A. Call to Order
Chairman Morgan called the meeting to Order with the following members in attendance, Bill Remus and Robert Waind. Also in attendance was the Acting Secretary/Treasurer Travis Sandberg.

A.1 Fire Evacuation Notice - The Secretary/Treasurer read the Notice aloud.

A.2 Approval of Agenda: Moved by: Bob Waind Seconded.

“THAT the Agenda of August 21, 2019 be approved”. Carried.

A.3 Declaration of Pecuniary Interest: None

A.4 Adoption of Previous Minutes
Moved by: Robert Waind Seconded.

“THAT the Minutes of June 19, 2019, be adopted, as revised.” Carried

A.5 Business Arising from Previous Minutes
None.

B. Deputations/Presentations – none

Chairman Morgan read aloud the authority given under the Municipal Act, 2001 and in accordance with Ontario’s Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

C. Public Meeting – 4:00 p.m.
C.1 Application No: B10-2019
Owners: Brian Rice
Legal Description: Concession 5 South, Part Lot 7, Registered Plan 16R-1705, Part 4
Civic Address: 595374 4th Line

Chairman Morgan read aloud the Public Meeting Notice. The Acting Secretary/Treasurer 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.

Comments were received from the following public agencies and/or members of the public:

- The Grey Sauble Conservation Authority;
- The County of Grey Planning and Development Services Department;
- The Historic Saugeen Metis Lands, Resources and Consultation Department;
- The Town of The Blue Mountains Planning Services Division – recommend approval subject to the conditions noted in Planning Staff Report PDS.19.105

As there were no members of the public in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.19.105.
Moved by: Robert Waind Seconded and Carried.

Motion:
Moved by: Rob Waind

“THAT Committee of Adjustment authorize Consent No. B10-2019, subject to the conditions outlined in Attachment #1 to Staff Report PDS.19.105.”

Seconded and Carried.

C.2 Application No: B11-2019
Owners: Lesiak Investment Corporation
Legal Description: Part Lot 2 and 3, Plan 824, Part 5, Registered Plan 16R-1624, Part 2, 16R-6901
Civic Address: 212 Arlberg Crescent

Chairman Morgan read aloud the Public Meeting Notice. The Acting Secretary/Treasurer 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.

Comments were received from the following public agencies and/or members of the public:

- The Grey Sauble Conservation Authority;
- The County of Grey Planning and Development Services Department;
- The Historic Saugeen Metis Lands, Resources and Consultation Department;
- The Town of The Blue Mountains Planning Services Division – recommend approval subject to the conditions noted in Planning Staff Report PDS.19.105
Jules Fabbri, owner of Lot 17 and 18, Plan 131 (Lisa’s Lane), provided comments and expressed concern with the application. Specifically, he had concerns with respect to the potential increase in permitted guests for the Short Term Accommodation use on the subject lands as a result of the additional parking spaces becoming available. He also inquired if the additional space was to accommodate an additional STA unit.

Planning Staff responded and clarified that the existing STA use of the lands is considered to be legal non-conforming or “grandfathered”. As such, any increase in occupants or guests under the current license would require approval by the Committee of Adjustment in order to intensify the use. This process would be subject to public consultation and being a neighbouring property owner, Mr. Fabbri would be notified of any application in this regard. Mr. Fabbri appeared to be satisfied after receiving this clarification and indicated that his concerns had been allayed.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.19.105.
Moved by: Robert Waind Seconded and Carried.

Motion:
Moved by: Robert Waind

“THAT Committee of Adjustment authorize Consent No. B11-2019, subject to the conditions outlined in Attachment #1 to Staff Report PDS.19.105.”

Seconded and Carried.

C.3 Application No: B12-2019 and B13-2019
Owners: 61 Alfred Street West GP Inc.
Legal Description: Lots 1 to 3, Plan 105
Civic Address: 61 Alfred Street West

MHBC Planning consultants provided an overview of the application and the purpose for the severance. Jennifer Paprnik, owner of 104 Orchard Drive, spoke and expressed the following concerns with the application:

1) Site Drainage;
2) Built form and proposed dwelling type;
3) Privacy;
4) Building Envelope;
5) Services.

Town Planning Staff provided the following responses:
1) A site drainage plan will be completed through the plan of subdivision process. Any residential (re)development on the severed lands would require a building permit, which generally includes a site drainage plan;

2) The existing zoning applied to the subject lands is the same as that applied to Orchard Drive. The resulting built form and dwelling type will be consistent with these zone provisions;

3) The intended development will be consistent with existing built-form in the area;

4) Zoning establishes the applicable setbacks;

5) Service laterals will be required to be installed to one of the severed parcels. An overall servicing plan will be required for the retained lands through the review of the future draft plan of subdivision.

Ms. Peprnik appeared to be generally satisfied with the responses provided. As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.19.105.
Moved by: Robert Waind Seconded and Carried.

Motion:
Moved by: Robert Waind

“THAT Committee of Adjustment authorize Consent No. B12-2019 and B13-2019, subject to the conditions outlined in Attachment #1 to Staff Report PDS.19.106.”

Seconded and Carried.

D. Minor Variance Applications

D.1 Application No: A10-2019
Owners: Jeff and Suzanne Sutherland
Legal Description: Lot 31, Plan 1086
Civic Address: 126 Aspen Way

Chairman Morgan read aloud the Public Meeting Notice. The Acting Secretary/Treasurer 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.

Comments were received from the following public agencies and/or members of the public:

• The County of Grey Planning and Development Services Department;

• The Historic Saugeen Metis Lands, Resources and Consultation Department;

• The Niagara Escarpment Commission; and

• The Town of The Blue Mountains Planning Services Division – recommend approval subject to the conditions noted in Planning Staff Report PDS.19.107.
Mat VanAndel, the owners authorized agent, provided an overview of the application.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.19.107.

Moved by: Robert Waind Seconded and Carried.

Motion:
Moved by: Robert Waind

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A10-2019 in order to permit the construction of a 10sq.m. accessory structure partially within the Hazard Zone portion of the subject lands, subject to the following conditions:

1) That any permits required for the development are received from the Grey Sauble Conservation Authority;
2) That the development be constructed in a manner substantially in accordance with the site sketch attached as Attachment #1; and
3) That this variance to the zoning by-law is for the purpose of obtaining a building permit and is valid for a period of two years from the date of the decision only. If a building permit has not been issued by the Town within two years, the variance shall expire on August 21, 2021.”

Seconded and Carried.

D.2 Application No: A12-2019
Owners: Tamara Adamson
Legal Description: Lot 20, Plan 1068
Civic Address: 145 Pioneer Lane

Chairman Morgan read aloud the Public Meeting Notice. The Acting Secretary/Treasurer 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.

Comments were received from the following public agencies and/or members of the public:
- The Grey Sauble Conservation Authority;
- The County of Grey Planning and Development Services Department;
- The Historic Saugeen Metis Lands, Resources and Consultation Department;
- The Niagara Escarpment Commission; and
- The Town of The Blue Mountains Planning Services Division – recommend approval subject to the conditions noted in Planning Staff Report PDS.19.108

Tamara Adamson provided an overview of the application. Geoffrey Massingberd, owner of 796361 Grey Road 19, spoke and expressed various concerns with the application related to:
1) Short Term Accommodation use of the lands;
2) General location still has potential for impact on his property;
3) Noise;

The Committee reiterated that the application before them pertained to the deck encroachment only, and that the Committee has no authority over the STA use of the property.

The applicant provided responses to the concerns expressed and indicated that the rental agreement for the property includes monetary fines over and above any municipal fines for noise. The applicant further stated that the additional deck space would not increase the noise generated by guests, as the number of visitors will not increase. There is existing outdoor amenity space that would be continued to be used by guests if the deck subject to the application did not receive approval.

Harvey Wormald, owner of 143 Pioneer Lane, also spoke and raised concern with the application generally related to the Short Term Accommodation use of the lands. Bill Parker, owner of 141 Pioneer Lane, also expressed concerns related to the construction of the deck and the wiring of the hot tub on the lands.

The Committee requested that Staff follow-up with Building Services to determine if any inspections can be required for the electrical work related to the hot tub. The Committee then summarised that the critical concern expressed appeared to be with noise and the short term accommodation use of the lands. The Committee than re-stated that the use of the lands was not in their current purview and that the decision to be made pertained only to the merits of the deck encroachment. The various By-laws and complaint process for STA uses was outlined and it was again clarified that the Committee has no authority in those areas. The Committee than discussed the application and noted that the impact of the deck will not increase the potential for adverse noise impact on adjacent property owners.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.19.108.

Moved by: Robert Waind Seconded and Carried.

Motion:
Moved by: Robert Waind

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A12-2019 in order to permit an unenclosed deck to encroach a maximum of 4.3m into the rear yard, whereas a maximum encroachment of 1.5m is permitted, subject to the following conditions:

1) That additional landscape plantings be installed on the rear property line in order to provide a buffer to the abutting property”.
Seconded and Carried.

D.3 Application No: A13-2019
Owners: Craigleith Ski Club Ltd
Legal Description: Concession 3, Part Lots 19 to 21, Concession 4, Part Lots 20 and 21, Plan 634, Lots 54 to 57, Block B, Registered Plan 16R-22120, Part 1, and Part 1, 16R-5025
Civic Address: 218 Craigleith Road

Chairman Morgan read aloud the Public Meeting Notice. The Acting Secretary/Treasurer 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.

Comments were received from the following public agencies and/or members of the public:
- The County of Grey Planning and Development Services Department;
- The Historic Saugeen Metis Lands, Resources and Consultation Department;
- The Grey Sauble Conservation Authority; and
- The Town of The Blue Mountains Planning Services Division – recommend approval subject to the conditions noted in Planning Staff Report PDS.19.109.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.19.109.

Moved by: Robert Waind Seconded and Carried.

Motion:
Moved by: Robert Waind

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A13-2019 in order to permit the construction of a 130sq.m. structure in the Open Space Exception (OS-48) zone, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the site sketch attached as Attachment #1; and
2. That this variance to the zoning by-law is for the purpose of obtaining a building permit and is valid for a period of two years from the date of the decision only. If a building permit has not been issued by the Town within two years, the variance shall expire on August 21, 2021.”

Seconded and Carried.
Comments were received from the following public agencies and/or members of the public:
- The County of Grey Planning and Development Services Department;
- The Historic Saugeen Metis Lands, Resources and Consultation Department;
- The Grey Sauble Conservation Authority;
- The Niagara Escarpment Commission; and
- The Town of The Blue Mountains Planning Services Division – recommend approval subject to the conditions noted in Planning Staff Report PDS.19.110.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.19.110.

Moved by: Robert Waind  Seconded and Carried.

Motion:
Moved by: Robert Waind

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A14-2019 for the property legally described as Lot 25, Plan 1025, in order to permit the construction of a detached accessory structure, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the site sketch attached as Attachment #2;
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 years from the date of decision. If a building permit has not been issued by the Town within two years, the variance shall expire on August 21, 2021.”

Seconded and Carried.

D.5  Application No: A15-2019
Owners: Sandra Banks and James Matthews
Legal Description: Lot 29, Plan 395
Civic Address: 93 Bay Street East
Chairman Morgan read aloud the Public Meeting Notice. The Acting Secretary/Treasurer 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.

Comments were received from the following public agencies and/or members of the public:
- The County of Grey Planning and Development Services Department;
- The Historic Saugeen Metis Lands, Resources and Consultation Department;
- The Grey Sauble Conservation Authority;
- The Niagara Escarpment Commission; and
- The Town of The Blue Mountains Planning Services Division – recommend approval subject to the conditions noted in Planning Staff Report PDS.19.111.

The applicant provided an overview of the application. Two neighbours spoke to express their full support of the application.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.19.111.

Moved by: Robert Waind Seconded and Carried.

Motion:
Moved by: Robert Waind

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A15-2019 for the property legally described as Lot 29, Plan 395, in order to permit the construction of a single detached dwelling, subject to the following conditions:

1. That the development be constructed in a manner substantially in accordance with the site sketch attached as Attachment #1;
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 years from the date of decision. If a building permit has not been issued by the Town within two years, the variance shall expire on August 21, 2021.

Seconded and Carried.
E.  Sign Variances

E.1 Beaver valley Outreach Sign

The Committee discussed the proposed sign and suggested investigating implementing a public notice process similar to minor variances for future sign variance proposals. The Committee further expressed that the BVO should be supported where ever reasonable and appropriate and that the proposed sign appears to more of a ground sign than a pylon sign. Overall the proposed sign appears to be compatible with the existing streetscape and view corridors on King Street.

Motion:
Moved by: Robert Waind

“THAT the Committee of Adjustment GRANT the sign variance request made by the Beaver Valley Outreach, subject to no conditions.”

Seconded and Carried.

F.  New and Unfinished Business:

None.

G.  Next Meeting Date: September 11, 2019

H.  Adjournment

Moved by: Robert B. Waind

THAT this Committee of Adjustment meeting now be adjourned. Seconded and Carried.