

- “ The owners Susan Pink & Robert Bauer wish to redevelop the property by building two additions to the main dwelling, change the existing front deck, building a garage and sleeping cabin as well as installing a new septic.
- “ The existing non-complying dwelling is located 42 feet from the water at the closest point to the dwelling and 34.6 feet to the attached deck and 6 feet to the rear lot line.
- “ The following minor variances are requested:
 1. A variance to permit a 547 square feet expansion to the main dwelling whereas Zoning By-law 2010-65 states a non-complying dwelling located 10-15 metres from the shore may be enlarged by a maximum of 40% (210 square feet in this situation).
 2. A variance to permit a front yard setback of 9.75 metres (32 ft.) for an attached deck whereas Zoning By-law 2010-65 states the minimum front yard setback for the Shoreline Residential Three Zone is 20 metres (66 feet).
 3. A variance to permit a rear yard setback of 3 metres (10 ft.) for a sleeping cabin whereas Zoning By-law 2010-65 states that the minimum rear yard setback for the Shoreline Residential Three Zone is 7.5 metres (24.6 feet).
 4. A variance to permit a front yard setback of 9 metres (30 ft.) for a garage whereas Zoning By-law 2010-65 states the minimum front yard setback for the Shoreline Residential Three Zone is 20 metres (66 feet).

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-001:

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 property owners were present and had nothing to add.

The Chair asked if anyone in the audience had any comments on this application, since 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 applicants were asked if they were aware of the proposed conditions and were in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

**DECISION – APPROVE
Variance Application A-50-15 (Pink/Bauer)**

THE PURPOSE and EFFECT of the application is:

The following variances to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit a 547 square feet expansion to the main dwelling whereas Zoning By-law 2010-65 states a non-complying dwelling located 10-15 metres from the shore may be enlarged by a maximum of 40% (210 square feet in this situation).
2. A variance to permit a front yard setback of 9.75 metres (32 ft.) for an attached deck whereas Zoning By-law 2010-65 states the minimum front yard setback for the Shoreline Residential Three Zone is 20 metres (66 feet).
3. A variance to permit a rear yard setback of 3 metres (10 ft.) for a sleeping cabin whereas Zoning By-law 2010-65 states that the minimum rear yard setback for the Shoreline Residential Three Zone is 7.5 metres (24.6 feet).
4. A variance to permit a front yard setback of 9 metres (30 ft.) for a garage whereas Zoning By-law 2010-65 states the minimum front yard setback for the Shoreline Residential Three Zone is 20 metres (66 feet).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 19th day of January, 2016:

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., particularly within the first 20 metres of the shoreline.
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

E. NEW APPLICATIONS

1. **Minor Variance Application No.:** **A-52-15**
Applicant: **Scott Nesbitt**
Roll Number: **4351 010 002 02150 0000**
Municipal Address: **2352 Burnside Line**

The Secretary-Treasurer of the Committee of Adjustment outlined the application and outlined the correspondence received, as follows:

Proposal:

- É The approximately 0.84 hectare (2.1 acre) property is occupied by an existing dwelling with an attached garage.
- É The applicant would like to build a new large accessory structure to accommodate vehicles, residential storage and a shop to the rear of the property.

É The following variances are requested in order to permit the construction of the new garage / accessory structure:

1. A variance to permit a maximum height of 7 metres (23 feet) whereas Zoning By-law 2010-65, states the maximum accessory structure height is 5 metres.
2. A variance to permit a maximum size of 223 square metres (2,400 square feet) whereas Zoning By-law 2010-65, states the maximum accessory structure size is the lessor of 110 square metres or 75% of the gross floor area of the principle dwelling.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-002:

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

The Chair asked if the applicant or agent were present and inquired about the boundary of the wetland. The Chair asked the Director to clarify the wetland feature and proximity to the applicant's lot line; the Director pointed to the area on the map provided on the screen and reviewed the applicable policies.

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 Vivian asked the applicant to confirm that his business was based on a different property located near the Walmart within the City of Orillia.*
- " The Applicant stated that he has the other property for his business but does sometimes use his house property for his business.*
- " Member Vandergeest asked the applicant why the size was so large.*
- " The Applicant stated that he only wanted to build it once.*
- " Member Vandergeest stated that he would not be supporting this application as submitted as he felt it to be excessively large and not minor in nature.*
- " Member Vandergeest expressed his interest in deferring the application.*
- " Member Hill stated that he would be in support of a deferral as well so that the applicant could work with staff to come up with a different size as he did not feel the Committee should impose a size.*
- " Member Hill further stated he questioned the ultimate intentions associated with the proposed residential accessory building.*
- " Member Silk stated that she was concerned with the size, height and setback from the wetland and would also support a deferral.*
- " Member Vivian asked the applicant if he had any ideas on reducing the size of the structure.*
- " The Applicant stated that he wanted it to be as big as possible.*
- " Member Vandergeest again inquired as to the need for a big building and stated his concern with the height, questioning the need for the height variance stating that the*

applicant needed to justify this size for a personal use such as RV storage or something that would require larger doors.

- " Member Vivian expressed his support for a deferral.*
- " Member Hamilton stated that he did not agree with the size restrictions in the by-law that allow for a building to be 75% of the home size.*
- " Member Silk inquired as to the setback from the Wetland.*
- " The Director of Planning and Development stated that he believes an increased setback from the rear lot line should be considered for any minor variance or an EIS could be done to demonstrate no adverse effects.*
- " As there was no further discussion the Chair inquired with the Committee if there was an appetite to defer the application.*

The following motion was adopted:

Motion # 16-02

MOVED by Mark Vandergeest and SECONDED by Bill Hill.

THAT Application No. A-52-15 (Nesbitt) be adjourned to a future Committee of Adjustment the building size and height that meets the agreement of the Township Planning Staff. Also the applicant will need to consider an adjustment to the rear lot line.

CARRIED

2. Variance Application No.:	A-53-15
Applicant:	Roger Young
Roll Number:	4351 010 005 07250 0000
Municipal Address:	3094 Warminster Road

The Secretary-Treasurer of the Committee of Adjustment outlined the application and outlined the correspondence received, as follows:

Proposal:

- É The approximately 2.35 acre property is occupied by a dwelling and four accessory buildings.
 - É The applicant would like to build a new large accessory structure to accommodate his recreational vehicle and personal residential storage.
 - É The applicant would like to retain all of his sheds.
1. The following variances are requested in order to permit the construction of the new garage / accessory structure:
 2. A variance to permit a maximum height of 6.096 metres (20 feet) whereas Zoning By-law 2010-65, states the maximum accessory structure height is 5 metres.
 3. A variance to permit a maximum size of 119 square metres (1,280 square feet) whereas Zoning By-law 2010-65, states the maximum accessory structure size is the lesser of 110 square metres or 75% of the gross floor area of the principle dwelling.
 4. A variance to permit a total of five accessory structures whereas Zoning By-law 2010-65 states the maximum number of accessory structures permitted on a lot with a residential zoning is three.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-003:

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 property owner was present and stated that he wants to keep his sheds so that the little stuff could be inside the little buildings and the big stuff within the new bigger building.

The Chair asked if anyone in the audience had any comments on this application, since 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:

- É Member Hill inquired as to if the applicant really needed all four sheds.
- É The Applicant stated that it would be \$100 to get someone to move one and in farm country no one would be looking at them as there haven't been any issues in six years.
- É Member Vivian stated he was okay with keeping the sheds.
- É Member Vandergeest stated that he thought it was reasonable to compromise at four buildings total.
- É Committee members expressed their support of allowing for four buildings total.

The following motion was adopted:

Motion # 16-03

MOVED by Allen Vivian and SECONDED by Mark Vandergeest

THAT Application No. A-53-15 be amended to allow for four accessory structures rather than the five requested.

CARRIED

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-53-15 (Young)**

THE PURPOSE and EFFECT of the application is:

The following variances to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit a maximum height of 6.096 metres (20 feet) whereas Zoning By-law 2010-65, states the maximum accessory structure height is 5 metres.
2. A variance to permit a maximum size of 119 square metres (1,280 square feet) whereas Zoning By-law 2010-65, states the maximum accessory structure size is the lesser of 110 square metres or 75% of the gross floor area of the principle dwelling.
3. A variance to permit a total of four accessory structures whereas Zoning By-law 2010-65 states the maximum number of accessory structures permitted on a lot with a residential zoning is three.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 19th day of January, 2016:

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

3. Minor Variance Application No.:	A-54-15
Owner:	Allan Steedman
Roll Number:	4351 040 009 44921 0000
Municipal Address:	2526 Baguley Road

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

Proposal:

- É The approximately 0.65 acre property is occupied by a dwelling. The applicant would like to construct a new access ramp in order to achieve adequate water depth for a new boatport accessory structure.
- É The following variances are requested in order to permit the construction of the new access ramp for the new boatport:
 1. A variance to permit a boatport access ramp docking will be 15.85 metres (52 feet)

long and 1.8 metres (6 feet) wide to access a 9.7 metres (32 feet) by 7.6 metres (25 feet) boat port, combined the boatport and access will be 25.6 metres (84 feet) in length from shore whereas Zoning By-law 2010-65 states that boatports and docking shall fit within a 8.0 m by 10.0 m rectangular area or envelope adjacent to the shore

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-004:

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 applicant and agent were both present. The agent stated that they had received notice that the next door neighbour has also applied to the Trent Severn Waterway to go out to the same water depth.

The Chair asked if anyone in the audience had any comments on this application, since 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 Vivian stated that all of the docks in this area go out 80 feet as it is a shallow bay.*
- *Member Vandergeest thanked the applicant and agent for coming in for an approval prior to construction.*

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

**DECISION – APPROVE
Variance Application A-54-15 (Steedman)**

THE PURPOSE and EFFECT of the application is:

The following variances to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit a boatport access ramp docking will be 15.85 metres (52 feet) long and 1.8 metres (6 feet) wide to access a 9.7 metres (32 feet) by 7.6 metres (25 feet) boat port, combined the boatport and access will be 25.6 metres (84 feet) in length from shore whereas Zoning By-law 2010-65 states that boatports and docking shall fit within a 8.0 m by 10.0 m rectangular area or envelope adjacent to the shore.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 19th day of January, 2016:

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.

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 following motion was adopted:

Motion # 16-04

MOVED by Emily Silk and SECONDED by Bill Hill

THAT the Committee of Adjustment meeting be adjourned at 7:55 p.m. on January 19th, 2016. The Committee will reconvene at 7:00 p.m. on February 16th, 2016 unless the Secretary-Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary-Treasurer