agencies

- Engineering Division has comments and one requested condition.
- Canada Post has no comments.
- Enbridge Gas has comments with no conditions.

Staff Report:

- Planning Division recommends approval with conditions.

Applicant's Comments:

Lori Heittola, Agent, was present and commented as follows:

- Nearby properties have driveways of similar widths and have also been able to manage snow storage.
- This front lot line is set back by 3.5m from the storm drain allowing for adequate snow storage.

Public Comments (at hearing):

None.

Committee Comments:

The Committee commented as follows:

- The Agent confirmed that access to the potential basement unit would be through a shared front entrance which would split inside.
- Concerned with volume of front yard parking as on street parking is not permitted.
- Not in support of the variances concerning driveway width and parking space lot coverage.

051-22 **Moved by: Rick Bates**
Seconded by: Ted Southorn

Application B12-22 140 Victoria Street (severance), be approved with conditions, as per the Decision.

Carried

The Committee created a motion to defer application A14-22 (variance) for the following reasons:

1. Redesign of the front yard parking proposal before returning to the Committee.

052-22 **Moved by: Rick Bates**
Seconded by: Ted Southorn

Application A14-22 140 Victoria Street (variance), be deferred.

Carried

(7.5) A17-22 74 Peter Street North

In attendance: Cao Zhu Rong, Property Owner, present.
 Daxing Lu, Agent, was present.

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

Proposal

The purpose of the proposed variance is to allow for the construction of a second Dwelling Unit within the existing Dwelling with associated variances for Landscape Open Space, Parking Space, rear Parking Area coverage, and aisle width.

The Secretary-Treasurer noted that the minimum aisle width variance noted in the Notice (item 4) was no longer required as there was no minimum aisle width requirement pursuant to the Zoning By-law for this property.

Comments from the Public

- None.

Comments from Departments/Agencies

- Engineering Division has no comments or conditions.

Staff Report:

- Planning Division recommends approval with conditions.

Applicant's Comments:

Cao Zhu Rong, Property Owner, was present. Daxing Lu, Agent, was present. Mr. Lu noted the following:

- Property to be used as a duplex with 2 rear yard parking spaces, which will also provide for a rear yard landscaped area where none currently exists.

Public Comments (at hearing):

None.

Committee Comments:

The Committee commented as follows:

- Reintroduction of landscaped area in rear yard, while reducing available parking, will improve permeable space and drainage and add landscaped open space.

053-22 ***Moved by: Rick Bates***
Seconded by: Ted Southorn

Application A17/22 74 Peter Street North, be approved with conditions, as per the Decision.

Carried

8. Correspondence / other business:

None.

(8.1) End of Committee Members' Term Luncheon – set for November 23rd following the Hearing, location to be decided.

(8.2) December Meeting – to be cancelled unless deemed necessary by Staff.

054-22 **Moved by: Rick Bates**
Seconded by: Ted Southorn

That the December 21, 2022 Hearing of the Committee of Adjustment be cancelled, unless deemed necessary by Staff.


9. Adjournment:

055-22 **Moved by: Ted Southorn**
Seconded by: Rick Bates

We now adjourn at 10:21 a.m.
Carried

The Committee will reconvene at 9:15 a.m. on November 23, 2022.

Joe Fecht, Chair



Nicholas Skerratt, Secretary-Treasurer