

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0002

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

January 20, 2025

SUBJECT: MINOR VARIANCE APPLICATION A20-24

32 SNOOKS ROAD

PLAN 69, PART OF BLOCK 4, PART OF LOT 5, PLAN 65R-1648, PART 3

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2025-0002 prepared by the Development Planning Division, Development Services Department, dated January 20, 2024, respecting Minor Variance Application A20-24, for the property municipally addressed as 32 Snooks Road; and,
- 2) That in the event no public or Committee concerns are raised at the meeting warranting investigation and a further meeting, Staff recommend the following:
 - a) That the Committee of Adjustment approve Minor Variance Application A20-24 to permit relief from the following:
 - i) Section 6.1(c): To permit an addition to the single detached dwelling with a front yard setback of 0.8 metres, whereas a front yard setback of 6 metres is required;
 - ii) Section 5.45 (h): To permit a handicap ramp to encroach nil metres into the front yard setback, whereas an encroachment of 2 metres into the required front yard is permitted;
 - b) That the approval of Minor Variance Application A20-24 be subject to the following condition(s):
 - i) Submission to the Secretary-Treasurer that the re-circulation fee has been paid to the satisfaction of the Development Planning Division;
 - ii) Submission to the Secretary-Treasurer of written confirmation from the Operations and Infrastructure Division that all matters identified in Attachment 4 to Report No. DS-2025-0002 have been addressed to the Division's satisfaction; and
 - iii) That the above-noted conditions be fulfilled within two (2) years of the date of the Notice of Decision

c) That the approval of Minor Variance Application A20-24 be subject to the following term(s):

i) That the proposed addition be constructed in general conformity with Attachment 2 to Report DS-2025-0002, in accordance with the relief recommended to be approved in Recommendation 2a);

2. PURPOSE:

The purpose of this report is to provide Staff's analysis concerning Minor Variance Application A20-24 for the property located at 32 Snooks Road regarding the construction of a detached garage.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 3)
32 Snooks Road
Plan 69, Part of Block 4, Part of Lot 5, 65R-1648, Part 3
Roll #: 071-814

PROPOSAL

The owner of the subject property is proposing to construct an addition to the single detached dwelling with a reduced front yard setback and the legalization of a handicap ramp encroachment into the required front yard.

A Minor Variance application has been submitted concerning the proposal, requesting the following relief:

- i) **Section 6.1(c):** To permit an addition to the single detached dwelling with a front yard setback of 0.8 metres, whereas a front yard setback of 6 metres is required.
- ii) **Section 5.45(h):** To permit a handicap ramp to encroach nil metres into the front yard setback, whereas an encroachment of 2 metres into the required front yard is permitted.

A Site Sketch and building plans showing the proposal and the requested relief are included as Attachment 2.

3.1 SUBJECT PROPERTY AND THE SURROUNDING AREA:

The subject property is located at 32 Snooks Road. A summary of the characteristics of the property is as follows:

General Property Information		
Municipal Address	32 Snooks Road	
Zoning	Low Density Urban Residential (R1)	
Frontage	30 Metres	
Area	Approximately 448 Square Metres	
Official Plan / Secondary Plan Land Use Designation	Stable Residential Area (Sutton/Jackson's Point Secondary Plan)	
Regional Official Plan Land Use Designation	Community Area	
Related Applications	None	
Land Use and Environmental Considerations		
Existing Structures	Single Detached Dwelling	
Proposed Structures	Addition	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	Not regulated	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	Existing	Proposed
Water	Municipal	Municipal
Sanitary	Municipal	Municipal
Access	Existing driveway	Existing driveway

4. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

4.1 PUBLIC CIRCULATION

In accordance with the provisions of the *Planning Act*, the Notice of Hearing for the subject application was initially sent by mail on October 30, 2024, to all landowners within 60.0 metres of the subject property.

Subsequently, the application was deferred by staff to add an additional minor variance for an existing handicap ramp's encroachment on the right of way. Therefore, the application was recirculated, and a new sign was posted on the subject property in accordance with the provisions of the *Planning Act*. The Notice of Hearing for the subject application was sent by mail on January 7, 2025, to all landowners within 60.0 metres of the subject property.

As of the date of writing this report, Town Staff have not received any submissions from the general public.

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

All Town department and external agency comments for Minor Variance Application A20-24 are outlined below.

The Operations and Infrastructure department has indicated that they have no objections and require, as a condition to the Minor Variance Application, that the applicant/owner enter into an Encroachment Agreement with the Town of Georgina to address the deck/ramp encroachment on Town property. They also advise the applicant/owner that the Town reserves the authority to terminate the agreement, especially if the encroachment interferes with future work within the right-of-way (Attachment 4).

The following Town departments / divisions and external agencies have indicated no objections to the Minor Variance:

- Building Division, Plumbing/Building Inspector
- Development Engineering Division
- Economic Development Division
- Georgina Fire Department
- Municipal Law Enforcement Division
- Tax and Revenue
- York Region

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

5. ANALYSIS:

The following evaluation of Minor Variance Application A20-24 is based on the four (4) prescribed tests as set out in Section 45(1) of the *Planning Act*:

i. Is the general intent and purpose of the Official Plan maintained? – Yes

The subject property is designated Stable Residential Area in the Sutton / Jackson's Point Secondary Plan. Single detached dwellings are permitted in this designation.

Staff are of the opinion that the proposal maintains the general intent and purpose of the Official Plan.

ii. Is the general intent and purpose of the Zoning By-law maintained? – Yes

The subject property is zoned Low Density Urban Residential (R1) on Map 7 of Schedule 'A' to Zoning By-law No. 500, as amended. A single-detached dwellings are permitted in the R1 zone.

a. Front Yard Setback

Section 6.1 (c) of Zoning By-law No. 500, as amended, requires a minimum front yard setback of 6 metres. The Applicant is requesting relief to allow an addition to the single detached dwelling to have a front yard setback of 0.8 metres.

The intent of the front yard setback provision is to ensure consistency and compatibility with surrounding lots with respect to proximity to the street and to reduce negative impacts on the neighbouring property.

The applicant is proposing a 1-storey, 4.5 square metre addition of a small room at the front of the existing dwelling, which will serve as an extension of the principal entrance.

The single detached dwelling is currently setback 2.62 metres from the Town's right-of-way; therefore, an addition to the front of the dwelling would not be able to comply with the 6-metre front yard setback in the by-law. The proposed reduction to the front yard setback to 0.8 metres will not result in a significant departure from the existing front yard condition and will continue to provide for appropriate maintenance access for the front wall of the dwelling. In regards to the existing right-of-way, a 2.4-metre section of the right-of-way remains landscaped until such time the lands are used for a road widening and/or sidewalk relocation in the future.

b. Handicap Ramp Encroachment

Section 5.45 (h) of Zoning By-law No. 500, as amended, permits a maximum encroachment of 2 metres for a handicap ramp into the required front yard. The Applicant is requesting relief to permit an existing handicap ramp to be setback nil metres on the front yard line.

Additionally, the handicap ramp encroaches approximately 2.44 metres past the front lot line into the road allowance of Snooks Road. The Operations and Infrastructure Department have imposed a condition on the handicap ramp that the Applicant must enter into an agreement with the Town to address the deck/ramp on Town property.

The general intent of the ramp encroachment is to reduce negative impacts and ensure compatibility with neighbouring properties. The ramp assists the owner with accessing the deck in the rear from the outside of their property. The ramp has existed and was built with a building permit for approximately a year. Staff have no concerns that the proposal would negatively impact neighbouring properties.

Staff are of the opinion that the proposed variance maintains the general intent and purpose of Zoning By-law 500, as amended.

iii) Is the Minor Variance desirable for the appropriate development of the property or use of land, building or structure? – Yes

The proposed addition to the single detached dwelling is in keeping with the existing physical character of the neighbourhood, as the neighbourhood consists of single detached dwellings located in similar locations with unenclosed porches in similar locations to the proposed addition. Staff note that the proposed reduced front yard setback does not impact the streetscape in a negative manner. Given that the handicap ramp is existing and does not impact the existing sidewalk, it does not negatively impact the existing character of the neighbourhood.

Staff are satisfied that the proposal is desirable for the appropriate development of the subject land and surrounding neighbourhood.

iv) Is the relief sought minor in nature? – Yes

In considering whether the relief sought is minor, Staff note that this test is not simply a question of numerical value. The principal consideration is that of the potential impact the variance may have, and whether those impacts are minor or acceptable. In light of the above evaluation of the application, Staff are of the opinion that the requested variance is minor in nature.

6. CONCLUSION:

Subject to the recommendations by Staff in Section 1 of this report, Staff are of the opinion that Minor Variance Application A20-24, as it pertains to the proposed addition and legalization of a handicap ramp encroachment, meets the four (4) prescribed tests as set out in Section 45(1) of the *Planning Act*, R.S.O. 1990 and represents good planning.

APPROVALS:

Prepared by:

Monika Sadler
Planner I

Approved By:

Jeff Healey, MCIP, RPP
Supervisor of Development Planning

Attachments:

Attachment 1 – Location Map

Attachment 2 – Site Plan

Attachment 3 – Site Photos

Attachment 4 – Consolidated Comment Chart