

# THE CORPORATION OF THE TOWN OF GEORGINA

## COUNCIL MINUTES

May 25, 2009  
(6:03 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 Clark (arrived at 6:12 p.m.)	
Councillor Jamieson	Councillor Szollosy
Councillor Hackenbrook	Councillor Smockum

Moved by Councillor Szollosy

Seconded by Councillor Smockum

Be it resolved that the Council Meeting resolve into a Closed Meeting at this time (6:05 p.m.) pursuant to Section 239 of The Municipal Act, 2001, as amended, to consider:

- i) Section 239(2)(b); personal matters about an identifiable individual regarding completion of an employee's probationary period

Carried.....

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

That Council rise and report from the Closed Meeting at this time (7:10 p.m.); no motions emanated from the Closed Meeting.

Carried.....

Council members resumed the Council Meeting at this time (7:10 p.m.).

1. MOMENT OF MEDITATION:

A moment of meditation was observed a second time.

2. ROLL CALL:

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

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

3. COMMUNITY SERVICE ANNOUNCEMENTS:

None.

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

The following addendum items were identified as part of the agenda:

- 4.1 Item No. 14.1.1, Report No. PB-2009-0040 entitled 'Application to amend Zoning By-law 500, Accessible Parking Standards; Town of Georgina General Amendment;
- 4.2 Item No. 14.2.1, Report No. PB-23009-0041 entitled 'Application to Amend the Official Plan and Zoning By-law 500, Deep Patel (Baldwin Go Karts)'
- 4.3 Item No. 17.3.1, Report No. LS-2009-0011 entitled 'Recreational Infrastructure Canada Program'
- 4.4 Motion by Greater Toronto Countryside Mayor's Alliance under 'Other Motions' regarding supporting Free Trade when its fair trade
- 4.5 Joanne Lewis to speak to the accessibility plan regarding Item No. 17.2.2

5. APPROVAL OF AGENDA:

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

**RESOLUTION NO. C-2009-0247**

THAT THE AGENDA WITH THE FOLLOWING ADDENDUM ITEMS BE APPROVED:

5. APPROVAL OF AGENDA cont'd:

- 5.1 ITEM NO. 14.1.1, REPORT NO. PB-2009-0040 ENTITLED 'APPLICATION TO AMEND ZONING BY-LAW 500, ACCESSIBLE PARKING STANDARDS; TOWN OF GEORGINA GENERAL AMENDMENT;
- 5.2 ITEM NO. 14.2.1, REPORT NO. PB-23009-0041 ENTITLED 'APPLICATION TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW 500, DEEP PATEL (BALDWIN GO KARTS)'
- 5.3 ITEM NO. 17.3.1, REPORT NO. LS-2009-0011 ENTITLED 'RECREATIONAL INFRASTRUCTURE CANADA PROGRAM'
- 5.4 MOTION BY GREATER TORONTO COUNTRYSIDE MAYOR'S ALLIANCE UNDER 'OTHER MOTIONS' REGARDING SUPPORTING FREE TRADE WHEN ITS FAIR TRADE
- 5.5 JOANNE LEWIS TO SPEAK TO THE ACCESSIBILITY PLAN REGARDING ITEM NO. 17.2.2

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

None.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Wheeler

Seconded by Councillor Smockum

**RESOLUTION NO. C-2009-0248**

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON MAY 11, 2009, BE ADOPTED AS PRESENTED.

**RESOLUTION NO. C-2009-0249**

THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON MAY 19, 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. 14.1.1, Report No. PB-2009-0040 entitled 'Application to Amend Zoning By-law 500, Accessible Parking Standards; Town of Georgina General Amendment'
- 9.2 Item No. 14.2.1, Report No. PB-2009-0041 entitled 'Application to Amend the Official Plan and Zoning By-law 500, Deep Patel (Baldwin Go Karts)'
- 9.3 Item No. 15.2, various matters for disposition
- 9.4 Item No. 17.2.2, Report No. DAS-2009-0029 entitled 'Final Accessibility Plan 2008-2009'
- 9.5 Item No. 17.2.1, Report No. DAS-2009-0024 entitled 'Sale of a Portion of Maple Street Road Allowance'
- 9.6 Item No. 20.1, a by-law to designate 163 High Street, Sutton
- 9.7 Item No. 23.1, Udora Hall Board Appointment under Other Business

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

- 10.1 Matters not subject to individual conflicts

Moved by Councillor Szollosy

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:

Routine:

**RESOLUTION NO. C-2009-0250**

THAT THE ROUTINE CORRESPONDENCE BE RECEIVED.

Recommendations from the Committee of the Whole Meeting held on May 19, 2009:

**RESOLUTION NO. C-2009-0251**

- 17.1.1 1. THAT REPORT DAS-2009-0033 BE RECEIVED FOR INFORMATION.
- 2. THAT A BY-LAW BE PASSED TO DESIGNATE 163 HIGH STREET, SUTTON, UNDER PART IV OF THE ONTARIO HERITAGE ACT.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:**RESOLUTION NO. C-2009-0252**

- 17.1.2 THAT THE DEPUTATION MADE BY BRAD CLAYDEN, STAFF ADVISOR, ADVISING OF THE ANNUAL 'RELAY FOR LIFE' OVERNIGHT EVENT BEING HELD ON THE MAIN PLAYING FIELD OF THE SUTTON DISTRICT HIGH SCHOOL BE RECEIVED AND THAT AN EXEMPTION BE GRANTED FROM THE TOWN'S NOISE BY-LAW TO PERMIT MUSIC TO BE PLAYED, AT A REASONABLE VOLUME, DURING THIS EVENT.

**RESOLUTION NO. C-2009-0253**

- 17.1.3
1. THAT REPORT NO. DAS-2009-0032 BE RECEIVED FOR INFORMATION.
  2. THAT THE CORPORATION OF THE TOWN OF GEORGINA AWARD THE SUPPLY AND INSTALLATION OF POWER DOOR OPENERS TO KEYMASTER LOCK AND SAFE INC. IN THE AMOUNT OF \$57,682.14 AND THAT THE PURCHASING MANAGER BE DIRECTED TO ISSUE A PURCHASE ORDER ACCORDINGLY.
  3. THAT STAFF REVIEW OTHER MORE ECONOMICALLY FEASIBLE OPTIONS FOR THE TWO WASHROOM DOORS ON THE FIRST FLOOR OF THE CIVIC CENTRE, INCLUDING THE POTENTIAL CREATION OF A FAMILY WASHROOM, AUTOMATIC DOOR OPENERS AND/OR ANY REQUIRED SCREENING, AND REPORT BACK.

**RESOLUTION NO. C-2009-0254**

- 17.1.4 THAT TOWN COUNCIL ENDORSE THE POSITION OF THE HOMEGROWN ONTARIO STEERING COMMITTEE IN ORDER TO ENCOURAGE LOCAL PRODUCERS, THROUGH THE FOLLOWING MOTION:

WHEREAS THE TOWN OF GEORGINA SUPPORTS PRACTICES THAT CONTRIBUTE TO THE CREATION OF A SUSTAINABLE ENVIRONMENT;

AND WHEREAS HOMEGROWN ONTARIO IS A BRAND THAT ALLOWS ONTARIO CONSUMERS TO SUPPORT ONTARIO FARMERS BY PURCHASING ONTARIO PRODUCED MEAT AND POULTRY;

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

AND WHEREAS ONTARIO FARMERS ADHERE TO THE HIGHEST QUALITY STANDARDS SET FORTH BY THE CANADIAN PROVINCIAL AND FEDERAL GOVERNMENT REGULATORY BOARDS;

AND WHEREAS THE PURCHASE OF ALL ONTARIO PRODUCED MEAT AND POULTRY SOURCED LOCALLY REQUIRES THE BURNING OF LESS FOSSIL FUEL THAN FOOD TRUCKED OR EVEN FLOWN IN FROM HUNDREDS OR EVEN THOUSANDS OF MILES AWAY;

THEREFORE BE IT RESOLVED THAT THE PROCUREMENT PRACTICE OF PURCHASING MEAT AND POULTRY PRODUCTS PRODUCED BY ONTARIO FARMERS BE IDENTIFIED AS THE PREFERRED LOCAL SUSTAINABLE PROCUREMENT PRACTICE AND THAT THIS MOTION BE FORWARDED TO THE GEORGINA AGRICULTURAL ADVISORY COMMITTEE FOR THEIR INFORMATION.

**RESOLUTION NO. C-2009-0255**

17.1.5 THAT TOWN COUNCIL GRANT FINANCIAL SUPPORT IN THE AMOUNT OF \$500.00 TO THE 2009 YORK REGION 55+ GAMES.

Report:

17.3 Report from the Leisure Services Department:

17.3.1 Recreational Infrastructure Canada Program

Report No. LS-2009-0011

**RESOLUTION NO. C-2009-0256**

1. THAT REPORT NO. LS-2009-0011 BE RECEIVED FOR INFORMATION.

2. THAT COUNCIL ADOPT THE FOLLOWING RESOLUTION:

WHEREAS THE TOWN OF GEORGINA IS COMMITTED TO PROVIDING QUALITY RECREATIONAL, SPORT, CULTURAL AND HERITAGE FACILITIES AND ACTIVITIES FOR RESIDENTS OF ALL AGES AND ABILITIES;

AND WHEREAS THE PROJECTS IDENTIFIED HEREIN WILL PROVIDE YEAR ROUND OPPORTUNITIES FOR RECREATION AND ACTIVE LIVING THAT WILL BENEFIT THE HEALTH AND QUALITY OF LIFE OF ALL GEORGINA RESIDENTS;

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

AND WHEREAS COUNCIL DIRECTED STAFF TO MAKE APPLICATION TO RECREATIONAL INFRASTRUCTURE CANADA FOR FUNDING TO IMPLEMENT THE PROJECTS IDENTIFIED IN REPORT NO. LS-2009-0011;

AND WHEREAS THE TOWN OF GEORGINA IS NOT ABLE TO IMPLEMENT THESE PROJECTS AT THIS TIME WITHOUT THE FINANCIAL SUPPORT OF THE KIND OFFERED BY RECREATIONAL INFRASTRUCTURE CANADA;

AND WHEREAS WITH A COMMITMENT OF FINANCIAL SUPPORT THROUGH RECREATIONAL INFRASTRUCTURE CANADA, THE TOWN OF GEORGINA WILL BE ABLE TO UNDERTAKE THE PROJECTS IMMEDIATELY;

AND WHEREAS THE FEDERAL AND PROVINCIAL GOVERNMENTS HAVE MADE FUNDING ACCESSIBLE THROUGH RECREATIONAL INFRASTRUCTURE CANADA ;

AND WHEREAS THE APPLICATION DEADLINE FOR RECREATIONAL INFRASTRUCTURE CANADA IS MAY 29, 2009.

THEREFORE BE IT RESOLVED THAT;

THE TOWN OF GEORGINA APPROVES IN PRINCIPLE AND SUBMITS A GRANT APPLICATION TO THE RECREATIONAL INFRASTRUCTURE PROGRAM FOR THE FOLLOWING PROJECTS:

- WHIPPER WATSON PARK,
- PLAYGROUND ACCESSIBILITY IMPROVEMENTS,
- MULTI-PURPOSE TRAIL IMPROVEMENTS,
- GEORGINA ICE PALACE MELTING PIT,
- LEASH FREE DOG PARK,
- STEPHEN LEACOCK THEATRE/CLUB 55 PARKING LOT.

THE TOWN OF GEORGINA APPROVES A BUDGET OF UP TO ONE THIRD OF THE COST FOR THE PROJECTS IDENTIFIED IN REPORT LS-2009-0011 AND, SUBJECT TO AN AGREEMENT WITH RECREATIONAL INFRASTRUCTURE CANADA, APPROVE FINANCING IN AN AMOUNT EQUAL TO ONE THIRD OF THE CONSTRUCTION COSTS, REPRESENTING GEORGINA'S SHARE OF RECREATIONAL INFRASTRUCTURE CANADA FUND PROGRAM

Carried.....

10.2 Matters subject to individual conflicts

n/a

11. DEPUTATIONS:

None.

12. PRESENTATIONS:

None.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

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

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.2 Reports from the Administrative Services Department:

17.2.2 Final Accessibility Plan 2008-2009

Report No. DAS-2009-0029

Moved by Councillor Hackenbrook

Seconded by Councillor Jordan Clark

That the Rules of Procedure be waived to allow JoAnn Lewis, Chair of the Georgina Accessibility Advisory Committee, to address Council.

Carried.....

Ms. JoAnn Lewis, Chair of the Georgina Accessibility Advisory Committee (GAAC), stated that the hard work of Town staff and the Committee members is reflected in the GAAC's Sixth Accessibility Plan for Georgina, outlining the achievements over the last year and the goals for the coming year.

Ms. Lewis explained that page 5 of the Plan indicates a numerical count of some of the barriers that have been identified and addressed so far, stemming back to the original consultations concerning a number of Town facilities. The Committee is more than half way through the number of barriers that need to be addressed and is proud of what has been accomplished to date. She noted that some of the barriers can be expensive to remediate or remove and staff has been paying attention to this fact through the annual budgets.



17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Ms. Lewis explained that the GAAC has three sub-committees; a Site Plan Sub-Committee which averages five reviews per month with recommendations back to the developers; a Guidelines Sub-Committee which has firmed up additional amendments to the accessibility guidelines concerning signage; and a Public Education Sub-Committee actively trying to educate the community about the needs of folks with disabilities.

Ms. Lewis indicated that the GAAC continues to enjoy wonderful relationship with Council and senior staff and thanked the Town Clerk, the Committee Secretary and Councillor Hackenbrook as Council representative on the Committee, for their contributions to the Committee.

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

**RESOLUTION NO. C-2009-0257**

1. THAT REPORT NO. DAS-2009-0029 AND THE DEPUTATION MADE BY JOANN LEWIS, CHAIR OF THE GEORGINA ACCESSIBILITY ADVISORY COMMITTEE BE RECEIVED.
2. THAT THE FINAL ACCESSIBILITY PLAN FOR 2008-2009 AS PRESENTED BE APPROVED.

Carried.....

17.2 Reports from the Administrative Services Department:

No members of the public were in attendance with an interest in this matter.

(7:25 p.m.)

- 17.2.1 Sale of a Portion of Maple Street Road Allowance,  
West Side of Queen Street, Plan 69, Sutton

Report No. DAS-2009-0024

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

**RESOLUTION NO. C-2009-0258**

1. THAT REPORT NO. DAS-2009-0024 BE RECEIVED FOR INFORMATION.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

2. THAT A BY-LAW BE PASSED TO STOP UP, CLOSE AND SELL THAT PORTION OF THE MAPLE STREET ROAD ALLOWANCE, SHOWN ON SCHEDULE '1' ATTACHED TO REPORT NO. DAS-2009-0024, AS A BUILDING LOT.
3. THAT STAFF REPORT BACK ON THE BALANCE OF THE MUNICIPAL LAND HOLDINGS BETWEEN QUEEN STREET AND THE RIVER REGARDING THEIR FUTURE USE, FOR COUNCIL'S CONSIDERATION.

Carried.....

15. COMMUNICATIONS:

15.2 Matters for Disposition:

- 15.2.1 Michael Smith of Michael Smith Planning Consultants respecting parking requirements on the Di Domenico property.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2009-0259**

THAT CORRESPONDENCE FROM MICHAEL SMITH OF MICHAEL SMITH PLANNING CONSULTANTS RESPECTING PARKING REQUIREMENTS ON THE DI DOMENICO PROPERTY BE RECEIVED AND FORWARDED FOR CONSIDERATION IN CONJUNCTION WITH ITEM NO. 14.1.1 OF THIS AGENDA

Carried.....

- 15.2.2 Mark Cousins, Ontario Family Fishing Weekend Steering Committee, requesting Council declare the weekend of July 10 to 12, 2009 as 'Ontario Family Fishing Weekend' and to advertise the event in any calendar of summer events published for the Town of Georgina.

Moved by Councillor Hackenbrook

Seconded by Councillor Jamieson

**RESOLUTION NO. C-2009-0260**

THAT TOWN COUNCIL DECLARE THE WEEKEND OF JULY 10 TO 12, 2009 AS "ONTARIO FAMILY FISHING WEEKEND" AND THAT THE DECLARATION BE

15. COMMUNICATIONS cont'd:

ADVERTISED ON THE TOWN PAGE IN THE LOCAL NEWSPAPER AND ON THE TOWN'S WEBSITE, INCLUDING A LINK TO THE PROVINCE OF ONTARIO'S WEBSITE FOR ADDITIONAL INFORMATION.

Carried.....

- 15.2.3 Kerri O'Kane, Deputy Clerk, Township of Centre Wellington, requesting support of its position for the Provincial Government to amend Bill 221, an Act to Amend the Workplace Safety and Insurance Act, 1997, with respect to firefighters and certain related occupants to 'include' volunteer firefighters and part-time firefighters.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2009-0261**

THAT CORRESPONDENCE FROM KERRI O'KANE, DEPUTY CLERK, TOWNSHIP OF CENTRE WELLINGTON, REQUESTING SUPPORT OF ITS POSITION FOR THE PROVINCIAL GOVERNMENT TO AMEND BILL 221, AN ACT TO AMEND THE WORKPLACE SAFETY AND INSURANCE ACT, 1997, WITH RESPECT TO FIREFIGHTERS AND CERTAIN RELATED OCCUPANTS TO 'INCLUDE' VOLUNTEER FIREFIGHTERS AND PART-TIME FIREFIGHTERS, BE RECEIVED AND REFERRED TO THE FIRE CHIEF FOR RESPONSE.

Carried.....

- 15.2.4 Association of Municipalities of Ontario advising of the June 12<sup>th</sup> deadline for submission of applications to the \$115.7 Million Community Adjustment Fund for projects that 'provide a legacy of longer-term ecological and/or economic benefits'.

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

**RESOLUTION NO. C-2009-0262**

THAT CORRESPONDENCE FROM ASSOCIATION OF MUNICIPALITIES OF ONTARIO ADVISING OF THE JUNE 12<sup>TH</sup> DEADLINE FOR SUBMISSION OF APPLICATIONS TO THE \$115.7 MILLION COMMUNITY ADJUSTMENT FUND FOR PROJECTS THAT 'PROVIDE A LEGACY OF LONGER-TERM ECOLOGICAL

15. COMMUNICATIONS cont'd:

AND/OR ECONOMIC BENEFITS' BE RECEIVED AND REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER TO CONSIDER MAKING APPLICATION TO THIS PROJECT FOR THE KEFFER'S MARINA SITE AND ANY OTHER APPLICABLE PROJECTS.

Carried.....

14. PUBLIC MEETINGS:14.1 Statutory Public Meeting:

(7:30 p.m.)

14.1.1 Application to Amend Zoning By-law 500,  
Accessible Parking Standards; Town of Georgina  
General Amendment

Report No. PB-2009-0040

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

Adam Lucas, Planner, stated that in December of 2008, the Georgina Accessibility Advisory Committee (GAAC) requested that the By-laws Department provide feedback and recommendations regarding the width of accessible parking spaces and the ratio of required spaces within the Town. Specifically, the GAAC wanted to address concerns regarding the fact that the 6 metre spaces are too wide as they can accommodate two accessible vehicles, and not enough spaces are being provided within the Town.

Mr. Lucas explained that the Chief Municipal Law Enforcement Officer investigated the issue and put forth recommendations to the GAAC in January of this year and the GAAC in turn recommended changes. Council on March 19th referred this matter to the Planning Department to make the necessary changes to the by-law regarding the width and ratio aspects.

Mr. Lucas also explained that the requirements for holding a statutory public meeting were not entirely met, in that staff inadvertently did not circulate the application to the prescribed bodies for comment. As a result, a second statutory public meeting has been scheduled for June 15, 2009. The circulation list includes agencies such as the Region of York, the Lake Simcoe Region Conservation Authority, Hydro One and Bell Canada.

Mr. Lucas stated that staff received correspondence from Michael Smith as agent for Nick and Cathy Di Domenico, concerning an application at 319 The Queensway South. He has spoken with Mr. Smith and his concerns relate to the fact that on February 25, 2008 Council approved a zoning by-law amendment to permit a day nursery at 319 The Queensway South and on January 27, 2009 the Site Plan

14. PUBLIC MEETINGS cont'd:

Review Committee granted conditional site plan approval to the development. He is concerned that under the new accessible parking space requirements, his clients would now be required to provide one accessible parking space. Given the size and constraints of the property, the applicants would not be able to provide an accessible parking space without a redesign of the site, or obtain relief from the provisions of the zoning by-law. He is requesting a provision in the amending by-law that this by-law not apply to the development of lands where lands have received site plan approval before passing of this by-law.

Mr. Lucas explained that staff reviewed development proposals presently in the site plan review process and development proposals which have received site plan approval or conditional site plan approval but have yet to obtain a building permit. All of the developments are able to comply with the proposed amendments with minor revisions to their site plans should the new provisions come into force and effect prior to the issuance of building permits. except for Mr. Smith's clients. He noted that where a landowner could expect a building permit to be issued before the amending zoning by-law comes into force and effect, staff will not be able to insist on the new standard. All existing development would be considered legal non-conforming, but staff will work with existing built developments in the Town to ensure that they are aware of the changes and encourage them to comply with the new accessible parking space requirements.

Mr. Lucas indicated that given that Mr. Smith's clients property is the only property not able to comply, staff suggest either passing a site specific amendment to the by-law for that property so they do not need to comply, or permit a reduction of one parking space for that property in order that they can provide for one accessible parking space.

Mr. Lucas explained that the Chief Municipal Law Enforcement Officer reviewed various zoning by-laws within York Region, which indicated that Georgina's six metre width was wider than the requirements of any other municipality and staff thought that the width should be brought more in line. The ratio issue was similar in nature; Georgina's ratio seems to be too low in comparison with other municipalities.

Mr. Harold Lenters, Director of Planning and Building, stated that the Town does not have a study showing any kind of statistics. The GAAC, through their work, felt that Georgina's standards were too low regarding ratio and the spaces too wide, through reviews and from practical experience. This information was confirmed by the Chief Municipal Law Enforcement Officer. The Planning staff have not found any evidence that would suggest the need for a specified number of spaces for certain types of businesses.

14. PUBLIC MEETINGS cont'd:

Mr. Lenters indicated that staff has approached some of the larger developers within the Town with regard to the potential requirement for more accessible parking spaces and most of the developers have been very cooperative. He does not believe that the minor alterations to site plans would be an issue. He indicated that Mr. Smith's client's site is tight and congested with just enough property for the intended use and a better alternative would be to allow a reduction of one parking space to allow for one accessible spot, but staff will discuss this issue with Mr. Smith.

Mr. Lenters indicated that staff will determine first-hand the width required for accessible parking spaces prior to the by-law being passed.

Ms. JoAnn Lewis, Chair of the Georgina Accessibility Advisory Committee, stated that she is reluctant as Chair to make any comments at this time without first referring to the rest of the Committee and would be willing to make comments at the June 15th meeting.

Moved by Regional Councillor Wheeler

Seconded by Councillor Hackenbrook

**RESOLUTION NO. C-2009-0263**

THAT REPORT NO. PB-2009-0040 ENTITLED "APPLICATION TO AMEND ZONING BY-LAW 500, ACCESSIBLE PARKING STANDARDS; TOWN OF GEORGINA GENERAL AMENDMENT" BE RECEIVED FOR INFORMATION.

Carried.....

14.2 Continuation of a Planning Application (interested parties notified):

(7:56 p.m.)

- 14.2.1 Application to Amend the Official Plan and Zoning  
By-law 500  
Deep Patel (Baldwin Go Karts)  
Part Lot 1, Concession 2 (G), 23721 Highway 48  
AGENT: Michael T. Larkin, Larkin & Associates Planning  
Consultants

Report No. PB-2009-0041

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

Mr. Adam Lucas, Planner, provided Council and staff with an 11" x 17" copy of the latest revised site plan.

14. PUBLIC MEETINGS cont'd:

Mr. Larkin, agent for the applicant, stated that this is a continuation of an ongoing public meeting concerning the development of a go-kart facility and recognizing an existing paint ball operation and possibly an indoor paintball facility as well. The proposal has been through considerable technical analysis over the years since the application was initially submitted in 2005. The first meeting was held in August of 2006 and the applicant has been working to perfect the proposal since that time. He has addressed all the issues with regard to the Greenbelt Plan, York Region's Official Plan, the Town's Official Plan and Zoning By-law 500.

Mr. Larkin stated that buffer concerns expressed at past meetings have been dealt with through added buffering to the area so that the abutting residential properties and the woodlot are not affected by the facility and abutting residential uses are not affected, particularly the resident to the south. A site plan has not yet been submitted, but the majority of the site plan details have been addressed.

Mr. Adam Lucas, Planner, gave a brief history of the property. The third public meeting was held in April of 2008 for go-kart and indoor/outdoor paint ball uses on the subject property. The staff report recommended approval at that time but during the public meeting, issues arose with regard to the owner's desire to proceed with the application and who the applicant's agent was. Therefore, the application was deferred until the applicant clarified the owner's intention for the lands. On February of this year, a continuation of the public meeting was held and due to the number of issues regarding the ownership of the property, the inactivity of the applications, and the illegal uses respecting the outdoor paintball facility, staff recommended that the applications be refused and the files be closed. Mr. Patel, the applicant, submitted a letter from his lawyer requesting a 90 day extension in order to clarify the ownership issue and Council granted a 90 day extension to today's date.

Mr. Lucas explained that Mr. Patel submitted a letter on May 13<sup>th</sup> from Mr. Inserra indicating that Mr. Inserra is the legal owner of the subject property and the mortgagee. He noted that the circulation for the application was increased to 120 metres surrounding the subject property. Mr. Inserra is now in support of the proposed uses subject to complying with Town regulations. Considering this new information from Mr. Inserra as the owner, staff is satisfied that the issues have been satisfactorily addressed and staff is supportive of the application.

Mr. Lucas indicated that he would require a future site plan with regard to various issues including parking, buffers, fencing, landscaping, stormwater management, paving of the parking area, to be discussed at the site plan approval process. The meeting being held this evening is to deal with the zoning by-law application

14. PUBLIC MEETINGS cont'd:

to allow a go-kart facility on the subject property, but it is still subject to the issues of the actual use, taking place through site plan discussions. All individuals having an interest in this application would be notified of any future site plan meetings and could provide input at these site plan meetings.

Rob Gilchrist of 23761 Hwy 48 stated that he owns the adjacent property to the north of the subject property. The paintball noise issue is being addressed through noise buffers and fencing, but inquired if the fencing has been approved or reviewed by the Ministry of Natural Resources with regard to the local wildlife.

Mr. Harold Lenters, Director of Planning and Building, stated that he is unclear as to the rules and regulations with regard to the netting. He is unaware of whether or not the netting should be painted a certain colour to warn birds of its presence, but this issue could be addressed at the site plan stage, assuming there is netting that could be used without creating an impact on wildlife. He mentioned that some golf courses have erected netting around golf driving ranges and staff will investigate this issue further.

Mr. Gilchrist inquired if the netting needs to be taken down or pulled back in certain seasons, who would be responsible for this and who would be monitoring the property to ensure that it is done. He indicated that the applicant's agent did not mention the go-kart facility, just the paintball facility and wonders if the noise study that was done included the noise involved with the squealing of tires also, or just noise resulting from the go-kart engines.

Mr. Lucas stated that the noise study that was conducted primarily dealt with the size of go-kart engines with no conclusion respecting the noise created by squealing tires, etc.

Mr. Gilchrist stated that he believes more study is required to determine how much noise the surrounding residents will be subjected to.

Mrs. Josey Gilchrist of 23761 Hwy 48 inquired if the proposed five foot fence will be erected just around the perimeter of the go-kart track or if fencing will be erected to surround the parking area also.

Mr. Lenters stated that the privacy fencing being proposed will be adequate, noting that the Gilchrists will be invited to all site plan meetings at which the fencing will be discussed.



14. PUBLIC MEETINGS cont'd:

Mrs. Gilchrist inquired if the hours of operation, proposed to be from April to October, are able to be changed, as well as the proposed operating times of 10:00 a.m. to 7:00 p.m. Mr. Lenters stated that zoning by-laws do not address operation times or dates. Staff has discussed this issue with the Town Solicitor and there are two avenues that could be pursued; one would be to create a licensing by-law on the matter and the other would be to register a restricted covenant on title. The solicitor suggested that a restrictive covenant would be the best approach to deal with this issue for this application, which should be done prior to the passing of the zoning by-law.

Mr. Larkin explained that he was just made aware of a change to the application by his client. Mr. Inserra and his client have decided to remove the proposed outdoor paintball facility from application, so that the application just applies to an indoor paintball facility and outdoor go-kart track. He advised that his client will cease the operation of the outdoor paintball facility and therefore the fencing/netting will no longer be required to contain the paintballs and the wildlife concerns will no longer be an issue.

Mr. Lenters inquired if the removal of the outdoor paintball facility from this application has occurred due to the fact that the applicant is attempting to operate a paintball facility elsewhere in the Town.

Mr. Patel stated that he has opened a paintball facility on Weir's Sideroad because there is a legal non conforming paintball use in existence at this location and this is the reason he has removed the outdoor paintball facility on the Highway 48 property. He is working through an issue with regard to the use being closed down for approximately 1 ½ years.

Mr. Lenters stated that staff, through the Town Solicitor, has reviewed the issues regarding the Weir's Sideroad property use. Staff has concerns that the use was discontinued and therefore the paintball use has not been established as legal non-conforming yet, but this is still being investigated. The use was an illegal use up until its cessation.

Ms. Sue Plamondon, Chief Administrative Officer, stated that in the opinion of the Town Solicitor, there is insufficient evidence provided to date as to the legal non-conforming status of the Weir's Sideroad property and Mr. Patel may be able to provide some evidence to that status. She stated that it is a difference of opinion as to whether or not any non-conforming use that existed has the ability to continue.

Mr. Larkin indicated that as far as subject property is concerned, his client is abandoning the outdoor paintball facility portion of the application, but the indoor facility will remain. He added that there is evidence through the Planning Department that the indoor facility may be permitted if it is operated as a Club.

14. PUBLIC MEETINGS cont'd:

Ms. Plamondon stated that it appears from correspondence from Inserra's solicitor that Power of Sale proceedings have commenced which is a legal proceeding brought by mortgagees when money owing has not been paid. Mr. Inserra has been protecting his position as mortgagee over the years. Power of Sale proceedings are commenced independently from the court system and title can pass from Mr. Inserra to a purchaser without the property owner consenting. Mr. Inserra as the mortgagee is in control of the property and has the ability to institute a Power of Sale proceeding and transfer title without going to court.

Mr. Plamondon explained that if the owner does not take advantage of the opportunities that the zoning of the property can provide, there is nothing to compel the owner to do so and nothing that says the owner has to consent. The mortgagee does have rights and is acting on those rights and consenting to this change. If the registered owners ever redeem the mortgage, they can act on the approvals given or not, but they have not objected to them to date. Council has been requested to make a land use decision, not an ownership decision.

Mr. Gilchrist stated that based on what has been brought to light on the ownership of the subject property and the management of the property to date, he would strongly recommend that Council decline this application.

Mr. Inserra of 48 Aird Court, Baldwin, stated that he would like to clarify some points. He explained that since the applicant has now removed the outdoor paintball facility from the application and he has done some research on the go-kart operation and found that the noise situation is not as severe as he first thought, he no longer objects to the application. He stated that he expects the applicant to comply with all of the Town's requirements and follow the lease requirements as well as erecting a fence around the perimeter of the area and provide buffers.

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

**RESOLUTION NO. C-2009-0264**

- A. THAT REPORT PB-2009-0041 BE RECEIVED AS INFORMATION.
- B. THAT THE APPLICATION SUBMITTED BY DEEP PATEL TO AMEND THE GEORGINA OFFICIAL PLAN TO PERMIT A GO-KART TRACK AND INDOOR PAINTBALL USES ON LAND DESCRIBED AS PART OF LOT 1, CONCESSION 2 (G) BE APPROVED.

14. PUBLIC MEETINGS cont'd:

- C. THAT THE AMENDING BY-LAW TO ADOPT THE OFFICIAL PLAN AMENDMENT CONTAIN THE SITE SPECIFIC POLICIES DESCRIBED IN REPORTS PB-2008-0021 AND PB-2008-0046.
- D. THAT THE APPLICATION SUBMITTED BY DEEP PATEL TO AMEND THE EXISTING HIGHWAY COMMERCIAL (C2-2) ZONING AND TO REZONE A PORTION OF THE LAND FROM RURAL (RU) TO SITE SPECIFIC RURAL (RU-XX) AND OPEN SPACE (OS-XX) IN ORDER TO PERMIT A GO-KART TRACK AND INDOOR PAINTBALL USES ON LAND DESCRIBED AS PART OF LOT 1, CONCESSION 2 (G) BE APPROVED.
- E. THAT THE AMENDING ZONING BY-LAW CONTAIN THE SITE SPECIFIC PROVISIONS AS DESCRIBED IN REPORTS PB-2008-0021 AND PB-2008-0046.
- F. THAT PRIOR TO THE PASSING OF THE AMENDING ZONING BY-LAW THE TOWN SOLICITOR PREPARE AND HAVE REGISTERED ON TITLE A RESTRICTIVE COVENANT AGREEMENT BETWEEN THE OWNER AND TOWN PERTAINING TO THE HOURS OF OPERATION OF THE GO-KART USE ALL OF WHICH SHALL BE CARRIED OUT AT THE OWNER'S/APPLICANT'S EXPENSE.
- G. THAT THE TOWN CLERK FORWARD THE OFFICIAL PLAN AMENDMENT, REPORT PB-2009-0041 AND COUNCIL'S RESOLUTION THEREON TO THE REGIONAL COMMISSIONER OF PLANNING AND DEVELOPMENT SERVICES FOR THEIR APPROVAL.
- H. THAT ANY PROPERTY OWNERS WHO HAVE REQUESTED TO BE CONSIDERED AN INTERESTED PARTY TO THE APPLICATIONS (FILE NOS. 03.971 & 02.150) BE INVITED TO ATTEND ANY SITE PLAN COMMITTEE MEETINGS HELD WITH RESPECT TO THE DEVELOPMENT OF THIS SITE.
- I. 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 THE EVENT THAT MINOR REVISIONS TO THE PROPOSED AMENDING ZONING BY-LAW ARE REQUIRED.

Carried.....

Planning staff was requested to ensure that the indoor paintball facility proposed to be located at 23721 Highway 48 is in compliance with the requirements of all relevant provisions of the Fire Code and Building Code.

15. COMMUNICATIONS:15.2 Matters for Disposition:

- 15.2.5 Michael Harding, Mayor, City of Woodstock, concerning the 'Count Me In! Community Challenge'.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2009-0265**

THAT THE TOWN OF GEORGINA PARTICIPATE IN THE 'COUNT ME IN COMMUNITY CHALLENGE' TO WORK TOWARDS THE HIGHEST OVERALL REDUCTION IN ELECTRICITY CONSUMPTION ON FRIDAY, AUGUST 14 AND THE HIGHEST PER CAPITA INVOLVEMENT IN THE COUNT ME IN! PLEDGE.

Carried unanimously.....

16. PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

None.

20. BY-LAWS:

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

That the following by-law be given three readings:

- 20.1 By-law Number 2009-0055 (HO-1) Being a By-law to designate the property at 163 High Street, Sutton, as a property of Cultural Heritage Value or Interest.

Carried.....

21. MOTIONS:

Greater Toronto Area Countryside Mayors Alliance

Moved by Councillor Szollosy

Seconded by Councillor Smockum

**RESOLUTION NO. C-2009-0266**

WHEREAS THE WORLD'S ECONOMY HAS ENTERED INTO A PERIOD OF SLOW ECONOMIC GROWTH;

AND WHEREAS GOVERNMENTS THROUGHOUT THE WORLD HAVE INTRODUCED VARIOUS STIMULUS PACKAGES TO ENCOURAGE ECONOMIC GROWTH;

AND WHEREAS THE UNITED STATES OF AMERICA IS CANADA'S LARGEST TRADING PARTNER AND A SIGNATORY OF THE NORTH AMERICAN FREE TRADE AGREEMENT;

AND WHEREAS THE GREATER TORONTO AREA COUNTRYSIDE MAYOR'S ALLIANCE IS SUPPORTIVE OF FREE TRADE BETWEEN CANADA AND THE UNITED STATES WHICH HAS EXISTED FOR MANY YEARS;

AND WHEREAS THE GOVERNMENT OF THE UNITED STATES OF AMERICA HAS INTRODUCED INFRASTRUCTURE STIMULUS PACKAGES INCLUDING THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) WHICH INCLUDES 'BUY AMERICAN' PROVISIONS FOR STEEL AND OTHER MANUFACTURED PRODUCTS;

AND WHEREAS THESE RESTRICTIVE PROVISIONS WHICH ARE CONTRARY TO THE SPIRIT OF FREE TRADE WILL PREVENT CANADIAN COMPANIES FROM BIDDING ON CONTRACTS WHICH CONTAIN THE 'BUY AMERICAN' PROVISIONS AT THE MUNICIPAL AND STATE LEVELS IN THE UNITED STATES SINCE NAFTA AND THE GENERAL PROCUREMENT AGREEMENT OF THE WORLD TRADE ORGANIZATION DO NOT NULLIFY SUCH PROVISIONS AT THOSE LEVELS;

AND WHEREAS CANADIAN STIMULUS INFRASTRUCTURE PROGRAMS DO NOT CONTAIN ANY RESTRICTIONS ON MANUFACTURERS FROM OTHER COUNTRIES INCLUDING THE UNITED STATES BIDDING ON SUCH CONTRACTS IN CANADA;

21. MOTIONS cont'd:

AND WHEREAS CANADIAN COMPANIES MAY BE ADVERSELY AFFECTED BY THESE RESTRICTIONS POSSIBLY LEADING TO LAY-OFFS AND FINANCIAL LOSSES AND FURTHER COULD LEAD TO THE EROSION OF THEIR OVERALL VIABILITY;

NOW THEREFORE BE IT RESOLVED THAT THE GREATER TORONTO AREA COUNTRYSIDE MAYOR'S ALLIANCE (GTACMA) IS SUPPORTIVE OF FREE TRADE BETWEEN THE UNITED STATES AND CANADA AND THAT THE RESTRICTIVE 'BUY AMERICAN' PROVISIONS IN THE AMERICAN RECOVERY AND REINVESTMENT ACT ARE CONTRARY TO THAT SPIRIT OF FREE TRADE;

AND FURTHER THAT IT BE RESOLVED THAT THE GTACMA SUPPORTS THE CANADIAN MANUFACTURERS AND EXPORTERS IN ITS QUEST TO HAVE THE UNITED STATES CONGRESS RECONSIDER AND REPEAL THEIR CURRENT 'BUY AMERICAN' REQUIREMENTS FOR THE UNITED STATES STIMULUS PACKAGES;

AND FURTHER THAT IT BE RESOLVED THAT CANADIAN MUNICIPALITIES ADOPT A PROCUREMENT POLICY THAT FUTURE CANADIAN INFRASTRUCTURE PROJECTS AT THE MUNICIPAL LEVEL, INCLUDING ENVIRONMENTAL PROJECTS SUCH AS WATER AND WASTEWATER TREATMENT PROJECTS, REQUIRE THAT ANY GOODS AND MATERIALS REQUIRED FOR THE PROJECTS BE BOUGHT ONLY FROM COMPANIES WHOSE COUNTRIES OF ORIGIN DO NOT IMPOSE LOCAL TRADE RESTRICTIONS AGAINST GOODS AND MATERIALS MANUFACTURED IN CANADA TO BETTER ENSURE OPEN, FAIR AND COMPETITIVE PRACTICES ACROSS THE GLOBE;

AND FURTHER THAT IT BE RESOLVED THAT THE GTACMA REQUESTS THE TOWN OF HALTON HILLS TO PRESENT THIS RESOLUTION TO THE FEDERATION OF CANADIAN MUNICIPALITIES FOR THEIR CONSIDERATION OF ENDORSEMENT, WITH A REQUEST THAT IT BE PRESENTED AT ITS ANNUAL CONVENTION JUNE 5-8, 2009;

AND FURTHER THAT IT BE RESOLVED THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE PRIME MINISTER, THE PREMIER OF ONTARIO, THE FEDERAL AND PROVINCIAL MINISTERS OF TRADE AND INDUSTRY, THE REGIONS OF DURHAM, YORK, PEEL, HALTON AND ALL MUNICIPALITIES THEREIN, THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO (AMO) AND THE CANADIAN MANUFACTURERS AND EXPORTERS ASSOCIATION (CME).

Carried unanimously.....

22. NOTICES OF MOTION:

None.

23. OTHER BUSINESS:

23.1 Udora Hall Board Appointment

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

**RESOLUTION NO. C-2009-0267**

THAT THE FOLLOWING INDIVIDUAL BE APPOINTED TO THE UDORA HALL BOARD:

NANCY MARR

Carried.....

The Chief Administrative Officer was requested to investigate, with the assistance of the Director of Engineering and Public Works, the potential for the installation of a permanent gate at the Pefferlaw Dam so that staff can raise/lower the gate when necessary, rather than removing and then reinstalling planks with the use of heavy equipment each year.

The Director of Engineering and Public Works was requested to arrange for the water tap at the corner of Black River Road and Park Road to be painted and for the necessary signs to be erected, in short order.

24. CONFIRMING BY-LAW

Moved by Councillor Smockum

Seconded by Councillor Szollosy

That the following by-law be given three readings:

By-law Number 2009-0056 (COU-2)

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

Carried.....

25. ADJOURNMENT:

Moved by Councillor Jordan Clark

Seconded by Regional Councillor Wheeler

That the meeting adjourn at this time (9:10 p.m.)

Carried.....

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Robert Grossi, Mayor

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Roland Chenier, Town Clerk