THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL AGENDA

December 14, 2009 (7:00 p.m.) **Georgina Sutton Arena Hall, 2nd Floor**

**The 2010 Operating and Capital Budget Public Input Session will be held at 6:30 p.m. in the Georgina Sutton Arena Hall. 2nd Floor

- 1. MOMENT OF MEDITATION:
- 2. ROLL CALL:
- 3. <u>COMMUNITY SERVICE ANNOUNCEMENTS:</u>
- 4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:
- 5. APPROVAL OF AGENDA:
- 6. DECLARATION OF PECUNIARY INTEREST:
- 7. ADOPTION OF THE MINUTES:

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- 7.1 Minutes of the Council Meeting held on November 23, 2009.
- 8. <u>BUSINESS ARISING FROM THE MINUTES:</u>
- 9. <u>DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:</u>
- 10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:
 - 10.1 <u>Matters not subject to individual conflicts</u>
 - 10.2 <u>Matters subject to individual conflicts</u>
- 11. DEPUTATIONS:
- 12. PRESENTATIONS:
- 13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:
- 14. PUBLIC MEETINGS:

15. COMMUNICATIONS:

15.1 Matters for Routine:

15.1.1 Routine Correspondence

(Advisement: please advise the Town Clerk prior to the meeting if you would like an item discussed, so that it can be made available at the meeting)

15.2 <u>Matters for Disposition:</u>

Sharon Vokes, County Clerk, County of Grey, requesting support of its position respecting several concerns with Bill 150, the Green Energy and Green Economy Act.

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Mafalda Avellino, Executive Director, Regional Municipality of York Police Services Board, requesting local municipal governments with the Regional Municipality of York to enact appropriate by-laws to enable the recovery of costs incurred by police in the dismantling, removal and disposal of indoor marihuana grow operations.

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15.2.3 Kat Taylor-Jackson, Kat's Gallery, concerning some issues with the funding to the Georgina Arts Centre.

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Town of Niagara-On-The-Lake requesting support and endorsement of its position concerning entering into a benefit sharing agreement with lower tier municipalities.

16. PETITIONS:

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

- 17.1 Recommendations from the Committee of the Whole Meeting held on December 7, 2009:
 - 17.1.1 1. THAT REPORT NO. DAS 2009-0066, "2010 INTERIM TAX" BE RECEIVED FOR INFORMATION.
 - 2. THAT COUNCIL AUTHORIZE THE FOLLOWING REGARDING THE 2010 INTERIM REALTY TAX I EVIES:
 - THAT THE COUNCIL OF THE TOWN OF GEORGINA AUTHORIZE AN INTERIM TAX LEVY ON ALL RATEABLE REAL PROPERTY IN THE TOWN OF GEORGINA WHICH HAS BEEN ASSESSED ACCORDING TO THE LAST REVISED ASSESSMENT ROLL; AND

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

- THAT THE 2010 INTERIM TAX LEVY BE SET AT 50% OF THE TOTAL 2009 TAXES PAYABLE ON EACH PROPERTY; AND
- THAT FOR NEW PROPERTIES ADDED TO THE ASSESSMENT ROLL FOR 2010 TAXATION, TAX RATES WOULD BE EQUIVALENT TO 50% OF THE 2009 TAX RATE AS INDICATED BY APPENDIX "A"; AND
- THAT THE INTERIM TAX LEVY FOR THESE REALTY TAXES BE PAID IN TWO RELATIVELY EQUAL INSTALLMENTS AND THE INSTALLMENTS SHALL BE DUE THURSDAY, FEBRUARY 25, 2010 AND WEDNESDAY, APRIL 28, 2010; AND
- THAT THE TREASURER AND/OR TAX COLLECTOR BE AUTHORIZED TO AMEND IN WHOLE OR IN PART ANY BILLING IN ORDER TO COMPLY WITH ANY PROVINCIAL LEGISLATION WHICH MAY BE INTRODUCED OR PASSED BY THE PROVINCE OF ONTARIO PRIOR TO OR AFTER THE ISSUANCE OF THE BILLING; AND
- THAT THE ATTACHED BY-LAW BE PASSED GIVING EFFECT TO THESE
- 17.1.2 1. THAT COUNCIL RECEIVE REPORT DAS-2009-0068
 REGARDING THE AUDIT PLAN FOR THE 2009 FISCAL YEAR
 (ATTACHED).
 - 2. THAT COUNCIL ADOPT THE AUDIT PLAN FOR THE 2009 FISCAL YEAR AS PREPARED BY GRANT THORNTON LLP CHARTERED ACCOUNTANTS IN CONSULTATION WITH TOWN STAFF.
- 17.1.3 1. THAT COUNCIL RECEIVE REPORT DAS-2009-0069
 REGARDING TEMPORARY BORROWING APPROVAL FOR
 THE 2010 FISCAL YEAR.
 - 2. THAT COUNCIL AUTHORIZE THE MAYOR AND TOWN TREASURER TO JOINTLY BORROW, BY WAY OF PROMISSORY NOTE, THE AMOUNTS REQUIRED TO MEET THE CURRENT EXPENDITURES OF THE CORPORATION IN 2009 UNTIL TAXES ARE COLLECTED AND OTHER REVENUES ARE RECEIVED, NOT TO EXCEED THE LIMITS ESTABLISHED UNDER THE MUNICIPAL ACT, BEING SPECIFICALLY:

- A. FROM JANUARY 1 TO SEPTEMBER 30, 50% OF THE TOTAL ESTIMATED REVENUES FOR THE PRECEDING YEAR: AND
- B. FROM OCTOBER 1 TO DECEMBER 31, 25% OF THE TOTAL ESTIMATED REVENUES FOR THE PRECEDING YEAR.
- 2. THAT THE ATTACHED BY-LAW BE PASSED AUTHORIZING SUCH BORROWINGS.
- 17.1.4 1. THAT COUNCIL RECEIVE REPORT DAS-2009-0070 REGARDING INTERIM APPROPRIATIONS FOR THE 2010 FISCAL YEAR.
 - 2. THAT COUNCIL APPROVE 2010 INTERIM APPROPRIATIONS FOR TOWN OPERATIONS AT AN AMOUNT NOT TO EXCEED \$16,340,030.
- 17.1.5 1 THAT REPORT NO. LS-2009-0028 BE RECEIVED.
 - 2. THAT COUNCIL ENDORSE THE OPERATIONS MODEL FOR THE PEFFERLAW ICE PAD CONDITIONAL TO THE PEFFERLAW ICE PAD COMMITTEE PROVIDING THE NECESSARY VOLUNTEERS TO SUPPORT THE PROGRAM.
- 17.1.6 1 THAT REPORT NO. LS2009-0029 BE RECEIVED.
 - THAT A BY-LAW BE PASSED AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH LATITUDE 67 LIMITED FOR CONTRACT LS2009-064 BASEBALL DIAMOND, TENNIS COURT AND PARKING LOT CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$1,021,000.00.
- 17.1.7 THAT COUNCIL GRANT RELIEF FROM SECTION 2 (C) OF BY-LAW NO. 90-35 (PWE-1) TO PERMIT GERRY BROUWER TO COMMISSION BY WRITTEN CONSENT A HUNTER TO HUNT DEER WITH A FIREARM ON HIS SOD FARM PROPERTIES FRONTING CIVIC CENTRE ROAD TO DECEMBER 31, 2009, TO PROTECT HIS PROPERTIES FROM DAMAGE CAUSED BY DEER.
- 17.1.8 1. THAT REPORT NO. DAS-2009-0062 BE RECEIVED FOR INFORMATION.
 - 2. THAT THE COUNCIL OF THE TOWN OF GEORGINA APPROVE THE SCHEDULE OF MEETINGS FROM JANUARY, 2010 TO JUNE, 2010 AS AMENDED BY RESCHEDULING THE MARCH 22^{ND} COUNCIL MEETING TO MARCH 29^{TH} AT 7:00 P.M.,

INCLUDING THE WEEK OF MARCH 22ND AS COUNCIL BREAK AND SCHEDULING A COUNCIL ISSUES SESSION TO BE HELD IMMEDIATELY PRECEDING THE COUNCIL MEETING ON MARCH 29TH FROM 4:00 P.M. TO 7:00 P.M. IF REQUIRED, AND THAT ALL COMMITTEES OF COUNCIL ADHERE TO THIS SCHEDULE.

- 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.
- 17.1.9 1. THAT COUNCIL RECEIVE REPORT DAS-2009-0065
 REGARDING REQUEST FOR PROPOSAL (RFP) FOR
 STRUCTURAL AUDIT STUDY OF THE TOWN OF GEORGINA
 CIVIC CENTRE.
 - 2. THAT COUNCIL ACCEPT THE PROPOSAL RECEIVED FROM GRG BUILDING CONSULTANTS IN THE AMOUNT OF \$24,300.00 NET OF GST FOR THE COMPLETION OF A STRUCTURAL AUDIT STUDY OF THE TOWN OF GEORGINA CIVIC CENTRE
- 17.1.10 THAT REPORT NO. DAS 2009-0067 ENTITLED "SALE OF LAND BY PUBLIC TENDER HELD NOVEMBER 24, 2009" BE RECEIVED AND THAT STAFF REVIEW THE TAX SALE PROVISIONS OF THE MUNICIPAL ACT PRIOR TO THE NEXT TAX SALE WITH RESPECT TO THE POTENTIAL LIKELIHOOD OF AGREEMENTS BETWEEN THE HIGHER AND LOWER TENDERERS FOLLOWING THE OPENING OF TENDERS.
- 17.1.11 THAT REPORT NO. EPW-2009-0040 ENTITLED 'JOINT WASTE DIVERSION STRATEGY 2009 UPDATE' BE RECEIVED FOR INFORMATION.
- 17.1.12 1. THAT REPORT NO. LS-2009-0026 BE RECEIVED.
 - 2 THAT COUNCIL AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO LAYTON ROOFING IN AN AMOUNT NOT TO EXCEED \$7,500.00 FOR REPLACEMENT OF ASPHALT ROOF SHINGLES AT VIRGINIA HALL.
 - 3 THAT COUNCIL AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$10,000.00 FOR REPLACEMENT OF DOORS & WINDOWS AT UDORA HALL.

- 17.1.13 1 THAT REPORT NO. LS-2009-0027 BE RECEIVED.
 - 2 THAT COUNCIL AWARD A CONTRACT IN AN AMOUNT NOT TO EXCEED \$90,000.00 TO MACK MECHANICAL SOLUTIONS INCORPORATED FOR SUPPLY AND INSTALLATION OF A NEW ROOF TOP HVAC UNIT AND INSTALLATION OF EQUIPMENT AND SYSTEM BALANCING AT THE GEORGINA LEISURE POOL; AND
 - THAT THE PURCHASING AGENT BE AUTHORIZED TO ISSUE A PURCHASE ORDER ACCORDINGLY; AND
 - 4 THAT THE FUNDS FOR THE ABOVE CONTRACT BE DRAWN FROM THE SUTTON ARENA RESERVE ACCOUNT; AND
 - THAT THE FUNDS NECESSARY FOR THE ABOVE WORK BE REPAID TO THE SUTTON ARENA RESERVE ACCOUNT OVER A FIVE YEAR PERIOD FROM THE GEORGINA LEISURE POOL RESERVE AND/OR ANNUAL BUDGET CONTRIBUTIONS, SUBJECT TO COUNCIL'S APPROVAL OF THE TOWN'S ANNUAL BUDGETS.
- 17.2 Report from the Engineering and Public Works Department:

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17.2.1 Olympic Torch Relay

Report No. EPW-2009-0043

Recommendation:

- 1. That Report No. EPW-2009-0043 be received for information.
- 2. That the Mayor and Council authorize the installation of temporary "no parking" signs along the Torch Route.
- 18. UNFINISHED BUSINESS:
- 19. **REGIONAL BUSINESS:**
- 20. BY-LAWS:
 - A By-law to levy an interim rate upon the taxable property in the Town of Georgina for the Taxation Year 2010.

(Advisement: Refer to Report No. DAS-2009-0066 considered by Committee of the Whole on December 7, 2009)

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20. BY-LAWS cont'd:

20.2 A By-law to authorize temporary borrowings in 2010.

(Advisement: Refer to Report No. DAS-2009-0069 considered by Committee of the Whole on December 7, 2009)

A By-law to authorize the Mayor and Clerk to enter into an Agreement with Latitude 67 Limited for Contract LS2009-064 for baseball diamond, tennis court and parking lot construction in an amount not to exceed \$1,021,000.00.

(Advisement: Refer to Report No. LS-2009-0029 considered by Committee of the Whole on December 7, 2009)

- 21. <u>MOTIONS:</u>
- 22. NOTICES OF MOTION:
- 23. OTHER BUSINESS:
- 24. CONFIRMING BY-LAW
- 25. ADJOURNMENT:

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

November 23, 2009 Keswick Club 55 (7:09 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 Council Members were present:

Mayor Grossi Councillor Jordan Clark (left at 8:55pm) Councillor Szollosy Councillor Smockum

Regional Councillor Wheeler Councillor Jamieson Councillor Hackenbrook

Mayor Grossi moved forward Item No. 23.1 at this time.

23. OTHER BUSINESS:

23.1 <u>Motion from Committee of Adjustment:</u>

Moved by Councillor Jordan Clark

Seconded by Councillor Jamieson

RESOLUTION NO. C-2009-0496

THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA BE REQUESTED TO HONOUR SANDY HOUGHTON WITH A COMMENDATION FOR HER QUICK THINKING AND THE ACTIONS THAT SHE TOOK TO ASSIST A CITIZEN IN GEORGINA DURING THE MEDICAL EMERGENCY THAT OCCURRED AT THE COMMITTEE OF ADJUSTMENT MEETING NOVEMBER 16, 2009.

Carried.....

3. COMMUNITY SERVICE ANNOUNCEMENTS:

3.1 Presentation of a commendation to honour Sandra Houghton for coming to the aid of a fellow resident during a medical emergency.

Mayor Grossi presented Sandra Houghton with a framed commendation and Councillor Jordan Clark presented Ms. Houghton with a plant.

3.2 Presentation of a Letter of Appreciation to Kathleen Foster for her years of service to the Town of Georgina.

Mayor Grossi presented Kathleen Foster with a framed certificate honouring her years of service and Councillor Jamieson presented Ms. Foster with a plant.

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

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

- 4.1 Report No. LS-2009-0025 entitled 'Approval of Recreation Infrastructure Canada (RINC) Contribution Agreement for Upgrading of Whipper Watson Park and Multi-Purpose Trails' as Item No. 17.4.1
- 4.2 A By-law to authorize the Mayor and Clerk to execute a Contribution Agreement for Infrastructure Projects between Her Majesty The Queen in Right of Ontario as represented by the Minister of Energy and Infrastructure and the Minister of Health Promotion and The Corporation of the Town of Georgina with respect to the upgrading of Whipper Watson Park and improvements to multi-purpose trail, as Item No. 20.3
- 4.3 Pedestrian crosswalk on Dalton Road as Item No. 19, Regional Business
- 4.4 Amendments to recommendations regarding Item No. 17.2.2, Report No. PB-2009-0082
- 4.5 Correspondence from the Municipal Infrastructure Group concerning the 'Joe Dales Sewage Pumping Station, Revisions to Schedule 'B' Class Environmental Assessment Information Package', Public Review Period
- 4.6 Signage in multi-use Regional forest tracts of land as No. 23. Other Business
- 4.7 Disturbances in Glenwoods Avenue Community Parking Lot as Item No. 23, Other Business

5. APPROVAL OF AGENDA:

Moved by Councillor Jamieson

Seconded by Councillor Smockum

RESOLUTION NO. C-2009-0497

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

- 5.1 REPORT NO. LS-2009-0025 ENTITLED 'APPROVAL OF RECREATION INFRASTRUCTURE CANADA (RINC) CONTRIBUTION AGREEMENT FOR UPGRADING OF WHIPPER WATSON PARK AND MULTI-PURPOSE TRAILS' AS ITEM NO. 17.4.1
- A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A CONTRIBUTION AGREEMENT FOR INFRASTRUCTURE PROJECTS BETWEEN HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF ENERGY AND INFRASTRUCTURE AND THE MINISTER OF HEALTH PROMOTION AND THE CORPORATION OF THE TOWN OF GEORGINA WITH RESPECT TO THE UPGRADING OF WHIPPER WATSON PARK AND IMPROVEMENTS TO MULTI-PURPOSE TRAIL AS ITEM NO. 20.3
- 5.3 PEDESTRIAN CROSSWALK ON DALTON ROAD AS ITEM NO. 19, REGIONAL BUSINESS
- 5.4 AMENDMENTS TO RECOMMENDATIONS REGARDING ITEM NO. 17.2.2, REPORT NO. PB-2009-0082
- 5.5 CORRESPONDENCE CONCERNING THE MUNICIPAL INFRASTRUCTURE GROUP, SCHEDULE 'B', FROM THE ENGINEERING AND PUBLIC WORKS DEPARTMENT
- 5.6 SIGNAGE IN MULTI-USE REGIONAL FOREST TRACTS OF LAND AS NO. 23. OTHER BUSINESS
- 5.7 DISTURBANCES IN GLENWOODS AVENUE COMMUNITY PARKING LOT AS ITEM NO. 23, OTHER BUSINESS

Carried.....

6. <u>DECLARATION OF PECUNIARY INTEREST:</u>

Councillor Jamieson declared an interest in Item No. 17.2.1 because his employer is one of the bidders on the tender.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

RESOLUTION NO. C-2009-0498

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON NOVEMBER 9, 2009, BE ADOPTED AS PRESENTED.

RESOLUTION NO. C-2009-0499

THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON NOVEMBER 16, 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, Michael Smith Planning Consultants respecting a request for extension of Draft Plan of Approval for 1580699 Ontario Limited, Greystone Homes
- 9.2 Item No. 11.2, Megan Keith concerning the Mosquito Control Program
- 9.3 Item No. 12.1, Don Goodyear, manager, Source Protection, South Georgian Bay Lake Simcoe Source Protection Area, Lake Simcoe Region Conservation Authority, and Wendy Kemp, Manager, Water Resources, Environmental Services, Region of York, to update Council on Source Water Protection
- 9.4 Item No. 12.2, Dr. Barry Tyler, Pestalto Environmental Health Services Inc., concerning the Mosquito Control Program
- 9.5 Item No. 17.2.1, Report No. PB-2009-0081 entitled 'Vehicle Replacement Building Division'
- 9.6 Item No. 17.2.2, Report No. PB-02009-0082 entitled 'Request for Extension of Draft Plan Approval, 1580699 Ontario Limited, Greystone Homes'
- 9.7 Item No. 17.3.1, Report No. EPW-2009-0041 entitled 'Mosquito Control Program'

9. <u>DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION cont'd:</u>

- 9.8 Item No. 17.4.1, Report No. LS-2009-0025 entitled 'Approval of Recreation infrastructure Canada (RINC), Contribution Agreement for Upgrading of Whipper Watson Park and Multi-Purpose Trails'
- 9.9 Item No. 20, various by-laws
- 9.10 Item No. 23.1, motion from Committee of Adjustment
- 9.11 Item No. 23.2, signage in multi-use regional forest tracts of land
- 9.12 Item No. 23.3, disturbances in Glenwoods Drive Community Parking Lot

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 <u>Matters not subject to individual conflicts</u>

Moved by Councillor Jordan Clark

Seconded by Councillor Szollosy

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-2009-0500

THAT THE ROUTINE CORRESPONDENCE BE RECEIVED.

Recommendations from the Committee of the Whole Meeting held on November 16, 2009:

RESOLUTION NO. C-2009-0501

- 17.1.1 1. THAT REPORT NO. EPW-2009-0039 BE RECEIVED FOR INFORMATION.
 - 2. THAT THE BID RECEIVED FROM BEDARD SAND & GRAVEL LTD. IN THE AMOUNT OF \$72,260.00 FOR THE SUPPLY AND STOCKPILING OF AGGREGATE "A" MATERIAL IS ACCEPTED AND THAT A BY-LAW BE PASSED AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO A CONTRACT BETWEEN BEDARD SAND & GRAVEL LTD. AND THE TOWN OF GEORGINA.

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

RESOLUTION NO. C-2009-0502

17.1.2 THAT COUNCIL RECEIVE REPORT NO. DAS-2009-0049 REGARDING NEW TANGIBLE CAPITAL ASSET (TCA) FINANCIAL REPORTING REQUIREMENTS FOR INFORMATION PURPOSES.

Carried.....

10.2 Matters subject to individual conflicts

None.

12. PRESENTATIONS:

Don Goodyear, Manager, Source Water Protection, South Georgian Bay Lake Simcoe Source Protection Area, and Wendy Kemp, Manager, Water Resources, Environmental Services, Region of York, to update Council on Source Water Protection.

Ms. Wendy Kemp stated that this is an important initiative across the Province and has implications to residents within York Region. She stated that she is responsible for hydrogeology, ground water, and source water protection initiatives within the Region of York.

Ms. Kemp indicated that Don Goodyear is the Manager for Storm Water Protection for the Conservation Authority and also in attendance is Lynn Bolan, Chair for South Georgian Bay Lake Simcoe Source Protection Area and Councillor for the Town of Innisfil.

Ms. Kemp stated that Drinking Water Source Protection was brought about by the Walkerton tragedy. The Province introduced the Clean Water Act to promote the protection of drinking water through voluntary and mandatory programs. The Province provides leadership, legislation and timelines to meet. The two Conservation Authorities, the Toronto Authority and the Lake Simcoe Region Conservation Authority, are more directly involved with the water shed administration and technical studies at the watershed level. The Region does technical studies and is also responsible for the implementation of the various programs, along with implementation by local municipalities.

Ms. Kemp stated that the Source Protection Committee is responsible for; Terms of Reference, Assessment Reports identifying threats and identifying vulnerabilities, and Source Protection Plans; requirements to reduce risk.

12. PRESENTATIONS cont'd:

Don Goodyear stated that he represents the South Georgian Bay Lake Simcoe Region which encompasses a large area of four watersheds as well as being a diverse area with regard to risks, populations, amount of water use and future demand. There are fifty-two municipalities within this region and it is home to most of the municipal drinking water systems for most of the regions within this Province. Source water is any one of those reservoirs of untreated potable drinking water. Water protection is any activity that a municipality or anyone undertakes to prevent the overuse of the water supply.

Mr. Goodyear stated that the Source Protection Committee is unique in the Province of Ontario as the authority has been divested from the Province to local committees. An Assessment Report is akin to a Watershed Plan, identifying the four vulnerable areas, wellhead protection areas, intake protection zones, landscape vulnerable areas, significant recharge areas and highly vulnerable aquifers. The Province has also adopted a semi-risk assessment that identify areas that may impact the watershed. If a land use area is in one of the vulnerable areas, there would be a higher risk to the watershed than if the same land use was in another area.

Mr. Goodyear stated that the program has the potential to impact some landowners and those individuals who may be affected will be notified. The Source Protection Plan is due to the Ministry of the Environment by the fall of 2012.

Mr. Goodyear explained that once a significant threat is identified, there are opportunities to address the threat immediately. A stewardship program has been put in place to mitigate the risk and there is also a provision in the Clean Water Act for an Interim Risk Management Plan for immediate action.

The new draft Official Plan contains policies that require new land uses within vulnerable areas to conduct a Risk Management Plan, but as far as existing land uses are concerned, the Authority does not have much control until the Source Protection Plan comes into play.

The Clean Water Act is focused on municipal water supplies and the risks being evaluated are within the four vulnerable areas.

Mr. Bob Magloughlen, Director of Engineering and Public Works, stated that there is no long term concern for water supply for Georgina. The Region has a permit to take water to allow Keswick and Sutton to be built out. Georgina also has the benefit of sewage plants and the Trent-Severn water system. He advised that the potential of a quantity issue in Lake Simcoe for Georgina is basically non-existent.

12. PRESENTATIONS cont'd:

Moved by Councillor Jamieson

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2009-0503

THAT THE PRESENTATION MADE BY WENDY KEMP, MANAGER, WATER RESOURCES, ENVIRONMENTAL SERVICES, REGION OF YORK, AND DON GOODYEAR, MANAGER, SOURCE WATER PROTECTION, SOUTH GEORGIAN BAY LAKE SIMCOE SOURCE PROTECTION AREA, LAKE SIMCOE REGION CONSERVATION AUTHORITY, UPDATING COUNCIL ON SOURCE WATER PROTECTION BE RECEIVED.

Carried.....

Mayor Grossi moved forward Item No. 17.3.1 to be dealt with in conjunction with Item No. 11.2 and 12.2 at this time.

12. PRESENTATIONS:

Dr. Barry Tyler, Pestalto Environmental Health Services Inc., concerning the Mosquito Control Program.

Dr. Barry Tyler made a power point presentation to Council at this time and described his company's efforts to date. He indicated that many hectares were treated, more than in 2008. The area was divided up into treatment zones and each zone that could not be safely or effectively treated by air was treated on the ground.

Dr. Tyler indicated that two large tracts of land, one on either side of the Woodland Subdivision, were not treated due to owner's objections. Post-treatment sampling was conducted in late April, in various habitats and in all nine treatment zones, looking for a minimal or zero larval count. More sampling was conducted in early May and a few larvae were found in the early stages of development in one location on May 4th and a few more on May 11th, but no great numbers were found. Adult species sampling was conducted on May 11th in the same locations used in 2008 and no adult mosquitoes were found within the protection zone. He stated that from the feedback, a number of residents felt that the protection was not as successful as in previous years, but we must also deal with the weather patterns, noting that we must take into consideration the full season so monitoring can continue in order to maintain larval and adult control.

11. <u>DEPUTATIONS</u>:

11.2 Megan Keith concerning the Mosquito Control Program.

Ms. Keith stated that she is in attendance on behalf of the Pefferlaw Association of Ratepayers as well as the majority of Pefferlaw residents. They are grateful that Council backed the BTI Mosquito Control Program although many residents felt that the program was not as effective as the 2008 program as there were as many if not more mosquitoes in the Spring. They were expecting a 90% reduction in adult mosquitoes but that wasn't their experience.

Ms. Keith inquired if all sites mature at the same time. She also inquired if the testing should be performed by an independent consultant. In 2009, Pestalto stated that it was achieving 100% larval control in all habitats and had reduced the number of mosquitoes. The objective of the program should be to reduce adult mosquitoes to a level where residents can enjoy the outdoors and in 2008 that occurred, but not in 2009. She believes that the differences in the two programs and the results justify further investigation.

Michael Baskerville, Engineering Manager, stated that mosquito control is objective and is difficult to make comparisons from one year to the next. The Town has been running a mosquito control program since 1979, and each year the results vary due to the weather. This past summer was wet and is bound to produce more mosquitoes than a dry summer. More area treated in 2008 and larvae were destroyed. The application rate in 2009 achieved the same goal as in 2008 and met the same targets and the job was performed according to the contract. He stated that PAR brought up a number of points and suggested that the Town needs to lobby the Ministry to simplify the program. He noted that the Pesticide Act requires that municipalities obtain written consent from every property owner.

Mr. Baskerville stated that the weather was different this year than it was last year, but the company obtained 100% larval kill. It was not able to treat every square inch in Pefferlaw, noting that they were prohibited from treating three large tracts of land. In a comparison of the 2008 and 2009 contracts, both contractors did a good job.

Mr. Baskerville explained that the program accomplished its target objective of minimizing the number of larvae which become adult mosquitoes. PAR has suggested independent monitoring and evaluation and staff would agree, as the Engineering Division has neither the time nor the manpower to effectively monitor the program and would suggest that a consultant be retained to undertake the field management and monitoring of any future program.

11. DEPUTATIONS cont'd:

Mr. Baskerville stated that an approximation of the cost to have the program independently managed and/or monitored would be between \$10,000 and \$25,000, depending upon the level of work to be achieved; a spring and early summer program or a full season program and the option of a one or two year contract. He suggested that Council consider extending the spring program to employ someone to monitor the ground conditions and a ground control program in late May/early June.

Bob Magloughlen, Director of Engineering and Public Works, stated that the 2010 Engineering budget document will include the same amount of money as was included in the 2009 budget, for this program.

Dr. Tyler explained that he buys new product every year for application so it is equally potent each year, and 24 hours after it has been applied there is no residual trace of the product. He stated that the Ministry of Natural Resources has permitted the application of products in protected areas, noting that it is rare unless a program is tied in with West Nile Virus, for the Ministry to permit a larvicide program. There has to be a health risk associated in order to gain permission.

Mr. Baskerville spoke with the Ministry of the Environment and was advised that the Ministry of Natural Resources does not support the application of pesticides, noting that only mosquitoes that breed in catch basins carry the West Nile Virus. He indicated that the Morning Glory Swamp is managed by Sibbald Point Provincial Park. The Ministry of the Environment gave the Ministry of Natural Resources right of refusal and a Ministry biologist did not believe that pesticide application was appropriate and so denied the Town permission to go onto that property to treat it.

Mr. Baskerville stated that the Town experienced a few more phone calls this year than previously and more often than not the calls were from new residents in Town inquiring why Keswick and Sutton do not have a mosquito control program when Pefferlaw does. He stated that staff requires direction from Council as to what they wish carried out in 2010 with regard to mosquito control. He stated that the Town needs to begin the process of delivering permission letters to 1,500 residents as soon as possible so that the program can commence when needed. He noted that If not enough properties want to be treated, the program would not be effective.

It was suggested by Council that the Town not hire an outside consultant, but instead it should expand the program to include a late spring follow-up count and spot application.

Ms. Keith stated that PAR may be willing to take over the responsibility of monitoring the program, if members could be trained to do so.

11. **DEPUTATIONS** cont'd:

Mr. Baskerville stated that the Town would need to know how many residents want to be included in the program at least 45 days ahead of the initiation of the program, preferably by the 1st of February.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.3 Report from the Engineering and Public Works Department:

17.3.1 Mosquito Control Program

Report No. EPW-2009-0041

Moved by Councillor Szollosy

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2009-0504

THAT REPORT NO. EPW-2009-0041 ENTITLED 'MOSQUITO CONTROL PROGRAM', THE DEPUTATION MADE BY MEGAN KEITH ON BEHALF OF THE PEFFERLAW ASSOCIATION OF RATEPAYERS AND THE PRESENTATION MADE BY DR. BARRY TYLER OF PESTALTO ENVIRONMENTAL HEALTH SERVICES INC., CONCERNING THE EFFECTIVENESS OF THE 2009 PROGRAM AND THE DESIRED SPECIFICS FOR A 2010 PROGRAM BE RECEIVED AND THAT THE REPORT BE REFERRED BACK TO STAFF TO CONSIDER EXTENDING THE PROGRAM FOR A SPRING AND EARLY SUMMER PROGRAM FOR 2010 AND OPTIONS TO EXTEND THE PROGRAM TO A FULL SEASON CONTRACT FOR THE YEAR 2010 ALONG WITH COST IMPLICATIONS FOR EXPANSION OF THE PROGRAM, THAT OPTIONS BE CONSIDERED FOR A CONSULTANT PROGRAM AND DISCUSSIONS TAKE PLACE TO EXPLORE THE POTENTIAL INVOLVEMENT OF THE PEFFERLAW ASSOCIATION OF RATEPAYERS IN THE PROGRAM.

Carried.....

11. <u>DEPUTATIONS:</u>

11.1 Michael Smith of Michael Smith Planning Consultants, respecting a request for extension of Draft Plan Approval for 1580699 Ontario Limited, Greystone Homes.

Michael Smith of Michael Smith Planning Consultants, agent for the applicant, stated that the Plan of Condominium and Plan of Subdivision received draft approval from the Town to permit 20 freehold townhouse units fronting onto a private condominium road. The proposed development is upscale with regards to such items as

11. DEPUTATIONS cont'd:

architectural design, landscaping and building materials. He indicated that a request was submitted in 2008 for an extension to the draft plan approval until November 11, 2011 and approval was granted until November 28, 2009. Mr. Smith stated that the applicant has spent \$600,000 on development to date and \$150,000 on engineering.

Mr. Smith explained that the applicant has been actively attempting to sell the townhouse units since 2007 and there are several reasons the applicant believes the units have not been selling including the current economic climate, but a recent modest increase in housing sales has made the applicant optimistic. The applicant also believes that once the Metrus townhouse development in the south end of Keswick have sold their few units, his development will be the only one with allocation and sales should start. In addition, his development fronts on a private condominium road rather than an assumed regular road, which is unusual and unfamiliar to individuals as well as the fact that there are not many townhouse condominium developments available and individuals tend to shy away from buying a lot when they are not familiar with this type of development. As well, the addition of a monthly condominium fee on top of the regular mortgage payment can tend to discourage people. Once sales start, the applicant can move ahead in registering the plan and he requested Council approve recommendations A to E of the report at this time.

Councillor Jordan Clerk left the meeting at this time (8:55 p.m.)

Adam Lucas, Planner, outlined the amendments to the report recommendation at this time, indicating that recommendation 'C' was added and that the subdivision plan number in recommendation 'B' was amended. He stated that staff are supportive of the proposed development with regard to the proposed architecture, layout and landscape treatment and have no objection to a one-year extension on the deadline along with an extension of the assignment of water and sewer allocation.

Harold Lenters, Director of Planning and Building, stated that staff had identified the key properties being requested to return to a January Committee of the Whole meeting, but staff is also monitoring other properties. He stated that given the scale of this project, it is not a large project with regard to capacity and without capacity it has no chance of marketing.

Sue Plamondon, Chief Administrative Officer, suggested Council grant a two year extension. It is a relatively small plan and it would not put Council in a difficult position to do so. She noted that it would need to be understood by the developer that a two- year extension would not guarantee the maintenance of allocation.

17.2.2 Request for Extension of Draft Plan Approval 1580699 Ontario Limited – Greystone Homes Part Lot 16, Concession 2 (NG) AGENT: Michael Smith Planning Consultants

Report No. PB-2009-0082

Moved by Regional Councillor Wheeler

Seconded by Councillor Szollosy

- A. That Report PB-2009-0082 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-05G02 be granted to November 28, 2011.
- C. That pursuant to Section 51(33) of The Planning Act, R.S.O., 1990, an extension to the approval of Draft Plan of Condominium 19T-05G01 be granted to November 28, 2011.
- D. 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 <u>be amended</u> to read "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 November 28, 2011, unless approval has been sooner withdrawn or the Town of Georgina has extended the duration of the approval."
- E. That pursuant to Section 51(47) of The Planning Act, R.S.O., 1990, written notice shall not be given as the change to the conditions of Draft Plan Approval is considered to be minor; and,
- F. That the assignment of 58 persons of water and sewer allocation also be extended to November 28, 2011.

Lost.....

Moved by Councillor Jamieson

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2009-0505

A. THAT REPORT PB-2009-0082 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-05G02 BE GRANTED TO NOVEMBER 28, 2010.
- C. THAT PURSUANT TO SECTION 51(33) OF THE PLANNING ACT, R.S.O., 1990, AN EXTENSION TO THE APPROVAL OF DRAFT PLAN OF CONDOMINIUM 19T-05G01 <u>BE GRANTED</u> TO NOVEMBER 28, 2010.
- D. 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 <u>BE AMENDED</u> TO READ "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 NOVEMBER 28, 2010 UNLESS APPROVAL HAS BEEN SOONER WITHDRAWN OR THE TOWN OF GEORGINA HAS EXTENDED THE DURATION OF THE APPROVAL."
- E. THAT PURSUANT TO SECTION 51(47) OF THE PLANNING ACT, R.S.O., 1990, WRITTEN NOTICE SHALL NOT BE GIVEN AS THE CHANGE TO THE CONDITIONS OF DRAFT PLAN APPROVAL IS CONSIDERED TO BE MINOR; AND,
- F. THAT THE ASSIGNMENT OF 58 PERSONS OF WATER AND SEWER ALLOCATION ALSO BE EXTENDED TO NOVEMBER 28, 2010.

Carried.....

17.4 Report from the Leisure Services Department:

17.4.1 Approval of Recreation Infrastructure Canada (RINC)
Contribution Agreement for Upgrading of Whipper Watson
Park and Multi-Purpose Trails

Report No. LS-2009-0025

Moved by Councillor Smockum

Seconded by Councillor Jamieson

RESOLUTION NO. C-2009-0506

1 THAT REPORT LS2009-0025 BE RECEIVED.

- 2. THAT COUNCIL APPROVE THE RECREATION INFRASTRUCTURE CANADA PROGRAM CONTRIBUTION AGREEMENT BETWEEN HER MAJESTY IN RIGHT OF ONTARIO AND THE CORPORATION OF THE TOWN OF GEORGINA.
- 3. THAT COUNCIL ENACT THE NECESSARY BYLAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE THE AGREEMENT.

Carried.....

17.2 Reports from the Planning and Building Department:

17.2.1 Vehicle Replacement – Building Division

Report No. PB-2009-0081

Councillor Jamieson declared an interest in Item No. 17.2.1 because his employer is one of the bidders on the tender; he did not participate in any discussion or vote.

Moved by Regional Councillor Wheeler

Seconded by Councillor Smockum

RESOLUTION NO. C-2009-0507

- A. THAT REPORT NO. PB-2009-0081 BE RECEIVED FOR INFORMATION.
- B. THAT THE TENDER CONTRACT FOR REPLACEMENT VEHICLES, FOUR JEEP PATRIOTS, FROM S & B MOTORS LIMITED BE AWARDED TO THEM FOR THE TOTAL TENDER PRICE, \$105,942.28 ALL TAXES INCLUDED.
- C. THAT THE PURCHASING AGENT BE AUTHORIZED TO ISSUE PURCHASE ORDERS ACCORDINGLY TO S & B MOTORS LIMITED, KESWICK, FOR REQUEST FOR TENDER PROJECT DAS-2009-0081.

Carried.....

- 13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:
- 14. PUBLIC MEETINGS:

None.

15. <u>COMMUNICATIONS:</u>

15.1 Matters for Routine:

None.

15.2 Matters for Disposition:

None.

16. <u>PETITIONS:</u>

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2009-0508

THAT THE REGION OF YORK IS REQUESTED TO CONSIDER PROVIDING A FACILITY SUCH AS A PEDESTRIAN CROSSING SIGNAL OR PEDESTRIAN CROSS-OVER TO ASSIST PEDESTRIANS WITH CROSSING DALTON ROAD IN THE VICINITY OF WOODRIVER BEND.

Carried....

20. BY-LAWS:

Moved by Councillor Smockum

Seconded by Councillor Szollosy

That the following by-laws be given three readings:

20.1 By-law Number 2009-0126 (COU-1)

Being a By-law to reappoint Regional Councillor Wheeler to the Committee of Adjustment for the term ending December 31, 2010. C200919DIS 17 2009-11-23

20. BY-LAWS cont'd:

20.2 By-law Number 2009-0127 (CON-2)

Being a By-law to authorize the Mayor and Clerk to enter into a contract between Bedard Sand & Gravel Ltd. and the Town of Georgina; supply, delivery and stockpiling of Granular 'A' for road maintenance activities.

20.3 By-law Number 2009-0128 (CON-1)

Being a By-law to authorize the Mayor and Clerk to execute a Contribution Agreement Infrastructure Projects between Her Majesty the Queen in Right of Ontario as represented by the Minister Energy of Infrastructure and the Minister of Health Promotion and the Corporation of the Town of Georgina to augment the funding already committed bv municipality to provide quality recreation and sport facilities and activities for residents of all ages and abilities in the Town of Georgina.

Carried.....

21. MOTIONS:

None.

22. NOTICES OF MOTION:

None.

23. OTHER BUSINESS:

23.2 Regional Forest Tract Postings

The Chief Administrative Officer was requested to determine through the Ministry of Natural Resources the various hunting seasons observed within the Region of York in order to post the Regional Forest Tracts accordingly to notify the public of the various hunting seasons, and whether or not there are year-long hunting seasons for some animals, making this proposition futile, and report back to Council.

23. OTHER BUSINESS:

23.3 Disturbances in Glenwoods Avenue Community Parking Lot

The Chief Administrative Officer was requested to investigate what course of action can be taken by the York Regional Police and/or the Town with regard to noise concerns with inappropriate late-night/early morning use of the community parking lot at the corner of Glenwoods Avenue and Woodbine Avenue and report back to Council accordingly.

24. CONFIRMING BY-LAW

Moved by Councillor Szollosy

Seconded by Councillor Smockum

That the following by-law be given three readings:

By-law Number 2009-0129 (COU-2)

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

Carried.....

25. ADJOURNMENT:

Moved by Councillor Jamieson

Seconded by Regional Councillor Wheeler

That the meeting adjourn at this time (9:43 p.m.).

Carried.....

Robert Grossi, Mayor

Roland Chenier, Town Clerk



CORPORATION OF THE COUNTY OF GREY

OFFICE OF THE COUNTY CLERK/DIRECTOR OF COUNCIL SERVICES

Sharon Vokes, County Clerk/Director of Council Services 595 9th Avenue East Owen Sound, Ontario N4K 3E3

(519) 376-2205 1-800-567-GREY Fax: (519) 376-8998 sharon.vokes@grey.ca

November 26, 2009.

TO ALL MUNICIPALITIES:

At the November 24, 2009 session of Grey County Council, the following resolution was adopted:

WHEREAS the Council of the Corporation of the County of Grey has expressed concern over Bill 150 being the Green Energy and Green Economy Act which is now in force and effect;

AND WHEREAS the need for renewable energy sources is recognized at the federal, provincial, municipal and local community levels;

AND WHEREAS wind-generated power is an established source of renewable energy being created globally;

AND WHEREAS discrepancy exists on the health effects potentially created by the presence of industrial wind turbines;

AND WHEREAS this discrepancy on the potential health effects is proving to be destructive and divisive to the social and cultural fabric of rural communities;

AND WHEREAS other Ontario municipalities have passed resolutions expressing concern with the health effects association with wind turbines;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the County of Grey requests that the Federal and Provincial government agencies responsible for public health, energy creation and energy management complete the following:

- 1. Dedicate resources to the necessary scientific research to consider the impact of
- a) low frequency noise, and
- b) electrical and electromagnetic disturbances in areas of industrial wind turbines with the intent to confirm/deny public health implications;
- c) technology and infrastructure being used; and
- 2. Create and provide authoritative regulations and guidelines for the locating of wind turbines to municipalities and wind energy developers;

AND THAT this resolution be forwarded with a request for action to: The Ontario Ministries of Health, Environment and Energy, Medical Officers of Health at Public Health Units, Environment Canada, Health Canada, Grey County MPPs and MPs, the Premier's Office, the Prime Minister's Office, the Association for Municipalities of Ontario (AMO), and the Federation of Canadian Municipalities (FCM);

AND THAT this resolution be circulated to all municipalities in Ontario requesting their support.

The support from your Municipality is greatly appreciated.

Yours very truly.

Sharon Vokes, C.M.O., D.P.A., County Clerk/Director of Council Services



Regional Municipality of York Police Services Board

17250 Yonge Street, Newmarket, Ontario Canada L3Y 4W5 905-895-1231 or Toll Free: 1-877-464-9675 Ext. 7906

Fax: 905-895-5249 Web Site: www.vrpsb.ca

To Make a Difference in Our Community

December 2, 2009

Chairman Danny Wheeler Regional Councillor

and Deputy Mayor

Mr. Roland Chenier

Clerk

Town of Georgina

26557 Civic Centre Road, R.R. #2

Vice-Chairman Joe Persechini Provincial Appointee

Keswick, ON, L4P 3G1

Dear Mr. Chenier:

Members Bill Fisch Regional Chairman and C.E.O.

At its meeting on November 25, 2009, the Regional Municipality of York Police Services Board received the attached report entitled Recovery of Policing Costs Associated to the Dismantle of Illegal Marihuana Grow Operations and Other Chemical Clandestine Laboratories from Chief Armand P. La Barge, and approved the following recommendation:

Mayor Frank Scarpitti Regional Council Appointee

1. That the Board request local municipal governments within the Regional Municipality of York enact appropriate by-laws to enable the recovery of costs incurred by police in the dismantling of indoor marihuana grow operations and other chemical clandestine laboratories, and the removal and disposal of hazardous materials and other drug paraphernalia.

Sam Herzog **Provincial Appointee**

Joanna Yu **Provincial Appointee**

Barbara Bartlett Regional Council Appointee

Executive Director Mafaida Aveiling

Therefore, on behalf of the Police Services Board, I request that you forward this correspondence to Town Council for its consideration and enactment of appropriate by-laws.

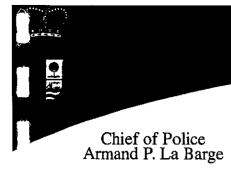
Yours truly,

Mafalda Avellino Executive Director

mall

Attachment

Administrative Services Clerk's Division DEC 7 2008. Deputy Com of Adjustment Licensino Insurance Freedom of Info. Animal Control Bylaws



York Regional Police

17250 Yonge Street, Newmarket, Ontario, Canada L3Y 4W5 1-866-8POLICE TTY 1-800-668-0398 Fax 905-853-5810 www.police.york.on.ca

THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

25 NOVEMBER 2009

Recovery of Policing Costs Associated to the Dismantle of Illegal Marihuana Grow Operations and Other Chemical Clandestine Laboratories

RECOMMENDATION

1. That the Board request local municipal governments within the Regional Municipality of York enact appropriate by-laws to enable the recovery of costs incurred by police in the dismantling of indoor marihuana grow operations and other chemical clandestine laboratories, and the removal and disposal of hazardous materials and other drug paraphernalia.

SYNOPSIS

York Regional Police has, for a number of years, had an aggressive investigative, enforcement, education and awareness strategy for dealing with illegal marihuana grow operations and other illicit clandestine drug laboratories. The operational components of this strategy include identification of premises used for this illegal activity, the investigation of those responsible, and the search and seizure of evidence in support of these investigations.

This reports proposes a means of recovering costs of initial remediation of properties used for the illegal production of controlled substances, incurred by local municipalities and the police, utilizing authorities found in the *Controlled Drugs and Substances Act* and the *Municipal Act*.

FINANCIAL IMPLICATIONS

There is potential for police and other municipal services to recoup considerable costs currently incurred in the removal and disposal of controlled substances, pre-cursers and

other drug paraphernalia related to the production of controlled substances from premises within the Regional Municipality of York.

BACKGROUND

York Regional Police has been a provincial leader in the fight against marihuana grow operations for many years. The Drugs & Vice Unit deploys two drug teams that are tasked with investigating Controlled Drugs and Substances Act production related offences. Since 2006, members of the Drugs & Vice Unit have dismantled 262 marihuana grow operations, seized 131,693 marihuana plants, and charged 500 people with 1,381 offences under the Controlled Drugs and Substances Act. During that same period, 66 children have been rescued from these illegal and dangerous drug factories.

MARIHUANA GROW HOUSE INVESTIGATIONS				
Year	Grow Houses	Plants	Accused	Charges
2006	78	29,325	108	256
2007	85	36,844	153	371
2008	64	34,716	149	501
2009 YTD	36	30,808	90	253
TOTAL	263	131,693	500	1,381

There are significant health and safety risks associated with indoor marihuana grow operations due to mould, elevated levels of carbon monoxide and carbon dioxide, electrical hazards, and other chemicals and pesticides used to foster plant growth. This is equally true of other illicit clandestine production laboratories, predominantly those used for the illegal production of methamphetamine and Ecstasy. These health and safety risks extend beyond those involved with the production of controlled substances, to other occupants, especially children, of the premises used for this illegal activity, and further to those in the immediate area surrounding these facilities.

Preliminary discussions about cost recovery strategies have taken place between representatives from the York Regional Police, the Regional Solicitor and representatives from the legal departments of the various local municipalities within York Region. Although there has been no commitment with respect to how we will move forward on this issue, it is our understanding that the local municipalities would be open to further discussion on a cost recovery process.

In understanding the process by which it would be possible to recover costs incurred by the police in the dismantling of marihuana grow operations and illicit clandestine laboratories it is necessary to refer to two particular statutes, the *Controlled Drugs and Substances Act* and the *Municipal Act*, from which the authority to recover these costs flows. The relevant sections from the *Municipal Act* are:

The Municipal Act, 2001, S. O. 2001, c. 25

Section 10(2) of the *Municipal Act* permits a municipality to enact by-laws to regulate certain matters for purposes related to the health, safety and well-being of the inhabitants of the municipality.

Section 128 of the *Municipal Act* permits a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances.

Section 391 of the *Municipal Act* permits a municipality to impose fees or charges on persons, for services or activities provided or done by or on behalf of it; or for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board [this would also include the Police Services Board; and for the use of its property including property under its control.

Drugs & Vice Unit members are trained to dismantle both indoor marihuana grow operations (IMGO) and clandestine laboratories involved in the production of synthetic drugs.

The Dismantling of Indoor Marihuana Grow Operations

The following process is generally adhered to in order to dismantle an indoor marihuana grow operation:

- Assessment of the premises upon entry. This would include inspection for devices designed to injure or kill, electrical alterations within the premises, air quality testing, and search for suspect(s).
- Rendering the premises safe for officers to commence gathering evidence and dismantling of equipment. This would include a certified electrician disconnecting a hydro by-pass, as well as ventilating the premises to ensure adequate air quality.
- Processing the scene for evidence:
 - o Trained Scenes of Crimes Officers attend to secure, document and photograph or video tape anything of evidentiary value.
 - An exhibit officer will count and document the number of marihuana plants and there location within the premises, as well as all the grow operation equipment, including lights, shades, ballasts and chemicals found within the premises.
- Investigators will cut down all the plants, and physically carry the plants and all
 the grow operation equipment out of the premises to be transported to a storage
 facility. The bulk marihuana is stored at a secure location until it is destroyed.
 Grow operation equipment is taken to seized property management directorate
 for storage, pending disposition of the case.
- A final check of the premises is performed by the officers and the local power company is notified in order to disconnect the hydro to the premises.

The time frame of the above process will vary depending on the size of the marihuana grow operation, the premises where the marihuana grow operation is housed, and the

sophistication of the grow operation. In general it takes between two to eight hours, utilizing a team of six officers to dismantle an IMGO.

The Dismantling of Clandestine Synthetic Drug Production Laboratories

The following process is generally followed in order to dismantle a clandestine synthetic drug production laboratory:

- Assessment of the premises upon entry. This would include inspection for devices designed to injure or kill, electrical alterations within the premises, air quality testing, and search for suspect(s), a determination of the type of laboratory that the investigators are dealing with and the 'stage' of the production process.
- Terminating any chemical reactions that may be on-going.
- Venting the premises to ensure a clean air exchange process is occurring.
- Processing the scene for evidence:
 - o Trained Scenes of Crimes Officers will attend to secure, document and photograph or video tape anything of evidentiary value.
 - o The removal of all hazardous equipment and chemicals from the premises, in order of priority, depending on the danger that is associated with each item. All items are removed by trained drug investigators from inside to a safe location on the outside of the premises.
 - o With assistance from a Health Canada chemist, the items from the clandestine laboratory are inspected and categorized.
 - o The exhibit officer will count and document all controlled substances, precursors, equipment and other chemicals that are located within the premises. Samples will be taken by the exhibit officers and the Health Canada chemist assigned to the case.
- Assist and direct personnel from an environmental service company with the removal of any contaminated items as well as chemicals and other identified hazardous materials.
- Final clearance of premises and assistance provided to the local municipality with 'non-occupancy' restrictions and local power supply company with shutting down the hydro supply to the premises.

It should be noted that most of this process is undertaken by trained investigators from the Drugs & Vice Unit, who are required to wear Level 'B' personal protective equipment, which is comprised of chemical resistant suits and requires the use of self contained breathing apparatus (SCBA). Due to the nature of the clothing worn, and the necessity to use a SCBA, which provides about 30-40 minutes of air, numerous entries into the clandestine laboratory need to be made. Each entry culminates in a decontamination

process, usually conducted by the municipal fire service, and a medical assessment, conducted by EMS.

The time frame for this process varies depending on the size and type of the clandestine laboratory operation, the nature of the premises where the clandestine laboratory is housed, and the sophistication of the operation.

The dismantling of a clandestine laboratory producing synthetic chemical drugs such as methamphetamine and Ecstasy is generally very time consuming due to the volatile nature of the production process and substances that are being used. This process is coordinated between trained investigators from the Drugs & Vice Unit, local fire services and Health Canada. In general it takes one to fourteen days for a team of investigators, assisted by the aforementioned agencies, to dismantle a clandestine synthetic drug production laboratory.

The Cost Recovery Process

To enable York Regional Police to recover costs incurred in the dismantling of marihuana grow operations and illicit clandestine laboratories the local municipalities in the Region of York would need to enact by-laws, that deal either with public nuisances, in this case the grow operations or clandestine laboratories, that impose a fee or charge for the service provided by the police.

By doing this the local municipality establishes a process of attributing the cost for remediating the illegal activity to the owner of the property. It further provides a means of recouping these costs through property taxes where the property owners default on fees or other costs attributed to the remediation process.

This process has worked, and is currently in place in the City of Mississauga and the City of Brampton. In 2003, the City of Mississauga passed by-law 225-2003 "respecting the prohibition of controlled substance manufacturing operations", and in 2004 the City of Brampton passed by-law 361-2004 "to recover costs of police and other public sector staff attendances at marihuana grow houses to abate public nuisances and to amend user fee by-law 380-2003."

Following the enactment of these by-laws, memoranda of understanding were entered into between the Peel Regional Police Service and the Cities of Mississauga and Brampton. These memoranda establish a mechanism for billing and payment for services rendered by the Peel Regional Police Service in the remediation of marihuana grow houses. Peel Regional Police now invoices the appropriate municipal government, which it turn reimburses Peel Regional Police once the charges are paid.

The City of Mississauga reported recovering the following costs as part of this process:

2006 - \$ 351,797.49 2007 - \$ 221,861.12 2008 - \$ 106,670.81

The higher cost recoveries in 2006 and 2007 were attributed to cost of dismantling two clandestine methamphetamine laboratories.

The City of Brampton reported recovering the following costs as part of this process:

2006 - \$ 64,164.08 2007 - \$ 52,884.74

The proposed mechanism for the recovery of policing costs attributed to the dismantling and remediation of properties used for the illegal production of controlled substances has been put in place in other jurisdictions. It has proved to be another effective means of combating this problem, and has resulted in cost recovery amounting to \$797,378.24 over a three year period in the Regional Municipality of Peel.

Armand P. La Barge, O.O.M.

Chief of Police

APL/rc

Carolyn Lance

From:

Roland Chénier

Sent:

Wednesday, December 02, 2009 1:16 PM

To:

Carolyn Lance

Cc:

Susan Plamondon; Rebecca Mathewson

Subject: FW: letter for Dec.14 meeting

Agenda

From: Kat Taylor-Jackson [mailto:katsgallery@rogers.com]

Sent: Wednesday, December 02, 2009 1:00 PM

To: Roland Chénier

Subject: letter for Dec.14 meeting

Mr. Chenier,

I was told to send this to you in order for it to put on the agenda at the December 14th town meeting. If you have any questions, please call me at (905)722-9448. I will send another e-mail that has a letter to be attached to it. Thank you,

Kathy Taylor-Jackson

Kat's Gallery

To be addressed by Georgina Council members

I am writing to further discuss some issues I have with the funding to The Georgina Arts Centre. First and foremost I am not in any way against the GAC, in fact I feel it is a much needed and valued asset in our community. When the center opened I was under the impression that it would act as a venue for local artists to showcase and sell thier work, provide art classes and workshops, and be a home for the Smith and Chiarandini exhibit. It seems however that the objective seems to be crossing the very fine line that "non-profit"implies. My issue is simply this...if the GAC wants to be funded by our tax dollars then they should have guidelines to follow that protect the businessses in town from unfair competition.

I am sure most of you are aware of the recent Robert Bateman show that was held at the GAC, as well as the letter I wrote to The Advocate about the show. (I have enclosed a copy of the letter) When I first read about the show in The Advocate, I was excited for the centre and on the phone to offer a print to raffle off, I was told that another gallery from Stouffville was hosting the show. Talk about a kick in the teeth, especially considering the Saturday before I was at the GAC's gala, supporting thier fundraiser by not only a substantial framing donation but also puchasing art that night. Regardless, the reaction I received from Darren Gingras, the GAC's chairman was to say the least something to be desired.

I deliberately waited until the next weeks paper was published to see what kind of explanation would be

published and requested a meeting with Darren Gingras, Heather Fullerton (who runs the gallery), Ken Hackenbrook and Samantha Draganac (the Chamber of Commerce Chair). I explained my position and the financial implications the Bateman show had on my business, but Mr. Gingras declined any accountability and refused to disclose any financial information regarding the day's sales, which raises a question as to why it was a secret?

Mr. Dingras danced around most of my questions that night and offered only that I should look at it as an opportunity to work with them in the future. No apology of any kind was even hinted at which proves to me a lack of understanding and integrity. I asked also that if I was to commit to bringing an artist to the GAC for a joint venture on a regular basis, would he promise in writing that no other out of town gallery would be brought in again to host a show (that I could provide) and his answer was a "read between the lines" no.

I realise that issue is over, and from the overwhelming support I have received I feel confident that anyone who knows me and how I run my business knows that I would'nt have wasted my time writing the letter if it wasn't warranted. Although I am addressing the issue myself at this time, I will be bringing it to the attention of The Jacksons Point BIA when we meet in the future because issues such as this affect us all. The GAC started carrying a line of clothing that Apples Of Gold had been selling for quite some time and sells it cheaper, hardly fair when the GAC is funded substantially by the town. A few weeks ago the GAC had a Purdy's Chocolate sale...I'm glad I don't have a candy store in town!

I'm not saying the town shouldn't support the GAC, I just think the GAC should be forced to make a decision if they want the funding from the town. Either operate a self sustaining retail store like the rest of us, or stick to their mandate which, according to their Mission Statement is: "to involve the community with the arts through exhibitions, education, programming and partnerships" Those of us who are trying to stay in business would truly appreciate it.

Yours respectfully,

Kathy Taylor-Jackson, Kat's Gallery

Carolyn Lance

From: Ro

Roland Chénier

Sent:

Wednesday, December 02, 2009 1:16 PM

To:

Carolyn Lance

Cc:

Susan Plamondon; Rebecca Mathewson

Subject: FW: to be attached to previous e-mail

Agenda.

Separate e-mail to follow.

Roland

From: Kat Taylor-Jackson [mailto:katsgallery@rogers.com]

Sent: Wednesday, December 02, 2009 1:02 PM

To: Roland Chénier

Subject: to be attached to previous e-mail

1 O'CONNOR DRIVE, JACKSONS POINT ONTARIO, LOG 1L0

The Board of Directors Georgina Arts Centre and Gallery

149 High St.,

Box 1455, Sutton,

Ontario, L0E 1R0

cc: Mayor Robert Grossi and Council

Georgina Advocate

Sutton Chamber of Commerce

RE: Robert Bateman Art Show, October 24, 2009



As the owner of Kats Gallery and Framing Shop I have been a loyal supporter of the Georgina Arts Centre, I have supported every fundraiser and often provided framing services at no cost to the Centre since it's inception, your website shows that I provide a generous discount to GAC members. In addition I frequently refer customers who are looking for original art to the Centre. But now I am totally disgusted with the way GAC has handled their recent Robert Bateman Art Show.

GAC is a registered charity funded, in part by the taxpayers of Town Of Georgina and donations from businesses and individuals in this community, yet you see fit to invite a gallery from **Stouffville** to sell prints at the Robert Bateman Show, to the exclusion of all others. Your promotional material stated that there would be over 100 paintings for sale; none of these were original artwork **but all were prints that are readily available from my gallery.** It seems that this was a great blow-out sale for Golden Eagle Art Galleries and a ploy to steal my business. Further more Golden Eagle have their own Robert Bateman show in Stouffville this Saturday.

Perhaps you do not understand why I should be upset: Like many other small businesses I am fighting to survive the current recession. The market for artwork in these times is, to say the least, limited; but thanks to the presence of Mr Bateman, the Golden Eagle Galleries made substantial sales to local people who would normally be customers of Kats Gallery. So you have effectively given a large part of my business to a business from another town. I have no problem with normal competition from other galleries, but to bring in a competitor from another town and completely ignore your local merchants is hardly fair competition.

I deal with the same suppliers as Golden Eagle, so why did you not, at least, give me the opportunity to sponsor this show? My first knowledge of the show was through an e-mail from GAC one week prior to the show.

To add insult to injury I just received another e-mail from GAC promoting Golden Eagle's Bateman Show in Stouffville this Saturday. I am appalled that my tax dollars are paying to advertise out of town businesses. Over the last 20 years I have supported countless fund raisers in Georgina, I wonder how many Golden Eagle has supported in this community. You may read this and just think that it is just sour grapes; although this event may have put GAC on the map, it decisions like this that will take businesses like me off the map.

Yours sincerely,

Kathy Taylor Jackson

Kats Gallery and Framing Shop

(20 Years doing business in Georgina)

Attention: All Ontario Municipalities

Niagara-on-the-Lake Motion – Approved November 23, 2009 Moved by: Councillor J. Lowrey, Seconded by: Councillor J. Collard

Now therefore be it resolved that the Region of Niagara be requested to enter into a benefit sharing agreement with the lower tier municipalities; and

That Lord Mayor Gary Burroughs and Regional Councillor Dave Lepp table the attached motion in support of that agreement at Regional Council before the finalization of their 2010 budget; and

That this resolution be forwarded to all municipalities within Niagara, including the Region of Niagara, seeking their support; and

That this resolution be forwarded to AMO for circulation to all Ontario municipalities for their support and endorsement; and

That lower tier municipalities across Ontario be requested to follow the lead of Niagara municipalities and negotiate with their upper tier partners a benefit-sharing agreement that distributes the uploading tax room with each municipality in both the upper and lower tiers.

Please forward your notification of support to the Town of Niagara-on-the-Lake Clerk's Department and to the Regional Clerk at the Regional Municipality of Niagara (P.O. Box 1042, Thorold, ON L2V 4T7).

Region of Niagara Motion - Proposed

Whereas the Province of Ontario, after consulting with the Association of Municipalities of Ontario (AMO), has seen fit to upload the costs of social services from municipalities; and

Whereas these costs were paid for by properties across the region based on property assessment; and

Whereas the uploading benefit to the Region of Niagara is anticipated to be \$14.3 million in 2010; and

Whereas the uploading benefit that has been realized over the last two years will continue until 2018 so that the cumulative impact of the uploading benefit off the Regional tax levy after 10 years is estimated to be \$64.386 million; and

Whereas upper tier municipalities have not passed the benefit of uploading back to their lower tier partners, despite the compounded savings realized from incremental permanent uploading; and

Whereas the 12 lower tier municipalities in Niagara are forecasted to lose the OMPF special assistance funding, totaling \$8,477,900 in 2010; and

Whereas Niagara Regional Council has approved the following resolution:

"That Staff be directed to remove the total upload costs (2010, \$14.3M) from the previous year's base budget, such that the replacement of lost OMPF revenues, the inflationary costs of social programs, and the "2010 Guidance Increases" can be transparently reported as the levy increases that they are", and

Now therefore be it resolved that the Region of Niagara be directed to share the gross benefits derived from uploaded social services by passing through those savings to the lower tier Towns/Cities by way of a tax levy restatement in 2010 in order to distribute those 2010 savings to each municipality proportionately based on assessment.

DISCLAIMER

THE CORPORATION OF THE TOWN OF GEORGINA



REPORT NO. EPW-2009-0043

FOR THE CONSIDERATION OF COUNCIL DECEMBER 14, 2009

SUBJECT: OLYMPIC TORCH RELAY

RECOMMENDATION:

- 1. THAT REPORT NO. EPW-2009-0043 BE RECEIVED FOR INFORMATION.
- 2. THAT THE MAYOR AND COUNCIL AUTHORIZE THE INSTALLATIONOF TEMPORARY "NO PARKING" SIGNS ALONG THE TORCH ROUTE.

REPORT:

In preparation for the Olympic Torch Relay in Keswick we are proposing to temporarily close Biscayne Boulevard (from The Queensway to Oakmeadow Boulevard), Oakmeadow Boulevard and Riverglen Drive (from Oakmeadow Boulevard to Woodbine Avenue). The Director of Engineering and Public Works has the authority to temporarily close roads under By-law 2005-0014 (PWO-2).

The proposed closure will be a "rolling closure". At the request of both the RCMP and York Regional Police the closures will include preventing parked vehicles along the torch route. The roads would be closed from 12:00pm to 2:30pm. Temporary "No Parking" signs will be installed along these streets on December 17th, 2009 and be removed after 2:30 pm on December 18, 2009.

We are working with Leisure Services and By-law Departments to organize appropriate staffing and barricades. Attached is a copy of Robin McDougall's memorandum dated December 8, 2009.

We will deliver notices to residents along the torch route including the residents of Castille Crescent. Barricade locations can be seen on the attached map of the torch relay route.

Submitted by:

Recommended by:

Robert J. Fortier, C.E.T., CRS

Operations Manager

Robert Magloughlen, P. Eng.

Director of Engineering & Public Works

Approved by:

Sysan Plamondon, B.A. LL.B

Chief Administrative Officer

RF/hay Att.

MEMORANDUM

December 8, 2009

TO: Robert Fortier, Operations Manager

FROM: Robin McDougall, Leisure Services Programmer

RE: Olympic Torch Relay - Friday December 18th

The Olympic Torch relay is planned and organized by VANOC (Organizing Committee) for the Olympic Games. It is well serviced by our local police and numerous RCMP officers that are traveling with the parade across Canada.

The Town of Georgina is responsible to ensure that the Route is clear for the Parade to get through. Therefore, our roads and sidewalks will need to be cleared (snow ploughed) if needed. This involves our Parks and Roads crews. The degree of their involvement will depend on the weather.

In addition to the Olympic Torch coming to Town, Leisure Services are also planning a Pre-Parade to run along the parade route. This Pre-Parade will include the Town float, a Musical Entertainer pulled on another float and 10 high schools students dressed in different costumes (various cartoon characters) walking along side the float. The intention for the Pre-Parade is to generate excitement along the parade route just before the Olympic Torch comes through Town. We want to keep it small and manageable in order to ensure that we are well out of the way of the Torch when it gets to Town. The VANOC group has reinforced the concern that if they see any issue along the route that may prevent them from maintaining their time, they could pack up and move on to the next community. Therefore, the Pre-Parade is scheduled to start at 12:45pm and travel along the route until the "community stop" site which is at R.L. Graham PS. The float and the musical entertainer will be used to entertain the crowds waiting at that site until the Olympic Torch comes by.

We would like Mayor, Council and CAO to be present at R.L. Graham PS for the "Community Stop". The "stop" means that the Olympic Torch bearer will stop for media opportunity and for the Mayor to say a few words. Our local media will be informed of the details via a Press Release that will be sent out December 10.

Thanks to Simcoe Coach Lines donation, they will provide each school that is not within walking distance with two busses. This means that 140 students from each school (along with teachers/chaperones) will be able to be brought over to the Parade Route (1,540 students from 11 traveling schools). It is up to each school how they decide to fill the busses. The other 6 schools are in walking distance to the route and therefore, don't need busses. They may choose to bring every student or for safety, may only choose certain grades. It is up to the Schools and their policies.

Each school will receive a package of Olympic Flags to be handed out to the students for the parade day. The schools will also receive an Olympic pennant string that can also be used to identify their area along the route. The schools will be assigned a designated area along the route, their busses will drop them off and then wait on neighboring streets to pick them up after the Torch has gone by.

Page 2 - Olympic Torch Relay Memorandum

December 8, 2009

Volunteers and staff support will be needed in designated areas along the route to help support this event in various areas. Some crowd control may be needed, manning road end barriers and also demonstrating Town support throughout the route is also very important.

We are encouraging everyone that comes out to the parade to wear Red & White to support our Canadian Athletes.

The Town of Georgina is very honoured to have been chosen as one of the Route Communities. Check out the Olympic Torch website http://www.vancouver2010.com/olympic-torch-relay/ to see the daily activities of the Torch. There are numerous photos taken from other host Towns. You can see clearly the community spirit that we in Georgina will also get to be a part of.

Me Daugall
Robin McDougall

Leisure Services Programmer

cc: Faye Richardson, Director of Leisure Services

