



GEORGINA

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

Date: Monday, June 17, 2024
Time: 7:30 PM

Members of
Committee Present:

John Rogers, Chair

Karen Whitney
Chris Burns
Lynda Rogers
Joseph Bonello

Staff Present:

Janet Porter, Manager of Development Planning
Matthew Ka, Acting Secretary-Treasurer to the Committee of
Adjustment
Sean Lapenna, Senior Planner
Brittany Dobrindt, Planner I
Monika Sadler, Planner I

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 and Committee 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.”

2. INTRODUCTION OF ADDENDUM ITEM(S)

There were two (2) addendum Items.

1. Public Comment - 40 Brule Lakeway

2. Minutes of May 13, 2024 and April 29, 2024

3. DECLARATION OF PECUNIARY INTEREST

None.

4. EXPLANATION OF HEARING PROCEDURE

Matthew Ka, Acting Secretary-Treasurer read the explanation of hearing procedure.

5. REQUESTS FOR DEFERRAL OR WITHDRAWAL

None.

6. APPLICATIONS FOR CONSENT

1. CONSENT APPLICATION B07-24
185 FORESTRY DRIVE
PLAN 515, LOT 8

The owners Claude and Gaia Ratnarajah spoke to the application.

The Planner on the file Monika Sadler, Planner I, made a presentation on the application.

There were no other speakers or public comments.

Committee Member Burns asked the applicant where the existing septic is on the property. The owners advised that is the septic system behind the existing house and further advised that both properties will have a new septic. Committee Member Burns proposed a condition that a new septic be constructed under permit. Monika Sadler, Planner I advised that the existing septic does straddle the property line, and a condition can be added to have a permit for a new septic bed and have one constructed on the retained lands. Chris Burns then advised that the existing one car garage will need to be demolished under permit as an additional condition. The owners confirmed that the demolition of the garage is currently underway but did not confirm if a demolition permit was issued.

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-2024-0031 prepared by the Development Planning Division, Development Services Department, dated June 17, 2024, respecting Consent Application B07-24, submitted by the owners for the property municipally addressed as 185 Forestry Drive;**

- a. That the Committee of Adjustment approve Consent Application B07-24, as it pertains to the property municipally addressed as 185 Forestry Drive to sever and convey Subject Land 'A' from Retained Land 'B', as shown in Attachment 2 to Report No. DS-2024-0031, to create one (1) new residential building lot; and,
- b. That the approval of Consent Application B07-24 be subject to the following conditions:
 - i. Submission to the Secretary-Treasurer of two (2) white prints of a deposited reference plan of a survey to conform substantially with the application, as submitted;
 - ii. Submission to the Secretary-Treasurer of a draft deed, in duplicate, conveying Subject Land 'A' from Retained Land 'B', as shown on Attachment 2 to Report No. DS-2024-0031;
 - iii. Submission to the Secretary-Treasurer of written confirmation from the Town of Georgina Building Division that an elevation of the existing building facing the lot line be submitted for review with a spatial separation calculation from a designer for any existing unprotected openings to the Division's satisfaction;
 - iv. Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that Subject Land 'A' and Retained Land 'B' have been assigned civic addresses;
 - v. Submission to the Secretary-Treasurer of written confirmation from the Town of Georgina Development Planning Division that a hydrogeological study demonstrating that Subject Land 'A' can accommodate private services without negatively impacting groundwater in the area has been submitted to the Division's satisfaction;
 - vi. Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that the existing garage on Subject Land 'A' be demolished under permit from the Building Division.
 - vii. Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that the new septic on Retained Land

'B' be installed and finalized under a permit from the Building division. And;

viii. That the above-noted condition(s) be fulfilled within two (2) years of the date of the Notice of Decision.

Carried Unanimously

2. CONSENT APPLICATION B08-24 AND B09-24
40 BRULE LAKEWAY
JUDGE'S PLAN 602, LOTS 78 AND 99

The Agent Gord Mahoney spoke to the Application.

Brittany Dobrindt, Planner I gave a presentation on the application.

There was one (1) written comment from the public, this was included in the presentation.

Katherine Stewart made a presentation.

There were no further public comments.

Committee Member Whitney asked if Mr. Mahoney could respond to the resident's concerns. Mr. Mahoney advised that he was previously the consultant for a few applications in the area. There have been many changes over the past few years for severances and the need for housing, the lots proposed comply with the zoning by-laws and they meet the frontages. Committee Member Whitney then asked if the second lot facing Brule Lakeway, was not severed, can you still build two houses on the property. Mr. Mahoney than advised under new legislation you could, or you could construct three houses or an accessory structure with a dwelling unit, under current Provincial legislation.

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.

B08-24 motion Karen Whitney and Seconded by Lynda Rogers

B09-24 motion Karen Whitney and second by Joseph Bonello

1. **That the Committee of Adjustment receive Report No. DS-2024-0035 prepared by the Development Planning Division, Development Services Department, dated June 17, 2024 respecting Consent Applications B08-24 and B09-24,**

submitted by Michael Smith Planning Consultants on behalf of the owners for the property municipally addressed as 40 Brule Lakeway, Jackson's Point; and,

- a. That the Committee of Adjustment approve Consent Applications B08-24 and B09-24 as it pertains to the property known as 40 Brule Lakeway, Jackson's Point, to sever and convey Subject Lands 'A' and 'B' from Remainder Land 'C', as shown in Attachment 3 to Report No. DS-2024-0035; and,
- b. That the approval of Consent Applications B08-24 and B09-24 be subject to the following condition(s):
 - i. Submission to the Secretary-Treasurer of two (2) white prints of a deposited reference plan of survey to conform substantially with the applications, as submitted;
 - ii. Submission to the Secretary-Treasurer of draft transfer documents, in duplicate, conveying Subject Lands 'A' and 'B', as indicated on Attachment 3 to Report No. DS-2024-0035;
 - iii. Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that there is sufficient water supply and sewage capacity allocated for Subject Lands 'A' and 'B';
 - iv. Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that Subject Lands 'A' and 'B' have been assigned civic addresses;
 - v. Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Engineering Division that all matters identified in Attachment 4 to Report No. DS-2024-0035 have been addressed to the Division's satisfaction;
 - vi. Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that any accessory structures on Subject Land 'B' have been removed; and,
 - vii. That the above-noted conditions be fulfilled within two (2) years of the date of the Notice of Decision.

Carried Unanimously

3. CONSENT APPLICATION B10-24
9 SINA STREET
CONCESSION 9, PART OF LOT 6

The Agent Gord Mahoney spoke to the application.

Sean Lapenna, Senior Planner provided a presentation on the application.

There were no other speakers or public comments.

Committee Member Whitney asked why there was a bend in the new property line. Sean Lapenna, Senior Planner, advised that it was a question that was raised at the pre consultation meeting, this plan is what will meet the needs of the retained portion, it was the applicant's preference. Mr. Lapenna further advised that Town staff have no concerns with the proposed lotting.

Committee Member Burns asked for clarifications on, the height of the garage and the building's setbacks. Mr. Lapenna confirmed that no elevation plans were provided, and the proposed building would have to meet the setback requirement.

Committee Chair John Rogers asked for clarification whether the agent agreed with the conditions. Mr. Mahoney advised that they had issues with the condition from engineering for a development agreement as well as a condition for a Tree protection and tree replacement plan. Further staff input would be required to have these conditions resolved

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-2024-0030, prepared by the Development Planning Division, Development Services Department dated June 17, 2024, respecting Consent application B10-24, submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. (c/o Michael Smith) on behalf of the Owner for the property municipally addressed as 9 Sina Street and legally described as Part of Lot 6, Concession 9 (NG);**
 - a. **That the Committee of Adjustment approve Consent application B10-24, as it pertains to the subject property municipally identified as 9 Sina Street, to sever and convey**

Subject Land “A” from Retained Land “B” as shown on Attachment 4 to Report No. DS-2024-0030 to create one (1) new residential building lot;

- b. That the approval of Consent Application B10-24 be subject to the following condition(s):**
 - i. Submission to the Secretary-Treasurer of two (2) white prints of a deposited reference plan of survey to conform substantially with the application, as submitted;**
 - ii. Submission to the Secretary-Treasurer of a draft deed, in duplicate, conveying Severed Land “A”, as shown on Attachment 4 to Report No. DS-2024-0030;**
 - iii. Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that appropriate servicing allocation has been assigned to Subject Land “A”;**
 - iv. Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that a new civic address has been assigned to Subject Land “A”;**
 - v. That the Owner be required to enter into a Development Agreement whereby they will provide functional servicing design for Subject Land “A” to address water, sanitary, grading and storm water management for the newly created lot, to the satisfaction of the Town’s Development Engineering Division;**
 - vi. That the Owner be required to provide the Building Division an elevation of the existing Dwelling facing the newly created mutually shared side lot line, with a spatial separation calculation from a designer for any existing unprotected openings to the Divison’s satisfaction. The existing Dwelling should be located at least 1.2 meters away from the newly created lot line;**
 - vii. That the Owner be required to submit a replanting plan as well as an evaluation for tree number 2 in the submitted Tree Inventory Report, in accordance with the Town of Georgina’s Tree Preservation and Compensation Policy, to the satisfaction of the Director of Development Services. The replanting plan shall include recommendations on the mitigation of negative effects to existing vegetation such as tree hoarding locations, during and post construction periods; and,**

viii. That the above-noted condition(s) be fulfilled within two (2) years of the date of the Notice of Decision.

Carried Unanimously

7. APPLICATIONS FOR MINOR VARIANCE

None.

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

None.

9. MINUTES OF PREVIOUS MEETING

The minutes from April 29, 2024 and May 13, 2024 were adopted by Committee.

The minutes for June 3, 2024 were deferred.

Moved By Joseph Bonello

Seconded By Chris Burns

Carried Unanimously

10. COMMUNICATIONS

None.

11. OTHER BUSINESS

Committee Chair John Rogers provided a summary of lectures he attended at the OACA conference and shared the OACA documents via email to the members.

12. NEXT MEETING

Next Meeting is July 29, 2024.

13. Adjournment

Meeting was adjourned.

John Rogers, Chairperson

Matthew Ka, Acting Secretary-Treasurer