

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0036

**FOR THE CONSIDERATION OF
COUNCIL**

June 11, 2025

**SUBJECT: APPLICATION TO AMEND ZONING BYLAW NO. 500
BALLYMORE DEVELOPMENT (SUTTON) CORPORATION
BLOCK 91, PLAN 65M-4268
N/S TIMBERBANK SQUARE, SUTTON**

1. RECOMMENDATIONS:

1. That Council receive Report DS-2025-0036 prepared by the Development Planning Division, Development Services Department dated June 11, 2025 respecting an application to amend Zoning Bylaw No. 500 submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of Ballymore Development (Sutton) Corporation for lands on the north side of Timberbank Square, Sutton;
2. That Staff report further to Council following the assessment of all Town Department and external agency comments presented in Report No. DS-2025-0036, as well as any comments raised by the public and Council at the Public Meeting; and,
3. 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 and outline comments received respecting an application for Zoning Bylaw Amendment (ZBA) submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of Ballymore Development (Sutton) Corporation to facilitate the construction of six (6) single detached dwelling units on the subject property.

3. BACKGROUND:

3.1 SUBJECT PROPERTY AND SURROUNDING LAND USES

The subject property is located on the north side of Timberbank Square, at the north end of Lampkin Street within the Lakeside Meadows subdivision in Sutton (refer to Attachment 1). The property is currently vacant.

North: Stormwater Management Pond
South: Residential Uses
West: Trail and Stormwater Management Pond access
East: Julia Munro Park

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

Table 1 – Summary of Property Information		
General Property Information		
Municipal Address	N/S Timberbank Square	
Legal Description	Block 91, Plan 65M-4268	
Roll Number	139-48100	
Lot Frontage	68.13 metres	
Lot Area	2,844.3 square metres	
Zoning	Site-Specific Rural (RU-217) Zone	
Sutton/Jackson’s Point Secondary Plan Designation	Rural/Agricultural Area	
York Region Official Plan	Towns and Villages/Community Area	
Related Applications	PLC-2025-0001	
Land Use and Environmental Considerations		
Existing Structures	None	
Proposed Structures	Six (6) single detached dwellings	
Key Natural Heritage Features	None	
Natural Hazards	None	
Regulatory Status		
Heritage Status	Neither listed nor designated	
LSRCA	Yes, Partially	
MTO	No	
Servicing		
	Existing	Proposed
Stormwater	SWM Pond	SWM Pond
Water	None	Municipal
Sanitary	None	Municipal
Access	Driveway	Driveway

Refer to Attachments 1 and 5 a the location map and site photos of the subject property respectively.

3.2 PROPOSAL

A Zoning Bylaw Amendment (ZBA) application has been submitted to rezone the subject lands to facilitate the construction of six (6) single detached dwelling units and to implement site-specific provisions regarding minimum exterior side yard and maximum building height provisions.

3.3 SUBMISSION MATERIALS

Submitted documents, as summarized in Attachment 4, are available from the Development Planning Division or through the below link:

[Submission Documents](#)

In addition, Attachment 3 is a copy of the proposed R-Plan, which displays the proposed land division, and Attachment 6 is a copy of the draft amending bylaw, as submitted by the applicant.

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

4.1 PUBLIC CONSULTATION

The submission was provided to the Town on March 19, 2025. The application was deemed complete by letter on April 17, 2025. It should be noted that the applicant did not engage Town staff in a formal pre-consultation meeting prior to the submission of the Zoning Bylaw Amendment application. In this regard, there was no opportunity to provide comments or identify any preliminary issues with the development proposal, nor to confirm additional materials required in support of the application.

A Notice of Public Meeting was mailed to all assessed property owners within 120 metres of the subject property on May 16, 2025. For additional notification, the notice was also posted to the Town website on May 16, 2025.

As per the *Planning Act*, one (1) public notice sign was posted on the property on May 21, 2025.

At the time of writing this report, four comments from members of the public have been received (refer to Attachment 8).

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

Town department and agency comments received are available in Attachment 7 and are summarized below.

Development Engineering Division

Comments on the proposal are pending and will be provided in a future report.

York Region

York Region has no objections to the proposal. York Region staff have requested confirmation that adequate water supply and sewage capacity have been allocated for the proposed development.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority (LSRCA) has noted that they have no objections to the proposal. The proposed development is considered to be a “Major Development” as provided by the Lake Simcoe Protection Plan and the lands are located within a Significant Groundwater Recharge Area. The LSRCA is seeking confirmation that the proposed development has been accounted for with the existing subdivision design and recommend that the applicant confirm servicing has been provided for the property or provide an updated Functional Servicing Report and Water Balance Assessment to support the proposed development.

Community Services Department

The Community Services Department is requesting cash in lieu of parkland dedication for this application.

Georgina Fire Department

The Georgina Fire Department has provided comments noting that construction must be in conformance with the Ontario Building Code (OBC), including the provision of adequate water for firefighting. The department has also requested that the applicant consider the installation of residential fire sprinkler systems. Finally, access throughout the subdivision must remain clear and accessible for emergency vehicles during construction.

The below departments / agencies have no comment:

- York Region District School Board
- Rogers Communications
- York Catholic District School Board

5. ANALYSIS:

The following is an overview of the proposed Zoning Bylaw Amendment 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 the Provincial Planning Statement and shall conform with, or not conflict with, the Provincial Plans that are in effect.

5.1.1 The Provincial Planning Statement, 2024 (PPS)

The Provincial Planning Statement (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 property is within the Sutton/Jackson's Point Secondary Plan, which is considered a Settlement Area. The PPS defines Settlement Areas as urban areas and rural settlement areas, including cities, towns, villages and hamlets, within municipalities that are built-up areas where development is concentrated. Settlement Areas have a mix of land uses and are the focus of growth and development.

Policy 2.2.1 of the PPS requires planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents.

Policy 2.2.1 b) of the PPS outlines that Planning Authorities are to permit and facilitate all types of residential intensification, including development and introduction of new housing options within previously developed areas.

Policy 2.3.1.3 further reiterates that Planning Authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Policy 2.3.1.6 of the PPS indicates that Planning Authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.

As an Urban Service Boundary currently exists within the Sutton/Jackson's Point Secondary Plan and the subject property is located outside of the Urban Service Boundary, staff will require additional review to determine whether the proposed development is consistent with the PPS 2024.

5.1.3 The Greenbelt Plan, 2017 (GBP)

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

The subject property is located in the community of Sutton, which is designated Towns / Villages on Schedule 1 of the GBP. Towns / Villages are subject to the policies of the PPS and continue to be governed by official plans. Staff are of the opinion the proposed development conforms to the Greenbelt Plan.

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. As per comments from the LSRCA, the development has been identified as a “major development” under the LSPP, therefore the applicant will need to demonstrate that an appropriate Stormwater Management Plan has been submitted to accommodate the proposed development in accordance with Section 4.8 of the LSPP. The applicant should also confirm that no environmental features are located on the property or within 120 metres of the property which could be impacted by the proposed development in accordance with Section 6.40 of the LSPP. The applicant will be required to submit additional information to the satisfaction of the LSRCA prior to determining whether the proposed development conforms to the Lake Simcoe Protection Plan.

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.

The subject property is designated Towns and Villages on Map 1, and Community Area on Map 1A of the YROP. Furthermore the subject property is not located within a “Built-up Area” or a “Designated Greenfield Area” as per Map 1B of the YROP. Section 2.1.4 of the YROP identifies the “Built-up area” and “designated greenfield area” where new urban expansion areas have been identified to support growth to the planning horizon of the YROP. Furthermore, the subject property has not been identified as a “new community area” under the YROP.

Section 4.2 of YROP states that community areas are where the majority of residents, personal services, retail, arts, culture, recreational facilities and human services needs will be located. Community Areas contain a wide range and mix of housing types, sizes and tenures that include options that are affordable to residents at all stages of life.

Section 4.5.2 of the YROP states *“that local community plans for Towns and Villages may also include rural and agricultural designations within their boundaries. Any redesignation of agricultural and rural uses within the local community plan boundary to urban uses requires an expansion to the urban boundary through a Regional Municipal Comprehensive Review”*.

As a result of recent changes to the Provincial Planning Statement and repeal of the Growth Plan in 2024, a Municipal Comprehensive Review (MCR) is no longer required from a provincial policy perspective to potentially expand a settlement area boundary outside of the Greenbelt Plan area. Given that the subject lands are located within a Settlement Area of the Greenbelt Plan, Staff will need to complete additional analysis to determine the applicability of these policy changes and whether the proposed development conforms with the policies of the YROP.

5.3 Sutton/Jackson’s Point Secondary Plan, 2013 (SJPSP)

The SJPSP provides specific land use and development direction for the Sutton Settlement Area. The purpose of the Secondary Plan is to manage growth and development, ensuring a high quality of life for present and future residents.

Urban Service Boundary

The Urban Service Boundary is identified in both Schedules A and B of the Secondary Plan and is defined in Section 13.2.1.6 as *“lands that are, or may be connected to full municipal water and sanitary sewage services. Lands that are outside of this boundary cannot connect to full municipal services, unless expressly permitted by this plan. The location of this line in this Plan has not changed from where it was in the previous Sutton Secondary Plan (1997).”*

Staff note that the subject property is located outside of the Urban Service Boundary as per Schedules A and B of the Secondary Plan (refer to Attachment 2). As per Section 13.2.8.2 of the Secondary Plan, for lands outside of the Urban Service Boundary, existing development along with new uses as permitted under this Plan are to be serviced by private sewage and water supply and/or communal systems subject to all necessary approvals.

Rural/Agricultural Area Designation

The subject property is designated Rural/Agricultural Area in the Sutton/Jackson’s Point Secondary Plan.

Permitted uses for the Rural/Agricultural Designation include a single detached dwelling (1 dwelling unit), agricultural uses, forestry and conservation uses, small scale commercial uses, public uses, schools, parks and open space, home occupations and public and private infrastructure. It is noted that more than one single detached dwelling is not permitted on an existing lot within the Rural/Agricultural designation.

Section 13.2.7.1 b) of the Secondary Plan states that “*a single detached dwelling may be permitted on a lot of record created prior to May 9, 1977 by way of an amendment to the Zoning By-law, where such lot has not been expressly exempted in the Zoning By-law, provided the lot front on an assumed public road, and provided development of the lot complies with all other provisions of this Secondary Plan*”. Staff note that the development proposes to construct six (6) single detached dwelling units on the subject property. Furthermore, the existing block was created by way of a draft plan of subdivision in 2011.

Section 13.2.7.1 g) of the Secondary Plan states that no new residential lot creation is permitted in the Rural/Agricultural Area designation, with the exception that a consent may be permitted in only specific situations. These include the severance of an existing dwelling unit to a farm operation, for agricultural or conservation purposes, and a residential lot may be permitted between two residential non-farm dwellings that existed prior to January 1, 1979 provided that the dwellings are not separated by more than 100 metres and the proposed lot depth is not more than 200 metres. The proposed lot creation is not consistent with the above noted situations.

Section 13.2.7.1 h) of the Secondary Plan states that any redesignation of Rural/Agricultural land and/or the expansion of the Urban Service Boundary into the Rural/Agricultural Area shall only be initiated by York Region as part of a Municipal Comprehensive Review that is consistent with the Growth Plan for the Greater Golden Horseshoe. In 2024, York Region had its planning approval responsibilities removed by the Province of Ontario through Bill 185. As such, although this specific policy has not been amended to address the Province’s direction, the Town has assumed all approval responsibilities over the potential expansion of the Urban Service Boundary. Town Staff note that the most appropriate opportunity to consider an expansion of the Urban Service Boundary will be when the Sutton/Jackson’s Point Secondary Plan is under review in order to ensure that, in part, there will be sufficient servicing capacity to accommodate all forecasted and planned development within the existing Urban Service Boundary. The review of the Sutton/Jackson’s Point Secondary Plan is currently anticipated to commence in 2028.

Land Use Boundaries and Roads:

Section 13.2.10.2 of the Secondary Plan includes interpretation policies for establishing limits to land use designations. Subsection a) identifies “*that boundaries of land use designations on Schedule “B” of the Secondary Plan be considered as approximate and exact only where bounded by existing roads, railways, rivers, streams or other similar geographical demarcations.*”

The applicant has indicated that when the Sutton/Jackson’s Point Secondary Plan was approved by the OMB in July 2013, Timberbank Square did not exist at the time of approval of the Secondary Plan and claims that the land use boundary should be considered as approximate as there was no existing road at the time of approval.

Staff note that while Timberbank Square may not have physically existed at the time of approval of the Secondary Plan, the Urban Service Boundary has not been amended since the 1997 Secondary Plan and the limits of development were established based upon the existing Urban Service Boundary as part of the approvals for the original subdivision development.

Furthermore, Section 13.2.10.2 b) of the Secondary Plan states that “*amendments to the Secondary Plan will not be required to permit minor adjustments to such approximate land use boundaries or to such approximate location of roads, trails and pathways provided that the general intent of the Secondary Plan is preserved. Such minor deviations will be reflected in the relevant Schedules of the Secondary Plan.*”

While certain minor adjustments, where appropriate, may not require an amendment to the Secondary Plan, the subject development proposes to permit development outside of the Urban Service Boundary, the location of which is not listed as being subject to the interpretation policies of Secondary Plan.

Town Staff continue to review the applicable policy framework to confirm whether an Official Plan Amendment is required in order to facilitate the proposed development. Staff are of the opinion that any proposed Urban Service Boundary expansion is more appropriately assessed as part of a comprehensive review of the Sutton/Jackson's Point Secondary Plan.

5.4 Servicing

As previously mentioned, the subject property is located outside of the Urban Service Boundary for Sutton/Jackson's Point. Policy 13.2.1.6 ii) of the Secondary Plan requires that lands that are outside of the urban service boundary cannot connect to full municipal services, unless expressly permitted by the Secondary Plan.

Staff note that in 2015, as part of the detailed design for the existing residential subdivision to the south of the subject property, the approved drawings provided for six servicing connections to the subject property. While servicing connections were installed, no servicing allocation was assigned at the time and no planning approvals were provided to allow residential development on Block 91. It is likely that the servicing connections were provided to minimize future disturbance of Timberbank Square should the Urban Service Boundary be expanded in the future.

In support of the application, a servicing letter was prepared by Sabourin Kimble & Associated Ltd. This letter is still being reviewed by Town Staff.

5.5 Zoning Bylaw No. 500

The subject property is currently zoned Site-Specific Rural (RU-217) Zone on Map 6, of Schedule 'A' of Zoning Bylaw No. 500, as amended. The RU-217 exception zone permits uses such as stormwater management facilities, a sanitary sewage pumping station, public utilities and accessory buildings and structures. A Zoning Bylaw Amendment is required to permit the proposed single detached dwellings on the subject property, as well as to permit a number of changes to the setback and height requirements.

The applicant is proposing to rezone the lands to a site-specific Low Density Urban Residential Zone (R1-XX(H)) zone, a copy of the applicant's Draft Zoning By-law Amendment is attached to this report (refer to Attachment 6). It is noted that the applicant has included a Holding (H) Provision as part of the proposed zoning by-law amendment. The intent of the Holding Provision is unspecified in the Draft Zoning Bylaw. Staff require further review and discussion with the applicant on the proposed bylaw and any proposed Holding Provisions.

5.5 Part Lot Control Exemption

The applicant has also submitted a Part Lot Control Exemption request for the subject property to facilitate the creation of six (6) single detached lots. Staff note that the Part Lot Control Exemption request will not be progressed to Council until the Secondary Plan matters are addressed and a Zoning Bylaw Amendment is in effect.

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. The owners/applicants will be required to apply for and obtain all necessary approvals associated with building permits, site alteration permits and entrance permits, and to pay the applicable associated costs for same, including the payment of development charges and park levy.

8. ISSUES REQUIRING CONSIDERATION AND RESOLUTION:

The following matters must be considered and resolved:

- All Council, public, and outstanding department and agency comments;
- Review of the history related to the servicing connections provided to the property to determine the basis for which connections were provided in the absence of planning approvals;
- Consideration of the broader impact of permitting servicing connections and development outside of the Urban Service Boundary with respect to other lands

within proximity of the Urban Service Boundary, in addition to expansions to the Urban Service Boundary and whether this is appropriate in advance of the planned update of the Sutton/Jackson's Point Secondary Plan;

- Determination of whether an Official Plan Amendment is required for the proposed adjustment of the "New Residential Area" designation and Urban Service Boundary to encompass the subject property; and,
- The proposed draft Zoning Bylaw Amendment and the proposed Holding provision will need to be reviewed and evaluated in order to determine the appropriateness of the proposed zone provisions.

9. CONCLUSION:

Based upon the above preliminary review of the policy framework, Staff are of the opinion that an Official Plan Amendment appears to be required in order to facilitate the development proposal; however, additional review and analysis is required in light of the significant recent policy changes at the Provincial and Regional level. Given all of the comments and matters to be addressed, it is appropriate that Council receive the report, and that the application return to Council once the issues requiring consideration have been resolved.

APPROVALS

Prepared By:	Jeff Healey, MCIP, RPP Supervisor of Development Planning
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 - Schedule B – Land Use Plan - SJPSP

Attachment 3 – Proposed R-Plan, Block 91, Plan 65M-4268

Attachment 4 – Summary of Submission Documents

Attachment 5 – Site Photographs

Attachment 6 – Draft Amending Zoning Bylaw

Attachment 7 – Consolidated Comments

Attachment 8 – Redacted Public Comments