

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

January 28, 2013
(7:05 p.m.)

Staff in attendance:

Winanne Grant, Chief Administrative Officer
Rebecca Mathewson, Director of Administrative Services and Treasurer
Steve Richardson, Fire Chief
Robin McDougall, Director of Recreation and Culture
Velvet Ross, Manager of Planning
Dan Pisani, Director of Operations and Engineering
Jordan Redshaw, Communications Coordinator
Todd Evershed, Planner
Karyn Stone, Economic Development Officer
Patricia Nash, Acting Clerk
Carolyn Lance, Council Services Coordinator

Others:

Gord Mahoney of Michael Smith Planning Consultants, agent
Karen Wolfe, The Pefferlaw Post
Heidi Reidner, The Advocate
Michael Bigioni, Town Solicitor
Annabel Slaight
Paul Harpley
Beverley Wilson
Darlene Browne
Sharon Finestone
Bob Bowen
Cori Doern
Hanan Sturm representing Mal Cosman

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
Councilor Hackenbrook	Councillor Smockum
Councillor Szollosy (left at 7:57p.m.)	

3. COMMUNITY SERVICE ANNOUNCEMENTS:

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

Congratulations were extended to Mayor Grossi for his appointment as Chair of the Lake Simcoe Region Conservation Authority.

Chief Administrative Officer was requested to express appreciation to Rod Larmer, Chief Building Official, for his efforts towards the reconstruction of the Egypt Hall.

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

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

- 4.1 Correspondence from Sara Brockman, Development Planner for the Lake Simcoe Region Conservation Authority regarding Item No. 14.1.1, applications for Draft Plan of Subdivision and Condominium, Official Plan Amendment and Zoning By-law Amendment.
- 4.2 Amended Minutes of the Special Council Meeting held on January 21, 2013, to replace Item No. 7.3.
- 4.3 Correspondence from Paul Harpley, President, South Lake Simcoe Naturalists, concerning Item Nos 11.1 to 11.4 and Item No. 17.2.1, The North Gwillimbury Forest and Greenlands Strategic Planning.
- 4.4 Correspondence from Paul Harpley, President, South Lake Simcoe Naturalists, concerning Item No. 14.1.1, applications for Draft Plan of Subdivision and Condominium, Official Plan Amendment and Zoning By-law Amendment.

5. APPROVAL OF AGENDA:

Moved by Councillor Craig

Seconded by Councillor Szollosy

RESOLUTION NO. C-2013-0024

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

- 5.1 CORRESPONDENCE FROM SARA BROCKMAN, DEVELOPMENT PLANNER FOR THE LAKE SIMCOE REGION CONSERVATION AUTHORITY REGARDING ITEM NO. 14.1.1, APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND CONDOMINIUM, OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT.
- 5.2 AMENDED MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON JANUARY 21, 2013, TO REPLACE ITEM NO. 7.3.
- 5.3 CORRESPONDENCE FROM PAUL HARPLEY, PRESIDENT, SOUTH LAKE SIMCOE NATURALISTS, CONCERNING ITEM NOS. 11.1 TO 11.4 AND ITEM NO. 17.2.1, THE NORTH GWILLIMBURY FOREST AND GREENLANDS STRATEGIC PLANNING.
- 5.4 CORRESPONDENCE FROM PAUL HARPLEY, PRESIDENT, SOUTH LAKE SIMCOE NATURALISTS, CONCERNING ITEM NO. 14.1.1, APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND CONDOMINIUM, OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT.

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

Councillor Davison declared an interest in Item No. 14.1.2 as she owns property in the vicinity.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Smockum

Seconded by Councillor Davison

RESOLUTION NO. C-2013-0025

THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON JANUARY 7, 2013, BE ADOPTED AS PRESENTED.

7. ADOPTION OF THE MINUTES cont'd:

RESOLUTION NO. C-2013-0026

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON JANUARY 14, 2013, BE ADOPTED AS PRESENTED

RESOLUTION NO. C-2013-0027

THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON JANUARY 21, 2013, BE ADOPTED AS PRESENTED.

Carried.....

Winanne Grant, Chief Administrative Officer, advised Council at this time of an error in the November 21st, 2011 Committee of the Whole minutes. The Chief Administrative Officer verbally outlined the error.

Moved by Regional Councillor Wheeler

Seconded by Councillor Szollosy

RESOLUTION NO. C-2013-0028

THAT COUNCIL RECEIVE THE VERBAL REPORT PROVIDED BY THE CHIEF ADMINISTRATIVE OFFICER AND THAT SHE PROVIDE A WRITTEN REPORT FOR THE FEBRUARY 4TH COMMITTEE OF THE WHOLE MEETING, EXPLAINING THE SITUATION.

Carried.....

8. BUSINESS ARISING FROM THE MINUTES:

None.

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

The following items were identified for separate discussion:

- 9.1 Item No. 11.1, deputation by Jack Gibbons, Chair, North Gwillimbury Forest Alliance, concerning the need for an Interim Control By-law freezing all development in 8 forest areas in the North Gwillimbury Forest

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

- 9.2 Item No. 11.2, deputation by William Shore requesting an Interim Control By-law to protect North Gwillimbury Forest
- 9.3 Item No. 11.3, deputation by Hugh Sibbald opposing the imposition of an Interim Control By-law with respect to a portion of The Briars property
- 9.4 Item No. 11.4, deputation by Gord Mahoney of Michael Smith Planning Consultants representing Queen's Court Development Ltd. regarding the potential impact an interim control by-law would have on their property.
- 9.5 Item No. 14.1.1, Report No. PB-2013-0011 entitled 'Revised Applications for Approval of Draft Plan of Subdivision, Draft Plan of Condominium, official Plan Amendment and Zoning By-law Amendment, Ancient Coastal Seashore Redevelopment Corp.'
- 9.6 Item No. 14.1.2, Report No. PB-2013-0013 entitled 'Application to Amend Official Plan and Zoning By-law, 445158 Ontario Inc./Meldan Wood Processing'
- 9.7 Item No. 15.2, various matters for disposition
- 9.8 Item No. 17.2.1, Report No. PB-2013-0010 entitled 'North Gwillimbury Forest Alliance Request to Council to Pass an Interim Control By-law'
- 9.8 Item No. 17.4.1, Report No. ED-2013-0001 entitled 'Lake Simcoe/South-Eastern Georgian Bay Clean Up Fund – Partnership'
- 9.9 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 Davison

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 January 21, 2013:

RESOLUTION NO. C-2013-0029

- 17.1.1 1. THAT REPORT NO. RC-2013-0003 PREPARED BY THE RECREATION AND CULTURE DEPARTMENT DATED 21 JANUARY 2013 RESPECTING THE MUNICIPAL CULTURAL PLAN BE RECEIVED.
- 2. THAT MAYOR AND COUNCIL ADOPT THE MUNICIPAL CULTURAL PLAN AS PREPARED BY NOVITA INTERPARES LIMITED AND THE CULTURAL SERVICES DIVISION.

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

3. THAT THE MANAGER OF CULTURE, TOGETHER WITH THE CULTURAL PLANNING STEERING COMMITTEE, PREPARE A CONDENSED VERSION OF THE CULTURAL PLAN THAT WILL BE USED TO ENGAGE THE GENERAL PUBLIC IN THE PROCESS OF IMPLEMENTING THE PLAN. THE CONDENSED VERSION OF THE PLAN WILL OUTLINE THE IMPORTANCE OF COLLABORATION AMONGST THE CULTURAL SECTOR, THE LARGER BUSINESS COMMUNITY, AND COMMUNITY GROUPS AND EXPLORE OPPORTUNITIES FOR WORKING TOGETHER TO IMPLEMENT THE RECOMMENDATIONS OF THE PLAN AND THAT THE CONDENSED PLAN BE PRESENTED TO COUNCIL FOR ENDORSEMENT.
4. THAT THE PRESENTATION MADE BY BRIAN ARNOTT, PRINCIPAL CONSULTANT FOR NOVITA INTERPARES LTD., BE RECEIVED.

RESOLUTION NO. C-2013-0030

- 17.1.2 THAT COUNCIL OF THE TOWN OF GEORGINA RECEIVE FOR INFORMATION THE PRESENTATION MADE BY ANNABEL SLAIGHT, LADIES OF THE LAKE AND ONTARIO WATER CENTRE COMMITTEE, CONCERNING THE PROGRESS OF STRATEGIC PLANNING FOR THE WATER CENTRE FOR INNOVATION, RESEARCH AND LEARNING AND REQUESTING A CONTRIBUTION TOWARDS THE REWILDING LAKE SIMCOE PROJECT BEFORE THE DEADLINE OF FRIDAY, JANUARY 25TH.

THAT TOWN COUNCIL APPROVE, IN PRINCIPLE, PROVIDING \$60,000 TO LADIES OF THE LAKE FOR THE REWILDING LAKE SIMCOE PROJECT WHICH RENEWS PUBLIC SPACES WITHIN THE TOWN.

THAT STAFF INVESTIGATE AND REPORT ON WHETHER FUNDING CAN BE PROVIDED THROUGH THE FEDERAL GAS TAX, AND IF NOT, THROUGH THE TOWN'S GREEN INITIATIVES RESERVE FUND WITH FUNDING TO BE CONTINGENT UPON THE OVERALL SECURING OF FUNDS FROM THE LAKE SIMCOE CLEAN UP FUND FOR PUBLIC SPACES.

RESOLUTION NO. C-2013-0031

- 17.1.3 THAT THE PRESENTATION MADE BY RICHARD HUI OF THE REGION OF YORK, PRESENTING THE LAKE TO LAKE CYCLING ROUTE AND WALKING TRAIL FEASIBILITY AND DESIGN STUDY WITHIN YORK REGION, BE RECEIVED AND THAT THE REGION OF YORK BE REQUESTED TO HOST A MINIMUM OF ONE ADDITIONAL PUBLIC SESSION IN THE TOWN OF GEORGINA.

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

RESOLUTION NO. C-2013-0032

- 17.1.4
1. THAT REPORT NO. DES-2013-0001 FIRE PROTECTION SERVICES AGREEMENT – BROCK TOWNSHIP BE RECEIVED; AND
 2. THAT COUNCIL APPROVE THE DRAFT AGREEMENT FOR FIRE PROTECTION SERVICES TO THE TOWNSHIP OF BROCK; AND
 3. THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT FOR THE FIRE PROTECTION SERVICES BETWEEN THE CORPORATION OF THE TOWNSHIP OF BROCK AND THE CORPORATION OF THE TOWN OF GEORGINA.

RESOLUTION NO. C-2013-0033

- 17.1.5
1. THAT REPORT RC-2013-0001 DATED JANUARY 21, 2013 PERTAINING TO A RECREATION AND CULTURE MASTER PLAN UPDATE - FACILITY NEEDS ASSESSMENT STUDY AND TRAILS MASTER PLAN BE RECEIVED.
 2. IN ANTICIPATION OF BUDGET DIRECTIONS, AND IN ACKNOWLEDGEMENT OF COUNCIL'S DESIRE TO EXPEDITE THE ANALYSIS PERTAINING TO AN ADDITIONAL RECREATIONAL FACILITY IN THE KESWICK AREA, THAT MAYOR AND COUNCIL AUTHORIZE THE RECREATION AND CULTURE DEPARTMENT TO ISSUE A REQUEST FOR PROPOSAL FOR COMBINED AND SEPARATE STUDIES FOR THE PURPOSES OF A FACILITY NEEDS ASSESSMENT AND TRAILS MASTER PLAN.

RESOLUTION NO. C-2013-0034

- 17.1.6
- THAT REPORT OED-2013-0004 DATED JANUARY 21, 2013 WITH RESPECT TO A REQUEST FOR SCHOOL CROSSING GUARD AT ROSELM AVENUE AND FAIRWOOD DRIVE BE RECEIVED AND REFERRED TO THE FEBRUARY 25TH COUNCIL MEETING TO ALLOW MEMBERS OF THE PUBLIC TO PARTICIPATE IN DISCUSSION OF THIS ISSUE, AND THAT STAFF BE DIRECTED TO NOTIFY THE VICE-PRINCIPAL OF FAIRWOOD PUBLIC SCHOOL OF THIS REFERRAL FOR DISSEMINATION TO THE SCHOOL COUNCIL REPRESENTATIVE AND INTERESTED MEMBERS OF THE PUBLIC.

RESOLUTION NO. C-2013-0035

- 17.1.7
1. THAT COUNCIL RECEIVE REPORT NO. DAS-2013-0004 DATED JANUARY 21, 2013 REGARDING MUNICIPAL LAW ENFORCEMENT DIVISION VEHICLE FLEET PURCHASE.

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

2. THAT COUNCIL AUTHORIZE THE PURCHASE OF THE EXISTING MUNICIPAL LAW ENFORCEMENT DIVISION VEHICLE FLEET AT THE EXPIRATION OF THE LEASE AGREEMENTS.

RESOLUTION NO. C-2013-0036

- 17.1.8 THAT REPORT NO. DAS-2013-0006 DATED JANUARY 21, 2013, ENTITLED 'CLOSED MEETING PROCEDURES' BE RECEIVED FOR INFORMATION.

RESOLUTION NO. C-2013-0037

- 17.1.9 WHEREAS THE CANADIAN RED CROSS SOCIETY HAS BEEN ENGAGED IN PREVENTING AND ALLEVIATING HUMAN SUFFERING ACROSS CANADA AND AROUND THE WORLD,

AND WHEREAS THE CANADIAN RED CROSS SOCIETY HAS HELPED THOUSANDS OF CANADIANS THROUGH ITS DISASTER RELIEF AND COMMUNITY SERVICES, INCLUDING OUR OWN CITIZENS OF THE TOWN OF GEORGINA,

AND WHEREAS THE CANADIAN RED CROSS SOCIETY IS A REFLECTION OF THE CANADIAN SPIRIT OF GENEROSITY, CARING AND SELFLESSNESS,

THEREFORE THE TOWN OF GEORGINA HEREBY PROCLAIMS THE MONTH OF MARCH, 2013, AS 'RED CROSS MONTH' IN THE TOWN OF GEORGINA, URGES ALL RESIDENTS TO SUPPORT THE CANADIAN RED CROSS SOCIETY AND ITS COMMUNITY BY REGULARLY VOLUNTEERING THEIR TIME OR BY FINANCIALLY SUPPORTING RED CROSS PROGRAMS, ACROSS THE WORLD AND ACROSS THE STREET, AGREES TO FLY THE RED CROSS FLAG DURING THE MONTH OF MARCH AND PROMOTE THE PROCLAMATION ON THE TOWN'S PAGE IN THE LOCAL NEWSPAPER AND ON ITS WEBSITE

RESOLUTION NO. C-2013-0038

- 17.1.10 THAT CORRESPONDENCE FROM THE WORKPLACE SAFETY AND INSURANCE BOARD CONGRATULATING THE STAFF OF THE TOWN OF GEORGINA IN SCORING 100% ON ITS WORKWELL HEALTH AND SAFETY AUDIT BE RECEIVED AND THAT STAFF BE CONGRATULATED FOR THEIR EFFORTS ON THIS PROJECT.

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

Reports

17.2 Reports from the Planning and Building Department:

- 17.2.2 Request for Extension of Draft Plan Approval
Draft Plan of Subdivision 19T-06G01
GLADEBROOK DEVELOPMENTS INC.
Blocks 80 and 82, Registered Plan 65M-3860, Part Lot 9,
Concession 3 (NG), Richmond Park Drive, Keswick
AGENT: Ardree Management Inc.

Report No. PB-2013-0012

RESOLUTION NO. C-2013-0039

- A. THAT REPORT PB-2013-0012 PREPARED BY THE PLANNING DIVISION DATED JANUARY 28, 2013 RESPECTING A REQUEST FOR EXTENSION OF DRAFT PLAN APPROVAL SUBMITTED BY GLADEBROOK DEVELOPMENTS INC. FOR THEIR 17-LOT SUBDIVISION LOCATED ON RICHMOND PARK DRIVE, KESWICK BE RECEIVED.
- B. THAT PURSUANT TO SECTION 51(33) OF THE PLANNING ACT, R.S.O., 1990, AS AMENDED, AN EXTENSION TO THE APPROVAL OF DRAFT PLAN OF SUBDIVISION 19T-06G01 BE GRANTED TO FEBRUARY 2, 2014.
- C. THAT PURSUANT TO SECTION 51(44) OF THE PLANNING ACT, R.S.O., 1990, THE LAPSING PROVISION CONTAINED IN THE CONDITIONS OF THE DRAFT PLAN APPROVAL BE AMENDED TO READ "PURSUANT TO THE PLANNING ACT, R.S.O., 1990, AS AMENDED, APPROVAL OF THIS PLAN OF SUBDIVISION SHALL LAPSE IF FINAL APPROVAL FOR REGISTRATION HAS NOT BEEN GIVEN BY FEBRUARY 2, 2014, UNLESS APPROVAL HAS BEEN SOONER WITHDRAWN OR THE TOWN OF GEORGINA HAS EXTENDED THE DURATION OF THE APPROVAL".
- D. THAT PLANNING STAFF FORWARD REPORT PB-2013-0012 TO THE APPLICANT, THEIR AGENT, THE YORK REGION DIRECTOR OF THE COMMUNITY PLANNING BRANCH OF THE TRANSPORTATION DEPARTMENT AND TO ALL OTHER AGENCIES WHICH HAVE IMPOSED THEIR RESPECTIVE CONDITIONS OF APPROVAL.

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

17.3 Report from the Chief Administrative Officer:

17.3.1 Engineering Division Services Review – Consultant Selection

Report No. CAO-2013-0003

RESOLUTION NO. C-2013-0040

1. THAT REPORT NO. CAO-2013-0003 DATED JANUARY 28, 2013 RESPECTING THE ENGINEERING DIVISION SERVICES REVIEW – CONSULTANT SELECTION BE RECEIVED;
2. THAT THE CONSULTING FIRM OF MCCAULEY NICHOLS AND ASSOCIATES BE RETAINED TO CONDUCT AN ENGINEERING DIVISION SERVICES REVIEW IN ACCORDANCE WITH THE REQUEST FOR PROPOSAL AND WHICH MAY INCLUDE ANY ADJUSTMENTS /REFINEMENTS THAT ARE DEEMED NECESSARY BY STAFF IN CONSULTATION WITH THE CONSULTANT, WITH AN UPSET STUDY COST OF \$20,000.
3. THAT A BY-LAW BE PASSED TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH THE SELECTED CONSULTANT NOTED IN RECOMMENDATION 2 ABOVE TO CARRY OUT THE ENGINEERING DIVISION SERVICES REVIEW.

Carried.....

10.2 Matters subject to individual conflicts

None.

11. DEPUTATIONS:

- 11.1 Jack Gibbons, Chair, North Gwillimbury Forest Alliance, concerning the need for an Interim Control By-law freezing all development in 8 forest areas in the North Gwillimbury Forest.

Mr. Gibbons requested that the North Gwillimbury Forest Alliance's lawyer be permitted to make a presentation to Council at its February 11th Council meeting with regard to the need for the imposition of an interim control by-law, that the Town's solicitor attend that meeting to respond if necessary, and that Council defer any decision on this issue until the February 11th date.

11. DEPUTATIONS cont'd:

- 11.2 William Shore requesting an Interim Control By-law to protect North Gwillimbury Forest.

Mr. Shore explained his concerns with Lime Disease and the fact that breaking up a large forest into smaller sections leads to some species leaving the area and leaving behind the disease that is carried by a tick through mice.

- 11.3 Hugh Sibbald, Director and General Manager of The Briars Resort, opposing the imposition of an interim control by-law with respect to a portion of their property known as Polygon #23.

Mr. Sibbald read his submission printed in the agenda on pages 39 and 40, concerning the impact the imposition of an interim control by-law would have on a portion of The Briars property.

- 11.4 Gord Mahoney of Michael Smith Planning Consultants representing Queen's Court Development Ltd. respecting the potential impact an interim control by-law would have on their property known as Polygon #21.

Mr. Mahoney advised Council that a portion of his client's property known as Sobeys/Tim Horton's on Dalton Road in Sutton would be adversely affected by the imposition of an interim control by-law with regard to his client's proposal to construct a 743 square metre addition to the existing Sobeys building which has been discussed with Town staff at a pre-consultation meeting held on December 5th, 2012.

Mayor Grossi moved forward Item No. 17.2.1 at this time.

17.2 Report from the Planning and Building Department:

- 17.2.1 North Gwillimbury Forest Alliance Request to Council to Pass an Interim Control By-law

Report No. PB-2013-0010

Michael Bigioni, Town Solicitor, explained briefly two deficiencies in Mr. Gibbon's presentation; the necessity of the Town bringing its Official Plan into conformity with the Region's Official Plan and the Regional Official Plan prohibiting development on the Maple Lake Estates site.

11. DEPUTATIONS cont'd:

Moved by Councillor Szollosy

Seconded by Councillor Craig

RESOLUTION NO. C-2013-0041

THAT THE DEPUTATIONS MADE BY JACK GIBBONS, WILLIAM SHORE, HUGH SIBBALD AND GORD MAHONEY CONCERNING THE PROPOSED IMPOSITION OF AN INTERIM CONTROL BY-LAW BE RECEIVED, THAT REPORT NO. PB-2013-0010 ENTITLED 'NORTH GWILLIMBURY FOREST ALLIANCE REQUEST TO COUNCIL TO PASS AN INTERIM CONTROL BY-LAW' BE RECEIVED AND THAT STAFF PRESENT AN UPDATED REPORT TO TOWN COUNCIL AT THE FEBRUARY 11TH MEETING FOR FURTHER DISCUSSION AND DECISION.

Carried.....

12. PRESENTATIONS:

None.

Councillor Szollosy left the meeting at this time (7:57 p.m.).

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

14. PUBLIC MEETINGS:

14.1 Continuation of Planning Applications (interested parties notified)

(7:57 p.m.)

14.1.1 Revised Applications for Approval of Draft Plan of Subdivision, Draft Plan of Condominium, Official Plan Amendment and Zoning By-law Amendment
ANCIENT COASTAL SEASHORE REDEVELOPMENT
CORP.

Lots 1-7 and Part Lots 8 and 9, Plan 82, Lots 4-9 and Lot 11, Plan 83, Lots 5-9, Part Lot 77 and gravel beach, Plan 73, Lot 73, Lots 84, 85 and Part Lot 86, Plan 92

Dalton Road/Nasello Avenue, Jackson's Point

AGENT: Michael Smith Planning Consultants

Report No. PB-2013-0011

Mayor explained the procedure for a public meeting at this time; the applicant/agent summarizes the proposal, a staff member presents the staff report, the public or Council may then ask questions or make comments, the applicant/staff respond to questions raised by the public, Council may ask questions of staff, the applicant

14. PUBLIC MEETINGS cont'd:

and/or the public, the public is given a second opportunity to make further submissions to present new information, Council debates the merits of the proposal and decides to adopt, amend, refuse or defer the application with or without conditions.

Gord Mahoney of Michael Smith Planning Consultants, agent for the applicants, stated that the applicants submitted applications for Official Plan Amendment and Zoning By-law Amendment in 2011 and the applicants have been working on resolving the concerns raised at the first public meeting since that time. The subject property is on the north-west corner of Dalton Road and Nasello Avenue with frontage on Ravenswood Drive in Jackson's Point. Woolfe Lane traverses the property which contains an old water treatment plant. The property is currently designated Low and Medium Density Residential according to the 1997 Sutton Secondary Plan and zoned Low Density Urban Residential (R1) and Tourist Commercial (C5) according to Zoning By-Law 500.

Mr. Mahoney advised that since the last public meeting was presented to Council in 2011, changes have been made to the draft plans. It proposes that the land along the lake be protected by the Condominium Corporation as requested by the Lake Simcoe Region Conservation Authority for increased protection.

Mr. Mahoney advised that the number of lots fronting onto Dalton Road has been reduced by one, from 5 lots to 4 lots, being lots 13 to 16. On the south side of Lot 7 is a previously proposed storm water easement, but instead of an easement, a separate strip of land owned by the Condominium Corporation would be incorporated and would contain an internal walkway. He explained that visitor parking has been added and realigned to include 8 visitor parking spaces which equates to half a space per unit, resulting in the removal of two building lots. He noted that the removal of the two lots reduces the density of the development from 15.3 units per residential hectare to 13.6 units per residential hectare, as well as reduces the amount of servicing allocation required to facilitate the development.

Mr. Mahoney explained that the proposal has a total of 34.8 persons equivalent or enough for 12 units. With the reduction of two lots, from 18 units to 16 units in total, the development is seeking the assignment of an additional 11.6 persons equivalent or 4 units. The development is to be a freehold lot subdivision with a common element condominium. The Condominium Corporation will be made up of residents in the subdivision who will own the environmental buffer, visitor parking block, walkway and the two roads.

Mr. Mahoney indicated that the preparation of urban and architectural design guidelines will be required through a draft plan approval condition and will be vetted through staff and brought before Council for final approval.

14. PUBLIC MEETINGS cont'd:

Mr. Mahoney indicated that a constant request throughout this process from area residents has been the enhancement to the road end of Ravenswood Drive. A conceptual plan has been prepared to include plantings, stonework and stairs cut into the existing concrete pier, as well as a walkway to access the water's edge.

Amendments to the Sutton Secondary Plan are required to permit development on a private road, to allow a reverse frontage lot being lot 8 and to exempt the development from preparing the reports and studies required in Special Development Area B policies. Amendments to the Sutton/Jackson's Point Secondary Plan would not be required if it were in force and effect.

The amendment to the zoning by-law is required to permit development on a private road within a plan of condominium and to implement site-specific development standards related to lot frontages, lot areas, setbacks and maximum lot coverage.

Mr. Mahoney explained that the lots fronting onto Dalton Road are seeking larger interior side yard setbacks due to the large lot widths. The standard setback would be 1.2 metres for one-storey or 1.7 metres for two-storey. As these lots are a little wider than conventional subdivision lots and to maintain as much outdoor amenity space as possible, the applicant is seeking interior side yards of 3 metres.

Mr. Mahoney stated that the development would maintain the neighbourhood character, the draft plans will conform to the secondary plan if the amendment is approved and the amending zoning by-law will facilitate the development. It is his opinion that the proposed development represents good planning and requested Council to approve the recommendations of the staff report.

Todd Evershed, Planner, advised that the agent's presentation covered all of the issues in the staff report. He noted that he believed the issue with respect to the right of way over Woolfe Lane by a property owner had been resolved.

Sharon Finestone of 6 Nasello Avenue stated that one of her concerns is with the winter ice pushing up over the property at the water's edge. Another concern is how many septic tanks will be permitted on the subject property as the property is close to the lake. She indicated that when she moved to this area she was under the impression that her view of the lake could not be obstructed. She owns a one-storey home and immediately behind her home are proposed three 3-storey homes which is not acceptable to her.

Ms. Finestone stated that some of her backyard was taken away from her several years ago by the builder. She stated that she has been paying taxes on Part Lot 77 and would either like the taxes she has paid on her property returned to her or have her property restored along with her fence that was removed, noting that she has photographs to prove her position.

14. PUBLIC MEETINGS cont'd:

Ms. Finestone stated that Jackson's Point is a cottage community. The proposed houses are too close together with too little room to walk between them and the property is not large enough to support 3-storey homes. She requested Council to consider the residents who have lived in this area for a long time.

Velvet Ross, Manager of Planning, stated that the entire proposed development consisting of sixteen homes will be on municipal services. No septic tanks will be permitted. She also advised that the 'view of the lake' issue has come up several times over the years and has been in front of the Ontario Municipal Board on numerous occasions. There is no precedent set to require that views be maintained to waterfront. If an individual wants to maintain a waterfront view, that individual needs to own property on the waterfront. A view is not a right of a landowner.

Ms. Ross stated that with regard to the property line issue, the landowner for the development site has reviewed the land titles process ensuring boundary lines and property ownership and the plans in front of Council today reflect the correct property boundary lines. She noted that the Town has no policies with regard to ice encroachment onto shorelines.

Mr. Evershed stated that the applicant has submitted several studies regarding slope stability and naturalization of the shoreline. A buffer zone is required through the Conservation Authority's review and no objections or concerns have been raised to date. He cannot recall the Conservation Authority making comments with regard to an ice encroachment issue in the past.

Hanan Sturm, representing Mal Cosman, owner of 18 Woolfe Lane, 20 Woolfe Lane, 21146 Dalton Road and 21152 Dalton Road, has four primary concerns with the applications. These concerns include the desire to maintain his legal right of way over Woolfe Lane as a private road, noise and traffic issues on the private road proposed off of Dalton Road that would be adjacent to his property. He suggested that this roadway be shifted further south in the development. Another concern is an existing right of way over the lakefront and from Woolfe Lane to the lake that he would like protected, and a private sewer up Woolfe Lane to Ravenswood Drive that was paid for by all property owners in the 1960's that he would like to remain uninterrupted.

Velvet Ross, Manager of Planning, explained that the private road proposed adjacent to Mr. Cosman's property is the most appropriate location for that access point, to allow for appropriate cul de sac design.

Ms. Ross explained that with regard to private sewers, the Engineering Manager has indicated that sewers generally have a life expectancy of approximately fifty (50) years and this sewer may be coming due for replacement in any event. She explained that through the development of this property on municipal services, the

14. PUBLIC MEETINGS cont'd:

developer will be required to extend the servicing from Dalton Road to service these lands and the Cosman's will be able to connect to that system. If the current sewers remained in use, the development proceeded and something failed in the pipe, repairs would be at the expense of the Cosman's and not with landowner. The Engineering Manager had indicated that it would be in the best interest of the Cosman's to release the easement dealing with the sewers and connect to the new municipal septic system that would be extended to the development.

Ms. Ross explained that with regard to maintaining Woolfe Lane, as long as the Cosman's have an easement subject to a right of way over Woolfe Lane, it must be maintained unless all landowners involved agree to change it.

Mr. Mahoney indicated that the developers will do their best to locate the existing sewer lines and they have agreed to connect the Cosmans to the municipal sewer system if the Cosmans agree to quit claim the easement across the beach.

Ms. Ross advised that this type of issue is between the landowners involved and their solicitors, not the Town.

Paolo Baldassarra of 34 Ravenswood Drive stated that he purchased his home three years ago at the end of Ravenswood Drive and is concerned with the proposed pathway. He explained that he has had problems in the past with trespassing issues over his land, using his dock, firepit and canoe.

Mr. Baldassarra stated that the proposed pathway would give the public an easy and quick exit rather than going down a road.

Mr. Baldassarra explained that providing a pathway to the beachfront will entice more people in that direction. The current visitors to the beachfront already leave their garbage behind and throw their empty beer bottles over his fence onto his property. The pathway would also make it easily accessed by snowmobile and ATV operators in winter months.

Mr. Baldassarra advised that the proposed steps to be cut into the concrete at the waterfront will serve to entice people into the water. He explained that his dock is close to that access point where the steps are proposed. He owns a boat and seadoos and has to turn into the public swimming area to access his dock. Enticing more swimmers to this area will create a liability issue as it is difficult to see swimmers in the water when driving a motorcraft. He also noted that the future owners of the seven lots fronting on the water will most likely also own boats and/or seadoos. He stated that there is a public beach down the street and mentioned the precedent set at the Roches Point road end where roads have been closed off to create a community access point rather than one for the general public. He noted that he is unsure as to whether he has deeded rights at the water.

14. PUBLIC MEETINGS cont'd:

Ms. Ross explained that the proposed pathway is not simply just a pathway, but it is also an appropriate location to be used for storm drainage. The pathway will be a storm drainage area that will be graveled and used as a pathway to the waterfront, thereby serving a dual purpose. A barrier such as boulders could be placed at the end of the pathway to prohibit vehicular usage.

Ms. Ross stated that future owners of lots 1-7 on the waterfront would not be permitted to construct docks. This was decided through discussions with the Lake Simcoe Region Conservation Authority that indicated rehabilitation was required on these waterfront lands. She added that there would be seven common element blocks in front of those seven homes thereby prohibiting fencing between, also a requirement of the Lake Simcoe Region Conservation Authority. Boulders or plantings could be placed, but no fencing would be permitted.

Robin McDougall, Director of Recreation and Culture, stated that she will relay the concerns expressed about the care and maintenance of the road end to the Parks Department so that staff can determine how maintenance and care has been performed at this location over the years.

Ms. Ross noted that the Town cannot restrict access to the lakefront, noting that a waterlot does not exist in this location.

Winanne Grant, Chief Administrative Officer, stated that there are no limitations on the use of the water which is in both Federal and Provincial jurisdiction. Watercraft operators are responsible for the care and consideration of any user of any portion of the lake. The operator must be responsible to operate a vessel in a safe manner and not cause harm to another individual.

A resident of 21116 Dalton Road stated that his property is located just south of the subject property. He stated that if he would prefer to see a park created on the subject land rather than any development, but realizes that it is too late for that consideration. He has no objection to the proposed development but is concerned with the fact that his two daughters play outside and ride their bicycles on Dalton Road. Fourteen more units producing 14 to 28 more vehicles travelling this road will create more traffic and believes a traffic control plan should be put in place. He also suggested that better signage be installed at the intersection of Dalton Road and Lake Drive to prevent vehicles from travelling down Dalton Road past Lake Drive in search of Bonnie Boats and De La Salle Park.

Dan Pisani, Director of Operations and Engineering, stated that based on densities, very minimal impact to traffic would be anticipated.

14. PUBLIC MEETINGS cont'd:

Beverley Wilson of 5 Nasello Avenue stated that she has a concern with the proposed buffer area. She believes it should be left as a natural park area, accessible to all surrounding residents. Residents have used the beach area at the end of Ravenswood Drive to swim and it seems that the proposed buffer zone would only be accessible to the new unit owners and blocked off to the public. She believes it should be enlarged and accessible to all residents.

Ms. Wilson stated she was advised all residents would be notified of this meeting, but that was not the case as she did not receive notification. She also enquired why this meeting was being held in the winter season when many cottagers are not residing in the area.

Ms. Wilson noted that she grew up on Lake Simcoe and appreciates its natural beauty. Jackson's Point is a small and closely-knit community and believes the residents should be heard.

Ms. Ross stated that notice was provided to all individuals on record with the Town as having an interest in the applications, which would include any "Interested Parties" from the early 2000's, when the files were first processed.

Ms. McDougall stated that staff has evaluated the subject property with regard to the parkland needs assessment in 2005 and noted the Jackson's Point Parkette in the immediate neighbourhood. The land adjacent to that parkette is Town-owned and will possibly become a park area.

Darlene Browne of 9 Nasello Avenue referred to the Cosman letter included in the staff report with regard to rights-of-way and understands that this issue is between those directly involved and respective lawyers. She stated that a walkway is proposed for the benefit of the residents of the condominium development while she believes the walkway should be open to the entire community.

Planning Staff advised that the proposed walkway would be located on private property.

Ms. Browne inquired if an environmental study has been conducted on the former water treatment plant.

Paul Harpley, President of the South Lake Simcoe Naturalists, advised that the organization is opposed to the applications. He stated that Council should consider the public interest of natural Lake Simcoe shoreline habitat and access to it. Their concern has always been that this property is an important property in Georgina, that it is a unique naturalizing of the Lake Simcoe shoreline. He reminded Council about the lack of natural beach area available in Lake Simcoe that is naturalized and requested that Council consider acquiring all Lake Simcoe Shoreline habitat in the

14. PUBLIC MEETINGS cont'd:

interest of the public good, good planning and in support of the Lake Simcoe Protection Act. Georgina has the largest lakefront of any municipality on Lake Simcoe. The organization has recognized how important this type of property is and the fact that the Town has an opportunity to work with the developer is a concern. The organization does not believe the proposal should be a freehold condominium on the shoreline. The Lake Simcoe Region Conservation Authority had commented that the Town should acquire these types of properties to help Lake Simcoe and for the public good.

Mr. Harpley stated that this is a very minimal trail for local community members. The property is part of the Lake Algonquin shoreline and is a unique feature within the Town. He suggested that Council initiate a re-design of the land area at the terminus of Ravenswood Drive and the lake and associated surrounding property with respect to designating a local residents access area and trail, a small parking area for local area residents, wild life viewing and small low impact trail development of the beach area. The organization would commit to work with the Town and other agencies to design and implement this plan. The organization is recommending and requesting Council to defer a decision on this application as they believe there is a much larger public interest.

Mr. Harpley stated that the South Lake Simcoe Naturalist's concerns have not been addressed and a lot more community involvement is needed in this project. He stated that this is a unique opportunity for the Town to own and maintain the natural lakeshore habitat. He agrees with the comments concerning ice flow on this site as he has been at this site himself and remembers a year when huge pieces of ice were pushed way beyond the edge of the lake and onto the land.

Mr. Harpley suggested that Town staff review the Natural Features and Greenland Study, that the subject property is part of a natural corridor and it is important to have connections from the lake to the forest regions.

Mr. Harpley indicated that from a meeting with Ms. Ross and Mr. Evershed, we understand that it is always a priority of the Town to acquire the these types of waterfront properties and provide public access to them whenever feasible.

Mr. Mahoney stated that with regard to Ms. Finestone's property boundary issue, he has spoken to the surveyor with regard to the fence and has been advised that the fence is located in the correct location. When dealing with the Conservation Area regarding buffer areas along the lake, there is a limit of dynamic beach hazard which is used to determine the limit for development. In this case, the proposed buffer for this development is inside the limit of natural hazards.

14. PUBLIC MEETINGS cont'd:

Mr. Mahoney stated that with regard to the proposed pathway, he believes it would be a good idea to place some kind of barricade at the end of the pathway to prevent its use by snowmobile and ATV operators. The pathway would be private land. He noted that in the past, the lakeshore contained seven cottages and a hotel.

Mr. Mahoney explained that with respect to traffic generated from the proposed development, a traffic study was conducted with the original submission and the impact from this development would be negligible. He advised that the buffer area would be zoned as Open Space, it will be restored to a more naturalized lakefront state and no development of any kind would be permitted within this buffer area.

Mr. Mahoney stated that he believes an Environment Site Assessment was conducted on the subject land. He noted that if the South Lake Simcoe Naturalists and/or the Town wished to purchase the subject property, he believes an offer would be entertained by the owner.

A Council Member pointed out that more awareness is needed to advise the public that agendas are available on the Town's website for viewing.

Mr. Evershed explained that the subject property is split-zoned; low density Residential (R1) and Commercial (C5) zoning. The Commercial zoning is in place due to the previous hotel on the site. Subject to an Official Plan Amendment and approval of a subdivision plan/site plan, it could be conceivable to develop the commercially zoned land in a commercial fashion.

Ms. McDougall stated that there is limited space at the end of Ravenswood Drive and creating parking spaces in that location would create more of a risk than a benefit. The Town does not want to create use at the end of the road for the general public, just use and enjoyment for residents.

Ms. Browne stated that it seems the developers have no plans to improve the beach area at the end of Dalton Road, which is currently in disrepair. In addition, it was mentioned that the sewers may need to be replaced if they are fifty years old or older and inquired how old the sewers are in this area.

Ms. Ross explained that she received comments from the Engineering Manager that indicated if in fact the easement has been in existence since the 1960's, the general life expectancy is usually fifty years, give or take a few years. However, if a system is still in working order, the Town would not spend the money to replace it.

14. PUBLIC MEETINGS cont'd:

Ms. Finestone stated that one of the eight dwellings on Nasello Avenue was condemned in 2005 but has not been removed by the property owner. She stated that she believes this to be the busiest u-turn area in York Region and has asked the local police department to review the traffic in the area, noting that there are fifty vehicles a day going by an eight-house street. There are no sidewalks and the amount of traffic is unreasonable.

Cori Doern of 21116 Dalton Road stated that she moved to Georgina and invested in a local business. She is not against development, but more consideration should be given to the community. It feels to her as if the developer solely intends to develop the property in order to make as much money as possible and is not concerned with the community. She stated that she wants a larger population in the area as she owns a local business, but it is also a cottage community.

Ms. Doern explained that she is sure that residents would donate towards the creation of a park on the subject land and believes that the future owners in the new development would be immediately alienated from the current residents as it seems it would be almost a gated community. If the developer cared about the community, the derelict house would have been torn down and the subject land cleaned up to improve the area. She noted that future owners may purchase the properties with the false thought that they would be able to install docks on the waterfront.

Bob Bowen of 21156 Dalton Road stated that his home is the last house on the left at the water and inquired if Dalton Road is proposed to be repaved. He stated that due to more vehicles coming into the area generated by the new development, it may need to be repaved, as it is currently in rough shape.

Mr. Baldassarra stated that he disagrees with any kind of parking being created at the end of Ravenswood Drive. It should be for the use of local residents who would walk to the road end, while most drivers would be coming from out of town.

Ms. Doern suggested that the developer could consider developing a portion of the property, leaving the lakefront undeveloped as beachfront. In this way, the developer would construct fewer homes and also create a beachfront.

Ms. Doern was advised that seven building lots exist on the water front and the owners have the right to build on them. Creating a beach front rather than developing the lots is always a consideration, but until the Town can afford to purchase every lakefront property that becomes available in order to prevent development, property owners will continue to develop their lakefront properties.

- Mr. Mahoney stated that the legal matters are essentially between his client and the two property owners involved. They can be addressed privately and through the draft plan conditions, it can be demonstrated that these matters have been resolved.
14. PUBLIC MEETINGS cont'd:

He also indicated that Mr. Sturm's statement that no-one has ever contacted Mr. Cosman is incorrect as he has personally contacted Mr. Cosman, at which time Mr. Cosman stated that he intends to maintain the existing entrance on the property via Dalton Road, Nasello Avenue and Woolfe Lane.

Mr. Mahoney explained that in 2007/2008, a resident meeting was held to talk about what they would like to see at the end of Ravenswood Drive. Residents on Dalton Road did not want anyone in that area, while the residents of Ravenswood Drive were open to beautification and enhancement of the road end.

Mr. Mahoney indicated that the current density on the subject property would permit 27 units according to the Sutton Secondary Plan, whereas the original proposal proposed 18 units and has now been reduced to 16 units. He advised that Woolfe Lane would be a private road but the development would not be a gated community. It would be a private road in order to obtain reductions in the standards for width, for snowplowing and maintenance reasons. Private corporations maintain roads, etc, which is what the condominium fees go towards.

Mr. Evershed advised that with respect to parking in the area, staff looked at the bylaw standards with regard to on-street parking. Dalton Road does not permit on-street parking, while a 3-hour parking limit is enforced on Nasello Avenue and on the east side of Ravenswood Drive. With regard to the Official Plan, Town staff reviewed the proposal and it meets the intent of the policies. The current density would permit 27 units. Staff has worked with the applicant to reduce that number and has raised issues with regard to an appropriate lotting pattern on the property. There are encumbrances on the site and staff is comfortable with recommending the proposed plan of subdivision. Staff feels that the applications are within the intent and policies of the new Sutton/Jackson's Point Secondary Plan and will work with the proponent to draft a zoning by-law that respects the standards in the area.

Mr. Evershed stated that staff and the applicant have done their best to resolve all of the issues raised to date. The draft plan conditions can mitigate any issues that have been raised at tonight's meeting.

Ms. Ross stated that staff can still recommend support of the applications as they stand with an amendment to recommendation 'E' of the report indicating that the Official Plan document and amending zoning by-law will also be brought forward at a future Council meeting.

Ms. Ross noted that if these applications are deferred, staff would come back to Council and would again notify all interested parties, following the same public

process as they did for this evening's meeting. If the applications are approved, individuals have the option of appealing the decision to the Ontario Municipal Board.

14. PUBLIC MEETINGS cont'd:

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

That Report No. PB-2013-0010 be deferred in order to resolve the various issues brought up at this meeting including the legal issues and those mentioned by the South Lake Simcoe Naturalists.

Defeated.....

Moved by Councillor Smockum

Seconded by Councillor Craig

RESOLUTION NO. C-2013-0042

- A. THAT REPORT NO. PB-2013-0011 PREPARED BY THE PLANNING DIVISION DATED 28 JANUARY 2013 RESPECTING APPLICATIONS TO AMEND THE SUTTON SECONDARY PLAN, ZONING BY-LAW 500, AND FOR DRAFT PLAN OF SUBDIVISION AND DRAFT PLAN OF CONDOMINIUM APPROVAL, BE RECEIVED.
- B. THAT THE REVISED OFFICIAL PLAN AMENDMENT APPLICATION SUBMITTED BY ANCIENT COASTAL SEASHORE REDEVELOPMENT CORPORATION TO AMEND THE SUTTON SECONDARY PLAN TO PERMIT THE PROPOSED DEVELOPMENT AS DESCRIBED IN REPORT PB-2013-0011, BE APPROVED.
- C. THAT THE ZONING BY-LAW AMENDMENT APPLICATION SUBMITTED BY ANCIENT COASTAL SEASHORE REDEVELOPMENT CORPORATION TO REZONE THE SUBJECT LANDS FROM LOW DENSITY URBAN RESIDENTIAL (R1) TO A SITE SPECIFIC LOW DENSITY URBAN RESIDENTIAL (R1) ZONE IN ORDER TO IMPLEMENT A PROPOSED DEVELOPMENT AS DESCRIBED IN REPORT PB-2013-0011, BE APPROVED.
- D. THAT THE REVISED PLAN OF CONDOMINIUM AND PLAN OF CONDOMINIUM APPLICATIONS SUBMITTED BY ANCIENT COASTAL SEASHORE REDEVELOPMENT CORPORATION FOR APPROVAL OF DRAFT PLAN OF SUBDIVISION (19T-05G04), DATED NOVEMBER 17, 2009 (LAST REVISED MAY 15, 2012) AND DRAFT PLAN OF CONDOMINIUM (19CDM-05G03), DATED NOVEMBER 17, 2009 (LAST

REVISED MAY 16, 2012), AND ATTACHED HERETO AS SCHEDULES '5' AND '6' RESPECTIVELY TO REPORT PB-2013-0011, BE APPROVED.

14. PUBLIC MEETINGS cont'd:

- E. THAT PRIOR TO THE FORMAL ISSUANCE OF DRAFT PLAN OF SUBDIVISION AND DRAFT PLAN OF CONDOMINIUM APPROVAL, STAFF FINALIZE THE CONDITIONS AND BRING SAME BACK BEFORE COUNCIL FOR CONSIDERATION AT A FUTURE MEETING. FURTHERMORE, THE OFFICIAL PLAN AMENDMENT AND AMENDING ZONING BY-LAW WILL ALSO BE BROUGHT TO COUNCIL FOR CONSIDERATION AT A FUTURE COUNCIL MEETING.
- F. THAT THE OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT CONTAIN THE SITE SPECIFIC POLICIES AND PROVISIONS, AS DESCRIBED IN REPORT PB-2013-0011.
- G. THAT PURSUANT TO SECTION 34(17) OF THE PLANNING ACT, R.S.O. 1990, C.P.13, IN THE EVENT MINOR REVISIONS ARE NECESSARY RESPECTING THE PROPOSED AMENDING ZONING BY-LAW, FURTHER NOTICE SHALL NOT BE REQUIRED.
- H. THAT THE TOWN CLERK FORWARD A COPY OF REPORT NO. PB-2013-0011 AND COUNCIL'S RESOLUTION THEREON, AND THE ADOPTED OFFICIAL PLAN AMENDMENT TO THE YORK REGION DIRECTOR OF THE COMMUNITY PLANNING BRANCH OF THE TRANSPORTATION AND COMMUNITY PLANNING DEPARTMENT FOR FINAL APPROVAL.

Carried.....

The Council Members recessed at 10:00 p.m. and resumed at 10:12 p.m.

Mayor Grossi brought forward and dealt with Item No. 17.4.1 at this time.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.4 Report from the Economic Development Division:

17.4.1 Lake Simcoe/South-Eastern Georgian Bay Clean Up Fund – Partnership

Report No. ED-2013-0001

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Moved by Regional Councillor Wheeler

Seconded by Councillor Craig

That the Rules of Procedure be waived in order to permit Annabel Slaight to address Council at this time.

Carried.....

Annabel Slaight stated that the requested donation of \$60,000 over a period of four years would be for rewilding projects on public town-owned lands, to be determined by the rewilding group and by Town staff. \$60,000 would be significant because Georgina is one of the founders of the project and would make a statement that this is an important project that the community would benefit from. She noted that this fund is for either habitat renewal, shoreline protection or phosphorus removal of non-point source loading. She further noted that dredging of a river is not eligible under this funding.

Rebecca Mathewson, Director of Administrative Services and Treasurer, advised that the municipality currently has over \$300,000 in a reserve fund which is contributed to annually in the amount of \$60,000.

Moved by Councillor Craig

Seconded by Councillor Smockum

RESOLUTION NO. C-2013-0043

- A. THAT REPORT ED-2013-0001 PREPARED BY THE ECONOMIC DEVELOPMENT AND TOURISM DIVISION AND DATED JANUARY 28, 2013 RESPECTING THE TOWN'S COMMITMENT TO PARTNER ON THE APPLICATION BEING SUBMITTED BY THE LADIES OF THE LAKE TO THE LAKE SIMCOE/SOUTH-EAST GEORGIAN BAY CLEAN-UP FUND AS NOTED IN RESOLUTION NO. CW-2013-0018 BE RECEIVED.

Carried.....

Mayor Grossi moved forward and dealt with Item Nos. 20.3 and 20.4 at this time.

20. BY-LAWS:

Moved by Councillor Smockum

Seconded by Councillor Davison

That the following by-laws be given three readings:

20.3 By-law Number 2013-0011 (PL-1) Being a by-law to deem a lot not to be a lot on a Registered Plan of Subdivision, SHEARER HOMES INC. c/o David Shearer, Lot 145 & Part Lot 146, Plan 544, n/s Nurme Avenue, Udora.

20.4 By-law Number 2013-0012 (PL-9) Being a by-law to enter into a Restrictive Covenant Agreement, SHEARER HOMES INC., c/o David Shearer, Lot 145 and Part Lot 146, Plan 544, n/s Nurme Avenue, Udora.

Carried.....

14. PUBLIC MEETINGS:

(10:25 p.m.)

14.1.2 Application to Amend Official Plan and Zoning By-law
445158 ONTARIO INC. (Meldan Wood Processing)
Part Lot 1, Concession 5 (G), Part 3, Plan 65R-1719,
2 Ellisview Road
AGENT: Michael Smith Planning Consultants

Report No. PB-2013-0013

Mayor Grossi explained the procedure for a public meeting at this time; the applicant/agent summarizes the proposal, a staff member presents the staff report, the public or Council may then ask questions or make comments, the applicant/staff respond to questions raised by the public, Council may ask questions of staff, the applicant and/or the public, the public is given a second opportunity to make further submissions to present new information, Council debates the merits of the proposal and decides to adopt, amend, refuse or defer the application with or without conditions.

14. PUBLIC MEETINGS cont'd:

Gord Mahoney of Michael Smith Planning Consultants, agent for the applicant, advised that the applicants live on the subject land on which they own and operate a wood processing company. The subject land is 7.75 hectares in size with frontages on Highway 48 and Ellisview Road. Current structures on the property include a single family dwelling and a detached garage/accessory building. The property is currently designated 'Rural Commercial Area', 'Rural Area', and 'Environmental Protection Area 1 and 3'. The subject land is currently split zoned site-specific Highway Commercial (C2-20) and site specific Rural (RU-11). The applicant proposes to re-designate and re-zone the subject land to permit the industrial use not wholly contained within a building, which also includes an office trailer, to protect the environmental features located on the westerly portion of the subject land, and maintain the existing residential use.

Mr. Mahoney stated that this issue was presented to Council on January 24, 2011 and there have been several changes to the business and proposed development since that date. These changes include the addition of a proposed 1350 square metre building that would house the colouring and packaging operation along with an animal bedding storage area, the relocation of the raw and finished product storage areas, the relocation of the chipping area to accommodate the noise requirements of the Ministry of Environment, a realignment of the proposed parking areas as requested by the Ministry of Transportation, widening of the recommended vegetative protection zone from 10 to 15 metres, widening of the main access to the site and relocation of the internal road. He explained that the owners are now bringing in more pre-chipped wood, storing, colouring, packaging and sending it out which results in 60% less grinding being conducted on the property. The smaller grinder that is now being used and the limited number of days they grind the material results in less noise being produced. He noted that a section of a building is to be removed to accommodate the relocation of the parking.

Mr. Mahoney stated that several concerns were raised by neighbouring property owners, Town staff, Lake Simcoe Region Conservation Authority staff and Regional staff with respect to noise. A noise study was conducted which indicated that onsite equipment is operated between 7am and 7pm, the location for the equipment is restricted and the power emission levels are not greater than that measured during site visits. He noted that a larger or more powerful grinder is not permitted to be brought onto the site.

Councillor Davison declared an interest in this item as she owns property in the vicinity; she left the Council Chambers at this time (10:34 a.m.) and did not participate in any discussion or vote.

14. PUBLIC MEETINGS cont'd:

Mr. Mahoney stated that the Conservation Authority and the Region are concerned with the dying process and the impact a potential spill may have on ground water. He explained that the colouring process will occur indoors and potential spills will therefore be easier to contain if they occur. The company that produces the dye has indicated that the colourants are water based, environmentally friendly, contain no pesticides, and are considered to be at the lowest toxicity level possible, making it safe for humans, pets, soils and the environment.

Mr. Mahoney stated that the agencies are now satisfied with the proposed development and the amending zoning by-law concurs with staff's assessment. He noted that a truck loading area is also being included on site and the proposed building is a standard metal clad industrial building.

Mr. Mahoney stated that the applications are to amend the Official Plan and Zoning By-law, concerns have been addressed and the applications are consistent with all plans. They represent good planning and he requested that Council approve the recommendations.

Todd Evershed, Planner, stated that the agent's presentation covered all of the issues in the staff report. He did advise that there were concerns regarding environmental protection, that staff had requested the buffer area be increased from 10 to 15 metres, and that has occurred. This buffer area will be designated as a site specific Open Space zoning.

Mr. Evershed stated that the Town's noise by-law would not permit excessive noise between the hours of 8:00 p.m. and 7:00 a.m. The recommended hours of operation would fall within the by-law requirement.

Mr. Mahoney stated that the Ministry of Environment requires that noise be restricted between 7:00 a.m. and 7:00 p.m. The operation would therefore comply with these guidelines. He pointed out that the applicants do not operate on Sundays and only occasionally on Saturdays.

Rob Stevens of HGC Engineering, a consulting engineering firm, stated that his firm prepared the noise study for the subject site. Truck traffic was considered as part of the noise study, all the equipment was measured and assessed, the maximum amount of activity at any hour was considered, including trucks delivering and leaving, the continuous use of the grinder and front end loader, etc. that may occur in order to operate any commercial/industrial business in Ontario. Operators need to comply with local by-laws and have an environmental compliance approval document from the Ministry of the Environment stipulating what operations can

occur. If the operation changed, the owner would be obligated to seek new approvals for those types of operations.

14. PUBLIC MEETINGS cont'd:

Velvet Ross, Manager of Planning, stated that if the property was sold and the new owners wanted to operate on a Sunday, the zoning by-law does not deal with hours of operation and days of operation. Hours of operation are subject to the noise by-law and if any concerns with regard to noise or days of operation arose, they would be dealt with through the Town's By-law Enforcement staff. She noted that the noise by-law speaks to noise deemed likely to disturb inhabitants beyond the hours of 8:00 p.m. to 7:00 a.m. on and on Sundays and Statutory Holidays.

Mr. Mahoney advised that the business does not operate on Sundays or Statutory Holidays. He noted that the bagging building has not yet been constructed.

Ms. Ross advised that the requirement to build the building will be part of the Official Plan Amendment document, to contain the uses, as drying and bagging are required to be inside a building. Schedule 'B' to the amending zoning by-law is a detailed site plan layout that delineates where all uses and equipment must be located on the site.

Mr. Mahoney stated that the equipment is currently on site that will produce 60% less grinding. The grinder is mobile as it moves along the wood pile to grind it, and is not on a pad. The colouring machine is not on a pad either. No bagging is occurring on site currently. He stated that the owner does not have a certificate of approval from the Ministry of the Environment to date with regard to the noise levels. The noise study was conducted along with an air study and was submitted to the Ministry in July of 2012.

Ms. Ross stated that if the Ministry of Environment suggests relocation of equipment or the creation of greater buffers, staff wants to ensure it is specified in the zoning by-law amendment and it must go through the site plan process.

Moved by Regional Councillor Wheeler

Seconded by Councillor Smockum

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

Carried.....

Ms. Ross stated that staff is requiring, at site plan approval stage, the receipt of a Ministry certificate of approval, as a requirement of building permit issuance following site plan approval.

- Mr. Stevens stated that he is aware of the Ministry requirements. The Ministry will complete its review of the engineering report regarding sound level limits and issuing a certificate, which generally takes several months to complete.
14. PUBLIC MEETINGS cont'd:

Ms. Ross noted that if the Ministry does not issue a certificate, the landowner cannot operate the use or it would be in violation of the Town's Zoning By-law.

Ms. Ross advised that if Council approves the applications, staff will contact the Ministry immediately to advise them of Council's decision in an attempt to move the application request more quickly through the Ministry process so that a certificate can be issued.

Mr. Evershed stated that staff did give notice to all interested parties including those who had submitted written submissions. He did consult with the By-laws Division and was informed that the Division has not received any complaints on this property.

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2013-0044

- A. THAT REPORT NO. PB-2013-0013 PREPARED BY THE PLANNING DIVISION DATED 28 JANUARY 2013 RESPECTING APPLICATIONS FOR AN OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT, BE RECEIVED.
- B. THAT THE OFFICIAL PLAN AMENDMENT APPLICATION SUBMITTED BY 445158 ONTARIO INC. TO RE-DESIGNATE THE SUBJECT LAND FROM RURAL COMMERCIAL AREA AND RURAL AREA TO RURAL INDUSTRIAL AREA IN ORDER TO LEGALIZE THE EXISTING USE, WHICH INCLUDES THE MANUFACTURING OF WOOD PRODUCTS AND OUTSIDE STORAGE, ON THE SUBJECT LAND LEGALLY DESCRIBED AS PART LOT 1, CONCESSION 5 (G), BE APPROVED.
- C. THAT THE ZONING BY-LAW AMENDMENT APPLICATION SUBMITTED BY 445158 ONTARIO INC. TO AMEND ZONING BY-LAW NO. 500 TO REZONE LANDS DESCRIBED AS PART LOT 1, CONCESSION 5 (G), FROM THE SITE SPECIFIC RURAL (RU-11) AND HIGHWAY COMMERCIAL (C2-20) ZONES TO SITE SPECIFIC OPEN SPACE (OS) AND GENERAL INDUSTRIAL (M2) ZONES, BE APPROVED.
- D. THAT THE OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS CONTAIN SITE SPECIFIC POLICIES AND PROVISIONS TO IMPLEMENT THE PROPOSAL AS DESCRIBED IN REPORT PB-2013-0013, AND ANY

AMENDMENTS THERETO AS MAY BE DEEMED NECESSARY DURING THE SITE PLAN APPROVAL PROCESS.

14. PUBLIC MEETINGS cont'd:

- E. THAT THE AMENDING ZONING BY-LAW BE BROUGHT BEFORE COUNCIL FOR APPROVAL AT SUCH TIME AS THE PROPOSED DEVELOPMENT HAS PROGRESSED SUBSTANTIALLY THROUGH THE SITE PLAN APPROVAL PROCESS.
- F. THAT PURSUANT TO SECTION 34(17) OF THE PLANNING ACT, R.S.O. 1990, C.P. 13, AS AMENDED, IN THE EVENT MINOR REVISIONS ARE NECESSARY RESPECTING THE PROPOSED AMENDING ZONING BY-LAW, FURTHER NOTICE SHALL NOT BE REQUIRED.
- G. THAT THE TOWN CLERK FORWARD A COPY OF REPORT PB-2013-0013, AND COUNCIL'S RESOLUTION THEREON, AND THE ADOPTED OFFICIAL PLAN AMENDMENT TO THE YORK REGION TRANSPORTATION AND COMMUNITY PLANNING DEPARTMENT FOR FINAL APPROVAL.

Carried.....

Councillor Davison returned to the Council Chambers at this time.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

17.5 Report from the Chief Administrative Officer:

- 17.5.1 Verbal update
WeirFoulds estimate for Integrity Commissioner

Winanne Grant, Chief Administrative officer, advised that she is in receipt of an estimate with regard to the issue which is below \$10,000 and therefore no Council resolution is required. She noted that this expense will be incorporated into the 2013 budget.

15 COMMUNICATIONS:

15.1 Matters for Routine:

None.

15. COMMUNICATIONS cont'd:

15.2 Matters for Disposition:

- 15.2.1 Georgina Equity and Diversity Advisory Committee requesting Council adopt a "Diversity Welcoming Campaign" and provide sufficient budget to support and implement it.

Moved by Councillor Craig

Seconded by Councillor Davison

RESOLUTION NO. C-2013-0045

THAT TOWN COUNCIL ADOPT IN PRINCIPLE THE GEORGINA EQUITY AND DIVERSITY ADVISORY COMMITTEE'S "DIVERSITY WELCOMING CAMPAIGN" AND REFER IT TO THE 2013 BUDGET DISCUSSIONS FOR CONSIDERATION.

Carried.....

- 15.2.2 Ontario Good Roads Association (OGRA) Notice of Poll, 2013/14 Board of Directors

Moved by Regional Councillor Wheeler

Seconded by Councillor Smockum

RESOLUTION NO. C-2013-0046

THAT CORRESPONDENCE FROM THE ONTARIO GOOD ROADS ASSOCIATION (OGRA) NOTICE OF POLL, 2013/14 BOARD OF DIRECTORS, BE RECEIVED.

Carried.....

- 15.2.3 Chief Administrative Officer's monthly 'Letter to Residents'.

Moved by Councillor Smockum

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2013-0047

THAT THE CHIEF ADMINISTRATIVE OFFICER'S 'LETTER TO RESIDENTS' BE RECEIVED AS INFORMATION.

Carried.....

16 PETITIONS:

None.

18. UNFINISHED BUSINESS:

None.

15. COMMUNICATIONS:

Moved by Councillor Craig

Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2013-0048

THAT CORRESPONDENCE FROM SARA BROCKMAN, DEVELOPMENT PLANNER FOR THE LAKE SIMCOE REGION CONSERVATION AUTHORITY REGARDING ITEM NO. 14.1.1, APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND CONDOMINIUM, OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT, BE RECEIVED

Carried.

Moved by Councillor Craig

Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2013-0049

THAT CORRESPONDENCE FROM PAUL HARPLEY, PRESIDENT, SOUTH LAKE SIMCOE NATURALISTS, CONCERNING ITEM NOS 11.1 TO 11.4 AND ITEM NO. 17.2.1, THE NORTH GWILLIMBURY FOREST AND GREENLANDS STRATEGIC PLANNING, BE RECEIVED AND REFERRED TO THE NORTH GWILLIMBURY FOREST TOPIC WHEN IT RETURNS TO COUNCIL FOR CONSIDERATION.

Carried.....

15. COMMUNICATIONS cont'd:

Moved by Councillor Smockum

Seconded by Councillor Davison

RESOLUTION NO. C-2013-0050

THAT CORRESPONDENCE FROM PAUL HARPLEY, PRESIDENT, SOUTH LAKE SIMCOE NATURALISTS, CONCERNING ITEM NO. 14.1.1, APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND CONDOMINIUM, OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT, BE RECEIVED.

Carried.....

19. REGIONAL BUSINESS:

None.

20. BY-LAWS:

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

That the following by-laws be given three readings:

- | | | |
|------|--------------------------------|---|
| 20.1 | By-law Number 500-2013-0002 | Being a by-law to Amend Zoning By-law 500, GAIL LENTERS, Part Lot 22, Concession 4 (G), 87 Routley Avenue, Pefferlaw |
| 20.2 | By-law Number 2013-0010 (PL-2) | Being a by-law to adopt Amendment to Official Plan, GAIL LENTERS, Part Lot 22, Concession 4 (G), 87 Routley Avenue, Pefferlaw |

Carried.....

20. BY-LAWS cont'd:

Moved by Councillor Craig

Seconded by Councillor Smockum

That the following by-law be given three readings:

- 20.5 By-law Number 2013-0013 (FI-3) Being a by-law to authorize the Mayor and Clerk to execute an Agreement for Fire Protection Services between The Corporation of the Township of Brock and The Corporation of the Town of Georgina for the supply of firefighting equipment and services.

Carried.....

Moved by Councillor Craig

Seconded by Regional Councillor Wheeler

That the following by-law be given three readings:

- 20.6 By-law Number 2013-0014 (CON-1) Being a by-law to authorize the Mayor and Clerk to enter into an Agreement with the consulting firm of McCauley Nichols and Associates to carry out the Engineering Division Services Review.

Carried.....

Moved by Councillor Craig

Seconded by Councillor Davison

That the following by-law be given three readings:

- 20.7 By-law Number 2013-0015 (PBE-1) Being a by-Law to implement an adjustment to the remuneration wage grids for non-union, Council Members and management employees of The Corporation of the Town of Georgina.
20. BY-LAWS cont'd:
- 20.8 By-law Number 2013-0016 (PBE-1) Being a by-law to authorize the entering into of a Collective Agreement with the Canadian Union of Public Employees on its own and on behalf of its Local 905, Georgina Municipal Unit

Carried.....

Moved by Councillor Craig

Seconded by Councillor Davison

That the following by-law be given three readings:

- 20.9 By-law Number 2013-0017 (PWO-2) Being a by-law to temporarily close Ways Bay Drive as necessary to facilitate the construction operation of the effluent outfall.

Carried.....

17 MOTIONS:

None.

18 NOTICES OF MOTION:

None.

19 OTHER BUSINESS:

None.

24. CONFIRMING BY-LAW

Moved by Councillor Smockum

Seconded by Councillor Davison

That the following by-law be given three readings:

24.1 By-law Number 2013-0018 (COU-2) Being a by-law to confirm the proceedings of Council.

Carried.....

25. ADJOURNMENT:

Moved by Councillor Hackenbrook

Seconded by Regional Councillor Wheeler

That the meeting adjourn at this time (11:23 p.m.).

Carried.....

Robert Grossi, Mayor

Rebecca Mathewson, Deputy Clerk