

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

May 14, 2012
(7:03 p.m.)

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

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

Mayor Grossi	Regional Councillor Wheeler
Councillor Craig	Councillor Davison (arrived at 7:05 p.m.)
Councillor Hackenbrook	Councillor Smockum
Councillor Szollosy (arrived at 7:07 p.m.)	

3. COMMUNITY SERVICE ANNOUNCEMENTS:

None.

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

The following item was identified as part of the agenda:

- 4.1 Motion regarding the Hwy 404 extension from Green Lane to Ravenshoe Road under Motions, Item No. 21.1
- 4.2 Motion concerning an independent assessment for the Upper York Sewage Solution Project under Motions, Item No. 21.2
- 4.3 Motion for the CAO to report on the Canada-European Comprehensive Economic and Trade Agreement under Motions, Item No. 21.3
- 4.4 Motion for the CAO to bring forward a previously sought report on restricting brothels or bawdy houses in the Town of Georgina under Motions, Item No. 21.4

5. APPROVAL OF AGENDA:

Moved by Councillor Craig

Seconded by Councillor Smockum

RESOLUTION NO. C-2012-0177

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

- 5.1 MOTION REGARDING THE HWY 404 EXTENSION FROM GREEN LANE TO RAVENSHOE ROAD UNDER MOTIONS, ITEM NO. 21.1
- 5.2 MOTION CONCERNING AN INDEPENDENT ASSESSMENT FOR THE UPPER YORK SEWAGE SOLUTION PROJECT UNDER MOTIONS, ITEM NO. 21.2
- 5.3 MOTION FOR THE CAO TO REPORT ON THE CANADA-EUROPEAN COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT UNDER MOTIONS, ITEM NO. 21.3
- 5.4 MOTION FOR THE CAO TO BRING FORWARD A PREVIOUSLY SOUGHT REPORT ON RESTRICTING BROTHELS OR BAWDY HOUSES IN THE TOWN OF GEORGINA UNDER MOTIONS, ITEM NO. 21.4

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

None.

Councillor Davison arrived at 7:05pm

7. ADOPTION OF THE MINUTES:

Moved by Councillor Davison

Seconded by Councillor Craig

RESOLUTION NO. C-2012-0178

THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON APRIL 23, 2012 BE ADOPTED AS PRESENTED.

RESOLUTION NO. C-2012-0179

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON APRIL 30, 2012 BE ADOPTED AS PRESENTED.

7. ADOPTION OF THE MINUTES cont'd:

RESOLUTION NO. C-2012-0180

THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON MAY 7, 2012 BE ADOPTED AS PRESENTED.

Carried.....

8. BUSINESS ARISING FROM THE MINUTES:

None.

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

The following items were identified for separate discussion:

- 9.1 Item No. 11.1, deputation by Mary Margaret Thorburn concerning the 19th annual Hike for Hospice event
- 9.2 Item No. 15.2, various matters for disposition
- 9.3 Item No. 17.2.1, Report No. PB-2012-0037 entitled 'Application for Deeming By-law, Glenna Archibald'
- 9.4 Item No. 17.3.1, Report No. ED-2012-0006 entitled 'Jackson's Point Village Association - Business Improvement Area, Approval of 2012 Annual Budget'
- 9.5 Item No. 17.4.1, Report No. DAS-2012-0023 – revised, entitled '2012 Water and Sewer Budgets and Rates'
- 9.6 Item No. 20, various by-laws

Councillor Szollosy arrived at 7:07 p.m.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Councillor Hackenbrook

Seconded by Councillor Smockum

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

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

Recommendations from the Committee of the Whole Meeting held on May 7, 2011:

RESOLUTION NO. C-2012-0181

- 17.1.1
1. THAT REPORT NO. DAS-2012-0021 REGARDING CANADIAN MADEIRA CLUB EXHIBITION /FESTIVALS BE RECEIVED.
 2. THAT COUNCIL PERMIT A ONE (1) HOUR EXTENSION FROM 10:30 P.M. TO 11:30 P.M. ON SATURDAYS FOR THE APPROVED 2012 EXHIBITION/FESTIVAL LICENCE REQUESTS FROM THE CANADIAN MADEIRA CLUB AT 24120 HIGHWAY #48, BALDWIN

RESOLUTION NO. C-2012-0182

- 17.1.2
1. THAT COUNCIL RECEIVE REPORT NO. DAS-2012-0024, "TOWN OF GEORGINA – 2012 PROPERTY TAX RATES”;
 2. THAT COUNCIL ADOPT THE BY-LAW TO ESTABLISH THE 2012 PROPERTY TAX RATES FOR THE TOWN OF GEORGINA, AT ITS MEETING OF MAY 22, 2012, AS DETAILED IN APPENDIX “A” TO THE BYLAW (ATTACHED).

(Advisement: The recommendations of Report No. DAS-2012-0024 erroneously stated the by-law would be considered on May 22nd, while it was actually brought forward for consideration on May 14th)

RESOLUTION NO. C-2012-0183

- 17.1.3
1. THAT REPORT OED-2012-0018 BE RECEIVED FOR INFORMATION.
 2. THAT A BY-LAW BE PASSED TO AMEND SECTION 4.1 (H) AND SECTION 4.2 OF BY-LAW 2011-0044 (REG-1) BEING A BY-LAW TO PROHIBIT OR REGULATE THE REMOVAL OF TOPSOIL, THE PLACING OR DUMPING OF FILL MATERIAL AND THE ALTERATION OF THE GRADE OF LAND IN ALL AREAS WITHIN THE TOWN OF GEORGINA.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:**RESOLUTION NO. C-2012-0184**

- 17.1.4
1. THAT REPORT RC-2012-0006 BE RECEIVED.
 2. THAT COUNCIL RECEIVE THE FOLLOWING MOTIONS APPROVED BY THE FORMER SUTTON PUBLIC SCHOOL STEERING COMMITTEE.
 3. THAT COUNCIL ENDORSE THE PROPOSED VISION FOR THE FORMER SUTTON PUBLIC SCHOOL AS RECOMMENDED BY THE STEERING COMMITTEE.
 4. THAT COUNCIL APPROVE MOVING FORWARD WITH CAPITAL PROJECT RPC-2 FOR THE SUTTON PUBLIC SCHOOL FEASIBILITY /CONCEPT PLAN AND FACILITY ASSESSMENT.

RESOLUTION NO. C-2012-0185

- 17.1.5
1. THAT REPORT NO. CAO-2012-0008 ENTITLED 'IMPLEMENTATION OF COMMUNICATIONS PLAN' BE RECEIVED FOR INFORMATION

RESOLUTION NO. C-2012-0186

- 17.1.6
1. THAT REPORT NO. CAO-2012-0009 BE RECEIVED FOR INFORMATION; AND
 2. THAT THE CHIEF ADMINISTRATIVE OFFICER BE DIRECTED TO IMPLEMENT THE RELOCATION OF STAFF TO THE TOWN-OWNED FACILITY AT 3184 BASELINE ROAD, KESWICK; AND
 3. THAT THE CAPITAL EXPENDITURE TO SUPPORT THE OPERATIONAL CHANGE BE FUNDED FROM A COMBINATION OF THE CIVIC CENTRE AND FORMER POLICE BUILDING RESERVE FUNDS.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:**RESOLUTION NO. C-2012-0187**

- 17.1.7 THAT TOWN COUNCIL ENDORSE THE TOWNSHIP OF WAINFLEET'S POSITION PRESCRIBING A MINIMUM SETBACK DISTANCE FOR THE CONSTRUCTION OF ALL INDUSTRIAL WIND TURBINES OR WIND TURBINE GENERATORS AND THAT ANY SUCH CONSTRUCTION SHALL ALSO PROVIDE INDEMNIFICATION FOR ANY LOSS OF PROPERTY VALUE OR ADVERSE HEALTH EFFECT THEREFROM TO THE EXTEND OF 100%, FOR HEALTH AND SAFETY REASONS.

RESOLUTION NO. C-2012-0188

- 17.1.8 THAT CORRESPONDENCE FROM ROGERS TV REQUESTING APPROVAL TO BROADCAST TOWN OF GEORGINA COUNCIL AND/OR COMMITTEE MEETINGS BE RECEIVED AND THAT A REPRESENTATIVE FROM ROGERS TV BE REQUESTED TO MAKE A PRESENTATION AT THE MAY 22ND COMMITTEE OF THE WHOLE MEETING AND ANSWER ANY QUESTIONS THE COMMITTEE MEMBERS MAY HAVE.

RESOLUTION NO. C-2012-0189

- 17.1.9 THAT TOWN COUNCIL GRANT AN EXEMPTION FROM NOISE BY-LAW NO. 2003-0075 (PWE-1) TO PERMIT THE PLAYING OF MUSIC AND THE RUNNING OF GENERATORS DURING THE KESWICK HIGH SCHOOL'S 4TH ANNUAL 'RELAY FOR LIFE' EVENT TO BE HELD FROM NOON ON FRIDAY, MAY 25TH TO 1:00 A.M. ON SATURDAY, MAY 26TH ON THE SCHOOL GROUNDS AND THAT THE LOCAL POLICE DEPARTMENT BE ADVISED OF THE EVENT.

Carried.....

10.2 Matters subject to individual conflicts

None.

11. DEPUTATIONS:

- 11.1 Mary Margaret Thorburn concerning the 10th annual 'Hike for Hospice' event.

Mary Margaret Thorburn stated that the 10th annual 'Hike for Hospice' event is a national hike to raise awareness for hospice palliative care. It is the major fundraising initiative to support and advance hospice initiatives in Georgina, noting that hospice palliative care is currently underfunded and not very well recognized. It provides physical, psychological, social, spiritual and practical support for those living with life threatening illnesses. Palliative care provides a better quality of life to the individual, and supports loved-ones and the bereaved.

Ms. Thorburn stated that the annual hike highlights the hospice philosophy of healthy living and will promote the ROC facility, allowing families to experience the ROC facility. She noted that the event will start with a re-dedication of the labyrinth where individuals may walk in memory of people they have lost.

Moved by Regional Councillor Wheeler

Seconded by Councillor Szollosy

RESOLUTION NO. C-2012-0190

THAT THE DEPUTATION MADE BY MARY MARGARET THORBURN CONCERNING THE 10TH ANNUAL HIKE FOR HOSPICE EVENT BEING HELD ON SUNDAY, JUNE 3, 2012 AT THE ROC FACILITY, COMMENCING AT 1:00 P.M., BE RECEIVED.

Carried.....

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.2 Report from the Planning and Building Department:

- 17.2.1 Application for Deeming By-law
ARCHIBALD, Glenna
Lot 44 and Part Lot 45, Plan 283, 61 Cooks Bay Drive

Report No. PB-2012-0037

Moved by Councillor Craig

Seconded by Councillor Davison

RESOLUTION NO. C-2012-0191

- A. THAT REPORT PB-2012-0037 BE RECEIVED AS INFORMATION.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

- B. THAT THE APPLICATION SUBMITTED BY GLENNA ARCHIBALD TO DEEM LOT 44, PLAN 283 NOT TO BE A LOT ON A REGISTERED PLAN OF SUBDIVISION FOR THE PURPOSES OF SECTION 50(3) AND IN ACCORDANCE WITH SECTION 50(4) OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS AMENDED, BE APPROVED.

Carried.....

17.3 Report from the Economic Development Division:

- 17.3.1 Jackson's Point Village Association – Business Improvement Area
Approval of 2012 Annual Budget

Report No. ED-2012-0006

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2012-0192

- A. THAT REPORT ED-2012-0006 BE RECEIVED FOR INFORMATION.
- B. THAT THE ANNUAL BUDGET FOR THE JACKSON'S POINT VILLAGE ASSOCIATION AS INDICATED ON SCHEDULE '1' OF REPORT ED-2012-0006 BE APPROVED.
- C. THAT THE ECONOMIC DEVELOPMENT DIVISION PROVIDE NOTICE IN ACCORDANCE WITH SECTION 210(1) OF THE ONTARIO MUNICIPAL ACT OF THE TOWN'S INTENT TO PASS A BY-LAW TO IMPLEMENT A TAX LEVY TO SUPPORT THE 2012 ANNUAL BUDGET OF THE JACKSON'S POINT VILLAGE ASSOCIATION, AS SHOWN ON SCHEDULE '1' TO REPORT ED-2012-0006.

Carried.....

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

17.4 Report from the Administrative Services Department:

17.4.1 2012 Water and Sewer Budgets and Rates

Report No. DAS-2012-0023 - revised

It was suggested that Town staff provide a five-year rolling average of the actual budget amounts, as well as internal comparators for all future water and sewer budgets.

Moved by Councillor Smockum

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2012-0193

1. THAT COUNCIL RECEIVE REPORT NO. DAS-2012-0023 REGARDING THE 2012 WATER AND SEWER BUDGETS AND RATES.
2. THAT COUNCIL ADOPT THE 2012 WATER AND SEWER BUDGET, REFLECTING AN OVERALL INCREASE OF 7.4% TO THE QUARTERLY WATER AND SEWER BILL FOR AN AVERAGE HOME.
3. THAT THE FLAT RATE CAPITAL COST RECOVERY CHARGE OF \$5.50 PER QUARTER FOR EACH OF WATER SERVICES AND SEWER SERVICES REMAIN AT THE SAME RATE.
4. THAT THE RATE FOR WATER USAGE BE ESTABLISHED AT \$1.39 PER CUBIC METRE.
5. THAT THE RATE FOR SEWER SERVICES BE ESTABLISHED AT \$1.48 PER CUBIC METRE OF WATER.
6. THAT THE RATE OF \$3.24 PER CUBIC METRE FOR BULK WATER DISPENSED FROM A MUNICIPAL HYDRANT TO A TOWN AUTHORIZED WATER HAULER REMAIN AT THE SAME RATE.
7. THAT THE ABOVE-NOTED PROPOSED WATER AND SEWER RATES BE EFFECTIVE COMMENCING ON THE JUNE 2012 BILLING.
8. THAT COUNCIL ADOPT THE NECESSARY BY-LAWS (ATTACHED) TO EFFECT THE ABOVE-NOTED CHANGES IN THE WATER AND SEWER RATES AT ITS MEETING OF MAY 14TH, 2012.

Carried.....

12. PRESENTATIONS:

None.

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

None.

15. COMMUNICATIONS:15.1 Matters for Routine:

None.

15.2 Matters for Disposition:

- 15.2.1 Regional Municipality of York Police Services Board requesting Council endorse the use of photo radar and call upon the Province to change the legislation which will allow municipalities to implement this very important tool.

Moved by Councillor Craig

Seconded by Councillor Smockum

RESOLUTION NO. C-2012-0194

THAT CORRESPONDENCE FROM THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD REQUESTING COUNCIL ENDORSE THE USE OF PHOTO RADAR AND CALL UPON THE PROVINCE TO CHANGE THE LEGISLATION WHICH WILL ALLOW MUNICIPALITIES TO IMPLEMENT THIS TOOL BE RECEIVED AND ENDORSED BY COUNCIL.

Carried.....

- 15.2.2 York Region 55+ Games inviting Council to attend the closing ceremony for the games on June 21st in Aurora.

15. COMMUNICATIONS cont'd:

Moved by Councillor Smockum

Seconded by Councillor Davison

RESOLUTION NO. C-2012-0195

THAT CORRESPONDENCE FROM YORK REGION 55+ GAMES INVITING COUNCIL TO ATTEND THE CLOSING CEREMONY FOR THE GAMES ON JUNE 21ST IN AURORA BE RECEIVED WITH THANKS.

Carried.....

- 15.2.3 Canadian Cancer Society requesting the Town of Georgina to match the employee's contribution towards the Daffodil Campaign in the amount of \$81.00.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. C-2012-0196

THAT CORRESPONDENCE FROM THE CANADIAN CANCER SOCIETY REQUESTING THE TOWN OF GEORGINA TO MATCH THE EMPLOYEE'S CONTRIBUTION TOWARDS THE DAFFODIL CAMPAIGN IN THE AMOUNT OF \$81.00 BE RECEIVED AND THAT NO ACTION BE TAKEN.

Carried.....

- 15.2.4 Ducks Unlimited Canada providing a summary of some key findings from its research concerning wetlands.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. C-2012-0197

THAT CORRESPONDENCE FROM DUCKS UNLIMITED CANADA PROVIDING A SUMMARY OF SOME KEY FINDINGS FROM ITS RESEARCH CONCERNING WETLANDS BE RECEIVED.

Carried.....

16. PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

None.

20. BY-LAWS:

Moved by Councillor Craig

Seconded by Councillor Smockum

That the following by-laws be given three readings:

- 20.1 By-law Number 2012-0044 (PL-1) Being a By-law to deem a lot not to be a lot on a Registered Plan of Subdivision, ARCHIBALD, Glenna, Lot 44 and Part Lot 45, Plan 283, 61 Cooks Bay Drive.
- 20.2 By-law Number 2012-0045 (AD-1) Being a By-law to appoint Municipal Law Enforcement Officers for the Corporation of the Town of Georgina; Olivia Whynot and Tyler Nicholson.
- 20.3 By-law Number 2012-0046 (TA-1) Being a By-law to set Tax Rates for the Year 2012
- 20.4 By-law Number 2012-0047 (PWO-3) Being a By-law to establish a water service rate structure under Section 391 of the Municipal Act 2001, for water service for the users of the waterworks systems in the Town of Georgina.
- 20.5 By-law Number 2012-0048 (PWO-3) Being a Bylaw to establish a sewer service rate structure under Section 391 of the Municipal Act 2001, for sewer service for the users of the sewerage systems in the Town of Georgina.

Carried.....

21. MOTIONS:

21.1 Hwy 404 Extension

Moved by Regional Councillor Wheeler

Seconded by Councillor Craig

RESOLUTION NO. C-2012-0198

THE TOWN OF GEORGINA WILL WORK WITH THE MINISTRY OF TRANSPORTATION OF THE PROVINCE OF ONTARIO TO ADVANCE THE COMPLETION OF THE HIGHWAY 404 EXTENSION FROM GREEN LANE TO RAVENSHOE ROAD. WE WILL WORK COOPERATIVELY IN ATTEMPTING TO MITIGATE RESIDENTS' CONCERNS WITH RESPECT TO ROAD CLOSURES, ON-SITE ACTIVITY AND ANY OTHER ISSUES THAT WOULD AFFECT AN ADVANCED COMPLETION SCHEDULE.

Carried unanimously.....

21.2 Motion concerning an independent assessment for the Upper York Sewage Solution Project

21.3 Motion to request the Chief Administrative Officer to report back on the Canada-European Comprehensive Economic and Trade Agreement

21.4 Motion to request the Chief Administrative Officer to bring forward a previously sought report on restricting brothels or bawdy houses in the Town of Georgina

Moved by Councillor Szollosy

Seconded by Councillor Craig

RESOLUTION NO. C-2012-0199

THAT THE FOLLOWING THREE ISSUES BE RECEIVED AND REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER TO INVESTIGATE THE VARIOUS OPTIONS AVAILABLE TO THE TOWN OF GEORGINA INCLUDING COSTS INVOLVED, FOR SUBMISSION OF A REPORT TO COUNCIL;

- COMMISSIONING THE UNDERTAKING OF AN INDEPENDENT EVALUATION OF THE UPPER YORK SEWAGE SOLUTION PROPOSAL IN ORDER TO DETERMINE THE EFFECTS ON THE OVERALL QUALITY OF LAKE SIMCOE, WITH FUNDS TO COME FROM GREEN/ENERGY INITIATIVES;

21. MOTIONS cont'd:

- THE POTENTIAL IMPACT OF THE CANADA-EUROPEAN COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT ON GEORGINA AND WHETHER GEORGINA SHOULD SEEK EXEMPTION FROM THE ACCORD;
- RESTRICTING THE ESTABLISHMENT OF BROTHELS OR BAWDY HOUSES IN THE TOWN OF GEORGINA.

Carried.....

22. NOTICES OF MOTION:

None.

23. OTHER BUSINESS:

None.

24. RECESS COUNCIL AND RESOLVE INTO CLOSED MEETING:

Moved by Councillor Smockum

Seconded by Councillor Davison

Be it resolved that the Council Meeting recess at this time (7:54 p.m.) and move into a closed meeting pursuant to Section 239 of The Municipal Act, 2001, as amended, to consider:

- i) Potential acquisition of land, Section 239 (2) (c), MA; potential acquisition of land in Willow Beach
- ii) Advice that is subject to solicitor-client privilege, Section 239 (2) (f), MA; consideration of public release of legal correspondence

Carried.....

25. RISE AND REPORT FROM CLOSED MEETING:

Council rose from the Closed Meeting at this time (8:29 p.m.) with the following direction to staff:

25. RISE AND REPORT FROM CLOSED MEETING cont'd:

- i) Potential acquisition of land, Section 239 (2) (c), MA; potential acquisition of land in Willow Beach

The Chief Administrative Officer was directed to proceed with the process and report back to Council.

- ii) Advice that is subject to solicitor-client privilege, Section 239 (2) (f), MA; consideration of public release of legal correspondence

The Chief Administrative Officer was directed to take no action at this time.

26. CONFIRMING BY-LAW

Moved by Councillor Smockum

Seconded by Councillor Davison

That the following by-law be given three readings:

By-law Number 2012-0049 (COU-2)	Being a by-law to confirm the proceedings of Council.
---------------------------------	-------------------------------------------------------

Carried.....

27. ADJOURNMENT:

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

That the meeting adjourn at this time (8:30 p.m.)

Carried.....

Robert Grossi, Mayor

Roland Chenier, Town Clerk