

**GEORGINA**

**THE CORPORATION OF THE
TOWN OF GEORGINA
Council Minutes**

Date: Wednesday, July 22, 2020
Time: 7:00 PM

**Members of Council
Present:**

Mayor Margaret Quirk
Regional Councillor Grossi
Councillor Waddington
Councillor Fellini
Councillor Neeson
Councillor Sebo
Councillor Harding

Staff Present:

Harold Lenters, Director of Development Services
Dustin Robson, Planner II
Connor McBride, Planner II
Alan Drozd, Supervisor, Development Planning
Mamata Baykar, Deputy Clerk
Rachel Dillabough, Town Clerk
Carolyn Lance, Council Services Coordinator

Others Present:

Zaidun Alganabi, Manager, Development Engineering

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

As noted above

3. COMMUNITY ANNOUNCEMENTS

- COVID-19 Stage 3 to begin on Friday, July 24th at 12:01am.

4. INTRODUCTION OF ADDENDUM ITEM(S) None.

5. APPROVAL OF AGENDA

RESOLUTION NO. C-2020- 0226

Moved By Councillor Neeson

Seconded By Councillor Waddington

That the July 22, 2020 Council agenda be adopted as presented

Carried

6. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF None.

7. ADOPTION OF MINUTES None.

8. SPEAKERS None.

9. DELEGATIONS/ PETITIONS None.

10. PRESENTATIONS None.

Mayor Quirk moved forward and dealt with Item 12.2.1 at this time.

12. REPORTS

1. Adoption Of Reports Not Requiring Separate Discussion None.

2. Reports Requiring Separate Discussion

- a. Request for Exemption from Approval of Draft Plan of Standard Condominium
 SEDILLA BUILDINGS INC.
 8-12 O'Connor Drive, Sutton, Lots 3-9, Plan 248, RP 65R-33749,
 Parts 1-3

Report No. DS-2020-0064

Anthony Arci, Silver Manor Homes, Agent, provided an update on the project;

- located at Lake Drive/Grew Blvd/O'Connor Drive in Jackson's Point
- 10 year process to date, now able to begin within two weeks pending servicing drawings to be issued, which is in turn dependent upon approval of the site plan agreement and approval of this application tonight
- will submit building permit applications to build out the site with all three structures at the same time over a period of 12 to 18 months

- once servicing plans are issued, construction will begin, signage will be posted with an anticipated market opening in mid September with a potential marketing event in the Jackson's Point Parkette
- first opportunity will be extended to original purchasers and those originally interested in the community
- existing dwelling unit at the corner of O'Connor Drive and Grew Blvd will be demolished pending receipt of a demolition permit
- the project has been renamed "Lakeville Jackson's Point"

Connor McBride

- Application to exempt the draft plan of condominium from requirements of Section 51 of the Planning Act,
- south-west corner of Lake Drive East and Grew Blvd.
- application has been reviewed by the Site Plan Review Committee on a number of occasions, with minor changes made over the years
- proposing one multi-unit commercial building in the northeast corner, 33 condominium apartment building, town-homes in the southern extreme of the property
- applied for exemption from Section 51 requirements for Draft Plan of Standard Condominium which will exempt application from standard requirements typically involving notice, conditions of draft approval, and associated public meetings
- commercial building and apartment building proposed to be divided into a number of units, each unit will have a combination of contiguous parking and will have the units themselves and a separate parking spaces for residential units and commercial units; application would divide lands into separate units and allow them to be separately conveyed
- 33 senior's apartment units, 11 townhouse units, 6 commercial units, common area in the centre of the site for visitor parking, driveway aisles, loading spaces and servicing infrastructure
- Condominium Act allows municipalities to exempt applications for condominium from requirements of Section 51 of the Planning Act - typically requested to expedite the process where the public has already been heavily engaged and comments have already been provided and addressed
- next steps include issuance of an exemption certificate, inclusion of draft plan of standard condominium in site plan agreement, Director to retroactively extend the conditions of approval, issuance of building permits

The Nurse-Practitioner Clinic is being rebuilt on its original site on Dalton Road and therefore is no longer part of this development.

RESOLUTION NO. C-2020- 0227

Moved By Councillor Sebo

Seconded By Regional Councillor Grossi

1. That Council receive Report DS-2020-0064 prepared by the Planning Division, Development Services Department, dated July 22, 2020 respecting a Request for Exemption from Approval of Draft Plan of Standard Condominium, submitted by Armland Group Inc. on behalf of Sedilla Buildings Inc. for lands municipally identified as 8 - 12 O'Connor Drive and legally described as Lots 3 to 9, Plan 248, RP 65R33749 Parts 1 to 3.
2. That Council approve the Request for Exemption from Approval of Draft Plan of Standard Condominium in accordance with the provisions of the Condominium Act, 1998, for lands municipally identified as 8 - 12 O'Connor Drive and legally described as Lots 3 to 9, Plan 248, RP 65R33749 Parts 1 to 3.
3. That the Exemption from Approval of Draft Plan of Standard Condominium shall relate to the Draft Plan of Standard Condominium, dated July 6, 2020 and included as Attachment 6 to Report DS-2020-0064.
4. That the plans submitted as part of Site Plan Application B.1.167 be consistent with the:
 - a. Site Plan, dated June 23, and included as Attachment 4 to Report DS-2020-0064; and
 - b. Draft Plan of Standard Condominium, dated July 6, 2020 and included as Attachment 6 to Report DS-2020-0064.

Carried

The Director of Development Services was requested to review the status of the originally issued demolition permit on the property to determine the best course of action with regard to demolition requirements.

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 (7:30pm)
 STEVEN MASTORAS and LOUISE KANOPOULOS
 Part Lot 11, Concession 9 (NG); e/s Kennedy Road, South of Metro Road North
 AGENT: MLS Planning Consultants

Report No. DS-2020-0048

- a. Additional Correspondence to Report DS-2020-0048;
- Lake Simcoe Region Conservation Authority comments and recommendations

Mark Stone, MLS Planning Consultants, Agent for the applicant;

- introduced Trevor Bain, architecture and design, Greg Neill, biologist/ecologist, who are available to answer questions
- 10 hectare property fronts on the east side of Kennedy Road between Metro Road and Baseline Road, currently vacant with wooded areas and a provincially significant wetland area
- zoned Rural, permits construction of a single family dwelling but rezoning is required due to lot area requirement
- proposing accessory apartment for the applicant's father
- proposed dwelling location suggested by the Town and the Lake Simcoe Region Conservation Authority for the south-west quadrant
- Designated Environmental Protection Area, policies permit single family dwellings on existing lots of record, with requirements; minimum lot area is the only deficiency
- establishment of single family dwelling on existing lot of record reasonable and supported by relevant policies
- limited amount of vegetation to be removed
- displacement of species/disturbance will not have significant impact on wildlife
- complies with all regulations except for minimum lot area
- no new lot being created
- working with Conservation Authority to resolve issues
- Butternut Trees identified on the property with a vast majority being preserved

Dustin Robson;

- existing dwelling to the north approved by Council in 1989, hydro transformer to the south, surrounded by agricultural land
- application to rezone portion of property from Rural to Site Specific Rural to recognize existing lot area and frontage deficiencies to permit construction of a dwelling and accessory apartment
- propose to rezone remainder as 'Open Space' due to environmental features of the property; meets minimum lot size and frontage requirements to permit non-residential uses on the property in the Rural zone
- designated Environmental Protection Area, within Greenland System in Official Plan, Provincially Significant Wetland to the north-east of the property

- Official Plan permits single family dwelling given environmental impact study provided and no negative impact on ecological function of the property
- consistent with Provincial Policy Statement, compliance with Growth Plan, Greenbelt Plan, Lake Simcoe Protection Plan, York Region Official Plan will be reviewed following changes to the proposal agreed upon
- outstanding comments; York Region to reply next week, LSRCA has some concerns but applicant working toward resolution relating to Butternut trees
- no submissions received from the public
- Conservation Authority has identified significant woodlands and provincially significant wetlands and proposed that dwelling be moved to south-west corner to conserve existing Butternut trees
- recommend subsequent report be submitted to Council following outstanding comments and concerns being addressed
- applicant requesting reduction in application fees
- strong protection measures can be implemented to protect environmental features. The property is identified as being part of the Willow Beach Wetland Complex

Harold Lenters;

- Official Plan speaks to existing lots of record; when existing lot of record is designated Environmental Protection Area, level of review is escalated significantly
- 10-15 acre lots can be considered a single family dwelling lot subject to studies and assessments indicating the development would not negatively impact environmental features
- development not proposed within the wetland, an adequate buffer is proposed, Butternut trees remain an issue
- area of development is not large and a future application is not foreseen
- 850 lots of record of 5, 10 and 15 acres created in the 1940's, 1950's and 1960's prior to universal Part Lot Control and The Planning Act; each lot would be reviewed on its own merits if applications were submitted

Council requested that the subsequent report identify neighbouring existing lots of record.

- tree compensation policy will regulate replanting of trees to compensate for those removed, restoration of certain areas on the property, upgrading of degraded areas, financial compensation. The next report will include a better understanding of what the tree compensation package will include.

Dustin Robson;

- 16 Butternut Trees identified, 3 identified to be removed.
- Conservation Authority requested the dwelling be relocated to reduce the total amount of trees to be removed. Applicant could retain existing location, would be compensation required and with the 3 trees being removed, would need to plant 50 or 60 seedlings.

Mark Stone

- applicants open to rezoning remainder of land to Open Space
- 3 Butternut trees identified in building envelope as diseased/dead but will be compensated for their removal
- building envelope was originally further south and further west
- inquired if it would be appropriate to request a rebate

Greg Neill explained the Butternut tree health assessment report. He believes the current location for the single family dwelling is acceptable and to move it to the west would not have a significant impact on the trees to be removed.

RESOLUTION NO. C-2020- 0228

Moved By Councillor Waddington

Seconded By Councillor Sebo

1. That Council receive Report DS-2020-0048 prepared by the Planning Division, Development Services Department, dated July 22, 2020 respecting an application to amend Zoning By-law No. 500 submitted by MLS Planning Consulting on behalf of Steven Mastoras and Louise Kanopoulos for lands legally described as Pat Lot 11, Concession 9 (NG).
2. That Staff report back to Council following the receipt and assessment of relevant internal department and external agency comments, and after the applicant addresses any concerns raised by the public and/or Council raised at the statutory public meeting.
3. That Staff provide written notice of the next public meeting, a minimum of 2 weeks in advance of the date of said meeting, to the following:
 - i. Any person or public body that has requested to be notified of any future public meeting(s); and,
 - ii. Any person or public body that has requested to be notified of Council's decision regarding the approval or refusal of the subject application.

Carried

- b. Application to Amend Zoning By-law No. 500 (8:15pm)
 Michael LAMANNA and Gina BIANCHI
 Plan 231, Part Lot 36, 415 Lake Drive S, Keswick
 AGENT: Larkin+ Land Use Planners Inc.

Report No. DS-2020-0062

- a. Additional Correspondence to Report No. DS-2020-0062;
- Michelle and Chris Goguen, 413 Lake Dr, in opposition to the application

Aaron Gillard, Agent (8:22pm)

- requested Council support the staff recommendations

Connor McBride

- ongoing Zoning Bylaw Amendment application, 415 Lake Drive South, south Keswick, existing single family dwelling, renovated to include original detached garage as part of the house, plus two additional units equating to a total of 4 units
- in 2019, Council considered application, outstanding matters to be addressed
- significant difference is expanded parking area to service the number of units
- proposal to rezone from Low Density Urban Residential to Site Specific Low Density Urban Residential to legalize existing four units
- amendments include removal of east amenity area for the provision of seven parking spaces including 1 accessible space, removal of fence encroachments onto Town right-of-way, additional details on Pine Beach Drive entrance, removal of encroaching parking spaces on Town right-of-way
- comment received from property owner at 413 Lake Drive South, to the immediate north of the subject property, concerns respecting drainage, flooding, noise and light, encroachments by fencing and buildings
- drainage, light and noise are addressed through the site plan application process, staff found no encroachments
- building permits and site plan approval required, drainage to be directed toward Town right-of-way, proposed entrance to Pine Beach Drive does not comply with entrance bylaw, to be granted site specific exemption
- consistent with Provincial Policy Statement and all applicable policies and plans
- recommended approval of the application and the amending zoning bylaw be passed following the site plan approval process

- Building Division circulated and determined that no building permits had been acquired for any renovations made to the property over the years. The Fire Department may have conducted a fire inspection at some point in time pursuant to an investigation undertaken by the Town. Permits will be required following the site plan application.
- The primary land use in this area is single detached dwelling but in the vast majority of these circumstances, accessory apartments containing 2 units would be permitted on a single lot of record
- what precipitated this application was a complaint. Whenever there is a zoning bylaw infraction, operate on a complaint basis. Investigation confirmed a zoning infraction. If council declined application, the units on the property would not comply with the zoning bylaw, and would require investigation.
- legal survey indicated no fence or deck encroachments to 413 Lake Drive South. Staff recommend passing the amending zoning bylaw in order to evaluate the appropriateness of the setbacks and drainage sufficiency

Harold Lenters

- the double-fee policy applies to building permits; this would apply when the owner applies for building permits. Under the Planning Act, staff can only impose fees anticipated for the processing of the application.
- Building Code needs to be complied with, requirements for separation, fire, etc. Walls may need to be opened up for safety inspection.

Aaron Gillard

- aware that his client acquired the site 4 or 5 years ago. At that time, they were aware of the number of units but were not aware they were illegal and purchased the property.
- The current owners do not live in any of the units; they are divorced and set up a corporation as an investment for their young daughter who is the beneficiary of the corporation.
- Fire Department has conducted inspections to meet certain safety standards, it will be brought up to 2020 standards when permit applications submitted.

Harold Lenters

- if application refused, the opportunity exists to appeal to Local Planning Appeals Tribunal (LPAT).
- if LPAT also refused the application, Bylaw Enforcement would start prosecution to bring property into compliance in terms of the permitted uses through a legal process. If property found not to be in compliance and upheld by the courts, would need to be brought back into compliance.
- is not aware of any implications to the renters

RESOLUTION NO. C-2020- 0229

Moved By Councillor Waddington

Seconded By Councillor Fellini

1. That Council receive Report DS-2020-0062 prepared by the Planning Division, Development Services Department dated July 22, 2020 respecting an application to amend Zoning By-law No. 500 submitted by LARKIN+ Land Use Planners Inc. on behalf of Michael Lamanna and Gina Bianchi for the property legally described as Part Lot 36, Plan 231 and municipally addressed as 415 Lake Drive South.
 - I) That Council approve the revised application submitted by LARKIN+ Land Use Planners Inc. to amend Zoning By-law No. 500, as amended, to rezone lands legally described as Part Lot 36, Plan 231 from Low Density Urban Residential (R1) to site-specific Low Density Urban Residential (R1-XX);
 - II) That Council pass the Amending Zoning By-law pending satisfactory progression through the Site Plan Control process;
 - III) That pursuant to Section 34(17) of the Planning Act, in the event minor revisions are necessary respecting the proposed amending Zoning By-law, further notice shall not be required;
 - IV) That the future Site Plan Application be in general conformity with the Site Plan dated February 6, 2019 and last updated on January 7, 2020 and included as Attachment 6 to Staff Report DS-2020-0062

Recorded	YEA	NAY
Mayor Quirk	X	
Regional Councillor Grossi		X
Councillor Waddington	X	
Councillor Fellini	X	
Councillor Neeson		X
Councillor Sebo	X	
Councillor Harding		X
Results	4	3

Carried.

2. Statutory Meeting(s) Under Other Legislation None.
3. Other Public Meetings None.

13. DISPOSITIONS/PROCLAMATIONS, GENERAL INFORMATION ITEMS AND COMMITTEE OF ADJUSTMENT None.

1. Dispositions/Proclamations
2. General Information Items
 - a. Information Items
 - b. Briefing Notes
3. Committee of Adjustment Planning Matters
 - a. Under Review
 - b. Recommendations
 - c. Decisions

14. MOTIONS/ NOTICES OF MOTION

Councillor Neeson advised that in light of recent announcements, he will no longer be bringing forward a motion requesting economic support to municipalities due to COVID-19.

15. REGIONAL BUSINESS

- growth plan discussion next week

16. OTHER BUSINESS

17. BY-LAWS None.

18. CLOSED SESSION None.

19. CONFIRMING BY-LAW

Moved By Councillor Sebo
Seconded By Councillor Waddington

That the following bylaw be adopted;

1. Bylaw Number 2020-0053 (COU-2), a bylaw to confirm the proceedings of Council on July 22, 2020.


Carried.

20. MOTION TO ADJOURN

Moved By Councillor Fellini
Seconded By Councillor Harding

That the Council meeting adjourn at 9:05pm.

Carried


Margaret Quirk, Mayor


Rachel Dillabough, Town Clerk