



Notice of Decision and Right to Appeal

This is a notice about the decisions from the October 16, 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 November 5, 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If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by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. **A36-2024** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

Date of Hearing: October 16, 2024

Property Location: 188 West Ridge Drive

Owner/ Applicant: Izumi

Purpose of Application:

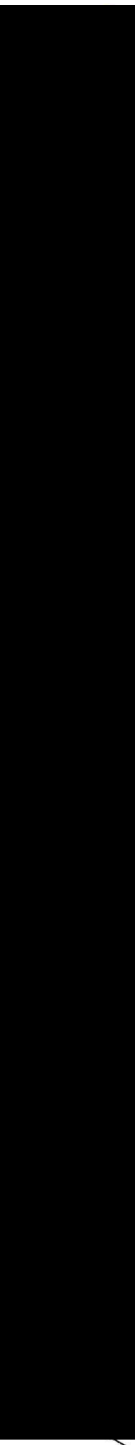
The purpose of this application is to consider a minor variance to Section 4.12 of the Zoning By-law to increase the maximum encroachment distance for a deck from 1.5 metres to 5.0 metres in order to permit a proposed deck to be located 5.74 metres off of the dwelling and 4.0 metres from the rear lot line.

DECISION:

THAT the Committee of Adjustment GRANT Minor Variance A36-2024 to permit the construction of 106 square metres deck in the rear yard.

Conditions and Reasons For Decision:

See Attached Schedule "A"



Robert B. Waing

Chair

Jim Oliver

Vice Chair

Michael Martin

Jan Pratt

Duncan McKinlay

Date of Decision: October 16, 2024

The last date for filing an appeal to the decision is November 5, 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.



Signature of Secretary-Treasurer

Town of The Blue Mountains Committee of Adjustment

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

Dated: October 16, 2024



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

**File No: A36-2024
Owner: Izumi
Roll # 424200001532053**

- Schedule A -

CONDITIONS:

1. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
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 two (2) years from the date of decision. Should a building permit not be issued by the Town within two years, the variance shall expire on October 16, 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.24.116.

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:

REVIEWED
2021-05-28
BUILDING SERVICES DIVISION
Annama Virgata, Zoning and Compliance Coordinator

PROJ#20210000847
LOT 20 - S. LADDER CRT.
LORA BAY DEVELOPMENT

LOT NUMBER	LOT AREA	LOT COVERAGE	ESTABLISHED GAUGE	BUILDING HEIGHT
20	1192.01 m ²	14.87%	115.46m	8.08m

NOTE:

1. All surveys including hydro, utility, topographic, and gas surveys shall be current and certified by a Professional Engineer or Professional Surveyor.
2. The contractor shall check and verify all dimensions and conditions on site before proceeding with construction. Any discrepancies shall be reported to Valiant Engineering prior to commencement of work.
3. Valiant Engineering is not responsible for the accuracy of survey, structural or engineering information shown on this drawing. The contractor shall verify all dimensions and conditions on site before proceeding with construction. Any discrepancies shall be reported to Valiant Engineering prior to commencement of work.
4. Refer to the appropriate engineering drawings below proceeding with work.
5. All constructed elements must be verified prior to pouring concrete.
6. Valiant Engineering has not been retained to carry out the work in accordance with the contract documents, for the purpose of this drawing.
7. This drawing is an instrument of service, as provided by and is the property of Valiant Engineering this drawing is not to be re-staked.

APPLICANT IS COMPLIANT WITH ZONE STANDARDS

C.F. Crozier & Associates Inc. For Compliance with Overall Subdivision Grading Only

MIN. LOT STANDARDS (M.L.S.)

MIN. FRONT YARD: 7.6 m
MIN. SIDE YARD: 2.0 m
MIN. REAR YARD: 9.1 m
MAX. LOT COVERAGE: 30%
MAX. HEIGHT: 8.8 m
(2.5 STOREYS)

UNENCLOSED DECKS & PORCHES MAY EXTEND TO A MAXIMUM OF 1.8 METERS INTO THE PUBLIC RIGHT OF WAY PROVIDED PROJECTIONS BE LOCATED CLOSER THAN 0.5 METERS FROM ANY LOT LINE. UNENCLOSED COVERED DECKS DO NOT APPLY FOR SET BACKS OR GRADING PLANS.

MIN. LOT FRONTAGE: 19 m
MIN. LOT AREA: 500m²

Valiant Engineering
20403 Leslie St.
Oshawa, ON L1G 0R0
Tel: 905-242-8830
Email: Tim@valiantengineering.ca

**Lot 20
Lora Bay Subdivision
Town of the Blue
Mountains**

Grading and Drainage Plan

Scale: 1:300
Date: 7/4/2021
Designed By: KT
Drawn By: KT
Checked By: TG
Project No.:
Drawing No.: **14NCE 03 04**

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.