

THE CORPORATION OF THE TOWN OF GEORGINA

SPECIAL COUNCIL MINUTES

Thursday , August 21, 2014
9:04 AM

Staff:

Winanne Grant, Chief Administrative Officer
Rebecca Mathewson, Director of Administrative Services and Treasurer
Harold Lenters, Director of Planning and Building
Robin McDougall, Director of Recreation and Culture
Steve Richardson, Director of Emergency Services/Fire Chief
Dan Pisani, Director of Operations and Engineering
Andrea Furniss, Senior Policy Planner
Kelan Jylha, Business Retention and Expansion Coordinator
Elise Hawley, Communications Coordinator
Michael Baskerville, Engineering Manager
Patricia Nash, Deputy Clerk
Michele Vandentillaart, Committee Services Coordinator

Others:

Joanne Henderson, Item No. 10.1

1. CALL TO ORDER - MOMENT OF MEDITATION

A moment of meditation was observed.

2. ROLL CALL

The following Council Members were present:

Mayor Grossi	Regional Councillor Wheeler
Councillor Davison	Councillor Hackenbrook
Councillor Szollosy	
Councillor Craig (in attendance via internet streaming and teleconferencing)	

Regrets:

Councillor Smockum

3. COMMUNITY ANNOUNCEMENTS

Council Members were made aware of a number of community events taking place

4. INTRODUCTION OF ADDENDUM ITEM(S)

- Item 10.1 Request to Speak; Joanne Henderson
 Item No. 20.1 Item No. V), PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – SECTION 239 (2) (b), MA
 - Unpaid Leave of Absence
 Item No. 2. Roll Call - Speaker – Joanne Henderson
 Item No. 15.1b) General Information - Kathy Kielt, Deputy Clerk, Halton Region, requesting support of the Protection of Public Participation Act, 2014 and that Bill 83 be re-introduced in the legislature.

5. APPROVAL OF AGENDA

Moved by Councillor Szollosy, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0475A

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

- Item 10.1 Request to Speak; Joanne Henderson
 Item No. 20.1 Item No. V), PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – SECTION 239 (2) (b), MA
 - Unpaid Leave of Absence
 Item No. 2. Roll Call- Speaker – Joanne Henderson
 Item No. 15.1b) General Information - Kathy Kielt, Deputy Clerk, Halton Region, requesting support of the Protection of Public Participation Act, 2014 and that Bill 83 be re-introduced in the legislature.

Carried.

6. DECLARATIONS OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF *None*

7. ADOPTION OF MINUTES *None*

8. DETERMINATION OF REPORTS ON THE CONSENT AGENDA REQUIRING SEPARATE DISCUSSION

- Item No. 12.2.1.1 Report No. PB-2014-0057
 Item No. 12.2.1.2 Report No. PB-2014-0058
 Item No. 12.3.1 Report No. OED-2014-0009
 Item No. 12.5.1 Report No. DES-2014-0005
 Item No. 12.5.2 Report No. DES-2014-0006

9. PUBLIC MEETING(S) UNDER THE PLANNING ACT OR OTHER LEGISLATION
 - a. STATUTORY MEETING(S) UNDER THE PLANNING ACT OR MEETINGS PERTAINING TO THE CONTINUATION OF PLANNING MATTERS *None.*
 - b. STATUTORY MEETING(S) UNDER OTHER LEGISLATION *None.*
 - c. OTHER PUBLIC MEETINGS *None.*

10. DELEGATIONS/SPEAKERS/PETITIONS

10.1 Request to Speak - Joanne Henderson

Joanne Henderson, no fixed address, addressed Council as follows:

- Asked for clarification of two items that have been discussed previously; off-site electronic participation and the conclusion of the procedural by-law pilot project
- inquired if Councillor Craig is considered to be part of quorum and if he is able to vote and participate in closed sessions.
- clarification regarding the Danbrook matter that two Council representatives made the decision on
- off-site participation does not appear in the Municipal Act

Winanne Grant, Chief Administrative Officer, addressed Council as follows:

- Councillor Craig does not form part of quorum, nor can vote, nor participate in closed session when he is participating electronically at a Council meeting
- Councillors have responsibility under the legislation to make decisions. With respect to the closed session item, the responsibility was left to two individuals who were responsible for dealing with the business of the Town

Patricia Nash, Deputy Clerk, responded as follows:

- off-site electronic participation in a Council meeting is not prohibited under the Municipal Act.

11. PRESENTATIONS *None.*
12. RESOLUTION TO MOVE INTO COUNCIL IN COMMITTEE

Moved by Councillor Szollosy, Seconded by Councillor Davison

That Council move into Council in Committee at this time.

Carried.

12.1 ADOPTION OF REPORTS ON CONSENT AGENDA NOT REQUIRING SEPARATE DISCUSSION

Moved by Councillor Smockum, Seconded by Councillor Szollosy

12.4.1 Park Levy – 7456 Black River Road

Report No. RC-2014-0031

RESOLUTION NO. C-2014-0475B

1. That Council receive Report No. RC-2014-0031 prepared by the Recreation and Culture Department dated August 21, 2014 respecting Park Levy – 7456 Black River Road.
2. That Council approve the calculation of the amount payable in lieu of providing parkland for the proposed development at 7456 Black River Road to be \$15,000.

Carried.

12.2 CONSIDERATION OF REPORTS ON THE CONSENT AGENDA REQUIRING SEPARATE DISCUSSION

12.2.1 Reports from the Planning and Building Department:

12.2.1.1 Site-Specific Amendment Requests to By-law No. 2014-0062 (REG-1)
Outdoor Solid-Fuel Combustion Appliances (OSFCAs)

Report No. PB-2014-0057

Moved by Councillor Szollosy, Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2014-0475C

1. That Council receive Report No. PB-2014-0057 prepared by the Planning Division dated August 21, 2014 respecting site-specific amendment requests to By-law 2014-0062 (REG-1), Outdoor Solid-Fuel Combustion Appliances (OSFCAs).
2. That staff be directed to hold a future public meeting to present a proposed amendment to the OSFCA By-law with respect to incorporating provisions that would provide for a formal review process to consider site-specific amendment requests to the By-law.

Carried.

12.2 CONSIDERATION OF REPORTS ON THE CONSENT AGENDA
REQUIRING SEPARATE DISCUSSION cont'd

12.2.1.2 Agreement Restricting Accessory Apartments
Fleur Du Lac Ltd. c/o Kenneth Field
7456 Black River Road, Virginia Beach
Part of Lot 10, Concession 8 (G)

Report No. PB-2014-0058

Moved by Regional Councillor Wheeler, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0476

1. That Council receive Report PB-2014-0058 prepared by the Planning Division dated August 21, 2014 respecting an agreement restricting accessory apartments from being created at 7456 Black River Road.
2. That Council pass the by-law provided as Attachment '6' to Report PB-2014-0058 to authorize the Mayor and Clerk to execute an agreement between the owner of land described as Part of Lot 10, Concession 8 (G), and the Town.

Carried.

12.3 Reports from the Operations and Engineering Department:

12.3.1 Region of York Sutton Elevated Water Storage Tank

Report No. OED-2014-0009

Moved by Councillor Hackenbrook Seconded by Davison

RESOLUTION NO. C-2014-0477

1. That Council receive Report No. OED-2014-0009 prepared by the Operations and Engineering Department dated August 21, 2014 respecting the construction of the Region of York Sutton Elevated Water Storage Tank.
2. That the Preliminary Site Plan prepared by Cole Engineering and identified as Figure 1-3 of Attachment 1 hereto be approved in principle and that the Director of Operations and Engineering be authorized to review and approve future site plan modifications as may be required.

Carried.

12.2 CONSIDERATION OF REPORTS ON THE CONSENT AGENDA
REQUIRING SEPARATE DISCUSSION cont'd

12.3.2 Award of Tender – Construction of a Storage Facility – Egypt
Roads Yard Facility

Report No. OED-2014-0040

Item withdrawn.

12.5 Reports from the Department of Emergency Services

12.5.1 Semi Annual Fire and Emergency Services Report Period of
January 1, 2014 to June 30, 2014

Report DES-2014-0005

Moved by Councillor Szollosy, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0478

1. That Council receive Report No. DES-2014-0005 prepared by the Fire and Emergency Services Department dated August 21, 2014 respecting Semi-Annual Fire and Emergency Services Report – Period of January 1, 2014 to June 30, 2014, as information.

Carried.

12.5.2 Emergency Response on Highway 404 Southbound Lanes
to the Queensville Sideroad

Report DES-2014-0006

Moved by Councillor Szollosy, Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2014-0479

1. That Council receive Report No. DES-2014-0006 prepared by the Fire and Emergency Services Department dated August 21, 2014 respecting emergency response on highway 404 southbound lanes to the Queensville Side Road.
2. That Council authorize the Georgina Fire Department to respond with one (1) initial fire apparatus to assist the Town of East Gwillimbury Fire and Emergency Services with response on highway 404 southbound lanes to the Queensville Side Road until such time as a formal agreement is in place.

12.2 CONSIDERATION OF REPORTS ON THE CONSENT AGENDA
REQUIRING SEPARATE DISCUSSION cont'd

3. That the Chief Administrative Officer be authorized, during the lame duck period of Council, to formalize a response agreement with the Town of East Gwillimbury.

Carried.

13. RECONVENE TO COUNCIL FROM COUNCIL IN COMMITTEE

Moved by Councillor Smockum, Seconded by Councillor Davison

That Council reconvene to Council from Council in Committee at this time.

Carried.

14. COUNCIL CONSIDERATION OF RECOMMENDATIONS FROM COUNCIL IN COMMITTEE

Moved by Councillor Davison, Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2014-0480

That all reports on the August 21, 2014 Council in Committee agenda, with the exception of the reports that have been deferred, deleted, tabled or withdrawn be received by Council and the recommendations contained therein, as presented or amended, be adopted.

Carried.

15. COMMUNICATIONS

15.1 General Information Items

- a) Committee of Adjustment Planning Matters
 - i) Under Review
 - ii) Recommendations - *None*
 - iii) Decisions - *None*

15. COMMUNICATIONS cont'd

Moved by Councillor Szollosy, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0481

That Council receive the General Information Items, Committee of Adjustment Planning Matters.

Carried.

b) All other matters

Moved by Councillor Szollosy, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0482

That Council receive the General Information Listing of August 21, 2014 with the exception of item v) regarding Halton Region's request to support the Protection of Public Participation Act, 2014 and that Bill 83 be re-introduced in the legislature, which is to be deferred to the September 3rd meeting with the Chief Administrative Officer's comments on same.

Carried.

15.2 Disposition/Proclamations

15.2.1 Laurie Errasquin requesting relief from the noise and parking by-laws during a 50th birthday party on Saturday, October 25th from 3:00 p.m. to 3:00 a.m. on Sunday October 26th at 254 Rayner's Road, Keswick, in addition to relief from the parking by-law to permit parking on Rayner's Road during the event and overnight.

Moved by Councillor Szollosy, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0483

That Council receive the request from Laurie Errasquin for relief from the noise and parking by-laws and congratulate her on her 50th birthday and request staff to respond directly with the particulars of the current noise by-law and parking by-law.

Carried.

16. MOTIONS/NOTICES OF MOTION *None*17. REGIONAL BUSINESS *None*

18. OTHER BUSINESS *None*

19. BY-LAWS

Moved by Councillor Szollosy, Seconded by Regional Councillor Wheeler

That the following by-laws be approved:

19.1 By-law Number 2014-0097 (PL-5), being a by-law to amend Zoning By-law 500, DYANNE SMITH, Part of Lot 11, Concession 6 (G), 27989 Highway 48

19.2 By-law Number 2014-0099 (PL-9), being a by-law to authorize the Mayor and Clerk to execute an Restrictive Covenant Agreement between Fleur De Lac Ltd. c/o Kenneth Field, and the Corporation of the Town of Georgina, Part of Lot 10, Concession 8 (G)

Carried.

20. CLOSED SESSION

20.1 Motion to move into closed session of Council

Moved by Councillor Hackenbrook, Seconded by Councillor Szollosy

That Council move into Closed Session at 10:03 a.m. pursuant to section 239 of The Municipal Act, 2001, as amended, to consider:

Carried.

I) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD – SECTION 239 (2) (b), MA

- Report No. OED-2014-0038 – Rental Spaces – Arenas – Award of Contract

II) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE - SECTION 239 (2) (f), MA

- Site Alteration Matter

20.1 Motion to move into closed session of Council cont'd

- III) **ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE**
 - **SECTION 239 (2) (f), MA**
 - Site Alteration By-law Moratorium – Gravel Pits

- IV) **ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE – SECTION 239 (2) (f), MA**
 - Verbal update regarding Paradise Island Bridge Municipal Act Options

- V) **PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – SECTION 239 (2) (b), MA**
 - Unpaid Leave of Absence

Carried.

The Committee Services Coordinator left the Chambers at 10:03 a.m.

Councillor Craig left the meeting at this time.

20.2 Motion to reconvene into open session of Council and report on matters discussed in closed session.

Moved by Regional Councillor Wheeler, Seconded by Councillor Davison

That Council rise from Closed Session at 12:53 p.m. and report on matters discussed in closed session.

Carried.

Councillor Szollosy left the meeting at 12:06 p.m.

Steve Richardson and Harold Lenters left the meeting at 12:35 p.m.

- I) **A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD – SECTION 239 (2) (b), MA**
 - Rental Spaces – Arenas – Award of Contract

- 20.2 Motion to reconvene into open session of Council and report on matters discussed in closed session cont'd

Moved by Councillor Davison, Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2014-0484

That Council receive Confidential Report OED-2014-0038 regarding Rental Spaces – Arenas – Award of Contract. That Council accept the draft agreements in principle and direct staff to report back at the August 27, 2014 Council meeting.

Carried.

- II) **ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE - SECTION 239 (2) (f), MA**
- Site Alteration Matter

Moved by Councillor Hackenbrook, Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2014-0485

That Council receive and consider legal advice from the Town Solicitor dated July 30, 2014 and July 30, 2014 concerning a site alteration matter. That staff be directed to investigate further and report on “Normal Farm Practices” and its applicability to the Baldwin 33 Site Alteration application.

Carried.

- III) **ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE - SECTION 239 (2) (f), MA**
- Site Alteration By-law Moratorium – Gravel Pits

Moved by Councillor Hackenbrook, Seconded by Regional Councillor Wheeler

RESOLUTION NO. C-2014-0486

That Council receive and consider legal advice from the Town Solicitor dated July 30, 2014 concerning the ability to include exempted activities (Aggregate Resources Act) outlined in the Town’s Site Alteration By-law (Aggregate Resources Act), in the By-law moratorium.

Carried.

20.2 Motion to reconvene into open session of Council and report on matters discussed in closed session cont'd

IV) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE – SECTION 239 (2) (f), MA
- Paradise Island Bridge

Moved by Councillor Hackenbrook, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0487

That staff be directed to contact all affected properties to provide current information respecting the proposals communicated to date regarding the Paradise Island Bridge.

Carried.

V) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – SECTION 239 (2) (b), MA
- Unpaid Leave of Absence

Moved by Regional Councillor Wheeler, Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2014-0488

That Council receive the confidential communication from the Chief Administrative Officer regarding an unpaid leave of absence.

Carried.

21. CONFIRMING BY-LAW

Moved by Regional Councillor Wheeler, Seconded by Councillor Davison

That the following by-law be approved:

By-law No. 2014-0100 (COU-2), a by-law to confirm the proceedings of Special Council on August 21, 2014.

Carried.

22. MOTION TO ADJOURN

Moved by Councillor Davison, Seconded by Councillor Hackenbrook

That the meeting adjourn at 12:56 p.m.

Carried.

Robert Grossi, Mayor

Patricia Nash, Deputy Clerk