



Staff Report

Legal Services

Report To: Committee of the Whole Meeting
Meeting Date: June 21, 2022
Report Number: FAF.22.100
Title: Disposition of Wellington St. N. Road Allowance
Prepared by: Will Thomson, Director of Legal Services

A. Recommendations

THAT Council receive Staff Report FAF.22.100, entitled "Disposition of Wellington St. N. Road Allowance";

AND THAT Council declares that the portion of the Wellington St. N. Road Allowance which immediately abuts 151 and 161 Bay St. E. surplus to the needs of the Municipality;

AND THAT Council direct Staff to bring forward a by-law to the July 4, 2022, meeting of Council to stop up and close that portion of Wellington St. N.

AND THAT Council authorizes and directs the sale of the subject portion of Wellington St. N. as set out in this Staff Report.

AND THAT Council delegates all necessary signing authority with respect to the sale or transfer of this portion of the Wellington St. N. Road Allowance to the Mayor and Clerk.

B. Overview

In June 2021, the owner of 151 Bay St. E. ("owner") made a deputation to Council asking to purchase the portion of the Wellington St. N. Road Allowance adjacent to their property, as the owner uses the same for access to her driveway/garage. Staff were directed to prepare a report on the subject, and Planning Staff brought forward PDS.21.105 in September 2021. The owner made a further deputation to Council in November 2021, and Staff brought forward PDS.22.010 in January 2022 in response to that deputation.

C. Background

Council's resolutions in PDS.21.105 and PDS.22.010 directed Staff to continue to work through the disposition process in accordance with POL.COR.07.02, the Town's disposition of land policy.

As such, Staff gave public notice regarding the potential disposition was posted in the Connection newspaper the weeks of October 7 and 14, 2021.

In response to that notice, the Town received 3 inquiries by interested parties. One expressed an interest in potentially acquiring the land, and 2 asked to stay informed/were looking for information.

This matter was the subject of a public meeting on May 30, 2022.

Staff are now seeking a final direction from Council on how to proceed.

D. Analysis

The Town's disposition of land policy gives the Town the discretionary power to seek bids for real estate or to solicit the services of a real estate professionals in the sale of land. In this matter, four parties, including the owner, have expressed more than a passing interest in this land. Two have expressed a desire to acquire it – the owner, and another resident of Bay St. E who is interested in a building lot to build another residential property.

While the Town could use a bid or tender process to dispose of this land, it is not required to do so, and Staff are not recommending it at this time. Rather, Staff recommend that the Town obtain an appraisal for the land as a building lot or lot addition and offer the abutting landowners (being the owner and the resident at 161 Bay St. E.) the right of first refusal to purchase the land at the appraised value (i.e., they each purchase half the land and split the appraised price).

Staff further recommend, that if the resident at 161 Bay St. E. is not interested in purchasing half the lot (as they have expressed no interest in doing so), that it be offered to the owner for the full appraised value as a building lot or lot addition with the added condition that it be consolidated with her current lot.

Staff recommend this process for two reasons:

1. It garners the Town fair value of the land for its intended use; and,
2. It is fair and equitable to the owner, who originally requested to purchase this lot to formalize her continued use of the land.

Therefore, Staff are seeking Council's endorsement of the following process and procedure:

1. That the road be declared surplus via this report and closed by by-law.
2. That Staff obtain a land appraisal for the land as a "residential building lot".
3. That Staff be directed to offer to sell the land 50/50 to the abutting landowners at the appraised price.
4. That if the owner of 161 Bay St. E. does not wish to purchase 50% of the land, then the entirety of the land be offered to the owner of 151 Bay St. E. at the full appraised price.
5. After confirming the desire of the adjacent property owners to acquire the land, the Town will obtain a survey setting out the portion(s) to be transferred/acquired.
6. That any sale to either of the abutting landowners be contingent on the transferred land being merged with the owners own existing lot.

7. In the event neither of the abutting owners wish to purchase the land at the appraised value and on the condition as set above, then the Town engage the services of a real estate agent to advertise the land for sale and solicit offers/bids for the land.

Any sale of this land would also require that the purchaser pay the Town's legal costs, appraisal costs, and survey costs.

In the alternative, Council could proceed through the laid out process, and if neither abutting landowners wishes to purchase the lands, Council may direct that the land be retained by the Town, and the Surplus designation be rescinded.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

N/A

G. Financial Impacts

The subject portion of the Wellington St. N. Road Allowance is the size of a standard residential lot in the area, and once closed, will assume the residential zoning of its neighbouring properties. It is anticipated that a residential building lot in this desirable area will be valuable.

As per Town Policy, proceeds of the sale would be directed to the Community Improvement Plan Reserve.

H. In Consultation With

Shawn Everitt, CAO

Trevor Houghton, Manager of Community Planning

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting and/or Public Information Centre which took place on **May 30, 2022**.

Any comments regarding this report should be submitted to Will Thomson, Director Legal Services directorlegal@thebluemountains.ca.

J. Attached

1. Attachment 1 Staff Report PDS.21.105
2. Attachment 2 Staff Report PDS.22.010.

Respectfully submitted,

Will Thomson
Director Legal Services

For more information, please contact:
Will Thomson, Director Legal Services
directorlegal@thebluemountains.ca
519-599-3131 extension 258

Report Approval Details

Document Title:	FAF.22.100 Disposition of Wellington St. N. Road Allowance.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 PDS.21.105 Consideration of Sale of Town Lands - Wellington Street Road Allowance (P3021).pdf- Attachment 2 PDS.22.010 P3021 Follow-Up Report - Request to Purchase Wellington Street North combined.pdf
Final Approval Date:	Jun 10, 2022

This report and all of its attachments were approved and signed as outlined below:

Will Thomson - Jun 9, 2022 - 12:56 PM

No Signature found

Shawn Everitt - Jun 10, 2022 - 8:24 AM



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of the Whole
Meeting Date: September 21, 2021
Report Number: PDS.21.105
Title: Consideration of Sale of Town Lands – Wellington Street Road Allowance (P3021)
Prepared by: Travis Sandberg, Planner II

A. Recommendations

THAT Council receive Staff Report PDS.21.105, entitled “Consideration of Sale of Town Lands – Wellington Street Road Allowance (P3021)”;

AND THAT Council direct staff to proceed with all necessary processes required to consider disposal of a portion of the unopened Wellington Street North Right-of-Way in accordance with the Town’s Sale and Disposal of Land Policy (POL.COR.07.02); including the required Public consultation.

B. Overview

This report provides an overview of staff’s review of a request to purchase Town lands, being a portion of the unopened Wellington Street Road Allowance located adjacent to Lot 46, Plan 410 (151 Bay Street East). Staff have assessed the subject lands characteristics, strategic value, and importance to Town interests through a standardized internal process. Staff have determined that there is merit with disposing the lands as they are deemed surplus to the Town’s needs.

C. Background

The original Wellington Street North Road Allowance remains unopened as is located between 151 Bay Street East and 161 Bay Street East. The lands that are subject to this report (i.e., the “Subject Lands”) are a portion of the unopened road allowance shown in Figure 1 and are approximately 1,000sq.m. in area (20m wide and 50m deep). Full municipal services are available to the lands.

The properties on either side of the Subject Lands and are currently developed for single detached residential uses. The property abutting to the south of the Subject Lands is currently developed for general employment uses and is the site of Breaker Technologies Inc. (BTI).

In June of 2021, the owner of 151 Bay Street East (Helen Kimble) submitted a request to the Town to potentially purchase the Subject Lands. Her proposal can be summarized as follows;

1. Purchase the Subject Lands and become part of her lot.
2. Purchase half of the Subject Lands and the other adjacent property owner purchase the other half.
3. Have the Town grant her lands a right-of-way/easement over the Subject Lands for access.
4. Grant her first right of refusal in writing should the Town decide not to sell the Subject Lands at this time.

Upon consideration, Council passed the following motion:

“THAT Council of the Town of The Blue Mountains receives for information the deputation material from Helen Kimble regarding her request to purchase the Wellington Street Road Allowance located adjacent to Lot 46, Plan 410 (151 Bay Street East), and refers the request to the Planning Department for a report to Council for consideration.”

Planning Staff have coordinated an internal review of the Subject Lands in accordance with a standardized form/protocol involving various departments within the Town.

Figure 1: Aerial View



D. Analysis

As a result of this review, it appears that the Subject Lands have no known municipal infrastructure located on them and do not serve a functional drainage purpose. When consulted, the Town's internal Departments did not indicate that the lands should be retained by the Town or had any long-term strategic value. Furthermore, since the other portions of this road allowance have been either previously been transferred (to Breaker Technologies Inc.) or have been recently determined to be surplus and to be transferred to abutting owners (per Staff Report PDS.21.019 dated April 20, 2021), the Subject Lands have very limited long-term strategic value for the Town as an actual road allowance. It is generally noted that the current driveway accessing 151 Bay Street East is located within the Subject Lands.

County of Grey Official Plan, 2018

The Subject Lands are located within the *Primary Settlement Area* designation of the County of Grey Official Plan, 2018, as applies to the Town of Thornbury. No further constraints, including natural heritage features, are identified on the lands or within 120m thereof.

Primary Settlement Areas are the main focus for growth and development in the County and are suitable for high intensification targets, public transit services, and have full municipal services. The County Plan promotes the development of these areas for a full range of residential, commercial, industrial, recreational, and institutional land uses. A minimum development density of 20 units per net hectare is required for all new (residential) development in the *Primary Settlement Area* designation. It is noted that full municipal sewer and water services are available at the property frontage.

Town of The Blue Mountains Official Plan, 2016

The Subject Lands are located within the *Community Living Area* designation of the Town of The Blue Mountains Official Plan, 2016. This designation applies to lands in the Thornbury-Clarksburg Settlement Area on full municipal services and permits a wide-range of residential uses. It is the intent of the Plan to maintain compatibility of existing residential areas, to encourage the provision of a full range of housing opportunities to meet the Town's housing needs, and to promote the efficient use of existing and planned infrastructure by creating the opportunity for residential intensification, where appropriate. No natural hazards, natural heritage features, or other constraints are identified on the lands or within 120m thereof.

Zoning By-law 2018-65

Part 2.4(c) of Zoning By-law 2018-65 states that "a [zone] boundary indicated as following a lot line abutting an unopened road allowance shall follow the centreline of such road allowance". As each of the abutting properties are currently zoned R1-1, per Schedule 'A' of the By-law, it is reasonable to evaluate/review the Subject Lands in accordance with the R1-1 zone provisions.

The permitted uses and applicable performance standards for the R1-1 zone are outlined in Table 6.1 and Table 6.2.1 of the By-law, as are provided below. In review of the performance standards outlined in Table 6.2.1, it is noted that the Subject Lands would exceed the minimum

lot area and frontage requirements for the R1-1 zone. More specifically, the subject lands would have a lot frontage of approximately 20m onto Bay Street, where a minimum of 18m is required, and would have a lot area of approximately 1,000sq.m., whereas a minimum of 550sq.m. is required.

Given the size and dimensions of the Subject Lands, Planning Staff note that they would meet the requirements for a new residential building lot and could facilitate the construction of one (1) new Single Detached Dwelling Unit, and accessory uses and buildings thereto. It is further noted that the resulting parcel would reflect the general size and dimension of existing lots of record within the immediate area.

Table 6.1 – Residential Zone Use Permissions

Permitted Use	R1	R2	R3
<i>Accessory apartment</i>	X	X	
<i>Apartment building</i>			X
<i>Duplex dwelling</i>		X	
<i>Group home</i>	X		
<i>Home child care</i>	X	X	X
<i>Home industry</i>			
<i>Home business</i>	X	X	X
<i>Multiple dwelling</i>		X	
<i>Retirement home</i>			X
<i>Rowhouse Dwelling</i>		X	
<i>Semi-detached dwelling</i>		X	
<i>Single detached dwelling</i>	X		
<i>Townhouse dwelling</i>		X	
<i>Triplex dwelling</i>		X	

Table 6.2.1 – Residential Zone Standards (Part A)

Zone Standard	R1-1	R1-2	R1-3	R1-4	R1-5
Minimum <i>lot area</i> (m ²)	550	450	360	2,000	1,390
Maximum lot coverage	30%	35%	40%	20%	N/A
Minimum <i>lot frontage</i> (m)	18.0	15.0	12.0	30.0	24.0
Minimum <i>front yard</i> (m)	7.5	6.0	6.0	9.0	9.0
Minimum <i>exterior side yard</i> (m)	5.0	2.4	2.4	9.0	7.5
Minimum <i>interior side yard</i> (m)	2.0	1.2 (1)	1.2(1)	5.0	3.0
Minimum <i>rear yard</i> (m)	9.0	6.0	6.0	7.5	9.0
Maximum <i>height</i> (m)	9.5	8.0		9.5	
Maximum <i>height</i> (storeys)	2.5	2.0		2.5	

Other Considerations

The Subject Lands are located within the potential influence area of Breaker Technologies Inc., which is zoned and designated as an industrial use in accordance with the Town's Zoning By-law and Official Plan. In accordance with the Provinces Land Use Compatibility Guidelines, a relevant review of the potential impacts of the industrial use may have to be considered under

the D-6 Guidelines (“*Compatibility between Industrial Facilities*”), should the Subject Lands be considered for a “new” residential building lot.

The Options

Based on the above analysis Council should consider two options.

Option A: Disposing the Subject Lands per the June 2021 request made by Helen Kimble being:

1. Helen Kimble purchases the Subject Lands and it becomes part of her lot, or
2. Helen Kimble purchases half of the Subject Lands and the other adjacent property owner purchases the other half.

Option B: Disposing the Subject Lands as an infill lot for residential purposes.

Conclusions

Regardless of the Option selected above it has been determined by Staff that the Subject Lands serve no long-term strategic value for the municipality.

Staff recommend that the next step would be to begin the formal process of declaring the lands surplus and disposing of the lands in accordance with the Town’s Sale and Disposition of Land Policy (POL.COR.07.02). This process will involve Notice to the public and an appraisal of the value of the Subject Lands by an accredited appraiser selected by the Town. The cost of the appraisal is typical borne at the expense of a benefitting party.

A bylaw to Stop Up and Close the Road allowance and declare the lands surplus may also need to be brought to Council at a date in the future following appropriate Public notice being provided in accordance with Corporate Policy POL.COR.07.02.

E. Strategic Priorities

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

There are no direct environmental impacts associated with this Report.

G. Financial Impacts

Additional funds from the potential sale of the Subject Lands will benefit the municipality.

H. In Consultation With

Internal Departments through the circulation of the request through the standardized process/protocol.

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, per the Town's Sale and Disposition of Land Policy (POL.COR.07.02) a Notice to the public will be required. Any comments regarding this report should be submitted to Travis Sandberg, planning@thebluemountains.ca

J. Attached

None.

Respectfully submitted,

Travis Sandberg
Planner II

Trevor Houghton, RPP MCIP
Manager of Community Planning

Nathan Westendorp, RPP MCIP
Director of Planning and Development Services

For more information, please contact:

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Report Approval Details

Document Title:	PDS.21.105 Consideration of Sale of Town Lands - Wellington Street Road Allowance (P3021).docx
Attachments:	
Final Approval Date:	Sep 13, 2021

This report and all of its attachments were approved and signed as outlined below:

Trevor Houghton - Aug 30, 2021 - 1:25 PM

Nathan Westendorp - Sep 13, 2021 - 3:32 PM



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of the Whole Meeting
Meeting Date: January 18, 2022
Report Number: PDS.22.010
Title: P3021 Follow-Up Report – Request to Purchase Wellington Street North
Prepared by: Travis Sandberg, Planner II

A. Recommendations

THAT Council receive Staff Report PDS.22.010, entitled “P3021 Follow-Up Report – Request to Purchase Wellington Street North” for information purposes.

AND THAT Council direct Staff to continue to work towards the disposal of the subject lands in accordance POL.COR.07.02.

B. Overview

This report is intended to provide additional background information to Council following a deputation from Helen Kimble regarding the request to purchase the unopened Wellington Street North Road allowance. The information provided in this report is further to Staff Report PDS.21.105 “Consideration of Sale of Town Lands – Wellington Street Road Allowance (P3021)”, as presented to Committee of the Whole on September 21, 2021.

C. Background

The Owner of 151 Bay Street East (Helen Kimble) submitted a request to the Town to potentially purchase an unopened portion of the Wellington Street North Road allowance. Planning Staff provided a Staff Report to Committee of the Whole on September 21, 2021, outlining two potential options for Council to consider in the disposition of the subject lands. These options included:

Option A: Disposing the Subject Lands per the June 2021 request made by Helen Kimble being:

1. Helen Kimble purchases the Subject Lands and it becomes part of her lot, or
2. Helen Kimble purchases half of the Subject Lands and the other adjacent property owner purchases the other half.

Option B: Disposing the Subject Lands as an infill lot for residential purposes.

By Resolution dated October 4, 2021, Council directed staff to proceed with all necessary processes required to consider disposal of a portion of the unopened road allowance in accordance with the Town's Sale and Disposal of Land Policy (POL.COR.07.02). It is noted that the public consultation requirements of POL.COR.07.02. have been completed. Based on the public consultation process Town staff were contacted by three (3) other persons (besides Ms. Kimble) that expressed interest in this land.

In the Deputation on November 23, 2021, it was suggested by Ms. Kimble that a previous site-specific amendment to the Zoning By-law may have afforded access rights over the unopened portion of Wellington Street North to the property located at 151 Bay Street East. As such, the sale of the lands to any another party would effectively eliminate access to the garage located on her residential property.

In response to the deputation, Council directed staff to provide a follow-up report on the history of this property, whether there are any legal access rights registered on-title of the unopened road allowance, and to provide an overview of the purpose and effect of the previous site-specific Zoning By-law Amendment as approved by the then Council. The purpose of this report is limited to the background requested by Council.

D. Analysis

Amending By-law 2004-20

Zoning By-law 2004-20 was passed by the then Council on April 13, 2004, and had the effect of applying site-specific zoning provisions to the property located at 151 Bay Street East, now owned by Ms. Kimble (see Attachment 1). As outlined in the certified copy of amending Zoning By-law 2004-20, this by-law was enacted to amend Section 6.1(vi)(c) to the former Town of Thornbury Zoning By-law 10-77 to permit the construction of a maximum 54 square metre detached garage a minimum distance of 2.0m from the easterly side lot line.

It is noted that the former Town of Thornbury Zoning By-law 10-77 required a 7.5m side yard setback abutting a public street for all detached accessory structures located on residentially zoned properties. Zoning By-law 10-77 defined a Public Street as:

***"STREET, PUBLIC"** means a common and public highway as defined under The Municipal Act being chapter 302 of the Revised Statutes of Ontario, 1980, Section 1, Paragraph 9 and Section 257".*

An unopened road allowance (in this case Wellington Street North) was considered to be a "public street" for the purposes of the former Thornbury Zoning By-law 10-77.

As background for Council's information, it is noted that according to Appendix Map 'G' entitled "Roads Plan" of the 2004 Town Official Plan, this portion of Wellington Street North did not appear to have any road classification applied. The absence of a road classification in 2004 would suggest that this portion of Wellington Street North was simply considered to be an unopened road allowance. It remains an unopened road allowance for the purposes of the current 2016 Official Plan.

In summary the 2004 zoning application was a request by the applicant (Ms. Kimble) to build a detached garage with a 2.0m setback to an abutting “public street” whereas the Zoning By-law required a 7.5m setback. The amending Zoning By-law was enacted, and once in full force, the applicant built the detached garage taking advantage of the reduced side yard setback. The structure was built with an overhead door facing the Wellington Street North road allowance for convenient access.

Staff have confirmed through a title search that there are currently no registered easements for any party, including Ms. Kimble, over the unopened portion of Wellington Street North. Based on the information available, including the Council minutes from the Public Meeting and submitted Zoning By-law Amendment application form, there is no suggestion that the applicant was being granted any access rights over the Town’s unopened road allowance as part of the consideration of the 2004 Zoning By-law Amendment application. Therefore, Staff have not uncovered any documentation that suggests the Town’s approval of the zoning bylaw amendment in 2004 included rights to access the detached garage via the unopened road allowance. The fact that a garage door was placed on side of the garage facing the unopened road allowance increased the convenient useability of the garage for as long as the Town allowed the ad hoc use of the unopened road allowance as access.

Other Considerations

In the event that Council should decide to transfer ownership of the Wellington Street North road allowance to Ms. Kimble, it is recommended that the terms of the sale include the requirement that the road allowance be legally merged on title with 151 Bay Street East. This will ensure that going forward this road allowance is not a separately conveyable lot unless severed through the *Planning Act* processes.

E. Strategic Priorities

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

F. 4. Environmental Impacts

No adverse environmental impacts are anticipated as a result of this report.

G. Financial Impacts

No adverse financial impacts are anticipated as a direct result of this report. As per Town Policy, proceeds of the sale of this property would be directed to the Town's Community Improvement Plan (CIP) Reserve.

H. In Consultation With

Trevor Houghton, Manager of Community Planning

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Travis Sandberg, planning@thebluemountains.ca

J. Attached

1. Amending Zoning By-law 2004-30

Respectfully submitted,

Travis Sandberg, Planner II

Trevor Houghton, MCIP RPP
Manager of Community Planning

Nathan Westendorp, MCIP RPP
Director of Planning and Development Services

For more information, please contact:

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Report Approval Details

Document Title:	PDS.22.010 P3021 Follow-Up Report - Request to Purchase Wellington Street North.docx
Attachments:	- 2004-20 ZBA MacKenzie Walter Lot 46 Plan 410 No. 16-125.PDF
Final Approval Date:	Jan 6, 2022

This report and all of its attachments were approved and signed as outlined below:

Trevor Houghton - Jan 6, 2022 - 2:50 PM

Nathan Westendorp - Jan 6, 2022 - 4:48 PM

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 2004-20

Being a By-law to amend Zoning By-law No. 10-77
which may be cited as "The Zoning By-law of the
Town of Thornbury".

WHEREAS the Council of the Corporation of the Town of The Blue Mountains deems it necessary
in the public interest to pass a by-law to amend By-law No. 10-77;

AND WHEREAS pursuant to the provisions of Section 34 of the Planning Act, the by-law may be
amended by Council of the Municipality;


NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE
MOUNTAINS ENACTS AS FOLLOWS:

1. Notwithstanding the provisions of Section 6.1(vi)(c) to the Zoning By-law of the Town of
Thornbury, being By-law No. 10-77, a maximum 54 square metre detached garage may be
located a minimum distance of 2 metres from the easterly side lot line, for those lands lying and
being in the Town of The Blue Mountains, comprised of Lot 46, Plan 410 (151 Bay Street) as
indicated in cross-hatching on the attached key map Schedule "A-1".
2. Schedule "A-1" is hereby declared to form part of this By-law.

READ A FIRST TIME THIS 13th DAY OF April, 2004.

READ A SECOND TIME THIS 13th DAY OF April, 2004.

READ A THIRD TIME AND FINALLY PASSED THIS 13th DAY OF April, 2004.


Ellen Anderson-Noel, Mayor


Stephen Keast, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2004-20 as enacted by the
Council of the Corporation of the Town of The Blue Mountains on the 13th day of
April, 2004.

DATED at The Blue Mountains

this 14th day of

April, 2004.

Signed: 
Stephen Keast, Clerk

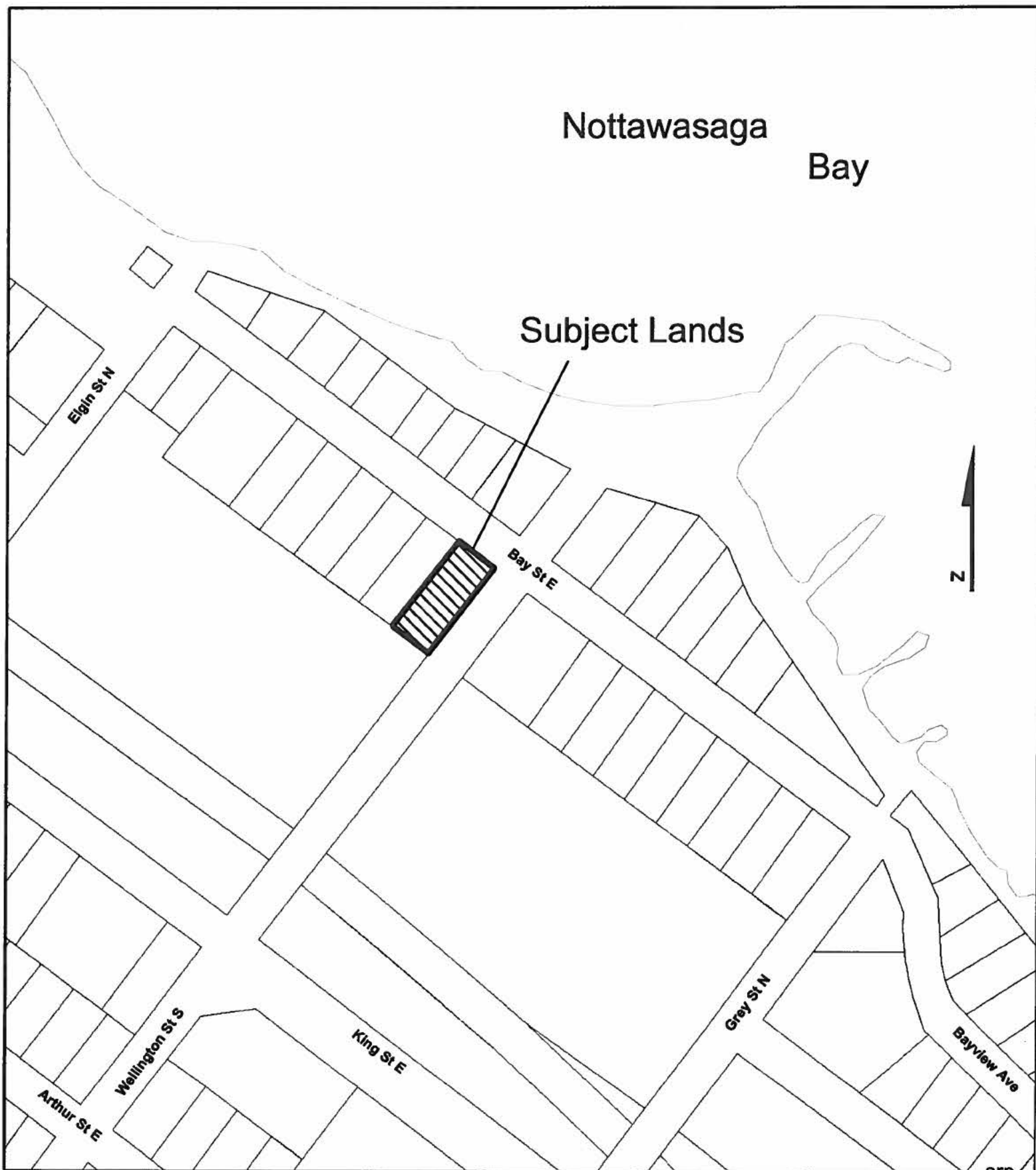
KEY MAP SCHEDULE A-1

BY-LAW No. 2004-20

TOWN OF THE BLUE MOUNTAINS



AREA AFFECTED BY THIS AMENDMENT



1:2,500

srp

NOTICE OF THE PASSING OF A ZONING BY-LAW
TOWN OF THE BLUE MOUNTAINS

TAKE NOTICE THAT the Council of the Town of The Blue Mountains passed By-law No. 2004-20 on the 13th day of April, 2004 under Section 34 of the Planning Act.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the by-law by filing with the Clerk of the Town of The Blue Mountains not later than the 4th day of May, 2004 a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, together with the required \$125 fee made payable to the Minister of Finance.

AND TAKE NOTICE that only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies (or, alternatively, an explanation as to why a key map is not provided) are attached. The complete by-law is enclosed for inspection.

DATED at the Town of The Blue Mountains, this 14th day of April, 2004.

Stephen Keast
Clerk
Town of The Blue Mountains
P.O. Box 310
26 Bridge Street
THORNBURY, Ontario
NOH 2P0 (519) 599-3131

PURPOSE AND EFFECT OF THIS BY-LAW

The purpose of this By-law is to satisfy a request by the applicant to construct a detached garage that will encroach into the required 7.5 metre side yard setback abutting a public street. (Wellington Street)

The effect of this By-law is to permit a maximum 54 square metre detached private garage to be located a minimum distance of 2 metres from the easterly side lot line.