

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0023

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

March 31, 2025

SUBJECT: MINOR VARIANCE APPLICATION MV-2025-0002

305 LAKE DRIVE NORTH

CONCESSION 2, PART OF LOT 19

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2025-0023 prepared by the Development Planning Division, Development Services Department, dated March 31, 2025, respecting Minor Variance Application MV-2025-0002, for the property municipally addressed as 305 Lake Drive North; 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-2025-0002 to permit relief from the following:
 - i) Section 5.1(f): To permit a detached accessory building with a height to the roof peak of 7.5 metres, whereas detached accessory buildings may have a maximum height to the roof peak of 6 metres;
 - ii) Section 5.1(f): To permit a detached accessory building with a height to the eaves of 4.6 metres, whereas detached accessory buildings may have a maximum height to the eaves of 4.5 metres;
 - iii) Section 5.1(d): To permit a detached accessory building with a rear yard setback of 0.61 metres, whereas a rear yard setback of 1.2 metres is required;
 - iv) Section 5.1(d): To permit a detached accessory building with an interior side yard setback of 0.61 metres, whereas an interior side yard setback of 1.2 metres is required.
 - b) That the approval of Minor Variance Application MV-2025-0002 be subject to the following term(s):

- i) That the proposed accessory structure be constructed in general conformity with Attachment 2 to Report DS-2025-0023, in accordance with the relief recommended to be approved in Recommendation 2a);
- c) That the approval of Minor Variance Application MV-2025-0002 be subject to the following condition(s):
 - i) Submission to the Secretary-Treasurer of written confirmation from the Lake Simcoe Region Conservation Authority that all matters identified in Attachment 4 to Report No. DS-2025-0023 have been addressed to the Authority's satisfaction;
 - 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-2025-0023 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.

2. PURPOSE:

The purpose of this report is to provide Staff's analysis concerning Minor Variance Application MV-2025-0002 for the property located at 305 Lake Drive North regarding the construction of a detached garage with a second storey storage loft.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 3)
305 Lake Drive North
Concession 2, Part of Lot 19
Roll #: 098-007

PROPOSAL

The owner of the subject property is proposing to construct an accessory structure (detached garage with a storage loft) on the subject lands.

A Minor Variance application has been submitted concerning the proposal, requesting the following relief for the proposed accessory structure:

- i) Section 5.1(f): To permit a detached accessory building with a height to the roof peak of 7.5 metres, whereas detached accessory buildings may have a maximum height to the roof peak of 6 metres.

- ii) Section 5.1(f): To permit a detached accessory building with a height to the eaves of 4.6 metres, whereas detached accessory buildings may have a maximum height to the eaves of 4.5 metres.
- iii) Section 5.1(d): To permit a detached accessory building with a rear yard setback of 0.61 metres, whereas a rear yard setback of 1.2 metres is required.
- iv) Section 5.1(d): To permit a detached accessory building with an interior side yard setback of 0.61 metres, whereas an interior side yard setback of 1.2 metres is required.

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 305 Lake Drive North. A summary of the characteristics of the property is as follows:

General Property Information		
Municipal Address	305 Lake Drive North	
Zoning	Residential (R) Zone	
Frontage	15.5 Metres	
Area	629.75 Square Metres	
Official Plan / Secondary Plan Land Use Designation	Existing Neighbourhood (Keswick Secondary Plan)	
Regional Official Plan Land Use Designation	Community Area	
Related Applications	None	
Land Use and Environmental Considerations		
Existing Structures	Single Detached Dwelling and Detached Garage (detached garage proposed to be demolished)	
Proposed Structures	Detached Garage	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	Yes, Partially (Front Yard)	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	Existing	Proposed
Water	Municipal	Municipal
Sanitary	Municipal	Municipal
Access	Existing driveways	Existing driveways

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 March 10, 2025, to all landowners within 60.0 metres of the subject property.

As of the date of writing this report, Town Staff have received one submission from the general public, who has expressed concerns with the proposed minor variances (Attachment 5).

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

All Town department and external agency comments for Minor Variance Application MV-2025-0002 are outlined below.

The Lake Simcoe Region Conservation Authority (LSRCA) has indicated no objections and requires, as a condition of the minor variance, that the application / owner shall pay the LSRCA Plan review Fee in accordance with the approved LSRCA Fee Schedule (Attachment 4).

The Development Engineering Division has indicated no objection 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:

- Plumbing / Building Inspector – Building Division
- Economic Development and Tourism Division
- Georgina Fire Department
- Ministry of Transportation
- 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-2025-0002 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 Existing Neighbourhood in the Keswick Secondary 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 Residential (R) Zone on Map 3 (Page 2) of Schedule 'A' to Zoning By-law No. 500, as amended. A single-detached dwelling and accessory structures are permitted in the R zone.

a. Accessory Structure Height

Section 5.1 (f) of Zoning By-law No. 500, as amended, permits a maximum height of 6.0 metres from the average grade to the highest point of the structure and 4.5 metres to the eaves for accessory structures on lots 600 square metres or greater. The Applicant has requested relief to allow a maximum height of 7.5 metres to the peak and 4.6 metres to the eaves.

The intent of the maximum height to the peak and the eaves is to limit adverse shadowing and visual impact, provided for neighbouring properties and ensure accessory buildings are subordinate in size to the main building.

Staff note that the requested height exceeds the permitted height by 1.5 metres to the peak and 0.1 metres to the eave and is to provide space for the garage and storage above the garage. The existing single detached dwelling is 8.94 metres in height and is currently under renovation.

It is noted that the proposed accessory structure is in a similar location as the existing detached accessory building that is to be demolished and in a similar location as neighbouring properties and currently backs onto a vacant lot.

Setback – Accessory Building

Section 5.1(d) of Zoning By-law 500, as amended, permits an interior side yard setback and rear yard setback of 1.2 metres for accessory structures that have a height greater than 4.5 metres. The Applicant is requesting relief to allow an interior side yard and rear yard setback of 0.61 metres for the proposed accessory structure.

The intent of the minimum yard requirements for accessory structures is to ensure compatibility with surrounding lots and to provide an area for access and maintenance.

The proposed accessory structure is set back further than the existing detached garage (0.37 metres from the interior side yard and 0.43 metres from the rear yard) that will be demolished. This proposed accessory structure is to replace this building, and the applicant wishes to utilize the existing foundation.

The proposed accessory structure is unable to comply with the zoning as the siting of the existing single detached dwelling and associated porch would make it difficult for a car to maneuver into one of the garage bays.

Staff are of the opinion that the proposed variances maintain 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 accessory structure 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 located along Lake Drive North and Post Office Road.

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-2025-0002, as it pertains to the proposed accessory structure, 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 and Drawings

Attachment 3 – Site Photos

Attachment 4 – Comments

Attachment 5 – Public Comments