

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2022-0103**

**FOR THE CONSIDERATION OF  
THE COMMITTEE OF ADJUSTMENT**

December 5, 2022

**SUBJECT: CONSENT APPLICATION B21-21;  
26037 WOODBINE AVENUE, KESWICK  
RS65R5964, PART 1; RS65R22678, PART 2; PART LOT 21, CONCESSION 4 (NG);**

**1. RECOMMENDATION:**

- 1. That the Committee of Adjustment receive Report No. DS-2022-0103 prepared by the Development Planning Division, Development Services Department, dated December 5, 2022, respecting Consent Application B21-21, submitted by Gary Foch for the property municipally addressed as 26037 Woodbine Avenue.**
- 2. That in the event no public or Committee concerns are raised at the meeting warranting investigation and a further meeting, Staff recommend the following:**
  - a. That the Committee of Adjustment approve Consent Application B21-21, as it pertains to the property municipally addressed as 26037 Woodbine Avenue to merge Subject Land 'A' with Beneficiary Land 'B', as shown in Attachment 4 to Report No. DS-2022-0103, for the purposes of lot addition;**
  - b. That the approval of Consent Application B21-21 be subject to the following conditions:**
    - i. Submission to the Secretary-Treasurer of two (2) white prints of a deposited reference plan of survey to conform substantially with Attachment 4 to Report No. DS-2022-0103.**
    - ii. Submission to the Secretary-Treasurer of a draft deed, in duplicate, conveying Subject Land 'A' to the owner of the abutting landholding indicated as Beneficiary Land 'B', as shown on Attachment 4 to Report No. DS-2022-0103.**
    - iii. Submission to the Secretary-Treasurer written confirmation from the Lake Simcoe Conservation Authority (LSRCA) that any matters with respect to the application have been resolved to the LSRCA's satisfaction.**

- iv. **Submission to the Secretary-Treasurer of a solicitor's undertaking, in a form satisfactory to the Town, sufficient to confirm that the solicitor will consolidate the PINs of Subject Land 'A' and Beneficiary Land 'B', as shown on Attachment 4 to Report No. DS-2022-0103, immediately following the first conveyance of Subject Land 'A', together with the submission of a completed application to consolidate the PINs of Subject Land 'A' and Beneficiary Land 'B'.**
- v. **That the above-noted condition(s) be fulfilled within two (2) years of the date of the Notice of Decision.**

## **2. PURPOSE:**

The purpose of this Report is to provide Staff's analysis and to outline comments received with respect to Consent Application B21-21 for a lot addition.

## **3. BACKGROUND:**

Owner(s): 26 Oh 37 Woodbine Holding Inc.

Property Description: (refer to Attachments 1 to 4)  
RS65R5964, Part 1; RS65R22678, Part 2;  
Part of Lot 21, Concession 4 (NG)

### **3.1 PROPOSAL:**

The Owner has submitted a Consent Application requesting permission for a lot addition to merge Subject Land 'A' with Beneficiary Land 'B' as shown on Attachment 4 to create a single lot. No new lot will be created and the resulting merged lot would have an area of 11,004.5 square metres with 51.52 metres of frontage on Woodbine Avenue.

This consent is required in order to complete a sequence of consents that were initiated on 1999 under Report DS-99-56 (see Attachment 6). Subject Land 'A' was successfully severed from a neighbouring property with the intent to merge it with Beneficiary Land 'B'. Due to an error, this merger never occurred. Consent application B21-21 is intended to complete the initially sought merging of the lots.

A condition of the related provisional Minor Variance application file number A34-21 is the issuance of the Certificate of Approval for Consent application B21-21.

### **3.2 SUBJECT PROPERTIES AND SURROUNDING AREA:**

The subject properties, are located north of Boyers Road and on the east side of Woodbine Avenue. Existing structures on Subject Land 'A' include a dwelling, commercial

building, and accessory sheds. Beneficiary Land 'B' is used for open storage for vehicles. Surrounding lots are similar in size, frontage and general configuration.

Surrounding properties and land uses are as follows:

**North:** Museum (tourist commercial use), beyond which is woodland

**South:** General industrial uses.

**East:** General industrial uses

**West:** Woodbine Avenue, beyond which are rural and agricultural uses

A summary of the characteristics of the property is as follows:

General Property Information		
Municipal Address	26037 Woodbine Avenue	
Zoning	Rural (RU) Highway Commercial (C2-12)	
Frontage	51.52 Metres (Subject Land 'A')	
Area	11,004.5 Square metres (once merged)	
Official Plan Land Use Designation	Rural Commercial Area	
Regional Official Plan Land Use Designation	Agricultural Area	
Related Applications	A34-21 (recently approved): A minor variance to permit a minimum lot line setback for a driveway, permit less setback for parking spaces, and reduce minimum required parking space ratio. B22-21 (pending): A consent to provide an easement for a stormwater management system.	
Land Use and Environmental Considerations		
Existing Structures	Single family dwelling, two commercial structures, open storage accessory to commercial structures	
Proposed Structures	Future expansion of commercial uses	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	Yes	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	Existing	Proposed
Water	Well	Well
Sanitary	Septic	Septic
Access	Regional Road	Regional Road

#### **4. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:**

##### **4.1 PUBLIC CIRCULATION**

Under the provisions of the *Planning Act*, the Notice of Hearing for the subject application was sent by mail on November 15, 2022, to all land owners within 60.0 metres of the subject properties and a placard was placed on the property.

As of the date of writing this report, Staff have not received any comments from the public regarding Consent Application B21-21.

##### **4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS:**

All Town department and external agency comments for Consent Application B21-21 have been consolidated into a chart, which is included as Attachment 5.

The following Town departments / divisions and external agencies have indicated no objections to the Consent.

- Building Division
- Development Engineering Division
- Economic Development and Tourism Division
- Fire and Emergency Services
- Legislative Services
- Policy Planning Division
- Region of York
- Rogers Communication
- York Catholic District School Board

#### **5. ANALYSIS:**

The following is an evaluation of Consent Application B21-21 as it relates to the applicable policies of Provincial, Regional, and Town planning documents.

- a. PROVINCIAL POLICY STATEMENT (2020), GREENBELT PLAN (2017), GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2020), & LAKE SIMCOE PROTECTION PLAN (2009):

The subject properties are considered within rural lands outside a settlement area under the context of the Provincial Policy Statement. In addition, according to the Greenbelt Plan and Growth Plan for the Greater Golden Horseshoe, the subject properties are located in the Protected Countryside designation within the Greenbelt Area. Lot line adjustments are permitted in the protected countryside,

provided that the overall economic, social, environmental and infrastructure policies of the aforementioned Provincial Plans are met.

Staff have reviewed the subject Consent Application against the above-noted Provincial Plans and are of the opinion that the proposal is consistent with the Provincial Policy Statement and conforms to the Provincial Greenbelt Plan, Growth Plan for the Greater Golden Horseshoe, and Lake Simcoe Protection Plan.

b. YORK REGION OFFICIAL PLAN (2010):

The subject properties are designated as 'Agricultural Area' on Map 8 within the York Region Official Plan (YROP). Lot line adjustments and boundary additions are permitted in the Agricultural Area, provided that the overall economic, social, environmental and infrastructure policies of the aforementioned Plan are met.

Staff have reviewed the subject Consent Application against the applicable policies of the YROP and are of the opinion that the proposal maintains the intent and purpose of the Plan.

c. TOWN OF GEORGINA OFFICIAL PLAN (2019) AND ZONING BY-LAW 500:

The subject properties are designated 'Rural Commercial Area' in Schedule A2 – Land Use Plan to the Town of Georgina Official Plan (OP). Commercial uses are permitted in the designation.

Pursuant to Section 11.4.2.1(a) of the OP, consents may be permitted in all designations for easements and minor lot boundary adjustments, provided a new, separate lot is not created. The proposed consent is for a lot addition that will have the effect of merging Subject Land 'A' and Beneficiary Land 'B'.

Furthermore, Section 11.4.2.4 relates to severances for commercial or industrial use. As a condition of severance, the Committee may require that the owner enter into a development agreement with the Town, to be registered on title, governing subdivision design, landscaping provision of services and other concerns in respect to the affected lands. Town Staff are of the opinion that this will not be necessary as the lot boundary adjustment is minor and will not result in the creation of a new lot. Any new commercial development will be handled through site plan control.

The subject properties are within the 120 metre buffer area of a Provincially Significant Wetland and is regulated by the Lake Simcoe Region Conservation Authority (LSRCA). Comments have not been provided by the LSRCA; however, any development that may occur on the proposed merged lot will be subject to site plan control and further review by the LSRCA. As a precaution, Staff have recommended a condition of approval that written confirmation be provided by the Lake Simcoe Conservation Authority (LSRCA) confirming that any matters with respect to the application have been resolved to the LSRCA's satisfaction.

The subject properties are zoned Rural (RU) and Site-specific Highway Commercial (C2-12) in Zoning By-law 500. The proposed consent is appropriate for the future development of the subject properties.

Staff have reviewed the subject Consent Application against the applicable policies of the TOG and Zoning By-law and are of the opinion that the proposal maintains the intent and purpose of the Plan.

**6. RELATIONSHIP TO STRATEGIC PLAN:**

This report addresses the following strategic goal:

**Promote a high quality of life**

**7. FINANCIAL AND BUDGETARY IMPACT:**

There are no financial concerns or budgetary impacts on the Town as a result of this report. Should the application be approved, the Applicant/Owner will be required to apply for and obtain all necessary approvals associated with building permits, site alteration permits and entrance permits, and to pay the associated costs such as development charges and park levy, if applicable.

**8. CONCLUSION:**

Staff are of the opinion that Consent Application B21-21 for a lot addition is consistent with is consistent with the relevant Provincial, Regional, Town planning policies and represents good planning. In this regard, Staff recommend approval of the application subject to the conditions noted in Section 1 of this report.

**APPROVALS**

Prepared By:                      Michal Stolarczyk  
Planner I

Approved By:                     Janet Porter, MCIP, RPP  
Manager of Development Planning

***Attachments:***

*Attachment 1 – Context Map*

*Attachment 2 – Key Map*

*Attachment 3 – Aerial Map*

*Attachment 4 – Site Sketch*

*Attachment 5 – Consolidated Comments Chart*

*Attachment 6 – Report # DS-99-56*