

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

COMMITTEE OF ADJUSTMENT

MINUTES

**2009-July-14
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 member was present:

Kathleen Foster, Secretary-Treasurer

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:

None.

5. APPLICATIONS FOR MINOR VARIANCE:

5.1 Application P410918

LESLIE SMITH
130 Woodfield Drive
Plan 321, Lot 4
Roll No. 042-752

Ms. Laura Lapierre, agent, indicated that the subject property requires a minor variance for a proposed detached garage in the rear yard and together with an

existing shed they will be over the maximum lot coverage allowed for accessory buildings. She also noted that the minor variance is to legalize the existing dwelling's location and size. Ms. Lapierre said that the owners do not wish to demolish the existing shed as it has a concrete pad and it would be too expensive to remove. She noted that the proposed detached garage will be utilized for personal storage.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0055.
- E-mail from Deborah Buck, Manager of Building & Chief Building Official received June 22, 2009.
- E-mail from David Jones, On Site Sewage Inspector received June 26, 2009.
- Memorandum from Michael Baskerville, Engineering Manager received July 8, 2009.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received June 18, 2009.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received July 7, 2009.
- E-mail from Bill O'Neill, Fire Chief received June 19, 2009.
- E-mail from Pamela Hunt, By-law Secretary received June 23, 2009.
- Letter from Enbridge Gas, received July 14, 2009

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

Moved by Karen Whitney

Seconded by Donald Rae

THAT MINOR VARIANCE APPLICATION P410918, TO REQUEST RELIEF FROM:

- **SECTION 6.1(c) TO PERMIT AN EXISTING SINGLE FAMILY DWELLING HAVING A REDUCED FRONT YARD SETBACK OF 6.27 METRES;**
 - **SECTION 6.1(g) TO PERMIT AN EXISTING SINGLE FAMILY DWELLING HAVING A FLOOR AREA OF 90.90 SQUARE METRES;**
 - **SECTION 5.1(e) TO PERMIT A MAXIMUM LOT COVERAGE 11.56% FOR ALL ACCESSORY STRUCTURES ON THE SUBJECT LAND,**
- IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. **SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE ON-SITE SEWAGE INSPECTOR THAT THE CONCERNS OUTLINED IN THE EMAIL DATED JUNE 26, 2009, ATTACHED TO THE DECISION AS SCHEDULE '1', 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.

5.2 Application P410919

**GANGARAM BASDEO
DOOLARIE BASDEO**
961 Metro Road North
Concession 3(NG), Part Lot 27
RS65R16793, Parts 1, 2 & 3
Roll No. 124-356

Mr. David Molyneux, agent, indicated that the minor variance application is not about the use or size of the facility which was established 40 years ago, but for the reduction of the number of parking stalls required in order to increase the number of beds to 34. He noted that the existing use has been continuous since 1966 and that in 1995 a zoning amendment was approved by Council, which established the zoning on the subject land.

Mr. Molyneux commented that the existing building and site can accommodate more units than applied for and they require the minor variance to grant relief for 0.5 parking stalls per bed. He stated that the occupants will not require any parking at all as they either have no licence or no vehicle. He noted that 0.2 parking stalls per bed would be more appropriate. He acknowledged the neighbours' concerns and confirmed that he attempted to establish a meeting with the neighbours, however he was unable to.

Mr. Molyneux requested approval of the minor variance application.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0056.
- E-mail from Deborah Buck, Manager of Building & Chief Building Official received June 22, 2009.

- E-mail from David Jones, On Site Sewage Inspector received June 26, 2009.
- Memorandum from Michael Baskerville, Engineering Manager received June 30, 2009.
- Email, from Joseph Costanza, Civil Technician, revising the Engineering Manager's comments, received July 8, 2009.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received June 18, 2009.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received July 7, 2009.
- E-mail from Bill O'Neill, Fire Chief received June 19, 2009.
- E-mail from Pamela Hunt, By-law Secretary received June 23, 2009.
- Letter of objection from Angela Vieville of 963 Metro Road North, received July 13, 2009.

Mr. Joe Hussey of 969 Metro Road, noted that he has lived there for a number of years and that he believes that this application is the back door way to go from 12 beds to 34 beds. He indicated that his house had been broken into by one of the residents and the police found the man in his house. He said they have problems with 12 residents and they should not be allowed anymore. He indicated that the residents have threatened children in the area.

Mr. Hussey confirmed that the parking is a minor issue. He questioned how many staff people are required per resident and why is there no mention of that in the report. He said that he has a problem with this and that it seems like it is a back door way to go from 12 beds to 34 beds.

Stephen Pallett, Chairperson, confirmed that a parking reduction of 0.2 parking stalls per bed has been allowed in another situation.

The Secretary-Treasurer confirmed that the staffing requirements would be dealt with through the Region of York and the Province.

Mr. Danny Wheeler, Member, confirmed that the Region of York licensing office and the Province would look after the criteria on how many people are managed and cared for and how many staff are required. He noted that the Committee is dealing only with a land use issue; the parking requirements.

Mr. Hussey confirmed that he has no issue with 17 parking spaces but thinks that staffing should be imposed as a term or condition of approval like the other requirements.

Mr. Serge Plassot of 970 Metro Road indicated that he was under the impression that the establishment had lost their licence and now he finds out that they have a licence for 34 beds. He said that he was told by people in power that they would not get their licence and noted that the neighbours are upset with the problems caused by the residents.

The Secretary-Treasurer provided Mr. Plassot with the mailing address for the Region of York Licensing Department.

Mr. Plassot suggested that the Committee approve the application for 10 parking stalls which would only allow 20 people.

Stephen Pallett, Chairperson, noted that the establishment could hold a lot more residents but the applicant has applied for relief for 17 parking stalls which would allow up to 34 residents, if approved.

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

Mr. Molyneux, agent, noted that the current owners, the Basdeo's, have only been running the home for a short period of time and that they are very good managers and will make every effort to prevent problems for neighbours and time will show this. He indicated that the Basdeo's own and operate another facility in Keswick and that there have been no problems at the other facility during their management.

Mr. Hussey confirmed that his break in by one of the residents of the home was prior to the current owners.

The Secretary-Treasurer confirmed that the Basdeo's purchased the property December 15, 2008 as indicated on the minor variance application.

Moved by Karen Whitney

Seconded by Chris Burns

A. THAT MINOR VARIANCE APPLICATION P410919, TO REQUEST RELIEF FROM SECTION 5.28(b) TO REDUCE THE PARKING REQUIREMENT FOR A LODGING HOUSE OR HOME FOR SPECIAL CARE ON THE SUBJECT LAND FROM 1 TO 0.5 SPACES PER BED, IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING TERM:

(I) THAT THE APPROVAL OF MINOR VARIANCE APPLICATION

P410919 SHALL ONLY APPLY TO THE USE OF THE SUBJECT LAND AS A LODGING HOUSE OR HOME FOR SPECIAL CARE, AS DEFINED AND LICENSED BY THE REGIONAL MUNICIPALITY OF YORK AND/OR THE PROVINCIAL MINISTRY OF HEALTH AND LONG-TERM CARE.

B. APPROVAL OF THE ABOVE NOTED MINOR VARIANCE APPLICATION IS SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE ENGINEERING DEPARTMENT THAT THE CONCERNS OUTLINED IN THE EMAIL DATED JULY 8, 2009 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 THE NOTICE OF THE DECISION.**

Carried.....

Danny Wheeler, Member, advised the neighbours that the Committee recently went through a similar issue with another home and noted that the Committee can only deal with land use planning issues and not licensing. He noted that typically the residents do not drive or own vehicles. Mr. Wheeler indicated that there are regulations that must be met by the applicants, which are dealt with by the Region of York Licensing office and the Province.

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

6. APPLICATIONS FOR CONSENT:

None.

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

None.

8. MINUTES OF PREVIOUS MEETING:

8.1 Minutes of the Meeting of June 15, 2009.

Moved by Danny Wheeler

Seconded by Karen Whitney

THAT THE MINUTES OF THE MEETING OF JUNE 15, 2009 BE APPROVED AS PRESENTED.

Carried.....

9. COMMUNICATIONS:

9.1 Letter from York Region Planning and Development Services Department, dated July 7, 2009.

Moved by Donald Rae

Seconded by Danny Wheeler

THAT THE LETTER FROM YORK REGION PLANNING AND DEVELOPMENT SERVICES DEPARTMENT, DATED JULY 7, 2009, BE RECEIVED AS INFORMATION.

Carried.....

10. OTHER BUSINESS:

10.1 Report No. COA-2009-1 – RE: 2009 OACA Conference Report and Recommendations.

Moved by Danny Wheeler

Seconded by Chris Burns

THAT REPORT NO. COA-2009-1 – RE: 2009 OACA CONFERENCE REPORT AND RECOMMENDATIONS, BE DEFERRED TO THE NEXT MEETING.

Carried.....

11. ADJOURNMENT:

Moved by Karen Whitney

Seconded by Donald Rae

THAT THE MEETING ADJOURN AT THIS TIME (8:02 PM).

Carried.....

STEPHEN PALLETT, CHAIRPERSON

KATHLEEN FOSTER,
SECRETARY-TREASURER