Notice of Decision and Right to Appeal

This is a notice about a decision of the Committee of Adjustment on Minor Variance Applications A34-2022 (Owner: Windfall GP Inc.)

A certified copy of the Committee of Adjustment's decisions 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 August 9, 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If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by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. **A34-2022** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended,

Date of Hearing: July 20, 2022

Property Location: Unit 908, 277 Jozo Weider Boulevard

Owner/ Applicant: Ross and Shanna Hurd

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, and to permit a rear yard setback of 6.5m, whereas a setback of 9.0m is required in the R1-1 zone. The effect of the application would be to permit the construction of a 22sq.m. one-storey addition to an existing single detached dwelling unit.

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. A34-2022 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, Chairman | Bill Remus | Peter Franklyn | Jim Uram | Jim Oliver

Date of Decision: July 20, 2022

The last date for filing an appeal to the decision is August 9, 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 of Secretary-Treasurer

Town of The Blue Mountains Committee of Adjustment

32 Mill Street East, Thornbury, Ont., N0H 2P0

Dated: July 20 , 2022

File No: A34-2022
Owner: Hurd
Roll # 424200003162610000

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;

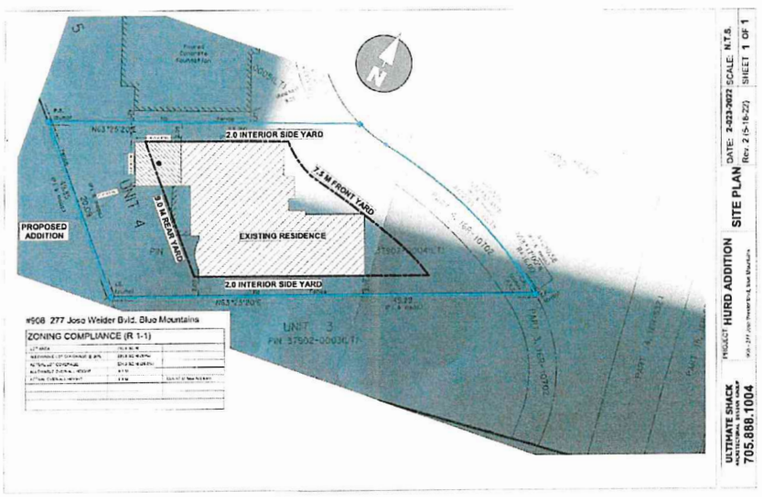
2) That this variance to the Zoning By-law is for the purpose of obtaining a building permit and is only valid for a period of twoyear from the date of decision. Should a building permit not be issued by the Town within two years, the variance shall expire on July 20, 2024.

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.22.094.

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.