

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2024-0066

**FOR THE CONSIDERATION OF THE
COMMITTEE OF ADJUSTMENT**

November 18, 2024

**SUBJECT: MINOR VARIANCE A27-24 AND CONSENT B13-24
306 GLENWOODS AVENUE
PLAN 231 LOT 95**

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2024-0066 prepared by the Development Planning Division, Development Services Department, dated November 18, 2024, respecting Consent Application B13-24 and Minor Variance Application A27-24, for the property municipality address 306 Glenwoods Avenue; and,**
- 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 B13-24 as it pertains to the property known as 306 Glenwoods Avenue, Keswick, to sever and convey the Severed Lands from the Retained Lands, as shown in Attachment 2 to Report No. DS-2024-0066;**
 - b) That the Committee of Adjustment approve Minor Variance Application A27-24 to permit relief from the following:**
 - i) Section 6.1 (c): To permit the construction of a single detached dwelling on the Severed Lands with a front yard setback of 3 metres, whereas a minimum of 6 meters is required;**
 - ii) Section 6.1 (e): To permit the construction of a single detached dwelling on the Severed Lands with a rear yard setback of 3 metres, whereas a minimum of 7 metres is required;**
 - iii) Section 6.1 (i): To permit the construction of a single detached dwelling on the Severed Lands with a lot of coverage of 41.6%, whereas a maximum lot coverage of 35% is permitted;**
 - iv) Section 5.1(e): To permit a maximum lot coverage of 11.5% for all accessory structures on the Retained Lands, whereas a maximum lot coverage of 10% for all accessory structures is required;**

- c) That the approval of Consent Application B13-24 be subject to the following condition(s):**
- 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 draft transfer documents, in duplicate, conveying the Severed Lands, as indicated on Attachment 2 to Report No. DS-2024-0066;**
 - iii) 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 the Severed Lands;**
 - iv) Submission to the Secretary-Treasurer of written confirmation from The Town of Georgina Development Planning Division that the Severed Lands have been assigned a civic address;**
 - v) Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that any accessory structures on the Severed Lands have been removed, to the satisfaction of the Development Planning Division;**
 - vi) Submission to the Secretary-Treasurer of written confirmation from York Region that the Town of Georgina provided confirmation of adequate water supply and sewage capacity have been allocated for the proposed new lot;**
 - vii) Submission to the Secretary-Treasurer of written confirmation from Lake Simcoe Region Conservation Authority that all matters identified in Attachment 5 to Report No. DS-2024-0066 have been addressed to their satisfaction;**
 - viii) That the above-noted conditions be fulfilled within two (2) years of the date of the Notice of Decision; and,**
- d) That the approval of Minor Variance Application A27-24 be subject to the following term(s):**
- i) That the proposed single detached dwelling attached garage has a front yard setback of 5.7 metres to accommodate for parking; and**
 - ii) That the proposed single detached dwelling, be constructed in general conformity with Attachment 3 to Report DS-2024-0066, in accordance with the relief recommended to be approved in Recommendation 2 b).**

e) That the approval of Minor Variance Application A27-24 be subject to the following term(s):

i) Submission to the Secretary-Treasurer of written confirmation from the Town of Georgina Development Engineering Division that all matters identified in Attachment 5 to Report No. DS-2024-0066 have been addressed to their satisfaction;

ii) That the above-noted conditions be fulfilled within two (2) years of the date of the Notice of Decision.

3) PURPOSE:

The purpose of this report is to provide Staff analysis and to outline comments received with respect to Consent Application B13-24 and Minor Variance Application A27-24 for the property located at 306 Glenwoods Avenue, regarding the creation of two (2) residential lots and construction of a single detached dwelling.

4) BACKGROUND:

Property Description: (refer to Attachments 1 to 4)
306 Glenwoods Avenue
Plan 231 Lot 95
Roll #: 145-829

PROPOSAL

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

The owner is applying for a consent to create two (2) separate conveyable parcels. The created lot (Severed Lands) is proposed to eventually be developed with a single detached dwelling.

The Severed Lands and Retained Lands would have the following characteristics:

Table 1 – Proposal Summary

	Frontage (m)	Depth (m)	Lot Area (m2)
Severed Lands	28.40 (On Glenwoods Avenue)	16.76	476
Retained Lands	21.06 (on Lake Drive South)	38.16	687

The proposed Severed Lands will have frontage on Glenwoods Avenue and the proposed Retained Lands will have frontage on Lake Drive South, both open and assumed public roads.

The division of the subject property will result in the Severed Lands requiring relief to construct a single detached dwelling and the Retained Lands requiring relief to legalize the accessory structure lot coverage as a result of the severance.

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

- i. **Section 6.1 (c):** To permit the construction of a single detached dwelling on the Severed Lands with a front yard setback of 3 metres, whereas a minimum of 6 meters is required.
- ii. **Section 6.1 (e):** To permit the construction of a single detached dwelling on the Severed Lands with a rear yard setback of 3 metres, whereas a minimum of 7 metres is required.
- iii. **Section 6.1 (i):** To permit the construction of a single detached dwelling on the Severed Lands with a lot of coverage of 41.6%, whereas a maximum lot coverage of 35% is permitted.
- iv. **Section 5.1 (e):** To permit a maximum lot coverage of 11.5% for all accessory structures on the Retained Lands, whereas a maximum lot coverage of 10% for all accessory structures is required.

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

a) SUBJECT PROPERTY AND THE SURROUNDING AREA:

The subject property is located at 306 Glenwoods Avenue. A summary of the characteristics of the property is as follows:

General Property Information	
Municipal Address	306 Glenwoods Avenue
Zoning	Low Density Urban Residential (R1)
Official Plan / Secondary Plan Land Use Designation	Existing Neighbourhood (Keswick Secondary Plan)
Regional Official Plan Land Use Designation	Community Area
Related Applications	A27-24, B13-24
Land Use and Environmental Considerations	

Existing Structures	Single Detached Dwelling, detached garage and sheds	
Proposed Structures	Future single detached dwelling on the Severed Lands	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	Partially	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	Existing	Proposed
Water	Municipal	Municipal
Sanitary	Municipal	Municipal
Access	Existing driveway	Driveway

The subject property is located within the community of Keswick and has a frontage of approximately 21.06 metres on Glenwoods Avenue and a lot area of approximately 1,142 square metres. There is an existing single detached dwelling and some accessory buildings on the property.

The surrounding land uses are generally described as follows:

North: Single Detached Dwellings
 East: Single Detached Dwellings
 South: Single Detached Dwellings
 West: Single Detached Dwellings

5) PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

a) PUBLIC CIRCULATION

In accordance with the provisions of the *Planning Act*, the Notice of Hearing for the subject applications was sent by mail on October 30, 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.

b) EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

All Town department and external agency comments for Consent Application B13-24 and Minor Variance Application A27-24 have been circulated for comment.

The Development Planning Division has indicated that they have no objections and require, as a condition of the consent application, that the applicant/owner remove the existing shed on the Severed Lands.

York Region has indicated that they have no objections and require, as a condition of the consent, that prior to final approval, the Town of Georgina must provide confirmation that adequate water supply and sewage capacity have been allocated for the proposed new lot.

The Development Engineering Division has no objections and require, as a condition of the minor variance, that the applicant/ owner provide a detailed lot grading and drainage plan (Attachment 5). The Development Engineering Division has also advised the Applicant / Owner for the consent application that prior to the issuance of a building permit for development on the Severed Lands, they shall provide a lateral Application with an initial payment of \$15,000 along with a Site Servicing plan, prepared by a Professional Engineer, indicating the existing and proposed water and sanitary lateral locations and invert of same.

The Lake Simcoe Region Conservation Authority (LSRCA) has indicated (Attachment 5) that they have no objections and require, as a condition of the consent and minor variance, that the Applicant / Owner pay the LSRCA review fee for the Minor Variance and Consent.

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

- Tax and Revenue Division
- York Region
- Economic Development Division
- Georgina Fire Department

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

6) **ANALYSIS:**

a) CONSENT APPLICATION B13-24

Provincial Planning Statement (PPS) (2024), Greenbelt Plan (GBP) (2017), and Lake Simcoe Protection Plan (LSPP) (2009)

Staff have reviewed the proposal against the above-noted Provincial Plans and are of the opinion that the proposal is consistent with the Provincial Planning Statement and conforms to the *Greenbelt Plan*, as well as the Lake Simcoe Protection Plan. It is also noted that the Lake Simcoe Region Conservation Authority (LSRCA) has not raised any concerns with the proposal.

York Region Official Plan (YROP) (2022)

The subject property is designated 'Community Area' on Map 1a of the York Region Official Plan (YROP). Section 4.2.2 and of the YROP states that Community Areas shall contain a wide range and mix of housing types, sizes, tenures that include options that are affordable to residents. Furthermore, 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 is consistent with the York Region Official Plan.

Keswick Secondary Plan (2023) and Zoning By-law 500

The subject property is designated 'Existing Neighbourhood' on Schedule B of the Keswick Secondary Plan (KSP). It is zoned 'Low-Density Urban Residential (R1)' on Map 2 (page 2) on Schedule 'A' to Zoning By-law 500. Single detached dwellings and accessory structures are permitted within the R1 zone.

Section 13.1.6.2. of the KSP states that neighbourhoods within Keswick are envisioned to be predominantly a mix of low-rise residential areas, providing a range of housing options for current and future residents.

Section 13.1.8.4.2 (b) of the KSP states that Consents may be permitted for such reasons as the creation of a new lot, lot boundary adjustments, rights-of-way, easements, or to convey additional lands to an abutting lot, provided an undersized lot is not created.

Section 13.1.8.4.2 (e) of the KSP further lists criteria that must be met in order for a Consent application to be considered for approval. Below is the Staff's assessment of the proposed consent against the criteria provided.

(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 additional lot is being proposed.

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

The proposed Severed Lands will front on Glenwoods Avenue, and the proposed Retained Lands will front onto Lake Drive South; both are existing municipal roads. Existing water services are available along Glenwoods Avenue. Existing ditches along Glenwoods Avenue will provide storm drainage.

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

The existing single detached dwelling on the subject property fronts Lake Drive South and has access to Glenwoods Avenue with an existing driveway.

The subject properties are located in an established residential area of Keswick. The Development Engineering Division has advised the Applicant / Owner that the Severed Lands will require new lateral connections to service the future single detached dwelling.

York Region has also indicated that the Town shall confirm that water and wastewater servicing allocation for the newly proposed lot is a condition of the consent.

Staff are of the opinion that subject to the conditions of approval relating to the servicing and allocation assignment, 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.

The proposed Severed Lands will have adequate frontage on Glenwoods Avenue, while the proposed Retained Lands will have adequate frontage on Lake Drive South, which both are open and assumed roads.

Staff note that the proposed lot fronting on Glenwoods Avenue is not anticipated to 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 the area is 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 a single detached dwelling within a Low Density Urban Residential (R1) zone. The single detached dwelling proposed on the Severed Lands requires a variance for front yard and rear yard setbacks and lot coverage. A minor variance is required on the Retained Lands to address the accessory structure lot coverage.

(vii) The Consent complies with all relevant permitted uses and policies of this Secondary Plan

The subject property is designated Existing Neighbourhood. Staff have reviewed the proposed consent relative to the relevant policies 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.

Staff note that the proposed Severed Lands and Retained Lands are located in a developed neighbourhood with minimal natural features, attributes or ecological functions. The western edge of the proposed Retained Lands is regulated by the Lake Simcoe Region Conservation Authority. The Lake Simcoe Region Conservation Authority has no objections to the proposed consent.

Given the above, Staff believe that the proposal meets the relevant policies of the Provincial and Regional policies, as well as the Town's Official Plan and Zoning By-law.

b) MINOR VARIANCE APPLICATION A27-24

The following evaluation of Minor Variance Application A27-24 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 Existing Neighbourhood in the Keswick Secondary Plan. Low-rise residential uses including single detached dwellings and accessory structures, buildings, 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 Low-Density Urban Residential (R1) on Map 2 (Page 2) of Schedule 'A' to Zoning By-law No. 500, as amended. Single-detached dwellings are permitted in the R1 Zone.

a. Front Yard Setback

Section 6.1 (c) of Zoning By-law 500, as amended, requires a minimum front yard setback of 6 metres. The Applicant is requesting relief to allow for a minimum front yard setback of 3 metres for the single detached dwelling on the proposed Severed Lands.

The intent of the front yard setback provision is to ensure consistency and compatibility with surrounding lots with respect to proximity to the street and to reduce the negative impact on neighbouring properties.

Staff note that the proposed single detached dwelling would provide a similar setback to Glenwoods Avenue as the neighbouring property (Retained Lands). Town staff have also set a term for the proposed detached dwelling's attached

garage to be set back 5.7 metres from the road in order to accommodate parking in the proposed driveway and transition the front wall of the proposed structure to the front wall of homes along Glenwoods Avenue.

b. Rear Yard Setback

Section 6.1(e) of Zoning By-law 500, as amended, requires a minimum rear yard setback of 7 metres for single detached dwellings. The applicant is requesting relief to allow a minimum rear yard setback of 3 metres for a proposed single detached dwelling on the proposed Severed Lands.

The intent of the minimum rear yard setback provision is to ensure consistency and compatibility with surrounding lots with respect to backyard space, privacy and shadow casting and to ensure the neighbouring properties are not negatively impacted.

The adjacent property to the north contains an existing dwelling that is generously setback from Lake Drive South. As a result, the proposed severed lands will be located adjacent to the side wall of the existing dwelling, in essence creating a side yard to side yard condition between the existing dwelling and the proposed dwelling on the severed lands. The siting of the proposed dwelling on the severed lands is not anticipated to impact the rear yard amenity of the existing dwelling to the north. In addition, an existing hedge is located between the properties that will maintain privacy and reduce shadow casting.

Staff note that the east interior side yard for the proposed Severed Lands is 7.3 meters, which is intended to provide amenity space for the proposed dwelling unit and provide an ample setback from the adjacent dwelling to the east.

c. Lot Coverage

Section 6.1 (i) of Zoning By-law 500, as amended, requires a maximum lot coverage of 35%. The applicant is requesting relief to permit a maximum lot coverage of 41.6% on the proposed Severed Lands.

The intent of the lot area coverage is to ensure consistency and compatibility with surrounding lots with respect to overall massing and to ensure sufficient open space is provided.

Staff note that the Severed lands comply with the lot frontage and lot area requirements set out in Zoning By-law 500 for the R1 zone.

The proposed Lot Coverage increase is a function of the proposed reductions to the front yard and rear yard setbacks in relation to the proposed lot area on the Severed Lands. The proposed increase in Lot Coverage is considered appropriate as the proposed building envelope is generally consistent with the lot fabric established with the retained lands, and as previously noted, a 5.7 metre setback

of the attached garage will provide for a transition to align with the pattern of development with existing dwellings to the east. Staff also note that the area consists of smaller lots and larger detached dwellings and accessory structures.

d. Lot Coverage Accessory Structures

Section 5.1 (e) of Zoning By-law 500, as amended, required a maximum lot coverage for all accessory structures of 10%. The applicant is requesting relief to permit a maximum lot coverage for all accessory structures to be 11.5% on the Retained Lands.

The intent of this section of Zoning By-law 500 is to limit the size of accessory structures located on a property.

Staff note that a detached garage and shed currently exists on the proposed Retained land, and this variance is required due to the proposed severance. Additionally, the existing single detached dwelling currently has a 20% coverage on the Retained Lands.

The increased lot coverage is not anticipated to adversely impact neighbouring properties as the accessory structures already exist. The total lot coverage of all buildings will be less than that of many of the surrounding lots.

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 single detached dwelling and legalization of lot coverage for the accessory structures on the Retained land is in keeping with the existing physical character of the neighbourhood, as the area generally consists of single-detached dwellings and accessory structures.

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.

7) CONCLUSION:

Staff are of the opinion that Consent Application B13-24 is consistent with the relevant Provincial, Regional and Town planning policies and complies with the criteria under Section 51(24) of the *Planning Act*.

Staff are also of the opinion that Minor Variance Application A27-24, as it pertains to the proposed single detached dwelling, 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.

Staff recommend that Consent Application B13-24 and Minor Variance Application A27-24 be approved, subject to the recommended conditions.

APPROVALS:

Prepared by:

Monika Sadler
Planner I

Approved By:

Jeff Healey, MCIP, RPP
Supervisor of Development Planning

Attachments:

Attachment 1 – Location Map

Attachment 2 – Consent Sketch

Attachment 3 – Site Plan

Attachment 4 – Site Photos

Attachment 5 – Comments