



Notice of Decision and Right to Appeal

This is a notice about a decision of the Committee of Adjustment on Minor Variance Applications A22-2022 (Owner: Laszlo)

A certified copy of the Committee of Adjustment's decisions are 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If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by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. **A22-2022** 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: 103 Kinsey Place
Owner/ Applicant: Laszlo / Swalm

Purpose of Application:

The purpose of this application is to consider a request for minor variance to the Residential R1-1 zone provisions of Zoning By-law 2018-65. The effect of the application is to permit the construction of an attached garage and a two storey addition to an existing single detached dwelling unit. The following variances are required in order to permit the proposed development:

1. To permit a rear yard setback of 2.07m, whereas a minimum of 9.0m is required in the R1-1 zone.
2. To permit an interior side yard setback of 1.1m, whereas a minimum of 2.0m is required in the R1-1 zone.

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, or in the case of a change in a use of property or structures which is lawfully non conforming under the by law as to whether or not this application has met the requirements of Section 45(2) of the *Planning Act*, **CONCUR** in the following decision and reason(s) for decision:

DECISION:

THAT the Committee of Adjustment **GRANT** Minor Variance Application No. A22 2022, in part, by approving the request of a rear yard setback of 2.07m, whereas a minimum of 9.0m is required in the R1 1 zone, for the proposed addition including the attached garage;

AND THAT the Committee of Adjustment **REFUSE** Minor Variance No. A22-2022, in part, by denying the request for an interior side yard setback of 1.1m, whereas a minimum of 2.0m is required in the R1 1 zone.

Conditions and Reasons For Decision:

See Attached Schedule "A"

[Redacted Signature Block]

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

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 Signature]

Signature of Secretary Treasurer

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

Dated: April 20, 2022



Town of The Blue Mountains
Committee of Adjustment
Decision

- Schedule A -

CONDITIONS:

- 1. That the development be constructed in a manner substantially in accordance with the site sketch attached as Attachment #1, save and except with respect to the interior side yard setback, which shall remain the required minimum of 2.0m;
- 2. That a Development Permit be obtained from the Grey Sauble Conservation Authority prior to any site alteration and/or construction occurring on the site; and
- 3. 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 April 20, 2024.

REASON FOR DECISION:

The Committee is satisfied that the application, in part, meets the four tests for minor variance of S.45. (1) of the Planning Act, as noted in the Planning and Development Services Staff Report PDS.22.059 with respect to the request to reduce the rear yard setback.

However, the Committee is not satisfied that the application, in part, meets the four tests for minor variance of S.45. (1) of the Planning Act, as noted in the Planning and Development Services Staff Report PDS.22.059 with respect to the request to reduce the interior yard setback.

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.

APPLICANT’S SITE PLAN:

