

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

COMMITTEE OF ADJUSTMENT

**MINUTES**

**2009-Sept-21  
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

**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 P410920**

**LINDA D'ALMONTE**  
934 Lake Drive East  
Plan 73, Part Lots 20-22 & 24  
Roll No. 081-773

Ms. D'Almonte indicated that she is looking for an extension of one year to rebuild her establishment that they lost to fire in 2006.

The Secretary-Treasurer read the following correspondence:

➤ The comments of the Planner as outlined in Report No. PB-2009-0068.

- E-mail from Deborah Buck, Chief Building, Manager of Building & Chief Building Official received August 28, 2009.
- E-mail from David Jones, On Site Sewage Inspector received August 28, 2009.
- E-mail from Darlene Folmeg, Engineering secretary received September 8, 2009.
- Revised e-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received September 21, 2009.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received September 8, 2009.
- E-mail from Bill O'Neill, Fire Chief received September 1, 2009.
- E-mail from Pamela Hunt, By-law Secretary received September 1, 2009.

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

Moved by Karen Whitney

Seconded by Chris Burns

**THAT MINOR VARIANCE APPLICATION P410920, TO REQUEST RELIEF FROM SECTION 5.11 (1 AND 2) TO EXTEND THE LENGTH OF TIME IN WHICH TO RECONSTRUCT A BUILDING THAT CONTAINS A LEGAL NON-CONFORMING USE AND THAT DOES NOT COMPLY WITH THE PROVISIONS OF THE ZONING BY-LAW, INCLUDING REQUIRED FRONT, SIDE OR REAR YARD SETBACKS OR PARKING PROVISIONS, FOR ONE ADDITIONAL YEAR TO AUGUST 31<sup>ST</sup> 2010, IS HEREBY APPROVED.**

Carried.....

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

## **5.2 Application P410927**

**PATRICIA & BRIAN CATES**  
 194 Riverbank Drive  
 Concession 6(G), Part Lot 21  
 Roll No. 061-745

Mr. Brian Cates along with Mrs. Cates in attendance, indicated that they wish to put an addition onto their house but because of the pie shape of the lot and the positioning of the original cottage they could not maintain the setbacks.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0067.

- E-mail from Deborah Buck, Chief Building, Manager of Building & Chief Building Official received August 28, 2009.
- E-mail from David Jones, On Site Sewage Inspector received August 28, 2009.
- E-mail from Darlene Folmeg, Engineering secretary received September 8, 2009.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received August 28, 2009.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received September 8, 2009.
- E-mail from Bill O'Neill, Fire Chief received September 1, 2009.
- E-mail from Pamela Hunt, By-law Secretary received September 1, 2009.

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 TO REFLECT THE ADDITIONAL RELIEF FROM SECTION 6.1(c) FOR A REDUCED FRONT YARD SETBACK OF 7.62 METRES TO THE PROPOSED ONE STOREY ADDITION TO THE SINGLE FAMILY DWELLING.**

Carried.....

Moved by Karen Whitney

Seconded by Donald Rae

**THAT MINOR VARIANCE APPLICATION P410925 AS AMENDED, TO REQUEST RELIEF FROM SECTION 6.1 (c) TO PERMIT THE CONSTRUCTION OF A ONE STOREY ADDITION ON THE SINGLE FAMILY DWELLING HAVING A REDUCED FRONT YARD SETBACK OF 7.62 METRES AND RELIEF FROM SECTION 6.1(f) TO PERMIT THE ADDITION TO HAVE A REDUCED NORTHERLY INTERIOR SIDE YARD SETBACK OF 0.5 METRES, AS SHOWN ON SHCHEDULE '1' ATTACHED TO THE DECISION, IS HEREBY APPROVED SUBJECT TO THE FOLLOWING TERM:**

- (I) NOTWITHSTANDING SECTION 5.45(a) OF ZONING BY-LAW 500, SILLS, BELT COURSES, CHIMNEYS, CORNICES, EAVES, GUTTERS, PARAPETS, PILASTERS OR SIMILAR ORNAMENTAL STRUCTURES MAY PROJECT INTO THE NORTHERLY INTERIOR SIDE YARD A MAXIMUM DISTANCE OF 0.4 METRES.**

Carried....

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

## 6. APPLICATIONS FOR CONSENT:

### 6.1 Application P420907 (Deferred from August 17, 2009)

**DAVID RICHARDSON**  
162 Woodfield Drive  
Plan 321, Lot 15  
Roll No. 042-771

Mr. Richardson indicated that he was in front of the Committee about a month ago requesting a deferral in order to satisfy the on-site sewage inspector, David Jones and providing a larger frontage on the beneficiary lands. He noted that he has since met with Mr. Jones and have come to a comprimize.

The Secretary-Treasurer read the following correspondence:

- The comments of the Planner as outlined in Report No. PB-2009-0066.
- E-mail from David Jones, On Site Sewage Inspector received August 17, 2009.
- Revised e-mail from David Jones, On Site Sewage Inspector received August 28, 2009
- E-mail from Darlene Folmeg, Engineering secretary received August 7, 2009.
- E-mail from Cathy Hillier, Senior Tax & Water Collection Clerk received July 30, 2009.
- E-mail from Brock McDonald, Leisure Services Manager of Policy and Development received August 4, 2009.
- E-mail from Bill O'Neill, Fire Chief received August 5, 2009.
- E-mail from Pamela Hunt, By-law Secretary received August 4, 2009.
- Revised e-mail from Pamela Hunt, By-law Secretary received September 1, 2009.
- Letter from the Lake Simcoe Region Conservation Authority received August 13, 2009.

The Secretary-Treasurer indicated that the revised sketch in the Planner's report was not sufficient for the Notice of Decision as it did not have any dimensions of the Subject Land.

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

Moved by Chris Burns

Seconded by Donald Rae

**THAT NO FURTHER NOTICE IS REQUIRED TO AMEND CONSENT APPLICATION P420907 DECREASING THE SIZE OF THE SUBJECT LAND.**

Carried.....

Moved by Chris Burns

Seconded by Donald Rae

**THAT CONSENT APPLICATION P420907 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. THE SURVEY MUST INDICATE THE SETBACK FROM THE NEW PROPOSED LOT LINE TO THE EXISTING 2 STOREY HOUSE LOCATED ON LOT 16.**
- 2. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE ON-SITE SEWAGE INSPECTOR THAT THE PRELIMINARY REFERENCE PLAN SATISFIES THE REQUIREMENTS FROM AN ON-SITE SEWAGE PERSPECTIVE.**
- 3. 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.**
- 4. THAT SUBSECTION 50(5) OF THE PLANNING ACT SHALL APPLY TO ANY FUTURE CONVEYANCE OF THE SUBJECT LANDS.**
- 5. SUBMISSION TO THE SECRETARY-TREASURER OF WRITTEN CONFIRMATION FROM THE PLANNING DIVISION THAT A DEEMING BY-LAW HAS BEEN REGISTERED WITH RESPECT TO LOT 16, PLAN 321.**
- 6. SUBMISSION TO THE SECRETARY-TREASURER OF A SOLICITOR'S UNDERTAKING IN A FORM SATISFACTORY TO THE TOWN, SUFFICIENT TO CONFIRM THAT THE SOLICITOR WILL CONSOLIDATE THE PINS OF THE SUBJECT LAND INDICATED AS 'A' AND THE BENEFICIARY LANDS INDICATED AS 'C', AS SHOWN ON SCHEDULE '1' ATTACHED TO THE DECISION, IMMEDIATELY FOLLOWING THE FIRST CONVEYANCE OF THE SUBJECT LAND, TOGETHER WITH THE**

**SUBMISSION OF A COMPLETED APPLICATION TO CONSOLIDATE THE PINS OF THE SUBJECT LAND AND THE BENEFICIARY LANDS.**

**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.

Mr. Richardson noted that this process was all new to him and that the staff, Fernando Lamanna and Adam Lucas were very helpful and he appreciates all of their service.

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

None.

**8. MINUTES OF PREVIOUS MEETING:**

**8.1 Minutes of the Meeting of August 17, 2009.**

Moved by Danny Wheeler

Seconded by Karen Whitney

**THAT THE MINUTES OF THE MEETING OF AUGUST 17, 2009 BE ADOPTED AS PRESENTED.**

Carried.....

**9. COMMUNICATIONS:**

The Secretary-Treasurer advised the Members that the meeting scheduled for October 5, 2009 has been cancelled due to only one application being submitted.

**10. OTHER BUSINESS:**

**10.1 Proposed 2010 schedule for the Committee of Adjustment**

Moved by Danny Wheeler

Seconded by Donald Rae

**THAT THE PROPOSED 2010 SCHEDULE FOR THE COMMITTEE OF ADJUSTMENT BE APPROVED AS PRESENTED.**

Carried.....

**11. ADJOURNMENT:**

Moved by Karen Whitney

Seconded by Chris Burns

**THAT THE MEETING ADJOURN AT THIS TIME (7:50 PM).**

Carried.....

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STEPHEN PALLETT, CHAIRPERSON

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KATHLEEN FOSTER,  
SECRETARY-TREASURER