

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0017

**FOR THE CONSIDERATION OF
COUNCIL**

March 26, 2025

**SUBJECT: APPLICATION TO AMEND ZONING BYLAW NO. 500
PROPOSED TEMPORARY USE BYLAW
PART OF LOTS 3 AND 4, CONCESSION 3 (NG)
PART 3, PLAN 65R-30885**

1. RECOMMENDATIONS:

1. That Council receive Report No. DS-2025-0017 prepared by the Development Planning Division, Development Services Department, dated March 26, 2025, respecting an application to amend Zoning Bylaw No. 500 submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of Gerald Draper for lands municipally addressed as 591 The Queensway South; and,
2. That in the event no public or Council concerns are raised at the public meeting warranting investigation and a further meeting, Staff recommend the following:
 - i) That Council approve the Zoning Bylaw Amendment application and request for a temporary use bylaw submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of Gerald Draper for lands municipally addressed as 591 The Queensway South for the purpose of allowing for the temporary use of school bus storage and parking on the property for remuneration for a period of up to three (3) years from the date the bylaw is in force and effect;
 - ii) That pursuant to Section 34(17) of the Planning Act, in the event minor revisions are necessary respecting the proposed amending zoning bylaw, including language regarding a temporary use agreement, further notice shall not be required;
 - iii) That the amending zoning bylaw be finalized and passed at a future Council meeting; and,
 - iv) That Council authorize the Mayor and Clerk to execute an agreement between the Town and the applicant to address matters related to the temporary use, if required.

Or, alternatively,

3. That in the event concerns are raised by the public or Council which require further investigation, Staff recommend the following:
- i) That Staff report further to Council following the assessment of all Town Department and external agency comments presented in Report No. DS-2025-0017, as well as any comments raised by the public and Council at the Public Meeting; and,
 - ii) 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, outline comments received and provide recommendations respecting an application for a Temporary Use Zoning Bylaw Amendment (ZBA) submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of Gerald Draper to permit the temporary use of school bus storage and parking for remuneration at the rear of the subject lands for a period of up to three (3) years.

3. **BACKGROUND:**

3.1 **SUBJECT LANDS AND SURROUNDING LAND USES**

The subject lands are located on the east side of The Queensway South, south of Garrett Styles Drive in Keswick (refer to Attachment 1). The property currently contains a restaurant and a grocery store, and adjacent land uses are as follows:

North: Commercial and Residential Uses
South: Residential Uses
East: Residential Uses
West: Institutional, Commercial and Residential Uses

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

Table 1 – Summary of Property Information		
General Property Information		
Municipal Address	591 The Queensway South	
Legal Description	Part of Lots 3 and 4, Concession 3 (NG), Part 3, Plan 65R-30885	
Roll Number	197000014289000	
Lot Frontage	82.34 metres	
Lot Area	8,103 square metres	
Zoning	Site Specific Highway Commercial (C2-9)	
Keswick Secondary Plan Designation	Mixed-Use Corridor 1	
York Region Official Plan	Community Area	
Related Applications	None	
Land Use and Environmental Considerations		
Existing Structures	Grocery Store / Restaurant	
Proposed Structures	None	
Key Natural Heritage Features	None	
Natural Hazards	None	
Regulatory Status		
Heritage Status	Neither listed nor designated	
LSRCA	No	
MTO	No	
Servicing		
	Existing	Proposed
Water	Municipal	Municipal
Sanitary	Municipal	Municipal
Access	The Queensway South	The Queensway South

Refer to Attachments 1 and 4 for the location map and site photos of the subject lands, respectively.

3.2 PROPOSAL

A temporary use Zoning Bylaw Amendment (ZBA) application has been submitted to permit the temporary use of school bus storage and parking for remuneration at the rear of the subject lands.

3.3 SUBMISSION MATERIALS

Refer to Attachment 3 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

An initial submission was provided to the Town on December 23, 2024 and the application was deemed complete via letter on January 23, 2025.

A Notice of Complete Application and Public Meeting was mailed to all assessed property owners within 120 metres of the subject lands on February 26, 2025, and a public notice sign was posted on the property on February 28, 2025. For additional notification, the combined Notice of Complete Application and Public Meeting was also posted to the Town website on February 28, 2025.

At the time of writing this report, one comment from a member of the public has been received. The comment related to the preservation of existing trees and the planting of additional trees and landscaping to minimize impacts on adjacent residential properties (refer to Attachment 7).

The proposed temporary use ZBA does not include a proposal to remove trees or the planting of additional trees or landscaping within the existing developed and disturbed area of the property.

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

Town department and agency comments received are available in Attachment 6 and are summarized below.

Lake Simcoe Region Conservation Authority (LSRCA)

The LSRCA has no concerns related to the proposal and noted that a permit will not be required as the proposal is located outside the regulated area.

Hydro One

Hydro One has no concerns related to the proposal and has noted that there is an underground secondary service feeding the existing store/restaurant, and if there are any proposed digging/grading changes, the owner is to contact Ontario One-Call.

The below departments / agencies have no comments or concerns:

- Development Engineering Division
- Enbridge Gas Distribution
- Municipal Law Enforcement Division
- Georgina Fire Department
- Parks Development and Operations Division

- Rogers Communications
- Tax and Revenue Division
- York Catholic District School Board
- York Region

5. **ANALYSIS:**

The following is an overview of the proposed temporary use 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 provincial policy statements and shall conform with, or not conflict with, the provincial plans that are in effect.

5.1.1 **The Provincial Planning Statement, 2024**

The Provincial Planning Statement (2024 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 lands are located within the Keswick Secondary plan, which is considered a “Settlement Area” in the 2024 PPS. Settlement areas have been designated for development over the long-term planning horizon and shall be the focus of growth and development. Section 2.1.6, Planning for People and Homes, indicates that planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses.

By using an underutilized parking area for the temporary storage and parking of school buses, the proposed temporary use ZBA would help with the need to provide transportation to schools and associated childcare facilities.

Staff note that adding this temporary use will not preclude future redevelopment of the subject lands which aligns with the general policies for settlement areas outlined in the 2024 PPS.

Staff are of the opinion that the proposed temporary use ZBA is consistent with the 2024 PPS.

5.1.3 The Greenbelt Plan, 2017 (GBP)

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

The subject lands are located in the community of Keswick, 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 PPS 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 affect the subject proposal.

As such, Staff are of the opinion that the application conforms with the GBP.

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 and their functions, and key hydrologic features and their functions.

The subject lands are not regulated under Ontario Regulation 41/24.

Staff are of the opinion that the application conforms with the LSPP.

5.2 York Region Official Plan, 2022 (YROP)

Pursuant to Section 70.13 (2) of the *Planning Act* (as amended by Bill 23), the relevant policies of the YROP are deemed to constitute part of the Town of Georgina Official Plan until the Town either revokes or amends them to provide otherwise. In this regard, it is anticipated that the relevant policies of the YROP will be incorporated into the Town's Official Plan as part of a future comprehensive update.

Section 2.3.2 of the YROP outlines that communities should use land efficiently and optimize infrastructure with compact, mixed-use pedestrian friendly and transit-supportive built-form.

The proposed temporary use of school bus storage and parking will use the existing underutilized parking area at the rear of the subject lands while allowing the current restaurant and existing grocery to continue to operate. The temporary use will not negatively impact future redevelopment of the property if the current/future owner wishes to do so.

The subject lands are designated Urban Area on Map 1 and a Community Area on Map 1A of the YROP. Section 4.2, *Community Areas*, details policies related to the location of residential and service job growth and enhancing existing communities as well as policies related to the development of new communities.

York Region has reviewed the application and has no objections.

Staff are of the opinion that the proposed temporary use bylaw conforms to the YROP.

5.3 Keswick Secondary Plan, 2023 (KSP)

The subject lands are designated Mixed-Use Corridor 1 – The Queensway. This area is intended to intensify over time and will provide a range of commercial uses; restaurants and parking facilities are permitted in this designation.

The parking management policies of the KSP require that parking facilities be landscaped to complement the urban streetscape, not be located between the building and The Queensway, and access be provided from local roads where possible.

The proposed school bus storage and parking will be located within the existing parking area at the rear of the subject lands. The existing vegetation and access from The Queensway will be maintained. The only proposed alteration on the subject lands to accommodate the proposed temporary use is line painting within the existing parking area to delineate the 4.0 m x 13.0 m bus parking spaces.

The application has been evaluated against Section 13.1.8.3 of the KSP and Staff are of the opinion that the application is consistent with the criteria outlined in Section 11.2 of the Town of Georgina Official Plan for the consideration of temporary uses.

Staff are of the opinion that the temporary use of school bus storage and parking on the subject lands conforms to the KSP.

5.4 Zoning Bylaw No. 500

The subject lands are currently zoned Site Specific Highway Commercial (C2-9) on Map 12, Page 1 of Schedule 'A' of Zoning Bylaw No. 500. The applicant is seeking approval of a Temporary Use Bylaw to permit school bus storage and parking at the rear of the subject lands. The draft amending Zoning Bylaw, as submitted by the applicant's agent, is included as Attachment 5.

The permitted uses within the C2-9 zone are restricted to include a restaurant and a single dwelling unit located in the rear or above the restaurant. In May 2023, the Committee of Adjustment approved a Minor Variance application (A07-23) to add a 'fine food grocery store' as a permitted use as it was considered related and complementary to the existing permitted restaurant use, and the grocery store would sell goods related to the ones produced in the restaurant.

Zoning Bylaw 500 requires the existing restaurant/grocery store to provide 27 parking spaces. The site plan provided shows that the restaurant/grocery store has approximately 50 parking spaces, which exceeds the required amount of parking.

The applicant is proposing that 23 of the parking spaces located behind the existing restaurant/grocery store be utilized for school bus storage and parking. Each bus parking space will be 4.0 metres x 13.0 metres. The proposed 12.2 metre landscaped open space between the bus parking area and the rear property line will exceed the 1.5 metre planting strip required in Section 5.31 where commercial uses abut residential uses.

The proposed temporary zoning bylaw would be in place for a period of time no greater than three (3) years, following which the site-specific temporary zoning will lapse. If the applicant wishes to extend this time frame, a further application and amending bylaw will be required.

Staff recommend that any changes required to the draft zoning bylaw (Attachment 5) as outlined in the report, including language regarding a temporary use agreement, be considered minor as per Section 34(17) of the *Planning Act*, as amended, and that no additional notice is required when the bylaw returns to Council for passing.

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. Should a temporary use agreement be required, the applicant will be required to pay the Town's legal costs associated with the preparation and registration of the Agreement.

8. CONCLUSION:

Staff are of the opinion that the proposed temporary Zoning Bylaw Amendment application is consistent with the planning policy framework and the Official Plan. Staff recommend approval of the application; however, should any concerns be raised at the public meeting by members of the public or Council that require further investigation, Staff recommend that the applicant be required to address such issues, and that Staff report back to Council at a future meeting.

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 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 – Conceptual Site Plan*
- Attachment 3 – Summary of Submission Documents*
- Attachment 4 – Site Photographs*
- Attachment 5 – Draft Amending Zoning By-law*
- Attachment 6 – Consolidated Comments*
- Attachment 7 – Redacted Public Comments*