



## GEORGINA

### Council Report Out from Closed Session on April 11, 2018

**A) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE, SECTION 239 (2)(f), MA**

- Maple Lake Estates subdivision; draft resolutions and correspondence as prepared by Ritchie, Ketcheson, Hart and Biggart

Moved by Councillor Neeson, Seconded by Regional Councillor Davison

**RESOLUTION NO. C-2018-**

**WHEREAS** The Town of Georgina has received a copy of correspondence, dated April 3, 2018, from Ontario Nature to The Honourable Bill Mauro, Minister of Municipal Affairs, requesting issuance of a Zoning Order to prohibit development on Paradise Beach-Island Grove Provincially Significant Wetland located within the Maple Lake Estates property;

**AND WHEREAS** the Town of Georgina has previously expressed its preference to secure a preservation of the existing environmental features on the Maple Lake Estates property by means of a proposed land exchange of the existing development rights to a less sensitive environmental property;

**AND WHEREAS** the Town, as well as York Region and the Lake Simcoe Region Conservation Authority have previously requested the Minister to support the efforts of the Town, the Region and the Conservation Authority to protect the Maple Lake Estates property;

**AND WHEREAS** the Town would continue to support the participation by the Province in the effort to appropriately protect and maintain the existing environmental features on the Maple Lake Estates property based either on the previously proposed land exchange or alternative solutions which could offered by the Province as the senior planning authority.

**NOW THEREFORE BE IT RESOLVED THAT** the Town Clerk be directed to forward a copy of this Resolution to the Minister with a request that the Minister meet with the Mayor and other Town representatives on an urgent basis in order to be apprised of the Town's concerns and to discuss potential responses by the Province to assist in responding to those concerns.

**Carried unanimously.**

Moved by Councillor Neeson, Seconded by Councillor Biggerstaff

**RESOLUTION NO. C-2018-**

**WHEREAS THE PROVINCE OF ONTARIO** has previously upheld a decision of the Ontario Municipal Board which approved an amendment to the Town's official plan which permitted a large residential development on the Maple Lake Estates property;

**AND WHEREAS** pursuant to the decision of the Ontario Municipal Board issued March 3<sup>rd</sup>, 1987 as confirmed by Order in Council by the Province of Ontario on January 28<sup>th</sup>, 1988, the Maple Lake Estates property has been

zoned and had a registered plan of subdivision and agreement with the Town executed in order to implement the prior Municipal Board decision as upheld by the Province;

**AND WHEREAS** the said decision and Order in Council predated the current Provincial policies related to protection of environmental features such as wetlands;

**AND WHEREAS** the residential development of the Maple Lake Estates property continues to be provided for under current Provincial policies and plans as well as by policies contained within the York Region Official Plan;

**AND WHEREAS** the Town as a local planning authority is required to comply with the Provincial and Regional policies and plans;

**AND WHEREAS** the policies of Official Plan Amendment No. 129 recognizes and carries forward the prior Official Plan approval confirmed by the Province of Ontario on the Maple Lake Estates property;

**AND WHEREAS** the Maple Lake Estates property is currently occupied by provincially significant wetland and forest features that the Town would prefer to see protected by means of a land exchange of the existing development rights on the Maple Lakes Estates property to less environmentally sensitive property;

**AND WHEREAS** the implementation of a land exchange would require the support of the Province of Ontario by means of amendments to Provincial Greenbelt Plan, 2017 and the Growth Plan, 2017 that apply to development within the Town of Georgina;

**AND WHEREAS** to date the Province of Ontario has declined to provide the support requested by the Town, as well as York Region and the Lake Simcoe Region Conservation Authority to facilitate a land exchange.

**AND WHEREAS** the Town continues to support the participation by the Province and has requested a further meeting with the Minister of Municipal Affairs to discuss whether any alternative solutions could be offered by the Province as the senior planning authority.

#### **NOW THEREFORE BE IT RESOLVED:**

1. That the Town Solicitor and staff be instructed to file a copy of this Resolution with the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board) at the hearing of the appeal of Official Plan Amendment No. 129 related to the Maple Lake Estates property;
2. That the Tribunal be advised that Official Plan Amendment No. 129 recognizes pre-existing development permissions on the Maple Lake Estates property as originally affirmed by the Province of Ontario; and
3. That the submissions to be made to the Local Planning Appeal Tribunal on behalf of the Town in connection with this matter make clear the Towns' preference to achieve the protection of the existing environmental features on the Maple Lake Estates property by means of a land exchange and the efforts that have been made to date to secure the cooperation of the Province of Ontario in that regard.

**Carried unanimously.**