

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

MINUTES

**2009-Feb-17
7:30 P.M.**

1. ROLL CALL:

The 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:

Kathleen Foster, Secretary-Treasurer
Fernando Lamanna, Assistant Secretary-Treasurer

2. DECLARATION OF PECUNIARY INTEREST:

Chris Burns, Member declared a pecuniary interest in Application P410851 submitted by Santo Zammitti and Christine Blaine as he had prepared the architectural drawings for the proposed addition on the subject land. In addition, he acknowledged that he had neglected to declare this pecuniary interest in the application at the hearing held January 19, 2009, wherein the Committee only dealt with a request for a further deferral of this application.

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 P420425, P420426 **609837 ONTARIO INC.**
Application P420437 & P420438 **O/A CITY AUTO**
(Deferred from September 7th, 2004 and 24707 Woodbine Ave.,
November 3, 2008 and January 19, 2009) Concession 4(NG), Pt Lt 13
Roll No. 107-400**

Mr. Eric Gunnell, agent, updated the Members with respect to the outstanding items and explained that the completion of the work is dependent on the weather. He indicated that the outstanding items would be completed within the next month or two and requested that the applications be deferred to June if possible.

Moved by Donald Rae

Seconded by Chris Burns

THAT CONSENT APPLICATIONS P420425, P420426, P420437 & P420438 BE FURTHER DEFERRED TO THE HEARING TO BE HELD ON JUNE 15TH, 2009.

Carried.....

5. APPLICATIONS FOR MINOR VARIANCE:

- 5.1 Application P410851 **ZAMMITTI, SANTO**
(Deferred from November 3rd, 2008 and **BLAINE, CHRISTINE**
January 19, 2009) 228 Lake Drive East
Concession 9(NG), Pt. Lt. 6
Roll No. 132-042**

Chris Burns, Member declared a pecuniary interest in Application P410851 submitted by Santo Zammitti and Christine Blaine as he had prepared the architectural drawings for the proposed addition on the subject land. He did not take part in any discussion, did not vote on the matter and left the room at this time. (7:40pm).

Mr. Eric Gunnell, the agent and the owners were in attendance. Mr. Gunnell explained that the proposed addition is two storeys with the first floor being a one car garage and the second floor an extension of the existing bedroom. He stated that relief has been requested to provide a reduced front yard setback of 1.6 metres, a reduced rear yard setback of 10 metres and a reduced setback to the annual highwater mark of Lake Simcoe of 6.54 metres.

Mr. Gunnell indicated that the lot is very small and the application originally proposed a larger addition, which has been reduced based on the requirements of the Conservation Authority to provide a minimum of 6.55 metres to the highwater mark for the 1st floor. He noted that the drawings have been amended to provide a single car garage with the second floor cantilevered 2 feet to provide

additional floor space with a setback of 5.95 metres to the highwater mark. He stated that the proposed addition will be located where the existing parking pad is.

Mr. Gunnell noted that his client has spoken to his neighbours who have no objection. He confirmed that they are in agreement with the recommendations of the Planner contained in the report.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0014.
- E-mail from Deborah Buck, Chief Building Official received October 29, 2008.
- E-mail from David Jones, On Site Sewage Inspector received October 27, 2008.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received October 15, 2008.
- Memorandum from Michael Baskerville, Engineering Manager, dated November 3, 2008.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received October 17, 2008.
- E-mail from Bill O'Neill, Fire Chief received October 20, 2008.
- E-mail from Pamela Hunt, By-law Secretary received October 16, 2008.
- Letter from the Lake Simcoe Region Conservation Authority received February 6, 2009.

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

Mr. Gunnell, confirmed that the lot coverage complies now as the garage was reduced from a double car garage to a single car garage resulting in a new proposed lot coverage of 29.7 % and explained that relief from the lot coverage provision of 30% is no longer required.

Moved by Karen Whitney

Seconded by Donald Rae

NO FURTHER NOTICE IS REQUIRED TO AMEND MINOR VARIANCE APPLICATION P410851:

- 1. ELIMINATING THE REQUEST FOR RELIEF FROM SECTION 6.1 (i) TO ALLOW 35% LOT COVERAGE, AND**
- 2. CHANGING THE REQUEST FOR RELIEF FROM SECTION 5.10 FROM 3.2 METRES ORIGINALLY REQUESTED FROM THE HIGHWATER MARK TO**

A SETBACK OF 6.55 METRES FROM THE GROUND FLOOR AND 5.95 METRES FROM THE 2ND STOREY OF THE PROPOSED ADDITION.

Carried.....

Moved by Karen Whitney

Seconded by Donald Rae

A. THAT MINOR VARIANCE APPLICATION P410851 AS AMENDED, TO REQUEST RELIEF FROM:

- **SECTION 6.1(C) TO PERMIT A REDUCED FRONT YARD SETBACK OF 1.6 METRES FOR THE PROPOSED TWO STOREY ADDITION;**
- **SECTION 6.1(E) FOR A REDUCED REAR YARD SETBACK OF 10 METRES FOR THE PROPOSED TWO STOREY ADDITION; AND**
- **SECTION 5.10 FOR A REDUCED SETBACK TO THE HIGH WATER MARK OF LAKE SIMCOE OF 6.55 METRES TO THE GROUND FLOOR OF THE PROPOSED ADDITION AND 5.95 METRES TO THE 2ND STOREY OF THE PROPOSED ADDITION.**

IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING TERM:

THE GROUND FLOOR OF THE PROPOSED ADDITION SHALL NOT CONTAIN RESIDENTIAL LIVING SPACE, AND SHALL BE CONSIDERED REQUIRED PARKING PURSUANT TO SECTION 5.28 (B) OF ZONING BY-LAW 500, AS AMENDED.

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 THEIR CONCERNS OUTLINED IN THE MEMORANDUM DATED NOVEMBER 3, 2008 AND ATTACHED AS SCHEDULE 1 TO THE DECISION 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.

Chris Burns, Member came back into the room at this time and resumed his seat with the Committee. (7:50pm)

5.2 Application P410903**562303 ONTARIO INC.**

Lake Drive North
Concession 4 (NG) Pt Lt 29
Plan 124, Part Lot 7
Parts 3 & 9, Plan 65R30412
Part of Roll No. 123-278

Mr. Mark Milani, owner, stated that he is seeking relief for a detached garage with an increased height from grade to peak of 5.38 metres.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0013.
- E-mail from Deborah Buck, Chief Building Official received January 26, 2009.
- E-mail from David Jones, On Site Sewage Inspector received February 2, 2009.
- E-mail from David Reddon, Manager of Taxation and Revenue received February 10, 2009.
- E-mail from Darlene Folmeg, Engineering Secretary received February 10, 2009.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received January 26, 2009.
- E-mail from Bill O'Neill, Fire Chief received February 2, 2009.
- E-mail from Pamela Hunt, By-law Secretary received January 28, 2009.

The Secretary-Treasurer advised the Committee that the original application requested additional relief from that stated by the owner, to allow a height from grade to eaves of 3.1 metres.

Mr. Milani confirmed that relief is also requested to allow an increased height to the eaves of 3.1 metres.

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

Moved by Chris Burns

Seconded by Karen Whitney

THAT MINOR VARIANCE APPLICATION P410903, TO REQUEST RELIEF FROM SECTION 5.1(f) TO PERMIT THE CONSTRUCTION OF A DETACHED GARAGE WITH AN INCREASED MAXIMUM HEIGHT FROM GRADE TO PEAK OF 5.38 METRES AND AN INCREASED MAXIMUM HEIGHT FROM GRADE TO EAVES OF 3.1 METRES, AS SHOWN ON SCHEDULE 1 ATTACHED TO THE DECISION IS HEREBY APPROVED.

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

6. APPLICATIONS FOR CONSENT:

**6.1 Application P420847
(Deferred from December 1, 2008 and
January 19, 2009)**

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

Mr. Gord Mahoney, agent, explained that the original application was before the Committee on December 1st, 2008 at which time the minor variance application was approved and the consent application was deferred in order to revise the application to provide a minimum of 18 metres of frontage for the subject land where 15.24 metres was originally proposed. He indicated that the application has now been revised to provide 19 metres of frontage for the subject land.

Mr. Mahoney advised that the subject land is designated Lakeshore Residential in the Official Plan and zoned Residential. He confirmed that the proposal complies with the policies of the Official Plan and confirmed that they are proposing to demolish or relocate the dwelling on the subject land to comply with the minimum setback requirements of the zoning by-law.

Mr. Mahoney advised that the proposed severance complies with all Provincial Plans, Policy Statements and the Regional Official Plan.

The Secretary-Treasurer read the E-mail from Karyn Stone, Planner received February 10, 2009.

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

Moved by Karen Whitney

Seconded by Chris Burns

NO FURTHER NOTICE IS REQUIRED TO AMEND CONSENT APPLICATION P420847 INCREASING THE FRONTAGE OF THE SUBJECT LAND TO 19 METRES AND REVISING THE SHAPE OF THE SUBJECT LAND.

Carried.....

Moved by Karen Whitney

Seconded by Donald Rae

THAT CONSENT APPLICATION P420847 AS AMENDED, 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. WRITTEN CONFIRMATION FROM THE SECRETARY-TREASURER THAT MINOR VARIANCE P410852 HAS RECEIVED FINAL APPROVAL.**
- 4. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE TOWN'S ON-SITE SEWAGE INSPECTOR THAT THE CONCERNS OUTLINED IN THE EMAIL RECEIVED NOVEMBER 21, 2008 AND ATTACHED AS SCHEDULE 2 TO THE DECISION HAVE BEEN RESOLVED.**
- 5. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS THAT THE CONCERNS OUTLINED IN THE E-MAIL DATED NOVEMBER 18, 2008 AND ATTACHED AS SCHEDULE 3 TO THE DECISION HAVE BEEN RESOLVED.**
- 6. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE PLANNING DEPARTMENT THAT THE EXISTING DWELLING LOCATED ON THE SUBJECT LANDS IS IN COMPLIANCE WITH THE ZONING BY-LAW OR ALTERNATIVELY THAT THE EXISTING DWELLING HAS BEEN REMOVED.**

7. 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:

8. MINUTES OF PREVIOUS MEETING:

8.1 Minutes of the Meeting of February 2, 2009

Moved by Karen Whitney

Seconded by Chris Burns

THAT THE MINUTES OF THE MEETING OF FEBRUARY 2, 2009 BE ADOPTED AS PRESENTED.

Carried.....

8.2 Minutes of the Meeting of January 19, 2009

(Advisement: Previously adopted at the meeting held February 2, 2009 however, additional corrections have been made to the minutes)

The Secretary-Treasurer explained that additional corrections were required to the minutes where reference was made to her reading the correspondence at the meeting that she did not attend, in addition to a number of other typographical errors.

Moved by Donald Rae

Seconded by Karen Whitney

THAT THE CORRECTED MINUTES OF THE MEETING OF JANUARY 19, 2009 BE ADOPTED AS PRESENTED.

Carried.....

9. COMMUNICATIONS:

9.1 2009 OACA CONFERENCE IN WATERLOO

(Advisement: Members need to make their own reservations at the Waterloo Inn and Conference Centre (1-800-361-4708) & provide Registration & Preferred Sessions Forms to staff for submission)

Moved by Karen Whitney

Seconded by Donald Rae

THAT THE INFORMATION REGARDING THE 2009 OACA CONFERENCE IN WATERLOO BE RECEIVED FOR INFORMATION.

Carried.....

10. OTHER BUSINESS:

11. ADJOURNMENT:

Moved by Karen Whitney

Seconded by Chris Burns

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

Carried.....

STEPHEN PALLETT, CHAIRPERSON

KATHLEEN FOSTER,
SECRETARY-TREASURER