

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0019

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

March 17, 2025

SUBJECT: MINOR VARIANCE APPLICATION MV-2025-0003

5661 LATIMER ROAD

CONCESSION 5, PART OF LOT 2

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2025-0019 prepared by the Development Planning Division, Development Services Department, dated March 17, 2025, respecting Minor Variance Application MV-2025-0003, for the property municipally addressed as 5661 Latimer 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 MV-2025-0003 to permit relief from the following:
 - i) Section 6.1(i): To permit a maximum lot coverage of 14%, whereas a maximum lot coverage of 10% is permitted;
 - b) That the approval of Minor Variance Application MV-2025-0003 be subject to the following term:
 - i) That the proposed addition be constructed in general conformity with Attachment 2 to Report DS-2025-0019, in accordance with the relief recommended to be approved in Recommendation 2a);
 - c) That the approval of Minor Variance Application MV-2025-0003 be subject to the following conditions:
 - i) Submission to the Secretary-Treasurer of written confirmation from the Ministry of Transportation that all matters identified in Attachment 4 to Report No. DS-2025-0019 have been addressed to the satisfaction of the Ministry;
 - ii) Submission to the Secretary-Treasurer of written confirmation from the Development Engineering Division that all matters identified in

Attachment 4 to Report No. DS-2025-0019 have been addressed to the satisfaction of the Division; and

iii) That the above-noted conditions be fulfilled within two (2) years of the date of the Notice of Decision.

2. PURPOSE:

The purpose of this report is to provide Staff's analysis concerning Minor Variance Application MV-2025-0003, for the property located at 5661 Latimer Road, regarding the construction of an addition to the existing dwelling.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 3)
5661 Latimer Road
Concession 5, Part of Lot 2
Roll #: 030-320

PROPOSAL

The owner of the subject property is proposing to construct a side addition to the existing single detached dwelling to accommodate an additional dwelling unit.

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

- i) Section 6.1(i): To permit a maximum lot coverage of 14%, whereas a maximum lot coverage of 10% 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 5661 Latimer Road. A summary of the characteristics of the property is as follows:

General Property Information	
Municipal Address	5661 Latimer Road
Zoning By-law 500	Rural (RU) Zone
Zoning By-law 600	Agricultural Protection (AP) Zone
Frontage	67.06 Metres
Area	4087.76 Square Metres
Official Plan /	Agricultural Protection Area

Secondary Plan Land Use Designation		
Regional Official Plan Land Use Designation	Agricultural Area	
Related Applications	None	
Land Use and Environmental Considerations		
Existing Structures	Single Detached Dwelling and two sheds	
Proposed Structures	Addition to the single detached dwelling	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	No	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	<u>Existing</u>	<u>Proposed</u>
Water	Private	Private
Sanitary	Private	Private
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 sent by mail on February 25, 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 MV-2025-0003 are outlined below.

The Ministry of Transportation (MTO) has indicated no objections and has advised the Applicant that the site is within the MTO permit control area; therefore, as a condition of the minor variance, the additional dwelling will require an MTO building and land use permit (Attachment 4).

The Development Engineer Division has indicated no objections and requires, as a condition of the minor variance, that the applicant / owner provide a detailed grading and drainage plan, including existing and proposed entrances, prepared by a Professional Engineer or an Ontario Land Surveyor (Attachment 4).

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

- Building Division
- Plumbing / Building Inspector
- 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 MV-2025-0003 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 Agricultural Protection Area in the Official Plan. Single detached dwellings and accessory buildings, structures and uses thereto 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 Rural (RU) Zone on Map 1 of Schedule 'A' to Zoning By-law No. 500, as amended. Single-detached dwelling and accessory structures are permitted in the RU zone.

Zoning By-law 600 is an update to Zoning By-law 500 for the countryside area. This by-law is currently under appeal before the OLT. Should the Tribunal issue a decision approving Zoning By-law 600, it would come into force and effect as of the date of passing by Council. The Subject Property is zoned Agricultural Protection (AP) Zone on Schedule 13 of Zoning By-law 600, as amended. Single detached dwellings and accessory buildings, structures and uses thereto are permitted in the AP zone.

The proposed variance is only seeking relief from Zoning By-law 500 for lot coverage.

a. Lot Coverage

Section 6.1 (i) of Zoning By-law No. 500, as amended, permits a maximum lot coverage of 10% for lots 4,000 square metres or greater. The Applicant has requested relief to allow a maximum lot coverage of 14%.

The intent of lot coverage requirements is to ensure consistency and compatibility with the surrounding lots with respect to overall massing and to ensure sufficient open space.

Staff note that if the subject property is to be zoned Agricultural Protection (AP) Zone in Zoning By-law 600, as amended. The AP zone allows for a maximum lot coverage of 20%. The requested relief is less than what is permitted in the Zoning By-law 600, which means that it would not require a variance. The applicant wishes to proceed with building the addition and does not wish to wait for Zoning By-law 600 to come into force and effect.

Staff are of the opinion that the requested relief maintains the general intent and purpose of the 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 is in keeping with the existing physical character of the neighbourhood, as the area generally consists of various lot sizes with single detached dwellings and accessory structures.

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 MV-2025-0003, as it pertains to the proposed addition, 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 Comments Chart