



October 3, 2014

**REPORT – OFFICE OF THE CAO
INFORMATION REPORT 2014-09**

TO: Mayor Van Bynen and Members of Council
SUBJECT: Marianneville West Lands
ORIGIN: CAO and Director of Legal Services

In accordance with the Procedure By-law, any Member of Council may request this Information Report be placed on an upcoming Committee of the Whole agenda for discussion.

COMMENTS:

Following a Closed Session Meeting of Council held on Monday September 29, 2014 and authorized under the *Municipal Act, 2001*, Council directed staff as follows:

THAT staff be directed to prepare a Public Information Report to include the CAO's Confidential Memorandum dated September 5, 2014 to provide context around Council's Closed Session deliberations relative to the Glenway West lands;

AND THAT public notice be provided including the petitioners where possible.

BACKGROUND

The purpose of this Information Report is to provide context to the closed session deliberations relative to the Glenway West lands as was directed by Council on September 29, 2014.

On June 16, 2014, Council held a Committee of the Whole Closed Session meeting, authorized under the *Municipal Act, 2001*. As Council is aware, the *Municipal Act, 2001* s. 239 (1) authorizes certain meetings to be closed to the public if the subject matter falls within one of the listed exceptions. The subject matter

of the June 16 Closed Session meeting included the potential acquisition of land in Ward 7. This subject matter falls within the listed exceptions in the *Municipal Act, 2001* and in accordance with legislation, Council resolved to discuss the matter in Closed Session. Generally, information about a property acquisition or disposition subsequently becomes public once Council has made a decision and given directions to staff to implement that decision.

Council on June 23, 2014 subsequently adopted the following recommendation:

THAT Development and Infrastructure Services – Planning and Building Services (Closed Session) Report 2014-22 dated June 16, 2014 regarding a proposed acquisition of land by the municipality be received and that staff be directed to proceed as authorized at the June 16, 2014 Committee of the Whole (Closed Session) meeting.

At the Closed Session meeting of June 16, Committee received a Planning and Building Services (Closed Session) Report regarding the Marianneville West lands (the lands not subject to the applications for development and the OMB appeals). It outlined the Official Plan and zoning designations of the former golf course lands immediately west of the hydro corridor. The report also outlined several considerations for Council relative to the future of the Glenway west lands. These considerations are strategic in nature and ones that are available to the municipality through the *Planning Act* for example. One of the considerations was related to the feasibility of land purchase.

As part of Council's receipt and discussion of the Closed Session Planning and Building Services Report 2014-22, Council directed staff to contact Marianneville to see if the owner might consider selling some or all of the west lands. This information along with Closed Session Planning and Building Services Report 2014-22 would put the new Council in a position to consider the various options relative to the Glenway West lands. Council did not direct staff to make an Offer to Purchase, but rather Council wanted to explore whether this was simply an option that could be considered in the future. In response to that direction, the CAO contacted the owner's representative and the results of this discussion were contained in a Confidential Memorandum dated September 5, 2014. The Memorandum was Confidential because it responded to a specific request by Members of Council arising from a Closed Session meeting dealing with subject matter that was confidential until such time as Council as a whole decided to make the information public.

The following is the copy of said Confidential Memorandum which was provided to Council Members only in early September 2014.



ROBERT N. SHELTON
CHIEF ADMINISTRATIVE OFFICER

CONFIDENTIAL

Memorandum

TO: Mayor and Members of Council
FROM: R.N. Shelton, Chief Administrative Officer
DATE: September 5, 2014
RE: Glenway West Lands

At the Committee of the Whole meeting of Monday, June 16th Council dealt with the attached Planning and Building Services Closed Session Report 2014-22 (Property Matter) and directed staff to contact the owner of the Glenway West lands to determine if they would entertain an offer to purchase the lands.

As a follow up, I contacted Joanne Barnett regarding this and was advised that the lands were not for sale. After further discussion, I was advised that the developable 22 acre piece of property is proposed for development and thus not for sale, however they may entertain offers by the Town to purchase portion(s) of the remaining approximately 30 acres of land. This 30 acre piece is also intended for development, subject to certain successful studies being carried out. From my conversations it would appear that the Owner will not be acting on any of the west lands until late 2014 or more likely 2015.

With this information Council could consider the attached Planning and Building Services Report and provide further direction to staff.

RNS/lr

Attach

Glenway West Lands – Planning Context

At this point in time, there has not been any application by Marianneville for development of the west lands. However, the *Planning Act* permits any landowner to make an application despite the current land use designations for land. If an application for development is received, the Town is required by legislation to follow a statutory planning process which includes public consultation and a statutory meeting.

The referenced Planning and Building Report set out the Official Plan designations and zoning of the former golf course lands immediately west of the hydro corridor. The lands are designated Parks and Open Space in the Town's Official Plan and they are zoned Private Open Space (OS-2-32) with a banquet facility permitted in addition to the other permitted uses in the OS zone. The woodlot that extends generally from the rear of the homes on Amberlee Court northeasterly to the hydro corridor is designated Natural Heritage System (Woodlot).

The lands at the most westerly portion of the property are within the Oak Ridges Moraine, with the former golf course lands designated Open Space – ORM. Lands within the ORM boundary are subject to specific policies and requirements as set out in the ORM legislation and Town-related planning documents.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report supports the *well-equipped and managed* objectives of the strategic plan by implementing policy and processes that reflect sound and accountable governance.

CONSULTATION

Various staff have been consulted in the preparation of this report including Legal Services, Planning and Legislative Services.

HUMAN RESOURCE CONSIDERATIONS

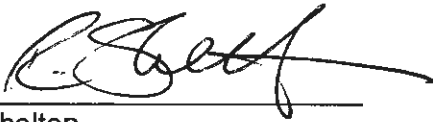
Staffing levels are not impacted as a result of the information in this report.

BUDGET IMPACT

There is no budget impact as a result of the information contained in this report.

CONTACT

For more information on this report, contact Robert Shelton, CAO at bshelton@newmarket.ca or 905.953.5300, Ext. 2032.



Robert Shelton
Chief Administrative Officer

Copy: SLT
Rick Nethery, Director of Planning and Development
Esther Armchuk, Director of Legal Services
Andrew Brouwer, Director of Legislative Services