

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

February 22, 2010
(7:13 p.m.)

****Keswick Library Annex
90 Wexford Drive**

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

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

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

3. COMMUNITY SERVICE ANNOUNCEMENTS:

The Council members were made aware of a number of events taking place.

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

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

- 4.1 Report Number EPW-2010-0009 entitled 'Waterworks Maintenance Facility, Award of Tender' as Item No. 17.3.2
- 4.2 A by-law to enter into an agreement with Jeviso Construction Corporation for the construction of the proposed Waterworks Maintenance Facility with nine bays and a workshop
- 4.3 Correspondence from The Lakewatch Society and the North East Sutton Ratepayers Association Inc. regarding Item No. 14.2.1
- 4.4 Correspondence from Trevor Catherwood, Development Review Technologist, York Region Transportation Services, regarding Item No 14.2.1
- 4.5 Correspondence from William Choi, Service Planner, York Region Transit, regarding Item No. 14.2.1
- 4.6 Correspondence from Lisa Lyons, Deputy Clerk, Georgina Heritage Committee, regarding Item No 14.2.1

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS cont'd:
- 4.7 Correspondence from Carsten Schnuelle, Systems Planner, Rogers Communication Inc. regarding Item No 14.2.1
 - 4.8 Correspondence from Tony Ingoglia, President, 1084466 Ontario Ltd., property owner directly across from the proposed commercial development, regarding Item No. 14.2.1
 - 4.9 Bill 237, Sustainable Water and Waste Water Systems Improvement and Maintenance Act, 2010, as Item No. 15.2.4

5. APPROVAL OF AGENDA:

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. C-2010-0044

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

- 5.1 REPORT NUMBER EPW-2010-0009 ENTITLED 'WATERWORKS MAINTENANCE FACILITY, AWARD OF TENDER' AS ITEM NO. 17.3.2
- 5.2 A BY-LAW TO ENTER INTO AN AGREEMENT WITH JEVISO CONSTRUCTION CORPORATION FOR THE CONSTRUCTION OF THE PROPOSED WATERWORKS MAINTENANCE FACILITY WITH NINE BAYS AND A WORKSHOP
- 5.3 CORRESPONDENCE FROM THE LAKEWATCH SOCIETY AND THE NORTH EAST SUTTON RATEPAYERS ASSOCIATION INC. REGARDING ITEM NO. 14.2.1
- 5.4 CORRESPONDENCE FROM TREVOR CATHERWOOD, DEVELOPMENT REVIEW TECHNOLOGIST, YORK REGION TRANSPORTATION SERVICES, REGARDING ITEM NO 14.2.1
- 5.5 CORRESPONDENCE FROM WILLIAM CHOI, SERVICE PLANNER, YORK REGION TRANSIT, REGARDING ITEM NO. 14.2.1
- 5.6 CORRESPONDENCE FROM LISA LYONS, DEPUTY CLERK, GEORGINA HERITAGE COMMITTEE, REGARDING ITEM NO 14.2.1
- 5.7 CORRESPONDENCE FROM CARSTEN SCHNUELLE, SYSTEMS PLANNER, ROGERS COMMUNICATION INC. REGARDING ITEM NO 14.2.1
- 5.8 CORRESPONDENCE FROM TONY INGOGLIA, PRESIDENT, 1084466 ONTARIO LTD., PROPERTY OWNER DIRECTLY ACROSS FROM THE PROPOSED COMMERCIAL DEVELOPMENT, REGARDING ITEM NO. 14.2.1

5. APPROVAL OF AGENDA cont'd:

- 5.9 BILL 237, SUSTAINABLE WATER AND WASTE WATER SYSTEMS IMPROVEMENT AND MAINTENANCE ACT, 2010, AS ITEM NO. 15.2.4

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

None.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Jamieson

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0045

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON FEBRUARY 8, 2010, BE ADOPTED AS PRESENTED.

Carried.....

8. BUSINESS ARISING FROM THE MINUTES:

Council noted that Mr. Roland Peacock was presented the Lieutenant Governor's Award for Lifetime Achievement at Queen's Park on February 19th.

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-2010-0011 entitled 'Application to Amend Zoning By-law 500, Wendy and Martorino Twydell and Sheila Twydell, Tack Town'
- 9.2 Item No. 14.1.2, Report No. PB-2010-0012 entitled 'Application to Amend Zoning By-law 500, Ideal Supply'
- 9.3 Item No. 14.2.1, Report No. PB-2010-0010 entitled 'Application to Amend Official Plan and Zoning by-law 500, Kingston Westney Inc.'
- 9.4 Item No. 15.2, various matters for disposition
- 9.5 Item No. 17.2.1, Report No. DAS-2010-0013 entitled '2010 Tax Levy Supported Budget'
- 9.6 Item No. 20, various by-laws

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Regional Councillor Wheeler

Seconded by Councillor Hackenbrook

That the following recommendations respecting the matters listed as "Items Not Requiring Separate Discussion" be adopted as submitted to Council and staff be authorized to take all necessary action required to give effect to same:

Recommendations from the Committee of the Whole Meeting held on February 16, 2010:

RESOLUTION NO. C-2010-0046

- 17.1.1
1. THAT REPORT NO. DAS-2010-0010 BE RECEIVED FOR INFORMATION.
 2. THAT THE TOWN OF GEORGINA ADVERTISE THE CAT SPAY/NEUTER PROGRAM ON THE TOWN'S WEBSITE AND ON THE TOWN PAGE OF THE GEORGINA ADVOCATE.
 3. THAT THE REBATE VOUCHER FOR ANY TOWN OF GEORGINA CAT SPAYED/NEUTERED DURING THE MONTHS OF MARCH AND APRIL, 2010 BE SET AT \$50.00 FOR MALES AND \$75.00 FOR FEMALES.

RESOLUTION NO. C-2010-0047

- 17.1.2
1. THAT REPORT NO. EPW-2010-0005 BE RECEIVED FOR INFORMATION.
 2. THAT THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS, THE DIRECTOR OF LEISURE SERVICES AND THE ECONOMIC DEVELOPMENT OFFICER ARE AUTHORIZED TO WORK WITH YORK REGION TRANSIT TO DEVELOP A DESIGN AND CONTRACT FOR THE SUPPLY AND MAINTENANCE OF STREET FURNITURE FOR REGIONAL AND MUNICIPAL ROADS.

RESOLUTION NO. C-2010-0048

- 17.1.3
1. THAT REPORT NO. DAS-2010-0007 BE RECEIVED; AND

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

2. THAT COUNCIL ADOPT THE 2010 WATER AND SEWER BUDGET, REFLECTING AN OVERALL INCREASE OF 8.8% TO THE QUARTERLY WATER AND SEWER BILL FOR AN AVERAGE HOME; AND
3. THAT THE RATE FOR WATER USAGE BE ESTABLISHED AT \$1.09 PER CUBIC METRE; AND
4. THAT THE RATE FOR SEWER SERVICES BE ESTABLISHED AT \$1.24 PER CUBIC METRE OF WATER; AND
5. THAT THE ABOVE-NOTED PROPOSED WATER AND SEWER RATES BE EFFECTIVE COMMENCING ON THE APRIL 2010 BILLING; AND
6. THAT COUNCIL ADOPT THE NECESSARY BY-LAWS TO EFFECT THE ABOVE-NOTED CHANGES IN THE WATER AND SEWER RATES AT ITS MEETING OF FEBRUARY 22, 2010.

RESOLUTION NO. C-2010-0049

- 17.1.4 1. THAT REPORT NO. DAS-2010-0012 BE RECEIVED FOR INFORMATION.
2. THAT COUNCIL DIRECT STAFF TO WORK WITH THE OTHER INTERESTED MUNICIPALITIES WITHIN YORK REGION TO RECRUIT APPLICANTS FOR A JOINT COMPLIANCE AUDIT COMMITTEE;
3. THAT THE TERMS OF REFERENCE FOR THE JOINT COMPLIANCE AUDIT COMMITTEE BE ADOPTED;
4. THAT ROLAND CHENIER, TOWN CLERK, BE APPOINTED TO REPRESENT THE TOWN ON THE SELECTION COMMITTEE.

RESOLUTION NO. C-2010-0050

- 17.1.5 1. THAT REPORT NO. EPW-2010-0007 BE RECEIVED FOR INFORMATION.

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

2. THAT THE REVISED PRICE SUBMITTED BY JEVISSO CONSTRUCTION CORPORATION IN THE AMOUNT OF \$1,450,000 FOR THE PROPOSED WATERWORKS MAINTENANCE FACILITY IS ACCEPTED AND THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A CONSTRUCTION CONTRACT ACCORDINGLY.
3. THAT STAFF BE DIRECTED TO NEGOTIATE WITH THE CONTRACTOR CONCERNING THE POTENTIAL EXPANSION TO THE TENDERED DOCUMENT TO INCLUDE THE TWO ADDITIONAL BAYS TENDERED IN THE ORIGINAL DOCUMENT AS AN OPTION IF DETERMINED BY THE TOWN TO BE PRACTICAL, CONDITIONAL ON THE \$247,600 INCREASED PRICE REMAINING FIXED.

RESOLUTION NO. C-2010-0051

- 17.1.6 THAT THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS SUBMIT A REPORT TO COUNCIL ON THE POTENTIAL OF INSTALLING AN ADDITIONAL STOP SIGN ON ARLINGTON DRIVE IN THE CEDARWOOD SUBDIVISION BETWEEN WOODBINE AVENUE AND RICHMOND PARK DRIVE, GIVEN THE FACT THAT IT IS A HIGH TRAFFIC AREA CONFIRMED THROUGH A TRAFFIC COUNT STUDY.

17.3 Reports from the Engineering and Public Works Department:

- 17.3.1 Designation of Fire Route
Boston Pizza

Report No. EPW-2010-0008

RESOLUTION NO. C-2010-0052

1. THAT REPORT NO. EPW-2010-0008 BE RECEIVED FOR INFORMATION.
2. THAT A BY-LAW BE PASSED TO AMEND PAGE 1 OF SCHEDULE 'X' OF BY-LAW 2002-0046 (TR-1) BEING THE TRAFFIC BY-LAW BY DELETING PAGE 1 OF SCHEDULE 'X' AND REPLACING IT WITH PAGE 1 OF SCHEDULE 'X' TO DESIGNATE AS A FIRE ROUTE BOTH SIDES OF THE ENTRANCE FROM THE QUEENSWAY SOUTH AND CONTINUE NORTHERLY THROUGH THE PARKING LOT TO THE EXISTING BOAT LAUNCH.

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

17.3.2 Waterworks Maintenance Facility
Award of Tender

Report No. EPW-2010-0009

RESOLUTION NO. C-2010-0053

1. THAT REPORT NO. EPW-2010-0009 BE RECEIVED FOR INFORMATION.
2. THAT THE ORIGINAL BID IN THE AMOUNT OF \$1,697,614.00 SUBMITTED BY JEVISSO CONSTRUCTION CORPORATION FOR THE CONSTRUCTION OF THE PROPOSED WATERWORKS MAINTENANCE FACILITY WITH NINE BAYS AND A WORKSHOP WITHIN THE GARAGE AREA IS ACCEPTED AND THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A CONTRACT ACCORDINGLY.

Carried.....

10.2 Matters subject to individual conflicts

None.

11. DEPUTATIONS:

None.

12. PRESENTATIONS:

None.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:17.2 Report from the Administrative Services Department:

17.2.1 2010 Tax Levy Supported Budget

Report No. DAS-2010-0013

Ms. Sue Plamondon, Chief Administrative Officer, and Rebecca Mathewson, Director of Administrative Services and Treasurer, expressed their appreciation to staff for putting together a practical, responsible and reasonable 2010 budget.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

RESOLUTION NO. C-2010-0054

1. THAT REPORT NO. DAS-2010-0013 BE RECEIVED; AND
2. THAT COUNCIL ADOPT THE 2010 TAX LEVY SUPPORTED BUDGET FOR BOTH OPERATIONS AND CAPITAL INVESTMENTS AS DETAILED IN THIS REPORT AND THE ACCOMPANYING SCHEDULES; AND
3. THAT COUNCIL AUTHORIZE THE TOWN TREASURER TO ESTABLISH 2010 PROPERTY TAX RATES SUFFICIENT TO RAISE \$27,781,500 IN SUPPORT OF THE TAX LEVY SUPPORTED BUDGET.

Carried unanimously.....

15. COMMUNICATIONS:

15.2 Matters for Disposition:

- 15.2.1 Regional Councillor Danny Wheeler, Chairman, Police Services Board, requesting support of its motion concerning Marihuana Medical Access Regulations, Licensed Marihuana Grow Operations.

Moved by Councillor Smockum

Seconded by Councillor Jamieson

RESOLUTION NO. C-2010-0055

WHEREAS IN JUNE 2001, THE FEDERAL GOVERNMENT IMPLEMENTED THE MARIHUANA MEDICAL ACCESS REGULATIONS (MMAR) WHICH ALLOWS FOR LICENSED MARIHUANA GROW OPERATIONS. THE MMAR AUTHORIZES HEALTH CANADA TO ISSUE LICENSES TO POSSESS, AS WELL AS PRODUCE, MARIHUANA FOR PERSONS WITH CERTAIN MEDICAL CONDITIONS. IT ALSO ALLOWS FOR DESIGNATED THIRD PARTIES TO PRODUCE MARIHUANA FOR PERSONS WITH MEDICAL CONDITIONS.

15. COMMUNICATIONS cont'd:

AND WHEREAS THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD RECOGNIZES THAT THERE ARE SUBSTANTIAL HEALTH RISKS ASSOCIATED WITH INDOOR MARIHUANA GROW OPERATIONS, LEGAL OR ILLEGAL, DUE TO MOULD, ELEVATED LEVELS OF CARBON DIOXIDE, ELECTRICAL HAZARDS AND OTHER CHEMICALS AND PESTICIDES USED TO FOSTER PLANT GROWTH;

AND WHEREAS ADMINISTERED BY HEALTH CANADA, THE MMAR DO NOT SUPERSEDE OTHER LEGISLATION INCLUDING MUNICIPAL BY-LAWS. INDIVIDUALS LICENSED UNDER THE MMAR ARE REQUIRED TO OBSERVE ALL OTHER LAWS SUCH AS ZONING, FIRE AND ELECTRICAL REGULATIONS. HEALTH CANADA MAINTAINS THAT IT IS NOT PART OF THEIR MANDATE TO VERIFY THE SAFETY STANDARDS OF EACH PRODUCTION SITE.

AND WHEREAS THERE IS NO MECHANISM IN PLACE TO ENSURE THAT INDIVIDUALS LICENSED TO GROW MARIHUANA UNDER THE MMAR ADHERE TO FEDERAL, PROVINCIAL LAWS AND MUNICIPAL BUILDING, FIRE AND ELECTRICAL REGULATIONS. CONSEQUENTLY, THERE IS AN INCREASED AND UNADDRESSED RISK TO BUILDING OCCUPANTS AND OTHERS INCLUDING EMERGENCY PERSONNEL.

THEREFORE BE IT RESOLVED THAT THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD CALLS UPON HEALTH CANADA TO REQUIRE ELECTRICAL, FIRE AND BUILDING INSPECTIONS AS A CONDITION OF LICENSING TO PRODUCE MARIHUANA IN ACCORDANCE WITH MMAR.

AND BE IT FURTHER RESOLVED THAT THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD CALLS UPON HEALTH CANADA TO NOTIFY LOCAL GOVERNMENTS AND POLICE SERVICES OF LOCATIONS LICENSED TO PRODUCE MARIHUANA IN ACCORDANCE WITH MMAR, THEREFORE, ENABLING REGIONAL AND MUNICIPAL AUTHORITIES TO ENSURE SITES ARE COMPLIANT WITH PERTINENT LAWS AND REGULATIONS.

AND BE IT FURTHER RESOLVED THAT THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD CALLS UPON THE CANADIAN ASSOCIATION OF POLICE BOARDS TO EXPRESS THEIR SUPPORT OF THIS RESOLUTION.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.2 Jerry J. Ouellette, MPP, Oshawa, requesting informed feedback and comments concerning legislation and regulations governing Conservation Authorities to ensure they are up-to-date, streamlined and practical.

Moved by Regional Councillor Wheeler

Seconded by Councillor Jamieson

RESOLUTION NO. C-2010-0056

THAT CORRESPONDENCE FROM JERRY J. OUELLETTE, MPP, OSHAWA, REQUESTING INFORMED FEEDBACK AND COMMENTS CONCERNING LEGISLATION AND REGULATIONS GOVERNING CONSERVATION AUTHORITIES TO ENSURE THEY ARE UP-TO-DATE, STREAMLINED AND PRACTICAL, BE RECEIVED.

Carried.....

- 15.2.3 Michael Harding, Mayor, City of Woodstock, requesting support of this year's Earth Week Community Challenge Day, August 11, 2010.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0057

THAT TOWN COUNCIL SUPPORT THE 'EARTH WEEK COMMUNITY CHALLENGE DAY' TO BE HELD ON WEDNESDAY, AUGUST 11, 2010 THROUGH SHOWING THE LARGEST REDUCTION IN ELECTRICITY USE.

Carried.....

- 15.2.4 Bill 237, Sustainable Water and Waste Water Systems Improvement and Maintenance Act, 2010

15. COMMUNICATIONS cont'd:

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2010-0058

THAT BILL 237, SUSTAINABLE WATER AND WASTE WATER SYSTEMS IMPROVEMENT AND MAINTENANCE ACT, 2010, BE REFERRED TO THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS FOR ANALYSIS AND SUBMISSION OF A REPORT TO COUNCIL.

Carried.....

14. PUBLIC MEETINGS:

14.1 Statutory Public Meetings:

(7:35 p.m.)

14.1.1 Application to Amend Zoning By-law 500
TWYDELL, Wendy & Martorino, Sheila (Tack Town)
Part Lot 1, Concession 3 (G); 24339 Highway 48, Baldwin

Report No. PB-2010-0011

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

Ms. Wendy Twydell, owner, stated that she is requesting Council to permit the rezoning of the subject property known as Tack Town. In the past 26 years, she has built a business that the Town can be proud of. Her business has serviced the Town and surrounding areas and drawn people from across Canada and from overseas. The business has given back to the Town by sponsoring local events and supporting local riding clubs and children, and people have responded by returning to Tack Town with their own children. There has never been a complaint registered against the business. It is a clean business which is supported by its neighbours and is a good corporate citizen.

Ms. Twydell indicated that she has complied with all that was requested by the Town during the rezoning efforts and it has taken five months to get to this stage. Nothing is proposed to be changed at Tack Town, it will continue as a store. She is requesting Council to permit them to continue in this venture.

Laura Diotte, Senior Planner - Policy, reviewed her report at this time, indicating that the application was submitted to rezone the property designation to permit the existing ground floor retail commercial store with an office on the ground floor and

14. PUBLIC MEETINGS cont'd:

one residential unit on the second floor. The property is currently zoned for site specific Rural (RU-3) which allows for a manufacturing and industrial plant. The retail use is not a permitted use and they require a rezoning to the Highway Commercial (C-2) zone. She indicated that no objections have been received from either the public or agencies, but two letters of support have been received, one from the neighbouring property owners to the north of the subject property and the other from a customer.

Ms. Diotte indicated that the subject property is located within a Hamlet in the Protected Countryside designation. Hamlets are governed by Municipal Official Plans and are not subject to the policies of the Greenbelt Plan, and the Town's Official Plan permits small-scale commercial uses. Staff supports the application to continue the current retail use as long as no physical site changes occur. If changes do occur, a site plan review would be required and if the uses were other than retail, an additional zoning by-law amendment would be required.

Ms. Diotte explained that the property is deficient in meeting the various requirements of the Zoning By-law for commercial uses including lot frontage, lot area, building and parking setbacks and these issues would need to be recognized through a site plan amendment. Staff recommends approval of the application as it is compatible with the Official Plan and adjacent land uses and has been in operation for more than twenty-five years without complaint from the public.

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0059

- A. THAT REPORT NO. PB-2010-0011 BE RECEIVED AS INFORMATION.
- B. THAT THE APPLICATION TO AMEND ZONING BY-LAW 500 TO REZONE LAND DESCRIBED AS PART LOT 1, CONCESSION 3 (G) FROM RURAL (RU-3) TO A HIGHWAY COMMERCIAL (C2) ZONE TO PERMIT THE EXISTING RESIDENTIAL AND RETAIL USES, BE APPROVED.
- C. THAT THE AMENDING ZONING BY-LAW CONTAIN THE SITE SPECIFIC PROVISIONS AS OUTLINED IN SECTION 9 OF REPORT PB-2010-0011.

Carried.....

14. PUBLIC MEETINGS cont'd:

(7:45 p.m.)

14.1.2 Application to Amend Zoning By-law 500
IDEAL SUPPLY
Part Lots 1, 2 and 3, Plan 372, 606 The Queensway South
AGENT: Michael Smith Planning Consultants

Report No. PB-2010-0012

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

Mr. Gord Mahoney of Michael Smith Planning Consultants, agent for the applicant and beneficial owner, stated that Steven Smith, Vice President of Ideal Supply, is also in attendance. An application has been submitted to amend Zoning By-law 500 to rezone the subject property from a site specific Tourist Commercial (C5-7) zone to a site specific General Commercial (C1) zone to permit commercial uses identified as a wholesale/retail establishment, a dry cleaning establishment, a print shop and a light service shop.

Mr. Mahoney explained that the subject property is located on the north-west corner of The Queensway South and Annshiela Drive. The property is 2900 square metres or .72 acres in size with a frontage of fifty-eight (58) metres or one hundred and ninety (190) feet along The Queensway and 46.08 metres or one hundred and fifty-one (151) feet along Annshiela Drive. The property contains a one-storey commercial building used as a flooring sales establishment with associated parking. The property is designated Urban Corridor 2 in the Keswick Secondary Plan which allows for retail and service commercial uses and is within a site specific Tourist Commercial (C5-7) zone of Zoning By-law 500.

Mr. Mahoney further explained that the applicant currently owns a NAPA Auto Parts store and wants to relocate it. He intends to purchase the subject property and operate a wholesale/retail establishment for Ideal Supply and NAPA Auto Parts selling electrical supplies, safety equipment, tools and auto parts. The additional uses of a print shop, dry cleaning establishment and service shop (personal or light) are potential uses to increase the value of the property for future sale. No renovations would be required.

Mr. Mahoney noted that the applicant is agreeable to discussing the additional uses as referred to in recommendation B (ii). He indicated that the amendment is consistent with the Provincial Policy Statement, the Greenbelt Plan, the Growth Plan, the Keswick Secondary Plan and the Lake Simcoe Protection Plan. Slight changes would be required to the site specific wording. He explained that the nature and operation of the existing flooring and the proposed wholesale establishment are very similar and therefore no impact is foreseen on surrounding properties. No objections have been received from internal or external agencies and the application represents good planning. He also noted that the approval of the rezoning needs is necessary before the purchase/sale of the property can be finalized.

14. PUBLIC MEETINGS cont'd:

Ms. Laura Diotte, Senior Planner – Policy, confirmed that if this zoning by-law amendment application is approved, the amending by-law for the wholesale/retail for electrical supplies, safety equipment, tools and auto parts could be prepared for the next Council meeting for passing.

Ms. Roxanna Arnold of 270 Annsheila Drive stated that she lives next door to the current flooring centre. She has objections to the proposed printing shop use with regard to the chemicals used in such an operation. She stated that she is also concerned with traffic flow in the area. Large trucks come and go from the current business, using her driveway and blocking her driveway at times and she is concerned that if the amendment is approved, more problems may occur. She reminded Council that the subject property is within a residential area. She is concerned that the zoning changes may result in a business such as a convenience store operating next to her home and the associated garbage and vandalism are not desirable in a residential area. She stated that she has no concerns with the property being zoned to sell auto parts and electrical supplies, but is opposed to a printing establishment.

Brooke Aaltink of 267 Annshiela Drive stated that she lives across the road from the subject property and is also concerned with the truck traffic issue because they use her driveway to back into at present. She also stated that she has worked in the printing industry for ten (10) years and as she is familiar with the amount of debris associated with a print shop, she would prefer that type of business not be located in a residential area.

Ms. Aaltink explained that she has no concerns with extending the current business to include auto parts, electrical supplies and safety equipment, but would be opposed to an auto shop or auto repairs. She is also opposed to the potential for it to be operated as a convenience store in future because that type of use would not integrate with the surrounding residential neighbourhood. She believes the traffic volume is too high in this area currently and more traffic would not be desirable. She reiterated that her major concern with the property as it is currently operated is the fact that they use her driveway and she would prefer that they not do this.

Ms. Diotte explained that staff would be reviewing additional traffic patterns, parking requirements and compatibility with adjacent uses and following that review, additional recommendations would be forthcoming to Council for its consideration.

Mr. Mahoney stated that in discussing the uses issue with staff, it was suggested that if Council approved the wholesale/retail establishment, staff would prepare the corresponding amending by-law for that and would prepare an additional amending by-law for the additional uses if they were considered appropriate. The applicant's

14. PUBLIC MEETINGS cont'd:

intent is to operate a wholesale/retail establishment. The printing shop use would be for the operation of a digital printing shop, not press related, and noted that a mechanical garage is not being proposed or considered for this site. He also noted that the truck drivers associated with this property will be directed to avoid blocking and using adjacent driveways.

Mr. Harold Lenters, Director of Planning and Building, advised that staff echo the concerns raised with regard to the proposed additional uses. Council could decide to exclude the additional uses and to permit a wholesale establishment only.

Mr. Mahoney indicated that a convenience store is not proposed for the site, to put neighbour's minds at ease. He also noted that a light service shop is not a mechanical shop, it is a shop for servicing televisions, computers and small appliances.

Ms. Aaltink stated that she was in the printing industry for both silk screening and digital printing and knows from experience that the amount of debris produced from a printing establishment is huge regardless of what type of printing is being performed.

Mr. Lenters indicated that reference to the rezoning to permit a dry cleaning establishment, print shop and service shop – personal or light, could be removed from the recommendation and referred back to staff for further discussion between the applicant and staff.

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

RESOLUTION NO. C-2010-0060

- A. THAT REPORT NO. PB-2010-0012 BE RECEIVED FOR INFORMATION.
- B. THAT THE APPLICATION TO AMEND ZONING BY-LAW 500 TO REZONE LAND DESCRIBED AS PART OF LOTS 1, 2, 3, REGISTERED PLAN 372 FROM A SITE SPECIFIC TOURIST COMMERCIAL (C5-7) ZONE TO A SITE SPECIFIC GENERAL COMMERCIAL (C1) ZONE, TO PERMIT A WHOLESALE/RETAIL ESTABLISHMENT FOR ELECTRICAL SUPPLIES, SAFETY EQUIPMENT, TOOLS AND AUTOMOTIVE PARTS, BE APPROVED.
- C. THAT THE AMENDING ZONING BY-LAW CONTAIN THE SITE SPECIFIC PROVISIONS AS OUTLINED IN SECTION 10 OF REPORT PB-2010-0012.

Carried.....

14. PUBLIC MEETINGS cont'd:

14.2 Continuation of Planning Application (Interested Parties Notified):

(8:09 p.m.)

- 14.2.1 Application to Amend Official Plan and Zoning By-law 500
KINGSTON WESTNEY INC.
Part Lot 2, Concession 6 (G), s/s Burke Street, e/s High
Street, n/s Highway 48, Sutton
AGENT: Michael Smith Planning Consultants

Report No. PB-2010-0010

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

Mr. Gord Mahoney of Michael Smith Planning Consultants, agent for the applicant, stated that Patrick Chan, President of Kingston Westney Inc., is in attendance.

Mr. Mahoney explained that the applicant has submitted revised applications for amendment to the Official Plan and Zoning By-law 500. The application consists of three separate lots at the south-east corner of High Street and Burke Street and bounded by Burke Street to the north, High Street to the west and Highway 48 to the south and east. The subject lands total 1,088 hectares in area and contain two (2) vacant single family dwellings. He noted that one of the prior uses on the site was a bulk fuel storage depot. The subject property is currently zoned as Low Density Urban Residential (R1) and General Industrial (M2), while the applicant is requesting it be rezoned to Highway Commercial (C2) with site specific provisions to facilitate the proposed commercial development.

Mr. Mahoney stated that the history of the property has been outlined in staff's report. He indicated that a revised site plan and traffic impact study have been submitted and significant revisions have been made to the site plan. The right-out access onto Hwy 48 has been removed which is a considerable improvement. This access was approved by the Ministry of Transportation but was considered potentially problematic by the Town Engineer as well as the Town's peer review consultant. Removal of the right-out access required a westbound left-hand turning lane from Burke Street to High Street.

Mr. Mahoney advised that the applicant proposes three stand-alone buildings with 1,193 square metre, or 12,800 square foot, gross area, a reduction from the four (4) buildings that were originally proposed. Building 'A' is proposed for a single retail commercial suite or divided into three (3) to five (5) smaller suites, Building 'B' has been designed as a financial institution with a drive-through component and Building 'C' for a restaurant with a drive-through component. A total of one hundred and five (105) parking spaces can be provided on the property, but thirty-one (31) are located

14. PUBLIC MEETINGS cont'd:

within an area where parking is permitted by the Ministry of Transportation but cannot be included in the required parking total in case the highway needs to be widened in the future. The remaining seventy-four (74) parking spaces exceed the required sixty-nine (69) spaces.

Mr. Mahoney indicated that the applications conform to the Greenbelt Plan and the Official Policy Statement, the Region's Planning staff has no objections and it also conforms to the objectives of the Sutton Secondary Plan. He noted that the applicant will meet with York Region Transit with regard to establishing a transit terminal in the vicinity of Hwy 48 and High Street.

Mr. Mahoney explained that the site specific zoning provision is required to address building setback relief required to implement urban design principles, loading spaces, width of entrances and permitted non-residential uses. He stated that for flexibility, a reduction of the exterior side yard setback has been requested from nine (9) metres to three (3) metres, a reduction in the number of loading spaces from four (4) spaces to two (2) formal loading spaces and one (1) informal loading space.

Mr. Mahoney explained that according to the Zoning By-law, four (4) loading spaces would be required based on the non-residential floor area provided on the site plan. The site plan provides for one (1) designated loading space each for Buildings 'A' and 'C', and a less formal loading space within the drive-through lane for Building 'B'. The report indicated that Building 'A' would require two (2) loading spaces according to the zoning by-law as it has over 550 square metres of non-residential floor area, but Building 'A' is only over by eight (8) square metres and would be reasonable to assume that it will function much like a 550 square metre building. He added that the zoning by-law allows for the reduction of non-residential floor area for the purposes of calculating parking and loading spaces where the non-residential floor area is used for purposes such as a furnace or utility room, laundry room, washroom, stairwell or elevator shaft. It is reasonable to assume that Building 'A' will have at least eight (8) square metres devoted to the above noted areas and therefore would have less than 550 square metres of non-residential floor area and accordingly, only require one (1) loading space.

Mr. Mahoney also indicated that the applicant is seeking to include a retail store as a permitted use within the Highway Commercial (C2) zoning. He continued, stating that commercial entrance widths can be wider than the nine (9) metre maximum permitted in the zoning by-law and in this regard the applicant is requesting a maximum entrance width as deemed appropriate by the governing road authority.

Mr. Gord Dickson, Planner, reviewed the history of the site, indicating that the original applications submitted in July of 2005 requested an Official Plan Amendment and Zoning By-law Amendment similar to those proposed tonight. A public meeting was held to comment on the proposal of a commercial development

14. PUBLIC MEETINGS cont'd:

of four (4) stand-alone commercial buildings including two drive-through restaurant uses. At that point, a number of issues were raised by the public regarding design and functionality, public safety, noise and air pollution, traffic generation, compatibility with surrounding uses, light issues and perceived negative impacts on property values. Council of the day suggested that the proposal be revised.

Mr. Dickson indicated that some of the original concerns have still not been addressed. It was requested that the Traffic Impact Study be circulated to the Town's peer consultant and they reported that there are site entrance issues in that the High Street right-turn provides insufficient travel distance from Hwy 48, along with internal vehicle circulation issues related to the mechanics of how one navigates through the site given the two drive-through uses. He indicated that the two (2) proposed drive-through uses pose problems with respect to the efficient and safe movement of vehicles and pedestrians on the site as well as impeding access into and out of the site.

Mr. Dickson stated that the revised traffic impact study did address some of the issues that were apparent with the original study reviewed by our peer review consultant, while the revised site plan still appears to over-develop the site and contains a lot of the original issues raised by staff and acknowledged by Council in the past.

Mr. Dickson advised that staff re-examined the proposed site plan, keeping in mind that generally 50% of traffic generated by banks and retail operations and 70% of traffic generated by coffee shops are problematic. These types of operations attract traffic from outside the community rather than catering to local traffic. He stated that the High Street right-turn entrance remains problematic from a safety and technical engineering point of view as there is insufficient clearance from Hwy 48 to the entrance.

Mr. Dickson explained that the Burke Street entrance is anticipated to be extremely heavily utilized and will increase the number of vehicles traveling down Burke Street. This can be addressed through the urbanization of the street or by the design of the Burke Street entrance.

Mr. Dickson advised that although the Hwy 48 right-out access has been removed, there remains a logistics issue with regard to external transportation. Internal traffic circulation will be driven by the proposed uses, design of the uses, configuration of the site plan and placement of buildings on the site.

14. PUBLIC MEETINGS cont'd:

Mr. Dickson stated that the proposal calls for an Official Plan Amendment from 'Industrial' and 'Low Density Residential' to 'General Commercial'. Support of this amendment relates to this site being historically noted for commercial development and the fact that the ongoing use of this site of industrial uses is no longer reasonable.

Mr. Dickson explained that the application is requesting the rezoning of the property from 'General Industrial' and 'Low Density Urban Residential' to 'Highway Commercial' with special provisions associated with it concerning the exterior side yard setback, loading space requirements, permitted non-residential uses and access aisles.

Mr. Dickson explained that a reduction in the exterior side yard from twelve (12) metres to three (3) metres and a reduction from Hwy 48 from fourteen (14) metres to nine (9) metres is supportable. With regard to the reduction of loading spaces from four (4) to two (2), it is recognized that the financial institution has unique delivery requirements that can be readily accommodated without a designated loading space. In addition, Building 'A' does not warrant a second loading space although it exceeds the zoning provisions for one (1) loading space by eight (8) square metres. Staff has no objection to the addition of a 'retail store' as a permitted use and to the implementation of the road authority standards as they pertain to the maximum width of a driveway or entrance. He noted that these issues must progress to the satisfaction of staff and Council so that the applications will not to be implemented until all issues have been satisfactorily addressed through the site plan process.

Mr. Harold Lenters, Director of Planning and Building, stated that the development proposal for townhouses across the road on Burke Street was approved and an historic house retained on the property.

Mr. Gerald Couturier of 10 North Street stated that a ditch runs along Hwy 48 with a storm drain and if that was covered, a lot more space would be created to enter the Town from Hwy 48 and High Street would be able to be constructed in more of a straight configuration.

Mr. Bob Magloughlen, Director of Engineering and Public Works stated that this large ditch drains hundreds of acres of land to the south and east and it is a requirement that the ditch act as a storm sewer at least as far as the subject property and preferably further to the south to remove the safety hazard and carry the load more efficiently. If the ditching and storm drain were reconfigured, this would be work carried out by the Region as it is on Regional property and would not be permitted to be used by the abutting development.

14. PUBLIC MEETINGS cont'd:

Mr. Ross Verrall of 68 Burke Street stated that he has concerns with traffic and safety in and out of the site and the area in general, but he believes staff is taking care of these issues. He reminded Council that the townhouse development across Burke Street from the subject property will also have an entrance/exit across from this proposal on Burke Street which will increase the traffic flow as well.

Mrs. Shona Cronsberry stated that she originally had concerns with the proposal because her daycare business is located across the road on High Street, but this amended site plan looks much better. Her only issue relates to traffic on Burke Street and High Street. She stated that the buses bringing children to her property seem to work well and traffic seems to be moving well, but she is not sure how much more traffic will be generated by this proposal. She stated that she is happy with the amended site plan at this time.

Mr. Paul Harpley, President of South Lake Simcoe Naturalists, stated that the membership has been monitoring this project from the beginning and want to be involved with the site plan approval process. The Naturalists still feel that this plan is noteworthy but has an uninteresting nature and entrance into Sutton. He explained that the entrance into Sutton needs to distinguish the community along with its history and natural heritage but this plan does not incorporate this thought. He suggested that there needs to be a process to follow in that entrances to communities can be distinguished as a significant requirement for communities within the Town, noting that fencing and signs are not sufficient from either the point of view of a community's history or aesthetics.

Mr. Harpley advised that the building designs should also reflect the community's history. He indicated that there is very little naturalization included on this site although he is aware that there is not a lot of space to incorporate naturalization, he feels that if Ontario Heritage wants to designate High Street as an historical street, the subject site should emulate that desire.

Mr. Lenters stated that staff considered this design concern and has looked at designation and policies for High Street from Hwy 48 to the end of Dalton Road through the Sutton Secondary Plan review. Within the Sutton Secondary Plan, the policies and direction are in line with the proposed uses for the subject property in terms of entrance feature and commercial purposes and he does not foresee a conflict with what will be contained in the newly revised Sutton Secondary Plan document although the applicant can make his proposal based on the policies of the current Plan.

Mr. Lenters explained that staff had concerns with the original two (2) drive-through restaurants being proposed on the site and still have concerns as there are still two (2) drive-through establishments proposed. Staff hopes to see significant changes in terms of that aspect of the proposal. He indicated that staff is satisfied with the

14. PUBLIC MEETINGS cont'd:

overall plan for the property, and believes that it should be a commercial development sympathetic to the historical main street. The staff recommendation is to not adopt the Official Plan Amendment or Zoning By-law Amendment until the applications have gone through the site plan process.

Mr. Lenters stated that a portion of the previous report discussed the gateway; "As a gateway into the historic village of Sutton, it is also critical that any development be sympathetic to and complementary with the village's existing built-form, and reflect an extension of the 'small town' character of the community... to endeavour that physical changes to the community enhance the historic built environment". Staff always leans toward a high standard for architectural design, especially at the gateway to downtown Sutton.

Mr. Richard Cronsberry stated that he believes this application is a step in the right direction. The community of Sutton seems not to be keeping up with revitalization and this proposal will assist in this area. He stated that this application is the first step in the process and urged Council to approve it.

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2010-0061

- A. THAT REPORT NO. PB-2010-0010 BE RECEIVED AS INFORMATION.
- B. THAT THE OFFICIAL PLAN AMENDMENT APPLICATION SUBMITTED BY KINGSTON WESTNEY INC. AND 1446696 ONTARIO INC. TO REDESIGNATE PART OF LOT 2, CONCESSION 6 FROM INDUSTRIAL AND LOW DENSITY RESIDENTIAL TO GENERAL COMMERCIAL, BE APPROVED.
- C. THAT THE ZONING BY-LAW AMENDMENT APPLICATION SUBMITTED BY KINGSTON WESTNEY INC. AND 1446696 ONTARIO INC. TO REZONE PART OF LOT 2, CONCESSION 6, FROM GENERAL INDUSTRIAL (M1) AND LOW DENSITY URBAN RESIDENTIAL (R1) TO A SITE SPECIFIC HIGHWAY COMMERCIAL ZONE, BE APPROVED.
- D. THAT PRIOR TO THE ADOPTION OF THE OFFICIAL PLAN AMENDMENT AND THE AMENDING ZONING BY-LAW, THE APPLICANT PROCEED SUFFICIENTLY THROUGH THE SITE PLAN REVIEW PROCESS TO THE SATISFACTION OF TOWN STAFF AND, IF NECESSARY, THAT STAFF REPORT TO COUNCIL IN A FUTURE REPORT.

14. PUBLIC MEETINGS cont'd:

E. THAT ANY INTERESTED PARTIES TO THE OFFICIAL PLAN AMENDMENT OR THE ZONING BY-LAW AMENDMENT APPLICATIONS BE SENT AN INVITATION TO ATTEND THE SITE PLAN CONTROL MEETING.

Carried.....

15 COMMUNICATIONS:

15.1 Matters for Routine:

None.

16 PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

None.

20. BY-LAWS:

Moved by Councillor Szollosy

Seconded by Councillor Smockum

That the following by-law be given three readings:

20.1 By-law Number 2010-0012 (AD-1) Being a By-law to appoint a Deputy Clerk for the Town of Georgina; Lisa Lyons

Carried....

20. BY-LAWS cont'd:

Moved by Councillor Jamieson

Seconded by Regional Councillor Wheeler

That the following by-law be given three readings:

- 20.2 By-law Number 2010-0013 (TR-1) Being a By-law to further amend Schedule 'X', page 1 of By-law No. 2002-0046 (TR-1) to govern and control the fire routes in the Town of Georgina; both sides of the Boston Pizza entrance from The Queensway South and continuing north through the parking lot to the existing boat launch

Carried.....

Moved by Councillor Smockum

Seconded by Councillor Jamieson

That the following by-law be given three readings:

- 20.3 By-law Number 2010-0014 (CON-1) Being a by-law to authorize the Mayor and Clerk to enter into a contract between Jeviso Construction Corporation and the Corporation of the Town of Georgina for the construction of the new Waterworks Maintenance Facility.

Carried.....

22. MOTIONS:

None.

23. NOTICES OF MOTION:

None.

24. OTHER BUSINESS:

None.

25. CONFIRMING BY-LAW

Moved by Regional Councillor Wheeler

Seconded by Councillor Szollosy

That the following by-law be given three readings:

By-law Number 2010-0015 (COU-2)

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

Carried.....

26. ADJOURNMENT:

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

That the meeting adjourn at this time (9:05 p.m.)

Carried.....

Robert Grossi, Mayor

Lisa Lyons, Deputy Clerk