

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2023-0097**

**FOR THE CONSIDERATION OF  
COUNCIL**

**November 15, 2023**

**SUBJECT: PROPOSED COUNTRYSIDE ZONING BY-LAW, AMENDMENT TO  
ZONING BY-LAW 500 AND ASSOCIATED OFFICIAL PLAN  
AMENDMENT, FILE NUMBERS: 02.202 (OPA) AND 03.05BT (ZBA)**

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**1. RECOMMENDATIONS:**

- 1. That Council receive Report No. DS-2023-0097 prepared by the Planning Policy Division, Development Services Department, dated November 15, 2023, respecting a proposed Countryside Zoning By-law, an amendment to Zoning By-law 500 and associated Official Plan Amendment; 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:**
  - a. That Council pass the proposed Countryside Zoning By-law No. 600 (November 2023) and the By-law to amend Zoning By-law 500 to remove the Countryside Area;**
  - b. That pursuant to Section 34(17) of the Planning Act, in the event minor revisions are necessary to the proposed Countryside Zoning By-law (November 2023) or the amendment to Zoning By-law 500, further notice shall not be required;**
  - c. That Council pass a by-law to enact Amendment No. 148 to the Town of Georgina Official Plan which amends Section 8.1.12 to permit up to three dwelling units (i.e. one single detached dwelling and up to two accessory apartments, one being in the single detached dwelling and the other in a detached building) on a lot that permits a single detached dwelling in the Agricultural Protection Area and Rural Area designations; and,**
  - d. That the Town Clerk forward a copy of Report No. DS-2023-0097 and Council's Resolution to the York Region Director of Community Planning and Development Services and the Lake Simcoe Region Conservation Authority, General Manager, Planning and Development.**

**Or alternatively,**

3. That in the event concerns are raised by the public or Council which require further investigation, staff recommend the following:
  - a. That staff report further to Council following the receipt and assessment of the public and Council's concerns; and,
  - b. That staff provide written notice of the next public meeting, a minimum of two weeks in advance of the date of said meeting, to the following:
    - i. Any person or public body that has requested to be notified of any future public meeting(s); and,
    - ii. 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 present recent revisions to, and recommend approval of:

- 1) A proposed Countryside Zoning By-law No. 600 dated November 2023 (the Countryside Zoning By-law or the By-law);
- 2) A proposed amendment to Comprehensive Zoning By-law No. 500 (Zoning By-law 500 or By-law 500) to remove the Countryside Area from the By-law; and,
- 3) An Official Plan Amendment (OPA) to permit up to three dwelling units on a lot that permits a single detached dwelling in the Agricultural Protection Area and Rural Area designations.

**3. BACKGROUND:**

In accordance with the requirements of Section 26(9) of the *Planning Act*, the Town is undertaking the mandatory exercise of updating Zoning By-law 500 to bring it into conformity with the policies and land use designations of the Town of Georgina Official Plan (Official Plan), which came into force and effect on November 23, 2016.

The update, also known as a "conformity exercise", is currently in Phase I of a two-phase process. The Phase I study includes an exercise to update the zoning of lands within the Countryside Area of the Town, while Phase II will address the zoning of the remaining lands within the Town's Settlement Areas (i.e. Urban Area, Towns and Villages, Hamlets and Lakeshore Residential Area), as shown on Official Plan

Schedule A1, Municipal Structure (refer to Attachment 1). Phase II of the Zoning By-law Update is an entirely separate project scheduled to commence in 2025.

On April 18, 2023, a Statutory Open House and Public Meeting were held in accordance with the *Planning Act* to present the draft Countryside Zoning By-law dated March 2023 to the public and Council, receive comments and respond to questions.

The Open House was held virtually through the Zoom meeting platform during the afternoon of April 18, 2023. The Open House was well attended with up to 30 members of the public participating. Following a presentation by staff, attendees were able to ask questions and provide comments on the proposed By-law. There was considerable good discussion and interest related to topics such as additional residential units in detached buildings, permitted uses in certain zones and agricultural and on-farm diversified uses.

The Public Meeting was held in the evening of April 18, 2023. At the meeting, Council considered staff [Report No. DS-2023-0036](#) and passed [Council Resolution No. C-2023-0158](#) to receive the report and refer the By-law and proposed amendments back to staff for further review and refinement in consideration of Council, public and agency comments.

All comments received at the Open House, Public Meeting and throughout the life of the project have been reviewed and considered by staff during the preparation of the Countryside Zoning By-law currently before Council for approval and passing.

The proposed Countryside Zoning By-law dated October 2023 and supporting material were posted to the dedicated [project webpage](#)<sup>1</sup> on October 11, 2023 for review. The webpage was also updated to include information on permitted uses in each zone and a step-by-step guide on “how to use this By-law” as requested by Council at the Public Meeting on April 18, 2023.

Since the posting of the Zoning By-law, staff became aware that some recently passed amendments to Zoning By-law 500 were not incorporated into the October 2023 version of the By-law. A revised Countryside Zoning By-law dated November 2023 incorporating the recently approved amendments has been posted to the [project webpage](#) as of November 8, 2023.

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

Notice of this Public Meeting was given by e-mail (and regular mail to those who have requested it) on October 11, 2023 to all interested parties on record and statutorily

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<sup>1</sup> [www.georgina.ca/ZoningBylawUpdate](http://www.georgina.ca/ZoningBylawUpdate)

required agencies. A notice of the public meeting was also posted on the Town's website at the dedicated project webpage and the Planning Public Notices webpage.

#### 4.1 PUBLIC COMMENTS

Attachment 2 is a table summarizing all formal written public input received to date and a response from staff for each. There have been 39 written submissions in total, 15 of which have been received since the Public Meeting held in April (line items 25 to 39). All revisions agreed to in the staff response column have been incorporated into the November 2023 version of the By-law.

#### 4.2 EXTERNAL AGENCIES COMMENTS

York Region and the Lake Simcoe Region Conservation Authority (LSRCA) previously provided detailed comments in earlier stages of the process in the work conducted as part of the Technical Working Group and in response to previous circulations of the By-law.

Comments received from York Region dated September 7, 2023 related to the March 2023 draft of the By-law are provided as Attachment 3. These comments request revisions to the By-law to address provisions related to natural hazards, significant archaeological resources and planned widths of street allowances. Staff have reviewed the comments and provide the following response:

- Natural hazards: The Region has requested that the By-law (including mapping) address land use within and adjacent to hazardous lands and hazardous sites, and wildland fire hazards.

The proposed By-law contains definitions for hazardous land and hazardous sites in Section 2 and provisions related to natural hazards in Section 5.18, Land Suitability for Use. These provisions would prevent the erection or alteration of a building or structure on land that is within a flood plain, hazardous lands, hazardous site or Conservation Authority regulated lands, unless otherwise authorized by the LSRCA. Further, the LSRCA regulation limit is mapped on Appendix '1' for information purposes. To provide additional clarity, definitions for dynamic beach hazard, erosion hazard and flooding hazard have been incorporated into the By-law as these terms are used within the definition of hazardous lands.

The Town has not undertaken a wildland fire risk assessment to be able to accurately map wildland fire hazards within the Countryside Zoning By-law. In this regard, the determination and potential mitigation of wildland fire hazards would occur during the development review process as part of a planning application submission. Section 4.4.11 of the Town's Official Plan addresses

hazardous forest types for wildland fire. This includes policies which direct development to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire hazards. In this respect, an application for development within the Countryside Area may be required to undertake a review to assess the risk of high to extreme wildland fire behaviour on the subject and adjacent lands. Given the foregoing, no revisions have been made to the By-law respecting wildland fire hazards.

- Significant archaeological resources: The Region has requested that the By-law contain provisions that require the preservation of significant archaeological resources where they exist in accordance with policy 2.4.13(g) of the [Regional Official Plan](#).

Section VI of the *Ontario Heritage Act* establishes priorities, policies and programs for the conservation of archaeological sites. The Act makes it illegal for anyone but a licensed archaeologist to knowingly disturb an archaeological site.

The Region has prepared a resource document entitled [Planning for the Conservation of Archaeological Resources in York Region](#) dated February 2014. This document presents a review of the current planning and management guidelines for archaeological resources and further identifies a recommended management strategy for known and potential archaeological resources within the Region.

Policy 2.4.13(g) of the Region's Official Plan states "that where significant archaeological resources are preserved in situ the area subject to on-site preservation shall be excluded from the land development and the municipality shall consider regulatory tools such as zoning restrictions, designation and heritage easements or open space land dedications to protect the resources". In this respect, the policy does not require that comprehensive zoning by-laws include proactive regulations to protect these resources, but rather that zoning may be used to protect them once identified through the development review process.

The Town's current practice is to protect significant archaeological resources through the processing of development applications. Policy 8.8.4 of the Official Plan provides that archaeological resource conservation will be integrated into the development approval process by requiring the preparation of an archaeological assessment when a development proposal affects known archaeological resources or areas of archaeological potential. In this respect, staff are of the opinion that the Town's current practice of identification and protection of significant archaeological resources through the development review process is consistent with the Region's Official Plan, the Town's Official

Plan, and the *Planning for the Conservation of Archaeological Resources in York Region* resource document.

- Planned width of street allowance: The Region has requested that Table 1 in Section 5.27 be updated to reflect current planned street widths in accordance with the Regional Official Plan and minor text revisions to reflect current road names and numbers.

Table 1 has been revised to incorporate the revisions requested by the Region. Staff have also made minor revisions/corrections to Town roads in the Table. Section 5.27, Planned Width of Street Allowance however, has been removed from the Zoning By-law and Table 1 has been added as Appendix '3' to the By-law. This has been done for information purposes and to provide a link back to Section 9.2.1.2(c) of the Official Plan which provides that the planned width of street allowances for each section of Town roads can be found in the Town's Zoning By-law.

Section 5.27 was removed from the By-law because it was creating situations where through the processing of building permits and planning applications the Town was protecting future road allowances for roads that the Town has no current plans to widen and would unlikely ever be widened. This in turn would result in smaller building envelopes on lots fronting on roads that were not constructed to the future planned width as stated in the By-law. The Official Plan and the Development Design Criteria will continue to govern the function and design of new road allowances.

Comments received from Enbridge on October 23, 2023 indicate no objection.

Comments dated October 26, 2023 from WSP Canada Inc. on behalf of Canadian National Railway Company (CN) are provided as Attachment 4. The comments address policies and infrastructure initiatives as they relate to existing and/or future CN facilities.

Section 5.28 of the proposed Zoning By-law contains provisions for setbacks from railway lines for various types of uses (residential, institutional, recreational, commercial and industrial), including reduced setbacks where safety berms are provided.

The comments request additions to the Zoning By-law that are more appropriate for inclusion as policies in the Town's Official Plan than as provisions in the Zoning By-law. For example, the comments request that provisions be included in the By-law that require developments in proximity to rail facilities to be developed in accordance with specific guidelines. They also request provisions that would require that proposed development that includes residential or sensitive land uses be required to undertake

noise studies and implement mitigation measures to the satisfaction of the municipality in consultation with the appropriate railway operator. Requirements such as these are enforceable through the development review process (i.e. plans of subdivision, site plan, rezoning), but not through a zoning compliance review as part of a building permit application. For these reasons, the requested additional provisions have not been included in the Zoning By-law.

Comments received on October 30, 2023 from Durham Region indicate no concerns as the OPA is implementing provincial policy and the ZBA is implementing the Town's Official Plan.

#### 4.3 COUNCIL COMMENTS

##### 4.3.1 Home Industries / Home Occupations

A home industry is a small-scale industrial use conducted in a non-residential building, which is operated as a secondary use to a single detached dwelling on the same lot. Whereas, a home occupation is an occupation conducted for gain or profit as an accessory use within a dwelling.

At the April 18, 2023 Public Meeting, Councillor Neeson raised concerns in relation to home industry uses and follow-up inspections of such facilities from a health and safety perspective (e.g. such as food preparation activities).

The proposed Countryside Zoning By-law increases the permitted size of a home industry use from 190 m<sup>2</sup> to 250 m<sup>2</sup> and from 3 to 4 permitted employees who do not reside in the single detached dwelling. No substantial changes are proposed to the provisions related to home occupations.

Many home industry uses in the Countryside Area do not create land use conflicts or complaints, carry-on unnoticed and require no permits. Currently, the Town has no registration or licensing system for home industry or home occupation uses.

In certain situations, the introduction of a home industry or home occupation use will require a building permit for that purpose. Where a building permit application is made in relation to a use that involves food preparation, the permit would be circulated by the Building Division to the York Region Public Health Department for action as appropriate. Building permit information is subsequently obtained by the Municipal Property Assessment Corporation (MPAC) and in some situations, the modifications created by the permit will generate a change to the property assessment.

There is neither a large volume of home industry applications nor related complaints in the Countryside Area of the Town. If Council wishes to have the matter further examined, it is recommended that this be done in the context of Phase II of the Zoning By-law Update process related to the Settlement Areas in Town. In that way a more

fulsome examination of the issues and options for licensing, regulating and inspections related to public health and safety for home-based business activities could be undertaken in relation to home occupations where there is a greater number of these uses.

## **5. ANALYSIS:**

There are three planning documents associated with Phase I of the Zoning By-law Update project that will work together to facilitate the creation of the Countryside Zoning By-law:

- The first is a proposed new “free-standing” Zoning By-law for the Countryside Area dated November 2023;
- The second is a proposed amendment to Zoning By-law 500 which would remove the Countryside Area in its entirety from applicability within Zoning By-law 500 (refer to Attachment 5); and,
- The third is a proposed OPA to permit up to three dwelling units (i.e. one single detached dwelling and up to two accessory apartments, one being in the single detached dwelling and the other in a detached building) on a lot that contains a single detached dwelling (refer to Attachment 6).

The zoning for the Settlement Areas is proposed to remain under Zoning By-law 500. In this respect, for an interim period of time, the Town would have two Zoning By-laws in place.

Phase II of the Zoning By-law conformity exercise will update the zoning for the Settlement Areas of the Town. Phase II contemplates the harmonizing of Zoning By-law 500 and the Countryside Zoning By-law into a singular, new Comprehensive Zoning By-law for the Town. At this stage, various matters related to the general provisions and modernizing the format and structure of the By-law will be addressed.

### **5.1 PROPOSED COUNTRYSIDE ZONING BY-LAW (NOVEMBER 2023)**

The November 2023 version of the Countryside Zoning By-law is posted to the [project webpage](#). The format and structure of the By-law remains largely the same as currently exists in Zoning By-law 500 for the purposes of consistency and understanding between the two By-laws.

The By-law includes an introduction and 22 operative sections:

- Introduction
- Section 1 – Title, Area Covered and Application



- Section 2 – Definitions
- Section 3 – Zone Categories, Schedules and Appendices
- Section 4 – Interpretation
- Section 5 – General Provisions
- Section 6 – Requirements for Residential Uses
- Section 7 – Residential (R) Zone
- Section 8 – Rural-Countryside (RU-C) Zone
- Section 9 – Agricultural Protection (AP) Zone
- Section 10 – Environmental Protection (EP) Zone
- Section 11 – Commercial Recreation (CR) Zone
- Section 12 – Rural Commercial (RC) Zone
- Section 13 – Other Requirements for Commercial Uses
- Section 14 – Restricted Industrial (M1) Zone
- Section 15 – General Industrial (M2) Zone
- Section 16 – Extractive Industrial (M3) Zone
- Section 17 – Storage Industrial (M4) Zone
- Section 18 – Disposal Industrial (M5) Zone
- Section 19 – Airfield (A) Zone
- Section 20 – Open Space (OS) Zone
- Section 21 – Institutional (I) Zone
- Section 22 – Administration

Each zone contains a list of permitted residential and non-residential uses, the zoning requirements for each, and special provisions.

A series of Schedules and Appendices also accompany the By-law:

- Schedule 'A' – Area Covered By This By-Law
- Schedule 'B' – Zoning Schedules
- Schedule 'C' – Detailed Illustrations
- Schedule 'D' – Source Water Protection Areas
- Appendix '1' – Lake Simcoe Region Conservation Authority Regulation Limit (O. Reg. 179/06)
- Appendix '2' – Minister's Zoning Order (O. Reg. 251/22)
- Appendix '3' – Planned Width of Street Allowances

Staff [Report No. DS-2023-0036](#) provides a comprehensive overview of the Countryside Zoning By-law including its format and approach, mapping, explanation of the zone categories and information about the special provisions review. The report also contains discussion on key topics such as dwellings in the Environmental Protection (EP) zone, undersized rural lots, home industries, Minister's Zoning Order (O. Reg. 251/22) for the former Maple Lake Estates lands, and agriculture related and on-farm diversified uses.

A redline revision document of the Countryside Zoning By-law (November 2023) which shows all the changes that have been made to the text of the By-law since the March 2023 version considered by Council on April 18, 2023, has been posted to the project webpage for information purposes. Below is an explanation of the key changes made to the By-law since it was last considered by Council.

#### 5.1.1 Numbering the By-law, Introduction and Administration

The Countryside Zoning By-law has been numbered “Zoning By-law 600” for ease of reference and consistency in the Zoning By-law numbering sequence (i.e. Zoning By-law 500 to Zoning By-law 600).

An introduction has been added before the By-law that explains its legal basis, what a zoning by-law is, its purpose, and a step-by-step guide on how to use the By-law. This information is provided for context and understanding purposes and does not form part of the By-law.

The following provisions have been added to Section 22, Administration:

- Section 22.5, Transition: This transition provision has been added to allow a building permit submitted prior to the passage of this By-law to be reviewed and a permit issued in compliance with the existing provisions of Zoning By-law 500 for a period of one year from the date of passage of the By-law. Staff believe this is a reasonable provision to allow existing, active building permits a one-year grace period for which they would be allowed to continue with their building permit based on Zoning By-law 500 requirements. It is estimated that this provision may only apply to a limited number of properties. Should this provision be approved by Council, staff would determine all existing permits that this would apply to and send the applicant a letter advising of the year grace period to complete the permit process.
- Section 22.6, Official Plan Amendment No. 148: This is an implementation provision that has been added to ensure that in accordance Section 24(2) of the *Planning Act*, Amendment No. 148 has come into force and effect prior to the provisions in Section 6.2 taking effect that would permit up to two additional dwelling units on a lot containing a single detached dwelling in the AP and RU-C zones.

#### 5.1.2 Section 5, General Provisions

The following revisions have been made to Section 5, General Provisions:

- Section 5.2, Cannabis Production Facilities: Requirements for cannabis production facilities were previously located within the non-residential use

requirements of each zone in which they are permitted (four zones in total). These provisions have been relocated to the General Provisions section (Section 5.2) in order to remove duplication of text throughout the By-law and provide one location for these provisions.

- Previous Section 5.7, Existing Undersized Lots: Residential and non-residential uses in each zone contain minimum lot frontage and area requirements. These provisions are intended to ensure that lots are of satisfactory size to establish a particular use and related accessory uses, buildings or structures. The proposed wording of the existing undersized lot provision was written in such a way that would essentially exempt any existing lot from having to comply with the minimum lot frontage and area requirements of the zone it is located in. This was not the intent.

New residential building lots in the Countryside Area are rare due to policy restrictions on lot creation; however, there are many existing vacant residential building lots that do exist in the Countryside Area. For these existing lots, the main considerations for establishing a single detached dwelling should be ensuring that the dwelling can fit on the lot in accordance with all other requirements of the Zoning By-law (i.e. setbacks, parking, lot coverage, etc.) and that a building permit can be issued for a septic system in accordance with the *Ontario Building Code*. As long as these requirements are complied with, staff do not have concerns with these existing lots being developed with single detached dwellings, regardless of the existing lot frontage and/or lot area. In this regard, if a building permit for a septic system cannot be obtained, a building permit for the dwelling will not be issued.

Maintaining minimum lot frontage and minimum lot area requirements for non-residential uses is recommended. This is because non-residential uses by their nature have a greater potential to negatively impact adjacent properties due to the characteristics and operations of the use which are often uncertain. In this regard, staff are of the opinion that all non-residential uses should be required to comply with the minimum lot frontage and area requirements of the Zoning By-law or alternatively receive planning approval (Minor Variance or ZBA).

Accordingly, the existing undersized lot provision has been removed from Section 5, and Section 6.1 (a) and (b) respecting minimum lot frontage and minimum lot area for single detached dwellings has been revised to recognize the existing lot frontage and the existing lot area as the minimum required to permit a single detached dwelling.

- Section 5.30, Refreshment Vehicles, Refreshment Bicycle Units, and Refreshment Carts: This section has been revised to permit up to two refreshment vehicles, refreshment bicycle units or refreshment carts per lot;

- whereas previously a maximum of one was permitted. The purpose of this revision is to harmonize with the licensing process for these uses and recognize situations where one business operator may utilize two refreshment vehicles on a lot (e.g., a refreshment vehicle with a trailer that contains a pizza oven would be considered two units). Although the purpose of the revision is to address a licensing matter where one business operator would operate two refreshment vehicles, staff also do not have concerns should two separate business operators establish one refreshment vehicle each, subject to compliance with the requirements of the Zoning and Licensing By-laws.
- Section 5.41, Truck, Bus and Coach Bodies: This section has been revised to provide additional exceptions for when a truck, bus, coach, street car body, trailer or shipping container may be used for commercial or industrial purposes. This includes permitting:
    - A shipping container to be used in association with a temporary hawker or peddler use. This is specific to the issue of shipping containers used for the temporary sale of fireworks, wherein the shipping container is used as a sales office during the day and as a secure storage area for the fireworks in the evening. Given the temporary and infrequent nature of fireworks sales, staff do not have concern with the use of shipping containers for this commercial purpose. This revision also aligns the Zoning By-law with the Town's licensing process for these uses;
    - A shipping container used in association with an industrial use. This revision is in response to a request received from MHBC Planning on behalf of Sunrock Canada, a local industrial operation. Staff do not have any concerns with the request, subject to such shipping containers being located in the rear yard so that they are less visible from the road allowance; and,
    - A truck, bus, coach, streetcar body or trailer to be used for a refreshment vehicle. This revision recognizes that many refreshment vehicles in Town and elsewhere are operated out of modified vehicles or trailers and aligns the Zoning By-law with the Town's licensing process for these uses.
  - Section 5.42, Uses Permitted in All Zones: Consistent with the Official Plan, staff have added in Section 5.42 that permits accessory uses, buildings and structures to a permitted and established use, emergency services buildings, structures and uses, and public uses and utilities within all zones, save and except the EP zone. As a result, staff have removed "accessory uses, buildings or structures" and "police station" from the permitted non-residential list where they previously existed.

### 5.1.3 Section 6.2(b), Additional Dwelling Units in Detached Buildings

Two revisions have been made to Section 6.2(b) as they relate to an additional dwelling unit in a detached building:

- The maximum distance that a detached building containing an additional dwelling unit may be from the existing single detached dwelling has been increased from 30 metres to 50 metres to provide greater flexibility when locating these buildings taking into consideration the private well and septic system that are required to service these buildings.
- The maximum residential floor area of an additional dwelling unit in a detached building is proposed to be increased from 40% of the residential floor area of the existing single detached dwelling or up to 100 m<sup>2</sup>, whichever is less, to 40% or up to 150 m<sup>2</sup>, whichever is less. This 50 m<sup>2</sup> increase has been proposed in response to comments from the public requesting that larger additional dwelling units in detached buildings be permitted. Staff feel this is an acceptable compromise subject to keeping the requirement that these units be a maximum of 40% of the residential floor area of the existing single detached dwelling to ensure these units remain secondary in nature and function to the primary dwelling on the property.

### 5.1.4 Agriculture-Related and On-Farm Diversified Uses

Agriculture-related uses are farm-related commercial and industrial uses that are directly related to and service farm operations in the area. These uses may be located on farms or on separate agriculture-related commercial or industrial properties. Whereas, on-farm diversified uses are secondary to the principal agricultural use of the property and limited in area. These uses are intended to enable farm operators to diversify and supplement their farm income.

The Official Plan permits agriculture-related uses and on-farm diversified uses in the Agricultural Protection Area, Speciality Crop Area and Rural Area designations. Zoning By-law 500 does not currently define or permit these uses in any particular zone so a ZBA is required to establish them. In addition to a ZBA, Site Plan Control approval may be required for any buildings or structures associated with these uses.

Since the outset of the project Council and the public have been advised that agriculture-related uses and on-farm diversified uses would be defined in the By-law and permitted as non-residential uses in the AP and RU-C zones. General provisions for on-farm diversified uses (Section 5.23) would ensure that these uses are secondary to the principal agricultural use of the property and limited in area consistent with the Provincial Policy Statement and related guidelines. No general provisions have been proposed for agriculture-related uses.

At issue with these uses is how to best address them in the By-law to ensure they are appropriately integrated into the Countryside Area so that the rural character of the area is preserved, prime agricultural land and normal farm practices are protected, and land use compatibility is ensured.

Given the general nature of the definitions for agriculture-related and on-farm diversified uses, there is a considerable number of uses that could fall within each definition. For example, agriculture-related uses include produce storage and distribution centres, markets selling products grown in the area, processing of produce grown in the area, wineries using grapes grown in the area, and farm equipment suppliers. Whereas, examples of on-farm diversified uses include uses that produce value-added agricultural products such as wineries, breweries, dairies, bakeries, home occupations, home industries, agri-tourism related uses, small restaurants, and retail uses such as farmers markets, antique businesses or seed suppliers.

Given the extensive list of possible uses, it would be significantly challenging to incorporate zoning provisions that would adequately address every possible use, their unique characteristics and the issues of land use compatibility that could arise. Further, given the introduction of these uses are relatively new into prime agricultural areas, staff believe that Council should have the ability to review each proposal for an agriculture-related or on-farm diversified uses on its own merits so that special provisions can be applied to address site- and use-specific issues on a case-by-case basis.

On this basis, it is proposed that agriculture-related uses and on-farm diversified uses be removed from the permitted non-residential use list in the AP and RU-C zones, thereby requiring a ZBA to establish them. The definitions in Section 2 and the general provisions in Section 5 related to on-farm diversified uses would remain. Alternatively, these uses would be permitted to establish in the AP and RU-C zones with very little use-specific provisions, which could prove to be problematic from a land use compatibility perspective. These proposed changes are reflected in the proposed Countryside Zoning By-law before Council for passing.

#### 5.1.5 Section 11.1 and 11.2, Permitted Uses in the Commercial Recreation (CR) Zone

The CR zone is a new zone category proposed within the Countryside Zoning By-law that combines the Tourist Commercial (C5) and Recreation Commercial (C6) zones in By-law 500. These lands are generally designed Commercial Recreation in the Official Plan.

A review of the list of permitted uses in the CR zone has been undertaken by staff to ensure conformity with the Official Plan. Based on this review, the following revisions have been made to the permitted use lists:

- The permitted residential uses have been revised to permit either one accessory dwelling for the owner, manager or caretaker of a permitted and established recreational use, or, one dwelling unit in a storey above the first storey or within the rear of a building containing a permitted and established commercial use. Both would not be permitted.
- Golf ball driving range, miniature golf course, leisure vehicles sales establishment, hotel, marina, motel or motor hotel, motor vehicle fuel bar, museum, theatre and tourist information centre have all been added to the list of permitted non-residential uses. These are uses that are currently permitted within the C5 or C6 zones in Zoning By-law 500. Not only are these uses appropriate for the CR zone, but permitting them in the CR zone would prevent a situation where these legally existing uses would become legal non-conforming if the uses were not carried forward. This would mean that planning approval would be required for any expansion of these uses.
- Kennel, police station and accessory uses, buildings and structures have all been removed as permitted non-residential uses. Kennels have been removed as they would not comply with the Official Plan, whereas police station and accessory uses, buildings and structures are being removed with the introduction of Section 5.42, Uses Permitted in All Zones.
- The term “existing” has been added in front of recreational vehicle park to recognize that the Official Plan does not permit the establishment of new recreational vehicle parks.

## 5.2 PROPOSED AMENDMENT TO ZONING BY-LAW 500

The proposed amendment to Zoning By-law 500 is a technical amendment that proposes to remove the Countryside Area from applicability within Zoning By-law 500.

This includes removing the lands within the Countryside Area from the Schedule ‘A’ Zoning Maps of Zoning By-law 500 and deleting all of the site-specific provisions from the text of the By-law that apply to these lands, along with any Schedule ‘B’ Detailed Illustrations that may be applicable. All site-specific provisions and associated Schedule ‘Bs’ removed from Zoning By-law 500 are identified in the proposed amendment to Zoning By-law 500 provided as Attachment 5.

In this regard, all site-specific provisions in Zoning By-law 500 for lands within the Countryside Area have been reviewed and either carried forward or deleted where not required. Tables of Concordance have been posted to the project webpage which itemize all the special provisions that have been removed from Zoning By-law 500 and their cross reference within the Countryside Zoning By-law.

### 5.3. PROPOSED OFFICIAL PLAN AMENDMENT (OPA NO. 148)

Recent changes to the *Planning Act* introduced by Bill 23 – The More Homes Built Faster Act, now allow for up to three dwelling units in a detached house, semi-detached house or rowhouse or up to two units in a detached house, semi-detached house or rowhouse and one in an ancillary structure on any parcel of urban residential land (i.e. land within Settlement Areas that is serviced by municipal sanitary sewers and municipal water supply). Further provisions prohibit municipal zoning by-laws from regulating minimum dwelling unit sizes or requiring more than 1 parking space per dwelling unit.

Lands covered by the proposed Countryside Zoning By-law would not be subject to these new *Planning Act* provisions as the By-law does not apply to lands that qualify as a 'parcel of urban residential land' (i.e. they are not located in a Settlement Area or municipally serviced). In this respect, there are no specific provisions related to additional residential units in the *Planning Act* that are applicable to the Countryside Area.

Despite that, it is considered appropriate and desirable to expand upon the permissions for additional residential units in the Countryside Area in recognition of the need to expand housing opportunities consistent with the direction in the Official Plan and provincial policy.

Prior to the enactment of Bill 23, the *Planning Act* required that an Official Plan contain policies that authorize the use of additional residential units by allowing:

- The use of two residential units in a detached house, semi-detached house or row house; and,
- The use of a residential unit in a building or structure ancillary to a detached house, semi-detached housing or row house.

In this regard, Section 8.1.11 of the Official Plan as approved in 2016 contains specific policies concerning accessory apartments. In particular, Section 8.1.11(a) provides that an accessory apartment is permitted within a single detached, semi-detached or townhouse dwelling. Section 5.50 of Zoning By-law 500 contains provisions related to accessory apartments and permits a maximum of one accessory apartment per lot within a permitted single family dwelling, semi-detached dwelling or townhouse dwelling in conformity with Section 8.1.11 of the Official Plan.

Section 8.1.12 of the Official Plan permits an accessory apartment in a detached accessory building or structure to the primary dwelling in the Rural Area, Agricultural Protection Area and Hamlet Area designations provided that there is only one dwelling



unit within the primary dwelling (i.e. no accessory apartment in the single detached dwelling). These provisions have yet to be incorporated into Zoning By-law 500.

The proposed OPA would delete the existing Section 8.1.12 and replace it with a new Section 8.1.12 as follows:

“8.1.12 One additional residential unit is permitted in a detached building on the same lot as a single detached dwelling in the Rural Area and Agricultural Protection Area designations. For the purpose of this Plan, an additional residential unit shall be considered to be an accessory apartment and vice versa.

In the Hamlet Area designation, an accessory apartment is permitted in a detached accessory building or structure to the primary dwelling provided there is only one dwelling unit within the primary dwelling. An accessory apartment in a detached accessory building or structure in the Hamlet Area designation shall comply with Section 8.1.13 and/or 8.1.14.”

The second paragraph noted above related to the Hamlet Area designation has been added into the OPA document since it was last considered by Council on April 18, 2023. This wording has been added to ensure that the existing permissions granted for accessory apartments in a detached accessory building or structure in the Hamlet Area designation are carried forward with this proposed Amendment.

The net effect of the proposed OPA would be to allow for up to three dwelling units on a lot within the AP, RU-C and R zones. This would include permissions for two dwelling units in the single detached dwelling and one dwelling unit in a detached building. Since these provisions would not be subject to specific *Planning Act* (i.e. Bill 23) requirements, the latitude exists to tailor the Zoning By-law regulations to the Countryside Area context. In this respect, it is not considered necessary or appropriate to allow for up to two additional dwelling units in each single detached dwelling in the Countryside Area for a total of three units in a main dwelling. Such a dwelling configuration essentially represents a triplex, which is more appropriate in an urban setting.

Many homes in the Countryside Area currently contain an accessory apartment. On that basis, staff are recommending a more balanced approach in which one additional dwelling unit would continue to be permitted in the single detached dwelling and a third dwelling unit may be permitted in a detached building.

The proposed OPA is provided as Attachment 6. By letter dated August 19, 2022, York Region has advised that the subject OPA is exempt from Regional approval. This means that the Town is the approval authority and subject to no appeals, the OPA will come into force and effect following the expiration of the 20-day appeal period.

## 5.4 NEXT STEPS

### 5.4.1 Approval Process

In the event concerns are raised by the public or Council which require further investigation, the matter may be referred back to staff for review and follow-up. Otherwise, subject to Council's approval the zoning by-law, the ZBA and the OPA have been scheduled for passing on the November 15, 2023 Council Agenda. As noted above in Section 5.3, the OPA has been exempt from Regional approval meaning the Town is the approval authority.

No later than 15 days following the passage of the by-laws and adoption of the OPA, staff are required to circulate a notice of passing/adoption in accordance with the *Planning Act*. From the date of circulation of the notice of passing/adoption, there is a 20-day appeal period.

If a notice of appeal is received, the Town will process the appeal and forward it, the required record and fee to the Ontario Land Tribunal (OLT) within 15 days from the last day of appeal. Staff will then report to Council on the details of the appeal and request direction on how to proceed.

Should no appeals be received, the Countryside Zoning By-law and the By-law to amend Zoning By-law 500 will come into force as of the date of passage of the By-laws, while the OPA will come into force on the day after the last day for filing a notice of appeal.

### 5.4.2 Web-Based Interactive Zoning Map Viewer

Following approval of the By-law, staff from Planning Policy and the Information Technology Services Divisions will work to finalize and implement a web-based interactive zoning map viewer. This map viewer will utilize the GIS based zoning layers developed as part of this project and will be linked to the Town's website. The map viewer will allow property owners/members of the public to easily search for a property in order to accurately determine the zoning and its applicable requirements.

## 6. RELATIONSHIP TO CORPORATE STRATEGIC PLAN (2023-2027):

This report addresses the following strategic goals:

Ensuring Balanced Growth:

- Promote and ensure responsible growth and long-term planning
  - Complete Phase I – Countryside Zoning By-law
- Support diversity of housing types in Georgina

- Update the Zoning By-law to implement provisions for additional residential units

## **7. FINANCIAL AND BUDGETARY IMPACT:**

There are no financial or budgetary impacts associated with this report.

The project remains within the Council-approved budget as of the completion of this report.

## **8. CONCLUSION:**

The proposed Countryside Zoning By-law No. 600 dated November 2023 is the result of a multi-year collaborative conformity exercise that has considered and responded to all input received.

The By-law implements the goals, objectives, policies and mapping of the Town of Georgina Official Plan through zoning provisions that are legally enforceable and required to be complied with in order to establish a use and/or obtain a building permit for new construction.

In the opinion of staff, the proposed Countryside Zoning By-law conforms with the Official Plan, responds to local issues, and represents good planning. On this basis, the proposed Countryside Zoning By-law is being recommended for approval along with the technical amendments to Zoning By-law 500 and the Official Plan required for implementation purposes.

## **APPROVALS**

Prepared By: Tolek A. Makarewicz, MCIP, RPP  
Senior Policy Planner

Reviewed By: Alan Drozd, MCIP, RPP  
Manager of Planning Policy

Recommended By: Denis Beaulieu, MCIP, RPP  
Director of Development Services

Approved By: Ryan Cronsberry,  
Chief Administrative Officer

### **Attachments:**

- Attachment 1 – Official Plan Schedule A1, Municipal Structure
- Attachment 2 – Master Public Comment and Staff Response Table
- Attachment 3 – York Region Comments dated September 7, 2023

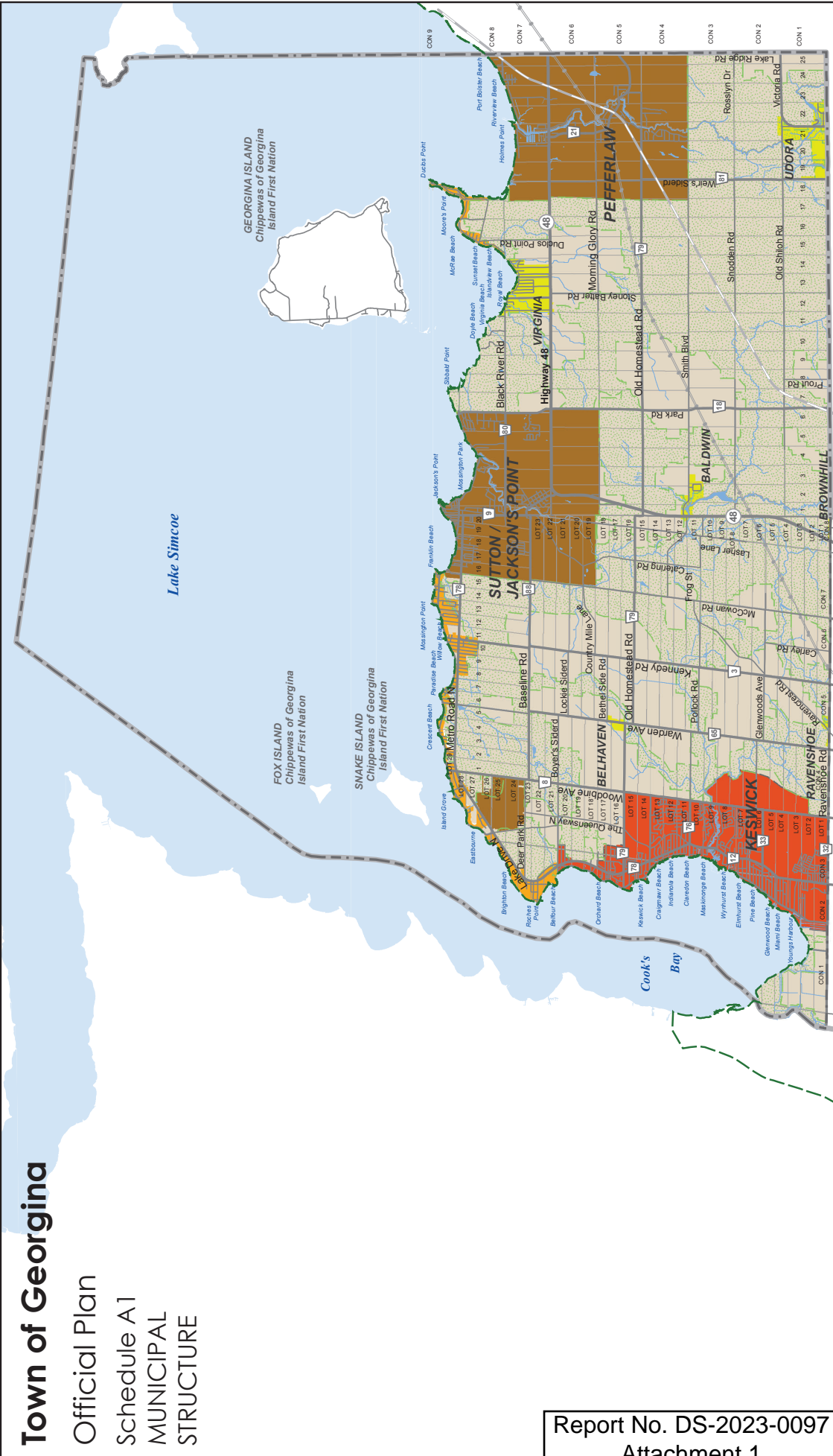
Attachment 4 – Canadian National Railway Company Comments dated October 23, 2023

Attachment 5 – Proposed Amendment to Zoning By-law 500

Attachment 6 – Proposed Amendment to the Official Plan

# Town of Georgina

Official Plan  
Schedule A1  
MUNICIPAL  
STRUCTURE

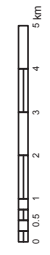


Report No. DS-2023-0097  
Attachment 1  
Pg. 1 of 1

- Urban Area
- Towns and Villages
- Hamlet
- Lakeshore Residential Area
- Countryside Area

- Greenlands System
- Greenbelt Plan Area Boundary

- BASE MAP INFORMATION**
- Provincial Highway
  - Regional Road
  - Road
  - Railway
  - Municipal Boundary
  - Regional Boundary
  - Hydro Corridor
  - Watercourse/Waterbody
  - Lake Simcoe



January 2017

Sources: Town of Georgina, Regional Municipality of York, ArcGIS Online  
MapServer, and Region Conservation Authority. Prepared by  
York Region Municipal Engineering and Planning Department  
Natural Resources.  
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**Phase I Zoning By-law 500 Conformity Exercise  
Public Submissions and Staff Response**

#	Date; Contact; Property	Summary of Comments	Staff Comment/Response
1	Sept 16/20; Tyler Searls of MHBC on behalf of Votorantim Cimentos; 4440 Baseline Rd	<p>We would ask that the zoning permissions and boundaries reflected in the described ZBA be rightfully integrated with the zoning permissions and boundaries associated with the Town's new Comprehensive Zoning By-law.</p> <p>Clarify whether Council will pass a resolution which would allow for amendment to the new Zoning By-law within 2 years of its passing, or whether a moratorium on amendment is otherwise expected to apply.</p>	<p>Proposed zoning for the site includes retaining existing M2-11 zoning in conformity with the Rural Industrial Area designation and rezoning the OS-98 zone to a Special Provision EP zone to recognize and protect the floodplain on site.</p> <p>Subsection 34(10.0.0.1) of the Planning Act does not apply as the entire zoning by-law is not being simultaneously repealed and replaced. ZBAs to the new zoning by-law would be permitted.</p>
2	Sept 21/20; Michael Smith of Michael Smith Planning Consultants on behalf of Powell Contracting; Park Rd, south of Hwy 48	Looking for confirmation that the environmental features on the Powell Construction property are to be zoned to Environmental Protection pursuant to the request of the LSRCA and as a condition of the Phase 2 site plan approval. The Phase 2 site plan application was submitted in the summer of 2020.	The EP zoning required by the LSRCA has been implemented through the proposed zoning by-law mapping.
3	Nov 2/20; Claire Malcolmson	Submitted policy report and mapping for high quality natural cover in the Lake Simcoe Watershed, technical definitions and criteria for determining KNHF and KHF from the LSPP, and a link to the LSRCA Natural Heritage and Restoration Strategy for consideration.	Received for information.
4	Nov 4/20; Michael Davy	There is something that has always been problematic with the definitions and terms used in ZB 500 when compared to the policy documents. There are inconsistencies between the documents. It would prove very helpful if a term used and defined as a zoning provision matched that which appears in the policies.	Received for information. New definitions added to align with Official Plan definitions. A more fulsome review of definitions and general provisions will be conducted during Phase II to ensure consistency with the Official Plan.

		There are also terms in ZBL 500 that refer to antiquated pieces of legislation that are no longer in existence. Some form of "rider" would be helpful in the definition which would direct the reader to amendments or replacement legislation (should it be enacted) to avoid requiring further ZBAs.	A new provision (Sec. 4.10, Legislation) has been added that would tie any act, regulation, by-law, agency, public body or jurisdiction referenced in the By-law to its successor upon amendment or replacement.
5	May 31/21; Leo Longo of Aird Berlis on behalf of North Gwillimbury Forest Alliance; Maple Lake Estates Lands	We had hoped for more to have been achieved in the past 18 months since the release of the LPAT decision. We urge Council to ensure that this process proceeds as expeditiously as possible. Please take whatever steps are necessary to ensure that MLE and other lands are rezoned in full conformity with OPA 129, within the current term of Council.	Received for information. On April 1, 2022, the Minister of Municipal Affairs and Housing released Ontario Regulation 251/22, which effectively zones the MLE lands Environmental Protection. The regulation is provided as Appendix '2' to the proposed Countryside Zoning By-law. Additionally, ownership of the MLE lands have been transferred to the LSRCA to ensure protection of these lands for future generations.
6	Sept 23/21; Michael Smith of Michael Smith Planning Consultants Michael Smith on behalf of Biljana Vukicevic; 37 Sina St.	The site is designated Environmental Protection Area, zoned Site-specific Tourist Commercial (C5-17), and located outside the Serviced Lakeshore Residential Area boundary. The client wants to construct a single detached dwelling on the site; therefore, a ZBA is required. My client has received a notice, stating that her site is located within the Phase 1 Study Area. Please add me to the Interested Party list regarding the Countryside Zoning By-law.	Received for information. Added to Interested Party list.

7	Oct 28/21; Gary Foch; 22869 & 26037 Woodbine Ave	<p>My son lives at 22869 Woodbine and is operating a home based Real Estate office. Kathy and I attend daily update meetings there. Currently it is an ideal home size and location for him and his daughter. There is a fixed bill board on site which has been promoting real estate and other community events for over 20 years. The existing billboard on site has been approved to be converted to an LED. Through the Zoning By-law process underway we wish to separate the home based business / occupation requirement of having someone live on site – specifically for a real estate office and any and all appurtenances and accessories thereto, without compromising any other uses under the RU zone. In other words, if and when my son can move out, he doesn't have to worry about a Real Estate Office being able to continue in autonomy, without someone living there. We expect in the fullness of time that this location will become a major gateway destination which would synergize with a standalone Real Estate Office.</p>	<p>The purpose of the Zoning By-law Update is to bring the Zoning By-law into conformity with the Official Plan. The property is designated Rural Area in the Official Plan and zoned RU in ZBL 500. A home occupation use is permitted in the Rural Area designation, subject to the policies of Section 4.6.1. The Official Plan does not permit an office or professional use in the Rural Area designation. Therefore, an OPA and ZBA would be required to permit the proposed use of the dwelling as an office or professional use outside the permissions for a home occupation.</p>
		<p>We wish the same amendment for 26037 Woodbine RU section of land.</p>	<p>The property is proposed to be zoned site-specific Rural Commercial (RC-3) to carry forward the existing C2-12 provisions and recognize the existing dwelling and accessory apartment previously located in the RU zone. A business or professional office, which would include a real estate office, is permitted in the RC zone subject to compliance with all other requirements of the By-law.</p>
8	Sept 13/21; Sid Giddings, President of the Georgina Military Museum; 26061 Woodbine Ave	<p>2 years ago when we applied for a zoning variance it was mentioned by a senior Town official that to go through this every 3 years was redundant, the present zoning includes pleasure/leisure but not a museum? Are we not pleasure/ leisure? If not could you please modify the zoning as recommended 2 years ago.</p>	<p>The property is proposed to be zoned Commercial Recreation (CR). Staff have considered the request and do not have any concerns with adding a museum use as a permitted non-residential use within the CR zone. This change is reflected in the proposed By-law.</p>



9	Feb 27/22; Mark and Jennifer Button; 25812 Kennedy Rd.	We have serious concerns regarding the change in zoning of our property from RU to Agricultural and would strongly disagree as it relates to our present and continued use of our property. Any consideration relating to a change in zoning is unwarranted and could pose risk to our current and future use and enjoyment of our property.	The purpose of the Zoning By-law Update is to bring the Zoning By-law into conformity with the Official Plan. As such, the property is proposed be zoned based on the Official Plan land use designations which includes Agricultural Protection Area and Environmental Protection Area.
		The current by-laws as they relate to home based industry and businesses on rural properties are too restrictive. At present, the limitations set a maximum square footage use of accessory buildings at 190 sq m and a maximum staff outside of family at three people. These bylaws restrict businesses opportunity for growth and discourage investment in existing historic rural buildings. The Town should consider a change to the bylaw that would: <ul style="list-style-type: none"> <li>• Allow property owners to utilize the full floor space of existing buildings on rural properties for home-based business &amp; industry.</li> <li>• Eliminating the staffing limits in order to encourage business growth and increase local job opportunities for residents.</li> </ul>	Comments respecting home industries are acknowledged and have been considered. In this regard, revisions have been proposed to increase the number of permitted staff and maximum floor area of the home industry use. However, it should be noted that compared to comparable municipalities, Georgina has the most permissive regulations for home industry uses.
		The EP designation at the northwest corner of the property has become a dead ash bush. The designation is questionable based on there being no environmentally protected land in near proximity or immediately surrounding it. We feel a review of this designation is warranted at this time.	The Environmental Protection Area designation in the northwest portion of the property is representative of woodlands, wetlands, and a 30-metre vegetation protection zone from these features. A site inspection was conducted with the LSRCA and property owners on November 25, 2022. Based on discussion with the LSRCA, the EP zone will be remaining on-site in accordance with the Official Plan.
10	March 17/22; Fernando Lamanna; 105 Duclos Point Rd. and S/S Latimer Rd.	I would like to know if there are any specific impacts to two rural properties that my dad owns:	Both properties will be rezoned as part of this project.
		Property 1: 105 Duclos Point Road. It's a 50 acre parcel on the east side of Duclos Point Road about a mile north of Hyw 48. This parcel was originally created by consent and I know it is zoned rural, with a majority of the property being tax exempt under LSRCA as it is a mature forest. But a portion of the property fronting Duclos is vacant and I want to ensure that I can still build a SFD on that portion of the lands.	The Duclos Point Road property is proposed to be zoned RU-C and EP. There appears to be a sufficient portion of the property zoned RU-C to build a single detached dwelling. See line 14 below.

		Property 2: Latimer Road, Concession 5, Part Lot 5. This too is a 50 acre parcel of vacant land with most of it being a mature forest. However this property is on an unopened road allowance and it is just south of the Sutton Secondary Plan. No real intention on this property at this time, but again interested in future possibilities.	The Latimer Road property is proposed to be zoned EP. At minimum a ZBA will be required to build a single detached dwelling on the property.
11	March 31/22; Gord Mahoney of Michael Smith Planning Consultants	Notes that home industries are not permitted in the Official Plan in the Environmental Protection Area designation and in the EP zone under the draft Countryside Zoning By-law. This was not previously not an issue under the RU zone in Zoning By-law 500.	A home industry use is not permitted in the Environmental Protection Area designation of the Official Plan and thus the use has not been permitted in the EP zone. This is due to the potential impacts such uses could have on the identified natural features and/or their environmental functions. There are more than sufficient lands in the Countryside Area zoned to permit home industry uses. Amending the Official Plan to allow these uses to be introduced into the Environmental Protection Area designation, and thereby the EP zone, is not recommended.
12	March 31/22; Caitlin Port of MHBC Planning Consultants on behalf of Sunrock Canada; E/S Park Rd, South of Sutton (Part Lot 7, Con 6 (G) and Part Lot 8, Con 5, Part of East ½ Lot 7, Con 6 (G))	<p>Their client, Sunrock Canada owns two properties zoned M3 on Park Road south. The M3 zoning permits a concrete batching plant and Sunrock plans to make a Site Plan application to develop this use.</p> <p>Requests amendments to the general provisions to permit the use of shipping containers and temporary construction trailers in the Town's Industrial Zones as accessory structures.</p>	<p>Acknowledged. The M3 zone permits a concrete batching plant.</p> <p>An exemption has been added to the By-law that would permit shipping containers to be used accessory to an industrial use with a requirement that they may only be located in the rear yard.</p>

13	<p>May 24/22; Gord Mahoney, Michael Smith Planning Consultants on behalf of 315197 Ontario Ltd.; 824 Trivetts Road (Roll 127-81200) and Part Lot 3 Con 9 (G) (Roll 127-81202)</p>	<p>Property 1: Trivetts Rd. (Roll 127-81200) – The property encompasses approximately 5.18 ha and contains a derelict building. The site is designated Serviced Lakeshore Residential Area, Environmental Protection Area and Rural Area. The lands are also subject to a site-specific Special Provision in the OP (Sec 6.2.17.1) that would allow an OPA application to consider the appropriateness of amending the OP outside of an MCR process to permit the creation one or more lots.</p>	
		<p>Notes that any update to the Zoning By-law should recognize the Special Provision in the OP. Requests that the portion of the property subject to the Special Provision retain its RU zoning under By-law 500.</p>	<p>The Special Provision (Section 6.2.17.1) permits the consideration of a future OPA to permit an expansion of the Serviced Lakeshore Residential Area to allow one or more lots to be created, subject to Section 11.4.2.9 of the Official Plan relating to consents. The Special Provision applies to only a portion of the property designated Rural Area and Environmental Protection Area. As such, these lands will receive RU-C and EP zoning as applicable. If in future, the owner advances an OPA application to designate the lands SLRA to permit development, then the lands can be rezoned consistent with the Council approved applications at that time. No change is proposed.</p>
		<p>Looking for confirmation that if zoned EP, the development of a dwelling in this area is possible provided a ZBA is approved demonstrating no negative impacts to surrounding environmental features.</p>	<p>The entire property is proposed to have multiple zonings on it and for a time will be subject to both ZBL 500 and the Countryside Zoning By-law. Only one single detached dwelling may be permitted on the lot subject to the provisions of the applicable Zoning By-law. Should a dwelling be proposed in a portion of the property zoned EP, planning approval will be required.</p>
		<p>Property 2: Part Lot 3 Con 9 (G) (Roll 127-81202) – The property is approximately 32 ha in size and is located on the south side of Metro Rd. N, immediately to the south of the above-noted property. The site is designated Environmental Protection Area and Rural Area.</p>	

		Requests that pockets of lands designated as Rural Area on the subject site be zoned RU-C.	The lands designated as Rural Area are proposed to be zoned RU-C in the proposed Countryside Zoning By-law consistent with the Official Plan.
14	May 26/22; Fernando Lamanna; 105 Duclos Point Rd.	Please accept this as our official written request to have council respectfully consider maintaining the rural zone designation on the front cleared part of the property at 105 Duclos Point Road. The reason for the request is to ensure that we have the opportunity to build a SFD with out buildings in the future within the cleared area but far enough from the road to minimize traffic noise.	A site inspection was conducted with the LSRCA and property owner on November 4, 2022. Based on the findings of the site inspection, the LSRCA and staff are agreeable to making a minor revision to the boundary between the EP zone and RU-C zone. The revision would reduce the EP zone and replace it with the RU-C zone, to allow additional lands for a future dwelling. The lands that will be zoned RU-C contain no environmental features and are currently used as a garden. This revision is reflected on Schedule 'B7'.
15	Aug 12/22; Bianchi Presta of Bianchi Presta LPP on behalf of Manochehr Jam; 26711 Woodbine Ave.	It is our client's position that the zoning of the property permits the construction of a single family dwelling. Our client maintains that as a result of the historical use of the property, as well as the existing structures located thereon, that the zoning of the property is currently a non-conforming use permitting a single family dwelling.	Town records confirm that the existing structure on the subject property does not constitute a single family dwelling as defined in ZBL 500. As is explained below, a Council approved ZBA is required to build a single detached dwelling.
		Our client confirms that the surrounding properties are also zoned for single family dwelling use.	Since 1977, the Town has processed a number of site-specific ZBAs along Woodbine Ave, north of Baseline Rd. to permit single detached dwellings on existing vacant lots of record. The ZBA process is required in order to properly evaluate the environmental features and their functions associated with the lands to determine if development can be accommodated without causing detrimental impact to the environment.
		As such, and further to any applicable grandfathering rules, the property shall not be subject to any changes in the By-laws or rules of the Town restricting the construction of a single family dwelling on the subject property.	The rezoning of the property to EP changes nothing from a land use and development perspective. Planning approval would be required to build a single detached dwelling under the current Zoning By-law 500 and the proposed Countryside Zoning By-law.

		<p>Furthermore, our client hereby objects to any By-law amendment proposing to amend the zoning of the property to EP, which would in any way arbitrarily impact our client's non-conforming use as a single family dwelling designation.</p> <p>Our client requests that you confirm the zoning of the property currently permits the construction of a single-family dwelling as a result of the non-conforming use.</p>	<p>Acknowledged. Property owner consent is not required for the Town to undertake the Zoning By-law Update.</p> <p>The property is currently zoned RU in ZBL 500 and considered undersized in terms of lot frontage and area to permit a single detached dwelling. The property does not enjoy any legal non-conforming status related to the existing structure, as discussed above. A ZBA supported by environmental studies demonstrating no negative impact to the natural environment, is currently required to permit a single detached dwelling on the property. The same is also applicable under the proposed Countryside Zoning By-law.</p>
16	Aug 19/22; Tony Usher Planning Consultant	Notes error in the reference to Minister's Zoning Order on Schedule 'A'	Schedule A revised to reference "Minister's Zoning Order".
		Comment on the lay-out of permitted uses in the Environmental Protection Zone	The permitted uses in the EP zone have been revised.
17	Sept 7/22; Michael Smith of Michael Smith Planning Consultants on behalf of Kingsley and Ann-Marie Cato; Part of Lot 5, Concession 3 (G); S/S Smith Blvd.	In order to permit the construction of a single detached dwelling, they are requesting a revision to the EP zone boundary as follows:	
		Utilize the results of a wetland staking exercise conducted with the LSRCA.	LSRCA has advised that they have confirmed the boundary of the wetland feature through a staking exercise. Staff will implement the results of the wetland staking exercise.
		Propose to add a 15-metre vegetation protection zone from the limit of the wetland. In this regard, the wetland and 15-metre vegetation protection zone would be zoned EP.	LSRCA has advised that a 15-metre vegetative protection zone is the minimum they would consider with a scoped Natural Heritage Evaluation demonstrating that it would be sufficient. However, without that document, and without the review of the LSRCA Ecologist, a 30-metre vegetation protection zone should be applied. Therefore, a 30-metre vegetation protection zone will be applied from the staked feature and Planning approval will be required to reduce the vegetation protection zone.

18	Sept 16/22; Gord Mahoney of Michael Smith Planning Consultants on behalf of 315197 Ontario Ltd.; 824 Trivetts Road and Part Lot 3 Con 9 (G)	Most of my client's lands will be zoned EP. The question is, what is permitted as a conservation and forestry use. The term is not defined in the by-law.	Both conservation use and forestry use are defined in ZBL 500 and were carried forward into the first draft of the Countryside Zoning By-law.
		He is asking if he could have a Christmas tree farm or harvest maple syrup. As I see it, a Christmas tree farm is an Agricultural Use and would not be permitted in the EP zone. Maple syrup production is, by definition, an Agricultural Use.	Correct, both a Christmas tree farm and maple syrup production are considered agricultural uses in accordance with the Provincial definition for Agricultural use and the Provinces document titled "Guidelines on permitted Uses in Ontario's Prime Agricultural Areas".
		However, if some one is tapping trees in an EP zone and then processing the sap outside the EP zone, in a zone that permits an Agricultural Use, I would see that as a forestry use.	Forestry use has been removed for the proposed Countryside Zoning By-law. Currently in ZBL 500, the 'forestry use' and associated definition are used in combination with 'conservation use' through site-specific OS zoning to ensure the long-term protection of environmental areas through the development review process. Upon review, Staff feel that there was too much ambiguity in the definition of 'forestry use' that could potentially lead to uses which would be compromise the overall intent of protecting environmentally sensitive lands. Activities associated with maple syrup production are permitted as an agricultural use in any zone which permits same.
19	Jan 19/23; Michael Smith of Michael Smith Planning Consultants	In our reading of Section 4.6, a planning approval (i.e. minor variance or zoning by-law amendment) would be required to amend the boundaries of the EP zone. To allow for greater flexibility, we would like you to consider an approach similar to section 5.30 d) of Zoning By-law 500 which permits the appropriate road authority to permit a lesser planned street width subject to written confirmation. In this manner, in cases where the EP zone boundary is the only planning issue, the flexibility intended by the original Official Plan policies could still be maintained.	The Zoning By-law and related mapping is considered a legal document. Any revision/amendment to the EP zone boundary will require planning approval like any other aspect of the Zoning By-law. This is considerably different than making discretionary judgements on the width of planned road allowances.

20	Jan 24/23; Gord Mahoney of Michael Smith Planning Consultants	<p>We have a concern with the removal of the “notwithstanding clauses” that would permit the COA to approve severances with lesser lot frontage and/or area than required by the Zoning By-law. Therefore, once the Countryside By-law is passed, if a consent is proposed that does not meet the lot frontage and/or lot area provisions of the zone a ZBA or MV would be required.</p> <p>Most severances in the Rural area will be for surplus dwellings as a result of a farm consolidation which of course requires a ZBA and any lot frontage and/or lot area deficiencies can be addressed. However, the Town’s OP still permits, within the Rural designation, consents for Limited Residential Infilling (defined term). In this regard, there is the potential where a consent for Limited Residential Infilling is proposed, and the proposed lot could have a lesser lot frontage and/or lot area than required. This would require a ZBA or MV to rectify.</p> <p>Seems a bit onerous given the current planning climate. The current Undersized Lot provision has worked extremely well for a long time. Wondering if there is an opportunity to have the Undersized Lot provision in the Countryside By-law changed so that it is more in keeping with the current By-law 500 provision.</p>	<p>The proposed minimum lot frontage and area requirements for single detached dwelling have been revised to permit the existing lot frontage and area to be the minimum.</p> <p>Although rare, when reviewing applications for severances in the Countryside Area it is a common practice to require any new residential lot to be limited to the minimum size needed to accommodate the residential use, amenity space and appropriate services. This is so that additional land beyond what is necessary for the residential use is not taken out of agricultural production or rural land use.</p> <p>With the goal of preserving land for agricultural production and rural land uses and in order to provide flexibility to applicants and the COA as it relates to future “limited residential infilling” severances in the Rural Area designation, staff are okay with adding back in the “notwithstanding clause” that would allow the COA to approve smaller lot frontages and areas than required by the ZBL. This revision has been made to the By-law.</p>
21	Jan 24/23; Gord Mahoney of Michael Smith Planning Consultants	<p>Can a farmer expand an agricultural field into the EP zone? According to the OP, an expansion is permitted into the EP designation but I do not see where it would be permitted in the ZBL. The Town’s OP seems to permit this type of expansion under Section 5.3.1.9, 5.3.1.10, 5.3.1.12 and 5.9. When I looked at the Countryside By-law I don’t see where the expansion would be permitted. My take would be that a ZBA would be required. Which I understand.</p>	<p>Section 5.3.1.10 of the OP permits existing agricultural operations in the EPA designation and clarifies that it is not the intent of the Plan to limit the ability of these uses to continue. Expansions to existing agricultural buildings and structures and farm and non-farm dwellings and accessory uses thereto, are permitted in the EPA designation subject to the existing use policies of Sec. 5.9. The OP does not speak to permitting the expansion of existing agricultural uses either into the EPA designation or within the EPA designation.</p>

			Therefore, planning approval would be required to expand an agricultural use into the EP zone.
22	Feb 23/23; Gord Mahoney of Michael Smith Planning Consultants	<p>I have recently dealt with a gentleman that wants an accessory dwelling unit in a detached accessory building on a rural property. In my review for him I noticed that Section 5.46 b ii) of the by-law states the following:</p> <ul style="list-style-type: none"> <li>The gross floor area of the detached building containing the access dwelling unit shall not exceed 40% of the gross floor area of the principal dwelling or up to 100 sq. m. whichever is less.</li> </ul> <p>I'm trying to understand the intent of this provision. Is the Town trying to limit the size of the detached accessory building or the size of the accessory dwelling unit? As I read the provision, it limits the size of the detached accessory building and not the size of the accessory dwelling unit.</p>	The wording of the provision has been revised to limit the size of the additional dwelling unit in the detached building and not the size of the detached building itself.
23	Feb 27/23; Katie Pandey of Weston Consulting on behalf of 286 The Queensway North	<p>The Official Plan designates the subject lands Agricultural Protection Area with Greenlands System overlay, and Environmental Protection Area and Zoning By-law 500 zones the subject lands Rural (RU). It is our opinion that the removal of these lands will help create more new housing to address the Province's housing crisis. Serviced Lakeshore residential Area is within less than 500 m of the property. The subject property, at 52.33 ha is sized to accommodate more housing. The property is not within Niagara Escarpment Area or Aggregate Resource Priority Areas as indicated on Official Plan Schedule G. A residential development, through consultation with an Environmental Consultant, can be accommodated sensitively which would not impact natural features on the property. We note the following:</p> <ol style="list-style-type: none"> <li>The landowner is committed to constructing homes. Given the current use of the property for residential purposes and the location of property within 800 m from community services and retails, the development of the subject lands would be consistent with what is already occurring.</li> <li>Close proximity to the residential area designation, being at the edge of the Greenbelt Plan boundary.</li> </ol>	<p>The letter appears to request the removal of these lands from the Countryside Zoning By-law so that they are able to "create more new housing to address the Province's housing crisis."</p> <p>Firstly, removal of these lands from the Countryside Zoning By-law would have no impact on the future development potential of these lands.</p> <p>Secondly, growth and development are directed to existing settlement areas in accordance with Provincial, Regional and Town planning documents. In this regard, the subject lands are located entirely within the Protected Countryside of the Greenbelt Plan and are designated Agricultural Protection Area and Environmental Protection Area in the OP. Residential development as proposed by this request would not comply with the requirements of the Greenbelt Plan, the YROP 2022, and the Town's Official Plan, nor does it represent good planning.</p>



		<p>3. Within 200 m from the residential subdivision on the north and has frontage along a public road.</p> <p>4. Within less than 500 m of the Lakeshore residential area of the town. During the last few years, the inclination toward residential development on the north and west of the subject property is noticeable.</p> <p>Based on the planning analysis conducted and the comments provided above, we ask that the following summarized points to be considered:</p> <ul style="list-style-type: none"> <li>•The property is in close proximity of the existing residential subdivision as well as community facilities as noted above.</li> <li>•The subject area property is also fairly flat and is not within Specialty Crop Area.</li> <li>•The property has frontages along a public road.</li> <li>•The character of the area is suitable and would provide adequate access to major roads.</li> </ul> <p>Based on the planning analysis provided above, our position is supportive of residential development on the subject lands. It is our opinion that the property will accommodate new housing that in the short term to lessen the impact of Ontario's Housing Crisis in a matter that will propose minimal impacts to the ecological/environmental integrity of the area.</p>	No revision required.
24	March 28/23; Visvapriya Saravanamuttu; 27909 Highway 48	I do not accept any designation related to rezoning/by-law amendments on my property without my express written permission.	Acknowledged. Property owner consent is not required by the Town to undertake the Zoning By-law Update currently being undertaken.
25	April 4/23; Gord Mahoney of Michael Smith Planning Consultants on behalf of Lyndhurst Golf Course and Trailer Park;	The property is two separate parcels of land. The north parcel is municipally known as 24198 Highway 48. It is approximately 26.5 ha, designated Commercial Recreational and zoned Recreational Commercial (C6 and C6-1). It contains a recreational trailer park and community centre. The south parcel does not have a municipal address. It is designated Commercial Recreational Area and zoned Rural (RU). It contains a recreational trailer park and a golf course.	The trailer park on the south parcel is not permitted under the current RU zoning and there is evidence on file that the trailer park was established after Zoning By-law 911, being the Town's first comprehensive zoning by-law, came into force and effect. Policy 6.5.6 of the Official Plan provides that no new recreational vehicle parks will be permitted in the Town. Therefore, an approved OPA will be

	24198 Highway 48	<p>Through my review of the property, I noticed that the north parcel is proposed to be zoned Commercial Recreation (CR &amp; CR-3). This conforms with the existing land use designation and is consistent with the existing zoning. The south parcel is proposed to be zoned Agricultural Protection (AP) and Environmental Protection (EP). This does not conform to the existing Commercial Recreational Area designation in the Official Plan.</p> <p>To ensure conformity with the Town's Official Plan the south parcel should be rezoned to Commercial Recreation (CR) in the Countryside By-law update.</p>	<p>required prior to the consideration of any zoning that would legalize the trailer park.</p> <p>The golf course on the south parcel is also not permitted under the current RU zoning but is permitted within the Commercial Recreation Area designation. However, ortho-imagery shows that some resemblance of golf course holes existed on the property dating back to before Zoning By-law 911 came into force (prior to 1977). Based on the foregoing, staff find it reasonable and appropriate to zone the portion of the south parcel containing the golf course CR to recognize the existing golf course and bring it into compliance with the OP. This change has been reflected in the By-law mapping.</p>
26	April 8/23; Lisa Fung; 24657 Woodbine Ave.	I would like to have my property zoned Commercial in order to move my business, Keswick Family Eye care, there. We have been providing eye care services to Georgina for over 25 years are we are out growing our present location at 76 Arlington Drive.	The property is designated Agricultural Protection Area in the Official Plan and is proposed to be zoned AP in the Countryside Zoning By-law. A commercial zoning would not comply with the Official Plan. Therefore, an approved OPA will be required prior to the considerations of any commercial zoning.
27	April 16/23; Laurence Van Halteren	<p>Regarding s 5.46 b The gross floor area of the detached building containing the access dwelling unit shall not exceed 40% of the gross floor area of the principal dwelling or up to 100 sq. m. whichever is the lesser.</p> <p>My concern with this is that this limits any units size considerably, almost to the point of it not being worth it. 100 sq. m. is only 1076 sq. ft. In my opinion, it would make more sense for the wording to be whichever is greater. If someone has a 2000 sq. ft. of floor area on the primary dwelling this only allows 800 sq. ft. on the secondary unit. Being as this is gross floor area, if someone wants to build a 2 story unit or have a basement (makes more financial sense to build up), this essential limits the footprint to 20x20. It doesn't make financial sense to build such a small place.</p>	<p>The purpose of limiting the size of additional dwellings units is so that they remain secondary in appearance and function to that of the primary residential unit.</p> <p>The provision has been revised to permit a maximum residential floor area of 40% of the gross floor area of the main dwelling or up to 150 m<sup>2</sup> (1,614 sq. ft.), which ever is the lesser. Staff believe this is a reasonable compromise.</p>

		<p>In my circumstance, I have a floor area closer to 6,000 sq. ft. and 25 acres of property. It is my hope to build a unit for my widowed mother and my dependant siblings. If I could build 40% of my current floor area that would allow her to have an average home size (2,400 sq. ft.) while also maintaining her independence and reducing property maintenance for her. Based off the current proposal, I would still be limited to 1,076 sq. ft. The town can only benefit from the larger building as this would only increase the property tax as well.</p>	
28	<p>April 18/23; Michael Smith of Michael Smith Planning Consultants on behalf of Kingsley Cato; Smith Blvd.</p>	<p>In our reading of Section 4.6, we understand that a planning approval (i.e., MV or ZBA) would be required to amend the boundaries of the EP zone. This planning approval would be required even if there was an EIS prepared to the satisfaction of the authority having jurisdiction.</p> <p>The EP zone boundary in the Proposed Countryside Zoning By-law is based on mapping/information from the Province of Ontario, York Region, the Lake Simcoe Region Conservation Authority, and other sources. Our understanding and experience with this information/mapping, is that they are typically high-level and require confirmation of the existing on-site conditions via staking of the environmental features and/or an EIS for greater accuracy. To allow for greater flexibility where these forms of high-level mapping are being utilized, we would like you to consider an approach like the one implemented by the Town of East Gwillimbury.</p> <p>As per section 1.12 of East Gwillimbury's Zoning By-law 2018-043, "Provided that the purpose, effect, intent, meaning and substance of this Bylaw are in no way affected, the following technical revisions to this By-law are permitted without a zoning by-law amendment: f) Changes to the Environmental Protection (EP) Zone limits based on an approved EIS".</p> <p>By adopting this approach, in cases where the EP zone boundary is the only planning issue, the flexibility intended by the original Official Plan policies could still be maintained.</p>	<p>Staff do not agree with an approach that would permit an EP zone boundary to be revised at a staff level outside of a formal Planning Act application including public consultation process. Any revision to an EP zone boundary will require planning approval (Minor Variance of ZBA).</p>

		We note that both the Region of York Official Plan and the Greenbelt Plan contain policies requiring a Planning Act approval for revisions to the boundaries of key natural heritage features. The East Gwillimbury Zoning By-law was approved and deemed to conform with these documents. If this degree of flexibility was acknowledged and permitted in East Gwillimbury, we believe that it is permissible and desirable to permit it in the Town of Georgina to reduce the number of unnecessary planning applications.	
29	April 18/23; Michael Smith of Michael Smith Planning Consultants on behalf of Don Wood; N/S Boyer's Side Road	The contents of this letter are the same as the letter noted above on Line 28. Concern with Planning approval being required to revise the EP zone boundary. Request the Town to consider the approach undertaken by EG through their new Zoning By-law that permits revisions to the EP zone boundary based on the findings of an approved EIS.	See response above.
30	April 20/23; Gord Mahoney of Michael Smith Planning Consultants on behalf of Lyndhurst Golf Course and Trailer Park; 24198 Highway 48	A golf ball driving range and a miniature golf course are not permitted uses in the CR zone. Which I thought was a bit odd and would ask that you consider adding these as permitted uses.	A golf course is a permitted use in the Commercial Recreation designation and also a proposed permitted use within the CR zone. Staff are of the opinion that a golf ball driving range and miniature golf course are appropriate uses to add to the CR zone. This is reflected in the proposed By-law.
31	April 21/23; Gord Mahoney of Michael Smith Planning Consultants on behalf of A&T Homes; N/S Metro Rd. N,	Regarding agricultural uses in the EP zone, I did a ZBA for A&T Homes up on Lake Drive and Trivets Road. The final amendment included a site-specific RU-219 zone which allowed the continued agricultural use within the 30m buffer of the watercourse on site but restricted any buildings or structures. Policies 3.2.2.1 and 3.2.5.7 of the Greenbelt Plan were used to justify this site-specific zone.	Existing agricultural uses have been added as a permitted non-residential use in the EP zone. This will permit existing agricultural operations to continue should they have been established prior to the by-law coming into force and effect. This is consistent with the Official Plan. Based on the above, the site-specific RU-219 zoning is not

	W of Civic Centre Rd.	<p>The Town's OP has established EPAs with associated buffers. The Countryside by-law will establish an EP zone that aligns with the EPA designation and prohibits agricultural uses. I'm concerned that there are farmers that currently have agricultural fields within buffers, which will now be prohibited agricultural uses.</p> <p>To my point, I viewed schedule B3 of the Countryside By-law and note that the RU-219 zoning is proposed to be removed and replaced with an EP zone. This will be problematic for my client as this section of the property is actively farmed.</p>	required to permit existing agricultural uses to continue to operate.
32	May 25/23; Hans Pape; 535 Catering Rd.	I am wondering if an amendment could be considered for farm properties to drop the 40% rule and simply put a maximum of 1000 square feet on the accessory dwellings. This would be beneficial for farms that support/promote small-scale intensive farming to allow those farmers who need land to live and work on the property they farm on. Farms typically have more space. Young farmers need support to get started and deserve decent affordable housing to live in.	The 40% provision is intended to ensure that these additional dwelling units remain secondary in appearance and function to that of the primary dwelling. Further, 1,000 sq. ft. is equivalent to 92.9 m <sup>2</sup> . The Countryside Zoning By-law proposes to permit an additional dwelling unit in a detached building to have up to 150 m <sup>2</sup> of residential floor area, which is approximately 57 m <sup>2</sup> more than what is being requested. Lastly, Section 6.3 of the proposed By-law contains permissions for temporary accommodations for seasonal farm workers should the need arise to house workers during the busy season.
33	June 2/23; Visvapriya Saravanamuttu; 27909 Highway 48	<p>I would request to individualize the zoning and wait till the countryside zoning by law to assess and pass, and not zone/ apply with the proposed diversified farm use.</p> <p>Also, there is no river stream in front of my property. This is farmers drainage for the field. There is no natural heritage features on site.</p>	<p>All lands within the Countryside Area are to be zoned in accordance with the Official Plan land use designations. Staff will not be omitting properties from this process based on ongoing applications. During the transition period between By-law 500 and the new Countryside Zoning By-law, approved Zoning By-law Amendment applications will have two by-laws passed – one amending By-law 500 and the other amending the Countryside Zoning By-law.</p> <p>Below is correspondence received from the LSRCA related to the environmental features on the property: <i>“Through our review of the ZBL</i></p>

			<p><i>application, the owner did not undertake any site-specific evaluations, such as a natural heritage evaluation or an environmental impact study. We were not invited to the property to delineate any key natural heritage or key hydrologic features. Our own environmental mapping, which is the same or similar to the Town's Official Plan mapping for natural heritage features, appears to be the best available information at this time... Best available information from the Province suggests that there is a wetland associated with the northern watercourse, and wetlands are mapped within the woodland. The Greenbelt definition of key hydrologic features includes permanent and intermittent streams, but the owner still does not believe EP zoning is warranted based on her observations."</i></p> <p>The owner has not provided any additional supporting information or environmental studies to substantiate their claim in dispute of the presence of environmental features and the resulting EP zone. Based on the foregoing, Staff are of the opinion that the proposed EP zoning on the property is appropriate and necessary to protect the identified natural features.</p>
34	July 6/23; Andy Nham and Thu Tran; E/S Highway 48, South of Aird Court; Part Lot 1; Concession 2 (G)	<p>The Town proposes to rezone the majority of the Property and designate it as Environmental Protection ("EP") which prohibits adding any buildings or structures of any kind within the 'EP' zone (the "Rezoning"). As the owners of the Property, we strongly object to the Rezoning as it will have a negative impact on the present and future residents and owners within our community.</p> <p>Our concerns are as follows:</p> <ol style="list-style-type: none"> <li>1. Short Term Impact. If the Town proceeds with the Rezoning, our family will be negatively impacted financially. Our family purchased the Property 7 years ago with the intention to develop it into a multi-</li> </ol>	<p>The Greenbelt Plan was introduced in 2005 and identifies where growth and urbanization should occur in order to provide permanent protection to the agricultural land base and environmental features on the landscape.</p> <p>The property is located within the protected countryside of the Greenbelt Plan. Developing a property with multiple residential units/lots is not permitted within the Greenbelt Plan. This type of development is more appropriately directed to the</p>

		<p>residential property; a plan that they were led to believe by the Town’s staff that it was possible.</p> <p>2. Property Values. The Rezoning will negatively impact on the values of the Property and its neighbours. We sought the professional opinion of Remax and were advised that the Rezoning will decrease the desirability of the area and significantly decrease the value of the Property.</p> <p>3. Affordable Housing. We believe that the portion of the Official Plan that affects the Property has an adverse effect as a matter of provincial interest, which is to offer more opportunities to build affordable housing. The people of our Community would like to see development and increase in services. This is where the Town should be encouraging people to purchase property and businesses to set up shop.</p>	<p>urban settlement areas within the Town (i.e. Keswick, Sutton/Jackson’s Point) in accordance with provincial, regional and municipal planning documents.</p>
35	<p>June 14/23; Michael Smith of Michael Smith Planning Consultants on behalf of Lotus Marine; 1354 Metro Rd. N</p>	<p>My client wants to construct a marine sales building on the property. The property is currently zoned Tourist Commercial (C5) which permits a “leisure vehicle sales establishment”. Section 2.110 Leisure Vehicle would by definition include a boat. Section 2.111 provides that “LEISURE VEHICLE SALES ESTABLISHMENT: means a building and premises used for the sale and/or leasing of leisure vehicles, equipment and parts.”</p> <p>The proposed Countryside Zoning By-law proposes to zone the Subject Lands as Commercial Recreational (CR). However, the “CR” zone does not permit a “leisure vehicle sales area”. Further, Section 5.30 provides that “The use, parking or storage of recreational vehicles shall be restricted to the CR zone, except where such vehicle is parked or stored as an accessory use to a leisure vehicle sales area or in accordance with Section 5.25.” Section 5.25 deals with outdoor storage of Leisure Vehicles. My client is proposing indoor sales, so I don’t believe this section would apply.</p> <p>In conclusion, I would appreciate any preliminary comments or suggestions you may to achieve the proposed marine sales building.</p>	<p>Staff have undertaken a review of all the zones and their permitted uses to ensure conformity with the Official Plan. The CR zone is a combination of the C5 and C6 zones in By-law 500. The C5 zone permits a marina and leisure vehicle sales establishment. Further, the Commercial Recreation Area designation in the OP permits marinas and commercial recreational uses which comply with or are similar to those permitted by the zoning for the site existing at the date of the adoption of this Plan. On this basis, staff are of the opinion that it is reasonable and appropriate to add leisure vehicle sales establishment as a permitted use within the Commercial Recreational (CR) zone. This change is reflected in the proposed By-law.</p>

36	Sept 28/23; Michael Smith of Michael Smith Planning Consultants on behalf of Salvation Army; 1830 Metro Rd. N	I have been approached by the Salvation Army to assist with its property on Lake Drive East in Jackson's Point. Their lands west of Salvation Army Drive are proposed to be zoned CR-6 in the Countryside Zoning By-law and the provisions are the same as for the current OS-1 zone in Zoning By-law 500. On the east side of the road, the property is zoned "OS-2" but those lands are outside the scope of the Countryside Zoning By-law. The OS-1 zone in Zoning By-law 500 predated the construction of the church on the westerly property. I assume the church was permitted as an accessory use. In any case, I would appreciate your response on whether the church should be listed as a permitted use in the "CR-6" zone.	The property is designated Commercial Recreation Area in the Official Plan and benefits from a site-specific special provision that permits a place of worship in addition to the other uses permitted in the Commercial Recreation designation. Based on the foregoing, staff have added a place of worship to the permitted uses in the site-specific CR-6 zone to be consistent with the Official Plan.
37	Oct 24/23; Gord Mahoney of Michael Smith Planning Consultants	In my review of the draft by-law, I note that an On Farm Diversified Use (OFDU) is proposed to be deleted as permitted use within the Rural Countryside (RU-C) and Agricultural Protection (AP) zones. Is this correct or am I missing something? What I am concerned about is the farmer that wants to establish a smaller OFDU but to do so will require a ZBA and Site Plan Approval. The cost and length of process will make it impractical to do so. Would the Town consider a more balanced approach? For example, permitting OFDUs as of right where the building is less than 140 sq. m and requires less than 10 parking spaces. Further, for such OFDUs, establishing a significantly scoped site plan approval process. The numbers used in my example are for providing context and can certainly be changed.	Both on-farm diversified uses and agriculture-related uses have been removed as permitted non-residential uses in the AP and RU-C zones. Definitions for both and general provision for on-farm diversified uses will remain in the By-law, however a ZBA will be required to permit them. A full explanation of the reasoning for the revision is provided in Section 5.1.4 of Staff Report No. DS-2023-0097.
38	Oct 24/23; Gord Mahoney of Michael Smith Planning Consultants on behalf of Mike Herzog (potential purchaser of 6502 Smith Blvd.)	The property is currently zoned Extractive Industrial (M3) and Rural (RU-161). According to the October 2023 draft version of By-law 600, the property is proposed to be zoned Extractive Industrial (M3) and Agricultural Protection (AP). Mr. Herzog wants to know if it is possible to change the zoning of the property through the Town's update to Environmental Protection (EP) and Agricultural Protection (AP).	The site is designated Environmental Protection Area and Agricultural Protection Area in accordance with the Official Plan. The M3 zoning is reflective of previous aggregate operations occurring on the site. In subsequent correspondence Mr. Mahoney has provided staff with a letter from the Province confirming that the site has been rehabilitated and that they have accepted the surrender of the licence under the Aggregate Resources Act. Based on this, staff have revised the proposed zoning for the site from M3 to AP and EP consistent with the Official Plan.



39	<p>Oct 25/23; Gord Mahoney of Michael Smith Planning Consultants on behalf of Lyndhurst Golf Course and Trailer Park; 24198 Highway 48</p>	<p>In previous versions of the countryside by-law, a Recreational Vehicle Park has been a permitted use in the CR zone. According to the current version of the countryside by-law, Recreational Vehicle Park has been replaced with “existing Recreational Vehicle Parks”. My client is exploring the idea of expanding the recreational vehicle park on the north property. The question I have is will the change from “recreational vehicle park” to “existing recreational parks” (emphasis added) prohibit my client’s expansion as of right and facilitate the need for a zoning amendment. Or is the proposed change simply to ensure that a zoning amendment is required to establish any new recreational vehicle park.</p>	<p>The Official Plan does not permit new Recreational Vehicle (RV) Parks within the municipality Therefore, the word “existing” has been added in front of the use so that no new RV parks are established and existing RV Parks are recognized and permitted to continue to exist. The Official Plan is silent with respect to expansions of existing RV Parks. Staff are of the opinion that legally existing RV Parks may be permitted to expand subject to the requirements of the Zoning By-law without the requirement for planning approval.</p>
		<p>As well, my client is considering redeveloping the southeast corner of the north property (intersection of Hwy 48 and Cryderman Sideroad). This portion of the property is zoned CR-3. The site-specific provision states: “Notwithstanding any provision of this By-law to the contrary, a maximum of one 1 caretaker’s/manager’s residence in addition to a maximum of 28 hotel/motel units shall be permitted within an existing building as shown in Schedule C-13. Notwithstanding any provision of this By-law to the contrary, the individual hotel/motel units may contain cooking facilities. Furthermore, the individual hotel/motel units shall be restricted to a maximum floor area of 65m<sup>2</sup>”.</p>	<p>With respect to the request to remove the reference to Schedule C-13 from the CR-3 zone to permit additional flexibility for future redevelopment of the site, unfortunately staff cannot support this site-specific zoning request as this is not within the scope of the project. Site-specific zoning changes such at this one will be required to go through a ZBA process.</p>
		<p>I have spoken with the zoning examiner for the area regarding the potential to demolish the existing building and rebuild it at a different size, location or orientation. She has advised that any changes as suggested would require a zoning amendment as the site-specific provision refers to the existing building. The permitted non-residential uses in the CR zone permit a Hotel, Motel or Motor Hotel. Would it be possible to amend the site-specific provision to remove the reference to the existing building as shown in Schedule C-13. This would allow for more flexibility in any potential redesign of this area and allow for a hotel/motel to be oriented towards either Highway 48 or Cryderman Sideroad.</p>	



Corporate Services

Local File No.: 03.05BT

Refer To: Asif Abbas

September 7, 2023

Mr. Denis Beaulieu,  
Director of Planning & Building  
Town of Georgina  
26557 Civic Centre Road  
Keswick, ON L3Y 6Z1

Attention: Alan Drozd, Manager of Planning Policy

**Re: 3<sup>rd</sup> Submission - Request for Comments  
Draft Zoning By-law for the Countryside (March 2022) - 03.05BT  
Zoning By-law Update – Phase 1  
Regional File No. ZBA.21.G.0092  
Town of Georgina**

This letter is further to our correspondence dated May 11, 2022 and September 1, 2022. York Region has now completed its review of the March 2023 Draft Town of Georgina Countryside Zoning By-law. The Town has initiated an update of Zoning By-law No. 500 and the review is currently in Phase I of II. Phase I includes all lands within the rural countryside area of the Town. Lands within the secondary plans, hamlets and the lakeshore residential areas are not included in Phase I. The Countryside area encompasses environmental protection area, agricultural protection area, specialty crop area and rural area (rural commercial area, commercial recreational area, rural industrial area and parkland areas). Phase II will address the remaining lands within the Town (i.e. Urban Area, Towns and Villages, Hamlets and Lakeshore Residential Area), as shown on Official Plan Schedule A1. Since the previous submission, we understand this Zoning By-law document was updated in response to agency input.

An enabling Official Plan Amendment (OPA) Town File No.: OPA 02.202 (York Region File No.: LOPA.22.G.0037) was also submitted as part of the 3<sup>rd</sup> submission of the Countryside Zoning By-law. The OPA proposes to amend Section 8.1.12 of the Town of Georgina Official Plan to permit an additional residential unit in a detached building on the same lot as a single detached dwelling irrespective of whether the single detached dwelling contains an additional residential unit. York Region reviewed the OPA and exempted it from Regional approval in a letter dated August 19, 2022.

The following comments are provided on the March 2023 draft Zoning By-law (3<sup>rd</sup> Submission):

### 2022 York Region Official Plan

York Region Official Plan, 2022 (YROP) was approved by Province on November 4, 2022, with modifications. Regard should be had for the YROP that contains a vision and policies guiding planning in York Region to 2051, which is supported by Regional Council and the Province.

1. In accordance with policy 3.5.5 c and e. of the YROP, please ensure the Zoning By-law (including mapping) addresses these provisions to manage hazards:
  - a. Address land use within and adjacent to hazardous lands and hazardous sites
  - b. Address wildland fire hazard
2. Policy 2.4.13.g. requires preservation of *significant archaeological resources* where they exist *in situ* through regulatory tools, including zoning restrictions. Please ensure the Zoning By-law protects for these resources where they exist.
3. A definition for *In Situ* should be included as follows: “*means remaining in place in the original location where something was found.*”
4. Definitions 2.105 and 2.106 should start with a lowercase “m” for “means”. All other definitions have lower case.
5. Update Table 1 – Planned Width of Street Allowance in section 5.27 as follows:

Road Name and Description	Planned Street Width
Kennedy Road (Y.R. 3) - Ravenshoe Rd. (Y.R. 32) to Mahoney Ave. - Mahoney Ave. to Metro Road North (Y.R. 8A)	36 m 30 m
Warden Avenue (Y.R. 65) - Ravenshoe Rd. (Y.R.32) to Baseline Rd. (Y.R. 8A)	36 m
Woodbine Avenue (Y.R. 8) - Ravenshoe Rd. (Y.R. 32) to Metro Rd. (Y.R. 78)	36 m
Baseline Road (Y.R. 8A) - Woodbine Ave. (Y.R. 8) to Elizabeth Dr.	36 m
Park Road (Y.R. 18) - Ravenshoe Rd. (Y.R. 32) to a point 264 m north of Black River Rd. - From a point 264 m north of Black River Rd. to Hedge Rd.	36 m 30 m
Ravenshoe Road (Y.R. 32) - West Town limit to 660 m west of Victoria Road (Y.R. 82) - 660 m west of Victoria Road (Y.R. 82) to Durham Road 23	36 m 30 m

Town of Georgina Zoning By-law Update Phase 1  
 Draft Countryside Zoning By-law (March 2023) - ZBA.21.G.0092

Metro Road (Y.R. 78) - The Queensway (Y.R. 12) to Dalton Rd. (Y.R. 9)	36 m
Old Homestead Road (Y.R. 79) - Metro Rd. (Y.R. 78) to Station Rd	36 m
Weir's Sideroad (Y.R. 81) - Ravenshoe Rd. (Y.R. 32 to Old Homestead Rd. (Y.R. 79)	36 m
Victoria Road - Ravenshoe Rd. (Y.R. 32) to Durham Road 23 (Lake Ridge Rd.)	36 m

Should you have any questions regarding the above, please contact Asif Abbas, Planner at extension 77271 or [asif.abbas@york.ca](mailto:asif.abbas@york.ca).

Yours truly,



Duncan MacAskill, MCIP, RPP  
 Manager, Development Planning  
 AA

YORK-#15718691-v3-DRAFT\_ZBA\_21\_G\_0092\_-  
 \_3rd\_Submission\_York\_Region\_Comments\_March2023Draft\_ZoningBylawReviewPh1



2023/10/26

Town of Georgina  
25557 Civic Centre Road  
Keswick, ON,  
L4P 3G1

Via email: clerks@georgina.ca

**Re: Town of Georgina - Countryside Zoning By-Law**

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To Whom It May Concern,

WSP has been retained and is acting on behalf of Canadian National Railway Company (CN). We are pleased to have this opportunity to provide comments on the Town of Georgina - Countryside Zoning By-Law. Our comments focus on policies and/or infrastructure initiatives, as they are related to existing and/or future CN facilities, operations and infrastructure.

It is our opinion, supported by the Provincial Policy Statement, 2020 (PPS) and the Ministry of Environment, Conservation and Parks' (MECP) D-6 Compatibility between Industrial Facilities Guidelines (D-6 Guidelines), that planning for land uses in the vicinity of *rail facilities* be undertaken in such a way that the economic function and long-term operation of rail systems is protected. Provincial policy sets out that sensitive land uses be appropriately designed, buffered and/or separated from rail facilities, and avoid, mitigate or minimize negative impacts on and from railway corridors.

It is our position that the Town of Georgina should incorporate guidelines related to rail facilities.

**About CN, Railway Noise and other Adverse Effects**

CN is a federally regulated railway company, and is governed by various federal legislation, including the *Canada Transportation Act* (CTA) and the *Railway Safety Act* (RSA), among others. The CTA requires federally regulated railway companies to only make such noise and vibration as is reasonable. The test of reasonableness under the CTA takes into consideration the railway company's operational requirements and its level of service obligations under the Act, as well as the area where the construction or operation takes place. The Canadian Transportation Agency (Agency) is the federal body that assesses the reasonableness of noise associated with the construction or operation of a federal railway company. In its

1600, boul. René-Lévesque Ouest, 11e étage  
Montréal, Québec  
H3H 1P9, Canada

T: +1 514-340-0046  
F: +1 514-340-1337  
wsp.com

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decisions, the Agency has concluded that municipalities have a responsibility to assess compatibility issues before approving housing developments in proximity to railway rights-of-way. The CTA also commented that where a municipality approves the development, it has a responsibility to ensure that the necessary mitigation measures are implemented. One example of such a decision is Decision No. 69-R-2014, dated February 27, 2014.

It is important to understand that there is no specific decibel limit contained in federal guidelines related to the construction or operation of rail facilities. Those federal guidelines clearly state that, while the Agency may take provincial and municipal noise and vibration guidelines into account in its deliberations, the Agency is not bound by those guidelines.

Rail Proximity Guidelines are available at the following: <https://www.proximityissues.ca/>

### **Preliminary Comments and Concerns**

CN requests that the following policies be included in the Zoning By-Law:

#### **1. General Acknowledgement**

The Municipality and Council acknowledge the importance of rail infrastructure and recognizes its critical role in long-term economic growth and the efficient and effective movement of goods and people.

Development in proximity to rail facilities shall be developed in accordance with the Guidelines for New Development in Proximity to Railway Operations prepared by the Federation of Canadian Municipalities and the Railway Association of Canada (FCM/RAC Guidelines).

#### **2. Include a definition for Major Facilities, Major Goods Movement Facilities and Corridors, Rail Facilities and Sensitive Land Uses.**

We request that the following definitions found in the PPS be included in the Zoning-Bylaw document:

**Major Goods Movement Facilities and Corridors:** means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

**Rail Facilities:** means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities.

**Sensitive Land Uses:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major



facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, hotels, day care centres, educational and health facilities, and recreational uses.

### **3. Identify Rail Facilities and Influence Areas**

We recommend identifying rail facilities and the areas of influence for sensitive land uses (300 metres for a rail line right of way) in a schedule.

### **4. Provincial Policy Statement Requirements**

The policies proposed below are recommended to be included in the Zoning bylaw document to address requirements for developments in proximity to rail facilities:

- a) Sensitive land uses shall not be encouraged adjacent to, or in proximity to rail facilities;
- b) All developments in proximity to rail facilities shall be developed in accordance with the FCM/RAC Guidelines;
- c) All proposed residential developments or other sensitive uses located within 300 metres of a railway right-of-way be required to undertake noise studies, to the satisfaction of the Municipality, in consultation with the appropriate railway operator, and shall undertake to implement the appropriate measures to mitigate any adverse effects from noise that were identified in the report and as may be required by CN;
- d) All proposed residential developments or other sensitive uses located within 75 metres of a railway right-of-way be required to undertake vibration studies, to the satisfaction of the Municipality, in consultation with the appropriate railway operator, and shall undertake to implement the appropriate measures to mitigate any adverse effects from vibration that were identified in the report, and as may be required by CN;
- e) All proposed building setbacks shall be in accordance with the FCM/RAC Guidelines. As a general guideline, buildings shall be setback 30 metres with an appropriate berm abutting the rail right-of-way. Reduced setbacks can be considered in certain circumstances dependant on the proposed use and in conjunction with additional studies and alternative safety measures, to the satisfaction of the Municipality, in consultation with the appropriate railway operator;
- f) All proposed residential developments or other sensitive uses located adjacent to railways shall implement appropriate mitigation measures, including but not limited to, safety setbacks, berms, crash barriers and security fencing, in accordance with the FCM/RAC Guidelines;

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- g) All proposed residential developments or other sensitive uses located adjacent to railways shall implement the applicable warning clauses provided by the appropriate railway operator;
- h) All proposed residential developments or other sensitive uses located adjacent to railways shall implement, secure and maintain any required rail noise, vibration, and safety impact mitigation measures, along with any required notices on title, such as development agreements, warning clauses and/or environmental easements, through appropriate legal mechanisms, to the satisfaction of the Municipality and the appropriate railway operator; and,
- i) All proposed residential developments or other sensitive uses located in proximity to rail facilities shall evaluate, prioritize and secure grade separation of railways and major roads, in co-operation with Transport Canada and the appropriate railway operator;

### **Conclusion**

We would like to thank you for the opportunity to participate in the Town of Georgina - Countryside Zoning By-Law. We look forward to continuing to work with the Town of Georgina throughout this process.

Please forward all future communications, land development applications and documents to [proximity@cn.ca](mailto:proximity@cn.ca)

Yours truly,

*Ashkan Matlabi*

Ashkan Matlabi, Senior Urban Planner, OUQ, MBA  
WSP CANADA INC.

Cc: [proximity@cn.ca](mailto:proximity@cn.ca)

Report No. DS-2023-0097 Attachment 4 Pg. 4 of 4
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**THE CORPORATION OF THE TOWN OF GEORGINA  
IN THE  
REGIONAL MUNICIPALITY OF YORK**

**BY-LAW NUMBER 500-2023- (PL-5)**

**A BY-LAW TO AMEND BY-LAW NUMBER 500, BEING A BY-LAW TO REGULATE  
THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF  
BUILDINGS AND STRUCTURES WITHIN THE TOWN OF GEORGINA.**

Pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Council of the Corporation of the Town of Georgina ENACTS AS FOLLOWS:

1. That Schedule 'A' to Zoning By-law Number 500, as amended, is hereby further amended by deleting from Schedule 'A' the lands identified as "lands to be removed from Zoning By-law 500" as shown on Schedule 'A' attached hereto.
  
2. That Schedule 'B' to Zoning By-law Number 500, as amended, is hereby further amended by deleting the following Schedules; B-12, B-15, B-16, B-17, B-18, B-23, B-27, B-32, B-34, B-38, B-44, B-45, B-46, B-53, B-61, B-66, B-68, B-71, B-72, B-73, B-74, B-80, B-81, B-83, B-84, B-85, B-87, B-88, and B-X.
  
3. That Zoning By-law Number 500, as amended is further amended by deleting the following Site Specific Provisions; 7.5.15, 7.5.19, 10.5.1, 10.5.2, 10.5.28, 10.5.37, 15.5.2, 15.5.11, 15.5.12, 15.5.14, 15.5.16, 15.5.17, 15.5.20, 15.5.21, 15.5.30, 15.5.33, 15.5.40, 15.5.48, 18.5.8, 18.5.9, 18.5.17, 19.5.1, 20.5.1, 20.5.6, 20.5.7, 20.5.8, 20.5.9, 20.5.12, 20.5.14, 20.5.15, 20.5.18, 20.5.21, 20.5.25, 21.5.2, 21.5.3, 21.5.4, 21.5.5, 21.5.6, 21.5.7, 21.5.8, 23.5.2, 23.5.4, 23.5.5, 23.5.6, 27.5.1, 27.5.3, 27.5.6, 27.5.7, 27.5.9, 27.5.12, 27.5.13, 27.5.13, 27.5.14, 27.5.16, 27.5.18, 27.5.19, 27.5.21, 27.5.22, 27.5.24, 27.5.26, 27.5.27,

27.5.29, 27.5.30, 27.5.32, 27.5.33, 27.5.35, 27.5.37, 27.5.38, 27.5.39, 27.5.40, 27.5.41, 27.5.43, 27.5.44, 27.5.46, 27.5.47, 27.5.54, 27.5.58, 27.5.59, 27.5.67, 27.5.77, 27.5.78, 27.5.80, 27.5.81, 27.5.82, 27.5.83, 27.5.84, 27.5.88, 27.5.93, 27.5.96, 27.5.97, 27.5.98, 27.5.100, 27.5.102, 27.5.104, 27.5.107, 27.5.107, 27.5.109, 27.5.115, 27.5.119, 27.5.123, 27.5.124, 28.5.1, 28.5.6, 28.5.8, 28.5.11, 28.5.12, 28.5.14, 28.5.15, 28.5.16, 28.5.16, 28.5.17, 28.5.18, 28.5.19, 28.5.20, 28.5.21, 28.5.25, 28.5.26, 28.5.27, 28.5.29, 28.5.30, 28.5.32, 28.5.34, 28.5.35, 28.5.36, 28.5.38, 28.5.39, 28.5.40, 28.5.41, 28.5.43, 28.5.44, 28.5.46, 28.5.47, 28.5.50, 28.5.52, 28.5.53, 28.5.58, 28.5.59, 28.5.61, 28.5.62, 28.5.63, 28.5.65, 28.5.66, 28.5.69, 28.5.70, 28.5.72, 28.5.73, 28.5.74, 28.5.75, 28.5.76, 28.5.77, 28.5.78, 28.5.79, 28.5.81, 28.5.82, 28.5.83, 28.5.84, 28.5.85, 28.5.86, 28.5.87, 28.5.88, 28.5.89, 28.5.90, 28.5.91, 28.5.92, 28.5.93, 28.5.95, 28.5.98, 28.5.99, 28.5.101, 28.5.102, 28.5.104, 28.5.105, 28.5.107, 28.5.108, 28.5.109, 28.5.110, 28.5.111, 28.5.112, 28.5.113, 28.5.115, 28.5.117, 28.5.118, 28.5.120, 28.5.121, 28.5.122, 28.5.123, 28.5.124, 28.5.125, 28.5.127, 28.5.128, 28.5.129, 28.5.130, 28.5.132, 28.5.133, 28.5.134, 28.5.135, 28.5.136, 28.5.138, 28.5.139, 28.5.140, 28.5.141, 28.5.142, 28.5.143, 28.5.145, 28.5.146, 28.5.147, 28.5.149, 28.5.150, 28.5.151, 28.5.152, 28.5.154, 28.5.155, 28.5.157, 28.5.158, 28.5.159, 28.5.160, 28.5.161, 28.5.162, 28.5.164, 28.5.165, 28.5.167, 28.5.168, 28.5.169, 28.5.170, 28.5.171, 28.5.172, 28.5.173, 28.5.174, 28.5.175, 28.5.177, 28.5.178, 28.5.179, 28.5.180, 28.5.181, 28.5.183, 28.5.185, 28.5.186, 28.5.187, 28.5.191, 28.5.192, 28.5.192, 28.5.194, 28.5.195, 28.5.196, 28.5.198, 28.5.199, 28.5.200, 28.5.201, 28.5.206, 28.5.207, 28.5.208, 28.5.209, 28.5.211, 28.5.212, 28.5.214, 28.5.215, 28.5.216, 28.5.217, 28.5.218, 28.5.219, 28.5.220, 28.5.221, 28.5.223, 28.5.224, 28.5.225, 28.5.226, 28.5.227, 28.5.228, 28.5.229, 28.5.XX, and 28.5.YY.

4. That this By-law shall come into force and effect at the same time as Zoning By-law Number 600 (The Countryside Zoning By-law) comes into force and effect.

**READ** and enacted this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Margaret Quirk, Mayor

\_\_\_\_\_  
Rachel Dillabough, Town Clerk

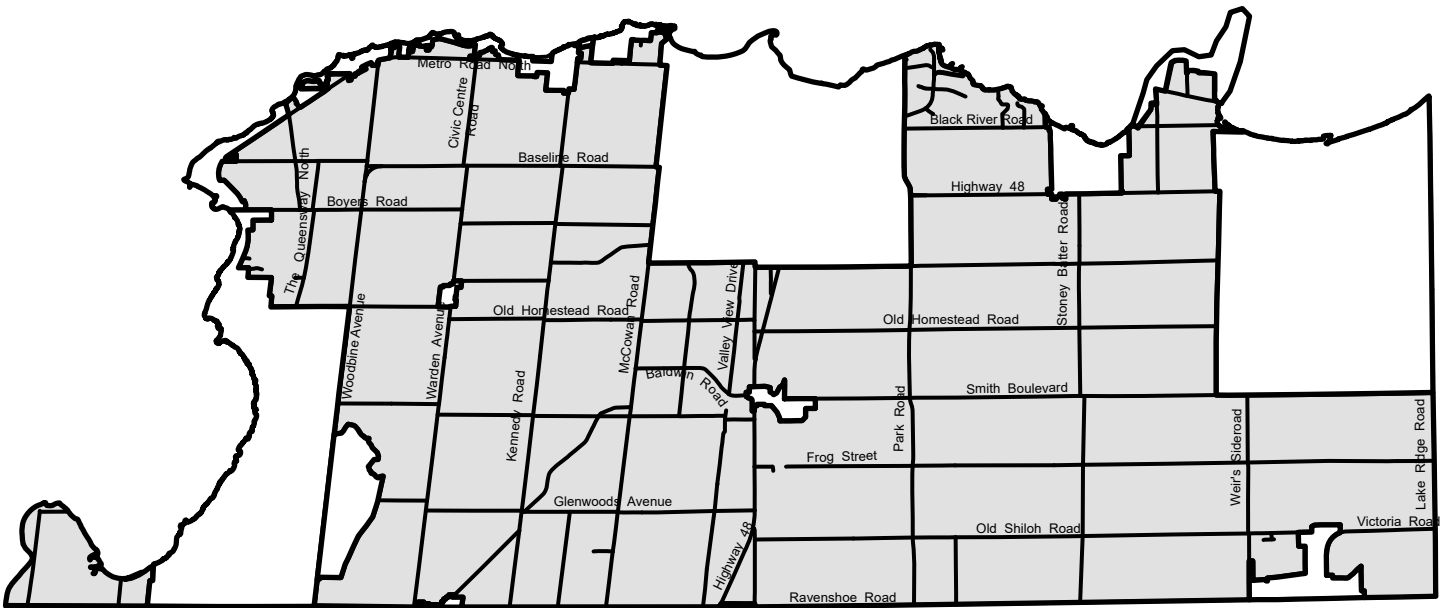



# TOWN OF GEORGINA IN THE REGIONAL MUNICIPALITY OF YORK

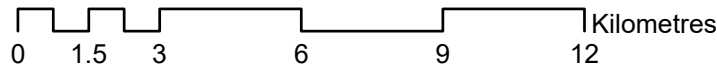
THIS IS SCHEDULE 'A' TO  
BY-LAW \_\_\_\_\_-2023-  
PASSED THIS \_\_\_\_ DAY OF  
\_\_\_\_\_ 2023

FORMERLY THE TOWNSHIPS OF NORTH GWILLIMBURY AND GEORGINA  
COUNTY OF YORK

\_\_\_\_\_  
CLERK  
\_\_\_\_\_  
MAYOR

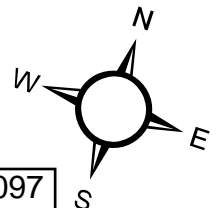


 Lands to be removed from Zoning By-Law No.500



SCHEDULE 'A' TO BY-LAW

- 2023 -



Report No. DS-2023-0097  
Attachment 5  
Pg. 5 of 5

**Certificate of Approval**

**AMENDMENT NO. 148**

**TO THE**

**OFFICIAL PLAN OF THE**

**TOWN OF GEORGINA PLANNING AREA**

**This official plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on \_\_\_\_\_, 2023.**

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Denis Beaulieu MCIP, RPP  
Director of Development Services  
Corporation of the Town of Georgina**

**AMENDMENT NO. 148**  
**TO THE OFFICIAL PLAN OF THE**  
**TOWN OF GEORGINA**  
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**PART A - THE CERTIFICATION**  
**AMENDMENT NO. 148**  
**TO THE**  
**OFFICIAL PLAN OF THE**  
**TOWN OF GEORGINA PLANNING AREA**

The attached explanatory text and location map, constituting Amendment No. 148 to the Official Plan of the Town of Georgina, was adopted by the Council of The Corporation of the Town of Georgina by By-law No. 2023 - (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Margaret Quirk, Mayor

\_\_\_\_\_  
Rachel Dillabough, Town Clerk

NOTE: This amendment is exempt from York Region approval. In this regard, the Town of Georgina is the approval authority.



**THE CORPORATION OF THE TOWN OF GEORGINA**

**IN THE**

**REGIONAL MUNICIPALITY OF YORK**

**BY-LAW NUMBER 2023 - (PL-2)**

**BEING A BY-LAW TO ADOPT AMENDMENT NO. 148 TO THE OFFICIAL PLAN OF  
THE TOWN OF GEORGINA.**

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. **THAT** Amendment No. 148 to the Official Plan of the Town of Georgina, constituting the attached explanatory text and location map, is hereby adopted.

**Read** and enacted this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Margaret Quirk, Mayor

\_\_\_\_\_  
Rachel Dillabough, Town Clerk

## **PART B - THE PREAMBLE**

### **1. TITLE**

This Amendment shall be known as:

Amendment No. 148  
to the Official Plan of the  
Town of Georgina

### **2. COMPONENTS OF AMENDMENT**

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory text, constitutes Amendment No. 148 to the Official Plan of the Town of Georgina.

### **3. PURPOSE**

The purpose of Amendment No. 148 is to amend a policy in the Official Plan concerning the permissibility of additional residential units on lots associated with a single detached dwelling in the Agricultural Protection Area and Rural Area designations. The Amendment permits an additional residential unit in a detached building on the same lot as a single detached dwelling irrespective of whether the single detached dwelling contains an additional residential unit. Combined with other policies in Section 8.1.11, the Amendment would allow the zoning by-law to permit up to three dwelling units on a lot that permits a single detached dwelling in the Agricultural Protection Area and Rural Area (i.e. up to two dwelling units in the single detached dwelling and one dwelling unit in a detached building).

### **2. LOCATION**

This Amendment applies to all of the lands in the Town of Georgina designated Agricultural Protection Area and Rural Area in the Official Plan and as shown on Schedule "A" - Location Map, to this Amendment.

### **5. BASIS**

The Town of Georgina Official Plan currently permits an accessory apartment in a detached accessory building or structure to the primary dwelling in the Rural Area and Agricultural Protection Area designations provided that there is only one dwelling unit within the primary dwelling. The proposed Amendment would remove the requirement that the primary dwelling only contain one dwelling unit.

The proposed Amendment is consistent with the direction of Planning Act

provisions which override existing zoning provisions to provide for up to three dwelling units in a single detached dwelling, semi detached dwelling or rowhouse or related detached building on a parcel of urban residential land that do not apply to the Rural Area and Agricultural Protection Area. The proposed Amendment provides for reasonable and appropriate intensification of residential uses within the Rural Area and Agricultural Protection Area by allowing for up to three dwelling units on a lot that permits a single detached dwelling. Specific regulations ensure that this is implemented by Zoning By-law provisions which ensure that the character and context of the Rural Area and Agricultural Protection Area is recognized and protected.

The Council of the Corporation of the Town of Georgina considers Official Plan Amendment No. 148 to be appropriate.

## **PART C - THE AMENDMENT**

### **1. INTRODUCTION**

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text, and Schedule 'A' - Location Map constitutes Amendment No. 148 to the Official Plan of the Town of Georgina.

### **2. ACTUAL AMENDMENT**

The Official Plan of the Town of Georgina is hereby amended as follows:

That Section 8.1.12 is hereby amended as follows:

By deleting the existing Section 8.1.12 and replacing it with a new Section 8.1.12 as follows:

"8.1.12        One additional residential unit is permitted in a detached building on the same lot as a single detached dwelling in the Rural Area and Agricultural Protection Area designations. For the purpose of this Plan, an additional residential unit shall be considered to be an accessory apartment and vice versa.

### **3. IMPLEMENTATION**

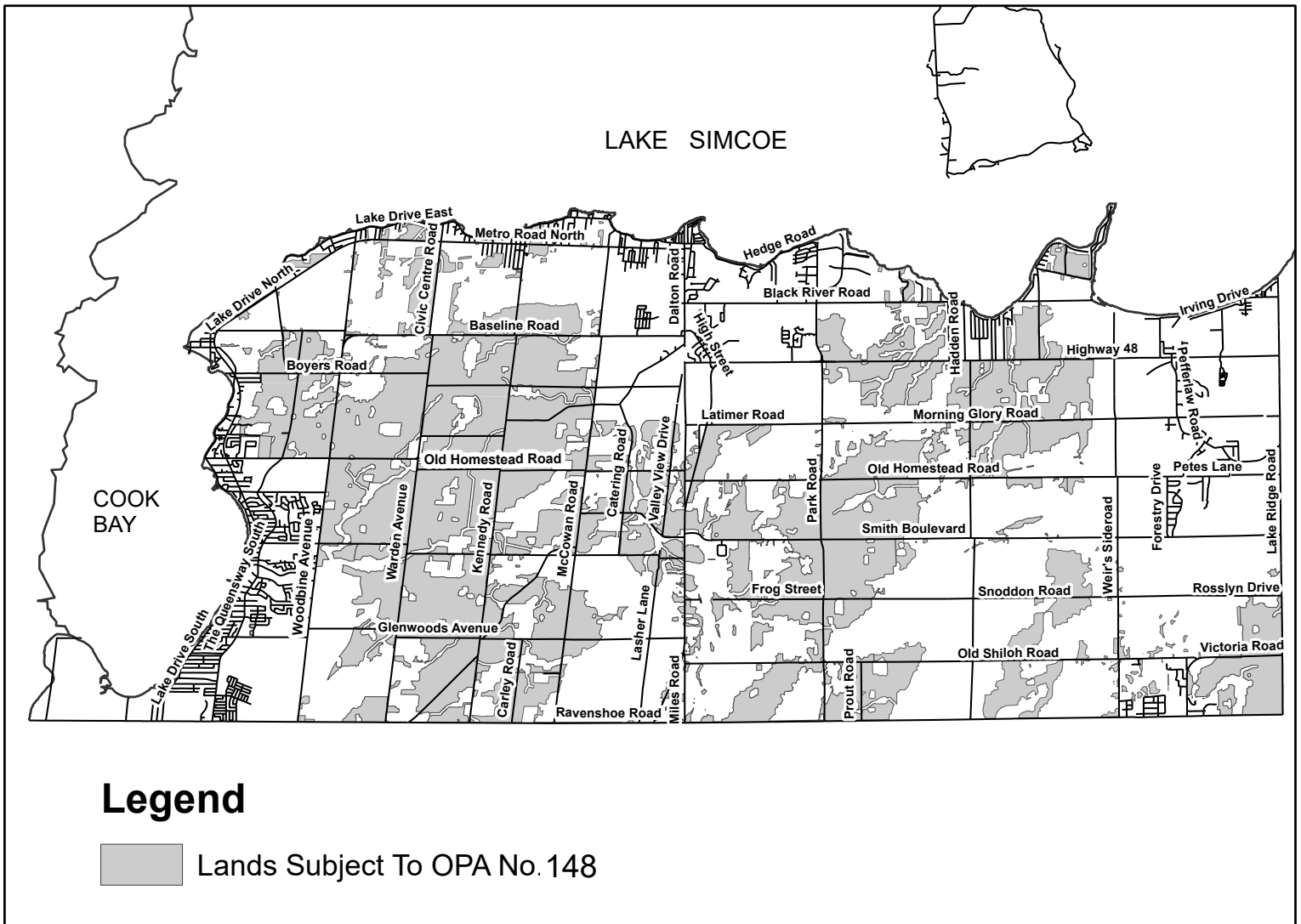
The provisions in Section 11, Implementation, shall apply in regard to this Amendment.

### **4. INTERPRETATION**

The provisions in Section 12, Interpretation, shall apply in regard to this Amendment.

# SCHEDULE 'A' LOCATION MAP

## Official Plan Amendment No. 148



**PROPERTY DESCRIPTION :** Town of Georgina Formerly Township of Georgina and Township of North Gwillimbury

**LAND USE DESIGNATION :** Agricultural Protection Area and Rural Area

