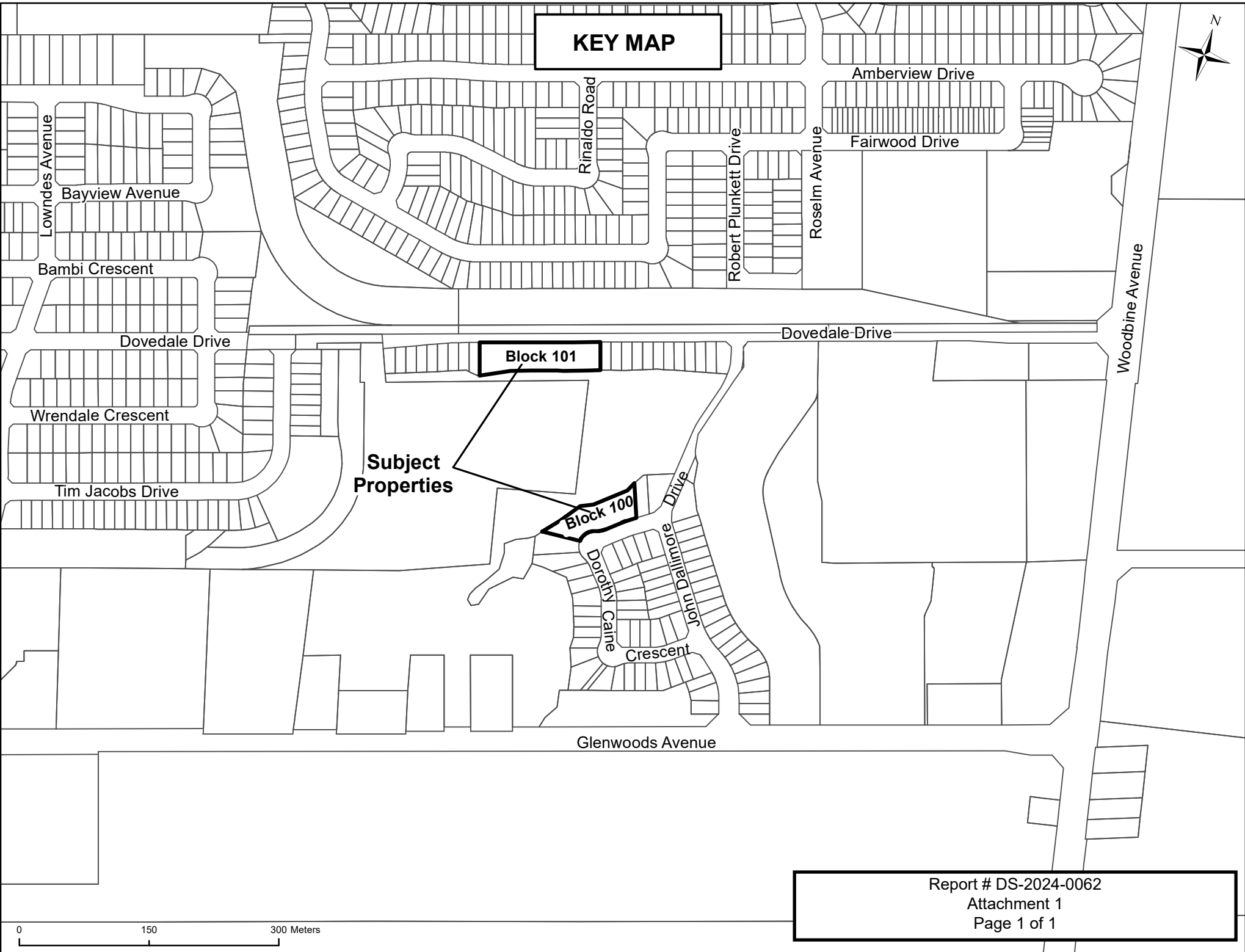


KEY MAP



**Subject
Properties**

Block 101

Block 100



GEORGINA

NOTICE OF PASSING OF A ZONING BY-LAW BY THE CORPORATION OF THE TOWN OF GEORGINA

TAKE NOTICE that the Council of The Corporation of the Town of Georgina passed By-law Number 500-2020-0003 (PL-5) on the **26th day of February, 2020** pursuant to Sections 34 and 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

AND TAKE NOTICE that through the circulation and review of the application to amend Zoning By-law Number 500, the public provided 8 written and 6 verbal submissions to the Town. The public also provided to Council 1 verbal submission at the October 15, 2013 public meeting, 2 verbal submissions at the August 13, 2014 public meeting, 1 verbal submission at the May 24, 2017 public meeting, and 3 verbal submissions at the September 26, 2018 public meeting. Council considered all public submissions received on this application and Staff Reports No. PB-2013-0099, No. PB-2014-0052, No. DS-2017-0046 and No. DS-2018-0111, the effect of which helped Council to make an informed decision.

The purpose of Zoning By-law Number 500-2020-0003 (PL-5), which amends Zoning By-law Number 500, is to rezone the subject lands from 'Rural' (RU) to 'Low Density Urban Residential' ('R1-153', 'R1-154', 'R1-155', 'R1-160' and 'R1-160(H) and 'Open Space' ('OS', 'OS-105' and 'OS-106') in order to facilitate a plan of subdivision comprised of single detached dwellings, a storm water management facility, and blocks for open space and environmental protection.

ANY APPEALS of the Zoning By-Law Amendment must be filed to the Local Planning Appeal Tribunal in respect of the By-law by filing with the Clerk of the Corporation of the Town of Georgina not later than 4:30 p.m. on the **26th day of March 2020**. A notice of appeal must set out the reasons for the appeal and must be accompanied by a completed Local Planning Appeal Tribunal form "Appellant Form (A1)", a certified cheque or money order in the amount of \$300.00 payable to the Minister of Finance, and payment of the Town's Administrative Fee of \$306.00. A copy of the appellant form is available on the Tribunal's website at: www.elto.gov.on.ca.

A complete By-law is available for viewing in the Clerk's Division during regular office hours.

Dated at the Town of Georgina this **6th day of March 2020**.

Mamata Baykar, Deputy Clerk
The Corporation of the Town of Georgina

OWNERS:	Ballymore Development (Keswick) Corp. c/o Larry Dekkema
APPLICANT:	Michael Smith Planning Consultants; Development Coordinators Ltd.
DESCRIPTION:	Part of Lots 6 & 7, Concession 3 (NG) Parts 56, 58 & 59, Plan 65R-31761 Roll No.: 143-466 & 146-574
FILE NUMBER:	03.1069 – Zoning By-law Amendment

NOTE: Only individuals, corporations and public bodies may appeal a zoning by-law to the Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Zone	R1-153	R1-154 & R1-155	R1-160 & R1-160 (H)
Lot Frontage (Minimum) Interior Lot Corner Lot	11.0 metres 14.0 metres	12.2 metres 15.2 metres	15.0 metres 18.0 metres
Lot Area (Minimum) Interior Lot Corner Lot	330 m ² 420 m ²	366 m ² 456 m ²	450 m ² 540 m ²
Front Yard (Minimum) To Attached Garage To Dwelling	6 metres (i) 5 metres (i)	6 metres (i) 5 metres (i)	6 metres (i)(ii) 5 metres (i)
Exterior Side Yard (Minimum)	4 metres (i) (ii)	4 metres (i) (ii)	4 metres (i) (ii)
Rear Yard (Minimum)	7.5 metres	7.5 metres	7.5 metres
Interior Side Yard (Minimum)	1.2 metres and 0.6 metres on the other side, plus 0.5 metres for each additional or partial storey above the second (iii)	1.2 metres and 0.6 metres on the other side, plus 0.5 metres for each additional or partial storey above the second (iii)	1.2 metres, plus 0.5 metres for each additional or partial storey above the second (iii)
Lot Coverage (Maximum)	Not Applicable	Not Applicable	Not Applicable

- (i) The minimum setback for the main wall of a dwelling to a sight triangle which forms part of the street shall be 2.5 metres, and the minimum setback for any other building or structure to a sight triangle which forms part of the street shall be 0.6 metres.
- (ii) No entrance shall be permitted to provide access to the exterior flankage of a corner lot. Notwithstanding the foregoing, an entrance shall be permitted to the exterior flankage of the corner lot zoned 'R1-155'. For a lot zoned 'R1-155', the minimum exterior side yard setback shall be 6 metres to an attached garage. Further, where a garage door faces an interior side lot line the minimum front yard setback to the garage shall be 5 metres.

- (iii) Where there is a detached garage in the rear yard of a lot, the minimum interior side yard on the side providing access to a detached garage shall be 3.5 metres.
- b) Notwithstanding Sections 5.28 (h) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways, and parking areas:
 - (i) Every lot shall provide a garage.
 - (ii) The minimum interior dimensions of a garage shall be 4.5 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 6 metres, in all residential zones.
 - (iii) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
 - (iv) With the exception of corner lots, no attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street at the ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.

For corner lots, no attached garage shall project into the front yard more than a maximum of 2.0 metres beyond the most distant point of any wall of the dwelling facing the street at the ground level with or without an enclosed porch or entry feature adjacent to the attached garage.

- (v) Notwithstanding (iv) above, on those lands zoned 'R1-160' and 'R1-160 (H)' in Schedule 'A' hereto, where a dwelling contains an attached garage with the garage door(s) facing an interior side lot line, the following shall apply:
- i. The attached garage may project into the front yard a maximum of 9 metres beyond the most distant point of any wall of the dwelling facing the street at ground level and 7.0 metres beyond a covered unenclosed porch or entry feature, subject to the minimum front yard requirements.
 - ii. The attached garage shall be setback a minimum of 7 metres from the interior side lot line the garage door(s) faces.
 - iii. No portion of any building or structure shall project into the vehicular access (inclusive of, but not limited to, driveways or parking areas) of the attached garage.
- (vi) In the case of a dwelling with an attached garage, no part of any driveway or parking area in the front yard shall be located closer than 0.6 metres from a sight triangle and 0.9 metres from a side lot line. Furthermore, the maximum width of a driveway or parking area in the front yard shall be the interior width of the attached garage on the lot, plus 0.5 metres.
- (vii) In the case of a lot with a detached garage in the rear yard, no part of any driveway or parking area shall be located closer than 0.9 metres from a side lot line. Furthermore, the minimum width of a driveway leading to a parking area and a detached garage in the rear yard shall be 2.5 metres, and the maximum width of a driveway or parking area in the front yard shall be 3 metres.

- c) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
- (i) Fences not exceeding 2 metres in height are permitted in the rear yard, as well as within the back half of the interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
 - (ii) Fences are permitted in the front and exterior side yards, as well as the front half of the interior side yard, provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
 - (iii) Notwithstanding (ii) above, where the front yard abuts the rear yard or back half of the interior side yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted along the common lot line.
 - (iv) Notwithstanding (i) and (ii) above, where a lot or block abuts a commercial zone, a fence may be erected along the common lot line or in the commercial zone to a maximum height of 3 metres.
- d) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard areas, unenclosed porches are permitted to encroach 2 metres into any required front yard or exterior side yard with an additional 0.5 metre encroachment permitted for steps. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

e) Finally, notwithstanding any other provision herein, while the (H) Holding symbol is in place, no building or structure, and no site alteration or development, shall be permitted to be erected on lands shown in heavy outline and designated 'R1-160 (H)' in Schedule 'A' attached hereto. Pursuant to Section 36 of the *Planning Act*, R.S.O. 1990 as amended, Council shall enact a by-law to remove the (H) Holding symbol from the land under the following circumstance:

(i) Written confirmation from the Lake Simcoe Region Conservation Authority that the heronry is no longer active or that it has been demonstrated that development within this zone will not harm any remaining habitat area. This will require a post-construction monitoring program for two breeding seasons.

For purposes of this section, a heronry is defined within the Natural Heritage Reference Manual and Significant Wildlife Habitat Criteria Schedules for Ecoregion 6 E.”

3. That Section 27.5 **SPECIAL PROVISIONS** of Zoning By-law Number 500 as amended, is hereby further amended by adding after Subsection 27.5.104, the following:

“27.5.105 PART OF LOTS 6 AND 7, CON.3 (N.G.) ‘OS-105’
N/S GLENWOODS AVENUE (Map 2, pg. 2)

Notwithstanding Section 27.2, on lands shown in heavy outline and designated 'OS-105' in Schedule 'A' attached hereto, only the following non-residential uses shall be permitted:

- conservation or forestry use
- municipal road
- accessory buildings, structures and uses to any permitted use.

27.5.106 PART OF LOTS 6 AND 7, CON.3 (N.G.) ‘OS-106’

N/S GLENWOODS AVENUE

(Map 2, pg. 2)

Notwithstanding Section 27.2, on lands shown in heavy outline and designated 'OS-106' in Schedule 'A' attached hereto, only the following non-residential uses shall be permitted:

- storm water pond, including access driveway
- accessory buildings, structures and uses to any permitted use."

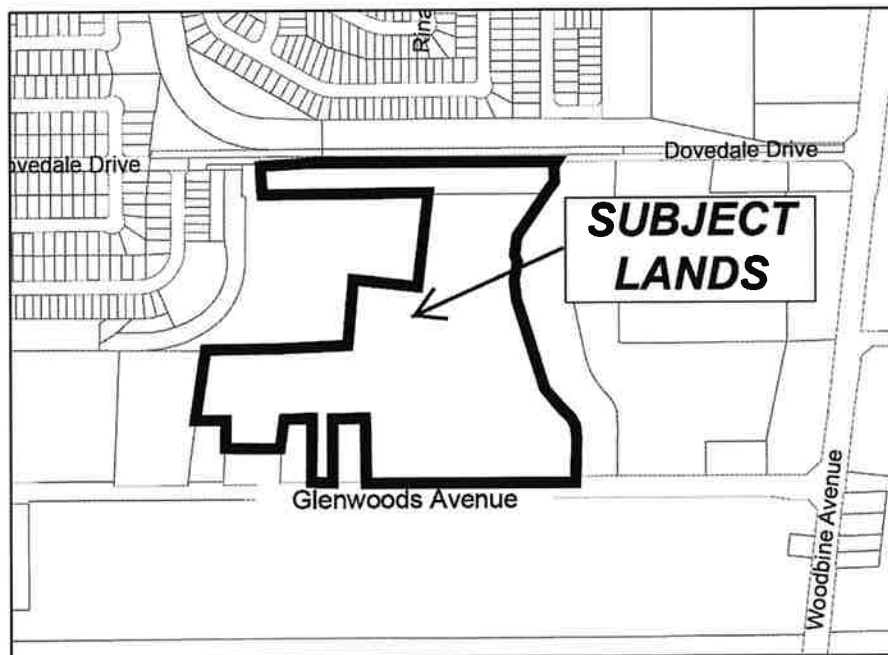
READ and enacted this 26th day of February, 2020.


Margaret Quirk, Mayor


Rachel Dillabough, Town Clerk

**EXPLANATORY NOTE (BALLYMORE DEVELOPMENT (KESWICK) CORP.)
(TOWN FILE NO.: 03.1069)**

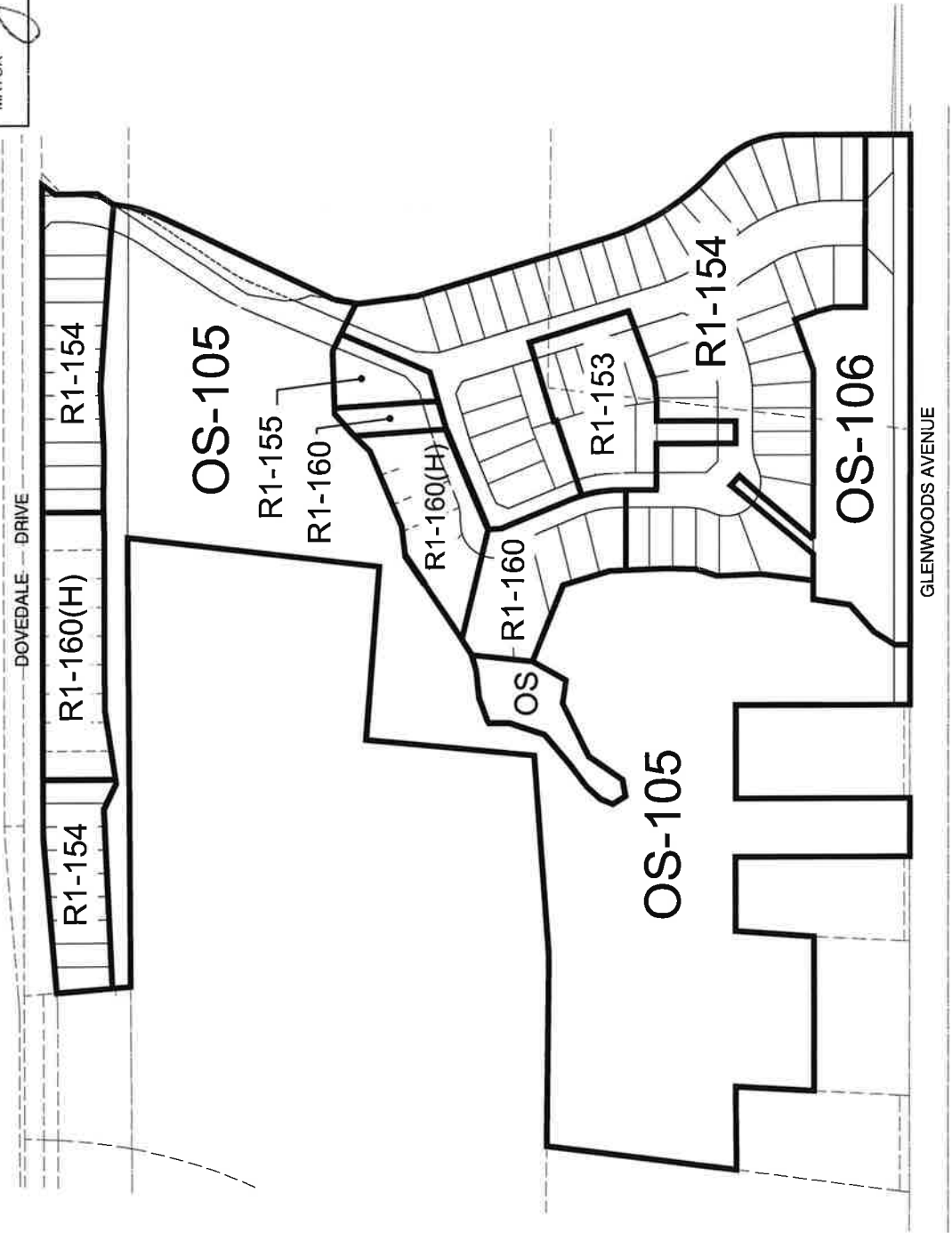
1. The purpose of Zoning By-law Number 500-2020-0003 (PL-5), which amends Zoning By-law Number 500, is to rezone the subject lands from 'Rural' (RU) to 'Low Density Urban Residential' ('R1-153', 'R1-154', 'R1-155', 'R1-160' and 'R1-160(H)') and 'Open Space' ('OS', 'OS-105' and 'OS-106') in order to facilitate a plan of subdivision comprised of single detached dwellings, a storm water management facility, and blocks for open space and environmental protection.
2. Two areas are zoned 'Low Density Urban Residential' ('R1-160(H)'). These areas cannot be developed until the (H) Holding symbol is removed. The Holding symbol has been put in place to protect a blue heron colony or heronry. At such time as the Lake Simcoe Region Conservation Authority has advised the Town that the holding provisions are no longer required, the Town may, by amendment to the zoning by-law, remove the Holding zone symbol.
3. Zoning By-law Number 500-2020-0003 (PL-5) conforms to the Town of Georgina Official Plan, as amended by the Keswick Secondary Plan.
4. A **Key Map** showing the location of the land to which By-law Number 500-2020-0003 (PL-5) applies is shown below.



**BY-LAW NUMBER 500-2020-0003 (PL-5) WHICH AMENDS ZONING BY-LAW
NO. 500 OF THE CORPORATION OF THE TOWN OF GEORGINA**

PART OF LOTS 6 AND 7, CONCESSION 3
 TOWN OF GEORGINA
 THE REGIONAL MUNICIPALITY OF YORK
 GEOGRAPHIC TOWNSHIP OF NORTH WILLIMBURY

THIS IS SCHEDULE 'A' TO
 BY-LAW 500-2020-0003 (PL-5)
 PASSED THIS 26th DAY OF
 FEBRUARY 2020
Rachel D. [Signature]
 CLERK
Debra [Signature]
 MAYOR



From: [Dave Ruggle](#)
To: [Brittany Dobrindt](#)
Subject: Ballymore - Heronry Site - Removal of the Holding Provision
Date: September 18, 2024 3:53:11 PM

CAUTION! This email is originated from **outside the organization**. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please forward the message to support@georgina.ca. If you think you may have clicked on a phishing link, please contact the IT Service Desk immediately at 905-476-4301 ext. 2256.

Hi Brittany,

I can advise that the LSRCA have no objection to the removal of the Holding Provision for Zoning By-law 500-2020-0003. The removal of the holding provision requires: *Written confirmation from the Lake Simcoe Region Conservation Authority that the heronry is no longer active or that it has been demonstrated that development within this zone will not harm any remaining habitat area. This will require a post-construction monitoring program for two breeding seasons.*

Monitoring for two breeding seasons post-construction has been completed and the heronry is continuing to grow and expand closer to the development.

Please let me know if you have any questions or require anything further.

Thanks,

Dave

Dave Ruggle, BAA, MCIP, RPP

Manager, Planning

Lake Simcoe Region Conservation Authority

120 Bayview Parkway,

Newmarket, Ontario L3Y 3W3

905-895-1281, ext. 240 | 1-800-465-0437 |

d.ruggle@LSRCA.on.ca | www.LSRCA.on.ca