

# THE CORPORATION OF THE TOWN OF GEORGINA

## COUNCIL AGENDA ADDENDUM

Wednesday, April 10, 2019  
7:00 PM

### 11. PUBLIC MEETINGS

#### (1) STATUTORY MEETING(S) UNDER THE PLANNING ACT OR MEETINGS PERTAINING TO THE CONTINUATION OF PLANNING MATTERS

(7:30pm)

- (A) Application to Amend Zoning By-law 500  
CHIPPEWAS OF GEORGINA ISLAND (c/o Scott Jacobs Island View  
Business Centre)  
RP 191, Part Lot 24, 33 Lyall Lane  
AGENT: Michael Smith Planning Consultants

Report No. DS-2019-0036

#### **ADDITIONAL COMMENTS**

##### **Page 1**

- Randy and Greta Mercer, Lyall Lane, indicating concerns respecting the parking lot, volume of vehicles on Lyall Lane and its need for repair and proposed use of the existing dwelling as an office.

##### **Page 2**

- Gary Smallwood, Della St, indicating his concern with the sparse buffer of dying ash trees and the need for a substantial hedge buffer for noise attenuation.

##### **Pages 3-6**

- Patricia Mulholland, Lyall Lane, expressing numerous concerns with the current use of the subject property including the state of Lyall Lane and surrounding creeks, and objections to the application.

##### **Page 7**

- James Blackman, Lyall Lane, suggesting the need for both parties to upgrade Lyall Lane's base, widen and resurface it

(7:30pm)

- (B) Application to Amend Zoning By-law 500  
CHIPPEWAS OF GEORGINA ISLAND (c/o Scott Jacobs Island View  
Business Centre)  
Part Lot 13(G), Concession 7, 115 Hadden Road  
AGENT: Michael Smith Planning Consultants

Report No. DS-2019-0037

**ADDITIONAL COMMENTS**

**Page 8**

- Kristin Lane, Kay Avenue, suggesting the installation of a wooden fence/mature hedging for sound absorption and to block the shining of headlights into homes and unsightly view of parked vehicles

**Page 9**

- Carmelo and Filomena Linardi, Lakeshore Road, in opposition to the application

**Page 10**

- Cora and Mati Hobe, Kay Avenue, indicating concerns with the application

**Page 11**

- James Blackman, Lyall Lane, suggesting the need to upgrade Hadden Road as well as improvements at Highway 48 and Hadden Road

Attention: Connor McBride

April 3/19

Zoning application 03-1137 ... 33 Lyall Lane

Regarding the property noted above my concern are as follows:

1. The property is in a flood zone so my concern is that when the installation of the parking lot is installed for all the vehicles permitted for the office, I'm afraid that it will have to be built up to avoid water that is presently sitting there. So, this could incur a swale between the properties hence removal of existing hedge which would be and is my current privacy buffer. If a swale isn't part of the grading plan, then I'm afraid that the water could then back up into my crawl space and flood out my basement.
2. From cars parked on the parking lot, there could be gas and oil dripping from vehicles which this could contaminate my well related to the melting snow and heavy rain draining into my existing dug well which is very close to the property line.
3. With addition volume of vehicles going up and down Lyall Lane, presently is in need of major repair.
4. My concern also would be if the parking lot would be just for cars or more boats stored there.
5. Currently the applicant's property is residential and now with it changing to an office space how much addition noise will there be as I'm living in a residential area.

In closing I have lived on Lyall Lane for 45 yrs. I currently have just retired with my husband and we have always enjoyed the quietness and beauty of the lake. I would be grateful for respect for my property and privacy as I would like to continue to live here.

Sincerely yours

Randy and Greta Mercer

To the Hon of Georgia

from Gary Smallwood

Sutter West

Regarding File No # 03.1137

My concern space buffer of ash that are  
dying and would like to see  
substantial planting of "living" cedars  
to help with noise.

Gary Smallwood

Gary Smallwood

**From:** [trishmulholland](#)  
**To:** [PATRICIA MULHOLLAND](#); [Connor McBride](#)  
**Subject:** Fwd: Planning developments for Lyall Lane, Virginia Beach. File#03.1137  
**Date:** February-27-19 5:40:35 PM

---

Sent from my Galaxy Tab® S2

Subject: Planning developments for Lyall Lane, Virginia Beach

This email is in response to the notification in the Advocate, recently.

As a resident of Lyall Lane I have concerns with the plans the Chippewas are going forward with.

The plan as stated, is to use the house they purchased on Lyall Lane as offices. If the town thinks they aren't already, they have been misled.

Much like us residents have throughout the whole redevelopment and rebranding of the Virginia Beach Marina property.

I was unaware of the the direct proximity of my property, to reservation land, when I purchased my house. This I blame on my real estate agent.

Lyall Lane is a one lane dirt road. In the middle of a flood plain. And owned by the Chippewas, when it suits them. When it comes time to maintain it, it belongs to the township. When the township is called to maintain the poor state of it, it belongs to the Chippewas. Same battle every time.

When it came time to rebuild the marina, it suited the Chippewas to own the road. They tore down a 25 foot cedar hedge and a bunch of bush that blocked us from the view of the marina. The privacy I bought into. They claimed they needed the extra footage for their new development.

When we asked them to explain the planning with us, so we knew what to expect, we met with a Suzanne Howes and were led down a large garden path of mistruths.

1. They had no plans to use Lyall Lane,
2. the new build would not affect the minnow breeding habitat in the creek that runs under the parking lot,
3. they were going to replace that hedge with another one just like it,
4. they were going to respect the environmental guidelines ('Although we don't have to', she added),
5. we would not be staring out our front windows at garbage and trash in the marina parking lot, everything was going to be cleaned up.

All lies.

1. They built what they said was a parking lot for deliveries only, right on Lyall Lane. It is used for staff members of the restaurant and as a popular smoking lounge. No deliveries are possible because of the number of cars at any given time. They even mounted an eyesore of a trailer to the wall of the building. Office and storage they say.

2. The minnows used to be thick as a carpet in the creek in the spring time, they are pretty much gone now. My understanding was that those minnows grew up to feed the lake

3. The hedge they finally planted, they didn't take care of. 2/3 of it is brown and dead. They had replaced some it, never completed the work, and let it die all over again. I am tired of seeing the things I see go on in the parking lot over there. Why do men have to urinate on the spot, so much?

4. How is it they were able to dump thousands of tons of gravel into the lake to build a platform so they could dredge the boat slips? Isn't that 'disturbing the natural flow of the lake'? When I asked for a berm behind my property to stop flood waters from racing into my kitchen and living room, I was told we couldn't disturb the natural flow of the water. They never finished the project, the gravel is still there and will be for the spring thaw.

5. The amount of trash we stared at for the past few years was not necessary. The back of the marina has been cleaned up now, but the trash bins sitting at the edge of the 'delivery' lot, are popular with the entire town. At all hours there are vehicles that pull in here to dump their household waste into the bins. They don't lock them. I am forever picking up garbage from the lawn. The garbage truck rattles our windows when it comes to dump them. Same thing when the staff slam the lids down of them day and night.

All this aside, they will get their way and be granted zoning for offices in that house. We realize that.

My biggest concern now is them driving up and down the street. The road cannot take the extra traffic we already see. Before the rebuild, the laneway only needed grading from the township once or twice a year. Between the septic system and horrible drainage system they have installed, the same street is completely eroded, all the time. It is never dry anymore and always full of ruts, pooling water, and potholes. My property deed shows our street is over 20 feet in width. I would be surprised if it measured 12 feet right now. My neighbours are good to call the township when the road becomes horrible and they come out to grade it. The potholes and standing water are back within days. The lawn over the new septic system runs onto the street, they even built a small swale to help it come our way. The road is so soft now when it thaws, we sink with every footstep, it has become mush.

I would suggest they open up a path from the back of the marina to the property at the end of the road and avoid using Lyall Lane at all. The road cannot take the extra traffic. There is no point in cleaning our vehicles most of the time now. In the near future we're going to have construction traffic as well.

There are three residents on this street, it wouldn't exhaust a great deal of effort to inform us of the plans.

If there is a vote as to whether or not the zoning is granted, put forth three objections from the residents of Lyall Lane.

Sincerely,  
Trish Mulholland

---

**From:** PATRICIA MULHOLLAND  
**Sent:** March-23-19 2:47 PM  
**To:** Connor McBride  
**Subject:** Re: Planning developments for Lyall Lane, Virginia Beach. File#03.1137  
**Attachments:** After Clearing.jpg; Current state of street.jpg; Fallen Trees in creek.jpg; February 2018.jpg; poor drainage from marina.jpg; potholes.jpg

Thank you for reaching out again Connor.

I considered your suggestions of filing complaints or writing to conservation authorities, but the fact is, the Chippewas are lawless. It would be futile.

The big concern for me, with this zoning application, is the infrastructure of the street itself and the condition of the creeks around us. Improvements are needed to both and the area surrounding it.

Lyall Lane is always soft and wet from the poor drainage of the marina property and the restaurant kitchen. It is riddled with pot holes all the time. It was never like this until to rebuild of the marina property a few years back.

Last weekend I watched our new MP Scot Davidson polishing his pick up in the marina parking lot, while my vehicle was sliding side to side in mud just trying to pass down the road. Something has got to be done to the core of the road, it cannot handle extra traffic, to and from house #33. There is never a day when it is in good shape anymore.

My property deed shows a 66 foot right of way. It measures approximately 39 feet today.

My last email mentioned this area is considered a flood plain. In the 19 years I've been here I have had my kitchen and living room wet with water 5 times. From one inch of water to 6 inches deep.

A creek runs behind my house. It travels under Lyall Lane and off into the lake. There are no banks anymore and it sits as swampland all year round. Mosquitos love it.

In 2008 Councillor Smokum helped us and the town installed two large culverts for drainage. They take water from the east/west running creek under the road, and run it north into the lake. For 10 years we had no issues.

In February 2018 it became an issue again. We had a flash thaw and rain. After this incident I was connected to the town offices. They generated a work order and made promises to come clear out this ditch and remove a number of fallen trees from the creek to permit the water to flow better. They showed up long enough to trim a bit of the grass, left the cuttings there, and never returned.

Last week it happened again. Big thaw, and a lot of rain. I did what I could to remove the snow from in front of the culverts but it wasn't enough. I had a friend call the Mayor. The creek was as high as the street and starting to cross over. Madame Mayor was fantastic and really stepped up to help. In about half an hour the town was here with a digger and started ripping out all the weeds, grass and bull rushes from the new drainage ditch. The relief was instant. Within a half hour the water had receded a few inches in depth and my house was spared.

The new drainage ditch has proved it works but it needs to be cleaned out. The fallen trees in the creek need to be removed. The creek should be dredged to build banks again.

The short version of this long email is a lot of attention is needed to the creek and the condition of Lyall Lane before it is logical to have the increase in traffic on a permanent basis.

My neighbours and I are good residents and take pride in our properties. I am just frustrated with the conditions that we cannot change.

I realize that there is a council meeting on April 10th, and plan to attend. Maybe after that, things will be better understood.

I am including some photos for you today. If you are so inclined and want to come visit the street, I would be pleased to show you around.

On Friday, March 22, 2019, 11:05:01 a.m. EDT, Connor McBride <cmcbride@georgina.ca> wrote:

Hello Trish,

If you would like to speak further about your comments, I am available at the information contained in my signature.

Thank you and regards,



**Connor McBride**

Planner II

Development Services | Town of Georgina

26557 Civic Centre Road, Keswick, ON | L4P 3G1

905-476-4301 Ext. 2275 | [georgina.ca](http://georgina.ca)

Follow us on [Twitter](#) and [Instagram](#)

Like us on [Facebook](#)

**From:** [Jim Blackman](#)  
**To:** [Connor McBride](#)  
**Subject:** Re: Request for Notification: 03-1136 and 03-1137  
**Date:** March-14-19 2:53:17 PM  
**Attachments:** [image001.png](#)

---

Thank you for your phone call of earlier today. I have the following comments & questions regarding zoning applications 03-1136 (Lyll Lane) & 03-1137 (Hammond Road). Re: 03-1136. What is the nature of the proposed business to be conducted at this address? How many employees on any given day? Anticipated hours of operation? Number of vehicles & additional parking proposal/plan in the site plan proposal? As explained to you in our conversation, Lyll Lane is just that - a narrow, approximately 200 metre lane originally servicing 4 residences. Susequent to the construction & operations of the Boondocks Eatery and adjacent cigarette outlet we now have employee parking with access from Lyll Lane on average of 6 cars at any given time with up to 8 employee vehicles when busy. In addition at least four times per week Miller Waste System trucks back down the lane to service the restaurant garbage bins, Beer Store truck (usually weekly), soft drink truck & other service & maintenance vehicles. The large tractor trailer food supply transports used to back down the lane but gave up negotiating such a narrow roadway with the occasional collisions with trees. Lyll Lane is essentially a sand & gravel narrow width laneway. Prior to the opening of the restauarnt the lane was sanded/gravelled and graded about once per year, possibly twice by the town. Sring, summer & fall of 2018 (last year) this was probably done monthly as the amount of vehicles, both 4 wheeler & multi axle were simply ripping up a laneway not intended for such heavy use. It is my understanding that the laneway is Chippewa territorial land but an agreement between the Town of Georgina and the Chippewa First Nation allows for right of access for the existing residents and the lane is maintained by the Town of Geiorgina including snow clearance in winter. With further proposed traffic, I would ask that the Town and the Chippewas consider uprading the base of the laneway and resurface with what I term "tar & chip" surface, with the possibility of widening it slightly. May I suggest this be a joint undertaking by the town & the Chippewas? Over the long run the town will eliminate the expense of materials, labour costs & equipment to maintain the lane with the exception of winter snow clearance. I am ambivilant as to whether the zoning ammendment or site plan proposal goes forward or not, but if it does then Lyll Lane will require upgrading. Councillor Harding has been aware of my concerns, and those of my neighbours for some time. In a similar inquiry last year town engineering & operations rejected a similar request citing that Lyll Lane was not a town assumed road. I note with interest that the Town of Georgina and the Chippewas of Georgina Island have entered into a joint finacing & operations agreement regarding a emergency rescue boat. Perhaps in the continued spirit of joint co-operation and reconcillation some way forward could be found to upgrade Lyll Lane. I respectfully submit these comments to council and all other parties concerned. Re: 03-1137. I have no objections to this proposed zoning ammendment, however should the site plan include a two hundred to three hundred vehicle parking lot on this large acreage with access to Hammond Road I warn council & town staff that Hammond Road will need serious upgrading with the probability that major intersection improvements at Highway #48 & Hammond possibly including turn lanes & traffic lights will be required. Hammond Road is already in bad shape as is Black River Road between Hammond & Virginia Boulevard. The traffic volumes since the opening of the restaurant & particularly the cigarette shop are phenominal and these two roads are suffering the consequences. Again I submit these comments to council & staff respectfully for their consideration. Thank you. James Blackman  
12 Lyll Lane.

On Thursday, March 14, 2019, 12:32:14 p.m. EDT, Connor McBride <cmcbride@georgina.ca> wrote:

**From:** [Kristin Lane](#)  
**To:** [Connor McBride](#)  
**Subject:** Planning File # 03.1136  
**Date:** February-22-19 10:49:30 AM

---

Hello Connor,

Further to our phone conversation, I would just like to enter into public record, my request/suggestion for File # 03.1136 located at 115 Hadden Rd Georgina.

The proposal includes developing what is currently open field, to a parking lot and dry marina. I would like to request that a wooden fence/mature hedging or something with similar density/sound absorption be put up along Kay Ave (where the land will be developed) to assist in blocking the headlights of cars shining into homes, sounds of slamming doors/machinery ect and the unsightly view of parked cars as opposed to open field so residents may continue to enjoy the quite, private environment in which we currently reside. Kay Ave was much more densely treed, however, dozens of trees have been removed in the last few years due to the Ash Borer and there are sections which are completely open and not treed at all.

Thank you for your consideration,

**Kristin Lane**

**Pefferlaw, Ont  
L0E1N0**

**From:** CARMELO LINARDI  
**To:** Connor McBride  
**Cc:** Anna Geniole  
**Subject:** Town File: 03.1136  
**Date:** April-03-19 9:48:41 AM

---

Dear Mr. McBride,

As per my voice-mail message at approximately 9:43 a.m. this morning, I had attempted to contact Ms. Anna Geniole to obtain additional information concerning this matter and was informed that she was not in the office today and that you were the individual that I should be addressing this matter with.

Two days ago, it was brought to my attention that a Public Meeting will be held on Wednesday, April 10, 2019, at approximately 7:30 p.m. to address a proposal to rezone 115 Hadden Road, Part of Lot 13, Concession 7 (G) from Rural (RU) zone to other zoning categories.

Unfortunately, I may not be able to attend the Public Meeting and as I have not been provided with enough information or time in order to make a thorough and informed decision concerning the impact that the rezoning will have to my property, located at 30 Lakeshore Road, as well as my community and the environment, including, but not limited to, the impact to Lake Simcoe, our water supply and quality of water in our community and our property, my wife and I must oppose such a proposal.

As noted, my wife, Filomena, and I own the property located at 30 Lakeshore Road, but all correspondence should either be mailed to our residence address noted below, or alternatively, sent to me by e-mail.

This e-mail is being sent to you not only to indicate our opposition to this proposal but also to ensure that we maintain our rights to appeal any decision of the Town to the OMB and to enable us to be added as a party to any appeal hearings that may be held before the OMB.

Please do not hesitate to contact me at my office phone number noted below, should you wish to discuss this matter further or require any additional information in connection with my opposition to this proposal.

Regards,

Carmelo

Carmelo Linardi, CPA, CA, TEP

**From:** Cora Raine  
**To:** Connor McBride  
**Cc:** Mati Hobe; Cora Raine  
**Subject:** information requested - TOWN FILE: 03.1136  
**Date:** February-11-19 12:16:56 PM

---

Hello Connor,

Re: File reference : Application 2 - TOWN FILE: 03.1136

115 Hadden Rd., legal description: Concession 7, Part of Lot 13 (G)

We are residents of the Hamlet of Virginia, and are interested in viewing the application and materials that may be seen at the planning Division within the Civic Center at 26557 Civic Center Road in Keswick.

We have certain concerns regarding the application, and would like more information regarding this matter. We also would be interested in information about preserving appeal rights.

Initially, Is there any application material of any detail, or including the the layout plan, that may be viewed in a pdf form, or that may be emailed? We would like to reference it as a discussion doc.

If there is such pdf form that may be emailed at this time, please reply a pdf of same.

Otherwise we will plan to attend a viewing as soon as possible.

Any reply is appreciated, thank you in advance.

Best regards,

Cora & Mati Hobe

Kay ave, Virginia Hamlet, Royal Beach, residents

**From:** [Jim Blackman](#)  
**To:** [Connor McBride](#)  
**Subject:** Re: Request for Notification; 03-1136 and 03-1137  
**Date:** March-14-19 2:53:17 PM  
**Attachments:** [images001.png](#)

---

Thank you for your phone call of earlier today. I have the following comments & questions regarding zoning applications 03-1136 (Lyll Lane) & 03-1137 (Hammond Road). Re: 03-1136. What is the nature of the proposed business to be conducted at this address? How many employees on any given day? Anticipated hours of operation? Number of vehicles & additional parking proposal/plan in the site plan proposal? As explained to you in our conversation, Lyll Lane is just that - a narrow, approximately 200 metre lane originally servicing 4 residences. Susequent to the construction & operations of the Boondocks Eatery and adjacent cigarette outlet we now have employee parking with access from Lyll Lane on average of 6 cars at any given time with up to 8 employee vehicles when busy. In addition at least four times per week Miller Waste System trucks back down the lane to service the restaurant garbage bins, Beer Store truck (usually weekly), soft drink truck & other service & maintenance vehicles. The large tractor trailer food supply transports used to back down the lane but gave up negotiating such a narrow roadway with the occasional collisions with trees. Lyll Lane is essentially a sand & gravel narrow width laneway. Prior to the opening of the restauarnt the lane was sanded/gravelled and graded about once per year, possibly twice by the town. Sring, summer & fall of 2018 (last year) this was probably done monthly as the amount of vehicles, both 4 wheeler & multi axle were simply ripping up a laneway not intended for such heavy use. It is my understanding that the laneway is Chippewa territorial land but an agreement between the Town of Georgina and the Chippewa First Nation allows for right of access for the existing residents and the lane is maintained by the Town of Geiorgina including snow clearance in winter. With further proposed traffic, I would ask that the Town and the Chippewas consider uprading the base of the laneway and resurface with what I term "tar & chip" surface, with the possibility of widening it slightly. May I suggest this be a joint undertaking by the town & the Chippewas? Over the long run the town will eliminate the expense of materials, labour costs & equipment to maintain the lane with the exception of winter snow clearance. I am ambivilant as to whether the zoning ammendment or site plan proposal goes forward or not, but if it does then Lyll Lane will require upgrading. Councillor Harding has been aware of my concerns, and those of my neighbours for some time. In a similar inquiry last year town engineering & operations rejected a similar request citing that Lyll Lane was not a town assumed road. I note with interest that the Town of Georgina and the Chippewas of Georgina Island have entered into a joint finacing & operations agreement regarding a emergency rescue boat. Perhaps in the continued spirit of joint co-operation and reconcilliation some way forward could be found to upgrade Lyll Lane. I respectfully submit these comments to council and all other parties concerned. **Re: 03-1137.** I have no objections to this proposed zoning ammendment, however should the site plan include a two hundred to three hundred vehicle parking lot on this large acreage with access to Hammond Road I warn council & town staff that Hammond Road will need serious upgrading with the probability that major intersection improvements at Highway #48 & Hammond possibly including turn lanes & traffic lights will be required. Hammond Road is already in bad shape as is Black River Road between Hammond & Virginia Boulevard. The traffic volumes since the opening of the restaurant & particularly the cigarette shop are phenominal and these two roads are suffering the consequences. Again I submit these comments to council & staff respectfully for their consideration. Thank you. James Blackman  
12 Lyll Lane.

On Thursday, March 14, 2019, 12:32:14 p.m. EDT, Connor McBride <cmcbride@georgina.ca> wrote: