



Minutes

The Blue Mountains, Committee of Adjustment

Date: April 19, 2023
Time: 1:00 p.m.
Location: Town Hall, Council Chambers and Virtual Meeting
32 Mill Street, Thornbury, ON
Prepared by: Kyra Dunlop, Secretary/Treasurer

Members Present: Greg Aspin, Michael Martin, Jim Oliver, Robert Waind
Staff Present: Planner Nicole Schroder and Planner Carter Triana

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

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

Secretary Treasurer Kyra Dunlop advised that Executive Assistant to Committees of Council Carrie Fairley would be appointed Secretary Treasurer at the May 17, 2023, Committee of Adjustment Meeting and that Kyra would continue as the alternate Secretary Treasurer to the Committee. Chair Waind welcomed Carrie to the Committee.

A.3 Approval of Agenda

Moved by: Michael Martin

Seconded by: Jim Oliver

THAT the Agenda of April 19, 2023 be approved as circulated, including any additions to the agenda.

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 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 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

A.5 Previous Minutes

Moved by: Jim Oliver

Seconded by: Michael Martin

THAT the Minutes of March 15, 2023 and the Special Meeting Minutes of March 15, 2023 be approved as circulated, including any revisions to be made.

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 to 0)

A.6 Business Arising from Previous Minutes

Jim Oliver asked if there was an update from staff on when the Committee of Adjustment vacant seat would be filled. Secretary-Treasurer Kyra Dunlop confirmed that the deadline for the Town to receive applications was on April 5, 2023 and that applications would be considered at the April 24, 2023, Council Meeting in Closed Session to appoint one member of the public to fill the vacancy on the Committee, and that staff were hopeful that the chosen individual would be appointed by Council in time for the May 17, 2023 Committee of Adjustment meeting.

B. Public Meeting

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.

B.1 Minor Variance Application No. A12-2023

Owner: Collingwood Ski Club

Applicant/Agent: Jo Redman

Municipal Address: 796454 Grey Road 19

Legal Description: CON 3 PT LOT 19 RP 16R4667 PARTS 2,3,5

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.

John Plater, the applicant's authorized agent, provided their opinion in support of the application.

Peter Sutcliffe, Toronto Ski Club member, provided their opinion in support of the application.

Kate Ditullio, Toronto Ski Club member, 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.

Member Jim Oliver noted that the property boundary on the western side where the existing deck was located was where the applicant was requesting relief from 6 metres to 1 metre, and the applicants had cut off the corner of the deck, and that this was the only location where the 1 metre setback would exist. Planner Nicole Schroder confirmed this was correct. Jim asked if the western boundary was quite steep and there was discussion around the concern of drainage on the property.

Moved by: Jim Oliver

Seconded by: Michael Martin

THAT Council receive Staff Report PDS.23.036, entitled "Recommendation Report – Minor Variance A12-2023 – 796454 Grey Road 19 (Collingwood Ski Club)".

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 to 0)

Moved by: Michael Martin

Seconded by: Greg Aspin

THAT the Committee of Adjustment GRANT the minor variance application A12-2023 to permit a deck expansion to be constructed with a minimum Western yard setback of 1.0m and with a minimum Southern yard setback of 5.6m, 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 April 19, 2025.

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 to 0)

B.2 Minor Variance Application No. A11-2023

Owner: Centennial Construction and Contracting (Niagara) Inc.

Applicant/Agent: Antony Candeloro

Municipal Address: 111 Delphi Court (Level 1, Unit 140)

Legal Description: Level 1, Unit 140 RP GVLC #110

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.

Antony Candeloro, the applicant's authorized agent, provided their opinion in support of the application. Antony noted that the home had been pre-sold and that originally the design of the home did comply with all the set-backs, but during the process the purchaser had changed their mind to request the developer to make the floor-plan larger as the purchaser had accessibility concerns, which impacted the set-backs and triggered the need for the application. Antony noted that the purchaser was aware that

their application may get rejected and that he would go back to the purchaser with a redesign should that occur.

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 asked if the re-zoning had already taken place when the lot was pre-sold, and asked who would have required the original zoning that would allow a single detached home and a reduced side-yard setback. Planner Carter Triana confirmed that the zoning of the property had occurred as part of a larger process to permit the current zoning that existed on the subject property as the property was part of a plan of subdivision, and the zoning was not site specific. The Committee discussed their concerns regarding the reduced side-yard setback within the context of the area's zoning.

The Committee discussed construction and build permits regarding the development of the eastern lots and the impact on the subject property, and the option of the severing of the lots.

Moved by: Jim Oliver

Seconded by: Michael Martin

THAT the Committee of Adjustment receive Staff Report PDS.23.027, entitled "Recommendation Report – Minor Variance A11-2023 – 111 Delphi Court (Centennial Construction & Contracting (Niagara) Inc.)".

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 to 0)

Moved by: Jim Oliver

Seconded by: Michael Martin

THAT the Committee of Adjustment REFUSE Minor Variance A11-2023 to permit the construction of a single detached dwelling with a reduced eastern interior side yard setback of 0.62 metres.

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 to 0)

B.3 Minor Variance Application No. A13-2023

Owner: Centennial Construction and Contracting (Niagara Inc.)

Applicant/Agent: Antony Candeloro

Municipal Address: 109 Sebastian Street, Level 1, Unit 92

Legal Description: Level 1, Unit 93, RP GLVC 110

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.

Antony Candeloro, 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.

Moved by: Michael Martin

Seconded by: Jim Oliver

THAT the Committee of Adjustment receive Staff Report PDS.23.037, entitled "Recommendation Report – Minor Variance A13-2023 – 109 Sebastian Street (Centennial Construction & Contracting (Niagara) Inc.)".

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 to 0)

Moved by: Jim Oliver

Seconded by: Greg Aspin

THAT the Committee of Adjustment GRANT Minor Variance A13-2023 to permit the construction of a single detached dwelling with an increased maximum height of 8.34 metres, 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 April 19, 2025.

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 to 0)

C. Other Business

Member Michael Martin asked if there was a way Consent Applications could come back to the Committee of Adjustment. Staff confirmed they would forward the reports approved by Council outlining the decision to bring Consent Applications back to Council to make decisions to the members for their review.

D. Committee Member Expenses

E. Notice of Meeting Date

May 17, 2023

Town Hall, Council Chambers and Virtual

June 21, 2023

Town Hall, Council Chambers and Virtual

F. Adjournment

Moved by: Michael Martin

Seconded by: Greg Aspin

THAT the Committee of Adjustment does now adjourn at 2:15 p.m. to meet again at the call of the Chair.

Yay (4): Greg Aspin, Michael Martin, Jim Oliver, and Robert Waind

The motion is Carried (4 to 0)