

AGENDA: The Blue Mountains Council Meeting



MEETING DATE: November 24, 2008
MEETING TIME: 7:00 pm
LOCATION: L E Shore Memorial Library
PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- **Moment of Personal Prayer or Reflection**
- **Approval of Agenda**

Recommended (Move, second)

THAT the Agenda of November 24, 2008 be approved as circulated, including any items added to the Agenda.

- **Declaration of Pecuniary Interest and general nature thereof**
- **Adoption of Consent Agenda**

With the adoption of the Consent Agenda, all Recommendations found within previous Committee Reports or Minutes are then approved or received by Council, as noted. These Committee meetings are open to the public. The Consent Agenda content is available to the public when the Agenda is finalized but is not subject to discussion from the floor at this time, however, representations may be made at subsequent meetings on matters of interest.

Recommended (Move, second)

THAT the Consent Agenda of November 24, 2008 be adopted as circulated, less any items requested for separate review and discussion.

- **Previous Minutes**

Recommended (Move, second)

THAT the Council minutes of November 10, 2008 be adopted as circulated, including any revisions to be made.

B. Deputations/Presentations

B.1 7:05 pm – PUBLIC MEETING – Fees and Charges

B.2 7:10 pm – Vic Bollinger, Drainage Inquiry at 208655 Highway 26, EPW.08.111

B.3 7:20 pm – Sustainability Presentation – Paul Graham, Chief Administrative Officer

C. Correspondence as previously circulated

Recommended (Move, second)

THAT this Council does hereby receive the Correspondence of November 24, 2008 and further does support the Staff Recommendation made with regard to the Correspondence items, including any additional direction given to Staff through discussion, with an appropriate Staff action or response awaited for report back to Committee or Council where indicated.

D. Motions and Staff Reports

D.1 Drainage Inquiry at 208655 Highway 26, EPW.08.111 RR

Recommended (Move, second)

THAT Council recommend that Town Policy be followed of not performing works on private property, as outlined in Report EPW.08.111.

D.2 County of Grey – Official Plan Five Year Review, PL.08.125 CW

Recommended (Move, second)

THAT Council does adopt Planning Staff Report #PL.08.125, “County of Grey Official Plan Five Year Review” for information and review purposes and that this Report be forwarded to the County as part of the Town’s official response to the County of Grey - Official Plan Five Year Review.

D.3 Application for Consent File No. B22-2005, Lot 38, Concession 12, PL.08.110 SP

Recommended (Move, second)

THAT Council does receive Planning Staff Report PL.08.110, “Application for Consent, File No. B22-2005, Lot 38, Concession 12, Town of The Blue Mountains”;

AND THAT Planning Staff support Application for Consent File No. B22-2005 subject to the following conditions:

1. A Zoning By-law Amendment to:

- a Recognize a new minimum lot area for both the severed and retained parcels.
 - b Recognize the severed parcel as not having frontage onto an open and maintained municipal street.
 - c Apply the holding ‘-h’ symbol to ensure development on the severed parcel is subject to Site Plan Approval
2. A Development Agreement to be registered on title for:
 - a The construction of a private driveway over the unopened road allowance to the severed parcel, and
 - b The existing use of the unopened road allowance for a private driveway for the existing dwelling on the retained parcel.
 3. A 6.0 metre trail easement along the top of the ridge.
 4. Confirmation of a lot addition from an existing vacant residential parcel to the retained parcel.
 5. The payment of Development Charges.
 6. The payment of Parkland Dedication.

AND THAT Planning Staff support the Application for Zoning By-law Amendment to rezone the lands from the General Rural (A1) Zone and Hazard (H) Zone to the Rural Estate Residential (RERb-h) Zone and Hazard (H) Zone; and to deem a private driveway over a municipal road allowance to meet the requirements for adequate frontage and access to a municipal street.

D.4 Draft Plan of Condominium County of Grey File No. 42-CDM-2008-09” – Lora Bay Corporation, Blocks 66 and 67, Registered Plan 16M-17 Town of The Blue Mountains, PL.08.127 SP

Recommended (Move, second)

THAT Council does receive Planning Staff Report PL.08.127, “Draft Plan of Condominium County of Grey File No. 42-CDM-2008-09” – Lora Bay Corporation, Blocks 66 and 67, Registered Plan 16M-17 Town of The Blue Mountains”;

THAT Planning Staff supports granting approval of the Common Elements Plan of Condominium by the County of Grey conditional upon the following:

- 1) Confirmation of compliance with setbacks in Zoning By-law, and;

THAT Planning Staff supports application No 42-CDM-2008-09 being exempt from the County’s application process based on the current approval status.

E. New and Unfinished Business

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| E.1 Grey County Council Update | EA, DMcK |
| E.2 AMO Board of Directors Update | EA |
| E.3 Notice of Motion | Council |
| E.4 Additions to Agenda | Staff |

F. By-laws

F.1 Temporary Closing of a Portion of Municipal Highway

Recommended (Move, second)

THAT By-law No. 2008 - 101, being a By-law to temporarily stop up and closed portions of Bruce Street north and Louisa Street on December 13, 2008 in relation to the 2008 Old Fashioned Christmas event, be hereby enacted this twenty-fourth day of November, 2008.

F.2 Speed Limit for Motor Vehicles on a Municipal Highway

Recommended (Move, second)

THAT By-law No. 2008 - 102, being a By-law to prescribe a speed limit for motor vehicles of 40 kilometres per hour on Mountain Drive from Plater Street to County Road 119, be hereby enacted this twenty-fourth day of November, 2008.

F.3 Rezone Part Lot 38, Concession 12, Condition of Consent B22-2005

Recommended (Move, second)

THAT By-law No. 2008 - 103, being a By-law to rezone part Lot 38, Concession 12 from the General Rural A1 Zone to the Rural Estate Residential RERb-h and Hazard H Zones, be hereby enacted this twenty-fourth day of November, 2008

G. Consent Agenda

Accounts

1. Accounts BG
2. Invoices separated for pecuniary interest (CK & A)

Reports List (Adopt)

3. Engineering and Public Works, November 12, 2008 DMcK
4. Finance and Administration Committee, November 18, 2008 BG

Minutes List (Receive)

None

H. Notice of Meeting Dates

Council December 8, 22, 2008, January 12, 26, 2009, February 9, 23, 2009
Planning Council November 3, December 1, 2008, January 19, February 2, 2009
All Council meetings to be at the Library unless otherwise noted

Engineering and Public Works Committee, December 10, 2008
Finance and Administration Committee, December 16, 2008
Recreation Committee, December 4, 2008

I. Closed Session

Interim Control By-law Appeals to OMB, Proposed Official Plan and Zoning By-law Amendments, Proposed Licencing Regime, Litigation Update DF/PT

Recommended (Move, second)

THAT with regard to subsection 239(2) 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 the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose;

AND with regard to appeals of Interim Control By-laws No. 2008-12 and 2008-67;

AND with regard to consideration of potential appeals to Official Plan and Zoning By-law Amendments proposed to follow the Interim Control By-laws;

AND with regard to a proposed Licencing regime addressing Short Term Accommodation uses;

AND with regard to an update on status of litigation involving Grey Condominium Corporation No. 37.

Council moved into closed session at p.m.

Council rose from closed to public session at p.m.

J. Confirmation By-law and Adjournment

Recommended (Move, second)

THAT By-law No. 2008 - 103, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on November 24, 2008, be hereby enacted as passed this twenty-fourth day of November, 2008.

Recommended (Move, second)

THAT this Council does now adjourn at p.m. to meet again December 8, 2008, 7:00 pm, L.E. Shore Library, or at the call of the Chair.

CORRESPONDENCE – November 24, 2008

Author	Recommendation/Action
C.1 Minister of Infrastructure, Building Canada	Refer to Financial Services
C.2 Minister of Finance, Service Review	“ “
C.3 Chatsworth, Farmland and Forest taxes	“ “
C.4 Blue Mtn. Watershed Trust, Silver Creek	Refer to Planning
C.5 Beaver Valley Legion, thank you	Receive for information
C.6 Peter Osmond, Water Services, thank you	“ “
C.7 Ombudsman Ontario, Sunshine Law	“ “

Meeting Notes
