

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0030

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT
May 12, 2025**

**SUBJECT: MINOR VARIANCE APPLICATION MV-2025-0006
143 MOORE'S BEACH ROAD
CONCESSION 8, PART OF LOT 17**

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2025-0030 prepared by the Development Planning Division, Development Services Department, dated May 12, 2025, respecting Minor Variance Application MV-2025-0006 for the property municipally addressed as 143 Moore's Beach 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-2025-0006 to permit relief from the following:
 - i) Section 5.1(b): To permit the construction of an accessory structure in the front yard, whereas an accessory structure shall not be erected in any yard other than in an interior side yard or rear yard;
 - ii) Section 5.1(d): To permit the construction of an accessory structure with a driveway providing access to a street with a minimum setback of 4.8 metres from the front lot line, whereas a minimum of 6 metres is required;
 - b) That the approval of Minor Variance Application MV-2025-0006 be subject to the following term(s):
 - i) That the proposed accessory structure be constructed in general conformity with Attachment 2 to Report DS-2025-0030, in accordance with the relief recommended to be approved in Recommendation 2a);
 - c) That the approval of Minor Variance Application MV-2025-0006 be subject to the following condition(s):

- i) **Submission to the Secretary-Treasurer of written confirmation from the Development Engineering Division that all matters identified in Attachment 4 to Report No. DS-2025-0030 have been addressed to the Division's satisfaction;**
- ii) **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-2025-0006 for the property located at 143 Moore's Beach Road regarding the construction of a detached garage in the front yard.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 3)
143 Moore's Beach Road
Concession 8, Part of Lot 17
Roll #: 044-302

PROPOSAL

The owner of the subject property is proposing to construct an accessory structure 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 (b): To permit the construction of an accessory structure in the front yard, whereas an accessory structure shall not be erected in any yard other than in an interior side yard or rear yard
- ii) Section 5.1 (d): To permit the construction of an accessory structure with a driveway providing access to a street with a minimum setback of 4.8 metres from the front lot line, whereas a minimum setback of 6 metres is required.

A Site Plan, Grading and Drainage Plan, 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 143 Moore's Beach Road. A summary of the characteristics of the property is as follows:

General Property Information		
Municipal Address	143 Moore’s Beach Road	
Zoning	Residential (R) Zone	
Frontage	22.24 Metres	
Area	1,846 Square Metres	
Official Plan / Secondary Plan Land Use Designation	Lakeshore Residential Area	
Regional Official Plan Land Use Designation	Rural Area	
Related Applications	NA	
Land Use and Environmental Considerations		
Existing Structures	Single Detached Dwelling and two accessory structures (sheds)	
Proposed Structures	Detached Garage	
Heritage Status	No	
Regulated by LSRCA	No	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	Existing	Proposed
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 April 29, 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-2025-0006 are outlined below.

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, as well as a drawing checklist (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
- Georgina Fire Department
- Ministry of Transportation
- Municipal Law Enforcement Division
- Tax and Revenue Division
- 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-2025-0006 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 Lakeshore Residential 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 Residential (R) Zone on Map 8 (page 2) of Schedule 'A' to Zoning By-law No. 500, as amended. A Single-detached dwelling and accessory structures, buildings and uses are permitted in the Residential (R) zone.

a. Accessory Structure in the Front Yard

Section 5.1 (b) of Zoning By-law No. 500, as amended, permits accessory structures in the rear and interior side yards. The Applicant has requested relief to allow an accessory structure to be constructed in the front yard.

The general intent of this requirement is to ensure that the streetscape develops in an orderly manner and that adequate amenity space is provided in the front yard and exterior side yard.

Staff note that the house is currently set back 25.67 metres from the front lot line, which provides more than enough front yard amenity space even with the proposed accessory structure.

Staff have reviewed the proposed location and note that if the applicant wanted to build a similar sized garage in the rear yard, it would be difficult to accommodate due to the proximity of the house and the existing septic tanks and beds.

b. Accessory Structure Front Yard Setback

Section 5.1 (d) of Zoning By-law 500, as amended, requires accessory structures providing access to a street to have a minimum front yard setback of 6 metres. The applicant is requesting relief to permit a minimum front yard setback of 4.8 metres.

The general intent of this section is to ensure consistency and compatibility with surrounding lots with respect to proximity to the street and to reduce negative impacts on neighbouring properties.

As per the grading and drainage plan provided (Attachment 2, page 2), the garage cannot be setback 6.0 metres due to the existing raised landscape area that is abutting the proposed accessory structure in order to accommodate the proposed garage.

Additionally, several accessory structures and single detached dwellings are located in similar locations to the proposed accessory structure along Moore's Beach Road.

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 in similar locations.

Furthermore, the proposed garage doors are side-facing and oriented to the east rather than towards Moore's Beach Road. This orientation reduces the presence of garage doors from the street and prevents any potential vehicle encroachment concerns onto the street.

Staff are satisfied that the proposal is desirable for the appropriate development of the subject land and the 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-2025-0006, 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 Architectural Drawings

Attachment 3 – Site Photos

Attachment 4 – Comments