

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0032

**FOR THE CONSIDERATION OF
COUNCIL**

June 11, 2025

**SUBJECT: APPLICATION TO AMEND ZONING BYLAW 500 AND 600
PROPOSED TEMPORARY USE ZONING BYLAW AMENDMENT
PART OF LOT 23, CONCESSION 5 (NG)
3449 BASELINE ROAD**

1. RECOMMENDATIONS:

1. That Council receive Report No. DS-2025-0032 prepared by the Development Planning Division, Development Services Department, dated June 11, 2025, respecting an application to amend Zoning Bylaw 500 and 600 submitted by the owners of DC Marine for lands municipally addressed as 3449 Baseline Road; 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 the owners of DC Marine for lands municipally addressed as 3449 Baseline Road for the purpose of allowing for the temporary use of open storage on the property 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 the Director of Development Services be authorized to execute an agreement between the Town and the applicant to address matters related to the temporary use.

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-2025-0032, 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 analysis, outline comments received and provide recommendations respecting an application for a Temporary Use Zoning Bylaw Amendment (ZBA) submitted by the owners of DC Marine to permit temporary open storage on the subject lands.

3. **BACKGROUND:**

3.1 **SUBJECT LANDS AND SURROUNDING LAND USES**

The subject lands are located on the south side of Baseline Road, between Warden Avenue and Kennedy Road. The applicants currently utilize the northern portion of the property to operate their business (DC Marine), while the southern portion contains an unevaluated wetland and significant woodland.

A single detached dwelling, a barn that contains the existing business, and a detached shed are located on the property. A parking area is in front of the barn and a gravel driveway extends westward from the parking area to the rear of the property. Recreational vehicles are openly stored throughout the grassed area. Photos of the subject lands are attached to this report as Attachment 3.

The adjacent land uses are as follows:

North: Baseline Road, beyond which are rural residential lots
South: Forested and wetland areas and rural residential lots
East: York Region Works Yard and York Region Police Station
West: Forested and wetland areas and rural residential lots

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

Table 1 – Summary of Property Information		
General Property Information		
Municipal Address	3449 Baseline Road	
Legal Description	Part of Lot 23, Concession 5 (NG)	
Roll Number	197000010992000	
Lot Frontage	140 metres	
Lot Area	5.5 hectares	
Zoning (Bylaw 500)	Site-Specific Rural (RU-241) and Rural (RU)	
Zoning (Bylaw 600)	Site-Specific Agricultural Protection (AP-25) and Environmental Protection (EP)	
Official Plan Designation	Agricultural Protection Area, Environmental Protection Area and Greenlands System	
York Region Official Plan	Rural Area and Agricultural Area	
Related Applications	03.1107 and 03.1159 (closed)	
Land Use and Environmental Considerations		
Existing Structures	Single-detached dwelling, Store/repair shop within barn and shed.	
Proposed Structures	None	
Key Natural Heritage Features	Wetland and Significant woodlands	
Natural Hazards	None	
Regulatory Status		
Heritage Status	Neither listed nor designated	
LSRCA	Yes	
MTO	No	
Servicing		
	Existing	Proposed
Water	Private	Private
Sanitary	Private	Private
Access	Baseline Road	Baseline Road

Refer to Attachments 1 and 3 for the location map and site photos of the subject lands.

3.2 DEVELOPMENT PROPOSAL

The owners of the above-noted property have submitted a Temporary Use ZBA Application to permit the existing business (DC Marine) to continue to operate on the property for an additional three (3) years. The business performs repairs and provides outdoor storage for boats, personal watercrafts, snowmobiles, trailers (enclosed and boat), recreational vehicles, motor homes, campers, etc. The business also includes the sale of parts, oils and accessories for the aforementioned vehicles and trailers. Additionally, a U-Haul rental business also operates from the property.

This application is the third submission for a Temporary Use ZBA. The first application (File 03.1107) was approved by Council on September 13, 2017, and the subject lands

were temporarily rezoned from the Rural (RU) zone to the site-specific RU-241 zone by Bylaw 500-2018-0017 to permit the business to operate until July 18, 2021. The second application (File 03.1159) was approved by Council on October 20, 2021. Bylaw 500-2022-0002 permitted the business to operate until July 18, 2024. The current application is to permit the business to operate for three years from the date of passing of the bylaw.

The Applicants have advised that the business has not changed, and the previously considered site plan is the same as the current submitted site plan (refer to Attachment 2).

The reports for the previous applications as approved by Council can be found at the links below:

[Report DS-2017-0100 for 03.1107](#)

[Report DS-2021-0090 for 03.1159](#)

3.3 SUBMISSION MATERIALS

A site plan was submitted to support the application. The site plan is included as Attachment 2 and is the same site plan which was submitted for the previous applications.

4. **PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:**

4.1 PUBLIC CONSULTATION

An initial submission was provided to the Town on March 18, 2025, and the application was deemed complete via letter on April 10, 2025.

A Notice of Complete Application was posted on the Town Website on April 10, 2025 and mailed to all assessed property owners within 120 metres of the subject lands on April 16, 2025. Notice of Public Meeting was mailed to all assessed property owners within 120 metres of the subject lands on May 12, 2025, and a public notice sign was posted on the property on May 15, 2025. For additional notification, the Notice of Public Meeting was also posted to the Town website on May 12, 2025.

At the time of writing this report, one letter of support from the public has been received (refer to Attachment 7).

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

Town department and agency comments received are available in Attachment 5 and are summarized below.

Lake Simcoe Region Conservation Authority (LSRCA)

The LSRCA has reviewed this application regarding natural hazards and has no objections to the application.

The below departments / agencies have no comments or concerns:

- Ministry of the Environment, Conservation and Parks
- Development Engineering Division
- Economic Development and Tourism Division
- Georgina Fire Department
- Rogers Communications
- 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 2024 PPS notes that planning authorities may identify prime agricultural areas. The provincially-approved 2022 York Region Official Plan revised the boundary of the prime agricultural area on the subject lands. The front portion of the subject lands containing the existing business is now considered “Rural Lands” with the balance of the subject lands continuing to be considered “Prime Agricultural Area”.

Section 2.6 Rural Lands, permits home occupations and home industries and promotes development that can be sustained by rural service levels.

Section 4.1 Natural Heritage, does not permit development on lands adjacent to natural heritage features and areas unless the ecological function of the adjacent

lands has been evaluated, and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

The subject lands contain significant woodlands and an unevaluated wetland. The initial application for a Temporary Use ZBA (File 03.1107), was approved with a reduced vegetation protection zone width of 10-metres with the understanding that the temporary permissions apply only to the non-environmental area of the property and outside of the southern “no-touch zone”. Subject to this, the LSRCA also agreed to not require an Environmental Impact Study, Natural Heritage Evaluation, and LSRCA permit. However, the LSRCA advised that should the Applicants wish to permit the business to operate on the property permanently, the features and buffer would need to be protected with appropriate zoning. The original 2017 LSRCA comments are included as Attachment 6, which shows the “no-touch zone” hashed in red on page 4 and the non-environmental area outlined in red on page 5.

The LSRCA has provided updated comments reflecting their mandate to no longer review Natural Heritage matters. The LSRCA has reviewed the application with respect to Natural Hazards and have no objections, noting that the proposal is consistent with Section 5.2 of the PPS.

Staff are of the opinion that the application is consistent with the 2024 PPS.

5.1.2 The Greenbelt Plan, 2017

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 portion of the subject lands containing the business is considered Rural Lands within the Protected Countryside of the GBP, and the portion of the property containing woodlands and wetlands is located within the Natural Heritage System.

The Rural Lands of the Protected Countryside accommodate a range of agricultural, commercial, industrial and institutional uses serving the rural resource and agricultural sectors. Proposals for non-agricultural uses may be permitted where it can be demonstrated that the use is appropriate on rural lands, the servicing is appropriate, and there are no negative impacts on key natural heritage features, key hydrologic features, or the Natural Heritage System.

Development and site alteration is not permitted in key hydrologic features or key natural heritage features within the Natural Heritage System or within the associated vegetation protection zone.

As previously noted, at the time of the original Temporary Use ZBA application, the LSRCA initially requested a 30-metre vegetation protection zone, as required by the GBP, but later agreed to a 10-metre vegetation protection zone as long as the temporary permissions only applied to the northern non-environmental portion of the

property. Subject to their restrictions, the LSRCA also agreed to not require an Environmental Impact Study, Natural Heritage Evaluation and LSRCA permit. However, at the last submission, the LSRCA advised that, should the Applicants wish to permit the business to operate on a permanent basis, the environmental features should be appropriately zoned for protection.

Staff are of the opinion that the application conforms to the GBP.

5.1.3 The Lake Simcoe Protection Plan, 2009

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 LSRCA has indicated no objections to the application. Staff are of the opinion that the application conforms to the LSPP.

5.2 YORK REGION OFFICIAL PLAN, 2022

Pursuant to Section 70.13 (2) of the *Planning Act* (as amended by Bill 23), the relevant policies of the York Region Official Plan (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.

The subject lands are designated 'Greenbelt Protected Countryside' on Map 1 of the York Region Official Plan (YROP). The subject lands are also designated 'Agricultural Area' at the rear of the property and 'Rural Area' at the front portion of the property containing the existing business on Map 1A of the YROP. It is also identified to contain parts of the 'Regional Greenlands System', the 'Natural Heritage System' and 'Woodlands'.

Section 3.2 (Regional Greenlands System) and Section 3.4 (Natural Features) state that development and site alteration within 120 metres of the Greenlands System and key natural heritage features or key hydrological features shall be accompanied by an Environmental Impact Study. It further requires that a minimum 30-metre vegetation protection zone be required for wetlands and significant woodlands within the Natural Heritage System of the Greenbelt Protected Countryside.

As previously noted, the LSRCA was amenable to a reduced 10-metre vegetation protection zone and agreed to not require an Environmental Impact Study, Natural Heritage Evaluation and LSRCA permit, subject to the temporary permissions only applying to the northern non-environmental portion of the property. The proposal has not changed.

Similar to the aforementioned policies of the PPS and GBP, Section 5.2 (Agricultural and Holland Marsh Specialty Crop Areas) states that within the Agricultural Area (the rear portion of the property), normal farm practices, and a full range of agricultural uses, agriculture-related uses and secondary agricultural uses (i.e. on-farm diversified uses) are supported and permitted.

The front portion of the property containing the business is now designated 'Rural Area.' Section 5.3 (Rural Area) states that within the Rural Area designation, recreational, tourism, institutional and resource-based commercial/industrial uses are permitted outside the Regional Greenland Systems. The portion of the property with the business is located outside the Regional Greenland Systems. Therefore, this use is now permitted in accordance with the YROP.

York Region has reviewed the application and has no objections.

Staff are of the opinion that the proposed Temporary Use ZBA conforms to the YROP.

5.3 TOWN OF GEORGINA OFFICIAL PLAN, 2016

The subject lands are designated 'Agricultural Protection Area' and 'Environmental Protection Area' with a 'Greenlands System' overlay on Schedule A2 – Land Use Plan, to the Georgina Official Plan (GOP).

Section 5.3 (Environmental Protection Area) and Section 6.1 (Agricultural Protection Area and Specialty Crop Area) provide a list of permitted uses in their respective designations, which generally relate to environmental conservation uses and agricultural uses. The existing business is not considered one of the permitted uses.

Temporary Use Bylaws

While the existing business is not a permitted use, Section 11.2.6 (Temporary Use Bylaws) states that pursuant to the provisions of the *Planning Act*, bylaws may be passed to permit the temporary use of lands, buildings or structures which may not conform to the GOP, provided that the following requirements are complied with:

a) *The use is compatible with the surrounding land uses and activities.*

The GOP defines 'compatible' to mean '*development that may not necessarily be the same or similar to the existing buildings or uses in the vicinity, but nonetheless, enhances the established community and shall be able to coexist with existing buildings and uses in the vicinity without causing any adverse impacts on surrounding properties*'.

The property fronts onto Baseline Road and is adjacent to rural residential lots, the York Region Works Yard and the York Region Police Station. Staff note that the business is a typical "highway commercial use" that is generally found on major roads in rural areas. Staff are also satisfied that the business is not noxious and

does not negatively impact the adjacent lands. It is further noted that the Town has only received one complaint since the business was established in 2009, and that no complaints have been received for the property since the previous Temporary Use Zoning Bylaw was in place.

- b) Adequate water supply and waste disposal activities are available to the satisfaction of the Town.*

The subject lands will continue to be privately serviced.

- c) The temporary uses or activities do not result in a hazardous condition for either vehicular or pedestrian traffic and that the relevant parking area requirements are complied with.*

The subject lands front onto Baseline Road, a regional road. York Region has indicated no objections to the application. Staff are satisfied the use does not result in hazardous vehicular or pedestrian traffic. With respect to parking, Zoning Bylaw No. 500 requires a minimum of 13 parking spaces for the business, whereas the site currently provides 20.

- d) There is a signed agreement between the applicant and the Town, which addresses issues related to installation/removal and maintenance.*

Similar to the previous two Temporary Use ZBA applications, should Council approve the application, the Applicants will need to enter into an agreement with the Town prior to the final passage of the amending bylaw. The agreement will address the area where the temporary use may be located relative to environmental features, the removal of the temporary use, and the posting of adequate financial securities to ensure compliance.

- e) The Town is satisfied that the nature of the use is temporary and that any buildings and structures are kept to the minimum and can be easily dismantled.*

Given that no new buildings were constructed for the existing business and no new buildings are proposed, the use of the business can be easily removed. Therefore, Staff are satisfied that the nature of the use is temporary.

5.4 ZONING BYLAW NOS. 500 AND 600

The subject lands are zoned 'Site-Specific Rural (RU-241)' on the northern portion of the site where the business operates and 'Rural (RU)' on the balance of the lands on Map 1 to Schedule A of Zoning Bylaw No. 500.

The property is located within the Countryside area and, consequently, will be under the provisions of Zoning Bylaw 600 once the bylaw comes into force and effect. Zoning Bylaw 600 is currently under appeal. As the bylaw could come into force and effect at any time, the Temporary Use ZBA will amend Zoning Bylaw 600 as well.

Under Zoning Bylaw 600, the property is zoned site-specific Agricultural Protection (AP-25) to the front where the business operates and Environmental Protection (EP) to the rear on Schedule B4 of Zoning Bylaw 600.

Similar to the previous two Temporary Use ZBA applications, the current application is requesting to permit the existing business to operate on the property on a temporary basis for a period of 3 years as the use is not permitted under the current zoning provisions and planning policies do not permit the business to operate on the property on a permanent basis.

Staff have prepared a draft version of the amending bylaw, including Zoning Bylaw 600, which is included as Attachment 4.

No complaints were filed against the property since the previous Temporary Use ZBA application was approved and in force.

The Applicants are reminded that should the temporary permissions lapse, the business would be illegal and must cease operation, unless further planning permission is granted. The redesignation of the subject lands in the YROP from 'Prime Agricultural Area' to 'Rural', would enable the applicants to pursue amendments to the Georgina Official Plan and to the Zoning Bylaw to permit the existing business to operate for the long term.

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.

8. CONCLUSION:

Staff are of the opinion that the proposed Temporary Use Zoning Bylaw Amendment application is consistent with the provincial and regional planning policy framework. 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.

APPROVALS

Prepared By: Monika Sadler
 Planner I

Reviewed By: Janet Porter, MCIP, RPP
 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 – Site Photographs
Attachment 4 – Draft Amending Zoning Bylaw
Attachment 5 – Consolidated Comments
Attachment 6 – 2017 LSRCA Comments
Attachment 7 – Redacted Public Comments