



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: April 17, 2024
Report Number: PDS.24.032
Title: Recommendation Report – Minor Variance A06-2024 – 151 Wyandot Court (Donnelly)
Prepared by: David Riley, Principal, SGL Planning & Design Inc.
Sierra Horton, Planner, SGL Planning & Design Inc.

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PDS.24.032, entitled “Recommendation Report – Minor Variance A06-2024 – 151 Wyandot Court (Donnelly)”;

AND THAT the Committee of Adjustment REFUSE a minor variance for A06-2024.

B. Background

The subject lands are located at 151 Wyandot Court, within an existing residential neighbourhood comprised of single detached dwellings (**Figure 1**). The property is located at the end of the court, with a frontage of 15.34 metres and an approximate size of 3,546.05 square metres (0.87 acres). The depth of the property is 61.37 metres. As shown in **Figure 2** and **Figure 3**, a new single detached dwelling is under construction. Other residential dwellings at the end of Wyandot Court are located on similarly large lots with considerable front yard setbacks (**Figure 4**).



Figure 1. Aerial Context Map



Figure 2. Subject Lands



Figure 3. Subject Lands and Adjacent Property



Figure 4. 146 and 148 Wyandot Court

The applicant wishes to construct a circular driveway, ramp and parking area in the front yard, as shown in **Figure 5**. Subsection 5.3.2 (b) of the Zoning by-law, relating to the size of driveways, requires a minimum of 50% of the front or exterior side yard in which the driveway is located to be landscaped. A minor variance is requested to subsection 5.3.2 (b) to permit a front yard with approximately 33% landscaping. The remainder is proposed to be paved.

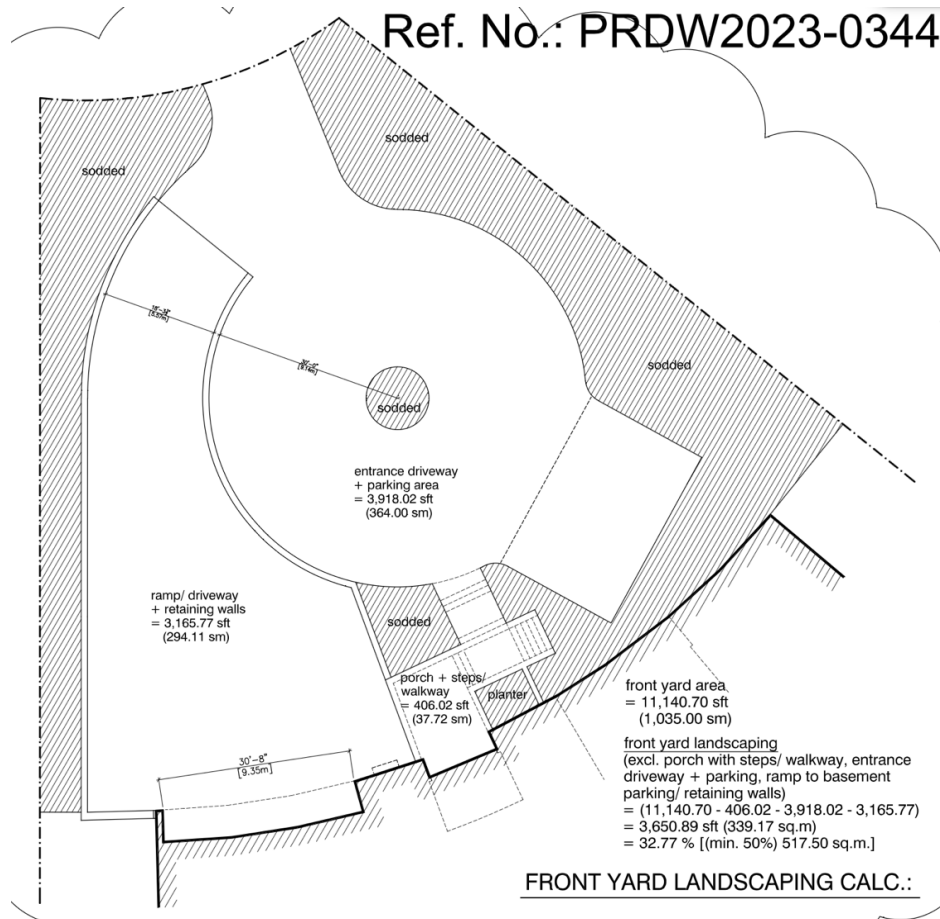


Figure 5. Proposed Driveway and Parking Areas

C. Analysis

Pursuant to Section 45(1) of the Planning Act, the Committee of Adjustment is authorized to grant minor variances to by-laws enacted by the Town which are established to implement the Official Plan. Staff have reviewed the proposal against the relevant planning documents, including the four tests of a minor variance, as outlined in the following section.

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject lands are designated Residential Recreational Area (RRA) in the 2016 Town of the Blue Mountains Official Plan. This land use designation is established to provide a mix of seasonal and permanent residential and recreational uses to provide access and support to resort and recreational amenities.

Section B3.7.4 of the Official Plan states that generous amounts of open space shall be provided in the RRA designation to facilitate recreational opportunities, as well as maintain the open landscape character and image of the area. The existing residential area is characterized by dwellings set back far from the street, resulting in spacious front yards with vegetation, mature trees and maintained landscaping. The majority of homes along the street are also accessed by a singular driveway entrance leading directly to each dwelling.

The proposed circular driveway, ramp and parking area would occupy approximately 67% of the front yard, leaving 33% of the front yard area for soft landscaped area. This reduction in front yard landscaping is not consistent with other residential lots along the street and would impact the established front yard open space character of the area. Wyandot Court also already terminates in a large circular paved area, making the impact of any additional paved driveway and parking area to the existing open space and landscaped conditions much more significant.

We are therefore not satisfied that the proposal maintains the general intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The subject lands are zoned 'R1-1' in the Town of the Blue Mountains Comprehensive Zoning By-law 2018-65, which permits single detached dwellings. Subsection 5.3.2 of the Zoning By-law sets out provisions for the size of driveways in residential zones. According to subsection 5.3.2 (b), a minimum of 50% of the front or exterior side yard in which the driveway is located must be landscaped. The intent of this provision is to ensure paved driveway surfaces do not occupy the majority of residential front yards and at least half of the yard is occupied by open space and landscaping. The objective is to maintain a consistent front yard open space character along residential streets.

The proposed circular driveway, ramp and parking area would occupy a majority of the front yard, with paved area spanning across the full frontage of the new dwelling. Most of the soft landscaped area is proposed along both sides of the front yard, which does not maintain the consistent front yard open space character along the street.

In addition to the new dwelling's underground three car garage, vehicle parking on site would also be allowed within the proposed circular driveway and the separate guest parking area. It is our opinion that the driveway, ramp and parking area could be reconfigured and reduced to meet the 50% landscaped area front yard requirement, while still providing for ample parking and vehicular maneuverable space on the site.

We are therefore not satisfied that the proposal maintains the general intent and purpose of the Zoning By-law.

Is the proposal Minor in nature?

A variance may be considered "minor" where the scale of the request is marginal and the proposed relief will not result in a greater than minor adverse impact on adjacent properties, uses, or area.

The proposed circular driveway, ramp and parking area would occupy approximately 67% of the front yard, which is not consistent with other residential lots along the street and would impact the established front yard open space character of the area. 50% of the front yard is required to be landscaped, whereas 33% is proposed, resulting in a 17% reduction in overall required front landscaped area.

We are therefore not satisfied that this proposal is minor in nature.

Is the proposal desirable for the development and use of the lands?

The proposal is not consistent with the front yard open space character of the area. Ample parking, beyond the required two parking spots for single detached dwellings, can still be provided on site through reconfiguration of the driveway and parking area that retains 50% of the front yard for landscaping.

We are therefore not satisfied that the proposal is desirable for the development and use of the lands.

Based on the above comments, we are not satisfied that the proposal can meet all four tests for minor variance.

D. Attached

1. Draft Decision

Respectfully submitted,

David Riley,
Principal, SGL Planning & Design Inc.

Sierra Horton

Planner, SGL Planning & Design Inc.

For more information, please contact:

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**Town of The Blue Mountains
Committee of Adjustment
Decision**

In the matter of application for File No. **A06-2024** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

Date of Hearing: April 17, 2024
Property Location: 151 Wyandot Court
Owner/ Applicant: Diana Donnelly
Purpose of Application:

The purpose of this application is to request a minor variance to subsection 5.3.2.(b) of the Zoning By-law to permit:

1. An increase to the size of a driveway with a minimum of 33% landscaping in the front yard, whereas a minimum of 50% landscaping in the front yard is required.

DECISION:

THAT the Committee of Adjustment REFUSE Application A06-2024.

Conditions and Reasons For Decision:

See Attached Schedule "A"

Robert B. Waing
Chairman

Michael Martin

Jim Oliver
Vice Chairman

Duncan McKinlay

Date of Decision: April 17, 2024

The last date for filing an appeal to the decision is May 7, 2024

CERTIFICATION

Planning Act, R.S.O. 1990, c.P13, Sec 45(10)

I, Carrie Fairley, Secretary-Treasurer of the Town of The Blue Mountains Committee of Adjustment, certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.

Carrie Fairley, Secretary-Treasurer

Town of The Blue Mountains Committee of Adjustment
32 Mill Street, Thornbury, Ont., N0H 2P0

Dated: April 17, 2024



**Town of The Blue Mountains
 Committee of Adjustment
 Decision**

- Schedule A -

CONDITIONS:

REASON FOR DECISION:

The Committee has reviewed the request as it relates to the four tests for minor variance of S.45. (1) of the Planning Act, as noted in the Planning and Development Services Staff Report PDS 24.032.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

APPLICANT'S SITE PLAN:

