

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK
COMMITTEE OF ADJUSTMENT

MINUTES

**2008-June-16
7:30 P.M.**

1. ROLL CALL:

The Secretary-Treasurer gave the roll call and the following Members were present:

Stephen Pallett, Chairperson Danny Wheeler, Member
Karen Whitney, Member Donald Rae, Member

2. DECLARATION OF PECUNIARY INTEREST:

None.

3. EXPLANATION OF HEARING PROCEDURE:

Stephen Pallett, Chairperson explained to the public in attendance, the procedure to obtain a copy of any decision made by the Committee tonight.

4. REQUESTS FOR DEFERRAL OR WITHDRAWAL:

4.1 Application P410820

THOMPSON, FLORENCE

22 Kalevi Road
Plan 544, Lot 123
Roll No. 021-143

The Secretary-Treasurer notified the Members of the request from the Planner to defer the application and read the planning department memo dated June 12, 2008.

The applicant was not in attendance and there were no others in attendance with an interest in this application.

Moved by Karen Whitney

Seconded by Donald Rae

THAT APPLICATION P410820 BE DEFERRED TO THE JUNE 30, 2008 HEARING.

Carried.....

5. APPLICATIONS FOR MINOR VARIANCE:

**5.1 Application P410818
(Deferred from May 20, 2008)**

**LANCASTER, DAVID KEVIN
HORNE, DONNA LORRAINE**
62 Lakeshore Road
Plan 318, Lot 21
Roll No. 042-600

Mr. Brendan Charters, of Eurodale Developments agent, indicated that Mr. Lancaster has spoken to the neighbours directly to the East that had objected to the proposed design. Mr. Charters indicated that the neighbour to the East has a clearer understanding of the proposal and no re-designing is required to satisfy the neighbour. Mr. Charters noted that Eric Gunnell has submitted the requirements for the septic design and Mr. David Jones has since submitted an email indicating that the septic design is acceptable.

The Secretary-Treasurer read the following new correspondence:

- E-mail from Brendan Charters, agent, received June 11, 2008.
- Revised e-mail from David Jones, On Site Sewage Inspector received June 9, 2008.
- E-mail from Deborah Buck, Chief Building Official, received June 13, 2008.
- Letter from Darlene Preece of 57 Glenview Blvd., received June 12, 2008.
- E-mail from Adam Lucas, Planner, received June 16, 2008.

Mr. David Lancaster indicated that the well is deeded and that he has a new signed agreement with the neighbour that is sharing the well.

There were no others in attendance with an interest in this application.

Moved by Karen Whitney

Seconded by Donald Rae

THAT NO FURTHER NOTICE IS REQUIRED TO AMEND THE APPLICATION DELETING THE REQUEST FOR RELIEF FROM SECTION 5.10 FOR A REDUCED SETBACK OF 10.4 METRES TO THE ANNUAL HIGH WATER MARK OF LAKE SIMCOE.

Carried.....

Moved by Karen Whitney

Seconded by Donald Rae

THAT MINOR VARIANCE APPLICATION P410818 AS AMENDED, TO REQUEST RELIEF FROM SECTION 6.1(e) TO ALLOW FOR A REDUCED REAR YARD SETBACK OF 10.4 METRES AND RELIEF FROM SECTION 6.1(f) TO ALLOW FOR A REDUCED WESTERLY INTERIOR SIDE YARD SETBACK OF 1.9 METRES; FOR THE NEW PROPOSED 2 STOREY SINGLE FAMILY DWELLING, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE BUILDING DEPARTMENT THAT THE CONCERNS OUTLINED IN THE EMAIL DATED JUNE 13, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE '1' HAVE BEEN RESOLVED.**
- 2. ALL CONDITIONS MUST BE SATISFIED WITHIN ONE (1) YEAR OF THE DATE OF NOTICE OF THE DECISION.**

Carried.....

Stephen Pallett, Chairperson advised those in attendance of the 20 day appeal period.

5.3 Application P410821

LAWRENCE, CATHERINE M.
869 Lake Drive North
Plan 97, Lot 14, Pt. Lts. 13,15,39&40
Roll No. 123-666

Ms. Laura Lapierre, agent, indicated that their client is building a new home and the design goes over the maximum height of 11 metres and requested an increase in height to 11.6 metres.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2008-0065.
- E-mail from Deborah Buck, Manager of Building and Chief Building Official received June 4, 2008.
- E-mail from David Jones, On Site Sewage Inspector received June 4, 2008.
- Memorandum from Joseph Costanza, Civil Technologist received June 10, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received May 29, 2008.
- E-mail from Brock McDonald, Manager of Policy & Development Leisure Services Department received May 29, 2008.
- E-mail from Bill O'Neill, Fire Chief received May 29, 2008.
- E-mail from Pamela Hunt, By-law Secretary received June 4, 2008.

There were no other persons in attendance with an interest in this application.

Moved by Donald Rae

Seconded by Karen Whitney

THAT MINOR VARIANCE APPLICATION P410821, TO REQUEST RELIEF FROM SECTION 6.1 (J) TO PERMIT THE CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING HAVING AN OVERALL HEIGHT FROM GRADE TO PEAK OF 11.6 METRES, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS THAT THE CONCERNS OUTLINED IN THE MEMORANDUM DATED JUNE 10, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE '1' HAVE BEEN RESOLVED.**
- 2. ALL CONDITIONS MUST BE SATISFIED WITHIN ONE (1) YEAR OF THE DATE OF NOTICE OF THE DECISION.**

Carried....

Stephen Pallett, Chairperson advised those in attendance of the 20 day appeal period.

5.4 Application P410822**JAGMINAS, ALGIS MYCOLAS****JAGMINAS, DOREEN**

5 Burke Street

Concession 6(G), Part Lot 1,

RS65R7789, Part 1

Roll No. 030-841

Mr. Al Jagminas requested that he be permitted to build a detached garage in the exterior side yard. Mr. Jagminas also requested that the garage be a bit bigger in size than originally suggested. He noted that he would like to extend it from 645 square feet to 700 square feet.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2008-0062.
- E-mail from Denis Beaulieu, Planner, received June 11, 2008.
- E-mail from Deborah Buck, Manager of Building and Chief Building Official received June 4, 2008.
- E-mail from David Jones, On Site Sewage Inspector received June 4, 2008.
- Notice of Hearing with “no objection” signed by Michael Baskerville, Engineering Manager received June 9, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received May 29, 2008.
- E-mail from Brock McDonald, Manager of Policy & Development Leisure Services Department received May 29, 2008.
- E-mail from Bill O’Neill, Fire Chief received May 29, 2008.
- E-mail from Pamela Hunt, By-law Secretary received June 4, 2008.

There were no other persons in attendance with an interest in this application.

Moved by Karen Whitney

Seconded by Donald Rae

THAT NO FURTHER NOTICE IS REQUIRED TO INCREASE THE SIZE OF THE PROPOSED DETACHED GARAGE FROM 54.6 SQUARE METRES TO 65 SQUARE METRES.

Carried.....

Moved by Karen Whitney

Seconded by Donald Rae

THAT MINOR VARIANCE APPLICATION P410822, AS AMENDED, TO REQUEST RELIEF FROM SECTION 5.1 (d) TO PERMIT THE CONSTRUCTION OF A DETACHED GARAGE HAVING A REDUCED EXTERIOR SIDE YARD SETBACK OF 2.0 METRES, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING TERMS:

- (I) THAT THE PROPOSED ACCESSORY BUILDING SHALL NOT EXCEED 65 SQUARE METRES IN SIZE.**
- (II) THAT THE PROPOSED ACCESSORY BUILDING SHALL NOT CONTAIN A GARAGE DOOR FACING THE EXTERIOR SIDE LOT LINE.**

Carried.....

Stephen Pallett, Chairperson advised those in attendance of the 20 day appeal period.

5.5 Application P410823

HUNTLEY, KENNETH ROBERT
178 Bayview Ave.,
Plan 313, Lot 32
Roll No. 144-184

Mr. Ken Huntley noted the application is to allow the existing garage to remain until the new detached garage is built. He indicated that he will demolish the old garage once the new one is built.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2008-0060.
- E-mail from Deborah Buck, Manager of Building and Chief Building Official received June 4, 2008.
- E-mail from David Jones, On Site Sewage Inspector received June 4, 2008.
- Memorandum from Joseph Costanza, Civil Technologist received June 10, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received May 29, 2008.
- E-mail from Brock McDonald, Manager of Policy & Development Leisure Services Department received May 29, 2008.

- E-mail from Bill O'Neill, Fire Chief received May 29, 2008.
- E-mail from Pamela Hunt, By-law Secretary received June 4, 2008.

There were no other persons in attendance with an interest in this application.

Moved by Donald Rae

Seconded by Karen Whitney

THAT MINOR VARIANCE APPLICATION P410823, TO REQUEST RELIEF FROM SECTION 5.1 (e) TO PERMIT THE CONSTRUCTION OF A DETACHED GARAGE HAVING AN INCREASED LOT COVERAGE FOR ACCESSORY BUILDINGS OF 11%, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS THAT THE CONCERNS OUTLINED IN THE MEMORANDUM DATED JUNE 10, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE '1' HAVE BEEN RESOLVED.**
- 2. ALL CONDITIONS MUST BE SATISFIED WITHIN ONE (1) YEAR OF THE DATE OF NOTICE OF THE DECISION.**

Carried.....

Stephen Pallett, Chairperson advised those in attendance of the 20 day appeal period.

5.6 Application P410824

WALINCK, SHIRLEY IRENE
Golfview Cres., (NE/S)
Plan 353, Lot 25
Roll No. 034-760

Mr. Robert Simon, agent and beneficial owner, requested approval to reduce the exterior and interior setbacks to fit the new house that will be built.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2008-0063.
- E-mail from Deborah Buck, Manager of Building and Chief Building Official received June 4, 2008.
- E-mail from David Jones, On Site Sewage Inspector received June 4, 2008.

- Memorandum from Joseph Costanza, Civil Technologist received June 10, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received May 29, 2008.
- E-mail from Brock McDonald, Manager of Policy & Development Leisure Services Department received May 29, 2008.
- E-mail from Bill O'Neill, Fire Chief received May 29, 2008.
- E-mail from Pamela Hunt, By-law Secretary received June 4, 2008.
- Letter from Shirley Walinck, received with application May 23, 2008.

There were no other persons in attendance with an interest in this application.

Moved by Karen Whitney

Seconded by Donald Rae

- A. THAT MINOR VARIANCE APPLICATION P410824, TO REQUEST RELIEF FROM SECTION 6.1 (d) TO PERMIT THE CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING WITH AN ATTACHED GARAGE HAVING A REDUCED EASTERLY EXTERIOR SIDE YARD SETBACK OF 3.2 METRES AND FROM SECTION 7.5.1 TO ALLOW FOR A REDUCED WESTERLY INTERIOR SIDE YARD SETBACK OF 1.6 METRES FOR THE NEW SINGLE FAMILY DWELLING WITH AN ATTACHED GARAGE, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING TERM:**
- (I) THAT THE PROPOSED SINGLE FAMILY DWELLING SHALL NOT EXCEED 1.5 STOREYS IN HEIGHT.**
- B. APPROVAL OF THE ABOVE NOTED MINOR VARIANCE SHALL BE SUBJECT TO FULFILLMENT OF THE FOLLOWING CONDITIONS:**
- 1. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS THAT THE CONCERNS OUTLINED IN THE MEMORANDUM DATED JUNE 10, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE '1' HAVE BEEN RESOLVED.**
 - 2. ALL CONDITIONS MUST BE SATISFIED WITHIN ONE (1) YEAR OF THE DATE OF NOTICE OF THE DECISION.**

Stephen Pallett, Chairperson advised those in attendance of the 20 day appeal period.

6. APPLICATIONS FOR CONSENT:**6.1 Application P420720 & P420721
(Deferred from August 27, 2007)**

ROGERS, MICHAEL
ROGERS, BARBARA
2007 Metro Road North
Concession 9(NG), Part Lot 18
Roll No. 136-528

Mr. & Mrs. Rogers were in attendance. Mr. Rogers noted that they have two consent applications asking for two new lots from their existing lot. He indicated that the applications were deferred initially to obtain a Hydro Geological study and an Environmental Impact Study.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2008-0061.
- Memorandums from Deborah Buck, Manager of Building and Chief Building Official received July 9, 2007.
- Memorandums from David Jones, On Site Sewage Inspector received July 30, 2007.
- Memorandum from Michael Baskerville, Manager of Engineering received August 16, 2007.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received June 11, 2008.
- Memorandums from Dave Reddon, Manager of Taxation & Revenue, received July 11, 2007.
- Memorandums from Brock McDonald, Manager of Policy & Development Leisure Services Department received July 16, 2007.
- Memorandums from Bill O'Neill, Fire Chief received July 11, 2007.
- Memorandums from Pamela Hunt, By-law Secretary received July 17, 2007.
- Letter from Rogers Cable, received July 11, 2007.
- Letter from Lake Simcoe Region Conservation Authority, received August 21, 2007.
- Letter from Lake Simcoe Region Conservation Authority, received March 18, 2008.
- Letter from Lake Simcoe Region Conservation Authority, received June 9, 2008.

- E-mail from Trevor Catherwood, Development Review Technologist, Region of York Transportation and Works Department, received June 4, 2008.
- Letter from Trevor Catherwood, Development Review Technologist, Region of York Transportation and Works Department, received June 4, 2008.

There were no other persons in attendance with an interest in this application.

Mr. & Mrs. Rogers confirmed that they understand and agree to all the comments read.

Moved by Donald Rae

Seconded by Karen Whitney

THAT CONSENT APPLICATION P420720, TO REQUEST PERMISSION TO SEVER AND CONVEY THE SUBJECT LANDS INDICATED AS 'A' AND RETAIN THE REMAINDER LANDS INDICATED AS 'B' AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. SUBMISSION TO THE SECRETARY-TREASURER OF SIX (6) WHITE PRINTS OF A DEPOSITED REFERENCE PLAN OF SURVEY TO CONFORM SUBSTANTIALLY WITH THE APPLICATION AS SUBMITTED.**
- 2. SUBMISSION TO THE SECRETARY-TREASURER OF A FULLY EXECUTED DEED, IN DUPLICATE, CONVEYING THE SUBJECT LANDS.**
- 3. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE PLANNING DIVISION THAT A PORTION OF THE RETAINED LANDS HAVE BEEN APPROPRIATELY ZONED TO ADDRESS THE OPEN SPACE ZONING REQUIRED AT THE REAR OF THE PROPERTY.**
- 4. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE LAKE SIMCOE REGION CONSERVATION AUTHORITY THAT THE CONCERNS OUTLINED IN THE LETTER DATED APRIL 29, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE "2" HAVE BEEN RESOLVED.**
- 5. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE LEISURE SERVICES DEPARTMENT THAT THE REQUIRED PARK LEVY HAS BEEN PAID AS INDICATED ON SCHEDULE '3' ATTACHED TO THE DECISION.**
- 6. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS THAT THE CONCERNS OUTLINED IN THE**

MEMORANDUM DATED JULY 19, 2007 AND ATTACHED TO THE DECISION AS SCHEDULE "4" HAVE BEEN RESOLVED.

- 7. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE PLANNING DIVISION THAT 2.9 PERSONS EQUIVALENT OF SERVICING ALLOCATION HAS BEEN TRANSFERRED TO THE PROPOSED LOT TO BE CREATED BY CONSENT APPLICATION P420720.**
- 8. ALL CONDITIONS MUST BE SATISFIED WITHIN ONE (1) YEAR OF THE DATE OF THE NOTICE OF THE DECISION.**

Carried.....

Moved by Donald Rae

Seconded by Karen Whitney

THAT CONSENT APPLICATION P420721, TO REQUEST PERMISSION TO SEVER AND CONVEY THE SUBJECT LANDS INDICATED AS 'A' AND RETAIN THE REMAINDER LANDS INDICATED AS 'B' AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. SUBMISSION TO THE SECRETARY-TREASURER OF SIX (6) WHITE PRINTS OF A DEPOSITED REFERENCE PLAN OF SURVEY TO CONFORM SUBSTANTIALLY WITH THE APPLICATION AS SUBMITTED.**
- 2. SUBMISSION TO THE SECRETARY-TREASURER OF A FULLY EXECUTED DEED, IN DUPLICATE, CONVEYING THE SUBJECT LANDS.**
- 3. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE PLANNING DIVISION THAT A PORTION OF THE RETAINED LANDS HAVE BEEN APPROPRIATELY ZONED TO ADDRESS THE OPEN SPACE ZONING REQUIRED AT THE REAR OF THE PROPERTY.**
- 4. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE LAKE SIMCOE REGION CONSERVATION AUTHORITY THAT THE CONCERNS OUTLINED IN THE LETTER DATED APRIL 29, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE "2" HAVE BEEN RESOLVED.**
- 5. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE LEISURE SERVICES DEPARTMENT THAT THE REQUIRED PARK LEVY HAS BEEN PAID AS INDICATED ON SCHEDULE '3' ATTACHED TO THE DECISION.**

6. **SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS THAT THE CONCERNS OUTLINED IN THE MEMORANDUM DATED JULY 19, 2007 AND ATTACHED TO THE DECISION AS SCHEDULE "4" HAVE BEEN RESOLVED.**
7. **SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE REGION OF YORK TRANSPORTATION AND WORKS DEPARTMENT THAT THE CONCERNS OUTLINED IN THE LETTER DATED MAY 29, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE '5' HAVE BEEN RESOLVED.**
8. **SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE PLANNING DIVISION THAT 2.9 PERSONS EQUIVALENT OF SERVICING ALLOCATION HAS BEEN TRANSFERRED TO THE PROPOSED LOT TO BE CREATED BY CONSENT APPLICATION P420721.**
9. **ALL CONDITIONS MUST BE SATISFIED WITHIN ONE (1) YEAR OF THE DATE OF THE NOTICE OF THE DECISION.**

Carried....

Stephen Pallett, Chairperson advised those in attendance of the 20 day appeal period for both applications.

6.2 Application P420835

A. J. JOURDAIN INVESTMENTS

121 Morton Ave.,
Concession 3(NG), Part Lot 10
RS65R14010, Parts 2-6
Roll No. 145-560

Mr. Ray Jourdain, agent for A. J. Jourdain Investments and also representing Specialty Care (owner of the Beneficiary Lands), noted that the application for a lot addition is to provide additional land to the north for the proposed expansion of Cedarvale Lodge. He indicated that the 20 metre strip of land to be severed is for the required rear yard setback as well as to provide for a 3 metre planting strip. He noted that planning staff had suggested that the severed lot should be increased by 3 metres to allow for additional room for the planting strip.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2008-0064.
- E-mail from Deborah Buck, Manager of Building and Chief Building Official received June 4, 2008.
- E-mail from David Jones, On Site Sewage Inspector received June 4, 2008.

- Notice of Hearing with “no objection” signed by Michael Baskerville, Engineering Manager received June 9, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received May 29, 2008.
- E-mail from Brock McDonald, Manager of Policy & Development Leisure Services Department received May 29, 2008.
- E-mail from Bill O’Neill, Fire Chief received May 29, 2008.
- E-mail from Pamela Hunt, By-law Secretary received June 4, 2008.
- Notice of Hearing stamped with “No Objection” from the Lake Simcoe Region Conservation Authority, received June 12, 2008.

There were no other persons in attendance with an interest in this application.

Mr. Jourdain confirmed that the current driveway will be paved and improved once the construction is complete.

Moved by Karen Whitney

Seconded by Donald Rae

THAT NO FURTHER NOTICE IS REQUIRED TO INCREASE THE SUBJECT LAND FROM 20 METRES TO 23 METRES.

Carried.....

Moved by Karen Whitney

Seconded by Donald Rae

THAT CONSENT APPLICATION P420835, AS AMENDED, TO REQUEST PERMISSION TO SEVER AND CONVEY THE SUBJECT LANDS INDICATED AS 'A' FROM THE REMAINDER LANDS INDICATED AS 'B' TO BE MERGED IN TITLE WITH THE LANDS INDICATED AS 'C' AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. SUBMISSION TO THE SECRETARY-TREASURER OF SIX (6) WHITE PRINTS OF A DEPOSITED REFERENCE PLAN OF SURVEY TO CONFORM SUBSTANTIALLY WITH THE APPLICATION AS SUBMITTED.**
- 2. SUBMISSION TO THE SECRETARY-TREASURER OF A FULLY EXECUTED DEED, IN DUPLICATE, CONVEYING THE SUBJECT LANDS INDICATED AS 'A' TO THE OWNER OF THE ABUTTING LANDS**

INDICATED AS 'C' AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION.

- 3. THAT SUBSECTION 50(3) OF THE PLANNING ACT SHALL APPLY TO ANY FUTURE CONVEYANCE OF THE SUBJECT LANDS.**
- 4. ALL CONDITIONS MUST BE SATISFIED WITHIN ONE (1) YEAR OF THE DATE OF THE NOTICE OF THE DECISION.**

Carried.....

Stephen Pallett, Chairperson advised those in attendance of the 20 day appeal period.

6.3 Application P420836

BALDASSARRA, MARCEL
779 Third Ave.,
Plan 241, Lots 51 & 52
Roll No. 131-231

Mr. Gord Mahoney, agent along with Mr. Marcel Baldassarra were in attendance. Mr. Mahoney indicated that the subject land contains a semi-detached dwelling but the dividing wall does not line up with the dividing lot line. He noted that the purpose of this consent application is to simply move the lot line so that it is in the same location as the dividing wall of the semi-detached dwelling.

Mr. Mahoney noted that in order to legally sell each half of the dwelling planning staff have requested a consent application along with a deeming by-law be submitted and approved. Mr. Mahoney noted that if the consent application is approved tonight the deeming by-law will be heard at the next council meeting.

Mr. Mahoney noted that the property is designated as Lakeshore Residential and although a semi-detached dwelling is not permitted by the zoning by-law, the dwelling is recognized as legal non-conforming. Mr. Mahoney indicated that lot line adjustments are permitted as no new lot is being created. He noted that the application conforms with the Provincial Plans, the Region's Official Plan and the Town's Official Plan. He said that the application represents good planning and requested approval.

Mr. Mahoney confirmed that his client has reviewed the recommended conditions and agrees to them.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2008-0067.
- E-mail from Deborah Buck, Manager of Building and Chief Building Official received June 4, 2008.

- E-mail from David Jones, On Site Sewage Inspector received June 4, 2008.
- Memorandum from Michael Baskerville, Engineering Manager received June 11, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received May 29, 2008.
- E-mail from Brock McDonald, Manager of Policy & Development Leisure Services Department received May 29, 2008.
- E-mail from Bill O'Neill, Fire Chief received May 29, 2008.
- E-mail from Pamela Hunt, By-law Secretary received June 4, 2008.
- Notice of Hearing signed by D. Kayfetz of 733 Third Avenue, received June 7, 2008.
- Notice of Hearing stamped with "No Objection" from the Lake Simcoe Region Conservation Authority, received June 12, 2008.

There were no other persons in attendance with an interest in this application.

Moved by Karen Whitney

Seconded by Donald Rae

THAT CONSENT APPLICATION P420836, TO REQUEST PERMISSION TO SEVER AND CONVEY THE SUBJECT LANDS INDICATED AS 'A' AND RETAIN THE REMAINDER LANDS INDICATED AS 'B' AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. SUBMISSION TO THE SECRETARY-TREASURER OF SIX (6) WHITE PRINTS OF A DEPOSITED REFERENCE PLAN OF SURVEY TO CONFORM SUBSTANTIALLY WITH THE APPLICATION AS SUBMITTED.**
- 2. SUBMISSION TO THE SECRETARY-TREASURER OF A FULLY EXECUTED DEED, IN DUPLICATE, CONVEYING THE SUBJECT LANDS.**
- 3. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS THAT THE CONCERNS OUTLINED IN THE MEMORANDUM DATED JUNE 11, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE '2' HAVE BEEN RESOLVED.**
- 4. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN ONFIRMATION FROM THE PLANNING DIVISION THAT A DEEMING BY-**

**LAW HAS BEEN REGISTERED WITH RESPECT TO LOTS 51 AND 52,
PLAN 241.**

- 5. ALL CONDITIONS MUST BE SATISFIED WITHIN ONE (1) YEAR OF THE
DATE OF THE NOTICE OF THE DECISION.**

Carried.....

Stephen Pallett, Chairperson advised those in attendance of the 20 day appeal period.

- 7. POWER OF SALE/FORECLOSURE/VALIDATION OF TITLE APPLICATIONS:**

None.

- 8. MINUTES OF PREVIOUS MEETING:**

8.1 Minutes of the Meeting of May 20, 2008.

Moved by Danny Wheeler

Seconded by Donald Rae

**THAT THE MINUTES OF THE MEETING OF MAY 20, 2008 BE APPROVED
AS PRESENTED.**

Carried.....

- 9. COMMUNICATIONS:**

9.1 Letter from Elleni Kapetaneas regarding Minor Variance P410805.

Moved by Karen Whitney

Seconded by Danny Wheeler

**THAT THE LETTER FROM ELLENI KAPETANEAS REGARDING MINOR
VARIANCE P410805 BE RECEIVED AS INFORMATION.**

Carried....

- 10. OTHER BUSINESS:**

None.

11. ADJOURNMENT:

Moved by Karen Whitney

Seconded by Danny Wheeler

THAT THE MEETING ADJOURN AT THIS TIME (8:30pm)

Carried.....

STEPHEN PALLETT,
CHAIRPERSON

KATHLEEN FOSTER,
SECRETARY-TREASURER