

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2024-0034

**FOR THE CONSIDERATION OF
COUNCIL**

June 26, 2024

**SUBJECT: APPLICATION TO AMEND ZONING BY-LAW NO. 500
2614702 ONTARIO INC., TREVOR COMEAU AND TRACY DAVIS
252 PEFFERLAW ROAD, PEFFERLAW
PART OF LOTS 22 AND 23, CONCESSION 5 (G)**

1. RECOMMENDATIONS:

- 1. That Council receive Report DS-2024-0034 prepared by the Development Planning Division, Development Services Department dated June 26, 2024 respecting an application to amend Zoning By-law No. 500 submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of 2614702 Ontario Inc., Trevor Comeau and Tracy Davis for lands municipally described as 252 Pefferlaw Road, Pefferlaw;**
- 2. That Staff report further to Council following the assessment of all Town Department and external agency comments presented in Report No. DS-2024-0034, as well as any comments raised by the public and Council at the Public Meeting; and,**
- 3. That Staff provide written notice of the next Council meeting, a minimum of two weeks in advance of the date of said meeting, to the following:**
 - a) Any person or public body that has requested to be notified of any future Council meeting(s); and,**
 - b) Any person or public body that has requested to be notified of Council's decision regarding the approval or refusal of the subject application.**

2. PURPOSE:

The purpose of this report is to provide Staff's preliminary analysis and outline comments received respecting an application for Zoning By-law Amendment (ZBA) submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of 2614702 Ontario Inc., Trevor Comeau and Tracy Davis to rezone the subject properties which are both municipally described as 252 Pefferlaw Road. As depicted on Attachment 1 to this report, Subject Land A is owned by 2614702 Ontario Inc. (c/o Trevor Comeau) and Subject Land B is owned by Trevor Comeau and Tracy Davis. The application proposes to permit the existing single detached dwelling and

detached garage on Subject Land A and to facilitate the construction of a new single detached dwelling on Subject Land B.

3. **BACKGROUND:**

3.1 **SUBJECT PROPERTY AND SURROUNDING LAND USES**

The subject site is located on the north side of Pefferlaw Road, east of Pineview Court, within the community of Pefferlaw. As stated above, 252 Pefferlaw Road is comprised of Subject Land A and Subject Land B.

Subject Land A contains a building that is solely used as a single detached dwelling and a detached garage; however, the property is zoned for a commercial use and includes 8 parking spaces and could return to that use in the future.

Subject Land B was historically used as a commercial fish farm which is no longer active; however, the ponds and pumphouse remain on site in addition to a detached garage and temporary vinyl garage.

Surrounding land uses include:

- North:** A woodlot and the Pefferlaw River
- South:** Commercial uses and low density residential uses
- East:** Pefferlaw River and low density residential uses
- West:** A cemetery, fire hall, commercial uses and low density residential uses

Refer to *Table 1* below for a summary of property information.

Table 1 – Summary of Property Information	
General Property Information	
Municipal Address	252 Pefferlaw Road
Legal Description	Subject Land A – Part of Lot 22, Concession 3 (G) Subject Land B – Part of Lots 22 and 23, Concession 3 (G)
Roll Number	Subject Land A – 054-255 Subject Land B – 054-257
Lot Frontage	Subject Land A – 62.1 Metres Subject Land B – No frontage on a public road
Lot Area	Subject Land A – 0.23 Hectares Subject Land B – 3.28 Hectares
Zoning	Subject Land A – Site-Specific General Commercial (C1-1) Subject Land B – Rural (RU)
Pefferlaw Secondary Plan Designation	Subject Land A – Commercial Subject Land B – Rural and Residential
York Region Official Plan	Community Area

Related Applications	Precon 07.21.49	
Land Use and Environmental Considerations		
Existing Structures	Subject Land A – Single detached dwelling, detached garage Subject Land B – Detached garage, temporary vinyl garage and a pumphouse	
Proposed Structures	Subject Land A – None Subject Land B – Single detached dwelling	
Key Natural Heritage Features	Subject Land A – N/A Subject Land B – Evaluated wetland and woodland	
Natural Hazards	Subject Land A – Floodplain Hazard, Apparent Valleyland Subject Land B – Floodplain Hazard, Meanderbelt, Apparent Valleyland	
Regulatory Status		
Heritage Status	Neither listed nor designated	
LSRCA	Yes	
MTO	No	
Servicing		
	Existing	Proposed
Water	Subject Land A – Well Subject Land B – None	Subject Land A – Well Subject Land B – Well
Sanitary	Subject Land A – Septic Subject Land B – None	Subject Land A – Septic Subject Land B – Septic
Access	Subject Land A – Pefferlaw Road Subject Land B – No frontage on a public road	Subject Land A – Pefferlaw Road Subject Land B – Pefferlaw Road (subject to a future Consent via a shared mutual driveway)

Refer to Attachments 1 and 2 for a location map and site photos of the subject property, and Attachment 3 for the conceptual development plan and future consent.

3.2 PROPOSAL

The submitted Zoning By-law Amendment (ZBA) application proposes to permit the existing single detached dwelling and detached garage on Subject Land A and to facilitate the construction of a single detached dwelling on Subject Land B.

Subject Land A is currently zoned Site-Specific General Commercial (C1-1), and the applicants are proposing to rezone the property to Site-Specific General Commercial (C1-XX) to permit the existing single detached dwelling and to Site-Specific General Commercial (C1-YY) to permit an existing detached garage; the existing driveway will provide access to the lands to the north which are proposed to be zoned Site-Specific Residential (R-XX) as noted below.

Subject Land B is currently zoned Rural (RU), and the applicants are proposing to rezone the property to Site-Specific Residential (R-XX) to facilitate the construction of a single detached dwelling and Site-Specific Open Space (OS-XX) to permit the existing detached garage, temporary vinyl garage and pumphouse, to provide a driveway for access to the proposed single detached dwelling and to protect the existing natural heritage features.

Following a successful Zoning By-law Amendment process, a Consent Application for the purposes of a lot addition will be required to provide lot frontage on an assumed public road for Subject Land B.

3.3 SUBMISSION MATERIALS

Refer to Attachment 4 for a summary of all submission documents. Submitted documents are available from the Development Planning Division or via the below link:

[Submission Documents](#)

4. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

4.1 PUBLIC CONSULTATION

A complete application was received by the Town on April 24, 2024 and was deemed complete via letter issued on May 16, 2024.

A Notice of Complete Application and Public Meeting was mailed to all assessed property owners within 120 metres of the subject property on May 16, 2024. For additional notification, the notice was also posted to the Town website on May 17, 2024.

As per the *Planning Act*, one (1) public notice sign was posted on the property on June 4, 2024.

At the time of writing this report, no comments from members of the public have been received.

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

Town department and agency comments received are available in Attachment 5 and are summarized below.

Development Engineering Division

The Development Engineering Division has no objection to the proposed plan and comments related to general grading / drainage, erosion / sediment control, entrance

permits and adherence to report recommendations have been provided which will be further accessed during the Site Alteration and Entrance Permit stage.

Planning Policy Division

The Planning Policy Division has provided comments regarding tree compensation in the form of replanting required for the trees that will be removed on the property to permit the development. In addition to this, the submitted Environmental Impact Study (EIS) has identified various concerns, including potential habitat for Species at Risk. A Peer Review is required to determine potential impacts on natural features, as well as any additional studies required.

Building Division

The Building Division has indicated that a permit will be required for the proposed dwelling and septic system.

Georgina Fire Department

The Fire Department has provided detailed design comments relating to sprinklers, the load-bearing capacity of fire routes, and have requested that all construction be in conformance with the Ontario Building Code.

Lake Simcoe Region Conservation Authority (LSRCA)

The LSRCA has recommended deferral of the subject application, due to concerns regarding potential floodplain hazards on the subject properties and has suggested that conformity with the LSPP cannot be confirmed until this matter is resolved. LSRCA has provided detailed comments related to the floodplain hazards, which are to be addressed by the applicants' consulting team in the next submission.

York Region

York Region has indicated no objections to the proposal, and has provided comments related to private servicing and the requirement for a road conveyance through a future Consent Application. The Region has deferred comments on natural heritage matters to the Town and the LSRCA.

Hydro One

Hydro One has indicated no objection to the proposal, and has provided comments related to the proximity of any proposed buildings to the closest hydro line, as well as confirmation of underground locates.

The below departments / agencies have no comment:

- Tax and Revenue Division

- Rogers Cable
- Municipal Law Enforcement Division

Staff will ensure all comments are received and considered before returning to Council with a future recommendation report.

5. **ANALYSIS:**

The following is an overview of the proposed ZBA against applicable Provincial, Regional and Town planning documents.

5.1 PROVINCIAL POLICY FRAMEWORK

Pursuant to Section 3(5) of the *Planning Act*, a decision of the Council of a municipality, in respect of the exercise of any authority that affects a planning matter, shall be consistent with the Provincial Policy Statement and shall conform with, or not conflict with, the Provincial Plans that are in effect.

5.1.1 The Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, and plays a key role in setting the policy foundation for regulating development and the use of land in Ontario.

The subject property is considered Settlement Area in the PPS. Settlement Areas are urban areas and rural settlement areas, including cities, towns, villages and hamlets, within municipalities that are built up areas where development is concentrated. Settlement Areas have a mix of land uses and have been designated in an Official Plan for development over the long-term planning horizon. Such Settlement Areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted while protecting environmental features and their functions on the landscape.

Staff have reviewed the application against the PPS and are satisfied the proposal is consistent with the PPS, subject to satisfactorily addressing the comments raised by the LSRCA respecting potential floodplain hazards, as well as any comments resulting from the peer review of the EIS.

5.1.2 The Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) is a document that informs decision-making regarding growth management in the Greater Golden Horseshoe until the year 2051.

The Growth Plan identifies the subject property to be within a built-up area of a settlement area. Similar to the PPS, the Growth Plan directs growth and development to settlement areas and in particular the built-up areas. The policies of the Growth Plan strive to achieve complete communities which among others, provide a diverse range and mix of housing options, including affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes while protecting environmental features and their functions on the landscape.

Staff have reviewed the application against the Growth Plan and are satisfied the proposal is in conformity with the Growth Plan, subject to satisfactorily addressing the comments raised by the LSRCA respecting potential floodplain hazards, as well as any comments resulting from the peer review of the EIS.

5.1.3 The Greenbelt Plan, 2017 (GBP)

The Greenbelt Plan (GBP) identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring on the landscape.

The subject property is located in the community of Pefferlaw, which is designated Towns / Villages on Schedule 1 of the GBP. Pursuant to Section 3.4.3, Towns / Villages are subject to the policies of the Growth Plan and continue to be governed by official plans. The designation is not subject to the policies of the GBP, save and except for the policies of Sections 3.1.5 (Agri-food Network), 3.2.3 (Water Resource System Policies), 3.2.6 (External Connections), 3.3 (Parkland, Open Space and Trails) and 3.4.2 (General Settlement Area Policies), which do not conflict with the subject proposal.

Staff have reviewed the application against the Greenbelt Plan and are satisfied the proposal conforms with the Greenbelt Plan, subject to satisfactorily addressing the comments raised by the LSRCA respecting potential floodplain hazards, as well as any comments resulting from the peer review of the EIS.

5.1.4 The Lake Simcoe Protection Plan, 2009 (LSPP)

The Lake Simcoe Protection Plan (LSPP) seeks to protect, improve and restore the elements that contribute to the ecological health of the Lake Simcoe Watershed, including water quality, hydrology, key natural heritage features (KNHF) and their functions, and key hydrologic features (KHF) and their functions.

The subject properties are regulated by the LSRCA under Ontario Regulation 41/24 for the presence of:

- A watercourse (Pefferlaw River);
- Flooding and erosion (meanderbelt) hazards associated with the watercourse;
- An evaluated wetland and the associated 30 metre adjacent lands; and,

- Steep slopes/unstable soils associated with apparent valleylands.

In addition, the subject properties are within a Significant Groundwater Recharge Area (SGRA). The subject properties also contain identified woodland areas.

As stated previously, the LSRCA has recommended deferral of the subject application until concerns regarding potential floodplain hazards on the subject properties have been satisfactorily addressed and conformity with the LSPP can be confirmed.

5.2 York Region Official Plan, 2022 (YROP)

The subject property is designated Towns and Villages on Map 1, and Community Area on Map 1A of the York Region Official Plan (YROP). Subject Lands A is designated as Built Up Area on Map 1B, Regional Greenlands System on Map 2 and Highly Vulnerable Aquifer on Map 7. Subject Land B is partially located within the Significant Groundwater Recharge Area on Map 12A.

York Region has reviewed the application and has no objections noting comments related to private servicing and the requirement for a road conveyance through a future Consent Application. The Region has also deferred to the Town and LSRCA for commenting on Natural Heritage Features.

Sections 4.1.1 of YROP states that the Urban System which includes Towns and Villages are the primary locations for growth and development. Section 4.2.2 further states that community areas shall contain a wide range and mix of housing types, sizes, tenures that include options that are affordable to residents at all stages of life.

The community of Pefferlaw is a rural settlement serviced by private wells and septic systems. Single detached dwellings are the primary housing type within the community and the proposed and existing single detached dwellings are consistent with the character of the area. The existing single detached dwelling on Subject Land A is used for rental purposes, providing for alternative tenure option and affordable housing within the community. The proposed single detached dwelling on Subject Land B will be utilizing an existing vacant lot of record and will be adding to the existing stock of housing within the community.

Section 3.4.7 states that KNHF and KHF shall be precisely delineated on a site-by-site basis and may occur through the approval of *Planning Act* applications supported by appropriate technical studies such as environmental impact studies. Section 3.4.5 further states that development and site alteration within KNHF, KHF, vegetation protection zones (VPZ) and adjacent lands are prohibited unless the use is permitted in this plan and it is demonstrated through an EIS that the development will not negatively impact the natural feature.

The submitted Environmental Impact Study prepared by Riverstone Environmental Solutions Inc., dated November 30, 2023, indicates that the proposed development is

located outside of any KNHF and KHF. However, the proposed development on Subject Land B requires some tree removals to accommodate the proposed septic footprint, as there is no other possible alternative location on the site. Further, an evaluated wetland has been identified on Subject Land B and a watercourse (Pefferlaw River) runs east and north of the proposed development with a secondary channel bisecting the northeast portion of Subject Land B. As stated previously, the Region has deferred review of the Natural Heritage component to Town Staff and the LSRCA.

Section 3.3.6 of the YROP provides that within significant groundwater recharge areas and highly vulnerable aquifer areas, development and site alteration will maintain pre-development recharge rates to the fullest extent possible. The applicant has completed a Functional Servicing and Stormwater Management Technical Memo prepared by Greck and Associates Limited (Greck) dated February 23, 2024, which proposes measures to reduce increased surface water runoff and promote infiltration with the addition of a soakaway pit to provide water balance / erosion control.

Section 3.5 of the YROP provides that development and site alteration within hazardous lands have no negative flooding and erosion impacts. The subject lands are regulated by the LSRCA for Floodplain Hazards, Meanderbelt and Apparent Valleyland. The Flood Hazard Assessment and Driveway Layout Design prepared by Greck, dated February 23, 2024, indicates that the proposed development area for the single detached dwelling on Subject Land B is outside of the floodline and therefore, will not experience any flood hazards. The north and south portions of the existing gravel driveway provide for safe ingress and egress to the proposed detached dwelling; however, a portion of the existing driveway adjacent to the ponds is to be regraded to achieve safe access in the event of a flood. The existing detached dwelling on Subject Land A is located outside of the floodplain hazard; however, it is partially within the setback to the floodplain hazard. A Floodplain Hazard Assessment was not required as the detached dwelling is pre-existing.

Further, a Fluvial Geomorphological Assessment – Toe Erosion Allowance prepared by Palmer dated June 16, 2023, was completed to establish the erosion hazard limits alongside the proposed dwelling. The analysis indicated that a section of slope to the north of Subject Land B where it meets the watercourse (Pefferlaw River) has a potential to erode over a long period of time. A Geotechnical Investigation was also prepared and recommends that deep-rooted vegetation should be introduced to the slope face and surrounding areas to reduce surface erosion. The Lake Simcoe Region Conservation Authority has confirmed that the proposed development maintains a minimum 6-metre setback from the long-term stable top of slope.

Staff have reviewed the application against the YROP and are satisfied the proposal conforms with the YROP, subject to satisfactorily addressing the comments raised by the LSRCA respecting potential floodplain hazards, as well as any comments resulting from the peer review of the EIS.

5.3 Pefferlaw Secondary Plan, 2019 (PSP)

Subject Land A is designated Commercial on Schedule E1 - Land Use Plan in the Pefferlaw Secondary Plan (PSP). A small portion of the property is also identified as Floodplain Lands on Schedule E2 - Environmental Area Plan.

Subject Land B is designated Rural and Residential in Schedule E1 – Land Use Plan in the Pefferlaw Secondary Plan. The proposed detached dwelling would be in the area designated Residential. The entire property is also identified as Floodplain Lands on Schedule E2 - Environmental Area Plan.

Section 13.3.2.1 provides that residential development will be restricted from occurring in areas located away from existing built-up areas and direct development to appropriate locations adjacent or near existing built development within the settlement area. The proposed single detached dwelling is located on an existing vacant lot of record within the built-up area of Pefferlaw and is adjacent to existing development within the settlement area.

Residential Policies

Section 13.3.4.1 b) (i) provides that in “Residential” areas of the PSP, the predominate use of land will be for single detached dwellings. The proposed single detached dwelling will be located within the portion of the property designated as “Residential” in the PSP, and residential uses are permitted in this area.

The neighbouring property to the west is owned by the applicant as well, therefore no negative impacts will occur between the existing single detached dwelling and the construction of the proposed single detached dwelling.

Rural Policies

Section 13.3.4.5 a) (ii) states that the predominant use of “Rural” designated lands shall be for agricultural, forestry and conservation purposes. Other permitted uses include farm related uses and rural residential uses. Therefore, in both the Residential designation described above and Rural designation, residential uses are permitted, therefore a single detached dwelling is permitted.

Section 13.3.4.5 b) vii) provides that the construction of a dwelling and accessory uses may be permitted on a vacant lot fronting on an existing and assumed municipal road. Subject Land B is an existing vacant lot of record which does not contain a main use. However, the property does contain accessory structures, including a detached garage, temporary vinyl shed and pumphouse. The lot currently is also considered a land locked parcel. Following consideration of the Zoning By-law Amendment by Council, a Consent Application for the purposes of a lot addition will be required to provide lot frontage on a public road for Subject Land B. If approved, Subject Land B

will be enlarged to include frontage on Pefferlaw Road, which is an existing and assumed municipal road.

Commercial Policies

Section 13.3.4.2 a) (ii) provides that within “Commercial” areas, institutional, residential and office uses may be permitted. The existing single detached dwelling on Subject Land A has been used for residential purposes since the early 1980’s and is used for rental purposes, providing an alternative tenure option and affordable housing within the community.

That being said, in the event that Subject Land A is redeveloped for commercial uses, sufficient parking will be provided via a shared driveway.

Floodplain Lands Policies

Section 13.3.5.1 a) (i) states that no buildings or structures, other than those required for flood or erosion control purposes, nor the placing or removal of fill of any kind, whether originating on the site or elsewhere, shall be permitted in areas designated “Floodplain Lands” which are areas subject to periodic flooding or which possess apparent physical limitations without the approval of the Lake Simcoe Region Conservation Authority.

Environmental Area Plan, Schedule E2 of the Pefferlaw Secondary Plan (PSP), identifies Subject Land A as having a small portion of the property within Floodplain Lands, and Subject Land B is identified as having the majority of the property being Floodplain Lands.

As stated previously, the submitted Flood Hazard Assessment and Driveway Layout Design indicates that the proposed development area for the single detached dwelling on Subject Land B, is outside of the floodline and therefore, will not experience any flood hazards. However, the surrounding land and the existing gravel driveway to access the proposed single detached dwelling is located within the floodplain lands. In order to provide for safe ingress and egress to the proposed detached dwelling, a portion of the existing driveway adjacent to the ponds is to be regraded to achieve safe access in the event of a flood. In addition, the existing detached dwelling on Subject Land A is located outside of the floodplain hazard however, partially within the setback to the floodplain hazard. A Floodplain Hazard Assessment was not required as the detached dwelling is pre-existing.

As stated previously, the applicant must satisfactorily address the comments raised by the LSRCA respecting potential floodplain hazards and the results will be brought forward in the future consideration of this application.

Wetland Policies and Environmental Impact Assessments

Section 13.3.5.2 b) (i) requires that lands proposed for development situated within 120 metres of the boundary margin of the “Wetland” designation shown on Environmental Area Plan, Schedule E2, shall be required to prepare an Environmental Impact Study. Although the “wetland” for the subject properties is not shown on Schedule E2, an evaluated wetland has since been identified on Subject Land B and a watercourse (Pefferlaw River), are both located within 120 metres of the proposed single detached dwelling.

Section 13.3.5.3 b) (iii) states that where an EIS is required to be undertaken, the findings of the study are to be reviewed to the satisfaction of the Lake Simcoe Region Conservation Authority and that the development proposed will not negatively impact existing Wetland functions.

Since the Pefferlaw Secondary Plan is dated and lacking in protection mechanisms for all Natural Features, the proposed development will be largely evaluated against the policies in the PPS, Growth Plan, Greenbelt Plan, LSPP and YROP, in addition to the PSP.

Based on the submitted EIS which included a staking exercise with the LSRCA and the applicants’ consultant, it was confirmed that the properties contain a variety of KNHF and KHF which include an evaluated wetland and woodland. The EIS indicates potential impacts to Significant Wildlife Habitats present on the subject properties, which could result from the proposed development plan, including:

- Waterfowl Stop Over and Staging Areas;
- Potential Habitat for Bat Maternity Colonies;
- Turtle Wintering Areas;
- Turtle Nesting Areas;
- Waterfowl Nesting Areas;
- Breeding Amphibian Habitat and Movement Corridors; and,
- Special Concern and Rare Wildlife Species.

The EIS states that the proposed single detached dwelling is proposed outside of Natural Heritage Features with minor tree removals required to accommodate the proposed septic footprint and grading of the site. Much of the vegetation would be maintained and provide a buffer between the development of the proposed dwelling and the Pefferlaw River and some vegetation remaining between the proposed development and the neighbouring property to the west. As previously stated, the same owners own both the subject properties and the property to the west and they have indicated that there are no concerns with privacy or buffering issues.

Mitigation measures provided in the EIS, to avoid negative impact on KNHF and Key Hydrologic Features include pre and post construction recommendations such as:

- Sediment and erosion control measures to isolate the development footprint;
- Timing for offloading, storage and placement of construction and aggregate/fill materials;
- Best Management Practices utilized with all machinery and fill being imported to the subject property to ensure that material and machinery are free from invasive species;
- Ensure that any future structures are mandated to install motion-sensing and/or downward-facing directional lighting to avoid light pollution into adjacent natural areas;
- Timing for removal of trees to avoid impacts to nesting migratory birds and Species at Risk Bat Maternity Colonies; and,
- Post-construction tree planting and landscaping utilize native, site-appropriate species only.

The submitted EIS will be peer reviewed to determine potential impacts on KNHF and KHF and the results will be brought forward in the future consideration of this application.

Archaeological Study

Section 13.3.6.2 b) (ii) requires planning applications, such as applications to amend the Zoning By-law to include an archaeological study completed by a qualified professional for lands situated within the Pefferlaw community area.

A Phase 1 & 2 Archaeological Assessment prepared by New Era Archaeology, dated September 28, 2023, was submitted for Subject Land B. The assessment concluded that no archaeological resources were encountered and that no further archaeological assessment is required.

Land Division Policies

Section 13.3.3.2 outlines the Land Division policies, which also refer to the policies in Section 6.1 of the 1982 Official Plan (Office Consolidated 2013). As stated previously, following consideration of the Zoning By-law Amendment by Council, a Consent Application for the purposes of a lot addition will be required to provide lot frontage on an assumed public road for Subject Land B.

Hydrogeological Review

Section 13.3.3.3 requires that a hydrogeological investigation is undertaken prior to new development being approved and allowed to proceed in areas designated for residential development to determine the estimated environmental impact of the development on the groundwater resources of the community.

Given the small scale of the proposed development, a Hydrogeological Investigation was not required in the initial Pre-consultation process and therefore, one was not prepared by the applicant. However, the applicant submitted a Scoped Preliminary Servicing Study (Sewage and Water Supply) and a Functional Servicing and Stormwater Management Technical Memo which are discussed below.

Water and Sewage Services

Section 13.3.3.4 a) (i) requires all existing and proposed development to be serviced by individual septic systems and wells. Further, Section 13.3.3.4 a) (v) states that final lot sizes, including lot frontages and setbacks shall have regard for the method and capability of the servicing system.

The proposed Conceptual Development Plan and Future Consent prepared by Michael Smith Planning Consultants; Development Coordinators Ltd., dated August 3, 2023, demonstrates that Subject Land A will have a proposed lot area of 1,490 square metres (0.14 ha), and Subject Land B will have a proposed lot area of 33,630 square metres (3.3 ha). The Scoped Preliminary Servicing Study (Sewage and Water Supply) prepared by Azimuth Environmental Consulting, Inc., dated November 15, 2023, concluded that the environmental conditions upon the property are suitable for the proposed severance and development of a single detached dwelling with a new well and septic system on Subject Land B. Subject Land A has its own existing well and septic system.

Stormwater Drainage Policies

Section 13.3.3.5 outlines policies for stormwater drainage which is primarily by open ditch, and due to this, certain areas of the community have poor drainage and a high water table. In addition, wetlands and warm water fisheries are to be protected from stormwater runoff, and watercourses must be protected from erosion.

Control of both stormwater quantity and quality is required for the proposed development. As stated previously, a Functional Servicing and Stormwater Management Technical Memo was submitted which indicates that surface runoff from the proposed development will primarily drain in a northeastern direction to the existing ponds ultimately discharging into Pefferlaw River.

The memo proposes measures to reduce increased surface water runoff and promote infiltration with:

- Erosion and sediment controls implemented during construction;
- The addition of a soakaway pit to provide water balance and erosion control; and,
- Native seeding post-construction to provide vegetation growth which will also aid in reducing erosion.

Road Improvements

Section 13.3.7.3 (i) states that when additional land is required for road widening purposes, extensions or rights-of-way, such land may be obtained by the appropriate agencies or authorities as a condition of approval through the Plan of Subdivision, Condominium, Consent, or Site Plan approval processes.

The Region is protecting a 36.0 metre right-of-way for this section of Pefferlaw Road, and as such will require land to be conveyed to the Region through a future Consent Application.

5.4 Zoning By-law No. 500

Subject Land A is zoned Site-Specific General Commercial (C1-1) and Subject Land B is zoned Rural (RU) on Map 10 of Schedule A of Zoning By-law No. 500.

Proposed Draft Amending By-law (refer to Attachment 6)

Subject Land A is currently zoned Site-Specific General Commercial (C1-1), and the applicants are proposing to rezone the property to Site-Specific General Commercial (C1-XX) to permit the existing single detached dwelling and Site-Specific General Commercial (C1-YY) to permit an existing detached garage and driveway that will have access to the lands to be zoned Site-Specific Residential (R-XX) below.

Subject Land B is currently zoned Rural (RU), and the applicants are proposing to rezone the property to Site-Specific Residential (R-XX) to facilitate the construction of a single detached dwelling and Site-Specific Open Space (OS-XX) to permit the existing the existing detached garage, temporary vinyl garage and pumphouse, provide a driveway for access to the proposed single detached dwelling and protect the existing natural heritage features.

Following consideration of the Zoning By-law Amendment by Council, a Consent Application, for the purposes of a lot addition, will be required to provide lot frontage on a public road for Subject Land B.

Section 5.28 (b) – Parking

Section 5.28 of Zoning By-law 500, as amended, requires that adequate parking is provided for all development, including three (3) spaces per unit, two (2) of which may be in a driveway private to the unit and in the front yard.

The proposed development includes one (1) new shared entrance 6 metres in width for safe access that extends approximately 30 metres into the properties, one (1) gravel driveway 3.5 metres in width to access the proposed single detached dwelling on Subject Land B, and eight (8) parking spaces for the existing single detached dwelling to accommodate any future commercial use on Subject Land A. In the event

that Subject Land A is redeveloped for commercial use, sufficient parking will be provided.

Subject Land B contains an existing detached garage at the entrance of the property and a second detached garage and temporary vinyl garage deeper within the property associated with the proposed single detached dwelling which includes an attached garage.

Staff are of the opinion that the proposed parking is appropriate.

Section 5.13 Frontage on a Road or Street

Section 5.13 of Zoning By-law 500, as amended, development must occur on a property with frontage a public road. As stated, following consideration of the Zoning By-law Amendment by Council, a Consent Application, for the purposes of a lot addition, will be required to provide lot frontage on a public road for Subject Land B.

6. RELATIONSHIP TO STRATEGIC PLAN:

This report addresses the following Town of Georgina corporate strategic goal: Ensuring Balanced Growth.

7. FINANCIAL AND BUDGETARY IMPACT:

There are no financial concerns or budgetary impacts on the Town as a result of this application. The owners/applicants 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 applicable associated costs for same, including the payment of development charges and park levy.

8. ISSUES REQUIRING CONSIDERATION AND RESOLUTION:

The following matters must be resolved:

- Determination the extent of any Floodplain Hazards which exist on the subject properties.
- A peer review of the EIS is required to determine potential impacts on natural features, species at risk, and habitat, as well as any additional studies required.
- Further review of the Draft Amending By-law.
- Public, Council and Agency comments.

9. CONCLUSION:

Staff are of the opinion that the proposed ZBA application is generally consistent with relevant provincial, regional, and local policies, as outlined in this report.

Staff recommend that the application be referred back to Staff for further review and consideration including the issues requiring resolution, and that the application be considered at a future meeting of Council.

Prepared By: Jessica Peake, MCIP, RPP
Planner II

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

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

Approved By: Ryan Cronsberry
Chief Administrative Officer

Attachments:

Attachment 1 – Location Map

Attachment 2 – Site Photographs

Attachment 3 – Conceptual Development Plan and Future Consent

Attachment 4 – Summary of Submission Documents

Attachment 5 – Consolidated Comments

Attachment 6 – Applicant’s Draft Amending By-law