



Minutes

The Blue Mountains, Committee of Adjustment

Date: January 28, 2026
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 Rivera, 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

Secretary-Treasurer Carrie Fairley called the meeting to order at 1:00 p.m. and noted that all Committee of Adjustment Members were present in Council Chambers.

A.3 Approval of Agenda

Moved by: Robert Waind
Seconded by: Michael Martin

THAT the Agenda of January 28, 2026, 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 Annual Chair Shift

Secretary-Treasurer, Carrie Fairley spoke regarding the annual appointment of the Chair and Vice Chair to the Committee for the 2026 calendar year. The Committee discussed and made nominations for the Chair and Vice Chair.

Chair Waind thanked the Committee for appointing him as the Chair for 2026.

Vice Chair, Oliver thanked the Committee for appointing him as the Vice Chair for 2026

A.4.1 Appointment of Chair to the Town of The Blue Mountains Committee of Adjustment for the 2026 Calendar Year

Moved by: Jim Oliver

Seconded by: Duncan McKinlay

THAT in accordance with the Town of The Blue Mountains Procedural By-law 2023-62, Robert Waind, is appointed as the Chair of the Committee of Adjustment for the remainder of the 2022-2026 Term of Council

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

The motion is Carried (5 to 0)

A.4.2 Appointment of Vice Chair to the Town of The Blue Mountains Committee of Adjustment for the 2026 Calendar Year

Moved by: Michael Martin

Seconded by: Jan Pratt

THAT in accordance with the Town of The Blue Mountains Procedural By-law 2023-62, Jim Oliver is appointed as the Vice-Chair of the Committee of Adjustment for the remainder of the 2022-2026 Term of Council

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

The motion is Carried (5 to 0)

A.5 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.6 Previous Minutes

Moved by: Duncan McKinlay

Seconded by: Michael Martin

THAT the Minutes of December 17, 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.7 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. A01-2026

Owner: Scott Baker, Property Owner

Applicant/Agent: N/A

Municipal Address: 70 Bruce St. S

Legal Description: PLAN 99 LOT 6 PT LOTS 5, 7, 8

Chair Waind 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.

Chair Waind questioned if all the criteria that part and parcel of a change of use application were taken into consideration for this application.

Planner Rivera noted that yes, all criteria were taken into consideration for this application.

Member Martin questioned if there were three units or two units.

Planner Rivera noted that there would only be two dwellings on the property, the main building and the accessory.

Member McKinlay questioned if there were any charges for connections for sewer and water.

Deputy Chief Building Official Nancy Laythorpe, noted that as per the Town's by-law there is only one connection here and that is the existing connection, so there is no charge for this.

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

Moved by: Duncan McKinlay

Seconded by: Jim Oliver

THAT the Committee of Adjustment receive Staff Report PBS.26.015, entitled "Recommendation Report – Minor Variance A01-2026 – 70 Bruce St S (Baker/Milne);"

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

The motion is Carried (5 to 0)

Moved by: Jim Oliver

Seconded by: Jan Pratt

AND THAT the Committee of Adjustment GRANT Conditional Approval for Minor Variance Application A01 – 2026 in order to permit the conversion of an existing detached garage, approximately 68.22 m² in area, into an Additional Residential Unit. The proposal involves adding a roof extension to increase the height of the existing structure from 5 m to 5.73 m.

1. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and

2. That this variance the Zoning By-law is for the purpose of obtaining a building permit is only valid for a period of two (2) year from the date of decision. Should a permit not be issued by the Town within two years, the variance shall expire on January 28, 2028.

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

The motion is Carried (5 to 0)

B.2 Consent Application No. B09-2025

Owner: Kathleen Shaban, Property Owner

Applicant/Agent: David Finbow, Agent

Municipal Address: 115 Gibson Way

Legal Description: COLLINGWOOD CON 6 PT LOT 26 RP 16R11440 PART 2

Chair Waind 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.

Chair Waind questioned how a severance application got perfected in the absence of a permit that was required as a condition of the original severance application of 2019.

David Finbow, agent to the applicant, stated that this is a misnomer, it was not a condition of consent in 2019 that a Grey Sauble Conservation Authority permit be obtained prior to the consent application being perfected. Mr. Finbow also stated that the Committee should appreciate that the comments from Grey Sauble Conservation Authority were dated yesterday and the application has been active since May of 2025.

Member Oliver asked for clarification regarding the subject land, being part 2 of figure 2 from the staff report and if this was the part that was being divided in half.

Planner Rivera confirmed that this was correct.

Mr. Finbow provided a presentation regarding the application. Mr. Finbow noted that this application was filed in June of 2025 and was deemed complete. Mr. Finbow stated that the submission documents included the completed application, the forms for both the Town and the Grey Sauble Conservation Authority, a Justification Report, Shoreline Hazard Study from Tatham Engineering, and a Natural Hazards Assessment from Crozier and Associates that specifically looked at the water course to the east of the original parcel of land. Mr. Finbow stated that his client agrees with the Town Staff report and the majority of the conditions. Mr. Finbow noted as they do not agree with all the

conditions of consent, this application will be treated as a contested consent application and therefore it does not meet the delegation requirements. Mr. Finbow went over the conditions that they could not meet and asked for the changes required to approve the application.

The Committee further discussed the merits of the Application and amendments to staff's recommended resolution.

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

Moved by: Duncan McKinlay

Seconded by: Jan Pratt

THAT the Committee of Adjustment receive Staff Report PBS.26.017, entitled "Recommendation Report – Consent Application B09-2025 – 115 Gibson Way (Shaban)";

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: Jim Oliver

AND THAT the Committee of Adjustment GRANT provisional consent to application B09 – 2025, subject to the following conditions:

1. That the Owner meets all the requirements of the Town, financial and otherwise, for the Certificate of Official to be issued;
2. That the Owner enter in a Consent Agreement to address the following to the satisfaction of the County of Grey and the Grey Sauble Conservation Authority, as applicable, with such Agreement being registered on title to the severed lands:
 - That prior to a building permit being issued, the Owner shall prepare a Tree Inventory and Planting Plan to identify all native trees above 10 centimeters diameter at breast height that are proposed to be removed and replaced on-site at a 1:1 compensation rate.
 - That prior to a building permit being issued, the Owner shall not complete any tree removal between March 15 and November 30 of any given year;

- That prior to a building permit being issued, the Owner shall prepare a Sediment and Erosion Control Plan to be implemented prior to the construction phase and maintained throughout the construction period;
 - That a Grey Sauble Conservation Authority Permit be obtained prior to any site alterations or construction.
3. That the Owner provides a survey of the existing buildings and structures on the subject lands to confirm that they will meet the minimum yard standards of the R1-1 zone. If these standards cannot be met, then the Applicant shall either obtain the appropriate planning approvals to address the deficiencies or shall demolish the structures as required to ensure conformity with the applicable zoning;
 4. That the Owner prepare an engineered Lot Development Plan and Supporting Report to demonstrate that the existing Town water infrastructure can service the proposed lot and that the additional water demands will not encumber other lots. The Lot Development Plan shall be submitted in accordance with Town Engineering Standards and approved by the Town prior to final approval and registration of the lot. A Municipal Land Use Permit, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works. All costs associated with the installation of required services shall be the responsibility of the Owner. All required infrastructure upgrades shall be constructed and made available at the front lot line;
 5. That the Owner provide payment of cash-in-lieu of parkland dedication for the severed lot in accordance with the Town Parkland Dedication By-law.
 6. That the Owner provides a description of the land and deposited reference plan, which can be registered in the Land Registry Office;
 7. That all above conditions be fulfilled within two (2) years of the Notice of Decision so that the Certificate of Consent pursuant to Section 53(42) of the Planning Act, can be issued by the Town.

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

The motion is Carried (5 to 0)

C. Other Business

None

D. Committee Member Expenses

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

E. Notice of Meeting Date

March 18, 2026

Town Hall, Council Chambers and Virtual

F. Adjournment

Moved by: Jan Pratt

Seconded by: Michael Martin

THAT the Committee of Adjustment does now adjourn at 3:00 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)