

STAFF REPORT:

BUILDING & BY-LAW DEPARTMENT



REPORT TO: Council
MEETING DATE: November 5th, 2007
REPORT NO.: SRB.07.33
SUBJECT: Alteration of Grade & Fill By-law
PREPARED BY: D. Finbow, Director, Building & By-law

A. Recommendations:

THAT Council receive Staff Report SRB.07.31 and enact the amendment to the Town's Alteration of Grade/Fill By-law attached hereto and endorse the Policy contained in this Report.

B. Background:

Recently, a property owner of more than 0.8 ha of land in a residentially zoned area caused the placement of a significant amount of fill on the residentially zoned land. This fill was placed in accordance with the provisions of the Town's Alteration of Grade/Fill By-law and did not require Town approval(s). Notwithstanding this, the placement of the fill material caused concern as it related to the potential impact on the environment and its appearance.

The Town's Director of Engineering & Public Works, Director of Building & By-law and the Manager of Development Planning have reviewed this matter and recommend that the By-law be amended such that this type of occurrence will, in the future, require an Alteration of Grade/Fill Permit.

In addition to the proposed amendment, and in order to protect the integrity of the Town's Planning and Land Development process, in particular those matters to be considered pursuant to the Provincial Policy Statement (2005), including natural heritage, cultural heritage and archaeology, it is recommended that Council endorse a policy whereby Alteration of Grade/Fill Permits not be issued for lands that are designated Hazard, Private Open Space, Development, Deferred Development, and Holding. Works on these lands may proceed on the basis of formal approvals issued pursuant to the *Planning Act* (Pre-Servicing, Subdivision, Condominium Agreements).

C. The Blue Mountains' Strategic Plan:

- Managing growth to ensure the ongoing health and prosperity of the community.
- Addressing the Town's municipal infrastructure needs.
- Providing a strong, well managed municipal government.
- Preserving and enhancing natural and environmental features, and cultural heritage of the community

D. Budget Impact:

N/A

E. Attachments:

1. By-law No. 2002-78
2. Draft Amending By-law

Respectfully submitted:

A handwritten signature in black ink, consisting of a stylized, cursive script that appears to be the initials 'JH'.