

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

Tuesday, October 15, 2013
(7:07 p.m.)

Staff in attendance:

Winanne Grant, Chief Administrative Officer
Rebecca Mathewson, Director of Administrative Services
Harold Lenters, Director of Planning and Building
Robin McDougall, Director of Recreation and Culture
Dan Pisani, Director of Operations and Engineering
Steve Richardson, Director of Emergency Services/Fire Chief
Karyn Stone, Economic Development Officer
Joe Costanza, Civil Technician
Michael Baskerville, Engineering Manager
Todd Evershed, Planner
Barbara Mugabe, Planner
Jordan Redshaw, Communications Coordinator Intern
Yvonne Aubichon, Town Clerk
Carolyn Lance, Council Services Coordinator

Others:

Heidi Riedner, The Advocate
Karen Wolfe, The Pefferlaw Post
Rev. Jim Keenan
Erin Cerenzia, Neighbourhood Network
Jennifer Anderson, Neighbourhood Network

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

The Clerk gave the roll call and the following Council Members 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 advised 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;

- Item No. 15.2.2 Correspondence from Andrea Brown, Environmental Planner, Lake Simcoe Region Conservation Authority, commenting on Site Alteration Permit SA2012-04, SA2012-04, Part Lot 3, Conc. 3 (G), 6003 Smith Blvd, Baldwin, Baldwin 33 Incorporated.
- Item No. 15.2.3 Brian Kemp, General Manager - Conservation Lands, Lake Simcoe Region Conservation Authority, dated October 9, 2013, commenting on Site Alteration Permit SA2012-04, Part Lot 3, Conc. 3 (G), 6003 Smith Blvd, Baldwin, Baldwin 33 Incorporated.
- Item No. 23.1 Clothing Donation Boxes
- Item No. 23.2 Environmental Assessment regarding the Upper York Sewage System

5. APPROVAL OF AGENDA:

Moved by Councillor Craig, Seconded by Councillor Smockum

RESOLUTION NO. C-2013-0375

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

- Item No. 15.2.2 Correspondence from Andrea Brown, Environmental Planner, Lake Simcoe Region Conservation Authority, commenting on Site Alteration Permit SA2012-04, SA2012-04, Part Lot 3, Conc. 3 (G), 6003 Smith Blvd, Baldwin, Baldwin 33 Incorporated.
- Item No. 15.2.3 Brian Kemp, General Manager - Conservation Lands, Lake Simcoe Region Conservation Authority, dated October 9, 2013, commenting on Site Alteration Permit SA2012-04, Part Lot 3, Conc. 3 (G), 6003 Smith Blvd, Baldwin, Baldwin 33 Incorporated.
- Item No. 23.1 Clothing Donation Boxes
- Item No. 23.2 Environmental Assessment regarding the Upper York Sewage System

Carried.

6. DECLARATION OF PECUNIARY INTEREST: None.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Hackenbrook, Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2013-0376

That the following minutes be adopted as presented:

- Council Meeting held on September 23, 2013.
- Special Council Meeting held on September 30, 2013.

Carried.

8. BUSINESS ARISING FROM THE MINUTES: None.

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

The following items were identified for separate discussion:

- Item No. 11.1 Deputation by Rev. Jim Keenan
- Item No. 11.2 Deputation by Erin Cerenzia and Jennifer Anderson
- Item No. 15.2.1 Correspondence from York Child Development and Family Services Inc. requesting a message be placed on our digital marquees
- Item No. 14.1.1 Report No. PB-2013-0099 entitled 'Application for Draft Plan of Subdivision Approval and Amendment to Zoning By-law 500, 2097700 Ontario Inc. (Senator Homes)
- Item No. 14.2.1 Report No. PB-2013-0100 entitled 'Appeals to the Ontario Municipal Board respecting Applications for a proposed Plan of Subdivision and Zoning By-law Amendment'
- Item No. 14.3.1 Report No. OED-2013-0050 entitled 'Application for Site Alteration Permit, Baldwin 33 Incorporated (c/o Marvin Blanchard)'
- Item No. 20.1 various by-laws

11. DEPUTATIONS:

- 11.1 Rev. Jim Keenan regarding his concerns with the process to determine the use of what is called the Reed Farm, 481 Lake Drive East, Willow Beach.

Rev. Keenan addressed Council regarding his concerns with the process to determine the use of what is called the Sedore lands/Reed Farm, 481 Lake Drive East, Willow Beach and provided suggestions regarding the process going forward.

11. DEPUTATIONS cont'd:

Moved by Councillor Szollosy, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0377

That the deputation made by Rev. Jim Keenan regarding his concerns with the process to determine the use of what is called the Reed Farm, 481 Lake Drive East, Willow Beach be received.

Carried.

11.2 Erin Cerenzia and Jennifer Anderson announcing the launch of Neighbourhood Network in Georgina and requesting the Town of Georgina consider partnering with the organization.

Erin Cerenzia and Jennifer Anderson addressed Council, regarding the launch of Neighbourhood Network in Georgina, a Magna community initiative, and requested that the Town consider partnering with the organization.

•The launch of the Neighbourhood Network is taking place Tuesday, October 22nd at the Rogers TV Studio at the Ice Palace from 6-8pm.

Moved by Councillor Craig, Seconded by Councillor Smockum

RESOLUTION NO. C-2013-0378

That the deputation made by Erin Cerenzia and Jennifer Anderson announcing the launch of Neighbourhood Network in Georgina and requesting the Town of Georgina consider partnering with the organization be referred to the Chief Administrative Officer for inclusion in the Committee of the Whole agenda of October 21st and to be ratified at a Special Council Meeting to be held immediately following.

Carried.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

10.1 Matters not subject to individual conflicts

Moved by Councillor Szollosy, 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:

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

Routine:

RESOLUTION NO. C-2013-0379

That the following routine correspondence be received for information;

- i) The Committee of Adjustment, on October 7, 2013, approved Minor Variance Application A27-13, Jeremy Rose; to legalize the location of the existing covered porch (4.1m x 10.4m) located in the interior side yard having a 17.31m setback from the front lot line; 25607 Woodbine Avenue, e/s between Boyers Sideroad and Old Homestead Rd.
- ii) The Committee of Adjustment, on October 7, 2013, approved Minor Variance A29-13, Dora Colangelo, to permit construction of a two-storey detached garage (9.14m x 12.19m) having a maximum height to eaves of 6.1m and maximum height to peak of 8.45m, from average finished grade; 128 Blue Heron Drive, Duclos Point.
- iii) The Committee of Adjustment, on October 7, 2013, approved Consent to Sever Application B10-13, B11-13 and B12-13; Daniel Newton; to create three (3) new residential lots on Riverbank Drive; Highway 48/Riverbank Drive, Pefferlaw.

Recommendations from the Committee of the Whole Meeting held on October 7, 2013:

RESOLUTION NO. C-2013-0380

- 17.1.1 That Report RC-2013-0033 prepared by the Recreation and Culture Department on October 7, 2013 entitled 'Resident Parking Pass – Follow-up and Proposed Policy Adoption' be deferred to a future evening Council meeting following staff discussions with residents of Malone Road.

RESOLUTION NO. C-2013-0381

- 17.1.2 1. That Report No. DAS-2013-0043 dated October 7, 2013 prepared by the Administrative Services Department regarding the Sale of Land by Public Tender held November 29, 2012 be received.

RESOLUTION NO. C-2013-0382

- 17.1.3 1. That Report No. DAS-2013-0044 dated October 7, 2013 prepared by the Administrative Services Department entitled 'DRAFT Procedural By-law Revisions' be received for information.

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

2. That the DRAFT Procedural By-law be presented for adoption at the October 15, 2013 Council Meeting.

RESOLUTION NO. C-2013-0383

- 17.1.4 A. That Report PB-2013-0094 prepared by the Planning Division dated October 7, 2013 respecting proposed changes to the conditions of the draft plan approval for a 16 unit Plan of Subdivision and Plan of Common Elements Condominium (submitted by 1084466 Ontario Ltd.) located at the north-east corner of the intersection of High Street and Burke Street in Sutton be received.
- B. That pursuant to Section 51(44) of The Planning Act, R.S.O., 1990, c.p.13, as amended, Council approve the revised conditions to the approval of Draft Plan of Subdivision 19T-07G01 and Draft Plan of Common Elements Condominium 19CDM-07G02, attached as Schedule '5' to Report PB-2013-0094.
- C. That pursuant to Section 51(47) of The Planning Act, R.S.O., 1990, c.p.13, as amended, written notice shall not be given as the changes to the conditions of draft plan approval as noted in B. above are considered to be minor.
- D. That Planning staff forward the revised conditions to the approval of Draft Plan of Subdivision / Common Elements Condominium to the applicant, its agent, the York Region Director of the Community Planning Branch of the Transportation and Community Planning Department, and to all other agencies which have imposed their respective conditions of approval.

RESOLUTION NO. C-2013-0384

- 17.1.5 A. That Report CAO-2013-0016 prepared by the Communication and Economic Development Divisions and dated October 7, 2013, respecting the Branding and Signage Strategy be received.
- B. That the current logo be endorsed, that staff refresh the current logo with potential variations and report back to Council.

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION cont'd:**RESOLUTION NO. C-2013-0385**

- 17.1.6 That the verbal report provided by the Chief Administrative Officer regarding the Team Building Exercise be received and that the Chief Administrative Officer make appropriate arrangements for future meetings and engagement in the process.

RESOLUTION NO. C-2013-0386

- 17.1.7 That Town Council grant permission to the Royal Canadian Legion to host its annual Remembrance Day Parade and Service on Sunday, November 11th in Sutton commencing at 1:30 p.m. from the Bell Canada building at High Street and Dalton Road, along High Street to the cenotaph for a service at 2:00 p.m. followed by a service at the Legion, as well as in Keswick commencing at 10:30 a.m. from Keswick Public School along The Queensway North to the cenotaph at the intersection of The Queensway North and Church Street for a service at 11:00 a.m., that the local emergency services be so advised and that the parade events and respective road closures be posted on the Town's website.

RESOLUTION NO. C-2013-0387

- 17.1.8 That Town Council provide a donation in the amount of \$200 to the Bancroft & Hastings Highlands Disaster Relief Committee in support of its fundraising efforts on behalf of the Municipality of Hastings Highlands and the Town of Bancroft due to flooding.

Carried.

- 10.2 Matters subject to individual conflicts None.

12. PRESENTATIONS: None.13. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

14. PUBLIC MEETINGS:**14.1 Statutory Public Meeting:****(7:33 p.m.)**

- 14.1.1 Application for Draft Plan of Subdivision Approval and amendment to Zoning By-law 500
2097700 Ontario Inc. (Senator Homes)
Part of Lots 6 and 7, Concession 3 (NG), parts 54, 58 and 59 on Plan 65R-31761; 106 Glenwoods Avenue
AGENT: Groundswell Urban Planners Inc. c/o Brad Rogers

Report No. PB-2013-0099

Mayor Grossi explained the process for a public meeting.

Brad Rogers addressed Council as follows:

- submitted renderings of proposal for Council's review
- 35 acre parcel being Phase II of the development to the west of the first phase of commercial lands.
- Bounded by a woodlot to the west and beyond that, the Greengate Village development of 57 single family dwellings, farmland and a temporary parking lot are on the south side of Glenwoods Avenue along with Metrus lands, and existing single family dwellings on Glenwoods Avenue to the west.
- Within the Glenwoods Development Area
- designated 'Neighbourhood Residential' and 'Greenlands' and the proposal conforms with the policies regarding permitted land uses.
- proposed to amend the current 'Rural' zoning to a low density 'Urban Residential' zone with standards to implement the subdivision and protect the 'Open Space' zone.
- draft plan of subdivision includes 110 single family dwellings on 34', 40' and 50' lots; 39 lots on 34 foot frontages, 25 lots on 40 foot frontages and 46 lots on 50 foot frontages.
- total area of environmental protection is 15 acres.
- With the development of this plan of subdivision, the extension of Dovedale Drive to the west will be completed

Barbara Mugabe, Planner, addressed Council as follows:

- owner of 100 Glenwoods Avenue does not wish to have a municipal park behind her property, requested a privacy fence plus a row of trees to separate her property from the seven properties proposed along her east property line, and expressed interest in connecting to municipal services
- owner of 110 Glenwoods Avenue requested clarification regarding the extent of the environmental protection area and the significance of it as it could interfere with the potential development of his property
- both school boards have been circulated for their comments

14. PUBLIC MEETINGS cont'd:

- Recreation and Culture Department have requested cash in lieu of parkland given its close proximity to the open fields and playground feature at Fairwood Public School
- The Lake Simcoe Region Conservation Authority identified several matters requiring further research
- potential for future development beyond what has been proposed has not been assessed
- requesting increased density of 110 units, but 96 units is the maximum density permitted
- encroachment of some proposed lots into the Environmental Protection Area, woodland and wetland
- staff is not supportive of proposed Open Space zone within rear yards as landowners tend to clear trees from rear yards to create more usable space
- staff is not supportive of reducing lot sizes due to the potential for noise level increase
- staff is concerned with the proposed 10.4 m frontages due to the potential issue with snow storage and on-street parking

Ezra Galepi, 110 Glenwoods Avenue, addressed Council as follows;

- When he purchased his property, the subject land was zoned 'Neighbourhood Residential' and the developer now intends to rezone it to "Environmental Protection'. Rezoning could negatively affect the value of his property. Nothing on that land is rare and it is not a significant woodland or wetland and therefore there is no need for it to be rezoned.

Harold Lenters, Director of Planning and Building, addressed Council as follows;

- Keswick Secondary Plan is a broader planning document and was prepared with an extensive consultation process. It identifies areas that should be recognized for potential protection from future development. Green space is to be protection for the long term in the community and this makes good planning sense.
- Existing lots on Glenwoods Avenue need to be evaluated on their own merit in terms of supporting future development potential.
- Everything is driven from Provincial and Regional policy and the Greenbelt Plan and is not solely in Council's hands.
- the abutting landowner's ability to develop his property would be increased if the subject land was developed behind him
- Staff will need to decide if rear lots are designated 'Residential' with restrictive covenant agreements to restrict the construction of sheds, etc.

Rick Hubbard, Savanta, lead surveyor, addressed Council as follows:

- Base information shows vegetation communities on the property
- Channel to the east was a reconstructed natural channel and most breeding amphibians occur in that channel.

14. PUBLIC MEETINGS cont'd:

Robin McDougall, Director of Recreation and Culture, addressed Council as follows:

- the number of proposed units would require .36 hectares of parkland dedication consisting of park benches, trees and green space. This size development is not conducive to a playground setting. The trail system on the east side of the channel is a trail extension.
- cash-in-lieu of parkland will be collected and held for future use where needed.

Moved by Councillor Davison, Seconded by Councillor Smockum

RESOLUTION NO. C-2013-0388

- A. That Report PB-2013-0099 prepared by the Planning Division dated October 15, 2013 respecting applications for draft Plan of Subdivision approval and amendment to Zoning By-law 500, at 106 Glenwoods Avenue, Keswick (Senator Homes), be received.
- B. That staff report further to Council following:
- i. submission of an Official Plan Amendment requesting exemption from the Development Area Plan approval requirements of the Keswick Secondary Plan.
 - ii. the receipt and assessment of public, internal departments and agency comments and staff's evaluation of the proposal and any matters raised at the statutory public meeting.

Carried.14.2 Continuation of a Planning Application (last before Council on June 10, 2013:
(8:33 p.m.)

- 14.2.1 Appeals to the Ontario Municipal Board respecting Applications for a proposed Plan of Subdivision and Zoning By-law Amendment
Part Lot 18, Concession 9 (NG), n/s Baseline Road, Sutton
BALLYMORE DEVELOPMENT (SUTTON) CORP.
AGENT: Michael Smith Planning Consultants

Report No. PB-2013-0100

Todd Evershed, Planner, addressed Council as follows:

- continuation of planning matter, last before Council on June 10th.
- The Ontario Municipal Board is the final decision making approval authority for appeals.

14. PUBLIC MEETINGS cont'd:

- 175 units total, density of 24.22 units per hectare. Differences occur in central portion of the plan, including the realignment of the number of lots and a change in the mix of lot sizes. Off-street parking, location of sidewalks, access to community park and parkland dedication are addressed by the plan and report.
- Represents good planning and staff requests Council to endorse the revised draft plan of subdivision, zoning by-law amendment and conditions.

Harold Lenters, Director of Planning and Building, addressed Council as follows:

- units in Phase 2 will be similar to those in Phase 1, driveways will accommodate four vehicles. Very few townhouses are proposed. Our minimum requirement is three parking spaces where the typical number of spaces is two in other municipalities.

Moved by Regional Councillor Wheeler, Seconded by Councillor Szollosy

RESOLUTION NO. C-2013-0389

- A. That Report PB-2013-0100 prepared by the Planning Division dated October 15, 2013 respecting appeals to the Ontario Municipal Board with respect to applications for a proposed Plan of Subdivision and Zoning By-law Amendment on Part Lot 18, Concession 9 (NG), n/s Baseline Road, Sutton (Ballymore Homes), be received.
- B. That Council endorse the proposed Plan of Subdivision attached as Schedule '4', the proposed Zoning By-law Amendment attached as Schedule '13', and the proposed conditions of draft plan approval attached as Schedule '14'.
- C. That staff and the Town Solicitor be authorized to finalize the Zoning By-law Amendment and conditions of draft plan approval, including the incorporation of any minor revisions thereto.
- D. That staff and the Town Solicitor be directed to represent the Town in support of the proposed Plan of Subdivision and Zoning By-law Amendment at the Ontario Municipal Board.
- E. That the Town Clerk forward a copy of Report PB-2013-0100 and Council's resolution thereon to the Town Solicitor, the Ontario Municipal Board, and the York Region Director of the Community Planning Branch of the Transportation and Community Planning Department.

Carried.

14. PUBLIC MEETINGS cont'd:14.3 Non-Statutory Public Consultation Meeting:

(8:47 p.m.)

14.3.1 Application for Site Alteration Permit
Baldwin 33 Incorporated (c/o Marvin Blanchard)
Part Lot 3, Concession 3 (G)
6003 Smith Boulevard

Report No. OED-2013-0050

Mayor Grossi explained the procedure for a public meeting.

Gary Bell, Land Use Planner, Agent for the applicant, addressed Council as follows:

- no approvals given to this proposed fill permit, extensive background work done in accordance with the Town's by-law
- proposal is for fill site on about 40 acres replacing up to 600,000 or 700,000 cubic metres of clean fill to the agricultural standard, with final grading and topsoil suitable for agricultural crop production use.
- this is a large scale site alteration project.
- by-law contains specific requirements including grading, source of fill, contact information, all agency clearances and fees to be paid. To obtain a permit, the application must provide a description of the source of the fill and detailed references to those sources, certifying that the fill meets Ministry of Environment standard.
- working with the Lake Simcoe Region Conservation Authority to ensure plans conform to the policy requirements including 30 metre setbacks.
- revised plans completed; fill slope pulled in 30 metres from north boundary and 30 metres from west boundary to meet Conservation Authority setbacks.
- property is in the Greenbelt Plan, allows for new agricultural and farm uses.
- objective for purpose is to recognize and protect agriculture, to permit limited non-farm uses for which there is need and demand that does not conflict with agriculture.
- the zoning by-law permits agriculture uses.
- truck haul route goes north on Highway 48 and accesses the site from the east on Smith Blvd., to avoid the Hamlet of Baldwin. All reports have been completed, including dust control, traffic control plan, soil, sediment erosion, hydrogeological report, monitoring report and archeological report.
- proposal has merit, moving forward to comply with the zoning bylaw and Official Plan, represents good planning for this site.

Joe Costanza, Civil Technician, addressed Council as follows:

- Council received e-mail notification dated September 3rd from staff, with the application attached. The entire report was circulated on Wednesday, October 9th.

14. PUBLIC MEETINGS cont'd:

- the application was submitted in December of 2012 to place 700,000 cubic metres of fill on the subject site to create more useful farmland for growing hay or alfalfa. All documentation was provided in support of the application. There are outstanding items to be addressed by the owner but the application generally satisfies the requirements of the by-law.
- clearance from the Lake Simcoe Region Conservation Authority has now been issued and Department of Planning and Building concerns have been cleared.
- notice was provided to properties within 120 metres of the subject site on September 10th, was posted on the property September 27th, was advertised in the local newspaper for two weeks and on the Town website. A total of 25 property owners were notified. 53% of property owners within the Audubon Acres subdivision, or 16 out of 30, were notified, being the owners of the properties that fall within the 120 metre measurement.

Mr. Shad, Engineer, addressed Council as follows:

- half metre contours exist currently while 12 metres will be the highest point after the site has been filled, at the south east portion of the property
- truck route was discussed with Engineering staff. Will be revised to eliminate the use of Old Homestead Road and will include Highway 48, to Park Road, to Smith Blvd instead.

Debbie Molnar, 28 Audubon Way, addressed Council as follows:

- residents have serious concerns
- other municipalities restrict or prohibit commercial fill operations
- applicant will be operating a commercial fill operation
- rate for dumping clean fill is \$100 per truckload; 915,000 cubic yards of material equates to 70,400 truckloads at \$100 per truckload; this will earn the applicant \$7,040,000 million dollars.
- deliveries over a six-month period would equate to one truck every five minutes from 7:00 a.m. to 7:00 p.m. Roads were not built to sustain this type of use
- long-term view to re-designate this property for non-agricultural uses; lack of foresight allowed one property owner to indulge in flying hobby that turned into an airport in Baldwin
- cross section of finished grade, in context to surrounding woodlot.
- staff should consider application as commercial enterprise and whether zoning permits such use, consider impact to re-designate the land with a non-agricultural use, ensure formal public meetings are held dealing with this matter, consider amendment to Bylaw 2011-0044 to prohibit commercial fill operations in Georgina.

Jan Oros, 11 Audubon Way, addressed Council as follows:

- permission in the Official Plan for non-farming use on a temporary basis, but four years of dumping fill on the subject site is not a temporary use
- site fill permit can be granted

14. PUBLIC MEETINGS cont'd:

- can the applicant demonstrate the benefit/yield in farming business or justify why 700,000 cubic metres of fill is required rather than 100,000 cubic metres
- if farming operation will be at a standstill for four years, how relevant is it to the operation?
- why will one foot of topsoil be added to the top of to fill? Why can't the applicant place the topsoil on top of the site as it is now?
- the revenue from the proposed crop would yield \$23,000 annually; recovery would not be seen for over ten years
- the use of land is not agriculture, but commercial
- no deposit made to ensure environmental compliance
- requested Town staff examine and amend the existing by-law with regard to commercial fill operations and require deposits and safeguards

Ms. Molnar submitted a petition containing almost 100 signatures objecting to the application.

- the latest map she viewed was from July of 2011 which included the area behind her own property as conservation land and parcels on the subject site. These are not included in this current map.

Jamie Attridge, 37 Audobon Way, addressed Council as follows:

- experienced flooding in basement last year and if grade is raised 40 feet, there will be major concern of flooding hazard in the future

Greg Peck, 5773 Old Homestead Road, addressed Council as follows:

- where is fill coming from? The Greater Toronto Area is currently trying to get rid of contaminated soil and it should be ensured that that soil will not be entering Georgina

Harold Lenters, Director of Planning and Building, addressed Council as follows:

- movement/placement of fill is legislated under The Municipal Act, not the Planning Act. The Municipal Act has provisions that allow Council to pass by-laws to control placement of fill. The activity of moving fill is not a zoning-governed matter. The placing of fill is controlled through a fill bylaw, not the zoning bylaw.
- staff would like to see schematics of proposal to see what it would look like.

Michael Baskerville, Engineering Manager, addressed Council as follows;

- the owner is to test soil at the site, it is to be segregated on site, monitored on site with additional samples taken. Consultants perform these tasks on behalf of the owner. The Town is the agency responsible for it on behalf of our bylaw. Ten samples per source site per month are tested on average, but there is no pre-determined number of tests; that is decided with the owner and consultant.
- volumes of fill are based on what sites can allow. Town has comprehensive bylaw.
- Environmental Protection Act is used as the Town's material control standard.

14. PUBLIC MEETINGS cont'd:

- is the fill site beside a residential site acceptable? Every subdivision has fill placed on it and some are commercial sites next to residential subdivisions
- fill will start at the low point of the property line and rise at roughly an 8 percent slope eastward, so the height of fill will be at its highest at the farthest point from the subdivision. Town staff reduced the volume of fill substantially as the original plan showed the elevation of fill beside the ditch which was refused. The new plan indicates a reduced volume of fill.
- the Municipal Act states municipalities can prohibit or regulate fill. Georgina passed a new bylaw in 2011 which contains numerous regulations. Fill can be prohibited entirely but tile fields require importation of fill, so all these fill issues must be permitted.

Mr. Bell addressed Council as follows:

- swale discussed around the perimeter of the Audubon subdivision is owned and maintained by the applicant; the fill would be set back from that with double fencing.
- a lot of concerns have been expressed and the applicant and his consultants will work with staff to find appropriate resolutions

Garth Hope, 6440 Smith Blvd, addressed Council as follows:

- inquired if an application has been made to amend the half load restrictions on Smith Blvd. Has the timeline for ongoing dumping over a four year period taken half load seasons into account?

Mr. Baskerville;

- no application has been received to amend the half load restriction. Region of York has a policy for that contingency, but the municipal roads do not. An alternative route would be necessary. If fill cannot be moved across Smith Blvd. during the spring months, the consultant would have taken this restriction into account for the four year timeframe.

Mable Garcia, 30 Audubon Way, addressed Council as follows:

- she does not wish to gamble with quality of life or well water.
- noise from trucks would be disruptive to quality of life.
- If her well does get contaminated and a new well needs to be drilled, could that new well be contaminated also?

Ross Campbell, Hydrogeologist, addressed Council as follows:

- in his opinion, any clean fill deposited on property would not contaminate the two aquifers under the site. They draw from the bedrock aquifer below a sand/gravel aquifer and 60 feet of clay.

14. PUBLIC MEETINGS cont'd:**Joe Costanza;**

- bylaw requires 50 cents per cubic metre as security, therefore potentially \$350,000 could be used towards remediation of wells if necessary. A \$25,000 deposit is also required.

Michael Baskerville;

- Payment of the \$350,000 is secure. \$25,000 deposit to a guarantee for road fowling, etc. Letter of credit is applied as security against any potential ramifications to the outside wells. Any money used out of the \$350,000 security for purposes other than road infrastructure maintenance has to be replaced.

Sarah Smith, 6343 Smith Blvd, addressed Council as follows;

- lives east of the Blanchard farm and has her share of water concerns, in addition to traffic concerns. Consider 70,000 trucks that would pass by her house from every direction. She rides horses down the road which does not have sidewalks, but it is dangerous even now.

Jan Oros;

- the owner pays a deposit which is not earned by the Town at that point. As fill is placed on a site, a quarterly report is submitted by an Engineer certifying the amount of fill placed, and at that point the 50 cents/cubic metre is earned by the Town. •a clarification with regard to the Ballymore subdivision on Baseline Road; that subdivision is on municipal water, while the properties surrounding the subject site are on well water.
- If Council restricted the applicant from earning the revenue from the fill being placed on his site, he wonders if the applicant would continue with this endeavour.
- By-law 2011-0044 does not permit site alteration where a gravel pit is in the vicinity and there is a gravel pit in the vicinity in this instance

Moved by Councillor Smockum, Seconded by Councillor Davison

RESOLUTION NO. C-2013-0390

1. That Report OED-2013-0050 prepared by the Department of Operations and Engineering dated October 15, 2013 respecting the application for site alteration permit made by Baldwin 33 Incorporated, as owner, as it relates to 6003 Smith Boulevard be received for information.
2. That staff report to Council following receipt and assessment of public and Council comments pertaining to this application.
3. That staff submit a report on the option of a potential moratorium of the Site Alteration By-law for subsequent applications while a review of the by-law is undertaken.

14. PUBLIC MEETINGS cont'd:

A recorded vote was requested on Recommendations 1 and 2; the Town Clerk recorded the votes as follows:

1. That Report OED-2013-0050 prepared by the Department of Operations and Engineering dated October 15, 2013 respecting the application for site alteration permit made by Baldwin 33 Incorporated, as owner, as it relates to 6003 Smith Boulevard be received for information.
2. That staff report to Council following receipt and assessment of public and Council comments pertaining to this application.

	<u>Yea</u>	<u>Nay</u>
Mayor Grossi		x
Regional Councillor Wheeler	x	
Councillor Craig		x
Councillor Davison	x	
Councillor Hackenbrook	x	
Councillor Smockum	x	
Councillor Szollosy	x	
Yea	-	5
Nay	-	2

Carried.

A recorded vote was requested on Recommendation 3; the Town Clerk recorded the votes as follows:

3. That staff submit a report on the option of a potential moratorium of the Site Alteration By-law for subsequent applications while a review of the by-law is undertaken

	<u>Yea</u>	<u>Nay</u>
Mayor Grossi	x	
Regional Councillor Wheeler		x
Councillor Craig	x	
Councillor Davison	x	
Councillor Hackenbrook		x
Councillor Smockum		x
Councillor Szollosy	x	
Yea	-	4
Nay	-	3

Carried.

14. PUBLIC MEETINGS cont'd:

Staff were requested to notify all residents of Audubon Acres of the date and time of the next public meeting concerning the Site Alteration permit at 6003 Smith Boulevard., Baldwin.

15. COMMUNICATIONS:

15.2 Matters for Disposition:

- 15.2.1 York Child Development and Family Services Inc. requesting municipalities to display the message 'Happy Child Care Worker & ECE Appreciation Day' on their digital marquees on Wednesday, October 30th in recognition of the annual Child Care Worker & ECE Appreciation Day.

Moved by Regional Councillor Wheeler, Seconded by Councillor Szollosy

RESOLUTION NO. C-2013-0391

In response to a request from York Child Development and Family Services Inc., that the message 'Happy Child Care Worker & ECE Appreciation Day' be displayed on the Town's digital marquees on Wednesday, October 30th in recognition of the annual Child Care Worker & ECE Appreciation Day.

Carried.

- 15.2.2 Andrea Brown, Environmental Planner, Lake Simcoe Region Conservation Authority, dated October 8, 2013, commenting on Site Alternation Permit SA2012-04, SA2012-04, Part Lot 3, Conc. 3 (G), 6003 Smith Blvd, Baldwin, Baldwin 33 Incorporated.

Moved by Councillor Szollosy, Seconded by Councillor Davison

RESOLUTION NO. C-2013-0392

That correspondence from Andrea Brown, Environmental Planner, Lake Simcoe Region Conservation Authority, dated October 8, 2013, commenting on Site Alternation Permit SA2012-04, SA2012-04, Part Lot 3, Conc. 3 (G), 6003 Smith Blvd, Baldwin, Baldwin 33 Incorporated, be received and included in a future report.

Carried.

15. COMMUNICATIONS cont'd:

- 15.2.3 Brian Kemp, General Manager - Conservation Lands, Lake Simcoe Region Conservation Authority, dated October 9, 2013, commenting on Site Alteration Permit SA2012-04, Part Lot 3, Conc. 3 (G), 6003 Smith Blvd, Baldwin, Baldwin 33 Incorporated

Moved by Councillor Szollosy, Seconded by Councillor Craig

RESOLUTION NO. C-2013-0393

That correspondence from Brian Kemp, General Manager - Conservation Lands, Lake Simcoe Region Conservation Authority, dated October 9, 2013, commenting on Site Alteration Permit SA2012-04, Part Lot 3, Conc. 3 (G), 6003 Smith Blvd, Baldwin, Baldwin 33 Incorporated, be received and included in a future report

Carried.

16. PETITIONS:

Moved by Councillor Craig, Seconded by Councillor Szollosy

RESOLUTION NO. C-2013-0394

That the petition submitted by the residents of Audubon Acres and surrounding properties in Baldwin opposing the application for approval of a site alteration permit by Baldwin 33 Incorporated at 6003 Smith Blvd., Baldwin, be received and included in a future report.

Carried.

18. UNFINISHED BUSINESS: None.19. REGIONAL BUSINESS: None.20. BY-LAWS:

Moved by Regional Councillor Wheeler, Seconded by Councillor Hackenbrook

That the following by-law be given three readings:

- 20.1 By-law No. 2013-0132 (PL-5), a by-law to amend Zoning By-law No. 500, Greenvilla Development Group Inc., 208856 Ontario Inc., Greenvilla (Sutton) Investments Limited, and 935860 Ontario Limited ("Greenvilla"), Part Lot 3, Concession 7 (NG), n/s Highway 48, Sutton

Carried.

20. BY-LAWS cont'd:

Moved by Councillor Davison, Seconded by Councillor Smockum

That the following by-law be given three readings:

20.2 By-law No. 2013-0133 (COU-2), a bylaw to govern the calling, place and proceedings of meetings for the Town of Georgina.

Carried.

Moved by Councillor Hackenbrook, Seconded by Councillor Craig

That the following by-law be given three readings:

20.3 By-law No. 2013-0134 (COU-1), a by-law to appoint an individual to the Board of Management for the Downtown Sutton Merchant's Association; I. Morais.

Carried.

21. MOTIONS: None.

22. NOTICES OF MOTION: None.

23. OTHER BUSINESS:

23.1 Clothing Donation Boxes

Staff was requested to submit a report concerning the clothing donation boxes located throughout the Town of Georgina with respect to their unkempt appearance and the need for a more frequent pickup schedule.

23.2 Independent UYSS Environmental Assessment

The Chief Administrative Officer was requested to submit a report to update Council on the issue of the Upper York Sewage Solution project and the respective independent environmental assessment.

24. RESOLVE INTO CLOSED SESSION:

Moved by Councillor Davison, Seconded by Councillor Craig

That the Council Meeting move into a closed session at 10:57 p.m. pursuant to Section 239 of The Municipal Act, 2001, as amended, to consider:

- l) **LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – SECTION 239 (2) (e), MA;**
- Danbrook v. Town of Georgina

Carried.

The Council Services Coordinator left the meeting 10:57 p.m.

25. RISE AND REPORT FROM CLOSED SESSION:

Moved by Councillor Davison, Seconded by Councillor Craig

That the Council Meeting rise from Closed Session at 11:18 p.m. with report.

Carried.

- l) **LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – SECTION 239 (2) (e), MA;**
- Danbrook v. Town of Georgina

Moved by Councillor Davison, Seconded by Councillor Smockum

That Council receive the update on the litigation matter Danbrook versus Town of Georgina.

Carried.

26. CONFIRMING BY-LAW

Moved by Councillor Szollosy, Seconded by Regional Councillor Wheeler

That the following by-law be given three readings:

Confirming By-law 2013-0135 (COU-2), being a by-law to confirm the proceedings of Council.

Carried.

27. ADJOURNMENT:

Moved by Councillor Craig, Seconded by Councillor Davison

That the meeting adjourn at 11:19 p.m.

Carried.

Robert Grossi, Mayor

Yvonne Aubichon, Town Clerk