



Notice of Passing of a Zoning By-law

This is a notice about a decision of Council on a Zoning By-law Amendment Application for the lands known as Lots 1-2, Part Lot 3, Plan 105 (Town Plot of Thornbury).

Council approved the application and passed By-law 2021-58 on July 12, 2021.

What was the purpose of the By-law?

This by-law applies to the vacant lands on the corner of Victoria Street South and Alfred Street West. A subdivision application known as "Boynton Court Subdivision" has been also proposed on the lands.

The purpose of the Zoning By-Law Amendment is to rezone the subject lands from the Development (D) zone to the R2 zone, to permit the development of semi-detached and townhouse dwellings. Two site specific zoning exceptions were passed by Council:

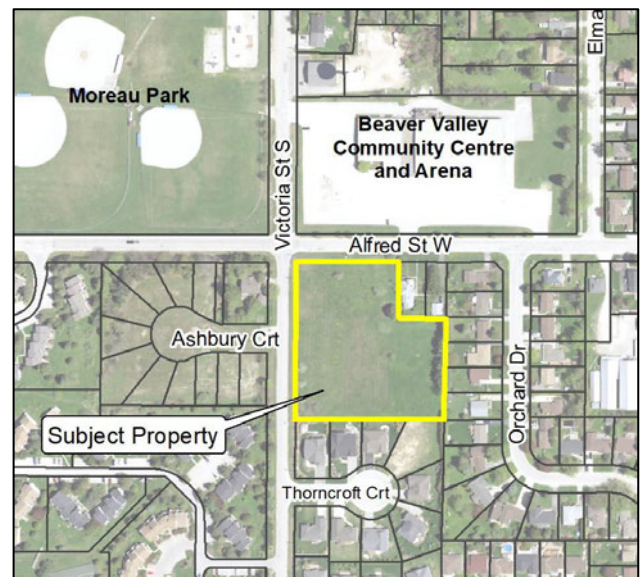
- The R2-128 zone permits only semi-detached houses and allows for a minimum landscaped front yard of 40%.
- The R2-129 zone permits only street-facing townhouses (rowhouses), allows for a reduced exterior side yard setback of 3 metres for the end unit at Victoria Street, which would match what is permitted for the adjacent semi-detached units. The zone also allows for a minimum landscaped front yard of 40%.

A Holding Zone (h41) was also applied to restrict development of the lands until certain conditions are met. The removal of the h41 provision is subject to the execution of a Subdivision Agreement, the registration of a Plan of Subdivision and confirmation the municipal water and sewer are available at the time of removal.

A copy of the amending Zoning By-law is attached to this notice.

This application is also associated with a County of Grey Plan of Subdivision File: #42T-2019-03

Location Map



Feedback from the Public

Council considered comments received from agencies and the public received throughout the public consultation process. This feedback was used to further refine the project and develop conditions related to the separate subdivision application.

Rights to Appeal the Decision

If you disagree with this decision, you may file an appeal to the Ontario Land Tribunal. An appeal must include the required **Appellant Form** and **Applicable Fees** in a Certified Cheque or Money order, made out to the Minister of Finance. The Appellant Form must state the reasons for the appeal.

The Appellant Form and fees must be delivered in person or by registered mail to the Clerk of the Town of The Blue Mountains:

Corrina Giles, Clerk of the Town of The Blue Mountains
PO Box 310, 32 Mill Street, Thornbury, Ontario, N0H 2P0

The last date for filing an appeal is **August 2nd 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/appeals-process/>

Only individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

The Corporation of the Town of The Blue Mountains

By-Law Number 2021 – 58

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Blue Mountains Zoning By-law";

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 34 and 36 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That Section 1.5(f) of Zoning By-law 2018-65 is amended by deleting those lands legally described as Lots 1-2, Part Lot 3, Plan 105 (formerly the Town of Thornbury), from this section.
2. That Schedule 'A' Map 1 is amended by changing the zoning symbol for the lands known as Lots 1-2, Part Lot 3, Plan 105 (formerly the Town of Thornbury), from Development (D) to Residential Two Exception 128, with a Holding Symbol 41 (R2-128-h41) and Residential Two Exception 129, with a Holding Symbol (R2-129-h41), as shown on Schedule A-1, attached.
3. That Section 9.1 Exceptions is amended by adding the following new exceptions to Table 9.1:

Exception Number	Zone	Special Provisions
128	R2-128	Only Semi Detached dwelling units and accessory uses are permitted <ul style="list-style-type: none">• Minimum Landscaped Front Yard 40%
129	R2-129	Only Rowhouse dwelling units and accessory uses are permitted <ul style="list-style-type: none">• Minimum Exterior Side Yard 3 m• Interior side yard for attached units 0 m• Minimum Landscaped Front Yard 40%

4. That Section 10.3 Site-Specific Holding Provisions is amended by adding the following new exception to Table 10.1:

Holding Number	Zone	Conditions for Removal
h41	R2-128-h41	i) Execution of a Subdivision Agreement with the Town.
	R2-129-h41	ii) Registration of a Plan of Subdivision.
		iii) Municipal Water and Sanitary Sewage capacity have been confirmed as available to service the development.

5. That Schedule 'A-1' is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this 12th day of July, 2021



Alar Soever, Mayor



Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2021-58 as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 12th day of July, 2021.

Dated at the Town of The Blue Mountains, this 12th day of July, 2021.






Corrina Giles, Clerk

Town of The Blue Mountains

Schedule 'A-1'

By-Law No. 2021-58

Legend

-  Subject Lands of this Amendment
-  Area to be rezoned from D to R2-129-h41
-  Area to be rezoned from D to R2-128-h41

