



# Staff Report

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## Planning & Building Services – Planning Division

**Report To:** Committee of Adjustment  
**Meeting Date:** February 19, 2025  
**Report Number:** PBS.25.013  
**Title:** Recommendation Report – Minor Variance A01-2025 – 108 Jozo Weider Blvd. (Blue Mountain Resorts LP)  
**Prepared by:** Manuel Rivera, Planner I

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### A. Recommendations

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THAT the Committee of Adjustment receive Staff Report PBS.25.013, entitled “Recommendation Report – Minor Variance A01-2025 – 108 Jozo Weider Blvd. (Blue Mountain Resorts LP)”;

AND THAT the Committee of Adjustment GRANT a minor variance for A01-2025 subject to the following conditions:

1. That the site development be constructed in a manner substantially in accordance with the submitted site plan;
2. Obtain a permit from Electrical Safety Authority and adhere to any additional requirements that may be needed;
3. A Reserved Electric Vehicle Charging Parking Sign posted along designated parking spaces for charging vehicles;

### B. Background

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The subject lands are located at 108 Jozo Weider Blvd is surrounded by the following:

- Residential homes to the North and East
- Blue Mountain Inn Hotel to the South
- Chateau Ridge Resorts to the West

The property is used as a gravel parking lot that is located north from Blue Mountain Inn Hotel. The Parking Area is on its own parcel of land and primarily serves guests of the Hotel, on-site restaurant, and day use skiers. The subject lands have a lot frontage of approximately 91 metres with a lot area of approximately 21,772 square metres (5.38 acres). The parking lot can be entered either by Grey Road 19 and through Jozo Weider Blvd.

Blue Mountains Resorts LP wishes to construct an enclosed Electric Vehicle (EV) charging utility structure on the eastern portion of the parking lot that will house the electrical supply for twenty (20) parking spaces for charging stations. Due to the location of the proposed structure, the following variances are required:

1. To permit an accessory structure to be located closer to the front lot line than the minimum front yard requirement for the main building in the Parking Zone;
2. To reduce the required minimum front yard setback from 7.5 metres to 1 metre;

## **C. Analysis**

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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, 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 Blue Mountains Village Resort Area - Resort Commercial (BMVRA-RC) in the 2016 Town of the Blue Mountains Official Plan. The intent of this designation is to recognize the existing commercial accommodation and the administrative functions within the village (B3.10.7). Parking lots are a permitted use in this designation (B3.10.7.1). The EV charging utility structure is considered an accessory use with the charger parking spaces will assist those that have electric and/or hybrid vehicles that require to recharge their vehicle's battery while they in the BMVRA-RC area.

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 Parking (P) and Recreational One (REC-1) in the Town of the Blue Mountains Comprehensive Zoning By-law 2018-65. The location of the proposed EV utility charging structure is within the P zone. "Parking lot" is a permitted use in Part 8.0 *Agricultural, Rural, Recreational and Other Zones*. In the Zoning By-law, parking lot is defined as: *means land used for parking of motor vehicles for a fee with such forming the principal use of a lot*. On the subject lands, the existing parking lot is the principal use. A fee is indirectly required for parking as this Parking Lot only serves paid hotel and paid resort guests to be on site.

The zoning by-law at this moment does not contain any provisions for EV parking standards. Based on the proposal and consultation with senior Town staff, the EV charging utility structure can be considered an accessory structure and therefore, Section 4.3 *Accessory Buildings, Structures and Use* would apply.

The first variance is to seek relief to permit an accessory structure to be located closer to the front lot line than the minimum front yard requirement for the main building (4.3 (e)). The

purpose is to permit the EV charging utility structure to be located closer to the front lot line. This structure will be a subordinate to the principal use and assist individuals that use hybrid/electric vehicles as their primary mode of transportation. Normally, the setback for an accessory structure would follow the minimum front yard setback in the P zone which is 7.5 metres. Due to the location of the proposed EV utility parking spaces, and the need to maintain parking spaces for the resort, the proposed location will be encroaching closer than the permitted front yard setback and will require a variance.

The second variance is to seek relief to reduce the required minimum front yard setback from 7.5 metres to 1 metre. The purpose for this variance is to ensure that the EV utility structure will be within distance of the EV charging stations that will be located along the eastern portion of the parking lot. This is to provide immediate access to maintenance and/or repairs to the electrical supply source if needed. The use of the building will be limited, and based on the small footprint and height, the reduced setback requirement appears appropriate.

A third variance is recommended to By-law 2018-65 Section 4.3 (a) which only permits accessory buildings to be constructed AFTER the construction of the main building. In this case, the Parking Lot does not have a main building and therefore it is appropriate to consider the construction of the accessory building at this time.

Planning Staff is 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 EV utility structure will be enclosed with a building façade that matches surrounding Blue Mountains resort buildings. In addition, the location of the proposed structure will be utilizing the existing change in elevation to reduce the visual impact. Figure 1, illustrate the intent of this proposal regarding the location and building façade.



**Figure 1**

Additional vegetation should be considered around the proposed accessory building to assist in maintaining the greenspace aesthetics along the front lot line and provide additional screening. The proposed structure will be compliant with the relevant provisions of Section 4.3 of the zoning by-law.

Planning Staff is 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 EV utility charging structure will assist parking users that have electric/hybrid vehicles.

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

**D. Attached**

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1. Attachment 1

Respectfully submitted,

Manuel Rivera  
Planner I

For more information, please contact:  
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**Report Approval Details**

Document Title:	PBS.25.013 Recommendation Report - A01-2025 - 108 Jozo Weider Blvd. (Blue Mountain Resorts LP).docx
Attachments:	- A01-2025 Draft Decision.docx
Final Approval Date:	Feb 12, 2025

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

**Shawn Postma - Feb 12, 2025 - 4:21 PM**



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

In the matter of application for File No. **A01-2025** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

**Date of Hearing:** February 19, 2025  
**Property Location:** 108 Jozo Weider Blvd  
**Owner/ Applicant:** Blue Mountain Resorts LP  
**Purpose of Application:**

The purpose of this application is to request a minor variance from Section 4.3 (e) and Table 8.2 of the Zoning By-law:

1. To permit an accessory structure to be located closer to the front lot line than the minimum front yard requirement for the main building in the Parking Zone;
2. To reduce the required minimum front yard setback from 7.5 metres to 1 metre;

**DECISION:**

THAT the Committee of Adjustment GRANT Application **A01-2025** for to permit the construction of 9 m<sup>2</sup> an enclosed electrical vehicle charging utility structure be located at the front yard with a minimum front yard setback of 1 metre.

Conditions and Reasons For Decision:

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

_____ Robert B. Waind	_____ Jim Oliver Chairman	_____ Michael Martin	_____ Jan Pratt	_____ Duncan McKinlay Vice Chairman
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**Date of Decision:** February 19, 2025

**\*The last date for filing an appeal to the decision is March 11, 2025\***

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**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.

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Carrie Fairley, Secretary-Treasurer  
Town of The Blue Mountains Committee of Adjustment  
32 Mill Street, Thornbury, Ont., N0H 2P0

Dated: February 19, 2025



**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;
2. Obtain a permit from Electrical Safety Authority and any other requirements that may be required;
3. A Reserved Electric Vehicle Charging Parking Sign posted along designated parking spaces for charging vehicles;

**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 PBS.25.013.

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:**

