

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

COMMITTEE OF ADJUSTMENT

MINUTES

**2009-March-02
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
Danny Wheeler, Member	

The following staff members were present:

Kathleen Foster, Secretary-Treasurer
Fernando Lamanna, Assistant Secretary-Treasurer
Deborah Buck, Manager of Building & Chief Building Official

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 P410904****GREAT WORLD PROPERTIES
(MILITARY MUSEUM)**

26061 Woodbine Ave.
Part Lot 22, Concession 4(NG)
Roll No. 109-550

Mr. Phil Craig, agent, requested a deferral in order to complete a site sketch to scale as well as to re-evaluate the museum's direction in terms of the proposed use of the trailer.

Mr. Craig asked for a two month deferral.

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

Moved by Chris Burns

Seconded by Karen Whitney

THAT MINOR VARIANCE APPLICATION P410904, BE DEFERRED TO THE JUNE 15, 2009 HEARING OR SOONER IF A SITE SKETCH DRAWN TO SCALE HAS BEEN SUBMITTED TO THE SECRETARY-TREASURER.

Carried.....

5. APPLICATIONS FOR MINOR VARIANCE:**5.2 Application P410905****RICK & LORIE LEETHAM**

90 Lowndes Ave.,
Lot 7, Plan 65M3269
Roll No. 144-14104

Mr. Rick Leetham indicated that he is asking for relief for a deck that has already been built.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0019.
- E-mail from Deborah Buck, Chief Building Official received February 11, 2009.
- E-mail from David Jones, On Site Sewage Inspector received February 18, 2009.

- E-mail from Darlene Folmeg, Engineering Secretary received February 17, 2009.
- E-mail from David Reddon, Manager of Taxation and Revenue received February 10, 2009.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received February 11, 2009.
- E-mail from Bill O'Neill, Fire Chief received February 10, 2009.
- E-mail from Pamela Hunt, By-law Secretary received February 10, 2009.

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

Moved by Donald Rae

Seconded by Karen Whitney

THAT MINOR VARIANCE APPLICATION P410905, TO REQUEST RELIEF FROM SECTION 5.45 (a) AND 6.1 (e) TO ALLOW THE EXISTING DECK TO REMAIN IN ITS CURRENT LOCATION WITH AN EXISTING REAR YARD SETBACK OF 4.2 METRES, AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION IS HEREBY APPROVED.

Carried.....

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

6. APPLICATIONS FOR CONSENT:

6.1 Application P420901

**PENG FEL ZHANG
LIMIN HUANG**
Irving Drive (N/S)
Lot 75, Plan 472
Roll No. 063-401

In the absence of the owner or agent for the application, the Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0018.

- E-mail from Deborah Buck, Chief Building Official received February 11, 2009.
- E-mail from David Jones, On Site Sewage Inspector received February 11, 2009.
- E-mail from Michael Baskerville, Engineering Manager received February 27, 2009.
- E-mail from David Reddon, Manager of Taxation and Revenue received February 10, 2009.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received February 11, 2009.
- E-mail from Bill O'Neill, Fire Chief received February 10, 2009.
- E-mail from Pamela Hunt, By-law Secretary received February 10, 2009.
- E-mail from Trevor Catherwood, Development Review Technologist Region of York received February 19, 2009.
- Notice of Hearing stamped "No Objection" from the Lake Simcoe Region Conservation Authority received February 24, 2009.
- Letter from Flying Bridge Marina Limited of 1 Laurine Street, received February 24, 2009.
- Letter from Ronald J. Rogers and Mary-Jane Rogers of 16 Irving Drive, received February 19, 2009.

Mr. Mahoney, agent, along with Mr. Zhang were in attendance. Mr. Mahoney apologized for being late. He noted that his clients have two separate conveyable lots and they wish to sever and convey the subject land 'A' and add it to the subject land 'C' in order to rectify an encroachment of the existing house on lot 75. He noted that minor lot line adjustments are permitted and that the proposed severance conforms to the Pefferlaw Secondary Plan. Mr. Mahoney noted that a Zoning By-law Amendment application and an Official Plan Amendment application were submitted and that Council has heard the initial report at a public meeting held September 22, 2008.

Mr. Mahoney indicated that his clients disagree with a couple of comments submitted from the Town's departments which included the engineering comments which have since been withdrawn. As well they object to the replacement of the existing septic system as the Committee can not impose conditions on lands other than the subject land. Mr. Mahoney indicated that he

has come to some agreement with Ms. Deborah Buck Chief Building Official. Mr. Mahoney indicated that under the new Lake Simcoe Protection Act all septic systems within 100 metres will have to be re-inspected and possibly replaced. He noted that his clients need the money from the sale of the newly created vacant lot and that his clients have agreed to come into the Town and apply to fix or replace the existing septic system once the lot has sold. He said that he understands that there are financial programs through the Lake Simcoe Region Conservation Authority to aid property owners in replacing and upgrading old septic systems. Mr. Mahoney indicated that the proposed severance application conforms to the Provincial and Regional Official Plans and that the application represents good planning and requested approval by the Committee.

Ms. Deborah Buck, Manager of Building & Chief Building Official, indicated that she is in agreement with Mr. Mahoney and does not object to the Committee removing the proposed condition of replacing the existing septic system on the remainder lands. Ms. Buck noted that the existing septic system is not functional as the filter bed is at the high water level and confirmed that there are grants available now to upgrade failing septic systems. She indicated that if the applicants do not fix the existing septic system then she will impose orders on the property through the Building Code Act and agreed to the removal of the condition requested by the On Site Sewage Inspector.

Mr. Mahoney confirmed that there is no problem with removing the attached garage.

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

Moved by Chris Burns

Seconded by Karen Whitney

THAT CONSENT APPLICATION P420901, 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(5) OF THE PLANNING ACT SHALL APPLY TO ANY FUTURE CONVEYANCE OF THE SUBJECT LANDS.**
- 4. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE PLANNING DIVISION THAT A DEEMING BY-LAW HAS BEEN REGISTERED WITH RESPECT TO LOT 76, PLAN 472.**
- 5. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE BUILDING DIVISION THAT THE ATTACHED GARAGE, LABELLED 'GARAGE TO BE REMOVED', AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION, HAS BEEN REMOVED.**
- 6. 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 February 17, 2009

Moved by Chris Burns

Seconded by Karen Whitney

THAT THE MINUTES OF THE MEETING OF FEBRUARY 17, 2009 BE APPROVED AS PRESENTED.

Carried.....

9. COMMUNICATIONS:

None.

10. OTHER BUSINESS:

10.1 Status pending list

The Members requested an update from Planning Staff on the general amendment proposed for wind turbines as a minor variance application is being held in abeyance pending the processing of that general amendment.

Moved by Danny Wheeler

Seconded by Donald Rae

THAT THE STATUS PENDING LIST BE RECEIVED FOR INFORMATION.

Carried.....

10.2 No hearing for March 16, 2009.

The Secretary-Treasurer advised the Members that there will be no hearing on March 16, 2009 as there were no applications submitted prior to the deadline.

11. ADJOURNMENT:

Moved by Chris Burns

Seconded by Karen Whitney

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

Carried.....

STEPHEN PALLETT, CHAIRPERSON

KATHLEEN FOSTER,
SECRETARY-TREASURER