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June 10, 2024

Our File No. 1402-00

Mayor and Council
Town of Georgina
26557 Civic Centre Road
L4P 3G1

Attention: Rachel Dillabough, Clerk

Dear Mayor and Council:

Re: Request to Enter into Encroachment Agreement
Part of Lots 2 & 3, Registered Plan 88 and Part of Lot 13, Concession 9 (N.G.)
586 Lake Drive East, Town of Georgina

My client, R+H Sol Inc. (c/o Harvey Solursh), has owned the subject property at 586 Lake Drive East since July 1987. At the time of purchase there was an existing one storey dwelling and a storage shed on the property. At that time, my client had a property survey prepared (See attached). Subsequently, in 2011, Mr. Solursh added a second storey to the dwelling and had a new shed constructed in the location of the existing shed.

In 2023 a new survey was completed, and it was determined that the shed was constructed closer to the front lot line (Lake Drive East) such that the shed and eaves of the shed encroached partially into the road allowance at the southwest corner 0.21 metres (approximately 8.3 inches). The eaves are approximately 0.15 metres (6 inches). So, if the eaves were sawed off, the building would still be approximately 0.06 metres (2.3 inches) on the road allowance. See sketch attached identifying the points of encroachment, the shed being Encroachment #1.

The topographic survey prepared at the time of the property survey also identified a concrete pad on which a generator sits as being slightly located in the road allowance – Encroachment #2.

The survey confirmed that the fence, including a driveway gate along the front of the lot is fully within the road allowance - Encroachment #3.

Finally, the survey further shows fencing on Westwind Circle, enclosing a gravel driveway – Encroachment #4.

The encroachments on Lake Drive are somewhat hidden behind an existing cedar hedge. (See pictures attached).

On March 18, 2024, the Committee of Adjustment approved a minor variance application which sought, in part, to address the reduced front yard (i.e. distance from shed to front lot line) and approved a nil yard. However, the encroachment matter is outside the scope of the minor variance process and only Council can address the matter.

In comments provided to the Committee of Adjustment, the Operations and Infrastructure Department advised that:

- (1) A road widening will be taken on the south side of Lake Drive to keep in line with the existing widening; and,
- (2) The Operations and Infrastructure Department will not be entering into an encroachment agreement for the existing encroachment.

Based on these comments, the Committee of Adjustment, on the advice of the Planning Division, made the following a condition of approval:

2b) That the approval of Minor Variance Application A20-23 be subject to the following condition(s):

- i) Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that the Applicant/Owner has removed the accessory structure eave encroachment into the municipal road allowance, or obtained an encroachment agreement, to their satisfaction; (underlining mine)**

In conclusion, given the minor nature of the encroachments requested, the length of time these encroachments have existed, and because the Operations and Infrastructure Department has advised that any road widening, if required, in the vicinity of the lot would be on the south side of the road, I ask on behalf of my client that Council support this request and direct staff to prepare an encroachment agreement to be considered by Council at a future Council meeting.

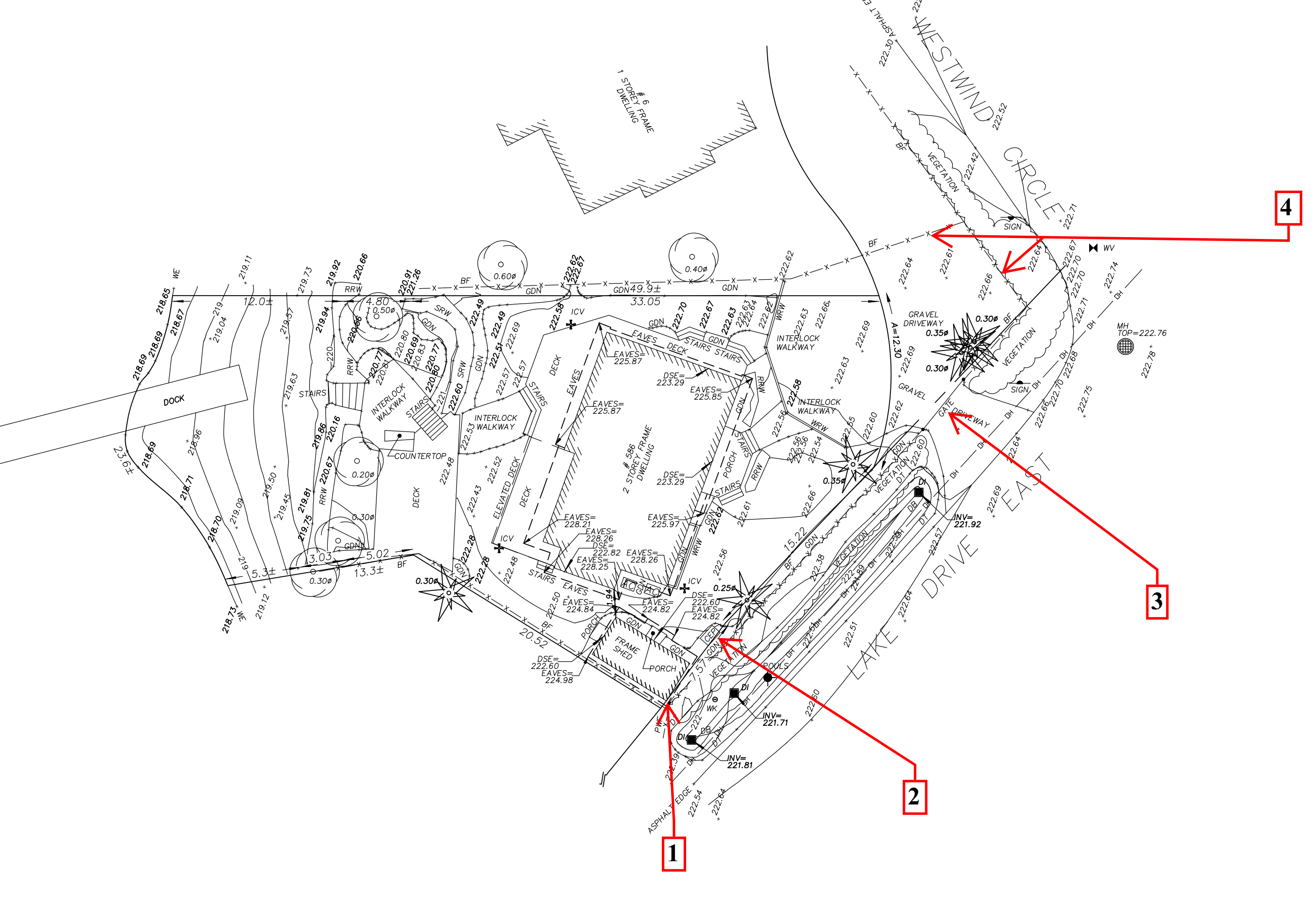
Yours truly,



Michael Smith, MCIP, RPP
Planning Consultant

- c. Harvey Solursh
Jonathan Solursh
Michael Vos

Attachments



1 STOREY DWELLING

2 STOREY FRAME DWELLING

FRAME SHED

DOCK

GRAVEL DRIVEWAY

INTERLOCK WALKWAY

DECK

ELEVATED DECK

STAIRS

PORCH

VEGETATION

SIGN

WV

MH TOP=222.76

LAKE DRIVE EAST

WESTWIND CIRCLE

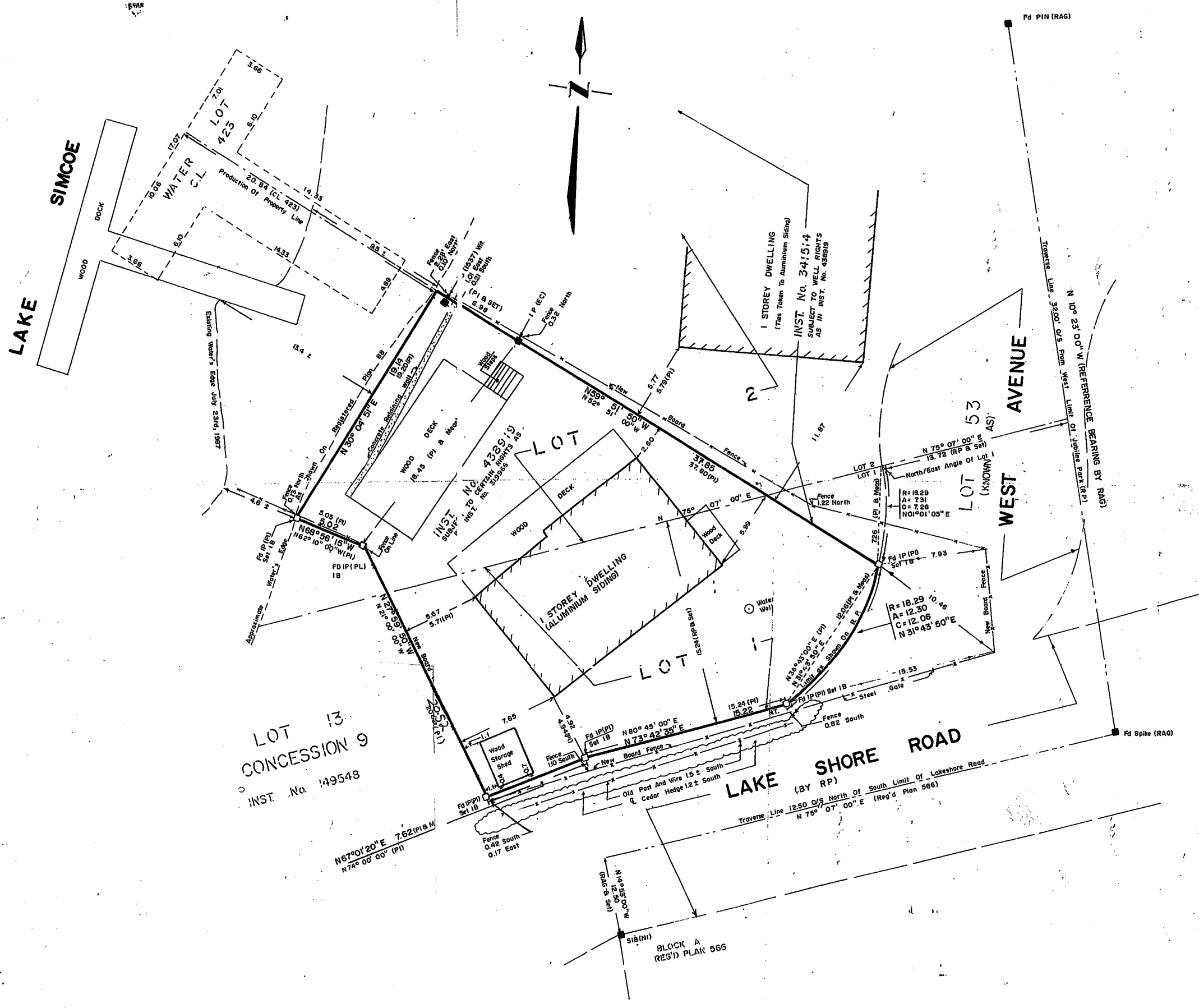
ASPHALT EDGE

1

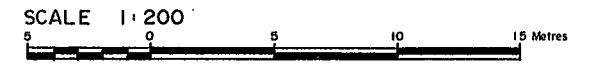
2

3

4



BUILDING LOCATION SURVEY OF
PART OF LOTS 1 AND 2
REGISTERED PLAN 88
 TOWN OF GEORGINA
 REGIONAL MUNICIPALITY OF YORK
 FORMERLY TOWNSHIP OF NORTH GWILLIMBURY
 COUNTY OF YORK



VLADIMIR KRČMAR LTD ©
 ONTARIO LAND SURVEYOR

METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO A
 TRAVERSE LINE ESTABLISHED BY R. A. GARDEN O.L.S.
 HAVING A BEARING OF N10° 23' 00" W

LEGEND

□	DENOTES	SURVEY MONUMENT PLANTED
■		SURVEY MONUMENT FOUND
IB		IRON BAR
SIB		STANDARD IRON BAR
RAG		R. A. GARDEN O.L.S.
NI		NOT IDENTIFIABLE
PI		PLAN OF SURVEY BY E CAVELLE O.L.S.
RP		REGISTERED PLAN 88
IP		IRON PIPE
NT		NOT TANGENTIAL
EC		E. CAVELLE O.L.S.


SURVEYOR'S CERTIFICATE
 I CERTIFY THAT
 THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS
 COMPLETED ON THE 23rd DAY OF JULY, 1987.

July 23, 1987
 DATE

Vladimir Krčmar
 VLADIMIR KRČMAR
 ONTARIO LAND SURVEYOR

VLADIMIR KRČMAR LTD.
 ONTARIO LAND SURVEYOR
 1137 CENTRE STREET
 THORNHILL, ONTARIO
 L4J-3M6 TEL. (416) 738-0053

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-44746



THIS PLAN IS NOT VALID
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ORIGINAL COPY
ISSUED BY THE SURVEYOR.
In accordance with
Regulation 1026, Section 29(3).

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PLAN OF SURVEY OF
PART OF LOTS 2 AND 3
REGISTERED PLAN 88
AND
PART OF LOT 13
CONCESSION 9
GEOGRAPHIC TOWNSHIP OF NORTH GWILLIMBURY
TOWN OF GEORGINA
REGIONAL MUNICIPALITY OF YORK



BEARING NOTES
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17 (81° WEST LONGITUDE), NAD83(CSR)(2010).
FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:
P1,P2,D1 - 1°06'45" COUNTER-CLOCKWISE

DISTANCE NOTES - METRIC
DISTANCES AND COORDINATES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999769.

CAUTION
THE WORK AND DRAWINGS HEREIN WERE COMPLETED FOR THE EXCLUSIVE USE OF OUR CLIENT AND NO LIABILITY IS ASSUMED TO ANY THIRD PARTIES OR SUBSEQUENT OWNERS.

- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT SET
 - IB DENOTES IRON BAR
 - M DENOTES MEASURED
 - P1 DENOTES SURVEY BY VLADIMIR KRCMAR LTD., O.L.S. DATED JULY 23, 1987 (87-160)
 - P2 DENOTES SURVEY BY E.R. GARDEN LIMITED, O.L.S. DATED DECEMBER 20, 2019 (19-7539)
 - D1 DENOTES INSTRUMENT R438919
 - 532 DENOTES C.G. REUBEN, O.L.S.
 - 1370 DENOTES VLADIMIR KRCMAR LTD., O.L.S.
 - BF DENOTES BOARD FENCE
 - RRW DENOTES ROCK RETAINING WALL
 - PWF DENOTES POST & WIRE FENCE
 - ⊙^{0.109} DENOTES DECIDUOUS TREE W/TRUNK DIAMETER

BUILDING TIES SHOWN HEREON ARE TO THE SIDING MATERIAL UNLESS OTHERWISE NOTED.
ALL BEARINGS AND DISTANCES AGREE WITH CITED PLANS UNLESS OTHERWISE NOTED.
ALL SHORELINE TIES ARE PERPENDICULAR TO THE TRAVERSE LINE UNLESS OTHERWISE NOTED.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON FEBRUARY 2, 2023
- THE SURVEY WAS AMENDED ON JULY 10, 2023

JULY 14, 2023 
DATE GAVIN R. TYLER, O.L.S.

INTEGRATION DATA

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING A REAL TIME NETWORK AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83(CSR)(2010).

URBAN ACCURACY PER SEC. 14(2), O.REG. 216/10.

POINT ID	NORTHING	EASTING
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B	4908752.11	627067.42

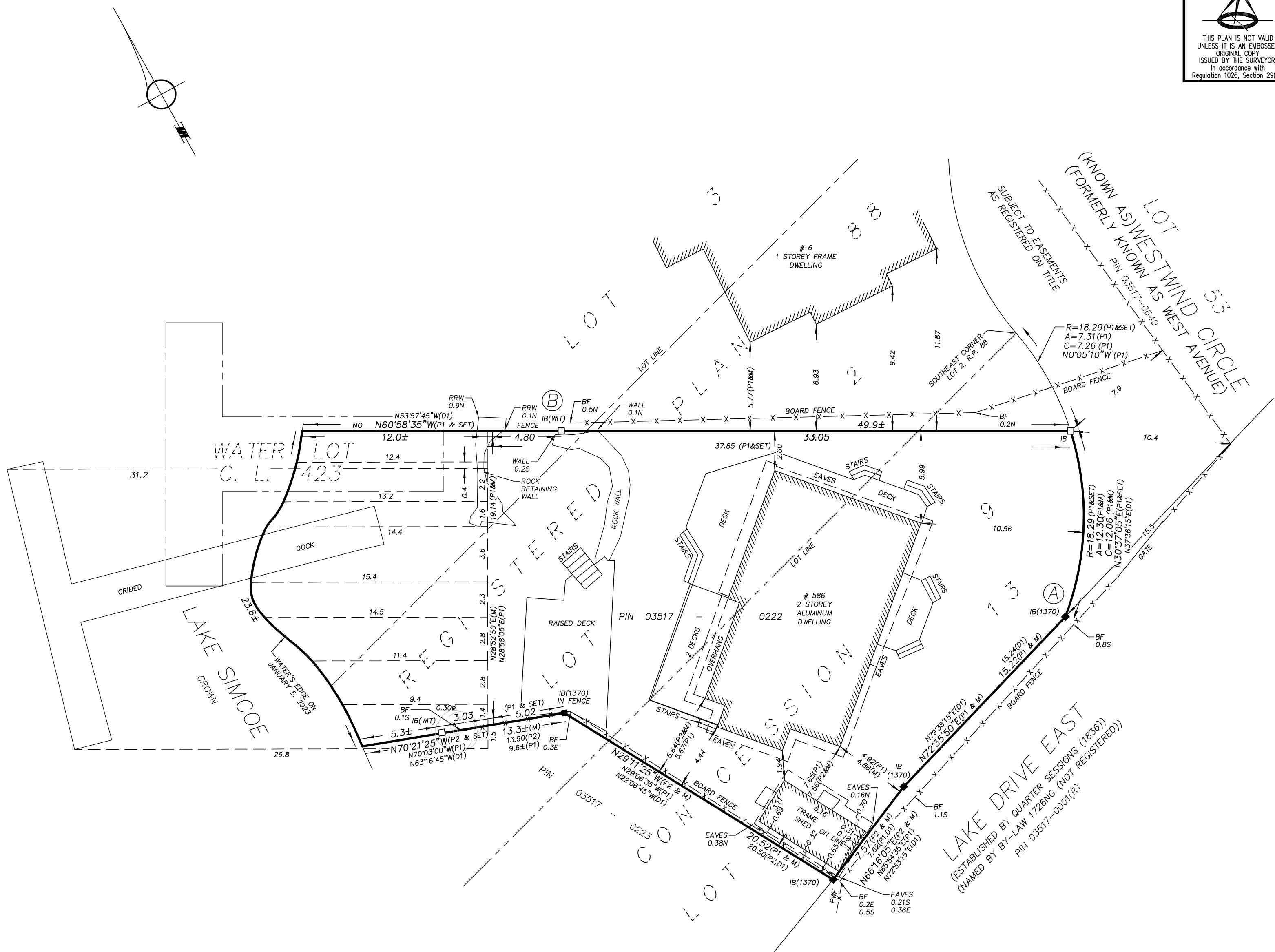
CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN



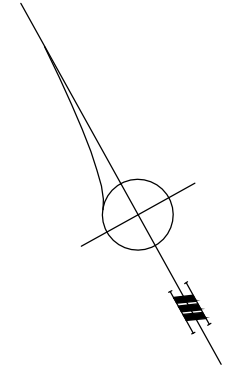
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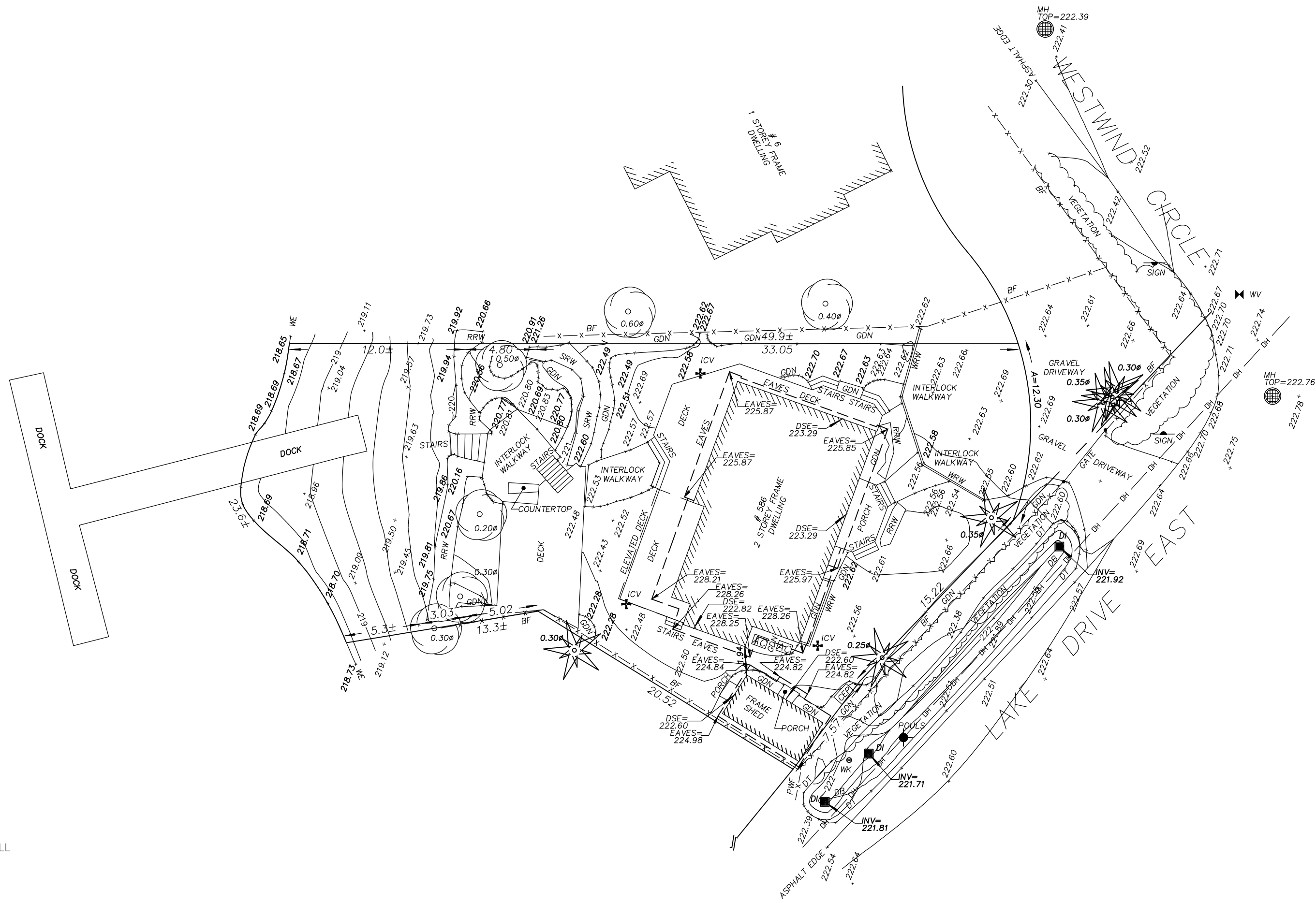
PARTY CHIEF: NS | DRAWN BY: DV | CHECKED BY: GT | PLOT DATE: JULY 14, 2023
FILE NAME: A-038828_PoS_V9 | copies available at LandSurveyRecords.com



WATER BOUNDARY NOTE
THE WATER'S EDGE OF LAKE SIMCOE AS ESTABLISHED BY SURVEY AND SHOWN HERE ON HAS BEEN ACCEPTED AS THE BEST AVAILABLE EVIDENCE OF THE AMBULATORY LIMIT BETWEEN LAKE SIMCOE AND THE SUBJECT PARCEL.



LAKE
SIMCOE



- LEGEND**
- DENOTES ROUND
 - AC DENOTES AIR CONDITIONER
 - BF DENOTES BOARD FENCE
 - BRW DENOTES BRICK RETAINING WALL
 - CEP DENOTES CONCRETE PAD
 - DB DENOTES BOTTOM OF DITCH
 - DT DENOTES TOP OF DITCH
 - DI DENOTES DITCH INLET
 - DSE DENOTES DOOR SILL ELEVATION
 - GDN DENOTES GARDEN
 - ICV DENOTES IRRIGATION CONTROL VALVE
 - INV DENOTES INVERT ELEVATION AT CENTRE
 - MH DENOTES MAINTENANCE HOLE ELEVATION AT CENTRE
 - POULS DENOTES UTILITY/LIGHT STANDARD POLE
 - PWF DENOTES POST & WIRE FENCE
 - RRW DENOTES ROCK RETAINING WALL
 - SIGN DENOTES SIGN
 - SRW DENOTES STONE RETAINING WALL
 - WE DENOTES WATERS EDGE AS OF JAN. 5, 2023
 - WK DENOTES WATER KEY
 - WRW DENOTES WOOD RETAINING WALL
 - WV DENOTES WATER VALVE
 - OH- DENOTES OVERHEAD UTILITY WIRES
 - DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER
 - DENOTES DECIDUOUS TREE WITH TRUNK DIAMETER
 - DENOTES SPOT ELEVATION



KEY PLAN - NOT TO SCALE

IMAGERY
AERIAL IMAGERY SHOWN IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY NOT DEPICT CURRENT FEATURES.

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**TOPOGRAPHIC BASE PLAN OF
 586 LAKE DRIVE EAST
 TOWN OF GEORGINA**
 SCALE 1 : 250 METRES
 0 1 2 3 4 5 10 20

COORDINATES
 COORDINATE VALUES AND DIGITAL FILE ARE IN GRID SYSTEM, UTM ZONE 17 (81° WEST LONGITUDE), NAD83(CSR)(2010). COMBINED SCALE FACTOR = 0.999769

CONTOURS
 CONTOURS SHOWN HEREON ARE DRAWN AT 0.20 METRE INTERVALS.

ELEVATIONS
 ELEVATIONS ARE GEODETIC AND REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD28) BY DIRECT MEASUREMENT TO A REAL TIME NETWORK.

CAUTION
 THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK. THE WORK AND DRAWINGS HEREIN WERE COMPLETED FOR THE EXCLUSIVE USE OF OUR CLIENT AND NO LIABILITY IS ASSUMED TO ANY THIRD PARTIES OR SUBSEQUENT OWNERS.

NOTE
 PROPERTY DIMENSIONS SHOWN HEREON ARE IN ACCORDANCE WITH IBW SURVEYORS RECORDS. (PROJECT NUMBER A-038828)

DISTANCE NOTES - METRIC
 DISTANCES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
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