

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2026-0034

FOR THE CONSIDERATION OF  
COMMITTEE OF ADJUSTMENT

May 4, 2026

SUBJECT: MINOR VARIANCE APPLICATION MV-2026-0003  
195 LAKE DRIVE EAST  
LOT 10, PLAN 141

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1. RECOMMENDATIONS:

- 1) That the Committee of Adjustment approve Minor Variance Application MV-2026-0003 to permit relief from the following:
  - a) Section 5.1 (e): To permit a maximum lot coverage of 12% for all accessory structures, whereas a maximum lot coverage of 10% for all accessory structures is permitted;
  - b) Section 5.1 (f) and 5.50 (c) (i): To permit an accessory structure with a height of 7.9 metres to the peak and 6.1 metres to the eaves, whereas for an accessory building with a peaked roof design, a maximum height of 6.0 metres to the top of the peak and 4.5 metres to the eaves, measured from the average finished grade, is permitted;
- 2) That the approval of Minor Variance Application MV-2026-0003 be subject to the following term(s):
  - a) That the proposed accessory structure be constructed in general conformity with Attachments 2 and 3 to Report DS-2026-0034, in accordance with the relief recommended to be approved in Recommendation 1;
- 3) That the approval of Minor Variance Application MV-2026-0003 be subject to the following condition(s):
  - a) Submission to the Secretary-Treasurer of written confirmation from the Development Planning Division that the applicant / owner provides a Fence Plan 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-2026-0003 for the property located at 195 Lake Drive East, regarding the construction of a garage with an additional residential unit above.

**3. BACKGROUND:**

Property Description: (refer to Attachments 1 to 4)  
195 Lake Drive East  
Lot 10, Plan 141  
Roll #: 127-971

**3.1 PROPOSAL**

The owner of the subject property is proposing to construct an accessory structure (garage with an additional dwelling unit above) 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 (e): To permit a maximum lot coverage of 12% for all accessory structures, whereas a maximum lot coverage of 10% for all accessory structures is permitted.
- ii) Section 5.1 (f) and 5.50 (c) (i): To permit an accessory structure with a height of 7.9 metres to the peak and 6.1 metres to the eaves, whereas for an accessory building with a peaked roof design, a maximum height of 6.0 metres to the top of the peak and 4.5 metres to the eaves, measured from the average finished grade, is permitted.

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 195 Lake Drive East. A summary of the characteristics of the property is as follows:

<b>General Property Information</b>	
<b>Municipal Address</b>	195 Lake Drive East
<b>Zoning</b>	Residential (R) Zone
<b>Frontage</b>	15.27 metres
<b>Area</b>	1,162.8 square metres
<b>Official Plan Land Use Designation</b>	Service Lakeshore Residential Area

<b>Regional Official Plan Land Use Designation</b>	Community Area	
<b>Related Applications</b>	None	
<b>Land Use and Environmental Considerations</b>		
<b>Existing Structures</b>	Single Detached Dwelling and two accessory structures	
<b>Proposed Structures</b>	Detached Garage with 2 <sup>nd</sup> storey Additional Dwelling Unit	
<b>Heritage Status</b>	Neither Listed nor Designated	
<b>Regulated by LSRCA</b>	Partial – Front of property	
<b>Key Natural Heritage Features</b>	Woodland at the rear of the property	
<b>Natural Hazards</b>	None	
<b>Servicing</b>		
	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
<b>Water</b>	Municipal	Municipal
<b>Sanitary</b>	Municipal	Municipal
<b>Access</b>	Existing Driveway	None

### 3 **COMMENTS:**

#### 3.2 **PUBLIC COMMENTS:**

As of the date of writing this report, Town Staff have received four letters of support from the general public (Attachment 5).

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

All Town department and external agency comments for Minor Variance Application MV-2026-0003 are outlined below.

<b>Department or Agency</b>	<b>Comments</b>
Building Division	No comments received
Development Engineering Division	No objections. A Site Alteration Permit shall be required from the Development Engineering Division before an application for a Building Permit (Attachment 6).
Georgina Fire Department	No comments
Operations and Infrastructure Department	No comments
Tax and Revenue	No tax concerns
Municipal Law Enforcement Division	No comments
LSRCA	No comments
Ministry of Transportation	No comments
York Catholic District School Board	No comments
York Region District School Board	No comments received
York Region	No comments

#### 4 **ANALYSIS:**

The following evaluation of Minor Variance Application MV-2026-0003 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 Serviced Lakeshore Residential Area and Greenland System in the Town's Official Plan. Single detached dwellings, Additional Dwelling Units and Accessory uses and buildings/structures are permitted in this designation.

Section 8.1.11 (c) of the Town's Official Plan outlines policies that should be considered when there is a request for a greater height than established in the zoning bylaw. Staff are of the opinion that these considerations were reviewed with the proposal in mind and note that there is an increased rear yard setback of 1.6 metres, then what is required in zoning bylaw 500. Additionally, staff are of the opinion that the privacy of neighbouring properties is maintained and is not negatively affected by the proposed accessory structure.

Section 5.1.1.1 of the Official Plan permits applications for development in Greenlands System as long as they can demonstrate with an Environmental Impact Study (EIS) or Natural Heritage Evaluation (NHE) that there will be no negative effects on key natural heritage features. However, Section 5.4.8 of the Official Plan states that if development or site alteration is minor in nature, the Town, in consultation with any relevant agency, may waive the requirements of the EIS. Town staff are of the opinion that the development is minor in nature and that the EIS/NHE requirement can be waived. In lieu of the EIS/NHE, Staff will require a Fence Plan to protect the natural heritage feature abutting the subject property. The fence will need to be constructed at the Site Alteration Permit.

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) Zone on Map 5 (page 1) of Schedule 'A' to Zoning Bylaw No. 500, as amended. Detached Additional Dwelling Units are permitted in the R zone.

**a. Lot Coverage**

Section 5.1 (e) of Zoning Bylaw No. 500, as amended, requires a maximum lot coverage for all accessory structures to be 10%. The Applicant has requested relief to permit a maximum lot coverage of 12% for all accessory structures.

The general intent of this section is to limit the size of accessory structures on a property.

Staff note that the increase in lot coverage will only allow for the proposed detached garage with an additional residential unit to be constructed. All other accessory structures will need to be demolished prior to the construction of the proposed detached garage, as lot coverage for all accessory structures will exceed the requested 12%. The removal of the two additional accessory structures will need to be removed prior to the building permit.

Staff are of the opinion that the increased lot coverage is not anticipated to adversely impact neighbouring properties, as the proposed accessory structure is located at the rear of the property and the overall lot coverage is less than 25%. The total lot coverage of all buildings will be similar to that of many of the surrounding lots.

#### b. Accessory structure height

Sections 5.1 (f) and 5.50 (c)(i) of Zoning Bylaw No. 500, as amended, permit a maximum height of 6 metres to the top of the roof peak and 4.5 meters to the roof eaves from accessory structures with a peaked roof design measured from the average finished grade. The Applicant has requested relief to allow a maximum height of 7.9 metres to the peak and 6.1 metres to the eaves for the proposed accessory structure.

The intent of the maximum height to the peak and the eaves is to limit adverse shadowing and visual impact on neighbouring properties, and to ensure accessory buildings are subordinate in size to the main building.

Staff note that the requested height exceeds the permitted accessory structure height by 1.9 metres to the peak and 0.1 metres to the eaves, and is to provide space for the garage and an accessory dwelling unit. The existing single-detached dwelling is planned is approximately 12 metres in height.

Staff note that the proposed accessory structure meets all setback requirements and backs onto a private laneway that, in turn, backs onto a vacant woodlot zoned site-specific Open Space (OS-78) Zone.

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 various lot sizes with single detached dwellings and accessory structures. Staff note that several original dwellings have been redeveloped over the years, resulting in larger homes and

accessory structures on neighbouring properties. Staff are of the opinion that the proposed variance is in keeping with the overall neighbourhood redevelopment.

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-2026-0003, 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 - Elevations*

*Attachment 4 – Site Photos*

*Attachment 5 – Public Comments*

*Attachment 6 – Comments*