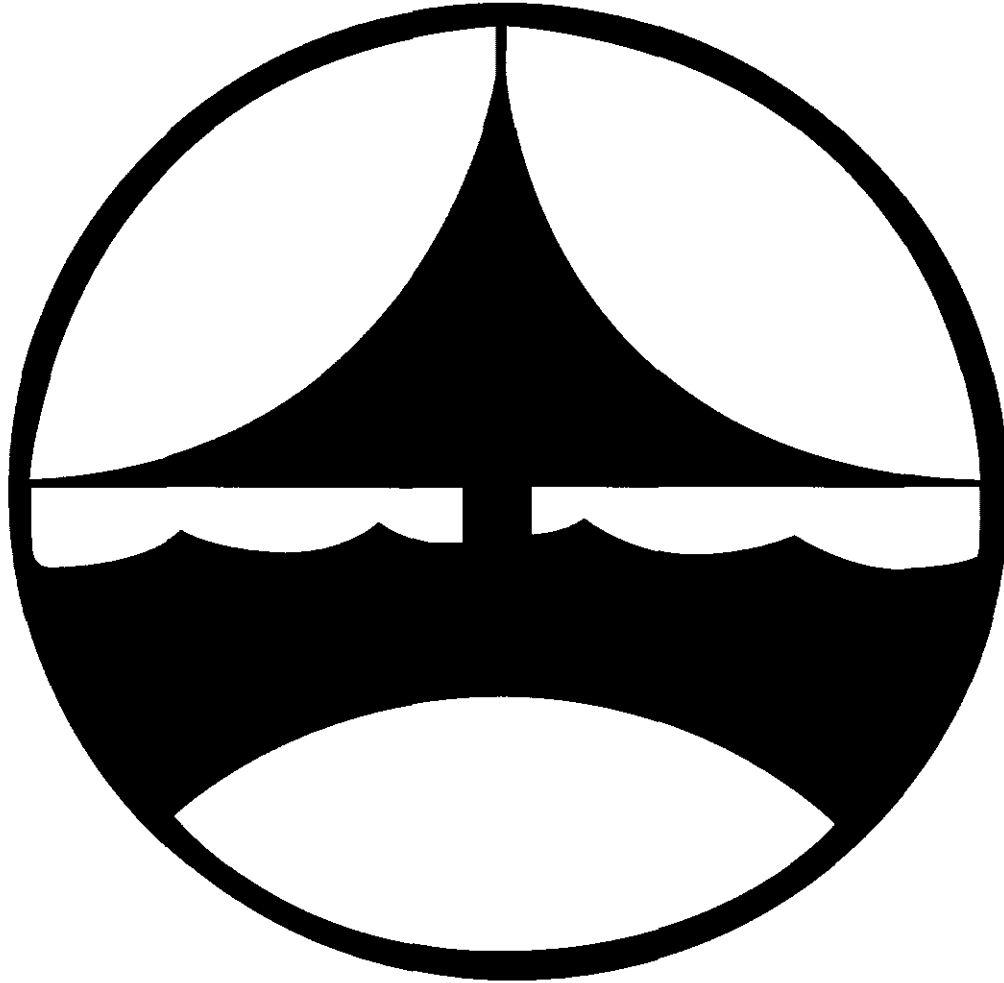


**THE CORPORATION OF THE
TOWN OF GEORGINA**



SPECIAL COUNCIL

****AGENDA****

MONDAY, MAY 7, 2012

(following 9:00am Committee of the Whole Meeting)

THE CORPORATION OF THE TOWN OF GEORGINA

SPECIAL COUNCIL AGENDA

May 7, 2012

(immediately following the Committee of the Whole Meeting)

1. ROLL CALL:
2. DECLARATION OF PECUNIARY INTEREST:
3. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:
 - 3.1 Reports from the Operations and Engineering Department:

Pages 1-8

 - 3.1.1 Municipal Drinking Water Licencing Program Update
Drinking Water Quality Management Study (DWQMS)

Report No. OED-2012-0017

Recommendation:

1. That Report No. OED-2012-0017 be received for information.
2. That Council approves the revised Operational Plan dated May 7, 2012 which delegates Dan Pisani in the role of top management as required by the *Safe Drinking Water Act, 2002*.
3. That a by-law be passed authorizing endorsement of the Operational Plan on behalf of the owner by the Mayor and Clerk.

Pages 9-20

- 3.1.2 No Pre-Sale Agreement
Carness Developments Inc., Grangemuir Developments Inc.
and Camlane Holdings Inc.
Draft Plan of Subdivision 19TG-2003-001
Ontario Municipal Board – Clearance of Pre-Conditions

Report No. CAO-2012-0021

Recommendation:

1. That Report OED-2012-0021 be received for information.

3. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

2. **That a by-law be passed authorizing the Mayor and Clerk to execute a "No Pre-Sale Agreement" between Carness Developments Inc., Grangemuir Developments Inc. and Camlane Holdings Inc., as owners, and the Corporation of the Town of Georgina.**

4. BY-LAWS:

- 4.1 A By-law to authorize the Mayor and Clerk to execute a Subdivision Agreement between 711371 Ontario Corp., as owner, and the Corporation of the Town of Georgina together with easement and land transfer documents respecting proposed Plan of Subdivision 19T-90033, Part Lot 3, Concession 7 (G), Sutton

(Advisement: Refer to Report No. OED-2012-0016 considered by Council on April 30, 2012)

- 4.2 A By-law to amend Section 4.1(h) and Section 4.2 of By-law 2011-0044 (REG-1), being a by-law to prohibit or regulate the removal of topsoil, the placing of or dumping of fill material and the alteration of the grade of land in all areas within the Town of Georgina.

(Advisement: Refer to Report No. OED-2012-0018 considered by Committee of the Whole on May 7, 2012)

- 4.3 A By-law to authorize the Mayor and Clerk to endorse the Operational Plan on behalf of the owner of the Keswick-Sutton Water Distribution System for the Town of Georgina.

(Advisement: Refer to Report No. OED-2012-0017, Item No. 3.1.1 of this agenda)

- 4.4 A By-law to authorize the Mayor and Clerk to enter into a 'No Pre-Sale Agreement' made between Carness Developments Inc., Grangemuir Developments Inc and Camlane Holdings Inc., as owners and the Corporation of the Town of Georgina respecting Draft Plan of Subdivision 19TG-2003-001.

(Advisement: Refer to Report No. OED-2012-0021, Item No. 3.1.2 of this agenda)

5. CONFIRMING BY-LAW

6. ADJOURNMENT:

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. OED-2012-0017

**FOR THE CONSIDERATION OF
SPECIAL COUNCIL
MAY 7, 2012**

**SUBJECT: MUNICIPAL DRINKING WATER LICENCING PROGRAM UPDATE
DRINKING WATER QUALTY MANAGEMENT STANDARD (DWQMS)**

RECOMMENDATIONS:

- 1. THAT REPORT NO. OED-2012-0017 BE RECEIVED FOR INFORMATION.**
- 2. THAT COUNCIL APPROVES THE REVISED OPERATIONAL PLAN DATED MAY 7, 2012 WHICH DELEGATES DAN PISANI IN THE ROLE OF TOP MANAGEMENT AS REQUIRED BY THE *SAFE DRINKING WATER ACT, 2002*.**
- 3. THAT A BY-LAW BE PASSED AUTHORIZING ENDORSEMENT OF THE OPERATIONAL PLAN ON BEHALF OF THE OWNER BY THE MAYOR AND CLERK.**

PURPOSE:

The purpose of this report is to provide Council an up to date version of our Operational Plan with all the relevant information required for Council to endorse our revised Operational Plan, attached as Appendix I.

BACKGROUND:

By-law 2009-0085 (PUT-1) was passed On July 13, 2009 authorizing the endorsement of the Operational Plan on behalf of the Owner to the Mayor and Clerk.

As set out in Report EPW-2012-012, the Operational Plan was submitted to the Ministry of the Environment and Canadian General Standards Board in July 2009. A systems audit was performed in August 2010 and external audit in February 2011.

In October 2011 we received our Municipal Drinking Water Licence (No. 119-101) and Drinking Water Works Permit (No. 119-201).

By Council approved Resolution No. C-2012-0053 we submitted our Financial Plan to the Ministry of Municipal Affairs and Housing on about February 22, 2012. On April 30, 2012 we received our Certificate of Full Scope Accreditation dated March 8, 2012. A copy of which is attached as Appendix II.

Since the initial endorsement of our Operational Plan in July of 2009 the former Director of Engineering and Public Works retired. As identified during an internal audit and as set out in our Procedure OP3 of the Operational Plan whereby in the event the Mayor, Clerk, Top Management or the QMS Representative, whom are authorized signing personnel, cease to be employed at the Town of Georgina, the Commitment and Endorsement signature page shall be reissued for signature. This Report to Council shall be submitted and a bylaw will be passed authorizing the endorsement of the Operational Plan with new signatures.

Submitted by:



Robert Fortier, CET, CRS
Operations Manager

Recommended by:



Dan Pisani, P.Eng.
Director of Operations and Engineering

Approved by:



Winanne Grant, B.A., AMCT, CEMC
Chief Administrative Officer

/hay
Atts.

APPENDIX I

3. COMMITMENT AND ENDORSEMENT

Top Management will ensure that the Quality Management System is in place that meets the requirements of the Drinking Water Quality Management Standard.

By-law 2012-00 (PUT-1) was passed on May , 2012 authorizing endorsement of the Operational Plan on behalf of the Owner to the Mayor and Clerk.

To ensure the Commitment and Endorsement is kept current, procedure OP3 shall be followed. See attached Procedure OP3.

OWNER AND TOP MANAGEMENT'S COMMITMENT AND ENDORSEMENT

The Owner (Mayor and Clerk on behalf of The Corporation of the Town of Georgina), Top Management (Director of Operations and Engineering) and the Operations Manager support the implementation, maintenance, and continual improvement of the Quality Management System which meets the requirements of the Standard for the Town's drinking water system, as documented in this Operational Plan. By endorsing this Plan it is acknowledged that sufficient resources will be needed to maintain and continually improve the Quality Management System.

Top Management shall ensure the Owner is aware of all applicable legislative and regulatory requirements and the Quality Management System is communicated effectively through the Summary Report.

Licensed Operators are made aware of:

- legislative and regularly requirements
- the Quality Management System

which are communicated effectively to the Operators during Water/Wastewater Staff meetings and information sessions.

Top Management shall ensure the resources necessary to maintain the Quality Management System are available by following the Management Review process, Element #20. Likewise, continual improvement will be implemented by following the Continual Improvement process, Element No. 21.

Robert Grossi, Mayor	Date
Roland Chenier, Clerk	Date
Dan Pisani, Director of Operations and Engineering/ Top Management	Date
Robert Fortier, Operations Manager/QMS Representative	Date

APPENDIX II



Government
of Canada

Gouvernement
du Canada

CANADIAN GENERAL STANDARDS BOARD

certifies that

**The Corporation of the Town of Georgina
26557 Civic Centre Road
Keswick, On
L4P 3G1**

(ID # OAP 119)

has successfully implemented a Quality Management System for the

Keswick-Sutton Distribution System

that conforms to the requirements of

Ontario's Drinking Water Quality Management Standard

Scope of Accreditation: Full Scope Entire DWQMS

Director, Canadian General Standards Board

2012-03-08 2015-03-08

Certificate Issuance Date Expiry Date

2012-03-08 119-001-119-F

Initial Accreditation Date Certificate Number



Heather Young

From: Robert (Bob) Fortier
Sent: Monday, April 30, 2012 1:54 PM
To: Heather Young
Subject: Fw: FSE Certificate - Georgina OAP 119
Attachments: FSE Certificate_Keswick-Sutton.pdf

Bob Fortier C.E.T. CRS
Operations Manager
Town of Georgina

From: OE-OA [<mailto:OE-OA@tpsgc-pwgsc.gc.ca>]
Sent: Monday, April 30, 2012 01:15 PM
To: Robert (Bob) Fortier
Cc: Kirk Albert <Kirk.Albert@tpsgc-pwgsc.gc.ca>; 'mdwlp@ontario.ca' <mdwlp@ontario.ca>
Subject: FSE Certificate - Georgina OAP 119

Good afternoon,

In line with Phase 4: Accreditation Decision program requirements and further to the letter of offer granting Accreditation that was sent to you by the Canadian General Standards Board (CGSB), we are pleased to provide to you the applicable Full Scope Entire Accreditation certificate.

Your information will also be updated shortly on the CGSB website of Accredited Operating Authorities.

As indicated in the March 7, 2012 letter from CGSB, we will provide you with information about any steps you need to take following the termination of our services and ask that you contact the MOE directly for any questions related to the review of the accreditation framework.

Thank you and have a nice day!

Cynthia St-Jean

Administrative Coordinator / Coordonnatrice Administrative
Accreditation Program for Operating Authorities | Programme d'agrément pour les organismes d'exploitation
Canadian General Standards Board | Office des normes générales du Canada
Public Works and Government Services Canada | Travaux publics et Services gouvernementaux Canada
Place du Portage, 11 Laurier Street, Phase III, 6B1
Catineau, Quebec K1A 0S5
Telephone: (819)-956-0398 Fax: (819)-956-5740
OE-OA@tpsgc-pwgsc.gc.ca

Heather Young
Administrative Assistant to the Director of Engineering and Public Works
Tel: 905-476-4301 ext. 233
Fax: 905-476-6902
hyoung@georgina.ca

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK
BY-LAW NUMBER 2012-

BEING A BY-LAW AUTHORIZE THE MAYOR
AND CLERK TO ENDORSE THE OPERATIONAL
PLAN ON BEHALF OF THE OWNER OF THE
KESWICK-SUTTON WATER DISTRIBUTION
SYSTEM FOR THE TOWN OF GEORGINA

WHEREAS it is deemed advisable for the Owner as represented by the Mayor and Clerk to endorse the Operational Plan for the Town of Georgina's Keswick-Sutton Water Distribution System.

BE IT THEREFORE ENACTED BY THE COUNCIL OF THE TOWN OF GEORGINA THAT the Mayor and Clerk are hereby authorized to execute the Operational Plan for the Town of Georgina's Keswick-Sutton Water Distribution System.

Read a first, second and third time and finally passed this day of
May, 2012.

Robert A. Grossi, Mayor

Roland Chenier, Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. OED-2012-0021
FOR THE CONSIDERATION OF
SPECIAL COUNCIL
MAY 7, 2012

**SUBJECT: NO PRE-SALE AGREEMENT
CARNES DEVELOPMENTS INC., GRANGEMUIR DEVELOPMENTS
INC. AND CAMLANE HOLDINGS INC.
DRAFT PLAN OF SUBDIVISION 19TG-2003-001
ONTARIO MUNICIPAL BOARD – CLEARANCE OF PRE-CONDITIONS**

RECOMMENDATION:

1. THAT REPORT OED-2012-0021 BE RECEIVED FOR INFORMATION.
2. THAT A BY-LAW BE PASSED AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A “NO PRE-SALE AGREEMENT” BETWEEN CARNES DEVELOPMENTS INC., GRANGEMUIR DEVELOPMENTS INC. AND CAMLANE HOLDINGS INC., AS OWNERS, AND THE CORPORATION OF THE TOWN OF GEORGINA.

REPORT:

The Ontario Municipal Board (OMB) granted approval by its Decision No. 3262 dated December 14, 2005 to draft plan of subdivision 19TG-2003-001 subject to two pre-conditions. This subdivision is being developed in three phases. The first two phases are nearing completion and the Owners are now seeking issuance of the draft conditions for the third and final phase, as shown in Appendix I. This phase happens to be centered between the first and second phases and has been fully serviced by the Owners.

The revised Pre-Conditions as presented to Council through Report PB-20011-0073 and approved in August 2011 are attached as Appendix II. The proponent must satisfy these Pre-Conditions in order for the OMB to issue or release the final draft plan conditions. The proponents' solicitor prepared the No Pre-Sale Agreement attached hereto as Appendix III in consultation with the Town's solicitor at Cassels Brock and Blackwell who are handling the file on behalf of the Town before the Board.


The No Pre-Sale Agreement once executed by the Town will be registered on title all at the proponents' expense.

CONCLUSION:

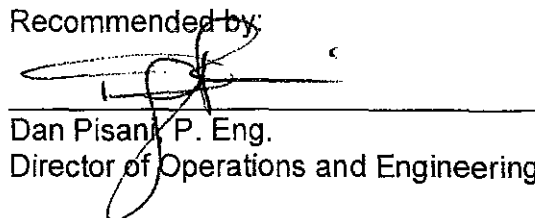
It is respectfully submitted that execution of the No Pre-Sale Agreement is reasonable and we recommend that the by-law be passed authorizing the Mayor and Clerk to sign. The proponent has indicated some urgency respecting this matter and it is requested that the by-law be approved at Special Council on May 7, 2012. Town staff and both solicitors are working towards obtaining final OMB approval during the week of May 14, 2012.

Respectfully submitted,

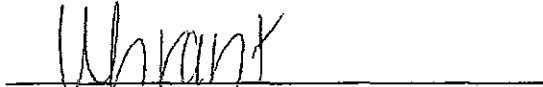
Prepared by:


Michael E. Baskerville, C.E.T., CMM
Engineering Manager

Recommended by:


Dan Pisani, P. Eng.
Director of Operations and Engineering

Approved by:


Winanne Grant, B.A., AMCT, CEMC
Chief Administrative Officer

PLAN 65M-

1. CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OF ONTARIO UNDER THE LAND REGISTRY ACT, R.S.O. 1990, CHAPTER S.5, AND THAT THE PLAN IS CORRECTLY FILED IN THE OFFICE OF THE REGISTRAR OF LANDS AND TITLES IN TORONTO ON THE _____ DAY OF _____ 2012 AND IS VALID FOR THE PURPOSES OF THE PROPERTY TAX ACT, R.S.O. 1990, CHAPTER S.7, AND THE REGISTRY ACT, R.S.O. 1990, CHAPTER S.5, AND THE REGISTRY ACT, R.S.O. 1990, CHAPTER S.5, AND THE REGISTRY ACT, R.S.O. 1990, CHAPTER S.5.

PLAN OF SUBDIVISION OF
PART OF LOTS 2 AND 3
CONCESSION 3
TOWN OF GEORGINA
(GEOGRAPHIC TOWNSHIP OF NORTH GUILMBURY,
COUNTY OF YORK)
THE REGIONAL MUNICIPALITY OF YORK

SCALE: 1" = 100'
DATE: _____
REGISTERED UNDER PLAN NO. _____

OWNER'S CERTIFICATE
I, _____, of the County of York, Ontario, do hereby certify that the above described land is the property of _____ and that the same is being subdivided into lots as shown on the above described plan and that the same is being subdivided for the purpose of _____.

OWNER'S CERTIFICATE
I, _____, of the County of York, Ontario, do hereby certify that the above described land is the property of _____ and that the same is being subdivided into lots as shown on the above described plan and that the same is being subdivided for the purpose of _____.

OWNER'S CERTIFICATE
I, _____, of the County of York, Ontario, do hereby certify that the above described land is the property of _____ and that the same is being subdivided into lots as shown on the above described plan and that the same is being subdivided for the purpose of _____.

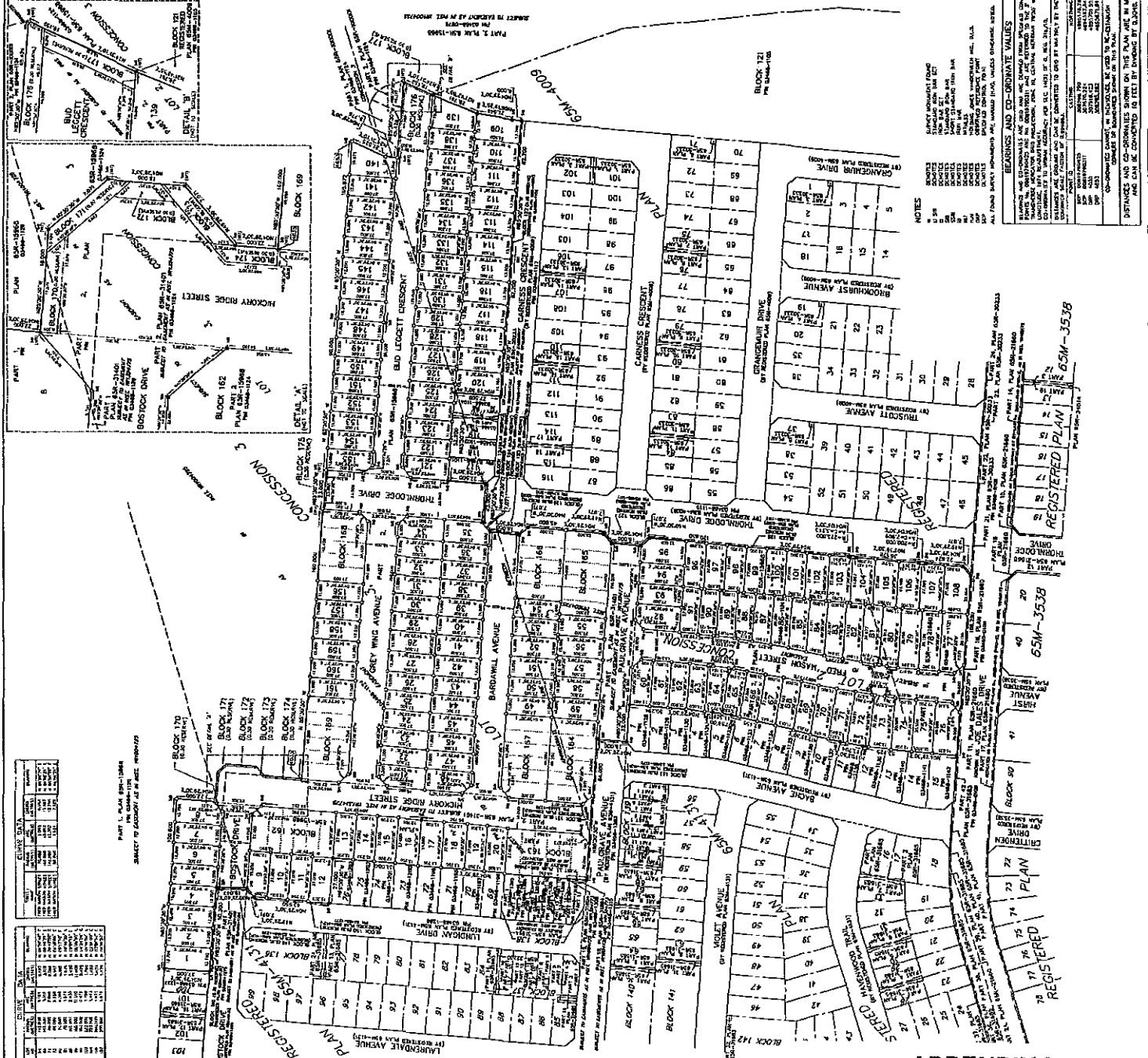
OWNER'S CERTIFICATE
I, _____, of the County of York, Ontario, do hereby certify that the above described land is the property of _____ and that the same is being subdivided into lots as shown on the above described plan and that the same is being subdivided for the purpose of _____.

OWNER'S CERTIFICATE
I, _____, of the County of York, Ontario, do hereby certify that the above described land is the property of _____ and that the same is being subdivided into lots as shown on the above described plan and that the same is being subdivided for the purpose of _____.

OWNER'S CERTIFICATE
I, _____, of the County of York, Ontario, do hereby certify that the above described land is the property of _____ and that the same is being subdivided into lots as shown on the above described plan and that the same is being subdivided for the purpose of _____.

OWNER'S CERTIFICATE
I, _____, of the County of York, Ontario, do hereby certify that the above described land is the property of _____ and that the same is being subdivided into lots as shown on the above described plan and that the same is being subdivided for the purpose of _____.

HOLDING JONES VANDERKVEN INC.
ONTARIO LAND DEVELOPERS
1188 LAURELWOOD BLVD., SUITE 100
SCARBOROUGH, ONTARIO M1V 4W8
PHONE: 905-466-8888, 416-291-1111
FAX: 905-466-8889, 416-291-1112
WWW.HOLDINGJONESVANDERKVEN.COM



NOTES
1. THE DISTRICT OF YORK HAS REVIEWED THIS PLAN AND IS SATISFIED THAT THE PLAN IS CORRECTLY FILED IN THE OFFICE OF THE REGISTRAR OF LANDS AND TITLES IN TORONTO ON THE _____ DAY OF _____ 2012 AND IS VALID FOR THE PURPOSES OF THE PROPERTY TAX ACT, R.S.O. 1990, CHAPTER S.7, AND THE REGISTRY ACT, R.S.O. 1990, CHAPTER S.5, AND THE REGISTRY ACT, R.S.O. 1990, CHAPTER S.5, AND THE REGISTRY ACT, R.S.O. 1990, CHAPTER S.5.

BEARINGS AND CO-ORDINATE VALUES

LINE NO.	BEARING	NORTHING	EASTING
1	N 0° 00' 00" E	0.000	0.000
2	S 90° 00' 00" E	0.000	1.000
3	S 0° 00' 00" E	1.000	1.000
4	N 90° 00' 00" E	1.000	0.000
5	N 0° 00' 00" E	0.000	0.000

**REVISED PRE-CONDITIONS
FOR ISSUANCE OF ONTARIO MUNICIPAL BOARD ORDER**

THE FOLLOWING PRE-CONDITIONS SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF ONTARIO MUNICIPAL BOARD ORDER FOR THE DRAFT PLAN APPROVAL OF THE FINAL PHASE (KNOWN HERETO AS PHASE 7) OF PLAN OF SUBDIVISION 19TG-2003-001; AND SHALL RELATE TO DRAFT PLAN OF SUBDIVISION PREPARED BY KLM PLANNING PARTNERS INC., DRAWING NO. 10:04, DATED SEPTEMBER 22, 2010 OR ANY FURTHER PHASES THEREOF:

1. Prior to or concurrent with draft plan approval, the Owners shall enter into an agreement with the Town of Georgina, which agreement shall be registered on title, committing the Owners to:

A. Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as:

a. the Town of Georgina approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or,

b. i. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the Keswick Water Pollution Control Plant expansion project; and,

ii. The Council of the Town of Georgina has allocated adequate available water supply and sewage servicing capacity to the subject development;

or,

c. the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the Town of Georgina allocates the capacity to this development.

AND

B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the Town of Georgina, which agreement shall be registered on title, committing the Owners to the same terms as set out in item A above.

2. **Prior to draft plan approval, the Owners shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of revised Plan of Subdivision 19T-03G01, or any phase thereof, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end-users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the Owners.**

(*) the term 'end users' for the purpose of the above noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

NO PRE-SALE AGREEMENT

THIS AGREEMENT made this day of April, 2012.

B E T W E E N:

**CAMLANE HOLDINGS INC.,
CARNES DEVELOPMENTS INC. and
GRANGEMUIR DEVELOPMENTS INC.**

(hereinafter collectively called the "**Owners**")

-and-

THE CORPORATION OF THE TOWN OF GEORGINA
(hereinafter called the "**Town**")

WHEREAS:

- A. The Owners are the registered owners of the lands being the final phase of Plan No. 19TG-2003-001, a proposed plan of subdivision attached hereto as Schedule "A" (the "Lands");
- B. The Owner seeks to obtain draft plan approval and registration of the phase of the plan of subdivision described above;
- C. This Agreement is an agreement executed under the authority of s. 51(26) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, and as such may be registered on title;
- D. Certain infrastructure relating to the provision of sanitary sewer servicing being the Keswick Water Pollution Control Plant Expansion Project is being undertaken by the Regional Municipality of York ("York Region") to provide additional sanitary sewer servicing capacity to the Town of Georgina; and
- E. The Town has advised the Owner that it will not permit the sale, or offer for sale, of homes within the proposed Plan of Subdivision until such time as the Town is satisfied that water and sanitary servicing capacity ("Servicing Capacity") is available to enable the Lands to develop.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the Town approving of the said proposed plan of subdivision, the covenants hereinafter expressed, **Two Dollars (\$2.00)** and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Parties hereto agree as follows:

- 1. The Owners agree, in respect of the portion of the Lands respectively owned by them, not to sell, offer for sale, agree to sell, lease or otherwise dispose of any residential lots or residential blocks on the Lands until such time as the Town has confirmed by Council resolution an allocation of Servicing Capacity to the Lands in accordance with one of the following:

APPENDIX 3

APPENDIX 3

- a. the Town has transferred an allocation of existing Servicing Capacity to the Lands that is not dependant on the completion of the Keswick Water Pollution Control Plant Expansion Project;
 - b. the Commissioner of Environmental Services for York Region has advised, in writing, that it is no earlier than twelve (12) months prior to the expected completion of the Keswick Water Pollution Control Plant Expansion Project, and the Town has allocated Servicing Capacity to the Lands from the capacity to be created by the Keswick Water Pollution Control Plant Expansion Project; or
 - c. the Commissioner of Environmental Services for York Region has confirmed, in writing, the availability of sanitary servicing capacity for the Lands by an alternative method to the Keswick Water Pollution Control Plant Expansion Project, and the Town has allocated Servicing Capacity to the Lands.
2. Section 1 of this Agreement shall not apply to an offer for sale, agreement of purchase and sale or transfer to any person who is not an End User, provided that such person enters into an agreement with the Town, agreeing to the provisions of this Agreement as if such person had been an original party to this Agreement. For the purposes of this Agreement, the term "End User" means a person purchasing an individual lot or unit containing a dwelling for the purpose of occupancy.
 3. The Owners covenant and agree that this Agreement and the schedules hereto, or any part thereof, may be registered on title to their respective portion of the Lands. Such registration shall be at the instance of the Town and at its sole discretion. The Town agrees to release this Agreement from any portion of the Lands to which Servicing Capacity has been allocated as described in Section 1 or in respect of which a plan of subdivision has been registered. The Town also agrees to release this Agreement in the event that approval of the draft plan of subdivision No. 19TG-2003-001 is withdrawn. In the event that the Agreement is registered against any lands beyond the Lands as a result of a registerable description not being available, the Town agrees to release the Agreement from such excess lands when a registerable description is available.
 4. The Owners covenant and agree to pay to the Town the cost of registration of this Agreement, as well as all other costs incurred by the Town as a result of the registration of any other documents pertaining to this Agreement, including those required by Section 5.
 5. The Owners covenant and agree to apply to the Land Registrar to make an entry on the Register for the Lands that no transfer shall be made in respect of the Lands unless the consent of the Town's Director of Planning and Building is given to the transfer, pursuant to section 118 of the *Land Titles Act*, R.S.O. 1990, c.L.5. Such application shall be completed by the Owner immediately upon execution of this Agreement by the Town. The Town hereby agrees that it shall cause the Director of Planning and Building to consent to any transfer of the Lands provided that such transfer complies with the requirements of Sections 1 and/or 2 of this Agreement, and execute any and all documentation required to provide such consent forthwith upon request by an Owner. The Town agrees to request the withdrawal and release of such restriction upon the satisfaction of the requirements for the release of this Agreement from title as set out in Section 3 of this Agreement.

6. The Owners covenant and agree to indemnify and save harmless and defend the Town from any and all actions, causes of action, suits, claims and demands whenever and however caused or incurred, and which are directly or indirectly incurred, sustained or suffered by or asserted against the Town relating to, arising out of, resulting from or in any way connected with this Agreement. For the purpose of this Clause, "Town" shall include the Town's officers, employees, elected officials, contractors, agents and representatives.
7. The covenants, agreements, conditions and undertakings contained in this Agreement shall be binding upon the Owners, their successors and assigns as owners and occupiers from time to time and this covenant shall be to the benefit of the Town.
8. If any notice is required to be given by the parties hereto with respect to this Agreement, such notice shall be mailed or delivered in accordance with the following:

To the Owners to the following address:

Camlane Holdings Inc.,
Carness Developments Inc. and
Grangemuir Developments Inc.
c/o Metrus Development Inc.
30 Floral Parkway, Suite 300
Concord ON L4K 4R1

Attention: Stew Beatty
Fax: (905) 669-2134

with a copy to:

Goodmans LLP
333 Bay Street, Suite 3400
Toronto ON M5H 2S7

Attention: Robert D. Howe
Fax: (416) 979-1234

or to such replacement address which the Owner has provided the Town, in writing, and any such notice mailed or delivered shall be deemed good and sufficient notice under the terms of this Agreement.

To the Town to the following address:

Town of Georgina
Georgina Civic Centre
26557 Civic Centre Road, R.R. #2
Keswick ON L4P 3G1

Attention: Town Clerk
Fax: (905) 476-1475

with a copy to:

Cassels Brock and Blackwell LLP
2100 Scotia Plaza
40 King Street West
Toronto ON M5H 3C2

Attention: Signe Leisk
Fax: (416) 640-3218

or to such replacement address which the Town has provided the Owner, in writing, and any such notice mailed or delivered shall be deemed good and sufficient notice under the terms of this Agreement..

- 9. All schedules to this Agreement are attached to this Agreement and form part of it, and the Owners shall be bound their content.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals duly attested to by their proper signing officers on that behalf or their hand and seal as the case may be.

THE CORPORATION OF THE TOWN OF GEORGINA

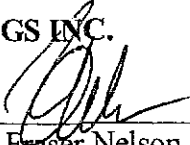
Mayor

Clerk

We have authority to bind the Town.

CAMLANE HOLDINGS INC.

Per:



Name: Fraser Nelson
Title: A.S.O.

Per:

Name:
Title:

I/We have authority to bind the Corporation.

CARNES DEVELOPMENTS INC.

Per:



Name: Fraser Nelson
Title: A.S.O.

Per:

Name:
Title:

I/We have authority to bind the Corporation.

GRANGEMUIR DEVELOPMENTS INC.

Per:



Name: Fraser Nelson
Title: A.S.O.

Per:

Name:
Title:

I/We have authority to bind the Corporation.

SCHEDULE "A"

PLAN 65M-

THIS PLAN IS THE PROPERTY OF THE TOWN OF GEORGINA AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE TOWN OF GEORGINA. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION IS PROHIBITED AND WILL BE CONSIDERED A VIOLATION OF THE TOWN OF GEORGINA ACTS AND REGULATIONS.

**PLAN OF SUBDIVISION OF
PART OF LOTS 2 AND 3
CONCESSION 3
TOWN OF GEORGINA
(GEOGRAPHIC TOWNSHIP OF NORTH DUMFRIELBURGH,
COUNTY OF YORK)
THE REGIONAL MUNICIPALITY OF YORK**

SCALE: 1" = 100'

REGULATORY AGENCIES: METROPLAN INC.

OWNER'S CERTIFICATE

I, the undersigned, being the owner of the land shown on the above plan, do hereby certify that the same is as shown on the above plan and that the same is being subdivided in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P-2, and that the same is being subdivided in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P-2, and that the same is being subdivided in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P-2.

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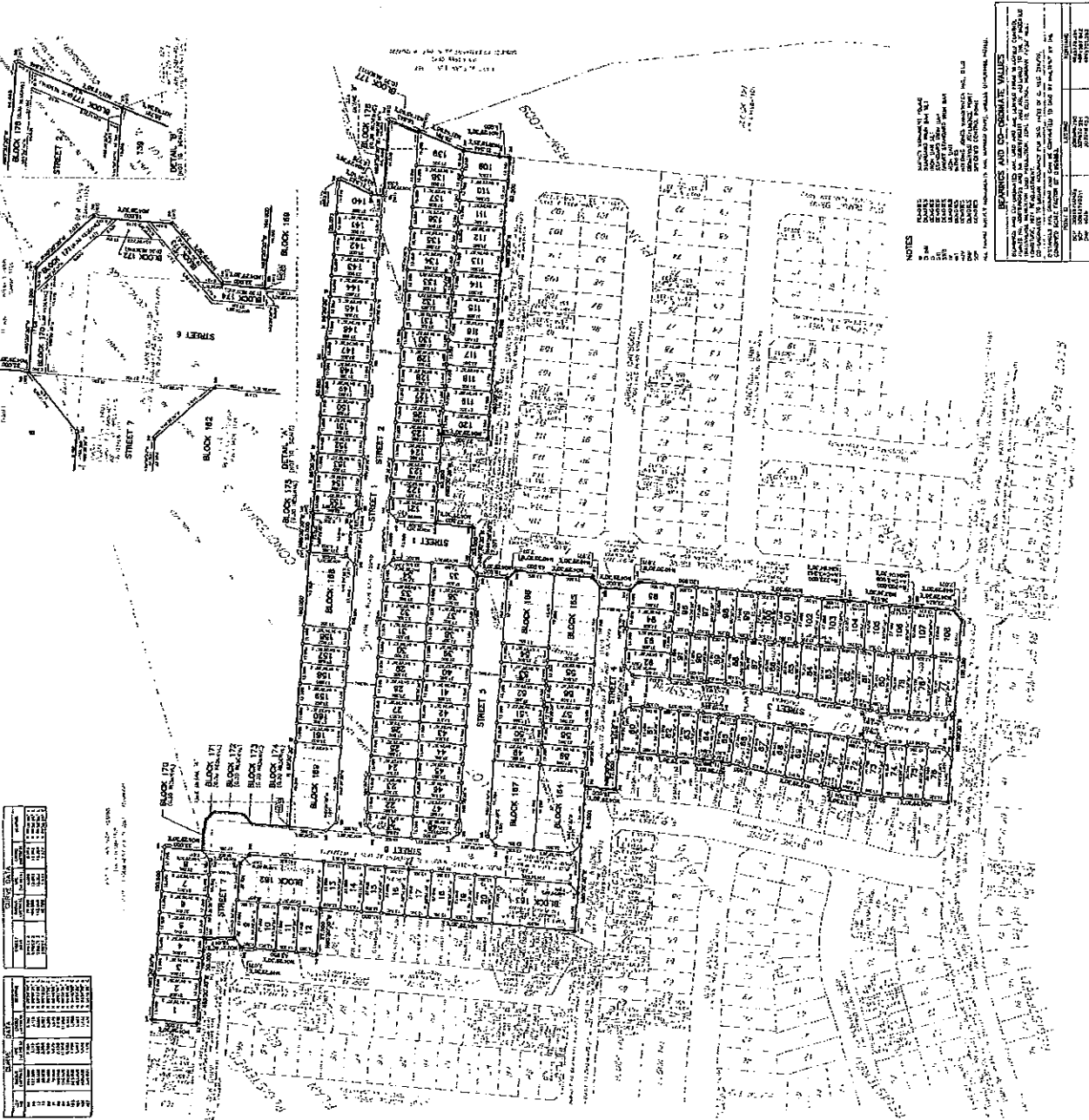
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Block	Lot	Area (sq. ft.)	Area (sq. m.)
170	1-10	10,000	929
171	1-10	10,000	929
172	1-10	10,000	929
173	1-10	10,000	929
174	1-10	10,000	929
175	1-10	10,000	929
176	1-10	10,000	929
177	1-10	10,000	929
178	1-10	10,000	929
179	1-10	10,000	929
180	1-10	10,000	929
181	1-10	10,000	929
182	1-10	10,000	929
183	1-10	10,000	929
184	1-10	10,000	929
185	1-10	10,000	929
186	1-10	10,000	929
187	1-10	10,000	929
188	1-10	10,000	929

NOTES

1. ALL LOTS SHOWN ON THIS PLAN ARE TO BE CONVEYED TO THE TOWN OF GEORGINA.
2. THE TOWN OF GEORGINA IS THE OWNER OF THE LAND SHOWN ON THIS PLAN.
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BOUNDARY AND CO-ORDINATE VALUES

THE BOUNDARY AND CO-ORDINATE VALUES SHOWN ON THIS PLAN ARE BASED ON THE TOWN OF GEORGINA PLANNING ACT, R.S.O. 1990, CHAPTER P-2, AND THE TOWN OF GEORGINA PLANNING ACT, R.S.O. 1990, CHAPTER P-2, AND THE TOWN OF GEORGINA PLANNING ACT, R.S.O. 1990, CHAPTER P-2.

HOLDING JONES VANDERVEEN INC.
CERTIFIED LAND SURVEYORS
1000 SHEPPARD AVENUE EAST
SUITE 100
SCARBOROUGH, ONTARIO M1B 4Y7
PHONE: (416) 291-1111
FAX: (416) 291-1112
WWW.HJVI.COM

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2012- ()

BEING A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A "NO PRE-SALE AGREEMENT" MADE BETWEEN CARNESSE DEVELOPMENTS INC., GRANGEMUIR DEVELOPMENTS INC. AND CAMLANE HOLDINGS INC., AS OWNERS AND THE CORPORATION OF THE TOWN OF GEORGINA RESPECTING DRAFT PLAN OF SUBDIVISION 19TG-2003-001

WHEREAS it is deemed advisable to enter into a "No Pre-Sale Agreement" between Carnesse Developments Inc., Grangemuir Developments Inc. and Camlane Holdings Inc., as Owners, and The Corporation of the Town of Georgina with respect to draft plan of subdivision 19TG-2003-001, clearance of Ontario Municipal Board Clearance of Pre-conditions for the development of its third phase within the Simcoe Landing Subdivision.

BE IT THEREFORE ENACTED BY THE COUNCIL OF THE TOWN OF GEORGINA THAT the Mayor and Clerk are hereby authorized to execute a "No Pre-Sale Agreement" between Carnesse Developments Inc., Grangemuir Developments Inc. and Camlane Holdings Inc., as Owners, and The Corporation of the Town of Georgina with respect to draft plan of subdivision 19TG-2003-001.

Read a first, second and third time and finally passed this ___ day of _____, 2012.

Robert A. Grossi, Mayor

Roland Chenier, Town Clerk

**PROCEDURE FOR PUBLIC MEETINGS -
PLANNING APPLICATIONS:**

► **Presentation:**

1. Applicant summarizes proposal.
2. Staff member presents report.
3. Public/Council may ask questions or make comments on the proposal.

► **Reply:**

4. Applicant/staff respond to questions raised by the public.
5. Council may ask questions of staff, the applicant and/or the public.
6. Public has a second opportunity to make further submissions to present new information, to clarify an issue, or to ask questions.

► **Council Debate:**

7. The merits of the proposal are debated by Council.

► **Recommendations:**

8. Council decides to Adopt, Amend, Refuse or Defer the application with or without conditions.

FOUR GENERAL TYPES OF MOTIONS:

1. **Main Motions** introduce subjects to the assembly for its consideration. They cannot be made when another motion is before the assembly. They yield to privileged, subsidiary and incidental motions.
i.e.: "I move that we purchase..."
2. **Subsidiary Motions** change or affect how the main motion is handled. (They are voted on before the main motion)
i.e.: "I move the question before the assembly be amended by striking out..."
3. **Privileged Motions** are most urgent. They concern special or important matters not related to pending business.
i.e.: "I move we adjourn"
4. **Incidental Motions** are questions of procedure that arise out of other motions. They must be considered before the other motion.
i.e.: "I move to suspend the rules for the purpose of..."

EXCERPTS FROM THE PROCEDURAL BY-LAW

► **Rules of Procedure:** To suspend the rules of procedure requires the consent of not less than two-thirds of the Members present.

► **Delegation:** A person shall not speak for longer than five minutes except a delegation of three or more persons may have more than one speaker but may speak no longer than ten minutes in total.

► **In Camera Meeting:** Before a meeting is closed to the public, the Members shall state by resolution the general nature of the matter to be considered.

► **Notices of Motion:** A motion presented at a meeting which is not printed in the agenda is to be dealt with as a notice of motion.

► **Agenda Items:** All items for the agenda are to be in the hands of the Town Clerk not later than 4:30 p.m. on the Wednesday preceding the meeting.

► **Point of Order:** May be called by a member to bring attention to any breach of Rules of Procedure or any other informality or irregularity in the proceedings.

► **Debate:**

1. No member shall speak more than twice or for longer than ten minutes to the same question except in reply.
2. No debate is permitted on Committee of the Whole recommendations unless based upon the introduction of new information
 - An amendment is made
 - Motion to table, refer or defer
3. Motion to table is debatable, not amendable and may be reconsidered.
4. Motion to refer is debatable and may be amended.
5. Motion to defer is debatable as to advisability, postponement, and amendable as to time and date.

► **Reconsideration:** Council may not reconsider or rescind a motion for a period of six months, unless a member gives notice of motion to reconsider or rescind under the Other Business section of the meeting and may relate to resolution/by-law enacted during that meeting or at a prior meeting.
