

THE CORPORATION OF THE TOWNSHIP OF KING

THE TWELFTH MEETING OF COUNCIL

**Council Chambers
2075 King Road
6:00 p.m.**

**Monday, July 6th, 2009
The Council meeting convened
with Mayor Black presiding.**

ATTENDANCE

Council

Mayor Margaret Black
Councillor Cleve Mortelliti
Councillor Jeff Laidlaw
Councillor Linda Pabst
Councillor Bill Cober
Councillor Jane Underhill
Councillor Jack Rupke

Staff

Scott Somerville, CAO
Chris Somerville, Clerk
Wendy Kwan, Mgr of Revenue/Dep. Treasurer
Gaspere Ritacca, Mgr of Planning & Dev.
Robert Flindall, Dir. of Engineering/Public Works
Catherine Purcell, Director of Parks, Rec. & Culture
Jody LaPlante, Deputy Dir. of Eng. & Development
Brian Grubbe, Chief Building Official
Diane Moratto, Sr. Administrative Assistant
Kathryn Smyth, Deputy Clerk

1. INTRODUCTION OF ADDENDUM ITEMS

None.

2. APPROVAL OF AGENDA

A motion was made by Councillor Cober, seconded by Councillor Pabst and carried that the Agenda for the Council Meeting of July 6th, 2009 be adopted.

3. DECLARATIONS OF PECUNIARY INTEREST

None.

4. MAYOR'S COMMENTS

Mayor Black advised that Council and staff will be taking a short summer break from the regular Council Meeting schedule and the next meeting will be on Monday, August 24th, 2009.

5. ADOPTION OF MINUTES OF COUNCIL MEETINGS & COMMITTEE REPORTS

A. Minutes of Council Meeting

(a) Minutes of the Council Meeting of June 22nd, 2009

A motion was made by Councillor Rupke, seconded by Councillor Underhill and carried that the Minutes of the Council Meeting of June 22nd, 2009 be adopted.

B. Committee Reports

(a) Audit Committee Report of June 22nd, 2009

A motion was made by Councillor Rupke, seconded by Councillor Underhill and carried that the Audit Committee Reports for the Meeting of June 22nd, 2009 be adopted.

(b) Committee of the Whole Report of June 22nd, 2009

A motion was made by Councillor Rupke, seconded by Councillor Underhill and carried that the Committee of the Whole Report for the Meeting of June 22nd, 2009 be adopted.

(c) Committee of the Whole, Closed Session Report of June 22nd, 2009

A motion was made by Councillor Rupke, seconded by Councillor Underhill and carried that the Committee of the Whole, Closed Session Report for the Meeting of June 22nd, 2009 be adopted.

6. NOTICE OF MOTION

None.

7. RECESS INTO COMMITTEE OF THE WHOLE

A motion was made by Councillor Laidlaw, seconded by Councillor Mortelliti and carried that the Council meeting recess into Committee of the Whole.

The Council Meeting recessed at 6:07 p.m.

8. RE-CONVENE

A motion was made by Councillor Rupke, seconded by Councillor Cober and carried that the Council Meeting re-convene.

The Council Meeting re-convened at 10:25 p.m.

9. ADOPTION OF COMMITTEE OF THE WHOLE REPORTS OF JULY 6th, 2009

(a) Committee of the Whole

Item #1: Joint Dept. Report No. JR-2009-05

Re: Schomberg Arena & King Township Curling & Fitness Centre

Councillor Mortelliti requested Item # 1 of the Committee of the Whole Agenda of July 6th, 2009, being Joint Department Report JR-2009-05 regarding the Schomberg Arena & King Township Curling & Fitness Centre, be voted on separately and requested a Recorded Vote.

A motion was made by Councillor Cober, seconded by Councillor Rupke that the Committee of the Whole recommendation to adopt the recommendations of Joint Department Report JR-2009-05 regarding the Schomberg Arena & King Township Curling & Fitness Centre be approved, as follows:

- a) That Council authorize staff to begin the design/build construction process of the Schomberg Arena & King Township Curling & Fitness Centre (the "Arena") through release of a Request for Proposal (RFP) to retain a Project Manager and the release of an RFP for the Pre-Qualification of Bidders, for approval of the recommended Project Manager and pre-qualified Bidders at the August 24th Council meeting.
- b) That Council authorize, upon the recommendation of the CAO, the Mayor and Clerk to execute the Infrastructure Stimulus Fund Agreement to define the terms of funding for the Arena during the summer hiatus period.
- c) That Council receive and support the preliminary funding formula of the Township portion of the Arena.
- d) That Council authorize the CAO and the Township Solicitor to enter into negotiations with the Region of York to transfer the necessary portion of the Schomberg Lagoon lands for the construction of the Arena.
- e) That Council authorize the CAO and the Township Solicitor to enter into a Letter of Understanding with DiPoce Management Ltd. for transfer of the portion of land and servicing requirements necessary to construct the Arena.
- f) That Council authorize the Director of Parks, Recreation & Culture to enter into discussions to secure private sector funding for the naming rights to the Arena and various components within the Arena.

- g) That Council authorize staff to assist and provide resources to the community throughout its fundraising efforts for the Arena.
- h) That Council direct that the \$9.44 million in funding received through the Infrastructure Stimulus Fund be applied to the non-growth component of the capital costs of construction of the Arena .
- i) With respect to planning matters:
 - a. That draft plan of subdivision, file no. 19T-98K01, be revised substantially in accordance with Appendix F attached to this report and that Council's existing approval in principle (refer to Planning Reports P-2007-22, dated April 16, 2007 and P-2008-42, dated August 18, 2008) shall apply to the revised draft plan;
 - b. That staff be directed and authorized to modify the pre-conditions, conditions of draft plan approval, and the no pre-sales agreement (refer to Planning Report P-2008-42, dated August 18, 2008) as necessary to incorporate revisions in relation to the revised draft plan to the satisfaction of the Director of Planning;
 - c. That upon the Township's receipt of the formal revised draft plan of subdivision and the executed no pre-sales agreement, and the completion of the revisions to the pre-conditions and conditions of draft plan approval, Council approval of the draft plan shall come into effect and staff is directed and authorized to issue notice of decision immediately thereafter;
 - d. That the Township initiate a zoning by-law amendment to amend By-law 2007-58 to be consistent with the revised draft plan as detailed in this report, and that a statutory public meeting be scheduled at the earliest opportunity.
- j) That Council authorize staff to retain Condeland Engineering Ltd. to address all concerns from outside agencies and to finalize the site plan for the Arena.

The Clerk called the recorded vote as follows:

FOR: Black, Pabst, Cober, Rupke
AGAINST: Mortelliti, Laidlaw, Underhill

Carried.

A motion was made by Councillor Pabst, seconded by Councillor Mortelliti and carried that Items # 2 – 14 of the Committee of the Whole Report of July 6th, 2009, be approved; the written reports will be provided at the next Council Meeting for confirmation.

10. BY-LAWS

A motion was made by Councillor Laidlaw, seconded by Councillor Pabst and carried that the following By-laws #2009-61 - #2009-68 be taken as read a first, second and third time and passed:

By-law #2009-61 A BY-LAW TO AMEND ZONING BY-LAW NUMBER 74-53, AS AMENDED
(Ref. Planning Dept. Report Number P-2009-12, C.O.W. June 8/09, File No.: Z-2005-08, 2068433 Ontario Inc., Pt. Lot 3 (65R7693, Pt. Part 5), 126 Magnum Dr., Schomberg)

By-law #2009-62 A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A CERTAIN SITE PLAN DEVELOPMENT AGREEMENT BETWEEN LAURA AND TONY SANTAGUIDA AND THE ROYAL BANK OF CANADA AND THE CORPORATION OF THE TOWNSHIP OF KING
(Ref. By-law 90-20, Laura & Tony Santaguida, Pt. Lot 16, Conc. 5, 3036 16th Sideroad, King City)

- By-law #2009-63** A BY-LAW TO AMEND ZONING BY-LAW NUMBER 74-53, AS AMENDED
(Ref Planning Dept. Report Number P-2009-28, C.O.W. June 22nd, 2009, File No. Z-2008-13, King City East Landowners Group, Pt Lot 2-6, Conc. 3, King City)
- By-law #2009-64** A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A CERTAIN SITE PLAN DEVELOPMENT AGREEMENT BETWEEN A.C. TECH HOLDINGS INC. AND THE REGIONAL MUNICIPALITY OF YORK AND THE CORPORATION OF THE TOWNSHIP OF KING
(Ref. By-law 90-20, A.C. Tech Holdings Inc., SPD-2005-12, Pt. Lot 27, Conc. 6, 3935 Lloydtown/Aurora Rd.)
- By-law #2009-65** A BY-LAW TO AMEND BY-LAW NUMBER 2006-93 BEING A BY-LAW FOR REGULATING SIGNS AND OTHER ADVERTISING DEVICES IN THE TOWNSHIP OF KING
(Ref. Planning Dept. Report No.: SPR-2009-03, Hamleys Developments Inc., 13425, 13535 Highway 27, C.O.W. June 8th, 2009)
- By-law #2009-66** A BY-LAW TO AMEND ZONING BY-LAW NUMBER 74-53, AS AMENDED
(Ref. Planning Dept. Report No.: P-2009-31, C.O.W. July 6th, 2009, File No. Z-2009-01, Pt Lot 24, Conc. 11, 15765 12th Concession)
- By-law #2009-67** A BY-LAW TO ACCEPT A TENDER AND AUTHORIZE A CONTRACT FOR TOP COURSE HL 3 PAVING, PAVEMENT REMOVAL, CURB REPAIRS, CATCHBASIN AND MANHOLE ADJUSTMENTS FOR VARIOUS STREETS IN KING CITY
(Ref. Engineering & Public Works Dept. Report No. OP2009-15, C.O.W. July 6, 2009 – Contract No. OP 2009-T03)
- By-law #2009-68** A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A NO PRE-SALES AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF KING AND DIPOCE MANAGEMENT LIMITED
(Ref. Planning Dept. Report No.: P-2008-42, C.O.W. Aug. 18/08, Pt Lot 34, Conc. 8, Schomberg)
- By-law #2009-69** A BY-LAW TO ESTABLISH PROVISIONS FOR THE LICENSING AND REGULATION OF DOGGIE DAY CARES WITHIN THE TOWNSHIP OF KING
WITHDRAWN
(Ref. Joint Clerks/By-law Enforcement/Planning Report JR-2009-06, C.O.W. July 6, 2009)

A motion was made by Councillor Pabst, seconded by Councillor Cober and carried that by-law Number 2009-69 be withdrawn.

11. RECESS INTO COMMITTEE OF THE WHOLE, CLOSED SESSION

A motion was made by Councillor Cober, seconded by Councillor Pabst and carried that the Council Meeting recess into Committee of the Whole, Closed Session, to consider the following items:

- (i) Disposition of Land for Township Purposes
Clerks' Department Report No.: CL-2009-24
 - Request for Consideration of Sale of Township Property
- (ii) Approval of Closed Session, Confidential Reports
 - Committee Closed Session Confidential Report of June 22nd, 2009.

The Committee of the Whole Meeting recessed into Closed Session at 10:30 p.m.

12. RE-CONVENE

A motion was made by Councillor Underhill, seconded by Councillor Rupke and carried that the Council Meeting re-convene.

The Council Meeting re-convened at 10:35 p.m.

13. ADOPTION OF COMMITTEE OF THE WHOLE CLOSED SESSION REPORTS OF JULY 6th, 2009

14.1 Disposition of Land for Township Purposes

Clerks' Department Report No.: CL-2009-24
Request for Consideration of Sale of Township Property

A motion was made by Councillor Pabst, seconded by Councillor Laidlaw and carried that Council receive and approve the recommendations of Clerks' Department Report Number CL-2009-24.

14.2 Approval of Closed Session, Confidential Report of June 22nd, 2009

A motion was made by Councillor Pabst, seconded by Councillor Laidlaw and carried that the Closed Session Confidential Committee Report of June 22nd, 2009 be approved.

14. CONFIRMATION OF PROCEEDINGS BY-LAW

By-law #2009-70 A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT IT'S MEETING HELD ON JULY 6th, 2009

A motion was made by Councillor Cober, seconded by Councillor Rupke and carried that By-law Number 2009-70 be taken as read a first, second and third time and passed.

15. ADJOURNMENT

A motion was made by Councillor Underhill, seconded by Councillor Mortelliti and carried that the Council Meeting be adjourned.

The Council Meeting adjourned at 10:37 p.m.

Margaret Black, Mayor

Chris Somerville, Clerk