

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2024-0058

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

October 7, 2024

**SUBJECT: MINOR VARIANCE APPLICATION A23-24
S/S OLD HOMESTEAD ROAD
CON 3 PT LOT 15 RP 65R30415; PART 1**

1. RECOMMENDATIONS:

1. That the Committee of Adjustment receive Report No. DS-2024-0058 prepared by the Development Planning Division, Development Services Department, dated October 7, 2024, respecting Minor Variance Application A23-24, submitted by Michael Smith Planning Consultants Ltd. on behalf of Middleburg Development Inc. for the approved draft plan of subdivision 19T-14G01 on the south side of Old Homestead 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 A23-24 to permit relief from the following:
 - i) Lot 62: Section 7.5.106 a): To permit a frontage of 17.5 metres whereas a minimum lot frontage of 21 metres is required;
 - ii) Lots 10 and 25: Section 7.5.106 a): To permit a frontage of 15.5 metres whereas a minimum lot frontage of 15.8 metres is required;
 - iii) Lot 62: Section 7.5.106 a): To permit a lot area of 570 square metres whereas a minimum lot area of 630 square metres is required;
 - iv) Lots 53-71: Section 7.5.106 b) ii): To permit a maximum garage width of 9 metres whereas a maximum garage width of 6 metres is permitted.

2. PURPOSE:

The purpose of this report is to provide Staff's analysis concerning Minor Variance Application A23-24 for the property located at S/S Old Homestead Road, regarding proposed reduced frontage and lot area requirements, and increased maximum permitted garage width.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 3)

S/S Old Homestead Road
CON 3 PT LOT 15 RP 65R30415; PART 1
Roll #: 096-142

PROPOSAL

The owner of the subject property has previously submitted a Draft Plan of Subdivision for the site. The Local Planning Appeal Tribunal (LPAT) approved draft plan 19T-14G01, dated April 24, 2018, which included 189 lots for single detached dwellings. As a result of the road widening requirements for Old Homestead, reduced frontages and lot areas are required for some of the lots. Additionally, the applicant has requested to increase the permitted garage width, in order to accommodate 3 car garages on some of the proposed lots.

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

- i) Variance 1 Lot 62: **Section 7.5.106 a)**: To permit a frontage of 17.5 metres whereas a minimum lot frontage of 21 metres is required.
- ii) Variance 2 Lots 10 and 25: **Section 7.5.106 a)**: To permit a frontage of 15.5 metres whereas a minimum lot frontage of 15.8 metres is required.
- iii) Variance 3 Lot 62: **Section 7.5.106 a)**: To permit a lot area of 570 square metres whereas a minimum lot area of 630 square metres is required.
- iv) Variance 4 Lots 53-71: **Section 7.5.106 b) ii)**: To permit a maximum garage width of 9 metres whereas a maximum width of 6 metres is permitted.

A Site Sketch showing the proposal and the requested relief is included as Attachment 3.

3.1 SUBJECT PROPERTY AND THE SURROUNDING AREA:

The subject property is located at S/S Old Homestead Road. A summary of the characteristics of the property is as follows:

General Property Information	
Municipal Address	S/S Old Homestead Road
Zoning	Site Specific Low Density Urban Residential (R1-146 to R1-149)
Frontage	282.2 Metres
Area	59000 Square Metres
Official Plan / Secondary Plan Land Use Designation	Neighbourhood Residential (Queensway West Development Area Overlay)

Regional Official Plan Land Use Designation	Urban Area	
Related Applications	19T-14G01, 01.137 and 03.1074	
Land Use and Environmental Considerations		
Existing Structures	None	
Proposed Structures	Single Detached Dwellings	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	No	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	Existing	Proposed
Water	None	Municipal
Sanitary	None	Municipal
Access	None	Driveway

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 September 25, 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 A23-24 have been consolidated below.

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

- Town of Georgina Fire Department
- Tax and Revenue Division
- York Region
- Municipal Law Enforcement Division
- Development Engineering
- Operations and Infrastructure Department
- Building Division
- Chippewas of Georgina Island

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

5. **ANALYSIS:**

The following evaluation of Minor Variance Application A23-24 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 Neighbourhood Residential in the Keswick Secondary Plan. Single detached dwellings and accessory buildings, structures and uses thereto are permitted in this designation.

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 Site Specific Low Density Urban Residential (R1-146 to R1-149) on Map 3 pg. 1 of Schedule 'A' to Zoning By-law No. 500, as amended. A single detached dwelling and accessory uses structures are permitted in these zones.

a. Lot Frontage and Lot Area

Section 7.5.106 a) of Zoning By-law No. 500, as amended, requires a minimum lot frontage of 15.8 metres for zone R1-147 and 21 metres for zone R1-149. Due to the road widening of Old Homestead being taken from the centre line of construction as opposed to the centreline of the right-of-way and to maintain the approved lotting pattern, the proposed lot sizes must be reduced and therefore no longer meet these minimum requirements. As such, a lot frontage reduction to 15.5 metres and 17.5 metres, respectfully, are requested.

The intent of the minimum frontage requirement is to ensure that there is sufficient frontage on a public, assumed road to enable access without compromising the neighbourhood character.

Section 7.5.106 a) of Zoning By-law No. 500, as amended, requires a minimum lot area of 630 square metres for zone R1-149. Due to the road widening of Old Homestead as noted above, the proposed Lot 62 can no longer meet this minimum requirement. A lot area of 570 square metres is proposed.

The intent of minimum area requirement is to ensure compatibility with surrounding lots and to maintain the character of the area.

Staff note that as the reduced frontages and lot area are proposed for lots that do not border any existing dwellings. As such, the character of the area is not anticipated to be negatively impacted.

c. Maximum Garage Width

Section 7.5.106 b) ii) of Zoning By-law No. 500, as amended, permits a maximum garage width of 6 metres. The applicant is proposing to amend this provision to permit a maximum width of 9 metres, to accommodate 3 car garages on Lots 53 to 71.

The intent of this provision is to ensure compatibility with surrounding lots and to ensure that adequate space is provided between driveway entrances. Staff note that these lots have larger frontages than those of the neighbouring parcels, which allows them to accommodate the increased garage size. Furthermore, the Town's Entrance Bylaw (Bylaw 2023-0019 (PWO-2)) provides minimum setback distances from side property lines, which will ensure that driveways are not placed too closely together.

Consequently, staff are of the opinion that the proposed variances maintain 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 requested variances are appropriate for the subject property which is designated Neighbourhood Residential within the Queensway West Development Area, where low density residential uses are permitted.

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 note that this test is not simply a question of numerical value. The principal consideration is that of potential impact the variances 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 variances are minor in nature.

6. CONCLUSION:

Subject to the recommendations in Section 1 of this report, Staff are of the opinion that Minor Variance Application A23-24, as it pertains to the reduced frontages and lot area, and increased garage width, 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:

Brittany Dobrindt
Planner I

Approved By:

Janet Porter, MCIP, RPP
Manager of Development Planning

Attachments:

Attachment 1 – Location Map

Attachment 2 – Site Photos

Attachment 3 – Site Sketch