

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2026-0029

**FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT**

April 13, 2026

**SUBJECT: MINOR VARIANCE APPLICATION MV-2026-0001
259 LAKE DRIVE NORTH, KESWICK
CONCESSION 2 PART LOT 18, PLAN 77, L**

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment approve Minor Variance Application MV-2026-0001 to permit relief from the following:**
 - a) 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) Section 6.1 (e): To permit a minimum rear yard setback for an accessory structure in the Transitional Zone of 0.6 meters, whereas a minimum rear yard setback for an accessory structure in the Transitional Zone of 7 meters is required;**
 - c) Section 5.1 (d): To permit a minimum interior side yard setback of 2.3 metres for an accessory structure, whereas a minimum interior side yard setback of 3 metres is required;**
- 2) That the approval of Minor Variance Application MV-2026-0001 be subject to the following term(s):**
 - a) That the proposed accessory structure be constructed in general conformity with Attachment 2 to Report DS-2026-0029, in accordance with the relief recommended to be approved in Recommendation 1;**
- 3) That the approval of Minor Variance Application MV-2026-0001 be subject to the following condition(s):**
 - a) Submission to the Secretary–Treasurer of written confirmation from the Development Planning Division that a deeming bylaw has been registered on title for the subject property;**
 - b) Submission to the Secretary-Treasurer of written confirmation from the Lake Simcoe Region Conservation Authority (LSRCA) that all matters**

identified in Attachment 5 to Report No. DS-2026-0029 have been addressed to the LSRCA's satisfaction; and

- c) 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-2026-0001 for the property located at 259 Lake Drive North, regarding the proposed accessory structure.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 4)
259 Lake Drive North
Concession 2 part of lot 18, Plan 277 Lot 19 and Part 18
Roll #: 098-037

3.1 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 to be located a minimum of 1.2 metres from the existing dwelling, whereas a minimum setback of 2.0 metres is required.
- ii) Section 6.1 (e): To permit a minimum rear yard setback for an accessory structure in the Transitional Zone of 0.6 meters, whereas a minimum rear yard setback for an accessory structure in the Transitional Zone of 7 meters is required.
- iii) Section 5.1 (d): To permit a minimum interior side yard setback of 2.3 metres for an accessory structure, whereas a minimum interior side yard setback of 3 metres is required.

A Site Plan showing the proposal and the requested relief are included as Attachment 2.

3.2 SUBJECT PROPERTY AND THE SURROUNDING AREA:

The subject property is located at 259 Lake Drive North. A summary of the characteristics of the property is as follows:

General Property Information		
Municipal Address	259 Lake Drive North	
Zoning	Residential (R) and Transitional (T) Zones	
Frontage	15.54 metres	
Area	791 square meters	
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 shed	
Proposed Structures	Detached accessory structure	
Heritage Status	Neither Listed nor Designated	
Regulated by LSRCA	Partial (Lake Drive North)	
Key Natural Heritage Features	None	
Natural Hazards	None	
Servicing		
	Existing	Proposed
Water	Municipal	Municipal
Sanitary	Municipal	Municipal
Access	Existing Driveway	Existing Driveway

3 COMMENTS:

3.2 PUBLIC COMMENTS:

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

3.3 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

All Town department and external agency comments for Minor Variance Application MV-2026-0001 are outlined below.

Department or Agency	Comments
Building Division	No comments received
Plumbing and Building Inspector – Building Division	No objections – on municipal services.
Development Engineering	No objections. Site Alteration and Entrance Permit will be required for the proposed construction (Attachment 5)

Georgina Fire Department	No comments received
Operations and Infrastructure Department	No comments
Tax and Revenue	No tax concerns
Municipal Law Enforcement Division	No comments
LSRCA	That the Applicant/Owner shall pay the LSRCA Plan Review Fee in accordance with the approved LSRCA Fee Schedule. The applicable fee for Minor Variance (Minor – planner review only) is \$536 (Attachment 5)
Ministry of Transportation	No comments
York Catholic District School Board	No comments
York Region District School Board	No comments
York Region	No comments

4 **ANALYSIS:**

The following evaluation of Minor Variance Application MV-2026-0001 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, accessory buildings/structures, and uses 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 Bylaw maintained? – Yes

The subject property is zoned Residential (R) and Transitional (T) Zones on Map 3 (page 2) of Schedule 'A' to Zoning Bylaw No. 500, as amended. Single detached dwellings, accessory buildings/structures, and uses are permitted in the R and T zones.

a. Accessory Structure proximity to Residential dwelling

Section 5.1 (b) of Zoning Bylaw 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 is requesting this relief to construct an accessory structure large enough to support their hobby. The proposed accessory dwelling does not exceed the lot coverage requirements for an accessory structure (4.7%).

Staff note that, provided the shed is not used for human habitation, it may be located 1.2 metres from the dwelling. The Building Division has confirmed that if the accessory structure is not used for human habitation, no spatial separation is required under the Ontario Building Code.

b. Accessory structure rear yard setback

Section 6.1 (e) of Zoning Bylaw No. 500, as amended, requires a minimum rear setback of 7 metres for an accessory structure in the Transitional (T) zone. The Applicant has requested relief to allow a minimum 0.6 metre rear yard setback for an accessory structure.

The general intent of this section is to ensure consistency and compatibility with surrounding lots regarding backyard space, privacy, and shadow casting, and to ensure that neighbouring properties are not negatively impacted.

Staff note that the accessory structures in the Transitional Zones must comply with the single-detached dwelling provisions of zoning bylaw 500. However, if this property were entirely zoned in the Residential (R) zone, the owners would need to comply with section 5.1(d), which requires a 1-metre rear yard setback for accessory structures with heights of 3 to 4.5 metres. The proposed accessory structures are projected to be 3.23 metres high.

Staff note that if the property were entirely zoned Residential (R) zone, a minor variance would still be required to facilitate a rear-yard reduction, but the reduction would be less than under the Transitional (T) zone provisions. The location and appropriateness of Transitional Zones in relation to Residential Zones will also be reviewed as part of the Town's upcoming Comprehensive Zoning Review.

Staff are of the opinion that since the subject property is located in a residential neighbourhood on Lake Drive North, the reduction in rear yard setback is acceptable.

c. Accessory structure interior side yard setback

Section 5.1(d) of Zoning Bylaw No. 500, as amended, requires a minimum interior side yard setback of 3 metres for an accessory structure located in the T zone. The Applicant has requested relief to allow a minimum 2.3-metre interior side-yard setback for an accessory structure.

The general intent of the side yard setback requirement is to ensure consistency and compatibility with surrounding lots and provide access to the rear yard.

Staff note that the accessory structures in the Transitional Zones can be reduced to 3 metres with the provisions of zoning bylaw 500. However, if this property were entirely zoned in the Residential (R) zone, the owners would need to comply with section 5.1 (d), which requires a 1-metre interior side yard setback for accessory structures with a height of 3-4.5 metres. The proposed accessory structures are projected to be 3.23 metres high.

Staff note that if the property were entirely zoned Residential (R) zone, a minor variance would not be required to reduce the side yard setback.

Staff are of the opinion that the proposed variances maintain the general intent and purpose of Zoning Bylaw 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 single detached dwellings and accessory structures in similar locations.

Staff note that the only other location to fit an accessory structure of this size on the subject property is in the front yard, which is not permitted in zoning bylaw 500.

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.

5 CONCLUSION:

Subject to the recommendations by Staff in Section 1 of this report, Staff are of the opinion that Minor Variance Application MV-2026-0001, 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

Attachment 3 - Drawings

Attachment 4 – Site Photos

Attachment 5 – Comments