

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2025-0039**

**FOR THE CONSIDERATION OF  
COMMITTEE OF ADJUSTMENT**

**July 14, 2025**

**SUBJECT: MINOR VARIANCE APPLICATION MV-2025-0008**

**151 OAKCREST DRIVE**

**PLAN 65M-2480, LOT 37**

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**1. RECOMMENDATIONS:**

- 1) That the Committee of Adjustment receive Report No. DS-2025-0039 prepared by the Development Planning Division, Development Services Department, dated July 14, 2025, respecting Minor Variance Application MV-2025-0008 for the property municipally addressed as 151 Oakcrest 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-2025-0008 to permit relief from the following:
    - i) Section 6.1 (e): To permit a minimum rear yard setback of 6.8 metres, whereas a minimum rear yard setback of 7 metres is required;
  - b) That the approval of Minor Variance Application MV-2025-0008 be subject to the following term(s):
    - i) That the addition be constructed in general conformity with Attachment 2 to Report DS-2025-0039, in accordance with the relief recommended to be approved in Recommendation 2a);
  - c) That the approval of Minor Variance Application MV-2025-0008 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-2025-0039 have been addressed to the Division's satisfaction; and
    - 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-2025-0008 for the property located at 151 Oakcrest Road. The reduced rear yard setback is proposed to legalize the existing addition, which in turn would legalize an existing accessory apartment.

## 3. **BACKGROUND:**

Property Description: (refer to Attachments 1 to 3)  
151 Oakcrest Drive  
PLAN 65M-2480, LOT 37  
Roll #: 095-55274

### **PROPOSAL**

The owner of the subject property is proposing to legalize an addition at the rear of the single detached dwelling 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 6.1 (e): To permit a minimum rear yard setback of 6.8 metres, whereas a minimum rear yard setback of 7 metres is required.

A Site Sketch showing the proposal and the requested relief is included as Attachment 2.

## 3.1 **SUBJECT PROPERTY AND THE SURROUNDING AREA:**

The subject property is located at 151 Oakcrest Drive. A summary of the characteristics of the property is as follows:

General Property Information	
Municipal Address	151 Oakcrest Drive
Zoning	Low-Density Urban Residential (R1) Zone
Frontage	15.1 Metres
Area	468.1 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	
Proposed Structures	None	
Heritage Status	No	
Regulated by LSRCA	No	
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 sent by mail on June 27, 2025, to all landowners within 60.0 metres of the subject property.

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

##### **4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS**

All Town department and external agency comments for Minor Variance Application MV-2025-0008 are outlined below.

The Georgina Fire Department has indicated no objects and advises the applicant / owner that Fire has an open file for the owner to legalize the accessory apartment.

The Development Engineering 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 and a Complete drawing checklist for the lot grading and drainage plan (Attachment 4).

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

- Building Division
- Ministry of Transportation
- Municipal Law Enforcement Division
- Operation and Infrastructure Department
- Tax and Revenue
- Senior Landscape Architect, Planning Policy

- York Catholic District School Board
- York Region
- York Region District School Board

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

## **5. ANALYSIS:**

### **5.1 Evaluation of Proposed Minor Variance**

The following evaluation of Minor Variance Application MV-2025-0008 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 Low Density Urban Residential (R1) Zone on Map 3 (page 1) 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 R1 zone.

##### **a. Rear Yard Setback**

Section 6.1 (e) of Zoning By-law No. 500, as amended, requires a rear yard setback of 7.0 metres. The Applicant has requested relief to legalize the existing rear yard setback of 6.8 metres.

The intent of the minimum front yard setback is to ensure adequate amenity area and compatibility with surrounding lots.

The existing addition has been located on the property since the mid-to-late 1990s and serves as the main entrance to the accessory dwelling unit. The backyard amenity space is currently divided into two areas by a chain link fence, serving both residential units on the property, and has been suitable for this purpose for several years.

The applicant has come in to legalize the rear yard setback as they wish to legalize the existing accessory apartment.

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 various lot sizes with single detached dwellings. The proposed addition does not negatively affect the neighbourhood or streetscape.

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-2025-0008, as it pertains to the legalizing the existing 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 Comment Chart*