



Minutes

The Blue Mountains, Committee of Adjustment

Date: October 22, 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: Planner Manuel Riveria, 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

Chair Oliver called the meeting to order at 1:00 p.m. Secretary-Treasurer Carrie Fairley note all members were present, in Council Chambers.

A.3 Approval of Agenda

Moved by: Michael Martin
Seconded by: Robert Waind

THAT the Agenda of October 22, 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.

Member Pratt noted a conflict of interest on Agenda Item B.1 due to a previous connection to the subject property

A.5 Previous Minutes

Moved by: Michael Martin

Seconded by: Robert Waind

THAT the Minutes of August 20, 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. A08-2025 (Deferred from June 18, 2025 Meeting)

Owner: Karra and John Greenwood

Applicant/Agent: Derek Crawford, Delta C Projects Inc.

Municipal Address: 54 Bruce Street South

Legal Description: TOWN PLOT PT LOT 5 LOUISA W/S

Jan Pratt declared a conflict on this Agenda item due to a previous connection to the subject property, and vacated Council Chambers.

Chair Oliver read aloud the Public Meeting Notice and noted that since this Application was deferred from a previous meeting, if the Notice provisions were the same. The Secretary-Treasurer confirmed that as there were no changes to the Application the Public Hearing Notice was not required to be re-circulated. Planning Staff then provided an overview of the review of the Application and why they are making the recommendations contained in the Staff Recommendation Report.

Member Waind noted that easements can be created without legal documentation and that sometimes they are created by prescriptive use, if they have been established over a number of years without interruption, they can continue as a legal right of way even if they are not registered. Member Waind further noted his opinion is that the issue is not cogent, to the application. Chair Oliver noted in other words, that is the principle of peaceful possession. Member Waind agreed and further noted it is similar to adverse possessions that can be established by prescriptive rights over a period of time, creating an easement, without being registered on title.

Member McKinlay spoke regarding adverse possession or right of it and questioned if there was a doorway at the lot line on to the neighbor's property. Planner Manuel confirmed that was correct. Member McKinlay further noted the history of that door being used, and that anyone who uses that door, would enter right onto the neighbours property and questioned how that would be proved in order to proceed. Manuel noted that it would be a legal matter between the owned and the adjacent property owner to prove there is a legal right of way established. Member McKinlay concluded that potential is not sufficient to alter Staff's recommendation.

Chair Oliver spoke regarding page two of the Staff's Recommendation Report where it is noted that the adjacent landowners informed planning staff that further revisions to the coordination memo and agreement are needed to satisfy them before signing. Chair Oliver questioned what those additional conditions may be that the neighbours were concerned about that would be vital to them agreeing. Manuel noted the concerns are with respect to the design, including the doorway entrance and they have been in coordination with the owner's agenda and rectifying their concerns and concessions on the property, in order to gain their support.

Derek Crawford, Agent for the Applicants noting the lengthy history of the property and that they have been in contact with the neighbouring property. Derek noted that through their research, there was a right of way established in the 70's however, it does not appear that it the rights were ever granted to any of the adjacent properties. Derek further noted that there is a question as to whether or not that right of way was ever activated or if it was drafted and registered as a right of way, but never being granted to any property owners. Derek noted that the original barn was a carriage house and prior

to realignment of the property lines, Park Lane would have accessed that carriage house and further noted historically it would have been used as an access route. Derek noted that through historical changes, the right of way or Park Lane now ends at the beginning of the rear property line for the adjacent property. Derek noted that historic conversations between the neighbours in the early 80's addressed the question of encroachment of the roof over top of the property line, which was settled. Derek further noted that the actual granting of the right of way does not appear to have been resolved. Derek noted they had hoped that through cooperating means with the neighbours, with conditions to construct, they hoped a cooperating memo between the property owners would be sufficient. Derek noted there are enough questions about the status of the right of way and the legality of it, they are looking to get a legal settlement on title that formalizes how this property and building can be maintained and serviced in the future. Derek noted that one condition was to stop up and close the man door and the original carriage house door, that is right on the property line. Derek advised that his clients have agreed to that condition, so there would be no direct access to the neighbouring property, and the right of way would be there to allow the building to be maintained. Derek spoke regarding the building departments concerns regarding siding or eavestroughs or other things that could encroach onto the neighbouring property and noted it should be addressed legally instead of an informal agreement. Derek noted that lawyers will be involved to clarify the status of the property line and how it got to where it is today, with the exterior walls being on the property line.

Member Waind noted there are provisions under the Planning Act to register what is known as a development agreement, to give legality to any agreement that is signed between the two parties and be registered on title. It runs with the land and it's not exclusive to the party alone. Chair Oliver noted that if a development agreement were reached between the parties, it would be registered on title over the two properties. Member Waind noted that if the Application is approved, he would suggest the approval be subject to the Applicant and the and the neighbours entering into a development agreement that is registered on title, so that it no longer is between the parties themselves, but it will run in perpetuity with land. Derek noted that is what the Applicants are trying to achieve and clarified the intention of his clients.

Member McKinlay questioned if the property line is completely contiguous with the back wall of the building, or does it touch at one corner, or the middle or other end. Derek noted that the northwest corner is on the property line, the southwest corner is just off the side lot line by inches, and the northeast corner is two or three inches off the property line and further noted that the property was drawn using the walls of the building. Member McKinlay noted an encroachment agreement would be required, in order to address the possibility of siding or other materials being used on the building

that could affect the neighbour's property. Derek noted that currently the architectural plans are to maintain the exterior facade of the building, performing only maintenance needed to maintain concrete and parging, and then updating the windows, which will not increase the exterior. Derek further noted that all insulation and framing will be done inside the building. Derek noted with respect to the roof line, the adjacent property owners have requested that eavestroughs be added and ice barriers, but the roofline itself would not be altered, and framing would be added from the interior. Member McKinlay questioned when the cement was poured. Derek noted the building is over 100 years old but it has undergone a structural review, which as it stands now, is structurally sound and any structural members required for the second floor and interior would be contained in the building.

Member Martin spoke regarding legal non-conforming uses for the property and noted an agreement would be necessary for the new proposed use for this property.

Chair Oliver spoke about the proposed agreement to "stop up and close" the door on the property line and questioned how they were proposing to do that, as it would no longer be a window or a door. Derek noted to maintain the esthetic look of the existing building, as requested by the neighbours, the existing window and door would be left, for esthetic purposes, but would be closed with framing, on the inside.

Chair Oliver asked building staff if this application was granted with these provisions of closing the door up on the interior of the building, would the building inspector ensure the work is done in conformity with the building permit application. Nancy Laythorpe, Deputy Chief Building Official noted is current and they have seen preliminary drawings, which look fine.

Chair Oliver spoke regarding comments of the Agent for the Application with respect to finding record of the existing right of way and questioned if that was found on a registered survey plan, by a surveyor, that exists in the registry office. Derek noted that they pulled the registry documents, and it was identified by the title search when his clients purchased the property. Derek further noted that what was not clear is when the neighbours did their own legal search, it appears the right of way was never granted access to the property owners. Chair Oliver clarified that the right of way does exist and is registered with the registry office, which Derek confirmed it remains on title.

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

Bob McNichol, adjacent property owners spoke regarding access to the property noting that they have owned their property for seven years and there has been no access to the property during those years. Bob noted that with respect to the right of way, their

lawyer and Town Staff do not see there is a right of way. Bob noted that once that was established, they worked with Derek to come up with an agreement that gave them some issues with windows that they dealt with, they agreed to snow guards, eavestrough and standard things that would help them with the building sitting right on the lot line. Bob further noted that with that, they would have given their support for the minor variance. Bob noted the idea was prior to renovations occurring, they would enter into an agreement that stipulated simple things like insurance, repairing, how long they will be there, being an agreement of understanding to make sure the renovations were completed in a proper way. Bob noted that the ongoing maintenance of this property is what seems to be the sticking point. Bob further noted that there has been no maintenance in the seven years they have owned their property and suggested that no maintenance has occurred for 50 or 60 years. Bob noted that they are supportive of this Application, provided an agreement can be reached between the two parties that would accommodate both parties.

Member McKinlay questioned whether the neighbour would be supportive of an agreement that provided for maintenance work in perpetuity, with notice. Member McKinlay further noted that if the owners were wanting to replace the eavestroughs can they contact you and arrange for a day that is convenient for you. Bob questioned if it reasonable that two neighbours figure things out, and avoid something registered on title. Bob further noted that if there is something wrong with the building, they will go knock on the neighbour's door and ask for it to be addressed. Bob noted his concerns with registering anything on title.

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.

Member Waind noted that this Application is dealing with an existing structure to be converted into an additional residential unit, and the Staff report partially speaks to the question of the conversion of use, which is substantial in this Application, and further noted that with residential use, there adds the ramifications of parking and things relating to that use. Member Waind further noted his concern regarding the increase in the floor area, although in an existing structure, doubling what is allowed, although it still meets the requirements of being 50% of the existing dwelling.

Member McKinlay noted his concerns without legal frameworks in place, to assure the long-term ability to maintain the building.

Chair Oliver agreed with Member McKinlay and further noted his appreciation for the neighbour's willingness to enter into an agreement and noted they may reach an agreement in the future and noted the importance of it being in writing. Chair Oliver

further noted that the problem could arise in the future, and the Committee is responsible for protecting both the Applicant and neighbours' interests, and the future owners of either property.

Chair Oliver asked Manuel for advice on whether a development agreement between the two parties, noting which document could simply be a short simple document, that is registered on title, and may be less expensive and cumbersome than obtaining surveys, and would that give the Committee assurance that it will be in perpetuity. Manuel noted that either a legal easement agreement or similar agreement to that nature, which includes a development agreement. Manuel further noted as long as it is a agreement for both properties, whether they change hands or not, or goes to future generations respectively, that it can be met, that it be maintained a legal access for building and construction maintenance purposes only. Manuel further noted the agreement is also to be registered on title and that option would be less expensive, and less costly overall. Manuel noted that planning staff can support this application with a legal agreement in place.

The Committee further discussed the merits of this application and the best path forward whether a conditional approval of the application or a deferral of the application.

Moved by: Duncan McKinlay

Seconded by: Robert Waind

THAT the Committee of Adjustment receive Staff Report PBS.25.094 entitled "Recommendation Report – Minor Variance A08-2025 – 54 Bruce St (Greenwood)";

Yay (4): Michael Martin, Duncan McKinlay, Jim Oliver, and Robert Waind

Conflict (1): Jan Pratt

The motion is Carried (4 to 0)

Moved by: Duncan McKinlay

Seconded by: Michael Martin

AND THAT Committee of Adjustment DEFER Minor Variance A08 – 2025 for not more than 90 days to allow the Applicants to enter into a legal Agreement with the neighbours that is satisfactory to the Committee.

Yay (3): Michael Martin, Duncan McKinlay, and Jim Oliver

Nay (1): Robert Waind

Conflict (1): Jan Pratt

The motion is Carried (3 to 1)

B.2 Minor Variance Application No. A17-2025

Owner: Rebecca Henry

Applicant/Agent: Derek Crawford, Delta C Projects Inc.

Municipal Address: 165 Lakewood Drive

Legal Description: PLAN 925 LOT 56

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 why they are making the recommendations contained in the Staff Recommendation Report.

Member McKinlay questioned if the building was being torn down and rebuilt. Manuel confirmed that was correct. Member McKinlay further questioned why it could not be built without the requirement of a minor variance. Manuel noted the building is being rebuilt on the existing footprint and the variance is being requested because the existing building does not conform to the zoning by-law.

Derek Crawford, Agent, noted the new building will be further from the rear yard setback, than the existing building. Derek noted reason it is not being moved further forward is to leave some usable lot and further noted that is how the lot is configured currently. Derek noted they are roughly maintaining the existing location of the building and effectively adding a garage and additional living space, with the new building.

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

Shane Henry, property owner noted this proposal is to construct a new home with a garage on the side.

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: Jan Pratt

Seconded by: Duncan McKinlay

THAT the Committee of Adjustment receive Staff Report PBS.25.092, entitled
“Recommendation Report – Minor Variance A17-2025 – 165 Lakewood Dr (Henry);”

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

The motion is Carried (5 to 0)

Moved by: Duncan McKinlay

Seconded by: Robert Waind

AND THAT Committee of Adjustment GRANT Application for Minor Variance A17 - 2025 in order to permit the construction single detached dwelling, increasing its area to 281.42 m² that is located 5.53 m away from the rear lot line, subject to the following conditions:

1. The existing shipping container and metal shed be removed from the subject lands;
2. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
3. That this 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 shall expire on October 22, 2027.

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

The motion is Carried (5 to 0)

B.3 Minor Variance Application No. A18-2025

Owner: NW Property Corp.

Applicant/Agent: Kristine Loft, Loft Planning Inc.

Municipal Address: 495972 Grey Road 2

Legal Description: 495972 GREY ROAD 2 PLAN 114 PT LOT 1

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 why they are making the recommendations contained in the Staff Recommendation Report.

Member McKinlay questioned if the patio sits on the same footprint that the Committee previously approved a variance for a structure or is it outside of there the structure will be. Manuel noted it is within. Member McKinlay questioned what happens to the previous variance that was approved. Manuel noted that it would remain, as long as they obtained a building permit within the two-year timeline.

Chair Oliver spoke regarding the new wooden deck patio currently at the property and questioned if that is what is being requested to be approved. Manuel confirmed that is true.

Kristine Loft, Loft Planning, and Agent spoke requesting the Committee make a decision on the application today and further noted that the patio being constructed does not change anything related to the previous minor variance. Kristine noted the patio is being constructed and the only additional space is the original stone patio was rounded at the corner, and this patio is not rounded at the corner, it is squared off.

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.

Member McKinlay and Manuel spoke regarding the lack of comments received from Grey County's Transportation Department. Chair Oliver questioned why there was no condition requiring the County's permission. Manuel suggested the application be deferred.

Moved by: Jan Pratt

Seconded by: Michael Martin

THAT the Committee of Adjustment receive Staff Report PBS.25.093, entitled "Recommendation Report – Minor Variance A18-2025 – 495972 Grey Rd 2 (NW Property Corp.)";

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

The motion is Carried (5 to 0)

Moved by: Duncan McKinlay

Seconded by: Robert Waind

AND THAT Committee of Adjustment GRANT Application for Minor Variance A18 - 2025 in order to permit the replacement of the existing stone patio, approximately 50 m² in size with the construction of a 66.8 m² wooden patio, 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 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 shall expire on October 22, 2027.

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

The motion is Carried (5 to 0)

B.4 Minor Variance Application No. A19-2025

Owner: Carolyn Stamegna & Randy Baker

Applicant/Agent: First Step Building Consultants

Municipal Address: 123 Sladden Court

Legal Description: PLAN 16M83 LOT 14

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 why they are making the recommendations contained in the Staff Recommendation Report.

Member Waind noted that this proposal is located at the back of the property, which does not interfere with neighbouring properties and is more acceptable under the circumstances.

Abbey Scott, First Step Building Consultants and Agent noted the deck that is already constructed and has an existing roof partially covering the deck and the proposal is to extend it to the edge of the deck at the rear of the house. Abbey further noted it is a small roof line that is being added, and what makes it over the lot coverage by 1.2%.

Chair Oliver sought clarification that the proposal is to put a roof over the remaining portion of the deck, that is not presently covered by a roof. Abbey noted that was correct. Chair Oliver questioned if the property owner had any intention to close the structure in any way. Abbey confirmed that there is not.

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.

Chair Oliver noted that he does not like requests that increase footprints and further noted that this application is clearly a minor increase to the lot coverage. Chair Oliver noted that this approval is not for any kind of enclosure and is simply for a roof over the deck.

Moved by: Robert Waind

Seconded by: Jan Pratt

THAT the Committee of Adjustment receive Staff Report PBS.25.095, entitled "Recommendation Report – Minor Variance A19-2025 – 123 Sladden Crt (Baker)";

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

The motion is Carried (5 to 0)

Moved by: Robert Waind

Seconded by: Jan Pratt

AND THAT Committee of Adjustment GRANT Application for Minor Variance A19 - 2025 in order to permit the construction of a 12.82 m² (138 ft²) rear-covered porch roof addition to the existing building, 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 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 shall expire on October 22, 2027.

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

The motion is Carried (5 to 0)

B.5 Minor Variance Application No. A20-2025

Owner: Richard Lamperstorfer

Applicant/Agent: N/A

Municipal Address: Part Lot 13 to 15 Alfred Street; Part Lot 15 Napier Street

Legal Description: TOWN PLOT PARK PT LOT 13 TO PT LOT 15 ALFRED PARK PT LOT 15 NAPIER RP 16R503 PART 3 LESS PARK OF PT LT 13 RP16R 2744

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 why they are making the recommendations contained in the Staff Recommendation Report.

Member McKinlay noted the site plan include in the report is unreadable and therefore is unable to determine where the property boundaries are or flood zones are. Manuel noted that if this application is approved, there is a condition included in staffs' recommendation that a much higher quality site plan with respect to noting the location and distance from the flood plain, along with maintain the setbacks associated with on the subject property. Member McKinlay questioned if there is currently a home on the property, which Manuel confirmed that there is not. Member McKinlay further questioned if this application anticipates three separate entrances onto either Beaver Street, or the 10th Line. Manuel noted that he is not aware. Member McKinlay noted it looks more like a plan of subdivision.

Member Pratt agreed that it looks like a plan for townhomes and noted that she does not see on the plan what portion is hazard land.

Chair Oliver and Manuel discussed the reasons for the Council direction earlier the year for a staff report in response to a deputation that the Applicant made to Council.

Member McKinlay sought clarification that this is not a future development as anticipated under the development D category and is an interim use. Manuel confirmed that was correct.

Member Waind noted that previously there was a notice of refusal of the bylaw amendment, and the municipality did not take any of the options that were presented, so there was no bylaw was passed, with respect to these lands. Member Waind further noted his understanding is that staff have been recommended to complete a secondary plan for the area and under the circumstances, it would seem that this application, although there were some approvals granted five years ago, nothing has moved forward

in the meantime. Member Waind further noted that if there is a secondary plan being prepared, to establish the highest and best use, under the circumstances, the application is premature and should not be dealt with at this time and noted the proposed building is massive. Member Waind further comments that proposal is not in keeping with the community and will have an adverse impact on what happens in the future with these lands, if and when the secondary plan is approved on full services. There have been a tremendous number of staff reports that have been prepared on this property, dealing with the development D zone, and noted that is what property is, it is D zone, and it is future development lands. Member Waind noted that Council has turned down the application for a zoning amendment for this property and now here the Committee is trying to deal with it with some minor variances, which in his option are anything but minor.

Richard Lamperstorfer, property owner, noted he does not need to provide a lot of history and he supports staffs' recommendation to support the minor variance. Richard further noted he purchased this property in 2006, and he intended to build one, maybe two homes but the property is not dividable as it is in the Development D zone. Richard provided information to the Committee regarding the property and where the entrance to the farm is and noted that he intends to keep farming the property. Richard provided more information to the Committee regarding the history of the property and his intended uses for the property moving forward.

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.

Member McKinlay noted the applicant has a right to build a residence on the property and Bill 23 allows two secondary buildings.

Member Waind noted the clustering is not being complied with, as they should be within a certain distance of the principal dwelling and it is not proposed that way, and noted the accessory buildings in the application are larger and greater uses than are permitted. Member Waind further noted that it is not minor in nature either.

Moved by: Duncan McKinlay

Seconded by: Jan Pratt

THAT the Committee of Adjustment receive Staff Report PBS.25.096, entitled "Recommendation Report – Minor Variance A20-2025 – Part Lot 13-15 Alfred Street and

Part Lot 15 Napier Street (Lamperstorfer)”;

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

The motion is Carried (5 to 0)

Moved by: Duncan McKinlay

Seconded by: Jan Pratt

AND THAT the Committee of Adjustment GRANT minor variance A20-2025 in order to permit the construction of a 1,600 m² single detached dwelling, with a proposed height of 11 m along with two (2) detached accessory apartments, each 120 m² in size, 5.5 m in height, and containing three (3) bedrooms. One of the accessory apartments is proposed to be located up to 90 m from the primary dwelling while the other is situated within that distance.

1. That a permit be obtained from the Grey Sauble Conservation Authority, prior to the submission of a building permit application along with any other additional requirements and/or permits, if required;
2. That an adequately dimensioned site plan sketch depicting the location of the proposed dwelling and accessory buildings to the satisfaction of the Town; 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 from the date of decision. Should a building permit not be issued within two years, the variance shall expire on October 22, 2027.

Yay (4): Michael Martin, Duncan McKinlay, Jim Oliver, and Jan Pratt

Nay (1): Robert Waind

The motion is Carried (4 to 1)

B.6 Minor Variance Application No. A21-2025

Owner: Westhampton Professional Services Inc.

Applicant/Agent: First Step Building Consultants

Municipal Address: 149 Cameron Street

Legal Description: PLAN 723 LOT 20

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 why they are making the recommendations contained in the Staff Recommendation Report.

Member McKinlay noted it is basically a greenfield site and questioned if the request is for a deck and noted there is the beach and a 20-foot bank that is two-to-one slope and questioned if this deck is going hang over and the steps and go down to the beach. Manuel confirmed that is correct.

Member Waind questioned whether the deck is an accessory use, as there is no principal use right now and as long as the application is running concurrently with the construction of a new house, then the application for the minor variance for the accessory use would be okay, but they have to either follow the principal use or run concurrently with it. Member Waind further noted it is going to improve the existing situation; it is an accessory use nonetheless, and it has to at least run concurrently with the building permit for a house. Nancy Laythorpe, Chief Building Official confirmed there is a building permit issues for a house.

Abbey Scott, First Step Building Consultants, Agent, noted the original deck is not there currently, because it was demolished with the house. Abbey noted the proposal for this deck does end up in the 177.9 is being reduced, as they are pulling it back from the water's edge, and reducing the size. Abbey further noted that it is unfortunate that it sits in the 1779, and they have obtained a permit from Grey Sauble Conservation Authority and the building permit for the house as well as the deck is with the building department.

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: Robert Waind

THAT the Committee of Adjustment receive Staff Report PBS.25.097, entitled "Recommendation Report – Minor Variance A21-2025 – 149 Cameron St (Allen)";

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

The motion is Carried (5 to 0)

Moved by: Robert Waind

Seconded by: Michael Martin

AND THAT the Committee of Adjustment GRANT Application Minor Variance A21 - 2025 in order to permit the to reconstruction and relocation of a 79.43 m² deck and stairs to be situated within the 177.9 m G.S.C elevation adjacent to the Georgian Bay.

1. That a Development permit be obtained from the Grey Sauble Conservation Authority along with any other additional requirements, if required;
2. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
3. That this 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 Minor Variance shall expire on October 27, 2025.

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

The motion is Carried (5 to 0)

B.7 Minor Variance Application No. A22-2025

Owner: James Brace

Applicant/Agent: N/A

Municipal Address: 134 Campbell Crescent

Legal Description: PLAN 915 LOT 40

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 why they are making the recommendations contained in the Staff Recommendation Report.

Member McKinlay sought clarification that because the proposed building is 150 square feet, no building permit is required. Nancy confirmed that is correct. Member McKinlay followed up by asking even though it is or a commercial use, where the public may be. Nancy clarified that it is not a commercial use, as this is on a residential property and it is still an accessory structure to the dwelling. Nancy further noted that it does not matter if it is called a shed, an office someone works out of, it is still an accessory structure to the dwelling and the given the size, it is still an accessory to the dwelling.

Member Waind noted if the use of the property changed and becomes a commercial office, would there be a change of use required to consider parking and additional traffic. Nancy noted a home occupation is permitted in that area and that they review what is being put in front of them, and do not contemplate how the property could be used in the future.

James Brace, property owner spoke noting he currently owns a property in Vaughan and drives there everyday and is trying to avoid driving to Vaughan every day and this proposal is for a personal home office.

Chair Oliver noted the location of the proposed building is tucked back behind the residents and would be no opportunity for the kind of future uses that were being contemplated.

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.

Chair Oliver spoke regarding the increase in lot coverage with this application and suggested that with reviews of by-laws, staff find a way to reduce the size of residential housing developments. Chair Oliver further noted that the homes in this municipality are very large and do not need to be as large as they are. Chair Oliver noted that with respect to this application, he does respect that it is a minor application.

Moved by: Robert Waind

Seconded by: Jan Pratt

THAT the Committee of Adjustment receive Staff Report PBS.25.098, entitled "Recommendation Report – Minor Variance A22-2025 – 134 Campbell Crescent (Brace)";

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

The motion is Carried (5 to 0)

Moved by: Robert Waind

Seconded by: Duncan McKinlay

AND THAT the Committee of Adjustment GRANT Application for Minor Variance A15 – 2025 in order to permit the construction 13.94 m² detached accessory building (office), 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 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 shall expire on October 27, 2027.

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

The motion is Carried (5 to 0)

B.8 Consent Application No. B10-2025

Owner: Susan Monid

Applicant/Agent: Peter Verbeek

Municipal Address: 122 Barclay Boulevard

Legal Description: PLAN 772 LOT 8 to 9

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 why they are making the recommendations contained in the Staff Recommendation Report.

Member Waind spoke regarding when the preliminary review was conducted and questioned if anyone checked to see whether or not Plan 424 is now deemed to be a plan not within the meaning of the Planning Act. Member Waind further noted that if it has not been deemed no longer a plan, there would be no requirement for a consent application, it is an existing lot of record and lot 8 could be sold or lot 9 could be sold. Member Waind noted that he is prepared to support the application but has thoughts that it is superfluous and not needed. Member Waind noted when the new Planning Act came in in the mid-60s, once a lot, always a lot, and nothing has been done, to his knowledge, to affect the lot lines of these two parcels. Further noting that just because they have been lumped together with a pin number does not in and of itself merge those parcels. As a practicality for making assessment of the property parcels, one parcel for assessment purposes, but it does not override the Planning Act and create a merger. Member Waind noted that if nothing has been done, those two lots are still stand-alone lots and can be dealt with without a consent application, unless that plan has been deemed no longer a plan of subdivision within the meaning of Planning Act, we do not need the consent applications. Manuel noted that senior staff and the owner's agent had a conversation to confirm if it can be done without the severance, and noted it was confirmed by the owner's agent working on the rehab that they needed a severance that they could not merge it and had to unmerge it through the consent process.

Susan Monid, owner, provided background information to the Committee regarding the history of the property that was inherited by her and her brothers and their plans for her to take ownership of this parcel and noted her confusion when they were told it is a brand-new lot, as it has always been two lots.

Member McKinlay sought clarification on which lot has the cottage on it. Susan noted it is lot 8.

Member Pratt questioned what the consented conditions are. Susan noted the conditions came up because they were told it is a new lot, a development lot. Susan noted that the charges came up to \$67,000 and they do not have that kind of money and further noted that this was simply intended to be an investment share in her parent's inheritance. Susan noted they have been told there is no water on the property and noted the photo shows there is water on the property, as there is a fire hydrant on the property.

Peter Monid, property owner spoke regarding the objections and noted that they are with respect to the charges that would be incurred if it was a severance that actually happened, and if it does not happen, most of the comments fall away. Peter further noted that an additional objection they had was regarding the condition with respect to water, and noted the wells have to be decommissioned and water has been connected, and the cottage has been connected to municipal water, and it has been for years. Peter added that the lateral is already in place for the second lot.

Member Waind noted that if the laterals are there, and it is a vacant lot, there are some charges that will be incurred if and when an application for a building permit is made for dwelling on that property, there will be a capital water charge that will be necessary to be paid, including some development charges attached to the building permit in order to come up with the fees for the ultimate building permit to be issued. Member Waind further noted that if there is no severance needed, then only those charges would apply for an existing lot of record, that now wishes to get a building permit at some date in the future and those charges would apply, but the other charges that go with a severance would not apply. Member Waind noted that if Plan 424 is still a plan of subdivision within the meaningful Planning Act and suggested that they double check that. Peter noted that one of their questions were if these charges could be deferred until a building permit is requested. Peter further noted that if a severance is not required, it takes care of their ask and if one is required, and noted that the according to the Land Registry, it is still registered as two lots as well as MPAC. Member Waind provide information regarding when deeds are registered with the Land Registry.

Member McKinlay questioned if they knew if a fee was paid for this lot or both lots at the time the water service was provided. Nick Monid, property owner noted they did pay the fees in the early 70's when the Town brought water into the area and recalls it was approximately \$20,000 and everyone in the area had to pay. Member McKinlay questioned if they paid for both lots or just one. Nick noted it was for both lots. Member McKinlay questioned if they had proof of that payment and Nick confirmed they do have that documentation.

Member Waind provided background information regarding the subject lands and when they were created.

The Committee and the Applicants further discussed the application.

The Committee further discussed the merits of the application and the best path forward.

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: Michael Martin

THAT the Committee of Adjustment receive Staff Report PBS.25.063, entitled "Recommendation Report – Lot Creation Consent B10-2025 – 122 Barclay Blvd. (Monid, Bennett, Vaughn, Ciardullo)";

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

The motion is Carried (5 to 0)

Moved by: Duncan McKinlay

Seconded by: Robert Waind

WHEREAS additional information is required to make a decision;

THEREFORE the Committee of Adjustment DEFER provisional consent to application B10-2025 for three months, to allow the Applicants to provide additional information

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

The motion is Carried (5 to 0)

C. Other Business

C.1 2026 Committee of Adjustment Schedule

Moved by: Robert Waind

Seconded by: Michael Martin

THAT the Committee of Adjustment receives and endorses the 2026 Meeting Schedule, as presented.

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

The motion is Carried (5 to 0)

D. Committee Member Expenses

The Committee Members provided their travel expenses to the subject properties, to the Secretary-Treasurer.

E. Notice of Meeting Date

November 19, 2025

Town Hall, Council Chambers and Virtual

December 17, 2025

Town Hall, Council Chambers and Virtual

F. Adjournment

Moved by: Robert Waind

Seconded by: Jan Pratt

THAT the Committee of Adjustment does now adjourn at 3:53 p.m. to meet again at the call of the Chair.

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

The motion is Carried (5 to 0)