

TOWN OF GEORGINA

COMMITTEE OF THE WHOLE MINUTES

June 7, 2004
(9:00 a.m.)

1. MOMENT OF MEDITATION:

A moment of meditation was observed.

2. ROLL CALL:

The Clerk gave the roll call and the following members of the Committee were present:

Mayor Grossi	Regional Councillor Wheeler
Councillor Jordan	Councillor Jamieson
Councillor Szollosy	Councillor Hackenbrook
Councillor Smockum	

3. COMMUNITY SERVICE ANNOUNCEMENTS:

The Committee Members were made aware of a community event that took place.

4. INTRODUCTION OF ADDENDUM ITEMS AND DEPUTATIONS:

None.

5. APPROVAL OF AGENDA:

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. CW-2004-0155

THAT THE AGENDA BE APPROVED AS PRESENTED.

Carried.....

6. DECLARATION OF PECUNIARY INTEREST:

Councillor Hackenbrook declared an interest in Item No. 11.2 as he lives on Lambrook Drive.

7. ADOPTION OF THE MINUTES:

Moved by Councillor Jordan

Seconded by Councillor Hackenbrook

RESOLUTION NO. CW-2004-0156

THAT THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON MAY 17, 2004, BE ADOPTED AS PRESENTED.

Carried.....

8. BUSINESS ARISING FROM THE MINUTES:

None.

9. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

The following items were identified for discussion:

- 9.1 Item No. 11.1, Darryl Irwin, Willow Greens Golf Course, with respect to his application for sign relief for a ground sign
- 9.2 Item No. 11.2, Ronda Hathaway concerning the potential sale of parkland at Sunset Beach, Pefferlaw
- 9.3 Item No. 11.3, Tracey Crandon and Maggie Clark on behalf of the residents of Iveagh Drive and Margaret place, requesting clarification on the Greatwise development
- 9.4 Item No. 14.2.1, correspondence from Denis Kelly, Regional Clerk, Region of York, respecting Draft ROPA 43 – Regional Centres and corridors, Status and Next Steps
- 9.5 Item No. 14.2.2, correspondence from Marilyn Oldfield, Eaglewood Resort & Nature Park, requesting the waiver of the \$200 Festival Event application fee.
- 9.6 Item No. 16.1.1, Report No. DAS-2004-0038 entitled 'Application for Sign Relief from the Town of Georgina Sign By-law No. 99-049 (PUT-1)'; Willow Greens Golf Course
- 9.7 Item No. 16.1.2, Report No. DAS-2004-0039 entitled 'Town of Georgina – 2004 Property Tax Rates'
- 9.8 Item No. 16.1.3, Report No. DAS-2004-0040 entitled 'Granting of a Renewal Agreement with Zehrs Food Plus...Noise By-law exemption...Sunday deliveries'
- 9.9 Item No. 16.2.2, Report No. EPW-2004-0023 entitled 'Three Stream Waste Management System'
- 9.10 Various by-laws (i) to (vi)

10. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION:

Moved by Councillor Jordan

Seconded by Regional Councillor Wheeler

That the following recommendations respecting the matters listed as 'Items Not Requiring Separate Discussion' be adopted as submitted to the Committee and staff be authorized to take all necessary action required to give effect to same:

Reports:

16.2.1 Award of Tender – Surface Treatment
Various Streets within the Town of Georgina

Report No. EPW-2004-0021

RESOLUTION NO. CW-2004-0157

1. THAT REPORT NO. EPW-2004-0021 BE RECEIVED FOR INFORMATION.
2. THAT THE BID RECEIVED FROM MILLER PAVING LTD. IN THE AMOUNT OF \$474,341.70 FOR SURFACE TREATMENT OF VARIOUS ROADS WITHIN THE TOWN OF GEORGINA IS ACCEPTED AND THAT A BY-LAW BE PASSED AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO A CONTRACT BETWEEN MILLER PAVING LTD. AND THE TOWN OF GEORGINA.

16.3.1 Application for Deeming By-law
ASQUITH, Wayne and Ann
Lots 31 and 32, Registered Plan 103

Report No. PB-2004-0044

RESOLUTION NO. CW-2004-0158

- A. THAT REPORT PB-2004-0044 BE RECEIVED FOR INFORMATION.
- B. THAT THE APPLICATION TO DEEM LOTS 31 AND 32, REGISTERED PLAN 103, NOT TO BE LOTS ON A REGISTERED PLAN OF SUBDIVISION AS PER SECTION 50(4) OF THE PLANNING ACT, R.S.O. 1990 BE APPROVED.

Carried.....

11. DEPUTATIONS:

11.1 Darryl Irwin, Willow Greens Golf Course, with respect to his application for sign relief for a ground sign.

Mr. Irwin stated that he is requesting relief from the sign by-law to permit an additional ground sign, as the by-law permits only one ground sign per property frontage. He explained that he currently has two signs on his property since 1989 and are grandfathered and would like to erect another ground sign measuring 4 ft x 8 ft next to the 9th green, which would be set back from the lot line 8 metres as required.

Mr. Irwin stated that he could incorporate all three signs into one 100 square foot sign, but would prefer not to do that. He indicated that he thought the sign by-law's intention was to clean up the sign clutter along Woodbine Avenue, but he is not sure if the by-law has actually assisted with this problem.

Mr. Irwin explained that the required third ground sign will be 32 square feet in size, with all three signs being under 100 square feet. He noted that his property consists of 2,300 feet of frontage.

Mayor Grossi moved forward Item No. 16.1.1 at this time.

16.1.1 Application for Sign Relief from the Town of Georgina Sign By-law No. 99-049 (PUT-1)

Report No. DAS-2004-0038

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

RESOLUTION NO. CW-2004-0159

1. THAT REPORT NO. DAS-2004-0038 BE RECEIVED; AND
2. THAT TOWN COUNCIL APPROVE THE APPLICATION FOR SIGN RELIEF SUBMITTED BY DARRYL IRWIN OF WILLOW GREENS GOLF COURSE FOR ONE ADDITIONAL GROUND SIGN TO BE LOCATED AT 1661 METRO ROAD NORTH, JACKSON'S POINT.

Carried.....

11. DEPUTATIONS cont'd:

Moved by Councillor Szollosy

Seconded by Councillor Hackenbrook

RESOLUTION NO. CW-2004-0160

THAT THE DEPUTATION MADE BY DARRYL IRWIN, WILLOW GREENS GOLF COURSE, REQUESTING RELIEF FROM THE SIGN BY-LAW TO PERMIT AN ADDITIONAL GROUND SIGN TO BE ERECTED ON HIS PROPERTY, BE RECEIVED.

Carried.....

11.2 Ronda Hathaway concerning the potential sale of parkland at Sunset Beach, Pefferlaw.

Councillor Hackenbrook declared an interest in Item No. 11.2 as he lives on Lambrook Drive; he did not participate in any discussion or vote.

Councillor Smockum indicated that the Sunkist Beach Association has discussed the sale of land abutting Ms. Hathaway's property.

Ms. Hathaway of 5 Lambrook Drive stated that she purchased her property in 2000 and was advised by the Real Estate Agent that the McKenzies had attempted to purchase her property at the same time, and she believes that the McKenzies have taken their loss personally and held it against her.

Ms. Hathaway explained that she had argued against the McKenzies erecting a snow fence across Sunset Beach Park during the winter months and noted that the Association was to allow equal access to this waterfront land, which has not occurred, and she is not able to enjoy her property as an equal citizen. She indicated that matters concerning her property were not handled appropriately in the past.

Ms. Hathaway stated that the Sunset Beach Park became a park when the Town assumed it several years ago and entered into an agreement with the Association, a copy of which she has in her possession, stating that the Association was to maintain the park. She indicated that she does not believe the snow fence was erected across the park property to stop snowdrifts, but for another purpose. She noted that the maintenance of the park property should include snow removal as well.

Ms. Hathaway stated that she has heard the McKenzies intend to buy the land abutting their property and knows that this idea has been discussed with the Association, but she has been unable to obtain minutes or by-laws from the Association. She stated that she was under the impression that Council discussed the sale of the property at a Council meeting.

11. DEPUTATIONS cont'd:

Mayor Grossi indicated that Council has had no discussion concerning the sale of the subject property and that any further discussions should be directed to the Leisure Services Department. He stated that he did take a look at the Park during the winter months and in his opinion, the snow fence did not seem to be offensive. He indicated that if the property has the potential to be sold, the Association, herself and any other interested parties will be notified by the Town.

Moved by Councillor Smockum

Seconded by Councillor Szollosy

RESOLUTION NO. CW-2004-0161

THAT THE DEPUTATION MADE BY RONDA HATHAWAY CONCERNING ISSUES BETWEEN HERSELF, HER NEIGHBOURS AND THE SUNSET BEACH ASSOCIATION AND THE POTENTIAL SALE OF PROPERTY ABUTTING HERS BE RECEIVED AND THAT THE MATTER CONCERNING THE POTENTIAL SALE OF PROPERTY ABUTTING MS. HATHAWAY'S LOT BE REFERRED TO THE LEISURE SERVICES DEPARTMENT FOR A REPORT.

Carried.....

Ms. Hathaway requested that the Director of Leisure Services review all previous resolutions concerning her situation prior to preparing the report.

11.3 Tracey Crandon and Maggie Clark on behalf of the residents of Iveagh Drive and Margaret place, requesting clarification on the Greatwise development.

Ms. Crandon stated that Michael Smith, agent for Greatwise Developments, has not addressed all of the resident's concerns with the development, nor answered all of their questions.

Mr. Harold Lenters, Director of Planning and Building, stated that Mr. Smith was not aware of the scheduling of this deputation, and would prefer to be in attendance and would like to discuss the resident's concerns.

Ms. Clark noted that she had informed Mr. Smith of this deputation via e-mail on Friday, but she did not receive a response. She indicated that she is the resident's representative and indicated that there have been contradictions with the development plans. She explained that the residents were advised that there would not be multiple backyards from the new subdivision backing onto any existing backyards, but have now been advised that there will be several occurrences of this nature. They have been

11. DEPUTATIONS cont'd:

advised that there will be three level elevations backing onto their two storey homes, and that elevations will have to be raised, which will result in the new homeowners being able to look into their children's bedroom windows. She explained that the raised elevations will result in privacy and drainage issues. She noted that there is a swale in her back yard, but her back yard is still below water until the middle of June on a regular basis.

Ms. Clark stated that they were advised the construction barricades would be removed when the construction was almost complete, but they were also advised that they would remain until construction was totally complete. She noted that their children are used to playing on this dead end street and are concerned with the opening of the road to traffic. She also stated that the speed limit was to be reduced on both Iveagh Drive and Margaret Place to 40 km/hr, but it has not yet been posted. She inquired when the new speed limit will be posted and enforced.

Ms. Clark inquired if the connection from Springwater Drive to The Queensway would be completed after Phase I or Phase II. She also mentioned that the reason some of the residents purchased their homes in this area was due to the field behind the homes, containing mature trees, abundant wildlife including deer, fox and rabbits and noted that the land is wet. They are aware that they can do nothing to prevent this land from being developed, but they wonder where the wildlife will be forced to live.

Ms. Clark stated that the resident's last issue has to do with the development charges for this subdivision, tied in with an article in The Advocate about who pays the development fees; the current taxpayers or the new homeowners.

Ms. Clark stated that they have sent letters to all of the 67 homeowners in their subdivision and have received some responses. The residents know that they cannot stop the development, but they would like to ensure their own protection.

Ms. Crandon stated that Mr. Smith did walk the property with available residents to discuss some issues, but some of the messages are contradictory. The residents just want to know what is planned for the property so that they can plan their lives accordingly.

Mr. Lenters indicated that a meeting can be scheduled as soon as possible with members of staff, the property owner, his agent, Regional Councillor Wheeler, any interested Council members and resident representatives to discuss the outstanding issues.

11. DEPUTATIONS cont'd:

Mr. Bob Magloughlen, Town Engineer, indicated that Iveagh Drive will be opened up when the heavy construction work has been completed. The whole idea is to have

circulation of traffic to the park area. Traffic flow has never been delayed beyond the completion of the construction work. He indicated that he issued the work order to post the reduced speed limits for both Iveagh Drive and Margaret Place shortly after the meeting and did not realize it was not yet done.

Ms. Clark stated that they received the 'Slow, Watch For Children' signs and thanked the Town. She indicated that the residents are concerned with the additional traffic that will be generated from the new subdivision. The road extension is not a major concern, they just want to ensure their children's safety and the protection of their privacy.

Ms. Clark inquired why the elevation behind their existing homes will be raised and three-storey homes will be backing onto theirs, while Woodbine Avenue is being protected from this situation.

Mr. Lenters stated that there are a few factors to consider with the elevation issue. The zoning by-law can contain a height maximum for the dwellings, but he does not recall a change except on the Woodbine Avenue frontage, which was done for aesthetic purposes rather than privacy reasons. The Town cannot legally refuse an elevation plan, that the zoning by-law must state a maximum of two storey homes or a maximum height provision to restrict the elevation, which is not uncommon.

Ms. Crandon noted that they had been told that the lot line elevation would not be changing.

Mr. Lenters indicated that the zoning by-law can be appealed and withdrawn at a later date, in order to give time to deal with the issues, if the special meeting cannot be scheduled before the zoning by-law appeal date of June 10th. It is Council's prerogative to direct the Planning Department to pay the appeal fee if the meeting cannot be scheduled in time, that is their prerogative.

Mr. Magloughlen explained that the linking of Springwater Drive to The Queensway is intended to be included the subdivision agreement, that staff will be recommending the extension be completed by the end of Phase 2, although the developer does not want to complete this extension until Phase 3.

Ms. Crandon indicated that if the extension is not completed until Phase 3, the emergency vehicles would have to travel up Morton, across Woodbine and into their subdivision to get to the homes at the back of the subdivision. Consideration must be given to all of the homes. She also noted that there is some concern that a few of the trees on the subject property could be rare species, but their major concern is their opportunity to protect their street, children and privacy.

11. DEPUTATIONS cont'd:

Moved by Councillor Jamieson

Seconded by Regional Councillor Wheeler

RESOLUTION NO. CW-2004-0162

THAT THE DEPUTATION MADE BY MAGGIE CLARK AND TRACEY CRANDON ON BEHALF OF THE RESIDENTS OF IVEAGH DRIVE AND MARGARET PLACE CONCERNING THE PROTECTION OF THEIR STREET, CHILDREN AND PRIVACY FROM THE GREATWISE DEVELOPMENT, BE RECEIVED AND THAT A SPECIAL MEETING BE ARRANGED CONSISTING OF THE PROPONENT, HIS AGENT, RESIDENT REPRESENTATIVES, STAFF MEMBERS AND AVAILABLE COUNCIL MEMBERS TO DISCUSS OUTSTANDING CONCERNS, WITH THE UNDERSTANDING THAT IF THIS MEETING IS NOT SCHEDULED PRIOR TO THE JUNE 10TH ZONING BY-LAW DEADLINE, THAT THE BY-LAW BE APPEALED BY THE RESIDENTS AND THE APPEAL FEE BE SUBSIDIZED BY THE TOWN.

Carried.....

12. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION:

14.2 Matters for Disposition:

- 14.2.1 Denis Kelly, Regional Clerk, Region of York, respecting Draft ROPA 43 – Regional Centres and Corridors, Status and Next Steps.

Moved by Councillor Jordan

Seconded by Councillor Smockum

RESOLUTION NO. CW-2004-0163

THAT CORRESPONDENCE FROM DENIS KELLY, REGIONAL CLERK, REGION OF YORK, RESPECTING DRAFT ROPA 43 – REGIONAL CENTRES AND CORRIDORS, STATUS AND NEXT STEPS, BE RECEIVED.

Carried.....

- 14.2.2 Marilyn Oldfield, Eaglewood Resort & Nature Park, requesting the waiver of the \$200 Festival Event application fee.

12. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION cont'd:

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

RESOLUTION NO. CW-2004-0164

THAT COUNCIL WAIVE THE \$200.00 EXHIBITION/FESTIVAL PERMIT APPLICATION FEE FOR THE 15TH ANNUAL EAGLEWOOD FOLK FESTIVAL EVENT TO BE HELD ON AUGUST 27,28 AND 29, 2004.

Carried.....

13. PUBLIC MEETINGS:

None.

15. PETITIONS:

None.

16. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS:

16.1 Reports from the Administrative Services Department:

16.1.2 Town of Georgina – 2004 Property Tax Rates

Report No. DAS-2004-0039

Moved by Regional Councillor Wheeler

Seconded by Councillor Jamieson

RESOLUTION NO. CW-2004-0165

1. THAT REPORT NO. DAS-2004-0039, "TOWN OF GEORGINA - 2004 PROPERTY TAX RATES" BE RECEIVED FOR INFORMATION;
2. THAT THE ATTACHED BY-LAW BE PASSED TO ESTABLISH THE 2004 TAX RATES FOR THE TOWN OF GEORGINA.

Carried.....

16. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

16.1.3 Granting of a Renewal Agreement between the Town of Georgina and Zehrs Food Plus at Yorkwood Village Plaza for Exemption from

the terms of the Noise By-law regarding Sunday deliveries.

Report No. DAS-2004-0040

Moved by Councillor Jordan

Seconded by Councillor Jamieson

RESOLUTION NO. CW-2004-0166

1. THAT REPORT NO. DAS-2004-0040 BE RECEIVED; AND
2. THAT SUBJECT TO THE EXECUTION OF THE AGREEMENT ATTACHED TO THIS REPORT THAT THE TOWN OF GEORGINA GRANT EXEMPTION TO ZEHRS FOOD PLUS FROM SECTION 6 OF THE NOISE BY-LAW NO. 89-89 (PWE-1) TO ALLOW TWO (2) DELIVERIES ON SUNDAYS FOR A PERIOD OF ONE YEAR FROM JULY 1, 2004 TO JUNE 30, 2005 BETWEEN THE HOURS OF 10:00 A.M. AND 2:00 P.M.; AND
3. THAT THE MATTER OF SUNDAY DELIVERIES AT ZEHRS FOOD PLUS BE BROUGHT BACK TO THE COUNCIL MEETING OF JUNE 28, 2004 IN ORDER TO GIVE ANY PERSON OPPOSED TO THE EXEMPTION AN OPPORTUNITY TO BE HEARD; AND
4. THAT STAFF EXERCISE DISCRETION IN NOTIFYING COUNCIL OF FAILURE TO COMPLY WITH THE TERMS OF THIS AGREEMENT; AND
5. THAT THE MATTER OF SUNDAY DELIVERIES AT ZEHRS FOOD PLUS BE BROUGHT BACK TO COUNCIL APPROXIMATELY ONE MONTH PRIOR TO THE EXPIRY DATE OF THIS AGREEMENT FOR REVIEW.

Carried.....

16.2 Reports from the Engineering and Public Works Department:

16.2.2 Three Stream Waste Management System

Report No. EPW-2004-0023

16. COMMITTEE RECOMMENDATIONS AND STAFF REPORTS cont'd:

Moved by Regional Councillor Wheeler

Seconded by Councillor Szollosy

RESOLUTION NO. CW-2004-0167

1. THAT REPORT NO. EPW-2004-0023 BE RECEIVED FOR INFORMATION.
2. THAT RESOLUTION NO. C-2000-0462 BE RESCINDED AND THE TOWN OF GEORGINA IMPLEMENT A THREE STREAM WASTE COLLECTION SYSTEM BEGINNING SEPTEMBER 1, 2007.
3. THAT AN AMOUNT OF \$125,000 BE RESERVED IN 2005, 2006 AND 2007 TO FUND THE PURCHASE AND DELIVERY OF SOURCE SEPARATED ORGANIC CONTAINERS.
4. THAT THE REPORT AND RESOLUTION BE FORWARDED TO THE GEORGINA ENVIRONMENTAL ADVISORY COMMITTEE FOR REVIEW AND ANY COMMENTS.
5. THAT THE REGION OF YORK BE REQUESTED TO SUBSIDIZE THE COST OF THE CONTAINERS REQUIRED FOR THE THREE STREAM COLLECTION SYSTEM.

Carried.....

17 UNFINISHED BUSINESS:

None.

18. REGIONAL BUSINESS:

It was mentioned that a West Nile Virus Open House will be held at the Georgina Civic Centre on Thursday, June 10th.

19. MOTIONS:

None.

20. NOTICES OF MOTION:

Councillor Szollosy will introduce a proposed motion on the review of recyclable containers and requesting the Province to change the regulations thereby making the

producers of recyclable containers more responsible and that this notice be brought forward to a future meeting.

21. OTHER BUSINESS:

The Town Engineer gave a brief verbal report to the Committee Members on behalf of the Hwy 404 Liaison Committee at this time, stating that consultants have been hired with respect to environmental issues and the road extension design has begun, with the letting of the tender expected in 2006.

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

That the Committee of the Whole meeting recess and an In-Camera meeting be held at this time (10:38 a.m.) to deal with the following matters:

i) Property matters

Carried.....

The Committee Members arose from the In-Camera meeting at this time (11:47 a.m.); no motions emanated from the In-Camera meeting.

22. ADJOURNMENT:

Moved by Councillor Smockum

Seconded by Councillor Hackenbrook

That a Special Council Meeting be held immediately following the Committee of the Whole meeting to deal with the following matters:

- i) A By-law to authorize the Mayor and Clerk to enter into a contract with Miller Paving Ltd. for Surface Treatment of various streets within the Town.
- ii) A By-law to authorize the Mayor and Clerk to enter into a contract with Miller Paving Ltd. for the supply and application of Calcium Chloride within the Town.
- iii) A By-law to authorize the Mayor and Clerk to enter into a contract with Robert E. Young Construction Limited for Gravel Crushing and Stockpiling in the Town.
- iv) A By-law to appoint a Plumbing/Building Inspector for the Town of Georgina; Peter Juras

22. ADJOURNMENT cont'd:

- v) A By-law to Deem Lots 31 and 32, Plan 103, not to be Lots on a Registered Plan of Subdivision, Wayne and Ann ASQUITH, Lot 31 & 32, Plan 103.

- vi) A By-law to set Tax Rates for the year 2004.
- vii) Report No. DAS-2004-0038 entitled 'Application for Sign Relief from the Town of Georgina Sign By-law No. 99-049 (PUT-1)
- viii) Report No. EPW-2004-0023 entitled 'Three Stream Waste Management System'

Carried.....