

**CORPORATION OF THE
TOWN OF GEORGINA**

**COMMITTEE OF THE WHOLE
MINUTES**

November 16, 2009
(9:03 a.m.)

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

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

Mayor Grossi	Regional Councillor Wheeler
Councillor Jamieson	Councillor Szollosy (left at 10:50 a.m.)
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 Report No. LS-2009-0024 entitled 'Pathway and Trail Improvements – Keswick Trail' as Item No. 17.4.1
- 4.2 A Special Council Meeting to be held immediately following the Committee of the Whole meeting

5. APPROVAL OF AGENDA:

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

RESOLUTION NO. CW-2009-0222

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

5. APPROVAL OF AGENDA cont'd:

- 5.1 REPORT NO. LS-2009-0024 ENTITLED 'PATHWAY AND TRAIL IMPROVEMENTS – KESWICK TRAIL' AS ITEM NO. 17.4.1
- 5.2 A SPECIAL COUNCIL MEETING TO BE HELD IMMEDIATELY FOLLOWING THE COMMITTEE OF THE WHOLE MEETING

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

Councillor Jamieson declared an interest in Item No. 17.1.1, Recommendation 'E' as it refers to Crates Harbour proposal and his home is in close proximity to the Crates Marina property and this development.

7. ADOPTION OF THE MINUTES:

Moved by Regional Councillor Wheeler

Seconded by Councillor Smockum

RESOLUTION NO. CW-2009-0223

THAT THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON NOVEMBER 2, 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, deputation by Gord Mahoney, Planner, Michael Smith Planning Consultants Development Coordinators Ltd., respecting several of their client's development projects as they relate to the assignment of water and sewer allocation in the Keswick area
- 9.2 Item No. 17.1.1, Report No. PB-2009-0077 entitled 'Keswick Servicing Allocation Update'
- 9.3 Item No. 17.4.1, Report No. LS-2009-0024 entitled 'Pathway and Trail Improvements – Keswick Trail'

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Councillor Smockum

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. CW-2009-0224

THAT THE ROUTINE CORRESPONDENCE BE RECEIVED.

Reports:

17.2 Report from the Engineering and Public Works Department:

17.2.1 Award of Tender
Supply and Stockpiling of Aggregate "A" Material

Report No. EPW-2009-0039

RESOLUTION NO. CW-2009-0225

Bob M.

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:

17.3 Report from the Administrative Services Department:

17.3.1 New Tangible Capital Asset (TCA) Financial Reporting Requirements

Report No. DAS-2009-0049

RESOLUTION NO. CW-2009-0226

Rebecca M.

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.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.1 Report from the Planning and Building Department:

17.1.1 Keswick Servicing Allocation Update

Report No. PB-2009-0077

Councillor Jamieson declared an interest in Item No. 17.1.1, Recommendation 'E' as it refers to Crates Harbour proposal and his home is in close proximity to the Crates Marina property and this development.

Harold Lenters, Director of Planning and Building, summarized the report at this time.

11. DEPUTATIONS:

11.1 Gord Mahoney, Planner, Michael Smith Planning Consultants Development Coordinators Ltd., respecting several of their client's development projects as they relate to the assignment of water and sewer allocation in the Keswick area.

Michael Smith of Michael Smith Planning Consultants stated that the Crates Landing project is under new ownership and Brightstar is leading the project. He has been assured by the owner that the financing is being dealt with in two parts and is on its way. The operating financing should be secured in December of this year and the construction

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

financing in January of 2010. The owner is prepared to make a presentation to Council if necessary in December, but would prefer to address Council and be able to state that all financing is in place and would therefore prefer to address Council in January of 2010.

Mr. Smith stated that with regard to the Crates Harbour Project, Council authorized an extension by granting a new deadline for the submission of planning applications to May 31, 2006 and subsequent extensions have been provided up to November 30, 2009. An extension on the allocation was not provided by Council beyond the November 30th date and subsequently, nothing went forward pending a report from the Planning staff. Crates is not currently in a position to make a submission by November 30th. He reminded Council that he explained in May of this year that the biggest challenge for this project is the fact that Crates requires a development partner. They recently completed the Boston Pizza project and Crates has just brought that company on board to become partners should Council grant an extension. He noted that it would take more than six months to prepare a full submission and the Lake Simcoe Protection Act now has to be brought into consideration, requiring at least a one-year extension and therefore his clients would like to request an extension to November, 2010.

Mr. Lenters indicated that if allocation is rescinded from an application, it can be reassigned. He also indicated that removing trees for any development is not desired, especially for commercial development. He noted that any development, be it residential or commercial, creates the need for tree removal, one is not better than the other. Environmental issues are the concern for this property fronting on Morton Avenue.

Mr. Lenters explained that he had been trying to encourage the Region to purchase the properties to the extreme north of their landholding at the corner of The Queensway South and Morton Avenue and redevelop the entire corner which would have been ideal but too expensive a proposition for the Region to entertain. The Region's landholding consists of solid trees and any meaningful development proceeded from a commercial perspective, would necessitate the removal of a lot of these trees.

Mr. Lenters stated that staff moved ahead with these specific projects because of the nature of the projects and the initial timelines involved. The owners did move ahead initially but when it got to the actual building, marketing and development of the projects, the owners had problems and had trouble pinpointing the markets they were targeting.

Harold stated that by January of 2010, the owners should be given one last opportunity to address Council and provide a detailed report with written confirmation from a bank about financing being committed, and if Council is not satisfied with what they hear, the allocation can then be rescinded.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Sue Plamondon, Chief Administrative Officer, stated that there is no question that allocation is a valuable commodity. She stated that with regard to the Crates Harbour proposal, Council had allowed an extension to the end of this month and would suggest that Council rescind the allocation for this project if the owners do not submit the required Planning applications by the November 30th deadline.

Ms. Plamondon further stated that with regard to the Crates Landing project, their agent has indicated that they have acquired a new partner and she agrees with the Director of Planning that they be given an opportunity to update Council in January. She agreed that the owners of these projects be advised that unless these projects move ahead without fail, Council will have to rescind their allocation. She noted that if allocation is rescinded, Council does not have to re-allocate immediately and these same projects may come back to be re-allocated.

Mr. Smith stated that in order for Crates Landing to secure financing, they need confirmation in writing that servicing capacity is available for the project and if it is removed even temporarily, they would not be in a position to secure financing. Accordingly, he requested that they at least be permitted to come back in January with details and confirmed financing.

Mr. Smith stated that Crates Harbour is in an impossible position; they cannot file an application before the end of November and go through the pre-consultation process. They have completed a considerable amount of work for the project and can attempt to file the necessary applications now and can deal with the pre-consultation at a later date as to what additional studies may be needed.

Mr. Lenters stated that there will be an abundance of servicing allocation available in the future and all interested parties need to be prepared to apply for that allocation.

Mr. Smith explained that all of his clients across the Greater Toronto Area have the same financing difficulties and Crates Landing is dealing with financing of over \$100 Million and therefore requires multiple bank financing. He stated that Crates Landing contacted him to advise that their financing is almost complete, rather than him needing to chase them about financing, and he believes this to mean that the financing is indeed reaching completion.

Mr. Bob Magloughlen, Director of Engineering and Public Works, stated that the Town reconstructed the westerly half of Church Street with a view of the easterly portion being reconstructed by the developer of the Daycornet lands north of Church Street as a requirement of the development. If the developer was aware that there may be more allocation available in the future, his development may become more viable.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Mr. Lenters explained that the Town had rescinded road capacity for 100 units north of Church Street and allocated the capacity to a Metrus development. If road capacity can be found for 300 units with allocation, the development would be viable to proceed and the required allocation could be requested through the allocation assignment process once the planned sewage treatment plant is constructed.

Rebecca M.

Roland C. The Director Administrative Services was requested to advise the By-law Enforcement

Tom H. Department to review the subject properties with regard to property standards issues.

Moved by Councillor Wheeler

Seconded by Councillor Smockum

RESOLUTION NO. CW-2009-0227

Harold L.

THAT REPORT NO. PB-2009-0077 ENTITLED 'KESWICK SERVICING ALLOCATION UPDATE' BE RECEIVED AS INFORMATION AND REFERRED BACK TO STAFF TO ARRANGE FOR CERTAIN OWNERS/AGENTS TO APPEAR BEFORE COUNCIL AT AN UPCOMING MEETING TO PROVIDE DETAILED UPDATES OF THE STATUS AND TIMING OF CONSTRUCTION OF THESE RESPECTIVE PROJECTS IN ORDER FOR COUNCIL TO PROVIDE DIRECTION TO STAFF WITH RESPECT TO THE FUTURE DISPOSITION OF THE ALLOCATION PRESENTLY ASSIGNED TO THE PROJECTS.

Carried.....

Mr. Lenters suggested that he advise Council in January of 2010 with regard to the balance of allocation available prior to the Allocation Assignment Process being commenced.

17.4 Report from the Leisure Services Department:

17.4.1 Pathway and Trail Improvements – Keswick Trail

Report No. LS-2009-0024

Moved by Councillor Jamieson

Seconded by Councillor Szollosy

RESOLUTION NO. CW-2009-0228

Faye R.

1 THAT REPORT LS-2009-0024 BE RECEIVED.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

- 2 THAT SUBJECT TO SATISFACTORY REFERENCE CHECKS, A BY-LAW BE PASSED AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH CONCORD PAVING INCORPORATED FOR CONTRACT LS2009-067, PATHWAY AND TRAIL IMPROVEMENTS – KESWICK TRAIL SYSTEM, IN AN AMOUNT NOT TO EXCEED \$523,337.00 INCLUSIVE OF CONTINGENCY AND EXCLUSIVE OF GST.

Carried.....

Faye R.

The Director of Leisure Services was requested to advise Council with regard to whether the Richmond Park bridge and lighting for the Keswick Trail System were included in the tender documents.

12. PRESENTATIONS:

None.

14. PUBLIC MEETINGS:

None.

15. COMMUNICATIONS:15.2 Matters for Disposition:

None.

It was noted that the correspondence from OMAFRA concerning the Premier's Award for Agri-Food Innovation Excellence should be referred to the Georgina Agricultural Advisory Committee for consideration. Council was advised that this had already been forwarded to this Committee by staff.

16. PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

None.

20. MOTIONS:

None.

21. NOTICES OF MOTION:

None.

22. OTHER BUSINESS:

None.

23. RECESS COMMITTEE OF THE WHOLE AND RESOLVE INTO CLOSED MEETING:

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

That the Committee of the Whole Meeting recess at this time (10:12 a.m.) and move into a Closed Meeting at this time (10:18 a.m.) pursuant to Section 239 of The Municipal Act, 2001, as amended, to consider:

- i) Personal matter about an identifiable individual; Proposed Staff Realignment; Section 239 (2) (b), MA
- ii) Litigation or potential litigation matter; Management of Litigation Claim, Section 239 (2)(e), MA

Carried.....

24. RISE AND REPORT FROM CLOSED MEETING:

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

RESOLUTION NO. C-2009-0229

THAT COUNCIL RISE AND REPORT FROM THE CLOSED MEETING AT THIS TIME (10:59 A.M.); NO MOTIONS EMANATED FROM THE CLOSED MEETING.

Carried.....

25. ADJOURNMENT:

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

That the Committee of the Whole Meeting adjourn at this time (11:00 a.m.) and a Special Council Meeting be held immediately following the Committee of the Whole Meeting to deal with the following matters:

- i) Roll Call
- ii) Declaration of Pecuniary Interest
- iii) Report No. LS-2009-0024 entitled 'Pathway and Trail Improvements – Keswick Trail'
- iv) A By-law to authorize the Mayor and Clerk to enter into an Agreement with Concord Paving Incorporated for Contract LS2009-067, Pathway and Trail Improvements – Keswick Trail System, in an amount not to exceed \$523,337.00 inclusive of contingency and exclusive of G.S.T.
- v) Confirming By-law
- vi) Adjournment

Carried.....