

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

## **COMMITTEE OF THE WHOLE MINUTES**

Monday, October 1, 2012  
(9:10 a.m.)

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

The Council Services Coordinator gave the roll call and the following Committee members were present:

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

3. COMMUNITY SERVICE ANNOUNCEMENTS:

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

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

The following addendum items were introduced:

- 4.1 Impaired sightlines along Regional Roads regarding vegetation and signage under Regional Business, Item No. 19.1
- 4.2 Cessation of engine brakes in the Hamlet of Virginia, under Other Business, Item No. 22.1
- 4.3 Installation of an advance green light southbound on Dalton Road at High Street, Sutton, under Regional Business, Item No. 19.2

Councillor Smockum provided a brief update to Council members with regard to the reconstruction of the Egypt Hall, indicating that quotes are being obtained from four separate contractors, the structural portion is near completion and the interior floor plan should be completed soon.

5. APPROVAL OF AGENDA:

Moved by Councillor Craig

Seconded by Councillor Hackenbrook

**RESOLUTION NO. CW-2012-0232**

THAT THE AGENDA BE APPROVED AS PRESENTED.

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

None.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Smockum

Seconded by Councillor Szollosy

**RESOLUTION NO. CW-2012-0233**

THAT THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON SEPTEMBER 17, 2012, BE ADOPTED AS AMENDED;

PAGE 16, RESOLUTION NO. CW-2012-0220, #4, THAT THE WORD 'ENDORSEMENT' BE REPLACED WITH THE WORD 'FOLLOW-UP' SO THAT IT NOW READS ... "4. THAT THIS REPORT BE PRESENTED TO THE ECONOMIC DEVELOPMENT COMMITTEE FOR FOLLOW-UP, TO THE CHAMBER OF COMMERCE FOR DISCUSSION, TO MUNICIPAL STAFF FOR STREAMLINING OF THE PROCESS, TO THE GEORGINA AGRICULTURAL ADVISORY COMMITTEE FOR COMMENTS AND CIRCULATED TO AS MANY INDIVIDUALS AND BUSINESSES AS DEEMED APPROPRIATE TO OBTAIN COMMENTS'.

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. 12.1, presentation by Phil Davies, manager, Watershed Stewardship, Lake Simcoe Region Conservation Authority, to provide an overview of the Maskinonge River sub-watershed and Recovery Project
- 9.2 Item No. 15.2, various matters for disposition
- 9.3 Item No. 17.1.1, Report No. DAS-2012-0045 entitled '2011 Financial Information Return (FIR)
- 9.4 Item No. 17.1.2, Report No. DAS-2012-0046 entitled 'Municipal Performance Measures 2011'
- 9.5 Item No. 17.1.3, Report No. DAS-2012-0053 entitled 'Tax Adjustment Applications Made Under Sections 357/358 of the Municipal Act'
- 9.6 Item No. 17.1.4, Report No. DAS-2012-0054 entitled 'Review of Parking Relief in Simcoe Landing Subdivision'
- 9.7 Item No. 17.1.5, Report No. DAS-2012-0055 entitled 'Georgina Trades Training Inc. (GTTI) Request for Loan Guarantor'
- 9.8 Item No. 17.2.1, Report No. PB-2012-0085 entitled 'Outdoor Wood Furnaces (Hydronic Water Heaters)
- 9.9 Item No. 17.3.1, Report No. RC-2012-0017 entitled 'Designated Smoking Areas'
- 9.10 Item No. 17.4.1, Report No. OED-2012-0056 entitled 'Emerald Ash Borer Management Plan'

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

None.

10.2 Matters subject to individual conflicts

None.

11. DEPUTATIONS:

None.

12. PRESENTATIONS:

- 12.1 Phil Davies, Manager, Watershed Stewardship, Lake Simcoe Region Conservation Authority, to provide an overview of the Maskinonge River sub-watershed and the Maskinonge River Recovery Project.

Phil Davies stated that he will provide Council with an overview of the sub-watershed and the challenges and then the project itself.

12. PRESENTATIONS cont'd:

Mr. Davies explained that the sub-watershed is where all of surface water makes its way into the river with headwaters flowing to the south. It looks like nothing more than wet rushes in a field, but the water flows to the main channel of the Maskinonge and slowly into Lake Simcoe. The sub-watershed is 98 km in length and falls in York Region, specifically in Georgina and East Gwillimbury, with 70% of it in the agricultural classification.

Mr. Davies stated that the Maskinonge is in distress with issues including lack of trees and streamside vegetation (riparian areas), less than 12% forest cover, fish barriers, drainage, quick dry-up times, unknown impacts from planned development including the expansion of Highway 404, too much fertilizer/nutrients in the water causing low oxygen levels which can kill fish in the river and increases the amount of weeds. Streamside vegetation is of critical importance to protect water quality.

Mr. Davies explained that the Lake Simcoe Region Conservation Authority has regulations to disallow fish barriers or damns, but does not have the ability to require that they be removed. He explained that a number of landowners who have diverted water for drainage of their lands or for irrigation purposes have a significant impact on the system through flooding or drought and dry riverbeds. He noted that future changes such as the Highway 404 extension may also have impacts on the system.

Mr. Davies explained that in order to address these issues, the Maskinonge River Recovery Project was implemented by the Conservation Authority in 2008 with five major partners; Government of Canada, Town of Georgina, York Environmental Stewardship, Town of East Gwillimbury and Save The Maskinonge. An additional fifteen partners have since joined the project.

Mr. Davies stated that the Town of Georgina has invested in the project to date and assisted with the following work; more than 5,000 native plants were salvaged from the woodlots for the Highway 404 expansion and replanted in restoration projects across the watershed, 24 tires and 50 creosote-soaked railway ties were removed from the river, local schools sold live trees and 700 of them were planted in the watershed as a result. 3,300 trees and shrubs were planted along the riverbanks in riparian areas on 28 different sites, 1,107 metres of shoreline was planted and 462 metres of eroding shoreline was replaced with rock/shrub bioengineering. He stated that wildlife habitat improvements were made including the installation of wildlife boxes, construction of snapping turtle nesting mounds, creation of a butterfly garden, removal of purple loosestrife, and the creation of 3 in-stream riffles for fish habitat.

Mr. Davies stated that public awareness has been raised through events, workshops and programs such as the 'Up the Maskinonge with a Paddle' event, Yellow Fish Road Program with R.L. Graham Public School, as well as 850 brochures and letters sent to rural residents who own land abutting the river. They continue to pursue opportunities to keep the program running.

12. PRESENTATIONS cont'd:

Mr. Davies requested the continued support of the Town of Georgina. He stated that the Conservation Authority has committed to in-kind support and \$20,000 in project support, the York Environmental Stewardship has committed \$3,000 and they are seeking \$100,000 from Environment Canada. The Town of East Gwillimbury is also being requested to commit \$5,000 as is the Town of Georgina, along with in-kind support from all partners in the amount of \$45,000. The total of all funding support from partners is \$180,000. He stated that this is an important initiative and with the support of the community, the general public and partners, it will continue to be successful.

Andee Pelan of the Conservation Authority stated that a date has not yet been set for the Ravenshoe workshop.

Mr. Davies stated that the Conservation Authority does provide grants to landowners to modify barriers along with other opportunities to work with landowners. The key is to have a willing landowner who is interested in doing work with the Conservation Authority who can then provide grants. The Conservation Authority encourages landowners to take the right steps and can provide funding and information in order to do that. He stated that some landowners have been approached but some owners rent their land and are not available.

Mr. Davies advised that taking of water is regulated by the Ministry of the Environment and certain volumes of water removal is permitted. He stated that the works being completed on the river is critical to this smaller sub-watershed. Any positive work is a benefit as is raising awareness of the situation.

Mr. Davies stated that he would take the message back to the Conservation Authority that a major investment is needed on behalf of the proponents to improve the quality of this watershed.

Moved by Councillor Szollosy

Seconded by Councillor Craig

**RESOLUTION NO. CW-2012-0234**

THAT THE PRESENTATION MADE BY PHIL DAVIES, MANAGER, WATERSHED STEWARDSHIP, LAKE SIMCOE REGION CONSERVATION AUTHORITY, PROVIDING AN OVERVIEW OF THE MASKINONGE RIVER SUB-WATERSHED AND THE MASKINONGE RIVER RECOVERY PROJECT BE RECEIVED, THAT TOWN COUNCIL APPROVE A GRANT OF \$5,000 TOWARDS THE MASKINONGE RIVER RECOVERY PROJECT AND THAT THIS AMOUNT BE INCLUDED IN THE 2013 BUDGET.

Carried.....

Mayor Grossi moved forward and dealt with Item No. 15.2.13 at this time.

15. COMMUNICATIONS:

15.2 Matters for Disposition:

- 15.2.13 Amberley Gavel Ltd. submitting the Report of the Investigator concerning the request for an investigation into the alleged closed meetings of Council and Committee held on various dates in 2011 and 2012.

Winanne Grant, Chief Administrative Officer, advised that through the Municipal Act, members of the public are provided an opportunity to request an investigator if they have concerns or want more information, and noted that the Town received such a request in the winter of 2012. Municipalities have various options available to them for processing these requests, and staff transferred this request to Amberley Gavel. She noted that the Town's solicitor is in attendance to answer any questions with regard to the report or the process.

Michael Bigioni, Town Solicitor, explained that the report of the investigator deals with seven closed meetings in Council and Committee of the Whole. The main matter the investigator was requested to look at was whether or not the closed meetings should have been conducted in closed session and the answer was essentially 'yes'. Of the seven meetings, the bigger issue for the investigator was which exception to the ordinary rules under the Municipal Act that meeting be conducted in open session was relied upon to justify going into closed session. In one of these meetings, the right exception was cited, while for the other six meetings, the opinion rendered was that a different exception would have been more appropriate to be cited. These were procedural inaccuracies of no consequence as the matters were properly before closed sessions.

Mr. Bigioni stated that the investigator felt the Town had breached the Municipal Act in one meeting at Committee of the Whole on November 21, 2011. A decision was made at that meeting to commence litigation proceedings and the record of the closed meeting contained direction to staff to follow the legal advice that the Town had obtained, which was to commence litigation proceedings. This was felt to be a decision that ought not to have been made in a closed session.

Mr. Bigioni stated the investigator concluded that one breach of the Municipal Act was a procedural irregularity, and did not effect Council's ultimate decision.

Mr. Bigioni advised that elected officials have no input on what is included on an agenda, that the Town Clerk generally is in control of that, while the Chief Administrative Officer dictates the closed session agenda items. Once a closed session begins, it is a shared responsibility between members of Council and the Clerk or Chief Administrative Officer to ensure that Council follows the procedures and the Municipal Act requirements.

15. COMMUNICATIONS cont'd:

Ms. Grant stated that it is the Clerk's responsibility to review the procedure by-law and the way in which items are brought to Council. Items are generally dealt with in a timely manner.

Mr. Bigioni stated that a statement made in the report encapsulates the report outcome; ...it is our opinion that these procedural inaccuracies would not render any decisions made at those meetings as illegal. Indeed, we do not think there was any intention of the Town or of Council to shield the overall matter from openness and transparency..." He stated that if Council had stopped the closed session and contacted his office to ensure they were moving in the right direction, he is not sure he would have given the right answer. The report makes it clear that the procedural irregularities identified on November 21<sup>st</sup> did not affect the legality of Council's ultimate decision and the investigator found that this Council did not behave in an illegal manner. In his opinion, Council conducted its business in a professional and ethical manner, did not breach the Municipal Act other than with a procedural irregularity and did not affect the legality of Council's decisions. He also pointed out that the reliance on certain exceptions to the Municipal Act to justify holding discussion in closed session is a bonafide attempt to not divulge personal information about individuals involved.

Mr. Bigioni stated that staff must exercise some discretion by reviewing each situation to ensure that not enough information is provided to bring the matter out in the open.

Mr. Bigioni also noted that the Municipal Act does not regulate changes in municipal procedure by-laws so that municipalities can hold more Council than Committee of the Whole meetings if they choose. Several municipalities use the Committee of the Whole forum, as it fulfils certain functions.

Ms. Grant stated that she had read an article regarding a similar investigation in Midland and the resulting report indicated that there were situations that needed assistance and Midland was scheduling training sessions that are provided by the Province to coach staff and Council Members on closed session procedures. There are portions of this Georgina report that she does not totally agree with and believes Council and staff would benefit from a training session provided by the Province, to discuss the procedure to be followed and how the procedure works.

Mr. Bigioni explained that there is a provision in the Municipal Act that deals with the situation where a majority of Council meets at a restaurant and could be construed as an informal meeting. There is no set line between a Committee of the Whole meeting and an informal meeting although a matter cannot be advanced without a quorum of Council.

15. COMMUNICATIONS cont'd:

Mr. Bigioni stated that it is a requirement of the Act that this report be made public. The report was included on the September 24<sup>th</sup> Council meeting agenda, and therefore this requirement has been complied with. He stated that the Town has not been found guilty of anything. The report is the opinion of the investigator and no opportunity was provided to discuss the investigator's opinions personally.

Moved by Councillor Craig

Seconded by Councillor Szollosy

**RESOLUTION NO. CW-2012-0235**

THAT TOWN COUNCIL RECEIVE THE REPORT OF THE INVESTIGATOR INTO THE REQUEST FOR AN INVESTIGATION INTO THE ALLEGED CLOSED MEETINGS OF COUNCIL AND COMMITTEE OF THE WHOLE HELD ON VARIOUS DATES IN 2011 AND 2012.

Carried.....

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:17.1 Reports from the Administrative Services Department:

## 17.1.1 2011 Financial Information Return (FIR)

Report No. DAS-2012-0045

Darlene Carson-Hildebrand, Deputy Treasurer, stated that this information is consistent with the information contained in the Town's 2011 audited statements that were approved by Council on June 18<sup>th</sup> but are in a different format.

Rebecca Mathewson, Director of Administrative Services and Treasurer, indicated that the new format provides more detail and breakdown of information.

Moved by Councillor Szollosy

Seconded by Councillor Craig

**RESOLUTION NO. CW-2012-0236**

THAT REPORT NO. DAS-2012-0045 REGARDING THE 2011 FINANCIAL INFORMATION RETURN (FIR) ATTACHED BE RECEIVED FOR INFORMATION.

Carried.....



17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

17.1.2 Municipal Performance Measures 2011

Report No. DAS-2012-0046

Darlene Carson-Hildebrand, Deputy Treasurer, stated that municipal performance measures are provided to the Province annually. It is an in-house tool to determine the municipality's financial position. Comparisons have been given from 2011 to 2010 and any variance over 10% has been provided with an explanation. If comparators have changed from year to year and staff is not able to pick up the changes, they will come forward in the following year with these comparators.

Ms. Carson-Hildebrand explained that she obtained the library services figures from the Director of Library Services. The 510,000 difference for library use between 2010 and 2011 includes users physically visiting the library and accessing its services electronically, noting that electronic use has drastically decreased.

Moved by Councillor Craig

Seconded by Councillor Davison

**RESOLUTION NO. CW-2012-0237**

THAT REPORT NO. DAS-2012-0046 DETAILING THE MUNICIPAL PERFORMANCE MEASURES FOR THE YEAR ENDED DECEMBER 31, 2011 BE RECEIVED FOR INFORMATION.

Carried.....

17.1.3 Tax Adjustment Applications Made Under Sections 357/358 of the Municipal Act

Report No. DAS-2012-0053

Moved by Councillor Smockum

Seconded by Councillor Szollosy

**RESOLUTION NO. CW-2012-0238**

1. THAT REPORT NO. DAS-2012-0053, "TAX ADJUSTMENT APPLICATIONS MADE UNDER SECTIONS 357/358 OF *THE MUNICIPAL ACT*" BE RECEIVED;

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

2. THAT COUNCIL APPROVE APPLICATION NUMBERS 0001 TO 0039 INCLUSIVE, SUBMITTED UNDER SECTION 357/358 OF *THE MUNICIPAL ACT*.

Carried.....

17.1.4 Review of Parking Relief in Simcoe Landing Subdivision

Report No. DAS-2012-0054

Ryan Cronsberry, Manager of Municipal Law Enforcement/Chief By-law Officer, stated that an education period was conducted and with the passage of time, most of the residents in the Simcoe Landing subdivision now understand the parking procedure and that it has been successful overall.

Rebecca Mathewson, Director of Administrative Services and Treasurer, stated that staff have no plans to extend this policy to other areas of the Town and have not received parking complaints from other areas of the Town. The items addressed in the Simcoe Landing subdivision were specific to that subdivision relating to the size of the lots and the size of the driveways. Staff could look at all or part of any of the measures brought in for the new parking regulations in the Simcoe Landing subdivision, in order to resolve parking issues in other parts of the municipality if required.

Mr. Cronsberry advised that there have been less tickets issued in this subdivision for parking on or over sidewalks and for vehicles parked overhanging the roadway.

Mr. Cronsberry stated that the parking by-law prohibits the parking of heavy duty trucks, recreational vehicles and trailers on the roadway specifically within the Simcoe Landing Subdivision and appropriate signage would be installed at the entrances into the subdivision. Staff wishes to discourage residents from parking trailers on their properties or on the streets. The definition of a trailer would be a utility trailer, garden trailer or any type of trailer referred to in the Highway Traffic Act. He noted that if a resident has parked a trailer for actively loading or unloading items, the resident would not be issued a ticket but a ticket would be issued if the trailer was parked and left unattended for a period of time.

Moved by Councillor Davison

Seconded by Councillor Smockum

**RESOLUTION NO. CW-2012-0239**

THAT REPORT NO. DAS-2012-0054 REGARDING THE REVIEW OF PARKING RELIEF IN THE SIMCOE LANDING SUBDIVISION BE RECEIVED AND THAT STAFF REPORT BACK WITHIN ONE YEAR REGARDING ANY ISSUES THAT MAY HAVE ARISEN WITH RESPECT TO SNOW CLEARING DURING THE 2012/2013 WINTER

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

SEASON, ANY VEHICLE ACCESS CONCERNS IN RELATION TO SNOW CLEARING AS WELL AS A FOLLOW-UP EVALUATION IF EXPANSION OF THE PROGRAM IS UNDER CONSIDERATION.

Carried.....

15. COMMUNICATIONS:

15.2 Matters for Disposition:

- 15.2.2 a) Landmark Structures requesting an exemption from the Noise By-law in order to run a dehumidification machine with generator to paint the West Park Heights Water Reservoir through the night from October 15<sup>th</sup> to December 14<sup>th</sup> and to paint on Sundays.
- b) Municipal Law Enforcement Division advising against the granting of a noise exemption for Landmark Structures during work to be completed on the water reservoir on West Park Drive.

Ryan Cronsberry, Manager of Municipal Law Enforcement/Chief By-law Officer, contacted the Project Manager for Landmark Structures and was advised that the project is dependent upon the weather because the reservoir needs to be maintained at a certain temperature. The project has run later than expected and the company would like to work late to complete the project. He stated that he has concerns with the impact on the neighbouring property owners as the dehumidifier machine is used to maintain the correct temperature. The company could not indicate the actual noise level of the machine, but the manager did not anticipate any concerns.

Moved by Councillor Davison

Seconded by Councillor Szollosy

**RESOLUTION NO. CW-2012-0240**

THAT TOWN COUNCIL DENY THE REQUEST FROM LANDMARK STRUCTURES FOR AN EXEMPTION FROM THE NOISE BY-LAW IN ORDER TO RUN A DEHUMIDIFICATION MACHINE WITH GENERATOR TO PAINT THE WEST PARK HEIGHTS WATER RESERVOIR THROUGH THE NIGHT FROM OCTOBER 15<sup>TH</sup> TO DECEMBER 14<sup>TH</sup> AND TO PAINT ON SUNDAYS.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.3 a) Joff Elliot requesting an exemption from the noise by-law during his wedding reception on Malone Road in Jackson's Point on September 7, 2013; a 3-piece string band will play between 4:00 p.m. and 6:00 p.m. and another band will then play until approximately 1:00 a.m.
- b) Municipal Law Enforcement Division advising against the granting of a noise exemption for a live band on Malone Road in Jackson's Point.

Ryan Cronsberry, Manager of Municipal Law Enforcement/Chief By-law Officer, advised that Mr. Elliot will be inviting all of the neighbouring property owners to his event. He suggested that homeowners should be considerate to their neighbours with regard to noise levels.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

**RESOLUTION NO. CW-2012-0241**

THAT TOWN COUNCIL DENY THE REQUEST MADE BY JOFF ELLIOT FOR AN EXEMPTION FROM THE NOISE BY-LAW DURING HIS WEDDING RECEPTION ON MALONE ROAD IN JACKSON'S POINT ON SEPTEMBER 7, 2013 AT WHICH A THREE-PIECE STRING BAND WILL PLAY BETWEEN 4:00 P.M. AND 6:00 P.M. AND ANOTHER BAND WILL PLAY UNTIL APPROXIMATELY 1:00 A.M.

Carried.....

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.2 Reports from the Administrative Services Department:

- 17.1.5 Georgina Trades Training Inc. (GTTI) Request for Loan Guarantor  
Report No. DAS-2012-0055

Rebecca Mathewson, Director of Administrative Services and Treasurer, stated that she will request from Georgina Trades Training Inc. (GTTI) a payment plan that would be manageable for them financially and will provide a level of reassurance to the Town that they have a solid plan for repayment of the loan by 2018.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Moved by Councillor Craig

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. CW-2012-0242**

1. THAT COUNCIL RECEIVE REPORT NO. DAS-2012-0055 REGARDING GEORGINA TRADES TRAINING INC. (GTTI) REQUEST FOR LOAN GUARANTOR.
2. THAT COUNCIL AUTHORIZE THE MAYOR AND TREASURER TO EXECUTE THE NECESSARY RENEWAL DOCUMENTS FOR THE CORPORATION OF THE TOWN OF GEORGINA TO CONTINUE TO ACT AS GUARANTOR FOR GEORGINA TRADES TRAINING INC. (GTTI) IN THEIR LOAN AGREEMENT WITH SOUTH LAKE COMMUNITY FUTURES DEVELOPMENT CORPORATION (SLCFDC) DATED JULY 2008.
3. THAT COUNCIL ADVISE GEORGINA TRADES TRAINING INC. (GTTI) THAT, PRIOR TO THEIR NEXT LOAN RENEWAL DATE OF JULY 15<sup>TH</sup>, 2013, GTTI MUST PROVIDE THE TOWN WITH A PAYMENT PLAN THAT OUTLINES THEIR PROPOSED PRINCIPLE PAYMENTS TO THE END OF THE AMORTIZATION PERIOD OF JULY 15<sup>TH</sup>, 2018.

Carried.....

17.2 Report from the Planning and Building Department:

17.2.1 Outdoor Wood Furnaces (Hydronic Water Heaters)

Report No. PB-2012-0085

Harold Lenters, Director of Planning and Building, stated that this report specifically deals with hydronic water heaters and is not intended to deal with barbeques or smokers.

Steve Richardson, Deputy Fire Chief, stated that the fire department has no authority over the installation of these outdoor furnaces, but they do fall within the Building Code. The only Provincial fire regulation that addresses hydronic water heaters is the Forest Fire Protection Act. These heating systems are used to heat water that is circulated in the heating system of a house. Any regulations regarding their installation would be through a municipal by-law.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Mr. Lenters explained that staff drafted a by-law as far as setbacks are concerned, but will look at the issue more closely and intends to host a public meeting on the issue. Staff considers this type of heating system as appropriate on larger lots that are far enough away from neighbouring residences to pose no inconvenience. He mentioned that there have been enough complaints received to warrant an investigation as has occurred in other municipalities.

Mr. Lenters explained that the concerns with this type of heating system arise from a combination of the nature of the combustion as it does not completely burn as clean as other fuel types, as well as wind direction, proximity to a neighbour and the material to be burned. He noted that raising the height of the chimney may or may not have a great impact.

It was noted by a Council member that this type of heating system is designed to burn slowly and they do not reach high temperatures, resulting in the smoke filtering out at ground level.

Mr. Lenters stated that a house with a wood stove must have a chimney with a certain level of clearance and needs to be regulated in terms of setbacks to some degree, but there are no regulations for the hydronic water heater system.

Moved by Councillor Smockum

Seconded by Councillor Craig

**RESOLUTION NO. CW-2012-0243**

- A. THAT REPORT PB-2012-0085 BE RECEIVED.
- B. THAT COUNCIL AUTHORIZE STAFF TO SCHEDULE A PUBLIC MEETING TO CONSIDER PASSING A ZONING BY-LAW AMENDMENT TO IMPLEMENT ZONING RESTRICTIONS FOR WOOD BURNING FURNACES.
- C. THAT THE CLERK FORWARD A COPY OF REPORT NO. PB-2012-0085 TO THE TOWN SOLICITOR.

Carried.....

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

17.4 Report from the Operations and Engineering Department:

17.4.1 Emerald Ash Borer Management Plan

Report No. OED-2012-0056

Frank Mazzotta, Supervisor of Forestry, Horticulture & Infrastructure, stated that the Town is relying on the Region of York for the public education aspect to date. Media releases and door hangers are effective means of education. Public meetings would require more effort but would provide more information to the public.

Mr. Mazzotta explained that an implementation plan is not yet in place, noting that this staff report is for Council to consider accepting the York Region plan, at a minimum. If Council wishes to become aggressive, recommendation No. 4 of the report suggests that the Parks Division staff develop a detailed implementation plan containing more detailed information for Council's review.

Rebecca Mathewson, Director of Administrative Services and Treasurer, stated that the Town maintains a reserve fund in an attempt to accommodate unanticipated matters.

Mr. Mazotta stated that the York Region plan is specifically for the preservation of the ash trees. Staff would like to create an implementation plan by the end of 2012 for inclusion in the 2013 budget that would identify specific tasks required to be conducted in order to be proactive. To date, no costs are known. The Town needs to establish an inventory of ash trees within the Town boundaries prior to moving forward with an implementation plan. The York Region plan discusses the retention of ash tree seeds for regeneration purposes.

Winanne Grant, Chief Administrative Officer, advised that this report was intended as a preliminary report with the key being the fourth recommendation. A further report to Council would be the best approach.

Mr. Mazotta stated that the 2006 information referred to trees on urbanized roads with curbs but did not include trees along rural roads or on private property. More data needs to be collected. He advised that there will be tree removal expense in the future if/when the trees die off.

Moved by Councillor Craig

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. CW-2012-0244**

1. THAT REPORT NO. OED-2012-0056 BE RECEIVED FOR INFORMATION

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

2. THAT PARKS DIVISION STAFF CONTINUE TO WORK WITH YORK REGION AND LOCAL MUNICIPALITIES THROUGH THE ESTABLISHED EMERALD ASH BORER TECHNICAL WORKING GROUP
3. THAT COUNCIL CONSIDER AND ENDORSE YORK REGION'S EMERALD ASH BORER ACTIVE MANAGEMENT PLAN AS THE PREFERRED METHOD OF MITIGATING THE FUTURE DECLINE OF ASH WITHIN THE TOWN OF GEORGINA.
4. THAT PARKS DIVISION STAFF DEVELOP A DETAILED IMPLEMENTATION PLAN AND REPORT BACK TO COUNCIL.

Carried.....

17.3.1 Designated Smoking Areas

Report No. RC-2012-0017

Moved by Councillor Szollosy

Seconded by Councillor Smockum

**RESOLUTION NO. CW-2012-0245**

THAT COUNCILLORS CRAIG AND DAVISON REVIEW, WITH THE DIRECTOR OF RECREATION AND CULTURE, THE PROPOSED DESIGNATED SMOKING AREAS AS SET OUT IN REPORT NO. RC-2012-0017 FOR ALL TOWN OF GEORGINA FACILITIES AND PROPERTIES THAT REQUIRE A DESIGNATED SMOKING AREA AND REPORT BACK TO COUNCIL WITH RECOMMENDATIONS FOR APPROVAL.

Carried.....

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

14. PUBLIC MEETINGS:

None.



15. COMMUNICATIONS:

15.1 Matters for Routine:

15.1.1 Routine correspondence

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

**RESOLUTION NO. CW-2012-0246**

THAT THE ROUTINE CORRESPONDENCE BE RECEIVED.

Carried.....

15.2 Matters for Disposition:

15.2.1 Georgina Heritage Committee requesting endorsement of nominees for the 2012 Heritage Community Recognition Awards.

Moved by Councillor Craig

Seconded by Councillor Davison

**RESOLUTION NO. CW-2012-0247**

THAT TOWN COUNCIL ENDORSE THE NOMINEES FOR THE 2012 HERITAGE COMMUNITY RECOGNITION AWARDS.

Carried.....

15.2.4 Region of York requesting municipal support in the form of a resolution to assist in potentially qualifying a proposed 75kw rooftop solar PV project to be installed at the Georgina Water Treatment Plant on Kennedy Road.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

**RESOLUTION NO. CW-2012-0248**

THAT TOWN COUNCIL PROVIDE SUPPORT TO THE REGION OF YORK FOR THE INSTALLATION OF A 75KW ROOFTOP SOLAR PHOTOVOLTAIC (PV) SYSTEM AT THE GEORGINA WATER TREATMENT PLANT AT 27135 KENNEDY ROAD TO ASSIST IT IN POTENTIALLY QUALIFYING THE PROJECT FOR EXPEDITED

15. COMMUNICATIONS cont'd:

REVIEWS BY THE ONTARIO POWER AUTHORITY (OPA) IN CONJUNCTION WITH THE PROVINCE'S GREEN ENERGY ACT AND THE FEED-IN TARIFF (FIT) PROGRAM AND ACCORDINGLY THAT THE TOWN'S RECENTLY PASSED BLANKET RESOLUTION BE FORWARDED TO THE REGION.

Carried.....

- 15.2.5 Canadian Solar responding to concerns regarding the EarthLight, BeamLight and GoldLight Solar Projects.

Moved by Councillor Smockum

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. CW-2012-0249**

THAT CORRESPONDENCE FROM CANADIAN SOLAR RESPONDING TO CONCERNS REGARDING THE EARTHLIGHT, BEAMLIGHT AND GOLDLIGHT SOLAR PROJECTS BE RECEIVED AND THAT PLANNING STAFF BE REQUESTED TO CONTACT CANADIAN SOLAR REGARDING THE THREE PROJECTS, SPECIFICALLY WITH RESPECT TO CANADIAN SOLAR'S COMMENTS REGARDING LANDSCAPING AND BUFFERING AND, IN THIS REGARD, THAT CANADIAN SOLAR PROVIDE MORE DETAILED INFORMATION ON FUTURE CONSULTATION THAT IS TO TAKE PLACE WITH NEIGHBORING RESIDENTS REGARDING LANDSCAPING AND BUFFERING, AND TO REQUEST STAFF'S PARTICIPATION IN SUCH FUTURE CONSULTATION, AND TO REQUEST A LIST OF WHICH NEIGHBOURING PROPERTY OWNERS CANADIAN SOLAR HAS SPOKEN WITH TO DATE CONCERNING THESE PROJECTS.

Carried.....

- 15.2.6 Julia Munro, MPP-York Simcoe, requesting Council to pass a resolution encouraging the Liberals and NDP to pass Bill 121, The Ability to Pay Act, 2012.

Moved by Councillor Szollosy

Seconded by Councillor Craig

That correspondence from Julia Munro, MPP-York Simcoe, requesting Council to pass a resolution encouraging the Liberals and NDP to pass Bill 121, The Ability to Pay Act, 2012, be received.

Defeated.....

15. COMMUNICATIONS cont'd:

Moved by Councillor Smockum

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. CW-2012-0250**

THAT CORRESPONDENCE FROM JULIA MUNRO, MPP-YORK SIMCOE, REQUESTING COUNCIL TO PASS A RESOLUTION ENCOURAGING THE LIBERALS AND NDP TO PASS BILL 121, THE ABILITY TO PAY ACT, 2012, BE RECEIVED AND REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER TO EXPLORE ALL OPTIONS AND TO PREPARE A TOWN POSITION.

Carried.....

Council Members acknowledged and congratulated Mayor Grossi on his appointment as a director to the Association of Municipalities of Ontario.

- 15.2.7 Ministry of Municipal Affairs and Housing's 'Provincial Policy Statement Review – Draft Policies' requesting feedback by November 23<sup>rd</sup>, 2012.

Moved by Councillor Szollosy

Seconded by Regional Councillor Wheeler

**RESOLUTION NO. CW-2012-0251**

THAT CORRESPONDENCE FROM THE MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING'S 'PROVINCIAL POLICY STATEMENT REVIEW – DRAFT POLICIES' REQUESTING FEEDBACK BY NOVEMBER 23<sup>RD</sup>, 2012 BE RECEIVED AND REFERRED TO THE DIRECTOR OF PLANNING AND BUILDING TO SUBMIT A REPORT TO COUNCIL.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.8 Human Resources Division advising of the 2012 Service Recognition/Appreciation Ceremony to be held at the Committee of the Whole Meeting of October 15<sup>th</sup>.

Moved by Councillor Szollosy

Seconded by Councillor Smockum

**RESOLUTION NO. CW-2012-0252**

THAT CORRESPONDENCE FROM THE HUMAN RESOURCES DIVISION ADVISING OF THE 2012 SERVICE RECOGNITION/APPRECIATION CEREMONY TO BE HELD AT THE COMMITTEE OF THE WHOLE MEETING OF OCTOBER 15<sup>TH</sup> BE RECEIVED WITH THANKS.

Carried.....

The Chief Administrative Officer's office was requested to forward a congratulatory letter to Claire Marsden, former Human Resources Manager for the Town of Georgina, expressing our congratulations on her retirement as of Friday, September 28<sup>th</sup>, 2012, and expressing the Corporation's appreciation for her 33 ½ years of service to the Town.

- 15.2.9 Region of York concerning proposed amendments to the Provincial Policy Statement (PPS) related to district energy systems.

Moved by Councillor Smockum

Seconded by Councillor Davison

**RESOLUTION NO. CW-2012-0253**

THAT CORRESPONDENCE FROM THE REGION OF YORK CONCERNING PROPOSED AMENDMENTS TO THE PROVINCIAL POLICY STATEMENT (PPS) RELATED TO DISTRICT ENERGY SYSTEMS BE RECEIVED AND REFERRED TO THE DIRECTOR OF PLANNING AND BUILDING FOR DISPOSITION.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.10 Region of York circulating an Environmental Services Committee report entitled 'Upper York Sewage Solutions Project Update, Project 74270'.

Moved by Councillor Craig

Seconded by Councillor Szollosy

Winanne Grant, Chief Administrative Officer, indicated that staff had requested the Region to hold a public meeting and make a presentation to Council. The Region will be providing a presentation to Council at its October 15<sup>th</sup> Committee of the Whole meeting and has committed to hosting a public open house forum in Georgina in a similar format to those being conducted in East Gwillimbury and Newmarket, which has yet to be confirmed.

Staff was requested to inquire if Rogers TV would be able to televise the October 15<sup>th</sup> Committee of the Whole meeting, for the benefit of the public.

**RESOLUTION NO. CW-2012-0254**

THAT CORRESPONDENCE FROM THE REGION OF YORK CIRCULATING AN ENVIRONMENTAL SERVICES COMMITTEE REPORT ENTITLED 'UPPER YORK SEWAGE SOLUTIONS PROJECT UPDATE, PROJECT 74270' BE RECEIVED AND REFERRED TO THE OCTOBER 15<sup>TH</sup> COMMITTEE OF THE WHOLE MEETING AT WHICH REGIONAL STAFF WILL BE ATTENDING TO MAKE A PRESENTATION TO COUNCIL, AND THAT STAFF SUBMIT COUNCIL'S QUESTIONS TO THE REGION IN ORDER THAT THEY MAY BE ANSWERED DURING THE REGIONAL PRESENTATION

Carried.....

- 15.2.11 Region of York concerning the prohibition of Food Waste Grinders to support York Region's Sustainability Plans and Strategies.

Moved by Regional Councillor Wheeler

Seconded by Councillor Davison

**RESOLUTION NO. CW-2012-0255**

THAT CORRESPONDENCE FROM THE REGION OF YORK CONCERNING THE PROHIBITION OF FOOD WASTE GRINDERS TO SUPPORT YORK REGION'S SUSTAINABILITY PLANS AND STRATEGIES BE RECEIVED.

Carried.....

15. COMMUNICATIONS cont'd:

- 15.2.12 Region of York concerning the proposed Great Lakes Protection Act 2012 and Ontario's Draft Great Lakes Strategy.

Moved by Councillor Smockum

Seconded by Councillor Craig

**RESOLUTION NO. CW-2012-0256**

THAT CORRESPONDENCE FROM THE REGION OF YORK CONCERNING THE PROPOSED GREAT LAKES PROTECTION ACT 2012 AND ONTARIO'S DRAFT GREAT LAKES STRATEGY BE RECEIVED.

Carried.....

16. PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

19. REGIONAL BUSINESS:

## 19.1 Vegetation impairing sightlines along Regional roads

The Director of Operations and Engineering was requested to contact York Region with regard to resolving sightline issues on Regional roads due to vegetation overgrowth.

## 19.2 Advanced Green Light, southbound on Dalton Road at High Street, Sutton

The Director of Operations and Engineering was requested to contact York Region with regard to the timeline for the study regarding the installation of an advanced green light southbound on Dalton Road at High Street and the timeline for the actual installation of the light.

20. MOTIONS:

None.

21. NOTICES OF MOTION:

None.

22. OTHER BUSINESS:

22.1 Cessation of the use of Engine Brakes in the Hamlet of Virginia

Moved by Councillor Smockum

Seconded by Councillor Davison

**RESOLUTION NO. CW-2012-0257**

THAT THE DIRECTOR OF OPERATIONS AND ENGINEERING BE REQUESTED TO CONTACT THE MINISTRY OF TRANSPORTATION TO REQUEST THE INSTALLATION OF SIGNS PROHIBITING THE USE OF ENGINE BRAKES ON HIGYWAY 48 AT BOTH THE EAST AND WEST ENTRANCES INTO THE HAMLET OF VIRGINIA.

Carried.....

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

Moved by Councillor Smockum

Seconded by Councillor Szollosy

Be it resolved that the Committee of the Whole Meeting recess at this time (11:59 a.m.) and move into a closed meeting pursuant to Section 239 of The Municipal Act, 2001, as amended, to consider:

- i) Employee Negotiations, Section 239(2)(d), MA; update regarding C.U.P.E. negotiations

Carried.....

24. RISE AND REPORT FROM CLOSED MEETING:

The Committee Members rose from the Closed Meeting at this time (1:04 p.m.) with the following direction to report:

Winanne Grant, Chief Administrative Officer, advised that Council adhered to the rules of the Municipal Act.

- i) Employee Negotiations, Section 239(2)(d), MA; update regarding C.U.P.E. negotiations

The Chief Administrative Officer and management negotiating team provided an update on the C.U.P.E. negotiations and guiding parameters were discussed.

25. ADJOURNMENT:

Moved by Councillor Craig

Seconded by Councillor Davison

That the meeting adjourn at 1:05 p.m.

Carried....