



# Minutes

## The Blue Mountains, Committee of Adjustment

**Date:** June 15, 2022  
**Time:** 1:00 p.m.  
**Location:** Town Hall, Council Chambers - Virtual Meeting  
32 Mill Street, Thornbury, ON  
**Prepared by:**  
Kyra Dunlop, Secretary/Treasurer

**Members Present:** Robert Waind, Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver

**Staff Present:** Intermediate Planner Travis Sandberg and Planner Natalya Garrod

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### A. Call to Order

#### A.1 Traditional Territory Acknowledgement

We would like to begin our meeting by recognizing the First Nations, Metis and Inuit peoples of Canada as traditional stewards of the land. The municipality is located within the boundary of Treaty 18 region of 1818 which is the traditional land of the Anishnaabek, Haudenosaunee and Wendat-Wyandot-Wyandotte peoples.

#### A.2 Committee Member Attendance

Chair Waind called the meeting to order at 1:00 p.m. with all members present.

Town staff present were Intermediate Planner Travis Sandberg and Planner Natalya Garrod.

#### A.3 Approval of Agenda

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT the Agenda of June 15, 2022 be approved as circulated, including any additions to the agenda.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

#### **A.4 Declaration of pecuniary interest and general nature thereof**

NOTE: In accordance with the *Municipal Conflict of Interest Act*, the Town Committee of Adjustment By-Law 2020-49, and the Town Procedural By-law 2021-76, Committee of Adjustment Committee Members must file a written statement of the interest and its general nature with the Clerk for inclusion on the Registry.

Chair Waind advised of a conflict at Item C.4, Application No. A30-2022 as he has had a seasonal maintenance contract for the last 2 years with the applicant.

### **B. Deputations/Presentations**

Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). The Corporation of the Town of The Blue Mountains wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the Town's website and/or made available to the public upon request.

None

### **C. Minor Variance Applications**

#### **C.1 Application No. A27-2022**

Owner: Sherk

Applicant/Agent: Stephen and Kathryn Sherk

Municipal Address: 135 Matilda Street

Legal Description: Plan 110 Lot 2 Lot 3 Part Lot 1 Matilda North

Chair Waind read aloud the Public Meeting Notice and Planning staff also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Planning Staff then provided an overview of the review and recommendations contained in the Staff Recommendation Report.

Chair Waind then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application.

Kathryn Sherk, the applicant, provided their opinion in support of the application and agreement with the recommendations in the staff report.

As there was no one else in attendance to speak in favour of or in opposition to the proposal, Chair Waind closed the public meeting.

Jim Oliver asked if the existing shed and enlarged proposed shed was outlined on page 2 of the Notice of Hearing, which Planner Natalya Garrod confirmed was correct.

Moved by: Jim Oliver

Seconded by: Peter Franklyn

THAT the Committee of Adjustment receive Staff Report PDS.22.077, entitled "Recommendation Report – Minor Variance A27-2022 – 135 Matilda Street (Sherk)"

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waing

**The motion is Carried (5 to 0)**

Moved by: Jim Uram

Seconded by: Peter Franklyn

AND THAT the Committee of Adjustment GRANT Minor Variance A27-2022 for the property municipally known as 135 Matilda Street in order to permit an increase in size and height of an existing legal non-conforming accessory building. The application requests relief to permit an increase in the size of the building from 22.69 sq.m. to 36.30 sq.m. and to increase the height from 2.75 m to 3.7 m, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the site sketch; and
2. 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. If a building permit has not been issued by the Town within two years, the variance shall expire on June 15, 2024.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waing

**The motion is Carried (5 to 0)**

## **C.2 Application No. A28-2022**

Owner: Purkis

Applicant/Agent: Michael Scott

Municipal Address: 109 Tekiah Road

Legal Description: Plan 16M-74 Lot 5

Chair Waing read aloud the Public Meeting Notice and Planning staff also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Planning Staff then provided an overview of the review and recommendations contained in the Staff Recommendation Report.

Chair Waind then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application.

Michael Scott, the applicant's authorized agent, provided their opinion in support of the application.

As there was no one else in attendance to speak in favour of or in opposition to the proposal, Chair Waind closed the public meeting.

Jim Uram asked if there was a drainage swale and if so, how far away it was located from the back of the deck. Planner Natalya Garrod advised that there was a tree preservation plan indicated on the site plan. Natalya advised that the Notice of Hearing circulated set out a distance of 3.6 metres and that upon further review of the application it was noted that the distance originally provided for was incorrect. Natalya advised that the maximum projection allowed was 4.4 metres from the rear of the deck. Natalya noted that the distance between the deck and forested area was 5.23 metres.

Jim Oliver noted that the Town Zoning By-law 2018-65 permitted a maximum projection of 1.5 metres into any required rear yard which seemed small. Intermediate Planner Travis Sandberg advised that the deck was allowed to project if the deck did not encroach beyond 9 metres. Jim Uram asked if there was a definition of an unenclosed deck in the Town Zoning By-law 2018-65, which Natalya confirmed that there was.

Moved by: Jim Oliver

Seconded by: Peter Franklyn

THAT the Committee of Adjustment receive Staff Report PDS.22.078, entitled "Recommendation Report – Minor Variance A28-2022 – 109 Tekiah Road (Purkis)"

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

Moved by: Peter Franklyn  
Seconded by: Bill Remus

AND THAT the Committee of Adjustment GRANT Minor Variance A28-2022 for the property municipally known as 109 Tekiah Road in order to permit the construction of an unenclosed deck in the rear yard. The application requests relief to permit a deck to project a maximum of 4.48 metres into the rear yard, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the site sketch attached; and
2. 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. If a building permit has not been issued by the Town within two years, the variance shall expire on June 15, 2024.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

**C.3 Application No. A29-2022**

Owner: Clarke

Applicant/Agent: Sarah Clarke

Municipal Address: 47 Alice Street

Legal Description: Town Plot Park Part Lot 7 Alice W/S RP 16R-396 Part 3

Chair Waind read aloud the Public Meeting Notice and Planning staff also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Planning Staff then provided an overview of the review and recommendations contained in the Staff Recommendation Report.

Chair Waind then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application.

Sarah Clarke, the applicant, provided their opinion in support of the application.

As there was no one else in attendance to speak in favour of or in opposition to the proposal, Chair Waind closed the public meeting.

Jim Uram asked if the application applied to an existing building on the property. Planner Natalya Garrod confirmed that the application applied to an existing legal non-conforming building. Jim Uram asked if construction had been started and if a Building Permit would result in an addition requiring another Minor Variance Application. Natalya advised that if the Minor Variance Application A29-2022 was granted by the Committee the applicants would require a Building

Permit which would need to conform with the Town Zoning By-Law 2018-65 under the Minor Variance Application granted. Peter Franklyn asked if Schedule A could be clarified regarding the proposed size. Natalya advised that the portion of the house property to be expanded was to the right of the site plan to the interior side lot line. Natalya advised the proposal was to adjust the set-back on the right side of the site sketch. Jim Uram noted that the proposed set-back follows the existing building line.

Moved by: Peter Franklyn

Seconded by: Jim Oliver

THAT the Committee of Adjustment receive Staff Report PDS.22.079, entitled "Recommendation Report – Minor Variance A29-2022 – 47 Alice Street (Clarke)"

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

Moved by: Jim Oliver

Seconded by: Peter Franklyn

AND THAT the Committee of Adjustment GRANT Minor Variance A29-2022 for the property municipally known as 47 Alice Street in order to permit an increase in size and height of an existing legal non-conforming single dwelling. The application requests relief to permit an increase in the size of the building from 28.59 square metres to 33.5 square metres and to increase the height from 2.4 metres to 5.54 metres, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the site sketch; and
2. 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. If a building permit has not been issued by the Town within two years, the variance shall expire on June 15, 2024.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

#### **C.4 Application No. A30-2022**

Owner: Viaene

Applicant/Agent: Jacqueline and Tyler Viaene

Municipal Address: 596250 4th Line

Legal Description: Concession 5, Part Lot 20, Reference Plan 16R-6349, Part 2

Chair Waind advised he had a conflict of interest in relation to Application A30-2022 and vacated the Chair at 1:43 p.m.

Vice Chair Peter Franklyn read aloud the Public Meeting Notice and Planning staff also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Planning Staff then provided an overview of the review and recommendations contained in the Staff Recommendation Report.

Vice Chair Franklyn then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application. As there was no one in attendance to speak in favour of or in opposition to the proposal, Vice Chair Franklyn closed the public meeting.

In response to the public comments received and read aloud by the Secretary Treasurer, Jim Uram noted the municipality had no control over the colour of a house and that based on the application the subject home did not appear to have heritage building status. Vice Chair Franklyn asked if the existing structure would remain and if there was no change contemplated to the structure. Intermediate Planner Travis Sandberg advised that no change was contemplated through the Minor Variance Application of the existing structure.

Jim Oliver asked if the Town's Official Plan encourages the proposed type of accessory use on current properties. Travis confirmed that dwelling units taking the form of granny suite, gardening suites or fully detached buildings were included in the Town's Official Plan. Jim Oliver asked if the Building Permit process would ensure that a sufficient septic system was located at the property. Travis confirmed that building officials would review the septic system on the property. Jim Oliver noted that the height of the new structure was much taller than the existing structure and asked if the proposed structure would comply with the height requirements within that area of the Town. Travis advised that planning staff did not identify the proposed height in the application as an issue as the proposed height was the maximum height permitted for the subject application.

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT the Committee of Adjustment receive Staff Report PDS.22.080, entitled "Recommendation Report – Minor Variance A30-2022 – 596250 4th Line (Viaene)"

Yay (4): Bill Remus, Peter Franklyn, Jim Uram, and Jim Oliver

Conflict (1): Robert Waind

**The motion is Carried (4 to 0)**

Moved by: Jim Oliver  
Seconded by: Bill Remus

AND THAT the Committee of Adjustment GRANT Minor Variance A30-2022, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the submitted site sketch; and
2. 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. If a building permit has not been issued by the Town within two years, the variance shall expire on June 15, 2024.

Yay (4): Bill Remus, Peter Franklyn, Jim Uram, and Jim Oliver

Absent (1): Robert Waind

**The motion is Carried (4 to 0, 1 absent)**

**C.5 Application No. A31-2022**

Owner: Balzer

Applicant/Agent: Sarah and Thomas Balzer

Municipal Address: 355905 TBM-Euphrasia Townline

Legal Description: Concession 12, North Part Lot 14

Vice Chair Franklyn vacated the Chair. Chair Waind returned to Council Chambers and resumed as Chair at 2:03 p.m.

Chair Waind read aloud the Public Meeting Notice and Planning staff also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Planning Staff then provided an overview of the review and recommendations contained in the Staff Recommendation Report. Intermediate Planner Travis Sandberg confirmed that the Grey Sauble Conservation Authority had issued a permit to the applicant.

Chair Waind then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application.

Sarah Balzer, the applicant, provided their opinion in support of the application. Sarah noted that the previous owners had dug and enlarged the pond. Sarah advised that the pool was being built with the Grey Sauble Conservation Authority permit and that she had not known to come to the Town as well before they proceeded to dig the swimming pool and apologized for starting work before seeking a Minor Variance with the Town.

As there was no one else in attendance to speak in favour of or in opposition to the proposal, Chair Waind closed the public meeting.



Peter Franklyn noted that the Grey Sauble Conservation Authority had issued a permit for work and that planning staff's report indicated that the proposed swimming pool would be completed in accordance with the Grey Sauble Conservation Authority permit. Peter asked if the Committee needed to include a condition in the Notice of Decision regarding the conservation authority permit. Travis advised that because the property was located into a registered area all the work would be overseen by the Grey Sauble Conservation Authority and that the inclusion of a condition in the Committees' decision was not required.

Jim Oliver noted that it was the standard for the Grey Sauble Conservation Authority to complete a final inspection on every permit they granted. Jim Oliver asked if the pond on the property was a natural watercourse or if it was a controlled structure. Travis noted that he was not aware of any pond management for the pond at the subject property.

Moved by: Peter Franklyn

Seconded by: Bill Remus

THAT the Committee of Adjustment receive Staff Report PDS.22.081, entitled "Recommendation Report – Minor Variance A31-2022 – 355905 Blue Mountains-Euphrasia Townline (Balzer)"

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

Moved by: Peter Franklyn

Seconded by: Jim Oliver

AND THAT the Committee of Adjustment GRANT Minor Variance Application A31-2022 for the property municipally known as 355905 Blue Mountains-Euphrasia Townline, in order to permit a private swimming pool and associated accessory structure to be located within a Hazard zone, subject to the following conditions:

- 1) That the site development be constructed in a manner substantially in accordance with the submitted site sketch; 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 years from the date of decision. Should a building permit not be issued by the Town within two years, the variance shall expire on June 15, 2024.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

## **C.6 Application No. A32-2022**

Owner: Melnychuk

Applicant/Agent: Laima and Andrew Melnychuk

Municipal Address: 108 Huron Street West

Legal Description: Town Plot Part Lot 38 Huron E/S

Chair Waind read aloud the Public Meeting Notice and Planning staff also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Planning Staff then provided an overview of the review and recommendations contained in the Staff Recommendation Report.

Chair Waind then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application. As there was no one in attendance to speak in favour of or in opposition to the proposal, Chair Waind closed the public meeting.

Jim Uram noted that the proposed porch appeared to be located closer to the road than the houses beside it and asked if the proposed changes to the home would conform to the character of the street. Planner Natalya Garrod noted that as the subject home was located within a R1-1 Zone and that the set-back to the front lot line was 7.5 metres. Natalya advised that the porch was required to encroach on that set-back requirement as the home had been built at the 7.5 metre set-back. Natalya noted that it was not anticipated that the porch would impact the character of the neighborhood as the Minor Variance Application was limited to the porch.

Moved by: Jim Uram

Seconded by: Jim Oliver

THAT the Committee of Adjustment receive Staff Report PDS.22.082, entitled "Recommendation Report – Minor Variance A32-2022 – 108 Huron Street West (Melnychuk)"

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

Moved by: Jim Oliver

Seconded by: Peter Franklyn

AND THAT the Committee of Adjustment GRANT Minor Variance A32-2022 for the property municipally known as 108 Huron Street to permit the construction of covered deck attached to the existing single dwelling. The application requests relief to permit a covered porch attached to a single dwelling to be setback 6.89

metres from the front lot line whereas the 'R1-1' zone standards require a 7.5 metres setback from the front lot line, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the site sketch attached; and
2. 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. If a building permit has not been issued by the Town within two years, the variance shall expire on June 15, 2024.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

**C.7 Application No. A33-2022**

Owner: Davidson

Applicant/Agent: Rostami Atash Inc.

Municipal Address: 209329 Highway 26

Legal Description: Plan 368, Part Lot 11

Chair Waind read aloud the Public Meeting Notice and Planning staff also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Planning Staff then provided an overview of the review and recommendations contained in the Staff Recommendation Report.

Chair Waind then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application.

Hesam Rostami, the applicant's authorized agent, provided their opinion in support of the application. Hesam advised that the applicant had obtained a permit from the Ministry of Transportation and would submit same to Town staff as well.

Tim Johnson, resident, noted he was happy to see what was going on with his neighbours property but that a concern was that there was a fair amount of groundwater from the escarpment on the subject property. Chair Waind asked if a Drainage Plan would be provided to staff for the new dwelling, and Travis confirmed that a grading plan would be required. Hesam advised that the applicant has requested a Terraprobe soil assessment and employed Tatham Engineering to complete a grading plan to submit to the Town.

As there was no one else in attendance to speak in favour of or in opposition to the proposal, Chair Waind closed the public meeting.

Jim Oliver asked how the proposed new building was located in relation to the two adjacent properties, and if the proposed building would line up with the setbacks used by adjacent properties. Intermediate Planner Travis Sandberg noted that staff had reviewed this and that the Town Zoning By-law 2018-76 required 15 metre setbacks and that the setbacks at the proposed new building were in alignment with adjacent properties. Travis noted that there was a small portion on the east side of the structure that encroached slightly into the setbacks.

Peter noted that the staff report mentioned a setback for concrete deck and that in the application it mentioned a different setback distance. Travis noted that the drawing on the Notice of Hearing included an estimate for the setbacks to the high-water mark. Travis noted that as staff further evaluated the application that staff proceeded to calculate and review the setbacks based on 8.5 metre setback. Travis noted that the site sketches circulated and commented on were what the Committee would be considering as part of the its decision.

Jim Uram asked what was the frontage on the Right of Way on Highway 26. Travis advised it was approximately 38 metres of frontage.

Moved by: Jim Oliver

Seconded by: Peter Franklyn

THAT the Committee of Adjustment receive Staff Report PDS.22.083, entitled "Recommendation Report – Minor Variance A33-2022 – 209329 Highway 26 (Davidson)"

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

Moved by: Jim Oliver

Seconded by: Peter Franklyn

AND THAT the Committee of Adjustment GRANT Minor Variance A33-2022, subject to the following conditions:

1. That the Owner obtain a Development Permit from the Grey Sauble Conservation Authority, prior to the issuance of a Building Permit;
2. That the development be constructed in a manner substantially in accordance with the submitted site sketch; 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 form the date of decision. If a building permit has not been issued by the Town within two years, the variance shall expire on June 15, 2024.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

**C.8 Application No. A35-2022**

Owner: Lewitt

Applicant/Agent: Gordon Stone

Municipal Address: 129 Cameron Street

Legal Description: Plan 723 Lot 13

Chair Waind read aloud the Public Meeting Notice and Planning staff also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Planning Staff then provided an overview of the review and recommendations contained in the Staff Recommendation Report.

Chair Waind then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application. As there was no one in attendance to speak in favour of or in opposition to the proposal, Chair Waind closed the public meeting.

Jim Uram asked what the distance between the new building and the existing shed on the property would be. Planner Natalya Garrod noted that the applicant had advised they would be removing the existing shed. Jim Oliver asked about the septic system on the property and if two septic systems were needed. Natalya advised that the Building Department would ensure the septic servicing would be appropriate.

Moved by: Peter Franklyn

Seconded by: Jim Oliver

THAT the Committee of Adjustment receive Staff Report PDS.22.084, entitled "Recommendation Report – Minor Variance A35-2022 – 129 Cameron Street (Lewitt)"

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

Moved by: Peter Franklyn

Seconded by: Bill Remus

AND THAT the Committee of Adjustment GRANT Minor Variance A35-2022 for the lands municipally known as 129 Cameron Street to permit the construction of an accessory apartment in a detached accessory building. The application requests relief to permit a maximum height of 6.3 metres whereas Part 4.1.2 requires a maximum height of 4.5 metres, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the site sketch attached;

2. That the Owner obtain approval from the Grey Sauble Conservation Authority, prior to the issuance of a Building Permit;
3. That the Owner obtain Site Plan Approval for the proposed accessory apartment within a detached structure, prior to the issuance of a Building Permit;
4. That the existing shed be removed prior to construction;
5. 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. If a building permit has not been issued by the Town within two years, the variance shall expire on June 15, 2024.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

## **D. Consent Applications**

## **E. Sign Variances**

### **E.1 Application No. PRSV 2022 0000329**

Business Name: Beaver Valley Outreach BVO

Municipal Address: 54 King Street East

Chair Waind read aloud the Public Meeting Notice and Municipal By-Law Enforcement Officer Raymond White also confirmed that the Public Hearing Notice was circulated in accordance with the Planning Act by pre-paid first-class mail and was posted on-site on the subject lands. The Secretary/Treasurer also provided a summary of all written comments received as a result of the Public Notice. Municipal By-Law Enforcement Officer Raymond White then provided an overview of the review and recommendations contained in the Staff Recommendation Report.

Chair Waind then opened the public portion of the hearing and asked if anyone in attendance wished to speak to the application.

Karen Anderson, resident, noted that she had submitted comments to planning staff. Karen noted that her concerns were related to the ability to see a digital sign being easily seen within view from her windows. Karen noted that there was no indication about what the signage would say and asked if having a digital sign was necessary on King Street since other signs were lit by the lamp posts. Karen noted she was concerned about light pollution.

Catherine Sholz, the applicant, provided their opinion in support of her application. Catherine noted that the application stated that the sign would be used for text and images and the intent was to run the sign 24 hours a day 7 days a week. Catherine noted the types of messages could include "50% off in the Shop" and "BVO Hiring". Catherine noted the messaging would likely rotate on a

weekly basis and that pedestrians would be the most likely to see it. Karen asked if the light would blink or be static, and Catherine advised the light on the sign would always be static. Catherine noted that the Beaver Valley Outreach was willing to work with residents and thanked the Committee for their time.

As there was no one else in attendance to speak in favour of or in opposition to the proposal, Chair Waind closed the public meeting.

Jim Oliver noted that under the conditions of the Town Sign By-law he did not think a sign the size of 0.5 metres could be read if it had to be setback 300 metres from the road. Raymond White noted that he could not provide context around those conditions of the Sign By-law but that it was quite a far distance.

Jim Uram noted that the application requests the sign to be 1 metre square rather than the 0.5 metre square size permitted under the Sign By-law. Jim Uram asked if the Sign By-law would apply to a sign inside of the building, which is where the sign would be located. Jim Oliver noted that the applicant could consider having their sign run only during certain hours of the day to alleviate the concerns of the neighbours. Peter Franklyn noted that the application was incomplete as one of the requirements was for the applicant to show unique hardship as a result of the Sign By-law. Peter suggested that the application could be deferred to provide the applicant time to address some of the concerns being brought forward and bringing their application back to the Committee.

Moved by: Peter Franklyn

Seconded by: Jim Oliver

THAT the Committee of Adjustment defer Sign Variance Application PRSV 2022 0000329 to the July 20, 2022 Committee meeting pending further review by the applicant and staff.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

## **F. New and Unfinished Business**

### **F.1 Previous Minutes**

Moved by: Jim Uram

Seconded by: Peter Franklyn

THAT the Minutes of May 18, 2022 be approved as circulated, including any revisions to be made.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**

## **F.2 Business Arising from Previous Minutes**

Chair Waind noted that Consent Application B08-2022 had been pulled for Council to discuss at the Committee of the Whole meeting. Jim Uram noted that he made sure staff was aware, through Council, of the application B08-2022 and that he was hoping to receive a response from staff on the engineering requirements on that application.

Jim Oliver noted that Grey County had made an appeal regarding the Committees' decision on Consent Application B03-2022 and asked if staff would attend the Grey County Planning Committee to relay the Committee's position to the County. Jim Uram noted that once an appeal was made of the Committee's decision it was out of the municipalities' hands other than within participation in the appeal process. Jim Uram noted that the County appealed the decision and the Grey County Planning Committee or Council would have to approve the appeal to move forward. Jim noted that if the application moved forward to the Ontario Land Tribunal that the Town's impact at that level was non-existent. Travis provided an overview of the steps taken regarding staff providing the Committee's decision on the subject application to the County.

## **G. Notice of Meeting Date**

July 20, 2022

Town Hall, Council Chambers

## **H. Committee Member Expenses**

- Peter Franklyn
- Jim Oliver
- Bill Remus
- Chair Waind

## **I. Adjournment**

Moved by: Jim Oliver

Seconded by: Peter Franklyn

THAT the Committee of Adjustment does now adjourn at 3:47 p.m. to meet again at the call of the Chair.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair Robert Waind

**The motion is Carried (5 to 0)**