

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

Wednesday, February 27, 2019
7:00 PM

Staff:

David Reddon, Acting Chief Administrative Officer
Harold Lenters, Director of Development Services
Dan Buttineau, Director of Recreation & Culture
Rob Wheeler, Director of Corporate Services and Treasurer
Bev Moffatt, Director of Human Resources
John Armstrong, Director of Operations and Infrastructure
Michael Rozario, Deputy Fire Chief
Karyn Stone, Manager of Economic Development & Tourism Development
Ryan Cronsberry, Deputy Acting Chief Administrative Officer
Alan Drozd, Supervisor, Development Planning
Ingrid Fung, Planner
Dustin Robson, Planner II
Lawrence Artin, Head, Special Capital Initiatives
Anne Winstanley, Communications Supervisor
Rachel Dillabough, Deputy Clerk
Carolyn Lance, Council Services Coordinator

A moment of meditation was observed.

Council recognized the passing of Alvin Pollock on February 16th, retired North Gwillimbury Police Officer and Police Chief from 1955-1971 and York Regional Police Staff Sergeant from 1971-1893.

1. CALL TO ORDER - MOMENT OF MEDITATION

"We would like to begin today's meeting by acknowledging that the Town of Georgina is located over lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples and thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship."

2. ROLL CALL

The following Members of Council were present:

Mayor Quirk
Councillor Waddington

Regional Councillor Grossi
Councillor Fellini

Councillor Neeson
Councillor Harding

Councillor Sebo

3. COMMUNITY ANNOUNCEMENTS

- February 27th is Anti Bullying Day or Pink Shirt Day
- congratulations to Scot Davidson as the newly elected MP for York-Simcoe
- successful PAR Spaghetti Dinner was held

4. INTRODUCTION OF ADDENDUM ITEM(S)

- Item No. 12(2)(C) Attachment '8' to Report CAO-2019-0009 entitled 'Regulation of Short Term Rental Accommodation (STRA) in the Town of Georgina, Appendix 'A', Demerit Point System
- Item No. 18(1)(B) Closed Session Item, Potential litigation matter
- Item No. 11(1)(A) Additional correspondence to Report DS-2019-0007, Connie and Greg Meeke
- Item No. 12(2)(C) Additional correspondence to Report DS-2019-0009 entitled 'Regulation of Short Term Rental Accommodation (STRA) in the Town of Georgina'; Don Matthews, Sandy Cooper, Dave Szollosy, Michael Scandiffio, Peter Stevens

5. APPROVAL OF AGENDA

Moved by Councillor Fellini, Seconded by Councillor Harding

RESOLUTION NO. C-2019-0178

That the agenda with the following addendum items be approved as presented:

- Attachment '8' to Item 12(2)(C), Report CAO-2019-0009 entitled 'Regulation of Short Term Rental Accommodation (STRA) in the Town of Georgina, Appendix 'A', Demerit Point System
- Closed Session Item 18(1)(B), Potential litigation matter
- Additional correspondence to Item 11(1)(A), Report DS-2019-0007, Connie and Greg Meeke
- Additional correspondence to Item 12(2)(C), Report DS-2019-0009 entitled 'Regulation of Short Term Rental Accommodation (STRA) in the Town of Georgina'; Don Matthews, Sandy Cooper, Dave Szollosy, Michael Scandiffio, Peter Stevens

Carried.

Mayor Quirk read the following statement;

Today Council comes together as representatives of Georgina to conduct the Town's business. We are glad to be joined by our engaged citizens, both those with

us here in Council Chambers and those that join us by watching from their homes. May we use this time to hear from our residents, respond to the reports by the professional staff who inform us, and make fair and responsible decisions in the best interests of our community.

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

7. ADOPTION OF MINUTES

Moved by Councillor Waddington, Seconded by Councillor Neeson

RESOLUTION NO. C-2019-0179

That the following sets of Council Minutes be adopted as presented:

- (1) Minutes of the Council Meeting held on January 23, 2019
- (2) Minutes of the Council Meeting held on February 13, 2019

Carried.

8. SPEAKERS

Mayor Quirk inquired if there is anyone in attendance who wished to speak to any report items listed on the consent agenda;

Steve Jacobson, Pinery Lane, Jackson's Point, respecting Report No. CAO-2019-0009, indicated that he agrees in principal with the approach taken by Council, staff and the consultant for continuing to move forward with licensing short term rental accommodations, and suggested several revisions.

Lauren Helmkey, 123 Lake Drive East, Keswick, respecting Report No. CAO-2019-0009, advised that she is the owner and operator of a short term rental and expressed several concerns and suggestions concerning the proposed regulation of short term rental accommodations including the proposed limit on the number of bedrooms, restriction on having both a short term rental and an accessory apartment on the same property, restriction of one rental per owner, and the need for a transition plan.

RJ Gorman, owner of the GEM Theatre, respecting Report No. CAO-2019-0009, indicated that the families using short term rentals shop and attend local businesses including boat rentals, grocery shopping, restaurants and theatres and suggested Council deal solely with the difficult short term rental accommodations.

Ivy Howes, 235 Hedge Road, respecting Report No. CAO-2019-0009, advised that she experiences disrespectful conduct from renters of a neighbouring short term rental on a constant basis throughout the summer months from Thursdays through to Sundays, requested more enforcement of the noise by-law, and stated that she is in favour of more regulations of the rentals.

Sue Jagminas, 137 Lake Drive North, Keswick, respecting Report No. CAO-2019-0009, advised that she has had nothing but bad experiences with a local short term rental and suggested they be restricted to principal residences only, noting that residential neighbourhoods should not include rental businesses.

Cliff Williams, 40 Malone Road, respecting the proposal for assigning Bonnie Park as a heritage location and requested that Council defend maintaining Georgina's greenspace.

Deyril Blanchard, 559 Lake Drive East, indicated that his weekends are ruined by the actions of the renters of the local short term rental and does not believe enforcement will be able to control the short term rental accommodations.

12. REPORTS

(1) ADOPTION OF REPORTS NOT REQUIRING SEPARATE DISCUSSION

Moved by Councillor Neeson, Seconded by Councillor Waddington

- (B) Application for Deeming Bylaw
Beth Marie BAIDEN, 924892 Ontario Inc. and 1478987 Ontario Inc.
Plan 425, Lots 23, 26-28 and Springfield Road, 479, 493, 497 and
501 The Queensway South and Springfield Road
AGENT: Michael Smith Planning Consultants, Development
Coordinators

Report No. DS-2019-0028

RESOLUTION NO. C-2019-0180

1. That Council receive Report No. DS-2019-0028 prepared by the Planning Division, Development Services Department, dated February 27, 2019 respecting a Deeming By-law application submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of Beth Marie Baiden, 924892 Ontario Inc. and 1478987 Ontario Inc. for Plan 425, Lots 23, 26-28, and Springfield Road.
2. That Council approve the application submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of Beth Marie Baiden,

924892 Ontario Inc. and 1478987 Ontario Inc. for Plan 425, Lots 23, 26-28, and Springfield Road to not to be part of a registered plan of subdivision for the purpose of Section 50(3) and in accordance with Section 50(4) of the *Planning Act*, R.S.O. 1990.

3. That the deeming by-law to deem Plan 425, Lots 23, 26-27 and Springfield Road not be part of a registered plan of subdivision for the purpose of Section 50(3) and in accordance with Section 50(4) of the *Planning Act* be brought back to Council for passing in the event the applicant purchases Springfield Road from the Town and after the appropriate authorization documents to verify land ownership and signing authority have been submitted to the satisfaction of the Town.

(D) Pregnancy or Parental Leave Policy for Members of Council

Report No. CAO-2019-0012

RESOLUTION NO. C-2019-0181

1. That Council receive Report No. CAO-2019-0012 prepared by the Clerk's Division, Office of the Deputy CAO, dated February 27, 2019 respecting pregnancy or parental leave policy for members of Council.
2. That Council approve the Policy No. CL-2019-COULV02, entitled "Pregnancy or Parental Leave Policy for Members of Council".

Carried.

Mayor Quirk moved forward and dealt with Item No. 13(1)(B)

13. DISPOSITIONS/PROCLAMATIONS, GENERAL INFORMATION ITEMS AND COMMITTEE OF ADJUSTMENT

(1) Dispositions/Proclamations

- (B) Paul Brady requesting that Bonnie Park/Lorne Park (formerly Jackson's Point Park) and the former Bonnie Boats property at 20 Bonnie Blvd be designated as heritage sites

Moved by Councillor Sebo, Seconded by Councillor Neeson

RESOLUTION NO. C-2019-0182

That correspondence from Paul Brady requesting that Bonnie Park/Lorne Park (formerly Jackson's Point Park) and the former Bonnie Boats property at 20 Bonnie

Blvd be designated as heritage sites be received and referred to the Heritage Committee.

Carried.

9. DELEGATIONS/PETITIONS *None.*

10. PRESENTATIONS *None.*

11. PUBLIC MEETINGS

(1) STATUTORY MEETING(S) UNDER THE PLANNING ACT OR MEETINGS PERTAINING TO THE CONTINUATION OF PLANNING MATTERS

- (A) Application to Amend Zoning Bylaw No. 500
2603235 ONTARIO LIMITED
Lot 9, Plan 65M-2613, 117 Spring Road, Keswick
AGENT: WSP Canada Group Limited

Report No. DS-2019-0007

Item No 11(1)(A) was deferred/postponed for consideration at a future Council Meeting, at the request of the Applicant's agent who could not attend due to weather conditions.

(7:45pm)

- (B) Application to Amend Zoning Bylaw No. 500
1084466 ONTARIO LTD. (A&T HOMES)
RP 65R-33365, Parts 1 &3, s/s East Street
AGENT: Michael Smith Planning Consultants, Development
Coordinators

Report No. DS-2019-0021

Gord Mahoney of Michael Smith Planning Consultants, Agent;

- application submitted to amend the Town's zoning bylaw to permit development of semi-detached dwelling on currently vacant parcel
- submitted applications to sever subject land in half and create easement for servicing, granted by Committee of Adjustment on February 4th, 2019
- parcel is currently vacant on south side of East Street between High Street and North Street, just west of the Sutton Legion building
- 600 square metres in size and 19.7 metre frontage
- designated 'High Street Historic Centre', zoned 'low density urban residential R1-135
- land use designation permits semi-detached but current zoning does not

- application to change zoning from R1-135 so site specific Low Density Urban Residential R2 zone
- seeking site specific provisions; reduction in frontage from 10 to 9 metres or 9.85 metres per unit, reduction of minimum lot area from 300 square metres to 290 square metres, reduction of side yard setback from 1.2 m plus a ½ metre for additional partial storey above the first to 1.2 m plus a ½ metre for additional partial storey above the second, removal of lot coverage provision of 35% to zero, reduction in fence height within front yard from 2 metres to 0.9 metres to keep in context with the heritage and townhouse zoning
- believe that application is consistent with Provincial Policy Statement, conforms to Growth Plan, Greenbelt Plan, Lake Simcoe Protection Plan, Regional Official Plan and Sutton/Jackson's Point Secondary Plan
- application represents good planning

Ingrid Fung;

- single detached dwellings, low density residential uses and commercial uses on High Street to the north, Royal Canadian Legion to the east, a townhouse development to the south and a heritage building used as a residence to the west
- proposing a semi-detached dwelling resulting in 2 dwelling units
- submitted zoning by-law amendment application to rezone property for semi-detached dwelling and two consent applications, the first to divide lot in half and the second to grant easement over rear portion of western lot so the eastern lot would have access to sanitary services on High Street
- granted provisional approval by COA on February 4th, one condition that the lots would be successfully rezoned for semi-detached dwellings
- no public comments received
- no objections from any departments or agencies
- consistent with Provincial Policy Statement, conforms with Provincial, Regional and municipal plans and represents good planning
- typically when zoning bylaw amendment application and consent applications are both required, prefer to process zoning bylaw amendment application first because consent applications require conditions fulfilled within one year; by processing the zoning bylaw amendment application first, the applicant would avoid the risk of having the provincial approval lapse, but owners anticipate fulfilling all conditions prior to February 5th, 2020
- Council may eliminate Recommendation 2(b) that recommends passing the zoning bylaw amendment after consent applications have received conditional approval as this has already occurred

Gord Mahoney

- subject properties will have access onto East Street
- a lower fence is suggested in order to be consistent with heritage nature in the area; a privacy fence currently exists between the property and the Sutton Legion

Harold

•believes it is appropriate to introduce a semi-detached dwelling into a single family dwelling neighbourhood

Moved by Councillor Neeson, Seconded by Councillor Waddington

RESOLUTION NO. C-2019-0183

1. That Council receive Report DS-2019-0021 prepared by the Planning Division, Development Services Department dated February 27, 2019 respecting a Zoning By-law Amendment application submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of 1084466 Ontario Ltd. (A&T Homes) for the property legally described as RP 65R-33365, Parts 1 & 3.
2. That Council approve the Zoning By-law Amendment application submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of 1084466 Ontario Ltd. (A&T Homes) for the property legally described RP 65R-33365, Parts 1 & 3.
3. That pursuant to Section 34(17) of the *Planning Act*, in the event minor revisions are necessary respecting the proposed amending by-law, further notice shall not be required.

Carried.

(2) STATUTORY MEETING(S) UNDER OTHER LEGISLATION *None.*

(3) OTHER PUBLIC MEETINGS *None.*

12. REPORTS

(2) REPORTS REQUIRING SEPARATE DISCUSSION

Report from the Development Services Department:

(A) Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017

Report No. DS-2019-0024

Moved by Councillor Waddington, Seconded by Councillor Neeson

RESOLUTION NO. C-2019-0184

1. That Council receive and endorse Report DS-2019-0024 prepared by the Director of Development Services dated February 27, 2019 respecting

Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017.

2. That the Clerk forward a copy of Report No. DS-2019-0024 and Council's resolution thereon to the Ministry of Municipal Affairs and Housing and to the Regional Municipality of York.

Carried.

Moved by Councillor Neeson, Seconded by Councillor Sebo

That the meeting recess at 8:30pm

Carried.

The meeting reconvened at 8:40pm

Reports from the Office of the Chief Administrative Officer:

- (C) Regulation of Short-Term Rental Accommodation (STRA) in the Town of Georgina

Report No. CAO-2019-0009

Michael Smith of Michael Smith Planning Consultants, Agent, reviewed the report for the benefit of Council and the public.

Moved by Councillor Neeson, Seconded by Councillor Fellini

RESOLUTION NO. C-2019-0185

1. That Council receive Report CAO-2019-0009 prepared by Michael Smith Planning Consultants; Development Coordinators Ltd., dated February 27, 2019 respecting the regulation of Short-term Rental Accommodation in the Town of Georgina.
2. That Council provide further direction to the Town's Consultant and Staff regarding the preferred regulatory framework.
3. That Council support a regulatory framework generally, subject to Recommendation No. 5, and that Council direct staff to set a date for the statutory public meeting for the proposed Official Plan/Secondary Plans, and/or Zoning By-law Amendments.

4. That Council authorize the Treasurer to fund a 2019 summer enforcement program similar to the 2018 program related to short term rental accommodations from the tax rate stabilization reserve, not to exceed \$20,000.
5. That Council direct staff to reach out to the other York lower tier municipalities and the Region of York to meet and form a technical working group including political representatives to approach the Province to effect legislative changes to address short term rental accommodation properties.

Carried.

Staff was requested to provide further information to Council respecting anticipated costs involved in regulating short term rental accommodations and respecting enforcement for 2019.

(E) Council-Staff Relations Policy

Report No. CAO-2019-0014

Moved by Regional Councillor Grossi, Seconded by Councillor Harding

RESOLUTION NO. C-2019-0186

1. That Council receive Report No. CAO-2019-0014 prepared by the Office of the Deputy CAO, dated February 27, 2019 respecting Council-Staff Relations Policy.
2. That Council approve the Policy No. CAO-2019-REL01, entitled "Council-Staff Relations Policy".

Carried.

13. DISPOSITIONS/PROCLAMATIONS, GENERAL INFORMATION ITEMS AND COMMITTEE OF ADJUSTMENT

(1) Dispositions/Proclamations

- (A) Connors Music requesting temporary road closures, re-routing of York Region Transit, a noise by-law exemption and use of municipal road barricades during the annual 'Music in the Streets' event on Saturday, June 22nd from 9:00 a.m. to 6:00 p.m.

Moved by Regional Councillor Grossi, Seconded by Councillor Fellini

RESOLUTION NO. C-2019-0187

That Council grant temporary closure of The Queensway from Cedar Street to Church Street and temporary closure of Simcoe Avenue to the west entrance of the Simcoe Plaza during the annual Music In The Streets Festival on Saturday, June 22nd from 9:00 a.m. to 6:00 p.m., that the temporary road closures be referred to the appropriate staff members to work in conjunction with the Region to determine a safe barricade system, that the By-laws Division coordinate a noise exemption if necessary, and that staff coordinate the temporary rerouting of York Region Transit.

Carried.

(2) General Information Items

(A) Information Items

Moved by Councillor Neeson, Seconded by Councillor Sebo

RESOLUTION NO. C-2019-0188

That the General Information Items for February 27, 2019, be received.

Carried.

(B) Briefing Notes *None.*

(3) Committee of Adjustment Planning Matters

(A) Under Review

(B) Recommendations *None.*

(C) Decisions *None.*

Moved by Councillor Sebo, Seconded by Councillor Harding

RESOLUTION NO. C-2019-0189

That the Committee of Adjustment Planning Matters for February 27, 2019, be received.

Carried.

14. MOTIONS/NOTICES OF MOTION *None.*

15. REGIONAL BUSINESS

•2 full-day sessions for Regional Budget; budget over 4 years, 1st year is 3.37% with additional 1% for infrastructure enhancement

•**Mayor Quirk** advised that she and Acting CAO Dave Reddon met with the special advisors that are performing the Provincial Regional Review and provided a history of Georgina, the Northern 6 Alliance and projects that have been completed through the Northern 6 as well as examples of other partnerships that have occurred. An on-line portal will be established for members of the public and Council to provide input. The Special Advisors anticipate reporting to the Province this summer.

Moved by Councillor Waddington, Seconded by Regional Councillor Grossi

RESOLUTION NO. C-2019-0190

That Council receive the additional correspondence from Michael Scandiffio and Peter Stevens, both requesting resolution to the concerns with Short Term Rental Accommodation in Georgina.

Carried.

16. OTHER BUSINESS *None.*

17. BY-LAWS *None.*

18. CLOSED SESSION

(1) Motion to move into closed session of Council

Moved by Councillor Harding, Seconded by Councillor Fellini

That Council Members convene into Closed Session at 10:40 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, to deal with the following matter:

(A) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES, SECTION 239 (2) (b), MA

- Verbal Report, Personnel Matters

- (B) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD, SECTION 239 (2)(e), MA**
 - Potential Litigation Matter

Carried.

The Deputy Clerk and the Council Services Coordinator left the meeting at 11:21 p.m.

- (2) Motion to reconvene into open session of Council and report on matters discussed in closed session.

Moved by Councillor Waddington, Seconded by Councillor Harding

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

Carried.

- (A) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES, SECTION 239 (2) (b), MA**
 - Verbal Report, Personnel Matters

Moved by Councillor Waddington, Seconded by Councillor Sebo

RESOLUTION NO. C-2019-0191

That Council receive the verbal report.

Carried.

- (B) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD, SECTION 239 (2)(e), MA**
 - Potential Litigation Matter

Moved by Councillor Harding, Seconded by Councillor Neeson

RESOLUTION NO. C-2019-0192

That Council receive the Town Solicitor's report and direct staff accordingly.

Carried.

19. CONFIRMING BY-LAW

Moved by Councillor Fellini, Seconded by Councillor Waddington

That the following by-law be approved:

- (1) By-law No. 2019-0017 (COU-2), a by-law to confirm the proceedings of Council on February 27, 2019.


Carried.


20. MOTION TO ADJOURN

Moved by Regional Councillor Grossi, Seconded by Councillor Harding

That the meeting adjourn at 12:14 a.m.

Carried.


Margaret Quirk, Mayor


Rachel Dillabough, Deputy Clerk