



Notice of Decision and Right to Appeal

This is a notice about the decisions from the April 17th, 2024, Committee of Adjustment Meeting.

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 (OLT). 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. Please note, only the applicant, public bodies with an interest in the matter, the Minister of Municipal Affairs and Housing, and 'specified persons', as defined by the Planning Act, are permitted to appeal decisions related to minor variance applications. These are recent changes that have been made to the Planning Act by the province.

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, P.O. Box 310
Thornbury, ON, N0H 2P0

The last date for filing an appeal is May 7, 2024, 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If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by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 File No. **A14-2024** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

Date of Hearing: April 17, 2024
Property Location: 108 Springside Crescent
Owner/ Applicant: David and Stephanie Dewulf
Purpose of Application:

The purpose of this application is to request a minor variance to subsection 6.2.1 of the Zoning By-law to permit:

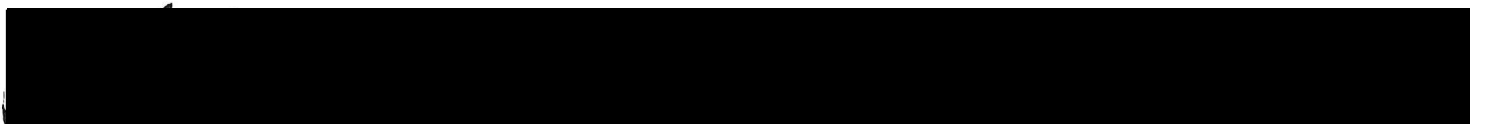
1. A maximum lot coverage of 35% to accommodate a proposed 48 square metre open-air pergola, whereas a maximum lot coverage of 30% is required in the R1-1 Zone.

DECISION:

THAT the Committee of Adjustment GRANT Application A14-2024 to permit the construction of a pergola in the rear yard of the residential lot subject to the conditions of this decision.

Conditions and Reasons For Decision:

See Attached Schedule "A"



Robert B. Waind
Chairman

Michael Martin

Jim Oliver
Vice Chairman

Duncan McKinlay

Date of Decision: April 17, 2024

The last date for filing an appeal to the decision is May 7, 2024

CERTIFICATION

Planning Act, R.S.O. 1990, c.P13, Sec 45(10)

I, Carrie Fairley, 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.

A black rectangular redaction box covering the signature of Carrie Fairley.

Carrie Fairley, Secretary-Treasurer

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

Dated: April 17, 2024



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

- Schedule A -

CONDITIONS:

1. That a maximum 48 square metre open air pergola be permitted at a total maximum lot coverage of 35%.
2. That this permission is for the purpose of obtaining a building permit and is only valid for a period of two (2) years from the date of decision. Should a building permit not be issued by the Town within two years, the permission shall expire on April 17, 2026.

REASON FOR DECISION:

The Committee has reviewed the request as it relates to 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 24.061.

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.