



# Minutes

## The Blue Mountains, Committee of Adjustment

**Date:** November 16, 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 B. Waind, Bill Remus, Jim Oliver  
**Members Absent:** Peter Franklyn  
**Staff Present:** Manager of Community Planning Shawn Postma, Planner Carter Triana

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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 in attendance except Member Peter Franklyn who sent his regrets.

Town staff present were Planner Carter Triana and Manager of Community Planning Shawn Postma.

#### A.3 Approval of Agenda

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT the Agenda of November 16, 2022, be approved as circulated, including any additions to the agenda.

Yay (3): Bill Remus, Jim Oliver, Chair Waind

Absent (1): Peter Franklyn

**The motion is Carried (3 to 0, 1 absent)**

**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 2022-71, and the Town Procedural By-law 2022-76, 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. A52-2022**

Owner: Lisus

Applicant/Agent: Coulter Dawe and Associates Inc.

Municipal Address: 104 Camperdown Court

Legal Description: Registered Plan 1034, Lot 12

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.

Chair Waind asked if staff had reviewed what was in place before because when Camperdown Subdivision was approved it had building envelopes and that he was not sure how that was dovetailed by Zoning By-law 2018-65, and that if this still fit within the building envelope that the Conservation Authority would have been satisfied with the plan of subdivision. Manager of Planning Shawn Postma noted that building envelopes were part of the old Town of Collingwood Zoning By-law in 1983 which were removed when Zoning By-law 2018-65 was passed. Shawn noted that planning staff's report focused on the zoning in place today.

Jim Oliver asked what the square footage of the existing home was. Planner Carter Triana noted that the existing house was 123 square metres, and that the additional property was an additional 80 square metres and noted that the combined square footage of the building was still 30% below the permitted lot coverage.

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT the Committee of Adjustment receive Staff Report PDS.22.132, entitled "Recommendation Report – Minor Variance A52-2022 – 104 Camperdown Court (Lisus)".

Yay (3): Bill Remus, Jim Oliver, Chair Waind

Absent (1): Peter Franklyn

**The motion is Carried (3 to 0, 1 absent)**

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT provided no other objections are received, the Committee of Adjustment GRANT minor variance application A52-2022, subject to the following conditions:

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 November 16, 2024.

Yay (3): Bill Remus, Jim Oliver, Chair Waind

Absent (1): Peter Franklyn

**The motion is Carried (3 to 0, 1 absent)**

## **C.2 Application No. A53-2022**

Owner: Thornbury Hills Ltd.

Applicant/Agent: Pascuzzo Planning Inc.

Municipal Address: 160 King Street

Legal Description: Town Plot Part Lots 6-9, North King Street Registered Plan 16R-11290 Part 1

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.

Andrew Pascuzzo, the applicant's authorized agent, provided their opinion in support of the application. Andrew noted that the owners of both properties were in attendance today, as well as Mike Cullip, Traffic Engineer with Tatham Engineering, and Angelo Cianfrone, the architect. Andrew noted that the clients were involved in a transfer of land regarding the old Wellington Street Road Allowance and that the allowance went through their properties in exchange for the applicant's land at the end of King Street, which was expected to become a Town park. Andrew noted that the applicants had provided 2% Cash in lieu of parkland. Andrew provided an overview of the property, the studies that had been completed by the applicants and requested the Committee vote in favour 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.

Chair Waind asked if the entrance permit was part of the site plan approval. Manager of Planning Shawn Postma noted that the road was not a county road, and was locally maintained, and that any entrance issues would be looked at through the site plan approvals process. Jim Oliver advised that other municipalities have one parking space per room and asked when and how parking standards had been established at 1.3 spaces per room. Planner Carter Triana noted that a Parking Study listed 16 other municipalities that had been examined and which outlined the standards for the parking at the site. Carter noted that staff were confident in the results of the parking study and that it had included municipal comparators close to the Town in location and size. Shawn noted that the Town standard for 1.3 spaces per hotel room had been developed

in the updates to Zoning By-law 2018-85 in 2018 and that the parking rates from the older By-laws might have been carried forward.

Chair Waind asked what the rationale for accepting a Minor Variance Application was in this case rather than an application for a Zoning By-law Amendment for something as significant as the subject proposal. Shawn noted that the applicants had submitted a Minor Variance Application and had completed a regular planning analysis. Shawn noted that the staff report on the subject proposal does not state that the application does not meet the 4 tests of a Minor Variance under the Planning Act. Jim Oliver noted that given the alternative is a Zoning By-law Amendment if that process would be similar in terms a public review process. Carter advised that in both cases public notices would be mailed to property owners within a minimum distance to the subject property, and that the community would be able to attend to provide comments to either Council or the Committee, depending on what route was taken by the applicant.

Chair Waind noted that there did appear to be a deficiency in parking at the site. Andrew noted that they did not agree with the staff recommendation and noted that if the Town had a Cash in lieu Parking By-law that the applicants would not need to request a Minor Variance, and that the applicants request was that the recommendations be amended so the applicant was not required to both pay cash in lieu of parking as well as entering a shared arrangement with the adjacent lands. Planning staff advised the Committee on the Wellington Street Road Allowance disappearing in between 150 and 160 King Street as it was a land swap and that there will be parkland east of 160 King Street for the Town to use, further to a previous decision of Council.

Jim asked where temporary snow storage would be located on the property. Carter noted that the applicant had provided for snow storage on the eastern side of the property along the hydro lines. Jim asked with respect to shared parking options, how the Town would ensure there was a parking arrangement with 150 King Street. Carter noted that if the recommendation passed for shared parking arrangements that it would require the applicant to enter into an agreement with Council, which was permitted through the Town Official Plan.

Chair Waind asked if Wellington Street had already gone through the Stop Up and Close process, and Carter advised the process had been started and there were concerns with visitor and staff parking.

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT the Committee of Adjustment receive Staff Report PDS.22.133, entitled "Recommendation Report – Minor Variance A53-2022 – 160 King Street (Thornbury Hills Ltd.)".

Yay (3): Bill Remus, Jim Oliver, Chair Waind

Absent (1): Peter Franklyn

**The motion is Carried (3 to 0, 1 absent)**

Moved by: Bill Remus

Seconded by: Jim Oliver

THAT the Committee of Adjustment GRANT minor variance application A53-2022, subject to the following conditions:

1. That the site development be constructed in a manner substantially in accordance with the submitted site plan;
2. That the Owner obtain Site Plan Approval for the development, to the satisfaction of the Town;
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 five (5) years from the date of decision. Should a building permit not be issued by the Town within five years, the variance shall expire on November 16, 2027;
4. That the Owner enter into a shared parking arrangement with adjacent lands to the satisfaction of the Town and registered on title; and
5. That an update to the Parking Study be received to confirm that appropriate snow storage is available for the site, and/or that sufficient parking spaces remain in consideration of winter snow storage requirements within the parking area.

Yay (3): Bill Remus, Jim Oliver, Chair Waind

Absent (1): Peter Franklyn

**The motion is Carried (3 to 0, 1 absent)**

#### **D. Consent Applications**

None

#### **E. Sign Variances**

None

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

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

Moved by: Bill Remus  
Seconded by: Jim Oliver

THAT the Minutes of October 12, 2022, be approved as circulated, including any revisions to be made.

Yay (3): Bill Remus, Jim Oliver, Chair Waind

Absent (1): Peter Franklyn

**The motion is Carried (3 to 0, 1 absent)**

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

Chair Waind asked if there had been any recent appeals of Committee of Adjustment decisions. Shawn Postma noted that there had been an appeal with respect to a Consent Application on the 10th line, which was being processed and would be forwarded to the Ontario Land Tribunal. Shawn noted that concerns had been raised by the applicant regarding the decision being precedent setting and its conformity with the Official Plan.

### **F.3 2023 Committee of Adjustment Schedule**

Moved by: Jim Oliver  
Seconded by: Bill Remus

THAT the Committee of Adjustment receives and endorses the 2023 Meeting Schedule.

Yay (3): Bill Remus, Jim Oliver, Chair Waind

Absent (1): Peter Franklyn

**The motion is Carried (3 to 0, 1 absent)**

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

December 21, 2022  
Town Hall, Council Chambers and Virtually

Chair Waind noted that the 2 Councillors had passed away during their term of Council and thanked them for the years of service. Chair Waind thanked staff, both past and present, for their hard work and noted that the Committee had had very few appeals of its decision which spoke to the good work the Committee had been able to do.

Secretary Treasurer Kyra Dunlop thanked the Committee for their hard work and dedication serving on the Committee this term.

## **H. Committee Member Expenses**

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

## **I. Adjournment**

Moved by: Jim Oliver

Seconded by: Bill Remus

THAT the Committee of Adjustment does now adjourn at 2:33 p.m. to meet again at the call of the Chair.

Yay (3): Bill Remus, Jim Oliver, Chair Waind

Absent (1): Peter Franklyn

**The motion is Carried (3 to 0, 1 absent)**