

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2026-0035

FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT

May 4, 2026

SUBJECT: MINOR VARIANCE APPLICATION MV-2026-0004
73 PETE'S LANE, PEFFERLAW
CONCESSION 4, PART OF LOT 23

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment approve Minor Variance Application MV-2026-0004 to permit relief from the following:
 - a) Section 6.1 (c): To permit a minimum front yard setback of 20 metres, whereas a minimum front yard setback of 30 metres is required;
 - b) Section 6.1 (f): To permit a minimum interior side yard setback of 7.9 metres, whereas a minimum interior side yard setback of 9 metres is required;
 - c) Section 6.1 (l): To permit a new single detached dwelling to be setback a minimum of 22.3 metres from any livestock building or manure storage facilities, whereas a new single detached dwelling must be located a minimum of 60 metres from any livestock building or manure storage facilities;
- 2) That the approval of Minor Variance Application MV-2026-0004 be subject to the following term(s):
 - a) That the proposed accessory structure be constructed in general conformity with Attachment 2 to Report DS-2026-0035, in accordance with the relief recommended to be approved in Recommendation 1;
- 3) That the approval of Minor Variance Application MV-2026-0004 be subject to the following condition(s):
 - a) Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that the existing house has been demolished to the Division's satisfaction; and
 - b) 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-2026-0004 for the property located at 73 Pete's Lane regarding the construction of a new single detached dwelling. Staff notes that 6.1 (c) and 6.1 (f) were previously reviewed in report number [DS-2026-0028](#). Analysis in this report will only cover 6.1 (l).

3. BACKGROUND:

3.1 PROPOSAL

The owner of the subject property is proposing to construct a new single-detached dwelling on the subject lands.

A Minor Variance application has been submitted concerning the proposal, requesting the following relief for the construction of a new single detached dwelling:

- i) Section 6.1 (c): To permit a minimum front yard setback of 20 metres, whereas a minimum front yard setback of 30 metres is required.
- ii) Section 6.1 (f): To permit a minimum interior side yard setback of 7.9 metres, whereas a minimum interior side yard setback of 9 metres is required.
- iii) Section 6.1 (l): To permit a new single detached dwelling to be setback a minimum of 22.3 metres from any livestock building or manure storage facilities, whereas a new single detached dwelling must be located a minimum of 60 metres from any livestock building or manure storage facilities.

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

3.2 SUBJECT PROPERTY AND THE SURROUNDING AREA:

Please refer to [DS-2026-0028](#).

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-2026-0004 are outlined in [DS-2026-0028](#).

4 **ANALYSIS:**

The following evaluation of Minor Variance Application MV-2026-0004 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 Residential in the Pefferlaw Secondary Plan. Single detached dwelling and accessory building/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 Rural (RU) Zone on Map 1 of Schedule 'A' to Zoning Bylaw No. 500, as amended. Single detached dwelling, agricultural uses and accessory structures/buildings and uses are permitted in the RU zone.

Staff note that the owners have already begun construction of the new single-detached dwelling prior to issuance of a building permit. In accordance with Zoning Bylaw 500, as amended, only one single detached dwelling is permitted on the subject property. As such, Development Planning requires that the original house be demolished.

a. New single detached dwelling setback from Livestock Building

Section 6.1 (l) of Zoning Bylaw No. 500, as amended, requires a new single detached dwelling to have a 60 metre setback from any livestock buildings or manure storage facility. The Applicant has requested relief to allow a new single detached dwelling to be a minimum of 22.3 metres from a livestock building or manure facility.

The general intent of this section is to comply with Minimum Distance Separation (MDS) and ensure that the house is not negatively affected by the existing farm buildings.

Staff note that this proposed single detached dwelling is exempt from MDS calculations as new dwellings on the same lot as farm buildings do not require MDS I or MDS II calculations.

Additionally, the appropriateness of MDS provisions in the zoning bylaw will be reviewed as part of the Town's upcoming Comprehensive Zoning Bylaw. Staff note that MDS provisions have been revised in Countryside Areas as part of Bylaw 600.

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 single detached dwelling is in keeping with the existing physical character of the neighbourhood, as the area generally consists of single detached dwellings and accessory structures located in similar or close proximity to the road as the proposed single detached dwelling. The proposed minor variances will maintain the existing rural setting along this section of Pete's Lane.

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-2026-0004, as it pertains to the proposed single detached dwelling, 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