



# Notice of Decision and Right to Appeal

## **This is a notice about a decision of the Committee of Adjustment on Minor Variance Application A56-2022 (Bassin and Lush)**

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, the municipality, 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 January 10, 2023, 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If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by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. **A56-2022** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended,

**Date of Hearing:** December 21, 2022  
**Property Location:** 115 Hillcrest Drive  
**Owner/ Applicant:** Maris Lush and Peter Bassin

**Purpose of Application:**

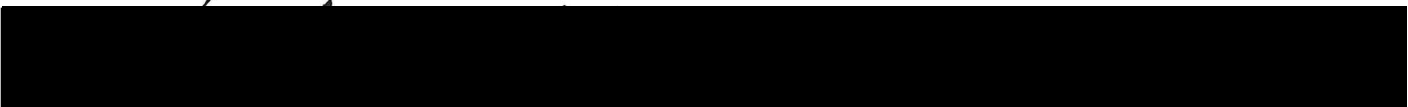
The purpose of this application is to consider a request for minor variance to subsections (g) and (j) and of General Provision 4.3 *Accessory Buildings, Structures and Uses* of Zoning By-law 2018-65. The Owner is seeking a minor variance to the minimum side yard setback and height requirements for accessory buildings to permit a proposed 66.4 square metre 2-storey detached garage to be located 0.9 metres from the northern interior lot line at a height of 6.03 metres.

**DECISION:**

THAT the Committee of Adjustment **GRANT** Minor Variance Application No. A56-2022 for the lands known as 115 Hillcrest Drive to permit the construction of a detached accessory building containing a garage and studio space with a minimum setback from the northern interior lot line of 0.9 metres and with a maximum height of 6.03 metres.

Conditions and Reasons For Decision:

*See Attached Schedule "A"*



Robert B. Waind

Greg Aspin

Michael Martin

Jim Oliver

**Date of Decision: December 21, 2022**

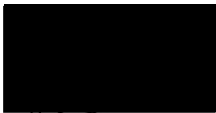
**\*The last date for filing an appeal to the decision is January 10, 2023\***

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**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.



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Signature of Secretary-Treasurer  
Town of The Blue Mountains Committee of Adjustment  
32 Mill Street East, Thornbury, Ont., N0H 2P0

**Dated: December 21, 2022**



Town of The Blue Mountains  
Committee of Adjustment  
Decision

- 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 December 21, 2024.

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.

APPLICANT'S SITE PLAN:

