



**TOWN OF
GEORGINA**

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

February 25, 2013
(7:08 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
Harold Lenters, Director of Planning and Building
Dan Pisani, Director of Operations and Engineering
Karyn Stone, Economic Development Officer
Michael Baskerville, Engineering Manager
Tolek Makarewicz, Junior Planner
Barbara Mugabe, Planner
Jordan Redshaw, Communications Coordinator
Patricia Nash, Acting Clerk
Carolyn Lance, Council Services Coordinator

Others:

Heidi Reidner, The Advocate
Helmut Kik
Gary Foch
Steve Hinder
Jeanie Fuscablo
Greg Ley
Geoff Polegato
And others.

James Rogers
John Castles
Delores Ritchie
Dan Rule
Pauline and Giles Gallie

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
Councillor Craig
Councillor Hackenbrook
Councillor Szollosy

Regional Councillor Wheeler
Councillor Davison
Councillor Smockum

3. COMMUNITY SERVICE ANNOUNCEMENTS:

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

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

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

- 4.1 Correspondence from A. Ingoglia in support of more affordable living units at 4 Ley Boulevard, as Item No. 15.2.9;
- 4.2 Correspondence from Linda Webb in support of two additional residential units at 4 Ley Boulevard, as Item No. 15.2.10;
- 4.3 Correspondence from the Nischal Family indicating no objection to the application made to increase the number of dwelling units at 4 Ley Boulevard, as Item No. 15.2.11;
- 4.4 Correspondence from Jason and Heather Burton in support of the implementation of a crossing guard at the intersection of Roselm Avenue and Fairwood Drive, as Item No. 15.2.12; and
- 4.5 Councillor Szollosy; Lake Simcoe Region Conservation Authority Annual Report for next meeting, March 4th.

5. APPROVAL OF AGENDA:

Moved by: Councillor Craig, Seconded by: Councillor Smockum

RESOLUTION NO. C-2013-0083

That the agenda, with the following addendum items, be approved:

- 5.1 Correspondence from A. Ingoglia in support of more affordable living units at 4 Ley Boulevard, as item no. 15.2.9;
- 5.2 Correspondence from Linda Webb in support of two additional residential units at 4 Ley Boulevard, as item no. 15.2.10;
- 5.3 Correspondence from the Nischal family indicating no objection to the application made to increase the number of dwelling units at 4 Ley Boulevard, as item No. 15.2.11;
- 5.4 Correspondence from Jason and Heather Burton in support of the implementation of a crossing guard at the intersection of Roselm Avenue and Fairwood Drive, as item No. 15.2.12.;
- 5.5 Councillor Szollosy; Lake Simcoe Region Conservation Authority, 2012 annual report be scheduled for next meeting, March 4, 2013.

Carried.

6. DECLARATION OF PECUNIARY INTEREST: None.

7. ADOPTION OF THE MINUTES:

Moved by: Councillor Szollosy, Seconded by: Councillor Hackenbrook

RESOLUTION NO. C-2013-0084

That the minutes of the Special Council Meeting held on February 4, 2013, be adopted as presented.

RESOLUTION NO. C-2013-0085

That the minutes of the Council Meeting held on February 11, 2013 be adopted as presented.

RESOLUTION NO. C-2013-0086

That the minutes of the Special Council Meeting held on February 11, 2013, be adopted with the following amendment:

That agenda pages 32 and 33 should be corrected to read 'Willow Beach' instead of 'Keswick'.

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 Steve Hinder, 2013 Nature's Emporium Run or Walk for Southlake;
- 9.2 Item No. 11.2, deputation by Jeanie Fuscablo, Crossing Guard request for Fairwood Public School;
- 9.3 Item No. 11.3, deputation by Helmut Kik, walking canes and improvements to the municipal water outlet on Black River Road at Park Road;
- 9.4 Item No. 14.1.1, Report No. PB-2013-0021, entitled 'Proposed Deeming By-law and Amendment to Zoning By-law No. 500';
- 9.5 Item No. 14.1.2, Report No. PB-2013-0024, Blue Serenity Holdings Inc.;
- 9.6 Item No. 15.2, various matters for disposition;
- 9.7 Item No. 20, various by-laws;
- 9.8 17.3.1, Report CM-2013-001, Approval of Funding to Develop Branding and Signage Strategies;
- 9.9 17.2.1, Report OED-2013-0004, Request for School Crossing Guard, Roselm Avenue and Fairwood Drive; and
- 9.10 Addendum Items.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:**10.1.1 Matters not subject to individual conflicts**

Moved by Regional Councillor Wheeler, Seconded by Councillor Smockum

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

RESOLUTION NO. C-2013-0087**Routine:**

That the following routine correspondence be received.

- i) Monthly building report for the month of January, 2013;
- ii) Navigating the Water in Changing Times;
- iii) Township of Brock advising of their endorsement of the Township of Ramara's position respecting the Highway 404;
- iv) Warren Melbourne, Project Manager, Metrus Development Inc., opposing the passing of any interim control by-law;
- v) petition concerning the preservation of the North Gwillimbury Forest Woodlands and Wetlands submitted by Regional Councillor Wheeler on behalf of Erin Kemp.

Reports:**17.1 Report from the Planning and Building Department:**

- 17.1.1 Application to Remove Certain Lands from Part Lot Control
BALLYMORE DEVELOPMENT (SUTTON) CORP.
Block 80, Plan 65M-4268, n/s Baseline Road, Sutton
AGENT: Michael Smith Planning Consultants
Report No. PB-2013-0022

RESOLUTION NO. C-2013-0088

- A. That Report PB-2013-0022 prepared by the Planning Division dated February 25, 2013 respecting an application to remove lands from Part Lot Control be received.
- B. That the application submitted by Ballymore Development (Sutton) Corp. to remove Block 80 on registered plan 65M-4268 from Part Lot Control as per Section 50 (7) of *the Planning Act*, R.S.O. 1990, Chapter P.13, as amended, be approved.
- C. That Council enact the by-law, attached hereto as Schedule '4', to remove Block 80 on Registered Plan 65M-4268 from Part Lot Control as per Section 50 (7) of *the Planning Act*, R.S.O. 1990, Chapter P.13, as amended.

Carried.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.2 Matters subject to individual conflicts: None.

11. DEPUTATIONS:

11.1 Steve Hinder informing Council of changes to this year's 2013 Nature's Emporium Run or Walk for Southlake event and encouraging support.

Ms. Tanya Haun and Ms. Courtney Cassidy were in attendance from Southlake Regional Foundation to provide information with regard to the Hartwell Challenge in honour of the late Bob Hartwell. This year's event is scheduled for Sunday, April 28th, 2013 at the Aurora Community Centre involving a 2.5, 5 and 10 km run/walk, a children's mini-mile as well as an athlete's village and kid zone.

Moved by Councillor Szollosy, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0089

That the deputation made by Tanya Haun and Courtney Cassidy of the Southlake Regional Foundation concerning the Hartwell Challenge being held on Sunday, April 28, 2013 at the Aurora Community Centre, be received.

Carried.

11.3 Helmut Kik requesting safety devices for walking canes and improvements to the municipal water outlet on Black River Road at Park Road, Sutton.

Mr. Kik was in attendance to address the Members of Council regarding water being supplied to the provincial park area. Mr. Kik also informed Council of the need for reflectors or flashing lights for walking canes.

Moved by: Councillor Smockum
Seconded by: Regional Councillor Wheeler

RESOLUTION NO. C-2013-0090

That the deputation made by Helmut Kik be received and that the matter regarding the reflective cane be referred to the Director of Engineering and Operations to investigate this matter and report back to Council.

Carried.

Mayor Grossi moved forward 17.2.1 at this time, to be heard in conjunction with 11.2

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.2 Report from the Operations and Engineering Department:

17.2.1 Request for School Crossing Guard Roselm Avenue and Fairwood Drive
Report No. OED-2013-0004

11.1 Jeanie Fuscaldo requesting a crossing guard for Fairwood Public School in Keswick.

Mrs. Jeanie Fuscaldo, 125 Fairwood Drive, Keswick; Mr. John Castles, and Mr. Jeff Holgato representing Fairwood Public School Parent Committee, were in attendance to request a permanent crossing guard at the intersection of Fairwood Drive and Roselm Avenue.

RESOLUTION NO. C-2013-0091

Moved by Councillor Davison, Seconded by Councillor Craig

That Council waive the Rules of Procedure to permit Mr. John Castles and Mr. Jeff Holgato and others to address Council regarding the request for a permanent crossing guard at the intersection of Fairwood Drive and Roselm Avenue.

Carried.

Mr. John Castles of 121 Fairwood Drive was in attendance to address Council regarding the request for a permanent crossing guard at the intersection of Fairwood Drive and Roselm Avenue.

Mr. Jeff Polagato of 100 Fairwood Avenue Keswick, was in attendance to address Council regarding the request for a permanent crossing guard at the intersection of Fairwood Drive and Roselm Avenue.

Ms. Delores Ritchie of 233 Fairwood Drive was in attendance to address Council regarding the request for a permanent crossing guard at the intersection of Fairwood Drive and Roselm Avenue.

Moved by Councillor Davison, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0092

That Report No. OED-2013-0004 dated January 21, 2013, with respect to a request for a school crossing guard at Roselm Avenue and Fairwood Drive be received.

That a school crossing guard at the intersection of Roselm Avenue and Fairwood Drive be implemented as soon as possible.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

That the deputations made by Jeanie Fuscaldo, Delores Ritchie, Jeff Polagato, John Castles and Delores Ritchie in support of a crossing guard at the intersection of Roselm Avenue and Fairwood Drive, be received.

Carried.

Council directed staff to review all existing crossing guard locations and report back.

12. PRESENTATIONS: None.

13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION: Matters dealt with earlier in the meeting.

14. PUBLIC MEETINGS:

14.1 Statutory Public Meeting:

(8:30 p.m.)

14.1.1 Proposed Deeming By-law and Amendment to Zoning By-law No. 500

ROGERS, James (Town Initiated)

Lots 33-36 inclusive & Duke Street, Plan M-628, Parts 1-6 inclusive, Plan 65R-13601

355 & 355A Metro Road North, Keswick

Report No. PB-2013-0021

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.

Tolek Makarewicz, Junior Planner, explained that due to historical issues, staff was directed by Council to initiate an amendment to Zoning By-law No. 500 for the properties municipally addressed as 355 & 355A Metro Road North, Keswick, which are legally described as Lots 33-36 inclusive Plan M-628 & Duke Street, and also described as Parts 1-6 inclusive on Plan 65R-13601. The amendment will recognize the existing residential dwelling on an undersized rural lot at 355 Metro Road North and permit a dwelling to be constructed on an undersized rural lot at 355A Metro Road North in the future. The subject properties also require a council-approved deeming by-law to merge the separately conveyable parcels into two properties.

The subject properties are located south of Boyers Sideroad, on the east side of Metro Road North, within the Keswick Secondary Plan boundary area. The subject properties abut existing residential development to the north and west, and abut significant woodlands as identified by the York Region to the south and east.

14. PUBLIC MEETINGS cont'd:

The subject properties are zoned Rural (RU) on Map 3 of Schedule 'A' to Zoning By-law No. 500 and are designated Neighbourhood Residential on Schedule 'F1' to the Keswick Secondary Plan. 355 Metro Road North contains a single family dwelling, driveway, and accessory structures while 355A Metro Road North is vacant of any structures, significant vegetation and trees. It has been confirmed that 355 & 355A Metro Road North are currently and have continuously been held in different ownership.

Mr. Makarewicz stated that In accordance with Zoning By-law No. 500, dwellings are not permitted to encroach over mutual lot lines. Therefore the deeming by-law will recognize the dwelling encroachment over the mutual lot line between Lot 33 and Lot 34 at 355 Metro Road North and permit a dwelling to be constructed across Lot 35 and Lot 36 at 355A Metro Road North.

Each property is comprised of three individual parcels which are separately conveyable from one another. 355 Metro Road North is comprised of Lot 33 and Lot 34 Plan M-628 and Part 6 Plan 65R-13601, being part of Duke Street, while 355A Metro Road North is comprised of Lot 35 and Lot 36 Plan M-628 and Part 3 Plan 65R-13601, being part of Duke Street.

Should Council approve the requested deeming by-law, the six individual parcels as illustrated above would merge in title with parcels in common ownership and no longer be separately conveyable.

As a result, two flag shaped properties will be created. In this respect, 355 Metro Road North will now have a total lot area of 2,070 square metres (0.207 hectares) and will have a frontage of 5.33 metres on Metro Road North, whereas 355A Metro Road North would have a lot area of 1,750 square metres (0.175 hectares) and 5.33 metres of frontage on Metro Road North, but both would still be considered undersized for a residential use on a Rural zoned property.

In accordance with Section 6.1(a) and (b) of Zoning By-law No. 500, residential uses on Rural (RU) zoned properties require a minimum frontage of 180 metres and a minimum lot area of 20 hectares. In this respect, the subject properties do not meet these requirements and thus are considered "undersized rural lots". Therefore, the owners require the amendment to the by-law to recognize the existing dwelling at 355 Metro Road North and to permit the construction of a dwelling at 355A Metro Road North in the future.

The purpose of the zoning by-law amendment is to recognize the existing dwelling on an 'Undersized Rural Lot' at 355 Metro Road North and to permit a dwelling to be constructed on an 'Undersized Rural Lot' at 355A Metro Road North. In accordance with Section 6.1(a) and (b) of Zoning By-law No. 500, residential uses on Rural (RU) zoned properties require a minimum frontage of 180 metres and a minimum lot area of 20 hectares. In this respect, the subject properties do not meet these requirements and thus are considered "undersized rural lots". Therefore, the owners require the amendment to the by-law to recognize the existing dwelling at 355 Metro Road North and to permit the construction of a dwelling at 355A Metro Road North in the future.

14. PUBLIC MEETINGS cont'd:

Mr. Makarewicz advised that none of the circulated internal departments or external agencies have indicated any objections with respect to the application, nor have any concerns been raised from the public.

Comments received from the LSRCA indicate that the LSRCA is satisfied from a watershed management perspective, this application is consistent with the intent of the Provincial Policy Statement, is in conformity with the Greenbelt Plan and the LSPP, and that the relevant environmental policies would not be offended.

Comments received from York Region indicate that the Region would want to see access from any proposed residential house to be consolidated with the existing driveway serving the existing dwelling at 355 Metro Road North, as there is insufficient space to accommodate a separate and safe access meeting Regional standards at this location.

Lastly, comments received from the Department of Recreation and Culture indicate that a 5% park levy will be due at the time of building permit issuance.

Staff has reviewed the proposal against the Greenbelt Plan, the Provincial Policy Statement and the York Region Official Plan and is of the opinion that the policies and overall intent of the document and Plans have been maintained with the subject proposal. Additionally, with respect to the Keswick Secondary Plan, staff is of the opinion that the proposal conforms to the policy direction and intent of the Keswick Secondary Plan

Mr. Makarewicz stated that with respect to Zoning By-law No. 500, the subject properties are zoned Rural in an area predominantly zoned and developed for Residential purposes. Staff has reviewed the proposal and are of the opinion that the subject properties are similar to the abutting residential development in terms of size, orientation, privacy, visual and physical impact. In this respect, notwithstanding the size and lot area provisions of Section 6.1(a) and (b) of the By-law, staff is of the opinion that a residential use is the most desirable and appropriate use for the subject properties and that there will be no impacts as a result of permitting same.

Mr. Makarewicz stated that due to the unique flag shaped orientation of the subject properties, staff will be recommending a site specific provision with respect to re-orientating the lot lines to better accommodate a future dwelling at 355A Metro Road North and to recognize the existing dwelling setbacks at 355 Metro Road North. In addition, given that the owner currently stores leisure vehicles at the vacant parcel municipally addressed as 355A Metro Road North, staff also find it appropriate to include a provision to permit the owner to store or park a single motor vehicle or boat or recreational vehicle at 355A Metro Road North prior to the erection of the main building, as would be the case if the properties were being rezoned to Residential.

14. PUBLIC MEETINGS cont'd:

With respect to development charges and park levy, prior to the issuance of a building permit for a dwelling at 355A Metro Road North, payment of the applicable development charges and a 5% park levy will be required. Development charges include the regional, Town and education development charge.

The owner has been advised of the applicable development charges and park levy and insists that he has already paid all of the applicable development charges and levies. In this respect, staff advise that there is no record in the Town property files or in the minutes of past Council meetings respecting development charges or a park levy being paid or waived.

Notwithstanding the foregoing, prior to the Town's first development charges by-law being adopted in October 1991, some properties were required to pay lot levies in accordance with the Township of Georgina Lot Levy Policy, March 1984. Staff has reviewed the Township of Georgina Lot Levy policy from 1984 and can confirm that in 1990 when the building permit was issued for the dwelling at 355 Metro Road North, not all developments were liable for the payment of lot levies. As 355 Metro Road North was a lot of record, it was exempt from paying the applicable lot levy fee at such time.

In this respect, given that the Town's first development charges by-law was not adopted until October 1991, Town development charges would not have been applied at the building permit stage.

Mr. Makarewicz stated that given the foregoing information and as further outlined in the report, staff is of the opinion that the proposed amendment to Zoning By-law No. 500 and deeming by-law maintain the general intent and purpose of Zoning by-law No. 500, is consistent with the Provincial Policy Statement and conforms to the Greenbelt Plan, the York Region Official Plan and the Keswick Secondary Plan.

Mr. Makarewicz advised that if the application is approved, the deeming by-law and amending zoning by-law will be brought before Council at a future meeting.

Mr. Lenters, Director of Planning and Building, clarified that lots of record were not subject to a charge, that he has reviewed older reports and no lot levy was required. The owner maintains that a lot levy was paid and the Town will confirm this through its records. He noted that the owner has more relevant information that he needs to review. He confirmed that Zoning By-law 911 permitted storage of items before 2004 in the rural zone.

Mr. Makarewicz reported that he has been advised by the owner everything is in compliance at this time.

James Rogers, owner of the subject properties, thanked Council for the opportunity to address them this evening. He provided clarification that the units that were referred to within the report which were on the lots were his boats/campers, indicating that he stored them behind the hedges so they would not bother other people. He noted that

14. PUBLIC MEETINGS cont'd:

he will be moving the camper. He also noted that his spouse found information from the Town dating back 20 years confirming payment of the fees.

Mr. Rogers stated that he purchased and closed up the road on which the properties front. The Town requested only two accesses to the four lots, advised back then not to have them all in one name so that they would not merge in title. He achieved two building lots and two accesses to Metro Road and applied for the first and second permits at the same time and remembers that he paid all fees to the Town. He did pay to have two building lots, but didn't build on one of them. Approximately \$50-60,000 dollars was paid to cover all of the levies and fees and disagrees that he should have to pay development fees twice. Taxes are usually paid upon building permits being issued and his spouse has both building permits, being proof that the levies were paid at that time.

Moved by Councillor Szollosy, Seconded by Councillor Davison

RESOLUTION NO. C-2013-0093

- A. That Report PB-2013-0021 prepared by the Planning Division, dated February 25, 2013 respecting a proposed Deeming By-law and Amendment to Zoning By-law No. 500 for 355 & 355A Metro Road North, Keswick, be received.
- B. That Council approve the passing of a by-law to deem Lots 33-36 inclusive, Plan M-628 and Part 3 & 6, Plan 65R-13601 not to be lots, or part thereof on a Registered Plan of Subdivision for the purposes of Section 50(3), and in accordance with Section 50(4) of *the Planning Act*, R.S.O. 1990.
- C. That Council approve the passing of a by-law to amend Zoning By-law No. 500 to rezone lands located at 355 & 355A Metro Road North, Keswick from Rural (RU) to a site-specific Rural zone to recognize the existing dwelling at 355 Metro Road North, and to permit a dwelling to be constructed at 355A Metro Road North.
- D. That the amending Zoning By-law contain the site-specific provisions as outlined in Report PB-2013-0021.
- E. That prior to the passing of the amending by-law, the subject properties be brought into general compliance with Section 5.27 of Zoning By-law No. 500 respecting outdoor storage, as discussed in Section 5.2 of Report PB-2013-0021.
- F. That pursuant to Section 34(17) of *the Planning Act*, R.S.O. 1990, as amended, in the event minor revisions are necessary respecting the proposed amending Zoning By-law, further notice shall not be required.

Carried.

The Council Meeting recessed at 9:00 p.m. and resumed at 9:10 p.m.

14. PUBLIC MEETINGS cont'd:

(9:10 p.m.)

- 14.1.2 Application to Amend Zoning By-law No. 500 for Temporary Use By-law Provisions
BLUE SERENITY HOLDINGS INC.
Part Lot 12, Conc. 3 (NG), Reg. Plan 65R-9013, Part 3,
4 Ley Blvd.
AGENT: MMM Group c/o Chad B. John-Baptiste
Report No. PB-2013-0024

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.

Chad John-Baptiste, agent, noted that Gary Foch, the owner, is also present. The applications have been submitted to obtain temporary use to allow for two additional units. The subject property is located on the corner of Ley Boulevard and Spring Road, and has a lot area of 7,000 square feet. Presently there are three units in the building and five parking spaces on the site. To the north and east are single family dwellings and businesses, while townhouses and neighbourhood commercial development is to the south and the Queensway Corridor is to the west consisting of single family dwellings, a bus service and a convenience store.

Mr. John-Baptiste reiterated that the application was submitted to permit on a temporary basis two additional units within the existing building. Minor modifications would be required to the exterior including adjustments on the Ley Blvd. side to the porch cover area and at the rear of the building for common laundry room space. Five parking spaces exist on site, which includes some tandem parking which is allowed based on the site specific zoning of the site. The temporary use is to allow for the evaluation of the site as five units and subject to Council approval, the owner will then request renewal or extension of that period to allow the development on a permanent basis. The consensus is that this is an appropriate route to follow at this time.

Mr. John-Baptiste stated that one key point is that the apartment unit is currently 3,000 square feet. Three levels are open to the back and the zoning allows for up to nine bedrooms on site. The staircases will be maintained as they are.

Mr. John-Baptiste advised that the Provincial Policy Statement calls for affordable housing and a variety of housing types. The property has a Neighbourhood Residential designation, allowing for higher density uses and is directly beside The Queensway Corridor where higher density housing is located. The property is zoned Medium Density, allowing for a maximum of nine bedrooms on the site and a maximum of three apartment units. The property currently meets the zoning requirements. He noted that the Official Plan contains five requirements to determine whether or not an application should be permitted for temporary use.

14. PUBLIC MEETINGS cont'd:

Any development would be within the existing building. The owner is proposing one parking space per unit, and will make an effort to ensure that all tenants are aware of parking regulations on the site.

Mr. John-Baptiste stated that in reviewing comments submitted prior to this meeting, three letters are from tenants who understand the benefits of the application. The landowners to the north and south of the subject property are in favour. There is an opportunity for visitor parking to be located in the boulevard or driveway, noting that none of the tenants own use vehicles at this time so the additional tenants could utilize their spaces. The property currently meets the zoning requirement for landscaped open space.

Mr. John-Baptiste reiterated that the owner is requesting a three year temporary use to integrate the units and return to Council for a longer term at a future time.

Barbara Mugabe, Planner, advised that the applicant is seeking approval for temporary zoning provisions to permit two additional residential units resulting in five apartment units for three year time frame. Staff has reviewed various provincial documents and there are no issues with Provincial Policy Statement and Growth Plan or with the Lake Simcoe Protection Plan.

The property is designated Neighbourhood Residential in the Keswick Secondary Plan and the requested use is not a permitted use within this designation.

Ms. Mugabe, Planner summarized the following items: policy framework, the Keswick Secondary Plan, Zoning By-law 500, temporary use by-laws, department and agency comments and public comments received, parking spaces, requirement for signed agreement for timeframe for temporary use, and requirement for uses to be a temporary use. She noted that by-laws shall not exceed three years from the date of passing of the by-law, but Council can extend the use by three years each time.

Ms. Mugabe stated that staff have received comments from the owners of 7 Ley Blvd, 11 Ley Blvd and 8 Ley Blvd and a petition was also submitted. She stated that staff will report back to Council with regard to onsite parking and the review of drawings/sketches submitted by the applicant.

Dan Rule of 11 Ley Blvd. stated that he recently moved to this property from Walter Drive at the south end of Keswick, because he lived in a rental unit and the behaviour of some tenants was never guaranteed. He stated that he has a disabled son and bought the property to accommodate his family needs. The sidewalk stops short of Ley Blvd. The road is not very wide and if parking is permitted in the boulevard, it would reduce the already narrow road width.

Giles and Pauline Gallie of 8 Ley Blvd, advised Council that they have attended meetings in the Council Chambers on previous occasions regarding this matter. They were advised that an agreement was entered into with the previous owner and the Town that at such time as the property was sold, the new landowner would resume the

14. PUBLIC MEETINGS cont'd:

single detached use. They own a custom built home and they do not want a triplex or other form of multiple unit housing next door. If the ownership has changed hands, the use should have reverted back to single family dwelling use, which was the only reason they accepted the agreement with the Town and the previous owner. They suggested the Town staff obtain a copy of this agreement.

Council directed staff to research if there was such an agreement for this parcel of land or whether it was to remain a triplex or revert back to a single detached dwelling.

Harold Lenters, Director of Planning and Building, stated that he did not recall such an agreement, suggesting that perhaps the previous owner had an agreement with the Gallies. He explained that zoning was passed to permit a triplex and three units are currently in place.

Mr. Gallie stated that Town staff had read out a recommendation at a previous meeting and the agent for the previous owner had agreed to it.

Mr. Gallie circulated a photo of the driveway on the south side of the subject building and asked for clarification regarding the three parking spaces, as he can only see two parking spaces. The owners are not living up to the zoning requirements put in place 10 or 15 years ago.

Mrs. Gallie indicated that none of the homeowners in the area are in agreement with this triplex on Ley Blvd. They looked at one acre properties from Stouffville to Keswick. They do not want to live in a subdivision with multi-residents next to them, let alone a multiplex yards away from them. They are directly affected by the density on this property.

Mr. Lenters clarified this is not the typical use of a temporary use by-law. An example of a temporary use bylaw is an instance where an owner has a rural lot and a long-term plan for an industrial park but in the interim, requests permission to build something on the property for three years that isn't permitted, until the industrial park is built. Staff had originally advised the owner that he would require an Official Plan Amendment and Zoning By-Law Amendment for his proposal and this is the middle ground in order to deal with the issue on a temporary basis. Staff is not necessarily in support of the proposal, but will consider the application as presented.

Mr. Lenters explained that the original building permit was for a single family dwelling. In 1990, when the application to rezone the land to a 5-plex down to a 3-plex was proposed, the land had a different land use designation. After that process, the land designation was changed back to a Neighbourhood Residential designation. When the zoning was completed originally, the designation was there to allow the three units.

Greg Ley of 23 Ley Blvd. stated that the proposal says they have five parking spaces, two of which are tandem and wondered which tenants are assigned to the back parking spaces and how do they move their vehicles out? The Town directed that the previous owner cut the driveway back to a single lane driveway, but he believes the previous

14. PUBLIC MEETINGS cont'd:

owner did not cut the driveway back as the property still has two parking spaces on the boulevard. Some occasional parking at the end of the street is acceptable, but if five apartments are permitted parking for residents and their visitors, it will be a problem.

Mr. John-Baptiste responded clarifying a few points. Tenants are made aware of the number of parking spaces available. When it comes to visitor parking, there are three or four parking spaces between the property line and the paved surface of the driveway to accommodate visitor parking.

Mr. John-Baptiste stated that with regard to the requested three year term, Council will make its decision regarding the number of permitted units and if the by-law is approved, a building permit needs to be obtained, modifications made and leases arranged. Two additional units are being requested, for a total of five units. He advised that he has experience with tandem parking and it is a matter of coordinating with your neighbours for a parking schedule.

Mr. Lenters recommended that Council receive the report and direct staff to review the public comments and return with a recommendation report.

Mr. Lenters advised that staff is obligated to deal with this application. If the applicant decides to reduce the number of additional units or reduce other aspects, he is able to do so, as they are reductions. But if he asked for greater than what he has asked for, then further notice would be required. He suggested that staff proceed as recommended in the report. The agent has heard the concerns and has the opportunity to address those. Mr. Foch has advised that there are three units in the building.

Moved by Councillor Craig, Seconded by Councillor Davison

RESOLUTION NO. C-2013-0094

- A. That Report PB-2013-0024 prepared by the Planning Division dated February 25, 2013 respecting an application to amend Zoning By-law No. 500 for temporary use by-law provisions be received.
- B. That staff report further to Council after the receipt and assessment of public, agency and Council comments, within the next three months.
- C. That notification for all subsequent meetings be extended to include all of Ley Boulevard residents and 1,000 feet surrounding the property.

Carried.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

17.3 Report from the Communications Division:

17.3.1 Approval of Funding to Develop Branding and Signage Strategies
Report No. CM-2013-0001

Moved by Councillor Craig, Seconded by Councillor Szollosy

RESOLUTION NO. C-2013-0095

- A. That Report No. CM-2013-0001 prepared by the Communications Division and dated February 21, 2013, respecting the retention of a consultant for Branding/Signage Strategies be received.
- B. That Council approve the allocation of up to a maximum of \$20,000 for the completion of branding and signage strategies and that this approval be granted pre-2013 final budget approval in order that funding opportunities may be utilized.
- C. That Council appoint Councillor Craig and Regional Councillor Wheeler to the consultant selection committee.
- D. That the Consultant Selection Committee advise the Town Clerk of the successful proponent and that Council authorize the Town Clerk to enter into an agreement with the successful proponent not to exceed \$40,000 excluding HST.

Carried.

15. COMMUNICATIONS:

15.2 Matters for Disposition:

15.2.1 Jane Sabath and Robin Smith requesting closure of the necessary roads during the 2013 Georgina Mini Marathon event to be held on Saturday, June 15th.

Moved by Councillor Davison, Seconded by Councillor Szollosy

RESOLUTION NO. C-2013-0096

That correspondence regarding the 2013 Georgina Mini Marathon Event, scheduled for Saturday, June 15, 2013 be received, that Council approves the temporary road closure as requested and direct staff to notify emergency personnel.

Carried.

15.2.2 Ministry of Community Safety and Correctional Services congratulating the municipality for completing the mandatory emergency management program elements required under the Emergency Management and Civil Protection Act and Ontario Regulation 380/04 for 2012.

15. COMMUNICATIONS cont'd:

Moved by Councillor Smockum, Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2013-0097

That the correspondence from the Ministry of Community Safety and Correctional Services be received and that Council congratulate staff on completing the mandatory Emergency Management Program elements required under the *Emergency Management and Civil Protection Act*.

Carried.

15.2.3 Georgina Equity and Diversity Advisory Committee requesting Council approve the installation and funds for the incorporation of 'Welcome Banners' in the existing banner program on light standards throughout Georgina, as well as installation of a flag pole with welcome flag near the proposed town entrance feature.

Moved by Councillor Szollosy, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0098

That correspondence from the Georgina Equity and Diversity Advisory Committee requesting Council approve the installation and funds for the incorporation of 'Welcome Banners' in the existing banner program on light standards throughout Georgina be received and endorsed along with the installation of a flag pole with welcome flag near the proposed town entrance feature.

And further that this be referred to the Economic Development Committee for implementation realizing that this may not be realized in this budget year.

Carried.

15.2.4 York Regional Police requesting support of the 2013 Special Olympics Ontario Summer Games; medal presentations, sponsorship for lunches, promotion of 'Adopt an Athlete' Program, declaration of May 16th as 'Special Olympics Day', offering red laces for sale at Town locations, and raising awareness of the Games.

Moved by Councillor Szollosy, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0099

That the correspondence from the York Regional Police requesting support of the 2013 Special Olympics Ontario Summer Games be received.

15. COMMUNICATIONS cont'd:

And Further, that the medal presentations, sponsorship for lunches, promotion of 'Adopt an Athlete' program be referred to the Recreation and Culture Department to include in a report.

And Further, that Council declare May 16th as 'Special Olympics Day' offering red laces for sale at Town locations, and raising awareness of the games.

Carried.

15.2.5 Georgina Accessibility Advisory Committee requesting Council proclaim June 2 to 8, 2013, as 'National Access Awareness Week'.

Moved by Councillor Hackenbrook, Seconded by Councillor Smockum

RESOLUTION NO. C-2013-0100

That Council proclaim the week of June 2 to 8, 2013 as 'National Access Awareness Week' in the Town of Georgina.

Carried.

15.2.6 Region of York respecting proposed partial depth removal of asphalt and hot mix asphalt paving on certain roads for 2013.

Moved by Councillor Szollosy, Seconded by Councillor Davison

RESOLUTION NO. C-2013-0101

That the correspondence from the Regional Municipality of York respecting the proposed partial depth removal of asphalt and hot mix asphalt paving on certain roads in 2013 be received and referred to the Operations and Engineering Department to ensure no community events are scheduled in the area during interval times.

Carried.

Council requested that the Director of Engineering and Operations remind the Region of York when they do patchwork to make sure that is some kind of transition.

15.2.7 AECOM Canada Ltd. requesting comments by March 7th concerning the Notice of Design and Construction Report (DCR) Addendum, Highway 404 Extension from Queensville Sideroad to Ravenshoe Road, excess earth management areas.

15. COMMUNICATIONS cont'd:

Moved by Councillor Szollosy, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0102

That correspondence received from AECOM Canada Limited requesting comments for the Notice of Design and Construction Report for the Highway 404 extension from Queensville Sideroad and Ravenshoe Road, Excess Earth Management Areas be received referred to the Director of Operations and Engineering for further investigation and review.

Carried.

15.2.8 Several e-mail messages in support of the implementation of a crossing guard at the intersection of Roselm Avenue and Fairwood Drive from; Brenda Beaulieu, Tracy Davis, Craig & Joanne Giles, Shirley Gunckel, Coretta Godden, Richard Hennigar of Qualicare Family Homecare, Rhonda Jung, Lisa Muus, Melissa & Robert Slywchuk and Renee Thomas.

Moved by Councillor Davison, Seconded by Councillor Smockum

RESOLUTION NO. C-2013-0103

That correspondence received in support of the implementation of a crossing guard at the intersection of Roselm Avenue and Fairwood Drive from Brenda Beaulieru, Tracy Davis, Craig and Joanne Giles, Shirley Gunckel, Coretta Godden, Richard Hennigard, Rhonda Jung, Lisa Muus, Melissa and Robert Slywchuk and Renee Thomas be received.

Carried.

15.2.9 A. Ingoglia in support of more affordable living units at 4 Ley Boulevard.

Moved by Councillor Smockum, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0104

That correspondence from A. Ingoglia in support of more affordable living unit at 4 Ley Boulevard be received.

Carried.

15. COMMUNICATIONS cont'd:

15.2.10 Linda Webb in support of two additional residential units at 4 Ley Boulevard.

Moved by Councillor Smockum, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0105

That correspondence from Linda Webb in support of two additional residential units at 4 Ley Boulevard be received.

Carried.

15.2.11 Nischal family indicating no objection to the application made to increase the number of dwelling units at 4 Ley Blvd.

15.2.12 Jason and Heather Burton in support of the implementation of a crossing guard at the intersection of Roselm Avenue and Fairwood Drive.

Moved by Councillor Davison, Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2013-0106

That correspondence from the Nischal family indicating no objection to the application to increase the number of dwelling units at 4 Ley Boulevard be received.

That correspondence from Jason and Heather Burton in support of the implementation of a crossing guard at the intersection of Roselm Avenue and Fairwood Drive be received.

Carried.

16. PETITIONS: None.

17. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS: Dealt with earlier in the meeting.

18. UNFINISHED BUSINESS: None.

19. REGIONAL BUSINESS: None.

20. BY-LAWS:

Moved by Councillor Smockum, Seconded by Councillor Hackenbrook

That the following by-law be given three readings:

20. BY-LAWS cont'd:

- 20.1 By-law Number 2013-0027 (CON-1) Being a by-law to authorize the entering into of an Agreement between 1540171 Ontario Ltd. and the Corporation of the Town of Georgina for the purposes of a Conditional Permit Agreement.
- 20.2 By-law Number 2013-0028 (LA-1) Being a by-law to authorize the entering into of a Lease Agreement between Sears Canada Inc. and the Corporation of the Town of Georgina; 165 The Queensway South.
- 20.3 By-law Number 2013-0029 (PL-4) Being a by-law to remove certain lands from Part Lot Control; BALLYMORE DEVELOPMENT (SUTTON) CORP, Block 80, Registered Plan 65M-4268, Part Lot 18, Concession 9 (NG), n/s Baseline Road, Sutton
- 20.4 By-law Number 2013-0030 (PL-2) Being a by-law to amend the Official Plan, ROBERT BARRETT, Part Lot 10, Concession 9 (NG), w/s of Sedore Avenue, Willow Beach

Carried.21. MOTIONS: None.22. NOTICES OF MOTION:

Councillor Szollosy provided the following Notice of Motion:

That Council consider the implementation of a school crossing guard at the intersection of Old Homestead Road and Metro Road as soon as possible.

23. OTHER BUSINESS: None.24. CONFIRMING BY-LAW

Moved by Councillor Craig, Seconded by Councillor Smockum

That the following by-law be given three readings:

By-law Number 2013-0031 (COU-2) Being a by-law to confirm the proceedings of Council.

Carried.

25. ADJOURNMENT:

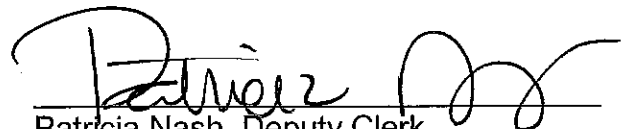
Moved by Councillor Davison, Seconded by Councillor Szollosy

That this meeting adjourn at 10:45 p.m.

Carried.



Robert Grossi, Mayor



Patricia Nash, Deputy Clerk