

# THE CORPORATION OF THE TOWN OF GEORGINA

## COUNCIL MINUTES

February 23, 2009  
(7:05 p.m.)

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

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

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

3. COMMUNITY SERVICE ANNOUNCEMENTS:

The Committee 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 Correspondence from David H. Peirce of Peirce, McNeely Associates, solicitor concerning Item No. 14.1.1

5. APPROVAL OF AGENDA:

Moved by Councillor Jamieson

Seconded by Councillor Hackenbrook

### **RESOLUTION NO. C-2009-0072**

THAT THE AGENDA WITH THE FOLLOWING ADDENDUM ITEM BE APPROVED:

- 5.1 CORRESPONDENCE FROM DAVID H. PEIRCE OF PEIRCE, MCNEELY ASSOCIATES, SOLICITOR CONCERNING ITEM NO. 14.1.1

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

None.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Szollosy

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. C-2009-0073**

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON FEBRUARY 9, 2009, 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 by Terry Zinck, President of the Georgina Minor Baseball association concerning the construction of a storage unit on Diamond #13
- 9.2 Item No. 11.2, deputation by Megan Keith on behalf on the Pefferlaw Ratepayers Association concerning the need for the 2009 Mosquito Abatement Program
- 9.3 Item No. 14.1.1, Report No. PB-2009-0016 entitled 'Close applications to amend the Official Plan and Zoning By-law No. 500, Deep Patel'
- 9.4 Item No. 15.2, various matters for disposition
- 9.5 Item No. 17.5.1, Report No. LS-2009-0003 entitled 'Georgina Minor Baseball Storage Facility'

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Councillor Szollosy

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-2009-0074**

THAT THE ROUTINE CORRESPONDENCE BE RECEIVED.

Recommendations from the Committee of the Whole Meeting held on February 17, 2009:

**RESOLUTION NO. C-2009-0075**

- 17.1.1
1. THAT REPORT NO. CAO-2009-0003 BE RECEIVED FOR INFORMATION; AND
  2. THAT THE TOWN GIVE A GRANT IN THE FORM OF A LOAN TO THE SUTTON AGRICULTURAL SOCIETY TO BE SECURED BY A PROMISSORY NOTE IN THE AMOUNT OF UP TO \$40,000.00 ON THE TERMS AND CONDITIONS SET OUT IN THIS REPORT; AND
  3. THAT CONSIDERATION OF THE SUTTON AGRICULTURAL SOCIETY'S REQUEST FOR GRANT BE REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE FOR CONSIDERATION AFTER THE 2009 BUDGET FOR GRANTS HAS BEEN APPROVED.

**RESOLUTION NO. C-2009-0076**

- 17.1.2
1. THAT REPORT NO. DAS-2009-0014 BE RECEIVED FOR INFORMATION; AND
  2. THAT THE SCHEDULES DETAILING THE REMUNERATION AND EXPENSES OF MEMBERS OF COUNCIL AND COUNCIL APPOINTEES TO LOCAL BOARDS, AS REQUIRED UNDER THE MUNICIPAL ACT, BE RECEIVED FOR INFORMATION.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:**RESOLUTION NO. C-2009-0077**

- 17.1.3 A. THAT REPORT PB-2009-0015 BE RECEIVED AS INFORMATION.
- B. THAT PURSUANT TO SECTION 51(33) OF THE PLANNING ACT, R.S.O., 1990, AN EXTENSION TO THE APPROVAL OF DRAFT PLAN OF SUBDIVISION 19T-95070 BE GRANTED TO AUGUST 31, 2012.
- C. THAT THE UPDATED CONDITIONS OF DRAFT PLAN APPROVAL ATTACHED AS SCHEDULE '4' BE APPROVED AND THAT PURSUANT TO SECTION 51(44) OF THE PLANNING ACT, R.S.O., 1990, THE LAPSING PROVISION CONTAINED IN THE CONDITIONS OF DRAFT PLAN APPROVAL READ AS FOLLOWS "PURSUANT TO THE PLANNING ACT, R.S.O., 1990, AS AMENDED, APPROVAL OF THIS PLAN OF SUBDIVISION SHALL LAPSE IF FINAL APPROVAL FOR REGISTRATION HAS NOT BEEN GIVEN BY AUGUST 31, 2012, UNLESS APPROVAL HAS BEEN SOONER WITHDRAWN OR THE TOWN OF GEORGINA HAS EXTENDED THE DURATION OF THE APPROVAL."

**RESOLUTION NO. C-2009-0078**

- 17.1.4 THAT CORRESPONDENCE FROM STEVE CLEMENTSON, 1<sup>ST</sup> PEPPERLAW SCOUTING, INVITING A COUNCIL REPRESENTATIVE TO ATTEND ITS ANNUAL APPRECIATION BANQUET ON FEBRUARY 28, 2009, BE RECEIVED AND THAT THE GROUP BE ADVISED THAT COUNCILLOR HACKENBROOK WILL ENDEAVOUR TO ATTEND.

Carried.....

Reports:17.2 Report from the Administrative Services Department:

17.2.1 Indigent Funerals in Ontario

Report No. DAS-2009-0015

**RESOLUTION NO. C-2009-0079**

1. THAT REPORT NO. DAS-2009-0015 BE RECEIVED FOR INFORMATION.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:

2. THAT THE TOWN OF GEORGINA SUPPORT THE RESOLUTION OF THE UNITED COUNTIES OF STORMONT, DUNDAS AND GLENGARRY AND REQUEST THE REGION OF YORK TO REVIEW RATES FOR INDIGENT FUNERALS AND ASSISTANCE TO COVER FUNERAL EXPENSES FOR ALL NEEDY INDIVIDUALS

17.3 Report from the Planning and Building Department:

- 17.3.1 Application to Deem a Lot not to be a lot on a Registered Plan of Subdivision  
BUCH, Gordon  
Lot 40, Plan 306, 330 Tampa Drive, Keswick

Report No. PB-2009-0017

**RESOLUTION NO. C-2009-0080**

- A. THAT REPORT PB-2009-0017 BE RECEIVED FOR INFORMATION.
- B. THAT THE APPLICATION SUBMITTED BY GORDON BUCH TO DEEM LOT 40, PLAN 306, NOT TO BE A LOT ON A REGISTERED PLAN OF SUBDIVISION FOR THE PURPOSE OF SECTION 50(3) AND IN ACCORDANCE WITH SECTION 50(4) OF THE PLANNING ACT, R.S.O. 1990, BE APPROVED.

17.4 Report from the Engineering and Public Works Department:

- 17.4.1 Storm Drainage Outlet – Sibbald Creek  
2055226 Ontario Inc.  
Jackson's Landing Development

Report No. EPW-2009-0003

**RESOLUTION NO. C-2009-0081**

1. THAT REPORT EPW-2009-0003 BE RECEIVED FOR INFORMATION.
2. THAT A BY-LAW BE PASSED AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A DEED/TRANSFER OF LANDS FROM THE TOWN OF GEORGINA TO 2055226 ONTARIO INC. RESPECTING PART OF LOTS 280, 281 AND 282, PART OF BLOCK 'D' AND PART OF GEORGE ROAD (UNOPENED) ON REGISTERED PLAN 427 FOR THE PURPOSES OF A STORM DRAINAGE EASEMENT.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:

3. THAT 2055226 ONTARIO INC. PROVIDE COMPENSATION TO THE TOWN OF GEORGINA IN AN AMOUNT TO BE DETERMINED AS 50% OF THE VALUE OF THE LANDS SUBJECT TO THE PROVISION OF AN APPRAISAL OF VALUE BY A QUALIFIED PROFESSIONAL LAND APPRAISER AND THE ACCEPTANCE OF SUCH APPRAISAL OF THE TOWN.

Carried.....

10.2 Matters subject to individual conflicts

None.

Mayor Grossi moved forward Item No. 17.5.1 to be heard in conjunction with Item No. 11.1 at this time.

11. DEPUTATIONS:

- 11.1 Terry Zinck, President, Georgina Minor Baseball Association, concerning the construction of a storage unit at the newly construction Diamond #13 at the Civic Centre.

Ms. Terry Zinck, President of the Georgina Minor Baseball Association, requested Council approval to construct a storage building at the new Civic Centre baseball diamond, #13. The Association has obtained a couple of quotes, one of which has been included in Council's package. The quote is for a prefabricated building which will require a granular base on which a crane will place the building. The proposed building is approximately 12 feet x 11 feet in size. She stated that the Association requires this building in order to store some of the Association's equipment and machines. The Association is applying to the Ontario Trillium Foundation for a grant of \$15,000, which is approximately what the proposed building will cost, but they need a decision from Council at this point so that they can submit their application by the March 1<sup>st</sup> deadline.

Mr. Brock McDonald, Manager of Policy and Development, explained that Diamond No. 13 is currently being constructed to the south of the Civic Centre. This is the second request for a building on Civic Centre Grounds for equipment storage, the first being from the Lake Simcoe Soccer Club requested a storage building to the north of the Civic Centre. He indicated that the Leisure Services Department supports this request.

11. DEPUTATIONS cont'd:

Mr. McDonald explained that costs associated with the construction of the building including the granular base, installation, etc, have not been included in the grant application. The cost for the proposed building is approximately \$13,000, and the Association is requesting \$15,000, noting that the electrical component to bring electricity to the building will also have to be dealt with.

Mr. McDonald stated that some adjustments have been made to the plan to move the washroom facilities to the south, noting that water and sewer lines run down the centre of the fields in a north/south direction and spurs can be introduced in the future if required.

Ms. Zinck stated that the application to the Ontario Trillium Foundation must be submitted by March 1<sup>st</sup>. She also stated that once the application has been submitted, she believes that changes can be made to the proposal as long as receipts are submitted indicating what the funds have gone towards.

Mr. McDonald suggested that Council approve the request at this meeting so that the application can be submitted to the Trillium Foundation, then Council and staff can discuss the details of what type of building will be constructed. He stated that if the grant is not approved, there are no other options for the Association.

17.5 Report from the Leisure Services Department:

17.5.1 Georgina Minor Baseball Storage Facility

Report No. LS-2009-0003

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

**RESOLUTION NO. C-2009-0082**

- 1 THAT REPORT LS-2009-0003 BE RECEIVED.
- 2 THAT THE TOWN OF GEORGINA APPROVE IN PRINCIPLE AND ENTER INTO AN AGREEMENT WITH THE GEORGINA MINOR BASEBALL ASSOCIATION FOR THE INSTALLATION OF A STORAGE FACILITY ADJACENT TO THE BASEBALL DIAMOND ON CIVIC CENTRE PROPERTY.

Carried.....

11. DEPUTATIONS cont'd:

11.2 Megan Keith on behalf of the Pefferlaw Association of Ratepayers concerning the mosquito abatement program for 2009.

Ms. Keith stated that she is speaking on behalf of PAR and the majority of Pefferlaw residents. She stated that mosquitoes have a huge impact on their community. Following the 2008 mosquito abatement program, the residents could once again enjoy their surroundings for the first time in recent memory. The staff report indicated that mosquito populations were decreased by 93 percent through the spring breeding season because of the larvicide program.

Ms. Keith stated that the residents were delighted to be able to sit outside in the spring. She explained that the new Pefferlaw ice pad has been designed as a year-round facility and the Ice Pad Committee has planned events to take place throughout the summer months and the continuation of the larviciding program would encourage the residents to use the pad to its fullest potential.

Ms. Keith stated that Council promised to support the BTI mosquito program, noting that it is an effective, well liked and popular program in Pefferlaw. She thanked Council and staff for their previous support.

Mr. Michael Baskerville, Engineering Manager, stated that the Request For Proposal (RFP) went out for this year's program and it will be considered as part of the 2009 budget discussions on March 4<sup>th</sup>.

Sue Plamondon, CAO, stated that the report to be considered at budget will be recommending the first application of the program.

Mr. Baskerville explained that the Town did one application in the spring of 2008, strictly geared towards the spring mosquito population, but there are potential benefits of continuing the program throughout the year. He noted that the mosquitoes that are eliminated in the spring are replaced by others throughout the summer.

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

**RESOLUTION NO. C-2009-0083**

THAT THE DEPUTATION MADE BY MEGAN KEITH ON BEHALF OF THE PEFFERLAW ASSOCIATION OF RATEPAYERS, REQUESTING THE CONTINUATION OF THE MOSQUITO ABATEMENT PROGRAM FOR 2009, BE RECEIVED WITH THE UNDERSTANDING THAT THIS ISSUE WILL BE DISCUSSED AT THE 2009 BUDGET MEETING ON MARCH 4<sup>TH</sup>.

Carried.....



12. PRESENTATIONS:

None.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

14. PUBLIC MEETINGS:

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

(7:30 p.m.)

- 14.1.1 Close applications to amend the Official Plan and Zoning By-law No. 500  
DEEP PATEL (Baldwin Go Karts)  
Part Lot 1, Concession 2 (G), 23721 Highway 48  
AGENT: Michael T. Larkin, Larkin & Associates Planning Consultants Inc.

Report No. PB-2009-0016

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

Mr. Deep Patel, owner, explained that there are huge issues with regard to the subject property. The mortgage will be taken over March 1<sup>st</sup> and someone will have a right to work on the property after that date. He stated that he would like Council to provide him more time to resolve the problems with the property, possibly an additional 60 days.

Adam Lucas, Planner, stated that in April 2008, staff held the third public meeting to allow the operation of a go kart track, along with indoor and outdoor paintball uses on the subject property. Staff had reviewed the issues and recommended approval of the applications, but at the meeting there was some confusion as to the current owner's desire to keep the requested uses operating, and individuals were also in attendance claiming to be the owner's agent. Council therefore deferred the application pending clarification by the owners in May of 2008. Staff was unable to obtain this clarification and as time has progressed, there has been little progress made.

Mr. Lucas explained that staff wanted to provide Council with an update and in light of staff's inability to clarify the issue, and the time that has elapsed, staff has recommended that the applications be closed due to inactivity. Mr. Patel's solicitor forwarded correspondence to staff prior to this meeting requesting that applications be deferred for an additional 90 days for several reasons as outlined in the correspondence. Staff has reviewed this correspondence and do not object to allowing a 90 day deferral, but staff's recommendation still stands.

14. PUBLIC MEETINGS cont'd:

Mr. Harold Lenters, Director of Planning and Building, stated that in terms of item (c) in the letter from Mr. Patel's solicitor, staff is not sure if the proposed purchaser would be interested in continuing the proposed uses and proceeding with the zoning amendment application. He stated that because staff supports the application from a planning perspective, they have no objection to a deferral, but believes that going beyond a 90 day extension would become an exercise in futility.

Mr. Patel stated that if Council grants him a 75 day extension, he would be satisfied. He indicated that the paintball operation is not functioning at this time. The indoor paintball is always closed and the outdoor paintball does not open until April 1st.

Mr. Lenters explained that the statutory public meeting was held, in addition to further meetings to address the issues. Staff could circulate full notice to all land owners within the required distance if Council desires, so that members of the public can get a copy of the report, review it and any new land owners could have the opportunity to address Council. He stated that this process would involve new landowners who were not involved from the start of these applications. The public would also then have the opportunity to appeal any decision Council made.

Mr. Joe Branco, 187 Frederick Street, stated that these applications have been before Council previously over the years and residents have objected. He does not understand why Council would extend the applications rather than just cancel them. The new owners would then be able to begin the process again if desired. He also inquired if any new property owners would be able to come to Council to object to the application.

Mr. Rob Gilchrist, 23761 Hwy 48, property owner to the north, inquired if staff will notify everyone of the next meeting to be held and was advised that they would be advising all property owners within a certain distance from the subject property.

Mr. Lenters indicated that agendas and copies of reports can be picked up by the public at the Civic Centre building on the Friday afternoon prior to the Monday meeting. He explained that notice will be sent to all interested parties, plus a full circulation, at least two weeks in advance of the meeting. Once notification has been received, the public is welcome to come to the Civic Centre to pick up a copy of the report.

14. PUBLIC MEETINGS cont'd:

Moved by Councillor Jamieson

Seconded by Councillor Hackenbrook

That Council grant an extension of applications to amend the Official Plan and Zoning By-law 500 to permit a go-kart track and indoor and outdoor paintball uses on land described as Part of Lot 1, Concession 2 (G) to May 15, 2009, based on the understanding that none of the proposed activities will take place, no further extensions will be entertained and that staff report back to Council.

Moved by Councillor Jamieson

Seconded by Councillor Hackenbrook

That the above motion be amended to extend the date to a full 90 days, to May 23, 2009.

Carried.....

Moved by Councillor Hackenbrook

Seconded by Councillor Jordan Clark

**RESOLUTION NO. C-2009-0084**

THAT COUNCIL GRANT AN EXTENSION OF APPLICATIONS TO AMEND THE OFFICIAL PLAN AND ZONING B-LAW 500 TO PERMIT A GO-KART TRACK AND INDOOR AND OUTDOOR PAINTBALL USES ON LAND DESCRIBED AS PART OF LOT 1, CONCESSION 2 (G) FOR 90 DAYS TO MAY 23, 2009, BASED ON THE UNDERSTANDING THAT NONE OF THE PROPOSED ACTIVITIES WILL TAKE PLACE UNTIL THIS MATTER HAS BEEN RESOLVED AND THAT STAFF REPORT BACK TO COUNCIL BY MAY 23, 2009, WITH A FULL CIRCULATION TO SURROUNDING PROPERTY OWNERS.

Carried.....

15. COMMUNICATIONS:

15.2 Matters for Disposition:

- 15.2.1 Anita Moore, Town Clerk, Town of Newmarket, requesting support of its position that the Province close the funding gap for museums in the Community Museum Operating Grant program.

15. COMMUNICATIONS cont'd:

Moved by Councillor Jamieson

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2009-0085**

THAT CORRESPONDENCE FROM ANITA MOORE, TOWN CLERK, TOWN OF NEWMARKET, REQUESTING SUPPORT OF ITS POSITION THAT THE PROVINCE CLOSE THE FUNDING GAP FOR MUSEUMS IN THE COMMUNITY MUSEUM OPERATING GRANT PROGRAM BE RECEIVED AND REFERRED TO THE LEISURE SERVICES DEPARTMENT FOR REVIEW AND A REPORT BACK TO COUNCIL FOR CONSIDERATION.

Carried.....

15.2.2 The Clean Air Partnership concerning the GTA Clean Air Council 2008 Inter-governmental Declaration on Clean Air.

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

**RESOLUTION NO. C-2009-0086**

THAT CORRESPONDENCE FROM THE CLEAN AIR PARTNERSHIP CONCERNING THE GTA CLEAN AIR COUNCIL 2008 INTER-GOVERNMENTAL DECLARATION ON CLEAN AIR BE RECEIVED AND REFERRED TO THE MAYOR'S OFFICE FOR INCLUSION ON HIS SCHEDULE IF POSSIBLE.

Carried.....

15.2.3 Brock McDonald, Manager of Policy and Development, Leisure Services Department, requesting changes to the Udora Hall Board members.

Moved by Councillor Hackenbrook

Seconded by Councillor Jamieson

**RESOLUTION NO. C-2009-0087**

THAT TOWN COUNCIL ENDORSE THE FOLLOWING AMENDMENTS TO THE UDORA HALL BOARD MEMBERSHIP:

MARGARET BURROWS, CHAIR

ANNE LATE, VICE CHAIR

15. COMMUNICATIONS cont'd:

VACANT, TREASURER POSITION  
TARA DRURY, SECRETARY  
LORI TOMKINSON, DIRECTOR  
JANN SCHAER, DIRECTOR  
DAVE TOMKINSON, DIRECTOR  
JULIE BERSCHE, DIRECTOR  
WENDY TOOLEY, DIRECTOR

Carried.....

16 PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

Mayor Grossi updated Council on the Regional Budget.

20. BY-LAWS:

Moved by Councillor Jordan Clark

Seconded by Councillor Szollosy

That the following by-laws be given three readings:

- |      |                                 |   |
|------|---------------------------------|---|
| 20.1 | By-law Number 2009-0013 (PL-1)  | Being a by-law to Deem a lot not to be a lot on a Registered Plan of Subdivision; Gordon Buch, Lot 40, Plan 306, 330 Tampa Drive, Keswick   |
| 20.2 | By-law Number 2009-0014 (CON-2) | Being a By-law to authorize the Mayor and Clerk to enter into a contract between Som Meridian Construction Ltd. and the Town of Georgina for the power supply component of Contract No. EPW-2008-054, Lake Drive East |

21. BY-LAWS cont'd:

- 20.3 By-law Number 2009-0015 (PUT-1) Being a By-law to authorize the Mayor and Clerk to execute all necessary documents relating to the conveyance of lands from the Town of Georgina to 2055226 Ontario Inc. for a permanent easement respecting Part of Lots 280, 281 and 282, Part of Block D, and part of George Road on Registered Plan 427

Carried.....

22. MOTIONS:

None.

23. NOTICES OF MOTION:

None.

24. OTHER BUSINESS:

None.

24. CONFIRMING BY-LAW

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

That the following by-law be given three readings:

- By-law Number 2009-0016 (COU-2) Being a by-law to confirm the proceedings of Council.

Carried.....

25. ADJOURNMENT:

Moved by Regional Councillor Wheeler

Seconded by Councillor Jamieson

That the meeting adjourn at this time (8:19 p.m.).

---

Robert Grossi, Mayor

---

Roland Chenier, Town Clerk