

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2022-0089

**FOR THE CONSIDERATION OF
COUNCIL**

September 7, 2022

**SUBJECT: PROPOSED KESWICK SECONDARY PLAN (AUGUST 2022) FILE NO.:
02.195**

1. RECOMMENDATION:

- 1. That Council receive Report No. DS-2022-0089 prepared by the Planning Policy Division, Development Services Department dated September 7, 2022, respecting the Proposed Keswick Secondary Plan (August 2022).**
- 2. That Council pass a by-law to amend the Town of Georgina Official Plan in accordance with the Planning Act in order to:**
 - i) Adopt the Proposed Keswick Secondary Plan (August 2022);**
 - ii) Repeal the existing Keswick Secondary Plan (OPA No. 93), as amended, in it's entirety; and,**
 - iii) Amend the pertinent sections of the Official Plan that reference the current Keswick Secondary Plan schedules and replace them with appropriate reference to the Proposed Keswick Secondary Plan schedules.**
- 3. That the Town Clerk forward the Council adopted Keswick Secondary Plan and associated Official Plan Amendment document to York Region for their review and approval.**
- 4. That the Town Clerk forward a copy of Report No. DS-2022-0089 and Council's Resolution to the York Region Director of Community Planning and Development Services, the York Region Chief Planner, and the Lake Simcoe Region Conservation Authority, General Manager, Planning and Development.**

2. PURPOSE:

The purpose of this report is to:

1. Present the Proposed Keswick Secondary Plan dated August 2022 (PKSP) to Council, including comments received and key revisions made to Draft #2 of the Keswick Secondary Plan dated January 2022 (Draft #2); and,
2. Recommend that Council adopt the PKSP and associated Official Plan Amendment (OPA) document so that these can be forwarded to York Region for review and approval.

3. BACKGROUND:

On April 27, 2022, a public open house and statutory public meeting were held to consider Draft #2 of the Keswick Secondary Plan (Draft #2). At the public meeting, Council considered Report No. DS-2022-0033 and passed Resolution No. C-2022-0161 (refer to Attachment 1), which provides:

1. That Council receive Report No. DS-2022-0033 prepared by the Planning Policy Division, Development Services Department dated April 27, 2022, respecting the Keswick Secondary Plan Review – Keswick Secondary Plan Draft #2.
2. That Council endorse the next steps for completing the preparation of a PKSP for Council's adoption in late July, early August 2022, as outlined in Section 6.2 of Report No. DS-2022-0033.
3. That the Town Clerk forward a copy of Report No. DS-2022-0033 and Council's Resolution to the York Region Director of Community Planning and Development Services, the York Region Chief Planner, and the Lake Simcoe Region Conservation Authority, General Manager, Planning and Development.

In accordance with Item 2 of the Council Resolution, staff and the Town's consultant reviewed and considered all of the public and agency comments received on Draft #2 and revised the draft Secondary Plan where necessary. The revisions to Draft #2 have resulted in a PKSP which is being presented and recommended for adoption at today's Council meeting.

3.1 PROPOSED KESWICK SECONDARY PLAN

Due to its size, the PKSP has not been attached to this report, but has been posted to the dedicated project webpage for review along with all background information and staff reports (www.georgina.ca/KSPR).

The PKSP is comprised of policy text, mapping (Schedules A through F), and appendices (Appendix I and II). The text of the Secondary Plan is comprised of the following sections:

- 13.1.1 Basis of the Secondary Plan
- 13.1.2 Vision and Guiding Principles
- 13.1.3 Growth Management
- 13.1.4 Building a Complete Keswick
- 13.1.5 General Land Use Policies
- 13.1.6 Land Use Designations
- 13.1.7 Providing Sustainable Services and Infrastructure
- 13.1.8 Implementation
- 13.1.9 Interpretation

Below is a list of Schedules A through F and Appendix I and II:

- Schedule A: Growth Management
- Schedule B: Land Use Plan
- Schedule C: Environmental Overlays
- Schedule D: Source Water Protection Areas
- Schedule E: Transportation
- Schedule F: Site-Specific Exceptions
- Appendix I: Urban Design & Architectural Control Guidelines
- Appendix II: Natural Environment Background Report Mapping

A detailed breakdown of the individual sections of the Secondary Plan is provided in Section 6.1 of Report No. DS-2022-0033.

The OPA document to adopt the PKSP is provided as Attachment 2 for Council's review.

4. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

A second virtual open house and public meeting are being held on September 7, 2022, as it relates to the PKSP. The open house is scheduled in the afternoon from 2:00 p.m. to 4:00 p.m. and the public meeting is scheduled in the evening beginning at 7:00 p.m.

Notice of today's open house and public meeting was circulated on August 18, 2022, to all prescribed agencies, Town Departments, the Steering Committee, Council, and interested parties (75 on record). Notice was also posted on the Town's website and in the August 18, 2022 and August 25, 2022 editions of the Georgina Advocate.

4.1 COMMENTS

The PKSP is a product of a collaborative, multi-year public and agency consultation process that incorporated several rounds of revisions based on comments received from the Steering Committee, Technical Advisory Committee, Town Departments, external agencies, and the public. In this regard, the majority of comments and interests previously expressed by the public and internal departments/external agencies have been addressed and/or responses provided through prior drafts of the Secondary Plan. For this

reason, staff do not anticipate to receive substantial comments in response to the most recent circulation of the PKSP.

4.1.1 Town Departments

All comments received from Town Departments through the circulation of previous drafts of the Secondary Plan and their participation in the Technical Advisory Committee have been considered in the preparation of the PKSP. No formal comments have been received from Town Departments on the PKSP as of the completion of this report.

4.1.2 York Region

York Region is the approval authority for local official plans and official plan amendments¹. Therefore, following adoption of the PKSP by Town Council, the adopted Plan will be forwarded to the Region for their review and approval.

Comments provided by York Region on Draft #2 have been reviewed in detail by the project team and discussed with Region staff where necessary. For the most part, the majority of the requested modifications by the Region have been addressed and are incorporated into the proposed Plan. One outstanding technical item with the proposed Plan is conformity with the in force and effect Regional Official Plan (ROP) time horizon.

The PKSP contains a planning horizon of 2041 in which the targets, forecasts and programs directed by the Plan are to be achieved; whereas, the current in force and effect ROP (2010) has a planning horizon of 2031. York Region recently concluded a Municipal Comprehensive Review process that resulted in the adoption of a new ROP (2022) which has a planning horizon of 2051. The adopted ROP has been sent to the Province for review and approval.

In order to ensure conformity with the current ROP (2010), approval of the PKSP will be subject to a deferral of all policies and growth management forecasts that relate to a timeframe beyond the 2031 planning horizon.

Comments on the PKSP and OPA were received from York Region on August 25, 2022 and are provided as Attachment 2. As explained above, the comments acknowledge the need for deferrals to ensure conformity with the ROP (2010). Staff will continue to work with the Region toward the approval of the PKSP.

4.1.3 Other External Agencies

Correspondence received from Rogers Cable and Southlake Regional Health Centre indicate no comments or concerns with the PKSP.

No other external agencies have provided comment on the PKSP as of the completion of this report.

^{d1} The Keswick Secondary Plan forms part of the Town's Official Plan (i.e. Section 13.1). Therefore, the PKSP is a local official plan amendment.

4.1.4 Public

Comments received from the public on Draft #2 were provided to Council at the public meeting on April 27, 2022, through Report No. DS-2022-0033. One submission that did not make the report preparation deadline was from Michael Smith Planning Consultants; Development Coordinators, on behalf of Treasure Hill. The letter requests that the Town consider permitting permit low-rise residential buildings to have a maximum height of up to 12 metres, and 13 metres based certain criteria (refer to Attachment 3).

All public submissions respecting Draft #2 have been considered by staff in the preparation of the PKSP. Attachment 4 is a Public Submission and Response Matrix document that summarizes all the public comments received on Draft #2 and staff's response. Where revisions or changes are recommended, these have been incorporated into the proposed Plan. This document was provided in advance to Council through separate cover on August 18, 2022 with the release of the proposed Secondary Plan.

As of the completion of this report, no comments have been received from the public in relation to the PKSP. Should any comments be received following the finalization of this report, staff will provide them to Council through an addendum if time permits or alternatively, at the public meeting.

5. ANALYSIS:

5.1 REVISIONS TO DRAFT #2

As a result of all the public and internal department/external agency comments and other feedback received to date, and on-going review and consideration of the policy framework, a number of revisions have been made to Draft #2. The majority of these changes are minor in nature and serve to correct grammar or clarify or improve the policy wording in the Plan. More substantive revisions, mainly in the form of adding new policies, were necessary to ensure compliance with the ROP and/or serve to address a specific concern or issue raised by the public or the Region and/or generally serve to improve or enhance the Plan. All revisions to Draft #2 are shown on a document titled 'Draft #2 Redlined Revision' that has been posted online at the dedicated project webpage www.georgina.ca/KSPR).

Below is an explanation of the most notable key policy and mapping revisions that have been incorporated into the PKSP.

Mixed-Use Corridor 2 Designation

The most significant change that has been made between Draft #2 and the PKSP is the policy approach taken within the Mixed-Use Corridor 2 designation to ensure that new development includes an appropriate mixture of non-residential and residential uses.

The Woodbine Avenue corridor is an important structuring element of Keswick. The current Keswick Secondary Plan, for the most part, designates lands on the west side of the Woodbine Avenue corridor as Commercial/Employment. Residential uses are not permitted in the Commercial/Employment designation.

Through the Keswick Secondary Plan Review process, it is proposed that the Commercial/Employment designation be changed to a Mixed-Use Corridor 2 designation with the purpose of allowing a limited proportion of mid-rise and high-rise residential uses into the corridor through mixed-use developments. In this regard an important objective of the new designation remains to provide a range of retail and service commercial use and public service facilities to meet the needs of the growing Keswick population and that of the Town in general.

The Draft #2 proposed Mixed-Use Corridor 2 policies would allow residential uses within the designation, but only as part of a mixed-use building. Furthermore, such buildings would be required to have a minimum of 50% of the gross leasable floor area of the ground floor devoted to non-residential uses. Notwithstanding, stand-alone residential development would be permitted in the Mixed-Use Corridor 2 designation provided that all the units were deemed to be affordable, and that the units be secured as affordable for a minimum of 20 years through agreements and restrictive covenants registered on title.

Comments received from both DG Group and Treasure Hill expressed concerns with the above-noted policy approach generally indicating that it is too restrictive and would be difficult to achieve and, as such, they believe a more flexible approach is needed. In addition to the aforementioned written submissions, staff have also met at the request of both developers to discuss their comments and concerns in more detail.

Staff can appreciate the concerns raised, but also recognize the need to ensure that the Mixed-Use Corridor 2 designation provides the much needed retail and service commercial uses/jobs to support the growing Keswick community and Town overall. In this regard, the policy framework for the corridor needs to safeguard from becoming “chipped away” and turned into standalone residential development and/or an extension of the abutting low-rise residential neighbourhoods to the west. On this basis, a revised policy approach for the Mixed-Use Corridor 2 designation is proposed that provides more flexibility while ensuring that the corridor evolves as a mixed-use, master planned urban district.

The revised policy approach includes:

- Prohibiting ground-oriented low and mid-rise residential built forms (e.g. single detached and street townhouses).

This is to avoid the creation of at grade privacy yards and personal space that require buffering and be counterproductive to the establishment of an urban mixed use district.

- Permitting live-work units, but only as a mid-rise residential use.

Similarly, recognizing that live-work units are a desirable and compatible form of development with the vision for the Mixed- Use Corridor 2 designation, restricting these as part of mid-rise residential buildings ensures that privacy space will be restricted to patio / balcony areas and not complicate the development of the urban mixed-use district.

- Removing the requirement that residential uses shall only be permitted as part of a mixed-use building, including a requirement for 50% of the ground floor to be devoted to non-residential uses.

This acknowledges that not every building can necessarily have at grade non-residential uses which contribute to an active mix-use streetscape. Other policy adjustments refocus the establishment of the designation as an urban mixed use district.

- Removing the exception that standalone residential development may be permitted provided it is affordable.

This provision is no longer necessary if the overall requirement that residential use be only permitted as part of a mixed use building.

- Removing the requirement that all new buildings are required to have a minimum ground floor height of 4.25 metres.

This provision is no longer necessary if the overall requirement that residential use be only permitted as part of a mixed use building as the height requirement protects for typical commercial floor to ceiling heights.

- Adding the following policies to ensure an appropriate integration of residential uses into the corridor:

“13.1.6.1.3(f) Development within the Mixed-Use Corridor 2 designation shall be comprehensively planned to cohesively integrate both residential and non-residential uses. A minimum of 50% of the gross floor area within the Mixed-Use Corridor 2 designation shall be devoted to non-residential uses. This requirement shall be measured on aggregate over lands under the same ownership and designated Mixed-Use Corridor 2. An appropriate mix of residential and non-residential uses and their functional integration as an urban district shall be required through the use of easements, driveways, joint-use agreements and other mechanisms, to the satisfaction of the Town. For the purposes of this policy, long-term care homes and retirement homes are considered residential uses.”

"13.1.6.1.3(g) Development proposals within the Mixed-Use Corridor 2 designation shall require the submission and approval of:

- i. A comprehensive urban land use and design development concept plan illustrating the proposed road layout and internal site circulation, land uses, densities and built form, building placement, and landscape and open space areas;
- ii. A report providing a functional assessment of traffic impact and site servicing required for the proposed development; and,
- iii. A land use summary indicating the gross floor area and percentage of land dedicated to each land use type, the anticipated population, residential density, and number of jobs, and a summary of how the proposed development contributes toward the minimum 50% gross floor area requirement for non-residential uses within the Mixed- Use Corridor 2 designation as per 13.6.1.3 (f)."

The proposed policies work similar to the requirement for a Development Area Plan to ensure the area is comprehensively designed and developed with an appropriate mixture of uses. It should be noted that residential uses are not required within this designation, but rather permitted subject to meeting the above noted criteria. In the opinion of staff, the above-noted policy revisions allow flexibility for the development community while still maintaining the overall purpose and intent of the designation.

Maximum Permitted Height for Low-Rise Residential Uses

Draft #2 permits low-rise residential uses to have a maximum height of 3-storeys or 11 metres, whichever is less. This is consistent with the current Keswick Secondary Plan. Comments received from Treasure Hill and provided as Attachment 3, request the Town to consider a modified provision as follows:

"Low-rise residential buildings shall have a maximum height of 3 storeys or 12 metres, whichever is less, on lots adjacent to lots that existed prior to October 26, 2004, and a maximum height of 3 storeys or 13 metres, whichever is less, on lots that are not adjacent to lots that existed prior to October 2004"

In 2018, Council approved a zoning by-law amendment for the Starlish Homes subdivision on the north side of Church Street that permits a maximum height of 12 metres for lots interior to the subdivision which do not abut existing lots. Further, Treasure Hill advises that through its marketing of Phases 1 and 2 in the Starlish Homes Subdivision and other projects in the GTA, that there is a demand for even taller single detached dwellings with heights up to 13 metres.

Staff have considered the request for an increase in height for low-rise residential product and support the request, but recommend a revised approach to the policy. In this regard, as opposed to a detailed provision similar to what is proposed, staff recommend the following wording:

“Low-rise residential buildings shall have a maximum height of 3-storeys or 11 metres, whichever is less. In certain situations and subject to the policies for compatible development, Council may permit additional height above 11 metres for a 3-storey low-rise residential building.”

Generally speaking consideration should be made to the interface condition of new low-rise developments over 11 metres with existing neighborhoods at lower heights to ensure compatibility.

Staff are of the opinion that the proposed revised policy wording would permit an increase in height without the need for an OPA while also permitting Council with flexibility moving forward on a case-by-case basis.

Minimum Vegetation Protection Zone

Draft #2 contains the following policy as it relates to minimum vegetation protection zones:

“The 30-metre vegetation protection zone is a minimum and may be increased as a result of further analysis and recommendations contained in an Environmental Impact Study approved by the Town, the Lake Simcoe Region Conservation Authority, and any other agency having jurisdiction. On existing lots of record a reduced vegetation protection zone may be permitted through an Environmental Impact Study approved by the Town, the Lake Simcoe Region Conservation Authority, and any other agency having jurisdiction.”

The way the policy is written provides no permission for a reduction to the 30-metre vegetation protection zone for new lots, only increases. Therefore, a reduced vegetation protection zone would require an OPA.

Comments received from DG Group in relation to this policy advise that there are a number of instances where a 10 or 15-metre vegetation protection zone has been approved through the development review process, however, this policy does not reflect this. In their opinion, the policy should be revised to reflect the opportunities for reduced vegetation protection zones, where demonstrated by an Environmental Impact Study.

Staff confirm that within settlement areas such as Keswick, it is the practice of the Town in consultation with the LSRCA to consider reduced vegetation protection zones through the development review process, subject to the recommendations of an Environmental Impact Study. Staff in consultation with the LSRCA have developed a revised policy approach:

“A 30-metre vegetation protection zone is required from the outset of all key natural heritage features and key hydrologic features. Notwithstanding the above, the required 30-metre vegetation protection zone may be increased or reduced based on the analysis and recommendations of an Environmental

Impact Study approved by the Town, the Lake Simcoe Region Conservation Authority, and any other agency having jurisdiction.”

In the opinion of staff, the revised policy allows flexibility through the development review process to permit reduced vegetation protection zones while also aligning with current best practices of the Town and LSRCA.

Boundary of the Mixed-Use Corridor 2 Designation

In general, the boundaries of the land use designations shown on Schedule F1 to the current Keswick Secondary Plan were used as the basis for the boundaries of the land use designations proposed in Draft #2. In this regard, the Mixed-Use Corridor 2 designation shown on the Draft #2 Land Use Plan (Schedule B), reflects the Commercial/Employment designation in the current Keswick Secondary Plan.

Comments provided by DG Group indicate that the extent of the Mixed-Use Corridor 2 designation in the Simcoe Landing subdivision is over represented and should be revised to reflect current draft plan approvals. Specifically, the designation is shown as extending further west than the approved north-south collector road and commercial blocks abutting Woodbine Avenue on the approved draft plan for Phase 10 of Simcoe Landing. Staff have reviewed this and agree that the mapping in Draft #2 is not accurate to the scale of the blocks in the existing draft plan approvals.

On this basis, the boundary of the Mixed-Use Corridor 2 designation as shown on Schedule B, Land Use Plan, has been revised to better reflect approved draft plans. Given that the Mixed-Use Corridor 2 designation is also a Local Strategic Growth Area, this revision has also been made to the boundary of the Local Strategic Growth Area as shown on Schedule A, Growth Management.

Surplus School Site in Simcoe Landing

At the public meeting in April 2022, Councillor Waddington questioned the appropriateness of the proposed land use designation for a parcel of land in the Simcoe Landing subdivision. The site is owned by the York Region Catholic School Board and is located directly north of the existing Lake Simcoe Public School. The site was originally planned to be developed for a proposed elementary school, however the School Board has since deemed it surplus and no longer requires it. Staff understands that the School Board is actively looking to sell this site.

The designation in the current Keswick Secondary Plan for the surplus school site is Greenlands System and Neighbourhood Residential and it is identified as a ‘Proposed Elementary School’ site. Through previous revisions of the draft Secondary Plan, the proposed elementary school symbol was removed and the site was designated Parks and Open Space.

The Town currently has no plans to acquire the subject parcel in order to develop it as a public park. On this basis, since the site will not be used for a proposed school with an

associated open space component, staff are of the opinion that the site should more appropriately be designated Existing Neighbourhood to match that of the surrounding neighbourhood. Despite the change in designation, in accordance with Section 13.1.5.1, public uses such as public parks, trails and other non-invasive recreational facilities are permitted in all land use designations. This change is reflected on Schedule B, Land Use Plan.

5.2 NEXT STEPS

Subject to Council's adoption, the PKSP and associated OPA document will be forwarded to York Region for its review and approval. As explained above in Section 5.2, the Region will need to exercise their responsibility as the approval authority to impose deferrals and modifications to the Council adopted Keswick Secondary Plan to ensure conformity with the ROP (2010). Subject to the deferrals and any modifications required to ensure ROP conformity, it is expected that the balance of the Plan would be approved and come into force and effect following the expiration of the appeal period, subject to no appeals being received.

Once the province approves the new ROP (2022) and it comes into force and effect, the deferrals will be lifted and the Keswick Secondary Plan's planning horizon and growth management forecasts to 2041 would come into force and effect. Staff will continue to work with Regional staff on this matter and any others required to ensure conformity with the ROP and approval of the Keswick Secondary Plan.

6. RELATIONSHIP TO STRATEGIC PLAN:

Grow our economy

Promote a high quality of life

Engage our community & build partnerships

Deliver exceptional service

7. FINANCIAL AND BUDGETARY IMPACT:

There are no financial or budgetary impacts resulting from of this report.

As of the completion of this report, the project remains on budget.

8. CONCLUSION:

The PKSP is an important land use policy document that will guide future growth and development, investment, and environmental protection within Georgina's largest urban community.

The proposed Secondary Plan has been formulated on the basis of extensive background research and public and agency consultation. Subject to the technical deferrals that are expected by the Region and explained above in Section 5.2, the proposed Plan conforms to applicable upper-level government plans and policies, and represents good planning.

In consideration of the above, staff recommend that Council adopt the recommendations contained in Section 1 of this report.

APPROVALS

Prepared By:	Tolek A. Makarewicz, BURPI, MCIP, RPP Senior Policy Planner
Reviewed By:	Alan Drozd, MCIP, RPP Manager of Planning Policy
Recommended By:	Harold W. Lenters, M.Sc. PI, MCIP, RPP
Approved By:	Ryan Cronsberry Chief Administrative Officer

Attachments:

Attachment 1 – Meeting Minutes of April 27, 2022

Attachment 2 – York Region Comments on the PKSP

Attachment 3 – Comments from Michael Smith Planning Consultants on behalf of Treasure Hill

Attachment 4 – Draft #2 Public Submission and Response Matrix

Attachment 5 – Official Plan Amendment Document