

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2024-0048

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

August 26, 2024

**SUBJECT: MINOR VARIANCE APPLICATION A17-24
6 AND 8 SCOTIA ROAD, SUTTON
LOT 5 PLAN 65M-4811**

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2024-0048 prepared by the Development Planning Division, Development Services Department, dated August 26, 2024, respecting Minor Variance Application A17-24, for the properties municipally addressed as 6 and 8 Scotia Road;
- 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 Minor Variance Application A17-24 to permit relief from the following:
 - i) Section 5.28 (b): To permit a semi-detached dwelling unit with a minimum of 2 parking spaces, whereas a minimum of 3 parking spaces are required; and
 - b) That the approval of Minor Variance Application A17-24 be subject to the following term(s):
 - i) That the proposed semi-detached dwelling be constructed in general conformity with attachment 2 to Report DS-2024-0048, in accordance with the relief recommended to be approved in Recommendation 2a).

2. PURPOSE:

The purpose of this report is to provide Staff's analysis concerning Minor Variance Application A17-24, for the properties located at 6 and 8 Scotia Road, regarding the construction of semi-detached dwelling units.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 3)

6 and 8 Scotia Road
 Lot 5 Plan 65M-4811
 Roll #: 032-001

PROPOSAL

The owner of the subject property is proposing to construct a semi-detached dwelling containing a single semi-detached dwelling unit on each lot with a reduced number of parking spaces.

The proposed construction is associated with a new subdivision with a newly registered plan, 65M-4811. The applicant will need submit an application to exempt the subject property from part lot control to separately convey each semi-detached dwelling unit.

A Minor Variance application has been submitted concerning the proposal, requesting the following relief:

- i) **Section 5.28 (b):** To permit a semi-detached dwelling with a minimum of 2 parking spaces per semi-detached dwelling unit, whereas a minimum of 3 parking spaces are required.

A Site Sketch showing the proposal, and the requested relief are included as Attachment 2.

3.1 SUBJECT PROPERTY AND THE SURROUNDING AREA:

The subject property is located at 6 and 8 Scotia Road. A summary of the characteristics of the property is as follows:

General Property Information	
Municipal Address	6 and 8 Scotia Road
Zoning	Low Density Urban Residential (R2-26)
Frontage	31.46 Metres
Area	631 Square Metres
Official Plan / Secondary Plan Land Use Designation	New Residential Area
Regional Official Plan Land Use Designation	Community Area
Related Applications	Official Plan Amendment (02.187) Zoning By-law Amendment (03.194) Plan of Subdivision (01.148, 19T-18G02, 65M04811)
Land Use and Environmental Considerations	
Existing Structures	None

Proposed Structures	Semi-detached dwelling	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	Partially	
Key Natural Heritage Features	Woodland	
Natural Hazards	None	
Servicing		
	Existing	Proposed
Water	Municipal	Municipal
Sanitary	Municipal	Municipal
Access	NA	Proposed driveways

4. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

4.1 PUBLIC CIRCULATION

In accordance with the provisions of the *Planning Act*, the Notice of Hearing for the subject application was sent by mail on August 16, 2024, to all landowners within 60.0 metres of the subject property.

As of the date of writing this report, Town Staff have not received any submissions from the general public.

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

All Town department and external agency comments for Minor Variance Application A17-24 are outlined below.

The Tax and Revenue Division has indicated no objections to the application but has advised that there are tax concerns related to the property.

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

- Development Engineering Division
- Operations and Infrastructure Division
- York Region

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

5. ANALYSIS:

The following evaluation of Minor Variance Application A17-24 is based on the four (4) prescribed tests as set out in Section 45(1) of the *Planning Act*:

i. Is the general intent and purpose of the Official Plan maintained? – Yes

The subject property is designated New Residential Area in the Sutton / Jackson's Point Secondary Plan. Low-density residential uses, such as semi-detached dwellings are permitted in this designation.

This designation was the result of Official Plan Amendment No. 149, which implemented site-specific provisions to redesignate the subject property and surrounding lands from "Environmental Protection Area" to "New Residential Area" and reduce the minimum vegetation protection zone from 10 metres to nil.

Staff are of the opinion that the proposal maintains the general intent and purpose of the Official Plan.

ii. Is the general intent and purpose of the Zoning By-law maintained? – Yes

The subject property is zoned Low-Density Urban Residential (R2-26) on Map 7A of Schedule 'A' to Zoning By-law No. 500, as amended. A semi-detached dwelling and accessory structures are permitted in the R2-26 zone.

Parking Requirements

Section 5.28 (b) of Zoning By-law No. 500, as amended, requires a minimum of 3 parking spaces for a semi-detached dwelling unit. The Applicant has requested relief to permit 2 parking spaces for each of the proposed semi-detached dwelling units.

The intent of the parking space provision is to ensure that adequate parking supply is available. The proposed semi-detached dwelling units each provide for two parking spaces, one in the attached garage and one on the driveway.

The applicant notes that the proposed northern semi-detached dwelling unit cannot provide 3 parking spaces. To accommodate the required 2 parking spaces in the front yard, the driveway width would need to be a minimum of 5 metres which would cause the driveway to exceed the maximum 55% of lot frontage for a driveway that is permitted in the R2 zone.

To maintain consistent urban design, the applicant is requesting the variance for both semi-detached dwelling units to maintain a consistent streetscape.

Staff are of the opinion that the proposed variance maintains the general intent and purpose of Zoning By-law 500, as amended.

iii) Is the Minor Variance desirable for the appropriate development of the property or use of land, building or structure? – Yes

The proposed semi-detached dwelling units are in keeping with the existing physical character of the neighbourhood as the area generally consists of new residential dwellings.

Staff are satisfied that the proposal is desirable for the appropriate development of the subject land and surrounding neighbourhood.

iv) Is the relief sought minor in nature? – Yes

In considering whether the relief sought is minor, Staff notes that this test is not simply a question of numerical value. The principal consideration is that of the potential impact the variance may have, and whether those impacts are minor or acceptable. In light of the above evaluation of the application, Staff are of the opinion that the requested variance is minor in nature.

6. CONCLUSION:

Subject to the recommendations by Staff in Section 1 of this report, Staff are of the opinion that Minor Variance Application A17-24, as it pertains to the proposed semi-detached dwelling units, meets the four (4) prescribed tests as set out in Section 45(1) of the Planning Act, R.S.O. 1990 and represents good planning.

APPROVALS:

Prepared by:

Monika Sadler
Planner I

Approved By:

Janet Porter, MCIP, RPP
Manager of Development Planning

Attachments:

Attachment 1 – Location Map

Attachment 2 – Site Plan

Attachment 3 – Site Photos