



Minutes

The Blue Mountains, Committee of Adjustment

Date: July 20, 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, Planner Natalya Garrod and Executive Assistant to Committees of Council Carrie Fairley.

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 in attendance.

Town staff present were Intermediate Planner Travis Sandberg, Planner Natalya Garrod, and Executive Assistant to Committees of Council Carrie Fairley.

A.3 Approval of Agenda

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT the Agenda of July 20, 2022 be approved as circulated, including any additions to the agenda.

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair 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 2019-5, 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.

None.

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. A34-2022

Owner: Hurd

Agent/Applicant:

Municipal Address: #908-277 Jozo Weider Blvd.

Legal Description: Unit 4, Grey Vacant Land Condominium Plan 102.

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.

Ross Hurd, the applicant, provided their opinion in support of the application and advised that the purpose of the application was to allow for the ability to extend the dining area of the home to accommodate entertaining additional family members. Mr. Hurd noted that he and his spouse planned to retire and live in the home.

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.

Committee Member Jim Oliver noted that the Blue Mountain Resort was an adjacent property owner to the subject property and if the Notice of Hearing was circulated to the resort. Intermediate Planner Travis Sandberg noted that the Notices of Hearing are mailed to the registered property owners within 60 metres of the subject property and that Blue Mountains Resort was included in the mailing list for this Notice of Hearing. Travis noted that Town staff had received comments from the Blue Mountain Resort on other applications in the past but not on the subject application.

Chair Waind noted that modifications to a condominium declaration was a complex process and asked how the addition of additional dwellings on part of one of the parcels would impact the registration of the condominium declaration as well as the legal description. Chair Waind noted that while that was not something the Committee would have to deal with that this situation was not something he had experienced before. Travis noted that because this was a vacant land condominium, the unit boundaries were non-specific to the actual unit and vacant land condominiums were considered as the actual lot itself, not the house located within it. Travis noted that the development within each of those units would be in accordance with the Town Zoning By-law. Travis noted that the legal description would relate to the property and not to the unit and that the condominium declaration would not be impacted.

Jim Oliver noted he was concerned as to the size of homes being built and that the Official Plan Review process that was currently underway may determine whether the Town wanted to continue to have large homes built. Jim Oliver noted that sooner or later the Town, Council, and Committee of Adjustment needed to pay attention to reducing the footprint of developments. Jim Oliver noted that large homes on small lots were very popular but that for a number of reasons, including climate change, the Town needed to start changing its footprint. Chair Waind noted that he was confident staff would have determined if the subject application would go beyond what was permitted under the Town Zoning By-law in terms of lot coverage and that 30% lot coverage tended to work well in the Town's residential zones. Travis noted that the Official Plan did inform lot coverage and that at this time staff were not aware of any proposed changes

to lot coverages contemplated through the Official Plan Review process. Jim Uram noted that the Committee was bound by the Zoning By-law and that the Official Plan Review process was moving forward looking at elements of intensification as part of the process. Jim Uram noted that the Committee was not the right forum for this type of discussion and that he hoped Committee members would bring their concerns forward to the Official Plan Review Steering Committee.

Moved by: Peter Franklyn

Seconded by: Bill Remus

THAT the Committee of Adjustment receive Staff Report PDS.22.094, entitled "Recommendation Report – Minor Variance A34-2022 – 908-277 Jozo Weider Blvd. (Hurd)"

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

The motion is Carried (5 to 0)

Moved by: Peter Franklyn

Seconded by: Bill Remus

THAT the Committee of Adjustment GRANT Minor Variance Application A34-2022 for the property municipally known as Unit 908, 277 Jozo Weider Boulevard in order to permit the construction of a 22sq.m. one-storey addition, subject to the following conditions:

- 1) That the site development be constructed in a manner substantially in accordance with the submitted site sketch;
- 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 July 20, 2024.

Yay (4): Bill Remus, Peter Franklyn, Jim Uram, Chair Waind

Nay (1): Jim Oliver

The motion is Carried (4 to 1)

C.2 Application No. A36-2022

Owner: Windfall GP Inc.

Agent/Applicant:

Municipal Address: Lot 7 Courtland Street

Legal Description: Lot 7, Plan 16M-86.

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.

Colin Travis, the applicant's authorized agent, provided their opinion in support of the application. Colin noted that the rear yard backed onto County Road 19, that the lots behind the property were conveyed for a number of reasons and noted that it was being proposed to have a 15 metre set-back from the rear yard property line. Colin provided an overview of the site sketch submitted as included in the staff report. Mike Card, the applicant, noted that he was in favour of 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 Uram asked if there would be any easements in the rear yard which would be impacted if the application was granted. Intermediate Planner Travis Sandberg noted that in his review of the application there were no easements that would be impacted by the application if granted.

Peter Franklyn asked if what is being proposed would comply with set-back requirements. Travis confirmed that they would. Travis noted that the setback on the property line was 15 metres from the westerly property line, that the front yard setbacks would remain the same, and that the remaining lot lines would be treated as interior lot lines with 2 metre setbacks which the building mostly complied with, with some exceptions. Peter noted that it seemed the issue was the unusual shape of the lot which was causing the setback issues, which Travis confirmed.

Moved by: Jim Oliver
Seconded by: Peter Franklyn

THAT the Committee of Adjustment receive Staff Report PDS.22.095, entitled “Recommendation Report – Minor Variance A36-2022 – Lot 7 Courtland Street (Windfall GP Inc.)”

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair 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 A36-2022 to permit the construction of a new single detached dwelling unit, subject to the following conditions:

- 1) That the site development be constructed in a manner substantially in accordance with the submitted site sketch;
- 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 July 20, 2024.

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

The motion is Carried (5 to 0)

C.3 Application No. A37-2022

Owner: Windfall GP Inc.
Applicant/Agent:
Municipal Address: Lot 81 Courtland Street
Legal Description: Lot 81, Plan 16M-86

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.

Colin Travis, 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 noted that this would not cover all of the side yard and asked what percentage of the building was being effected by the proposed variance. Colin Travis noted that about 1/3 of the building facing the right-hand side of the property would require a variance, and that the other 2/3 of the building met the set back requirements under the Zoning By-law.

Moved by: Bill Remus

Seconded by: Jim Oliver

THAT the Committee of Adjustment receive Staff Report PDS.22.096, entitled "Recommendation Report – Minor Variance A37-20922 – Lot 81 Courtland Street (Windfall GP Inc.)"

Yay (5): Bill Remus, Peter Franklyn, Jim Uram, Jim Oliver, Chair 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 A37-2022 to permit the construction of a new single detached dwelling unit, subject to the following conditions:

- 1) That the site development be constructed in a manner substantially in accordance with the submitted site sketch;
- 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 July 20, 2024.

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

The motion is Carried (5 to 0)

C.4 Application No. A38-2022

Owner: Flynn

Applicant/Agent:

Municipal Address: 105 Plum Ridge Circle

Legal Description: Plan 16M53 Lot 9

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.

Jaimie Kuhl, the applicant's authorized agent, provided their opinion in support of the application. Jaimie noted that there had been some complications during the application process and that at the time the deck was constructed it did not require a permit and that the applicants were looking to legalize the existing deck and to put a roof on the portion of the deck which would require a 2 foot set-back. Jaimie noted that the applicant was trying to comply as much as possible with the Zoning By-law. Jaimie noted that the application had originally included a request for a shed at the lot line but that the proposed shed location had since been moved so that it complied with the Zoning By-law.

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 a "covered porch" was defined in the Zoning By-law. Planner Natalya Garrod noted that the Zoning By-law does include definitions for porches, covered rooves and uncovered decks. Jim Uram asked what the definition of "covered" would include. Chair Waind noted that it should be covered under the definition of "enclosed". Natalya noted that the applicant was proposing to construct a deck as an addition to an existing legal non-complying deck, and that the new deck would be covered with a roof but unenclosed. Chair Waind asked if there was Open Space lands adjacent to the subject property, which Natalya confirmed and advised that it was not currently developed or considered for development at this time. Chair Waind noted that the impact of the proposed deck in the rear-yard would be minimal given the Open Space lands adjacent to the property. Peter asked if the applicant had removed their request for an accessory building and Natalya confirmed that although the applicant had initially applied for an accessory building at the lot line the applicant had removed their request to construct the accessory building after they were advised that planning staff could not support that request for a minor variance given the impacts on the set-backs from the lot lines.

Jim Oliver asked if trees or vegetation would need to be removed to construct the proposed roof on the new deck. Jaimie Kuhl advised that there would be no interference with trees. Peter noted that this development included newly built custom homes and asked what the need was for further extension of a deck given it was a newly built custom home. Jaimie noted that the house had been built a few years ago but that it was not a custom home. Jaimie noted that the deck was an addition after the home was built and that the skewed lot line had impacted the use of the space to put in a deck. Jaimie advised that the existing deck structure did not support a roof, which was proposed for the new deck

being built. Peter asked if the Draft Decision served the purpose of legalizing the existing deck. Natalya advised that the Draft Decision was applicable to the setback of the covered deck which legalized the existing deck and set-backs being requested if the application was granted.

Moved by: Bill Remus

Seconded by: Jim Uram

THAT the Committee of Adjustment receive Staff Report PDS.22.090, entitled "Recommendation Report – Minor Variance A38-2022 – 105 Plum Ridge Circle (Flynn)".

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

The motion is Carried (5 to 0)

Moved by: Jim Uram

Seconded by: Peter Franklyn

THAT the Committee of Adjustment GRANT Minor Variance A38-2022 for the property municipally known as 105 Plum Ridge Circle to permit the construction of a deck with a roof but is unenclosed to be setback 6.1 m from the rear 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 July 20, 2024.

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

The motion is Carried (5 to 0)

C.5 Application No. A39-2022

Owner: Wilton/Guignard

Applicant/Agent:

Municipal Address: 117 Crestview Court

Legal Description: Plan 16M51 Lot 5

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.

Robert Guignard, the applicant, provided their opinion in support of the application and noted that the home was built in 2017. Robert noted that all homes on the street have a second floor deck and staircases that were included at the time they were built. Robert noted that the original owners of the home did not include a second floor deck and staircase and that Robert and his wife were the second owners of the home. Robert advised that he was now undertaking a landscaping project and that he would like to maximize his use of the yard.

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 how far away the staircase was from the building and how far the stairs projected into the rear-yard. Planner Natalya Garrod noted that the stairs would connect the deck to the second storey of the house and would provide access from the deck to the lower yard. Natalya advised that the staircase would project 5.2 metres into the rear-yard. Jim Uram noted that this may have implications during the Building Permit process. Natalya advised that the property had received a Building Permit for the deck, which was an error, and therefore the applicant had come to the Committee in order to request legalizing the existing deck and the stairs which would encroach the set-backs in the rear-yard.

Peter asked what permits would be required if the application was approved. Natalya advised that a construction permit would be required for the staircase and that as the deck permit had already been provided it may already have been dealt with.

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT the Committee of Adjustment receive Staff Report PDS.22.091, entitled "Recommendation Report – Minor Variance A39-2022 – 117 Crestview Court (Wilton and Guignard)".

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

The motion is Carried (5 to 0)

Moved by: Jim Uram

Seconded by: Peter Franklyn

AND THAT the Committee of Adjustment GRANT Minor Variance A39-2022 for the property municipally known as 117 Crestview Court to permit the construction of a deck that projects 3.61 metres into the rear yard and to permit

an exterior staircase to project 5.2 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 July 20, 2024

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

The motion is Carried (5 to 0)

D. Consent Applications

D.1 Application No. B09-2022

Owner: Cundy

Applicant/Agent:

Municipal Address: 120 and 124 Tyrol Avenue

Legal Description: Plan 807 Lot 37

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.

Deb Cundy, the applicant, provided their opinion in support of the application. Deb noted that she ran a Bed and Breakfast business on one section of her property and that the parking was located on the other property. Deb advised she wanted to provide more of a buffer between the severed and retained lots and would be planting trees.

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 asked if the use of the lots were changing or if the application was just to re-draw the boundaries. Chair Waind noted that the application was a technical severance to accommodate what was already existing. Jim Uram asked if both lots were in a Plan of Subdivision and that if they were, how the Committee could attach part of a severed lot to a retained full lot, and whether the Committee had the authority to speak to this type of issue. Chair Waind noted

that this would be a legal issue that the applicant would have to deal with during the time of land registration. Planner Natalya Garrod noted that in consultation with the Town's Legal Services staff and in reviewing section 50(5) of the *Planning Act* that the conveyance for part of the lot as a lot addition only could proceed and that the *Planning Act* restrictions did not apply to the receiving lot. Chair Waind asked if a Deeming By-law was required and Natalya advised that it was not.

Moved by: Jim Oliver

Seconded by: Peter Franklyn

THAT the Committee of Adjustment receive Staff Report PDS.22.092, entitled "Recommendation Report – Severance B09-2022 – 120 and 124 Tyrol Avenue (Cundy)"

Yay (4): Bill Remus, Peter Franklyn, Jim Oliver, Chair Waind

Nay (1): Jim Uram

The motion is Carried (4 to 1)

Moved by: Bill Remus

Seconded by: Jim Oliver

THAT the Committee of Adjustment GRANT Consent B09-2022, subject to the following conditions:

1. That the Applicant meets all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued;
2. That the Owner provides a description of the land and deposited reference plan, which can be registered in the Land Registry Office;
3. That the severed and merged parcel be deeded as a lot addition to the abutting property 120 Tyrol Avenue, in accordance with Section 50(5) of the Planning Act, R.S.O. 1990;
4. That any mortgage on the property be discharged from any land being severed and merged and for any lands to be added to a lot with a mortgage, that any mortgage shall be extended onto additional lands;
5. That all above conditions be fulfilled within two years of the Notice of Decision so that the Certificate of Consent pursuant to Section 53(42) of the Planning Act, can be issued by the Town.

Yay (4): Bill Remus, Peter Franklyn, Jim Oliver, Chair Waind

Nay (1): Jim Uram

The motion is Carried (4 to 1)

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 By-law 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.

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 at the time of the previous Committee of Adjustment meeting when the application was first heard that she had not been given information regarding the sign size, messaging or other information as requested and asked if it was necessary for a digital sign to be erected for this property. Karen noted it would set a precedent in the Town and that she would not be happy to see a digital sign.

Catherine Sholz, the applicant, provided their opinion in support of the application and noted that she did provide a response to the resident's concerns through By-law staff.

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.

Chair Waind noted that the commercial designation of the subject property was provided for long before the residential lands were developed on the opposite side of the street.

Jim Uram noted that the Committee had presented an option to the applicant about having the sign on only during certain times of the day and asked if staff had had those conversations with the applicant. Catherine Sholz noted that the sign would only operate during the business hours of the Beaver Valley Outreach, which were from Monday to Thursday from 9 a.m. to 5 p.m. and Friday from 9 a.m. to 1 p.m. Jim Uram asked if the proposed sign could be adjusted to fit the definition of a digital display sign. Municipal By-law Officer Raymond White noted that the definition of a digital display sign included it forming part of another sign.

Peter noted that part of the application process was for the applicant to advise of the hardship experienced by the applicant and the need for the signage, and asked how the applicant had demonstrated that in their application. Raymond

noted that the applicant had advised through their application package that the lack of a digital sign did not impact their day to day operations.

The Committee members were advised that staff were not bringing forward staff reports for Sign Variance Applications and the Committee members discussed how they could proceed with an application without a staff report, as staff reports provided background information and recommendations to the Committee.

Catherine Sholz noted that she would like to withdraw the application and thanked the Committee and staff for their time.

Moved by: Jim Oliver

Seconded by: Peter Franklyn

THAT the Committee of Adjustment acknowledges the applicant's request to withdraw their Sign Variance Application in relation to Application PRSV 2022 0000329;

AND permits the withdrawal of the subject application.

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

The motion is Carried (5 to 0)

E.2 Application No. PRSV 2022 0000405

Business Name: Eden Oak (Trailshead) Sales Office

Municipal Address: 226 Lakeshore Road

Chair Waind read aloud the Public Meeting Notice and By-law 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.

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

Shayne Connors, the applicant's authorized agent, provided their opinion in support of the application and provided an overview of their presentation.

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.

Chair Waind noted that Sales Offices tended to be trailers dropped on the development site and that it was good to see the presentation from the agent providing justification for use of the existing structure on the property. Chair Waind noted that the Committee had not received any negative comments about the application from any of the neighbouring properties. Jim Oliver asked

if the relief being requested in the application was reasonable and that the proposed signage being presented was a beautiful home to be utilized as a sales office. Jim Uram noted asked if the sign variance was included in the Sales Office Agreement and noted that he was pleasantly surprised that the signage was not a billboard sign located on Highway 26. Shayne Connors noted that they were working with staff through the site plan control regarding the Agreement. Peter asked who was entitled to the Notice of Hearing for the application and if it would include houses on Highway 26 near the site. Municipal By-law Officer Raymond White noted that the Notice was circulated to property owners located within 60 metres of the site and included 6 home-owners located adjacent to the property. Chair Waind noted that the Notice of Hearing was also posted on the Town website.

Moved by: Jim Uram

Seconded by: Jim Oliver

THAT the Committee of Adjustment RECOMMENDS to Council Sign Variance Application No. PRSV 2022 0000405 to permit Banner Signs to be affixed to the structure continuously for a period of 3 years whereas the required time period for Banner Signs is 4 time periods per calendar year and shall not exceed 21 days at one time;

AND RECOMMENDS to Council to permit the signs to be 7.75 square metres whereas the requirement is 4 square metres;

AND RECOMMENDS to Council to permit the signs to be 5.8 metres from each other whereas the required minimum distance is 23 metres;

AND RECOMMENDS to Council to permit the Banner Signs to be 0.41 metres and 1.07 metres from a permanent sign whereas the minimum distance is 9.0 metres.

Yay (4): Bill Remus, Jim Uram, Jim Oliver, Chair Waind

Nay (1): Peter Franklyn

The motion is Carried (4 to 1)

F. New and Unfinished Business

F.1 Previous Minutes

Moved by: Jim Oliver

Seconded by: Peter Franklyn

THAT the Minutes of June 15, 2022 be approved as circulated, including any revisions to be made.

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

The motion is Carried (5 to 0)

F.2 Business Arising from Previous Minutes

Chair Waind noted that through discussion at today's meeting that the Committee had been advised they would no longer be receiving staff reports for Sign Variance Applications. Chair Waind noted that a background report should be provided to the Committee Members for Sign Variance Applications as it was important for the Committee to receive a staff report even if it did not include staff recommendations on the application itself. Jim Uram asked how the Committee was in a position to comment on sign variances. Chair Waind noted that Council had passed a resolution moving the responsibilities of the Sign By-law Review Committee to the Committee of Adjustment but that the Committee's Procedural By-law did not give the Committee permission to vote on Sign Variance Applications. Jim Uram noted that staff was in the best position to comment and provide recommendations on Sign Variance Applications.

F.3 Council Resolution to Waive the Procedural By-law 2021-76, as amended, as it relates to Electronic Participation

The Committee discussed the resolution that was passed at the June 20, 2022 Council meeting:

THAT Council of the Town of The Blue Mountains waives the provisions of the Procedural By-law 2021-76 as amended to allow electronic participation of all Council Members in all Council, Committee of the Whole, and Council Public Meetings, until December 31, 2022, and to be counted in quorum;

AND THAT Council of the Town of The Blue Mountains waives the provisions of the Procedural By-law 2021-76 as amended, to allow electronic participation of all Council Members in all Council, Closed Sessions, until December 31, 2022, and to be counted in quorum;

AND THAT Council waives the provisions of the Committee of Adjustment Procedural By-law 2019-5 as amended, to allow electronic participation of all Committee Members in all Committee of Adjustment Meetings, and to be counted in quorum, until December 31, 2022, CARRIED.

F.4 Alternate Appointee Secretary Treasurer

Moved by: Jim Oliver

Seconded by: Jim Uram

THAT the Committee of Adjustment hereby appoints Corrina Giles as the Alternate Secretary Treasurer to the Committee of Adjustment in accordance with Section 44(8) of the Planning Act.

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

The motion is Carried (5 to 0)

G. Notice of Meeting Date

August 17, 2022

Town Hall, Council Chambers and Virtual

and

September 21, 2022

Town Hall, Council Chambers and Virtual

H. Committee Member Expenses

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

I. Adjournment

Moved by: Bill Remus

Seconded by: Jim Uram

THAT the Committee of Adjustment does now adjourn at 4:09 p.m. to meet again at the call of the Chair.

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

The motion is Carried (5 to 0)