

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2025-0040

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

July 14, 2025

**SUBJECT: MINOR VARIANCE APPLICATION MV-2025-0009
S/S VAMBOLA AVENUE
PLAN 544, LOT 121**

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment receive Report No. DS-2025-0040 prepared by the Development Planning Division, Development Services Department, dated July 14, 2025, respecting Minor Variance Application MV-2025-0009, for the property municipally addressed as S/S Vambola Avenue; 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-2025-0009 to permit relief from the following:
 - i) Section 5.1(a): To temporarily permit accessory structures without a primary use structure; whereas no accessory structure will be permitted without a primary use structure;
 - ii) Section 5.40: To temporarily permit a trailer for human habitation; whereas no trailer shall be permitted for human habitation;
 - iii) Section 5.40: To temporarily permit a shipping container, whereas a shipping container shall be permitted for storage;
 - b) That the approval of Minor Variance Application MV-2025-0009 be subject to the following term(s):
 - i) That the proposed accessory structure be constructed in general conformity with Attachment 2 to Report DS-2025-0040, in accordance with the relief recommended to be approved in Recommendation 2a);
 - ii) That the relief provided in Recommendation 2(a) be provided on the property for a limited period of two years following the date of the decision of the Committee of Adjustment.

- c) That the approval of Minor Variance Application MV-2025-0009 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-2025-0040 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-2025-0040 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-2025-0009 for the property located at S/S Vambola Avenue regarding the temporary use of a trailer for human habitation, accessory structures without a primary use and a shipping container for storage.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 3)
S/S Vambola Avenue
Plan 544, Lot 121
Roll #: 021-141

PROPOSAL

The owner of the subject property is proposing to temporarily permit a trailer for human habitation, a shipping container for storage and an accessory structure without a main building. This would provide temporary relief to the owners of the subject property, allowing them time to obtain a building permit for a single detached dwelling.

A Minor Variance application has been submitted concerning the proposal, requesting the following relief for the temporary use of a trailer for human habitation, an accessory structure without a primary use and a shipping container for storage:

- i) Section 5.1(a): To temporarily permit accessory structures without a primary use structure; whereas no accessory structure will be permitted without a primary use structure.

- ii) Section 5.40: To temporarily permit a trailer for human habitation, whereas no trailer shall be permitted for human habitation.
- iii) Section 5.40: To temporarily permit a shipping container, whereas a shipping container shall be permitted for storage.

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 S/S Vambola Avenue. A summary of the characteristics of the property is as follows:

General Property Information		
Municipal Address	S/S Vambola Avenue	
Zoning	Site Specific Residential (R-1) Zone	
Frontage	30.18 Metres	
Area	1,747.76 Square Metres	
Official Plan / Secondary Plan Land Use Designation	Hamlet Area	
Regional Official Plan Land Use Designation	Agricultural System/Hamlet Area	
Related Applications	None	
Land Use and Environmental Considerations		
Existing Structures	Shed, Shipping Container, and Trailer for Human Habitation	
Proposed Structures	None	
Heritage Status	Neither listed nor designated	
Regulated by LSRCA	Yes	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	Existing	Proposed
Water	Private	Private
Sanitary	Private	Private
Access	Informal Driveway	Informal 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, 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-2025-0009 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, as well as a drawing checklist (Attachment 4, page 6, items 5 and 6).

The Development Engineering Division has also provided additional comments (Attachment 4, page 6, items 1, 2, and 3), which address septic services on the property and the process for obtaining a Site Alteration and Entrance Permit when a formal driveway entrance is proposed. Development Planning Division notes that these items are not a condition of the minor variance.

The Municipal Law Enforcement Division has indicated no objections but has advised that this Minor Variance is the result of an enforcement action after receiving a complaint (Attachment 4).

The Building Division has indicated no objections to the minor variances and advises the applicant that if the sewage from the trailer is to be disposed of on site, a private sewage disposal system compliant with the Ontario Building Code will be required (Attachment 4).

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

- Georgina Fire Department
- Ministry of Transportation
- Operation and Infrastructure Department
- Tax and Revenue Division
- Senior Landscape Architect, Planning Policy
- York Region District School Board

- York Region
- York Catholic District School Board

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

5. ANALYSIS:

The following evaluation of Minor Variance Application MV-2025-0009 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 Hamlet Area in the Town of Georgina Official Plan. Single detached dwellings and accessory buildings, structures and uses thereto are permitted in this designation.

The subject accessory structure, shipping container, and trailer for human habitation will be temporary, providing relief until the Applicant can obtain a building permit for a single detached dwelling.

Consequently, Town Staff are of the opinion that the temporary placement of a trailer for human habitation meets the general intent and purpose of the Official Plan for residential development on the site.

ii. Is the general intent and purpose of the Zoning By-law maintained? – Yes

The subject property is zoned Site Specific Residential (R-1) Zone on Map 11 of Schedule 'A' to Zoning By-law No. 500, as amended. A single-detached dwelling and accessory structures are permitted in the R-1 zone.

a. Accessory Structure

Section 5.1 (f) of Zoning By-law 500, as amended, requires the main building of a property to be built prior to permitting any accessory structures to be built. The applicant has requested relief to allow the existing accessory structure to be retained despite no main building being erected.

The general intent of this section of Zoning Bylaw 500 is to ensure that accessory structures are secondary to the main structure or use. The accessory structure will only be allowed temporarily while the Applicant prepares the land to construct a new detached dwelling.

b. Trailer – Human Habitation

Section 5.40 of Zoning By-law 500, as amended, prohibits the use of a trailer for human habitation. The applicant has requested relief to allow a trailer to be used for human habitation on a temporary basis.

The intent of this section of the Zoning By-law is to prevent permanent uses in temporary structures where Building Codes may not be able to be applied. The Trailer being used for Human Habitation will only be allowed temporarily until a building permit can be obtained. The Owner has informed planning staff that the Trailer is only used seasonally for temporary overnight stays during land preparation work and is not a permanent dwelling.

c. Shipping Container

Section 5.40 of Zoning By-law No. 500, as amended, states that no shipping containers shall be used for storage, whether or not it is mounted on wheels. The applicant is requesting relief to legalize and permit an existing shipping container located in the rear of the subject property.

The general intent of prohibiting shipping containers in all zones is to reduce visual impacts on neighbouring properties and the streetscape. The shipping container is located at the rear of the subject property. It will only be permitted temporarily to accommodate maintenance items while the owner prepares the land for a new detached dwelling.

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 relief would be desirable for the use of the land as it would permit a temporary residential use. This temporary use would be in effect for a two-year period while a building permit is obtained.

Staff are satisfied that the proposal is desirable for the appropriate temporary development of the subject lands to allow the Owner to be housed while the Zoning By-law Amendment application is processed.

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-2025-0009, as it pertains to the proposed the temporary use of a trailer for human habitation, a shipping container for storage, and use of accessory structure without a primary 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 – Consolidated Comment Chart