



# Notice of Decision and Right to Appeal

**This is a notice about a decision of the Committee of Adjustment on Minor Variance Applications A21-2022 (Owner: Avasthi)**

A certified copy of the Committee of Adjustment's decision is attached to this notice.

**If you disagree with this decision you may file an appeal with the Ontario Land Tribunal.** An appeal must include the required Appellant Form and the required Fees made out to the Minister of Finance. The Appellant Form must also set out the objection to the decision and the reasons in support of the objection.

The Appellant Form and fees must be delivered in person or by registered mail to the Secretary-Treasurer of the Committee of Adjustment:

Secretary-Treasurer  
Committee of Adjustment  
Town of The Blue Mountains  
32 Mill Street, Thornbury, ON, N0H 2P0

**The last date for filing an appeal is May 10, 2022, by 4:30 pm.**

More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/>.

If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by the Ontario Land Tribunal.

If no appeal on this decision is received within twenty days of the decision, the decision of the Committee is final and binding. The Secretary-Treasurer will notify the Applicant and file a certified copy of the decision with the Clerk of the Town of The Blue Mountains.



**Town of The Blue Mountains  
Committee of Adjustment  
Decision**

In the matter of application for Minor Variance File No. **A21-2022** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended,

**Date of Hearing:** April 20, 2022  
**Property Location:** 125 Red Pine Street  
**Owner/ Applicant:** Avasthi & Marchant

**Purpose of Application:**

The purpose of this application is to consider a request for minor variance to the provisions of Zoning By-law 2018-65 to permit a deck to project 2.4 metres into the rear yard, whereas uncovered decks are permitted to project a maximum of 1.5 metres into any yard and a pergola to be setback 0.2 metres from the interior side lot line, whereas accessory buildings in the rear yard are not permitted to be closer to the interior side lot line than 1.2 metres. The effect of the application would be to permit the construction of a deck and pergola in the rear yard.

WE, the undersigned, in making the decision upon this application have considered whether or not the variance requested was minor and desirable for the appropriate development and use of land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, **CONCUR** in the following decision and reason(s) for decision:

**DECISION:**

THAT the Committee of Adjustment **GRANT** Minor Variance Application No. A21 2022 to permit the development of the lands in accordance with the site sketch.

**Conditions and Reasons For Decision:**

**See Attached Schedule "A"**

[REDACTED]

Robert B. Waind	Bill Remus	Peter Franklyn	Jim Uram	Jim Oliver
Chairman				

**Date of Decision: April 20, 2022**

**\*The last date for filing an appeal to the decision is May 10, 2022\***

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**CERTIFICATION**

Planning Act, R.S.O. 1990, c.P13, Sec 45(10)

I, Kyra Dunlop, Secretary-Treasurer of the Town of The Blue Mountains Committee of Adjustment, certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.

[REDACTED]

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Signature of Secretary-Treasurer  
Town of The Blue Mountains Committee of Adjustment  
32 Mill Street East, Thornbury, Ont., N0H 2P0

Dated: April 20, 2022

- Schedule A -

- 1) That the site development be constructed in a manner substantially in accordance with the submitted site sketch;
- 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. Should a building permit not be issued by the Town within two years, the variance shall expire on April 20, 2024.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

LOT 28R LOT 28L

BEDFORD

FFF=220.30  
TFW=219.96  
FBS=217.61  
USF=217.36  
WW=218.83

DECK=220.15

Proposed Deck 9.84 square meters

Proposed Pergola 23 square meters

1.5m 1.8m 4.1m 5.8m 4m

218.43 218.39 218.49 218.34 218.60 218.64 218.74 218.86 219.02 219.09 219.58 219.59 219.60 219.61 219.62 219.63 219.64 219.65 219.66 219.67 219.68 219.69 219.70 219.71 219.72 219.73 219.74 219.75 219.76 219.77 219.78 219.79 219.80 219.81 219.82 219.83 219.84 219.85 219.86 219.87 219.88 219.89 219.90 219.91 219.92 219.93 219.94 219.95 219.96 219.97 219.98 219.99 220.00 220.01 220.02 220.03 220.04 220.05 220.06 220.07 220.08 220.09 220.10 220.11 220.12 220.13 220.14 220.15 220.16 220.17 220.18 220.19 220.20 220.21 220.22 220.23 220.24 220.25 220.26 220.27 220.28 220.29 220.30 220.31 220.32 220.33 220.34 220.35 220.36 220.37 220.38 220.39 220.40 220.41 220.42 220.43 220.44 220.45 220.46 220.47 220.48 220.49 220.50 220.51 220.52 220.53 220.54 220.55 220.56 220.57 220.58 220.59 220.60 220.61 220.62 220.63 220.64 220.65 220.66 220.67 220.68 220.69 220.70 220.71 220.72 220.73 220.74 220.75 220.76 220.77 220.78 220.79 220.80 220.81 220.82 220.83 220.84 220.85 220.86 220.87 220.88 220.89 220.90 220.91 220.92 220.93 220.94 220.95 220.96 220.97 220.98 220.99 221.00 221.01 221.02 221.03 221.04 221.05 221.06 221.07 221.08 221.09 221.10 221.11 221.12 221.13 221.14 221.15 221.16 221.17 221.18 221.19 221.20 221.21 221.22 221.23 221.24 221.25 221.26 221.27 221.28 221.29 221.30 221.31 221.32 221.33 221.34 221.35 221.36 221.37 221.38 221.39 221.40 221.41 221.42 221.43 221.44 221.45 221.46 221.47 221.48 221.49 221.50 221.51 221.52 221.53 221.54 221.55 221.56 221.57 221.58 221.59 221.60 221.61 221.62 221.63 221.64 221.65 221.66 221.67 221.68 221.69 221.70 221.71 221.72 221.73 221.74 221.75 221.76 221.77 221.78 221.79 221.80 221.81 221.82 221.83 221.84 221.85 221.86 221.87 221.88 221.89 221.90 221.91 221.92 221.93 221.94 221.95 221.96 221.97 221.98 221.99 222.00 222.01 222.02 222.03 222.04 222.05 222.06 222.07 222.08 222.09 222.10 222.11 222.12 222.13 222.14 222.15 222.16 222.17 222.18 222.19 222.20 222.21 222.22 222.23 222.24 222.25 222.26 222.27 222.28 222.29 222.30 222.31 222.32 222.33 222.34 222.35 222.36 222.37 222.38 222.39 222.40 222.41 222.42 222.43 222.44 222.45 222.46 222.47 222.48 222.49 222.50 222.51 222.52 222.53 222.54 222.55 222.56 222.57 222.58 222.59 222.60 222.61 222.62 222.63 222.64 222.65 222.66 222.67 222.68 222.69 222.70 222.71 222.72 222.73 222.74 222.75 222.76 222.77 222.78 222.79 222.80 222.81 222.82 222.83 222.84 222.85 222.86 222.87 222.88 222.89 222.90 222.91 222.92 222.93 222.94 222.95 222.96 222.97 222.98 222.99 223.00 223.01 223.02 223.03 223.04 223.05 223.06 223.07 223.08 223.09 223.10 223.11 223.12 223.13 223.14 223.15 223.16 223.17 223.18 223.19 223.20 223.21 223.22 223.23 223.24 223.25 223.26 223.27 223.28 223.29 223.30 223.31 223.32 223.33 223.34 223.35 223.36 223.37 223.38 223.39 223.40 223.41 223.42 223.43 223.44 223.45 223.46 223.47 223.48 223.49 223.50 223.51 223.52 223.53 223.54 223.55 223.56 223.57 223.58 223.59 223.60 223.61 223.62 223.63 223.64 223.65 223.66 223.67 223.68 223.69 223.70 223.71 223.72 223.73 223.74 223.75 223.76 223.77 223.78 223.79 223.80 223.81 223.82 223.83 223.84 223.85 223.86 223.87 223.88 223.89 223.90 223.91 223.92 223.93 223.94 223.95 223.96 223.97 223.98 223.99 224.00 224.01 224.02 224.03 224.04 224.05 224.06 224.07 224.08 224.09 224.10 224.11 224.12 224.13 224.14 224.15 224.16 224.17 224.18 224.19 224.20 224.21 224.22 224.23 224.24 224.25 224.26 224.27 224.28 224.29 224.30 224.31 224.32 224.33 224.34 224.35 224.36 224.37 224.38 224.39 224.40 224.41 224.42 224.43 224.44 224.45 224.46 224.47 224.48 224.49 224.50 224.51 224.52 224.53 224.54 224.55 224.56 224.57 224.58 224.59 224.60 224.61 224.62 224.63 224.64 224.65 224.66 224.67 224.68 224.69 224.70 224.71 224.72 224.73 224.74 224.75 224.76 224.77 224.78 224.79 224.80 224.81 224.82 224.83 224.84 224.85 224.86 224.87 224.88 224.89 224.90 224.91 224.92 224.93 224.94 224.95