



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

Date: Monday, July 29, 2024
Time: 7:30 PM

Members of
Committee Present: John Rogers, Chair

 Chris Burns
 Lynda Rogers
 Joseph Bonello

Members of
Committee Absent: Karen Whitney

Staff Present: Janet Porter, Manager of Development Planning
 Matthew Ka, Acting Secretary-Treasurer to the Committee of
 Adjustment
 Monika Sadler, Planner I
 Brittany Dobrindt, Planner I

1. ROLL CALL

“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 three addendum items.

1. One (1) Public Comments B18-23 375 Lake Drive N
2. Two (2) Public Comments for A07-24 19 Mum's Ave

3. 22847 Highway 48 updated drawing

3. DECLARATION OF PECUNIARY INTEREST

None.

4. EXPLANATION OF HEARING PROCEDURE

Matthew Ka, Acting Secretary-Treasurer to the Committee of Adjustment read the hearing explanation.

5. REQUESTS FOR DEFERRAL OR WITHDRAWAL

None.

6. APPLICATIONS FOR CONSENT

1. CONSENT APPLICATION B18-23
375 LAKE DRIVE NORTH
PCL 36-1, SEC M271; LT 37, PL M271 ; PT LT 36, PL M271

The owner Geoffrey Dawe spoke to the application.

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

There was one (1) written comment and no public speakers.

Committee Member Burns asked what the setbacks are for a buildable envelope for the proposed severed lands. Staff advised that a property that is less than 4000 square metres and on municipal servicing requires 7 metres for a rear yard setback.

Following the vote, Committee Chair 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 Joseph Bonello

1. **That the Committee of Adjustment receive Report No. DS-2024-0043 prepared by the Development Planning Division, Development Services Department, dated July 29, 2024 respecting Consent Application B18-23, submitted by the owners for the property municipally addressed as 375 Lake Drive North, Keswick; and,**
 - a. **That the Committee of Adjustment approve Consent Application B18-23 as it pertains to the property known as 375 Lake Drive North, Keswick, to sever and convey Subject Land 'A' from Remainder Land 'B', as shown in Attachment 3 to Report No. DS-2024-0043; and,**
 - b. **That the approval of Consent Applications B18-23 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 Land 'A', as indicated on Attachment 3 to Report No. DS-2024-0043;**
- 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 Land 'A';**
- iv. **Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Policy Planning Division that an arborist report inclusive of a tree inventory for the existing trees on site has been provided, to the satisfaction of the Division;**
- v. **Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that Subject Land 'A' has been assigned a civic address;**
- vi. **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-2024-0043 have been addressed to the Division's satisfaction;**
- vii. **Submission to the Secretary-Treasurer of written confirmation from York Region that all matters identified in Attachment 4 to Report No. DS-2024-0043 have been addressed to the Region's satisfaction**
- viii. **Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that a deeming by-law has been registered on title or written confirmation that a deeming by-law is not required; and,**
- ix. **That the above-noted conditions be fulfilled within two (2) years of the date of the Notice of Decision.**

Carried Unanimously

7. APPLICATIONS FOR MINOR VARIANCE

1. MINOR VARIANCE APPLICATION A07-24
19 MUM'S AVENUE, SUTTON
PLAN 427, LOT 105

The owner Wei Hwa, spoke to the application.

Monika Sadler, Planner I, did a presentation on the Application.

There were two (2) Public Comments and no public speakers.

Committee Member Burns asked the owner how access to the garage would be obtained. Mr. Hwa advised that the access will be from the east side of the house via a gravel driveway.

Committee Member Burns, asked staff, how this is in keeping with the residential neighborhood as this is more of an industrial building. Staff advised that a home industry is not permitted, and many sheds and garages are located in the rear yard in the immediate neighbourhood with the same cladding. Staff also clarified the maximum permitted height of the accessory structure.

Committee Member Burns made a motion to deny this application. This was not seconded.

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 Lynda Rogers

Seconded By Joseph Bonello

1. **That the Committee of Adjustment receive Report No. DS-2024-0039 prepared by the Development Planning Division, Development Services Department, dated July 29, 2024, respecting Minor Variance Application A07-24, for the property municipally addressed as 19 Mum's Avenue, Sutton; and,**
 - a. **That the Committee of Adjustment approve Minor Variance Application A07-24 to permit relief from the following:**

Section 5.1 (f): To permit an accessory structure with a height of 5.49 metres, whereas the maximum height of an accessory structure cannot exceed 4.5 metres from the average grade to the highest point of the structure;
 - b. **That the approval of Minor Variance Application A07-24 be subject to the following term(s):**
 - i. **That the proposed accessory structure be constructed in general conformity with Attachment 3 to Report DS-2024-0039, in accordance with the relief recommended to be approved in Recommendation 2a);**

2. MINOR VARIANCE APPLICATION A05-24
22847 HIGHWAY 48
CONCESSION 8, PART OF LOT 1

The Agent, Gord Mahoney, spoke to the application.

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

There were no written comments or public speakers.

Committee Member Burns asked Brittany Dobrindt, Planner I if she could elaborate on the proposed term for an occupancy certificate to be issued within five years. Brittany Dobrindt, Planner I advised that if occupancy is not granted, the proposal will not be allowed to proceed, and they will need to request additional relief from the committee, the intent of the term was to ensure the new dwelling was built in short order after demolition of the existing structure.

Committee Member Burns then asked Mr. Mahoney if his client has any issue with moving the vinyl structure. Mr. Mahoney advised that it has been moved and the owner is waiting on approval.

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-2024-0044 prepared by the Development Planning Division, Development Services Department, dated July 29, 2024, respecting Minor Variance Application A05-24, for the property municipally addressed as 22847 Highway 48.**
 - a. **That the Committee of Adjustment approve Minor Variance Application A05-24 to permit relief from the following sections of Zoning By-law 500:**
 - i. **Section 6.1(f): To permit a dwelling with an interior side yard setback of 2m; whereas, a minimum interior side yard of 9 metres, except that an interior side yard may be reduced to 3 metres when the exterior wall facing said yard contains no habitable room windows or where the lot is less than 4,000 sq metres, is permitted.**

- ii. **Section 5.11.2 (d):** To permit a replacement of a building or structure more than one year from the date that it is demolished or destroyed by fire; whereas, replacement within one year is permitted.
 - iii. **Section 5.12:** To permit a 3.35 metre high fence with nil front yard and interior side yard setbacks; whereas, adherence to the minimum yard requirements is required for a fence with a maximum height exceeding 2 metres.
- b. That the Committee of Adjustment approve Minor Variance Application A05-24 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 2.82:** To define ‘existing’ as meaning a dwelling that legally existed prior to May 2023 and which was demolished under building permit GP-2022-121-REV due to a fire; whereas, the definition of ‘existing’ is defined as a building, structure or use existing as of the date of passing of this By-law and which has continued to exist to present.
 - ii. **Section 5.8:** To permit a 3.35 metre high fence with nil front yard and interior side yard setbacks; whereas, adherence to the minimum yard requirements is required for a fence with a maximum height exceeding 2 metres.
- c. That the approval of Minor Variance Application A05-24 be subject to the following term(s):
 - i. That the proposed single detached dwelling be constructed in general conformity with Attachment 3 to Report DS-2024-0044, in accordance with the relief recommended to be approved in Recommendation 2 a) and b).
 - ii. That the occupancy permit for the dwelling be granted within 5 years of the passing of this minor variance
 - iii. That only the existing fence, or similarly located replacement, as shown in Attachment 2 to Report DS-2024-0044, be permitted, and that the top most rail should be level and not in line with the grade.
- d. That the approval of Minor Variance Application A05-24 be subject to the following condition(s):

- i. **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-2024-0044 have been addressed to their satisfaction;**
- ii. **Submission to the Secretary-Treasurer of written confirmation from the Development Engineering Division that all matters identified in Attachment 4 to Report No. DS-2024-0044 have been addressed to their satisfaction;**
- iii. **That the application re-circulation fee be paid to the satisfaction of the Development Planning Division;**
- iv. **That any accessory structures encroaching onto neighbouring properties be relocated or removed, to the satisfaction of the Development Planning Division; and,**
- v. **That the above noted condition(s) be fulfilled within two (2) years of the date of the Notice of Decision.**

Carried Unanimously

3. **MINOR VARIANCE APPLICATION A08-24
281 PARKWAY AVENUE, KESWICK
PLAN 231 LOT 230**

The Agent, Brian Hong, spoke to the application.

Monika Sadler, Planner I, did a presentation to the application.

There were no public comments or speakers.

Committee Member Burns asked the applicant would maintain the house with less than 2 ft of a side yard. Mr. Hong advised that the side yard had been existing for over 30 years. Committee Member Burns asked why the second floor could not comply. Mr. Hong advised that he was hired to prepare the drainage plan at that time he realized it did not comply with the By-Laws, he advised that all the designs were complete, so the owner opted to seek a minor variance.

Committee Chair John Rogers cited concerns about access and maintenance to the proposed second floor and the architect should reconsider setting back the 2nd floor.

A vote for Denial of the application was Carried Unanimously. Following the Vote, Committee Chair Rogers advised that the application was denied by committee and that there was a 20 day appeal period.

Moved By Chris Burns
Seconded By Lynda Rogers

1. **That the Committee of Adjustment receive Report No. DS-2024-0038 prepared by the Development Planning Division, Development Services Department, dated July 29, 2024, respecting Minor Variance Application A08-24, for the property municipally addressed as 281 Parkway Avenue; and,**
 - a. **That the Committee of Adjustment Deny Minor Variance Application A08-24 to permit relief from the following:**

Section 6.1 (f): To permit a dwelling with an interior side yard setback of 0.55 metres, whereas a minimum interior side yard setback of 1.2 metres is required;

Carried Unanimously

4. MINOR VARIANCE APPLICATION A11-24 AND A12-24
15 AND 17 JEANNE PYNN AVENUE, SUTTON
PLAN 65M-4802 LOTS 3 AND 4

The Agent, Darryl Middleton from RN Design spoke to the application.

Monika Sadler, Planner I, did a presentation on the application.

There were no written comments or public speakers

Committee Member Burns asked if the lots have been sold, were they previously sold and mirrored to accommodate the easement or were they sold in this manner with the easement in place. Mr. Middleton advised that they were sold after the easement was in place.

Committee Chair John Rogers cited a concern about the 0.6 metre side yard setback for maintenance. Mr. Middleton advised that the 0.6 metre side yard is next to a 1.2 metre side yard with the abutting lot, which will allow for additional space to maintain the lot, furthermore the siding of the façade in the side yard is entirely in brick.

Following the vote, Committee Chair John Rogers advised that the application is approved subject to a 20-day appeal period.

Moved By Lynda Rogers
Seconded By Joseph Bonello

1. **That the Committee of Adjustment receive Report No. DS-2024-0037 prepared by the Development Planning Division, Development Services Department, dated July 29, 2024, respecting Minor Variance Applications A11-24 and A12-24, for**

the property municipally addressed as 15 and 17 Jeanne Pynn Avenue, Sutton; and,

- a. That the Committee of Adjustment approve Minor Variance Application A11-24 to permit relief from the following:**
 - i. Section 7.5.94 a) iii): To permit an interior side yard of 0.65 metres paired with an interior side yard of 1.26 metres on an abutting lot, whereas all interior side yards of less than 1.2 metres shall be paired together on abutting lots;**
- b. That the Committee of Adjustment approve Minor Variance Application A12-24 to permit relief from the following:**
 - i. Section 7.5.94 a) iii): To permit an interior side yard of 0.65 metres paired with an interior side yard of 1.25 metres on an abutting lot, whereas all interior side yards of less than 1.2 metres shall be paired together on abutting lots;**
- c. That the approval of Minor Variance Applications A11-24 and A12-24 be subject to the following term(s):**
 - i. That the proposed single detached dwellings be constructed in general conformity with Attachment 2 to Report DS-2024-0037, in accordance with the relief recommended to be approved in Recommendation 2a) and 2b).**

Carried Unanimously

5. MINOR VARIANCE APPLICATION A39-21
40 LAURELBANK CRESCENT
PLAN 65M-3797, LOT 108

The Owner, Tammy Elmer spoke to the application.

Brittany Dobrindt, Planner I, provided a presentation on this application.

There were no public comments or speakers.

Committee Chair John Rogers asked staff whether there was consideration to include a special parking provision to reduce the required parking space in the garage. Staff responded that it would be simpler from an enforcement perspective to reduce the number of required parking spaces rather than reduce the dimensions of the parking space in question. Committee Chair Rogers asked the owner whether the garage was intended to be used for a parking space, the owner confirmed that it would still be used as a parking space.

Moved By Chris Burns
Seconded By Joseph Bonello

Following the vote, Committee Chair John Rogers advised that the application is approved subject to a 20-day appeal period.

1. **That the Committee of Adjustment receive Report No. DS-2024-0040 prepared by the Development Planning Division, Development Services Department, dated July 29, 2024, respecting Minor Variance Application A39-21, for the property municipally addressed as 40 Laurelbank Crescent.**
 - a. **That the Committee of Adjustment approve Minor Variance Application A39-21 to permit relief from the following:**
 - i. **Section 7.5.50 a): To permit a dwelling with an interior side yard setback of 1.2 metres; whereas, where there is not an attached garage on a lot, a minimum interior side yard on one side of 2.5 metres is required.**
 - ii. **Section 7.5.50 b): To permit a lot without a garage; whereas, every lot is required to provide a garage.**
 - iii. **Section 5.28: To permit 2 parking spaces for a single detached dwelling with an accessory apartment; whereas, a minimum of 3 parking spaces are permitted**

Carried Unanimously

6. MINOR VARIANCE APPLICATION A45-21
21058 DALTON ROAD
PT LT 23 BLK 60 PL 69 SUTTON AS IN R541389; GEORGINA

The Owner, Trevor Nolan spoke to the application.

Monika Sadler, Planner I, did a presentation on this application.

There were no public comments or speakers.

Committee Member Burns asked if a building permit would be required for this shed. Monika Sadler, Planner I advised that the building permit was required as the shed was built without a permit, that is why Development Engineering is requiring a lot grading and drainage plan. Committee Member Burns then asked why the grading plan and drainage plan is a condition of the variance. Monika Sadler, Planner I advised that Development Engineering requires the plans because the shed is existing. Mr. Nolan advised that a building permit has been applied for.

Moved By Joseph Bonello
Seconded By Chirs Burns

Following the vote, Committee Chair John Rogers advised that the application is approved subject to a 20-day appeal period and 2 years to fulfill the conditions.

1. **That the Committee of Adjustment receive Report No. DS-2024-0036 prepared by the Development Planning Division, Development Services Department, dated July 29, 2024, respecting Minor Variance Application A45-21, for the property municipally addressed as 21058 Dalton Road; and,**
 - a. **That the Committee of Adjustment approve Minor Variance Application A45-21, to permit relief from the following:**
 - i. **Section 5.1(b): to permit an accessory structure in an exterior side yard, whereas accessory structures are only permitted in the rear or interior side yard; and,**
 - ii. **Section 5.1(d): to permit an accessory structure with a side yard setback of 0.00 metres from the side lot line, whereas a minimum setback of 1.0 metre is required;**
 - iii. **Section 5.30: To permit the minimum exterior side yard setback to be applied from the existing exterior side lot line, whereas Section 5.30 requires the minimum exterior side yard setback to be applied from the planned width of street allowance where it lies within the lot;**
 - b. **That the approval of Minor Variance Application A45-21 be subject to the following terms:**
 - i. **That the accessory structure in the exterior side yard area be in general conformity with Attachment 2 to Report DS-2024-0036, and in accordance with the relief recommended to be approved in Recommendation 2 a); and,**
 - c. **That the approval of Minor Variance Application A45-21 be subject to the following conditions:**
 - i. **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-2024-0036 have been addressed to the Division's satisfaction; and,**
 - ii. **That the above-noted condition(s) 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

Committee Member Burns thanked Monika Sadler, Planner I and Brittany Dobrindt, Planner I. Committee Member Bonello asked about the ID cards for Committee Members. Matthew Ka advised that he spoke with the IT department and they are looking into getting cards.

12. NEXT MEETING

Next Meeting is August 26, 2024.

13. ADJOURNMENT

Moved By Lynda Rogers
Seconded By Joseph Bonello

Carried Unanimously

Meeting was adjourned.

John Rogers, Chair

Matthew Ka, Acting Secretary-Treasurer