



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

Date: Tuesday, October 11, 2022
Time: 7:30 PM

Members of
Committee Present:

John Rogers, Chair

Donald Rae
Karen Whitney
Lynda Rogers

Members of
Committee Absent:

Chris Burns

Staff Present:

Janet Porter, Manager of Development Planning
Connor McBride, Planner II
Matthew Ka, Secretary Treasurer

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)

1. Deferral memo Minor Variance application A23-22 684 The Queensway South

3. DECLARATION OF PECUNIARY INTEREST

4. EXPLANATION OF HEARING PROCEDURE

5. REQUESTS FOR DEFERRAL OR WITHDRAWAL

1. Deferring Minor Variance Application A23-22.

That Minor Variance Application A23-22 be deferred to a date to be determined.

Moved By Donald Rae
Seconded By Karen Whitney

Carried Unanimously

6. APPLICATIONS FOR CONSENT

None.

7. APPLICATIONS FOR MINOR VARIANCE

1. MINOR VARIANCE APPLICATION A23-22
YING AND DE QING WANG
LOT 56, RPLAN 408

This application was deferred.

2. MINOR VARIANCE APPLICATION A34-21
26OH37 HOLDINGS INC.
CON 4 PT LOT 21 RS65R5964 PART 1 RS65R22678 PART 2

The agent, Michael Manett provided an explanation of the application proposal and noted related site plan and connected applications. The Owner is looking to build a mixed use building on the site and looking for minor zoning relief and modification of the permitted uses definitions. The agent noted the applicant supports the staff recommendations.

Matthew Ka, Secretary Treasurer, read the notable comments and conditions.

Karen Whitney, Committee member, questioned where the existing septic bed is located. The agent noted it is located at the rear of the existing dwelling.

John Rogers, Committee Chair, mentioned that he also noticed there was a duplication in the staff report recommendations.

Karen Whitney, Committee member, mentioned that the use modifications are in keeping with permitted uses and that a rezoning application would have been easier, but she believes this is also a good compromise.

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-2022-0092 prepared by the Development Planning Division, Development Services Department, dated October 11, 2022, respecting Minor Variance Application A34-21, submitted by 26OH37 Holdings Inc. for the property municipally addressed as 26037 Woodbine Avenue, Keswick.**
 - a. **That the Committee of Adjustment deny Minor Variance Application A34-22 to permit relief from the following:**
 - i. **Section 15.4 (f): To permit a minimum lot line setback of 0.5 metres for a driveway (as shown on Attachment 5);**
 - ii. **Section 15.4 (h): To permit parking spaces 5, 6 and 7 (as shown on Attachment 5) to have a nil setback from the front lot line; whereas parking areas must be set back a minimum of 1.5 metres from any lot line;**
 - iii. **Section 5.28 (b): To reduce the minimum required parking space ratio for Building 3 (as shown on Attachment 5) to 3.2 parking spaces per 95 square metres of non-residential floor area; whereas a minimum ratio of 5.5 parking spaces per 95 square metres of non-residential floor area is required for multi-unit commercial centre buildings;**
 - iv. **Section 5.28 (b): To reduce the minimum required parking space ratio for Building 2a (as shown on Attachment 5) to 1.1 parking spaces per 95 square metres of non-residential floor area;**
 - v. **Section 5.25 (a): To permit the provision of a minimum of one (1) loading space for the Ex. Garage and Buildings 2A, 3 and 4 (as shown on Attachment 5); whereas a minimum of three (3) loading space are required for these buildings;**
 - vi. **Section 2.34: To amend the definition of 'business or professional office' to permit innovation / incubation spaces up to a maximum of 139.5 square metres per unit with related storage; whereas the current definition of 'business or professional office' does not contemplate such uses.**

- vii. **Section 2.196:** To amend the definition of ‘studio’ to permit movie set staging and film / animation production; whereas the current definition of ‘studio’ does not contemplate such uses;
- viii. **Section 15.2:** To add ‘light manufacturing including related storage’ as a permitted non-residential use in the site-specific Highway Commercial (C2-12) zone;
- ix. **Section 15.2:** To add ‘light warehouse and/or wholesaling establishment including related storage’ as a permitted non-residential use in the site-specific Highway Commercial (C2-12) zone;
- b. That the Committee of Adjustment approve Minor Variance Application A34-22 to permit relief from the following:
 - i. **Section 15.4 (e):** To permit a minimum rear yard of 4.0 metres for Building 4 (as shown as Attachment 5); whereas a minimum rear yard of 8 metres is required;
 - ii. **Section 2.34:** To amend the definition of ‘business or professional office’ to the following in order to permit ‘innovation / incubation space’; whereas the current definition of ‘business or professional office’ does not contemplate such uses.
 - a. ‘A building in which one or more persons are employed in the management, direction or conducting of a business or where professional qualified persons and their staff serve clients who seek advice or consultation. Each building containing a business or professional office use may include a clearly subordinate space (up to 10% of the floor area of the primary use) dedicated to the research, development and/or creation of products related to the primary business or professional office use as an ‘innovation / incubation space’. The research, development and/or creation of products must not be noxious and must not result in noise, dust, vibration, or odour nuisances.’
 - iii. **Section 2.37:** To amend the definition of ‘catering establishment’ to the following to permit a craft brewery or distillery; whereas the current definition of ‘catering establishment’ does not contemplate such use;
 - a. “A small-scale establishment where food and non-alcoholic / alcoholic beverages are prepared for consumption off-site or for limited retail sale on-site.

A catering establishment may include a craft brewery or distillery.”

- iv. **Section 2.135:** To amend the definition of ‘motor vehicle fuel bar’ to the following to permit electric vehicle charging infrastructure; whereas the current definition of ‘motor vehicle fuel bar’ does not contemplate such uses;
 - a. **“A building or structure together with one or more fuel pumps or charging stations, where gasoline, oils, other motor fuels and electricity are dispensed for sale and distribution directly into a motor vehicle and may include the sale of motor vehicle accessories but not include a mechanical garage or motor vehicle cleaning establishment. ”**
- c. **That the approval of Minor Variance Application A34-22 be subject to the following term(s):**
 - i. **That future development on the subject property be in conformity with the relief recommended to be approved in Report DS-2022-0092, to the satisfaction of the Development Planning Division;**
 - ii. **That future development on the subject property be in general conformity with the provided site plan (as shown on Attachment 5 to Report DS-2022-0092), to the satisfaction of the Development Planning Division.**
 - iii. **That the maximum total number of occupants within Building 2, as shown on Attachment 5 to Report DS-2022-0092, not exceed 5 persons.**
 - iv. **That the maximum total number of occupants within Buildings 2A, 3 and 4, as shown on Attachment 5 to Report DS-2022-0092, not exceed 30 persons.**
 - v. **That no fewer than 40 parking spaces be provided on the subject property.**
 - vi. **That no more than 50 parking spaces be provided on the subject property.**
 - vii. **That the total gross floor area dedicated to the amended ‘catering establishment’ use shall not exceed a cumulative 250 square metres on the subject property.**
 - viii. **That the total gross floor area dedicated to the ‘research, development and/or creation of products’ (innovation / incubation space) as part of a ‘business or**

professional office' use shall not exceed a cumulative 250 square metres on the subject property.

- d. That the approval of Minor Variance Application A34-22 be subject to the following condition(s):
 - i. Submission to the Secretary-Treasurer of written confirmation from the Planning Policy Division that all matters identified in Attachment 8 to Report No. DS-2022-0092 have been addressed to the Division's satisfaction.
 - ii. Submission to the Secretary-Treasurer of written confirmation from the Lake Simcoe Region Conservation Authority (LSRCA) that all matters identified in Attachment 8 to Report No. DS-2022-0092 have been addressed to the LSRCA's satisfaction.
 - iii. Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that:
 - a. Satisfactory progress has been made with Site Plan Application B.1.311.1;
 - b. Consent Application B21-21 has been approved and has entered into force and effect;
 - c. Consent Application B22-21 has been approved and has entered into force and effect;
 - iv. 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

The minutes on the September 26, 2022 meeting have been deferred.

10. COMMUNICATIONS

None.

11. OTHER BUSINESS

None.

12. NEXT MEETING

The meeting is cancelled on October 25, 2022. The next meeting date is November 7, 2022.

John Rogers, Committee Chair, mentioned that this is the last meeting during the term of the existing Council. John Rogers advised that if the members wish to continue for the next term there will be an application soon.

Karen Whitney, Committee member, advised that she will potentially be out of the country and unable to attend the meeting on November 7th, 2022.

13. ADJOURNMENT

Moved By Karen Whitney
Seconded By Donald Rae

Carried Unanimously

John Rogers, Chairperson

Matthew Ka, Acting Secretary-Treasurer