

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2024-0010

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

March 4, 2024

**SUBJECT: CONSENT APPLICATION B14-23
323 WINNIFRED DRIVE, KESWICK
LOT 36, PLAN 454**

1. RECOMMENDATIONS:

- 1. That the Committee of Adjustment receive Report No. DS-2024-0010 prepared by the Development Planning Division, Development Services Department, dated March 4, 2024, respecting Consent Application B14-23, submitted by Xu Han on behalf of the owners of the property municipally addressed as 323 Winnifred Drive, Keswick;**
- 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 B14-23, as it pertains to the property municipally addressed as 323 Winnifred Drive to sever and convey Subject Land 'A' from Retained Land 'B', as shown in Attachment 2 to Report No. DS-2024-0010, to create one (1) new residential building lot; and,**
 - b) That the approval of Consent Application B14-23 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 the application, as submitted;**
 - ii) Submission to the Secretary-Treasurer of a draft deed, in duplicate, conveying Subject Land 'A' from Retained Land 'B', as shown on Attachment 2 to Report No. DS-2024-0010;**
 - iii) Submission to the Secretary-Treasurer of written confirmation that a permit has been obtained for the demolition of the existing dwelling and all associated existing structures on the Subject Land and Retained Land and that all demolition and removal have been completed;**
 - iv) Submission to the Secretary-Treasurer of written confirmation from the Town of Georgina Development Planning Division that there is sufficient water supply and sewage capacity allocated for**

- Subject Land 'A';**
- v) Submission to the Secretary-Treasurer of written confirmation from the Regional Municipality of York that all matters identified in Attachment 4 to Report No. DS-2024-0010 have been addressed to the Region's satisfaction; and,**
 - vi) 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 B14-23 to create one (1) new residential building lot.

3. BACKGROUND:

Agent: Xu Han

Property Description: (refer to Attachments 1 to 3)
323 Winnifred Drive, Keswick
Lot 36, Plan 454
Roll #: 140-627

3.1 PROPOSAL:

The owners have applied to divide the subject property into two (2) residential building lots, as shown on Attachment 2.

The owners are applying for consent to create two (2) separately conveyable parcels. Both the Subject Land 'A' and the Retained Land 'B' are proposed to contain new single detached dwellings.

Subject Land 'A' and Retained Land 'B' would have the following characteristics:

Table 1 – Proposal Summary

| | Frontage (m) | Depth (m) | Lot Area (m2) |
|-------------------|--------------|-----------|---------------|
| Subject Land 'A' | 11.43 | 30.48 | 349.18 |
| Retained Land 'B' | 11.43 | 30.48 | 349.18 |

Both Subject Land 'A' and Retained Land 'B' will have frontage on Winnifred Drive.

The proposed Consent/Site Plan is included as Attachment 2.

3.2 SUBJECT PROPERTY AND SURROUNDING AREA:

The subject property is located on the south side of Winnifred Drive, east of Haliburton Street in the community of Keswick. Currently the property includes a single detached dwelling, a detached garage and five (5) accessory buildings, all of which are proposed to be demolished in order to facilitate the development proposal. Surrounding properties and land uses are as follows:

- North:** low-density urban residential uses.
- South:** low-density urban residential uses.
- East:** low-density urban residential uses.
- West:** low-density urban residential uses.

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

| General Property Information | |
|--|---|
| Municipal Address | 323 Winnifred Drive |
| Zoning | Low Density Urban Residential (R1) |
| Frontage | Subject Land 'A' – 11.43 Metres Retained Land 'B' – 11.43 Metres |
| Area | Subject Land 'A' - Approx. 349.18 Square Metres Retained Land 'B' - Approx. 349.18 Square Metres |
| Keswick Secondary Plan Land Use Designation | Neighbourhood Residential |
| Regional Official Plan Land Use Designation | Community Area |
| Related Applications | None |
| Land Use and Environmental Considerations | |
| Existing Structures | Single Detached Dwelling, Detached Garage, and 5 Accessory Buildings |
| Proposed Structures | Subject Land 'A' - Proposed Single Detached Dwelling Retained Land 'B' - Proposed Single Detached Dwelling |
| Heritage Status | Neither listed nor designated |
| Regulated by LSRCA | No |
| Key Natural Heritage Features | None |
| Natural Hazards | None |

| Servicing | | |
|------------------|-------------------|--|
| | Existing | Proposed |
| Water | Municipal | Municipal |
| Sanitary | Municipal | Municipal |
| Access | Existing driveway | Proposed Driveway for Subject Land 'A' and Retained Land 'B' |

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 February 16, 2024, to all landowners within 60.0 metres of the subject property and a placard was placed on the property.

As of the date of writing this report, Staff have not received any comments from the general public concerning Consent Application B14-23.

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS:

All Town department and external agency comments for Consent Application B14-23 have been consolidated into a chart, which is included as Attachment 4.

The Town's Development Engineering Division has indicated the following comment(s):

- The applicant/owner shall provide a detailed lot grading and drainage plan at the time of building permit including existing and proposed entrance prepared by a Professional Engineer or Ontario Land Surveyor skilled and competent in such works and all in accordance with the requirements of Part 4 of By-law 2022-0038 (REG-1), as amended. The plan shall show existing conditions including grade elevations of the entire lot, to the satisfaction of the Town's Development Engineering Division.
 - A Professional Engineer is required to prepare drainage plans that contain any LID's (soakaway pit, infiltration gallery, French drain, etc.). Please contact the Development Engineering Division for any questions or concerns.
- The Owner is advised that, prior to the issuance of a building permit for development on Subject Land 'A', the applicant/owner shall provide a Lateral Application with initial payment of \$15,000 along with a Professionally Engineered Site Servicing Plan indicating the existing and proposed water and sanitary lateral locations and inverts of same.
- The Owner is advised that prior to issuance of a building permit for development on Retained Land 'B', new water and sewer laterals may be required. This is due

to the potential location conflicts with the new proposed dwellings and condition of existing infrastructure.

The Regional Municipality of York has indicated no objections and provided the following condition:

- Prior to the approval of the Consent application, the Town of Georgina shall confirm that adequate water supply and sewage capacity has been allocated for the proposed new lot.

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

- Tax and Revenue Division
- Enbridge
- Rogers
- Building Division
- York Catholic District School Board
- Planning Policy Division
- Operations and Infrastructure Department
- Municipal Law Enforcement Division
- Economic Development Division
- Lake Simcoe Region Conservation Authority

A number of external agencies and Town departments/divisions have not provided comments.

5. ANALYSIS:

The following is an evaluation of Consent Application B14-23 as it relates to the applicable policies of Provincial, Regional, and Town planning documents.

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

The subject property is located within a 'settlement area' of the Provincial Policy Statement, the Greenbelt Plan, the Growth Plan for the Greater Golden Horseshoe, and the Lake Simcoe Protection Plan.

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. In addition, the Lake Simcoe Region Conservation Authority (LSRCA) has indicated no concerns with the proposed lot creation.

5.2 YORK REGION OFFICIAL PLAN (2022):

The subject property is designated as 'Community Area' on Map 1a to the York Region Official Plan (YROP). Staff have reviewed the Consent application against the document. Section 4.2.4 of the YROP states that municipalities will provide a balance of residential uses. Staff have reviewed the proposal against the above-noted Regional Plan and are of the opinion that the proposal conforms with the York Region Official Plan.

5.3 OFFICIAL PLAN OR SECONDARY PLANS, ZONING BY-LAW 500

The subject property is designated 'Neighbourhood Residential' in Schedule F1 of the Keswick Secondary Plan (KSP) and is zoned 'Low Density Urban Residential (R1)' on Map 2 (pg.1) on Schedule 'A' to Zoning By-law 500. Single detached dwellings and accessory uses are permitted within the 'Neighbourhood Residential' designation and R1 zone.

Section 13.1.7.3.2 (b) of the KSP states that Consents may be permitted for such reasons as the creation of a new lot, lot boundary adjustment, rights-of-way, easements, and/or to convey additional lands to an abutting lot, provided an undersized lot is not created.

Section 13.1.7.3.2 (c) of the KSP further lists criteria that must be met in order for a Consent application to be considered for approval. Below is Staff's assessment of the proposed consent against the criteria provided in the KSP:

(i) It is clearly not in the public interest that a plan of subdivision be registered.

A plan of subdivision is not required for the orderly development of the subject properties as only one (1) new residential lot is being proposed.

(ii) The lot can be adequately serviced by roads, sanitary sewage disposal, water supply, and storm drainage facilities.

Subject Land 'A' and Retained Land 'B' will front onto Winnifred Drive, a municipal-owned, assumed road. Subject Land 'A' will be required to connect to full municipal water and sanitary services. Both lots will also have adequate frontage and would be able to drain to an approved outlet.

The lands are in the Urban Service Boundary of the KSP and will be serviced by the Keswick Water Resource Recovery Facility (KWRRF). All development within the Urban Service Boundary must be on full municipal water / sanitary services and allocated the appropriate of servicing capacity.

Retained Land 'B' already has servicing allocation, while the assignment of servicing allocation will be required for Subject Land 'A'.

(iii) No extension, improvement or assumption of municipal services is required.

The existing single detached dwelling on the subject property fronts on Winnifred Drive and is currently serviced by existing municipal sanitary and water services.

Subject Land 'A' will front onto Winnifred Drive, a Municipally-owned, assumed road. The Regional Municipality of York has indicated that the Town shall confirm that water and wastewater servicing allocation is available for the new lot as a condition of approval. For full comments see Attachment 4 to this report.

Municipal sanitary and water services extend across the entire frontage of the proposed severed property. Storm drainage is provided by ditches on Winnifred Drive. The Town's Development Engineering Division has advised that prior to the issuance of a building permit for Subject Land 'A', the applicant/owner shall provide a detailed lot grading and drainage plan.

Staff are of the opinion that, subject to the implementation of the conditions of approval relating to the servicing and allocation assignment, that the proposed Consent will enable development that is adequately serviced.

(iv) The lot will have adequate frontage on an open and assumed public road, and access will not result in traffic hazards.

Both Subject Land 'A' and Retained Land 'B' will front onto Winnifred Drive with a frontage of 11.43 metres respectively. Winnifred Drive is an assumed public road. No extension or expansion of the road is required, and it is not anticipated that the access will result in traffic hazards.

(v) The lot will not restrict the ultimate development of adjacent lands.

The subject lands are located in an established neighbourhood in Keswick. Staff note that the adjacent lands are already developed and are not designated for future redevelopment, therefore, the proposal is not anticipated to restrict the ultimate development of the adjacent lands.

(vi) The size and shape of the lot conforms to the Zoning By-law, and is appropriate for the use proposed and is compatible with adjacent lots.

The proposal does not change the use of the Subject Properties, which is single detached dwellings within a Low Density Urban Residential (R1) zone.

The consent complies with all relevant policies/provisions of this Secondary Plan. Any building proposed in the future on the Subject Lands 'A' and Retained Land 'B' must be compliant with all applicable performance standards under the Zoning By-law. Therefore, the resulting single detached dwellings will be compatible with existing adjacent areas and will create little to no impact further

than what the Zoning By-law already contemplates in terms of orientation, privacy, landscaping, shadow casting and visual impact.

The lot sizes of Subject Land 'A' and Retained Land 'B' are considered appropriate according to Section 6.1 (a) and (b) of the Zoning By-law. Although the standard minimum lot frontage requirement is 15 metres and the minimum lot area requirement is 450 metres, lots created by consent are deemed to comply with the frontage and area of such lots. Staff note that the proposed lot frontages and lot areas will provide sufficient space for a building envelope, an appropriate front yard and a usable rear yard amenity area. Although the lot frontages and lot areas of Subject Land 'A' and Retained Land 'B' are smaller than adjacent lots in the neighbourhood, the proposed lots are compatible in size with the surrounding community and are reflective of the trend towards smaller lot sizes in order to efficiently use land and existing infrastructure. Furthermore, staff note that there is direction from the province and policies in the Keswick Secondary Plan that encourage infill and intensification within built neighbourhoods.

(vii) The Consent complies with all relevant provisions of this Secondary Plan

Staff have reviewed the proposed Consent relative to the relevant provisions of the KSP and are satisfied that the proposal conforms with the Secondary Plan.

(viii) The area's natural features, values or ecological processes are not negatively affected.

Subject Land 'A' and Retained Land 'B' are located within a developed neighbourhood. These lands are not regulated by the Lake Simcoe Region Conservation Authority (LSRCA). Staff of the LSRCA have reviewed the application and have advised that they have no objections to the approval of the proposed consent.

6. CONCLUSION:

Staff are of the opinion that Consent Application B14-23 to create one (1) new residential building lot is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Lake Simcoe Protection Plan, the York Region Official Plan, the Keswick Secondary Plan and Zoning By-law 500, 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: Matthew Ka
Secretary-Treasurer to the Committee of Adjustment

Approved By: Denis Beaulieu, MCIP, RPP
Director of Development Services

Attachments:

Attachment 1 – Location Map

Attachment 2 – Consent Plan

Attachment 3 – Site Photos

Attachment 4 – Consolidated Comments Chart