



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

Date: Monday, September 26, 2022  
Time: 7:30 PM

Members of                      John Rogers, Acting Chair  
Committee Present:

Donald Rae  
Karen Whitney  
Chris Burns  
Lynda Rogers

Staff Present:                Janet Porter, Manager of Development Planning  
Matthew Ka, Secretary Treasurer

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**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, 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.”

As noted above

**2. INTRODUCTION OF ADDENDUM ITEM(S)**

None

**3. DECLARATION OF PECUNIARY INTEREST**

None

**4. EXPLANATION OF HEARING PROCEDURE**

Matthew Ka, Secretary Treasurer, read the explanation of hearing procedure

**5. REQUESTS FOR DEFERRAL OR WITHDRAWAL**

None

**6. APPLICATIONS FOR CONSENT**

**1. CONSENT APPLICATION B06-22 & B07-22**

The agent on behalf of Ling Xiao, Gord Mahoney provided an explanation of the applications for consent to sever, to reconfigure 3 existing lots and gave the context of the proposal and proposed lot dimensions. Mr. Mahoney noted the proposal conforms with provincial, regional, and local planning policies and represents in his opinion good planning.

Matthew read the notable conditions and comments.

Calvin Hudson, member of the public, spoke against the application, noting concerns with the construction of the utilities such as hydro, gas, water, and sewers, and the Bell easement.

Rob Hamilton, member of the public, spoke against the application. Since he is unsure how large the house may be on the severed land, he had concerns with the drainage issues and concerns about potential damage to basements. He is also concerned with neighborhood parking and construction of services. He believe the lot size should not be changed.

Tracy Speares, member of the public, spoke against the application and provided a PowerPoint presentation to explain her comments. She believe that the proposed consent will destroy the original fabric and aesthetic of the neighborhood. She also had concerns with the ecology and traffic safety.

Lori Loughlin (Adrian Pilato's spouse), member of the public, spoke against the application. She has concerns with drainage and has issues with flooding previously. She also has privacy concerns, as the severed lot could potentially have a home that will be facing her backyard. She noted property maintenance concerns with the subject property. She noted the area should be left as it is.

Matthew Ka, Secretary Treasurer, mentioned to the members that Jerry Hudson, member of the public, is not present to speak at tonight's meeting.

Gord Mahoney responded to the comments and concerns from members of the public. He explains the drainage and grading plan must be provided to the Town before they can have a building permit. The applicant will provide to the engineering department a detailed engineering drawings on how the water and sanitary sewers will work for the subject property, and this is also a requirement from the Town's engineering department. The proposed structure will conform with the Zoning By-law.

Chris Burns, Committee member, asked for an explanation on how the new lot will be compatible with the neighborhood. Gord Mahoney responded that "Compatibility" in the Secondary Plan essentially means "Not exactly the same but nonetheless can co-exist". The look on Elm Avenue would not change. Gord Mahoney believes the new lot will be compatible in his professional opinion.

Chris Burns, Committee member, mentioned that Elmhurst Lane is an access not a road with no lots fronting on it. He noted that he doesn't feel that the proposal is compatible. Gord Mahoney responded that Elmhurst Lane is a 20 metres wide road and to him it is a full road.

John Rogers, Committee Chair, asked the agent his understanding of the terminology "resurfacing". Gord Mahoney responded by explaining the terminology.

John Rogers, Committee Chair, advised the agent that the resurfacing could be quite expensive for the applicant. Gord advised that his client understands.

John Rogers, Committee Chair, asked the agent if he prepared a chart that shows nearby lot frontages and areas. Gord mentioned that he did not prepare nor was he requested to prepare a chart, but he provided an explanation on Elm Avenue's frontage and reconfiguration.

John Rogers, Committee Chair, questioned the agent whether the three existing lots are buildable. Gord Mahoney responded that the existing lots can be built on, but would require a variance. Chris Burns, Committee members, asked the agent if 230 Elm exists as two lots or have they merged in title. Gord Mahoney responded that it is two separate lots.

Chris Burns, Committee Member, make a motion to deny the two applications. There was no seconder and John Rogers, Committee Chair, asked if there was another motion.

Karen Whitney, Committee Member, make a motion to approve the application. She also mentioned that in a planning perspective, the application has merit.

John Rogers, Committee Chair, mentioned that this application is one of the more difficult to decide, and noted the correction to the date referenced in the report for the public notice being September 7<sup>th</sup>.

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

Moved By Karen Whitney  
Seconded By Donald Rae

- 1. That the Committee of Adjustment receive Report No. DS-2022-0093 prepared by the Development Planning Division,**

**Development Services Department, dated September 20, 2022 respecting Consent Application B06-22 & B07-22, submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. On behalf of Ling Xiao for the property municipally addressed as 228 & 230 Elm Avenue, Keswick.**

- a. That the Committee of Adjustment approve Consent Application B06-22, as it pertains to the properties municipally addressed as 228 & 230 Elm Avenue to sever and convey subject Land 'A' from Subject Land 'B' and Remainder Land 'C', as shown in Attachment 5 to Report No. DS-2022-0093, to create one reconfigured residential lot at the rear of the subject properties fronting on Elmhurst Lane.**
- b. That in the event the Committee of Adjustment approves Consent Application B06-22, that the Committee of Adjustment approve Consent Application B07-22 as it pertains to the properties municipally addressed as 228 & 230 Elm Avenue to sever and convey Subject Land 'B' from Remainder Land 'C', as shown in Attachment 5 to Report No. DS-2022-0093, to create two reconfigured residential lots fronting on Elm Ave.**
- c. That the approval of Consent application B06-22 be subject to the following condition(s):**
  - i. Submission to the Secretary-Treasurer of written confirmation from the Planning Division that there is sufficient water supply and sewage capacity allocated for Subject Land 'A';**
- d. That the approval of Consent applications B06-22 and B07-22 be subject to the following condition(s):**
  - i. Submission to the Secretary-Treasurer of written confirmation from the Development Engineering Division that the owner has satisfied the matter outlines in Attachment 6 of Report No. DS-2022-0093.**
  - ii. Submission to the Secretary-Treasurer of written confirmation from Bell Canada that the owner has satisfied the matter outlined in Attachment 6 of Report No. DS-2022-0093.**
  - iii. 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.**

- iv. **Submission to the Secretary-Treasurer of draft transfer documents, in duplicate, conveying the subject lands;**
- v. **That the above-noted condition(s) be fulfilled within two (2) year of the date of the Notice of Decision.**

**Carried**

**7. APPLICATIONS FOR MINOR VARIANCE**

None

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

None

**9. MINUTES OF PREVIOUS MEETING**

Moved By Chris Burns

Seconded By Karen Whitney

That the following Minutes of Meetings be approved.

**Carried Unanimously**

- 1. July 18th Meeting Minutes
- 2. August 2nd Meeting Minutes
- 3. August 29th Meeting Minutes

**10. COMMUNICATIONS**

None

**11. OTHER BUSINESS**

Karen Whitney, Committee member, inquired whether any members are attending about the Committee of Adjustment Conference. Lynda Rogers noted that it is sold out.

**12. NEXT MEETING**

Tuesday October 11, 2022.

**13. ADJOURNMENT**

Moved By Karen Whitney

Seconded By Donald Rae

**Carried Unanimously**

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John Rogers, Acting Chairperson

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Matthew Ka, Acting Secretary-Treasurer