

This document can be made available in other accessible formats as soon as practicable and upon request



# Staff Report

## Planning & Development Services – Planning

---

**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2016  
**Report Number:** PDS.16.116  
**Subject:** Blue Mountain Village Boathouse 3  
Skyline Blue Mountain Development Inc.  
Part Lot Control By-law  
Plan 1065 Lots 10 and 6, 16R-10135 Part 1  
**Prepared by:** Shawn Postma, Senior Policy Planner

---

### A. Recommendations

---

THAT Council receive Staff Report PDS.16.116, “Blue Mountain Village Boathouse 3, Skyline Blue Mountain Development Inc., Part Lot Control By-law, Plan 1065 Lots 10 and 6, 16R-10135 Part 1”, and

THAT Council enact a By-law so as to remove Plan 1065 Part Lots 10 and 6, 16R-10135 Part 1 from Part Lot Control for a temporary period of time.

### B. Overview

---

The purpose of this report is to consider an exemption from Part Lot Control provisions of the Planning Act. An exemption will permit the registration of a mortgage on a portion of the Village lands to finance the construction of Boathouse 3.

### C. Background

---

Planning Services has received an application for a part-lot control By-law from Skyline Blue Mountain Development Inc. The proposed part-lot control By-law will permit the registration of a mortgage on a portion of the Blue Mountain Village lands for construction financing associated with Boathouse 3.

Section 50(5) of the Planning Act provides (among other things) that part of a lot within a registered plan of subdivision cannot be mortgaged without the approval of the Municipality. Part-lot control has the effect of preventing the creation of an interest (such as a mortgage) on part of a lot or block within a registered plan without municipal approvals. Section 50(7) authorizes municipalities to enact part-lot control By-laws to remove part-lot control from all or part of a registered plan of subdivision by By-law where appropriate.

Boathouse 3 is located on Lots 10 and 6 of registered plan 1065 as well as other buildings, structures and uses. The Part Lot Control By-law will allow a mortgage to be registered against the lands that apply to Boathouse 3 only and not impact surrounding buildings and uses.

Section B10.10 of the Town of The Blue Mountains Official Plan recognizes that Council may permit development within the Village by way of a part-lot control By-law in accordance with the Master Development Agreement.

Based on the foregoing, Planning Staff has no objections to the proposed part-lot control By-law subject to the By-law applying to the Boathouse 3 lands only, an expiry date of 30 days from the date of registration of the By-law or 1 year from the date of Council approval, and that the By-law is for mortgage purposes only. The above timeframes appear sufficient to finalize the registration of a new mortgage on the lands.

#### **D. The Blue Mountains Strategic Plan**

---

Goal #3: Support Healthy Lifestyles

#### **E. Environmental Impacts**

---

Nil

#### **F. Financial Impact**

---

Nil

#### **G. In consultation with**

---

Nil

#### **H. Attached**

---

Draft Part Lot Control By-law

Respectfully submitted,

---

Shawn Postma  
Senior Policy Planner

---

Michael Benner

Director of Planning and Development Services

For more information, please contact:

Shawn Postma

[spostma@thebluemountains.ca](mailto:spostma@thebluemountains.ca)

519-599-3131 extension 248

## The Corporation of the Town of The Blue Mountains

### By-Law Number 2016 –

#### Being a By-law to remove 16R-10135 Part 1 of Plan 1065 Part Lots 10 and 6 from part-lot control for a temporary period of time

Whereas pursuant to Subsection 50(7) of the Planning Act R.S.O. 1990, c. P.13, the Council of a local municipality may by By-law provide that part-lot control does not apply to lands within a registered plan of subdivision or parts of them as designated in the By-law;

And Whereas Skyline Blue Mountain Development Inc. has requested that Council of the Corporation of the Town of The Blue Mountains enact a By-law so as to remove 16R-10135 Part 1 of Plan 1065 Part Lots 10 and 6 from part-lot control for a temporary period of time so as to register a mortgage for the construction of Boathouse 3;

And Whereas the request meets the criteria of the Council of the Corporation of the Town of The Blue Mountains for consideration of the enactment of a part-lot control By-law;

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

1. Subsection 50(5) of the Planning Act R.S.O. 1990, c. P.13 does not apply to 16R-10135 Part 1 of Plan 1065 Part Lots 10 and 6
2. Pursuant to Subsection 50(7.3) of the Planning Act R.S.O. 1990, c. P.13, this By-law shall expire upon the sooner of thirty (30) days of its registration, or one (1) year from the date of enactment, unless it shall have prior to that date been repealed or extended by the Council of Corporation of The Town of the Blue Mountains.
3. This By-law shall not take effect until it has been approved by the Corporation of the County of Grey, the approval authority for the purposes of Sections 51 and 51.1 of the Planning Act R.S.O. 1990, c. P.13, and a certified copy or duplicate copy of the By-law, so approved, has been registered in the proper Land Registry Office.

Enacted and passed this 26<sup>th</sup> day of September, 2016

---

John McKean, Mayor

---

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2016- as enacted by the Council of The Corporation of The Town of the Blue Mountains on the 26<sup>th</sup> day of September 2016.

Dated at The Town of the Blue Mountains this 26<sup>th</sup> day of September 2016.

---

Corrina Giles, Clerk