



Minutes

The Blue Mountains, Committee of Adjustment

Date: May 21, 2025
Time: 1:00 p.m.
Location: Town Hall, Council Chambers and Virtual Meeting
32 Mill Street, Thornbury ON
Prepared by: Carrie Fairley, Secretary-Treasurer

Members Present: Michael Martin, Duncan McKinlay, Jim Oliver, Jan Pratt, Robert Waind

Staff Present: Manager of Community Planning, Shawn Postma, Planner 1, Manuel Riveria and Deputy Chief Building Official, Nancy Laythorpe

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. Secretary-Treasurer Carrie Fairley noted all members were present in Council Chambers.

A.3 Approval of Agenda

Moved by: Robert Waind

Seconded by: Jan Pratt

THAT the Agenda of May 21, 2025, be approved as circulated, including any additions to the agenda.

Yay (5): Michael Martin, Duncan McKinlay, Jim Oliver, Jan Pratt, and 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 2024-04, and the Town Procedural By-law 2023-62, 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: Robert Waind

Seconded by: Michael Martin

THAT the Minutes of April 16, 2025, be approved as circulated, including any revisions to be made.

Yay (5): Michael Martin, Duncan McKinlay, Jim Oliver, Jan Pratt, and Robert Waind

The motion is Carried (5 to 0)

A.6 Business Arising from Previous Minutes

None

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. A07-2025

Owner: Blue Mountain Resort LP

Applicant/Agent: Colin Travis, Travis & Associates

Municipal Address: 190 Gord Canning Drive

Legal Description: COLLINGWOOD CONS 1 to 3 PT, LOTS 16 to 18 PT RD ALLOW AND RP 16R1663 PT PART 5 RP 16R1677 PARTS 1 and 3 PT, PART 2 RP 16r4300 Parts 2

Chair Oliver read aloud the Public Meeting Notice, and the Secretary-Treasurer 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 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.

Member McKinlay noted that there is an error in the Bylaw noted in the Notice of Public Meeting.

Member Waind noted that he has been involved with the municipality for over 40 years, including being intricately involved in the development of Zoning By-law 83-40, which is the first comprehensive zoning by law for the town. Member Waind noted he was at the Board hearing for the Village core in 1986 and was involved in developing the Master Development Agreement for Blue Mountain Resort. Member Waind noted his confusion stating hours and hours were spent trying to define the recreational ski area at the base of the mountain, with the Niagara Escarpment Commission. Member Waind noted that eventually, the recreational ski area was established at the base of the mountain, to accommodate base lodges and maintenance facilities. Member Waind further noted his understanding is all that would be needed would be a set of drawings for a building permit, because a base lodge is a permitted use within the recreational ski area, as of right.

Shawn Postma, Manager of Community Planning provided more context noting that here there are two things that we are looking at when speaking about recreational skiing. Shawn noted the first is the Official Plan designation, this property is located in the recreational ski designation under the Official Plan, which does speak to those resort uses the base lodges, maintenance facilities, and those things that help support the resort itself. Shawn further noted that under the zoning bylaw, these lands are zone C5-67 zone. Back in 2000, these lands, including the existing base lodge and the commercial resort units next door, were all put into this commercial C5-67 zone. And that zoning by law also applies to the entire village core. Shawn further noted a decision was made back in 2000, but he did not have full history behind it. Shawn noted that the subject lands where the Discovery Center is to be located and where they want to put the base lodge building on is in the C5-67 zone, and it's not in the recreational ski zone. Shawn further noted that if it was in the recreational ski zone, Member Waind would be correct, there would be no requirement for a minor variance because a base lodge is permitted in the recreational ski zone. Shawn noted that since these lands are zoned commercial C5-67 zone, along with the rest of the village, there was consideration that all of these lands need to be considered as part of the village core, and those uses that are permitted within that C5-67 zone. Member Waind questioned if the C5-67 was a mapping error or if it did not comply with the Official Plan and noted that the recreational ski area should not have been included as part of the village core designation, as it is a different property. Member Waind provided background

information to the Committee regarding the different properties and areas. Member Waind further suggested that this possibly could have been an error in the mapping, lumping the C5-67 designation into the village core, with no right to do so, whereas the recreational ski designation is for base lodges, maintenance facilities, day skiing facilities, lunch facilities, and maybe even locker rooms. Member Waind noted his opinion, that the Town has made a mistake, or a mapping error has occurred, and this application should not be before this Committee, unless there's a minor tweaking to the lands that are incorporated in the C5-67 zone, that was done in error.

Member McKinlay questioned what is included in the village core C5-67 designation. Shawn noted that the C5-67 zone and the C-568 zone are the two zones that apply to the village core area, as well as the existing village central base lodge, which is the location of the proposed Discovery Center. Member McKinlay questioned if C5-67 zone is part of the Master Development Agreement area. Shawn noted that the Master Development Agreement is located within the C5-67 zone, however, where the Discovery Center and the existing Village Base Central Base Lodge is located is outside of the Master Development Agreement, inside the C5-67 zone. Member McKinlay questioned what the force and intent of removing the designation from recreational skiing and putting it into a designation that doesn't allow for ski facilities. Shawn noted that Staff have been researching that question. Shawn further noted that the C5-67 zone was put on those lands back in the mid 1980's, around 1985 or 1986. Member McKinlay questioned if the change happened in 2000, which Shawn noted they were updated in 2000. Shawn further noted the original lines were drawn back in the mid-1980's, and Staff could not find any evidence in terms of why the lines were drawn as they were drawn. But those lines have been in place since the 1980's and again updated in 1999 and again in 2000.

Member McKinlay questioned the proposed uses of the building, noting it is currently not being used as a Discovery Centre. Shawn noted that the boundaries are drawn, they do encompass all of those buildings that are part of the resort village. Shawn further noted there's a hard boundary between the recreational ski land use designation and the Official Plan and the Village Core and noted that the site does essentially work and operate as one, even though there's different ownership structures and there's a different intent for those buildings.

The Committee and Staff further discussed the merits of the application and the permitted uses within the designated areas.

Staff noted that preliminary conversations have occurred regarding a by-law amendment to take a more holistic approach and potentially correcting where some lines should have been drawn.

Chair Oliver spoke about zoning noting it is unclear as to what are the permitted uses for 15.1.a.

Colin Travis, Planning Consultant, Travis & Associates spoke regarding this application and the zoning on this property noting that they do not agree with the recommendations of Staff. Colin provided an overview of his presentation in support of the application.

The Committee discussed the application with Colin and provided suggestions on how to resolve the application.

Member Waind provided suggestions to Staff on revisions that could be made to by-law to address these issues moving forward.

The Committee, Staff and the Applicant's Agent further discussed the issues of this application.

Chair Oliver 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 else in attendance to speak in favour of or in opposition to the proposal, Chair Oliver closed the public meeting.

Moved by: Duncan McKinlay

Seconded by: Jan Pratt

THAT the Committee of Adjustment receive Staff Report PBS.25.036, entitled "Recommendation Report – Minor Variance A07-2025 – Lot 17, Concession 2 (Blue Mountain Resort LP)";

Yay (5): Michael Martin, Duncan McKinlay, Jim Oliver, Jan Pratt, and Robert Waind

The motion is Carried (5 to 0)

Moved by: Michael Martin
Seconded by: Duncan McKinlay

AND THAT the Committee of Adjustment GRANT a minor variance from Township of Collingwood By-law 83-40 as amended:

1. To add "Base Lodge" as a permitted use to Section 15.1a) of the Village Commercial (C5-67) Zone; and
2. to permit the relocation of the existing 250 m2 Discovery Centre building to the Village Commercial C5-67 zone as a permitted use under Section 15.1a)

Subject to the following Conditions:

- 1) That the Base Lodge be located substantially in accordance with the submitted Site Plan Drawing
- 2) That this variance decision is intended for building permit only and shall expire in 2 years from date of approval

Yay (5): Michael Martin, Duncan McKinlay, Jim Oliver, Jan Pratt, and Robert Waind

The motion is Carried (5 to 0)

Amendment:

Moved by: Robert Waind
Seconded by: Michael Martin

Amendment - Addition of:

To permit the relocation of the existing 250 m2 Discovery Centre building to the Village Commercial C5-67 zone as a permitted use under Section 15.1a)

Conditions:

- 1) that the Base Lodge be located substantially in accordance with the submitted Site Plan Drawing
- 2) That this variance decision is intended for building permit only and shall expire in 2 years from date of approval

Yay (5): Michael Martin, Duncan McKinlay, Jim Oliver, Jan Pratt, and Robert Waind

The motion is Carried (5 to 0)

C. Other Business

Chair Oliver asked staff to bring a report to a future meeting detailing the implications of new provincial legislation, particularly “Bill 5”, for local municipal planning authority and specifically for committees of adjustment. Shawn Postma advised that this would be done as soon as possible

D. Committee Member Expenses

E. Notice of Meeting Date

June 18, 2025

Town Hall, Council Chambers and Virtual

July 16, 2025

Town Hall, Council Chambers and Virtual

F. Adjournment

Moved by: Duncan McKinlay

Seconded by: Michael Martin

THAT the Committee of Adjustment does now adjourn at 3:16 p.m. to meet again at the call of the Chair.

Yay (5): Michael Martin, Duncan McKinlay, Jim Oliver, Jan Pratt, and Robert Waing

The motion is Carried (5 to 0)