

THE CORPORATION OF THE
TOWN OF GEORGINA

**SPECIAL COUNCIL
MINUTES**

June 16, 2008
(10:20 a.m.)

A Special Council meeting was held during and immediately following the Committee of the Whole meeting to deal with the following matters:

- i) Roll Call
- ii) Declaration of Pecuniary Interest
- iii) Item No. 14.1.1, Report No. PB-2008-0066 entitled 'Application to Amend Zoning By-law No. 500, Crate's Landing (Ontario) General Partner Inc., and Brookfield Millhouse Inc., Lots 1-15, Block 'A' and Doreda Drive, Registered Plan 447, and Lots 5&8 and Part Lots 6&7, Registered Plan 170, Part 1, Reference Plan 65R-16653; 230,232,234 and 236 Cameron Crescent
- iv) Item No. 17.1.4, Report No. DAS-2008-0032 entitled 'Fire Department Marine Rescue Air Boat Replacement'
- v) Item No. 17.1.5, Report No. DAS-2008-0033 entitled 'Christmas/New Years Civic Centre Closure – 2008/2009'
- vi) Item No. 17.2.1, Report No. LS-2008-0022 entitled 'Train Car Restaurant'
- vii) A By-law to authorize the Mayor and Clerk to execute an Addendum to the Funding Agreement dated October 5, 2007 between Her Majesty The Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs, and the Town of Georgina with respect to the rural Connections...The Ontario Municipal Rural Broadband Partnership Program.
- viii) A By-law to authorize the Mayor and Clerk until August 25, 2008, to execute the necessary contracts that pertain to departments within the Town of Georgina, subject to the contracts meeting all requirements of the respective tender and being within budget limits
- ix) Confirming By-law
- x) Adjournment

1. ROLL CALL:

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

Mayor Grossi
Councillor Jordan
Councillor Smockum

Regional Councillor Wheeler
Councillor Jamieson
Councillor Hackenbrook

2. DECLARATION OF PECUNIARY INTEREST:

None.

3. PUBLIC MEETINGS:

3.1 Statutory Public Meeting (Special Council):

(10:20 a.m.)

- 3.1.1 Application to Amend Zoning By-law No. 500
CRATE'S LANDING (Ontario) GENERAL PARTNER INC., and
BROOKFIELD MILLHOUSE INC.
Lots 1-15, Block 'A' and Doreda Drive, Registered Plan 447, and
Lots 5&8 and Part Lots 6&7, Registered Plan 170, Part 1,
Reference Plan 65R-16653; 230,232,234 and 236 Cameron
Crescent
AGENT: Michael Smith Planning Consultants

Report No. PB-2008-0066

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

Mr. Michael Smith of Michael Smith Planning Consultants, agent for the applicant, explained that the applicant is requesting changes be made to the zoning by-law that was approved in March of 2006 and in September 2006 with regard to a lot to the north of the subject property. He explained that the requested changes stem from the market study which indicates smaller residential units are being sought mostly by older couples no longer requiring a large home, and from requirements from the Marriott Hotel chain which is requesting more units and a parking garage.

Mr. Smith explained that the amendments to the zoning by-law would have no impact on adjacent properties and any changes in traffic due to the requested amendments would be negligible.

Mr. Smith explained that the amendments have not changed the area that the project will cover, as it remains at 9.86 acres. The four-storey townhouse building is being converted into a four-storey 61 unit Harbour Villa apartment building with the height and massing of the building remaining the same as the original proposal.

Mr. Smith explained that the Grand Marina building will be increased from 72 units to 93 units and again, with no change in height of massing from the original proposal. He stated that the three-storey commercial building will incorporate apartments as well, with the top floor accommodating residential units, the bottom floor becoming retail and the middle floor as office space.

3. PUBLIC MEETINGS cont'd:

Mr. Smith explained that the project originally consisted of 110 hotel units, while it is now being requested to increase that number to 140 units and to increase the height of the hotel from 24 metres to 28 metres which will have no impact with regard to shadow-casting or visual aspects, on neighbouring properties. He indicated that the senior's building is now being converted into a parkade to accommodate vehicles of both hotel patrons and visitors to the complex. The parkade will accommodate 139 parking spaces, with no material change in the massing of the building, noting that the structure will be initially 14 metres in height, then step back to an additional 4 metres, then step back again to a maximum height of 24 metres.

Mr. Smith stated that the commercial mix would change, with less emphasis on retail due to the lack of market demand, due to the Marriott Hotel chain requesting a spa and conference centre and to the need to address the demand for office uses. The applicants are requesting 70 more residential units and 30 more hotel units and noted that the buildings closest to the adjacent residential properties do not change in height or massing. He advised that the zoning did provide that in the absence of a senior's building, a parkade would be permitted in the same location until such time as the senior's building was completed, noting that the parkade will have a more efficiently designed entrance/exit system.

Mr. Smith explained that the aspect of public access to the proposal has not changed, public access to the commercial components of the proposal, the boardwalk and the public amenity areas via the pedestrian trails will remain. He indicated that with regard to servicing allocation, 196 persons equivalent of servicing allocation was set aside for 18 townhouse units and 72 apartment units, therefore there is sufficient allocation for 98 of the 160 units proposed. 110 units of allocation was set aside for the hotel portion of the proposal but were never formally assigned and the applicant is now requesting that those 110 units of allocation be formally assigned to the proposal along with an additional 30 units from the Employment Land Category that also has road capacity.

Mr. Smith advised that approval was recently received for the Keswick water and sewer plant and road capacity will be made available when Highway 404 is extended. The applicant is requesting a holding zone be placed on the residential components pending availability of servicing allocation and road capacity.

Mrs. Karyn Stone, Planner, reviewed the report at this time, indicating that this should have been scheduled for an evening meeting but it was necessary for it to come before Council today for evaluation and a subsequent report will be before Council soon. She indicated that staff has received concerns from neighbouring property owners and recommends that a second public meeting be held in the evening.

3. PUBLIC MEETINGS cont'd:

Mrs. Stone stated that the proposed amendments do not alter the building envelope or the zoning within the wetland area, but deal with density, housing form, height and a parking garage. She explained that due to the marketing of the project over the past year and prospective purchasers looking for smaller apartment units, the applicant is proposing to downsize some of the larger apartment units and reconfigure the floor area within the existing building footprint to create 21 additional apartment units resulting in an increase from 72 to 93 units.

Mrs. Stone indicated that there seems to be a discrepancy with regard to the amount of commercial floor area. The plans approved provided for 2,908 square metres of floor area, while staff's calculations indicate that there would be 1,882 square metres of floor area provided and Schedule '8' indicates that there would be 3,103 square metres of floor area. She advised that staff will be meeting with the agent to review all aspects of the proposal.

Mrs. Stone indicated that the senior's building did not have water and sewer allocation assigned to it. The amount of allocation assigned in 2004 would facilitate the construction of 99 apartment units, whereas 160 apartment units are proposed and allocation would be required for the remaining 61 apartment units. Also, only those units serviced by the existing sewage treatment plant have regional road capacity and in this regard, the remaining 61 apartment units and 140 hotel units do not have regional road capacity.

Mrs. Stone stated that staff will be conducting a thorough review of the development proposal for conformity with all relevant Keswick Secondary Plan policies and provide an evaluation in a subsequent report. She noted that general policies within the KSP require that development with all urban centres be compatible and sensitively integrated with the surrounding land uses in terms of building mass, height, setback, orientation, privacy, landscaping, shadow casting, accessibility and visual impact.

Mr. Smith stated that the applicant held an information meeting for the public approximately two months ago and only two members of the public attended, but he may hold a subsequent information meeting.

Mr. John Keith of 228 Cameron Crescent stated that he has not been notified of any of the meetings on this proposal, but he is on the mailing list and lives next door to the proposal and is the most affected. He indicated that he has attended all of the meeting except the last one that was held due to lack of notice.

Mrs. Stone advised that beyond the public notice mailing process, a public notice board was erected on the subject property that identifies the time and date of any meetings that have been scheduled.

3. PUBLIC MEETINGS cont'd:

Mr. Smith indicated that the proposed parkade is the same height as the originally proposed senior's building at 18 metres. He reiterated that this building will be 14 metres in height from the street, it will then be set back 10 feet at that point and rise to 18 metres in height, and then be set back again 10 feet and rise to 24.5 metres in height. He indicated that a parkade will be more compatible with the marina than a senior's building would have been, noting that shadow casting is not an issue through the tiered design of the building.

Mr. Smith stated that the extension of the boardwalk into Provincially significant wetland requires approval from the Ministry of Natural Resources. He indicated that traffic counts were conducted in January and he will discuss the issue of additional traffic studies during typically busier times of the year with the traffic consultant.

Mr. Harold Lenters, Director of Planning and Building, stated that given the substantial changes that have been requested, he suggested that an updated traffic study be conducted, noting that this is a good season in which to conduct a traffic study. He indicated that there is a concern that the public feel welcome and free to access the development at any time and subsequently staff will closely review the integration with regard to the waterfront access, the walkway, the design of all aspects of the proposal, along with a massing impact analysis, streetscape issues and the proposed commercial square footage.

Mr. Lenters stated that it would be difficult to bring this issue back before the end of June and because staff is hoping that a number of the issues and comments can be addressed, staff would prefer to wait for an traffic study to be conducted and possibly hold a separate meeting to deal with this proposal specifically.

Mr. Smith indicated that the applicant can respond fairly quickly to the traffic issue, noting that he believes other traffic counts have been conducted recently on The Queensway. He advised that he has provided staff with information regarding architectural design, floor plans and comparisons with other proposals before Council. It is imperative that this proposal proceed as soon as possible and are more than willing to work with staff to find a time that is compatible with everyone's schedules. He does not anticipate any more changes. He reiterated that it was not until the applicant went to the market and received feedback that changes were obviously required to reflect the market demand.

Mr. Keith inquired how far the parkade will be located from the roadway and was informed by Mr. Smith that it would be 3 metres from the roadway, but with the tiered design, only the first 14 feet will be 3 metres from the road, while the next section will be set back 5.6 metres from the road and the final upper section will even further set back.

3. PUBLIC MEETINGS cont'd:

Mr. Lenters suggested that a computerized presentation be given to Council and the public as this type of presentation shows the different elevations and are very helpful in order to visualize the project. He noted that there has been agreement from the beginning of this application that the applicant is willing to listen to Town staff with regard to architectural control, but from photos provided to date, he does not believe the aesthetics or architecture of the proposal will be an issue. The Town will control the architecture through the site plan process.

Moved by Councillor Jamieson

Seconded by Councillor Jordan

RESOLUTION NO. SC-2008-0275

- A. THAT REPORT PB-2008-0066 BE RECEIVED AS INFORMATION.
- B. THAT STAFF REPORT FURTHER TO COUNCIL FOLLOWING THE RECEIPT AND ASSESSMENT OF ANY COMMENTS RECEIVED FROM COUNCIL, THE PUBLIC, INTERNAL DEPARTMENTS AND EXTERNAL AGENCIES.
- C. THAT A SECOND PUBLIC MEETING BE SCHEDULED FOR AN EVENING COUNCIL MEETING AND THAT NOTICE OF THIS 2ND MEETING BE PROVIDED TO ALL RESIDENTS PREVIOUSLY CIRCULATED.

Carried.....

Moved by Councillor Jamieson

Seconded by Councillor Smockum

That the Committee members recess the Special Council Meeting and reconvene the Committee of the Whole Meeting at this time (11:10 a.m.).

Carried.....

The Committee members resumed the Special Council Meeting at this time (1:50 p.m.)

4. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

Moved by Councillor Jordan

Seconded by Councillor Hackenbrook

THAT THE FOLLOWING RESOLUTIONS OF THE COMMITTEE OF THE WHOLE MEETING HELD ON JUNE 16, 2008, BE APPROVED:

4. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

4.1.4 Fire Department Marine Rescue Air Boat Replacement

Report No. DAS-2008-0032

RESOLUTION NO. SC-2008-0276

1. THAT REPORT NO. DAS-2008-0032 BE RECEIVED FOR INFORMATION; AND
2. THAT THE QUOTATION RECEIVED FROM HUSKY AIRBOATS, BOLTON ONTARIO, FOR ONE (1) ICE / WATER RESCUE AIRBOAT AND TRAILER BE AWARDED TO THEM FOR THE TOTAL QUOTATION PRICE OF \$166,591.95, ALL TAXES INCLUDED; AND
3. THAT THE PURCHASING AGENT BE AUTHORIZED TO ISSUE A PURCHASE ORDER AND ATTACHING CONTRACT ACCORDINGLY, TO HUSKY AIRBOATS FOR REQUEST FOR PROPOSAL NO. DAS-2008-029.

4.1.5 Christmas/New Years Civic Centre Closure – 2008/2009

Report No. DAS-2008-0033

RESOLUTION NO. SC-2008-0277

1. THAT REPORT NO. DAS-2008-0033 BE RECEIVED FOR INFORMATION; AND
2. THAT THE CIVIC CENTRE OFFICE BE CLOSED FROM NOON ON WEDNESDAY, DECEMBER 24TH, 2008, RE-OPENING ON MONDAY, JANUARY 5TH, 2009

4.2.1 Train Car Restaurant

Report No. LS-2008-0022

RESOLUTION NO. SC-2008-0278

1. THAT REPORT LS-2008-0022 BE RECEIVED.
2. THAT COUNCIL AWARD, IN GOOD FAITH, THE RAIL CAR FOOD SERVICE OPERATION RIGHTS TO KAREN CHADWICK OF COUNTRY FOOD SERVICES FOR A TERM OF TWO YEARS FOR THE SUM OF \$300.00 PER MONTH FOR THE FIRST YEAR AND \$400.00 PER MONTH FOR THE SECOND YEAR.

4. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:
3. THAT COUNCIL DIRECT STAFF TO ARRANGE FOR THE CONNECTION OF WATER AND SEWER SERVICES, UNDERTAKE WALKWAY IMPROVEMENTS ON THE NORTH SIDE OF THE TRAIN AND MINOR LANDSCAPING REQUIREMENTS, ALONG WITH ADDRESSING THE ISSUE OF ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES WITH FUNDS BEING DERIVED FROM THE FACILITY DEVELOPMENT RESERVE, AND THAT THE ENGINEERING DEPARTMENT INVESTIGATE THE EXTENSION OF THE CURRENT SOUTHERLY PARKING AREA AT THE FRONT OF THE CIVIC CENTRE TO ACCOMMODATE MORE PARKING SPACES.
 4. THAT STAFF ENTER INTO DISCUSSIONS WITH THE LESSEE TO FORMALIZE A LEASE AGREEMENT WITH AN OPTION FOR ADDITIONAL YEARS, AND COST SHARING ARRANGEMENTS WITH REGARD TO FUTURE IMPROVEMENTS TO THE TRAIN AND GROUNDS.
 5. THAT THE PROVISIONS OF THE PLANNING, ZONING AND SITE PLAN REQUIREMENTS BE WAIVED WITH RESPECT TO THE RAIL CAR FOOD SERVICE OPERATION.

Carried.....

5. BY-LAWS:

Moved by Regional Councillor Wheeler

Seconded by Councillor Jordan

That the following by-law be given three readings:

- 5.1 By-law Number 2008-0072 (LA-1) Being a by-law authorize the Mayor and Clerk to execute an Addendum to the Funding Agreement dated October 5, 2007 between Her Majesty The Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs, and the Town of Georgina with respect to the rural Connections...The Ontario Municipal Rural Broadband Partnership Program.

Carried.....

5. BY-LAWS:

Moved by Councillor Smockum

Seconded by Councillor Jamieson

That the following by-law be given three readings:

- 5.2 By-law Number 2008-0073 (CON-1) Being a by-law to authorize the Mayor and Clerk until August 25, 2008, to execute the necessary contracts that pertain to departments within the Town of Georgina, subject to the contracts meeting all requirements of the respective tender and being within budget limits

Carried.....

6. CONFIRMING BY-LAW:

Moved by Councillor Jordan

Seconded by Councillor Hackenbrook

That the following by-law be given three readings:

- 6.1 By-law Number 2008-0074 (COU-2) Being a by-law to confirm the proceedings of Special Council.

Carried.....

7. ADJOURNMENT:

Moved by Councillor Smockum

Seconded by Councillor Jamieson

That the Special Council Meeting adjourn at this time (1:58 p.m.).

Carried.....

Robert Grossi, Mayor

Roland Chenier, Town Clerk