

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0026

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

April 14, 2025

**SUBJECT: MINOR VARIANCE APPLICATION MV-2025-0005
24 BLUE HERON DRIVE
PLAN 302, LOT 11**

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2025-0026 prepared by the Development Planning Division, Development Services Department, dated April 14, 2025, respecting Minor Variance Application MV-2025-0005, for the property municipally addressed as 24 Blue Heron Drive; 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-2025-0005 to permit relief from the following:
 - i) Section 5.1 (b): To permit the construction of an accessory structure to be located a minimum of 1.2 metres from the existing dwelling, whereas a minimum setback of 2.0 metres is required.
 - b) That the approval of Minor Variance Application MV-2025-0005 be subject to the following term(s):
 - i) That the proposed addition be constructed in general conformity with Attachment 2 to Report DS-2025-0026, in accordance with the relief recommended to be approved in Recommendation 2a);
 - c) That the approval of Minor Variance Application MV-2025-0005 be subject to the following condition(s):
 - i) Submission to the Secretary-Treasurer of written confirmation from The Lake Simcoe Regional Conservation Authority that all matters identified in Attachment 4 to Report No. DS-2025-0026 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 5 to Report No. DS-2025-0026 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-2025-0005 for the property located at 24 Blue Heron Drive regarding the construction of an accessory structure, cover porch and carport.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 4)
24 Blue Heron Drive
Plan 302, Lot 11
Roll #: 044-133

PROPOSAL

The owner of the subject property is proposing the construction of an accessory structure, carport and covered porch.

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

- i) **Section 5.1 (b):** To permit the construction of an accessory structure to be located a minimum of 1.2 metres from the existing dwelling, whereas a minimum setback of 2.0 metres is required.

A Site Sketch 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 24 Blue Heron Drive. A summary of the characteristics of the property is as follows:

| General Property Information | |
|-------------------------------------|----------------------|
| Municipal Address | 24 Blue Heron Drive |
| Zoning | Residential (R) Zone |
| Frontage | 15.24 Metres |

| | | |
|-----------------------------------------------------------|-------------------------------------------------|--------------------|
| Area | 773.6 Square Metres | |
| Official Plan / Secondary Plan Land Use Designation | Lakeshore Residential Area | |
| Regional Official Plan Land Use Designation | Rural Area | |
| Related Applications | None | |
| Land Use and Environmental Considerations | | |
| Existing Structures | Single Detached Dwelling and shed | |
| Proposed Structures | Accessory structure, carport, and covered porch | |
| Heritage Status | Neither listed nor designated | |
| Regulated by LSRCA | Partial, western portion of the property | |
| Key Natural Heritage Features | None | |
| Natural Hazards | None | |
| Servicing | | |
| | Existing | Proposed |
| Water | Private | Private |
| Sanitary | Private | Private |
| 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 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-2025-0005 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 5).

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 and a Complete drawing checklist for the lot grading and drainage plan (Attachment 5).

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

- Building Division
- Tax and Revenue Division
- York Region
- Municipal Law Enforcement Division
- Ministry of Transportation
- Georgina Fire Department

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

5. **ANALYSIS:**

The following evaluation of Minor Variance Application MV-2025-0005 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 6, 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 proximity to Residential dwelling

Section 5.1 (b) of Zoning By-law 500, as amended, requires an accessory structure to be located a minimum of 2 metres from the dwelling. The Applicant is requesting relief to allow an accessory structure to be located 1.2 metres from a dwelling.

The general intent of the accessory structure setbacks is to reduce negative impacts on neighbouring properties and to ensure compatibility with surrounding properties.

The applicant required this change in order to comply with the interior side yard setbacks and accommodate a workshop and mechanical room. In order to comply with the required 2-metre separation between the single detached dwelling and the proposed accessory structure, the applicant would have to relocate the existing single detached dwelling further south.

The reduction in the distance between the single detached dwelling and the detached garage will not create an adverse impact on the neighbourhood. The roof from the accessory structure will be connected to the existing single detached garage, creating a cohesive build (Attachment 4).

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 is in keeping with the existing physical character of the neighbourhood, as the area generally consists of 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-2025-0005, as it pertains to the proposed detached accessory structure, carport and covered porch, 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 – Architectural Renderings

Attachment 4 – Site Photos

Attachment 5 – Comments