

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

Additional items to this Agenda are shown under the Addendum heading.

Declarations of Pecuniary Interest

Presentations & Recognitions

1. Presentation to departing Members of Council.

Deputations

Approval of Minutes

2. Council Minutes of September 29, 2014. p. 1
3. Council (Closed Session) Minutes of September 29, 2014.

Reports by Regional Representatives

Notices of Motions

Announcements & Community Events

New Business

Confirmatory By-law

- 2014-56 A By-law to confirm the proceedings of a meeting of Council - p. 24
November 17, 2014.

Addendum

Adjournment

The meeting of the Council was held on Monday, September 29, 2014 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Sponga
Councillor Di Muccio
Councillor Emanuel

Staff Present: R. N. Shelton, Chief Administrative Officer
I. McDougall, Commissioner of Community Services
A. Moore, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
J. Patel, Project Support Business Analyst
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 7:00 p.m.

Mayor Van Bynen in the Chair.

Public Notices

None.

Additions & Corrections to the Agenda

1. Additions & Corrections to the Agenda

Moved by: Councillor Emanuel
Seconded by: Councillor Vegh

THAT the items listed on the agenda as addendum items be included.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

None.

Deputations

2. Ms. Diane Humeniuk addressed Council regarding Play Parks and Accessibility.

Moved by: Councillor Twinney
Seconded by: Councillor Hempen

THAT the deputation by Ms. Diane Humeniuk regarding Play Parks and Accessibility be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

3. Mr. John Blommestein addressed Council regarding a petition with respect to the Glenway West Lands.

Moved by: Councillor Emanuel
Seconded by: Councillor Di Muccio

THAT the deputation of Mr. John Blommestein regarding a petition with respect to Glenway West Lands be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Approval of Minutes

4. Council Minutes of September 8, 2014.

Mayor Van Bynen advised that a correction to Item 20, being Item 2 of the Newmarket Economic Development Advisory Committee Minutes of July 21, 2014 regarding Gigabit Corridor Draft Report was required to replace the word 'adopted' with 'approved'.

Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

THAT the Council Minutes of September 8, 2014 be approved, as amended.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Correspondence & Petitions

5. Correspondence from Ms. Lynn Ziraldo, Executive Director, Learning Disabilities Association of York Region requesting the month of October be proclaimed 'Learning Disabilities Awareness Month' in the Town of Newmarket.

Moved by: Councillor Sponga

Seconded by: Councillor Hempen

a) THAT the correspondence from Ms. Lynn Ziraldo, Executive Director, Learning Disabilities Association of York Region be received and the following recommendations be adopted:

i) THAT October be proclaimed 'Learning Disabilities Awareness Month' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the website www.newmarket.ca

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Reports by Regional Representatives

- a) Regional Councillor Taylor advised that the York Region Annual Transit Plan was approved at the last Council meeting.
- b) Regional Councillor Taylor advised that York Region recognized Waste Reduction Week. York Region is now diverting 87% of all waste from landfill.
- c) Regional Councillor Taylor advised that the final York Region Council meeting with the current Council will be held on November 13, 2014. The first meeting of the 2014-2018 Term of Council will take place on December 11, 2014.

Reports of Committees and Staff

- 6. Committee of the Whole Minutes of September 22, 2014.

Moved by: Councillor Vegh
Seconded by: Councillor Sponga

THAT the Committee of the Whole Minutes of September 22, 2014 be received and the following recommendations be adopted:

- 7. THAT the deputation and PowerPoint presentation by Mr. Steve Foglia, Chair, Accessibility Advisory Committee highlighting the Accessibility Advisory Committee's 2010-2014 term accomplishments be received.
- 8. a) THAT the deputation by Ms. Bessie Vlasits regarding 'Bully Free Community Alliance' be received;
- i) AND THAT the Town of Newmarket proclaim October 10, 2014 as 'Mental Health Day' and November 16 to 22, 2014 as 'Bully Awareness Week' in the Town of Newmarket;

ii) AND THAT the proclamations be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

9. Correspondence dated August 14, 2014 from Ms. Ana Nair, Founder/President ABSG requesting that October 17, 2014 be recognized as Blue Shirt Day - Stop Bullying Day in the Town of Newmarket.

a) THAT the correspondence dated August 14, 2014 from Ms. Ana Nair requesting that October 17, 2014 be recognized as Blue Shirt Day - Stop Bullying Day in the Town of Newmarket be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim Friday, October 17, 2014 as 'Blue Shirt Day - Stop Bullying Day' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

10. Correspondence dated July 29, 2014 from Pandit Roopnauth Sharma, President, Ontario Multifaith Council requesting October 13 to 19, 2014 be proclaimed 'Spiritual and Religious Awareness Week' in the Town of Newmarket.

a) THAT the correspondence from Pandi Roopnauth Sharma, Presient, Ontario Multifaith Council be received and the following recommendations be adopted:

i) THAT October 13 to 19, 2014 be proclaimed 'Spiritual and Religious Awareness Week' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

11. Correspondence dated August 20, 2014 from Mr. Fred Hahn, President, CUPE Ontario Division requesting that Wednesday, October 29, 2014 be proclaimed 'Child Care Worker and Early Childhood Educator Appreciation Day' in the Town of Newmarket.

a) THAT the correspondence from Mr. Fred Hahn, President, CUPE Ontario Division be received and the following recommendations be adopted:

i) THAT Wednesday, October 29, 2014 be proclaimed 'Child Care Worker and Early Childhood Educator Appreciation Day' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

12. Correspondence dated August 29, 2014 from Ms. Jo-Anne St. Godard, Executive Director, Recycling Council of Ontario requesting that October 20 to 26, 2014 be proclaimed 'Waste Reduction Week' in the Town of Newmarket.
 - a) THAT the correspondence from Ms. Jo-Anne St. Godard, Executive Director, Recycling Council of Ontario be received and the following recommendations be adopted:
 - i) THAT the Town of Newmarket proclaim October 20 to 26, 2014 as 'Waste Reduction Week';
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
13. Correspondence dated September 9, 2014 from Fire Chief Ian Laing requesting that October 5 to 11, 2014 be proclaimed 'Fire Prevention Week' in the Town of Newmarket.
 - a) THAT the correspondence from Fire Chief Ian Laing be received and the following recommendations be adopted:
 - i) THAT the Town of Newmarket proclaim October 5 to 11, 2014 as 'Fire Prevention Week';
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
14. Correspondence dated September 10, 2014 from Mr. George Habib, President and CEO, Ontario Lung Association requesting that November, 2014 be proclaimed 'Lung Month' in the Town of Newmarket.
 - a) THAT the correspondence dated September 10, 2014 from Mr. George Habib be received and the following recommendations be adopted:
 - i) THAT November, 2014 be proclaimed 'Lung Month' in the Town of Newmarket;
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
15. Street Naming Committee Minutes of July 28, 2014.
 - a) THAT the Street Naming Committee Minutes of July 28, 2014 be received.

16. Accessibility Advisory Committee Minutes of June 19, 2014.
 - a) THAT the Accessibility Advisory Committee Minutes of June 19, 2014 be received.
17. Appointment Committee Minutes of August 26, 2014.
 - a) THAT the Appointment Committee Minutes of August 26, 2014 be received.
18. Main Street District Business Improvement Area Board of Management Minutes of May 20, June 17 and July 15, 2014.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of May 20, June 17 and July 15, 2014 be received.
19. Environmental Advisory Committee Minutes of May 7 and June 4, 2014.
 - a) THAT the Environmental Advisory Committee Minutes of May 7 and June 4, 2014 be received.
20. Item 1 of the Environmental Advisory Committee Minutes of May 7, 2014 regarding York Region Food Charter.
 - a) THAT the following be referred to staff:
 - i) WHEREAS York Region's food system is vital to our community's health, economic development, environmental sustainability, education and social justice;
 - ii) AND WHEREAS the Town of Newmarket understands the food system is a complex system with interconnected and interrelated priorities, and is committed to strengthening the food system through coordinated actions for food-related programming;
 - iii) THEREFORE BE IT RESOLVED that the Newmarket Environmental Advisory Committee recommend that the Town of Newmarket endorse the York Region Food Charter;
 - iv) AND THAT the Town adopt the policies and principles contained within the Food Charter into the Town's Official Plan.
21. Item 8 of the Environmental Advisory Committee Minutes of May 7, 2014 regarding demolition of sales pavilions.
 - a) THAT the following be referred to staff:

i) THAT the Planning and Development Department, Building Services division review demolition permits for sales pavilions and encourage developers to donate materials to community organizations.

22. Item 12 of the Environmental Advisory Committee Minutes of June 4, 2014 regarding NEAC Follow-Up.

a) THAT the following recommendation be referred to the Committees/Boards Review process:

i) THAT the Newmarket Environmental Advisory Committee request a Council Workshop in December, 2014 or January, 2015 to discuss recommendations and priorities for the Environmental Advisory Committee 2014-2018 term.

23. Development and Infrastructure Services Report - Planning and Building Services 2014-41 dated September 11, 2014 regarding an Application for Zoning By-law Amendment and Draft Plan of Subdivision - Sundial Homes (Davis) Limited.

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2014-41 dated September 11, 2014 regarding an Application for Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT approval be given to Draft Plan of Subdivision 19TN-2013-003, subject to the schedule of conditions set out in Appendix 'A' attached to and forming part of this report;

ii) AND THAT staff be directed to prepare the necessary zoning by-law amendment;

iii) AND THAT the approval for Draft Plan of Subdivision 19TN-2013-003 shall only be issued upon the execution of a 'No Pre-Sales Agreement' by the owner of the said Draft Plan with the Town of Newmarket;

iv) AND THAT servicing allocation be granted in the amount of 665 population to a maximum of 250 dwelling units;

v) AND THAT Chris Matson, Matson, McConnell Ltd., 2430A Bloor Street West, Toronto, ON M6S 1P9 be notified of this action.

24. Corporate Services Report - Legislative Services 2014-18 dated September 9, 2014 regarding vivaNext D1 Project Request for Exemption from the Noise By-law.

a) THAT Corporate Services Report - Legislative Services 2014-18 dated September 9, 2014 regarding vivaNext D1 Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:

i) THAT the request from Kiewit EllisDon for a noise exemption to perform necessary works for the vivaNext D1 project between the hours of 10:00 p.m. to 7:00 a.m. from December 25, 2014 to December 25, 2015 be approved;

ii) AND THAT this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.

25. Corporate Services Report - Legislative Services 2014-20 dated September 8, 2014 regarding the 2014 Status Update - 2013-2017 Multi-Year Accessibility Plan.

a) THAT Corporate Services Report - Legislative Services 2014-20 dated September 8, 2014 regarding the 2014 Status Update - 2013-2017 Multi-Year Accessibility Plan be received;

i) AND THAT the 2014 Status Update - 2013-2017 Multi-Year Accessibility Plan attached as Appendix 'A' be approved.

26. Development and Infrastructure Services Report - Engineering Services 2014-57 dated September 9, 2014 regarding Request for Final Acceptance and Assumption of Underground and Aboveground Works - Garden Homes Residential Subdivision.

a) THAT Development and Infrastructure Services Report – ES 2014-57 dated September 9, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted:

i) THAT the request for final acceptance and assumption of the Garden Homes Residential Subdivision excluding the Stormwater Management Facility and the Mulock Drive sidewalk as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT Mr. Ignazio Giardina of Garden Homes Inc., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffer & Associates Ltd. are notified of these recommendations.

27. Development and Infrastructure Services Report - Engineering Services 2014-58 dated September 5, 2014 regarding Request for Final Acceptance and Assumption of Underground and Aboveground Works - Valleyview Residential Subdivision, Phases 2 and 2A.

a) THAT Development and Infrastructure Services Report – ES 2014-58 dated September 5, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted:

i) THAT the request for final acceptance and assumption of the Valleyview Residential Subdivision – Phases 2 and 2A as shown on the attached map, be finally accepted and assumed by the Town;

ii) AND THAT Mr. George Hofstedter of Lindvest Properties (Valleyview) Ltd., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffer & Associates Ltd. be notified of these recommendations.

28. Correspondence dated September 15, 2014 from Ms. Lynn Bird, President, Rotary Club of Newmarket requesting that October 24, 2014 be proclaimed 'World Polio Day' in the Town of Newmarket.

a) THAT the correspondence from Ms. Lynn Bird, President, Rotary Club be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 24, 2014 as 'World Polio Day';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

29. Correspondence dated September 15, 2014 from Ms. Mary Bayliss, RRT, Canadian Society of Respiratory Therapists requesting that October 26 to November 1, 2014 be proclaimed 'Respiratory Therapists Week' in the Town of Newmarket.

a) THAT the correspondence from Ms. Mary Bayliss, RRT be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 26 to November 1, 2014 as 'Respiratory Therapists Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

30. List of Outstanding Matters.
 - a) THAT the list of Outstanding Matters be received.
31. Correspondence dated August 20, 2014 from Mr. Bryan Allen regarding Train Whistles.
 - a) THAT the correspondence dated August 20, 2014 from Mr. Bryan Allen regarding Train Whistles be received.
32. Correspondence dated July 30, 2014 from Ms. Carolyn Lance, Council Services Coordinator, Town of Georgina addressed to Prime Minister Stephen Harper regarding legislation to restrict the use of Neonicotinoid Pesticides in Ontario and requesting support of a resolution requesting a moratorium be declared surrounding the use of Neonicotinoid crop treatments and the inclusion of planting of bee and butterfly friendly spaces on appropriate Town property in the 2015 budget.
 - a) THAT the correspondence dated July 30, 2014 from Ms. Carolyn Lance, Council Services Coordinator, Town of Georgina regarding the use of Neonicotinoid Pesticides be received.
33. Petition from Mr. Ian Johnston regarding construction of a splash pad in Ward 6.
 - a) THAT the petition from Mr. Ian Johnston regarding construction of a splash pad in Ward 6 be referred to staff.
34. THAT the deputation by Mr. Daniel Berholz, Green & Rose Developments Inc. regarding Development and Infrastructure Services Report - Planning and Building Services 2014-42 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application - 212 Davis Drive be received.
35. a) THAT Development and Infrastructure Services/Planning and Building Services - Planning Report 2014-42 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application D14-NP-14-04 Addendum Report – 212 Davis Drive be received and the following recommendations be adopted:
 - i) THAT Council support the Zoning By-law Amendment in accordance with the Zoning By-law and Holding provisions as recommended in Revised Appendix A - Recommended Zoning By-law; as amended at the September 22, 2014 Committee of the Whole meeting;

ii) AND THAT the applicant be advised that a Reference Plan is required to be submitted to the Town prior to Site Plan Approval, which identifies as a minimum, the land to be conveyed to the Town for future Minor Collector across the southerly limit of 212 Davis Drive; all easements including the easement for the future burying of hydro and related infrastructure (a minimum of a 3 m wide easement along the Davis Drive frontage and space for the future burying of switch gear to replace the current dip pole on the frontage of the property), easements for servicing including, e.g. water, waste water and storm water;

iii) AND THAT Council direct staff and legal counsel to continue to work with the proponent, the commenting agencies toward the resolution of any outstanding issue as identified in Planning Report 2014-40 prior to the lifting to the "Holding" provisions and finalization of Site Plan Approval;

iv) AND THAT Council direct staff and legal counsel, as part of Site Plan process, to enter into a Site Plan Agreement addressing applicable outstanding issues generally as outlined, but not limited to, those identified in Appendix B;

v) AND THAT servicing allocation be granted to this development from the Urban Centres assignment in the amount of 439 people (225 apartment units);

vi) AND THAT parking requirements for 212 Davis Drive be recognized as a 'Holding Provision' within the By-law and that staff work with the applicant to establish a parking ratio of 0.96 per unit, and that the applicant provide staff with a full justification report for and reduction below 1.1 and that the applicant offer options to address parking demand such as but not limited to parking agreements and shared parking;

vii) AND THAT Council request that the Regional Municipality of York explore 212 Davis Drive as part of the pilot project providing transit passes for each unit to encourage transit use by new residents and that York Region explore this policy direction for all new intensification projects on the Viva Rapidway corridors;

viii) AND THAT the 'Holding Provision' of the by-law includes a height of 6.6 metres for the parking structure;

ix) AND THAT Brad Rogers of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 and Daniel Berholz, Green & Rose Developments Inc., 156 Duncan Mills Road, Unit 12, Toronto, ON M3B 3N2 be notified of this action.

36. THAT a staff report reviewing GO Train operations including east-west road connections, grade separations, speed within the downtown core, frequency of whistles at the train intersections located at Water Street, Timothy Street and Davis Drive and the implementation of a regulated Signaled Pedestrian Crossing at Water Street, Doug Duncan Drive and Fairy Lake be referred to the 2015 budget deliberations.

37. THAT the Ontario Government consider the appropriate legislative amendments to the Municipal Act, 2001 to permit telephone or video conference participation by appointed members of municipal accessibility advisory committees required by the Accessibility for Ontarians with Disabilities Act, 2005;

AND THAT this resolution be circulated to the Hon. Kathleen Wynne, Premier of Ontario; Hon. Brad Duguid, Minister of Economic Development, Employment and Infrastructure; Hon. Ted McMeekin, Minister of Municipal Affairs and Housing; Mr. Chris Ballard, MPP; municipalities in York Region, Durham Region, Halton Region, City of Toronto and the Association of Municipalities of Ontario.

38. THAT the PowerPoint Presentation by Mr. Andrew Ferancik be allotted an additional five minutes.

39. THAT PowerPoint Presentation by Mr. Andrew Ferancik, MCIP, RPP Senior Associate, Walker, Nott, Dragicevic Associates Limited, deputations and all correspondence related to Application for Zoning By-law Amendment - 1738357 Ontario Ltd.; 345-351 Davis Drive be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

40. Corporate Services Report - Legislative Services 2014-05 dated September 8, 2014 regarding Canadian Coalition of Municipalities Against Racism and Discrimination (CCMARD) Action Plan.

Moved by: Councillor Di Muccio
Seconded by: Councillor Sponga

a) THAT Corporate Services Report - Legislative Services 2014-05 dated September 8, 2014 regarding 'Canadian Coalition of Municipalities Against Racism and Discrimination Action Plan' be received and the following recommendations be adopted:

i) THAT Council endorse the Town of Newmarket CCMARD (Canadian Coalition of Municipalities Against Racism and Discrimination) Action Plan (attached as Appendix A);

ii) AND THAT staff forward the endorsed CCMARD Action Plan to the Canadian Commission for UNESCO in support of the Ten Common Commitments.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

41. Corporate Services Report – Legislative Services 2014-19 dated September 9, 2014 regarding Implementation Considerations, Relief from Sign Permit Fees, Davis Drive and Yonge Street.

Moved by: Regional Councillor Taylor
Seconded by: Councillor Twinney

a) THAT Corporate Services Report - Legislative Services 2014-19 dated September 9, 2014 regarding Implementation Considerations, Relief from Sign Permit Fees, Davis Drive and Yonge Street be received and the following recommendations be adopted:

i) THAT Council request that staff explore the feasibility and advisability of not enforcing time restrictions in relation to signs on Davis Drive during construction and that staff inform Council of their investigation and direction by information report and inform the business community of the results as well;

ii) AND THAT the relief from sign permit fees not include billboard signs.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

42. Committee of the Whole (Closed Session) Minutes of September 22, 2014.

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

THAT the minutes of the Committee of the Whole (Closed Session) of September 22, 2014 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
Opposed: (None)
(9 in favour, 0 opposed)

Carried

43. Item 1 of the Committee of the Whole (Closed Session) Minutes of September 22, 2014 - Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-21 regarding a proposed disposition of land by the municipality in Ward 3.

Moved by: Councillor Hempen
Seconded by: Councillor Twinney

THAT the Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-21 dated September 22, 2014 regarding the conveyance of land in Ward 3 to the Regional Municipality of York be received;

AND THAT staff proceed as directed.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
Opposed: (None)
(9 in favour, 0 opposed)

Carried

44. Item 2 of the Committee of the Whole (Closed Session) Minutes of September 22, 2014 – Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-23 regarding a potential acquisition of land by the municipality in Ward 5.

Moved by: Councillor Sponga
 Seconded by: Councillor Hempen

THAT the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-23 dated September 22, 2014 regarding the acquisition of a property in Ward 5 be received;

AND THAT the recommendations in the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-23 be adopted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Emanuel
 Opposed: Councillor Di Muccio
 (8 in favour, 1 opposed)

Carried

45. Item 3 of the Committee of the Whole (Closed Session) Minutes of September 22, 2014 – Corporate Services - (Legal Services) Closed Session Report 2014-24 dated September 16, 2014 regarding litigation before the Ontario Municipal Board. (536 and 550 Mulock Court)

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

THAT Corporate Services (Legal Services) Closed Session Report 2014-24, dated September 16, 2014 regarding the appeal to the Ontario Municipal Board from a decision of Council to deny applications for Official Plan and Zoning By-law Amendments be received;

AND THAT the recommendations in Corporate Services (Legal Services) Closed Session Report 2014-24 be adopted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

46. Site Plan Review Committee Minutes of September 29, 2014.

Moved by: Councillor Kerwin
 Seconded by: Councillor Sponga

a) THAT the Site Plan Review Committee Minutes of September 29, 2014 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

47. Development and Infrastructure Services - Planning and Building Services Report 2014-43 dated September 29, 2014 regarding Application submitted to the Planning Department (212 Davis Drive).

Moved by: Councillor Sponga
 Seconded by: Councillor Kerwin

a) THAT Development and Infrastructure Services - Planning & Building Services - Planning Report 2014-43 dated September 29, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-14-04 be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

48. Correspondence from Mr. Bill Russell, Treasurer, Newmarket Church of Christ regarding 212 Davis Drive parking.

a) THAT the correspondence from Mr. Bill Russell, Treasurer, Newmarket Church of Christ regarding 212 Davis Drive parking be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

By-laws

49. By-laws 2014-50, 2014-51, 2014-52, 2014-53 and 2014-54.

- | | |
|---------|---|
| 2014-50 | A By-law to appoint a Building Inspector for the Town of Newmarket as required by the Building Code Act and O. Reg. 403/97, as amended. (Curtis Greenham) |
| 2014-51 | A By-law to Amend By-law 2010-40 being a Zoning By-law (Sundial Homes) |
| 2014-52 | A By-law to amend By-law 2010-40, as amended by By-law 2013-05, being a restricted area (Zoning) By-law. (Mosaik Glenway Homes Inc.) |
| 2014-53 | A By-law to provide an exemption to the Noise By-law to facilitate the necessary work by Kiewit-EllisDon for the vivaNext D1 project. |
| 2014-54 | A By-law to Amend By-law 2010-40 being a Zoning By-law (212 Davis Drive) |

Moved by: Councillor Sponga

Seconded by: Councillor Emanuel

THAT By-laws 2014-50, 2014-51, 2014-52, 2014-53 and 2014-54 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)

(9 in favour, 0 opposed)

Carried

Notices of Motions

None.

Announcements & Community Events

- a) Councillor Vegh advised that the Newmarket Santa Claus Parade will be held on Saturday, November 15, 2014. The parade will begin at 11:00 a.m. at the corner of Lorne Avenue and Eagle Street, and proceed east on Eagle Street and north on Main Street. Please note that due to the construction on Davis Drive the parade will end at Simcoe Street. The Santa Claus Parade Committee is now accepting float applications, available online at www.newmarket.ca until November 4, 2014 at 4:00 p.m. The Committee is also looking for enthusiastic high school students and adult volunteers to fill clown and character costumes for the 2014 Parade. For further information, contact Rhonda Pogue at 905-895-5193 ext. 2655.
- b) Councillor Kerwin invited residents to bring their jack o' lanterns and let the Halloween spirit live on for one more night on Saturday, November 1, 2014 at Newmarket Riverwalk Commons (200 Doug Duncan Drive) from 6:00 p.m. to 7:30 p.m. Bring the whole family, check out the pumpkin masterpieces and enjoy some hot apple cider and cookies sponsored by Pickle Barrel Newmarket. Admission is free.
- c) Councillor Kerwin advised that the Seniors' Meeting Place held their open house this past weekend. Local retirement facilities are now linked to the Seniors' Meeting Place and residents are provided passes. In addition, retirement homes have sponsored events at the Seniors' Meeting Place and Councillor Kerwin thanked staff for their efforts to implement these relationships.
- d) Councillor Twinney advised that the Fire Station at 984 Gorham Street will be holding an Open House on Saturday October 4, 2014 from 10:00 a.m. to 3:00 p.m. in conjunction with Fire Prevention Week. Visitors will be treated to morning coffee and donuts and a BBQ lunch. Come out and enjoy fire safety games, vehicle rescue demonstrations, train rides on the Tim Hortons Express, fire trucks, the fire safety wheel, arts and crafts, "Sparky the fire dog," and much more. Donations will be accepted at the Open House and proceeds will be directed to the Southlake Regional Health Centre Foundation. For more information call 908-895-9222.
- e) Regional Councillor Taylor advised that over the course of the summer, the Town has been installing LED lights throughout Newmarket. The lighting upgrade is part of a Town-wide energy savings program. LED lights save energy, cut greenhouse gas emissions, reduce costs and improve visibility. Light guards will be placed on LED fixtures in residential areas where light trespass has been identified. For more information please visit www.newmarket.ca or call 905-895-5193.

- f) Regional Councillor Taylor advised that the 5th Annual Tom Taylor Trail Ten Miler will take place on October 5, 2014. Funds raised at the event will be donated to support Inn from the Cold. For further information visit www.4Tmiler.ca
- g) Regional Councillor Taylor advised that Community and Home Assistance to Seniors (CHATS) will be hosting an awards event to recognize outstanding volunteers over the age of 60.
- h) Councillor Hempen invited residents to participate in an evening of outdoor discovery and adventure at Newmarket Riverwalk Commons on October 28, 2014. Come out and enjoy “Creepy Crawler” an educational and interactive animal, reptile and insect show from 6:00 p.m. to 7:00 p.m. In the case of inclement weather, the event will be inside the Newmarket Community Centre and Lions Hall. Admission is free.
- i) Councillor Sponga advised that the North Newmarket Lions Club will be hosting a Harvest Dinner and Dance on November 1, 2014 at the Community Centre and Lions Hall, 200 Doug Duncan Drive. For more information, contact Brad Snell at 905-868-9621.
- j) Councillor Sponga advised that the Town of Newmarket is holding a Thanksgiving Food Drive. On October 4, 2014 donate a non-perishable food item and skate, play, swim and/or run for free at Ray Twinney Recreation Complex (100 Eagle Street West) and the Magna Centre (800 Mulock Drive). All donations will go towards filling the shelves of the Newmarket Food Pantry. Donations of non-perishable food items are also being accepted at the Municipal Offices, Ray Twinney Recreation Complex and Magna Centre from October 1 to 10, 2014. For more information, call 905-895-5193.
- k) Councillor Sponga advised that the Town will be recognizing International Day for Eradication of Poverty on October 17, 2014. For further information, contact Tom Pearson at tpearson61@rogers.com
- l) Councillor Di Muccio advised that the Seniors’ Meeting Place offers a Fall Prevention Program every Wednesday and Thursday from 2:00 p.m. to 3:00 p.m. at the Seniors’ Centre at 474 Davis Drive. This free program is available to all Seniors who are at risk of falling. For more information, call 905-953-5325.
- m) Councillor Emanuel advised that on Sunday, November 16, 2014 the Newmarket Sports Hall of Fame will welcome three new inductees in the “Athletes” category – Diane MacLeod, Norman Randal Legge and the Newmarket United 1994 Girls Rep ‘A’ Soccer Team. The Newmarket Sports Hall of Fame honours individuals and teams from Newmarket who have achieved honour and recognition through sport.

- n) Mayor Van Bynen advised that the Town of Newmarket Municipal Offices at 395 Mulock Drive will be closed on Thanksgiving Day, Monday, October 13, 2014.
- o) Mayor Van Bynen advised that the next Council meeting will be held on Monday, November 17, 2014 at 7:00 p.m. The Inaugural Council Meeting for the 2014-2018 term is Monday, December 1, 2014 at 7:00 p.m. He thanked Council for their productive work during the 2010-2014 term of Council.

New Business

- a) Councillor Di Muccio questioned whether public disclosure of the forthcoming Council (Closed Session) meeting would be provided at the meeting this evening. Mayor Van Bynen confirmed that the intent was to publically report out on the outcome of the Closed Session.

Closed Session

50. Closed Session.

Moved by: Councillor Sponga
Seconded by: Councillor Hempen

THAT Council resolve into a Closed Session for the purpose of discussing a potential acquisition of land. (Glenway West)

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Emanuel
Opposed: Councillor Di Muccio
(8 in favour, 1 opposed)

Carried

Council resolved into Closed Session at 7:55 p.m.

The Council (Closed Session) Minutes are recorded under separate cover.

Council resumed into Public Session at 9:22 p.m.

- 51. Confidential Memorandum from the Chief Administrative Officer regarding a potential acquisition of land. (Glenway West)

Moved by: Councillor Emanuel
 Seconded by: Councillor Twinney

THAT staff be directed to prepare a Public Information Report to include the Chief Administrative Officer'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.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

Confirmatory By-law

52. 2014-55 A By-law to confirm the proceedings of a meeting of Council - September 29, 2014.

Moved by: Councillor Emanuel
 Seconded by: Councillor Sponga

THAT By-law 2014-55 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

Adjournment

53. Adjournment.

Moved by: Councillor Emanuel
 Seconded by: Councillor Vegh

THAT the meeting adjourn.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
Councillor Kerwin, Councillor Twinney, Councillor Hempen,
Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

There being no further business, the meeting adjourned at 9:33 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2014-56

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– NOVEMBER 17, 2014.

WHEREAS s. 5(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that the powers of a municipal corporation shall be exercised by its Council;

AND WHEREAS s. 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to pass such a by-law;

THEREFORE BE IT ENACTED by the Council of the Corporation of the Town of Newmarket as follows:

1. THAT subject to Section 3 of this by-law, every decision of Council, as evidenced by resolution or motion, taken at the meeting at which this by-law is passed, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted;
2. AND THAT the execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized;
3. AND THAT nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied;
4. AND THAT any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

ENACTED THIS 17TH DAY OF NOVEMBER, 2014.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk