



Minutes

The Blue Mountains, Committee of Adjustment

Date: December 17, 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, 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 noted all members were present in Council Chambers.

A.3 Approval of Agenda

Moved by: Jan Pratt

Seconded by: Michael Martin

THAT the Agenda of December 17, 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 November 19, 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. A26-2025

Owner: Justin Calaminus

Applicant/Agent: Abbey Scott, First Step Building

Municipal Address: 109 Teskey Dr.

Legal Description: PLAN 496 PT LOT 12

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 questioned if the municipality would be liable in the event of an ice uprush, as an example, that could cause damage to the deck, should the Committee approve this request. Manuel noted that the municipality would not be.

Member McKinlay further questioned who is responsible for ensuring that any new structures do not interfere with the movement of water towards the bay. Manuel noted that the Grey Sauble Conservation Authority has jurisdiction over that concern.

Member Pratt questioned if Grey Sauble Conservation Authority is also responsible for ensuring the sediment and erosion control plan is done and followed. Manuel noted that as part of the application submission, there are special conditions associated, requiring that the applicants provide erosion sedimentation techniques on and off the site.

Member Pratt questioned who receives the control plans and Manuel noted that would be Grey Sauble Conservation Authority.

Chair Oliver noted that this deck was not built in compliance with the Town's Zoning By-law requirements and that they now have a permit from Grey Sauble Conservation Authority. Chair Oliver questioned if the applicant had submitted their application to Grey Sauble Conservation Authority before the deck was built or was their permit granted after the fact. Manuel deferred Chair Oliver's question to the applicant's agent.

The Committee further discussed the merits of the application including the jurisdiction of the conservation authority and the committee.

Member Pratt questioned if there is a penalty system for those who build something without getting the proper permissions. Chair Oliver noted that conservation authorities have the right to require a structure that is built without proper permission to be removed completely if they deemed it was a hazard or inappropriate or something they could not allow for, which is the penalty. Nancy Laythorpe, Deputy Chief Building Official noted that often there is an additional fee charged for constructing without a permit and further noted that if an order is issued then there is another fee on top of the fee for the order to comply.

Member Waind questioned if the permission is not granted, would the building code provisions provide for a restoration order or would we have that coming back from the Conservation Authority. Nancy noted that the Town would have certain authority and the Town would likely ask or order the structure to be removed and the lands to be

reinstated. Nancy further noted she does not believe the Town has much authority to act on the lands being reinstated, and that would fall to the Grey Sauble Conservation Authority.

Chair Oliver noted there is a garage being built on the property, which is not close to the deck, but Chair Oliver questioned if the lot coverage is in compliance with zoning bylaw and is not exceeding 30%. Manuel confirmed that it is not.

Abbey Scott, First Step Building Consultants and Agent for the Applicants provided background information to the Committee regarding this property. Abbey noted that half of the house is within the 177.9 mark from Grey Sauble Conservation Authority and originally a building permit was issued for new construction of the house and decks out to the front of the water. Abbey further noted that was previously permitted with variances and what happened was when the landscaper was building the deck, they went beyond and, the general contractor was not aware of what they had done. Abbey noted that when we applied for the final on the house, that is when all of this came up. Abbey further noted that coastal studies through Tatham Engineering have been completed and have obtained an engineering letter that was provided to Grey Sauble Conservation Authority, who was satisfied with the findings and were able to issue a permit for the extension of the deck that was not permitted, in the original permit for the construction of the house and deck.

Chair Oliver 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.25.113, entitled "Recommendation Report – Minor Variance A26-2025 – 109 Teskey Dr. (Calaminus)"

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 the Committee of Adjustment GRANT a minor variance for Minor Variance A26 – 2025 in order to formalize a deck that is approximately 43 m² that is located at the rear of the existing single detached dwelling that is 4.61 m from the 177.9 m G.S.C elevation adjacent to the Georgian Bay.

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 Minor Variance shall expire on December 17, 2027.

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 Annual Chair Shift

The Secretary-Treasurer reminded the Committee of the Annual Chair Shift that occurs at the first meeting of the new year.

C.2 Deferred Applications (verbal)

Re: Minor Variance Application No. A08-2025 - 54 Bruce St. S. and Consent Application No. B10-2025 - 122 Barclay Blvd

Manuel noted that both applicants for Minor Variance Application A08-2025 and Consent Application B10-2025, have provided notice to Planning Staff that they would like to withdraw their applications submitted to the Town. Manuel further noted these applications will therefore not be before the Committee in January.

Member Waind questioned what happened with the Consent Application. Manager of Community Planning, Shawn Postma, noted that the applicants had sought further legal advice and it was determined the property is indeed registered as two parcels with the Land Registry, therefore the consent was not required.

C.3 2025 Planning Act Changes to Committee of Adjustment and Minor Variances, PBS.25.114

Moved by: Duncan McKinlay

Seconded by: Jan Pratt

THAT the Committee of Adjustment receive Staff Report PBS.25.114, entitled “2025 Planning Act Changes to Committee of Adjustment and Minor Variances for information”

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 the Secretary-Treasurer with their expenses for reimbursement.

E. Notice of Meeting Date

January 21, 2026

Town Hall, Council Chambers and Virtual

February 18, 2025

Town Hall, Council Chambers and Virtual

F. Adjournment

Moved by: Michael Martin

Seconded by: Jan Pratt

THAT the Committee of Adjustment does now adjourn at 2:10 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)