

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. CAO-2015-0013

FOR THE CONSIDERATION OF COUNCIL

October 28, 2015

**SUBJECT: LAKE DRIVE – SHORELINE JURISDICTION AD HOC COMMITTEE
TERMS OF REFERENCE**

1. RECOMMENDATION:

1. That Council receive Report No. CAO-2015-0013 prepared by the Office of the Chief Administrative Officer dated October 28, 2015 respecting Lake Drive – Shoreline Jurisdiction Ad Hoc Committee Terms of Reference.
2. That the draft terms of reference be adopted.

2. PURPOSE:

To recommend adoption of terms of reference for the Lake Drive – Shoreline Jurisdiction Ad Hoc Committee.

3. BACKGROUND:

On July 14, 2015 Report OED-2015-0025 was considered by Council. Subsequently on September 2, 2015 representatives of Lake Drive met with Town officials to discuss the matter and process moving forward.

On September 23, 2015 Council created the Lake Drive – Shoreline Jurisdiction Ad Hoc Committee. Mayor Quirk and Councillors Fellini and Neeson were appointed to the Committee. Further, Selection Committee processes were waived and Alan Direnfeld, Susan Jagminas, John Ecclestone, Deyril Blanchard and Carr Hatch were appointed to the Committee.

Staff were directed to prepare draft terms of reference for the Committee. The terms of reference were to be available for public review on October 14, 2015.

Staff were also directed to concurrently advertise for an additional 1-3 committee members, with the closing date for applications being October 23, 2015.

4. ANALYSIS:

Attachment 1 is the draft Lake Drive – Shoreline Jurisdiction Ad Hoc Committee Terms of Reference. As can be seen in the draft document, the proposed Purpose of the Committee is:

To provide information and assistance in the drafting of a comprehensive policy for submission to Council with respect to the use of Town road allowance in the area of the Lake Drive North and East shoreline.

The proposed Responsibilities are to:

- i. Draft formal policy, for recommendation to Council, pertaining to acceptable use of Town road allowance in the area of Lake Drive North and East Shoreline.
- ii. Ensure such draft policy:
 - Provides for continued exclusive use of the road allowance abutting the Lake Simcoe shoreline by indirect lake front property owners.
 - Establishes standards for reasonable use of, maintenance of, and improvements on the road allowance.
 - Addresses liability issues associated with the use of the Town road allowance.
 - Ensures protection of shoreline aesthetics/vision of the lake front.
 - Examines the limits of the Lake Drive road allowance.
 - Examines options for formalizing the use of the road allowance by the indirect lake front property owners.
 - Ensures the protection of the environment.
 - Ensures the protection of the health, safety and wellbeing of persons using the road allowance.
 - Ensures the protection of the integrity of the travelled portion of the road allowance.

A request has been received from Mr. Blanchard asking for Council's consideration of allowing alternates to stand in for core members on the Committee. Given the complexity of the issue, and the need to ensure that all members have a thorough understanding of the matter when contributing to recommendation formulation, staff are hesitant to recommend alternates for this specific committee. Should Council wish to accommodate Mr. Blanchard's request, alternates could initially be allowed but should the members of Council on the committee come to feel that the process is being negatively impacted by the allowance, the practice could cease.

5. FINANCIAL AND BUDGETARY IMPACT:

The financial impacts associated with the Committee would be limited to meeting expenses and communication efforts.

6. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

As per Council direction of July 14, 2015, notice of the inclusion of this report on the agenda has been provided via the Town Page, the Town's website and social media.

7. CONCLUSION:

Staff recommends adoptions of the Terms of Reference for the Lake Drive – Shoreline Jurisdiction Ad Hoc Committee as presented.

Prepared by:



Winanne Grant, B.A., AMCT, CEMC
Chief Administrative Officer

Attachment 1 – Draft Lake Drive – Shoreline Jurisdiction Ad Hoc Committee Terms of Reference

TOWN OF GEORGINA
Lake Drive- Shoreline Jurisdiction Ad Hoc Committee

TERMS OF REFERENCE

1. Purpose

To provide information and assistance in the drafting of a comprehensive policy for submission to Council with respect to the use of Town road allowance in the area of the Lake Drive North and East shoreline.

2. Meetings

- i. The Committee shall meet as required throughout the year.
- ii. Quorum for the Committee shall be the majority of the appointed membership (50% plus 1 or round up to nearest whole number).
- iii. Members of the Committee who are unable to attend a regular meeting are required to report their absence prior to the meeting date and/or time.
- iv. A member shall not be absent for three (3) consecutive meetings without notice. For any anticipated lengthy absence (3 meetings or more), the member shall submit a request for leave of absence in order to preserve membership standing. Without a valid and acceptable reason, the individual's appointment to the Committee will be rescinded.

3. Agenda

The Agenda of the Lake Drive – Shoreline Jurisdiction Ad Hoc Committee may contain the following items:

1. **Call To Order**
2. **Approve/Amend Agenda**
3. **Declaration of Pecuniary Interest**
4. **Deputations/Presentations** if required
5. **Adoption of Minutes**
6. **Unfinished Business**
7. **New Business**
8. **Correspondence**
9. **Information** Next meeting date: _____
10. **Adjournment**

4. Responsibilities

The Committee will elect and appoint a Chair and Vice Chair, and shall:

- i. Draft formal policy, for recommendation to Council, pertaining to acceptable use of Town road allowance in the area of Lake Drive North and East Shoreline.
- ii. Ensure such draft policy:
 - Provides for continued exclusive use of the road allowance abutting the Lake Simcoe shoreline by indirect lake front property owners.
 - Establishes standards for reasonable use of, maintenance of, and improvements on the road allowance.
 - Addresses liability issues associated with the use of the Town road allowance.
 - Ensures protection of shoreline aesthetics/vision of the lake front.
 - Examines the limits of the Lake Drive road allowance.
 - Examines options for formalizing the use of the road allowance by the indirect lake front property owners.
 - Ensures the protection of the environment.
 - Ensures the protection of the health, safety and wellbeing of persons using the road allowance.
 - Ensures the protection of the integrity of the travelled portion of the road allowance.

5. Reporting and Recommendations to Town Council

- i. When requiring a matter to be considered or a decision of Council, the Committee shall make recommendations to Council, by reporting in a report format to include:
 - background information to be a brief synopsis or history of the issue
 - options for consideration to include financial and policy implications
 - a recommendation for Council's consideration
- ii. The report will be separate from the Minutes. However, information in the minutes pertinent to the recommendation will be summarized in the report to Council.
- iii. Reports for consideration to Council shall be provided to the Clerk for processing.
- iv. Should the Committee wish to provide a deputation to Council, a request shall be made in writing through the Clerk's office.

6. Membership

- i. Appointed by Council, the Committee shall consist of:
 - Mayor Quirk, Councillor Fellini and Councillor Neeson
 - Residents Alan Direnfeld, Susan Jagminas, John Ecclestone, Deyril Blanchard and CarrHatch
 - Eastbourne resident representative Carr Hatch
 - One (1) to three (3) citizen appointments
- ii. Resignations from the Committee must be in writing to the Committee and Council.

7. Length of Term/Vacancies

- i. The Committee shall be appointed until the submission of a comprehensive report and recommendations to Council.
- ii. Recognizing that vacancies may arise, Council will request submissions from the public and will appoint citizens to fill such vacancies.

8. Member in Good Standing

The rules governing the procedure of Council and the conduct of members shall be observed by this Committee. All members should reflect appropriate conduct when attending meetings and/or representing the Georgina Lake Drive - Shoreline Jurisdiction Ad Hoc Committee in public.

Consequences:

Upon any infraction of the above (which infers a negative impact upon the effectiveness of the Committee's work), a member can be put on probation for a two-meeting period with a letter from the Chair and/or a vote from members. If the conduct of the member continues to impact negatively upon the Committee's work, during and following the probation, then the Committee may make recommendation to Council to remove the member from the Committee.

9. Use of Town Logo/Letterhead

- i. The Committee has the ability to draft correspondence and make contacts with external organizations/individuals to solicit information, to carry out its mandate. However, the nature of the contact and information shall not significantly bind the Municipality and shall be approved by the Communications Manager.

- ii. The Committee shall adhere to the Town logo policy in carrying out the mandate of the Committee.

10. Authority

- i. The Committee shall work within the scope of their responsibilities as set out in this Terms of Reference.
- ii. The Committee has no decision-making authority. Recommendations to Council in the form of resolutions are required.
- iii. Any information or action that binds the Corporation will require Council's approval.

11. Confidentiality

The *Municipal Act* shall bind the members of the Committee as it relates to confidentiality, conflict of interest, closed sessions, and any other requirements under the Act, which pertain to the conduct of officials.

12. Procedural By-law

The rules and regulations contained in the procedural by-law shall be observed in all proceedings of the Committee and shall be the rules and regulations of the dispatch of business by the Committee.