



Staff Report

Planning & Building Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: December 17, 2025
Report Number: PBS.25.113
Title: Recommendation Report – Minor Variance A26-2025 – 109 Teskey Dr. (Calaminus)
Prepared by: Manuel Rivera, Planner I

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PBS.25.113, entitled “Recommendation Report – Minor Variance A26-2025 – 109 Teskey Dr. (Calaminus)”;

AND THAT the Committee of Adjustment GRANT a minor variance for Minor Variance A26 – 2025 in order to formalize a deck that is approximately 43 m² that is located at the rear of the existing single detached dwelling that is 4.61 m from the 177.9 m G.S.C elevation adjacent to the Georgian Bay.

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 December 18, 2027.

B. Background

The subject lands are located at 109 Teskey Dr, adjacent to Georgian Bay to the north, with surrounding residential uses. The property is approximately 1,505.41 m² (0.37 ac) and has a 22.1 m frontage on Teskey Dr. The lands are relatively flat with mature vegetation and a moderate slope at the rear, sloping towards Georgian Bay. The site currently accommodates a 186 m² single detached dwelling, a 103.2 m² detached garage under construction, a shed converted into a sauna that is about 8.79 m², and a deck that is approximately 43 m² that is attached to the rear of the main building overlooking into the bay. The property lies within the jurisdiction of the Grey Sauble Conservation Authority (GSCA), and a development permit has been secured from their office.

The owner wishes to formalize the existing deck, as the contractor built it without prior awareness or compliance with the Town's zoning by-law. Therefore, the following variances are required:

1. Increase the permitted maximum projection of an uncovered or unenclosed deck from 1.5 m to 3.8 m; and
2. Reduce the 15 m setback from the 177.9 m G.S.C. elevation adjacent to Georgian Bay to 4.61 m.

The purpose of these variances is to ensure compliance with Town policies.

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 recognizes areas within the Town where a mix of permanent residential and recreational uses exists. It also identifies locations where residential development is intended to support and provide access to resort and recreational amenities (Section B3.7.1). Single detached dwellings and accessory uses are permitted as of right (Section B3.7.3).

Section C12 to the Official Plan recognizes the hazards associated with properties along Georgian Bay. The shoreline flood prone area of Georgian Bay is defined by the 100 – year flood line plus an allowance for wave uprush and other water related hazards. This area is regulated for the construction of buildings under Ontario Regulation 151/06 administered by the GSCA.

A GSCA permit has already been issued and there are no concerns anticipated from the Conservation Authority.

Planning Staff are 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. The first variance that is being requested is to increase the maximum projection of an uncovered or unenclosed deck from 1.5 m to 3.8 m as per Section 4.12 of the zoning by-law. The intent of this provision is to provide outdoor amenity spaces, such as decks, while protecting the privacy and living conditions of adjacent properties. It helps preserve neighborhood character by ensuring sufficient light, air, and open space. The

proposed increase adds 2.3 m to the maximum projection, extending towards the rear lot line facing Georgian Bay.

The second variance that is to reduce 15 m setback from the 177.9 m G.S.C. elevation adjacent to Georgian Bay to 4.61 m, as required by Section 4.34.2 a) i). This provision is to ensure protection from wave uprush along mitigate climate-change risks, including higher water levels, protecting on-site buildings and structures. As previously mentioned, a GSCA permit has been obtained to formalize the deck, GSCA comments have not yet been received, however based on the issued permit, Planning Staff do not believe there are any concerns, however formal comments should be obtained and are anticipated prior to the Hearing Date.

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 current lot coverage is 19.8%, which is comprised of the existing single detached dwelling, sauna and the newly constructed garage. The open deck is exempt from lot coverage calculations. The deck is exceeding the minimum interior side yard setback along eastern and western lot lines along with the existing mature vegetation screening the deck providing additional privacy.

A hot tub is classified as a swimming pool under the zoning by-law and must comply with Section 4.35. Section 4.35(b) permits pools in the rear yard, provided they meet the minimum required setback for accessory buildings. Should the variance be granted to increase the maximum projection of the deck to 3.8 m, the proposed hot tub would meet this setback. As a result, Planning Staff are of the opinion that the hot tub complies with the remaining provisions section 4.35 of the zoning by-law and does not appear to require an additional variance.

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 are satisfied that the proposal is desirable for the development and use of the lands. The proposed deck is considered to be in keeping with the character of the subject property, as it will provide an outdoor space that offers scenic views of Georgian Bay and supports outdoor living, entertainment, and relaxation.

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

Additional Comments

At the time of writing this report, comments from external agencies, internal town departments, the general public have not been received. The Committee will need to

considered all comments received prior to making a decision and developing necessary conditions of approval.

D. Background

1. Draft Decision

Respectfully submitted,

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Report Approval Details

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Attachments:	- Draft Decision - A26-2025.docx
Final Approval Date:	Dec 10, 2025

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

Shawn Postma - Dec 10, 2025 - 1:28 PM