



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: November 20, 2024
Report Number: PDS.24.145
Title: Recommendation Report – Minor Variance A26-2024 – 191 Summit View Crescent (Grandmont) ADDENDUM
Prepared by: Manuel Rivera, Planner I

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PDS.24.145, entitled “Recommendation Report – Minor Variance A26-2024 – 191 Summit View Crescent (Grandmont) ADDENDUM”;

AND THAT the Committee of Adjustment GRANT a minor variance for A26-2024, subject to the following conditions:

1. That a permit is obtained from the Grey Sauble Conservation Authority;
2. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
3. 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.

B. Background

The following report is an addendum to PDS.24.109 that was presented before Committee of Adjustment on July 17, 2024. Please refer to the previous report for more details regarding the subject lands, existing buildings and/or structures, adjacent properties

The objective of this variance is to permit the construction of a 167 square metres detached garage, located closer to the front lot line, with a height of 6.75 metres.

During the time that PDS.24.109 report was written, it was noted that the subject property is regulated by the Grey Sauble Conservation Authority (GSCA). The previous report stated that a permit from the GSCA would be required as a condition for this minor variance, if approved by the Committee of Adjustment.

When the comments from the GSCA were received, they stated that the location of the proposed detached garage was within the Hazard Area along an adjacent watercourse. As of result, a permit would not be granted in the proposed location and recommended relocating the accessory building. The commentary provided by the GSCA raised some concerns with the Committee members and the application was granted deferral for a future meeting, no later than 60 days to allow the applicant to address these concerns.

In September, the applicant had informed Planning Staff that they have been in contact with the conservation authority. During that time, the GSCA suggested to the applicant if they were to conduct a Floodplain Analysis Study, and if the analysis was satisfactory, then they would update their hazard mapping for the subject property. This would allow the propose detached garage to remain in its original location. The applicant retained Greenland Engineering, who conducted this study and have submitted their findings to the GSCA.

In late October, Planning Staff received a response from the GSCA confirming they have reviewed the Floodplain Analysis Study from Greenland Engineering, and they will revise their hazard mapping to remove this feature from the subject lands. A permit from the GSCA would still be required for the proposed detached garage and therefore the GSCA had no further concerns. This information was relayed to the applicant to finalize the variance request.

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 a previous Staff Report PDS.24.109. The analysis contained in the previous report along with the addendum comments above, Planning Staff are satisfied that the proposal can meet the four tests of Minor Variance, and recommend approval in accordance with the previous Staff Report and Draft Decision.

D. Attached

1. PDS.24.109
2. Draft Decision

Respectfully submitted,

Manuel Rivera
Planner I

For more information, please contact:

Manuel Rivera
planning@thebluemountains.ca
519-599-3131 extension 308

Report Approval Details

Document Title:	PDS.24.145 Recommendation Report - Minor Variance Application A26-2024 - 191 Summit View Crescent (Grandmont) ADDENDUM.docx
Attachments:	- PDS.24.109 Recommendation Report - Application A26-2024 - 191 Summit View Crescent.pdf - A26-2024 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 - 4:47 PM



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: July 17, 2024
Report Number: PDS.24.109
Title: Recommendation Report – Application A26-2024 – 191 Summit View Crescent (Grandmont)
Prepared by: Carter Triana, Intermediate Planner

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PDS.24.1009, entitled “Recommendation Report – Application A26-2024 – 191 Summit View Crescent (Grandmont)”;

AND THAT the Committee of Adjustment GRANT Application A26-2024 to permit the construction of a detached garage, subject to the following conditions:

1. That a permit is obtained from the Grey Sauble Conservation Authority, if deemed to be required by the Conservation Authority.
2. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
3. 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 July 17, 2026.

B. Background

The subject lands are located at 191 Summit View Crescent, adjacent to 183 Summit View Crescent to the west and hazard and open space lands to the north and east. The lands are approximately 4336 square metres (1.07 acres) in size. A single detached dwelling currently exists on the lands.

The owner wishes to construct an approximately 167 square metre detached garage on the subject lands closer to the front lot line than the main building and with a height of 6.75 metres.

It is noted that the proposed location of the detached garage is within an area regulated by the Grey Sauble Conservation Authority. As such, a permit is likely required to allow for the construction of the building. A condition has been included to address this.

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 recognize areas within the Town where there is a mix of seasonal and permanent residential and recreational uses that support and provide access to resort and recreational amenities. Permitted uses include single detached dwellings and accessory buildings or structures.

The proposal would provide additional space for the storage of goods or vehicles while still providing ample space between the front lot line and the detached garage. Lands to the east of the subject lands are hazard lands and are not used for residential purposes. The subject lands are also located on a cul-de-sac and contain many trees that will help provide screening of the garage from the road. As such, impacts to nearby residential properties are negligible.

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 'R1-4' and Hazard 'H' in the Town of the Blue Mountains Comprehensive Zoning By-law 2018-65. The proposed detached garage is located entirely within the R1-4 zone. Permitted uses in the R1-4 zone include single detached dwellings and accessory buildings or structures.

Section 4.3(d) of the Zoning By-law requires accessory buildings and structures to be located no closer to the front lot line than the main building in R1 zones. Section 4.3(j) permits a maximum height of 5 metres for detached garages. The intent of these provisions is to maintain the character of the area by ensuring that a dwelling unit remains the most prominent feature on a lot.

It is noted that garages attached to a dwelling are permitted to be located closer to the front lot line than the portion of a building that is used for human habitation as they would be considered part of the main building and therefore only have to meet the required setbacks for the applicable zone. It is further noted that Planning Staff intend to review this provision as part of the upcoming comprehensive Zoning By-law review, recognizing that the Town received many requests for minor variance to permit similar development as is proposed through the subject application.

As the proposed detached garage will be located further from the front lot line than the minimum required setback for the main building and in consideration of the location or the

subject lands and their surroundings, as discussed above, 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. As discussed above, the lands adjacent to the side of the property near which the detached garage is proposed to be constructed are hazard lands and the subject lands do not abut other residential properties to the east. It is also noted that the proposed height of the detached garage will still be substantially lower than the maximum height permitted for main buildings in the R1-4 zone, or 9.5 metres.

Provided positive comments are received from Grey Sauble Conservation Authority regarding the proposed location of the detached garage near a hazard area, Planning Staff are satisfied that this proposal is minor in nature.

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

The detached garage would provide additional storage space for the owner of the subject lands and is in keeping with the character of the area. The detached garage is proposed to be located in a logical area for the parking of vehicles and will generally be screened from the road by existing vegetation. 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:
Carter Triana
planning@thebluemountains.ca
519-599-3131 extension 262

Report Approval Details

Document Title:	PDS.24.109 Recommendation Report - Application A26-2024 - 191 Summit View Crescent (Grandmont).docx
Attachments:	- A26-2024 Draft Decision.pdf
Final Approval Date:	Jul 11, 2024

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

Shawn Postma - Jul 11, 2024 - 12:36 PM



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

In the matter of application for File No. **A26-2024** 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: 191 Summit View Crescent
Owner/ Applicant: Grandmont
Purpose of Application:

The purpose of this application is to request a minor variance to Sections 4.3(d) and (j) of the Zoning By-law to permit a detached garage to be:

1. Located closer to the front lot line than the main building; and
2. 6.75 metres in height, whereas 5.0 metres is permitted.

DECISION:

THAT the Committee of Adjustment GRANT Application **A26-2024** to permit the construction of a detached garage.

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: 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:

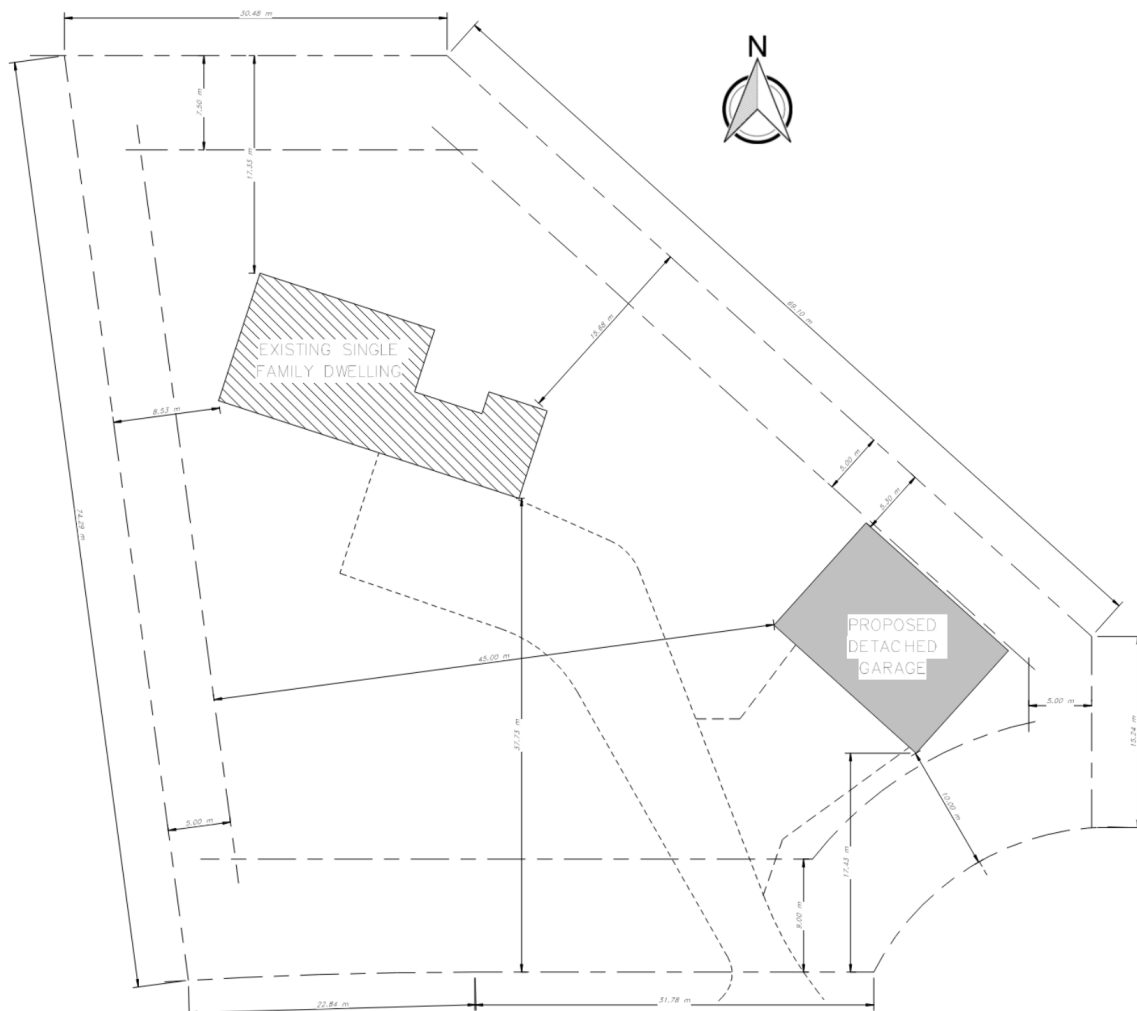
1. That a permit is obtained from the Grey Sauble Conservation Authority, if deemed to be required by the Conservation Authority.
2. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
3. That this variance to the Zoning By-law is for the 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 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.24.109.

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:





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

In the matter of application for File No. **A26-2024** 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: 191 Summit View Crescent
Owner/ Applicant: Grandmont
Purpose of Application:

The purpose of this application is to request a minor variance to Sections 4.3(d) and (j) of the Zoning By-law to permit a detached garage to be:

1. Located closer to the front lot line than the main building; and
2. 6.75 metres in height, whereas 5.0 metres is permitted.

DECISION:

THAT the Committee of Adjustment GRANT Application **A26-2024** to permit the construction of a detached garage.

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 a permit is obtained from the Grey Sauble Conservation Authority.
2. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
3. 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.24.145.

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:

