

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

September 8, 2008
(7:15 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 (left at 7:30 p.m.)
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 E-mail notification concerning members of the public interested in making deputations to Council concerning Item No. 17.2.1, Lake Drive Docks and Decks.
- 4.2 Routine Item No. XII, Canadian Union of Postal Workers, removed for discussion
- 4.3 Routine Item XXI, LAS (Local Authority Services Ltd.), removed for discussion
- 4.4 Item No. 17.1.2, the recommendations printed on the index are to be replaced with the recommendations printed in the report due to a typographical error

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.2 Reports from the Engineering and Public Works Department:

17.2.1 Lake Drive – Fences, Boathouses, Decks and Docks

Report No. EPW-2008-0036

Moved by Regional Councillor Wheeler

Seconded by Councillor Szollosy

RESOLUTION NO. C-2008-0386

THAT REPORT NO. EPW-2008-0036 ENTITLED 'LAKE DRIVE – FENCES, BOATHOUSES, DECKS AND DOCKS' BE REFERRED TO STAFF TO ARRANGE A PUBLIC INFORMATION FORUM IN ORDER TO OBTAIN PUBLIC INPUT, FOLLOWING WHICH, A REPORT BE SUBMITTED TO COUNCIL FOR CONSIDERATION.

Carried unanimously.....

5. APPROVAL OF AGENDA:

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0387

THAT THE AGENDA, WITH THE FOLLOWING ADDENDUM ITEMS, BE APPROVED:

- 5.1 E-MAIL NOTIFICATION CONCERNING MEMBERS OF THE PUBLIC INTERESTED IN MAKING DEPUTATIONS TO COUNCIL CONCERNING ITEM NO. 17.2.1, LAKE DRIVE DOCKS AND DECKS.
- 5.2 ROUTINE ITEM NO. XII, CANADIAN UNION OF POSTAL WORKERS, REMOVED FOR DISCUSSION
- 5.3 ROUTINE ITEM XXI, LAS (LOCAL AUTHORITY SERVICES LTD.), REMOVED FOR DISCUSSION
- 5.4 ITEM NO. 17.1.2, THE RECOMMENDATIONS PRINTED ON THE INDEX ARE TO BE REPLACED WITH THE RECOMMENDATIONS PRINTED IN THE REPORT DUE TO A TYPOGRAPHICAL ERROR

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

Councillor Hackenbrook declared an interest in Item No. 20.1 because his spouse is an employee of a local medical clinic.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Jordan

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2008-0388

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON AUGUST 11, 2008, BE ADOPTED AS PRESENTED.

RESOLUTION NO. C-2008-0389

THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON AUGUST 25, 2008 BE ADOPTED AS PRESENTED.

Carried.....

8. BUSINESS ARISING FROM THE MINUTES:

None.

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

The following items were identified for separate discussion:

- 9.1 Item No. 11.1, deputation from Adam Becker requesting an exemption from the Exotic Pet By-law in order to keep his pet python.
- 9.2 Item No. 14.1.1, Report No. PB-2008-0095 entitled 'Application to Amend the Official Plan and Zoning By-law 500, Debbie Kimel'
- 9.3 Item No. 15.2, various matters for disposition
- 9.4 Item No. 17.1.1, Report No. DAS-2008-0045 entitled 'Council Meeting Schedule, 2009'
- 9.5 Item No. 17.1.2, Report No. DAS-2008-0046 entitled 'Renovations and Addition to the Municipal "Animal Control and Adoption Centre'
- 9.6 Item No. 17.2.2, Report No. EWP-2008-0037 entitled 'Award of Tender, Hedge Road – Road Improvements'
- 9.7 Item No. 17.3.1, Report No. LS-2008-0031 entitled 'Custodial & Courier Contract'
- 9.8 Item No. 20, various by-laws

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Regional Councillor Wheeler

Seconded by Councillor Hackenbrook

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:

Routine:

RESOLUTION NO. C-2008-0390

THAT THE ROUTINE CORRESPONDENCE BE RECEIVED.

Carried.....

10.2 Matters subject to individual conflicts

None.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.1 Reports from the Administrative Services Department:

17.1.1 Council Meeting Schedule, 2009

Report No. DAS-2008-0045

Moved by Councillor Jordan

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0391

1. THAT REPORT NO. DAS-2008-0045 BE RECEIVED FOR INFORMATION.
2. THAT THE COUNCIL OF THE TOWN OF GEORGINA APPROVE THE SCHEDULE OF MEETINGS FOR THE YEAR 2009 WITH THE FOLLOWING ADDITIONS; MONDAY, MARCH 30TH AND MONDAY, NOVEMBER 30TH TO BE RESERVED AS POTENTIAL MEETING DATES, THEIR NECESSITY TO BE DETERMINED AT A LATER DATE.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

3. THAT THE MEETING DATES BE ADVERTISED ON THE TOWN PAGE OF THE LOCAL NEWSPAPER AND ON THE TOWN'S WEBSITE AS PER OUR NOTICE PROVISION.

Carried.....

Regional Councillor Wheeler left the meeting at this time (7:30 p.m.).

11. DEPUTATIONS:

- 11.1 Adam Becker, 82 Glasgow Crescent, requesting an exemption from the Exotic Pet By-law to permit his pet python within the Town of Georgina

Mr. Becker indicated that his pet python snake poses no risk to public safety, that the public need to look past the stigma and stereotype associated with pythons. His python is a non-venomous, smaller variety. He explained that he takes good care of his animals and his taking the proactive approach in coming to Council shows his dedication to the breed. He noted that he is here on his own accord, not because of complaints from neighbours.

Mr. Becker stated that he has had an obsession with snakes since his childhood. He requested an exemption from the Exotic Pet By-law so that he can keep his pet snake. He advised that the snakes he has were captive-bred in Lindsay by a breeder, they were not imported from another country and therefore there are no pathogens linked with the animals. He indicated that all of his animals were Canadian bred that he has purchased and by doing so, the importers of this type of animal have less of a market and result in less poaching.

Mr. Becker admitted that he breeds these snakes, that he has more than one on his property.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0392

THAT THE DEPUTATION MADE BY ADAM BECKER REQUESTING AN EXEMPTION FROM THE EXOTIC PET BY-LAW TO PERMIT HIS PET PYTHON TO REMAIN IN HIS HOME WITHIN THE TOWN OF GEORGINA, BE RECEIVED.

Carried.....

12. PRESENTATIONS:

None.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

Mayor Grossi moved forward and dealt with Item No. 17.1.2 at this time.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.1 Reports from the Administrative Services Department:

17.1.2 Renovations and Addition to the Municipal Animal Control and Adoption Centre

Report No. DAS-2008-0046

Paul McIntosh of Thomas Brown Architects Inc. informed Council that it is customary for the lowest bidder to receive the contract unless there is something highly unusual with the lowest bidder. Ninety-nine percent of public tenders are awarded to the lowest bidder. He noted that the tender was prepared for all to have an equal opportunity to bid.

Mr. McIntosh indicated that a high efficiency furnace is the only green initiative being proposed at this time for the facility. The current facility is very inefficient and the newly renovated one will be better for the animals, the staff and will be more user-friendly and therefore will be a benefit to the community. The maintenance and energy costs will be reduced and as a result the treatment of animals will be reduced as well.

Mr. McIntosh stated that the third phase of the project is being deferred at this time. The outdoor dog runs are of minimal value and the two existing ones will be adequate to serve the needs of the shelter. He added that maintenance and cleaning of the runs in the winter months is difficult and it is not warranted to add to the number of runs at this time.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0393

1. THAT REPORT NO. DAS-2008-0046 BE RECEIVED FOR INFORMATION.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

2. THAT THE TENDER FOR THE RENOVATIONS AND ADDITION TO THE MUNICIPAL ANIMAL CONTROL AND ADOPTION CENTRE BE AWARDED TO VGN CONSTRUCTION LTD AS FOLLOWS;

PHASE # 1 - CONSTRUCTION OF NEW ADDITION AND HEATING
CONVERSION; \$300,000

PHASE # 2 - INTERIOR ALTERATIONS; \$120,000

3. THAT COUNCIL APPROVE A TRANSFER IN THE AMOUNT OF \$20,000 FROM THE GREEN INITIATIVE RESERVE AND \$76,000 FROM THE CAPITAL CONTINGENCY RESERVE TO COVER THE FULL COSTS OF PHASES ONE AND TWO.
4. THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A CONTRACT BETWEEN VGN CONSTRUCTION LTD. AND THE TOWN OF GEORGINA.

Carried.....

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2008-0394

THAT STAFF BE REQUESTED TO REVIEW THE TENDER AND REQUEST FOR PROPOSAL PROCESS AND ITS CONSISTENCY WITH OTHER REGIONAL MUNICIPALITY PROCESSES, AND REPORT BACK TO COUNCIL.

Carried.....

14. PUBLIC MEETINGS:

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

(8:00 p.m.)

- 14.1.1 Application to Amend the Official Plan and
Zoning By-law 500
KIMEL, Debbie
Part Lots 15 & 16, Conc. 9 (NG); 26 Land's End
AGENT: Steven Vipond

Report No. PB-2008-0095

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

14. PUBLIC MEETINGS cont'd:

Steven Vipond, agent for the applicant, stated that the applicant appreciates the concerns of the neighbours, but she has complied with all of the Town and Lake Simcoe Region Conservation Authority's requirements and are under the maximum lot coverage of 30 percent. He stated that the owners will do everything they can to reduce the interference caused by construction to the neighbours and will ensure their own and neighbour's privacy at the end of the construction period.

Karyn Stone, Planner, summarized the report at this time, indicating that the application is requesting an amendment to the Official Plan and Zoning By-law in order to construct a single family dwelling on the subject property to consist of approximately 2,165 square metres in area and a frontage of 30 metres on Lands End, a private roadway.

Mrs. Stone indicated that the Conservation Authority is now confident that no restoration works are required along the shoreline and that a Natural Heritage and Hydrological Evaluation as suggested in the Province's Greenbelt Plan are not required to support the applications, and have issued a permit accordingly.

Mrs. Stone stated that two neighbours had voiced their concerns with the application at the previous public meeting, with regard to the proposed size of the dwelling, the number of bedrooms within the dwelling, the impact it would have on the neighbourhood, additional vehicle traffic to and from the proposed dwelling given its size and potential number of residents, the parking required to accommodate the residents and the ability of Lands End to support said traffic.

Mrs. Stone stated that the applicant has provided a site plan for the proposed dwelling which indicates that the proposed location of the dwelling will comply with the minimum front, rear and side yard setbacks, and the revised elevation drawings now indicate compliance with the maximum height requirement of 11 metres. She indicated that at approximately 720 square metres (7700 sq.ft.), the floor area of the proposed two storey dwelling is larger than the existing homes in the neighbourhood with the exception of the dwelling to the east also owned by the applicant's family. However, the proposed dwelling is located on one of the largest lots in the neighbourhood and has a proposed lot coverage of 20%, whereas a maximum lot coverage of 30% is permitted.

Mrs. Stone indicated that the average residential floor area for all dwellings in the neighbourhood is approximately 2,270 square feet. However, given that the lot area of the subject property is one of five larger lots in the neighbourhood, there is the potential that all five of these larger lots could contain dwellings similar in size or larger than the one being proposed. Given that a similar zoning and official plan

14. PUBLIC MEETINGS cont'd:

amendment were approved in 1985 for Lot 13 to the west without any restriction on the dwelling size, it seems unreasonable to restrict the size of a dwelling on the subject property in an attempt to maintain the established character of the neighbourhood.

Mrs. Stone explained that the Official Plan does not require houses to be the same or similar in size. In order to increase the separation distance between the abutting property owned and the proposed dwelling, staff are recommending that the house be shifted east to provide the required 2.5 metres on the west side of the dwelling as opposed to the east side of the dwelling and the applicant has agreed with this amendment. She indicated the agent has indicated that the existing cedar hedge on the west side of the proposed dwelling and located on the applicant's property will be removed and replaced in the Spring once construction is complete. The provision of 2.5 metres on the west side of the proposed dwelling would allow additional area for the hedging and reduce disruption to any root systems of vegetation located on the neighbouring property. As the applicant is proposing to maintain the existing driveway entrance, it will not be necessary to remove the existing cedar hedge along the road frontage to provide for an entrance to the subject property.

Mrs. Stone explained that although the applicant's family members may choose to share entrances and parking areas for the two properties, a separate entrance must be provided to each property and parking for each dwelling must be provided in accordance with Zoning By-law 500. She stated that under the current zoning provisions, the subject property must provide for three on-site parking spaces, only two of which may be provided within the front yard area. However, in consideration of the size of the dwelling, staff are of the opinion that it is reasonable to require the provision of four on-site parking spaces and that relief be provided to allow for these four spaces to be provided within the front yard area.

Mrs. Stone explained that with regard to the number of dwellings and in terms of the concerns raised with respect to the ability of the two properties owned by the applicant's family to accommodate three dwelling units, staff note the two properties owned by the applicant are separate properties which could be conveyed independent of one another at any time. In addition, only one dwelling is being proposed on the subject property and the abutting property also owned by the applicant's family has legal non-conforming status to allow two dwellings to be located on this abutting lot.

Mrs. Stone advised that with regard to traffic and concerns raised with respect to the ability of Lands End to accommodate additional vehicle traffic, the Director of Engineering and Public Works has advised that Land's End can accommodate the traffic associated with the proposed development and provide access for emergency vehicles if required.

14. PUBLIC MEETINGS cont'd:

Mrs. Stone stated that even though Lands End is a private right-of-way, there are aspects of this road which are similar to a Town owned road given that snowploughing is provided, water and sewers have been installed and municipal garbage pick up to the frontage of each property is provided. Although the owner by virtue of installing municipal services to the lot line was not guaranteed development rights, water and sewer allocation was set aside given that the subject property is an existing vacant lot of record.

Mrs. Stone stated that staff has considered the potential for the approval of these applications to set a precedent for future development on private rights-of-way and in this regard, a precedent has already been set in this area by the approval of OPA No. 25 and implementing By-law 911-85-325 to allow the construction of a single family dwelling on Lot 13 to the west of the subject property. As this is an existing lot of record within a well established neighbourhood with Town services being provided, staff is of the opinion that this is an appropriate situation on a private right-of-way to allow for a dwelling, and as such will not set an undesirable precedent.

Mrs. Stone stated that in order to address the environmental policies of the Official Plan and the Greenbelt Plan, it is recommended that a minimum setback of 30 metres be maintained from the high water mark to the proposed dwelling. She stated that staff also recommend a minimum interior side yard setback of 2.5 metres be required on the west side of the dwelling and that a minimum of four on-site parking spaces be provided.

Mrs. Stone stated that staff believes the proposed amendments allowing the erection of a single family dwelling on the subject property is appropriate and represents good planning.

Mr. Wayne Morgan stated that he owns the property to the south of the subject property and objects to the application as it does not constitute good planning. He stated that at the July 14th public meeting, the applicant's agent indicated that the proposed dwelling was to be 4,500 – 5,000 square feet, but they are now dealing with a 7,700 square foot dwelling, a 50 percent increase from the July 14th meeting.

Mr. Morgan stated that the average floor area in the neighbourhood is 2,300 square feet, while the proposal is 3.5 times larger than the average.

Mr. Morgan advised that Section 2.4.2.2 of the Official Plan states that new development close to Lake Simcoe must be compatible regarding use, scale and intensity, while the proposal is not compatible in terms of scale or intensity. Section 4.9.1.1 of the Community Design Policies encourages private development designed to fit the community with regard to use, scale, style and details of adjacent buildings, while the proposal is substantially larger than the neighbouring homes.

14. PUBLIC MEETINGS cont'd:

Mr. Morgan stated that the zoning amendment and official plan amendment on Lot 13 occurred in 1984, 23 years ago at a time when the property was serviced by private septic and well and the owner was therefore constrained at that time. The dwelling was the average size of the neighbourhood dwellings because it was on private services. He also indicated that the application has not produced a landscaping plan and therefore the application is incomplete.

Mr. Morgan explained that three parking spaces are required, but four are being requested, but the parking for this development must be accommodated on the subject property. Ten bedrooms are proposed, giving one the opinion that four parking spaces may not be sufficient.

Mr. Morgan requested that Council not approve this application.

Mr. Jeff Osborne stated that he understands municipal servicing allows for more development, but he believes that all lakeshore properties will eventually become like city lots, with maximum lot coverage and huge homes. He stated that he believes the Official Plan should hold more weight than the zoning by-law.

Mr. Osborne believes that taking into consideration a dwelling unit containing ten bedrooms, the density and intensity of this property is dramatically over the neighbourhood character. He also indicated that there will be a dramatic increase in traffic along Lands End and this is one of his big issues with the application.

Mr. Osborne explained that his property contains a huge old tree that is located three feet from his property line and the construction shovels would be only ten feet from the tree trunk. In researching the Black Walnut Tree, it is highly sensitive to root damage and extra space should be given, at least thirty feet from the trunk of the tree. In addition, moving large amounts of soil within the drip line of the tree usually kills the tree and he does not want the tree to be damaged. He also noted that he would prefer not to lose the hedge between #20 and #26 Lands End either.

Mr. Osborne stated that he feels the application will have a dramatically negative impact on the community and on the neighbourhood.

Mr. Harold Lenters, Director of Planning and Building, stated that as far as he can remember, there has been no situation such as this where the Town specifically capped the size or scale of a dwelling on a lot such as this. He stated that Bed and Breakfast establishments are defined in the zoning by-law and through the licensing provisions as a commercial operation. He stated that the zoning by-law does not restrict the size of dwellings, although there are minimum setbacks and lot coverage to follow, noting that it is the function of the setbacks to determine the size and height of dwellings.

14. PUBLIC MEETINGS cont'd:

Mr. Lenters indicated that the zoning by-law does not restrict the number of bedrooms permitted in a single family dwelling. No more than one housekeeping unit is permitted, containing no more than one kitchen.

Mrs. Stone stated that other lots in this neighbourhood could be developed in according with these provisions. Mr. Morgan's property could accommodate a very large home, up to 10,000 square feet, noting that his property is larger than the applicant's lot.

Mr. Vipond stated that 10 feet of the neighbour's hedge is on the applicant's property and when construction starts, there is a good chance that the hedge will die, but the applicants expect this and will be planting a new hedge along the front of their property and along the side lot line to replace the existing one. The applicant is willing to prepare a landscaping plan showing a hedge between the applicant's land and the neighbouring lot.

Mrs. Stone stated that the applicant could make application to the Committee of Adjustment to increase their lot coverage from the current 20 percent, but staff would not support such an application. Council could also reduce the lot coverage to restrict a larger home from being constructed. The applicant could also apply to the Committee of Adjustment for a height exemption to increase the height over 11 metres.

Mr. Vipond indicated that the 30 metre setback from the high water mark is set and the applicant cannot build within that setback, and the applicants have no intention of going beyond the maximum height restrictions either.

Mrs. Stone stated that staff is requiring one additional parking space, noting that the subject property is a separate parcel, independent from the adjacent lot also owned by the applicant. She indicated that the front yard is large enough to accommodate four parking spaces.

Mr. Lenters stated that he is not aware of any parking restrictions in the immediate area. He stated that there is no municipal by-law that protects hedges and trees on private property, so a landowner can remove trees and hedges and plant them as they wish. This is not covered under the Regional Tree By-law and the Town cannot protect a hedge under the zoning by-law. In addition, under the urban design perspective, the property is not subject to site plan control, its just an infill lot. Council could request that prior to the passing of the by-law, that a landscape plan be submitted indicating the applicant's intentions, but this is not regulated through the zoning by-law.

Mr. Vipond stated that the applicant is willing to guarantee that a new hedge will be planted to replace the one that must be removed during construction.

14. PUBLIC MEETINGS cont'd:

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0395

- A. THAT REPORT PB-2008-0095 BE RECEIVED AS INFORMATION.
- B. THAT THE APPLICATION SUBMITTED BY DEBBIE KIMEL TO AMEND THE TOWN'S OFFICIAL PLAN AS OUTLINED IN THE DRAFT AMENDMENT ATTACHED AS SCHEDULE '11' TO REPORT PB-2008-0095, TO ALLOW FOR THE CONSTRUCTION OF A SINGLE FAMILY DWELLING ON LANDS DESCRIBED AS PART OF LOT 15 AND 16, CONCESSION 9 (NG), BE APPROVED.
- C. THAT THE APPLICATION SUBMITTED BY DEBBIE KIMEL TO REZONE LANDS DESCRIBED AS PART OF LOT 15 AND 16, CONCESSION 9 (NG) TO A SITE-SPECIFIC RESIDENTIAL (R) ZONE TO ALLOW FOR THE CONSTRUCTION OF A SINGLE FAMILY DWELLING ON LANDS DESCRIBED AS PART OF LOT 15 AND 16, CONCESSION 9 (NG), AS OUTLINED IN SECTION 4 OF REPORT PB-2008-0095 BE APPROVED.
- D. THAT THE AMENDING BY-LAW CONTAIN THE FOLLOWING SITE-SPECIFIC ZONING PROVISIONS:
- MINIMUM SETBACK FROM HIGH WATER MARK ...30 METRES
 - MINIMUM WESTERLY INTERIOR SIDE YARD2.5 METRES
 - MAXIMUM HEIGHT OF DWELLING11 METRES
 - MAXIMUM LOT COVERAGE.....25 PERCENT
 - REQUIRED NUMBER OF PARKING SPACES4*
- *ALL OF WHICH MAY BE PROVIDED WITHIN THE FRONT YARD AREA
- E. 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 WITH RESPECT TO THE PROVISIONS BEING IMPOSED IN D. ABOVE AND IN THE EVENT THAT MINOR REVISIONS TO THE PROPOSED AMENDING ZONING BY-LAW ARE REQUIRED.

Carried.....

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.2 Reports from the Engineering and Public Works Department:

17.2.2 Award of Tender
Hedge Road – Road Improvements

Report No. EPW-2008-0037

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0396

1. THAT REPORT NO. EPW-2008-0037 BE RECEIVED FOR INFORMATION.
2. THAT THE BID RECEIVED FROM K.J. BEAMISH CONSTRUCTION CO., LTD. IN THE AMOUNT OF \$359,734.00 NET OF GST REBATE, FOR HEDGE ROAD - ROAD IMPROVEMENTS IS ACCEPTED AND THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A CONTRACT BETWEEN K.J. BEAMISH CONSTRUCTION CO., LTD. AND THE CORPORATION OF THE TOWN OF GEORGINA.

Carried.....

17.3 Report from the Leisure Services Department:

17.3.1 Custodial & Courier Contract

Report No. LS-2008-0031

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0397

1. THAT REPORT NO. LS-2008-0031 BE RECEIVED.
2. THAT THE TENDER FOR JANITORIAL SERVICES FOR THE STEPHEN LEACOCK THEATRE/CLUB 55, SUTTON CLUB 55, SUTTON YOUTH CENTRE, PEFFERLAW YOUTH CENTRE, PEFFERLAW AND THE PETER GZOWSKI LIBRARIES BE AWARDED TO NORTHERN CLEAN AT A COST OF \$61,200.00 FOR ONE YEAR WITH TOWN OPTIONS OF YEAR TWO AT \$66,780.00 AND YEAR THREE AT \$69,000.00, AND

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

3. THAT STAFF REPORT BACK TO COUNCIL PRIOR TO THE EXPIRATION OF THE FIRST CONTRACT YEAR RESPECTING OTHER POTENTIAL JANITORIAL OPTIONS FOR CONSIDERATION.
4. THAT THE PURCHASING MANAGER BE AUTHORIZED TO ISSUE A PURCHASE ORDER ACCORDINGLY.

Carried.....

Mayor Grossi moved forward and dealt with Addendum Items (xii) and (xxi) at this time.

15 COMMUNICATIONS:

15.1 Routine Correspondence

- xii) Denis Lemelin, Canadian Union of Postal Workers, respecting a recommendation for partial or full deregulation of our postal services.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0398

THAT CORRESPONDENCE FROM DENIS LEMELIN, CANADIAN UNION OF POSTAL WORKERS, RESPECTING A RECOMMENDATION FOR PARTIAL OR FULL DEREGULATION OF OUR POSTAL SERVICES BE RECEIVED.

Carried.....

- xxi) LAS Communication respecting 'New Energy Management Resources Available'; a) New Streetlight Report - Ontario's Guiding Lights; b) Energy Management Tool, c) Provincial Incentives for Retrofits and Solar Installations, d) Website Enhancements, and e) Audit – Program Update

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0399

THAT CORRESPONDENCE FROM LOCAL AUTHORITY SERVICES LTD. (LAS) RESPECTING 'NEW ENERGY MANAGEMENT RESOURCES AVAILABLE'; A)

15. COMMUNICATIONS cont'd:

NEW STREETLIGHT REPORT - ONTARIO'S GUIDING LIGHTS; B) ENERGY MANAGEMENT TOOL, C) PROVINCIAL INCENTIVES FOR RETROFITS AND SOLAR INSTALLATIONS, D) WEBSITE ENHANCEMENTS, AND E) AUDIT – PROGRAM UPDATE, BE RECEIVED AND REFERRED TO THE GEORGINA ENVIRONMENTAL ADVISORY COMMITTEE FOR CONSIDERATION.

Carried.....

15.2 Matters for Disposition:

- 15.2.1 John D. Leach, Town Clerk, Town of Innisfil, requesting Council's consideration of its position regarding the Ontario Energy Board Order; distribution charges.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0400

THAT CORRESPONDENCE FROM JOHN D. LEACH, TOWN CLERK, TOWN OF INNISFIL, REQUESTING COUNCIL'S CONSIDERATION OF ITS POSITION REGARDING THE ONTARIO ENERGY BOARD ORDER; DISTRIBUTION CHARGES BE RECEIVED.

Carried.....

- 15.2.2 John Gooderham, Parade Chairman, 2008, The Royal Canadian Legion, requesting Council to temporarily close the necessary roads to conduct its annual Remembrance Day Parade and Service on Sunday, November 9, 2008.

Moved by Councillor Hackenbrook

Seconded by Councillor Szollosy

RESOLUTION NO. C-2008-0401

THAT COUNCIL GRANT PERMISSION TO JOHN GOODERHAM, PARADE CHAIRMAN, 2008, THE ROYAL CANADIAN LEGION, TO CONDUCT ITS ANNUAL REMEMBRANCE DAY PARADE AND SERVICE ON SUNDAY, NOVEMBER 9, 2008, THAT THE REGION OF YORK BE REQUESTED TO TEMPORARILY CLOSE THE NECESSARY PORTION OF HIGH STREET FROM THE BELL CANADA BUILDING TO THE CENOTAPH AND THE INTERSECTION OF HIGH STREET AND DALTON ROAD FOR THE EVENT AND THAT THE LOCAL POLICE, FIRE AND EMS SERVICES BE SO ADVISED.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.3 Melanie Rumley, Lake Simcoe Region Conservation Authority, requesting comments on the Proposed Second Draft of the Terms of Reference for the South Georgian Bay Lake Simcoe Source Protection Region, by September 26th.

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2008-0402

THAT CORRESPONDENCE FROM MELANIE RUMLEY, LAKE SIMCOE REGION CONSERVATION AUTHORITY, REQUESTING COMMENTS ON THE PROPOSED SECOND DRAFT OF THE TERMS OF REFERENCE FOR THE SOUTH GEORGIAN BAY LAKE SIMCOE SOURCE PROTECTION REGION, BY SEPTEMBER 26TH BE RECEIVED AND REFERRED TO THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS AND THE DIRECTOR OF PLANNING AND BUILDING FOR DISPOSITION.

Carried....

- 15.2.4 Marion Koepke, City Clerk, City of Owen Sound, requesting support of its position that Ontario Police Services purchases be sales tax exempt.

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

RESOLUTION NO. C-2008-0403

THAT TOWN COUNCIL ENDORSE THE POSITION OF THE CITY OF OWEN SOUND THAT THE GOVERNMENT OF ONTARIO PROVIDE A FULL EXEMPTION OF PROVINCIAL SALES TAX ON GOODS AND SERVICES FOR ONTARIO POLICE SERVICES PURCHASES SIMILAR TO THE GST EXEMPTION.

Carried.....

- 15.2.5 Marion Koepke, City Clerk, City of Owen Sound, requesting support of its position that municipalities be exempt from provincial sales tax on goods and services.

15. COMMUNICATIONS cont'd:

Moved by Councillor Smockum

Seconded by Councillor Jordan

RESOLUTION NO. C-2008-0404

THAT TOWN COUNCIL ENDORSE THE POSITION OF THE CITY OF OWEN SOUND THAT THE GOVERNMENT OF ONTARIO PROVIDE A FULL EXEMPTION OF PROVINCIAL SALES TAX ON GOODS AND SERVICES TO ALL ONTARIO MUNICIPALITIES SIMILAR TO THE GST EXEMPTION.

Carried.....

- 15.2.6 Shelly van Empel, Legislative Administrator, Town of Milton, requesting support of its position that a deposit/return system be placed on aluminum and plastic drink containers.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. C-2008-0405

THAT TOWN COUNCIL ENDORSE THE POSITION OF THE TOWN OF MILTON THAT THE MINISTER OF THE ENVIRONMENT CONSIDER PLACING A DEPOSIT/RETURN SYSTEM ON ALUMINUM AND PLASTIC DRINK CONTAINERS.

Carried.....

16. PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

Bob Magloughlen, Director of Engineering & Public Works, advised that the Region of York is not intending to widen the platform along Baseline Road between McCowan and Dalton Road, but will put in a 1.2 metre wide paved shoulder which is the standard width. He stressed that this is not a substitute for a sidewalk.

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 2008-0095 (COU-1) Being a By-law to appoint members to the Committee of Adjustment, the Georgina Community Health Care Committee and the Equity and Diversity Advisory Committee for the remainder of the 2006-2010 Term of Council.
- 20.2 By-law Number 500-2008-0018 Being a By-law to amend Zoning By-law No. 500, Henry McLean, Lot 37, Plan 124, Lake Drive North
- 20.3 By-law Number 2008-0096 (CON-2) Being a By-law to authorize the Mayor and Clerk to enter into a contract between K.J. Beamish Construction Co. Ltd. and the Town of Georgina; road improvements on Hedge Road.
- 20.4 By-law Number 2008-0097 (CON-2) A By-law to authorize the Mayor and Clerk to enter into a contract between VGN Construction Ltd. and the Town of Georgina; renovations and addition to the Municipal Animal Control and Adoption Centre
- 20.5 By-law Number 2008-0098 (TR-1) Being a By-law to further amend Schedule XXIV of By-law 2002-0046 (TR-1) being a by-law to govern and control through traffic within the Town of Georgina; establish an all-way stop at the intersection of The Queensway and Simcoe Avenue.

Carried.....

21. MOTIONS:

None.

22. NOTICES OF MOTION:

None.

24. COUNCIL TO RECESS COUNCIL MEETING AND RESOLVE INTO CLOSED MEETING:

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

That the Council Meeting recess at this time (9:08 p.m.) and move into a Closed Meeting pursuant to Section 239 of The Municipal Act, 2001, as amended, to consider:

- i) Advice that is subject to solicitor-client privilege, Greenvilla OMB Hearing Update; Section 239 (2)(f) MA
- ii) Personal matter about an identifiable individual, CAO recruitment; Section 239 (2)(b) MA

Carried.....

25. COUNCIL TO RISE AND REPORT FROM CLOSED MEETING:

The Council Members arose from the Closed Meeting at this time (10:23 p.m.), reconvened the Council Meeting and dealt with the following motion:

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2008-0406

THAT THE PROPOSED MINUTES OF SETTLEMENT BETWEEN 2143811 ONTARIO LIMITED AND JEFF LEBOSKY AND THE CORPORATION OF THE TOWN OF GEORGINA BE APPROVED AND THAT THE TOWN SOLICITOR BE AUTHORIZED TO EXECUTE THE MINUTES OF SETTLEMENT ON BEHALF OF THE TOWN OF GEORGINA.

Carried.....

23. OTHER BUSINESS:

23.1 Mayor’s Forum re Power Plant

The Chief Administrative Officer was directed to circulate the MegaWhat proposal to each member of the Councils invited to attend this forum and to ensure that the proposal was listed on the Committee of the Whole agenda for September 15th to allow Council Members the opportunity for review.

26. CONFIRMING BY-LAW

Moved by Councillor Smockum

Seconded by Councillor Szollosy

That the following by-law be given three readings:

By-law Number 2008-0099 (COU-2)

Being a by-law to confirm the proceedings of Council.

Carried.....

27. ADJOURNMENT:

Moved by Councillor Hackenbrook

Seconded by Councillor Jamieson

That the meeting adjourn at this time (10:52 p.m.)

Carried.....

Robert Grossi, Mayor

Roland Chenier, Town Clerk