

This is a notice about a decision of the Committee of Adjustment on Minor Variance Applications A23-2022 (Owner: Hogan and Phelps)

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If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined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

This document can be made available in other accessible formats as soon as practicable and on request.



Town of The Blue Mountains Committee of Adjustment Decision

In the matter of application for Minor Variance File No. **A23-2022** 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:

417320 10th Line

Owner/ Applicant:

Hogan and Phelps

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 development in a *Hazard* zone, whereas development and site alteration is generally prohibited within *Hazard* zones. The effect of the application would be to permit a private swimming pool and associated accessory structure to be located within a *Hazard* 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, **CONCUR** in the following decision and reason(s) for decision:

DECISION:

THAT the Committee of Adjustment **GRANT** Minor Variance Application No. A23-2022 to permit the development of the lands in accordance with the site sketch.

Conditions and Reasons For Decision:

See Attached Schedule "A"

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

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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.

Signature of Secretary Treasurer

Town of The Blue Mountains Committee of Adjustment

32 Mill Street East, Thornbury, Ont., NOH 2P0

Dated: April 20, 2022



Town of The Blue Mountains Committee of Adjustment Decision

- Schedule A -

CONDITIONS:

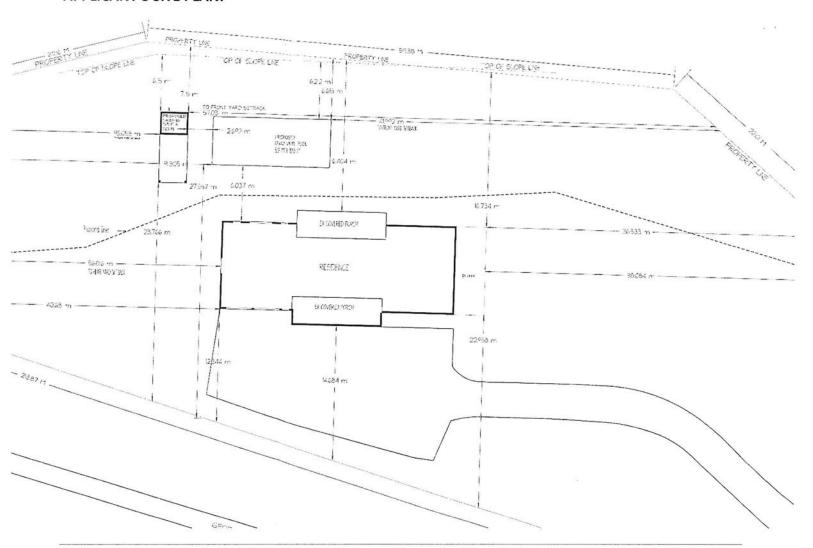
- 1) That the site development be constructed in a manner substantially in accordance with the submitted site sketch;
- 2) That the recommendations of the Slope Stability Report, prepared by Terraprobe Inc. and dated August 23, 2021, be implemented in the development of the site, to the satisfaction of the Grey Sauble Conservation Authority and/or the Town of The Blue Mountains Building Services Department; 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. Should a building permit not be 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 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.22.060.

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:



As prescribed under the Accessibility for Ontarians with Disabilities Act – this document can be made available in other accessible formats as soon as practicable and upon request.