

Proposal:

- The approximately 0.11 hectare (0.29 acres) property, located at 3197 Crescent Bay Road in the geographic Township of North Orillia, is occupied by a single detached dwelling and an accessory structure.
- The existing home is located 13.7 metres at the closest point to the water.
- The owners are proposing to build a deck attached to the front of their home
- The following variances are requested in order to permit the construction of the new deck:
 1. A variance to permit a front yard setback of 10.7 metres (35 feet), whereas Zoning By-law 2010-65, states the front yard setback for the Shoreline Residential Two (SR2) zone is 20 metres (66 feet).

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-001:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was present and had nothing to add.

The Chair asked if anyone in the audience had any comments on this application. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows: None.

The Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

**DECISION – APPROVE
Variance Application A-35-14 (Lipkus)**

THE PURPOSE and EFFECT of the application is:

To request the following variances to the provisions of Zoning By-law 2010-65:

1. A variance to permit a front yard setback of 10.7 metres (35 feet), whereas Zoning By-law 2010-65, states the front yard setback for the Shoreline Residential Two (SR2) zone is 20 metres (66 feet).

The following variance is needed in order to permit the construction of a new deck.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 20th day of January, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans submitted with the Application.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

2. Variance Application No.:	A-01-15
Owner:	Estate of Russell Bullock
Agent:	Scott Oliver
Roll Number:	4351 010 011 20000 0000
Municipal Address:	4313 Huronia Road

The Director of Planning outlined the application and outlined the correspondence received, as follows:

Proposal:

- The approximately 0.19 hectare (0.5 acre) property, located at 4313 Huronia Road, Lot 12, Plan 1027, geographic Township of North Orillia, has 30 metres (100 ft.) of frontage and is located in a strip of existing homes along the eastern side of Huronia Road
- The variance requested is to legalize a change in use for a legal non-conforming building from a multi-residential building containing six one-bedroom units to the current use of a multi-residential building containing one two-bedroom unit, two one-bedroom units and two bachelor or studio units, for a total of five units.
- The building was built in the 1960s as a multi-unit building.
- Many of the dwellings in this area contain more than one unit. Up until 1974, there were no zoning controls in effect in this part of the Township and thus this use is considered to be legal non-conforming.
- It appears that the building was originally built as a three-unit building.
- It appears that it was subsequently converted to a six-unit building and the septic system was sized to accommodate this level of use.

- Subsequently, the building was reconfigured to accommodate the five units which are currently there.
- Unfortunately it is not possible to determine when the additional units were created as the building records are incomplete.
- Therefore, it is not possible to determine the legal status of the additional units.
- In order to clarify the status of the fourth and fifth unit, the applicant is seeking the requested minor variance to recognize these units as additions to the existing legal non-conforming use of the building as multi-unit residential
- The modifications completed were contained within the original structure and no additions constructed, nor are they contemplated.

The following variance is requested in order to permit the historical use of the property and recognize the current configuration as a five-unit residential building:

1. A variance to permit the existing dwelling located at 4313 Huronia Road to be used as a multi-unit residential building containing no more than five dwelling units, consisting of one two-bedroom unit, two one-bedroom units and two bachelor or studio units.

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-002:

The Director of Planning provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the agent was present but had nothing to add.

The Chair asked if anyone in the audience had any comments on this application. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- *Member Peters inquired as to if there are currently 5 units.*
- *The Planner responded that there are currently 6 units from the 1990's or 1980's.*
- *Member Peters questioned the existing parking situation.*
- *The Planner responded that there is no history of parking issues and that the tenants either don't have a lot of vehicles or park on the road.*
- *Member Hamilton asked when the septic was upgraded.*
- *The Planner replied that the septic was from either 1992 or 1993, the Township does have a record of the system.*
- *Chair Vandergeest asked if the fire department was going to wait for building permits to be issued prior to inspecting the unit, as per the recommended condition.*
- *The Planner responded that the Fire Prevention Officer said she would wait until the building permits are applied for or can go in ahead.*

The Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The agent was asked if he was aware of the proposed conditions and was in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-01-15 (Bullock / Oliver)

THE PURPOSE and EFFECT of the application is:

To request the following variances to the provisions of Zoning By-law 2010-65:

1. A variance to permit the existing dwelling located at 4313 Huronia Road to be used as a multi-unit residential building containing no more than five dwelling units, consisting of one two-bedroom unit, two one-bedroom units and two bachelor or studio units.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 20th day of January, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the construction is in substantial compliance with the plans submitted with the Application.
3. That the property owner work with the fire department to conduct a fire safety inspection of all five units and bring the units up to the satisfaction of the fire prevention officer.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

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| 3. Variance Application No.: | A-02-15 |
| Applicant: | Mark and Marine Powell |
| Roll Number: | 4351 010 011 21401 0000 |
| Municipal Address: | 4048 Hampshire Mills Line |

The Secretary/Treasurer of the Committee of Adjustment outlined the application(s) and the correspondence received, as follows:

Proposal:

- É The property is approximately 4.04 hectares (10 acres) in size with 193.48 metres

(634 ft.) of frontage located at 4048 Hampshire Mills Line, being East Part Lot 1, Concession 6, geographic Township of North Orillia.

- É The largely treed property contains a residential dwelling.
- É The owner has been granted provisional approval for consent application B-23-14 to sever a portion of the property having 30.48 metres (100 ft.) of frontage and an area of approximately 0.26 hectares (0.64 acres); these lands will be added to the neighbouring property (4086 Hampshire Mills Line) as a lot addition.
- É The retained lands under B-23-14 would have frontage of approximately 163 metres (535 ft.) and an area of approximately 3.78 hectares (9.34 acres).
- É A condition of the provisionally approved application is to obtain a minor variance to reflect the decrease in lot area of the retained lands, from the existing 4.04 hectares (10 acres) to the proposed 3.78 hectares (9.34 acres).
- É The following variance is requested in order to fulfill a condition of provisionally approved consent application B-23-14:
 1. A variance to permit a minimum lot area of 3.78 hectares (9.34 acres) whereas Zoning By-law 2010-65 states that the minimum lot area required for a property zoned Rural (RU) is 10 hectares (24.7 acres).

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-003:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was present but had nothing to add.

The Chair asked if anyone in the audience had any comments on this application. Anne MacDiarmind from 4086 Hampshire Mills Line stated her support in favor of the application.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- É *Chair Vandergeest inquired as to if the last proposed condition regarding construction in accordance with the plans submitted was necessary for this application.*
- É *The Secretary/Treasurer stated that it was a typo and should not be a condition, the decision was amended to reflect this change.*

The Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The applicants were asked if they were aware of the proposed conditions and were in agreement with them. The applicants confirmed this. The Chair then called for a vote on the application.

**DECISION – APPROVE
Variance Application A-02-15 (Powell)**

THE PURPOSE and EFFECT of the application is:

To request the following variance to the provisions of Zoning By-law 2010-65:

1. A variance to permit a minimum lot area of 3.78 hectares (9.34 acres) whereas Zoning By-law 2010-65 states that the minimum lot area required for a property zoned Rural (RU) is 10 hectares (24.7 acres).

The following variance is needed in order to fulfil a condition of provisionally approved application for consent B-23-14.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 20th day of January, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

4. Variance Application No.:	A-03-15
Applicant:	Peter and Susan Cummins
Agent:	Shaun Brear, House Tech Design
Roll Number:	4351 050 004 03700 0000
Municipal Address:	3921 Lavis Lane

Member Silk left the meeting as per her disclosure of pecuniary interest.

The Secretary/Treasurer of the Committee of Adjustment outlined the application(s) and the correspondence received, as follows:

Proposal:

- É The approximately 0.44 hectare (1.09 acre) property, located at 3921 Lavis Lane in the geographic Township of Matchedash, is occupied by a small single storey detached dwelling and a privy.

- É The current dwelling on the property is an original cottage estimated to have been constructed over 50 years ago.
- É The dwelling is 35.7 square metres, substantially smaller than the current minimum dwelling size of 65 square metres for the Shoreline Residential Three (SR3) Zone and is setback approximately 12.4 metres from the water.
- É The property owners wish to construct a new dwelling and septic on the property and retain the existing dwelling as a sleeping cabin.
- É The following variances are requested in order to permit the retention of the existing dwelling as a sleeping cabin and the construction of a new dwelling:
1. A variance to permit a sleeping cabin with a maximum gross floor area of 35.7 square metres (384 sq. ft.) with a front yard setback of 12.4 metres (40.7 ft.) whereas Zoning By-law 2010-65 states that a sleeping cabin cannot exceed a maximum gross floor area of 28.0 square metres (301.4 sq. ft.) and the minimum front yard setback for the SR3 Zone is 20 metres.
 2. A variance to permit a front yard setback of 19.3 metres (63.3 ft.) for the main dwelling deck and screened porch whereas Zoning By-law 2010-65 states that the minimum front yard setback for the SR3 Zone is 20 metres.

Agency Comments:

None

Public Correspondence:

Toni and Snjezana Sorsak owners of neighbouring property 3913 Lavis Lane submitted correspondence stating they have no comments in regards to leaving the existing structure as a bunkie.

Staff Report D14-004:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the agent was present but had nothing to add.

The Chair asked if anyone in the audience had any comments on this application. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- *Member Hamilton asked why the applicant was planning on keeping the small cottage in the front when they were building a big beautiful new cottage.*
- *The Planner responded that the existing cottage will act as cabin for extra sleeping space and it is off to the side so it will not obstruct the view.*
- *The agent stated that the existing cabin does not contain any electrical or plumbing and will be used as a sleeping cabin for extra space.*
- *Chair Vandergeest commented that usually committee would ask for a deferral for the extra cabin due to the private road, since it is not a second residence he expressed his support for the application.*

The Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The agent was asked if he was aware of the proposed conditions and was in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-03-15 (Cummins)

THE PURPOSE and EFFECT of the application is:

To request the following variances to the provisions of Zoning By-law 2010-65:

1. A variance to permit a sleeping cabin with a maximum gross floor area of 35.7 square metres (384 sq. ft.) with a front yard setback of 12.4 metres (40.7 ft.) whereas Zoning By-law 2010-65 states that a sleeping cabin cannot exceed a maximum gross floor area of 28.0 square metres (301.4 sq. ft.) and the minimum front yard setback for the SR3 Zone is 20 metres.
2. A variance to permit a front yard setback of 19.3 metres (63.3 ft.) for the main dwelling deck and screened porch whereas Zoning By-law 2010-65 states that the minimum front yard setback for the SR3 Zone is 20 metres.

The following variances are needed to permit the retention of the existing dwelling as a sleeping cabin and the construction of a new dwelling.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 20th day of January, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans submitted with the Application.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

5. Variance Application No.:	A-04-15
Applicant:	Heather Mugford
Roll Number:	4351 010 009 18502 0000
Municipal Address:	3285 Muskoka Street

The Director of Planning outlined the application(s) and the correspondence received, as follows:

Proposal:

- The approximately 0.26 acre waterfront property located at 3285 Muskoka Street in the geographic Township of North Orillia, within the community of Wahsago is currently vacant.
- The owner wishes to place a new modular home and attached garage on the property
- The following variances are requested in order to permit the construction of the new dwelling and attached garage:
 1. A variance to permit a northern interior yard setback of 1.5 metres (4.9 feet) for a new dwelling and attached garage whereas Zoning By-law 2010-65 states that the minimum interior yard setback for the Shoreline Residential Two (SR2) Zone is 3 metres (9.8 ft.).
 2. A variance to permit a rear yard setback of 5 metres (16.4 feet) whereas Zoning By-law 2010-65 states the minimum rear yard setback is 7.5 metres (24.6 feet) in the Shoreline Residential Two (SR2) Zone.

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-005:

The Director of Planning provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented – applicant was present but had nothing to add.

The Chair asked if anyone in the audience had any comments on this application. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows: None.

The Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The applicant was asked if she was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

**DECISION – APPROVE
Variance Application A-04-15 (Mugford)**

THE PURPOSE and EFFECT of the application is:

To request the following variances to the provisions of Zoning By-law 2010-65:

1. A variance to permit a northern interior yard setback of 1.5 metres (4.9 feet) for a new dwelling and attached garage whereas Zoning By-law 2010-65 states that the minimum interior yard setback for the Shoreline Residential Two (SR2) Zone is 3 metres (9.8 ft.).
2. A variance to permit a rear yard setback of 5 metres (16.4 feet) whereas Zoning By-law 2010-65 states the minimum rear yard setback is 7.5 metres (24.6 feet) in the Shoreline Residential Two (SR2) Zone.

The following variances are needed to permit the construction of the new dwelling and attached garage.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 20th day of January, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans submitted with the Application

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

6. Variance Application No.:	A-05-15
Applicant:	Curt and Kara Boyd
Roll Number:	4351 010 002 08900 0000
Municipal Address:	1436 Jermey Road

The Secretary/Treasurer of the Committee of Adjustment outlined the application(s) and the correspondence received, as follows:

Proposal:

- É The approximately 25 ha (61 acres) property located at 1436 Jeremy Road, being Part of Lot 21 Concession 6, geographic Township of North Orillia, is occupied by two residences and associated outbuildings
- É The south-west corner of the original property as patented has been severed by the divergence of the travelled and maintained municipal road, where Jeremey Road joins the discontinuous sections of the surveyed Lots and Concession for the

- geographic township of North Orillia and diverts around a granite outcropping.
- É This creates a small separate 0.16 hectare parcel (0.4 acre) to the south-west of the balance of the Boyd holdings.
- É The owner has been granted provisional approval for consent application B-01-14 to sever the larger property into two parcels, each containing one existing residence and associate buildings. The small, remnant parcel and the lands associated with the divergence of Jeremy Road is to be transferred to the Municipality.
- É The northerly (retained) parcel associated with the original farmhouse and farm buildings would have any area of approximately 16 hectares (39.5 acres) with frontage of approximately 20 metres. The southerly (severed) parcel contains the newer dwelling and would have a lot area of approximately 3.9 hectares (9.6 acres) and frontage of over 100 metres.
- É A condition of the provisionally approved application B-01-14 is to obtain a minor variance to reflect the decrease in lot area of the severed lands:
1. A variance to permit a minimum lot area of 3.9 hectares (9.6 acres) whereas Zoning By-law 2010-65 states the minimum lot area required for a property zoned Rural (RU) is 10 hectares (24.7 acres).

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-006:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was present but had nothing to add.

The Chair asked if anyone in the audience had any comments on this application. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- *Member Peters asked if there was enough room for plows to turn around on the newly acquired Township property.*
- *The Director of Planning responded that the turnaround was outlined in the sketch and that public works had approved the location of the road widening.*

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-05-15 (Boyd)

THE PURPOSE and EFFECT of the application is:

To request the following variance to the provisions of Zoning By-law 2010-65:

1. A variance to permit a minimum lot area of 3.9 hectares (9.6 acres) whereas Zoning By-law 2010-65 states the minimum lot area required for a property zoned Rural (RU) is 10 hectares (24.7 acres).

The following variance is needed to fulfil a condition of provisionally approved consent application B-01-14.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 20th day of January, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

E. **REPORTS FROM OFFICIALS**
NONE

F. **CORRESPONDENCE**
NONE

G. **OTHER BUSINESS**
NONE

H. **ADJOURNMENT**

The Secretary/Treasurer advised that this is the last meeting of the current Committee of Adjustment as Council will appoint new members next month. Staff passed on their thanks for a good term to the Committee and hoped to see many of them in the future. Staff extended a special thank you to Ronald Peters, who has stated he will retire from the Committee after over 30 years of service to the Township.

The following motion was adopted:

Motion # 15-02

MOVED by Ronald Peters and SECONDED by Douglas Hamilton

THAT the Committee of Adjustment meeting be adjourned at 8:30 p.m. on January 20th, 2015.

CARRIED

Katie Mandeville, Secretary/Treasurer