



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

**MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT,
WEDNESDAY, JUNE 19, 2019 AT 9:15 A.M. IN THE BROOKS BOARDROOM,
ORILLIA CITY CENTRE**

Present:

Joe Fecht – Chair
Richard Bates – Committee Member

Also Present:

Susan Votour – Secretary-Treasurer
Jeff Duggan – Senior Planner
Jill Lewis – Senior Planner

Regrets:

Ted Southorn – Committee Member

Call to Order

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

Approval of Agenda

Moved by Richard Bates, seconded by Joe Fecht:

THAT the agenda for the June 19, 2019 meeting of the Committee of Adjustment be approved.

Carried.

Disclosure of Interest

None.

Minutes

Moved by Richard Bates, seconded by Joe Fecht:

THAT the minutes of the Committee of Adjustment meeting held on May 15, 2019 are hereby approved and adopted.

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 Consent B6/19 (Mariposa Market Ltd./1701510 Ontario Ltd.) - 109 & 115 Mississauga Street East**
- b) **Amended Application for Minor Variance A17/18 (Mariposa Market Ltd./1701510 Ontario Ltd.) - 109 & 115 Mississauga Street East**

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

Proposal

The purpose of Consent Application B6/19 is to create an easement over a portion of the property known as 115 Mississauga Street East (the Scent Shop) in favour of the property municipally known as 109 Mississauga Street East (Mariposa Market) to allow a new fire escape staircase and existing refrigerator used by Mariposa Market (109 Mississauga Street East) to be located on the Scent Shop property (115 Mississauga Street East).

The purpose of the Minor Variance Application 17/18 is two-fold:

- 1) To increase the Lot Coverage to 100% on the Scent Shop property (115 Mississauga Street East) to accommodate the proposed new fire escape staircase and existing refrigerator located on a covered concrete pad used by Mariposa Market (109 Mississauga Street East).
- 2) To allow shipping containers located partially on the Mariposa Market property (109 Mississauga Street) and partially on City property (30 Peter Street South – Municipal Parking Lot No. 2) to be partially clad without finished roofs.

Comments from the Public

None.

Comments from Departments/Agencies

City of Orillia Superintendent of Collection & Distribution

No comment.

City of Orillia Engineering Division

No comment.

Orillia Power

OPDC has overhead service wires in/near the area where the proposed fire escape is to be located. Required clearances to distribution infrastructure must be maintained. Please have the applicant contact OPDC's Engineering Department at their earliest convenience to address this issue.

Hydro One

No comments or concerns.

Staff Report:

Jill Lewis, Senior Planner

Applicant's Comments:

Josh Morgan of Morgan Planning and Development Inc., the agent for the applicant, was present along with Bob Willsey, the principal of Mariposa Market Ltd. and 1701510 Ontario Ltd. (the property owner). Mr. Morgan provided the following comments:

- The proposed fire escape will serve both properties - 109 & 115 Mississaga Street East.
- There are various issues at the rear of these properties and the purpose of these applications is to “clean up” the situation.
- Produced a survey of the property that has been recently completed and reviewed the areas of the proposed easement and variance with the Committee.

Public Comments (at meeting):

None.

Committee Comments:

- Committee asked the applicant whether the garbage bins at the rear of the property were on City or private property. Mr. Willsey advised that there is a strip of property at the rear which is owned by him and contains the garbage bins for Mariposa Market, Brewery Bay and several other local businesses.
- Committee asked the applicant if the cladding that is currently containing the shipping containers will change. The applicant confirmed that the cladding will remain as it is.
- Committee asked if the applicant had reviewed the proposed conditions of provisional approval. The applicant indicated that the conditions were satisfactory.

The Committee approved Application for Consent B6/19 and granted provisional consent to the creation of an easement over a portion of the property municipally known as 115 Mississaga Street East in favour of the adjoining property at 109 Mississaga Street East.

REASONS: The application conforms with the requirements of the City of Orillia Zoning By-law and the City of Orillia Official Plan and satisfies the requirements of all commenting agencies.

SUBJECT TO THE FOLLOWING CONDITIONS:

Pursuant to Subsection 41 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, all conditions imposed must be fulfilled within one year from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

1. That the applicant submit to the Secretary/Treasurer of the Committee of Adjustment:
 - a. One (1) copy of a draft Reference Plan prepared by an Ontario Land Surveyor, identifying the easement. Upon review and approval of the draft Reference Plan by the Secretary-Treasurer, one copy of the registered reference plan shall be provided to the City.

- b. One (1) copy of the electronic registration “in preparation” draft Transfer for the easement shall be provided to the Secretary/Treasurer of the Committee of Adjustment together with a signed Acknowledgement and Direction so that the consent certificate may be issued.
2. That the applicants shall pay:
 - a. the required Severance Review Fee (\$75.00) as approved by City Council.
 - b. the required fees for approval of the documents by the Secretary/Treasurer, as approved by City Council.
 3. 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*.
 4. THAT Minor Variance application A17/18 be approved by the Committee subject to the following conditions:
 - a. That the Committee of Adjustment approve Application for Consent B6/19.
 - b. That all conditions of approval of Consent Application B2/17 be fulfilled and that Consent be issued prior to the expiry of the provisional approval.

EFFECT OF PUBLIC INPUT:

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on June 19, 2019.

The Committee approved Minor Variance Application A17/18 and granted the following variances to the provisions of Zoning By-law 2014-44:

Section	Requirement	Proposed	Variance
5.35 Shipping Containers	Shipping containers may be used as structural components of a building provided a roof that is finished with shingles , tiles or other similar materials is added;	Shipping containers without finished roofs to be used as accessory buildings	No roofs
Section 9.4 Zone Provisions, Table 9.2 Zone Provisions for Commercial Zones	Maximum Lot Coverage in the C1 Zone - 60%	Maximum Lot Coverage for 115 Mississauga Street East - 100%	40% increase in Maximum Lot Coverage

- REASONS:**
- (1) The variances are minor;
 - (2) The variances are desirable for the appropriate development or use of the land, building or structure;
 - (3) The variances maintain the general intent and purpose of the Zoning By-law; and

- (4) The variances maintain the general intent and purpose of the Official Plan.

CONDITIONS:

1. That the Committee of Adjustment approve Application for Consent B6/19.
2. That all conditions of approval of Consent Application B2/17 be fulfilled and that Consent be issued prior to the expiry of the provisional approval.

Notes:

- This Minor Variance does not relieve the applicant of any permits or other permissions required under the Building Code or any other applicable legislation.
- The full cost of electrical servicing and any relocation of any OPDC owned poles, wires, or other equipment that may be required is the sole responsibility of the property owner.

EFFECT OF PUBLIC INPUT:

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on June 19, 2019.

c) Application for Consent B8/19 (Orillia Christian Centre) - 75 Queen Street East

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

Proposal

An application has been made by ORILLIA CHRISTIAN CENTRE by its agent, Morgan Planning and Development Inc., for consent under File Number B8/19 for consent to grant a sanitary sewer easement over property municipally known as 75 Queen Street East in favour of the adjoining property at 55 Queen Street East. The easement is proposed to be 6.00 m (19.69 ft) in width.

Comments from the Public

None.

Comments from Departments/Agencies

City of Orillia, Environmental Services and Operations

- No capacity analysis has been undertaken with respect to the sanitary servicing to the benefitting lands as no development plans are available.
- It appears that the proposed 6.0 m width should be sufficient.
- Ensure that no structures are erected on the intersecting easement boundary lines of the Matchedash easement to maintain access to trunk sanitary sewer main.

City of Orillia, Engineering Division

- No comment - reviewed and approved under Site Plan.

- Sanitary Sewer maintenance and repair shall be the responsibility of the property owner.

Orillia Power

- No concerns.

Hydro One

No comments or concerns.

Staff Report:

Jeff Duggan, Senior Planner

Applicant's Comments:

Josh Morgan of Morgan Planning and Development Inc., agent for the applicant Orillia Christian Centre, was present. Mr. Morgan indicated that he had been working on the Building Hope project for some time and that the Zoning By-law Amendment has been approved and the Site Plan application is substantially completed. He indicated that the owners of 75 Queen Street East had approached the owners of 55 Queen Street East about storing fill on 55 Queen Street East during construction and that during discussions on that a deal had been struck for the owners of 75 Queen Street East to allow a sanitary sewer servicing easement to be established across 75 Queen in favour of 55 Queen.

Public Comments (at meeting):

None.

Committee Comments:

- Committee asked the applicant if the applicant had reviewed the proposed conditions of provisional approval. Mr. Morgan indicated that the proposed condition stating that no structures or improvements could be located upon the easement lands could be problematic since on the approved site plan, a portion of the parking area and aisle, the garbage storage area and a portion of a proposed smoking shelter were located on the easement lands. The Secretary-Treasurer advised that the comment from the City's Environmental Services and Operations Department had requested that no structures be located on the easement near the trunk main and that the purpose of the condition was to prevent the owners having to disturb any structures in the event that the sanitary infrastructure needed to be excavated for repair or replacement. The Committee agreed to remove the condition entirely since there was no perceived risk to the City, the risk was entirely on the owners of the easement lands and the benefitting lands.

The Committee granted provisional approval under Consent Application B8/19 to a grant of easement over property municipally known as 75 Queen Street East in favour of property municipally known as 55 Queen Street East. The easement is for the purpose of future sanitary sewer servicing to the property at 55 Queen Street East. The easement is 6.0 m in width and is described as Part 3 on Plan 51R-42033.

REASONS: The application conforms with the requirements of the City of Orillia Zoning By-law and the City of Orillia Official Plan and satisfies the requirements of all commenting agencies.

SUBJECT TO THE FOLLOWING CONDITIONS:

Pursuant to Subsection 41 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, all conditions imposed must be fulfilled within one year from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

1. That the applicant submit to the Secretary/Treasurer of the Committee of Adjustment:
 - a. One (1) copy of the Reference Plan prepared by an Ontario Land Surveyor, identifying the easement. Upon review and approval of the Reference Plan by the Secretary-Treasurer, one copy of the registered reference plan shall be provided to the City.
 - b. One (1) copy of the electronic registration “in preparation” draft Transfer for the easement shall be provided to the Secretary/Treasurer of the Committee of Adjustment together with a signed Acknowledgement and Direction so that the consent certificate may be issued. The easement document shall clearly identify that responsibility for ongoing maintenance and repair of the sanitary service infrastructure located within the easement is the responsibility of the owners of the dominant and/or servient tenements (as agreed between the parties).
2. That the applicants shall pay:
 - a. the required Severance Review Fee (\$75.00) as approved by City Council.
 - b. the required fees for approval of the documents by the Secretary/Treasurer, as approved by City Council.
3. That the owners of the dominant and servient tenements each provide a written acknowledgement to the Secretary-Treasurer confirming that the City of Orillia is not obligated or responsible to repair or maintain the private sanitary service infrastructure located within the easement.
4. 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.
5. The full cost of the electrical services and any relocation of any OPDC owned poles, wires or other equipment that may be required is the sole responsibility of the property owner/developer.

EFFECT OF PUBLIC INPUT:

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on June 19, 2019.

d) Application for Consent B7/19 (205309 Ontario Ltd.) - 65 Colborne Street East, 66 & 68 Elgin Street

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

Proposal

An application has been made by 2058309 ONTARIO LTD., through its agent, MHBC Planning, to re-separate properties that have accidentally merged under the *Planning Act*. The proposed severed lot, municipally known as 65 Colborne Street East, has frontage of approximately 24.28 m (79.65 ft) on Colborne Street East and an area of approximately 2,771.02 m² (29,827.00 ft²). The property is zoned "Mixed Use Intensification - Intensification Area" (C4i). The frontage and area of the proposed severed lot meet the minimum frontage and area requirements in the C4i Zone. The proposed retained lands comprise the properties municipally known as 66 & 68 Elgin Street. These properties have an aggregate frontage of 21.54 m (70.67 ft) and an aggregate area of 482.91 m² (5,198.00 ft²). These properties are zoned "Residential Three - Intensification Area" (R3i). The retained lands meet the minimum frontage and area requirements in the R3i Zone.

Comments from the Public

None.

Comments from Departments/Agencies

City of Orillia Environmental Services and Operations Department

No comments.

City of Orillia Engineering Division

No comments - previous comments given in pre-consultation.

Bell Canada

No concerns.

Orillia Power

No concerns.

Hydro One

No comments or concerns.

Staff Report:

Jill Lewis, Senior Planner

Applicant's Comments:

Jamie Robinson of MHBC Planning, agent for the applicant, was present along with Chris Small, one of the principals of 2058309 Ontario Ltd. Mr. Robinson provided the following comments:

- As set out in the staff report, this consent is technical in nature as a result of an accidental merger.
- The City's Official Plan contains a specific policy that allows technical consents.
- The proposed severed and retained lots both comply with the frontage and area requirements in the City's Zoning By-law.
- A survey of the property has been completed.
- There will be a development proposal related to the retained lands on Elgin Street and a Minor Variance application will be coming forward to the Committee in August.

Public Comments (at meeting):

None.

Committee Comments:

- Committee asked the applicant what the source of the mapping in the staff report was, since during the site inspection the fencing on the properties did not seem to match up with the property boundaries as shown on the plan. Mr. Robinson advised that the mapping in the staff report was based upon the Teranet parcel fabric.
- Committee asked the applicant if they had reviewed the proposed conditions of approval. The applicant advised that the conditions were satisfactory.

The Committee granted provisional Consent under Application B8/19 with respect to the severance of the property municipally known as 65 Colborne Street East and 66/68 Elgin Street in order to re-separate the property at 65 Colborne Street East to correct an accidental merger. The resultant parcels will be as follows:

- a. The severed lot at 65 Colborne Street East will have a frontage of approximately 24.28m (79.65 ft) and an area of approximately 2,771.02 m² (29,827.00 ft²); and
- b. The retained lot at 66/68 Elgin Street will have a frontage of 21.54m (70.67 ft) and an area of 482.91m² (5,198.00 ft²).

REASONS: The application conforms with the requirements of the City of Orillia Zoning By-law and the City of Orillia Official Plan and satisfies the requirements of all commenting agencies.

SUBJECT TO THE FOLLOWING CONDITIONS:

Pursuant to Subsection 41 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, all conditions imposed must be fulfilled within one year from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

1. That the applicant submit to the Secretary/Treasurer of the Committee of Adjustment:
 - a. One (1) copy of a draft Reference Plan prepared by an Ontario Land Surveyor, identifying the severed and retained parcels. Upon review and approval of the draft Reference Plan by the Secretary-Treasurer, one copy of the registered reference plan shall be provided to the City. Alternatively, a description pre-approval from the Land Registry Office confirming that the existing legal description of the property is acceptable for registration shall be provided to the Secretary-Treasurer.
 - b. One (1) copy of the electronic registration “in preparation” draft Transfer for the new lot shall be provided to the Secretary/Treasurer of the Committee of Adjustment together with a signed Acknowledgement and Direction so that the consent certificate may be issued.
2. That the applicants shall pay:
 - a. the required Severance Review Fee (\$75.00) as approved by City Council.
 - b. the required fees for approval of the documents by the Secretary/Treasurer, as approved by City Council.
3. 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*.

EFFECT OF PUBLIC INPUT:

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on June 19, 2019.

e) Application for Minor Variance A9/19 (Lesperance)

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

Proposal

An application has been made by Daniel Lesperance for Minor Variance under File Number A9/19. The applicant proposes to construct an addition having an area of approximately 83.6 m² (900 ft²) onto the existing single detached dwelling on the property. The addition will be set back approximately 2.80 m (9.19 ft) from the Front Lot Line whereas the zoning by-law requires a Minimum Front Yard of 6.00 m (19.69 ft). There is also proposed to be a cantilevered floor area at the rear of the house at the second storey level which will be approximately 0.5 m from the Rear Lot Line whereas the Minimum Rear Yard for this property is 2.7 m (as granted under Minor Variance Application A14/89).

Comments from the Public

None.

Comments from Departments/Agencies

City of Orillia Environmental Services and Operations Department

- Caution to applicant, water and sewer connections may create proximity conflict with addition.

City of Orillia Engineering Division

- A detailed lot grading plan prepared by a Consulting Engineer or an Ontario Land Surveyor knowledgeable in such matters is to be submitted and approved by the City prior to issuance of a building permit. A lot grading deposit of \$750 may be required and a lot grading processing fee of \$145 applies.

Orillia Power

- It appears that the proposed addition will likely conflict with the building's existing service mast and meter base, requiring a relocation of the service. Please have the applicant contact OPDC's Engineering Department at their earliest convenience to address this issue.

Staff Report:

Susan Votour, Planning Coordinator/Secretary-Treasurer

Jeff Duggan, Senior Planner

Applicant's Comments:

Dan Lesperance, the applicant, and Cindy Roth were present. Mr. Lesperance provided the following comments:

- He has already spoken to Orillia Power regarding the relocation of the hydro service. There is currently a 200 amp. service which should be more than adequate for the addition.
- The required lot grading plan is underway.
- They have a large family and need additional space.

Public Comments (at meeting):

None.

Committee Comments:

- Committee confirmed with the applicant that the cantilevered floor area on the second storey contained a bathtub.
- Committee indicated support for the application.
- Committee asked if the applicant had reviewed the proposed conditions. The applicant confirmed that the conditions were satisfactory.

The Committee approved Application for Minor Variance A9/19 and granted the following variances to the provisions of Zoning By-law 2014-44:

Section	Requirement	Proposed	Variance
Section 7.4, Table 7.2, Zone Provisions for Residential Zones	Minimum Required Front Yard in R2 Zone - 6.00 m	Minimum Front Yard - 2.80 m	3.20 m
Section 7.4, Table 7.2, Zone Provisions for Residential Zones	Minimum Required Rear Yard in R2 Zone - 7.5 m (note pursuant to Minor Variance Application A14/89 the Minimum Rear Yard for this property was reduced to 2.7 m)	Minimum Rear Yard for length of cantilevered floor area on second storey - 0.50 m	2.20 m for length of cantilevered floor area on second storey

in order to allow an addition having ground floor area of approximately 83.6 m² (900 ft²) to be added to the existing single detached dwelling on the property.

- REASONS:**
- (1) The variance is minor;
 - (2) The variances is desirable for the appropriate development or use of the land, building or structure;
 - (3) The variance maintains the general intent and purpose of the Zoning By-law; and
 - (4) The variance maintains the general intent and purpose of the Official Plan.

CONDITIONS:

1. That the development of the property shall proceed in substantial compliance with the plans and drawings submitted with the application.
2. A detailed lot grading plan prepared by a Consulting Engineer or an Ontario Land Surveyor knowledgeable in such matters is to be submitted and approved by the City prior to issuance of a building permit. A lot grading deposit of \$750 may be required and a lot grading processing fee of \$145 applies.

Notes:

- This Minor Variance does not relieve the applicant of any permits or other permissions required under the Building Code or any other applicable legislation.
- The full cost of electrical servicing and any relocation of any OPDC owned poles, wires, or other equipment that may be required is the sole responsibility of the property owner.

EFFECT OF PUBLIC INPUT:

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on June 19, 2019.

f) Application for Minor Variance A10/19 (Edghill) - 67 Olive Crescent

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

Proposal

An application has been made by Jerene Edghill for Minor Variance under File Number A10/19. The applicant proposes to construct a garage having an area of approximately 67.50 m² (726.56 ft²) on the subject property. The garage is proposed to be located 0.50 m (1.64 ft) from the westerly Interior Side Lot Line whereas the Zoning By-law requires a Minimum Interior Side Yard of 1.2 m (3.94 ft) for an Accessory Structure in the "Residential One" (R1) Zone.

Comments from the Public

None.

Comments from Departments/Agencies

City of Orillia Environmental Services and Operations Department

No concerns.

City of Orillia Engineering Division

A detailed lot grading plan prepared by a Consulting Engineer or an Ontario Land Surveyor knowledgeable in such matters is to be submitted and approved by the City prior to issuance of a building permit. A lot grading deposit of \$750 may be required and a lot grading processing fee of \$145 applies.

Orillia Power

It appears that the location of the proposed garage may fall in proximity to the overhead service wire for the property. Required clearances to distribution infrastructure must be maintained. Please have the applicant contact OPDC's Engineering Department at their earliest convenience to address this issue.

Staff Report:

Susan Votour, Planning Coordinator/Secretary-Treasurer

Jeff Duggan, Senior Planner

Applicant's Comments:

Shane and Jerene Edghill, the applicants, were present to answer questions.

- Mrs. Edghill provided a topographical plan and asked if that would be sufficient for the required lot grading plan. Staff advised that the required lot grading plan

would need to show the footprint of the proposed garage and indicate how the runoff would be directed such that it did not impact adjoining properties.

Public Comments (at meeting):

None.

Committee Comments:

- Committee asked the applicants if they understood that the roof runoff must be directed onto the subject property and away from the adjoining properties, and that the eave overhang on the westerly side was limited to about eight inches. The applicants confirmed that they understood this.
- Committee asked the Secretary-Treasurer if the applicants were required to construct the structure in accordance with the concept drawing shown in the Staff Report as Figure 3. The Secretary-Treasurer advised that the concept drawing illustrated one way of designing the building such that water, ice and snow runoff would be directed away from the property to the west, but that the proposed condition simply stated that the roof must be designed to direct water, ice and snow runoff away from the adjoining properties.
- Committee commented that it may be difficult to direct the runoff such that it did not impact the dwelling on the property.
- Committee expressed support for the application.

The Committee approved Application for Minor Variance A10/19 and granted the following variance to the provisions of Zoning By-law 2014-44:

Section	Requirement	Proposed	Variance
Section 5.1.2, Table 5.1 Minimum Required Yards for Accessory Buildings	Minimum Interior Side Yard in the R1 Zone - 1.2 m (3.94 ft)	Minimum Interior Side Yard (westerly side) - 0.5 m (1.64 ft)	Reduction of 0.7 m (2.30 ft)

in order to allow the construction of a detached garage having an area of approximately 67.50 m² (726.56 ft²) on the subject property

- REASONS:**
- (1) The variance is minor;
 - (2) The variances is desirable for the appropriate development or use of the land, building or structure;
 - (3) The variance maintains the general intent and purpose of the Zoning By-law; and
 - (4) The variance maintains the general intent and purpose of the Official Plan.

CONDITIONS:

1. That the siting of the garage shall be substantially in compliance with the plan submitted with the application.
2. That the roof of the proposed garage be designed such that water, ice and snow runoff is directed away from the adjoining properties.
3. That the eave overhang on the westerly side of the structure shall not exceed

- 0.25 m (0.82 ft).
4. A detailed lot grading plan prepared by a Consulting Engineer or an Ontario Land Surveyor knowledgeable in such matters is to be submitted and approved by the City prior to issuance of a building permit. A lot grading deposit of \$750 may be required and a lot grading processing fee of \$145 applies.

Notes:

- This Minor Variance does not relieve the applicant of any permits or other permissions required under the Building Code or any other applicable legislation.
- The full cost of electrical servicing and any relocation of any OPDC owned poles, wires, or other equipment that may be required is the sole responsibility of the property owner.

EFFECT OF PUBLIC INPUT:

In making this Decision, the Committee of Adjustment had regard for all public input received through written and verbal submissions prior to the conclusion of the Public Hearing held on June 19, 2019.

All Decisions of the Committee are subject to the statutory appeal periods as set out in the *Planning Act*.

Date of Next Meeting

Wednesday, July 17, 2019 at 9:15 a.m. in the Brooks Boardroom (1st floor) Orillia City Centre.

Adjournment

Moved by Richard Bates seconded by Joe Fecht:

THAT the Committee of Adjustment meeting be adjourned at 9:58 a.m. on June 19, 2019. The Committee will reconvene at 9:15 a.m. on July 17, 2019 unless the Secretary-Treasurer has not received a complete application for the Committee's consideration.

Carried.

J. Fecht, Chair