

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** January 13, 2023

**CASE NO.:** OLT-22-002269

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Tammy Abbotts  
Subject: Application to amend Zoning By-law No. 2018-65 - Refusal or neglect of Town of The Blue Mountains to make a decision  
Existing Zoning: Residential One (R1-1)  
Proposed Zoning: Residential Two (R2)  
Purpose: To permit the creation of lots for 22 semi-detached dwellings  
Property Address/Description: Lots 35-39, SW Side of Bay Street  
Municipality: Town of The Blue Mountains  
Municipality File No.: P2832  
OLT Case No.: OLT-22-002269  
Legacy Case No.: PL210156  
OLT Lead Case No.: OLT-22-002269  
Legacy Lead Case No.: PL210156  
OLT Case Name: Abbotts v. Blue Mountains (Town)

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Tammy Abbotts  
Subject: Proposed Plan of Subdivision - Failure of County of Grey to make a decision  
Purpose: To permit the creation of lots for 22 semi-detached dwellings  
Property Address/Description: Lots 35-39, SW Side of Bay Street  
Municipality: Town of The Blue Mountains  
Municipality File No.: 42T-2019-02  
OLT Case No.: OLT-22-002272  
Legacy Case No.: PL210152  
OLT Lead Case No.: OLT-22-002269  
Legacy Lead Case No.: PL210156

BEFORE:

S. TOUSAW )  
VICE-CHAIR ) Friday, the 13<sup>th</sup>  
 day of January, 2023

**THIS MATTER** having come before the Ontario Land Tribunal (the “**Tribunal**”) for a public hearing on May 24, 2022 and the Tribunal, in its Decision issued on June 10, 2022 (the “**Decision**”) having allowed, in part, the appeals of the zoning by-law amendment application and the draft plan of subdivision application;

**AND THE TRIBUNAL** having withheld its Final Order until such time that the Town of the Blue Mountains advises it has passed the Open Space Zoning By-Law Amendment for the depicted Tree Preservation Area in the portion of the unopened road allowance, and the time for initiating all appeals of the Open Space Zoning By-Law Amendment has expired;

**AND THE TRIBUNAL** having been advised that the Town of Blue Mountains has initiated and passed Zoning By-law 2022-86 and received no appeals;

**THE TRIBUNAL ORDERS** that its Decision of June 10, 2022, including paragraphs 163 through 165, now constitutes a Final Order.

*“Euken Lui”*

EUKEN LUI  
ACTING REGISTRAR

**Ontario Land Tribunal**

Website: [olt.gov.on.ca](http://olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.