

**STAFF REPORT:**      **Planning & Building Services Department**



**REPORT TO:**            **Planning & Building Committee**  
**DATE:**                    **Monday, June 7, 2010**  
**REPORT NO.:**          **PL.10.49**  
**SUBJECT:**                **Request for Comments**  
                                  **Niagara Escarpment Commission**  
                                  **File No. G/R/2010-2011/9008**  
                                  **Helen Bambrough**  
                                  **South Part Lot 7, Concession 2;**  
                                  **Part 2 and 3, RP 16R-2236;**  
                                  **569703 6<sup>th</sup> Sideroad;**  
                                  **Town of The Blue Mountains**

**PREPARED BY:**        **Bryan Pearce,**  
                                  **Planner I**

#### **A. Recommendations**

**THAT Council advise the Niagara Escarpment Commission that the Town has no objection to the Development Permit Application File No. G/R/2010-2011/9008; legally described as South Part Lot 7, Concession 2; Part 2 and 3, RP 16R-2236; Town of The Blue Mountains; subject to the following conditions:**

- 1. That Building Permit(s) must be obtained from the Town of The Blue Mountains Building Division for the development proposal prior to the onset of construction.**

#### **B. Background**

The purpose of this Report is to consider and to develop comments related to a Development Permit Application filed with the Niagara Escarpment Commission (NEC) with respect to a proposal to:

- construct a 1.5 storey, 35.7 square metre (384 square foot) accessory building (garage), having a maximum height of 4.9 metres (16 feet) measured from the lowest grade to the peak

The subject property is located on South Part Lot 7, Concession 2; at the eastern terminus of where the 6<sup>th</sup> Sideroad is maintained with a civic address of 569703 6<sup>th</sup> Sideroad. This is east of the intersection of 2<sup>nd</sup> Line and 6<sup>th</sup> Sideroad in the Town of The Blue Mountains, on a 10 hectare (24.9 acre) existing lot containing an existing dwelling, gazebo, pool and shed.

The Owner/Applicant is Helen Bambrough, who retained Upstream Construction Ltd – Andrew Noxon to act on her behalf for this development permit application. The subject property had a Development Permit Application filed in the permit year of 1983, 1998-1999, 2004-2005, 2008-2009 and 2010-2011 with the Niagara Escarpment Commission.

## **Official Plan**

The subject lands are designated as Rural (R) in the Town of The Blue Mountains Official Plan. The purpose of the Rural designation is to provide for the continuation of agricultural practices in areas of generally lower capability soils while permitting other uses considered compatible with the rural environment. Agricultural operations and related buildings and structures and farm related residential dwellings are a permitted use; and accessory structures, such as the proposed detached garage, are a common incidental use to the main dwelling.

Therefore, Planning Staff note that the development proposal would appear to conform with the Official Plan.

## **Zoning**

If zoning were in place, the Rural Estate Residential (RERc) Zone would apply to the subject lands due to the limited lot area. The Rural Estate Residential (RERc) Zone would permit this type of use on the subject lands.

There may be some compliance issues with regards to this development proposal, if zoning were in place. This relates to the proposed location of the detached garage appears to be located closer to the street than the existing main dwelling, contrary to the general provisions for accessory uses under Section 5.2(iii). Given the proposed accessory building has a proposed setback of approximately 14.9 metres from the public road (6<sup>th</sup> Sideroad) and the existing dwelling situated with a front yard setback of 18.2 metres, there would be appear to be limited visual impacts, Planning Staff has no concern.

## **Additional Comments**

The Town's Building Division requires that building permit(s) be obtained for the proposed development. Planning Staff recommends this as a condition to this application prior to the onset of construction.

Based on the foregoing, Planning Staff would have no objections to this application for a Development Permit, conditional upon obtaining building permit(s) with the Town.

## **C. The Blue Mountains' Strategic Plan**

The recommendation in this Planning Staff Report PL.10.49 is consistent and supports the following Strategic Plans Goals:

*"1. Managing growth to ensure the ongoing health and prosperity of the community"*

#### **D. Environmental Impacts**

The proposed development does not appear to generate any significant environmental impacts that can be regulated by the Town.

#### **E. Budget Impact**

NIL

#### **F. Attached**

1. Lot Configuration
2. Site Plan

Respectfully submitted,

---

Bryan Pearce, HBA, CPT  
Planner I  
26 Bridge Street, PO Box 310  
Thornbury, ON NOH 2PO  
Phone: 519-599-3131 ext.269  
Fax: 519-599-3018  
[bpearce@thebluemountains.ca](mailto:bpearce@thebluemountains.ca)

---

David Finbow  
Director of Planning & Building Services Department  
26 Bridge Street, PO Box 310  
Thornbury, ON NOH 2PO  
Phone: 519-599-3131 ext.246  
Fax: 519-599-6032  
[dfinbow@thebluemountains.ca](mailto:dfinbow@thebluemountains.ca)




**MAP 2**  
**LOT CONFIGURATION**

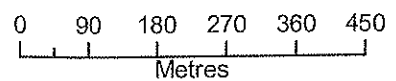
FILE NO: G/R/2010-2011/9008

APPLICANT: HELEN BAMBROUGH

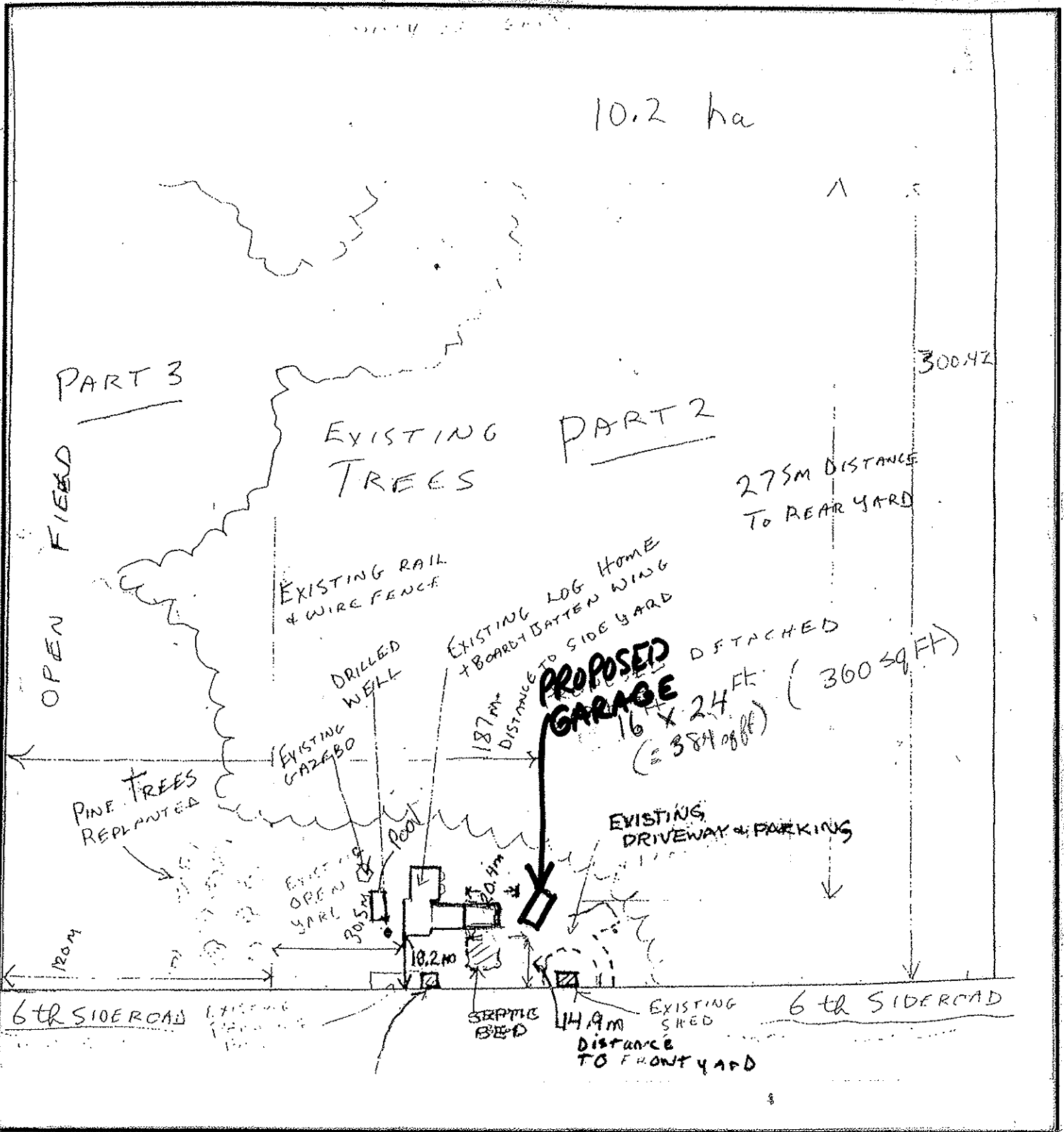
**LEGEND**

 Subject Property

*Approximate Scale 1:10000*



10.2 ha



### Map 3

Site Plan

Name Helen Bamrough

File Number O/R/2010-2011/9008



Not to Scale