



Notice of Decision and Right to Appeal

This is a notice about a decision of the Committee of Adjustment on Minor Variance Applications A42-2022 (Owner: Derksen)

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 September 6, 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If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by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. **A42-2022** to consider a variance to the former Township of Collingwood Zoning By-law 83-40, as amended.

Date of Hearing: August 17, 2022
Property Location: 027536 30th Sideroad
Owner/ Applicant: Paul Derksen

Purpose of Application:

The purpose of this application is to consider a request for minor variance to the *Village Residential (VR)* zone provisions of the former Township of Collingwood Zoning By-law 83-40, including:

1. To permit the existing agricultural uses to continue as permitted uses on the subject properties;
2. To permit a minimum rear yard setback of 5.0 metres, whereas a minimum of 9.0 metres is required.

The effect of the application is to permit the existing orchard, barn, and horses to continue as permitted uses in *VR zone* and to provide zoning compliance for the existing barn upon registration of a new lot, as provisionally approved by the Committee of Adjustment via Consent Application B03-2019.

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. A42-2022 subject to the Conditions outlined on Schedule "A".

Conditions and Reasons For Decision:

See Attached Schedule "A"

Robert B. Waind
Chairman

Bill Remus

Peter Franklyn

Jim Uram

Jim Oliver

Date of Decision: August 17, 2022

The last date for filing an appeal to the decision is September 6, 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., N0H 2P0

Dated: August 17, 2022



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

- Schedule A -

CONDITIONS:

Nil.

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.

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.