



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: July 17, 2024
Report Number: PDS.24.112
Title: Recommendation Report – Application A29-2024 – 7 Riverbank Court (Bradshaw)
Prepared by: Carter Triana, Intermediate Planner

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PDS.24.112, entitled “Recommendation Report – Application A29-2024 – 7 Riverbank Court (Bradshaw)”;

AND THAT the Committee of Adjustment GRANT Application A29-2024 to permit the construction of an addition to an existing single detached dwelling, subject to the following conditions:

1. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
2. That this permission is for the purpose of obtaining a building permit and is only valid for a period of two (2) years from the date of decision. Should a building permit not be issued by the Town within two years, the permission shall expire on July 17, 2026.

B. Background

The subject lands are located at 7 Riverbank Court, adjacent to 5 and 9 Riverbank Court to the west and east, respectively, and backing onto 42 Napier Street East to the south. The lands are approximately 974 square metres in size. A single detached dwelling and accessory structure currently exist on the lands.

The owner wishes to construct an approximately 20 square metre addition at the rear of the existing single detached dwelling. The addition would encroach approximately 2.12 metres into the required 9.0-metre rear yard. An uncovered wooden deck currently exists on the portion of the lands where the addition is proposed.

It is noted that the subject lands contain area regulated by the Grey Sauble Conservation Authority but that the proposed addition is located entirely outside of this area.

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 Community Living Area 'CLA' in the 2016 Town of the Blue Mountains Official Plan. This land use designation is established to maintain the unique small town feel and character of Thornbury-Clarksburg.

The proposed addition is located at the rear of the existing single detached dwelling and in accordance with all other applicable setbacks. An existing cedar hedge row and other vegetation along the rear property line will provide screening from adjacent properties and a substantial rear yard setback will still be maintained.

Planning Staff are therefore 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 Residential One 'R1-1' in the Town of the Blue Mountains Comprehensive Zoning By-law 2018-65. Permitted uses in the R1-1 zone include single detached dwellings and accessory buildings and structures.

The purpose of the required rear yard setback is to ensure adequate spacing between buildings on adjacent properties and to maintain the low density feel of the area. The proposed addition would maintain a setback of nearly 7 metres from the rear lot line and is located in accordance with all other required setbacks.

It is noted that the existing property, including the single detached dwelling and shed, has a lot coverage of approximately 28%. The proposed addition would increase the lot coverage to approximately 30%, which is the maximum permitted in the R1-1 zone. Compliance with the maximum lot coverage standards will be confirmed at the time of building permit review.

Planning Staff are 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. Adverse impacts are not anticipated as the proposed addition would maintain a setback of nearly 7 metres from the rear lot line and is located approximately 6 metres from

the nearest side lot line to the west. The nearest building on the lot to the south is approximately 12 metres from the shared lot line.

Planning Staff are satisfied that this proposal is minor in nature.

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

The addition would provide additional living space for the owners of the subject lands while maintaining a sufficient setback from adjacent properties. Planning Staff are satisfied that the proposal is desirable for the development and use of the lands.

Based on the above comments, Planning Staff are satisfied that the proposal can meet all four tests for minor variance.

D. Attached

1. Draft Decision

Respectfully submitted,

Carter Triana
Intermediate Planner

For more information, please contact:

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Report Approval Details

Document Title:	PDS.24.112 Recommendation Report - Application A29-2024 - 7 Riverbank Court (Bradshaw).docx
Attachments:	- A29-2024 Draft Decision.pdf
Final Approval Date:	Jul 10, 2024

This report and all of its attachments were approved and signed as outlined below:

Shawn Postma - Jul 10, 2024 - 3:13 PM



Town of The Blue Mountains
Committee of Adjustment
Decision

In the matter of application for File No. **A29-2024** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

Date of Hearing: July 17, 2024
Property Location: 7 Riverbank Court
Owner/ Applicant: Bradshaw

Purpose of Application:
The purpose of this application is to request a minor variance to Section 6.2 of the Zoning By-law to permit an approximately 20 square metre addition to an existing single detached dwelling within the required rear yard.

DECISION:

THAT the Committee of Adjustment GRANT Application **A29-2024** to permit the construction of an addition to an existing single detached dwelling.

Conditions and Reasons For Decision:
See Attached Schedule “A”

Robert B. Waind	Jim Oliver	Michael Martin	Jan Pratt	Duncan McKinlay
Chairman	Vice Chairman			

Date of Decision: July 17, 2024
The last date for filing an appeal to the decision is August 6, 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: July 17, 2024



Town of The Blue Mountains
Committee of Adjustment
Decision

- Schedule A -

CONDITIONS:

1.

That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
2.

That this permission is for the purpose of obtaining a building permit and is only valid for a period of two (2) years from the date of decision. Should a building permit not be issued by the Town within two years, the permission shall expire on July 17, 2026.

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.24.112.

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:

