

# THE CORPORATION OF THE TOWN OF GEORGINA

## COUNCIL AGENDA ADDENDUM

Wednesday, April 20, 2016  
7:00 PM

### 11. PUBLIC MEETINGS

\*IF MORE THAN ONE PUBLIC MEETING IS SCHEDULED FOR THE SAME TIME, THEY WILL BE DEALT WITH IN THE ORDER THAT THEY APPEAR ON THE AGENDA OR AS COUNCIL MAY DETERMINE.

- (1) STATUTORY MEETING(S) UNDER THE PLANNING ACT OR MEETINGS PERTAINING TO THE CONTINUATION OF PLANNING MATTERS, Section 11(1);

(7:30 p.m.)

- (A) Town of Georgina Proposed Official Plan, April 2016

Report No. DS-2016-0029

Additional Correspondence:

**Pages 1-2**

- **Peter Stevens** requesting the Official Plan specifically prohibit the development on the Maple Lake Estates wetlands and woodlands in the North Gwillimbury Forest.

**Pages 3-9**

- **Anthony Usher**, Planning Consultant, agent for North Gwillimbury Forest Alliance, dated July 30, 2015 and April 18, 2016, expressing concerns with the prospective designation of and policies for the Maple Lake Estates property.

**Pages 10-12**

- **Roman Demchyshyn** requesting the banning of any development on the North Gwillimbury Forest property

**Pages 13-16**

- **Joe Nanos**, on behalf of his father Peter Nanos, owner of 22937 Woodbine Avenue, respecting the deletion of the Business Park Study Area overlay designation

**Pages 17-18**

- **Gord Mahoney of Michael Smith Planning Consultants**, agent for Albert, Tony and Larry Ingoglia, requesting the redesignation of his client's lands from Rural Area to Serviced Lakeshore Residential Area.

**Pages 19-22**

- **Mark Flowers of Davies Howe Partners**, agent for Nizza Enterprises Limited, owner of 2354 Ravenshoe Road, opposing the removal of the KBPSA overlay designation and associated policies from the Official Plan.

**Pages 23-24**

- **Lauren Capilongo, Malone Given Parsons Ltd.**, planning consultants for Great World Properties Limited and 1170898 Ontario Ltd., concerning the redesignation of the subject lands from Commercial Recreation Area and Rural Commercial Area to Environmental Protection Area, as well as the reduction of the Rural Commercial Area on Schedule A2.

**Page 25**

- **Sefano Giannini, Senior Landscape Architect, Janet Rosenberg & Studio Inc.**, in support, with comments concerning designation of lands at Old Homestead Road and Hwy 48 and Baldwin Hamlet Schedule H2.

From: Peter Stevens <pandvstevens@gmail.com<mailto: [REDACTED]>>  
 Date: April 13, 2016 at 12:19:41 PM EDT  
 To: Margaret Quirk <mquirk@georgina.ca<mailto:mquirk@georgina.ca>>, Dave Neeson  
 <dneeson@georgina.ca<mailto:dneeson@georgina.ca>>, Dan Fellini  
 <dfellini@georgina.ca<mailto:dfellini@georgina.ca>>, <fsebo@georgina.ca<mailto:fsebo@georgina.ca>>,  
 <ndavison@georgina.ca<mailto:ndavison@georgina.ca>>  
 Subject: Official Plan Amendment Request re Maple Leaf Estates

Dear Mayor Quirk and Councillors Neeson, Fellini, Sebo, and Davison:

I ask you to amend the Official Plan to specifically prohibit the development on the Maple Lake Estates (MLE) wetlands and woodlands property in the North Gwillimbury Forest (NGF).

I understand that the proposed new Official Plan (April 2016) being put forward by the Town of Georgina's Planning Department prohibits development on all of the major wetland and woodland areas in rural Georgina with one exception — MLE property in the NGF.

I request this amendment for the following reasons:

1. The Planning Department's proposed special treatment for Maple Lake Estates is inconsistent with Sections 26 and 27 of the Planning Act, which legally oblige the Town to bring its Official Plan into conformity with:

- a) The Provincial Policy Statement which prohibits development on all provincially significant wetlands in southern Ontario,
- b) The York Region Official Plan which prohibits development on Georgina's wetlands and significant woodlands,

And in addition -

- 2. It is simply not true that the Town cannot protect the MLE's provincially significant wetland and woodlands because these lands are designated as "Towns and Villages" in the Greenbelt Plan. See 3. below,
- 3. According to Section 3.4.2.1 of the Greenbelt Plan, "Towns and Villages" are not subject to the Greenbelt Plan and "continue to be governed by municipal official plans". Therefore, there is nothing in the Greenbelt Plan that exempts the Town from its Planning Act obligations to protect the MLE's provincially significant wetlands and woodlands.
- 4. Unnecessary decentralization of Keswick will occur, diluting the effectiveness of the development potential within Keswick, and increasing traffic on the Lake Drive which is continuously the subject of pressure in the summer with tourists, especially related to pedestrian safety and cycle path issues.
- 5. Kill off a potentially wonderful wetland and woodlands tourism attraction, unique in Southern Ontario and a treasure in the Lake Simcoe Region Conservation area.
- 6. The Lake Simcoe Region Conservation Authority needs the Town's opposition to the MLE development to influence the Authority to fall in line with all other Conservation Authorities in Ontario.

The NGF is a priceless natural asset for the Town of Georgina. It stretches all the way from the north end of Keswick to Jackson's Point and is I understand more than three times larger than Vancouver's Stanley Park.

Despite the fact that both the York Region's Official Plan and the provincial policy statement make it clear that wetlands and significant woodlands within the NGF are off-limits to development, the DG Group is seeking permission from the Lake Simcoe Region Conservation Authority to build a 1,073 unit subdivision on the Paradise Beach-Island Grove provincially significant wetland in the NGF. If this project proceeds it will drive a stake through the heart of the NGF and split it in two.

If this project goes ahead it will speak volumes to the Council and Lake Simcoe Region Conservation Authority's disregard for existing legislation, and the undue power that developers appear to have over both organizations staff and the direction they get from Georgina Council and the Authority's Board respectively.

I wish to remind you that during the 2014 municipal election you said that you believed that the Official Plan should be amended to prohibit development on MLE's wetlands and woodlands<<http://ngfa.cmail20.com/t/y-l-dduhwy-yhfltmuj-y/>>.

I am unable to attend the Georgina Town Council meeting on Wednesday, April 20th at 7:30 p.m. to support the North Gwillimbury Forest Alliance's submission that our new Official Plan should prohibit development on the MLE's wetlands and woodlands, so I request that this submission be read at that meeting.

Thank you,

Peter and Veronica Stevens  
357 Lake Drive North  
Keswick

**Anthony Usher Planning Consultant**  
 146 Laird Drive, Suite 105, Toronto, Ontario M4G 3V7

(416) 425-5964  
 auplan@bellnet.ca

April 18, 2016

Mr. Harold Lenters  
 Director of Development Services  
 Town of Georgina  
 Keswick, Ontario  
 L4P 3G1

Dear Mr. Lenters:

**Re: Official Plan Review - Maple Lake Estates**

I have reviewed the April 2016 Proposed Official Plan, and on behalf of my client, the North Gwillimbury Forest Alliance (NGFA), would like to express my continued concerns with respect to the prospective designation of and policies for the Maple Lake Estates (MLE) property.

I submitted comments on the April 2016 Draft Plan on July 30, 2015. I am disappointed to see no changes in the Proposed Plan in response to those comments, but I'm not surprised, as clearly, we have developed different perspectives and positions on this matter.

Therefore, I am simply going to reiterate my position, by restating my recommendations to Council from my July 30, 2015 letter, and appending that letter since it substantiates those recommendations.

*I recommend that the Draft Official Plan be modified as follows:*

- ▶ *On Schedule A1, show MLE as Countryside Area.*
- ▶ *On Schedule A2, designate MLE as Environmental Protection Area as appropriate, and any remainder as Rural Area.*
- ▶ *On Schedule A2, include all of MLE in Greenland System based on the criteria in the preamble to section 5.1, and modify the Greenland System accordingly on other schedules.*
- ▶ *In Table 1, remove reference to MLE, and add MLE's population to Keswick.*
- ▶ *Remove sections 7.2 and 9.3.9.1 [section renumbered since Draft Plan], and all other references to MLE.*

I should also draw to your attention a minor error that relates to MLE. Section 7.5.12.1 is the special provision relating to the Lakeshore subdivision, across Metro Road North from MLE. This special provision is correctly referenced on Schedule I. However, in Section 7.2.2(f), it is incorrectly referenced as Section 7.5.13.1.

Mr. Harold Lenters/April 18, 2016

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Finally, I should once again note that aside from my client's and my serious concerns about MLE, staff and consultants have done a thorough and comprehensive job of revising and updating the Official Plan. The proposed Plan has been further improved since last year's draft.

Yours sincerely,

*[original signed by]*

Anthony Usher, MCIP, RPP

cc. John Espinosa

**Anthony Usher Planning Consultant**  
146 Laird Drive, Suite 105, Toronto, Ontario M4G 3V7

(416) 425-5964  
auplan@bellnet.ca

July 30, 2015

Mr. Adrian Cammaert  
Town of Georgina  
Keswick, Ontario  
L4P 3G1

Dear Mr. Cammaert:

**Re: Official Plan Review - Maple Lake Estates**

I have reviewed the April 2015 Draft Official Plan, and on behalf of my client, the North Gwillimbury Forest Alliance (NGFA), would like to express some concerns, all of which relate to the prospective designation of the Maple Lake Estates (MLE) property.

Aside from my client's and my major concerns about MLE, staff and consultants have done a thorough and comprehensive job of revising and updating the Official Plan. We are particularly pleased to see the removal of all designations and policies supporting estate residential development on the Maple Lake Estates Inc. property south of Deer Park Drive, and the proposed redesignation of this area as Environmental Protection Area and Agricultural Protection Area.

In this letter, I use "rural Georgina" to mean the area of the Town that is covered by the present stage of the Official Plan Review and is outside the secondary plan areas.

***Schedules***

Schedules B1 and B2 show the wetland, and Schedule B1 the woodland, that together cover over 90% of MLE. This mapping is consistent with Maps 4 and 5 of the York Region Official Plan, as well as the additional areas mapped as wetland by the Ministry of Natural Resources in 2013.

These schedules also show the northeast corner of MLE as within the Greenland System, consistent with the Regional Greenlands System mapping in the Regional Plan.

Except in that northeast corner, the wetland and woodland on the MLE property are not included in the Greenland System. These are the only major wetland and woodland areas in rural Georgina that are not included in the Greenland System.

Schedule A1 shows MLE as Towns and Villages, with the Greenland System overlay in the northeast corner.

Schedule A2, the map of base designations that is proposed to replace the present Schedule A, shows MLE as Urban Residential Area - that is, no change from Schedule A - plus the Greenland System overlay.

The wetland and woodland on the MLE property are the only major such areas in rural Georgina that are not included in the Environmental Protection Area designation on Schedule A2.

These inconsistencies only underline how incompatible MLE's 1980s-legacy Urban Residential Area designation is with the natural heritage features on the property. The attempt to reconcile these in the schedules sticks out like a sore thumb, especially given that it is completely inconsistent with the approach taken everywhere else in rural Georgina.

### *Policies*

The proposed continuation of MLE's Urban Residential Area designation, and the inclusion of MLE in the Population Growth Forecast (table 1), are in my opinion:

- ▶ Inconsistent with the Plan's Vision (section 2.1), and Sustainability and Natural Environment Guiding Principles and Objectives (sections 2.2.1 through 2.2.4).
- ▶ Inconsistent with section 3.1, which says that "the remainder of the Town [including MLE] will continue to be rural in character and is not proposed to accommodate significant growth".

According to table 2, MLE will generate zero employment. This would seem to be inconsistent with the vision and guiding principles of the Greater Golden Horseshoe Growth Plan and similar statements in the Regional Plan, not to mention the Draft Plan's own Growth Management Objective 2.2.8.4.

The Draft Plan makes clear that all woodlands are key natural heritage features and all wetlands are both key natural heritage and key hydrologic features. As already noted, MLE is unique in that its woodlands and wetlands are not proposed to be included in the Environmental Protection Area, and most of them are not proposed to be included in the Greenlands System. Those key features instead fall within an urban designation. As a result, based on the preamble to section 5.1, the key features on the MLE property do not fall under the natural heritage protection requirements of either sections 5.1.1 (northeast corner excepted) or 5.2.

The failure to include MLE's woodlands and wetlands in the Environmental Protection Area is inconsistent with section 6.3.1, which appears to indicate that all key features are included in that designation, and certainly does not suggest that any are not. Because the MLE key features are not included in the Environmental Protection Area, they would appear not to be subject to any of the Environmental Protection Area requirements of section 6.3.

Therefore, it appears that the MLE woodlands and wetlands and their adjacent lands are not subject to any of the study requirements, development prohibitions, or no-negative-impact tests that normally apply to key natural heritage and key hydrologic features. This is in my opinion inconsistent with the Provincial Policy Statement (PPS), and further highlights the Plan's failure to square the unsquareable circle in trying to maintain MLE's urban designation.

### *The conformity obligation*

I am well aware of staff's view that, as noted in Attachment 7 to the April 8, 2015 staff report on

Mr. Adrian Cammaert/July 30, 2015

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the Official Plan, "the existing Urban Residential Area designation [of MLE] conforms with York Region Official Plan and Greenbelt Plan", and therefore that the existing designation should be maintained.

I can only repeat the material previously submitted in my August 22, 2014 letter to the Town and MHBC:

"NGFA's counsel, Leo Longo, and I have clearly outlined in past submissions, that the Town Official Plan and zoning bylaw are obliged to conform to the 2010 Regional Plan and that MLE is not in any way exempted from this obligation:

- "▶ In accordance with sections 26 and 27 of the *Planning Act*, the Town is obliged to bring its Official Plan and zoning bylaw into conformity with the applicable wetlands and significant woodlands policies of the Regional Plan, so as to prohibit development on most of the MLE property, despite the Regional Plan's designation of MLE as Towns and Villages (Longo-Usher response to Town information update, August 10, 2012, pp. 2-4; Usher report, December 19, 2012, pp. 1-3; Usher to Gibbons, February 1, 2013, p. 2; Longo to Council, February 19, 2013, p. 2; Longo to Council, March 25, 2013, pp. 2-5; Usher to Dymont and Furniss, November 8, 2013, pp. 1-2). In doing so, the Town must, of course, also be consistent with the PPS and conform with applicable provincial plans as per section 3(5) of the *Act*.
- "▶ There is nothing in the Transition policies (8.4.14 to 8.4.22) of the Regional Plan that indicates that the MLE property is in any way exempt from this conformity obligation (Longo-Usher response, August 10, 2012, pp. 2-4; Longo to Council, February 19, 2013, p. 5; Longo to Council, March 25, 2013, p. 6; Usher to Dymont and Furniss, November 8, 2013, p. 2).
- "▶ Section 5.2.1 of the Greenbelt Plan provides a transition policy for official plan and zoning bylaw approvals that predate the Plan, but does not require any municipality to continue to recognize those approvals (Longo-Usher response, August 10, 2012, p. 3). I would add that a careful reading of the Plan suggests that this section does not even apply to MLE because it is designated Towns and Villages.
- "▶ Policies 8.4.24 and 8.4.25 of the Regional Plan carry forward the intent of Section 5.2.1 of the Greenbelt Plan (and it appears these policies do apply to MLE and other Towns and Villages). However, these policies are otherwise similar to Section 5.2.1. They do not require any municipality to continue to recognize pre-Greenbelt Plan official plan and zoning approvals. The only obligatory exemption is for subsequent implementing applications (for example, a site plan application). These policies do not appear to interfere with the conformity obligation in any way (Longo to Council, March 25, 2013, p. 6). I recognize that Regional staff interpret these sections and their implication for MLE differently (Shuttleworth and Konefat to Lenters, February 14, 2013), but for the above reasons, I do not agree with their interpretation."

*Designations are not forever*

I would also like to reiterate the most relevant portions of material provided under this heading in my August 22, 2014 letter:

"The planner preparing or reviewing an Official Plan or zoning bylaw is required, first and foremost, to meet the applicable conformity obligation. However, there may be some individual situations where it is not entirely clear how to proceed consistent with that obligation, or there may be more than one possible approach that meets the conformity test. To that extent, it may be useful as part of a review process to develop guidelines to assist in recommending the most appropriate designation or zoning.

"As part of such guidelines, where lands have been designated and/or zoned for development but development has not yet taken place, those approvals should not be removed lightly or without due consideration. However, the conformity obligation must first be met. Such guidelines cannot assume that approvals are inherently unchangeable. I offer the following points in support of that position, both generally, and specifically with respect to MLE.

"► Section 10 of the [June 4, 2014] Planning Directions Report, the protocol for the review of site-specific designations . . . , exists because as the introductory paragraph says, 'it is necessary to review these site-specific land use designations to determine if the permissions attached to them continue to be appropriate.'

"► Policy 1.1.2 of the PPS, plus complementary references elsewhere in the PPS and Greater Golden Horseshoe Growth Plan, indicate that 20 years is the generally accepted long-term planning horizon unless specifically indicated otherwise. The MLE Official Plan approvals have been in place for [27] years. An unused approval that exceeds the long-term planning horizon may no longer be relevant, and certainly should not be considered unchangeable.

.....

"► As well, the subdivision agreement between the Town and Maple Lake Estates Inc. provides that, at any time, it may be replaced with a new one if the Town so wishes. This provision was added in 1996 to the original 1990 agreement, presumably as a result of the Town's own doubts at that time about whether development would ever take place and whether the approvals would indeed be permanent.

"► Leo Longo's February 19, 2013 letter to Council, at pp. 5-6, summarizes the many key changes in planning law and policy since the MLE approvals (to which can be added a fourth PPS [in 2014]). He concludes:

'Surely the time is now to study whether any or all of these developments, especially the [coming into force of the applicable Regional Plan provisions in 2012], might warrant a change in the designation and zoning of the MLE lands that were initiated three

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decades ago and have remained unexamined and unaltered since then."

***Conclusions and recommendations***

Georgina Council itself has largely accepted the logic of this present letter, when it resolved on May 13, 2015 that in the Greenbelt Plan, MLE should be redesignated from Towns and Villages to Greenbelt Protected Countryside and included in the Natural Heritage System. While of course the Greenbelt Plan has not been amended as requested and we don't know whether it will be, maintaining the MLE Urban Residential Area designation would appear to be inconsistent with Council's own recent decision.

***I recommend that the Draft Official Plan be modified as follows:***

- ▶ ***On Schedule A1, show MLE as Countryside Area.***
- ▶ ***On Schedule A2, designate MLE as Environmental Protection Area as appropriate, and any remainder as Rural Area.***
- ▶ ***On Schedule A2, include all of MLE in Greenland System based on the criteria in the preamble to section 5.1, and modify the Greenland System accordingly on other schedules.***
- ▶ ***In Table 1, remove reference to MLE, and add MLE's population to Keswick.***
- ▶ ***Remove sections 7.2 and 9.3.6.1, and all other references to MLE.***

Please let me know if you need any further information or clarification.

In accordance with Section 17(23) of the *Planning Act*, please provide me with notice of Council's decision.

Yours sincerely,

*[original signed by]*

Anthony Usher, MCIP, RPP

**From:** Dave Neeson  
**Sent:** Monday, April 18, 2016 9:12 AM  
**To:** Rebecca Mathewson <rmathewson@georgina.ca>; John Espinosa <jespinosa@georgina.ca>; Winanne Grant <wgrant@georgina.ca>  
**Cc:** Margaret Quirk <mquirk@georgina.ca>; Danny Wheeler <dwheelergeorgina@gmail.com>  
**Subject:** Fwd: TIME FOR COUNCIL TO RESPECT THE VOTERS AND DO WHAT'S RIGHT !!

Please see request below regarding Council meeting minutes.

Dave

Sent from my iPhone

Begin forwarded message:

**From:** Roman \_\_\_\_\_  
**Date:** April 18, 2016 at 8:57:34 AM EDT  
**To:** Dave Neeson <dneeson@georgina.ca>  
**Cc:** <mquirk@georgina.ca>, <dwheeler@georgina.ca>  
**Subject:** TIME FOR COUNCIL TO RESPECT THE VOTERS AND DO WHAT'S RIGHT !!

Good Morning Dave,

I and numerous concerned citizens have clearly stated our position of the importance of **ONCE AND FOR ALL BANNING ANY DEVELOPMENT** on the ecologically sensitive lands of the North Gwillimbury Forest and the adjacent lands many, many times **yet nothing has changed and here we are again !**

This time our hired bureaucrats, who serve at 'the pleasure of the tax payers', are proposing selling out the North Gwillimbury Forest forever by ingraining 'the rights of greedy developers' in the recently released Official Town Plan, April 2016.

What follows I trust is self explanatory.

**NORTH GWILLIMBURY FOREST ALLIANCE:**

April 12, 2016

"The proposed new Official Plan (April 2016) being put forward by the Town of Georgina's Planning Department **prohibits development on all of the major wetland and woodland areas** in rural Georgina with **one exception — the Maple Lake Estates (MLE) property in the North Gwillimbury Forest (NGF).**"

"According to the Town's Director of Planning, Harold Lenters, the Town cannot protect the MLE's provincially significant wetland and woodlands because these lands are designated as "Towns and Villages" in the Greenbelt Plan. Mr. Lenters' assertion is simply not true."

"On the contrary, according to Section 3.4.2.1 of the Greenbelt Plan, "Towns and Villages" are not subject to the Greenbelt Plan and "continue to be governed by municipal official plans"."

FROM THE MINISTRY OF MUNICIPAL AFFAIRS:

"Council is elected and responsible for the decisions and actions it takes. Members must consider their legal duties, and at the same time remember they are accountable politically to the electorate including through the elections process."

"There are other accountability requirements municipalities must adhere to, such as establishing and maintaining policies on how they will try to ensure they are accountable to the public for their actions, on the manner in which they will try to ensure their actions are transparent to the public, and on the circumstances in which they will provide notice to the public."

"Generally the Province does not overturn decisions of a council. In the limited circumstances where the Province may overturn council decisions, **it is not the ordinary practice of the Province to do so, primarily, because council is a publicly-elected body which is directly accountable to its citizens for its local decisions.**"

EARTH WEEK FROM THE WEATHER NETWORK:

Friday, April 15, 2016, 3:35 PM

" As the climate changes, average lake temperatures will rise too. That's bad news for people who turn to the waters of Canada's lakes for recreational fishing.

***A new study of climate change's impact on Lake Simcoe suggests invasive species like zebra mussels stand to benefit from the warm-up, to the detriment of popular fishermen's fare such as lake trout.***

The mussels will thrive in warmer waters, and climate change is also expected to bring with it more, and stronger, storms. That means the waters are more likely to be disturbed, another boon for mussels....."

In closing I can only ask that you continue to support those who elected you and the many other concerned citizens in the Town of Georgina in stopping any development of the Maple Lake Estates and any land 'swap' that threatens the North Gwillimbury Forest and adjacent lands **once and for all.**

**Please send the 'Official Plan' April 2016 back to Town Staff for revision as it pertains to the North Gwillimbury Forest !**

I support the North Gwillimbury Forest Alliance 100% and am very thankful that we have them fighting for us to preserve the North Gwillimbury Forest. They are perhaps the only voice of reason in this on going dispute **with nothing to gain but preserving what cannot be replaced .....** 'a precious resource to the Town of Georgina and the fragile ecological balance of Lake Simcoe and it's watershed'.

I also request that any votes at the April 20, 2016 Council Meeting pertaining to this matter be recorded and that a detailed and 'accurate and complete' transcript of Town Staff comments / recommendations pertaining to this matter at the April 20, 2016 Council meeting be part of the public record and included in the meeting minutes.

Please feel free to share this note with any other members of Council and submit it into the public record during the Public Meeting on April 20, 2016.

Thank you and keep up the good work !  
Roman

Roman Demchyshyn  
45 Alice Avenue  
Keswick, Ontario

April 18, 2016

John Espinosa, Town Clerk  
 Town of Georgina, Clerks Department  
 26557 Civic Centre Drive  
 Keswick, ON L4P 3G1

**Dear Mayor Quirk and members of the Town of Georgina Council:**

Re: **Notice of Public Meeting on April 20, 2016**  
**Adoption of Proposed Town of Georgina Official Plan**

I act on behalf of my father, Peter Nanos, who is the owner of the lands located on Woodbine Avenue, north of Ravenshoe Road, and municipally known as 22937 Woodbine Avenue (the "Subject lands").

The Subject lands are 37.83 acres in size with a frontage of approximately 740 ft. on Woodbine Avenue. The Subject lands currently contain a one storey building and associated asphalt parking area with access from Woodbine Avenue. The building is currently vacant but was formerly used as the former Georgina Chamber of Commerce office for 10 years and golf driving range. Aside from the one storey building and associated parking area, the western portion of the Subject lands are vacant, representing the manicured lands formerly used as a golf driving range. The easterly portion of the lands contain a woodlot and wetlands and border on the Massinonge River. When constructed, the proposed extension of Hwy 404 will traverse through the eastern portion of the Subject lands.

**Current Official Plan designations which apply to the Subject lands**

The northwest portion of the Subject lands along Woodbine Avenue are situated within the Keswick Business Park Secondary Plan and are designated **Business Park II** on Schedule L1 of the Secondary Plan. The Business Park II designation permits a variety of uses including all types of business and professional offices, prestige industrial uses, private sector commercial or trade schools, community facilities, hotels and hotel/convention centres, and ancillary retail and services uses and restaurants integrated as a component of a hotel, hotel/convention centre or office use.

The remainder of the western portion of the Subject lands which are situated outside the Keswick Business Park Secondary Plan are designated **Commercial Recreation Area** in the Official Plan. A Commercial Recreation Area designation permits commercial recreation uses such as conference centres, private parks, marinas, and golf courses, and commercial recreational uses which comply with or are similar to those permitted by the zoning for the site existing at the date of the adoption of the Official Plan.

The remainder of the western portion of the Subject lands which are situated outside the Keswick Business Park Secondary Plan are also subject to the **Business Park Study Area** policies of Section 3.21 of the Official Plan. Section 3.21 (a) of the Official Plan stipulates that "The Business Park Study Area Overlay Designation shown of Schedule A – Land Use Plan, identifies lands adjacent to and to the east of Woodbine Avenue, outside of the current Keswick Urban Area Boundary. The purpose of this Overlay Designation is to recognize the long-term potential of this area as a location for employment generating land uses." The Business Park Study Area Overlay Designation also applies to three other properties with frontage on Woodbine Avenue south of the Subject lands to Ravenshoe Road, and together can be referred to as the "Gateway lands".

### Comments and recommended revisions to Proposed Official Plan (April 2016 on-line version)

The Draft Official Plan presented at the statutory public meeting on October 14, 2015 proposed to maintain, subject to refinements, Section 3.21 of the current Official Plan, renamed and renumbered as the Keswick Business Park Study Area (KBPSA), Section 7.6 of the proposed Official Plan, pertaining to the Subject lands and collective Gateway lands. This was a result of extensive review and consultations during the Official Plan Review process as evidenced through the presentation materials presented by Town Planning staff at the Public Open House and Statutory Public Meetings in May and October 2015 respectively, and available on the Official Plan Review web site page.

We support the retention of Section 7.6 of the proposed Official Plan presented at the October 14, 2015 Statutory Public meeting of Council. **We strenuously oppose the deletion of the Business Park Study Area overlay designation, Section 3.21 of the current Official Plan and Section 7.6 of the draft Official Plan presented at the October 2015 Statutory Public Meeting of Council and deletion of any associated schedules and mapping, as recommended in the latest planning staff report DS-2016-0029 for the following reasons:**

1. Detailed studies to delineate the extent of developable lands, in accordance with Section 3.21 of the current Official Plan, have not been undertaken for the Subject lands. It would be inappropriate and premature to remove the Business Park Study Area overlay designation and associated Official Plan policies from the Subject lands.
2. There are no compelling reasons or planning analysis undertaken to justify the removal of Section 3.21 of the current Official Plan as it pertains to the Subject lands and the collective Gateway lands. The planning analysis and conclusions in planning staff report DS-2016-0029 appear to be solely based on studies submitted for the lands at 2354 Ravenshoe Road. To project such study conclusions on the Subject lands and the collective Gateway lands would be inappropriate.
3. During the extensive review and consultations as part of the Official Plan Review Process, including Public Open House meeting presentations and a Statutory Public Meeting, it was clearly indicated by Town planning staff that the Business Park Study Area overlay designation and policies (with refinements) would be retained in the new Official Plan. In fact, as recently as at the October 14, 2015 statutory public meeting, the draft Official Plan presented to Council retained the Business Park Study Area overlay designation and policies as it pertained to the Subject lands and the collective Gateway lands. Presentation materials presented by Town planning staff at the Statutory Public Meeting of Council on October 14, 2015 and posted on line indicated as follows as it pertained to the Business Park Study Area:

“Business Park Study Area

- The current draft OP does not propose any changes to the current policies or mapping
- Development requires Regional and local Official Plan Amendments supported by technical studies”

Source: Slide 25 of October 14, 2015 Presentation to Council posted on Town web site.

After following the progress of the Official Plan Review process over the last several years, including the Public Open House and Statutory Public Meetings in 2015 where the draft Official Plan was presented, we are alarmed by the recent reversal of planning staff's opinion on the existing Business Park Study Area overlay designation and policies as it applies to the Subject lands. During the Official Plan Review process the owner of the Subject lands, which represents the largest land holding of the collective Gateway lands, was not consulted or given any indication that the existing Business Park Study Area overlay designation would be recommended to be removed from the subject lands at the April 20th, 2016 Council meeting. This sudden and substantive change in the planning staff recommendation and revision to the proposed Official Plan **after the October 2015 Statutory Public Meeting** would have a detrimental impact on the development potential of the Subject lands. In fact, during the extensive public consultation process and October 2015 Statutory Public Meeting it was indicated that the Business Park Study overlay designation and policies would be maintained. Ordinarily only unsubstantive changes are made to draft Official Plans after the Statutory Public Meeting. The reversal of planning staff's recommendation at the 11<sup>th</sup> hour, which has just recently been made public, raises questions with regards to the transparency and legality of the Official Plan Review process as it pertains to the Subject lands.

4. Retaining Section 7.6 of the draft Official Plan and the KBPSA designation will not detract from the new Official Plan in any respect and will provide the opportunity for the affected landowners and Town, Region, and Conservation Authority to revisit the matter of a settlement boundary adjustment during the next Official Plan review process.
5. Section 3.21 of the current Official Plan provides the opportunity for the Town and landowners to reach an agreement that the contiguous lands outside of the Keswick Secondary Plan Area, owned by the affected landowners within the Business Park Study Area designation and identified as Environmental Protection Areas in the Official Plan, be dedicated to the Town as part of the development approval process, thereby securing in perpetuity environmentally significant lands.

**We therefore respectfully request that Council maintain Section 3.21 of the Official Plan and amend the draft April 2016 Official Plan by retaining Section 7.6 and the KBPSA designation and policies, and associated schedules and mapping, as it pertains to the Subject lands and Gateway lands.**

#### **Hazard Lands designation**

We oppose the application of the Hazard Lands designation, as illustrated on the proposed Schedule C of the proposed Official Plan, on the western portion of the lands along the Woodbine Avenue frontage of the Subject lands currently designated Commercial Recreation Area and within the Business Park Study Area. The Hazard Lands designation is not appropriate for the following reasons:

1. The Commercial Recreation Area designation in the current Official Plan provides for uses such as a conference centre. Identifying these lands as Hazard Lands would further constrain the Owner and Town to consider such uses, subject to a development application with appropriate supporting studies, that are currently provided for under the current Official Plan.

2. The frontage of the Subject lands along Woodbine Avenue is elevated with fill and currently contain a one storey commercial building and associated asphalt parking area. Identifying these lands as Hazard Lands would negatively affect the leasing prospects of the building, resulting in the continued vacancy of the building.
3. The Subject lands currently designated Commercial Recreation Area are not identified as wetlands or woodlot lands, are not identified as Environmental Protection lands under the current Official Plan, nor Core Conservation Lands and Waters under Schedule B-Greenlands System of the current Official Plan.
4. A portion of the Subject lands fall within the Business Park Study Area overlay designation which affords landowners the opportunity to submit supporting studies to the Town of Georgina to identify lands which may be developed subject to proper sustainable practices and approval by the Town and Conservation Authority. Such studies have yet to be undertaken and submitted to the Town and Conservation Authority for the Subject lands.
5. Detailed Floodplain mapping and analysis has not been undertaken by the Owner for the Subject lands, portions of which fall outside of the flood plain.

Lastly, I understand adjacent landowners within the Business Park Study Area have previously provided submissions and studies to the Town in an effort to support a Settlement Area Boundary adjustment to include all the Gateway lands within the Keswick Business Park. We support and commend their efforts to include the contiguous lands from Ravenshoe Road north along Woodbine Avenue into the Settlement Area Boundary and Keswick Business Park, subject to submission of supporting studies for the Subject lands and further review by the Town, Region, and Conservation Authority as required under Section 3.21 of the Official Plan.

It is hoped that the Town will retain the current Vision and foresight which provides the opportunity for the Subject lands and collective Gateway lands to develop in a balanced and sustainable manner, resulting in new employment and tax assessment for the Town.

Please advise me of the adoption of the proposed Official Plan, or of the refusal of a request to amend the Official Plan

Respectively submitted,

Joe Nanos

31 Spencer Avenue  
Markham, Ontario  
L6E 1V4

cc. Harold Lenters, Director of Planning, Town of Georgina  
Valerie Shuttleworth, Chief Planner, Regional Municipality of York  
Sheryl Kotzer, Nizza Enterprises  
Gary Foch, DKGK Holdings Inc.

# Michael Smith

Planning Consultants;  
Development Coordinators Ltd.

19027 Leslie St., Suite 200  
P.O. Box 1010  
Sharon, Ontario L0G 1V0  
Bus (905) 478-2588  
Fax (905) 478-2488  
www.msplanning.ca

Monday, April 18<sup>th</sup>, 2016

Our File: 766-00

Harold Lenters, MCIP, RPP.  
Director of Development Services  
Town of Georgina  
26557 Civic Centre Road, R.R. #2  
Keswick, ON.  
L4P 3G1

Dear Mr. Lenters:

RE: Town's Draft Official Plan  
S/S Lake Dr. East and E/S Trivetts Road  
Part Lot 3, 4 and 5, Concession 9 (NG)  
Owner 2111250 Ontario Inc. (C/O A & T Homes)  
Roll #: 127-999

Our client has reviewed the Town's draft Official Plan to be presented to Council at a public meeting on Wednesday, April 20<sup>th</sup>, 2016. Our client has concerns with the proposed land use designation for a portion of the above-noted property. Specifically that portion adjacent to Trivetts Road (*subject land*).

As you are aware the subject land has been designated for development since the approval of the Town's first official plan in 1982. At that time the subject land was designated Lakeshore Residential Area (*LRA*). The *LRA* designation has been maintained on the subject land and is currently designated *LRA* today.

In 2011, planning staff prepared Official Plan Amendment No. 104 which proposed to re-designate the subject land from *LRA* to Serviced Lakeshore Residential Area (*SLRA*). As you know OPA No. 104 was not considered by Council and the proposed policy directions in OPA No. 104 were incorporated into the Town's current Official Plan update.

The first draft Official Plan released for public review (April, 2015), indicated the subject land was to be re-designated from *LRA* to *SLRA* as contemplated by OPA No. 104. In the second draft Official Plan released for public review, the subject land is now proposed to be re-designated Rural Area with a special exception which would allow for applications to be submitted for potential development of the subject land.

As you are aware, in June of 2015 applications for amendments to the Town's Official Plan and Zoning By-law and an application for draft Plan of Subdivision were submitted by our client and presented to Council.

In our opinion, these lands are appropriately designated for residential rather than rural purposes. In this regard, our client is requesting that the subject land be re-designated to *SLRA* as recommended and contemplated in OPA 104, set out in the original draft Official Plan released in April of 2015 and reconfirmed in the staff review of the draft Official Plan to council in the fall of 2015.

We request that our client and our firm be notified of any further public meetings or decisions relating to this matter.

If you have any questions regarding the above please do not hesitate to contact me.

Yours Truly,



Gord Mahoney  
Planning Consultant

Copy: A & T Homes, Owner



Davies  
Howe  
Partners  
LLP

Lawyers

The Fifth Floor  
99 Spadina Ave  
Toronto, Ontario  
M5V 3P8

T 416.977.7088  
F 416.977.8931  
davieshowe.com

Please refer to: **Mark Flowers**  
e-mail: [markf@davieshowe.com](mailto:markf@davieshowe.com)  
direct line: 416.263.4513  
File No. 702835

April 19, 2016

**By E-Mail Only to [jespinosa@georgina.ca](mailto:jespinosa@georgina.ca)**

Mayor Margaret Quirk and Members of Town Council  
Town of Georgina  
Georgina Civic Centre  
26557 Civic Centre Road  
Keswick, Ontario  
L4P 3G1

**Attention: John Espinosa, Town Clerk**

Dear Mr. Espinosa:

**Re: Town of Georgina Proposed Official Plan, April 2016  
Town File No. 02.180  
Submissions on behalf of Nizza Enterprises Limited**

We are counsel to Nizza Enterprises Limited ("Nizza"), the owner of lands municipally known as 2354 Ravenshoe Road in the Town of Georgina (the "Lands"). The Lands are approximately 10.4 hectares and are located northeast of the intersection of Woodbine Avenue and Ravenshoe Road in the community of Keswick, within the Keswick Business Park Study Area ("KBPSA").

Through its planning and engineering consultant, MMM Group Limited ("MMM"), Nizza has actively participated in the Town's Official Plan Review process to date and, in particular, has made a number of written submissions to the Town.

More specifically, by letter dated July 18, 2014, MMM provided the Town with initial comments regarding the Official Plan Review, including confirming its support for maintaining the KBPSA overlay designation through the Town's Official Plan Review process and advising of our client's intention to proceed with various studies in support of the development of the Lands for employment purposes.

By letter dated July 30, 2015, and in the context of the Town's Official Plan Review, MMM provided the Town with the following studies and reports in support of a request for a settlement area boundary expansion for the lands within the KBPSA and to demonstrate the development potential of the Lands: (1) Planning



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Howe  
Partners  
LLP

Page 2

Justification Report, including an Employment Land Needs Analysis (July 2015); (2) Floodplain Analysis (July 2015); (3) Preliminary Natural Environmental Report (July 2015); and (4) Preliminary Site Servicing Report (June 2015). Copies of this submission package were also circulated to the Regional Municipality of York ("York Region") and the Lake Simcoe Region Conservation Authority ("LSRCA") in August 2015.

Finally, by letter dated October 14, 2015, MMM made further submissions to the Town on behalf of Nizza, affirming its support for the settlement area boundary expansion request.

In the meantime, MMM has been in discussions with the LSRCA regarding the results of the most recent floodplain analysis for the Lands (July 2015).

We recently received a copy of Report No. DS-2016-0029 (the "Staff Report"), prepared by the Town's Planning Division, which we understand will be considered by Town Council at its meeting on April 20, 2016.

Among other things, the Staff Report recommends that the "KBPSA overlay designation and associated policies be removed from the Official Plan". In addition, the Staff Report recommends that the Lands be designated 'Rural Area' and 'Environmental Protection Area'.

On behalf of Nizza, we are writing to express our opposition to the staff recommendations in relation to both the KBPSA and the Lands.

Regarding the KBPSA, the Staff Report fails to provide any sound planning rationale to support its recommendation for the removal of the KBPSA and associated policies.

Moreover, the Staff Report neglects to even mention Policy 6.1.10 of the York Region Official Plan ("YROP"), which states as follows:

*"That the Keswick Business Park Study Area is subject to Section 3.4.4 of the Greenbelt Plan and special provisions in the Official Plan of the Town of Georgina. Any development of these lands will require an amendment to this Plan and the local official plan."*



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Partners  
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For reference, Section 3.4.4 of the *Greenbelt Plan* specifically provides for a settlement area expansion to be considered through a municipality's exercise to bring its official plan into conformity with the *Greenbelt Plan*; in this case, that exercise is the Town's current Official Plan Review.

Thus, Town staff's suggestion that permitting a settlement area expansion of the lands within the KBPSA would be "contrary to the *Greenbelt Plan*" appears to ignore both Section 3.4.4 of the *Greenbelt Plan* and Policy 6.1.10 of the YROP.

By way of background, Policy 6.1.10 of the YROP was adopted by York Region Council as part of the YROP on December 16, 2009, and subsequently endorsed by the Ministry of Municipal Affairs and Housing ("MMAH") as part of its approval of the YROP on September 7, 2010. Nonetheless, it is our understanding that this policy had not come into force until recently as a result of an outstanding appeal of Section 6.1 of the YROP. Late last year, Policy 6.1.10 came into effect as a result of an Order of the Ontario Municipal Board ("OMB") arising from a motion for partial approval of the YROP brought by York Region.

In August 2015, York Region filed motion materials with the OMB requesting the approval of various policies, including Policy 6.1.10. That motion was supported by a sworn affidavit of a Senior Planner, Policy and Environment with York Region's Planning and Economic Development Branch. Among other things, the affidavit concluded that Policy 6.1.10 of the YROP:

- (i) is consistent with the *Provincial Policy Statement 2014*;
- (ii) conforms to the *Greenbelt Plan*;
- (iii) conforms to the *Growth Plan for the Greater Golden Horseshoe*; and
- (iv) represents good land use planning.

As a result of York Region's motion, the OMB issued an Order dated November 5, 2015, approving various policies in Chapter 6 of the YROP, including Policy 6.1.10.

To our knowledge, the Town did not oppose the approval of Policy 6.1.10 of the YROP at the time that York Region Council adopted the YROP in 2009, nor when MMAH approved the YROP in 2010, nor when the OMB recently approved Policy 6.1.10 at the request of York Region.



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Partners  
LLP

Given that Policy 6.1.10 of the YROP explicitly states that the KBPSA is “subject to ... special provisions in the Official Plan of the Town of Georgina”, it is our position that removing the KBPSA designation and associated policies would not only be inappropriate from a land use planning and policy perspective, but it would also fail to conform to the YROP, as required by the *Planning Act*.

With respect to the proposed redesignation of the Lands, our client opposes the designations recommended in the Staff Report. Instead, Nizza continues to maintain that the Lands should form part of a settlement area boundary expansion and, accordingly, that the developable portion of the Lands should be redesignated to permit an appropriate range of employment uses. In support of this request, we direct Council's attention to the numerous studies and reports prepared by MMM and previously submitted to the Town.

We appreciate Council's consideration of this submission. Kindly ensure that we receive notice of any decision(s) made by Town Council concerning this matter.

Yours truly,

**DAVIES HOWE PARTNERS LLP**

Mark R. Flowers  
Professional Corporation

copy: Client  
Chad John-Baptiste / Christina Addorisio, MMM Group Limited  
Harold Lenters / Andrea Furniss, Town of Georgina  
Karen Whitney / Valerie Shuttleworth, York Region  
Mike Walters / Charles Burgess, LSRCA



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April 20, 2016

Town of Georgina  
c/o Clerks Department  
26557 Civic Centre Road  
R.R. #2 Keswick, Ontario  
L4P 3G1

MGP File: 15-2411

VIA EMAIL: [jespinosa@georgina.ca](mailto:jespinosa@georgina.ca)

Mayor and Members of Council:

**Re: Adoption of the Town of Georgina Proposed Official Plan, April 2016 (File No. 02.180)  
26061 Woodbine Avenue and Part of Lot 23, Concession 4.**

We are the planning consultants for Great World Properties Limited and 1170898 Ontario Ltd., the owners of the above noted properties located at the south east corner of Woodbine Avenue and Baseline Road in the Town of Georgina (the **Subject Lands**). A portion of the Subject Lands, which comprise approximately 58 acres, is occupied by the Georgian Military Museum.

Previously, we provided preliminary comments in regards to the April 2015 Draft Official Plan on July 30<sup>th</sup>, 2015. It was our opinion that the current land use designations (*Commercial Recreation Area* and *Rural Commercial Area*) should be maintained.

On behalf of our clients, we have reviewed the Town of Georgina Proposed Official Plan dated April 2016 and would like to submit the following preliminary comments for consideration by Town staff.

We note that the April 2016 Official Plan proposes to re-designate the majority of Subject Lands from Commercial Recreation Area and Rural Commercial Area to *Environmental Protection Area*. Two small portions of Rural Commercial and Commercial Recreation are proposed to remain on the portion of the lands that front onto Baseline Road and the portion on which the museum is located.

We maintain our opinion that the museum is consistent with the Commercial Recreation Area designation and that the designation should be maintained. However, in the absence of any detailed environmental work we question the appropriateness of placing the balance of the Subject Lands under the Environmental Protection designation. We recognize that environmental features may be present on the Subject Lands as indicated by the corresponding environmental schedules (Schedules B1-B7) provided in the Official Plan. In our opinion, these schedules, combined with the corresponding polices afford the appropriate level of protection to any environmental features which may be present on the Subject Lands, and re-designation of the balance of the Land to Environmental Protection Area is

TO: Mayor and Members of Council  
RE: Adoption of the Town of Georgina Proposed Official Plan, April 2016

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April 20, 2016

unnecessary.

Furthermore, we note that the Rural Commercial Area has been reduced in the proposed Schedule A2 – Land Use Plan, in comparison to the draft Schedule A2. The reduced Rural Commercial Area will restrict the amount of rural commercial development permitted on the Subject Lands. A clear rationale for this reduction has not been provided in staff's report to Council. The Schedule Revision section of the report notes that Schedule A2 has incorporated updated wetland mapping that was received from MNR; however, there does not appear to be noticeable changes to schedules B1 – Key Natural Heritage Features and B2 – Key Hydrologic Features for the Subject Lands to warrant reducing the Rural Commercial Area.

Given this, we respectfully continue our request that staff maintain the current land use designations for the Subject Lands, being Commercial Recreational Area and Rural Commercial Area.

We would also ask that you accept this letter as an official request to include Malone Given Parsons on an interested parties list concerning the Towns Official Plan review. Accordingly, we would request to continue to be notified about any future and/or Council meetings and would like to receive notification of Council's decisions on the Official Plan.

Please feel free to contact me at 905.513.0170 ext. 112 if you would like to discuss any aspect of this letter or if you have any further questions regarding our submission.

Yours very truly,

**MALONE GIVEN PARSONS LTD.**



Lauren Capilongo, MCIP, RPP  
Associate  
[lcapilongo@mgp.ca](mailto:lcapilongo@mgp.ca)

cc: Great World Properties Limited and 1170898 Ontario Ltd

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**From:** Stefano Giannini [mailto: [REDACTED]]  
**Sent:** April 20, 2016 11:38 AM  
**To:** Andrea Furniss  
**Cc:** Harold Lenters; Loredana Lucente  
**Subject:** RE: official plan maps

Hello Andrea,

The OP looks good, and it's clear a lot of great work went into producing these documents and plans. I know you all have a big meeting this evening, and my father-in-law [client] would like to support the adoption.

The only comment at this time is that the land designations currently indicated on the proposed Schedules/Plans do not necessarily reflect the use of the land on his property [ex. the northern most portion at Old Homestead Rd and 48 is presently agricultural land not necessarily forested as indicted in the proposed documentation]

Not sure how this info fits into the larger picture, but thought we'd pass our thoughts along to you.

Please advise if there is another process to follow?, but in summary, we look forward to the next step overall for this property and will be in touch soon to arrange a discussion with you on the possibilities.

Sincerely,

Stefano Giannini OALA, CSLA  
Senior Landscape Architect, Project Manager

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Landscape Architecture and Urban Design  
148 Kenwood Avenue Toronto ON M6C2S3  
416 656 6665 x 262 [www.jrstudio.ca](http://www.jrstudio.ca)  
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