



# Staff Report

---

## Planning & Development Services – Planning Division

**Report To:** Committee of Adjustment  
**Meeting Date:** November 20, 2024  
**Report Number:** PDS.24.133  
**Title:** Recommendation Report – Minor Variance File A38-2024 / P3456 –  
61 Lansdowne Street North (Gordon)  
**Prepared by:** Manuel Rivera, Planner I

---

### A. Recommendations

---

THAT the Committee of Adjustment receive Staff Report PDS.24.133, entitled “Recommendation Report – Minor Variance A38-2024 / P3456 – 61 Lansdowne Street North (Gordon)”;

AND THAT the Committee of Adjustment GRANT a minor variance for A38-2024 subject to the following conditions:

1. That the site development be constructed in a manner substantially in accordance with the submitted site plan;
2. That this variance to the Zoning By-law 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 within two years, the variance shall expire on November 20, 2026.

### B. Background

---

The subject lands are located at 61 Lansdowne Street North, adjacent to residential dwellings to the north, east and west and an unopened road allowance to the south. The lands are approximately 958.70 square metres (0.24 acres) in size. The subject lands contain an existing detached dwelling that is 221 square metres, existing shed that is 13.38 square metres and mature vegetation surrounding it. The vegetation runs along the east, south, and partially along the west of the property creating a natural buffer. The subject lands are connected to municipal water and wastewater.

The owner wishes to construct a 53.51 square metre detached shop which is to be located on the southeast corner of the property. The existing shed will be removed in favour for the proposed accessory building. The proposed shed style roof for the accessory building will create a partial storey above the detached shop, therefore, a variance has been requested for the following:

1. Increase the maximum height of an accessory building from 4.5 metres to 5.3 metres.

## **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 as Community Living Area (CLA) in the 2016 Town of the Blue Mountains Official Plan. The objectives of the CLA designation are to maintain the small-town character and feel of the Thornbury – Clarksburg area through the community low profile and low density (B3.1.1). Single detached dwellings are a permitted use in this designation (B3.1.3) along with accessory buildings and structures.

The purpose of the detached shop will be used for personal use for the owners only. The accessory building will be maintaining characteristics of the built form that is associated with the CLA designation.

Planning Staff is 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 as Residential One (R1-1) in the Town of the Blue Mountains Comprehensive Zoning By-law 2018-65. Accessory buildings would adhere to Section 4.3 Accessory Buildings, Structures and Uses of the Zoning By-law. The purpose of this section notes that accessory uses, buildings and structures in all zones are subject to these provisions unless specified in the Zoning By-law.

Height is defined in the Zoning By-law as *means when used in reference to a building or structure, the vertical dimension between the finished grade of the wall of such building or structure facing the front lot line and:*

- a) In the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater, and,*
- b) In the case of a pitched roof, a point midway between the eaves and the ridge.*

The purpose of this provision is to ensure that the main building remains the most prominent feature on a property. The increase of height will be 0.8 metres, which is a modest increase from the permitted maximum height for an accessory building.

The proposed detached shop is located 8.86 metres from the exterior side lot line which is further than the main building. The proposed accessory building is still maintaining the interior side yard and rear yard setbacks per Section 4.3 of the Zoning By-law. This will raise the lot

coverage to 28.6%, resulting in a 5.6% increase. This addition complies within the maximum allowable lot coverage in R1-1 zone and is within the 10% lot coverage for accessory building or structures in any residential zone.

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. The proposed detached shop will be smaller than the main building area and will meet the minimum lot setbacks for accessory buildings. As mentioned earlier, the location of the detached shop will be screened by the existing vegetation along the east, south and a portion to the west of the subject lands. This will provide privacy between the subject lands and the abutting properties,

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

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

Planning Staff is satisfied that the proposal is desirable for the development and use of the lands. The proposed detached shop will maintain the character of the surrounding neighbourhood.

Planning Staff are satisfied that the proposal can meet all four tests for minor variance.

**D. Attached**

---

1. Draft Decision

Respectfully submitted,

Manuel Rivera  
Planner I

For more information, please contact:

Manuel Rivera  
[planning@thebluemountains.ca](mailto:planning@thebluemountains.ca)  
519-599-3131 extension 308

**Report Approval Details**

|                      |  |
|----------------------|--|
| Document Title:      | PDS.24.133 Recommendation Report - Minor Variance A38-2024 - 61 Lansdowne St N (Gordon).docx |
| Attachments:         | A38 - 2024 - Draft Decision.docx   |
| Final Approval Date: | Nov 12, 2024   |

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

**Shawn Postma - Nov 12, 2024 - 4:36 PM**



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

In the matter of application for File No. **A38-2024** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

**Date of Hearing:** November 20, 2024  
**Property Location:** 61 Lansdowne Street North  
**Owner/ Applicant:** Gordon  
**Purpose of Application:**

The purpose of this application is to request a minor variance to Section 4.3 (i) of the Zoning By-law 2018-65 to permit:

1. An increase of 5.3 metres in height, whereas 4.5 metres is permitted.

**DECISION:**

THAT the Committee of Adjustment GRANT Application **A38-2024** to permit the construction of a 53.51 m<sup>2</sup> detached shop.

Conditions and Reasons For Decision:

***See Attached Schedule "A"***

\_\_\_\_\_  
Robert B. Waind  
Chairman

\_\_\_\_\_  
Jim Oliver  
Vice Chairman

\_\_\_\_\_  
Michael Martin

\_\_\_\_\_  
Jan Pratt

\_\_\_\_\_  
Duncan McKinlay

**Date of Decision:** November 20, 2024

**\*The last date for filing an appeal to the decision is December 10, 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: November 20, 2024



Town of The Blue Mountains  
 Committee of Adjustment  
 Decision

- Schedule A -

CONDITIONS:

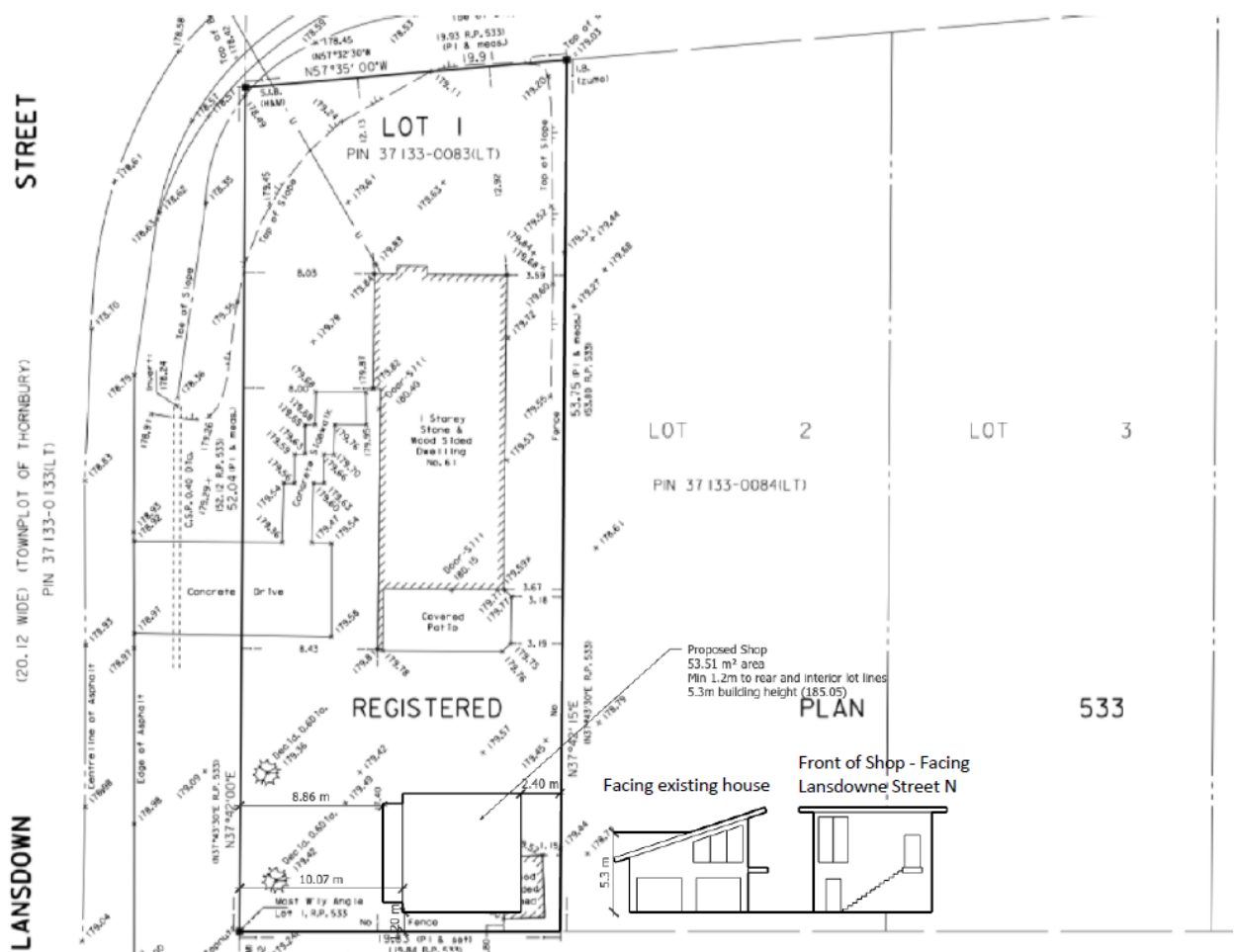
1. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
2. That this variance to the Zoning By-law is for the purpose of obtaining a building permit and is only valid for a period of two (2) years from the date of decision. Should a building permit not be issued by the Town within two years, the variance shall expire on November 20, 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.24.133.

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:



61 Lansdowne Street North  
 Shop Site Plan(1) 18Oct24  
 Prepared by: Devin Gordon P.Eng.

The existing lot is 958.70m<sup>2</sup>.  
 The existing single family dwelling is 221m<sup>2</sup>.  
 The existing shed will be removed and the proposed 53.51m<sup>2</sup> shop will cover 5.6% of the lot.  
 The total lot coverage will be 28.6%



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

In the matter of application for File No. **A38-2024** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

**Date of Hearing:** November 20, 2024  
**Property Location:** 61 Lansdowne Street North  
**Owner/ Applicant:** Gordon  
**Purpose of Application:**

The purpose of this application is to request a minor variance to Section 4.3 (i) of the Zoning By-law 2018-65 to permit:

1. An increase of 5.3 metres in height, whereas 4.5 metres is permitted.

**DECISION:**

THAT the Committee of Adjustment GRANT Application **A38-2024** to permit the construction of a 53.51 m<sup>2</sup> detached shop.

Conditions and Reasons For Decision:

***See Attached Schedule "A"***

\_\_\_\_\_  
Robert B. Waind  
Chairman

\_\_\_\_\_  
Jim Oliver  
Vice Chairman

\_\_\_\_\_  
Michael Martin

\_\_\_\_\_  
Jan Pratt

\_\_\_\_\_  
Duncan McKinlay

**Date of Decision:** November 20, 2024

**\*The last date for filing an appeal to the decision is December 10, 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: November 20, 2024



Town of The Blue Mountains  
 Committee of Adjustment  
 Decision

- Schedule A -

CONDITIONS:

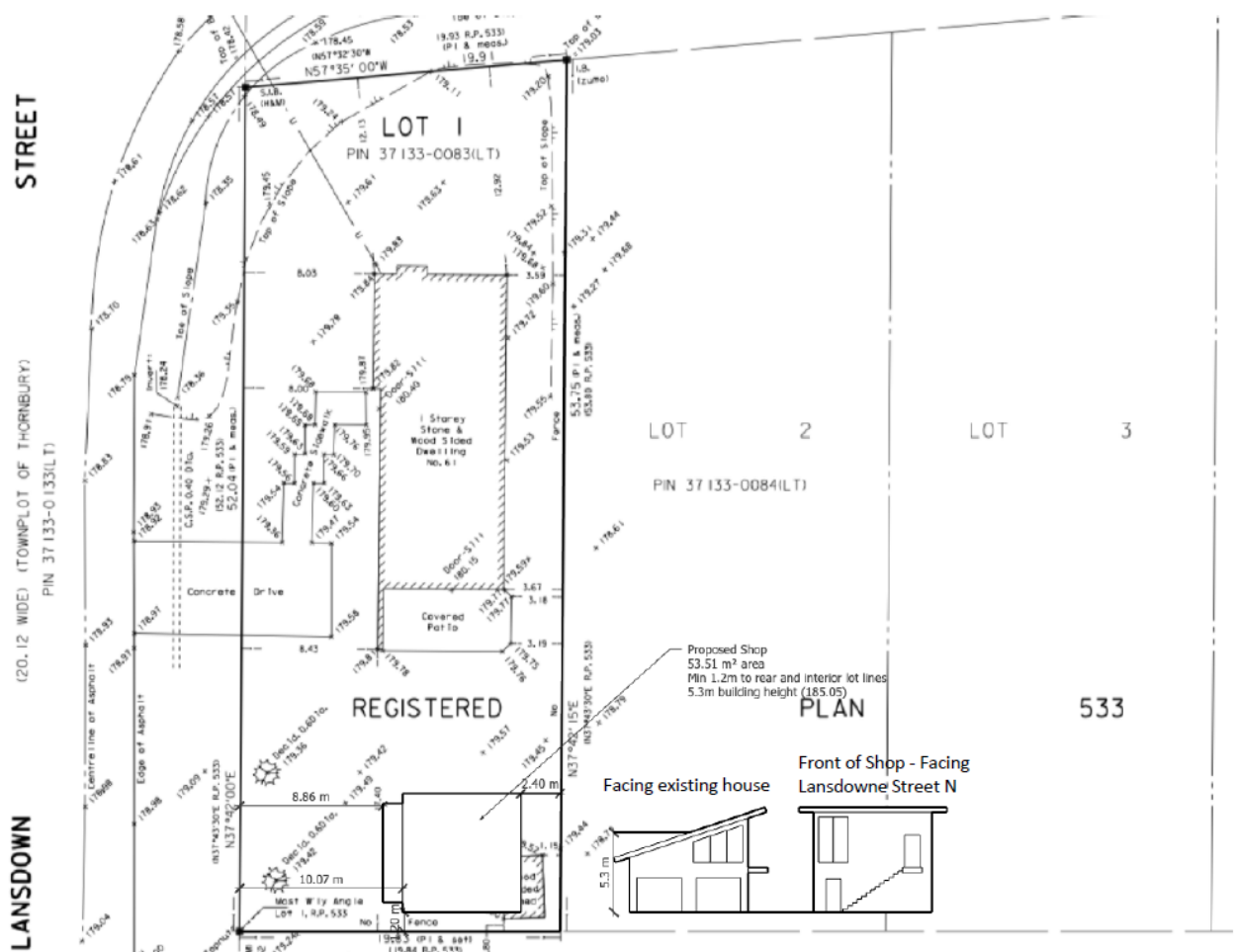
1. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
2. That this variance to the Zoning By-law is for the purpose of obtaining a building permit and is only valid for a period of two (2) years from the date of decision. Should a building permit not be issued by the Town within two years, the variance shall expire on November 20, 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.24.133.

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:



61 Lansdowne Street North  
 Shop Site Plan(1) 18Oct24  
 Prepared by: Devin Gordon P.Eng.

The existing lot is 958.70m<sup>2</sup>.  
 The existing single family dwelling is 221m<sup>2</sup>.  
 The existing shed will be removed and the proposed 53.51m<sup>2</sup> shop will cover 5.6% of the lot.  
 The total lot coverage will be 28.6%