

The Corporation of the Town of The Blue Mountains

By-Law Number 2023 –

Being a By-law to provide for the maintenance and extension of the Blue Mountain Outlet Diversion Drain and Ford Outlet Drain in the Town of The Blue Mountains.

Whereas the Council of the Town of The Blue Mountains in accordance with the provisions of the Drainage Act has received a request for the maintenance and extension of the Blue Mountain Outlet Diversion Drain and Ford Outlet Drain in the Town of The Blue Mountains;

And Whereas the Council of the Town of The Blue Mountains has procured an engineer's report prepared by WT Infrastructure Solutions Incorporated, dated October 25, 2023 (the "engineer's report"), and the engineer's report is attached to and forms part of this By-law;

And Whereas Council has received Staff Report PDS.22.109 and enacted the provisional by-law 2022-74 to provide for the maintenance and extension of the Blue Mountain Outlet Diversion Plan and Ford Outlet Drain in the Town of The Blue Mountains. Town staff confirm that the Agriculture, Food and Rural Affairs Tribunal (AFRAAT) issued a Notice of Withdrawal of the appeal on October 19, 2023, and recommend the enactment of this By-law;

And Whereas the Council of the Town of The Blue Mountains is of the opinion that the maintenance and extension of the drainage works is desirable;

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

1. That the engineer's report is hereby adopted, and the maintenance and extension of the drainage work as therein indicated and set forth are hereby authorized and shall be completed in accordance there with.
2. That the costs of the extension of the Drainage Works as set forth in the engineer's report, including any necessary permits and or approvals from Grey Sauble Conservation Authority and or the Ontario Ministry of Transportation, shall be borne entirely by the petitioners, Parkbridge Lifestyle Communities Inc., McPherson Builders (Blue Mountains) Limited, and Eden Oak (Trailshead) Inc.
3. That the implementation of the works will be through a fully secured agreement prepared by the Town's solicitor.

READ A THIRD AND FINAL TIME AND ADOPTED THIS 20th day of November 2023.

And further that this By-law shall come into force and take effect upon the enactment

Enacted and passed this ____ day of _____, 2023.

Andrea Matrosovs, Mayor

Corrina Giles, Town Clerk