



Notice of Decision and Right to Appeal

This is a notice about a decision of the Committee of Adjustment on Minor Variance Applications A40-2022 (Owner: Tyrolean)

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 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If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by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. **A40-2022** 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: 151 Birchview Trail
Owner/ Applicant: Tyrolean Property Ltd.

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, as amended, to permit a surface parking area to be setback 4 metres from the front lot line and to permit a total of 17 parking spaces to service the Short Term Accommodation triplex, subject to the following conditions.

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. A40-2022 to permit the development of the lands in accordance with the site sketch.

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:

- 1) That the development be constructed in a manner substantially in accordance with the site sketch attached;
- 2) That the applicant receives Site Plan Approval; and
- 3) This variance to the zoning by-law is for the purpose of obtaining a building permit and is only valid for a period of five (5) years from the date of decision, on an exception basis. If a building permit has not been issued by the Town within five years, the variance shall expire on August 17, 2027.

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.22.104.

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:

