

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

July 19, 2010
(7:09 p.m.)

**Keswick Library Annex
90 Wexford Drive**

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

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

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

3. COMMUNITY SERVICE ANNOUNCEMENTS:

Council Members were made aware of a number of community events taking place.

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

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

- 4.1 Item No. 15.2.15, correspondence from HBR Planning regarding the Sutton Secondary Plan
- 4.2 Item No. 17.5.1, Report No. DES-2010-0002 entitled 'Master Fire Plan'
- 4.3 Routine Item No. vi, correspondence from Denis Lemelin, National President, Canadian Union of Postal Workers (CUPW) concerning the postal service charter and the future
- 4.4 Routine Item No. vii, correspondence from the Province of Ontario entitled 'Restoring the Health of Lake Simcoe; McGuinty Government Launches Phosphorus Reduction Strategy'
- 4.5 Item No. 11.2, deputation by Art Field, removed and to be dealt with as Item No. 24 (iv), closed session

5. APPROVAL OF AGENDA:

Moved by Councillor Jamieson

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0242

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

- 5.1 ITEM NO. 15.2.15, CORRESPONDENCE FROM HBR PLANNING REGARDING THE SUTTON SECONDARY PLAN
- 5.2 ITEM NO. 17.5.1, REPORT NO. DES-2010-0002 ENTITLED 'MASTER FIRE PLAN'
- 5.3 ROUTINE ITEM NO. VI, CORRESPONDENCE FROM DENIS LEMELIN, NATIONAL PRESIDENT, CANADIAN UNION OF POSTAL WORKERS (CUPW) CONCERNING THE POSTAL SERVICE CHARTER AND THE FUTURE
- 5.4 ROUTINE ITEM NO. VII, CORRESPONDENCE FROM THE PROVINCE OF ONTARIO ENTITLED 'RESTORING THE HEALTH OF LAKE SIMCOE; MCGUINITY GOVERNMENT LAUNCHES PHOSPHORUS REDUCTION STRATEGY'
- 5.5 ITEM NO. 11.2, DEPUTATION BY ART FIELD, REMOVED AND TO BE DEALT WITH AS ITEM NO. 24 (IV), CLOSED SESSION

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

Councillor Jamieson declared an interest in closed session item No. (i) because his son is an employee of the Town and a member of C.U.P.E. 905.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Szollosy

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2010-0243

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON JUNE 28, 2010, BE ADOPTED AS PRESENTED.

Carried.....

8. BUSINESS ARISING FROM THE MINUTES:

None.

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

- 9.1 Item No. 14.1.1, Report No. PB-2010-0067 entitled 'Application to Amend Zoning By-law 500, 2111250 Ontario Inc.'
- 9.2 Item No. 14.1.2, Report No. PB-2010-0068 entitled 'Application to Amend Zoning By-law
- 9.3 Item No. 15.2, various matters for disposition
- 9.4 Item No. 17.1.1, Report No. CAO-2010-0008 entitled 'South Shore Community Broadband Financial Support Update'
- 9.5 Item No. 17.1.2, Report No. CAO-2010-0009 entitled 'Interim Service Protection, South Shore Community Broadband'
- 9.5 Item No. 20, various by-laws
- 9.6 Item No. 17.5.1, Report No. DES-2010-0002 entitled 'Master Fire Plan'

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Councillor Smockum

Seconded by Councillor Jordan Clark

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-2010-0244

THAT THE ROUTINE CORRESPONDENCE BE RECEIVED FOR INFORMATION.

Reports:

17.2 Report from the Economic Development Department:

- 17.2.1 Continued Funding of Statistics Canada 'Rural Research Group'

Report No. ED-2010-0004

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

RESOLUTION NO. C-2010-0245

- A. THAT REPORT ED-2010-0004 BE RECEIVED FOR INFORMATION.
- B. THAT COUNCIL PASS THE FOLLOWING RESOLUTION ATTACHED AS SCHEDULE '2' TO REPORT ED-2010-0004;

"WHEREAS STATISTICS CANADA HAS RECENTLY DECIDED TO TERMINATE FUNDING FOR ITS RURAL RESEARCH GROUP;

AND WHEREAS THE RURAL RESEARCH GROUP HAS PROVIDED ESSENTIAL CAPACITY AND EXPERTISE TO THE GOVERNMENT OF CANADA AND OTHER RURAL STAKEHOLDERS INCLUDING MUNICIPALITIES ON RURAL POLICY ISSUES, AND IS UNIQUE IN THE FEDERAL GOVERNMENT IN ITS ABILITY TO PROVIDE THE DATA AND ANALYSIS NEEDED TO SUPPORT A COMPREHENSIVE AGENDA ON RURAL SUSTAINABILITY;

AND WHEREAS RURAL COMMUNITIES NEED AN ENDURING COMMITMENT FROM THE GOVERNMENT OF CANADA TO ENSURE THE RURAL PRIORITIES RECEIVE THE SUSTAINED RESOURCES AND ATTENTION THEY REQUIRE;

AND WHEREAS FCM'S 2009 REPORT 'WAKE UP CALL: THE NATIONAL VISION AND VOICE WE NEED FOR RURAL CANADA' CALLS FOR A RURAL CHAMPION IN CABINET, WHO WILL REQUIRE EXACTLY THE TYPE OF RESEARCH CAPACITY PROVIDED BY THE RURAL RESEARCH GROUP IN ORDER TO COORDINATE AND MAXIMIZE FEDERAL SUPPORT FOR RURAL SUSTAINABILITY;

THEREFORE BE IT RESOLVED THAT THE CORPORATION OF THE TOWN OF GEORGINA URGES THE GOVERNMENT OF CANADA TO REVERSE ITS DECISION TO TERMINATE FUNDING FOR THE RURAL RESEARCH GROUP AS A FIRST STEP TOWARD A MORE COMPREHENSIVE FEDERAL APPROACH TO SUPPORTING RURAL SUSTAINABILITY."

- C. THAT REPORT ED-2010-0004 AND COUNCIL'S RESOLUTION THEREON BE FORWARDED TO THE FEDERATION OF CANADIAN MUNICIPALITIES

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

17.3 Reports from the Engineering and Public Works Department:

- 17.3.1 Subdivision Agreement – Ballymore Development (Sutton) Corp.
Draft Plan of Subdivision 19T-95085 (as revised)

Report No. EPW-2010-0035

RESOLUTION NO. C-2010-0246

1. THAT REPORT EPW-2010-0035 BE RECEIVED FOR INFORMATION.
2. THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A SUBDIVISION AGREEMENT, EASEMENT DOCUMENTS AND LAND TRANSFER DOCUMENTS MADE BETWEEN BALLYMORE DEVELOPMENT (SUTTON) CORP., AS OWNER AND THE CORPORATION OF THE TOWN OF GEORGINA RESPECTING DRAFT PLAN OF SUBDIVISION NO. 19T-95085 (AS REVISED). SUCH AGREEMENT TO BE EXECUTED UPON RESOLUTION OF THE MATTERS IDENTIFIED IN THIS REPORT TO THE SATISFACTION OF THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS.
3. THAT TWO HUNDRED AND NINETY (290) PERSONS EQUIVALENT (100 UNIT AT 2.9 PERSONS PER UNIT) OF WATER SUPPLY AND SANITARY SEWAGE TREATMENT CAPACITY BE ALLOCATED TO DRAFT PLAN OF SUBDIVISION 19T-95085 (AS REVISED).

- 17.3.2 Award of Tender – EPW-2010-042
Culvert Replacement Program

Report No. EPW-2010-0036

RESOLUTION NO. C-2010-0247

1. THAT REPORT NO. EPW-2010-0036 BE RECEIVED FOR INFORMATION.
2. THAT THE TENDER SUBMITTED BY BARRA CON CONSTRUCTION LTD. IN THE AMOUNT OF \$66,875.00 (NET H.S.T.) FOR CULVERT REPLACEMENTS BE ACCEPTED AND THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A CONTRACT BETWEEN BARRA CON CONSTRUCTION LTD. AND THE TOWN OF GEORGINA.

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

17.4 Report from the Recreation, Parks and Culture Department:

17.4.1 Richmond Park Pedestrian Bridge Connection

Report No. LS-2010-0010

RESOLUTION NO. C-2010-0248

1 THAT REPORT LS-2010-0010 BE RECEIVED.

2 THAT THE PROVISIONS OF THE PURCHASING BY-LAW 2004-0120 BE WAIVED AND THAT COUNCIL AUTHORIZE THE CAO TO AWARD CONTRACT LS2010-045 RICHMOND PARK PEDESTRIAN BRIDGE CONNECTION IN AN AMOUNT NOT TO EXCEED \$150,000.00 EXCLUSIVE OF HST.

Carried.....

10.2 Matters subject to individual conflicts

None.

15. COMMUNICATIONS:

15.2.1 Janice Taylor requesting permission to temporarily close a portion of Ladyburn Drive in Keswick during a street party and to set off fireworks on Saturday, August 7th from 2:00 p.m. to approximately midnight.

Ms. Taylor stated that the fireworks are planned to be let off around 8:30 or 9:00 p.m. so the children can see them before bedtime, and will only last for about a half an hour.

Moved by Councillor Jamieson

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2010-0249

THAT COUNCIL GRANT PERMISSION TO CLOSE A PORTION OF LADYBURN DRIVE DURING A STREET PARTY ON SATURDAY, AUGUST 7TH FROM 2:00 P.M. TO APPROXIMATELY MIDNIGHT, THAT THE ORGANIZER CONTACT THE FIRE CHIEF TO OBTAIN CLEARANCE FOR THE FIREWORKS DISPLAY AND THAT STAFF ADVISE THE LOCAL FIRE, POLICE AND EMS SERVICES OF THE TEMPORARY ROAD CLOSURE.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.2 Cathy Heaps Loitsch, Chairperson, requesting the Town waive the rental fee for the Sutton Kin Hall on September 25th during a Class of 78/79 reunion to celebrate the Town, the high school and the former student's 50th birthdays.

Faye Richardson, Director of Recreation, Parks and Culture, stated that she has advised Ms. Heaps Loitsch of the rental fee for the Kin Hall of \$331 plus tax, plus alcohol liability insurance and costs for bartenders.

Ms. Heaps Loitsch stated that they are prepared to cover the costs for the necessary licenses for the event, noting that they have booked the Udora Leaskdale Lions Club to tend bar for it. They are only requesting the cost of the hall rental to be waived.

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2010-0250

THAT COUNCIL GRANT THE WAIVING OF THE RENTAL FEE FOR THE SUTTON KIN HALL FOR THE SDHS SCHOOL REUNION EVENT BEING HELD ON SEPTEMBER 25, 2010, SAID RENTAL FEE TO BE PAID THROUGH COUNCIL'S INDIVIDUAL PROJECT ACCOUNTS.

Carried.....

- 15.2.11 Donna Witteman requesting a street be named after her late husband, Theodorus J. Witteman, a retired Inspector with York Regional Police.

Moved by Councillor Jamieson

Seconded by Councillor Jordan Clark

RESOLUTION NO. C-2010-0251

THAT CORRESPONDENCE FROM DONNA WITTEMAN REQUESTING A STREET IN GEORGINA BE NAMED IN HONOUR OF HER LATE HUSBAND THEODODUS J. WITTEMAN BE RECEIVED AND THAT THE NAME 'WITTEMAN' BE APPROVED AND FORWARDED TO THE MANAGER OF PLANNING TO REQUEST THE NAME BE ADDED TO THE REGION'S RESERVED LIST AND TO PLACE THE NAME ON THE TOWN'S STREET INVENTORY LIST.

Carried.....

11. DEPUTATIONS:

- 11.1 Michael Smith of Michael Smith Planning Consultants, agent for Brightstar Corp, providing Council and staff with an update on the Crates Landing project.

Mr. Michael Smith of Michael Smith Planning Consultants, agent for Brightstar Corp. was in attendance, along with Allan Chapel, John Blackburn and Simon Cane.

Mr. Smith explained that in March of this year, he appeared before Council to provide an update on the status of the proposed Crates Landing development, servicing allocation and timing of the termination of the remainder of Cameron Crescent. Council resolved to extend the servicing capacity with periodic updates, with the understanding that the completion of termination of Cameron Crescent would be August 31st of this year. Council also supported the extension of the shoreline work permit to be issued by the Lake Simcoe Region Conservation Authority. He advised that the Conservation Authority permit has been issued and expires in February of 2012, while construction of the development has been delayed, the reasons for which Mr. Blackburn will speak to in a moment.

Mr. Smith requested that Council consider an extension for this development pending the applicant attending a Council meeting in December of this year to provide an update and consider an extension of the Cameron Crescent termination to May 31, 2011.

Mr. John Blackburn, principle of Brightstar Corp, stated that the only reason for the delay in the project is obtaining construction financing. He explained that due to the financial turmoil concerning America, Europe and Canada, banking institutions are cautious and obtaining financing has been virtually impossible. He stated that he had to revert to a secondary market of offshore funds and/or private financiers and construction financing has now been secured. The financing agreement closes on July 27th and he intends to start construction immediately after that date. He noted that he will meet with the Engineering Department with regard to finalizing Cameron Crescent, that he is in possession of the Conservation Authority permit and will meet with the Authority before work starts in order to review everything. Piling is intended to start during the winter months.

Mr. Bob Magloughlen, Director of Engineering and Public Works, confirmed that the Conservation Authority permit has been issued and the property has the appropriate water and sewer allocation. His department has not issued any permits to date with regard to road upgrade, noting that there is some work that needs to be performed on the roads before Cameron Crescent can be finalized.

11. DEPUTATIONS cont'd:

Mr. Blackburn indicated that everyone involved is unhappy with the delays that they have experienced to date, but they have been beyond their control. He has attempted to respond to all enquiries promptly. He explained that the new Harmonized Sales Tax will not be charged to purchasers who purchased their unit before July of 2010. Brightstar Corp. entered into contracts with the purchasers and because of this was able to obtain construction financing. At this stage, he must stand by these contracts and does not intend to provide refunds. Once the bank financing is provided and construction is underway, he may consider providing refunds, especially if unusual circumstances are present. The Condominium Act sets out the usual timeframes involved. All monies are being held in trust and earning interest as set out on the Condominium Act.

Mr. Magloughlen stated that the applicant needs to obtain a grading permit, noting that clearing the land is a separate issue from the site plan and Town road works. He also noted that no final agreement is yet in place with the developer with regard to the Cameron Crescent plans.

Mr. Smith stated that once funding is in place, he and the applicant will meet with staff in order for a report to be submitted to Council with regard to the road and site plan issues.

Mr. Blackburn explained that there is nothing in the Condominium Act that precludes someone's purchase contract. He needs the contracts in place in order to obtain the necessary construction financing, but he would be prepared to consider cancelling a contract once the financing has come through. Purchasers are free to cancel their contracts but they will forfeit their deposits, noting that some deposits range from 2% to 15% of the purchase price. The condominium process generally takes many years, lots of financing and has many pitfalls. He stated that the country has been through a large financial market problem but they are still there and still prepared to proceed with the condominium development.

Mr. Magloughlen advised that staff will provide an update report to Council on the various approvals involved with this project and can include a recommendation on how to proceed with the ultimate closure of Cameron Crescent. Any plans will exceed the two dates set previously.

Ms. Sue Plamondon, Chief Administrative Officer, stated that the date requested for the extension was August 31st including the Cameron Crescent termination and there is only one Council meeting to be held before that date, on August 23rd.

11. DEPUTATIONS cont'd:

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. C-2010-0252

THAT THE DEPUTATION MADE BY MICHAEL SMITH OF MICHAEL SMITH PLANNING CONSULTANTS, AGENT FOR BRIGHTSTAR CORP, PROVIDING COUNCIL AND STAFF WITH AN UPDATE ON THE CRATES LANDING PROJECT, ALONG WITH A DEPUTATION MADE BY JOHN BLACKBURN OF BRIGHTSTAR CORP., BE RECEIVED AND THAT STAFF BE DIRECTED TO PREPARE A REPORT FOR THE COUNCIL AGENDA OF AUGUST 23, 2010 WITH REGARD TO THE VARIOUS ISSUES DISCUSSED AND IMPORTANT TIMELINES ASSOCIATED WITH THE CRATES LANDING PROJECT.

Carried.....

11.2 Art Field concerning an issue of security.

This issue will be dealt with as Item No. 24 (iv) of the Closed Session due to information about an identifiable individual.

12. PRESENTATIONS:

None.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

14. PUBLIC MEETINGS:

14.1 Statutory Public Meetings (Interested Parties Notified):

14.1.1 Application to Amend Zoning By-law 500 (7:55 p.m.)
2111250 Ontario Inc.
Lots 3, 4 and 5, Concession 9 (NG); Lake Drive East
AGENT: Michael Smith Planning Consultants

Report No. PB-2010-0067

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

Mr. Gord Mahoney of Michael Smith Planning Consultants, agent for the applicant, stated that Tony and Larry Ingoglia are the principles of the company and are in attendance.

14. PUBLIC MEETINGS cont'd:

Mr. Mahoney explained that the subject property is comprised of 32 hectares or 79 acres with frontage along Metro Road, Civic Centre Road, Trivett's Road and Lake Drive. A zoning by-law amendment application was before Council in 2007 but several changes have occurred since that time.

Mr. Mahoney explained that the original zoning by-law amendment application was for the rezoning of the north-west portion of the Lake Drive frontage to Residential to create five new building lots on private services. Concerns were raised regarding the creation of building lots on private services and Council at that time deferred the application pending a comprehensive study taking place. On April 10th, 2007 Council passed a by-law to impose interim control on the use of lands, buildings and structures within the general area between Keswick and Sutton, north of Metro Road.

Council passed an interim control by-law in October of 2007. The purpose of the interim control by-law was threefold; (i) to address concerns regarding the creation of new lots on private services on lands designated Lakeshore Residential Area and adjacent to the Willow Beach and surrounding lakeshore residential area, such as the subject land; (ii) to address concerns regarding the policies which apply to the creation of new lots and residential uses within and abutting the Study Area; and (iii) to determine the precise location of the service area boundary and land use designations abutting and within the study area.

Mr. Mahoney explained that the study was completed within the last two (2) years and culminated in staff preparing Official Plan Amendment (OPA) No. 103 which was adopted by Council in April of 2009 with final approval from the Region in July of 2009 which added the Lake Drive East portion of the property in the serviced area boundary and re-designated the same area from Lakeshore Residential Area to Serviced Lakeshore Residential Area. The balance of the land retained its original designation as Rural and Environmental Protection Area 2 & 3.

Mr. Mahoney explained that with regard to the OPA 103 policies, the creation of three building lots on municipal services is permitted. The original application has been revised and is now proposing to rezone the north-east corner of the Lake Drive East frontage from Rural (RU) to Residential (R) for the creation of three building lots on municipal services. The zoning on the remainder of the property is proposed to remain the same, Rural (RU) and Residential (R). The lots proposed to be created vary in frontage and area, from 21 metres (69 feet) to 23.5 metres (77 feet) in frontage and areas from 1400 square metres (15,000s square feet) to 1800 square metres (19,000 square feet). All lot frontages and areas conform to OPA 103.

14. PUBLIC MEETINGS cont'd:

Mr. Mahoney stated that the applicant has one concern with recommendation number 'C' of the report suggesting that a portion of the retained land be protected through a site specific Open Space (OS) zone, while he would prefer that the remainder of the property retain its Rural (RU) and Residential (R) zoning.

Mr. Mahoney stated that the zoning by-law amendment application before Council conforms to the Official Plan, is consistent with the Provincial Policy Statement, the Greenbelt Plan, the Growth Plan, the Regional Official Plan and represents good planning. He requested Council approve the application at tonight's meeting along with the architectural design guidelines with the one noted revision to recommendation No. 'C'.

Mr. Ken Cain of Cassidy & Co Architectural Technologists stated that he prepared the urban architectural design guidelines for the proposed development of three new residential lots with a high level of visual quality to the public and the preservation of the existing landscape in mind. The guidelines were designed with a waterfront theme, strong emphasis on preserving the land and minimizing the impact of garages and driveways. The homes are to be constructed by local trades people and using local material with a variety of different styles to choose from.

Gord Dickson, Planner, stated that the development proposal has been revised. The application is proposing to change the land use from Rural (RU) to Residential (R) and create three residential lots. At the time the original application was considered by Council in 2007, matters were to be assessed with regard to the service area boundary and as a result, an interim control by-law was adopted in 2007 and extended in 2008. Staff prepared a planning study and established the new Serviced Lakeshore Residential Area designation to recognize those Lakeshore areas that would be serviced by municipal water and sewers along with specific policies related to new lot creation within the new designation. The entire Lake Drive frontage of the subject lands is now included within the "Serviced Lakeshore Residential Area' designation. The proposal conforms to these policies and staff recommends approval.

Mr. Dickson stated that concerns have been expressed by property owners in the area with regard to incremental planning. He explained that staff has proposed the designation of the remainder of the property to a site specific Open Space (OS) zoning to restrict further development. The language in the report with regard to future applications on the property indicates the requirement for a zoning by-law amendment and official plan amendment, while the creation of three lots would not require an official plan amendment, and the proposal would reflect the overall residential development pattern of the adjacent residential properties.

14. PUBLIC MEETINGS cont'd:

Mr. Dickson stated that Town staff is satisfied that the application conforms. The Lake Simcoe Region Conservation Authority has reviewed the report and finds no impact on natural heritage or hydrological features. He explained that with regard to recommendation Number 'C', the proposed Open Space (OS) zoning would put an end to any other development proposals on the balance of the land. It would not sterilize the development of the lands but it would serve to protect the natural heritage feature of the watercourse and restrict development on those lands where the Open Space (OS) zone is applicable. Staff is not suggesting the entire parcel be rezoned Open Space (OS) as there would still be fifty percent (50%) of the larger landholding to remain Rural (RU). The owner would be permitted to create one single family dwelling in the Rural (RU) category.

Mr. Dickson explained that hypothetically, the owner could request an official plan amendment to create further lots along the frontage. Official Plan Amendment No 103 only permits the creation of three lots without an official plan amendment application. An official plan amendment could facilitate additional lot creation along Lake Drive.

Mr. Dickson explained that the lots to the east of the proposal were originally consent applications on a Registered Plan of Subdivision. The Town has strict official plan policies regarding the maximum number of lots that are able to be created through consent and there are only 50 new lots in the entire serviced area boundary allowable, so there are significant restrictions on any new lot creation.

Mr. Dickson stated that the current use of the remainder land is agricultural. If this land was rezoned to Open Space (OS), it would not allow for the continued use of the land as farm land. Council could implement a site specific Open Space zoning indicating agricultural uses as a permitted use.

Mr. Mahoney explained that the area proposed to be zoned Open Space (OS) is the property east of the creek, noting that all the land west of the creek is used for agricultural purposes.

David Fingold of 146 Lake Drive East stated that he lives across the road from the open field since he purchased his property in 1981 and had always understood that it was zoned as Open Space to be used for agricultural crops. When the notice arrived concerning the owner's application to create five residential lots, he was quite concerned. The revised application to create three lots is less of a concern, but he remains concerned as to whether or not this is the first of many applications. He stated that if this application is approved to create three residential lots, the remainder of the frontage should be controlled in some way to prevent further development.

14. PUBLIC MEETINGS cont'd:

In addition, Mr. Fingold mentioned that the Maple Leaf Estates or Eastbourne Estates only has a few lots developed to date and this development includes several hundred lots. The remainder of the lots have not been used but are available and have been approved. He suggested that developers consider these lots for development rather than creating more lots elsewhere.

Karyn Stone, Acting Director of Planning and Building, stated that the Eastbourne Estates consists of approximately 36 lots on the north side of Metro Road.

Rick Schwartz of 150 Lake Drive East stated that his property is directly across the road from the three proposed lots. He stated that the agent had mentioned that the proposal represents good planning and talked about waterfront/lakeside homes to be built, although one would not be able to view the lake from the proposed lots due to a ten foot high hedge. In his opinion, the applicant has no interest in the land and what has been developed in the area over the last few years. He explained that six cottage owners in the immediate area have been enjoyed their properties for decades, noting that he pays the highest taxes in the area and was of the understanding that the subject property across the road from his property is within the Greenbelt. He suggested that if developers need to develop properties, they could be built on Metro Road and away from the lakeshore.

Mrs. Stone indicated that the portion of subject property along the Lake Drive frontage is not within the Greenbelt Plan but is within a shoreline overlay which provides infill development. The remainder of the land has a more significant Greenbelt designation for the natural areas.

Mr. Mahoney added that the front portion of the lands along Lake Drive have been designated as Lakeshore Residential for almost 30 years, since 1982.

Mrs. Stone explained that the properties along the Lake Drive frontage were designated Lakeshore Residential since 1982 and when going through the exercise for the parent Official Plan respecting boundaries, staff noticed some inconsistencies where boundaries did not exactly line up. The subject property fell under the policies for private servicing and under those policies, severances on private services were considered. With the proximity of the municipal services, staff decided to look at the boundaries of the lakeshore residential area and servicing policies as it is intended that all development along the lake be on municipal services.

Mrs. Stone stated that in allowing three lots to be created and being aware of the Lakeshore Residential designation, Council can pass a zoning by-law to restrict further development which could end up at the Ontario Municipal Board. This position may not be defensible as the land is within the service area boundary.

14. PUBLIC MEETINGS cont'd:

Essentially, this property could have been developed on the basis of private services along that frontage. Council could attempt a zoning by-law to restrict further development on the property but under the Planning Act, the owner has the right to submit an application. Fifty foot lots to the east could be developed and sewer and water laterals are already in place.

Mr. Dickson stated that the creek is the natural feature on the property and is the reason for the Open Space (OS) designation on that portion of the property. The Town's minimum setback from the creek is fifteen (15) metres. He mentioned that no significant species or plant life has been found on the land.

Mr. Mahoney explained that the initial application requested the creation of five (5) lots on the west side of the creek and the amended application requests the creation of three (3) lots on the east side of the creek; he is unaware of a reason for this change. He explained that design guidelines were requested and several designs have been created to choose from. While his clients have looked at the number of lots that could potentially be created through the Official Plan Amendment No. 103 policies, they have not given any direction to start another development application.

Ms. Plamondon, Chief Administrative Officer, stated that there is no way to guarantee the sterilization of the balance of the property. Council has as much control over this property as any municipal Council could have through a Holding (H) zone on the property, the current OPA policies and the current zoning on the remainder parcel. The policies in the Official Plan are explicit. She stated that there is very strong language in the current Official Plan as it applies to these lands that would permit the defense of any future application that might come in related to these lands. With the current land use framework showing the Greenbelt applying on all of the lands except for the Lakeshore Residential portion, the limit of three lots on any single holding and the ultimate control of allocation regardless of the Official Plan, Council could refuse to provide allocation to the three lots if it wishes. This position would be difficult to defend at the Ontario Municipal Board level because Official Plan Amendment No. 103 specifically allows this type of development of up to three (3) lots on this parcel.

Ms. Plamondon stated that there is no planning justification for placing an Open Space zoning on the balance of the lands based on how they are configured. She suggested that the Open Space (OS) designation issue on the balance of the lands be referred to staff for a report.

Mr. Mahoney stated that the lot fronting on Civic Centre Road is not separate but is part of the larger parcel. He reiterated that the applicant objects to the east portion of the land being designated Open Space (OS). The applicant has not conveyed the thought of creating any lots on Metro Road and under the Greenbelt Plan, development along Metro Road would be very difficult.

14. PUBLIC MEETINGS cont'd:

Mr. Schwartz stated that the property along the water has a twelve foot high hedge that runs approximately 500 feet, essentially blocking any view of the lake from the proposed lots and does not believe it should be considered waterfront property.

Pauline Barber of 129 Lake Drive stated that her property abuts the original application and inquired if the size of the lots were reduced by placing the proposed lots to the east rather than to the west.

Mr. Mahoney stated that the five lots proposed through the original application were 100 foot lots on private services which is necessary in order to accommodate a well and septic system, while lots on municipal services do not need to be quite as large.

Ms. Barber stated that water flows across the subject property in the spring and she assumes that there will be some mechanism that will prevent the abutting backyards from becoming flooded. She mentioned that the seven lots to the east of the proposed three lots are under water every year.

Ms. Barber also inquired if the trees along the lot lines will be preserved. Mr. Brock McDonald, Manager of Policy and Development, stated that there has to be a minimum number of trees per acre in order for the Regional Tree By-law to come into effect.

Mr. Peter Sibbald Brown of the Lakewatch Society inquired if the creek on the subject property is a tributary to Lake Simcoe or if it is a valley land. He heard the planner mention a fifteen metre setback from the watercourse, but he believes it should be 30 metres minimum.

Mr. Dickson stated that the creek is a watercourse and is not sure of the classification of the creek. The Lake Simcoe Region Conservation Authority has evaluated the proposal and has provided no comment. He stated that he will check on the minimum buffer setback and classification of the stream and report back to Council.

Mr. Paul Harpley, President of the South Lake Simcoe Naturalists, stated that as a member of the Lake Simcoe Advisory Stakeholder Committee, he has concerns of a broader nature in that the Town is not trying to restrict any further development on the shore of Lake Simcoe which is a priority area. These three proposed lots are very close to Lake Simcoe, are near a small stream which has significance from a fishing point of view and have nature and wildlife values. Council does have the option of restricting allocation. He stated that given the Lake Simcoe Protection Act, his membership would look very negatively upon this type of application being

14. PUBLIC MEETINGS cont'd:

approved. The subject property in its current state is an important open area that has connectivity to natural heritage from the southern portion to the lake, the type of connections that are continually referred to for retention. He noted that property just south of these properties is designated Environmental Protection Area 2, which highlights the sensitivity of the land.

Ms. Plamondon explained that the report before Council reflects the Planning Department's advise to Council with regard to the rights and privileges of the applicant as related to the Official Plan policies. The fifty lot maximum was created in consideration of Lake Simcoe and not in isolation. It would be difficult under these circumstances not to look favourably on providing allocation for this particular application.

Mr. Larry Ingoglia, owner of the subject property, stated that he resides in Newmarket and has been doing business in the Keswick area for fifteen (15) years. He is not a large developer; he and his brother build custom homes, ensuring that they take care of the environment and comply with all laws and regulations of the municipality. They have gone through a lot to get to this point and will respect the neighbours.

Mr. Dickson clarified his earlier comment by stating that the Lake Simcoe Region Conservation Authority has submitted a letter indicating that they have no objection to the application. The Conservation Authority is the expert relied upon to implement the Lake Simcoe Protection Act, the protection of natural features on the site, the protection of the lake itself and the protection of significant natural heritage features and hydrological features. As well, environmental reports were prepared and submitted on behalf of the applicant.

Mr. Dickson explained that the Open Space (OS) zone would start at the eastern edge of creek and run to the east. The Open Space zone permits conservation and forestry uses and prohibits habitable residential development. The lands to the west of the creek that do not include the three lots requested will remain Rural (RU) and could potentially be brought before Council in the future for an Official Plan Amendment to request infill for the land between the subject three lots and the lots to the west, and ask for allocation for these properties as well. The applicants would be required to meet additional study requirements if submitting other applications. The owners have existing property rights and as a municipality, staff would not be able to restrict their ability to make an application.

Ms. Plamondon stated that Council would have the obligation of considering an application for another Official Plan Amendment and it could be appealed.

14. PUBLIC MEETINGS cont'd:

Mrs. Stone stated that through the interim control by-law, it was recognized that there were several large land parcels similar to the subject land that could provide additional development. Staff was aware that it would eventually be faced with severance applications, so it came forward with restrictive severance policies in order to retain the existing character of the lakeshore community. Some parcels of land are much larger and staff was aware that it would be faced with more than three severance requests, so it passed an Official Plan Amendment to add another layer of approvals for severances. The policies are very specific in that if one desires to sever more than three lots from a landholding, an Official Plan Amendment would be required along with specific criteria.

Staff needs to investigate the justification for placing an Open Space (OS) zone on the lands to the west of the creek.

Ms. Plamondon suggested Council deal with the recommendations as they appear in the report and add an additional recommendation directing staff to, prior to bringing back the amending by-law, evaluate the merits of zoning the balance of the property not subject to the recommendations of this report for Open Space purposes, and bring back a by-law for Council's consideration that reflects that review. This should include a provision that the lands currently under cultivation have a site specific Open Space zoning that would permit the continued agricultural use.

Moved by Councillor Szollosy

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2010-0253

- A. THAT REPORT PB-2010-0067 BE RECEIVED FOR INFORMATION.
- B. THAT THE ZONING BY-LAW AMENDMENT APPLICATION SUBMITTED BY 2111250 ONTARIO INC. TO REZONE PART OF LOTS 3, 4 & 5, CONCESSION 9 (NG) AND PART LOT 3, PLAN 467 FROM RURAL (RU) TO RESIDENTIAL (R) TO FACILITATE THE CREATION OF THREE (3) NEW RESIDENTIAL LOTS THROUGH FUTURE CONSENT APPLICATIONS BE APPROVED;
- C. THAT THE AMENDING ZONING BY-LAW REFLECT THE PROPOSED LOT FRONTAGES AND PROPOSED LOT AREAS AND PROTECT THE ENVIRONMENTAL FEATURES THROUGH A SITE SPECIFIC OPEN SPACE (OS) ZONE;

14. PUBLIC MEETINGS cont'd:

- D. THAT PURSUANT TO SECTION 34(17) OF THE PLANNING ACT, R.S.O., 1990, AS AMENDED, COUNCIL DEEMS THAT FURTHER NOTICE IS NOT REQUIRED TO BE GIVEN IN RESPECT OF ANY MINOR CHANGES TO THE PROPOSED AMENDING ZONING BY-LAW.
- E. THAT THE URBAN ARCHITECTURAL DESIGN GUIDELINES, PREPARED BY CASSIDY & CO. ARCHITECTURAL TECHNOLOGISTS, JANUARY 2010, BE APPROVED, AND THAT THE AMENDING ZONING BY-LAW INCLUDE A HOLDING ('H') ZONE TO ENSURE THAT THE GUIDELINES ARE IMPLEMENTED TO THE SATISFACTION OF STAFF AND COUNCIL.
- F. THAT PRIOR TO BRINGING BACK THE AMENDING BY-LAW TO COUNCIL, STAFF EVALUATE THE MERITS OF ZONING THE BALANCE OF THE PROPERTY NOT SUBJECT TO THE RECOMMENDATIONS OF THIS REPORT FOR OPEN SPACE (OS) PURPOSES, AND PREPARE A BY-LAW FOR COUNCIL'S CONSIDERATION THAT REFLECTS THAT EVALUATION, ALONG WITH A PROVISION THAT THE LANDS CURRENTLY UNDER CULTIVATION HAVE A SITE SPECIFIC OPEN SPACE (OS) DESIGNATION THAT WOULD PERMIT THE CONTINUED AGRICULTURAL USE OF THOSE LANDS.

Carried.....

14.1.2 Application to Amend Zoning by-law 500 **(9:20 p.m.)**
Richmark Carpentry (c/o Richard Mark)
Part Lot22, Plan 130, Part 3, 65R-17666, 44 Cook's Bay
Drive

Report No. PB-2010-0068

Mayor Grossi explained the procedure for a public meeting.

Item No. 15.2.5 was considered in conjunction with Item No. 14.1.2.

Paul Ciemny respecting his concerns regarding a zoning by-law amendment application for 44 Cook's Bay Drive in Keswick.

Ms. Megan Grant, Planner, stated that the subject property is on the northwest corner of Cook's Bay Drive and Metro Road and has a 21.4 metre frontage along Metro Road and a 30 metre frontage along Cook's Bay Drive. The property is approximately 585 square metres in size and contains a house with two residential

14. PUBLIC MEETINGS cont'd:

units. The lot was created by consent in 1994 and the house was constructed in 1996. She stated that it is unclear when the second unit was added to the house. The application is to recognize this existing duplex use. She explained that because the size of the second unit does not meet the secondary plan provisions for a secondary apartment, it was more appropriate to apply this dwelling as a duplex.

Ms. Grant explained that the Neighbourhood Residential policies of the Official Plan encourage a mix of low density residential housing types such as single detached, semi-detached, duplex and accessory apartments. This application conforms and supports the designation and policies of the Keswick Secondary Plan. The property is currently zoned Low Density Residential (R1) and proposes Low Density Urban Residential (R2) to recognize the existing duplex dwelling. She indicated that the property meets the requirements regarding independent entrances, lot area, frontage and most of the setback requirements of the R2 zone with the exception of the interior side yard setback of 1.99 metres whereas it to be 2 metres; Both the small shed and the front deck on the property meet the required setbacks.

Ms. Grant advised that the dwelling includes a one car garage and three parking spaces on the property, noting that there are additional parking spaces within the road allowance that could function for visitor parking but are not counted as required spaces. Section 5.28(a) of the parking regulations requires each parking space size to be 3 metres by 5.7 metres, whereas the existing driveway is 9.144 metres wide which accommodates three parking spaces, each 3 metres wide.

Ms. Grant explained that in 2007, Council assigned a portion of the water and sewer allocation remaining from the Willow Beach and Surrounding Lakeshore Residential Are Servicing Project to those areas serviced by the Keswick Sewage Treatment Plant and Willow Beach Water Treatment Plant. The allocation required for a duplex dwelling is 2.9 persons per unit and in this regard, there is sufficient allocation for this duplex dwelling. She noted that the Building Department has advised that a building permit is required to ensure that the building units and deck comply with the building code, which the applicant has applied for.

Ms. Grant advised that no development charges can be levied on second and third dwelling units, provided they are less than 50% the size of the main unit. This second unit is 46% and therefore no development charges can be levied.

Ms. Grant stated that duplex uses are permitted in the Residential designation and the subject property meets the provisions of a duplex in an R2 zone with two minor exceptions. As a low density use, it is compatible in its neighbourhood.

14. PUBLIC MEETINGS cont'd:

Ms. Grant referred to Mr. Paul Ciemny's correspondence and his reference to Cook's Bay Drive being a prestigious neighbourhood paying high property taxes and the proposal is not in keeping with the community. She stated that the tax rates on waterfront properties are determined by the Municipal Property Assessment Corporation (MPAC). The mix of housing types is expected to increase. She also explained that the property has a front yard, a rear yard, an exterior side yard and an interior side yard. It complies with all the applicable plans and staff support the application.

Ms. Rita Guest of 46 Cook's Bay Drive, stated that her property is surrounded by duplex dwellings and objects to this situation. She does not believe the area needs another duplex.

Mr. Gary Emmel of 46 Cook's Bay Drive stated that he has been a superintendant for 25 years and knows that you cannot always control the quality of tenants. He inquired how this would affect water usage, waste disposal and taxes and suggested that this might have a negative impact on Ms. Guest. He stated that he is opposed to single family dwellings being converted to duplex's which in turn alters the originally low density areas to a medium or high density area. He stated that duplexes create excess water and electricity usage which these homes were not built to withstand and perhaps should be rewired. He stated that he is opposed to any further single family dwellings being converted to multiple family dwellings.

Ms. Grant indicated that the Town's Building Department staff checked on the pool on the subject property and ascertained that the size of the pool is below the size requiring fencing; it can only hold a maximum of 18 inches of water, while the Town's pool by-law requires fencing around pools that can hold at least 24 inches of water. She also stated that the minimum size requirement in an R2 zone for a duplex is 540 square metres while the existing duplex is 582 square metres, therefore exceeding the minimum requirement. In addition the maximum permitted lot coverage in an R1 zone is 30% and in an R2 zone is 35%. In this case, the lot coverage is 22.9% and is therefore under the maximum coverage permitted.

Ms. Pauline Barber of 129 Lake Drive East stated that she owns two single family dwellings in proximity to this parcel, but she feels as the other neighbours do, that duplexes are becoming too prominent in this area. She also noted that with the layout of the parking pad, she feels that the occupants will most likely need to take advantage of the street parking.

Mrs. Stone stated that local, regional and provincial polices encourage municipalities to provide for a variety of affordable housing forms. Some municipalities have provided for secondary suites, and while Georgina has not provided for secondary suites to date, it is considering doing so in the future. She stated that not all areas

14. PUBLIC MEETINGS cont'd:

within the Town can accommodate duplex dwellings due to the parking requirements associated with them. This application fills the need and was evaluated as a duplex given the size of the unit in the basement. It complies with the majority of the zoning provisions to permit a duplex and a duplex is considered a low density residential use.

Ms. Grant stated that the application meets the requirements of the Keswick Secondary Plan. Relative to the historic nature of the properties and in her professional opinion, the proposal represents good planning.

Ms. Plamondon, Chief Administrative Officer, stated that if Council thought there was merit in planning terms, it would be difficult not to provide allocation.

Moved by Councillor Jamieson

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2010-0254

- A. THAT CORRESPONDENCE FROM PAUL CIEMNY EXPRESSING HIS CONCERNS REGARDING THIS ZONING BY-LAW AMENDMENT APPLICATION, AND REPORT PB-2010-0068 BEING AN APPLICATION SUBMITTED BY RICHMARK CARPENTRY TO REZONE LAND DESCRIBED AS PART OF LOT 22, REGISTERED PLAN 130 FROM LOW DENSITY URBAN RESIDENTIAL (R1) TO LOW DENSITY URBAN RESIDENTIAL (R2) TO PERMIT A DUPLEX DWELLING ON THE SUBJECT LAND BE RECEIVED FOR INFORMATION AND REFERRED BACK TO STAFF FOR FURTHER ASSESSMENT, TAKING INTO CONSIDERATION CONCERNS RAISED BY THE PUBLIC AT THIS MEETING, AND SUBMISSION OF A FURTHER REPORT AT STAFF'S EARLIEST OPPORTUNITY.

Carried.....

Council recessed at this time (10:03 p.m.); the Council meeting resumed at 10:11 p.m.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.1 Reports from the Chief Administrative Officer:

- 17.1.1 South Shore Community Broadband
Financial Support Update

Report No. CAO-2010-0008

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Moved by Councillor Jordan Clark

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0255

1. THAT REPORT NO. CAO-2010-0008 BE RECEIVED FOR INFORMATION;
AND
2. THAT SOUTH SHORE COMMUNITY BROADBAND (SSCB) BE ADVISED THAT THE TOWN'S CASH FLOW ASSISTANCE IS LIMITED TO THE CURRENT AUTHORIZED LIMIT OF \$200,000 OR MARCH 31, 2011 WHICHEVER COMES FIRST AND THAT THE MORATORIUM ON INTEREST WILL DISCONTINUE EFFECTIVE SEPTEMBER 1, 2010.

Carried.....

17.1.2 Internet Service Protection
South Shore Community Broadband

Report No. CAO-2010-0009

Moved by Councillor Jordan Clark

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0256

1. THAT REPORT NO. CAO-2010-0009 BE RECEIVED FOR INFORMATION;
AND
2. THAT SUBJECT TO SATISFYING THE TOWN AS TO BUSINESS CONTINUITY ARRANGEMENTS AND OTHER MATTERS AS SET OUT IN THIS REPORT, THE CHIEF ADMINISTRATIVE OFFICER AND THE DIRECTOR OF ADMINISTRATIVE SERVICES AND TREASURER BE AUTHORIZED TO ENTER INTO AN AGREEMENT WITH SOUTH SHORE COMMUNITY BROADBAND (SSCB) TO CONSTRUCT RING INFRASTRUCTURE AT A COST NOT TO EXCEED \$105,000 EXCLUSIVE OF TAXES AS WELL AS A NEW MONTHLY SERVICE AGREEMENT; AND
3. THAT THE PROVISIONS OF THE TOWN'S PURCHASING BYLAW BE WAIVED TO PERMIT THE SOLE SOURCING OF THIS CONTRACT.

Carried.....

15 COMMUNICATIONS:

15.2 Matters for Disposition:

- 15.2.3 John C. Hastings expressing his concerns regarding the Borden Kent zoning by-law amendment application.

Moved by Councillor Wheeler

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0257

THAT CORRESPONDENCE FROM JOHN C. HASTINGS EXPRESSING HIS CONCERNS REGARDING THE BORDEN KENT ZONING BY-LAW AMENDMENT APPLICATION BE RECEIVED.

Carried.....

- 15.2.12 Stacey Williams, HBR Planning Centre, requesting deferral of the adoption of the Sutton Secondary Plan as it affects their client's lands described as Part Lot 2, Concession 6, south of Burke Street and west of Highway 48.

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2010-0258

THAT CORRESPONDENCE FROM STACEY WILLIAMS, HBR PLANNING CENTRE, REQUESTING DEFERRAL OF THE ADOPTION OF THE SUTTON SECONDARY PLAN AS IT AFFECTS THEIR CLIENT'S LANDS DESCRIBED AS PART LOT 2, CONCESSION 6, SOUTH OF BURKE STREET AND WEST OF HIGHWAY 48 BE RECEIVED.

Carried....

20. BY-LAWS:

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

That the following by-law be given three readings:

20.1 By-law Number 2010-0081 (PL-2) Being a By-law to Adopt Sutton/Jackson's Point Secondary Plan

Carried.....

Moved by Councillor Smockum

Seconded by Councillor Szollosy

That the following by-laws be given three readings:

20.3 By-law Number 2010-0082 (PL-4) Being a By-law to authorize the Mayor and Clerk to execute a Subdivision Agreement between Ballymore Development (Sutton) Corp., as owner and the Corporation of the Town of Georgina together with easement and land transfer documents respecting proposed Pan of Subdivision 19T-95085 (as revised), Part of Lot 18, Concession 9 (NG), Sutton

20.4 By-law Number 2010-0077 (EL-1) Being a By-law to regulate the erection and maintenance of election signs within the Town of Georgina

Carried.....

20. BY-LAWS cont'd:

Moved by Councillor Szollosy

Seconded by Councillor Jordan Clark

That consideration of the by-law to amend Zoning By-law 500 for Borden Kent, Lot 1, Concession 4 (NG), be deferred pending a response from the Lake Simcoe Region Conservation Authority for additional information.

Defeated.....

Moved by Councillor Jamieson

Seconded by Councillor Smockum

That the following by-law be given three readings:

20.2	By-law Number 500-2010-0009	Being a By-law to amend Zoning By-law 500, BORDEN KENT, Lot 1, Concession 4 (NG)
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Carried.....

Councillor Szollosy requested two Routine Items be placed on the agenda for consideration:

15. COMMUNICATIONS:

15.2.16 Denis Lemelin, National President, Canadian Union of Postal Workers (CUPW), concerning the Canadian postal Service Charter and the Future

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

RESOLUTION NO. C-2010-0259

THAT CORRESPONDENCE FROM DENIS LEMELIN, NATIONAL PRESIDENT, CANADIAN UNION OF POSTAL WORKERS (CUPW), CONCERNING THE CANADIAN POSTAL SERVICE CHARTER AND THE FUTURE, BE RECEIVED

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.17 Province of Ontario e-mail message entitled 'Restoring the Health of Lake Simcoe'; McGuinty Government Launches Phosphorus Reduction Strategy'

Moved by Councillor Szollosy

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0260

THAT THE PROVINCE OF ONTARIO E-MAIL MESSAGE ENTITLED 'RESTORING THE HEALTH OF LAKE SIMCOE'; MCGUINTY GOVERNMENT LAUNCHES PHOSPHORUS REDUCTION STRATEGY' BE RECEIVED AND REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER FOR INCLUSION WITH THE OTHER GAX TAX ISSUE BEING REVIEWED AND TO BE SUBMITTED TO COUNCIL FOR CONSIDERATION.

Carried.....

- 15.2.4 Captain Groves, Pastor of The Salvation Army Church, requesting permission to conduct a parade along Lake Drive from the Salvation Army Campground to the Jackson's Point Band Shell on Sunday, August 1ST from 5:30 p.m. to 6:15 p.m.

Moved by Councillor Hackenbrook

Seconded by Councillor Wheeler

RESOLUTION NO. C-2010-0261

THAT COUNCIL GRANT PERMISSION TO CAPTAIN GROVES, PASTOR OF THE SALVATION ARMY CHURCH, TO CONDUCT A PARADE ALONG LAKE DRIVE FROM THE SALVATION ARMY CAMPGROUND TO THE JACKSON'S POINT BAND SHELL ON SUNDAY, AUGUST 1ST FROM 5:30 P.M. TO 6:15 P.M., THAT THEY BE ADVISED TO CONTACT YORK REGIONAL POLICE CONCERNING THIS EVENT AND THAT THE CLERK'S OFFICE NOTIFY THE LOCAL EMS AND FIRE DEPARTMENT OF THE TEMPORARY CLOSURE.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.6 Gayla McDonald, Clerk, Town of New Tecumseth, encouraging other municipalities to circulate a petition similar to the one they forwarded to the Ontario Premier requesting the Government to rescind its decision to implement the HST in Ontario.

Moved by Councillor Jamieson

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0262

THAT CORRESPONDENCE FROM GAYLA MCDONALD, CLERK, TOWN OF NEW TECUMSETH, ENCOURAGING OTHER MUNICIPALITIES TO CIRCULATE A PETITION SIMILAR TO THE ONE THEY FORWARDED TO THE ONTARIO PREMIER REQUESTING THE GOVERNMENT TO RESCIND ITS DECISION TO IMPLEMENT THE HST IN ONTARIO BE RECEIVED.

Carried.....

- 15.2.7 Michele Vandentillaart, Committee Secretary, Georgina Agricultural Advisory Committee, requesting Council to approve the posting of all rabies incidents within the Town on its website and on the Town page of the local newspaper, including the details of the rabid animal's location.

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2010-0263

THAT THE MEDICAL OFFICER OF HEALTH FOR THE REGION OF YORK NOTIFY THE TOWN CLERK FOR THE TOWN OF GEORGINA IMMEDIATELY OF A RABIES INCIDENT IN GEORGINA, INCLUDING LOCATION DETAILS.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.8 J. W. Tiernay, Executive Director, Ontario Good Roads Association (OGRA), requesting each municipality contribute to the MMS Litigation Fund to assist OGRA in opposing the application to declare the Minimum Maintenance Standards (MMS) null and void.

Moved by Councillor Szollosy

Seconded by Councillor Jordan Clark

RESOLUTION NO. C-2010-0264

THAT CORRESPONDENCE FROM J. W. TIERNAY, EXECUTIVE DIRECTOR, ONTARIO GOOD ROADS ASSOCIATION (OGRA), REQUESTING EACH MUNICIPALITY CONTRIBUTE TO THE MMS LITIGATION FUND TO ASSIST OGRA IN OPPOSING THE APPLICATION TO DECLARE THE MINIMUM MAINTENANCE STANDARDS (MMS) NULL AND VOID, BE RECEIVED.

Carried.....

- 15.2.9 Andrea Armstrong, Public Relations Specialist, M&M Meat Shops, requesting Council provide a letter of support for the sixth annual National Family Dinner Night on September 16th and to formally proclaim the day.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. C-2010-0265

THAT CORRESPONDENCE FROM ANDREA ARMSTRONG, PUBLIC RELATIONS SPECIALIST, M&M MEAT SHOPS, REQUESTING COUNCIL PROVIDE A LETTER OF SUPPORT FOR THE SIXTH ANNUAL NATIONAL FAMILY DINNER NIGHT ON SEPTEMBER 16TH AND TO FORMALLY PROCLAIM THE DAY, BE RECEIVED.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.10 Vivien Green, Executive Director, Victim Services of York Region Inc., requesting financial support to be used towards the purchase of a computer.

Moved by Councillor Jordan Clark

Seconded by Councillor Smockum

RESOLUTION NO. C-2010-0266

THAT CORRESPONDENCE FROM VIVIEN GREEN, EXECUTIVE DIRECTOR, VICTIM SERVICES OF YORK REGION INC., REQUESTING FINANCIAL SUPPORT TO BE USED TOWARDS THE PURCHASE OF A COMPUTER, BE RECEIVED AND REFERRED TO SOUTH LAKE COMMUNITY FUTURES DEVELOPMENT CORPORATION FOR WHATEVER ASSISTANCE THEY CAN PROVIDE.

Carried.....

- 15.2.12 Denis Kelly, Regional Clerk, Region of York, requesting local municipalities to include conditions of planning and building approval for high-rise multi-family residential buildings that provides internal building capabilities for three stream waste management.

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2010-0267

THAT CORRESPONDENCE FROM DENIS KELLY, REGIONAL CLERK, REGION OF YORK, REQUESTING LOCAL MUNICIPALITIES TO INCLUDE CONDITIONS OF PLANNING AND BUILDING APPROVAL FOR HIGH-RISE MULTI-FAMILY RESIDENTIAL BUILDINGS THAT PROVIDES INTERNAL BUILDING CAPABILITIES FOR THREE STREAM WASTE MANAGEMENT, BE RECEIVED AND REFERRED TO THE ENGINEERING AND PUBLIC WORKS DEPARTMENT FOR INCLUSION IN FUTURE APPLICATIONS.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.13 Denis Kelly, Regional Clerk, Region of York, concerning its report entitled 'Long Term Tourism Destination Development Strategy – Tourism Development Opportunities'.

Moved by Councillor Jamieson

Seconded by Councillor Szollosy

RESOLUTION NO. C-2010-0268

THAT CORRESPONDENCE FROM DENIS KELLY, REGIONAL CLERK, REGION OF YORK, CONCERNING ITS REPORT ENTITLED 'LONG TERM TOURISM DESTINATION DEVELOPMENT STRATEGY - TOURISM DEVELOPMENT OPPORTUNITIES' BE RECEIVED AND REFERRED TO THE ECONOMIC DEVELOPMENT DEPARTMENT.

Carried.....

- 15.2.14 Mayor R. Bonnette, Town of Halton Hills, requesting Council support its position requesting the Provincial Government take responsibility for any OMB appeal hearings related to any approvals of Regional and Local Official Plan amendments that are passed pursuant to The Places to Grow Act to achieve conformity with that act, and that it provide municipalities with intervener funding to defend their decisions.

Moved by Councillor Wheeler

Seconded by Councillor Szollosy

RESOLUTION NO. C-2010-0269

THAT CORRESPONDENCE FROM MAYOR R. BONNETTE, TOWN OF HALTON HILLS, REQUESTING COUNCIL SUPPORT ITS POSITION REQUESTING THE PROVINCIAL GOVERNMENT TAKE RESPONSIBILITY FOR ANY OMB APPEAL HEARINGS RELATED TO ANY APPROVALS OF REGIONAL AND LOCAL OFFICIAL PLAN AMENDMENTS THAT ARE PASSED PURSUANT TO THE PLACES TO GROW ACT TO ACHIEVE CONFORMITY WITH THAT ACT, AND THAT IT PROVIDE MUNICIPALITIES WITH INTERVENER FUNDING TO DEFEND THEIR DECISIONS, BE RECEIVED AND REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER FOR REVIEW AND RECONSIDERATION AT THE AUGUST 23RD COUNCIL MEETING.

Carried.....

16. PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

None.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:17.5 Report from the Emergency Services Department:

17.5.1 Master Fire Plan

Report No. DES-2010-0002

Sue Plamondon, Chief Administrative Officer, suggested that Council could consider receiving the recommendations of the report and approve the direction of the report in principle.

Moved by Councillor Szollosy

Seconded by Councillor Jamieson

RESOLUTION NO. C-2010-0270

1. THAT REPORT NO. DES-2010-0002 BE RECEIVED FOR INFORMATION;
AND
2. THAT COUNCIL RECEIVE THE RECOMMENDATIONS CONTAINED IN
THE MASTER FIRE PLAN, AS PREPARED BY DILLON CONSULTANTS,
AND
3. THAT THE PLAN BE REFERRED TO THE FIRE CHIEF AND THAT HE BE
DIRECTED TO PREPARE REPORTS FOR COUNCIL CONSIDERATION
AS MAY BE NECESSARY FOR IMPLEMENTATION OF SPECIFIC
RECOMMENDATIONS.

Carried unanimously.....

Moved by Councillor Jordan Clark

Seconded by Councillor Szollosy

That the Council Meeting move past the hour of 11:00 p.m.

Carried.....

21 MOTIONS:

None.

22 NOTICES OF MOTION:

None.

23 OTHER BUSINESS:

None.

24. RECESS COUNCIL AND RESOLVE INTO CLOSED MEETING:

Moved by Councillor Szollosy

Seconded by Councillor Jordan Clark

Move into closed session at 11:02 p.m.

Be it resolved that the Council Meeting recess at this time and move into a closed meeting pursuant to Section 239 of The Municipal Act, 2001, as amended, to consider:

- i) Employee Negotiations, C.U.P.E. Local 905; Section 239 (2) (d), MA
- ii) Labour Relations, Non-union and Management; Section 239 (2) (d), MA
- iii) Personal matter about an identifiable individual; Senior Personnel Performance Evaluation; Section 239 (2) (b), MA
- iv) Art Field concerning an issue of security...MOVED TO CLOSED MEETING re personal matter about an identifiable individual, Section 239 (2) (b) MA (was Item No. 11.2)

Carried.....

It was moved by Councillor Szollosy and Seconded by Councillor Hackenbrook during the Closed Session that the meeting continue past the hour of 12:00 midnight.

25. RISE AND REPORT FROM CLOSED MEETING:

The Council Members arose from the Closed Meeting at this time (12:30 a.m.) with the following motions:

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2010-0271

1. THAT REPORT NO. CAO-2010-0006 BE RECEIVED FOR INFORMATION, AND
2. THAT COUNCIL APPROVE THE MEMORANDUM OF AGREEMENT DATED JUNE 29, 2010 BETWEEN THE TOWN OF GEORGINA AND THE CANADIAN UNIOIN OF PUBLIC EMPLOYEES ON ITS OWN BEHALF AND ON BEHALF OF ITS LOCAL 905, GEORGINA MUNICIPAL UNIT;
3. THAT THE MAYOR AND CLERK BE AUTHORIZED TO EXECUTE A COLLECTIVE AGREEMENT INCORPORATING THE TERMS OF THE MEMORANDUM OF AGREEMENT BETWEEN THE CORPORATION OF THE TOWN OF GEORGINA AND THE CANADIAN UNION OF PUBLIC EMPLOYEES ON ITS OWN BEHALF AND ON BEHALF OF ITS LOCAL 905, GEORGINA MUNICIPAL UNIT FOR THE PERIOD APRIL 1, 2010 TO MARCH 31, 2012.

RESOLUTION NO. C-2010-0272

1. THAT REPORT NO. CAO-2010-0007 BE RECEIVED FOR INFORMATION; AND
2. THAT COUNCIL APPROVE A 2% ADJUSTMENT TO THE SALARY SCALE FOR NON-UNION AND MANAGEMENT POSITIONS AND MEMBERS OF COUNCIL, EXCLUDING THE CAO, RETROACTIVE TO APRIL 1, 2010; AND
3. THAT FOR THE PURPOSES OF THE 2011 BUDGET PREPARATION, STAFF BE DIRECTED TO INCLUDE A FURTHER 2% ADJUSTMENT TO THE SALARY SCALE FOR NON-UNION AND MANAGEMENT POSITIONS AND MEMBERS OF COUNCIL, EXCLUDING THE CAO, TO BE EFFECTIVE APRIL 1, 2011; AND
4. THAT THE TOWN POLICIES BE AMENDED AS NECESSARY FOR CONSISTENCY.

25. RISE AND REPORT FROM CLOSED MEETING:

RESOLUTION NO. C-2010-0273

THAT THE MAYOR MEET WITH THE INDIVIDUAL TO REVIEW THE PERFORMANCE EVALUATION MADE BY COUNCIL

RESOLUTION NO. C-2010-0274

THAT THE DEPUTATION MADE BY ART FIELD REGARDING AN IDENTIFIABLE INDIVIDUAL BE RECEIVED AND REFERRED TO STAFF TO INVESTIGATE AND REPORT BACK TO COUNCIL.

Carried.....

26. CONFIRMING BY-LAW

Moved by Councillor Jordan Clark

Seconded by Councillor Szollosy

That the following by-law be given three readings:

By-law Number 2010-0083 (COU-2)

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

Carried.....

27. ADJOURNMENT:

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

That the meeting adjourn at this time (12:36 a.m.).

Carried.....

Robert Grossi, Mayor

Roland Chenier, Town Clerk