

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0004

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

January 20, 2025

**SUBJECT: MINOR VARIANCE APPLICATION A25-24
24996 WOODBINE AVENUE
CONCESSION 3, PART LOTS 14 AND 15 (NG), 65R-38842, PART OF
PART 1**

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2025-0004 prepared by the Development Planning Division, Development Services Department, dated January 20, 2025, respecting Minor Variance Application A25-24, for the property municipally addressed as 24996 Woodbine 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 Minor Variance Application A25-24 to permit relief from the following:
 - i) Section 7.5.113 (b) (ii): To permit a maximum interior garage width of 8.9 metres, whereas the maximum interior garage width of 6 metres is permitted;
 - ii) Section 5.28(i): To permit a maximum driveway or parking area width of 60% of the lot frontage for the 15-metre (minimum) interior lots, whereas a maximum of 55% is permitted;
 - iii) Section 7.5.113 (b) (v): To permit a maximum driveway or parking area width of 9.9 metres for the 18-metre corner lots, whereas a maximum driveway width is the width of the interior garage, plus 0.5 metres is permitted;
 - iv) Section 7.5.113 (a): To permit an interior side yard setback of 0.6 metres on one side, whereas an interior side yard setback on both sides of 1.2 metres is required;

- v) **Section 5.28(i)**: To permit a minimum distance between the driveway and the intersection of street lines of 6 metres, whereas a minimum distance of 9 metres is permitted;
 - vi) **Section 5.35 (a)**: To permit a minimum size of a sight triangle of 5 metres at the intersection of local streets in a Residential Zone, whereas a minimum size of sight triangle at the intersection of local streets in a Residential Zone of 6 metres is permitted;
 - vii) **Section 7.5.113 (a)**: To permit a rear yard setback of 6 metres, whereas a rear yard setback of 7 metres is required.
- b) That the approval of Minor Variance Application A25-24 be subject to the following term(s):
- i) That the proposed subdivision be constructed in general conformity with Attachment 3 to Report DS-2025-0004, 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 A25-24 for the property located at 24996 Woodbine Avenue regarding the construction of a subdivision with single detached dwellings and townhouses.

3. **BACKGROUND:**

Property Description: (refer to Attachments 1 to 3)
24996 Woodbine Avenue
Concession 3, Part Lots 14 and 15 (NG), 65R-38842,
Part of Part 1
Roll #: 955-6301

PROPOSAL

The owner of the subject property is proposing to construct a single detached dwelling.

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

- i) **Section 7.5.113 (b) (ii)**: To permit a maximum interior garage width of 8.9 metres, whereas the maximum interior garage width of 6 metres is permitted.

- ii) Section 5.28(i): To permit a maximum driveway or parking area width of 60% of the lot frontage for 15-metre (minimum) interior lots, whereas a maximum of 55% is permitted.
- iii) Section 7.5.113 (b) (v): To permit a maximum driveway or parking area width of 9.9 metres for 18-meter corner lots, whereas a maximum driveway width of the width of the interior garage, plus 0.5 metres is permitted.
- iv) Section 7.5.113 (a): To permit an interior side yard setback of 0.6 metres on one side, whereas an interior side yard setback on both sides of 1.2 metres is required.
- v) Section 5.28(i): To permit a minimum distance between the driveway and the intersection of street lines of 6 metres, whereas a minimum distance of 9 metres is permitted
- vi) Section 5.35 (a): To permit a minimum size of a sight triangle of 5 metres at the intersection of local streets in a Residential Zone, whereas a minimum size of sight triangle at the intersection of local streets in a Residential Zone of 6 metres is permitted.
- vii) Section 7.5.113 (a): To permit a rear yard setback of 6 metres, whereas a rear yard setback of 7 metres is required.

A Site Sketch and subdivision plan showing the proposal and the requested relief are included as Attachments 2 and 3.

3.1 SUBJECT PROPERTY AND THE SURROUNDING AREA:

The subject property is located at 24996 Woodbine Avenue and is part of Phase 1 of Orchidtrails. A summary of the characteristics of the property is as follows:

General Property Information	
Municipal Address	24996 Woodbine Avenue
Zoning	Site Specific Low Density Residential (R1-161, R1-162, R1-163, R1-163B) and Site Specific Medium Density Residential (R3-66) See Attachment 3
Frontage	530 Metres
Area	41.18 Hectares
Official Plan / Secondary Plan Land Use Designation	New Neighbourhood (Keswick Secondary Plan)
Regional Official Plan Land Use Designation	Community Area

Related Applications	Subdivision and Zoning by-law Amendment (01.115, and 03.1149)	
Land Use and Environmental Considerations		
Existing Structures	Vacant	
Proposed Structures	Single Detached Dwellings and Townhouses	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	Partially Regulated	
Key Natural Heritage Features	Wetland	
Natural Hazards	None	
Servicing		
	<u>Existing</u>	<u>Proposed</u>
Water	None	Municipal
Sanitary	None	Municipal
Access	Vacant	Proposed roads

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 January 7, 2025, 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 A25-24 are outlined below.

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

- Building Division, Plumbing/Building Inspector
- Development Engineering Division
- Georgina Fire Department
- Lake Simcoe Region Conservation Authority
- Municipal Law Enforcement
- Tax and Revenue
- York Region

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

5. ANALYSIS:

The following evaluation of Minor Variance Application A25-24 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 Neighbourhood in the Keswick Secondary Plan. Single detached dwellings and townhouses 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 Residential Low-Density Urban Residential (R1-161, R1-162, R1-163, R1-163B) and site-specific Medium Density Residential (R3-66) on Map 3 (page 1) of Schedule 'A' to Zoning By-law No. 500, as amended. Single-detached dwellings are permitted in the R1-161, R1-162, R1-163, and R1-163B exception zones. Townhomes are permitted in the R3-66 exception zone.

a. Interior Garage Width

Section 7.5.113 (b) (ii) of Zoning By-law 500, as amended, requires a maximum interior garage width of 6 metres. The Applicant is requesting relief to allow a maximum interior garage width of 8.9 metres for the construction of three car garages on Lots 1-9 (inclusive), 42, 58-74 (inclusive), 77-81 (inclusive), and 83.

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 minimum 15 metre frontages, which allows these lots to accommodate the increased garage size. Furthermore, the Town's Entrance By-law (By-law 2023-0019 (PWO-2)) provides minimum setback distances from side property lines, which will ensure that driveways are not placed too closely together.

The Applicant has retained an architect, which has prepared urban design guidelines for the subdivision. The urban design guidelines state that not all lots will utilize the three-car model and that the overall scale of the lots can accommodate three-car garages through appropriate architectural and massing integration to ensure the garage does not become a dominant feature within the streetscape.

b. Driveway Width

Section 5.28 (i) of Zoning By-law 500, as amended, permits a maximum driveway or parking area width of 55% of the lot frontage. The Applicant is requesting relief

to permit a maximum driveway of 60% of the lot frontage for lots with a minimum frontage of 15 metres. This is for the lots identified as pink on the site plan, which are interior lots. This includes Lots 1-9 (inclusive), 58-74 (inclusive), 77, 78, 80, and 81.

Section 7.5.113 (b) (v) of Zoning By-law 500, as amended, permits a maximum driveway or parking area width of the width of the interior garage plus 0.5 metres. The Applicant is requesting relief to permit a maximum driveway of 9.9 metres for lots with 18-metre frontage (corner lots). This is for the lots identified as pink on the site plan (Attachment 2), which are corner lots. This includes Lots 42, 79 and 83.

The intent of the maximum parking area width provisions is to maintain the residential streetscape, to ensure front yards are not dominated by parking and to ensure that appropriate drainage and swales are provided.

Staff note that the increase in maximum parking area frontage is a function of the three-car garages being added to the design of the subdivision. The driveway width will still need to comply with the site-specific zoning (7.5.113 (b)(v)) for lots with 15 metre frontage, which requires that the driveway not exceed the interior width of the attached garage (8.9 metres) plus 0.5 metres. Staff also note that the 18 metre lots will comply with the 55% of the frontage for the driveway.

c. Interior side yard setback

Section 7.5.113 (a) of Zoning By-law 500, as amended, permits a minimum interior side yard setback of 1.2 metres on both sides for properties zoned R1-163 and R1-163B. The Applicant is requesting relief to permit a minimum interior side yard setback on one side of the lot to be 0.6 metres. The proposed variance would apply to Lots 1-9 (inclusive), 58-74 (inclusive), 80 and 81.

The intent of the minimum yard requirements is to ensure compatibility with surrounding lots and to provide an area for access and maintenance. The proposed variance accommodates a larger building envelope on the future lots. As well as is consistent with the side yard requirements for other lots in Phase 1.

The setbacks will still require a 1.2-metre setback on one side of the property to ensure access to the side and rear yard.

d. Driveway Distance from Intersection

Section 5.28 (i) of Zoning By-law 500, as amended, permits a minimum distance between a driveway and an intersection of 9 metres. The Applicant is requesting relief to permit a minimum distance of 6 metres for Lots 20, 24, 25, 28, 42, 44, 56, 79, 83, 92, 96, 100, 110, 115, 119, 126, and Blocks 127-129 (inclusive).

The intent of the minimum distance between a driveway and an intersection is to ensure traffic safety. The applicant has submitted a letter from a transportation engineer confirming that the reduction is appropriate from a traffic perspective.

e. Sight Triangle

Section 5.35 (a) of Zoning By-law 500, as amended, permits a minimum size of a sight triangle of 6 metres at the intersection of local streets in a Residential Zone. The Applicant is requesting relief to permit a minimum sight triangle of 5 metres at the intersection of local streets in a Residential Zone for Lots 20, 24, 25, 28, 42, 44, 56, 79, 83, 92, 96, 100, 110, 115, 119, 126 and Blocks 127-129 (inclusive).

The intent of the minimum sight triangle is to ensure traffic safety and driver visibility on the road. The applicant has submitted a letter from a transportation engineer confirming that the reduction will not have any adverse impacts due to traffic safety and/or driver's visibility from the traffic moments.

f. Rear Yard Setback

Section 7.5.113 (a) of Zoning By-law 500, as amended, permits a minimum rear yard setback of 7 metres. The Applicant is requesting relief to permit a minimum rear yard setback of 6.0 metres for Lots 1-74 (inclusive), 77-126 (inclusive) and Blocks 127-133 (inclusive).

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

The rear yard setback is applied to almost all the properties located in Phase 1 Orchidtrails, which would create consistency and compatibility with the surrounding lots, and the majority of lots have the same rear setbacks.

Furthermore, on December 11th, 2024 Council passed a Zoning By-law Amendment (500-2024-0012(PL-5)) for Phase 2 of Orchidtrails II, which permitted a rear yard setback of 6.0 metres. The request variances to reduce the rear yard setback will be in conformity with Phase 2 of the subdivision.

Four lots in the subdivision, subject to the variance request, will back onto existing residential lots that have frontage on Church Street. The abutting lots on Church Street have a significant rear yard setback, therefore the proposed reduced rear yard setback will not affect the privacy and backyard amenity space of these 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 minor variances will result in the construction of single detached dwellings and townhouses are in keeping with existing uses and the emerging residential character of the neighbourhood, as the area generally consists of new dwellings that are currently being subdivided.

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 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 A25-24, as it pertains to the proposed subdivision, 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:

Jeff Healey, MCIP, RPP
Supervisor of Development Planning

Attachments:

Attachment 1 – Location Map

Attachment 2 – Site Plan

Attachment 3 – Zoning By-law Amendment

Attachment 4 – Break down of requested variances

Attachment 5 – Site Photos

Attachment 6 – Site Drawings and Renderings of three car garages

Attachment 7 – Comments