

# THE CORPORATION OF THE TOWN OF GEORGINA

## COUNCIL MINUTES Meeting Held at ROC Chalet

Monday February 27, 2017  
7:02 PM

### Staff:

Winanne Grant, Chief Administrative Officer  
Harold Lenters, Director of Development Services  
Ryan Cronsberry, Manager of Municipal Law Enforcement/C.M.L.E.O.  
Tanya Thompson, Communications Manager  
John Espinosa, Town Clerk  
Rachel Dillabough, Deputy Clerk

#### 1. CALL TO ORDER - MOMENT OF MEDITATION

A moment of meditation was observed.  
Mayor Quirk spoke about former Councillor Paul Nichols who passed away.

#### 2. ROLL CALL

The following Members of Council were present:

Mayor Quirk	Regional Councillor Davison
Councillor Harding	Councillor Neeson
Councillor Sebo	Councillor Fellini

#### 3. COMMUNITY ANNOUNCEMENTS *None.*

#### 4. INTRODUCTION OF ADDENDUM ITEM(S)

Item No. 12(2)(A) Proposed Zoning By-law Amendment regarding the Private Storage of Leisure Vehicles on Residential Lots- Public Comment

#### 5. APPROVAL OF AGENDA

Moved by Councillor Neeson, Seconded by Regional Councillor Davison

### **RESOLUTION NO. SC-2017-0110**

That the agenda, with the following addendum, be approved:

Item No. 12(2)(A) Proposed Zoning By-law Amendment regarding the Private Storage of Leisure Vehicles on Residential Lots- Public Comment

**Carried.**

6. DECLARATIONS OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF *None.*
7. ADOPTION OF MINUTES *None.*
8. SPEAKERS *None.*
9. DELEGATIONS/PETITIONS *None.*
10. PRESENTATIONS *none*
11. PUBLIC MEETINGS *None.*

(1) STATUTORY MEETING(S) UNDER THE PLANNING ACT OR MEETINGS PERTAINING TO THE CONTINUATION OF PLANNING MATTERS *None.*

(2) STATUTORY MEETING(S) UNDER OTHER LEGISLATION

- (A) Proposed Zoning By-law Amendment regarding the Private Storage of Leisure Vehicles on Residential Lots

Report No. DS-2017-0011

**Mayor Quirk** explained the procedure for a public meeting at this time.

**Michael Smith** on behalf of the Town of Georgina addressed Council as follows:

- Clarified the definition of leisure vehicle as well as what constitutes front, rear and side yard.
- Storage of leisure vehicles has been prohibited since 1977, however, enforcement is on a complaint basis.
- Council received a petition in August 2015 asking that a review of zoning standards regarding leisure vehicle storage in the front or exterior side yard be done.
- Four reports have been presented to Council and a Public Information Meeting has been held.
- There will be a future public meeting in the spring.
- At the Public Information Meeting held on October 17, 2016, approximately 70 people attended, 16 people filled out the questionnaire, 6 people submitted subsequent correspondence and 4 people have submitted comment since the preparation of the report.

- There were no objections received from external agencies and Town staff.
- The report speaks to clarification and comments from Dan Pisani regarding parking on the boulevard. The boulevard is defined as the portion of the road allowance between the travelled portion of a road allowance and a front or exterior side lot line. He advised under no circumstances should leisure vehicles be stored on a boulevard because of obstruction of sight lines, potential liability, restriction of snow removal and boulevard maintenance, safety of children, negative impact on streetscape and obstruction of emergency vehicles.
- The intent of the zoning by-law amendment is to provide more flexibility in the outdoor storage of leisure vehicles on lots which permit single family detached dwellings, to allow for limited storage on semi-detached and townhouse dwellings and to strike a balance between the needs of the individual and the public at large.
- There are 4 categories of lot size under the proposed by-law amendment. There is an additional provision for waterfront lots as well as provisions for permanent storage, seasonal storage and temporary storage of leisure vehicles.
- There is a requirement for 3 unobstructed parking spaces and no storage is permitted on the boulevard.
- Use of a branch driveway may be permitted as a solution for storage.
- With seasonal storage, the number of required parking spots is reduced from 3 to 2 and the maximum height is 3 metres.
- The number of required parking spots is also reduced from 3 to 2 for temporary storage. Temporary storage is allowed 5 days preceding the Victoria Day long weekend and 5 days following Thanksgiving weekend.

**Holly Juhola** from 327 Old Homestead Road moved from the city to Keswick and wants to know if people who live in Georgina want to be proud of the town Keswick is to be.

**Dianne Bevand** from 9 Camrose Drive felt this strikes a good balance in the community and it gives reasonable access.

**Cindy Clarke** from 34 Fairwood Dr was concerned about the boulevard. She felt there were a lot of questions regarding the boulevard that needed to be clarified. Cindy would also like references to lot sizes in dimensions rather than by square footage. She felt that would be easier for people to understand. Cindy would also like to have the boulevard taken into consideration on individual lots to make it easier for people to determine how much driveway they actually have available. There should also be clarification given to people regarding enforcement of the new rules. Cindy would like to see a simplified version of the rules given to people. She felt enforcement will have to be very vigilant as people will make mistakes with the transition. She would like to know what the enforcement procedure would be and if warnings would be given first. Penalties should be published for awareness.

**Leslie Goczan** from 36 Carrick Avenue was looking at the most common situation in the subdivisions. People in this category would not be able to park a leisure vehicle. All by-laws should be enforceable and reasonable and he felt this one is

not. He found 12 infractions within 2 blocks currently. Les would like clarification on enforcement as the bylaw is difficult to understand. He would also like clarification on enforcement since we enforce on a complaint basis.

**John Pierre VanDouke** from 10 Shoreline Place had questions regarding the 6 m setback. He would like to know the reasoning behind the 6 m setback.

**Lee Dale** from 58 Biscayne Boulevard would like to know if enforcement will be on a complaint basis. He would also like clarification on what constitutes a branch driveway as people sometimes park on their lawn.

**Doreen Burgess** from 279 Tampa Drive said she will not be able to store her trailer because of 6 m setback. She feels it is confusing and would like to park on the boulevard to pack her trailer.

**Harold Carter** from 179 Ways Bay Drive has a large motorhome and felt there is a difference between storage and parking.

**Spencer Phillips** from 313 Annsheila Drive felt it is hard for people to know their driveway length. He would like IT to show boulevard area on a map with overlay so people can have a better understanding of the boundaries.

**Shannon Delanardo** from 317 Old Homestead Road wanted clarification on permanent storage and if that means a boat and trailer can sit in driveway forever and never move.

**Lisa Brencis** from 19 Verona Crescent wanted to know what will be done about less desirable looking trailers. She does not want to look at someone's garbage in their driveway. She also felt the changes mean extra cars would be parking on the road in spring so the parking situation would be worse.

**Stan McLean** from 48 Amberview Drive feels as though half his driveway has been taken away if the boulevard cannot be utilized for parking. He appreciates the two five day periods but would like to know about everything in between.

**Eli Edwards** from 122 First Avenue would like clarification of permanent, seasonal and temporary storage.

**Rod Cosby** from 332 Hollywood Drive feels the diagrams are not representative of the majority of properties in Keswick. He would like clarification on what constitutes the front lot line and if the measurement is taken from the center of the road or edge of travelled portion of road. Rod also wondered if anyone had thought about what would happen to the large number of recreational vehicles that would need offsite storage if the new by-law was passed.

**Mayor Quirk** clarified that we do not allow the storage of leisure vehicles now so nothing is being taken away.

**James Dalianis** from 68 Glendower Crescent advised he has a long driveway with sidewalk and boulevard. He cleans and maintains his RV at home as it was an expensive purchase. He does not park cars on the street. He keeps his motorhome in the driveway as well as his cars. He doesn't store it but keeps it there for a few days to clean or get it ready. It doesn't overhang the sidewalk and he wants to know where he stands.

**Gail Fisher** wanted to know if there a separate bylaw for snow blowers, old cars, etc.

**Lee Dale** asked for clarification regarding measurements being taken from either the centre of the roadway or the edge of the roadway.

**Holly Juhola** asked for clarification regarding the use of your lawn for temporary storage. She also apologized for earlier comment.

**Council** requested clarification on what is meant by front yard. Clarification is also needed for lengths of the leisure vehicles as everyone may measure differently. Mayor Quirk questioned if there was any process to go through if you don't quite meet conditions. The minor variance process should also be explained.

- most are not opposed to more rural areas having storage but unclear how this will help residential areas
- more residential development in Georgina
- changes may have a budgetary impact on By-law Enforcement Division
- potential reduction of 6 metre distance?
- clarity of by-law required for residents and communication needed
- if a property does not have setback for permanent storage, leisure vehicles may be able to be stored on a seasonal basis
- requested clarification regarding diagram #5 and how it affects indirect lake front owners
- potential merit in looking at a 6 metre setback, for flexibility reasons

**Harold Lenters** answered questions posed by Council and the public as follows:

- some want the zoning provisions to remain the same while others feel they are too restrictive
- smaller lots in Georgina are an issue. One of the fundamental elements has been to maintain three usable parking spots and not allowing recreational vehicles on the boulevard as Engineering advised no parking on the boulevard was acceptable. In most subdivisions, there are two spots in the garage and two spots in the driveway. If you reduce the 6 m setback, the parking is reduced to two useable spots, one in the garage and one in the driveway. It needs to be determined if it is good planning to do so. Seasonal storage was introduced for this reason. Attachment #5 to the report provides a summary of the permanent storage parking

restrictions. Staff can look at 6 metre setbacks, however, parking would have to be reduced from four spots to two spots which may be an issue.

**Michael Smith** on behalf of the Town of Georgina answered questions posed by Council and the public as follows:

- By-laws are written in a technical manner. A handout or guideline could be developed to simplify the requirements of the by-law and provide more clarity for residents
- A branch driveway is treated the same as a regular driveway and is only permitted with a hard surface, not grass
- Information Technology staff assisted the public with better interpreting the by-law in relation to their specific property at a public meeting and was very successful. This exercise could be done again.
- If a property meets the specified standards, permanent storage would be permitted. If these standards cannot be met, the seasonal option should be looked at. There are regulations regarding how much can be paved in the front yard of a property.
- Zoning infractions are enforced on complaint basis so a flood of complaints should not happen.
- The property line is approximately 15 feet from the travelled portion of the roadway; the boulevard is from the travelled portion of the road to property line
- balance is needed with the by-law. A minor variance is another option that could be looked at. This requires an application be completed and a fee paid. The application is reviewed by a panel to look at the site specific situation. All properties within 60 metres are notified of these applications.
- Length of the vehicle is measured to include trailer and trailer hitch
- Requests have been made to reduce the 6 metre setback. However, this measurement has been fundamental in the prevention of road parking. If the 6 metre setback is reduced, parking would be reduced on the property and could result in an increase of parking on the roadway.
- The Town has gone to great lengths to inform residents with an abundance of documentation.
- Diagram 5 does not apply to indirect lake frontage. Staff looked at this situation after the last meeting and took a look at how the direct frontage lots were treated. They are currently treated differently.
- Staff felt the permit process was a good option to deal with temporary use but it was difficult to implement. Staff realize the two five-day periods may not work for everyone and will try to address further.

**Ryan Cronsberry** answered questions regarding enforcement posed by Council and the public as follows:

- The maximum penalty for a conviction would be \$25,000, \$10,000 a day for each subsequent conviction. However, the reality is a \$150 to \$400 fine on a first conviction.
- There are no additional resources for enforcement. If there is a complaint, it will be dealt with. Enforcement is complaint driven. Unless it is a life safety issue

which is dealt with immediately, the time frame for response to a complaint is 10 days.

- When a complaint is filed, staff validates they are a resident, a file is opened and it is assigned to an officer. The officer does some pre-work before they go out to the property. The officer performs an inspection and if it does not comply, the officer will speak to the owner or leave business card for the owner to call them. The goal is to achieve compliance, not to be punitive. Staff try to work with the owner to achieve compliance. An order will be issued and staff will lay charges as last resort.
- Unightly trailers could be addressed under property standards. This does not address taste but does address a derelict or inoperative vehicle. Derelict is determined by the condition of the vehicle.
- Currently, there are 4 permanent officers and one part-time officer.

**Council** posed a concern with the number of trailers allowed on lots that are 4000 square metres or greater and the lots that are 1858 square metres to less than 4000 square metres as parties and noise complaints could occur.

**Ryan Cronsberry** advised staff could look into habitation and police would deal with noise complaint. Leisure vehicle complaints are dealt with differently than parking complaints based on legislation requirements.

**Harold Lenters** asked for members of the public to leave their name and address and notice will be sent to people who left name. Notice will be sent to advise when the next meeting will be held at least two weeks in advance. The issue is trying to understand what the by-law says. Staff need to put in layman's terms to make it clearer for people. Residents can contact staff with any concerns or difficulty trying to understand the by-law. The amendment will be brought to the next meeting to be passed.

Moved by Councillor Sebo, Seconded by Councillor Neeson

#### **Resolution No. SC-2017-0111**

1. That Council receive Report DS-2017-0011 prepared by Michael Smith Planning Consultants; Development Coordinators Ltd. and the Planning Division, Development Services Department, dated February 27, 2017 respecting a proposed Zoning By-law Amendment regarding the Private Storage of Leisure Vehicles on Residential Lots.
2. That Council direct staff to proceed with the preparation of the Zoning By-law Amendment in its final form for Council's consideration of adoption at a future public meeting.
3. That staff provide written notice of the next public meeting a minimum of two weeks in advance of the date of said meeting to the following:

- (i) Any person or public body that has requested to be notified of any future public meeting(s); and,
- (ii) Any person or public or public body that has requested to be notified of Council's decision respecting this matter.

**Carried.**

- (3) OTHER PUBLIC MEETINGS *None.*
12. REPORTS. *None*
- (1) ADOPTION OF REPORTS NOT REQUIRING SEPARATE DISCUSSION
  - (2) REPORTS REQUIRING SEPARATE DISCUSSION
13. DISPOSITIONS/PROCLAMATIONS, GENERAL INFORMATION ITEMS AND COMMITTEE OF ADJUSTMENT *None.*
- (1) Dispositions/Proclamations *None.*
  - (2) General Information Items. *None.*
  - (3) Committee of Adjustment Planning Matters. *None.*
    - (a) Under Review
    - (b) Recommendations
    - (c) Decisions
14. MOTIONS/NOTICES OF MOTION *None.*
15. REGIONAL BUSINESS *None.*
16. OTHER BUSINESS *None.*
17. BY-LAWS *None.*
18. CLOSED SESSION. *None.*
- (1) Motion to move into closed session of Council
  - (2) Motion to reconvene into open session of Council and report on matters discussed in closed session.
19. CONFIRMING BY-LAW
- Moved by Councillor Neeson, Seconded by Councillor Fellini
- That the following by-law be approved:



- (1) By-law No. 2017-0023 (COU-2), a by-law to confirm the proceedings of Council on February 27, 2017.

**Carried.**

20. MOTION TO ADJOURN

Moved by Regional Councillor Davison, Seconded by Councillor Harding

That the meeting adjourn at 9:16 p.m.

**Carried.**

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Margaret Quirk, Mayor

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John Espinosa, Town Clerk