

# **THE CORPORATION OF THE TOWN OF GEORGINA**

## **COUNCIL MINUTES**

December 10, 2012  
(7:08 p.m.)

### Staff in attendance:

Winanne Grant, Chief Administrative Officer  
Rebecca Mathewson, Director of Administrative Services and Treasurer  
Bill O'Neill, Fire Chief  
Mike Baskerville, Engineering Manager  
Harold Lenters, Director of Planning and Building  
Dan Pisani, Director of Operations and Engineering  
Karyn Stone, Economic Development Manager  
Dan Murnaghan, Manager of Parks and Open Spaces  
Velvet Ross, Manager of Planning  
Jordan Redshaw, Communications Coordinator  
Tolek Makarewicz, Junior Planner  
Todd Evershed, Planner  
Laura Diotte, Senior Planner – Policy  
Patricia Nash, Acting Clerk  
Carolyn Lance, Council Services Coordinator

### Others:

Mary Kay  
Barbara Weir  
Robert Jessop  
Paul Harpley  
Michael Smith  
Giuseppe Giuliana

#### 1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

The Acting Clerk gave the roll and the following Members of Council were present:

Mayor Grossi	Regional Councillor Wheeler
Councillor Craig	Councillor Davison
Councillor Hackenbrook	Councillor Smockum
Councillor Szollosy	

3. COMMUNITY SERVICE ANNOUNCEMENTS:

The 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 Correspondence from Dennis Clark concerning Item No. 14.1.3
- 4.2 Deferral of Item No. 17.6.1, Report No. RC-2012-0028 entitled 'The ROC, Vendors' following a meeting to be scheduled with interested parties including the Lake Simcoe Soccer Club
- 4.3 Deferral of Item No. 17.6.2, Report No. RC-2012-0024 entitled 'The ROC, Soccer Concession' following a meeting to be scheduled with interested parties including the Lake Simcoe Soccer Club
- 4.4 Deferral of Item No. 17.6.3, Report No. RC-2012-0029 entitled 'The ROC, Soccer Clubhouse' following a meeting to be scheduled with interested parties including the Lake Simcoe Soccer Club

5. APPROVAL OF AGENDA:

Moved by Councillor Craig

Seconded by Councillor Hackenbrook

**RESOLUTION NO. C-2012-0525**

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

- 5.1 CORRESPONDENCE FROM DENNIS CLARK CONCERNING ITEM NO. 14.1.3
- 5.2 DEFERRAL OF ITEM NO. 17.6.1, REPORT NO. RC-2012-0028 ENTITLED 'THE ROC, VENDORS' FOLLOWING A MEETING TO BE SCHEDULED WITH INTERESTED PARTIES INCLUDING THE LAKE SIMCOE SOCCER CLUB

5. APPROVAL OF AGENDA cont'd:

- 5.3 DEFERRAL OF ITEM NO. 17.6.2, REPORT NO. RC-2012-0024 ENTITLED 'THE ROC, SOCCER CONCESSION' FOLLOWING A MEETING TO BE SCHEDULED WITH INTERESTED PARTIES INCLUDING THE LAKE SIMCOE SOCCER CLUB
- 5.4 DEFERRAL OF ITEM NO. 17.6.3, REPORT NO. RC-2012-0029 ENTITLED 'THE ROC, SOCCER CLUBHOUSE' FOLLOWING A MEETING TO BE SCHEDULED WITH INTERESTED PARTIES INCLUDING THE LAKE SIMCOE SOCCER CLUB

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

None.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Smockum

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2012-0526**

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON NOVEMBER 26, 2012, BE ADOPTED AS PRESENTED.

Carried.....

8. BUSINESS ARISING FROM THE MINUTES:

None.

Mayor Grossi, on behalf of Council and Town staff, expressed appreciation to Fire Chief Bill O'Neill for his years of service to the community, upon his retirement scheduled for December 31, 2012.

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

- 9.1 Item No. 14.1.1, Report No. PB-2012-0108 entitled 'Amendment to the Town of Georgina Official Plan and Zoning By-law 500, Gail Lenters
- 9.2 Item No. 14.1.2, Report No. PB-2012-0110 entitled 'Outdoor Solid-Fuel Combustion Appliances (Outdoor Wood Furnaces)'
- 9.3 Item No. 14.1.3, Report No. PB-2012-0111 entitled 'Proposed Southwest Sutton Development Area Plan (Ainslie Hill Developments Master Plan and Associated Proposed Official Plan Amendments)

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION cont'd:

- 9.4 Item No. 15.2, various matters for disposition
- 9.5 Item No. 17.2.1, Report No. PB-2012-0109 entitled 'Application for a Deeming By-law, Verna Robertson'
- 9.6 Item No. 17.3.1, Report No. ED-2012-0021 entitled 'Update on the Downtown Sutton Merchant's Association (OSMA)
- 9.7 Item No. 17.4.1, Report No. DAS-2012-0077 entitled 'Integrity Commissioner Services Award for Proposals (RFP)
- 9.8 Item No. 17.5.1, Report No. OED-2012-0067 entitled 'Changing Hours of Operation at the Georgina Ice Palace, the Sutton Arena and the Georgina Leisure Pool'
- 9.8 Item No. 17.5.2, Report No. OED-2012-0068 entitled 'Emerald Ash Borer Management Plan – Tree Inventory'
- 9.9 Item No. 17.5.3, verbal report concerning the Highway 404 Construction
- 9.10 Item No. 17.6.4, Report No. RC-2012-0027 entitled 'Park Levy, 277 The Queensway South, Keswick'
- 9.11 Item No. 20, various by-laws

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Councillor Smockum

Seconded by Councillor Szollosy

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

17.1 Recommendations from the Committee of the Whole Meeting held on December 3, 2012:

**RESOLUTION NO. C-2012-0527**

- 17.1.1 1. THAT COUNCIL RECEIVE REPORT DAS-2012-0070 REGARDING CREDIT FACILITIES APPROVAL FOR THE 2013 FISCAL YEAR.
- 2. THAT COUNCIL AUTHORIZE THE MAYOR AND TOWN TREASURER TO JOINTLY ENTER INTO BORROWING AGREEMENTS, SHOULD THE UNANTICIPATED NEED ARISE, BY WAY OF PROMISSORY NOTE, THE AMOUNTS REQUIRED TO MEET THE CURRENT EXPENDITURES OF THE CORPORATION IN 2013 UNTIL TAXES ARE COLLECTED AND OTHER REVENUES ARE RECEIVED, NOT TO EXCEED THE

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

LIMITS ESTABLISHED UNDER THE MUNICIPAL ACT, BEING SPECIFICALLY:

- a. FROM JANUARY 1 TO SEPTEMBER 30, 50% OF THE TOTAL ESTIMATED REVENUES FOR THE PRECEDING YEAR; AND
  - b. FROM OCTOBER 1 TO DECEMBER 31, 25% OF THE TOTAL ESTIMATED REVENUES FOR THE PRECEDING YEAR.
3. THAT COUNCIL ADOPT A BY-LAW TO GIVE EFFECT TO THE ABOVE-NOTED RECOMMENDATIONS.

**RESOLUTION NO. C-2012-0528**

- 17.1.2 1. THAT COUNCIL RECEIVE REPORT NO. DAS-2012-0073 REGARDING "2013 INTERIM REALTY TAX LEVY" FOR INFORMATION.
2. THAT COUNCIL AUTHORIZE THE FOLLOWING REGARDING THE 2013 INTERIM REALTY TAX LEVIES:
  - THAT AN INTERIM TAX BE LEVIED ON ALL RATEABLE REAL PROPERTY IN THE TOWN OF GEORGINA WHICH HAS BEEN ASSESSED ACCORDING TO THE LAST REVISED ASSESSMENT ROLL; AND
  - THAT THE 2013 INTERIM TAX LEVY BE SET AT 50% OF THE TOTAL 2012 TAXES PAYABLE ON EACH PROPERTY; AND
  - THAT FOR NEW PROPERTIES ADDED TO THE ASSESSMENT ROLL FOR 2013 TAXATION, TAX RATES WOULD BE EQUIVALENT TO 50% OF THE 2012 TAX RATE AS INDICATED BY APPENDIX "A"; AND
  - THAT THE INTERIM TAX LEVY FOR THESE REALTY TAXES BE PAID IN TWO RELATIVELY EQUAL INSTALLMENTS AND THE INSTALLMENTS SHALL BE DUE TUESDAY, FEBRUARY 26, 2013 AND FRIDAY, APRIL 26, 2013; AND

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

- THAT THE TREASURER AND/OR TAX COLLECTOR BE AUTHORIZED TO AMEND IN WHOLE OR IN PART ANY BILLING IN ORDER TO COMPLY WITH ANY PROVINCIAL LEGISLATION WHICH MAY BE INTRODUCED OR PASSED BY THE PROVINCE OF ONTARIO PRIOR TO OR AFTER THE ISSUANCE OF THE BILLING; AND
- THAT THE ATTACHED BY-LAW BE PASSED GIVING EFFECT TO THESE RECOMMENDATIONS.

**RESOLUTION NO. C-2012-0529**

- 17.1.3
1. THAT COUNCIL RECEIVE REPORT DAS-2012-0068 REGARDING INTERIM APPROPRIATIONS FOR THE 2013 FISCAL YEAR.
  2. THAT COUNCIL APPROVE 2013 INTERIM APPROPRIATIONS FOR TOWN OPERATIONS AT AN AMOUNT NOT TO EXCEED \$20,518,095.

**RESOLUTION NO. C-2012-0530**

- 17.1.4
1. THAT COUNCIL RECEIVE REPORT NO. DAS-2012-0071 REGARDING THE N6 INITIATIVE FOR INSURANCE CLAIMS ADJUSTING SERVICES.
  2. THAT THE TOWN ENTER INTO AN AGREEMENT WITH GRANITE CLAIMS SOLUTIONS FOR INSURANCE CLAIMS ADJUSTING SERVICES FOR A TWO (2) YEAR TERM COMMENCING JANUARY 1, 2013 WITH AN OPTION TO EXTEND FOR TWO ADDITIONAL ONE (1) YEAR PERIODS, BASED ON AN HOURLY RATE OF \$98.00.
  3. THAT THE TREASURER BE AUTHORIZED TO PREPARE A BY-LAW TO GIVE EFFECT TO THE ABOVE-NOTED RECOMMENDATIONS.
  4. THAT THE MAYOR AND CLERK BE AUTHORIZED TO EXECUTE THE NECESSARY AGREEMENTS WITH GRANITE CLAIMS SOLUTIONS.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:**RESOLUTION NO. C-2012-0531**

- 17.1.5 1. THAT COUNCIL RECEIVE REPORT NO. DAS-2012-0072 REGARDING LITTER PREVENTION AND CLEAN-UP IN THE TOWN OF GEORGINA.
2. THAT COUNCIL ENDORSE THE IMPLEMENTATION OF AN ANTI-LITTER CAMPAIGN TO INCREASE PUBLIC AWARENESS OF LITTER PREVENTION AND CLEAN-UP IN OUR COMMUNITY.

**RESOLUTION NO. C-2012-0532**

- 17.1.6 1. THAT REPORT NO. DAS-2012-0074, "SALE OF LAND BY PUBLIC TENDER HELD OCTOBER 25, 2012" BE RECEIVED FOR INFORMATION.

**RESOLUTION NO. C-2012-0533**

- 17.1.7 1. THAT COUNCIL RECEIVE REPORT NO. DAS-2012-0075 REGARDING PROMOTING SAFE AND RESPONSIBLE SNOWMOBILING IN THE TOWN OF GEORGINA.
2. THAT STAFF CONTINUE ITS INITIATIVE TO PARTNER WITH YORK REGIONAL POLICE SERVICES AND THE GEORGINA TRAIL RIDERS SNOWMOBILE CLUB TO ENHANCE PUBLIC AWARENESS AND PROMOTE SAFE AND RESPONSIBLE SNOWMOBILING IN THE COMMUNITY.
3. THAT STAFF BE AUTHORIZED TO ALLOCATE FUNDS OF UP TO \$1,000 FROM WITHIN THE APPROVED 2012 BUDGET TOWARDS ADVERTISING INITIATIVES RELATED TO SAFE AND RESPONSIBLE SNOWMOBILING.
4. THAT STAFF REPORT BACK ON THE OPERATION OF SNOWMOBILES ON ROADWAYS AND CROSSING CORNER LOTS ON ROAD ALLOWANCES, AS WELL AS THE OPERATION OF SNOWMOBILES BY TWELVE YEAR OLDS ON PUBLIC ROADWAYS.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:**RESOLUTION NO. C-2012-0534**

- 17.1.8 1. THAT REPORT NO. DAS-2012-0076 REGARDING THE ESTABLISHMENT OF THE WIRELESS BROADBAND ADVISORY COMMITTEE OF COUNCIL BE RECEIVED.
2. THAT COUNCIL ESTABLISH A NEW WIRELESS BROADBAND ADVISORY COMMITTEE OF COUNCIL FOR THE PURPOSE OF PROVIDING ADVICE TO COUNCIL REGARDING THE ACQUISITION AND ONGOING OPERATIONS AND MAINTENANCE OF WIRELESS COMMUNICATIONS INFRASTRUCTURE AND INTERNET CONNECTIVITY FOR BOTH THE TOWN'S CORPORATE COMMUNICATIONS PURPOSES AND THE INTERNET CAPABILITIES OF LOCAL BUSINESSES, INSTITUTIONS, AND RESIDENTS.
3. THAT THE NEWLY-ESTABLISHED WIRELESS BROADBAND ADVISORY COMMITTEE OF COUNCIL BE COMPRISED OF AT LEAST SEVEN (7) MEMBERS AND NOT MORE THAN NINE (9) MEMBERS, INCLUDING AT LEAST ONE (1) COUNCIL REPRESENTATIVE.
4. THAT COUNCIL APPOINT AT LEAST ONE (1) MEMBER OF COUNCIL TO THE NEW WIRELESS BROADBAND ADVISORY COMMITTEE OF COUNCIL.
5. THAT THE TOWN PUBLICLY ADVERTISE FOR APPLICANTS TO FILL THE REMAINING VACANT POSITIONS ON THE NEW WIRELESS BROADBAND ADVISORY COMMITTEE OF COUNCIL.

**RESOLUTION NO. C-2012-0535**

- 17.1.9 1. THAT REPORT NO. OED-2012-0064 BE RECEIVED.
2. THAT A BY-LAW BE PASSED TO AMEND BY-LAW 2002-0046 (TR-1) BEING THE PARKING AND TRAFFIC BY-LAW TO ESTABLISH A COMMUNITY SAFETY ZONE THE ENTIRE LENGTH OF ARLINGTON DRIVE AND RICHMOND PARK DRIVE (FROM WOODBINE TO THE QUEENSWAY) AND RIVERGLEN DRIVE.



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

3. THAT THE TOWN PURCHASE A FIXED RADAR BOARD AND THAT STEP 1 OF TRAFFIC CALMING MEASURES BE IMPLEMENTED ON BISCAYNE BOULEVARD, RICHMOND PARK DRIVE/ARLINGTON DRIVE, RIVERGLEN DRIVE AND RIVEREDGE DRIVE TO MEASURE THE EFFECTIVENESS OF THIS PROCEDURE. THE PURCHASE OF THE SPEED BOARD WILL BE FUNDED FROM THE 2012 SIGN BUDGET. THE PURCHASE OF A PORTABLE SPEED BOARD WILL BE INCLUDED IN THE 2013 BUDGET FOR APPROVAL.
4. THAT THE ROADS DIVISION BE AUTHORIZED TO PURCHASE AND INSTALL ROAD WATCH SIGNS ON RICHMOND PARK DRIVE/ARLINGTON DRIVE, RIVERGLEN DRIVE AND RIVEREDGE DRIVE, AND THAT FUNDING FOR SIGNAGE WILL BE USED FROM THE ROADS DIVISION SIGN BUDGET.
5. THAT A COMMITTEE BE ESTABLISHED TO OVERSEE AND PROMOTE A GEORGINA SAFE STREETS PROGRAM AND TO REVISE, MONITOR AND MAINTAIN THE TRAFFIC CALMING POLICY FOR THE TOWN OF GEORGINA ENDORSING THE STEP 1 AND STEP 2 APPROACH.
6. THAT THE COMMITTEE FOR THE GEORGINA SAFE STREETS PROGRAM INVESTIGATE THE FINANCIAL FEASIBILITY AND OPERATIONAL EFFECTIVENESS OF THE TRAFFIC CALMING INITIATIVES IDENTIFIED IN THE DRAFT POLICY.

**RESOLUTION NO. C-2012-0536**

- 17.1.10 A. THAT REPORT ED-2012-0020 PREPARED BY THE ECONOMIC DEVELOPMENT DIVISION, DATED DECEMBER 3, 2012 REGARDING THE PROCESSING OF ANNUAL FUNDING REQUESTS FROM COMMUNITY ORGANIZATIONS BE RECEIVED.
- B. THAT THE ORGANIZATIONS LISTED IN SECTION 2 OF REPORT ED-2012-0020 AND OTHER ORGANIZATIONS WHO INTEND TO REQUEST FUNDING DURING THE 2013 BUDGET PROCESS, BE ADVISED THAT THE SUBMISSION OF A 2013 TOWN FUNDING APPLICATION, TOGETHER WITH DOCUMENTATION TO SUPPORT THE REQUEST, MUST BE SUBMITTED TO THE TOWN OF GEORGINA PRIOR TO JANUARY 31, 2013 IN ORDER TO BE CONSIDERED BY COUNCIL DURING THE 2013 BUDGET DELIBERATIONS.

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

**RESOLUTION NO. C-2012-0537**

17.1.11 THAT TOWN COUNCIL ENDORSE THE CREATION OF A 'GEORGINA AGRICULTURAL WEEK' AS RECOMMENDED BY THE GEORGINA ENVIRONMENTAL ADVISORY COMMITTEE (GEAC) AND THE GEORGINA AGRICULTURAL ADVISORY COMMITTEE (GA<sub>g</sub>AC), TO BE HELD ANNUALLY IN SEPTEMBER OF EACH YEAR.

**RESOLUTION NO. C-2012-0538**

17.1.12 THAT TOWN COUNCIL ENDORSE THE RECOMMENDATION BY THE GEORGINA ENVIRONMENTAL ADVISORY COMMITTEE (GEAC) AND THE GEORGINA AGRICULTURAL ADVISORY COMMITTEE (GA<sub>g</sub>AC) THAT ANY 'REQUESTS FOR SUPPORT' FROM FUTURE SOLAR PROJECT PROPONENTS TO COUNCIL BE CIRCULATED TO BOTH THE GEAC AND THE GA<sub>g</sub>AC FOR COMMENTS TO BE PROVIDED TO COUNCIL FOR ITS CONSIDERATION.

Carried.....

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

10.2 Matters subject to individual conflicts

None.

11. DEPUTATIONS:

None.

12. PRESENTATIONS:

None.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

Mayor moved forward and dealt with Item No. 17.2.1 at this time.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.2 Report from the Planning and Building Department:

17.2.1 Application for a Deeming By-law  
ROBERTSON, Verna  
Lots 49 and 50, Registered Plan 302  
53 Blue Heron Drive

Report No. PB-2012-0109

Moved by Councillor Smockum

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. C-2012-0539**

- A. THAT REPORT PB-2012-0109 PREPARED BY THE PLANNING DIVISION DATED NOVEMBER 28, 2012 RESPECTING AN APPLICATION FOR A DEEMING BY-LAW BE RECEIVED.
- B. THAT COUNCIL APPROVE THE APPLICATION SUBMITTED BY VERNA ROBERTSON TO DEEM LOTS 49 AND 50, REGISTERED PLAN 302 NOT TO BE LOTS 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. THAT THE DEEMING BY-LAW ATTACHED AS SCHEDULE '3' BE PASSED.

Carried.....

Mayor Grossi moved forward and dealt with Item No. 14.1.3 at this time.

14. PUBLIC MEETINGS:

14.1 Continuation of a Planning Application (Interested Parties Notified:

(7:32 p.m.)

14.1.3 Proposed Southwest Sutton Development Area Plan (Ainslie Hill Development Master Plan and Associated Proposed Official Plan Amendments) and a Settlement Proposal respecting an OMB Appeal against the Sutton/Jackson's Point Secondary Plan  
DR. E. BYRNES SHOULDICE  
Part Lots 20, 21, 22 & 23, Concessions 7 & 8 (NG)  
AGENTS: Michael Smith Planning Consultants/Johnston Litavski Planning Consultants

Report No. PB-2012-0111

14. PUBLIC MEETINGS cont'd:

Mayor Grossi explained the procedure for a public meeting at this time, indicating that the applicant summarizes the proposal, a staff member presents the report at which point the public or Council may ask questions or make comments on the proposal. The applicant/staff respond to questions raised by the public, Council may ask questions of staff, the applicant and/or the public, the public has a second opportunity to make further submissions to present new information, to clarify an issue or to ask questions. Council then debates the merits of the proposal and decides to adopt, amend, refuse or defer the application with or without conditions.

Michael Smith of Michael Smith Planning Consultants, agent for the applicant, stated that he is in attendance on behalf of Ballymore Homes which entered into an agreement to purchase the lands owned by Dr. Shouldice and are located within the Sutton urban service boundary, with a closing date of February, 2013.

Mr. Smith stated that Ballymore has been working with Dr. Shouldice and his team to address the outstanding appeal against the Sutton/Jackson's Point Secondary Plan Amendment No. 111, adopted by Council in June of 2010. The product of this exercise is a settlement agreement which forms part of this evening's report. Ballymore has no objections to the recommendations contained in the report.

Mr. Smith, using power point slides, indicated the Secondary Plan schedule showing four parcels of land owned by Dr. Shouldice which were part of the initial appeal. These include 1) the West Farm lands, 2) the North Lands, 3) the Catering Road East lands and 4) the East Farm lands. An aerial photo shows the boundary of the lands, the proposed development and the regional floodline as well as woodland areas and pockets of wetland. He noted that three of the four parcels are within the urban service boundary, namely the West Farm, the North Lands and the Catering Lands. He also noted that a triangular parcel of land between the West Farm and the North Lands are not part of Dr. Shouldice's land holding.

Mr. Smith stated that this is a conceptual development plan at this stage and will be refined when detailed environmental and engineering information is completed by Ballymore. The conceptual plan shows the flood plain and greenlands as being protected and stated that the portion of Catering Road that the subject lands front upon is to be upgraded to urban standards and the on Catering Road will be improved upon to make that section of road safer. Some areas of the site have high topography with portions abutting the greenlands. He stated that wherever this occurs, a 6 to 10 metre buffer area will be implemented. Two storm water management ponds are proposed, both subject to approval by the Town and the Lake Simcoe Region Conservation Authority and will meet the Lake Simcoe Protection Plan requirements.

14. PUBLIC MEETINGS cont'd:

Mr. Smith explained that the plan is not proposed as a retirement community and will contain a mix of freehold townhouses and single family dwellings with large 18.3 metres or 60 foot municipal serviced lots facing Catering Road where the dwellings will face the road but access will be from a rear internal road. There will be no series of driveways onto Catering Road. The development is to contain a large community park which will be open to the community, will be a central feature in the plan and will be close to the exterior of the development so it will be easily accessible to others living along Catering Road. A roundabout has also been incorporated into the plan.

Mr. Smith explained that there is 50 hectares or 123 acres for development area and of this area, roughly 30 hectares or 74 acres are proposed for residential development. The conceptual plan indicates 725 dwelling units, of which a maximum of 20% may be townhouses. The proposed density of the development is 24 units per net hectare or 9.8 units per net acre. The development will be considered affordable housing according to York Region. The community park is proposed to be 2.8 hectares or 7 acres in size.

Mr. Smith stated that the development will protect the environmental lands, will reconstruct a portion of Catering Road to urban standards from the south east corner of the subject lands to Dalton Road. Large lots are to front on Catering Road, the community park will benefit those living outside of the development and water and energy conservation measures will be employed in the housing construction.

It was confirmed by the Director of Planning and Building that the large lots proposed to front on Catering Road are 20 metres or 66 feet.

Todd Evershed, Planner, stated that the Region's approval of the new Sutton/Jackson's Point Secondary Plan in March of 2011 was appealed to the Ontario Municipal Board by Dr. Shouldice, the owner of over 200 hectares of land within the Southwest Sutton Development Area in the community of Sutton, which was the only appeal filed against the new Secondary Plan. Since that time, a number of "without prejudice" settlement discussion meetings have taken place between the Town and Dr. Shouldice and his representatives. The settlement discussions have also included representatives of Ballymore Homes as Ballymore is seeking to purchase the Appellant's lands that are located within the Urban Service Boundary of the new Secondary Plan. He noted that in connection, Council approved, in principle, the transfer of approximately 1,000 persons equivalent of sewage allocation from the subject lands to lands owned by Ballymore Homes abutting its existing development site on the north side of Baseline Road.

14. PUBLIC MEETINGS cont'd:

Mr. Evershed stated that the purpose of this public information meeting is to present staff's evaluation and recommendations on a settlement proposal submitted by Dr. Shouldice respecting their appeal and to provide staff's evaluation and recommendations respecting the proposed Southwest Sutton Development Area Plan (SWSDAP) or "Ainslie Hill Development Master Plan" and two outstanding applications for the Official Plan Amendments.

Mr. Evershed stated that the history of planning applications and approvals for the subject lands date back to the 1980's and a chronological list detailing this history is attached to the staff report. The planning of these lands can be summarized into the three major development proposals; Official Plan and Zoning Amendment applications were submitted in 1995 to permit a retirement community on the East Farm consisting of 425 single detached units, 280 townhouse units, a long-term care facility, a recreation facility and open space areas. These applications were received approximately three months after Council adopted the Sutton Secondary Plan, which did not designate the East Farm lands for development nor were the lands included within the Urban Service Area boundary. The applications were not processed by the Town because they did not comply with, and were contrary to, the newly approved Secondary Plan. He noted that the owner has never filed an appeal to the OMB for the Town's not making a decision on the applications.

Mr. Evershed explained that in 2006, a proposed Southwest Sutton Development Area Plan was submitted on behalf of Dr. Shouldice along with two Official Plan Amendment applications. The Official Plan Amendment applications were filed, in part, to expand the Southwest Sutton Development Area and the Urban Service Boundary, and to re-designate the owners total landholdings to permit the proposed development of up to 1,500 adult lifestyle dwelling units (low and medium density types), along with an 18 hole golf course. This development proposal encompasses both the West and East Farms, plus additional lands acquired around this time by Dr. Shouldice, referred to as the North Lands and Catering Road Lands. He noted that staff had an issue with the fact that the application was somewhat of an overdevelopment of the site.

Mr. Evershed stated that staff was in the midst of initiating a review of the Sutton Secondary Plan at this time and for this reason staff deemed it premature to consider the proposal without first undertaking further studies and analysis as part of the Sutton Secondary Plan Review and Update Study.

Mr. Evershed stated that a public information meeting was held in August of 2006 where Council directed staff to report further to Council following receipt and assessment of comments and following the completion of the Sutton Secondary Plan Review and Update Study

14. PUBLIC MEETINGS cont'd:

Mr. Lenters stated that this is a situation or planning matter that has now moved through the realm of the Ontario Municipal Board through the appeal filed by Dr. Shouldice. Town Council is no longer the decision-making authority on the secondary plan or on the subject lands. The Ontario Municipal Board will make the final decision at a hearing. In context of that process, the Town is required to present a position at the Ontario Municipal Board hearing and that is the reason for this meeting and why it was presented to the public at an information meeting. Council believed the application was premature due to the Town embarking on a review of an overall plan for the Sutton community.

Mr. Lenters stated that Council directed staff to report back once the Sutton Secondary Plan review and update study was completed which has taken place. Council adopted the new Sutton Secondary Plan, called the Sutton/Jackson's Point Secondary Plan' which was appealed by Dr. Shouldice. A growth management study must be conducted to determine the total land that should be part of the plan to accommodate new growth. New policies were to be incorporated to make more compact communities, higher densities, and to utilize existing infrastructure in order to reduce sprawl or spread of development on green fields. The new plan has a strong focus on protecting lands from development. The west farm has the bulk of developable land, some of which is within a flood plain, while the East Farm remains outside of the serviced area boundary. The Catering lands are partially designated Environmental Protection Area and New Residential Area.

Mr. Lenters reviewed the seven reasons for the appeal; i) concern that the Environmental Protection Area designation has been applied in too much of a broad manner, while staff recognizes that flexibility is provided for in the plan; ii) the Lake Simcoe Region Conservation Authority requested a special provision affecting the northwest portion of the West Farm lands, identifying this area as a potential floodplain area and requiring further analysis. The appellant had concerns with this policy; iii) the appellant has proposed a collector road between Catering Road and Baseline Road through the development but staff believe there are significant environmental benefits and financial infrastructure savings in not constructing the subject collector road and no justification for this road; iv) the appellant is opposed to the identification of a snowmobile trail and cycling trail on the Shouldice lands. Staff support the removal of the snowmobile trail and cycling facilities shown extending along the former rail line that crosses through the East Farm and Catering Road lands; v) the appellant believes it is appropriate to include the East Farm within the urban service boundary in order to facilitate the development of all of the lands for the comprehensive development proposal. Staff believed that there was no need to expand the limits of the urban service boundary given that little residential development has taken place in the community since the adoption of the Sutton Secondary Plan in 1994 and there is already sufficient land designated for serviced

14. PUBLIC MEETINGS cont'd:

residential development and that including these lands within the boundary was not needed, appropriate or justified; vi) the rural/agricultural area policy addresses the re-designation of rural/agricultural areas for urban uses and the expansion of the urban service boundary, which may only occur as part of a municipal comprehensive review initiated by the Region; and vii) the density of the West Farm lands is being reviewed, noting that the numbers were approved many years ago through a proposal for a retirement community to be built over all of the West Farm lands, but those numbers would not work today due to the protection of floodplains and wetland.

Mr. Lenters stated that the owners are more interested in providing a market that is broader than just to seniors, recognizing that the Jackson's Landing development is approved for 320 units solely catering to seniors. Given that the Town cannot legally, through the Official Plan or Zoning By-law, dictate or require certain people of a certain age to live in these communities, it is a difficult situation to police.

Mr. Lenters noted that the width of the vegetative protection zone is flexibility in the Lake Simcoe Protection Plan and has been reduced from a 30 metre buffer to a 10 metre buffer.

Mr. Lenters stated that one issue that is a concern to other landowners is whether there would be enough servicing capacity in the future expansion of the sewage plant to accommodate the increased density from 550 units to 700-725 units. If the lands were to develop protecting the environmental features, there should be adequate plant expansion.

Mr. Lenters stated that the Town could require water conservation measures through the subdivision agreement and building permit stages to meet the sustainable home incentive program implemented through the Region which would require the builder to incorporate reasonable water saving measures.

Mr. Lenters outlined the list of principles for preparing the settlement proposal. He also reviewed the benefits of the submitted settlement proposal. The appeal would be withdrawn with respect to the Catering Road lands, as well as with respect to the East Farm lands, with the exception of a small portion of the North Lands, the entire area would remain protected under the Environmental Protection Area designation and policies proposed in the Secondary Plan, the West Farm would become subject to site specific development policies which would facilitate a residential development that is consistent with current good planning policies and practices, and large blocks of environmentally sensitive lands would be protected. The owner would be willing to convey these lands to the Town or an alternate agency satisfactory to the Town so that these lands would become permanently protected.



14. PUBLIC MEETINGS cont'd:

Mr. Lenters explained that this is a difficult and complex process to follow. When council adopted the new Sutton Secondary Plan in June of 2010, the Region approved it with modifications. Through the appeal period, Dr. Shouldice appealed the entire Sutton Secondary Plan and well as his own land. The final approval authority of that plan rests with the Ontario Municipal Board and to deal with the appeal, Council needs to take a position on the merits of the appeal. This is a matter that can be discussed in closed session. The Ontario Municipal Board can require a newspaper notice or full circulation notice to surrounding property owners but to ensure that landowners are informed, Council decided to hold this meeting so that people can see what is moving towards the Board and to present their comments to Council. Staff will take note of any comments received, will review the issue with the Town Solicitor and applicant and present the information to Council in closed session in order to establish the final settlement proposal. Council will then report out to advise the public of the final decision. He noted that anyone may attend the Ontario Municipal Board hearing if they do not agree with the Town's proposal and may speak. He noted that a hearing can be very time consuming and costly to all involved and it is always best if a settlement and compromise can be reached prior to the hearing date.

Mr. Lenters stated that in 1988 a number of questions were raised. The developer would install sewer and water lines along Catering Road and the homeowners could then connect to the lines at their own expense. In addition, it was questioned if there was any potential impact to the groundwater and local resident's wells. The developer was required to undertake a groundwater study through which water levels would be monitored in surrounding wells over a number of years to establish a baseline level. Because these lands may not be developed until the next expansion of the Sutton sewage plant, there will be ample time in which to conduct a groundwater study to establish a baseline which would reveal any negative impact on wells. If there was an impact, it would be remediated through a variety of different avenues which may include well replacement and connection to municipal water if possible.

Mr. Lenters advised that the storm water management ponds are designed and prepared with a full environmental study. The ponds will be self-contained and should have no impact on any groundwater features or wells.

Mr. Giuseppe Giuliana of GIC Enterprises read his submission and submitted it to the Clerk. He indicated that he is one of the owners of GIC Enterprises which owns part of the west half of Lot 2, Concession 6 and part of Lot 2, Block 65, Reference Plan 69, Sutton. Further to previous correspondence expressing his concerns, he wanted to reaffirm his position to protect and defend his property land rights against the proposed or implied restrictive designations in Official Plan Amendment No. 111. He stated that since he was not able to address this matter at the Ontario Municipal

14. PUBLIC MEETINGS cont'd:

Board appeal hearing, he wanted to advise Town Council that he is now in possession of the Certified Crown Land Patent Grants. As such, the Province has no rights or interests in his privately owned land or property.

Mr. Lenters stated that staff received correspondence from the lawyers of the property owners who wanted to be parties of the appeal. If he requested to be a party or participant at the hearing, he could have presented at that time. He explained that the Ontario Municipal Board hearing is on the appeal by the appellant, not on the plan. They did request that their lands be included in the Sutton Secondary Plan and felt that the Town took too liberal an interpretation to the Environmental Protection Area. They did not formally appeal to the Board as Dr. Shouldice did. They have the option to attend the Board pre-hearing conference. He noted that the final date for appeals was April 18, 2011.

Mr. Giuliani stated that he did not originally appeal, but requested at the Board pre-hearing to become part of the appeal, but explained that the Board had several adjournments and he did not have the opportunity to present this situation to the Board.

Mr. Lenters advised that he would need to address the Board directly and that Council can simply receive this correspondence as information.

Mr. Giuliani noted that he has no objection to the application.

Paul Harpley, President of the South Lake Simcoe Naturalists (SLSN), stated that the SLSN is a fully federated member organization of Ontario Nature which protects and restores natural habitats through research, education and conservation connecting thousands of individuals and communities to nature. Ontario Nature is a charitable organization representing 25,000 members and supporters and over 140 member groups across Ontario. The South Lake Simcoe Naturalists represent many individuals and families in Georgina and the greater South Lake Simcoe Region and its membership includes a wide range of people from diverse backgrounds and experience, professional to amateur, all naturalists interested in wildlife, nature, conservation, good planning and environmental issues.

Mr. Harpley explained that upon preliminary review, the South Lake Simcoe Naturalists is opposed to the proposed Southwest Sutton Development Area Plan and agree with the Town staff report that it not be supported. The South Lake Simcoe Naturalists recommends that the associated Official Plan Amendment applications submitted by Ainslie Hill Farm Corporation be refused. They are not in full support of the Settlement Proposal and have specific comments respecting it. He noted that they support the Town at an Ontario Municipal Board Hearing if necessary with respect to the appeal against the Secondary Plan and the proposed Secondary Plan.

14. PUBLIC MEETINGS cont'd:

Mr. Harpley indicated that the South Lake Simcoe Naturalists believe this development proposal needs much more detailed review, time and study by the Town, consultants and the community. He stated that this process may result in an Ontario Municipal Board Hearing and the resulting plan may be much better than the concept currently presented.

Mr. Harpley stated that concerning natural heritage and environment, the Sutton/Jackson's Point Secondary Plan (SJPSP) has a number of key principles in relation to natural heritage conservation and environmental protection. Central among these are "to grow and develop in a manner that protects Lake Simcoe ...and the natural environment." The South Lake Simcoe Naturalists believe this proposed development, with the proposed additions to the Sutton/Jackson's Point Secondary Plan Area, does not respect this ideal.

Mr. Harpley stated that the South Lake Simcoe Naturalists concur with Town staff's response to the question of "rationale for and scope of the environmental policies of the Secondary Plan, and the implications of any such policies on the Shouldice lands". The Environmental Protection Area designation and accompanying environmental policies were properly formulated and defensible. Also, plans for Ainslie Hill have not proceeded to the point of undertaking detailed environmental and engineering studies, which are necessary, for among many things, in particular the 30 metre protection zone/buffer area from key natural features which they support everywhere and are opposed to any change from this minimum standard at this point. This is essential to maintain long-term natural habitat core and corridor connections, and ecosystem function at the local and landscape scale for botanical and wildlife resources in the local and larger region. They do not support the proposed settlement on this point. Refinements can be made at the detailed design and site plan stage but the 30 metre Secondary Plan buffer must be supported at this stage.

Mr. Harpley stated that floodplain determination and detailed hydrology and hydrogeologic work is still needed at this stage and is outstanding and they cannot support the proposed settlement on this point.

Mr. Harpley explained that they concur with Town staff's response that through the Secondary Plan review exercise, it was determined that there was no need to expand the limits of the Urban Service Boundary based upon three key considerations. The South Lake Simcoe Naturalists agree with this rationale and do not support the applicant's subsequently submitted two separate Official Plan Amendment Applications in order to permit an 18-hole golf course and a previously proposed adult lifestyle community comprised of up to 1,500 dwelling units.

14. PUBLIC MEETINGS cont'd:

Mr. Harpley stated that the South Lake Simcoe Naturalists concur that the appeal on the East Farm must be withdrawn by Dr. Shouldice. They do not believe it has to be contingent on a settlement being reached, and believe it would be upheld at an Ontario Municipal Board Hearing, and that the Town should remain firm on this being removed without condition. They continue to support the Provincial Places to Grow legislation, Regional Policies, the Lake Simcoe Protection Act and increase in density to save agricultural and natural habitat, and therefore support improvements in this regard. They believe there is much more science and planning work necessary at this stage concerning hydrology, hydrogeology, geomorphology and archeology.

Mr. Harpley advised that the proposed development area site is composed primarily of glaciolacustrine deposits of sand and gravel in raised glacial Lake Algonquin shoreline features, and massive deposits of silty sand. The geomorphologic features in the area of proposed development include notable laminated, nearshore features, remnant from glacial Lake Algonquin. Most significant is the high terraced escarpment at the north, West Farm area, a glaciolacustrine abandoned shore bluff, demonstrating features of wave-cut bluffs. He advised that the important geomorphic integrity of these features must be conserved through construction and development. Detailed design should respect these features and he believes that 30 metre minimum buffer areas are necessary around the development areas. He believes that these physical features have important botanical and wildlife core and corridor functions that should be retained. In addition, important geologic fossil specimens should be investigated, and aboriginal artifacts as this area is clearly an important part of the ancient trail system from the Oak Ridges Moraine to Lake Simcoe. Catering Road is a very important part of this ancient historical natural/cultural system in the Sutton Secondary Plan area, being a continuous raised linear beach formation that provided the ancient aboriginal trail base.

Mr. Harpley stated that the South Lake Simcoe Naturalists are concerned that the appellant and consultants have not identified these significant natural features. Their organization is prepared to further consult with the Town of Georgina and the appellant at Site Plan Approval stage for areas in the Secondary Plan boundary. He stated that the Zephyr Society of Lake Simcoe can provide expertise in this regard.

Mr. Harpley indicated that with regard to hydrogeology, aquifer recharge, and ecological function affected by changes to hydrogeology and surficial hydrology, the organization has significant concerns with the proposed developments and the level of science that would need to be presented supporting such proposed development. He noted that from past experience in other area Board Hearings, they do not have confidence in the impact of development on local existing wells. He stated that the developer must be held responsible for hydrology and hydrogeological impact and must undertake detailed ground water investigations, analysis and long-term monitoring. The large glacial Drumloid feature, relatively uncommon in the low

14. PUBLIC MEETINGS cont'd:

undulating Lake Simcoe sand plain of the Town of Georgina, has previously been identified as an important Groundwater Recharge Area by the Lake Simcoe Region Conservation Authority and LGL Limited in 1996. Consultants for the appellant reviewed this work and mapped the large extent of this Groundwater Recharge Area, noting that their review is general and very provisional. Surficial and groundwater movement is typical to the Black River, north-east to the extensive wetland/forests and through significant seeps to the north at the northern wave-cut bluff feature. The extensive wetlands surrounding the West Farm area are ample evidence of the hydrologic function of the high drumloid feature, and local fisheries impact is a concern. He stated that local residents on wells have good reason to be concerned about their wells in the area. This natural feature is forming the core of the proposed West Farm development area, and the expected existence of significant aquifer recharge areas in the proposed subdivision and roads is a concern, in the absence of much more detailed and rigorous science.

Mr. Harpley stated that many of their members participated in the planning and design meetings and process of the Sutton Jackson's Point Secondary Plan over the last number of years and two of their members were members of the Review Committee. He stated that that process resulted in the long-term vision, community objectives, and plan and policies respecting the open space, natural habitat and the sustainable density nature of future development. Significant wildlife species in the Catering Road area have been documented ranging from the red-shouldered hawk and grassland passerines to important winter birds that we must maintain through future development change. The members are concerned about Natural Area Habitat Wildlife Cores and Corridors in the Black River area, and on tableland forest connections, for the conservation and restoration of biodiversity in the South Lake Simcoe area, including leading to the improved health of Lake Simcoe.

Robert Jessop of 289 Catering Road inquired how the extension of Hwy 404 past the Country Mile Lane/Catering Road area to the east and west of the subject property may affect the traffic on Catering Road. He also inquired if the builder plans to provide sewer and water laterals up the hill of Catering Road or stop at the boundary of the subject land.

Mr. Smith stated that the detailed engineering stage has not begun yet and these are issues that are typically dealt with at the subdivision stage, but he will take all questions under review.

Mr. Lenters explained that in terms of Catering Road, previous arrangements were to undertake improvements and the partial realignment at the curve of the road, to the southerly limits of the lands on Catering Road for installation of water and sewer laterals. The developer would be required to make improvements across the

14. PUBLIC MEETINGS cont'd:

frontage of the subject lands. He stated that with regard to the Hwy 404 extension, it is not in the thirty-year provincial growth plan and taking into consideration the number of years it has taken to extend the highway from its current terminus to Ravenshoe Road, he does not believe the highway extension would have an impact on this development.

Mike Baskerville, Engineering Manager, stated that no interchange is proposed on McCowan Road and therefore there would be no impact foreseen on Catering Road. He stated that there was a firm commitment through the Town to the residents on Catering Road that when the subject farm lands were serviced, that servicing would come up Catering Road for connection. He does not believe the laterals were intended to go past the subdivision boundary, but there is no reason why they could not, as long as sufficient allocation is available and the developer is willing to do so.

Mr. Lenters summarized the report recommendations for the benefit of Council at this time indicating that Council may adopt the settlement proposal in principle and its final decision will be forwarded to the Board. The Ontario Municipal Board pre-hearing conference will be held in February of 2013 at the earliest and staff will return to Council to obtain its final instructions in January of 2013 to prepare for the pre-hearing conference.

Mr. Lenters stated that modifications to Official Plan Amendment No. 111 provide that the lots fronting onto Catering Road shall have a minimum lot frontage of 20 metres. The delineation of the collector road is satisfactory to Ballymore with the understanding that lots may have direct frontage on the collector road, and a roundabout is depicted on Schedule 9 of the report. He noted that any measures that can be taken to produce traffic calming will be undertaken.

Mr. Lenters advised that a recommendation would result from closed session and provided in public session and forwarded to the Board. He stated that he will report back to Council with any recommended changes to the settlement proposal, but he does not believe there will be any substantive changes. He stated that a 30 metre buffer zone seems reasonable. The Lake Simcoe Protection Plan has policies for towns and villages and settlement areas and it does not mandate a 30 metre buffer. The Conservation Authority concurs that in some instances it is appropriate to impose a buffer of less than 30 metres, while some features may require slightly wider buffers.

Mr. Lenters stated that the snowmobile trail has not been extensively analyzed at this point but noted that Dr. Shouldice could stop the operation of snowmobiles across his property at any time.

14. PUBLIC MEETINGS cont'd:

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. C-2012-0540**

- A. THAT REPORT PB-2012-0111 PREPARED BY THE PLANNING AND BUILDING DEPARTMENT DATED NOVEMBER 30, 2012, RESPECTING THE PROPOSED SOUTHWEST SUTTON DEVELOPMENT AREA PLAN (AINSLIE HILL DEVELOPMENT MASTER PLAN AND ASSOCIATED PROPOSED OFFICIAL PLAN AMENDMENTS) AND A SETTLEMENT PROPOSAL WITH RESPECT TO AN ONTARIO MUNICIPAL BOARD APPEAL AGAINST THE SUTTON / JACKSON'S POINT SECONDARY PLAN BY DR E. BYRNES SHOULDICE (THE "SETTLEMENT PROPOSAL"), BE RECEIVED.
- B. THAT THE PROPOSED SOUTHWEST SUTTON DEVELOPMENT AREA PLAN SUBMITTED BY DR. E. BYRNES SHOULDICE IN 2006, NOT BE SUPPORTED; AND FURTHER, THAT THE ASSOCIATED OFFICIAL PLAN AMENDMENT APPLICATIONS SUBMITTED BY AINSLIE HILL FARM CORP., BE REFUSED.
- C. THAT COUNCIL SUPPORT THE SETTLEMENT PROPOSAL ATTACHED AS SCHEDULE '9', IN PRINCIPLE, AND FURTHER THAT ANY COMMENTS PROVIDED BY THE PUBLIC AT THIS MEETING RESPECTING THE SETTLEMENT PROPOSAL BE RECEIVED AND TAKEN INTO CONSIDERATION IN THE DETERMINATION OF COUNCIL'S POSITION TO BE TAKEN AT THE ONTARIO MUNICIPAL BOARD HEARING WITH RESPECT TO THE APPEAL AGAINST THE SECONDARY PLAN AND THE PROPOSED SETTLEMENT.
- D. THAT THE TOWN SOLICITOR AND STAFF UNDERTAKE ANY NECESSARY FURTHER NEGOTIATIONS WITH THE APPELLANT IN TERMS OF FINALIZING A SETTLEMENT PROPOSAL AND PREPARING PROPOSED MINUTES OF SETTLEMENT, AND THAT THIS BE BROUGHT TO COUNCIL IN CLOSED SESSION FOR CONSIDERATION AND FINAL INSTRUCTIONS TO THE TOWN SOLICITOR AND STAFF.
- E. THAT THE TOWN CLERK FORWARD A COPY OF REPORT PB-2012-0111 AND COUNCIL'S RESOLUTION THEREON TO THE TOWN SOLICITOR, THE YORK REGION SOLICITOR AND THE ONTARIO MUNICIPAL BOARD.

Carried.....

14. PUBLIC MEETINGS cont'd:

Moved by Councillor Szollosy

Seconded by Councillor Craig

That the meeting recess at 9:15 p.m.

Carried.....

The meeting resumed at 9:26 p.m.

(9:26 p.m.)

14.1.1 Amendment to the Town of Georgina Official Plan (Town Initiated)  
and Application to Amend Zoning By-law 500  
LENTERS, Gail  
Part Lot 22, Concession 4 (NG), Part 9, Plan 65R-1817, 87 Routley  
Avenue, Pefferlaw  
AGENT: Michael Smith Planning Consultants

Report No. PB-2012-0108

Mayor Grossi explained the procedure for a public meeting at this time, indicating that the applicant summarizes the proposal, a staff member presents the report at which point the public or Council may ask questions or make comments on the proposal. The applicant/staff respond to questions raised by the public, Council may ask questions of staff, the applicant and/or the public, the public has a second opportunity to make further submissions to present new information, to clarify an issue or to ask questions. Council then debates the merits of the proposal and decides to adopt, amend, refuse or defer the application with or without conditions.

Tolek Makarewicz, Junior Planner, explained that earlier this year a zoning by-law amendment application was submitted to permit a wildlife rehabilitation centre on the subject property. In addition, an exemption from the Exotic Animal By-law was requested to permit certain animals to be kept on the subject property. It was determined that an Official Plan Amendment to permit development on a private road would also be required. No issues were raised by Council or the public during the October 9<sup>th</sup> public meeting.

Mr. Makarewicz stated that the subject property is located within the Pefferlaw Secondary Plan boundary area, south of Pete's Lane on the southern most part of Routley Avenue, being the private road portion. He stated that none of the commenting agencies had objections to the application, noting that the Fire Department has indicated that it is the responsibility of the private road owners to ensure maintenance and access of the private road to permit access by firefighting equipment at all times. Routley Avenue is 6 metres wide in front of the subject property and is well maintained.



14. PUBLIC MEETINGS cont'd:

In addition, the agent for the application has also requested additional provisions be recognized under the Zoning Amendment. Specifically, he has requested recognition that the subject property is an undersized Rural building lot, that the existing development is on a private road, recognition of the reduced front yard setback for the existing dwelling and the reduced setback to the rear yard lot line for the existing chicken coop and wallaby breeding facility.

Mr. Makarewicz stated that staff have no concerns with the requested Zoning and Official Plan amendments for the subject property to permit the establishment of a Wildlife Rehabilitation Centre, and to obtain relief from various provisions of the by-law in relation to the proposed use, an existing chicken coop, an existing wallaby breeding facility, and the existing residential use, being located on a private right-of-way. Staff supports the request to permit the ten (10) requested species to be kept on the subject property for the purposes of rehabilitation, pets and breeding, specifically five species of squirrels, two species of chipmunks, two species of deer and wallabys.

Mr. Makarewicz stated that should Council approve the aforementioned zoning and official plan amendments, staff will draft the applicable amending by-laws to be brought before Council at a subsequent meeting in the near future. He advised that the Region has deemed the proposal to not be of regional significance, and therefore the Official Plan Amendment has been granted exemption from Regional approval.

Barbara Weir of 43 Klimek Blvd stated that her property is around the corner from the subject property and owns vacant land north of the subject property on Routley Avenue. She has no objection to the operation of the proposed facility, but would like clarification with regard to the confinement of animals on the property. She explained that in May of 2011, a deer wandered onto her property wearing a collar. She didn't know where it came from but assumed it might have been from the centre because it was quite tame. Because it was wearing a collar, she feared that it might get it caught in the woods. Afterwards, she found out that the deer had come from the subject property and would like to be assured that this will not happen again. She submitted a photograph of the deer with the Planning staff at this time.

Michael Smith, agent for the applicant, stated that this deer was treated as a pet and after being advised of this incident, the deer no longer wears a collar.

Mr. Makarewicz stated that this is the first public meeting for the Official Plan application and the second public meeting for the zoning by-law application. Through the evaluation of the zoning by-law amendment application it became evident that an Official Plan Amendment was also required to permit development on a private road.

14. PUBLIC MEETINGS cont'd:

Velvet Ross, Manager of Planning, stated that schedule 24 of the report identifies the specific species that will be permitted to be rehabilitated by the applicant and that require exemption or do not require exemption from the Town by-law. There are ten species that currently require relief from the Town's exotic animal by-law.

Mr. Makarewicz noted that one recommendation put forward was the exclusion of certain rabies vector species such as black bears and large carnivores which are regulated under the Ministry of Natural Resources.

Mr. Makarewicz explained that if the owner of the property no longer wished to operate a rehabilitation centre, the rezoning contains a provision that the subject property can only be used as a rehabilitation centre if the owner is a certified wildlife custodian through the Ministry of Natural Resources. All of the conditions of the Ministry have been met by the applicant and were met prior to the submission of the zoning by-law amendment application.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2012-0541**

- A. THAT REPORT PB-2012-0108 BE RECEIVED.
- B. THAT THE APPLICATION SUBMITTED BY GAIL LENTERS TO RE-ZONE THE SUBJECT LAND FROM SITE SPECIFIC RURAL (RU-7) TO PERMIT A WILDLIFE REHABILITATION CENTRE, AND TO OBTAIN RELIEF IN RELATION TO THE PROPOSED WILDLIFE REHABILITATION CENTRE, AN EXISTING CHICKEN COOP, AN EXISTING WALLABY BREEDING FACILITY, AND THE EXISTING RESIDENTIAL USE, BE APPROVED.
- C. THAT THE TOWN INITIATED OFFICIAL PLAN AMENDMENT (PEFFERLAW SECONDARY PLAN – OPA NO. 70) AS IT RELATES TO SECTION 5.1.4, TO PERMIT BUILDINGS AND STRUCTURES RELATED TO PERMITTED AGRICULTURAL AND CONSERVATION USES, INCLUDING A WILDLIFE REHABILITATION CENTRE ON THE SUBJECT LAND, BE APPROVED.
- D. THAT THE REQUEST FOR EXEMPTION FROM TOWN BY-LAW NO. 2008-0123 (PWE-1), BEING A BY-LAW TO REGULATE AND PROHIBIT THE KEEPING OF ANIMALS OTHER THAN DOGS, TO PERMIT THE FOLLOWING ANIMALS TO BE KEPT ON THE SUBJECT LAND, BE APPROVED:

14. PUBLIC MEETINGS cont'd:

- RED SQUIRREL (FAMILY: SCIURIDAE);
- GRAY SQUIRREL (FAMILY: SCIURIDAE);
- FOX SQUIRREL (FAMILY: SCIURIDAE);
  
- i) EASTERN CHIPMUNK (FAMILY: SCIURIDAE);
- ii) LEAST CHIPMUNK (FAMILY: SCIURIDAE);
- iii) NORTHERN FLYING SQUIRREL (FAMILY: SCIURIDAE),
- iv) SOUTHERN FLYING SQUIRREL (FAMILY: SCIURIDAE),
- v) FALLOW DEER (ORDER: ARTIODACTYLUS UNGULATES),
- vi) RED DEER (ORDER: ARTIODACTYLUS UNGULATES); AND,
- vii) WALLABIES (CLASS: MARSUPIALS).

- E. THAT THE BY-LAW TO ADOPT THE ZONING BY-LAW AMENDMENT CONTAIN THE SITE-SPECIFIC PROVISIONS AS OUTLINED IN REPORT PB-2012-0087.
- F. THAT PURSUANT TO SECTION 34(17) OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED, IN THE EVENT MINOR REVISIONS ARE NECESSARY RESPECTING THE PROPOSED AMENDING ZONING BY-LAW, FURTHER NOTICE SHALL NOT BE REQUIRED.

Carried.....

(9:47 p.m.)

14.1.2 Outdoor Solid-Fuel Combustion Appliances  
(Outdoor Wood Furnaces)

Report No. PB-2012-0110

Mayor Grossi explained the procedure for a public meeting at this time, indicating that the applicant summarizes the proposal, a staff member presents the report at which point the public or Council may ask questions or make comments on the proposal. The applicant/staff respond to questions raised by the public, Council may ask questions of staff, the applicant and/or the public, the public has a second opportunity to make further submissions to present new information, to clarify an issue or to ask questions. Council then debates the merits of the proposal and decides to adopt, amend, refuse or defer the application with or without conditions.

Laura Diotte, Senior Planner – Policy, stated that staff is still reviewing this issue, but because the previous staff report stipulated that staff would return on this date for further discussion which was published in the paper and on the Town page as such, this was scheduled as a public meeting. This will give the public another opportunity to speak.

14. PUBLIC MEETINGS cont'd:

Ms. Diotte stated that staff received comments from Mary Kay and read the letter for Council's benefit, which indicated that air pollution is bad for the environment and that the Town's Official Plan states that it will prevent pollution of the land and air and must therefore ban these outdoor wood furnaces. She stated that there have been lawsuits because of these furnaces and believes that these units should either be totally banned or only permitted on very large properties like farms.

Harold Lenters, Director of Planning and Building, explained that staff felt that because staff's previous report indicated this issue would return to tonight's agenda and was noted in a newspaper article, it was brought back to update Council on the work staff still have to do. Staff is not ready to make a recommendation to Council at this point as more research is necessary. He noted that there is quite a range of what different municipalities have done in terms of setbacks. They are not illegal and were encouraged at one point with funding being provided to residents. The Town needs to balance the interests of the furnace owners as well as the neighbours. When this issue returns, it will be scheduled as a public meeting as soon as possible in the New Year.

Mr. Lenters stated that staff is striving to be open and transparent to all parties involved. The reality is that they are not illegal and are permitted if the owners obtain a building permit and must meet the building permit requirements and standards.

Mary Kay stated that she found it interesting that the Chief Building Official had indicated to her that there was no need for her to attend this meeting because no decisions would be made. She stated that these furnaces are a wood-burning environmental catastrophe with no known certification or regulations to govern them.

Mr. Lenters explained that the Chief Building Official meant that Ms. Kay could attend the meeting, but that there would be no decision made at this meeting and nothing has changed from the previous meeting. The building code does speak to these units and there are requirements to be met.

An individual advised that CSA approval is required for these units and he was hoping that a by-law would be passed to regulate these units in the new year.

Moved by Councillor Szollosy

Seconded by Councillor Craig

**RESOLUTION NO. C-2012-0542**

- A. THAT REPORT PB-2012-0110 PREPARED BY THE PLANNING AND BUILDING DEPARTMENT DATED DECEMBER 10, 2012 RESPECTING OUTDOOR SOLID-FUEL COMBUSTION APPLIANCES BE RECEIVED.

14. PUBLIC MEETINGS cont'd:

- B. THAT FOLLOWING FURTHER RESEARCH AND ANALYSIS INCLUDING REFERENCE TO THE GEORGINA ENVIRONMENTAL ADVISORY COMMITTEE, STAFF REPORT BACK TO COUNCIL AS SOON AS POSSIBLE IN 2013 WITH A PROPOSED ZONING BY-LAW AND/OR MUNICIPAL ACT BY-LAW TO REGULATE OUTDOOR SOLID-FUEL COMBUSTION APPLIANCES.

Carried....

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:17.3 Report from the Economic Development Division:

- 17.3.1 Update on the Downtown Sutton Merchant's Association (DSMA)

Report No. ED-2012-0021

Moved by Councillor Craig

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. C-2012-0543**

- A. THAT REPORT NO. ED-2012-0021 PREPARED BY THE ECONOMIC DEVELOPMENT DIVISION, DATED DECEMBER 10, 2012, REGARDING THE DOWNTOWN SUTTON MERCHANT'S ASSOCIATION, BE RECEIVED.
- B. THAT COUNCIL DIRECT THE ECONOMIC DEVELOPMENT DIVISION TO PROCEED WITH THE STEPS NECESSARY TO RE-ESTABLISH AND APPOINT A BOARD OF MANAGEMENT FOR THE DOWNTOWN SUTTON MERCHANT'S ASSOCIATION.

Carried.....

17.5 Reports from the Operations and Engineering Department:

- 17.5.1 Changing Hours of Operation at the Georgina Ice Palace, the Sutton Arena and the Georgina Leisure Pool

Report No. OED-2012-0067

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Moved by Councillor Davison

Seconded by Councillor Craig

**RESOLUTION NO. C-2012-0544**

THAT REPORT NO. OED-2012-0067 ENTITLED 'CHANGING HOURS OF OPERATION AT THE GEORGINA ICE PALACE, THE SUTTON ARENA AND THE GEORGINA LEISURE POOL' BE DEFERRED TO THE DECEMBER 17<sup>TH</sup> SPECIAL COUNCIL MEETING FOR FURTHER INFORMATION.

Carried.....

17.4 Report from the Administrative Services Department:

17.4.1 Integrity Commissioner Services Award for Proposals (RFP)

Report No. DAS-2012-0077

Moved by Councillor Craig

Seconded by Councillor Smockum

**RESOLUTION NO. C-2012-0545**

1 THAT REPORT NO. DAS-2012-0077 DATED NOVEMBER 30, 2012 REGARDING INTEGRITY COMMISSIONER SERVICES, AWARD FOR PROPOSALS (RFP) BE RECEIVED.

- i. THAT COUNCIL HEREBY AWARDS THE INTEGRITY COMMISSIONER SERVICES FOR THE PERIOD OF JANUARY 1, 2013 TO DECEMBER 31, 2013 TO WEIRFOULDS LLP, GEORGE RUST-D'EYE.
- ii. THAT COUNCIL HEREBY APPOINTS WEIRFOULDS LLP, GEORGE H. RUST-D'EYE TO PROVIDE INTEGRITY COMMISSIONER SERVICES TO THE CORPORATION OF THE TOWN OF GEORGINA AND IT'S LOCAL BOARDS AND COMMITTEES FOR THE TERM JANUARY 1, 2013 TO DECEMBER 31, 2013, BASED ON AN HOURLY RATE OF \$450.00 AS DETAILED WITHIN THE PROPOSAL DOCUMENT.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

- iii. THAT THE MAYOR AND CLERK BE HEREBY AUTHORIZED AND DIRECTED TO ENTER INTO AN AGREEMENT WITH WEIRFOULDS LLP TO GIVE EFFECT TO THE ABOVE-NOTED RECOMMENDATION.
- iv. THAT STAFF BE DIRECTED TO PREPARE THE NECESSARY APPOINTMENT BY-LAW.
- v. THAT THE CHIEF ADMINISTRATIVE OFFICER REPORT BACK WITH AN ESTIMATE FROM THE INTEGRITY COMMISSIONER WITH RESPECT TO THE PURCHASING BY-LAW.

Carried.....

17.5.2 Emerald Ash Borer Management Plan-Tree Inventory

Report No. OED-2012-0068

Councillor Szollosy left the Council Chambers at 10:33 p.m. He returned at 10:35 p.m. and took his seat at the Council table.

Moved by Councillor Craig

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2012-0546**

- 1. THAT REPORT NO. OED-2012-0068 DATED DECEMBER 10, 2012 REGARDING THE EMERALD ASH BORER MANAGEMENT PLAN - TREE INVENTORY BE RECEIVED FOR INFORMATION.
- 2. THAT PARKS DIVISION STAFF CONTINUE TO DEVELOP A DETAILED IMPLEMENTATION PLAN FOR MANAGING EMERALD ASH BORER USING THE TREE INVENTORY AND REPORT BACK TO COUNCIL.

Carried.....

17.5.3 Verbal Update on the Highway 404 Construction

Dan Pisani, Director of Operations and Engineering, stated that the completion of the Hwy 404 extension to Ravenshoe Road remains slated for August of 2014.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

17.6.4 Park Levy – 277 The Queensway South, Keswick

Report No. RC-2012-0027

Moved by Regional Councillor Wheeler

Seconded by Councillor Davison

That Report No. RC-2012-0027 entitled 'Park Levy – 277 The Queensway South, Keswick' be deferred to the December 17<sup>th</sup> Special Council meeting.

Defeated.....

Moved by Councillor Craig

Seconded by Councillor Davison

**RESOLUTION NO. C-2012-0547**

- 1 THAT REPORT RC-2012-0027 PERTAINING TO THE DEPUTATION FROM MICHAEL SMITH REQUESTING COUNCIL TO WAIVE THE PARK LEVY FOR SITE PLAN APPROVAL AT 277 THE QUEENSWAY SOUTH BE RECEIVED.
- 2 THAT THE REQUEST TO WAIVE THE PARK LEVY PAYMENT OF 2% OF LAND VALUE BE DENIED AS THE LEVY IS REQUIRED FOR THE SITE PLAN APPROVAL OF 277 THE QUEENSWAY SOUTH AS PER PARK LEVY BY-LAW 2001-0020 (PUT-1).

Carried.....

15 COMMUNICATIONS:

15.1 Matters for Routine:

None.

15.2 Matters for Disposition:

- 15.2.1 The Keswick Cemetery Board requesting Council sign agreements between the Town of Georgina and M.W. Becker Funeral Home and between the Town of Georgina and Forrest and Taylor Funeral Home.



15. COMMUNICATIONS cont'd:

Moved by Councillor Craig

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2012-0548**

THAT COUNCIL GRANT PERMISSION FOR THE APPROPRIATE STAFF TO ENTER INTO AGREEMENTS FOR SALES REPRESENTATIVES BETWEEN THE TOWN OF GEORGINA AND M.W. BECKER FUNERAL HOME AND BETWEEN THE TOWN OF GEORGINA AND FORREST AND TAYLOR FUNERAL HOME LTD. IN ORDER TO COMPLY WITH SECTION 5 OF THE ONTARIO REGULATION 30/11 UNDER THE FUNERAL, BURIAL AND CREMATION SERVICES ACT

Carried.....

- 15.2.2 Township of King requesting Council's endorsement of its position with respect to requesting that GO Transit reinstate the weekend GO Rail service on the Barrie line immediately and explore the feasibility of extending weekend service throughout the day.

Moved by Regional Councillor Wheeler

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2012-0549**

THAT CORRESPONDENCE FROM THE TOWNSHIP OF KING REQUESTING COUNCIL'S ENDORSEMENT OF ITS POSITION WITH RESPECT TO REQUESTING THAT GO TRANSIT REINSTATE THE WEEKEND GO RAIL SERVICE ON THE BARRIE LINE IMMEDIATELY AND EXPLORE THE FEASIBILITY OF EXTENDING WEEKEND SERVICE THROUGHOUT THE DAY BE RECEIVED AS COUNCIL HAD PREVIOUSLY ENDORSED THIS REQUEST.

Carried.....

- 15.2.3 Laura Diotte, Senior Planner – Policy, respecting 'Provincial Policy Statement, 2005 Review - Comments on September 2012 Draft Provincial Policy Statement.

15. COMMUNICATIONS cont'd:

Moved by Councillor Smockum

Seconded by Councillor Szollosy

**RESOLUTION NO. C-2012-0550**

THAT THE INTEROFFICE MEMORANDUM FROM LAURA DIOTTE, SENIOR PLANNER – POLICY, RESPECTING 'PROVINCIAL POLICY STATEMENT, 2005 REVIEW - COMMENTS ON SEPTEMBER 2012 DRAFT PROVINCIAL POLICY STATEMENT BE RECEIVED.

Carried.....

15.2.4 Ministry of Citizenship and Immigration requesting nominations for the 2013 Volunteer Service Awards program by the deadline of January 25<sup>th</sup>, 2013.

Moved by Councillor Szollosy

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. C-2012-0551**

THAT CORRESPONDENCE FROM THE MINISTRY OF CITIZENSHIP AND IMMIGRATION REQUESTING NOMINATIONS FOR THE 2013 VOLUNTEER SERVICE AWARDS PROGRAM BY THE DEADLINE OF JANUARY 25<sup>TH</sup>, 2013 BE RECEIVED AND REFERRED TO THE RECREATION AND CULTURE DEPARTMENT FOR DISPOSITION.

Carried.....

16. PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

None.

20. BY-LAWS:

Moved by Councillor Davison

Seconded by Councillor Smockum

That the following by-law be given three readings:

- 20.1 By-law Number 2012-0116 (AD-1) Being a By-law to appoint a Fire Chief and Director of Emergency Services; Steven Richardson

Carried.....

Moved by Councillor Szollosy

Seconded by Councillor Smockum

That the following by-laws be given three readings:

- 20.2 By-law No. 2012-0117 (TR-1) Being A By-law to further amend Schedule XXXI of By-law 2002-0046 (TR-1) being a by-law to govern and control community safety zones within the Town of Georgina, to establish community safety zones along the entire length of Arlington Drive and Richmond Park Drive and on Riverglen Drive.
- 20.3 By-law No. 2012-0118 (BA-1) Being A By-law to authorize temporary borrowings in 2013.
- 20.4 By-law No. 2012-0119 (TA-1) Being A By-law to levy an interim rate upon the taxable property in the Town of Georgina for the Taxation Year 2013.
- 20.5 By-law No. 2012-0120 (AD-1) Being A By-law to appoint a Licensing Coordinator for the Town of Georgina; Jacqueline-Anne Longmore-Roy.
- 20.6 By-law No. 2012-0121 (AD-1) Being A By-law to appoint a Deputy Issuer/Deputy Divisional Registrar; Jacqueline-Anne Longmore-Roy.

20. BY-LAWS cont'd:

20.7 By-law No. 2012-0122 (AD-1)

Being A By-law to appoint a Lottery Licensing Officer for the Town of Georgina; Jacqueline-Anne Longmore-Roy.

20.8 By-law No. 2012-0123 (PL-1)

Being A By-law to Deem Lots not to be lots on a Registered Plan of Subdivision, Verna Robertson, Lots 49 and 50, Registered Plan 302, 53 Blue Heron Drive

Carried.....

21. MOTIONS:

None.

22. NOTICES OF MOTION:

None.

23. OTHER BUSINESS:

23.1 Rogers TV airing Council Meetings

The Chief Administrative Officer was requested to contact Rogers TV with respect to their commitment to air evening Council meetings in their entirety.

23.2 Baldwin Airport

Councillor Craig advised that the Lake Simcoe Region Conservation Authority is investigating possible infractions and there may be legal proceedings.

The Chief Administrative Officer was requested to determine whether or not the Baldwin Airport property is currently for sale or has recently been sold.

24. CONFIRMING BY-LAW

Moved by Councillor Craig

Seconded by Councillor Hackenbrook

That the following by-law e given three readings:

By-law Number 2012-0124 (COU-2)

Being a by-law to confirm the proceedings of Council

Carried.....

25. ADJOURNMENT:

Moved by Councillor Smockum

Seconded by Councillor Davison

That the meeting adjourn at 11:00 p.m.

Carried.....

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Robert Grossi, Mayor

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Patricia Nash, Acting Clerk