



**Date:** Tuesday, March 18, 2025  
**From:** Marilyn Cameron, Planning Consultant  
**Subject:** **Minor Variance Report for A-03-25 Ireland Palmer**  
**Report** DEV2025-21

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## Recommendation

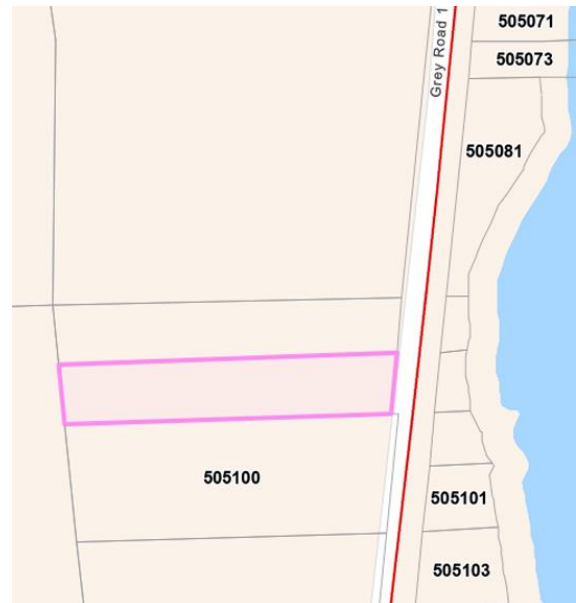
Application A-03-25 for Lisa Ireland and Robert Palmer requesting relief from *Zoning By-law 2020-020* Section 5.1.1 to allow for an accessory garage to be located on the subject property without a principal building. Application A-03-25 satisfies the four tests of a Minor Variance as required by the *Planning Act, R.S.O. 1990, c.P. 13*. It is recommended that Application A-03-25 be **approved** subject to the conditions outlined herein.

## Application Summary

**Subject Lands:** No municipal address  
**ARN:** 420362000723405  
**Legal:** Part Lot 8, Georgian Range, Geographic Township of Keppel  
Township of Georgian Bluffs (Part 2, Reference Plan 16R-4377)

Minor Variance Application A-03-25 seeks relief from Section 5.1.1 of the Township's Zoning By-law to allow for a garage to be located on the subject property without a principal building. A garage is considered to be an accessory structure. The requested relief would facilitate construction of a detached garage and driveway. No other relief to the By-law was requested.

The applicant submitted a justification letter, a site plan demonstrating the proposed "Development Envelope", building plans for the structure, an archaeological assessment, and an environmental impact study (EIS) in support



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of the application. A pre-consultation meeting and review was also completed by the applicants prior to submission of the application.

## Four Tests of a Minor Variance

For a successful Minor Variance, the following four (4) tests of Section 45(1) of the *Planning Act, R.S.O. 1990, c.P.13* must all be satisfied:

1. The variance must be minor.

Within Township Zoning By-law Section 5.1.1, accessory buildings or structures are permitted on any lot, provided there is a permitted principal building in existing on the lot. The proposed garage and driveway are permitted, and common, accessory uses to a residential building. Should the applicants wish to build a principal detached dwelling and accessory garage on the subject property, these would be permitted uses as of right within the Shoreline Residential Zone.

However, the applicants also own the subject property directly across Grey Road 1, which contains an existing dwelling. The applicants request relief from the Section 5.1.1. requirement to build a principal structure, as they do not require nor desire a second residential dwelling.

The proposed garage complies with all zone requirements of the SR and EP Zones as well as all other building and setback requirements for accessory structures of Zoning By-law Section 5.1. As such, no further variances to the Zoning By-law are requested.

The subject property contains significant woodlands across the site and Natural Heritage System (NHS) Core Area of the County Official Plan (OP) is located along a western portion of the property. The Development Envelope indicated on the Site Plan submitted with the application demonstrates the location of the proposed structure and driveway, which are located outside of the NHS Core Area. Further, an Environmental Impact Study (EIS) was conducted by AWS Environmental Consulting in January 2025 within the abovementioned Development Envelope. The report concludes that subject to recommended mitigation measures, the proposed development, as limited to the Development Envelope, would not negatively impact the significant woodlands and identified candidate bat habitat. The recommendation mitigation measures are discussed in greater detail elsewhere in this report and have been recommended as conditions of approval herein. Thus, the application has a minimal anticipated impact on the significant woodland or other natural heritage features.

The subject property is surrounded by residential uses along the waterfront and heavily wooded vacant properties. Tree removal at the frontage of the property will increase some visibility for the property directly across the street, which is also owned by the applicants. Given the thick tree cover along Grey Road 1 and neighbouring properties,



there would be virtually no visual impact to the other surrounding properties. The overall heavily treed nature of the subject property is intended to remain.

Grey Road 1 is a County maintained arterial road. The proposed driveway has been sited so as to permit a wide enough turning radius for a vehicle to enter and exit the subject property facing forward, to eliminate any need for vehicles to back onto Grey Road 1. Further, the proposed is not anticipated to increase the volume of traffic. Thus, the proposed is not anticipated to have any negative impacts to traffic along the County road.

Thus, the proposed variance can be considered minor.

2. It must be an appropriate or desirable use of the land, building or structure.

Within the Inland Lakes and Shoreline Settlement Area Designation of the Township and County Official Plan (OP) and the Shoreline Residential Zone of the Township Zoning By-law a garage is a structure permitted accessory to a residential use. The proposed garage and driveway are common residential uses and are consistent with the existing residential and rural character of the area.

The Zoning By-law Section 5.1.1 requires that a primary structure or building be erected prior to any accessory structures. However, the applicants do not require nor desire a second dwelling on the subject property, as their existing dwelling is located across the street.

The applicants' intent for the proposed garage is to provide shelter for their vehicles. The applicants state that lot size and conditions on their adjacent property limit the possibility of siting a garage which complies with the setback requirements of the Zoning By-law. Further, the applicants state that construction of a garage on the property with the existing detached dwelling would limit the placement of a driveway with sufficient turning radius so as to allow vehicles to turn to face forwards existing onto Grey Road 1. Vehicles accessing Grey Road 1 facing forwards pose lower risk of traffic impacts than those which are required to back onto the road. For these reasons, the applicants have instead proposed locating the garage and driveway on the subject property. The proposed is thus a more desirable location for the applicant's intended construction and use of a garage.

Traffic is likely to be virtually unaffected as a result of the application. As described previously, the location of the garage on the subject property further reduces impacts to traffic or road safety for vehicles exiting the property along Grey Road 1.

A portion of the subject property is designated Hazard Lands and Zoned Environmental Protection (EP). The proposed structures are located outside of this part of the property and provide substantial buffer from the hazardous areas.



The subject property also contains significant woodlands. As required by the County OP Section 7.4 (1), the applicants have submitted an EIS report, discussed in greater detail to follow, which concludes that as the proposed is limited to the Development Envelope identified on the site plan, it may be considered not to negatively impact the significant woodlands and identified bat habitat. Further, conditions of approval herein are included to ensure that the report recommendations for mitigation measures are implemented.

An Archaeological Assessment submitted with the application, as discussed in greater detail in a section to follow, found no evidence of archaeological resources of cultural heritage value or interest within the specified Development Envelope and recommends no further archaeological assessment within the specified area. Further, a condition of approval herein is included to recognize the reports conclusion that lands outside of the Development Envelope retain their archeological potential and should be further assessed should any future work across the remainder of the subject property occur in future.

Thus, the proposed can be considered an appropriate and desirable use of the land and building.

3. It must maintain the general intent and purpose of the Official Plan.

The subject property is not located within a settlement area of the Township of Georgian Bluffs Official Plan (OP), and as such is subject to the policies of the County OP. The subject property is designated Inland Lakes and Shoreline Settlement Area and Hazard Lands (Schedule A) in the County OP.

Section 3.7.3 states that within the Inland Lakes and Shoreline Settlement Area Designation, permitted uses include low-density residential dwellings, bed and breakfast establishments, home occupations, marinas, resource based recreational uses, convenience commercial, and public uses, subject to the servicing requirements of Section 8.9. A garage is considered a structure accessory to a low-density residential use. However, the applicants are not proposing to develop a residence on the subject property. The application proposes to build a garage which is accessory to the existing single detached residence on an adjacent waterfront property, also owned by the applicants. Should the applicants wish to build a residence on the subject property in future, however, such development would be subject to the policies of Section 3.7.

Section 8.9 outlines policies for water and sewage servicing for development in the County. As the proposed garage is not intended to have any habitable use, the proposed development is not intended to use any municipal nor private servicing. However, should the applicants convert the proposed structure to include habitable uses or build additional residential structures in future, such development will be subject to the policies of Section 8.9.



Section 7.2 of the County OP states that within the Hazard Lands designation, permitted uses include forestry, conservation, agriculture, passive parks, public utilities, and resource-based recreational uses. Buildings and structures are generally not permitted within the Hazard Lands Designation. Further, the placing, removing, or re-grading fill material of any kind is not permitted within the Hazard Lands, without approval of the conservation authority. The application proposes that future construction and site alteration will take place solely within the Development Envelope identified on the site plan. This Development Envelope is located outside of the area of the property with the Hazard Lands designation. Should the applicants intend to develop further on the site within the Hazard Lands designation in future, such development will be subject to the policies of Section 7.2.

As mentioned previously, a portion along the rear of the subject property is within the County's NHS Core Areas (Schedule C). Section 7.1, Table 10, states that within core areas new residential dwellings or accessory uses on existing lots of record are a permitted use. However, the proposed garage and driveway are not located within the NHS Core Area of the property.

As mentioned previously, there are significant woodlands located on the subject property (Appendix B). Section 7.4 (1) of the County OP states that development is not permitted within significant woodlands, unless an EIS determines the proposed will pose no negative impacts to the natural features or their ecological function. County OP Section 7 states that the County may develop and use offsetting policies or procedures to rehabilitate or reestablish natural features elsewhere on or off-site. The applicants have previously conducted an EIS scoped to address Significant Woodlands, Habitat for Endangered and Threatened Species and Significant Wildlife Habitat. The EIS conducted by AWS Environmental Consulting, January 2025, confirms the presence of significant woodlands and candidate habitat for bats within the woodlands. The report recommends measures to ensure that the ecological features and function of the woodlands are not negatively affected, including: that the proposed garage be located within the Development Land identified in Figure 9 of the report and corresponding with the Development Envelope of the subject application's site plan; that tree felling in the Development Land be limited to the period outside of April 1 to November 30 to avoid impacts to bat habitat; and that consultation with Grey County Ecologists may be required to further limit tree loss impacts, such as through tree replacement or alternative forms of tree cover off-setting measures. County comments on the application have not yet been received at the time of writing this report. The mitigation recommendations of the EIS have been included as conditions of approval recommended herein.

The subject property is within Treaty 72 Area (Appendix C). The Grey County OP requires that for lands identified in Treaty areas, Indigenous communities, including Saugeen Ojibway Nation (SON), must be consulted. The applicants consulted with SON



during preconsultation discussions and were requested to prepare an archaeological assessment, as the subject property is within an area of high archaeological potential. The Stage 1 and 2 Archaeological Assessment Report, conducted by CRM Lab Archaeological Services dated November 9, 2024, summarizes the results of background research and fieldwork limited to the proposed Development Envelope. The report found no evidence of archaeological resources of cultural heritage value or interest and recommends no further archaeological assessment within the specified Development Envelope. However, the report states that areas outside of the Development Envelope retain their archaeological potential and, should any future below grade work be planned for areas elsewhere on the subject property, further Stage 2 Archeological Assessment by a qualified archaeologist will be required. As a condition of approval recommended herein, development of the proposed garage and driveway and all site disturbance shall be required to locate within the Development Envelope indicated on the site plan submitted with the application, and any future development or site disturbance outside of the Development Envelope shall require additional assessment as directed by the report.

Application A-03-25 maintains the general intent and purpose of the County OP.

4. It must maintain the general intent and purpose of the Zoning By-law.

The subject property is zoned Shoreline Residential (SR) and Environmental Protection (EP) within the Township of Georgian Bluffs Zoning By-Law (2020).

Section 10 of the Zoning By-law outlines provisions for the SR Zone, which permits detached dwellings for seasonal or non-seasonal use, home occupations, and parks. The proposed garage complies with all requirements of the SR Zone for lot area, lot frontage, lot coverage, yard setbacks, and setbacks from the 100-year lake flood level and high-water mark of Georgian Bay.

Section 16 of the Zoning By-law outlines provisions for the EP Zone, which permits conservation, forestry, a dock, passive recreational uses, or public or private parks, excluding golf courses. Section 5.5 of the Zoning By-law requires a further setback from an EP Zone of 15 m. The proposed garage and driveway are located outside of the portion of the property within the EP Zone and with a separation greater than 15 m. The proposed thus complies with all requirements of the SR and EP Zones.

Section 5 of the Zoning By-law outlines provisions for accessory uses and structures and Section 5.1.1. states:

*Where this By-law provides that a lot may be used and a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use provided that a principal building or structure is already in existence on the lot.*





*Accessory buildings shall not be used for any occupation for gain or profit conducted within or accessory to a dwelling unit or lot except as specifically permitted in accordance with this By-law.*

The applicants have no intention at this time to build a residence, or other principal structure, on the subject property. Instead, the proposed garage is intended as an accessory use to the existing residential dwelling on the adjacent property owned by the applicants. As mentioned previously, the applicants state that the lot size and site configuration of their adjacent property containing the existing residence, constrain their ability to locate a garage on that property which complies with the requirements of the Zoning By-law, and further, to locate a driveway which provides sufficient turning radius for safe access when exiting to Grey Road 1. The application thus requests relief from the provisions of 5.1.1 requiring a principal building or structure on the property to permit a garage as an accessory use. The proposed garage complies with all other requirements of Section 5.1.3, Table 5.1 for accessory buildings, structures and uses.

Application A-03-25 maintains the general intent and purpose of the Zoning By-law.

## Relevant Consultation

**County of Grey:** At time of writing, no comments have yet been received. It should be noted that Grey county no longer provides a detail review of or detailed responses to minor variance applications.

**Saugeen Ojibway Nation (SON):** At time of writing, no comments have yet been received.

## Conclusion & Recommendation

Application A-03-25 for Lisa Ireland and Robert Palmer, requesting relief from *Zoning By-law 2020-020* to permit a garage on the subject property without a principal building, satisfies the four tests of a Minor Variance as required by the *Planning Act, R.S.O. 1990, c.P.13*. It is recommended that Application A-03-25 be **APPROVED**, subject to the following conditions:

1. That the construction of the garage and driveway and any site works (including destruction of trees) occur only within the Development Envelope identified on the site plan.
2. That tree removal and below grade work be limited to the area identified as the Development Envelope on the site plan required for the garage and driveway.
3. That no tree felling within the Development Envelope identified on the site plan shall occur between April 1 and November 30 to avoid disturbance of possible bat roosting or maternity habitat.



4. That tree removal on lands outside of the Development Envelope identified on the site plan be subject to the County Forestry Management By-law.
5. That prior to any below grade works occurring outside of the Development Envelope identified on the site plan, further archeological assessment, demonstrating evidence of archaeological resources of cultural heritage value or interest, shall be required to the satisfaction of the Township.
6. That prior to any site alteration or development on the subject land, the applicant shall obtain any required building permits from the Township recognizing the Development Envelope proposed.
7. That prior to any site alteration or development on the subject land, the applicants shall obtain all required permits and approvals from the County of Grey, Grey Sauble Conservation Authority, the Township and any other agency having jurisdiction.

Respectfully Submitted:

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