

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

July 14, 2008
(7:08 p.m.)

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

The Clerk gave the roll call and the following Council members were present:

Mayor Grossi	Regional Councillor Wheeler
Councillor Jordan	Councillor Jamieson
Councillor Szollosy	Councillor Hackenbrook
Councillor Smockum	

3. COMMUNITY SERVICE ANNOUNCEMENTS:

The Council Members were made aware of a number of community events taking place.

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

The following items were identified as part of the agenda:

- 4.1 Report No. PB-2008-0084 entitled 'Application to Amend Zoning By-law 500 and the Official Plan, Debbie Kimel' as Item No. 14.2.2
- 4.2 Report No. EPW-2008-0029 entitled 'Pre-Servicing Agreement, Jackson's Landing Development' as Item No. 17.2.2
- 4.3 A By-law to authorize the Mayor and Clerk to execute a Pre-Servicing Agreement between 2055226 Ont. Inc. and the Town of Georgina, as Item No. 20.9
- 4.4 E-mail from Jackie Burkart, Snr Planner, LSRCA, concerning request to amend conditions of Draft Plan Approval for Jackson's Landing By The Lake
- 4.5 E-mail from David Charlton, Snr Principal, Environmental Mngt, Stantec, concerning Jackson's Landing, nesting dates for southern Ontario from May 9th to July 23rd
- 4.6 Memo from Clerk's Office respecting agenda numbering issue and one missing page

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS cont'd:
- 4.7 Correspondence from David Cooper re Kimel Application, 26 Land's End, respecting Item No. 14.2.2
 - 4.8 Report No. DAS-2008-0039 entitled 'Canadian Madeira Club; Festival Events', Item No. 17.1.5 circulated under separate cover
 - 4.9 copy of power point presentation by Howard Friedman concerning Item No. 17.4.2
 - 4.10 removal of By-law No. 20.4 from the agenda

5. APPROVAL OF AGENDA:

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

RESOLUTION NO. C-2008-0308

THAT THE AGENDA WITH THE FOLLOWING ADDENDUM ITEMS BE APPROVED:

- 5.1 REPORT NO. PB-2008-0084 ENTITLED 'APPLICATION TO AMEND ZONING BY-LAW 500 AND THE OFFICIAL PLAN, DEBBIE KIMEL' AS ITEM NO. 14.2.2
- 5.2 REPORT NO. EPW-2008-0029 ENTITLED 'PRE-SERVICING AGREEMENT, JACKSON'S LANDING DEVELOPMENT' AS ITEM NO. 17.2.2
- 5.3 A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A PRE-SERVICING AGREEMENT BETWEEN 2055226 ONT. INC. AND THE TOWN OF GEORGINA, AS ITEM NO. 20.9
- 5.4 E-MAIL FROM JACKIE BURKART, SNR PLANNER, LSRCA, CONCERNING REQUEST TO AMEND CONDITIONS OF DRAFT PLAN APPROVAL FOR JACKSON'S LANDING BY THE LAKE
- 5.5 E-MAIL FROM DAVID CHARLTON, SNR PRINCIPAL, ENVIRONMENTAL MNGT, STANTEC, CONCERNING JACKSON'S LANDING, NESTING DATES FOR SOUTHERN ONTARIO FROM MAY 9TH TO JULY 23RD
- 5.6 MEMO FROM CLERK'S OFFICE RESPECTING AGENDA NUMBERING ISSUE AND ONE MISSING PAGE
- 5.7 CORRESPONDENCE FROM DAVID COOPER RE KIMEL APPLICATION, 26 LAND'S END, RESPECTING ITEM NO. 14.2.2
- 5.8 REPORT NO. DAS-2008-0039 ENTITLED 'CANADIAN MADEIRA CLUB; FESTIVAL EVENTS', ITEM NO. 17.1.5 CIRCULATED UNDER SEPARATE COVER

5. APPROVAL OF AGENDA cont'd:

- 5.9 COPY OF POWER POINT PRESENTATION BY HOWARD FRIEDMAN
CONCERNING ITEM NO. 17.4.2
- 5.10 REMOVAL OF BY-LAW NO. 20.4 FROM THE AGENDA

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

Councillor Hackenbrook declared an interest in Item Nos. 17.1.4 and 23.2 because his spouse is an employee of a local health care facility.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Smockum

Seconded by Councillor Jordan

RESOLUTION NO. C-2008-0309

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON JUNE 23, 2008, BE ADOPTED AS PRESENTED.

Carried.....

8. BUSINESS ARISING FROM THE MINUTES:

The dollar figures noted on page 10 of the Council Minutes of June 23, 2008, were clarified for Council's benefit.

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

The following items were identified for separate discussion:

- 9.1 Item No. 11.1, deputation by John DaSilva respecting noise concerns with the Canadian Madeira Club events
- 9.2 Item No. 11.2, deputation by Alex Troop of Alliance Homes respecting the Jackson's Landing Development
- 9.3 Item No. 11.3, deputation by Peter Sibbald Brown, Director of The Lakewatch Society, respecting concerns regarding the Jackson's Landing development
- 9.4 Item No. 11.4, deputation by Paul Harpley, president, South Lake Simcoe Naturalists Club, respecting concerns regarding the Jackson's Landing development

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION cont'd:

- 9.5 Item No. 11.5, deputation by Dr. Margaretha Vandervelden, Director of the North East Sutton Ratepayers Association, respecting concerns regarding the Jackson's Landing development.
- 9.6 Item No. 14.1.1, Report No. PB-2008-0079 entitled 'Application to Amend Zoning By-law 500, Sutton heights Development Inc.'
- 9.7 Item No. 14.2.1, Report No. PB-2008-0082 entitled 'Application to Amend Zoning By-law 500, Michael and Barbara Rogers'
- 9.8 Item No. 14.2.2, Report No. PB-2008-0084 entitled 'Application to Amend Zoning By-law 500 and the Official Plan, Debbie Kimel'
- 9.9 Item No. 15.2, various matters for disposition
- 9.10 Item No. 17.1.2, Report No. DAS-2008-0036 entitled 'Replacement of Green '911' Signs'
- 9.11 Item No. 17.1.3, Report No. DAS-2008-0037 entitled 'Chippewas of Georgina Island – 911 Service'
- 9.12 Item No. 17.1.4, Report No. DAS-2008-0038 entitled 'Terms of Reference – Georgina Community Health Care Committee'
- 9.13 Item No. 17.1.5, Report No. DAS-2008-0039 entitled 'Canadian Madeira Club – Festival Events'
- 9.14 Item No. 17.2.2, Report No. EPW-2008-0029 entitled 'Pre-Servicing Agreement, Jackson's Landing Development'
- 9.15 Item No. 17.4.1, Report No. PB-2008-0081 entitled 'Request to Amend Conditions of Draft Plan Approval by 2055226 Ontario Inc. (Alliance Homes Inc.)'
- 9.16 Item No. 17.4.2, Report No. PB-2008-0083 entitled 'Lakeshore Residential Area Interim Control By-law Study – Background Report'
- 9.17 Item No. 20, various by-laws
- 9.18 Item No.21.1, Generation Georgina motion
- 9.19 Item No. 23.1, Community Mail Boxes on Post Office Road causing traffic problems
- 9.19 Item No. 23.2, Council Interview Committee

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Regional Councillor Wheeler

Seconded by Councillor Smockum

That the following recommendations respecting the matters listed as 'Items Not Requiring Separate Discussion' be adopted as submitted to Council and staff be authorized to take all necessary action required to give effect to same:

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:Routine:**RESOLUTION NO. C-2008-0310**

THAT THE ROUTINE CORRESPONDENCE BE RECEIVED.

Reports:17.1 Report from the Administrative Services Department:

17.1.1 2007 Financial Report

Report No. DAS-2008-0035

RESOLUTION NO. C-2008-0311

1. THAT REPORT NO. DAS-2008-0035 BE RECEIVED FOR INFORMATION;
AND
2. THAT THE 2007 FINANCIAL REPORT OF THE CORPORATION OF THE
TOWN OF GEORGINA BE APPROVED.

17.2 Report from the Engineering Department:17.2.1 Consultant Selection
Lake Drive East Project

Report No. EPW-2008-0028

RESOLUTION NO. C-2008-0312

1. THAT REPORT NO. EPW-2008-0028 BE RECEIVED FOR INFORMATION.
2. THAT THE PROPOSAL SUBMITTED BY UMA/KMK TO PROVIDE
ENGINEERING SERVICES FOR THE LAKE DRIVE EAST IMPROVEMENT
PROJECT IS ACCEPTED AND THAT A BY-LAW BE PASSED TO
AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A CONSULTANT
ENGINEERING SERVICES AGREEMENT BETWEEN UMA/KMK AND THE
TOWN OF GEORGINA.
3. THAT COUNCIL WAIVE THE PROVISIONS OF THE PURCHASING BY-
LAW TO ENTER INTO THE ABOVE NOTED AGREEMENT.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:17.3 Report from the Leisure Services Department:

17.3.1 W.J. Watson Playground

Report No. LS-2008-0025

RESOLUTION NO. C-2008-0313

1. THAT REPORT NO. LS-2008-0025 BE RECEIVED.
2. THAT COUNCIL APPROVE A GRANT OF \$10,000.00 TO W.J. WATSON PUBLIC SCHOOL FOR AN ACCESSIBLE PLAYGROUND AND SAID FUNDS TO BE DERIVED FROM THE PLAYGROUND RESERVE ACCOUNT.

17.4.3 Application to Deem Lots not to be lots on a Registered Plan of Subdivision,
ESTATE OF JOHN TAYLOR
Lot 29, Plan 126, 808 Churchill Lane, Willow Beach
AGENT: Gerald Danbrook

Report No. PB-2008-0085

RESOLUTION NO. C-2008-0314

- A. THAT REPORT PB-2008-0085 BE RECEIVED FOR INFORMATION.
- B. THAT THE APPLICATION TO DEEM LOT 29, REGISTERED PLAN 126, NOT TO BE A LOT ON A REGISTERED PLAN OF SUBDIVISION AS PER SECTION 50(4) OF THE PLANNING ACT, R.S.O. 1990 BE APPROVED.

Carried.....

10.2 Matters subject to individual conflicts

None.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

11. DEPUTATIONS:

- 11.1 Mr. John DaSilva updating Council on noise concerns with the Canadian Madeira Club events.

Mr. DaSilva indicated that he has been working on the noise concerns and has invested in a \$22,000 sound system. He has had a company continuously measuring the decibel levels at the boundaries of his property which are within the permitted limits, and has received no complaints from neighbouring properties with regard to the two events he has held to date.

Mayor Grossi moved forward and dealt with Item No. 17.1.5 at this time.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

- 17.1 Report from the Administrative Services Department:

- 17.1.5 Canadian Madeira Club – Festival Events

Report No. DAS-2008-0039

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0315

1. THAT REPORT NO. DAS-2008-0039 BE RECEIVED FOR INFORMATION.
2. THAT THE TOWN OF GEORGINA ISSUE TO THE CANADIAN MADEIRA CLUB AT 24120 HIGHWAY 48, BALDWIN, ONE LICENSE FOR THE EVENTS SCHEDULED DURING THE MONTHS OF JULY AND AUGUST, AND ONE LICENSE FOR THE EVENTS SCHEDULED FOR THE MONTHS OF SEPTEMBER AND OCTOBER, PROVIDED NO COMPLAINTS ARE RECEIVED PRIOR TO THE ISSUANCE OF ANY FESTIVAL LICENSES.

Carried.....

Mayor Grossi moved forward and dealt with Item No. 14.1.1 at this time.

14. PUBLIC MEETINGS:

14.1 Continuation of a Planning Application (Interested Parties Notified):

14.1.1 Application to Amend Zoning By-law 500 (7:34 p.m.)
Sutton Heights Development Inc.
Part of Lot 1, Concession 8 (G) and Lot 21, Plan 440; 20927
Dalton Road, Sutton

Report No. PB-2008-0079

Mayor Grossi explained the procedure for a public meeting at this time.

Mr. Michael Smith, agent for the applicant, explained that the subject property is on Dalton Road in Sutton abutting the Shopper's Drug Mart site to the north, and extends easterly to Southwood Crescent/South River Road. It is 1.5 acres in size with 250 feet of frontage along Dalton Road and currently contains two dwellings which are to be demolished.

Mr. Smith explained that this application was before Council in November of 2007 and the applicants have held an informal neighbourhood meeting in June of this year at the local library. He indicated that the proposal originally contained one commercial block, but has since been amended to General Commercial and Residential. He reminded the public that Council is dealing with the zoning of the property tonight, as many issues raised at the past meeting and at the informal meeting were site plan issues.

Mr. Smith indicated that the development is conceptual at this time as the applicant does not yet have a tenant for the site, as he requires the rezoning first. The applicant proposes to rezone the western portion of the property to General Commercial and the eastern portion to Low Density Urban Residential, noting that a residential building lot has been proposed to be located on South River Road/Southwood Crescent.

Mr. Smith indicated that the original proposal included a 19,000 square foot commercial building with retail on the ground floor and offices on the second floor, located close to Dalton Road. The parking area was designed to connect with the Shopper's Drug Mart property to the south as well as with potential commercial uses further to the north. Various concerns were raised at the previous public meeting and two new options are being presented tonight.

Mr. Smith indicated that both options include a 28 metre residential building lot at the rear or east of the property of approximately 1 hectare in size so that no commercial development intrudes directly into the residential area to the east. The first option consists of one residential lot and two separate one-storey buildings at the south-west and north-west corners of the property totaling 10,000 square feet of gross commercial floor area, while the second option consists of one residential lot and

14. PUBLIC MEETINGS cont'd:

two buildings side by side at the south-west corner of the property with approximately 12,000 square feet of gross commercial floor area. Both options contain landscaping along the east edge of the property to assist in screening the property from the roadways, with access to the Shopper's Drug Mart property which is a site plan issue and not a zoning issue.

Mr. Smith stated that the central driveway was requested by the Region of York. The public seemed to be in favour of both options but opposed to the proposed connection to the Shopper's Drug Mart property to the south. He noted that the concerns raised by both The Lakewatch Society and the North East Sutton Ratepayers Association are site plan issues. The York Catholic District School Board requested that some uses be removed from the list of permitted uses such as 'place of amusement' and is acceptable to the applicant. However, the Board also requested that any commercial establishments selling alcohol be prohibited near the subject property, but taking into consideration the fact that Dalton Road is a commercial corridor and The Beer Store already exists to the south of the subject property along with existing licensed restaurants to the south, the request seems inappropriate.

Mr. Smith indicated that the application is consistent with other applications of this nature and he has no objection to the staff report.

Mr. John Pynn of 100 Wood River Bend stated that all of the local residents are opposed to the driveway connection from the subject property to the Shopper's Drug Mart property as this would just serve as another intrusion into their residential area. He stated that is almost impossible to access Dalton Road from the east side of the road, especially if you wish to make a left-hand turn to the south, making the residents feel trapped within their own subdivision. People will therefore use the exit into the SDM property to access South River Road and Black River Road to get to the traffic lights at the corner of Black River Road and Dalton Road.

Mr. Pynn requested that if at all possible, that the connection to the SDM property be eliminated in order to resolve potential problems. Otherwise, traffic will increase on South River Road dramatically.

Mr. Pynn inquired if the proposed residential property at the east portion of the property is adequate in size to build a home and does not believe anyone would be interested in purchasing this lot for a home as it backs onto a parking lot. In addition, the proposed buffer zone will be inadequate to hide the parking lot from view, but this is a minor concern. Their major concern is the access into their residential neighbourhood.

14. PUBLIC MEETINGS cont'd:

Mr. Don Waldie of 50 South River Road indicated that he shares Mr. Pynn's concerns. He noted that the two new proposals, options 1 and 2, contain two units each, plus a residential lot. The proposed buildings are smaller than what was proposed in November, but a large portion of the property is still being rezoned from Residential to Commercial. He stated that he has concerns with the noise, increased lighting and potential vandalism that will be created by the proposal. The new Home Hardware building will create traffic congestion in this area and the proposal will just serve to increase the traffic congestion.

Mr. Waldie suggested that a one foot reserve be placed along the eastern limit of the subject property. He also noted that there are five foot tall weeds growing on the subject property at this time that should be removed by the owner.

Ms. Rose Sheppard of 20937 Dalton Road, stated that her property is to the north of the subject property and she would prefer the option in which the buildings are located closer to the SDM property to the south. She indicated that her view down Dalton Road will be obstructed by either of the proposals. She also explained that she is concerned with the entrance/exit, noting that it is currently difficult at best to enter onto Dalton Road.

Ms. Sheppard indicated that Dalton Road is at a much higher elevation than the subject property, as her property as well as the properties in this area including the subject property slope down dramatically toward the east away from the road.

Ms. Diane Shail of 27 South River Road stated that she expected this proposal as Dalton Road is a commercial area. She noted that she will have a clear view of the proposed buildings from her home but believes the driveway connection to the SDM property will create major problems. The traffic in the area has already increased dramatically and she also does not believe anyone would want to purchase the proposed residential lot.

Mr. Denis Beaulieu, Planner, indicated that the largest issue seems to be the proposed driveway connection from the subject lot to the SDM property to the south. This connection was requested by the Town as its Urban Design policies encourage separate commercial sites to have cross connections so that motorists do not need to enter onto the major roads to travel between properties. He explained that at the time the Shopper's Drug Mart property was being considered for development, this connection was envisioned with the subject property and a conceptual location of this site was planned. He noted that the driveway connection is a site plan issue rather than a zoning issue.

14. PUBLIC MEETINGS cont'd:

Mr. Beaulieu indicated that a Traffic Impact Study will be conducted with regard to the increased traffic concern. He stated that staff believes that the main access from Dalton Road will be used by motorists and that the access to the SDM property will be secondary in nature. The development will generate some additional traffic, but staff believes that there is no advantage for motorists to travel into the subdivision. He noted that he contacted the By-law Department and Engineering Department and neither of these departments received any formal complaints after the SDM property was developed and in operation, with regard to traffic.

Mr. Beaulieu indicated that it is appropriate to show a driveway connection on a conceptual site plan. He advised that in the long term, there is potential for the Sheppard property to be used for commercial purposes and also connected in the same fashion.

Mr. Harold Lenters, Director of Planning and Building, explained that the Town's intention is to allow motorists to access abutting commercial sites without the need to access the roadways for convenience and safety reasons.

Mr. Beaulieu explained that with regard to the proposed residential lot on the subject property and its desirability, he wouldn't want to presume what some people may or may not want to live beside. He indicated that with appropriate landscaping and buffering, the view of the parking lot can be minimized to acceptable levels. With regard to elevation of the property, the applicant will be responsible for resolving that issue most likely with a substantial amount of fill being required.

Mr. Smith indicated that the elevation issue will be addressed through the site plan process. He stated that with regard to the suitability of the residential lot, the applicant will do what he can to market the residential lot. Landscaping and fencing will occur on the property and it is in the applicant's best interest to do as good a job as possible in order to sell it.

Mr. Beaulieu indicated that the depth of the residential lot is proposed to be reduced from 150 feet to 92 feet in order to accommodate some additional commercial parking, but the size exceeds the frontage and minimum area requirements and can accommodate the typical single family residence with the required setbacks. He advised that the site plan provides the amount of parking that is required by the zoning by-law.

Mr. Smith stated that the parking shown on the site plan is the minimum required for the proposed use of the subject property. He indicated that the applicant could not increase the size of the residential lot without reducing the size of the commercial buildings and affecting their viability.

14. PUBLIC MEETINGS cont'd:

Mr. Beaulieu indicated that a 3 metres wide planting strip is required on a commercial property when it abuts a residential property, whereas no planting strip is required when commercial property abuts commercial property.

Mr. Pynn stated that he realizes that some of their issues are more appropriately dealt with at the site plan stage, but he will voice them in order that they are on record. He indicated that the by-law with regard to the driveway connections between commercial properties encourages these connections, but he believes they should be discouraged. He stated that he doesn't agree with the fact that the Shoppers Drug Mart property must relinquish two of its parking spaces to accommodate this driveway connection to the subject property and does not believe Shoppers Drug Mart will be very pleased about this requirement.

Mr. Pynn stated that he believes motorists will exit the Home Hardware site and travel across Dalton Road to the subject property. He explained that motorists do this same thing, using the Shoppers Drug Mart property from Black River Road to access Dalton Road and vice versa. He also inquired if the Town or the applicant would be responsible for deciding on the appropriate landscaping that would be required to block the view of the parking lot and whether or not the residents would have an opportunity to provide some input into this issue.

Ms. Sheppard stated that she agrees with Mr. Pynn, admitting that she uses the Shoppers Drug Mart property to avoid the Dalton Road traffic from time to time. In addition, she indicated that the subject property currently contains a number of mature trees and she would like to see as many of these trees retained as possible.

Mr. Beaulieu advised that the applicants for the Shoppers Drug Mart property knew at the time of development that a driveway connection was planned to the property to the north and it was identified on the site plan at that time. He explained that the connection requirement is not a zoning by-law requirement but it is contained in the policies of the Sutton Secondary Plan and indicates that connections be provided 'where practical'. Therefore, unless there is a critical reason that a driveway connection cannot be provided, it should be provided. He noted that this connection has been planned for 10 years.

Mr. Beaulieu indicated that the applicant is required to submit a landscaping plan and residents will have an opportunity to comment at the site plan meeting. The Town's peer review consultant will review the plan and make recommendations on its findings also.

14. PUBLIC MEETINGS cont'd:

Mr. Lenters indicated that the applicant can be requested to give consideration to the more mature trees on the subject property. He noted that some of the trees closer to the perimeter of the property may be retained, but some may need to be removed to provide room for development of the site.

Mr. Smith indicated that he does not believe the easterly access to the Shoppers Drug Mart property could be closed off. He stated that this access was in existence prior to the current development and it is required for delivery truck movement.

Mr. Beaulieu noted that Option #1 is preferable to staff due to the buildings being located closer to Dalton Road and the parking further from the road, whereas Option #2 locates the parking at the road.

Moved by Councillor Smockum

Seconded by Councillor Jordan

RESOLUTION NO. C-2008-0316

- A. THAT REPORT PB-2008-0079 BE RECEIVED AS INFORMATION.
- B. THAT THE ZONING BY-LAW AMENDMENT APPLICATION AND REVISED PROPOSAL SUBMITTED BY SUTTON HEIGHTS DEVELOPMENT INC. TO REZONE A PORTION OF LANDS DESCRIBED AS PART OF LOT 1, CONCESSION 8 (G) AND LOT 21, PLAN 440, FROM LOW DENSITY URBAN RESIDENTIAL (R1-1) AND TRANSITIONAL (T) TO SITE SPECIFIC GENERAL COMMERCIAL (C1), BE APPROVED.
- C. THAT THE AMENDING ZONING BY-LAW CONTAIN THE SITE SPECIFIC PROVISIONS DESCRIBED IN REPORT PB-2008-0079.
- D. THAT PURSUANT TO SECTION 34(17) OF THE PLANNING ACT, R.S.O. 1990, COUNCIL DEEMS THAT FURTHER NOTICE IS NOT REQUIRED TO BE GIVEN IN RESPECT OF ANY MINOR REVISIONS TO THE PROPOSED AMENDING ZONING BY-LAW.
- E. THAT PRIOR TO THE PASSING OF AN AMENDING ZONING BY-LAW, THE APPLICANTS OBTAIN PROVISIONAL CONSENT APPROVAL FROM THE COMMITTEE OF ADJUSTMENT IN ORDER TO SEVER THE PROPOSED RESIDENTIAL LOT.

14. PUBLIC MEETINGS cont'd:

F. THAT ALL INTERESTED PARTIES TO THE ZONING BY-LAW AMENDMENT APPLICATION BE SENT AN INVITATION TO ATTEND ANY FUTURE SITE PLAN APPROVAL COMMITTEE MEETING(S).

Carried.....

14.2 Statutory Public Meetings (Interested Parties Notified):

14.2.1 Application to Amend Zoning By-law 500 (8:28 p.m.)
ROGERS, Michael and Barbara
Part Lot 18, Conc. 9 (NG), 2007 Metro Road North

Report No. PB -2008-0082

Mayor Grossi explained the procedure for a public meeting at this time.

Mr. Rogers, one of the applicants, indicated that he has owned the subject property for four years and a zoning by-law amendment was required by the Lake Simcoe Region Conservation Authority.

Mr. Adam Lucas, Planner, reviewed the report at this time, indicating that the Committee of Adjustment granted provisional consent approval to sever and convey two separate parcels of land from the remainder for the purpose of creating two new residential building lots. He stated that through the consent process, it was revealed that portions of the subject property form part of the Willow Beach Provincially Significant Wetland Complex. The applicant was required to complete an Environmental Impact Statement and Hydrogeologic Study on the subject property to demonstrate that the proposed residential development would not have a negative impact on the Willow Beach Provincially Significant Wetland Complex. The Conservation Authority then reviewed these studies and requested that the applicant rezone a portion of the subject property to Open Space in order to protect the natural feature and prohibit structural development therein.

Mr. Lucas stated that in this instance, the majority of the portion of the property required to be rezoned Open Space consists of a gully and provides little opportunity for any structural development, but in order to ensure that this wetland feature is protected, staff recommend that specific restrictions be put into place to limit the permitted uses in this area to conservation and prohibit structural development from occurring.

Mr. Lucas indicated that staff are of the opinion that the proposal conforms to the Sutton Secondary Plan, will comply with Zoning By-law 500 and represents the principles of good planning.

14. PUBLIC MEETINGS cont'd:

Mrs. Karyn Stone, Planner, indicated that a purchase and sale agreement could be drawn up with regard to the sustainability of the Open Space zone, but agreements such as this are generally only provided to the first new property owners. Any subsequent owners would have no knowledge of it.

Mr. Harold Lenters, Director of Planning and Building, explained that the Town of Georgina's authority extends through the zoning by-law, while the Official Plan will state that only conservation uses are permitted on this portion of land zoned as Open Space. All the Town can do is to rezone the property to restrictive zoning as it has done a number of times over the years. He noted that there is only one lot owner in this instance, as opposed to a number of abutting lot owners.

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0317

- A. THAT REPORT PB-2008-0082 BE RECEIVED AS INFORMATION.
- B. THAT THE APPLICATION SUBMITTED BY BARBARA ANN ROGERS AND MICHAEL DONALD ROGERS TO REZONE A PORTION OF PART LOT 18, CONCESSION 9 (NG), FROM LOW DENSITY URBAN RESIDENTIAL (R1) TO OPEN SPACE (OS) AS SHOWN ON SCHEDULE '3' TO REPORT PB-2008-0082, BE APPROVED.
- C. THAT THE AMENDING ZONING BY-LAW CONTAIN THE SITE SPECIFIC PROVISIONS OUTLINED AND RECOMMENDED IN REPORT PB-2008-0082.
- D. THAT PURSUANT TO SECTION 34(17) OF THE PLANNING ACT, R.S.O. 1990, COUNCIL DEEMS THAT FURTHER NOTICE IS NOT REQUIRED TO BE GIVEN IN RESPECT OF ANY MINOR REVISIONS TO THE PROPOSED AMENDING ZONING BY-LAW.

Carried.....

14. PUBLIC MEETINGS cont'd:

14.2 Statutory Public Meeting (Interested Parties Notified):

(8:43 p.m.)

- 14.2.2 Application to Amend Zoning By-law 500 and the Official Plan,
KIMEL, Debbie
Part Lots 15 and 16, Conc. 9 (NG), 26 Lands End
AGENT: Steven Vipond, King Post Construction

Report No. PB-2008-0084

Mayor Grossi explained the procedure for a public meeting at this time.

Mr. Steven Vipond of King Post Construction, agent for the applicant, indicated that the applicant is seeking amendments to the Zoning By-law and Official Plan in order to construct a house on the subject property. He indicated that the property fronts on a deeded right-of-way and the Official Plan does not permit a house to be constructed if the property does not front onto an assumed road.

Mr. Vipond explained that the property is able to be built upon and did contain a dwelling several years ago. He noted that at the time municipal water and sewer services were being installed on the road, the Town had requested that the owner provide services to the subject property, and the owner complied.

Mr. Vipond indicated that approvals have been granted from the Lake Simcoe Region Conservation Authority. A few neighbours are not happy with the increased traffic this additional home may create, but he advised that the house will be for the use of the applicant's children who already live on the road. The house is to be a family cottage that will be approximately 4,500 to 5,000 square feet in size. He mentioned that it is currently a little over the height restriction and are working on that at this time.

Mrs. Karyn Stone, Planner, reviewed the report at this time, indicating that the applicants are requesting amendments to the Zoning By-law and Official Plan to permit the construction of a single family dwelling on the subject property. She indicated that the zoning by-law prohibits the construction of a dwelling unless it fronts upon a public street and Section 3.4.2.3 of the Official Plan states that no new buildings will be permitted on private rights-of-way except if such buildings are a replacement of an existing building or accessory to existing buildings. She indicated that a cottage did stand on the property, but it was demolished in 1988 and a replacement dwelling could have been erected on the subject property provided such reconstruction occurred within one year from the date of the demolition of the original dwelling, which is not the case here. She noted that while the zoning by-law and Official Plan allow for a replacement dwelling under certain circumstances, there are no restrictions on the size of the replacement dwelling in relation to the size of the original dwelling.

14. PUBLIC MEETINGS cont'd:

Mrs. Stone explained that staff have been contacted by Mr. Morgan of 21 Lands End to the south of the subject property, and by Mr. Osborne of 20 Lands End to the west of the subject property. Mr. Morgan's concerns relate to the size of the proposed dwelling, the ongoing construction activity and noise related to it and the use of Lands End as a storage area for construction materials/equipment. Mr. Osborne's concerns relate to the disregard of the terms of purchase and sale, of which he was the original owner, wherein it was understood that the property would be maintained as green space. In addition, he is concerned with the negative impacts to the Lands End neighbourhood.

Mrs. Stone explained that the subject property is designated Lakeshore Residential under the Official Plan. Section 3.4.2.3. prohibits new development on private rights-of-way, but allows for the replacement of a building or structure that existed on November 2002, being the date the Official Plan came into effect. She explained that the purpose of this policy is to avoid development on properties that cannot be properly accessed by emergency vehicles, eliminate disputes over the use or maintenance of these rights-of-ways, and to reduce the pressure from future residents on these rights-of-way to expend time and municipal funds on roads that service a limited number of properties.

Mrs. Stone stated that in several respects Lands End is not a typical right-of-way situation in that municipal snowplowing is provided, water and sewers have been installed and garbage collection is provided to each property accessed from Lands End. She advised that Lands End was recently improved by the Town through the installation of municipal services and currently provides access to over 13 existing dwellings. While Lands End is a private right-of-way, it maintains the intent of the definition of 'street' in the by-law in that it is a thoroughfare which affords a primary means of motor vehicle access to one or more abutting lots and intended for general traffic circulation.

Mrs. Stone advised that the Residential (R) zoning which applies to the subject property and surrounding neighbourhood does not restrict the floor area of a single family dwelling or number of bedrooms which can be accommodated within a dwelling. Rather, the size of the dwelling is controlled by maximum height provisions, minimum yard requirements and maximum lot coverage provisions.

Mrs. Stone indicated that with regard to the Greenbelt Plan, staff would like to ensure that conformity with the Greenbelt Plan has been maintained by way of further discussions with the Conservation Authority, even though the Authority has issued a permit for the construction of the proposed dwelling having a setback of 30 metres from the shoreline and the applicant has not indicated that the area between the shoreline and the proposed dwelling will be restored to its natural vegetative state.

14. PUBLIC MEETINGS cont'd:

Mrs. Stone indicated that staff are requesting that the two outstanding matters be addressed prior to finalizing their recommendation report, specifically that the applicant provide a deed to confirm their legal right-of-way over Lands End and secondly, that the matter of conformity with the Greenbelt Plan, and the environmental polices of the Town's Official Plan regarding the restoration of the shoreline, be discussed in further detail with the Lake Simcoe Region Conservation Authority staff.

Mr. Morgan of 21 Lands End stated that he is a permanent year-round resident on Lands End and has tolerated the construction projects on the Kimel property over the years, but is losing the enjoyment of his property because of them. The construction work is carried out from 7:00 a.m. to 8:00 p.m. seven days a week and is almost intolerable.

Mr. Morgan indicated that he is a professional planner as well as a resident and opposes the applications to amend the Zoning By-law and Official Plan for several reasons. The application is contrary to the Official Plan document with regard to Section 2.4.2.2 as the proposed building is not compatible with other buildings in the area. It is contrary to Section 3.4.2.1 as this is not a replacement of an existing dwelling. The former building on the property was demolished 20 years ago and was substantially smaller than the proposal, noting that the proposed building will occupy the full width of the lot.

Mr. Morgan indicated that it is contrary to Section 3.1.8.1 as the proposed building would not recognize existing development in the area nor would it serve to preserve or enhance the existing character of the area or be consistent with the character of the area. The proposed house is huge compared to any of the surrounding buildings. He stated that it is also contrary to Section 6.21 and 6.22 which discourage amendments to the Official Plan unless a proposal is compatible in scale and size to the area, but it is not.

Mr. Morgan indicated that he lives adjacent to the subject property and will easily see the proposed home and due to its 27 foot height and the peak being even higher than that, it will overlook his lot.

Mr. Morgan stated that Lands End is not intended for general traffic circulation, its entry is barely one vehicle in length and vehicles cannot meet on the right-of-way, forcing one vehicle to pull into an abutting driveway to allow the other vehicle to pass. It also contains a 90 degree angle at one point. He indicated that the proposal is incomplete and the neighbours have not been shown elevations of the proposed dwellings, access or parking details and given the fact that the dwelling is proposed to contain 10 bedrooms, substantial parking will most likely be required. He noted that two new garages have been constructed on the lot and inquired if more accessory structures were planned.

14. PUBLIC MEETINGS cont'd:

Mr. Morgan stated that this proposal does not fit in with the character of the area and requested that Council refuse this application.

Mr. Jeff Osborne of 20 Lands End stated that he owns the right-of-way and indicated that no new buildings or structures are permitted on private rights-of-way or unassumed roads except if the building is replacing an existing building. He stated that the Town policy prohibiting structures on private rights-of-way was put in place to avoid development on properties that cannot be properly accessed by emergency vehicles. He explained that Lands End has a total width of 20 feet and is therefore very narrow, and the ability to travel the right-of-way is easily impaired by heavy snowfalls or rain and vehicles stalling, making it virtually impossible for emergency vehicles to access any of the homes along the right-of-way.

Mr. Osborne stated that another reason for the policy is to eliminate disputes over the use or maintenance of the right-of-way. He stated that he's not sure why the Town has plowed Lands End in the past as this was not requested. He also advised that he expects traffic to increase along the right-of-way due to the construction of such a large home and inquired who would be responsible to maintain the right-of-way when required, due to the increased traffic, as this is his right-of-way but doesn't believe he should be responsible for the extra maintenance.

Mr. Osborne indicated that it is critical to keep the right-of-way as it is. He stated that its size limits travel to only the residents and has been this way for dozens of decades. He explained that Lands End is a deeded right-of-way, is titled and is a private road. It may be similar to an unassumed road, but it is a private road. It is much narrower than an unassumed road, is not graded and easements are required to access it. He mentioned that when municipal services were constructed along the right-of-way, a lot was done to obtain the necessary easements by the Town office. He stated that these are clearly signs that this is a private right-of-way.

Mr. Osborne stated that the right-of-way is difficult to access, has no street lights and is therefore a private road, not an unassumed road. He advised that if Lands End was to be dealt with as an unassumed road, it would set a precedent and give others the ability to argue other matters over whether or not it is a private right-of-way or an unassumed road, which would be the wrong thing to do.

Mr. Osborne indicated that the right-of-way solely exists for the landowners to access their homes and is not intended for general traffic circulation. It is also signed as a 'private road'. The residents wish the road to remain narrow and graveled to restrict travel. He stated that he has been to court to protect his rights over the right-of-way and is willing to continue to do so, if necessary.

14. PUBLIC MEETINGS cont'd:

Mr. Osborne stated that the report indicates that the Town improved the right-of-way following the installation of the municipal services, but the easement granted for the installation of the services was conditional on the Town putting the road back exactly as it was prior to the installation. The right-of-way was not improved.

Mr. Osborne noticed that a natural heritage and hydrological evaluation has not been submitted by the applicant, but the application was approved by the Conservation Authority in the absence of the evaluation. He inquired how this could occur. He also mentioned that the buffer strip is close to the minimum requirements and very tight.

Mr. Osborne indicated that he sold the subject property to the applicant when the Official Plan and Zoning by-law were in place and the applicant should have been aware at that time that he could not build on it. He indicated that the proposed dwelling will have a large impact on the community through its large size, density, increased traffic and associated safety factors. The number of bedrooms will dictate the number of vehicles that will be traveling up and down the right-of-way. He is worried that any amendment to the Official Plan will leave no middle ground. He stated that he opposes the application and believes some controls should be in place to bring it in line with the residential lakeshore zoning.

Mr. Warren Kimel, applicant, stated that he has been coming to this community for 57 years and owns a five bedroom, recently renovated cottage on Lands End as well. It was renovated this year for the second time in 18 years. He explained that his family has grown and due to the number of children and their respective growing families, he approached Mr. Osborne to purchase the subject lot and at that time, there were no stipulations as to the unit to be built. His four children will require 2 or 3 bedrooms each to accommodate their own families when visiting over the following years. He wanted to build a home to accommodate everyone and did not want to renovate it in future, so he planned for 10 bedrooms.

Mr. Kimel stated that any 'windfall' is not in his hands, as he paid for the property in 2003, purchasing it to build upon and the vendor now wants to rescind that understanding.

Ms. Raina Silverberg of 9 Lands End stated that she has a vested interest in this application as she has owned her lot on this right-of-way for 26 years and most of the property owners have to drive by her property to access their own properties. Lands End is a quiet roadway and has minimum traffic.

Ms. Silverberg indicated that she has known the applicant and his family for as long as she has owned her property and believes he and his family have enhanced the neighbourhood and strongly hope that their proposal is approved.

14. PUBLIC MEETINGS cont'd:

Mrs. Stone requested that Mr. Morgan and Mr. Osborne submit their comments in writing. She indicated that further to Mr. Morgan's concerns with the size of the proposed home, the subject property is not unique in that all of the homes in this community could be rebuilt with no restriction in size.

Mr. Harold Lenters, Director of Planning and Building, stated that the municipality could restrict the size of the building, but other landowners with the same zoning would need to be restricted as well. He explained that the only reason the amendment to the Official Plan document is required is due to the road being a private road and not an assumed road. The issue of maintaining the character of the neighbourhood is dealt with through the zoning by-law.

Mr. Morgan indicated that he would be prepared to consider something more in character with the neighbourhood. The zoning by-law permits buildings to be larger on all of the lots, but all of the other property owners have kept their buildings similar and in keeping with the character of the area. He requested that at the end of the construction period that the applicant put the right-of-way back to its original condition. He indicated that he is the only one who lives on Lands End all winter long and is therefore impacted the most.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0318

- A. THAT REPORT NO. PB-2008-0084 BE RECEIVED AS INFORMATION.
- B. THAT STAFF REPORT FURTHER TO COUNCIL FOLLOWING THE RECEIPT AND ASSESSMENT OF ALL COMMENTS, AND THAT THE APPLICANT ADDRESS ANY OUTSTANDING ISSUES, QUESTIONS AND CONCERNS.

Carried.....

Moved by Councillor Szollosy

Seconded by Councillor Smockum

That the Council Members recess at this time (9:37 p.m.).

Carried.....

The Council Meeting resumed at this time (9:45 p.m.).

Mayor Grossi moved forward and dealt with Item No. 17.4.2 at this time.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.4 Reports from the Planning and Building Department:

17.4.2 Lakeshore Residential Area Interim Control By-law Study –
Background Report
TOWN OF GEORGINA
Willow Beach Servicing Area
AGENT: Howard Friedman, HBR Planning Centre Inc.

Report No. PB-2008-0083

Mr. Howard Friedman of HBR Planning Centre Inc. made a presentation to Council members at this time, reviewing HBR's residential land use and severance policy analysis.

Mr. Harold Lenters, Director of Planning and Building, stated that the Interim Control By-law expires in April of 2009, noting that the consultant is to hold a public information session in the fall of 2008 and report back to Council before the end of the year.

Moved by Councillor Szollosy

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2008-0319

- A. THAT REPORT PB-2008-0083 BE RECEIVED AS INFORMATION.
- B. THAT COUNCIL RECEIVE AND ENDORSE THE BACKGROUND REPORT ATTACHED AS SCHEDULE '2' TO REPORT PB-2008-0083.
- C. THAT STAFF POST REPORT PB-2008-0083 AND ANY PREVIOUS REPORTS RELEVANT TO THE INTERIM CONTROL BY-LAW STUDY TO THE TOWN'S WEBSITE.
- D. THAT COUNCIL APPROVE THE HOSTING OF A PUBLIC OPEN HOUSE ON WEDNESDAY, AUGUST 13, 2008, FROM 6:00 P.M. TO 8:00 P.M. IN THE COUNCIL CHAMBERS OF THE CIVIC CENTRE FOR THE PURPOSE OF PRESENTING THE BACKGROUND REPORT NOTED IN (B) ABOVE TO THE PUBLIC AND RECEIVING INPUT ON SAME.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

- E. THAT NOTICE OF THE PUBLIC OPEN HOUSE NOTED IN (D) ABOVE BE PLACED IN THE GEORGINA ADVOCATE, POSTED ON THE TOWN'S WEBSITE AND MAILED TO ANY INDIVIDUALS WHO HAVE PROVIDED THEIR ADDRESS AND REQUESTED THAT THEY BE NOTIFIED OF SAME.

Carried.....

Mayor Grossi moved forward and dealt with Item No. 17.4.1 at this time.

17.4 Reports from the Planning and Building Department:

- 17.4.1 Request to Amend Conditions of Draft Plan Approval by
2055226 Ontario Inc.
2055226 ONTARIO INC. (Alliance Homes Inc.)
Part Lot 5, Conc. 8 (NG); n/s Black River Road, Sutton

Report No. PB-2008-0081

Mr. Denis Beaulieu reviewed the report at this time, indicating that the applicant is requesting the amendment of one of the conditions of the draft plan of condominium to change the bird nesting season from May 9th and August 31st to May 9th and July 31st. He explained that the condition was implemented as a tree cutting restriction to avoid contravening the Federal Migratory Birds Convention Act which prohibits the killing or capturing of migratory birds, as well as any damage, destruction, removal or disturbance of active nests. The condition was imposed to restrict potentially disruptive activities within the potential nesting period on the subject property.

Mr. Beaulieu explained that the applicant has had discussions with Environment Canada which has refined the core breeding season to between May 1st and July 31st for forest nesting birds in southern Ontario. This technical information has been peer reviewed and concurs that May 1st to July 31st is a more appropriate estimation of the southern Ontario bird nesting season and the peer review company recommends that Council give consideration to an amendment that changes the bird nesting dates to May 1st and July 31st in order to be consistent with the generally accepted duration of the southern Ontario bird nesting season.

Mr. Beaulieu also explained that the current condition of draft plan approval stipulates that tree removal must occur outside the bird nesting season (May 9th to August 31st). He stated that in addition to amending the bird nesting season date, the applicant is requesting that tree clearing be permitted to take place within the bird nesting season if nesting activity surveys are conducted by qualified ecologists, in accordance with the practices generally accepted by Environment Canada.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Mr. Beaulieu indicated that Stantec, Environmental Consultant, had proposed a protocol whereby surveys involving ground searches would be conducted to detect the presence of nests, whereby buffer zones would then be flagged and no tree cutting would be permitted within these buffer zones. The peer review company reviewed this proposal and provided comments and concerns including a) the nest survey protocol described by Stantec may be appropriate in situations where the proposed disruption activity is confined to a very small area containing few trees, all of which are of relatively small size; b) given the very large extent of the remaining forested area to be removed on the Jackson's Landing property, coupled with the fact that the forest is very dense and comprised of many tall and relatively mature trees in places, a nest survey would not be an infallible tool in this situation; c) despite the best efforts of the ecologists, there is still a very high probability that the surveys would overlook some active nests (particularly cavity nesting and canopy nesting species); and d) the risk of contravening the Migratory Birds Convention Act, albeit unintentionally, is too great in these circumstances. Accordingly, given the above, the peer review company recommended that the Town not support the amendment to the wording of Condition No. 24 (b), as proposed as it relates to the proposed tree cutting/removal during the bird nesting season utilizing the suggested nesting survey protocol.

Mr. Beaulieu stated that the peer review company is satisfied that the May 1st to July 31st dates appropriately reflect the generally accepted duration of the southern Ontario bird nesting season and reiterates their position that the Town could give consideration to amending the bird nesting season dates accordingly.

Mr. David Charlton of Stantec stated that the applicant is prepared to agree with the peer review company. The applicant wants to minimize the destruction of any nests. He stated that all other requests have been withdrawn at this point, noting that the May 1st to July 31st time period is best in order to protect the birds.

11.2 Alex Troop of Alliance Homes respecting the Jackson's Landing development.

Mr. Troop explained that the applicant cut trees during the winter season and posted the required Letter of Credit, but the conditions were extremely wet and they could not continue at that time. The applicant would now like to continue its tree cutting as soon as possible in order to remove the balance of the trees. The applicant supports the peer review company's position.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

- 11.5 Dr. Margaretha Vandervelden, Director of the North East Sutton Ratepayers Association, respecting concerns regarding the Jackson's Landing development.

Dr. Vandervelden indicated that NESRA's submission of July 2008 to the Town of Georgina included comment on the recommendation by Beacon Environmental, the peer review company, that the Town give consideration to an amendment that to change the stated start and end dates of the bird breeding season to an end date of July 31 from the present August 31. Beacon explains that this revision "would be consistent with what is generally accepted as the duration of the southern Ontario bird nesting season...". In response, NESRA asked the question if there had been a recent change in the generally accepted duration of the southern Ontario bird-nesting season. Beacon replied that the wording of our submission suggested that there recently had been a change in the recommended dates for observation of the bird-nesting season, but this was not the case. Rather, as conveyed by NESRA's introductory statement "We don't understand", it is seeking a rational explanation for the recommendation at this late date rather than earlier.

Dr. Vandervelden stated that given the circumstances, the requested amendment to the condition should be deeply disturbing to Council even though under Section 51 (44) of the Planning Act Council has the authority to do so. She explained that the developer's request for an amendment to Condition 24 of the *Conditions of Approval* is one of the thirty-four (34) conditions set by the Town of Georgina as conditions /restrictions for development of the site. These thirty-four conditions were part of the approval process for this development at an OMB Hearing to which NESRA and the South Lake Simcoe Naturalists were parties.

Dr. Vandervelden continued by stating that the approval process came to include ongoing community consultation through the Jackson's Landing Liaison Committee. At the July 10, 2006 Council meeting and following further public input and discussion, Council approved all 34 conditions while the OMB Appeal process remained open. She indicated that on October 4, 2006, NESRA appealed Town of Georgina's refusal to amend Condition 22 and subsequently, the amendment was approved in an amicable manner following further negotiation. In contrast, at this time, the recommendation that Council approve an amendment to condition 24(b) comes two years after Council approved the *Conditions of Approval* (Draft Plan of Vacant Land Condominium) and without any community consultation on the advisability and/or support for the amendment. NESRA is requesting that Council consider that condition No. 24 is but one of thirty four conditions that are within Council's authority to change. She indicated that if Council amends Condition No. 24, it may be called upon to consider amendments to the remaining thirty three conditions that fulfil a major function in development of the site and were negotiated in good faith on behalf of the natural environment and the hundreds of surrounding households. NESRA considers this a deeply disturbing thought.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

- 11.4 Paul Harpley, president, South Lake Simcoe Naturalists Club, respecting concerns regarding the Jackson's Landing development.

Mr. Harpley stated that this was a long process and this is a disturbing development at this point in the project. He stated that nothing has changed from the time the meetings were held with regard to natural heritage, tree inventory, phasing of the development, including fauna and breeding birds. These were the reasons the South Lake Simcoe Naturalists got involved in the process.

Mr. Harpley stated that the issues were discussed in great detail with experts involved. The Migratory Bird Act was never discussed at any of the meetings, while conserving the habitat in a fully maturing site was the issue. The bird nesting dates were always part of the discussions. Section 6.1 of the 2006 report talked about establishing a tree protection zone, marking trees and removing trees outside of the nesting season of May 9th to August 31st. He stated that 25 species nest within the month of August and this issue should not be discussed as it was discussed almost two years ago and decided upon at that time.

Mr. Harpley stated that the period of breeding birds is very variable and the range definitely includes the month of August, noting that this year is a late year as well and this is why this period was established. He explained that the Club produced an atlas 20 years ago for the Sutton and Georgina Island areas and it knows the variability of nesting issues. Environment Canada is not the source to which you go to find out about breeding birds, noting that the applicant did not contact any of the local groups for information.

Mr. Harpley stated that the Club believes Council should reject the requests as submitted and maintain the period as set out and agreed upon by all interested parties. He stated that the applicant is only attempting to continue its work on the site ahead of time, while it could have been working on the site prior to this prohibited period instead.

- 11.3 Peter Sibbald Brown, Director of The Lakewatch Society, respecting concerns regarding the Jackson's Landing development.

Mr. Sibbald Brown stated that the Society concurs with the position of the North East Sutton Ratepayers Association and the South Lake Simcoe Naturalists. He maintained that there was no discussion with regard to the Migratory Bird Act. He sees nothing to support the applicant's requests other than the applicant's own opinion.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Moved by Councillor Jamieson

Seconded by Councillor Szollosy

That the Council meeting continue past the hour of 11:00 p.m.

Carried.....

Mr. Beaulieu stated that the original dates were determined as extremes for the typical bird nesting season. The amended dates were recommended by the Environmental Consultant and was in a 2006 report.

Mr. Charlton stated that the Migratory Bird Act is a tool to help manage tree removal. The bird issues have been discussed with Canadian Wildlife Services and it has been determined that the timing in southern Ontario is from May 9th to July 23rd and they are suggesting adding a week on either end as a safety factor.

Mr. Beaulieu stated that this went to the Ontario Municipal Board in 2001 with a revised application.

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

RESOLUTION NO. C-2008-0320

- A. THAT REPORT PB-2008-0081 BE RECEIVED AS INFORMATION.
- B. THAT THE REQUEST AS SUBMITTED BY ALLIANCE HOMES INC. TO AMEND CONDITION NO. 24 B) TO THE APPROVAL OF DRAFT PLAN OF CONDOMINIUM 19CDM-06G01 BE REFUSED.

Carried.....

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. C-2008-0321

THAT THE DEPUTATIONS MADE BY DAVID CHARLTON OF STANTEC, ENVIRONMENTAL CONSULTANT, AND ALEX TROOP OF ALLIANCE HOMES IN FAVOUR OF THE PROPOSED AMENDMENT TO CONDITION NO. 24(B) TO THE APPROVAL OF THE DRAFT

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

PLAN OF CONDOMINIUM 19CDM-06G01, AND BY DR. MARGARETHA VANDERVELDEN OF NORTH EAST SUTTON RATEPAYERS ASSOCIATION (NESRA), PAUL HARPLEY OF SOUTH LAKE SIMCOE NATURALISTS (SLSN) AND PETER SIBBALD BROWN OF THE LAKEWATCH SOCIETY RESPECTING COMMON CONCERNS WITH THE PROPOSED AMENDMENT, BE RECEIVED.

Carried.....

12. PRESENTATIONS:

None.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:17.1 Report from the Administrative Services Department:

17.1.2 Replacement of Green "911" Signs

Report No. DAS-2008-0036

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0322

1. THAT REPORT NO.DAS-2008-0036 BE RECEIVED FOR INFORMATION, AND
2. THAT THE POLICY OF THE TOWN OF GEORGINA IN REGARD TO THE REPLACEMENT OF THE GREEN "911" SIGNS FOR PROPERTY IDENTIFICATION BE AMENDED AND ANY REPLACEMENT SIGNS REQUIRED, BE REPLACED AT NO COST TO THE PROPERTY OWNER.

Carried.....

17.1.3 Chippewas of Georgina Island – 911 Service

Report No. DAS-2008-0037

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Moved by Councillor Smockum

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2008-0323

1. THAT REPORT NO. DAS-2008-0037 BE RECEIVED FOR INFORMATION;
AND
2. THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE THE AGREEMENT BETWEEN THE TOWN OF GEORGINA AND THE CHIPPEWAS OF GEORGINA ISLAND REGARDING THE ADDITION OF FIRE DISPATCH SERVICE FOR THE CHIPPEWAS UNDER THE TOWN OF GEORGINA CONTRACT WITH THE TOWN OF RICHMOND HILL.

Carried.....

17.1.4 Terms of Reference – Georgina Community Health Care Committee

Report No. DAS-2008-0038

Councillor Hackenbrook declared an interest in Item No. 17.1.1 as his spouse is an employee of a local health care centre; he did not participate in any discussion or vote.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. C-2008-0324

1. THAT REPORT NO. DAS-2008-0038 BE RECEIVED FOR INFORMATION;
AND
2. THAT THE COUNCIL OF THE TOWN OF GEORGINA ADOPT THE TERMS OF REFERENCE ESTABLISHED FOR THE GEORGINA COMMUNITY HEALTH CARE COMMITTEE WITH THE FOLLOWING AMENDMENTS:

ITEM NO. 2(VI), MEMBERSHIP AND RESPONSIBILITY, TO READ "ESTABLISH AND MAINTAIN CONTACTS WITH THE HEALTH CARE COMMUNITY INCLUDING LOCAL PHYSICIANS AND SOUTHLAKE REGIONAL HEALTH CENTRE REPRESENTATIVES"

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

ITEM NO. 2(VII), "PROVIDE ON-GOING SUPPORT FOR THE CURRENT CARE PROVIDERS WITHIN THE COMMUNITY AND COMMUNICATE TO THEM ANY AND ALL ONGOING ISSUES"

ITEM NO. 5, FREQUENCY OF MEETINGS TO READ "AT LEAST FOUR (4) TIMES PER YEAR"

3. THAT THE TOWN CLERK BE DIRECTED TO PLACE THE NECESSARY ADVERTISEMENTS TO BEGIN THE RECRUITMENT PROCESS TO ALLOW FOR THE SELECTION OF THE PUBLIC MEMBERS TO BE PLACED UPON THIS COMMITTEE.

Carried.....

Mayor Grossi moved forward and dealt with Addendum Item No. 17.2.2 at this time.

17.2 Report from the Engineering Department:

17.2.2 Pre-Servicing Agreement
Jackson's Landing Development
Draft Plan of Vacant Condominium
19CDM-06G01

Report No. EPW-2008-0029

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0325

1. THAT REPORT EPW-2008-0029 BE RECEIVED FOR INFORMATION.
2. THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A PRE-SERVICING AGREEMENT BETWEEN 2055226 ONTARIO INC., AS OWNER, AND THE CORPORATION OF THE TOWN OF GEORGINA RESPECTING THE SERVICING OF DRAFT PLAN OF CONDOMINIUM 19CDM-06G01, IDENTIFIED AS PART LOT 5, CONCESSION 8 (G).

Carried.....

15 COMMUNICATIONS:

15.2 Matters for Disposition:

- 15.2.1 Virginia Hackson, Chair, Lake Simcoe Region Conservation Authority, requesting nominations for LSRCA Conservation Awards by August 8, 2008.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0326

THAT TOWN COUNCIL NOMINATE BROCK McDONALD FOR THE EDUCATION COMPONENT OF THE LAKE SIMCOE REGION CONSERVATION AUTHORITY CONSERVATION AWARDS AND THAT THE CORRESPONDENCE FROM VIRGINIA HACKSON, CHAIR, LAKE SIMCOE REGION CONSERVATION AUTHORITY, REQUESTING NOMINATIONS FOR LSRCA CONSERVATION AWARDS BY AUGUST 8, 2008, BE RECEIVED AND REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER FOR FURTHER NOMINATIONS.

Carried.....

- 15.2.2 Canadian Union of Postal Workers requesting municipalities pass its resolution opposing deregulation of Canada Post.

Moved by Councillor Szollosy

That Town Council endorse the position of the Canadian Union of Postal Workers in opposing the deregulation of Canada Post.

Lost, no seconder.....

Moved by Councillor Jamieson

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0327

THAT CORRESPONDENCE FROM THE CANADIAN UNION OF POSTAL WORKERS REQUESTING MUNICIPALITIES PASS ITS RESOLUTION OPPOSING DEREGULATION OF CANADA POST BE RECEIVED.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.3 Association of Municipalities of Ontario requesting participation in Woodstock's annual Voluntary Blackout Day Challenge on Thursday, August 14 from 12:00pm to 8:00pm.

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2008-0328

THAT CORRESPONDENCE FROM THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO REQUESTING PARTICIPATION IN WOODSTOCK'S ANNUAL VOLUNTARY BLACKOUT DAY CHALLENGE ON THURSDAY, AUGUST 14 FROM 12:00 P.M. TO 8:00 P.M., BE RECEIVED.

Carried.....

- 15.2.4 Debbie Thompson, Town of Caledon, requesting support of its position respecting tax-exempt allowances.

Moved by Councillor Jordan

Seconded by Councillor Jamieson

RESOLUTION NO. C-2008-0329

THAT CORRESPONDENCE FROM DEBBIE THOMPSON, TOWN OF CALEDON, REQUESTING SUPPORT OF ITS POSITION RESPECTING TAX-EXEMPT ALLOWANCES, BE RECEIVED.

Carried.....

- 15.2.5 Association of Municipalities of Ontario requesting applications for "MTO Ontario Transportation Demand Management (TDM) Municipal Grant Program 2008-2009", providing financial assistance to Ontario municipalities for the development and implementation of TDM plans, programs and services, by August 29, 2008.

15. COMMUNICATIONS cont'd:

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0330

THAT CORRESPONDENCE FROM THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO REQUESTING APPLICATIONS FOR "MTO ONTARIO TRANSPORTATION DEMAND MANAGEMENT (TDM) MUNICIPAL GRANT PROGRAM 2008-2009", PROVIDING FINANCIAL ASSISTANCE TO ONTARIO MUNICIPALITIES FOR THE DEVELOPMENT AND IMPLEMENTATION OF TDM PLANS, PROGRAMS AND SERVICES, BY AUGUST 29, 2008, BE RECEIVED AND REFERRED TO THE DIRECTOR OF ENGINEERING & PUBLIC WORKS.

Carried.....

- 15.2.6 Douglas Seeley requesting an exemption from the parking by-law to permit parking along Mum's Avenue on August 2nd from 2:00pm to 11:00pm during a wedding.

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0331

THAT TOWN COUNCIL WAIVE THE THREE HOUR PARKING LIMIT ON JOAN STREET, DOROTHY AVENUE, SANDRA DRIVE AND ROSE STREET ON SATURDAY, AUGUST 2, 2008 TO ACCOMMODATE PARKING FOR GUESTS ATTENDING A WEDDING RECEPTION AT DOUG SEELEY'S HOME ON MUM'S AVENUE, AND THAT THE BY-LAW ENFORCEMENT DEPARTMENT BE REQUESTED NOT TO ENFORCE THE THREE HOUR PARKING LIMIT ON THESE ROADS ON THIS DATE.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.7 Melanie Hogeveen, Deputy Clerk, Municipality of Kincardine, requesting support of its position concerning the physician shortage.

Moved by Councillor Szollosy

Seconded by Councillor Jordan

RESOLUTION NO. C-2008-0332

THAT CORRESPONDENCE FROM MELANIE HOGEVEEN, DEPUTY CLERK, MUNICIPALITY OF KINCARDINE, REQUESTING SUPPORT OF ITS POSITION CONCERNING THE PHYSICIAN SHORTAGE, BE RECEIVED.

Carried.....

- 15.2.8 Anita Moore, Town Clerk, Town of Newmarket, respecting its position on Hospital Funding.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0333

THAT TOWN COUNCIL ENDORSE THE TOWN OF NEWMARKET'S POSITION RESPECTING HOSPITAL FUNDING AS FOLLOWS:

WHEREAS IN 2001 THE REGIONAL MUNICIPALITY OF YORK APPROVED FUNDING FOR LOCAL HOSPITALS AND THIS FUNDING EXPIRES IN 2009;

AND WHEREAS YORK REGION HOSPITALS HAVE REQUESTED THE ESTABLISHMENT OF A *YORK REGION HOSPITALS CAPITAL FUND* THAT WILL REQUIRE A 3% ANNUAL TAX LEVY AND WILL TOTAL \$486.3 MILLION WHEN FULLY IMPLEMENTED;

AND WHEREAS IN 2006, THE STRONG COMMUNITIES COALITION PRODUCED A REPORT THAT CONCLUDED HOSPITAL SERVICES IN GROWING GTA MUNICIPALITIES ARE FUNDED AT A PER CAPITA RATE THAT IS 18% TO 25 % BELOW THE PROVINCIAL AVERAGE;

AND WHEREAS IN 1998, PROVINCIAL AMENDMENTS TO THE DEVELOPMENT CHARGES ACT ELIMINATED DEVELOPMENT CHARGES AS A SOURCE OF HOSPITAL FUNDING;

15. COMMUNICATIONS cont'd:

AND WHEREAS MUNICIPAL PROPERTY TAXES ARE NOT THE APPROPRIATE MEANS FOR RAISING SIGNIFICANT DOLLARS FOR HEALTH CARE AND HOSPITAL INFRASTRUCTURE;

AND WHEREAS PERSONS LIVING ON FIXED INCOMES, INCLUDING MANY OF GEORGINA'S SENIORS, CANNOT AFFORD A 3% TAX LEVY FOR HOSPITAL INFRASTRUCTURE;

AND WHEREAS MUNICIPALITIES THROUGHOUT THE PROVINCE ARE BURDENED WITH INCREASING FINANCIAL PRESSURES IN THE DELIVERY OF SERVICES WITHIN THEIR MANDATED SPHERES OF JURISDICTION;

AND WHEREAS THE MUNICIPAL ACT IS CLEAR ON THE SPHERES OF JURISDICTION FOR MUNICIPALITIES – WHICH DOES NOT INCLUDE HOSPITAL AND HEALTH CARE SERVICES;

THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA AS FOLLOWS:

1. THAT THE TOWN OF GEORGINA REQUEST THE PROVINCE OF ONTARIO TO FULLY FUND HEALTH CARE COSTS AND THAT, IF THE PROVINCE CONTINUES TO INSIST ON NOT FULLY FUNDING HOSPITAL INFRASTRUCTURE, IT PROVIDE THE TOOLS TO SOLVE THE PROBLEM SO THAT GROWTH PAYS FOR GROWTH AND NO ADDITIONAL BURDEN IS PLACED ON THE PROPERTY TAXPAYER;
2. AND THAT THE TOWN OF GEORGINA ASK THE REGIONAL MUNICIPALITY OF YORK TO NOT INTRODUCE A PROPERTY TAX LEVY BEYOND 2009 TO FUND HOSPITALS WHICH EXCEEDS THE CURRENT ESTABLISHED BASE, AS FUNDING HOSPITAL AND HEALTH CARE SERVICES DOES NOT FALL WITHIN THE SPHERE OF JURISDICTION MANDATED BY THE ONTARIO MUNICIPAL ACT AND WOULD IN FACT REPRESENT THE EQUIVALENT OF VOLUNTARY DOWNLOADING, WHICH WOULD BE UNFAIR TO THE PROPERTY TAXPAYER OF GEORGINA AND YORK REGION;
3. AND THAT, IF THE REGIONAL MUNICIPALITY OF YORK WERE TO CONTEMPLATE HOSPITAL FUNDING, IT DO SO ONLY AFTER THE PROVINCE OF ONTARIO AMENDS THE DEVELOPMENT CHARGES ACT AND ALLOWS FOR A MORE PRACTICAL FUNDING MODEL THAT ENSURES GROWTH IN YORK REGION PAYS FOR INCREASED COSTS IN HOSPITAL INFRASTRUCTURE;

15. COMMUNICATIONS cont'd:

4. AND THAT THIS RESOLUTION BE FORWARDED TO THE LOCAL MPP, THE MINISTER OF HEALTH AND THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING FOR CONSIDERATION.

Carried unanimously.....

- 15.2.9 I've Balins, Strategic Objectives, Crohn's and Colitis Foundation of Canada, requesting Council proclaim September 18 as 'National Family Dinner Night' along with a letter of support for this community-based initiative.

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2008-0334

THAT TOWN COUNCIL PROCLAIM SEPTEMBER 18TH AS 'NATIONAL FAMILY DINNER NIGHT' AND PROVIDE A LETTER OF SUPPORT FOR THIS COMMUNITY-BASED INITIATIVE.

Carried.....

- 15.2.10 Federation of Canadian Municipalities requesting consideration of its draft motion in support of the Auxiliary Role Project and the renewal of the framework for cooperation between public authorities and the Canadian Red Cross.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0335

THAT TOWN COUNCIL ENDORSE THE POSITION OF THE CANADIAN RED CROSS THROUGH ITS DRAFT MOTION SUPPORTING THE AUXILIARY ROLE PROJECT AND THE RENEWAL OF THE FRAMEWORK FOR COOPERATION BETWEEN PUBLIC AUTHORITIES AND THE CANADIAN RED CROSS;

WHEREAS THE CANADIAN RED CROSS IS CELEBRATING THE 100TH ANNIVERSARY OF ITS CREATION AS A NATIONAL NON-PROFIT VOLUNTEER HUMANITARIAN ORGANIZATION UNDER THE CANADIAN RED CROSS SOCIETY ACT, 1909;

15. COMMUNICATIONS cont'd:

AND WHEREAS UNDER NATIONAL AND INTERNATIONAL LAW, THE CANADIAN RED CROSS AND OTHER NATIONAL RED CROSS AND RED CRESCENT SOCIETIES ARE CONSIDERED 'AUXILIARY TO THE PUBLIC AUTHORITIES IN THE HUMANITARIAN FIELD';

AND WHEREAS THE MANDATE OF THE CANADIAN RED CROSS IS TO 'IN TIME OF PEACE OR WAR TO CARRY ON AND ASSIST IN WORK FOR THE IMPROVEMENT OF HEALTH, THE PREVENTION OF DISEASE AND THE MITIGATION OF SUFFERING THROUGHOUT THE WORLD';

AND WHEREAS MILLIONS OF CANADIANS AND BENEFICIARIES IN OTHER COUNTRIES HAVE BEEN ASSISTED BY THE CANADIAN RED CROSS FOR OVER A CENTURY THROUGH PROGRAMS AIMED AT DISASTER ASSISTANCE, EMERGENCY PREPAREDNESS, INTERNATIONAL AID, ASSISTANCE AND DEVELOPMENT, HEALTH, INJURY PREVENTION AND THE PROMOTION OF INTERNATIONAL HUMANITARIAN LAW AND HUMANITARIAN VALUES;

AND WHEREAS THE CANADIAN RED CROSS AUXILIARY ROLE PROJECT SEEKS TO REVITALIZE THE RELATIONSHIPS WITH PUBLIC AUTHORITIES AT THE FEDERAL, PROVINCIAL, TERRITORIAL AND MUNICIPAL LEVELS SO AS TO BETTER SERVE THE NEEDS OF HUMANITY;

BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GEORGINA EXPRESSES ITS SUPPORT FOR THE AUXILIARY ROLE PROJECT AND IN PARTICULAR THE RENEWAL OF THE FRAMEWORK FOR COOPERATION BETWEEN PUBLIC AUTHORITIES AND THE CANADIAN RED CROSS TO BETTER ADDRESS THE HUMANITARIAN CHALLENGES OF THE 21ST CENTURY BY:

- A) WORKING TO REINFORCE THE STATUS AND ROLES OF THE CANADIAN RED CROSS AS AUXILIARY TO PUBLIC AUTHORITIES IN THE HUMANITARIAN FIELD;
- B) AND REVIEWING EXISTING MEASURES, ARRANGEMENTS AND INSTRUMENTS SUPPORTING THE RELATIONSHIP

Carried.....

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

That the Council Meeting continue past the hour of midnight.

Carried.....

21. MOTIONS:

21.1 Generation Georgina

Moved by Councillor Szollosy

Seconded by Councillor Jordan

Whereas it is an obligation of municipal government to protect the health and well being of its residents, and

Whereas fossil fuel generation of energy has been shown to contribute to smog levels and exacerbate environmental and human health problems, and

Whereas alternative, renewable sources of energy (i.e. wind, solar and agricultural biomass) have been demonstrated to be environmentally sound and economically viable, and

Whereas practical utilization of non-fossil fuel generation requires adequate capacity on the grid, and

Whereas some communities have experienced restrictions on their ability to develop sustainable electricity generation because grid capacity has been monopolized by conventional large generating facilities, and

Whereas the Official Plan of the Town of Georgina states as a Guiding Principle” to prevent the pollution of land, air and water resources of the Town” (2.3.2.4); and

Whereas the Official Plan further states as a guiding principle, “to protect the high capability agricultural land base from urban encroachment and land use conflicts and to recognize the agricultural industry and its associated services as an important economic activity: (2.6.2.1) and

Whereas it is recognized that it is desirable that local electrical generation be developed as part of an overall residential, industrial and commercial strategy,

21. MOTIONS cont'd:

Therefore be it resolved that the Town of Georgina staff be directed to commence the proceedings to amend its official plan to incorporate as a guiding principle, "to support the development of local energy generation that is environmentally sound and derived from renewable sources."

Motion withdrawn.....

Moved by Councillor Szollosy

Seconded by Councillor Jordan

RESOLUTION NO. C-2008-0336

THAT THE FOLLOWING DRAFT MOTION BE RECEIVED AND REFERRED TO THE DIRECTOR OF PLANNING AND BUILDING TO INCORPORATE INTO THE CURRENT ENERGY REPORT FOR SUBMISSION TO COUNCIL IN THE FALL OF THIS YEAR;

"WHEREAS IT IS AN OBLIGATION OF MUNICIPAL GOVERNMENT TO PROTECT THE HEALTH AND WELL BEING OF ITS RESIDENTS, AND

WHEREAS FOSSIL FUEL GENERATION OF ENERGY HAS BEEN SHOWN TO CONTRIBUTE TO SMOG LEVELS AND EXACERBATE ENVIRONMENTAL AND HUMAN HEALTH PROBLEMS, AND

WHEREAS ALTERNATIVE, RENEWABLE SOURCES OF ENERGY (I.E. WIND, SOLAR AND AGRICULTURAL BIOMASS) HAVE BEEN DEMONSTRATED TO BE ENVIRONMENTALLY SOUND AND ECONOMICALLY VIABLE, AND

WHEREAS PRACTICAL UTILIZATION OF NON-FOSSIL FUEL GENERATION REQUIRES ADEQUATE CAPACITY ON THE GRID, AND

WHEREAS SOME COMMUNITIES HAVE EXPERIENCED RESTRICTIONS ON THEIR ABILITY TO DEVELOP SUSTAINABLE ELECTRICITY GENERATION BECAUSE GRID CAPACITY HAS BEEN MONOPOLIZED BY CONVENTIONAL LARGE GENERATING FACILITIES, AND

WHEREAS THE OFFICIAL PLAN OF THE TOWN OF GEORGINA STATES AS A GUIDING PRINCIPLE" TO PREVENT THE POLLUTION OF LAND, AIR AND WATER RESOURCES OF THE TOWN" (2.3.2.4); AND

21. MOTIONS cont'd:

WHEREAS THE OFFICIAL PLAN FURTHER STATES AS A GUIDING PRINCIPLE, "TO PROTECT THE HIGH CAPABILITY AGRICULTURAL LAND BASE FROM URBAN ENCROACHMENT AND LAND USE CONFLICTS AND TO RECOGNIZE THE AGRICULTURAL INDUSTRY AND ITS ASSOCIATED SERVICES AS AN IMPORTANT ECONOMIC ACTIVITY: (2.6.2.1) AND

WHEREAS IT IS RECOGNIZED THAT IT IS DESIRABLE THAT LOCAL ELECTRICAL GENERATION BE DEVELOPED AS PART OF AN OVERALL RESIDENTIAL, INDUSTRIAL AND COMMERCIAL STRATEGY,

THEREFORE BE IT RESOLVED THAT THE TOWN OF GEORGINA AMEND ITS OFFICIAL PLAN TO INCORPORATE AS A GUIDING PRINCIPLE, "TO SOLELY SUPPORT THE DEVELOPMENT OF LOCAL ENERGY GENERATION THAT IS ENVIRONMENTALLY SOUND AND DERIVED FROM RENEWABLE SOURCES.""

Carried.....

16. PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

None.

20. BY-LAWS:

Moved by Councillor Szollosy

Seconded by Councillor Smockum

That the following by-laws be given three readings:

20.1 By-law Number 500-2008-0012

Being a by-law to Amend Zoning By-law 500, HANSRANI, Guneet and DHINDSA, Sukhjit, Part of Lot 22, Plan 130, Part 1, 65R-13431; 49 Metropolitan Avenue

20. BY-LAWS cont'd:

- | | | |
|------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 20.2 | By-law Number 2008-0083 (PL-1) | Being a By-law to deem a lot not to be a lot on a Registered Plan of Subdivision, Estate of John Taylor, Lot 9, Plan 126, 808 Churchill Lane, Willow Beach |
| 20.3 | By-law Number 500-2008-0013 | Being a By-law to Amend Zoning By-law 500, Sabrina Dinh (Keswick Active Physiotherapy & Rehabilitation), Part Lot 4, Conc. 3 (NG); 543 The Queensway South |
| 20.4 | Removed | |
| 20.5 | By-law Number 500-2008-0014 | Being a By-law to amend Zoning By-law 500, Michael and Barbara Rogers, Part Lot 18, Conc. 9 (NG), 2007 Metro Road North |
| 20.6 | By-law Number 2008-0084 (FI-2) | Being a by-law to authorize the Mayor and Clerk to execute the agreement between the Town of Georgina and the Chippewas of Georgina Island regarding the addition of fire dispatch service for the Chippewas under the Georgina contract with the Town of Richmond Hill. |
| 20.8 | By-law Number 2008-0085 (PWO-2) | Being a By-law to authorize the Mayor and Clerk to enter into a Consultant Engineering Services Agreement with UMA Engineering Ltd. for the Lake Drive East Project. |
| 20.9 | By-law Number 2008-0086 (PWO-3) | Being a by-law to authorize the Mayor and Clerk to execute a Pre-Servicing Agreement between 2055226 Ontario Inc. as owner and the Corporation of the Town of Georgina respecting the |

20. BY-LAWS cont'd:

servicing of proposed Plan of
Condominium 19CDM-06G01,
Part Lot 5, Concession 8 (G)

Carried.....

Moved by Councillor Smockum

Seconded by Regional Councillor Wheeler

That the following by-law be given three readings:

20.7 By-law Number 2008-0087 (DE-2)

Being a by-law to authorize the
issuance of debentures for the
construction of a new ice pad in
the community of Pefferlaw.

Carried.....

22. NOTICES OF MOTION:

None.

23. OTHER BUSINESS:

23.1 Community Mail Boxes on Post Office Road causing increased traffic
problems in that neighbourhood

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0337

THAT THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS INVESTIGATE
THE ISSUE OF INCREASED TRAFFIC CONGESTION ON POST OFFICE ROAD
DUE TO THE PLACEMENT OF COMMUNITY MAIL BOXES ON THAT ROAD AND
ATTEMPT TO RESOLVE THE ISSUE WITH CANADA POST.

Carried.....

23. OTHER BUSINESS cont'd:

23.2 Council Interview Committee – Municipal Boards and Committees

Councillor Hackenbrook declared an interest in Item No. 23.2 as his spouse is an employee of a local health care centre; he did not participate in any discussion or vote.

Councillor Szollosy, Councillor Smockum and Mayor Grossi volunteered to sit on the panel of Council Members to assist in the interviews and appointments of the Georgina Community Health Care Committee.

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

That the Council members resolve into a Closed Session at this time (12:29 a.m.) to deal with the following matters:

- i) Advice that is subject to solicitor-client privilege; Greenvilla OMB Settlement Agreement; Section 239(2)(f), MA
- ii) Personal matters about an identifiable individual; personnel recruitment; Section 239 (2)(b), MA

Carried.....

The Council members arose from the Closed Session at this time (12:52 a.m.); no motions emanated from the Closed Session.

24. CONFIRMING BY-LAW

Moved by Councillor Hackenbrook

Seconded by Councillor Szollosy

That the following by-law be given three readings:

By-law Number 2008-0088 (COU-2)

Being a by-law to confirm the proceedings of Council

Carried.....

25. ADJOURNMENT:

Moved by Councillor Jamieson

Seconded by Councillor Wheeler

That the meeting adjourn at this time (12:54 a.m.).

Carried.....

Robert Grossi, Mayor

Roland Chenier, Town Clerk