

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

MINUTES

**2009-Jan-19
7:30 P.M.**

1. ROLL CALL:

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

Stephen Pallett, Chairperson	Karen Whitney, Member
Donald Rae, Member	Chris Burns, Member

The following staff members were present:

Fernando Lamanna, Assistant Secretary-Treasurer
Carolyn Lance, Administrative Assistant to the Town Clerk
Denis Beaulieu, Town Planner

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:

The Assistant Secretary-Treasurer advised the Members that there were two deferral requests on the agenda and that a letter from Michael Smith Planning Consultants, dated January 16, 2009, was submitted requesting a deferral for consent application P420847.

**6.1 Application P420847
(Deferred from December 1, 2008)**

**SCHWARTZ BERTHA
ROTSTEIN, SHIRLEY**
150 Lake Drive East
Concession 9 (NG), Part Lot 4
Roll No. 127-896

Gord Mahoney, Agent, was in attendance on behalf of the applicants and requested a further deferral to February 17th meeting. He noted that a couple of different site plan options were provided to his clients and the clients haven't made a decision on which site plan option they prefer.

Moved by Karen Whitney

Seconded by Donald Rae

THAT CONSENT APPLICATION P420847 BE DEFERRED TO THE HEARING HELD ON TUESDAY, FEBRUARY 17, 2009.

Carried.....

**4.1 Application P410851
(Deferred from November 3rd, 2008)**

**ZAMMITTI, SANTO
BLAINE, CHRISTINE**
228 Lake Drive East
Concession 9(NG), Pt. Lt. 6
Roll No. 132-042

Moved by Karen Whitney

Seconded by Donald Rae

THAT MINOR VARIANCE APPLICATION P410851 BE DEFERRED TO THE HEARING HELD ON TUESDAY, FEBRUARY 17, 2009.

Carried.....

**4.2 Application P420425, P420426
Application P420437 & P420438
(Deferred from September 7th, 2004)**

**609837 ONTARIO INC.
O/A CITY AUTO**
24707 Woodbine Ave.,
Concession 4(NG), Pt Lt 13
Roll No. 107-400

Moved by Chris Burns

Seconded by Karen Whitney

THAT CONSENT APPLICATION P420425, P420426, P420437 AND P420438 BE DEFERRED TO THE HEARING HELD ON TUESDAY, FEBRUARY 17, 2009.

Carried.....

The Assistant Secretary-Treasurer advised the Members that these consent applications are also subject to a Zoning By-Law Amendment which has to be approved by Council still.

The Members indicated they still wish to defer the applications to February 17th and expect an up date from the agent on the progress of the site plan deficiencies.

5. APPLICATIONS FOR MINOR VARIANCE:

5.1 Application P410841 (Deferred from November 3rd, 2008)

REGLO LIMITED
875 & 885 Lake Drive East
Plan 247, Pt Lt 5, Blk 75,
RS65R12292, Part 2,
RS65R2466, Pt of Pt 1 & Pt 3
Roll Nos 081-610 & 081-619

Mr. Michael Larkin, agent. indicated he has been recently attained by the applicant to represent him and submitted an authorization of the owner at this time to the Assistant Secretary-Treasurer. Mr. Larkin noted that this application has been before the Committee of Adjustment twice and asked that it be approved tonight.

Mr. Larking noted that relief from the zoning by-law is required for parking standards under section 5.28 (b). He said Halsey Lodge is an adult care facility, nursing home and the property is appropriately zoned. He pointed out that staff supported the request for the reduction in parking standards.

Mr. Larkin noted that the minor variance application meets all provincial policies and that the application meets the four test of the Planning Act.

Stephen Pallett, Chairperson asked that the report and comments be read. The Assistant Secretary-Treasurer noted that the report and comments were previously read at the September 29, 2008 hearing and that a petition and support letters were submitted at the November 3rd hearing at which time they were also read.

Mr. Darryl Urquhart, of 888 Lake Drive East, noted that he had spoken at the two previous meetings and requested the deferrals in order to research the issues respecting the expansion of the licensing. He said that he understands that the decision before the Committee is limited to the parking issue, but noted that the issues are combined. He pointed out that the interest of the community at large would be dynamically different. Mr. Urquhart confirmed that he has very little to contribute to the opposition to the application for a minor variance with respect to the parking relief, but suggested that maybe the application be approved with conditions tied with the current use of the facility. He indicated that the minor variance may not be appropriate if the property is used for another purpose such as an old age home where you could have elderly residents who can drive cars.

Mr. Urquhart asked if the Committee received a copy of the petition that was sent to Council on January 5th, 2009. The Assistant Secretary-Treasurer confirmed that the only petition received by the Committee of Adjustment was the one dated October 1st, 2008.

Stephen Pallett, Chairperson indicated that this is the Committee of Adjustment and not Council. He stated that the mandate of the Committee of Adjustment is to deal with the request for relief from parking and not with respect to the licensing.

There were no others in attendance with respect to this application.

Moved by Karen Whitney

Seconded by Donald Rae

THAT NO FURTHER NOTICE IS REQUIRED TO AMEND THE APPLICATION TO INCLUDE AN ADDITIONAL REQUEST FOR RELIEF FROM SECTION 5.28(b) TO PERMIT 8 ADDITIONAL BEDS IN CONJUNCTION WITH THE EXISTING ADULT CARE FACILITY ON THE SUBJECT LAND WITHOUT BEING REQUIRED TO PROVIDE THE REQUIRED ADDITIONAL PARKING.

Carried.....

Moved by Karen Whitney

Seconded by Donald Rae

THAT MINOR VARIANCE APPLICATION P410841, AS AMENDED, TO REQUEST RELIEF FROM SECTION 5.28(b) & (e) TO ALLOW THE EXPANSION OF THE ADULT CARE FACILITY BY AN ADDITIONAL 8 BEDS WITHIN THE EXISTING COTTAGE ADJACENT TO HALSEY LODGE WITHOUT MAKING UP THE PARKING DEFICIENCY AND WITHOUT BEING REQUIRED TO PROVIDE THE REQUIRED ADDITIONAL PARKING, IS HEREBY APPROVED.

Carried.....

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

5.2 Application P410853

VERTES, GEORGE & JOAN
606 Duclos Point Road
Plan 192, Lot 66
Roll No. 044-462

Mr. Wayne Sharp, agent, noted that they have applied for an expansion of the legal non-conforming use of their property. He said that the main dwelling that is currently there is in bad repair and needs to be replaced and in so doing, the new building ended up larger than the original, so they need a minor variance.

Mr. Sharp indicated that he is unaware that the cedar hedge needs to be moved as the hedge is on the road allowance.

Mr. Sharp confirmed that the new dwelling will be built on a crawl space foundation and a maximum height of 9 metres is not a problem.

The Assistant Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0003.
- E-mail from Deborah Buck, Manager of Building and Chief Building Official received December 17, 2008.
- E-mail from David Jones, On Site Sewage Inspector received January 7, 2009.
- Memorandum from Michael Baskerville, Engineering Manager, dated December 17, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received December 16, 2008.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received December 16, 2008.
- E-mail from Bill O'Neill, Fire Chief received December 16, 2008.
- E-mail from Pamela Hunt, By-law Secretary received December 17, 2008.

The Assistant Secretary-Treasurer confirmed that the memorandum dated December 17, 2008 from the Department of Engineering and Public Works will be a condition of the minor variance and in that memorandum the Engineering

Manager is requesting that the cedar hedge, located on the road allowance, be removed.

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

Moved by Karen Whitney

Seconded by Chris Burns

A. THAT MINOR VARIANCE APPLICATION P410853, TO REQUEST PERMISSION TO ALLOW FOR AN EXPANSION TO A LEGAL NON-CONFORMING SINGLE DETACHED DWELLING WITHIN THE BUILDING ENVELOPE SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING TERMS:

- (I) THAT THE MAXIMUM LOT COVERAGE OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY SHALL NOT EXCEED 30%**
- (II) THAT THE MAXIMUM HEIGHT OF THE SINGLE DETACHED DWELLING SHALL NOT EXCEED TWO STORIES AND 9 METRES.**

B. APPROVAL OF THE ABOVE NOTED MINOR VARIANCE SHALL BE SUBJECT TO THE 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 DECEMBER 17, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE '2' HAVE BEEN RESOLVED.**
- 2. 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.

5.3 Application P410854

GROSSI, PETER & JOAN
79 Lake Drive East
Plan 207, Lot 2 & Part Lot 4
Roll No. 128-081

Mr. Wayne Sharp indicated that he is a representative and designer for Royal Homes and is here as the representative for Mr. and Mrs Grossi. He noted that the minor variance application is for an expansion of a legal non-conforming use. Mr. Sharp confirmed that the replacement dwelling is actually smaller in size and that the existing septic system will be decommissioned as well as the existing well.

The Assistant Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0004.
- E-mail from Deborah Buck, Manager of Building and Chief Building Official received December 17, 2008.
- E-mail from David Jones, On Site Sewage Inspector received January 7, 2009.
- Memorandum from Michael Baskerville, Engineering Manager, dated December 17, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received December 16, 2008.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received December 16, 2008.
- E-mail from Bill O'Neill, Fire Chief received December 16, 2008.
- E-mail from Pamela Hunt, By-law Secretary received December 17, 2008.
- Letter of support from Robert and Mary Pollock, received January 5, 2009.

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

Moved by Chris Burns

Seconded by Donald Rae

THAT MINOR VARIANCE APPLICATION P410854, TO ALLOW FOR THE REPLACEMENT OF THE EXISTING LEGAL NON-CONFORMING SINGLE DETACHED DWELLING, AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION, 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 DECEMBER 17, 2008 AND ATTACHED TO THE DECISION AS SCHEDULE '2' HAVE BEEN RESOLVED.**
- 2. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE ON-SITE SEWAGE INSPECTOR THAT THE CONCERNS OUTLINED IN THE EMAIL DATED JANUARY 7, 2009 AND ATTACHED TO THE DECISION AS SCHEDULE '3' HAVE BEEN RESOLVED.**

3. 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:

Moved by Chris Burns

Seconded by Donald Rae

THAT THE MINUTES OF THE MEETING OF DECEMBER 1, 2008, BE ADOPTED AS PRESENTED.

Carried.....

9. COMMUNICATIONS:

9.1 Correspondence from York Region dated January 6, 2009 RE: Notice of Public Information for Sutton Water Pollution Control Plan Expansion.

Moved by Donald Rae

Seconded by Chris Burns

THAT THE CORRESPONDENCE FROM YORK REGION DATED JANUARY 6, 2009 RE: NOTICE OF PUBLIC INFORMATION FOR SUTTON WATER POLLUTION CONTROL PLAN EXPANSION, BE RECEIVED FOR INFORMATION.

Carried.....

10. OTHER BUSINESS:

None.

11. ADJOURNMENT:

Moved by Karen Whitney

Seconded by Donald Rae

THAT THE MEETING ADJOURN AT THIS TIME (8:00 PM).

Carried.....

STEPHEN PALLETT, CHAIRPERSON

FERNANDO LAMANNA,
ASSISTANT SECRETARY-TREASURER