

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2026-0008

FOR THE CONSIDERATION OF
COMMITTEE OF ADJUSTMENT

May 4, 2026

**SUBJECT: ~~MINOR VARIANCE APPLICATION MV-2025-0032~~
~~55 MALONE ROAD, JACKSONS POINT~~
~~PLAN 168, PART OF LOT 12 PART WATER LOT, PLAN 65R-25421~~
~~PART 2, PLAN 65R-29385, PART 1 UNREGULATED~~MINOR VARIANCE
APPLICATION MV-2025-0032 55
MALONE ROAD, JACKSONS POINT
PLAN 168, PART OF LOT 12 PART WATE**

1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment approve Minor Variance Application MV-2025-0032 to permit relief from the following:
 - a) Section 10.5.49 and Schedule B-60: To permit an addition measured at 0.7 metres by 9.2 metres, whereas an addition is not permitted;
- 2) That the approval of Minor Variance Application MV-2025-0032 be subject to the following term(s):
 - a) That the addition remains in general conformity with Attachment 2 to Report DS-2026-0008, in accordance with the relief recommended to be approved in Recommendation 1;
- 3) That the approval of Minor Variance Application MV-2025-0032 be subject to the following condition(s):
 - a) Submission to the Secretary-Treasurer of written confirmation from the Lake Simcoe Region Conservation Authority that all LSRCA matters identified in Attachment 4 to Report No. DS-2026-0008 have been addressed to the Agency'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-2025-0032 for the property located at 55 Malone Road regarding to legalizing an addition to the existing boathouse.

3. BACKGROUND:

Property Description: (refer to Attachments 1 to 3)
 55 Malone Road
 Plan 168, Part of lot 12, Part of Water Lot, Plan 65R-25421 Part 2, Plan 65R-29385 Part 1 Unregulated
 Roll #: 082-076

3.1 PROPOSAL

The owner of the subject property is proposing to legalize a second-storey addition to the existing boathouse on the subject lands.

A Minor Variance application has been submitted concerning the proposal, requesting the following relief for [insert proposed variance request]:

- i) Section 10.5.49 and Schedule B-60: To permit an addition measured at 0.7 metres by 9.2 metres, whereas an addition is not permitted.

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

3.2 SUBJECT PROPERTY AND THE SURROUNDING AREA:

The subject property is located at 55 Malone Road. A summary of the characteristics of the property is as follows:

General Property Information	
Municipal Address	55 Malone Road
Zoning	Site Specific Residential (R-56)
Frontage	19.61 metres
Area	448.4 square metres
Official Plan / Secondary Plan Land Use Designation	Stable Residential (Sutton / Jackson's Point Secondary Plan)
Regional Official Plan Land Use Designation	Community Area
Related Applications	03.999
Land Use and Environmental Considerations	
Existing Structures	Boathouse containing one dwelling unit
Proposed Structures	None
Heritage Status	Neither Listed nor Designated
Regulated by LSRCA	Yes

Key Natural Heritage Features/ Key Hydrologic Features	Lake Simcoe (Key Hydrologic Feature)	
Natural Hazards	Shoreline Erosion and Flood Hazard	
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-2025-0032 are outlined below.

Department or Agency	Comments
Building Division	No comments received
Development Engineering	No comments
Georgina Fire Department	No comments
Operations and Infrastructure Department	No comments
Tax and Revenue	There are minor arrears for this account dating back to 2025.
Municipal Law Enforcement Division	No comments
LSRCA	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 \$539. (Attachment 4)
Ministry of Transportation	No comments or concerns
York Catholic District School Board	No comments or objections
York Region District School Board	No comments received
York Region	No comments

4 ANALYSIS:

The following evaluation of Minor Variance Application MV-2025-0032 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 Stable Residential Area in the Sutton / Jackson's Point Secondary Plan. Boathouses and dwelling units are permitted in the Stable Residential Area designation.

Staff note that the subject property is located on the Lake Simcoe shoreline, a key hydrologic feature. Development or site alteration is not permitted within the Lake Simcoe Shoreline. However, the boathouse is an existing structure, and the addition to the second storey does not extend past the deck located on the second storey, and staff are of the opinion that any impacts to the shoreline are minor.

Additionally, Section 13.2.2.5.2 of the Sutton / Jackson's Point Secondary Plan indicated that development along the Lake Simcoe shoreline may require the preparation of a coastal engineering study. The Lake Simcoe Region Conservation Authority (LSRCA) requested a Coastal Engineering Report to demonstrate consistency with Section 5.2 of the provincial Planning Statement to determine if the addition will be negatively affected by the waterfront. The Applicant has provided the Coastal Engineering Letter that was circulated to the LSRCA for their review. The LSRCA states that the Coast Engineering letter has demonstrated that the proposal will not be impacted by hazardous lands (Attachment 4).

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 Site Specific Residential (R-56) Zone on Map 6 of Schedule 'A' to Zoning By-law No. 500, as amended. The R-56 zone permits a boathouse with one dwelling unit.

a. Addition to Existing Boathouse

Section 10.5.49 and Schedule B-60 of Zoning By-law No. 500, as amended, do not permit any additions without *Planning Act* Approval. The Applicant has requested relief to legalize an addition measured at 0.7 metres by 9.2 metres.

The general intent of this requirement is to ensure that any additions, enlargements, or expansions are not built without *Planning Act* Approval to avoid negatively affecting the waterfront and surrounding properties.

In 2007, Bylaw 500-2007-0016 (Town file: 03.999) was approved by Council to legalize the existing boathouse and dwelling unit and additions.

In 2017, an Order to Comply was issued to the subject property for the construction of the addition to the second-storey accessory apartment without a permit. Before the owner can obtain a permit under the zoning bylaw, *Planning Act* Approval is

required. Therefore, in order to legalize the 0.7 metre by 9.2 metre addition, a Minor Variance Application must be sought.

Staff note that the addition is 0.7 metres in width and extends into the existing balcony. Staff are of the opinion that the addition does not negatively affect the waterfront.

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 accessory structure is in keeping with the existing physical character of the neighbourhood, as the area generally consists of boathouses in similar locations on the south side of Malone Road and single detached dwellings.

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. 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-2025-0032, as it pertains to the proposed legalization of the second-storey addition to the existing boathouse with one dwelling unit, 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 Floor Plan

Attachment 3 – Site Photos

Attachment 4 – Comments