

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

Wednesday, October 11, 2017
7:00 PM

Staff:

Winanne Grant, Chief Administrative Officer
David Reddon, Director of Corporate Services/Deputy C.A.O. (Acting)
Harold Lenters, Director of Development Services
Ron Jenkins, Director of Emergency Services and Fire Chief
Dan Pisani, Director of Operation & Infrastructure
Rob Wheater, Budget Accountant, Acting Treasurer
Karyn Stone, Manager of Economic Development and Tourism Development
Marc Pourvahidi, Service Delivery Review Project Manager
Alan Drozd, Supervisor, Development Planning
Ingrid Fung, Planner
Tolek Makarewica, Planner
Tanya Thompson, Communications Manager
John Espinosa, Town Clerk
Carolyn Lance, Council Services Coordinator

1. CALL TO ORDER - MOMENT OF MEDITATION

A moment of meditation was observed.

2. ROLL CALL

The following Members of Council were present:

Mayor Quirk	Regional Councillor Davison
Councillor Biggerstaff	Councillor Fellini
Councillor Neeson	Councillor Sebo
Councillor Harding	

3. COMMUNITY ANNOUNCEMENTS

•Wednesday, October 11th, Premier Wynne visited the Nurse-Practitioner Clinic and formally announced the NP clinic had been awarded \$1.63 Million to construct a new building. The developer should be breaking ground in January of 2018 and open for business in April of 2019.

- (1) Cheque presentation to the Sutton Legion of the proceeds from the Mayor's 2017 Charity Motorcycle Ride.

Council presented representatives of the Sutton Legion with the proceeds from the Mayor's second annual 2017 Charity Motorcycle Ride totaling \$9,000. The money will be used for the memorial banner program recognizing the veterans. The public was advised to contact the Sutton Legion if they have a photograph of a war veteran for inclusion of a banner.

- Saturday, October 21, Family Fright Fiesta at Georgina Pioneer Village
- Saturday, October 14, Georgina Blaze Bottle Drive at the Keswick Beer Store, 9:00am to raise funds for cancer research

4. INTRODUCTION OF ADDENDUM ITEM(S)

Item No. 13(1)(A) Attachment to correspondence respecting Water Soldier

5. APPROVAL OF AGENDA

Moved by Councillor Sebo, Seconded by Councillor Neeson

RESOLUTION NO. C-2017-0526

That the agenda with the following addendum item, be approved;

Item No. 13(1)(A) Attachment to correspondence respecting Water Soldier

Carried.

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

7. ADOPTION OF MINUTES *None.*

8. SPEAKERS

Mayor Quirk inquired if there was anyone was in attendance who wished to speak to any of the reports listed on the agenda;

Michael Smith of Michael Smith Planning Consultants, Agent on behalf of the owner of 36 Church Street, Keswick, advised that the property is listed on the Georgina Heritage Register and designated in the Keswick Secondary Plan as 'Commercial Employment area' which does not permit single family dwellings. Prospective purchasers wish to purchase the property for commercial purposes

and demolish the dwelling. He requested Council that town staff take photographs for the records, not refer the matter to the Georgina Heritage Committee and permit the demolition.

Mayor Quirk moved forward 13(1)(C) at this time.

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

(1) Dispositions/Proclamations

- (C) Michael Smith Planning Consultants requesting removal of 36 Church Street from the Heritage Register

Moved by Councillor Sebo, Seconded by Councillor Biggerstaff

RESOLUTION NO. C-2017-0527

That the request by Michael Smith, agent for the owner, to remove 36 Church Street from the Georgina Heritage Register be received and according to the Ontario Heritage Act, that Council consult with its municipal Heritage Committee prior to considering the removal of the property from the register, said committee to report back to Council within the sixty day timeframe.

Carried.

Allan Direnfeld respecting Item No. 12(2)(B), requested Council consider Step 5 concerning the extent of the lands to potentially be divested, as it falls in line with Step 4 concerning what the divestiture will be based upon. He also believes the eligible property owners, those owning property across the travelled portion of Lake Drive road allowance from the lakeside lots, should be the only persons those properties could be sold to.

9. DELEGATIONS/PETITIONS

- (1) Bill Major, Georgina Arts Council/Georgina Arts Centre and Gallery, providing an update on the progress of the Arts Centre and opportunities towards a future home for the Arts Centre.

Bill Major provided an update on the progress of the Arts Centre and opportunities towards a future home, suggesting that the Arts Centre remain in its current location pending the exploration of potential new locations with the assistance of Town staff.

Moved by Councillor Neeson, Seconded by Councillor Fellini

RESOLUTION NO. C-2017-0528

That the presentation by Bill Major, Georgina Arts Council/Georgina Arts Centre and Gallery, respecting the progress of the Arts Centre be received and that Town Council endorse the concept of further investigation with the Arts Centre on their long term vision and that Town staff assist in exploring potential new locations.

Carried.

10. PRESENTATIONS *None.*

11. PUBLIC MEETINGS

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

(7:43 pm)

- (A) Application to Amend Zoning By-law No. 500
JONES, Doug & BROWN, Cherie
Concession 2, Part Lot 22 (NG), Town Plot of Keswick, Part Lots 25
and 26, 75 Osbourne Street
AGENT: Laura LaPierre

Report No. DS-2017-0119

Mayor Quirk explained the procedure for a public meeting at this time.

Laura LaPierre, Agent;

- owners of 75 Osborne Street, Roches Point, requesting approval to rezone the subject property to permit a temporary mobile home to act as a garden suite to accommodate aging parents for twenty years
- property is currently zoned C1 proposing mobile home in the north-west portion of property to be least obtrusive to both families and neighbouring properties
- proposed location of garden suite is the north-west portion of the property
- removal of existing enclosed porch on legal non-conforming single family dwelling would be required
- services including water, sewer, electrical and gas, to be extended to the garden suite from the existing residence
- property can accommodate two vehicles
- requesting temporary secondary residence on subject property, reduction of front yard setback from 8 to 4.5 metres, reduced exterior side yard setback from 7 to 2.5 metres, reduction of sight triangle from 9 to 6 metres
- existing cedars in corner are established and grandfathered and provide additional privacy and screening
- in compliance with all sections of the Georgina Official Plan regulations concerning garden suites

- according to the York Region Official Plan, the subject property is within the Greenbelt and Protected Countryside Area and within the 120 metres of the Regional Greenland System and 120 metres of provincially significant wetland, sustainable natural environment and significant ground water recharge area
- fully established residential lot with Metro Road, a regional road, separating it from direct contact with these features, therefore no negative impacts are anticipated
- no concerns expressed by external agencies or internal departments

Ingrid Fung, Planner

- requesting a temporary zoning by-law amendment to permit a garden suite for twenty years
- staff received no comments from the public and no objections from circulated agencies or departments
- staff believes the proposal is consistent with the Provincial Policy Statement and conforms with the Growth Plan, the Greenbelt Plan, the Lake Simcoe Protection Plan, the York Region Official Plan, and the Town's Official Plan
- an agreement between the applicant and the Town would need to be entered into to regulate the temporary use and the Town would also require financial securities to ensure removal of the suite, with a requirement that the applicant register the agreement on title at the applicant's cost
- temporary zoning by-law can permit a garden suite up to twenty years. Should the applicant require an extension of the by-law, they may re-apply for subsequent by-laws granting extensions of up to three years. However, once the granted time period has lapsed, the use must cease
- staff recommends approval of application
- it is not prohibited to park on the grassed portion of a property in the zoning by-law

Harold Lenters

- a vehicle cannot legally be parked on the grassed boulevard but beyond the Town's limit and on the property, parking is permitted and whether or not one is allowed to park on a front lawn depends on the zoning of the property

Laura LaPierre

- understands the recreational vehicle currently on the property is not permanent and it is not being used as a residence. The applicant's parents are currently renting a temporary residence. There is a container on the property which is housing the majority of the parent's contents and once the garden suite is constructed, the storage container will be removed. The recreational vehicle can also be removed if required.

Moved by Councillor Neeson, Seconded by Regional Councillor Davison

RESOLUTION NO. C-2017-0529

1. That Council receive Report DS-2017-0119 prepared by the Planning Division, Development Services Department dated October 11, 2017 respecting an application to amend Zoning By-law No. 500 submitted by Laura LaPierre on behalf of Doug Jones and Cherie Brown for the property municipally addressed as 75 Osbourne Street.
2. That Council approve the application to amend Zoning By-law No. 500 submitted by Laura LaPierre on behalf of Doug Jones and Cherie Brown for lands municipally addressed as 75 Osbourne Street.
3. That prior to the passing of the amending Zoning By-law, that Council pass a By-law to authorize the Mayor and the Town Clerk to enter into an agreement with the landowner addressing issues related to installation/removal and maintenance of the permitted garden suite.
4. 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.

Carried.

(8:05 pm)

- (B) Application to Amend Zoning By-law No. 500
CARLESS, Broderick and Mary
Lot 8, Block 18, Plan 69, 61 High Street
AGENT: Michael Smith Planning Consultants

Report No. DS-2017-0120

Mayor Quirk explained the procedure for a public meeting at this time.

Michael Smith of Michael Smith Planning Consultants, Agent;

- subject property is on the north-east side of High Street, between Snooks Road and Hawkins Street
- the site contains a five-unit apartment dwelling, with a double car garage, a deck at the south-east side of the dwelling, a parking area to the rear of the dwelling and an accessory structure to the rear of the lot
- site has access from High Street as well a rear lane, owned by the Town
- dwelling was constructed by the former owner in 1990 as a single family residence and two additional units were subsequently constructed by that former owner
- the applicants acquired the property in 2005 and added two additional units in 2012

- property is zoned Low Density Urban Residential which permits one single family dwelling and one accessory apartment
- applicants propose a change in zoning to Medium Density Urban Residential to permit a maximum of five units
- exceptions to zoning by-law are required for lot frontage, lot area, front yard, interior side yard, privacy yards, planting strips, and landscaped open space
- a survey prepared in support of the planning application determined that the deck/fence on the south side is closer than the permitted interior side yard setback and encroaches slightly onto the neighbouring property; and the shed is located too close the rear lot line and together with the rear fence encroach slightly into the Town's lane
- the rear fence and shed at the rear were built in the same location of a former shed and fence and was unaware of encroachment
- consistent with Provincial, Regional and Town policies, provides for reasonable affordable rental housing
- staff indicate the proposed three parking spaces in the through driveway is not appropriate whereas the applicant advises that this parking is only for his family members and it is not uncommon in the case of single family dwellings to have two more vehicles parked in tandem
- Building Department is requiring conformity with the Building Code, applicant retained a building consultant to conduct an audit and advised the applicants of matters to be addressed to obtain conformity with the Building Code; the applicant decided to reduce the number of apartment units from 5 to 4 with the fifth unit to be modified to form part of owner's dwelling
- seven parking spaces are required for four units, two tandem spaces can be accommodated in the through driveway
- site plan approval will be required to address adjustments to the parking area and use of the Town lane for access purposes
- read correspondence from the owners residing at 59 High Street, in support of the application, indicating no issues with either the applicants or their tenants, that the encroaching fence is not an issue for them, the shed is fine and noise has never been an issue

Tolek Makarewicz;

- no comments received from the public
- no concerns received from the internal departments or external agencies
- application is subject to site plan control
- there is an active investigation file for the additional units constructed without issuance of building permits
- Fire Department advises that existing/required construction shall be conducted in accordance with the Building Code and a fire inspection to be conducted to ensure immediate safety of the occupants is addressed
- application is consistent with Provincial Policy Statement and complies with the Growth Plan, Greenbelt Plan, Lake Simcoe Protection Plan, York Region Official Plan and Sutton/Jackson's Point Secondary Plan

- a zoning amendment is required to rezone the subject property from Low Density Residential to Medium Density Residential to legalize the existing use to obtain building permits to legalize the units
- various relief is required from the apartment dwelling provisions of the by-law
- relief requested to permit tandem parking in the driveway whereas the by-law requires unobstructed access, relief for the location of the shed, relief for the location of the deck and relief for the height of the fence where it abuts the existing deck
- a total of 10 parking spaces are required, 9 required to be standard, 1 to be accessible, but now 9 spaces are required, one of which to be accessible
- staff have concerns with parking area layout as proposed, especially those proposed to obstruct the driveway and further discussion is required respecting the parking area
- once comments are received and reviewed from the public and from Council and after concerns have been addressed, a recommendation report will be submitted to Council

David Waite, 60 High Street

- lives across the road from the subject property and supports the application

Tolek Makarewicz;

- there are requirements for space size, pavement in the parking area and lined, and signage, all under site plan control process
- will be alterations required to the site to facilitate the final proposal
- to clarify, the original owner created two apartments, the new owner created two additional apartments and a deck, all without benefit of building permits
- the deck would not have been permitted so close to the lot line if a permit was applied for
- applied for as a five-plex, but because the additional building code requirements make it unfeasible, it has been reduced to a four-plex
- Fire Department will make a site inspect prior to this process completing and the Building Division will need to issue permits for unauthorized construction
- applicant requires rezoning prior to site plan control and issuance of building permits

Moved by Councillor Sebo, Seconded by Regional Councillor Davison

RESOLUTION NO. C-2017-0530

- 1 That Council receive Report DS-2017-0120 prepared by the Planning Division, Development Services Department dated October 11, 2017 respecting an application to amend Zoning By-law No. 500 submitted by Broderick and Mary Carless for the property legally identified as Lot 8, Block 18, Plan 69.

- 2 That Staff report back to Council following the receipt and assessment of all internal department comments, and once the proponent has addressed the concerns presented in Report DS-2017-0120 as well as any concerns raised by the public and Council at the Public Meeting.
- 3 That Staff provide written notice of the next public meeting, a minimum of two 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.

- (2) STATUTORY MEETING(S) UNDER OTHER LEGISLATION *None.*
- (3) OTHER PUBLIC MEETINGS *None.*

12. REPORTS

- (1) ADOPTION OF REPORTS NOT REQUIRING SEPARATE DISCUSSION

Moved by Councillor Neeson, Seconded by Councillor Fellini

RESOLUTION NO. C-2017-0532

- (A) Service Delivery Review – Report No. 4 – Financial Policy Framework

Report No. CAO-2017-0012

1. That Council receive Report No. CAO-2017-0012 prepared by the Office of the CAO dated October 11, 2017 respecting Service Delivery Review Progress Report No. 4 - Financial Policy Framework.
2. That within the 2017 fiscal year staff develop and present additional tools of the Financial Policy Framework such as Corporate Debt Management Policy, Corporate Investment Policy, Corporate Reserves and Reserve Funds Strategy and a Surplus/Deficit Control Policy for Council's consideration.

3. That Council direct staff to consolidate all Town's discretionary reserves and reserve funds into new categories for higher efficiency and effectiveness and report to Council on October 18, 2017.

Carried.

(2) REPORTS REQUIRING SEPARATE DISCUSSION

Report from the Chief Administrative Officer:

- (B) Lake Drive Shoreline Jurisdiction Action Plan
Operational Step #2

Report No. CAO-2017-0013

Andrew Biggart of Ritchie Ketcheson Hart & Biggart, LLP, summarized the report.

Council requested a copy of the expenses to date on this project.

Moved by Councillor Neeson, Seconded by Regional Councillor Davison

RESOLUTION NO. C-2017-0532

1. That Council receive Report No. CAO-2017-0013 prepared by the Office of the CAO dated October 11, 2017 respecting the Lake Drive Shoreline Jurisdiction Action Plan – Operational Step 2;
2. That as per Action Plan Operational Step 2, Council receive the reporting letter from Ritchie, Ketcheson, Hart and Biggart dated October 2, 2017.
3. That staff be directed to proceed to report on Lake Drive Shoreline Jurisdiction Action Plan encompassing Policy Step 4.

Carried.

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

(1) Dispositions/Proclamations

- (A) Sarah Brislin, Committee Services Coordinator, Georgina Waterways Advisory Committee, recommending Council endorse the idea of installing a barrier on the Sutton Dam to prevent the spread of Water Soldier with the assistance of the Ministry of Natural Resources.

Moved by Councillor Sebo, Seconded by Councillor Fellini

RESOLUTION NO. C-2017-0533

That correspondence from Sarah Brislin, Committee Services Coordinator, Georgina Waterways Advisory Committee, recommending Council endorse the idea of installing a barrier on the Sutton Dam to prevent the spread of Water Soldier be received and endorsed, and that the Ministry of Natural Resources and Forestry be requested to pursue the installation of this barrier.

Carried.

- (B) Town of Newmarket indicating its support of a permanent exemption from Ontario Regulation 366/09 for the use of two way radios for public function drivers.

Moved by Councillor Harding, Seconded by Councillor Biggerstaff

RESOLUTION NO. C-2017-0534

That correspondence from the Town of Newmarket be received, that the Town of Georgina supports the permanent exemption from Ontario Regulation 366/09 for the use of two-way radios for public function drivers and that this resolution be submitted to the Ministry of Transportation, Road Safety Policy Office, and that it be distributed to the Regional Municipality of York, Ontario Good Roads Association (OGRA), Association of Municipalities of Ontario (AMO) and the local municipalities of York Region.

Carried.

- (2) General Information Items

Moved by Regional Councillor Davison, Seconded by Councillor Harding

RESOLUTION NO. C-2017-0535

That the General Information Listing of October 11, 2017, be received.

Carried.

- (3) Committee of Adjustment Planning Matters *None.*
 - (a) Under Review
 - (b) Recommendations
 - (c) Decisions

- 14. MOTIONS/NOTICES OF MOTION *None.*

15. REGIONAL BUSINESS

- Development Charges Hearing October 12th
- Retail Holiday Business Exemption By-law; the Region is looking at obtaining an exemption from the process of requesting exemptions to the existing holiday closures; was suggested that the Region create a system allowing municipalities to choose their own closures according to types of businesses and tourism designations, outside of a region-wide closure on December 25th.
- York Region Agricultural Committee is working on a strategy to support the agricultural community

16. OTHER BUSINESS *None.*

17. BY-LAWS

Moved by Councillor Neeson, Seconded by Councillor Biggerstaff

That the following by-laws be approved:

- (1) By-law Number 2017-0112 (HO-1), being a by-law to authorize the Mayor and Clerk to execute the necessary documents to enter into a Heritage Easement for the property municipally known as 25103 Kennedy Road and register the easement on title

Carried.

18. CLOSED SESSION *None.*

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

19. CONFIRMING BY-LAW

Moved by Regional Councillor Davison, Seconded by Councillor Sebo

That the following by-laws be approved:

- (1) By-law No. 2017-0113 (COU-2), a by-law to confirm the proceedings of Council on October 11, 2017.

Carried.

20. MOTION TO ADJOURN

Moved by Councillor Harding, Seconded by Councillor Fellini

That the meeting adjourn at 8:53 p.m.

Carried.


Margaret Quirk, Mayor


John Espinosa, Town Clerk