

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2025-0038**

**FOR THE CONSIDERATION OF  
COMMITTEE OF ADJUSTMENT**

**June 16, 2025**

**SUBJECT: CONSENT APPLICATIONS CON-2025-0005  
9597 MORNING GLORY ROAD, PEFFERLAW  
CONCESSION 5, PART OF LOT 20, PLAN 65R-25429 P**

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**1. RECOMMENDATIONS:**

- 1. That the Committee of Adjustment receive Report No. DS-2025-0038 prepared by the Development Planning Division, Development Services Department, dated June 16, 2025, respecting Consent Applications CON-2025-0005, submitted by the owners for the properties municipally addressed as 9597 Morning Glory Road, Pefferlaw; 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 Applications CON-2025-0005 as they pertain to the properties municipally addressed as 9597 Morning Glory Road to sever and convey Subject Land from Retained Land, as shown in Attachment 2 to Report No. DS-2025-0038, to create one (1) new residential building lot; and,**
  - b) That the approval of Consent Applications CON-2025-0005 be subject to the following conditions:**
    - i) Submission to the Secretary-Treasurer of two (2) white prints of a deposited reference plan of survey to conform substantially with the applications, as submitted;**
    - ii) Submission to the Secretary-Treasurer of a draft deed, in duplicate, conveying Subject Land from Retained Land as shown on Attachment 2 to Report No. DS-2025-0038;**
    - iii) Submission to the Secretary-Treasurer of written confirmation from the Town of Georgina Development Planning Division that a municipal address has been tentatively assigned to the Subject Land;**
    - iv) Submission to the Secretary-Treasurer of written confirmation**

from the Town of Georgina Development Planning Division that the accessory structure on the Retained Land has been removed to the Division's Satisfaction;

v) Submission to the Secretary-Treasurer of written confirmation from the Town of Georgina Development Planning Division that a Hydrogeological Study has been submitted for the Retained Lands to the Division's satisfaction; and

vi) Submission to the Secretary-Treasurer of written confirmation from the Town of Georgina Development Engineering Division that all matters identified in Attachment 4 to Report No. DS-2025-0038 have been addressed to the Division's satisfaction;

vii) That the above-noted condition(s) be fulfilled within two (2) years of the date of the Notice of Decision.

## **2. PURPOSE:**

The purpose of this Report is to provide Staff's analysis and to outline comments received with respect to Consent Applications CON-2025-0005 to create one (1) residential lot.

## **3. BACKGROUND:**

Property Descriptions: (refer to Attachments 1 to 3)  
9597 Morning Glory Road  
Part of Lot 20, Concession 5 (G),  
Part 1, Plan 65R-25429  
Roll #: 052-9501

### **3.1 PROPOSAL:**

The owners have applied to divide the subject property into two (2) lots, as shown on Attachment 2.

The owner is applying for consent to create two (2) separately conveyable parcels. With respect to the created lots, Subject Land will contain an existing single detached dwelling, and Retained Land will be developed as a residential lot.

Subject Land and Retained Land would have the following characteristics:

**Table 1 – Proposal Summary**

	Frontage (m)	Depth (m)	Lot Area (m2)
Subject Land	32.69	77.72	2,540.7
Retained Land	19.8	146	5,124.3

The Subject Land and Retained Land will have frontage on Morning Glory Road.

The proposed Consent Plan is included as Attachment 2.

### 3.2 SUBJECT PROPERTY AND SURROUNDING AREA:

The subject properties have frontage on the south side of Morning Glory Road, east of Weir's Sideroad, in the community of Pepperlaw. Existing buildings on Subject Land include a single detached dwelling, while Retained Land currently contains an accessory structure that will be removed. Surrounding properties and land uses are as follows:

**North:** residential uses.  
**South:** rural/agricultural uses.  
**East:** residential uses.  
**West:** York Regional Forest/rural uses.

A summary of the characteristics of the properties is as follows:

<b>General Property Information</b>	
<b>Municipal Address</b>	9597 Morning Glory Road
<b>Zoning</b>	Residential (R) Zone
<b>Frontage</b>	Subject Land – 32.69 Metres Retained Land – 19.8 Metres
<b>Area</b>	Subject Land - Approx. 2,540.7 Square Metres Retained Land – Approx. 5,124.3 square Metres
<b>Pepperlaw Secondary Plan Land Use Designation</b>	Residential
<b>Regional Official Plan Land Use Designation</b>	Community Area
<b>Related Applications</b>	None
<b>Land Use and Environmental Considerations</b>	
<b>Existing Structures</b>	Single Detached Dwelling and Accessory Structure (to be demolished)
<b>Proposed Structures</b>	Subject Land– Existing Single Detached Dwelling Retained Land – Residential
<b>Heritage Status</b>	Neither listed nor designated
<b>Regulated by LSRCA</b>	No

Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
Water	Private	Private
Sanitary	Private	Private
Access	Existing driveway (to be relocated)	2 Proposed Driveways

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

##### **4.1 PUBLIC CIRCULATION**

Under the provisions of the *Planning Act*, the Notice of Hearing for the subject applications was sent by mail on May 27, 2025, to all landowners within 60.0 metres of the subject properties and a placard was placed on the properties.

As of the date of writing this report, Staff have not received any comments from the general public concerning Consent Applications CON-2025-0005.

##### **4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS:**

All Town department and external agency comments for Consent Application CON-2025-0005 are outlined below.

The Town's Development Planning Division has indicated no objections and requires, as a condition to the consent that the Owner submit a hydrogeological study (which shall include pump testing), demonstrating that there is an adequate quantity and quality of ground water to the proposed lot and that same will not have an adverse effect on adjacent wells and the supply of potable water in the area, and that the size of the newly created lot can accommodate a single detached dwelling on private services. Development Planning also requires the accessory structure located on the Retained Lands to be removed as a condition of the Consent Application.

The Town's Development Engineering Division has indicated no objections and requires, as a condition of the consent, that the applicant / owner provide a detailed grading and drainage plan, as well as a drawing checklist (Attachment 4).

The following Town departments / divisions and external agencies have indicated no objections/comments to the proposed Consents.

- Tax and Revenue Division
- York Region
- Municipal Law Enforcement Division

- Operations and Infrastructure Department
- Georgina Fire Department
- York Region District School Board

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

## **5. ANALYSIS:**

The following is an evaluation of Consent Application CON-2025-0005 as it relates to the applicable policies of Provincial, Regional, and Town planning documents.

### **5.1 PROVINCIAL PLANNING STATEMENT (2024), GREENBELT PLAN (2017), & LAKE SIMCOE PROTECTION PLAN (2009):**

The subject property is located in Pepperlaw, a defined 'Settlement Area' / 'Towns and Villages' under the Provincial Planning Statement, Greenbelt Plan, and the Lake Simcoe Protection Plan. Lot line adjustments and lot creation are permitted in settlement areas, provided that the overall economic, social, environmental and infrastructure policies of the aforementioned Provincial Plans are met.

Staff have reviewed the proposal against the above-noted Provincial Plans and are of the opinion that it is consistent with the Provincial Planning Statement and conforms to the Provincial Greenbelt Plan and the Lake Simcoe Protection Plan.

### **5.2 YORK REGION OFFICIAL PLAN (2022):**

The subject property is designated 'Community Area' on Map 1a of the York Region Official Plan (YROP). Staff have reviewed the subject Consent applications against the document. Section 4.2.4 of the YROP states that municipalities will provide a balance of residential uses. 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. 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.

### **5.3 PEPPERLAW SECONDARY PLAN (PSP) AND ZONING BY-LAW 500**

As per Section 13.3.3.2 of the Pepperlaw Secondary Plan, land division within the community of Pepperlaw is subject to policies of Section 6.1 of the 1982 Town Official Plan, and more specifically, Section 6.1.2, which speaks to policies regarding severances. Below is staff's assessment of the proposed consents against the applicable policies:

- a) *The proposed use must conform with the policies of this Plan (i.e. 1982 Official Plan) and the zoning by-law. Should an amendment to this Plan or the zoning by-law, or both, be required, the applicant for consent, prior to making his application, must obtain the required amendments:*

The subject property is designated 'Residential' on Schedule 'E1' Land Use Plan of the Pefferlaw Secondary Plan and zoned Residential (R) zone on Map 1, in Schedule 'A' to Zoning By-law 500. Single detached dwellings are permitted in the Residential zone and designation.

The accessory structure located on the Retained Land is to be removed.

- b) *Severance consents should be granted only after it has been established that the lot sizes are adequate, and soil and drainage conditions will permit proper siting of buildings:*

Staff have reviewed the subject applications and are of the opinion that the proposed size of the lots resulting from the lot creation is appropriate for the existing and proposed uses and meets Zoning By-law requirements as discussed above.

- c) *Where full piped services are not available, all development on private services must be in accordance with the policies of Section 6.3.1.7:*

Staff note that Section 6.3.1.7, regarding 'Private Water and Sewage Services', in the 1982 Official Plan was repealed by the adoption of the 2002 Official Plan (by By-law No. 2002-0096) and again by the adoption of the 2016 Official Plan (by By-law No. 2016-0033). Therefore, Consent applications are evaluated against the policies regarding private water and services as contained in Sections 13.3.3.3 and 13.3.3.4 of the PSP, and Sections 9.3.7 and 9.3.11.1 of the 2016 Town Official Plan.

Section 13.3.3.3 of the PSP provides that prior to new residential development being approved, the estimated groundwater resources of the community shall be determined through the submission of a hydrogeological study.

Notwithstanding, a Settlement Capacity Study that was undertaken by the Town during the preparation of the PSP concluded that there was an adequate supply of potable water in the community to support additional population if development proceeded in a staged and orderly manner, all in accordance with standard practices and densities.

In order to protect the interests of the neighbouring area and potential owners of the newly created lot, a hydrogeological study will be a required as a condition of approval of the subject application (which shall include pump testing) in order to demonstrate that there is an adequate supply of potable water for the Retained Lands and that the proposed development (new single detached dwelling, well and

private septic system) will not have an adverse effect on adjacent wells and the supply of potable water in the area.

Further, Section 13.3.3.4 of the PSP states that appropriate lot sizes will be determined through hydrogeological studies for those lots that will require private water and septic services. This Section also states that a new lot created by severance or plan of subdivision that is to be serviced by an individual well and a standard Class 4 sewage disposal system shall not be less than 0.4 ha (1.0 acres). Recognizing the age of the PSP, the advancement of technology and the size of lots within the vicinity of the retained lot, Staff have interpreted that a smaller lot is permissible. As mentioned above, a hydrogeological study shall be provided to demonstrate the appropriate lot size.

Staff are satisfied that the proposed severance conforms with the private water and sewage services policies, subject to the conditions discussed above.

- d) *Severance consents for new building lots will not be granted unless the land fronts on an assumed public road:*

Subject Land and Retained Land will have frontage and access on Morning Glory Road, which is an assumed public road.

Staff are satisfied that this policy is fulfilled.

- e) *The Committee should carefully consider the Minimum Distance Separation Formulae in the Agricultural Code of Practice (published by the Province) when considering a consent application which would affect lands designated Rural in Schedule 'A' to this Plan:*

The Minimum Distance Separation (MDS) Formulae is a land use planning tool that determines a recommended separation distance between a livestock barn or manure storage and another land use. The objective of MDS is to prevent land use conflicts and to minimize nuisance complaints from odour.

Notwithstanding the Rural (RU) zoning of neighbouring properties, Staff have confirmed there are no livestock facilities or permanent manure storage uses on those properties. Therefore, this policy does not apply.

In addition to the requirement to review the proposal against the policies contained in Section 6.1.2 of the 1982 Town Official Plan, Section 6.1.2.1.4 of the Plan provides additional considerations for residential severances. Specifically, severances of residential lots will be permitted provided the resulting parcels are of a satisfactory geometric design and are adequate in size to support necessary services and will comply with the yard requirements of the zoning by-law and provided such parcels are generally compatible with adjacent lot sizes and patterns. Subject to these considerations, an application to sever land will be considered favourably if it constitutes infilling.

The proposed lands to be severed will be of a standard rectangular shape; therefore, Staff are of the opinion that the resulting lots will be of a satisfactory geometric design. Staff have also reviewed the proposed lots against Zoning By-law No. 500 and are satisfied that Subject Land and Retained Land are sufficient in size to provide the minimum yard requirements for the existing and proposed single detached dwellings. In addition, as mentioned above, a hydrogeological study shall be provided to demonstrate the appropriate lot size. Therefore, Staff are of the opinion that the proposed lots are adequate in size to support the necessary services.

The proposed lots are generally compatible with adjacent lot sizes and patterns along the south side of Morning Glory Road, as seen in Attachment 1. Staff note that the properties adjacent to the subject properties vary in size and shape, some being much larger than the subject property, and some being smaller. Therefore, consideration of the existing streetscape, it would appear that Subject Land have some similarities in regard to frontage, size and shape to several of the surrounding lots. Additionally, Retained Land has similar frontage to a residential properties to on the north side of Morning Glory Road. Staff are satisfied that the proposed lots are generally compatible with the adjacent lot sizes and patterns.

Staff are satisfied that the proposal satisfies the additional severance considerations for residential severances provided in Section 6.1.2.1.4.

In light of the above discussion, Staff are satisfied that the proposal is in conformity with relevant policies of the 1982 Official Plan, the Pepperlaw Secondary Plan and Zoning By-law 500.

### **CONCLUSION:**

Staff are of the opinion that Consent Applications CON-2025-0005 to create one (1) residential lot, one with an existing single detached dwelling and the other with a proposed residential use, are consistent with the Provincial Policy Statement, complies with the criteria under Section 51(24) of the *Planning Act*, and conform to the Greenbelt Plan, the Lake Simcoe Protection Plan, the York Region Official Plan, the Pepperlaw Secondary Plan and Zoning By-law 500, and represent good planning. In this regard, Staff recommend approval of the application subject to the conditions noted in Section 1 of this report.

### **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 Plan*

*Attachment 3 – Site Photos*

*Attachment 4 – Consolidated Comments Chart*