



GEORGINA

**THE CORPORATION OF THE
TOWN OF GEORGINA
Committee of Adjustment Minutes**

Date: Monday, October 7, 2024
Time: 7:30 PM

Members of
Committee Present: John Rogers, Chair

Karen Whitney
Chris Burns
Lynda Rogers

Staff Present: Janet Porter, Manager of Development Planning
Kim Harris, Planning Clerk
Brianna Raines, Secretary Treasurer Committee of Adjustment
Monika Sadler, Planner I
Brittany Dobrindt, Planner II

1. ROLL CALL

As noted above

“The Town of Georgina recognizes and acknowledges that we are on lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples, and on behalf of the Mayor and Council, we would like to thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship.

We also recognize the unique relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands, and we join them in these responsibilities.”

Item 11a) was brought forward at this time.

Motion to Appoint Brianna Raines Secretary-Treasurer for the Committee of Adjustment, effective October 7, 2024.

Brianna Raines was appointed Secretary-Treasurer to the Committee of Adjustment.

Moved By Karen Whitney
Seconded By Lynda Rogers

Carried Unanimously

2. INTRODUCTION OF ADDENDUM ITEM(S)

None.

3. DECLARATION OF PECUNIARY INTEREST

None.

4. EXPLANATION OF HEARING PROCEDURE

Secretary Treasurer, Brianna Raines, explained the hearing procedure.

5. REQUESTS FOR DEFERRAL OR WITHDRAWAL

None.

6. APPLICATIONS FOR CONSENT

None.

7. APPLICATIONS FOR MINOR VARIANCE

1. MINOR VARIANCE APPLICATION A23-24
S/S OLD HOMESTEAD ROAD
CON 3 PT LOT 15 RP 65R30415; PART 1

The Agent, Michael Smith provided an explanation of the application, by colours, dark yellow: 10 and 25 require a reduction in frontage from 15.8 m to 15.5 m, Blue: Require a reduction in lot frontage from 21 m to 17.5 m, as well as permission to have the garages in blue to be a 9 m Maximum width increased from a maximum width of 6 m. Blue hatched: to change the lot size from a minimum of 630 sq m to a minimum of 570 sq m.

Brittany Dobrindt, Planner II did a presentation on the application comparing it to the 4 tests of a Minor Variance. Staff recommended approval.

There were no other speakers on this matter.

John rogers chair asked the agent when this went to LPAT was this because of the owners taking it to LPAT or were there neighbourhood objections. Michael Smith replied saying that the neighbour factor was the problem, the 18m lots were a negotiation with the lands to the east.

Following the vote, Committee Chair John Rogers advised that the application is approved subject to a 20-day appeal period and two years to meet all conditions.

Moved By Chris Burns
Seconded By Lynda Rogers

1. **That the Committee of Adjustment receive Report No. DS-2024-0058 prepared by the Development Planning Division, Development Services Department, dated October 7, 2024, respecting Minor Variance Application A23-24, submitted by Michael Smith Planning Consultants Ltd. on behalf of Middleburg Development Inc. for the approved draft plan of subdivision 19T-14G01 on the south side of Old Homestead Road.**
2. **That in the event no public or Committee concerns are raised at the meeting warranting investigation and a further meeting, Staff recommend the following:**
 - a. **That the Committee of Adjustment approve Minor Variance Application A23-24 to permit relief from the following:**
 - i. **Lot 62: Section 7.5.106 a): To permit a frontage of 17.5 metres whereas a minimum lot frontage of 21 metres is required;**
 - ii. **Lots 10 and 25: Section 7.5.106 a): To permit a frontage of 15.5 metres whereas a minimum lot frontage of 15.8 metres is required;**
 - iii. **Lot 62: Section 7.5.106 a): To permit a lot area of 570 square metres whereas a minimum lot area of 630 square metres is required;**
 - iv. **Lots 53-71: Section 7.5.106 b) ii): To permit a maximum garage width of 9 metres whereas a maximum garage width of 6 metres is permitted.**

Carried Unanimously

2. **MINOR VARIANCE APPLICATION A14-24
24874 MCCOWAN ROAD
CONCESSION 6 PART LOT 15**

Chad Dorschu spoke to the application, proposing a garage with a dwelling on the second floor on the southwest corner of the property. Variances were to do with the setbacks.

Monika Sadler, Planner I, did a presentation in applying this Minor variance to the Minor variance test.

Chris Burns, Member, asked the applicant if the new accessory dwelling will require its own septic or if he will be enlarging the existing septic. The applicant Chad Dorschu advised that they will have someone come in and look at it, he advised that if the possibility to upgrade the existing septic was an option that it would be the best option, if not he will put a new septic in.

Following the vote, Committee Chair John Rogers advised that the application is approved subject to a 20-day appeal period and two years to meet all conditions.

Moved By Karen Whitney
Seconded By Chris Burns

1. **That the Committee of Adjustment receive Report No. DS-2024-0059 prepared by the Development Planning Division, Development Services Department, dated October 7, 2024, respecting Minor Variance Application A14-24, for the property municipally addressed as 24874 McCowan Road; and,**
2. **That in the event no public or Committee concerns are raised at the meeting warranting investigation and a further meeting, Staff recommend the following:**
 - a. **That the Committee of Adjustment approve Minor Variance Application A14-24 to permit relief from the following sections of Zoning By-law 500:**
 - i. **Section 28.1: To permit an accessory dwelling or dwelling unit in a detached building (accessory structure), whereas an accessory dwelling or dwelling unit is not permitted;**
 - ii. **Section 28.4 (e): To permit a rear yard setback of 7.3 metres for an accessory structure, whereas a rear yard setback of 9 metres is required for an accessory structure;**
 - iii. **Section 28.4 (f): To permit an interior side yard setback on the south side of the property of 6 metres, whereas an interior side yard setback of 9 metres is required for an accessory structure; and**
 - iv. **Section 2.61: To amend the definition of 'dwelling or dwelling unit, accessory' to 'A detached building containing a self-contained dwelling unit located on a lot containing a single detached dwelling' in order to permit an accessory dwelling unit in an accessory structure, whereas the current definition defines a**

‘dwelling or dwelling unit, accessory’ as a single family dwelling or one dwelling unit in a non-residential building which is used or occupied by persons which have the administrative or custodial responsibility of the property upon which the accessory dwelling or dwelling unit is erected;

- b. That the Committee of Adjustment approve Minor Variance Application A14-24 to permit relief from the following sections of Zoning By-law 600, which will be implemented at the time Zoning By-law 600 is in force and effect:**
 - i. Section 4.6: To permit relief from the 30-metre setback to key natural heritage features and natural hydrological features and allow for the abutting zone category (Agricultural Protection) to apply in the development area subject to the recommendations of a satisfactory Environmental Impact Statement (EIS);**
 - ii. Section 6.2 (b) (iii): To permit a maximum height of a detached building containing an additional dwelling unit to be 10 metres, whereas a maximum of 7.5 metres is permitted for a detached building containing an accessory dwelling unit;**
 - iii. Section 9.4 (e): To permit a rear yard setback of 7.3 metres for an accessory structure, whereas a rear yard setback of 9 metres is required for an accessory structure in the Agricultural Protection zone; and**
 - iv. Section 9.4 (f): To permit an interior side yard setback on the south side of the property of 6 metres, whereas an interior side yard setback of 9 metres is required for an accessory structure.**
- c. That the approval of Minor Variance Application A14-24 be subject to the following term(s):**
 - i. That the recommendations of the EIS and the Town’s peer reviewer, as set out in the Notice of Fulfilment of Conditions, will be adhered to as terms to this Minor Variance;**
 - ii. That the proposed accessory structure be constructed in general conformity with Attachment 2 to Report DS-2024-0059, in accordance with the relief recommended to be approved in Recommendation 2a).**
- d. That the approval of Minor Variance Application A14-24 be subject to the following condition(s):**

- i. **Submission to the Secretary-Treasurer of an EIS addressing the setback relief requested from the natural heritage and hydrologic features;**
- ii. **Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that the EIS, including recommendations from the Town's peer reviewer, is to the satisfaction of the Development Planning Division;**
- iii. **Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that the cost of the peer review of the EIS has been paid in full by the applicant, to the satisfaction of the Development Planning Division;**
- iv. **Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that any accessory structures encroaching onto neighbouring properties be relocated or removed, to the satisfaction of the Development Planning Division;**
- v. **Submission to the Secretary-Treasurer of written confirmation from the Development Engineering Division that all matters identified in Attachment 4 to Report No. DS-2024-0059 have been addressed to the satisfaction of the Development Engineering Division;**
- vi. **Submission to the Secretary-Treasurer of written confirmation from the Lake Simcoe Region Conservation Authority that all matters identified in Attachment 4 to Report No. DS-2024-0059 have been addressed to their satisfaction;**
- vii. **That the above-noted conditions be fulfilled within two (2) years of the date of the Notice of Decision.**

Carried Unanimously

3. **MINOR VARIANCE APPLICATION A22-24
9 VICTORIA ROAD
PLAN 178 LOT 49**

Gord Mahoney, Agent, spoke to the application, seeking relief from the By-Law to build an addition to the retail store in the size of 74 sq m. Gord Mahoney advised that he and his client had an issue with the imposed conditions, which was a lot grading and drainage plan. Gord Mahoney advised that this was already submitted to the engineering department, he

asked that the Committee approve the application without the condition 2 c.1.

There were no other parties to speak to the application.

Member, Chris Burns, asked if there would be a separate tenanted space or would it be operated by the owner as the store. The Agent, Gord Mahoney responded, that the addition is just making more area for the store. Chris Burns, Member, asked if the Engineering drawings accounted for increase septic. The Agent advised that it was his understanding it was a new septic as it was put in the early 2000's. Chris Burns, Member, then asked if the property was subject to a site plan agreement as well, Gord advised that this was correct.

John Rogers, Chair asked if Monika Sadler, Planner I, had any issues with the removal of the condition. Monika advised, In speaking with the engineering department, that they have confirmed that through the site plan application they have approved a grading and drainage plan, committee can remove the condition, however if the committee does not remove the condition engineering has already seen the site plan and the condition would be fulfilled as soon as the Notice of Final and Binding is provided to the applicant.

The committee agreed to remove the condition 2 c. 1.

Following the vote, Committee Chair John Rogers advised that the application is approved subject to a 20-day appeal period and two years to meet all conditions.

Moved By Chris Burns
Seconded By Karen Whitney

1. **That the Committee of Adjustment receive Report No. DS-2024-0056 prepared by the Development Planning Division, Development Services Department, dated October 7, 2024, respecting Minor Variance Application A22-24, for the property municipally addressed as 9 Victoria Road; and,**
2. **That in the event no public or Committee concerns are raised at the meeting warranting investigation and a further meeting, Staff recommend the following:**
 - a. **That the Committee of Adjustment approve Minor Variance Application A22-24 to permit relief from the following:**
 - i. **Section 5.28 (b): To permit a minimum of two (2) parking spaces for the accessory dwelling unit; whereas eight**

(8) parking spaces are required for the commercial building and accessory dwelling.

- ii. **Section 5.31(a): To permit a minimum planting strip width of 0 metres along the rear lot line abutting a property zoned Residential; whereas a minimum planting strip width of 3 metres is required.**
 - iii. **Section 14.4(c): To permit a front yard setback of 1.43 metres for an addition to the commercial building; whereas a minimum of 12 metres is required.**
- b. **That the approval of Minor Variance Application A22-24 be subject to the following term(s):**
- i. **That the rear yard of the subject property shall only be used for residential purposes**
 - ii. **That the proposed addition be constructed in general conformity with Attachment 3 to Report DS-2024-0056, in accordance with the relief recommended to be approved in Recommendation 2a);**

Carried Unanimously

4. MINOR VARIANCE APPLICATION A19-24
800 MONTSELL AVENUE
PLAN 331 LOT 42

The Agent, Patrick Forbes, spoke to the application, to explain the application to ask for a minor variance to allow for an accessory structure in the front yard.

Monika Sadler, Planner I, did a presentation on the application to compare it to the four tests of a minor variance.

Chris Burns, Member asked, Monika Sadler, Planner I, does this proposal conform with the exterior side yard set back. Monika advised that she had been talking to the zoning examiners and if it is in the front yard, it does not have to conform with the setbacks, those setbacks do not need to be met as a structure in the front yard is not permitted.

Following the vote, Committee Chair John Rogers advised that the application is approved subject to a 20-day appeal period and two years to meet all conditions.

Moved By Chris Burns
Seconded By Lynda Rogers

1. That the Committee of Adjustment receive Report No. DS-2024-0055 prepared by the Development Planning Division, Development Services Department, dated October 7, 2024, respecting Minor Variance Application A19-24, for the property municipally addressed as 800 Montsell Avenue; and,
2. That in the event no public or Committee concerns are raised at the meeting warranting investigation and a further meeting, Staff recommend the following:
 - a. That the Committee of Adjustment approve Minor Variance Application A19-24 to permit relief from the following:
 - i. Section 5.1(b): To permit the construction of an accessory structure in the front yard, whereas an accessory structure shall not be erected in any yard other than in an interior side yard or rear yard;
 - b. That the approval of Minor Variance Application A19-24 be subject to the following term(s):
 - i. That the proposed accessory structure be constructed in general conformity with Attachment 3 to Report DS-2024-0055, in accordance with the relief recommended to be approved in Recommendation 2a);
 - c. That the approval of Minor Variance Application A19-24 be subject to the following condition(s):
 - i. Submission to the Secretary-Treasurer of written confirmation from the Development Engineering Division that all matters identified in Attachment 5 to Report No. DS-2024-0055 have been addressed to the satisfaction of the Development Engineering Division; and
 - ii. That the above-noted conditions be fulfilled within two (2) years of the date of the Notice of Decision.

Carried Unanimously

8. POWER OF SALE/FORECLOSURE/VALIDATION OF TITLE APPLICATIONS

None.

9. MINUTES OF PREVIOUS MEETING

None.

10. COMMUNICATIONS

None.

11. OTHER BUSINESS

A motion was made to appoint an acting chair for the October 21st, 2024 meeting, Chris Burns was appointed.

Moved By Karen Whitney
Seconded By Lynda Rogers

Chris Burns is to serve as Chair at the next meeting on October 21, 2024.

Carried Unanimously

12. NEXT MEETING

Next Meeting is October 21, 2024.

13. ADJOURNMENT

Meeting was adjourned by John Rogers.

John Rogers, Chair

Brianna Raines, Secretary-Treasurer