

Minutes - The Blue Mountains Planning Council Meeting



MEETING DATE: July 7, 2008 – 7:00 pm
LOCATION: L. E. Shore Memorial Library
PREPARED BY: Corrina Giles, Deputy Clerk

A. Call to Order

- Councillor Martin called the meeting to order with all members in attendance save Mayor Anderson, Deputy Mayor McKinlay and Councillor McKean, all absent due to previous commitments.
- Also in attendance were Chief Administrative Officer Paul Graham, Director of Planning Peter Tollefsen, Manager of Development Planning Rob Armstrong, Planner Bryan Pearce, Senior Policy Planner Cindy Welsh, Director of Engineering & Public Works Reg Russwurm, Director of Building and By-Law David Finbow, Deputy Treasurer Elizabeth Thompson
- Council then paused for a moment of Personal Prayer or Reflection
- Approval of Agenda
Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT the Agenda of July 7, 2008 be approved as circulated, including any items added to the Agenda, Carried.

- No member declared a Pecuniary Interest with any matter as listed on the Agenda.

B. Public Meetings / Deputation – 7:00 p.m.

- B.1** Consent No. B11/08 – Part Block “A”, Plan 807, Parts 8, 9, 10, 11 and 13 of 16R-1767, Jacek Stepniak
- Councillor Martin then called the scheduled Public Meeting to order with all members in attendance save Mayor Anderson, Deputy Mayor McKinlay and Councillor McKean, absent due to previous commitments and explained the purpose of the Public Meeting is to consider a request to correct title on an open space parcel that contains a 1 storey frame building and swimming pool. A number of previous consents were granted in 1980 to transfer the ownership of the pool and related building which is used by a number of surrounding property owners to an Ontario Limited Company made up of these owners. This application for consent is necessary to correct an error in registration of this lot after it was created. It should be noted that no new lots or boundary adjustments are being considered as part of this application.
 - The subject lands are comprised of Part Block ‘A’, Plan 807, Parts 8, 9, 10, 11, 13 of 16R-1767
 - Michael then noted the severed parcel would have a frontage of 34.82 metres and an area of 4603 square metres while the retained parcel would

have a frontage of 30.48 metres and an area of 1630 square metres, both having access on an open and maintained municipal street.

- Michael then noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refused to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.
- The Deputy Clerk then noted Notice of the Public Meeting had been given in accordance with the provisions of the Planning Act and read correspondence received from the County of Grey Planning & Development Department
- Manager of Development Planning Rob Armstrong then reviewed the Report noting it is a simple application to correct title to remove one property owner from title.
- As no one further wished to speak Councillor Martin declared the public meeting to be adjourned.

B.2 Zoning By-law Amendment - Osler Bluff Ski Club

- Councillor Martin then called the scheduled Public Meeting to order with all members in attendance save Mayor Anderson, Deputy Mayor McKinlay and Councillor McKean absent due to previous commitments and explained the purpose of the Public Meeting is to consider a request by Osler Bluff Ski Club to update the Zoning By-law regulations to recognize 1) the ski facility uses, 2) residential uses below the escarpment toe, 3) residential uses above the escarpment toe where access can be provided, 4) residential uses above the escarpment toe where no access can be provided. This By-law will also consider changes to the provisions for the renovation, replacement, reconstruction and enlargement of the existing chalets in conformity with the recently approved Official Plan Amendment No. 4 to the Town of The Blue Mountains Official Plan. The existing Ski Club and the use of the surrounding chalets have changed significantly since the present zoning was first placed on the property, with requests to reconstruct and enlarge existing chalets. As a result of these requests, there are demands for larger floor areas and improved services. The lands do not have municipal water or sewer with many of the chalets on existing septic systems or holding tanks. Reconstruction and enlargements of existing units are to be in accordance with OPA 4 with minor increases in size and demand on existing services. The intent of this By-law is to establish regulations until such time as the lands become serviced with municipal water and sewer and the consideration of a Plan of Condominium.
- Michael further noted the effect of this By-law is to rezone the Osler Bluff Ski Club lands from the Recreational Ski Facility (SF-73) zone and Private Open Space (OS2) Zone to the Recreational Ski Facility (SF) zone, Residential (R3-216) zone, Private Open Space (OS2-217) zone and Private Open Space (OS2-218). In addition, Exception 73 would be deleted and replaced with three new exception numbers recognizing the following: Exception 216 would recognize the existing 54 units located below the toe of the escarpment, and would permit the reconstruction or enlargement of existing chalets up to a maximum ground floor area of 300 square metres, up to a maximum of 2 storeys in height, plus establish a

minimum setback of 9 metres from an adjacent dwelling, requirements for the installation of new sewage disposal systems, as well as permitting the construction of new accessory uses, buildings, and structures in accordance with Section 5.2 of the By-law. Exception 217 would recognize the existing 18 units that are accessible above the toe of the escarpment. Reconstruction and enlargements are also permitted with an increase to the maximum ground floor area of either 25 percent of the existing floor area, or 37 square metres, whichever is greater. The maximum height of 2.0 storeys, minimum setback of 9 metres, requirements for the installation of a new sewage disposal system, as well as permitting the construction of new accessory uses, buildings and structures in accordance with Section 5.2 of the By-law will also be applied. Exception 218 would recognize the existing 4 units that are not considered accessible and that are located above the toe of the escarpment. It is proposed that these dwellings may be reconstructed, however no new addition or enlargement shall be permitted. Accessory buildings and structures would not be permitted.

- Michael further noted the Town may also consider the use of the holding ‘-h’ symbol to require Site Plan Approval to address various matters.
- The subject lands of this By-law are owned by Osler Bluff Ski Club; and are legally described as Part Lot 7, Lot 8 and Lot 9 of Concession 1; Town of The Blue Mountains.
- Michael then noted if a person or public body does not make oral or written submissions at a public meeting to the Town of The Blue Mountains in respect of the proposed Zoning By-law Amendment, the person or public body is not entitled to appeal the decision of Town Council to the Ontario Municipal Board; and may not be added as a party to the Hearing of an appeal before the Ontario Municipal Board.
- The Deputy Clerk then read correspondence received from the Nottawasaga Valley Conservation Authority, Grey County Planning, Niagara Escarpment Commission and GWPCo. Inc.
- Deputy Mayor McKinlay then attended the meeting.
- Planning Consultant Nancy Tuckett of Meridian Consultants then reviewed the specific zones to be changed, noting this is an interim measure and that existing chalets can be renovated or reconstructed. Nancy noted 4 new specific zones are proposed, Recreation Ski Facility Zone, R3-216 zone which would include 55 existing chalets and will allow reconstruction and enlargements within a specific criteria as well as new sewage disposal and accessory structures. The new OS217 zone includes existing chalets above the toe of the escarpment and recognizes approximately 17 chalets. Reconstruction is permitted within specific criteria, including size, sewage disposal system and accessory buildings. The new OS-218 zone includes 4 existing chalets that do not have access above the toe of the escarpment. These chalets may be reconstructed but no new buildings are permitted in this zone.
- Nancy noted the existing zoning does not address these parameters and the proposed zoning would address these zoning issues.
- Manager of Development Planning then reviewed the Report, noting the public meeting is to obtain the public input and, that no decision would be made this evening. Rob further noted comments will be reviewed with the Applicant after this meeting.

- Rob then noted the limitations of development will be reviewed with the NEC, further noting the NEC has an issue with interim servicing.
- Councillor Gamble then questioned if the passing of the by-law would be deferred because of the NEC's concerns with the new zoning by-law, Rob replying the NEC is ensuring development is limited and servicing issues are dealt with. Rob further noted the zoning by-law will not proceed without NEC approval.
- Deputy Mayor McKinlay then noted residents who have recently installed and paid for new septic systems may not be interested in connecting to the municipal water system
- Stephen Christie, solicitor for Osler Bluff Ski Club then spoke noting the club is aware that the Town would like cabin owners to connect to sewers and further noted the club is in a position to have existing cabin owners hook-up to services when available. Stephen further noted those residents who have spent money to install private systems are aware they will have to hook up when municipal services become available.
- Duncan then questioned reference to the condominium corporation, Rob replying the concept of a condominium corporation started with Craighleith Ski Club then applied for Osler, further noting a condo corporation gives tenure to someone, but TBM would still control the development.
- Councillor Martin then questioned if after the zoning amendment has been passed if there will be non-conforming uses remaining, Rob replying the zoning by-law will address every cabin and that there will not be any legal non-conforming uses left.
- Stephen then made reference to correspondence from cabin owner GWP Co., noting the existing zoning is wide open and specifies that owners cannot demolish cabins, but they can expand endlessly. Stephen further noted the new by-law will create new parameters.
- Duncan then questioned if a cabin is expanded if servicing and holding tanks would have to be expanded as well, Stephen replying if a cabin has been expanded that a new septic system would have to be installed.
- As no one further wished to speak Councillor Martin declared the Public Meeting to be adjourned.

C. Motions and Staff Reports

C.1 PLANNING COMMITTEE OF THE WHOLE

Council remained in session during the meeting.

C.2 Short Term Accommodation Study - #PL.08.76 (Supplemental Report to Report #PL.08.30)

Director of Planning Peter Tollefsen then reviewed the Short Term Accommodation Report, noting a previous recommendation was adopted with an additional request for a Supplemental Report with budget detail. Peter further noted 3 options were made in the April 7, 2008 report, confirming staff is currently working on the financial information on licencing, noting a significant amount of work is required with licencing and the types of licences. Peter noted Option #2 was recommended at the

April 7, 2008 meeting. Peter then noted the level of enforcement will be used as input for licencing input. Peter noted the budget impact detail in the report includes a Municipal Law Enforcement Officer, a half staff person and would be a direct impact on the tax roll.

Councillor Gamble expressed concern with the report, noting he agrees with portions of the Report, but that he would like to see Section E removed until further financial details have been brought forward. Peter noted the budget input information is for council information only, further noting this report was before council in April and this report is for information only, not a budget approval. Bob then replied that at the April 7, 2008 meeting there was an additional motion regarding licencing and policing and noted he would like to see revenue figures as well.

Cameron then noted he echoes Councillor Gamble's concerns and noted he too is concerned with the budget impact until further figures are received.

Duncan then questioned if we have received a legal opinion, Peter noting the third report will be presented at the next council meeting and noted comments have been received on the report, including comments from solicitor Leo Longo. Peter then noted staff are responding to residents comments and confirmed solicitor Leo Longo will attend the next meeting.

Peter noted the report for the next council meeting is with regard to the official plan amendment and zoning by-law amendment and confirmed there are legal interpretations in that report that will address these issues. Duncan then questioned if this report is passed if the official plan amendment and zoning by-law amendment will be brought forward.

Chief Administrative Officer Paul Graham noted that council would like a report without the licencing piece and confirmed that will unfold at a future time.

Councillor McGee then spoke, noting the budget impact is one sided and does not mean anything until revenue figures are received. John noted he would like to see the budget impact removed as well.

Michael then questioned if the budget impact deals only with licencing, Peter replying the budget impact deals with the zoning by-law and official plan amendment. Michael questioned if staff is advising that these are potential costs, Peter replying yes, in the future staff will come to council with revenue figures, through licencing.

Michael then noted this report notes licencing is excluded.

Peter then noted option 3 dealt with licencing and confirmed there will be budget impact that will reflect licencing and projected revenue.

Cameron confirmed he is voting on Option 2 with no reference to budget impact, other than potential legal costs. Peter replying option 2 has budget impact, Option 3 has a different budget impact and will contain items like revenue. Cameron questioned if the budget impact at this time included potential legal fees, Peter replying yes.

CAO Paul Graham then noted By-law enforcement costs are applicable, not recoverable by a fee, noting we expect an appeal and there will be

legal costs to defend. Paul further noted the costs will be there whether or not the Town proceeds with licencing.

Cameron then noted Council is aware that there will be enforcement issues, Paul replying that staff is aware by-law enforcement will be required. Director of Building and By-Law David Finbow then spoke noting when the current Interim Control By-Law was enacted that Staff reported back to Council via the Finance and Administration Committee with respect to service level adjusts within By-law Enforcement to address the new Interim Control By-Law. David further noting there are the same number of by-law enforcement officers as last year and that based on the service level adjustments adopted by Council that staff are no longer proactively enforcing numerous by-laws. David further noted that currently 80% of one municipal law enforcement officer's time is attributable to Interim Control By-Law matters. David further noted if there is licencing, there will be revenue however he could not predict how much until Council endorsed the direction contained in the by-laws before Council and a draft licencing by-law.

Duncan then noted concern as to how enforcement and licencing will work and questioned if staff could conduct a workshop for Council to attend providing more details, properties affected and what areas are involved. Director of Planning Peter Tollefsen replying a report will be presented to Council at the Council Meeting on July 14, 2008 advising how zoning will work, effects of licencing and types of exemptions. Peter further noted for this reason, option #2 is recommended.

Cameron then questioned of David Finbow after appeals are dealt with, will the cost of enforcement be less, David replying the majority of work deals with complaints through neighbouring residents. David then noted the first number of years will deal with short term accommodation that had existed for a number of years, further noting enforcement may decrease in time as short term accommodation is more known.

Councillor McGee then questioned if the Report can wait until the council meeting of July 14, 2008 when the next report is received, Duncan then questioned if Council wants the zoning by-law amendment and official plan amendment passed now or if everything should be completed at once, further questioning if Council should do what they can do now, John McGee responding that Council should work on everything as soon as possible to make a decision on how the problem can be controlled.

Councillor Martin then questioned if the Town has text for the official plan amendment, Peter replying it was attached to the April 7 report and further noted the text is being amended based on comments received. Peter confirmed the amendment will be brought forward at the July 14, 2008 council meeting.

Councillor Martin then proposed Council proceed with Option #2 and proceed to get text for council to review. Paul then spoke, noting Option #2 would serve staff's purposes and advised staff would need guidance on the by-law to allow licencing requirements.

Michael then noted the Interim Control By-Law term of six months is nearing, Peter replying it expires next month.

Deputy Mayor McKinlay then proposed the Staff Recommendation be amended and Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: John McGee

THAT Council receive Planning Staff Report No. PL.08.76 "Short Term Accommodation Study", dated July 07, 2008, being a Supplemental Report to Report #PL.08.30; and

THAT Council be presented with the draft Official Plan and Zoning By-law Amendments to regulate Short Term Accommodation and future reports with additional supporting documentation.

In speaking to the Motion, Duncan then noted the intention is to move forward at the earliest opportunity. Bob then spoke and noted support for the intent to proceed but noted concern down the road. Bob further noted the report will have been deemed received and could be in the next budget. Michael then spoke, noting the minutes will reflect we have received the Report, not approved it.

Duncan then spoke, noting he appreciates Bob's concerns with the budget impact, but noted if council is not prepared for a budget impact that can set controls, that Council should choose Option #1 and not do anything. Duncan further noted Council needs to proceed with this for the community.

Cameron then spoke, noting concern with the figures in the April 7 report indicating an amount of \$364,000. Cameron confirmed he would like to see the figures more defined.

Michael then questioned if the proposed amendment moves the matter forward, Peter replying yes.

Council then voted on the amended Resolution, Carried.

C.3 Short Term Accommodation – INTERIM CONTROL BY-LAW extension - #PL.08.73

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT Council receive Planning Staff Report #PL.08.73, "Short Term Accommodation – INTERIM CONTROL BY-LAW extension"; and

THAT Council enact an amendment to Interim Control By-law No. 2008-12 to extend the time in effect to an additional six (6) months, Carried.

C.4 Draft Plan of Condominium, County of Grey File No. 42-CDM-2008-06, Woodlands by Sierra Phase 3, Part of Block 10, Plan 1124 - #PL.08.79

Manager of Development Planning Rob Armstrong, then reviewed the report, noting it includes the remaining units and that staff recommends the redline revision. Rob further noted the report recommends the water system should be municipally owned and that an easement be provided to the Town.

Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: R.J. Gamble

THAT Council receive Planning Staff Report No. PL.08.79, "Draft Plan of Condominium, County of Grey File No. 42-CDM-2008-06, Woodlands by Sierra Phase 3, Part of Block 10, Plan 1124"; and

THAT Council support granting approval of the Common Elements Plan of Condominium by the County of Grey subject to the conditions stated in Planning Staff Report #PL.08.79; and

THAT Council support application No. 42-CDM-2008-06 being exempt from the County's application process based on the previous Zoning and Site Plan Approval process by the Ontario Municipal Board, Carried.

C.5 Master Development Agreement Amendments, Westbrook Development Corp. Part Lots 17 & 18, Concession 1 - #PL.08.80

Manager of Development Planning Rob Armstrong reviewed the Report and noted an amendment to the Recommendation.

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council receive Planning Staff Report No. PL.08.80, "Master Development Agreement Amendments, Westbrook Development Corp., Part Lots 17 & 18, Concession 1; and

THAT Council authorize the Mayor and Clerk to execute the Amendments to the Master Development Agreement subject to receiving the required contribution amount for the intersection improvements at Jozo Weider Blvd. and Grey Road 19 from the Grey County Transportation and Public Safety Department.

Deputy Mayor McKinlay then questioned the number of other changes to the agreement and if the parkland dedication had been dealt with, Rob replying with respect to the parkland that cash-in-lieu had to be addressed, noting the County of Grey requirements include \$62,000 for works completed and \$50,000 for the south bound turning lane.

Councillor Gamble then questioned Item 1.2 of the Agreement referencing 1.4, Rob replying this is a modified agreement and 1.4 is a concept plan, further noting the final version will be correct.

Council then voted on the Resolution, Carried.

C.6 Request for Comments, Niagara Escarpment Commission, File No. G/S/2007-2008/9146, Douglas C. Matthews, East & West part Lot 7, Concession 1, Parts 1 & 2, RP 16R-7753 - #PL.08.70

Director of Planning Peter Tollefsen then spoke, requesting that this Report not be dealt with as more information is required, Council concurring.

C.7 Agricultural Agreement, Braeburn Farms, Part Lot 10, Concession 1 - #PL.08.78

Manager of Planning Rob Armstrong then reviewed the Report, noting the NEC has approved a permit to build. Rob further noted an agreement is to be entered into between the Town and owner Braeburn Farms permitting an equestrian centre but not permitting uses that would generate a lot of traffic in the rural area.

Councillor Gamble questioned if the agreement would be registered, Rob replying these agreements have been registered on title.

Deputy Mayor McKinlay then spoke, noting he understands why the Town is entering into the agreement, but questioned a past equestrian centre that was zoned as an agricultural use, Rob replying equestrian shows were permitted in that instance as it was in the commercial zone, shows not permitted in the Agricultural Zone. Rob further noted the intent was to address where large audiences are generated.

Duncan then questioned if an exemption can be applied for under certain terms, Rob replying land use regulations would have to be complied with, and that any application could be dealt with through the planning process.

Councillor Martin then questioned if the owner has agreed to enter into the agreement, Rob replying yes. Michael then questioned if the owner has agreed to item 3 of the agreement, Rob replying yes.

Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: R.J. Gamble

THAT Council receive Planning Staff Report No. PL.08.78, "Agricultural Agreement, Braeburn Farms, Part Lot 10, Concession 1; and

THAT Council authorize the Mayor and Clerk to execute the Agricultural Agreement detailing the terms and conditions to which an equestrian barn can be operated, Carried.

C.8 Removal of Part Lot Control By-law – Intrawest Village, Part Lots 6, 10, 14 & 15, Plan 1065 - #PL.08. 77

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT Council received Planning Staff Report No. PL.08.77, "Removal of Part Lot Control By-law – Intrawest Village, Part Lots 6, 10, 14 & 15, Plan 1065; and

THAT Council support the passing of a By-law to remove Part Lot Control to facilitate registration of the Mosaic Phased Condominium within the Intrawest Village, Carried.

C.9 Application for Consent, File No. B20-2007, Slopeside Developments, Part Lot 19, Concession 2, 108 Craigmere Crescent - #PL.08.82

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council receive Planning Staff Report No. PL.08.82, "Application for Consent, File No. B20-2007, Slopeside Developments, Part Lot 19, Concession 2, 108 Craigmere Crescent"; and

THAT Council support application for Consent File No. B20-2007 subject to the conditions stated in Planning Staff Report No. PL.08.82.

In speaking to the motion, Deputy Mayor McKinlay questioned if this is where the community parking lot will be, Director of Engineering and Public Works Reg Russwurm replying no.

Council then voted on the Resolution, Carried.

C.10 Application for Consent, File No. B27-2007; and Zoning By-law Amendment, John Brown, Part Lot 19, Concession 4, 689359 18th Sideroad - #PL.08.74

Planner Shawn Postma then reviewed the Report, noting the public meeting was held in February. Shawn noted the proposed lot is the third lot severed from the ½ township lot and further noted the lot follows the existing tree lines to keep the agricultural lands together. Shawn confirmed the land is designated rural.

Shawn then noted the report is conditional on increasing the frontage of the proposed lot from 60 metres to 100 metres. Shawn further noted that currently there are horse in the barn and noted the hazard for odour. Shawn noted the consent is conditional on the town receiving a 5 metre road widening.

Deputy Mayor McKinlay then questioned access to the retained parcel, Shawn replying there are two options, either relocate the driveway or register an easement on the retained parcel for access to the severed parcel. Duncan then noted there are significant topographical constraints for relocating the driveway, Shawn replying the easement would be part of the application.

Councillor Gamble questioned if the severed parcel would be the same size as the recently severed Flemington parcel in the same area, Shawn replying yes. Bob then questioned if the severed parcel is zoned rural or agricultural, Shawn replying rural.

Kathy Houghton, agent for the Applicant then spoke with respect to the deviation road, noting there is room for a driveway and confirmed there is adequate space on the existing maintained road for the driveway. Kathy then noted the condition on severance for an easement is satisfactory, but further noted there is room for two driveways, confirming the new driveway would cut across the deviation.

Duncan then spoke, noting the road allowance/deviation road could be a walking path in the future and want to ensure it is kept by the Town.

Councillor Martin then questioned if the deviation road is 66' in width, Shawn replying yes. Michael then questioned the ownership of the small triangular piece on the sketch, Duncan replying John Brown.

Council then dealt with the following Resolution:

Moved by: D.R.McKinlay Seconded by: Cameron Kennedy

THAT Council receive Planning Staff Report No. PL.08.74, "Application for Consent, File No. B27-2007; and Zoning By-law Amendment, John Brown, Part Lot 19, Concession 4, 689359 18th Sideroad"; and

THAT Council support application for Consent File No. B27-2007 subject to the conditions stated in Planning Staff Report No. PL.08.74; and

THAT Council pass a Zoning By-law Amendment to rezone the lands from the General Rural (A1) Zone to the Rural Estate Residential (RERa-h) Zone and Hazard (H) Zone, and establish a new minimum lot area of 17.5 hectares for the retained parcel, Carried.

C.11 Sustainable Community Improvement Plan - #PL.08.81

Director of Planning Peter Tollefsen then reviewed the Report, confirming it is for information purposes only, further noting the funding agreements are in place and staff will proceed with project. Peter further noted the terms of reference will be sent out shortly.

Council then dealt with the following Resolution:

Moved by: R.J. Gamble Seconded by: John McGee

THAT Council receive Planning Staff Report #PL.08.81, "Sustainable Community Improvement Plan", for information purposes, Carried.

C.12 Planning Committee of the Whole to Rise

N/A

D. Planning Council

D.1 Call to Order - Planning Council

N/A

D.2 Interim Control By-law

Moved by: D.R. McKinlay Seconded by: R.J. Gamble

THAT By-law No. 2008-67, being a By-law to provide for the amendment of By-law No. 2008-12 to extend the period of time that such Interim Control By-law will be in effect, be hereby passed this 07th day of July, 2008, Carried.

D.3 Removal of Part Lot Control By-law – Intrawest Village

Moved by: John McGee Seconded by: R.J. Gamble

THAT By-law No. 2008-68, being a By-law to remove lands from part-lot control, those lands being comprised of Part Lots 6, 10, 14 and 15, Plan 1065 and Part Village Crescent, be hereby passed this 07th day of July, 2008, Carried.

D.4 Zoning By-law Amendment – John Brown

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2008-69, being a By-law to rezone the lands from the General Rural (A1) Zone to the Rural Estate Residential (RERa-h) Zone and Hazard (H) Zone, and establish a minimum lot area of 17 hectares for those lands being comprised of Part Lot 19, Concession 4, be hereby passed this 07th day of July, 2008.

In speaking to the By-law, Deputy Mayor McKinlay questioned if the By-law is passed, can the trail concerns can still be addressed, Planner Shawn Postma replying yes, further noting if an agreement is necessary for the trails that this can be dealt with.

Council then voted on the Resolution, Carried.

E. Reports and Minutes List – RECEIVE

E.1 Minutes of the Committee of Adjustment – May 15, 2008

Moved by: D.R. McKinlay Seconded by: John McGee

THAT Council does hereby receive Minutes of the Committee of Adjustment – May 15, 2008, Carried.

F. Closed Session of Council

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT with regard to subsection 239 of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters pertaining to litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;

AND with regard to consideration of pending litigation potentially affecting an identifiable (individual), including Town or local board employee.

Council moved into closed session at 8:59 p.m.

Council rose from closed to public session at 9:41p.m

Discussion arising from closed session, if any.

G. Next Meeting Date: Wednesday, September 3, 2008

H. Confirmation By-law and Adjournment

Moved by: John McGee Seconded by: R.J. Gamble

THAT By-law No. 2008-70, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on July 07, 2008, be hereby enacted as passed this 07th day of July, 2008, Carried.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT this Planning Council meeting does now adjourn, Carried.

.....
Michael Martin, Acting Chair/Councillor

.....
Corrina Giles, Deputy Clerk