

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

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

Declarations of Pecuniary Interest

Presentations & Recognitions

Deputations

1. Ms. Stacy Ryder to address Council with an invitation to the Newmarket MS Society, York Region Chapter Walk scheduled for Sunday, May 3, 2015. p. 1

Approval of Minutes

2. Council Minutes of March 30, 2015. p. 2
3. Special Council Minutes of March 30, 2015. p. 22
4. Special Council (Closed Session) Minutes of March 30, 2015.

Correspondence & Petitions

5. Correspondence from Ms. Ashley Martin, Program Manager, Girls Incorporated of York Region requesting proclamation of May 4 to 8, 2015 as 'Girls Rights Week'. p. 25

Recommendations:

a) THAT the correspondence from Ms. Ashley Martin, Program Manager, Girls Incorporated of York Region be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May 4 to 8, 2015 as 'Girls Rights Week';

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

Reports by Regional Representatives

Reports of Committees and Staff

6. Special Committee of the Whole Minutes of March 30, 2015. p. 26
7. Committee of the Whole Minutes of April 13, 2015. p. 30
8. Committee of the Whole (Closed Session) Minutes of April 13, 2015.
9. Appointment Committee Minutes of April 20, 2015 and Appointment Committee (Closed Session) Minutes of April 20, 2015. (Related to Item 15)

Recommendation:

a) THAT the Appointment Committee Minutes of April 20, 2015 and the Appointment Committee (Closed Session) Minutes of April 20, 2015 be received;

b) AND THAT the individuals identified in the Appointment Committee (Closed Session) Minutes recommended for appointment to the following boards/committees be considered at the May 11, 2015 Council meeting in open session:

Accessibility Advisory Committee, Appeal Committee, Committee of Adjustment, Heritage Newmarket, Newmarket Public Library Board, Property Standards Committee

c) AND THAT the applicants be notified prior to the May 11, 2015 Council meeting.

By-laws

- | | | |
|---------|--|-------|
| 2015-14 | A By-law to provide an exemption to By-law 2004-94, as amended, being a by-law to prohibit and regulate unusual noises or noises likely to disturb the inhabitants of the Town of Newmarket.
(Deliveries during Pan Am Games) | p. 49 |
|---------|--|-------|

- 2015-15 A By-law to amend By-law 1993-62, as amended, being a By-law to regulate parking within the Town of Newmarket. p. 50
- 2015-16 A By-law to regulate the temporary closure or occupancy of Highways under the jurisdiction of the municipality. p. 51

Notices of Motions

Motions

Announcements & Community Events

New Business

Closed Session (if required)

The Closed Session Agenda and Reports will be circulated under separate cover (Goldenrod).

13. Personal matters about identifiable individuals (Appointments to Statutory Boards/Committees) (if required)

Confirmatory By-law

- 2015-17 A By-law to confirm the proceedings of a meeting of Council - April 20, 2015. p. 61

Addendum (Additions and Corrections)

15. Appointment Committee Minutes of April 20, 2015 and Appointment Committee (Closed Session) Minutes of April 20, 2015. (Related to Item 9) p. 62

Recommendation:

a) THAT the Appointment Committee Minutes of April 20, 2015 and the Appointment Committee (Closed Session) Minutes of April 20, 2015 be received;

b) AND THAT the individuals identified in the Appointment Committee (Closed Session) Minutes recommended for appointment to the following boards/committees be considered at the May 11, 2015 Council meeting in open session:

Accessibility Advisory Committee, Appeal Committee, Committee of Adjustment, Heritage Newmarket, Newmarket Public Library Board, Property Standards Committee

c) AND THAT the applicants be notified prior to the May 11, 2015 Council meeting.

16. Item 3 of the Appointment Committee Minutes of April 20, 2015.

p. 63

The Appointment Committee recommends:

a) THAT returning appointees be limited to one further term of appointment on the same committee (to expire 2018, or until the appointment of successors by the 2018 Council);

b) AND THAT new appointees be limited to two terms of appointments on the same committee (to expire 2022, or until the appointment of successors by the 2022 Council) in accordance with the Committee Public Appointment Policy;

c) AND THAT staff review the Committee Public Appointment Policy with respect to term limits and report back to the Appointment Committee mid-term.

Adjournment



TOWN OF NEWMARKET
 Legislative Services Department
 395 Mulock Drive
 P.O. Box 328
 Newmarket, ON L3Y 4X7

www.newmarket.ca
 clerks@newmarket.ca
 905.895.5193

Request for Deputation

Request for deputation and/or any written submissions and background information for consideration by either Council or Committee of the Whole must be submitted to the Legislative Service's Department by the following deadline:

For Council – by 12 noon on the Wednesday immediately prior to the requested meeting.

For Committee of the Whole (for items not on the agenda) – by 12 noon on the Wednesday twelve days prior to the requested meeting.

PLEASE PRINT

COUNCIL/COMMITTEE DATE: April 20, 2015

AGENDA ITEM NO. _____ SUBJECT: Newmarket MS Walk

NAME: Stacy Ryder

ADDRESS: _____

Street Address

Newmarket

Town/City

Postal Code

PHONE: HOME: _____ BUSINESS: _____

FAX NO.: _____ E-MAIL ADDRESS: _____

NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable)

MS Society, York Region Chapter

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

We will be inviting council & the Mayor to come out and support the Newmarket MS Walk on Sunday May 3rd.

Monday, March 30, 2015 at 7:00 PM
Council Chambers

For consideration by Council
on April 20, 2015

The meeting of Council was held on Monday, March 30, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Sponga

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Brouwer, Acting Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
L. Lyons, Deputy Clerk
J. Patel, Business Support 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

The Chief Administrative Officer advised that the deputation of Ms. Michelle Smith, Women's Support Network of York Region regarding an overview of the services offered by the Women's Support Network would be rescheduled as she is unable to attend.

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

1. Ms. Rhonda Pogue, Recreation Programmer - Community and Special Events and Ms. Amanda Lee, Communications Coordinator addressed Council with a short video and presentation summarizing plans leading up to the 2015 Pan Am Games and announced Mr. Donald Bond as Newmarket's community torchbearer.
2. Mayor Van Bynen and Members of Council and Ms. Lindsay Burwash, Recreation Programmer presented the Secondary School Art Awards to Cassie Morris, Winter Pearson, Allison Kondal, Maia Bisson and Betty Lu.

Deputations

3. Mr. Brent Kopperson and Mr. Josh Gottlieb addressed Council regarding plans for the Windfall Ecology Festival and a proposed plan for craft beer tasting at the event.

Moved by: Councillor Kerwin
 Seconded by: Councillor Twinney

THAT the deputation of Mr. Brent Kopperson and Mr. Josh Gottlieb be provided an additional 5 minutes.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

THAT the deputation by Mr. Brent Kopperson and Mr. Josh Gottlieb regarding the Craft Beer Tasting at Windfall Ecology Festival be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Kerwin

THAT the request to permit craft beer tasting at the Windfall Ecology Festival be approved as a pilot project for 2015;

AND THAT staff monitor and report back on the nature of the event and adjustments to the policy, if required.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Broome-Plumley, Councillor Bisanz

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

Carried

4. Ms. Teena Bogner, Newmarket Taxpayers Advocacy Group Inc. (NTAG) addressed Council to introduce the group and requested that the Town provide a link to NTAG on the Town's website and on the Town page. She advised that numerous Freedom of Information requests have been undertaken and the group has completed a comprehensive review of the Town's budget and miscellaneous expenses. She requested that staff review these expenses and discontinue the use of miscellaneous budget lines.

Moved by: Councillor Vegh
 Seconded by: Councillor Twinney

THAT the deputation by Ms. Teena Bogner, Newmarket Taxpayers Advocacy Group Inc. regarding the Newmarket Taxpayers Advocacy Group Inc. be received and referred to staff for further review.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Approval of Minutes

5. Special Council Minutes of March 2, 2015.

Moved by: Councillor Twinney
 Seconded by: Regional Councillor Taylor

THAT the Special Council Minutes of March 2, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

6. Council Minutes of March 2, 2015.

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

THAT the Council Minutes of March 2, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Correspondence & Petitions

7. Correspondence dated March 19, 2015 from Ms. Sandra Reid, Drug Reimbursement Specialist, Stronach Regional Cancer Centre requesting proclamation of April 7, 2015 as "Oncology Nurses Day" in the Town of Newmarket.

Moved by: Councillor Vegh

Seconded by: Councillor Hempen

a) THAT the correspondence dated March 19, 2015 from Ms. Sandra Reid, Drug Reimbursement Specialist, Stronach Regional Cancer Centre be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim April 7, 2015 as "Oncology Nurses Day";

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

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)

(8 in favour, 0 opposed)

Carried

Reports by Regional Representatives

- a) Regional Councillor Taylor advised that Regional Council has reaffirmed its commitment to construct the regional annex facility in Newmarket.
- b) Regional Councillor Taylor advised that the Corporate State of Infrastructure Report Card, a grading of the infrastructure, which includes water, emergency services, waste management, forestry, housing and long-term care in the Region has recently been made available. The Region scored A's and B's in all areas, which are very high ratings overall.

- c) Regional Councillor Taylor advised that the Human Services Planning Board is entering a new term and has added new members, including Michael Braithwaite, Executive Director, 360⁰ Kids, Rachel Wong, Senior Regional Manager, Central Canada, TD Direct Investing, Medhat Mahdy, President and CEO, YMCA Greater Toronto and approximately twenty additional community leaders, including school board and hospital representatives.

Reports of Committees and Staff

8. Council Workshop Record of March 23, 2015.

Moved by: Councillor Kerwin

Seconded by: Councillor Broome-Plumley

THAT the Council Workshop Record of March 23, 2015 be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)

(8 in favour, 0 opposed)

Carried

9. Committee of the Whole Minutes of March 23, 2015.

Moved by: Councillor Vegh

Seconded by: Councillor Broome-Plumley

THAT the Committee of the Whole Minutes of March 23, 2015 be received and the following recommendations be adopted:

10. THAT the presentation by Ms. Debra Scott, President and CEO, Newmarket Chamber of Commerce regarding Year in Review - Smart Commute Central York be received.
11. THAT the presentation by Mr. Peter Sturup, Headmaster, Pickering College regarding Campus Plans be received.
12. THAT the deputation by Mr. David Hanson, Newmarket Soccer Club regarding Artificial Turf Soccer Fields be received.

13. a) THAT Community Services Report - Recreation and Culture 2015-03 regarding Artificial Turf Soccer Field be received and the following recommendations be adopted:
 - i) THAT Council direct staff to explore a partnership agreement with York Region District School Board for the construction and ongoing operation of an Artificial Turf Sports Field;
 - ii) AND THAT staff report back at the April 13, 2015 Committee of the Whole with information related to York Region District School Board's timing on this matter.
14. Correspondence dated February 19, 2015 from Ms. Karen Beaulieu, Fundraising Coordinator, Canadian Cancer Society requesting an exemption from the Noise By-law for the 2015 Relay for Life event scheduled for June 19, 2015 from 7:00 p.m. to June 20, 2015 at 7:00 a.m.
 - a) THAT the correspondence dated February 19, 2015 from Ms. Karen Beaulieu, Fundraising Coordinator, Canadian Cancer Society, Holland River Community Office, requesting an exemption from the Noise By-law for the 2015 Relay for Life event at Pickering College from June 19, 2015 at 7:00 p.m. to June 20, 2015 at 7:00 a.m. be received and approved subject to notification being provided to area residents;
 - b) AND THAT Ms. Beaulieu be notified in this regard.
15. Correspondence received from Mr. James Nuttall, O.M.C., 1st Newmarket Group Commissioner, Scouts Canada requesting proclamation of October 16 and October 17, 2015 as 'Scouts Apple Days' in the Town of Newmarket.
 - a) THAT the correspondence from Mr. James Nuttall, O.M.C., 1st Newmarket Commissioner, Scouts Canada be received and the following recommendations be adopted:
 - i) THAT the Town of Newmarket proclaim October 16 and 17, 2015 as 'Scouts Apple Days';
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
16. Correspondence dated March 2, 2015 from Ms. Andrea McKechnie, Support Committee - Tagging Coordinator, Queen's York Rangers, 2799 Army Cadet Corp requesting permission to conduct tag days on Saturday, September 19, 2015.

a) THAT the correspondence dated March 2, 2015 from Ms. Andrea McKechnie, Support Committee - Tagging Coordinator, Queen's York Rangers, 2799 Army Cadet Corp be received and the following recommendations be adopted:

i) THAT permission be granted to conduct tag days in the Town of Newmarket on Saturday, September 19, 2015;

ii) AND THAT Ms. McKechnie be notified in this regard.

17. Newmarket Public Library Board Minutes of January 21, 2015.

a) THAT the Newmarket Public Library Board Minutes of January 21, 2015 be received.

18. Central York Fire Services - Joint Council Committee Minutes and (Closed Session) Minutes of February 3, 2015.

a) THAT the Central York Fire Services - Joint Council Committee Minutes and (Closed Session) Minutes of February 3, 2015 be received.

19. Newmarket - Tay Power Distribution Ltd. Report of the President dated February 18, 2015 regarding Succession Planning for Director Appointments.

THAT the Newmarket – Tay Power Distribution Ltd. (the "Corporation") Report of the President dated February 18, 2015 regarding succession planning for director appointments be received and the following resolution be adopted:

WHEREAS in keeping with good governance practice, the Shareholders desire to maintain a board of directors that has the ability and experience to exercise the care, diligence and skill to act in the best interests of the Corporation;

AND WHEREAS a staggered change in directors giving new appointees time to gain experience and knowledge in the affairs of the Corporation while maintaining a majority of experienced directors that ensures overall board of director competence is a critical component of good governance;

AND WHEREAS Non-Municipal Appointees A. Ott and P. Daniels will have been elected directors of the Corporation for three consecutive terms of three years as of the date of the 2015 annual general meeting and would otherwise not be eligible for election;

AND WHEREAS the loss of directors A. Ott and P. Daniels at the same time would cause a change of 50 percent in the Non-Municipal Appointees to the board of directors;

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT Article 3, Section 3.03, Paragraph (3) of the Shareholders Agreement between Tay Hydro Inc., Newmarket Hydro Holdings Inc., Newmarket – Tay Power Distribution Ltd., the Corporation of the Township of Tay and the Corporation of the Town of Newmarket which states “Elected directors shall be elected for a three (3) year term. All elected directors shall be eligible for election for a total of three (3) consecutive terms” be waived for the election of two Non-Municipal Appointees at the 2015 Annual General Meeting of Newmarket –Tay Power Distribution Ltd.;
 2. AND THAT A. Ott be elected to a one year term;
 3. AND THAT P. Daniels be elected to a two year term.
20. Corporate Services Report - Legislative Services 2015-04 dated February 20, 2015 regarding Carnival - D.A. Campbell Amusement Ltd. - Upper Canada Mall.
- a) THAT Corporate Services Report - Legislative Services 2015-04 dated February 20, 2015 regarding Carnival - D.A. Campbell Amusement Ltd. Upper Canada Mall be received and the application be approved subject to the following terms:
 - i) THAT the license be issued for a period of seven consecutive days from May 6 to May 12, 2015 to permit the setting up and dismantling of amusement devices;
 - ii) AND THAT the actual operation of the carnival not exceed five consecutive days within that permitted time period.
21. Development and Infrastructure Services - Public Works Services Report 2015-22 dated March 5, 2015 regarding 2014 Newmarket Water Distribution System Annual Water Quality Summary Report.
- a) THAT Development and Infrastructure Services - Public Works Services Report 2015-22 dated March 5, 2015 regarding the 2014 Newmarket Water Distribution System Annual Water Quality Summary Report be received and the following recommendations be adopted:
 - i) THAT the 2014 Newmarket Water Distribution System Annual Water Quality Summary Report for the period of 1 January 2014 to 31 December 2014 be received for information;

ii) AND THAT the information in the Annual Water Quality Summary report be available for public viewing on the Town's website at newmarket.ca/en/townhall/resourcelibrary/2014WQSummaryReportFinal.pdf, at the Customer Service counter at 395 Mulock Drive and the Operations Centre at 1275 Maple Hill Court.

22. Development and Infrastructure Services Report - Planning and Building Services 2015-07 dated March 12, 2015 regarding Application for Zoning By-law Amendment - 17844 Leslie Street.

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2015-07 dated March 12, 2015 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:

i) THAT the Application for Zoning By-law Amendment, as submitted by 2398804 Ontario Inc. for lands being located at the southwest corner of Janette Street and Leslie Street be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee and those received through the agency and departmental circulation of the application be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) AND THAT R. Ursini, Evans Planning Inc., 8481 Keele Street, Unit 12, Vaughan, ON L4K 1Z7 be notified of this action.

23. Corporate Services Report - Financial Services 2015-12 dated March 23, 2015 regarding Property Tax Adjustments Pursuant to the Municipal Act, 2001.

a) THAT Corporate Services Report - Financial Services 2015-12 dated March 23, 2015 regarding Property Tax Adjustments Pursuant to the Municipal Act, 2001 be received and that the tax adjustments outlined in Appendix 1 (attached) be approved.

24. Corporate Services Report - Financial Services 2015-15 dated March 6, 2015 regarding Statement of Remuneration and Expenses - 2014 Payments to Elected and Appointed Officials.

a) THAT Corporate Services Report - Financial Services 2015-15 dated March 6, 2015 regarding Statement of Remuneration and Expenses - 2014 Payments to Elected and Appointed Officials be received.

25. List of Outstanding Matters.

THAT the List of Outstanding Matters be received.

26. Development and Infrastructure Services - Planning and Building Services Report 2015-09 dated March 19, 2015 regarding Application for Draft Plan of Subdivision, Draft Plan of Condominium, Official Plan and Zoning By-law Amendment by 292145 Ontario Limited, Town File 19TN 2013 002, Part of Lot 89, Concession 1, E.Y.S., lands west of the terminus of Silken Laumann Drive between the Metrolinx Rail Corridor and the existing Hydro Corridor, Files: D7, D9, D12 & D14-NP13 16.

a) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-09 dated March 19, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Condominium and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT the Application for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Condominium and Draft Plan of Subdivision, as submitted by 292145 Ontario Limited for lands being composed of part of Lot 89, Concession 1 E.Y.S. not be supported by Council at the Ontario Municipal Board due to substantial unresolved issues regarding the proposed form of development as set out within this report;

ii) AND THAT Council direct staff and legal counsel to request Party status at the Ontario Municipal Board hearing, and that if required, Staff be authorized to retain external counsel and any required expert witnesses to attend and give evidence at the Ontario Municipal Board in support of Council's decision;

iii) AND THAT staff and legal counsel continue to work with the proponent and commenting agencies toward the resolution of issues in advance of the Ontario Municipal Board hearing;

iv) AND THAT Gary Templeton, Templeton Planning Ltd, 71 Tyler Street Aurora, ON L4G 2N1 be notified of this action.

27. Main Street District Business Improvement Area Board of Management Minutes of November 18, 2014.

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of November 18, 2014 be received;

b) AND THAT the request for an additional accessible parking space to be added to Main Street between Botsford Street and Timothy Street be referred to staff.

28. Joint CAO/Commissioners, Community Services, Corporate Services and Development and Infrastructure Services Report 2015-02 dated February 26, 2015 regarding Referred Items to 2014 - 2018 Term of Office.

a) THAT Joint CAO/Commissioners, Community Services, Corporate Services, Development and Infrastructure Services Report 2015-02 dated February 26, 2015 regarding Referred Items to 2014-2018 Term of Office be received and the following recommendations be adopted:

i) THAT the approach identified within the report be confirmed;

ii) AND THAT items identified as needing Council direction be referred to Council's Strategic Planning Session for consideration.

29. Development and Infrastructure Services Report - Engineering Services 2015-20 dated March 5, 2015 regarding Water Street Crossing - Update.

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-20 dated March 5, 2015 regarding 'Water Street Crossing - Update' be received and the following recommendations be adopted:

i) THAT the implementation of a pedestrian traffic signal not be pursued at this time;

ii) AND THAT a pedestrian refuge island be considered as the medium term solution to enhancing pedestrian safety;

iii) AND THAT a consultant be retained to design a pedestrian refuge island, conduct a safety review and provide costing and that the report be brought back to Council for final approval;

iv) AND THAT the design options explore preserving the left turn movements while addressing any safety issues;

iv) AND THAT a copy of this report and Council extract be forwarded to representatives of Metrolinx and York Region.

30. THAT the PowerPoint presentation by the Director of Financial Services/Treasurer regarding the 2015 Preliminary Draft Budget be received.
31. a) THAT Council grant pre-budget approval for up to \$1000.00 for the annual Community Garage Sale and Ian Gray Award for staff to coordinate with community volunteers.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

32. Correspondence from the Town of Aurora dated Tuesday, February 10, 2015 regarding Interchange at Highway 404 and St. John's Sideroad.

Discussion ensued regarding preparation of a staff report and resolution at a later date and an alternate motion was presented.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

a) THAT the correspondence from the Town of Aurora dated February 10, 2015 regarding Interchange at Highway 404 and St. John's Sideroad be received and endorsed;

i) AND THAT the ongoing request of the Town of Newmarket for a Mulock Drive full interchange at Highway 404 be supported;

ii) AND THAT a third lane be constructed both northbound and southbound from the current termination in Aurora north to Green Lane.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

33. Corporate Services Report - Financial Services 2015-20 dated March 18, 2015 regarding Decision Packages and Infrastructure Levy.

Discussion ensued and an alternate motion was presented.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

a) THAT Corporate Services Report - Financial Services 2015-20 dated March 18, 2015 regarding Decision Packages and Infrastructure Levy be received and the following recommendations be adopted:

i) THAT Council direct staff to move forward with the preliminary draft budget with Option G as indicated in the enhancement options in the PowerPoint presentation;

In Favour: Mayor Van Bynen
Opposed: Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

(1 in favour, 7 opposed)

Motion Lost

Moved by: Regional Councillor Taylor
Seconded by: Councillor Kerwin

THAT Council direct staff to bring back a report providing phasing options that allow for achieving Council enhancement priorities related to traffic mitigation, sidewalk plowing, and CreateIT at Southlake while maintaining the Council motion to target a budgeted tax increase of 2% to 2.5%.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

ii) AND THAT splash pads (line 105) move from the deferred list in order to be considered in the 2015 capital budget funded from available development charges and reserve funds.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Vegh

a) THAT staff provide a report within 120 days on the use of the funds budgeted for the Business Development Officer position;

b) AND THAT staff advise of the recommended approach for realignment of the added resource and provide goals, timelines, implementation and projected outcomes for each of the next five years;

c) AND THAT staff provide a report outlining the cost of increasing the frequency of the Community Survey to an annual basis for the period of 2015 to 2018;

d) AND THAT staff provide a report within 90 days outlining the required resources, related costs and sources of funding available to implement a targeted marketing program to advance the redevelopment of Davis Drive properties for implementation by Q4 2015;

e) AND THAT the report include how this can be accomplished without impacting the current and proposed economic development plans initiatives.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Broome-Plumley, Councillor Bisanz

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

Carried

By-laws

34. By-laws 2015-10 and 2015-11.

Moved by: Councillor Hempen

Seconded by: Councillor Broome-Plumley

THAT By-laws 2015-10 and 2015-11 be enacted.

2015-10 A By-law to provide an exemption to By-law 2004-94, as amended, being a by-law to prohibit and regulate unusual noises or noises likely to disturb the inhabitants of the Town of Newmarket.

2015-11 A By-law to amend By-law 2012-27 (Parks By-law).

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)

(8 in favour, 0 opposed)

Carried

Notices of Motions

- a) Councillor Hempen advised that he will be bringing forward a Motion at the upcoming Committee of the Whole meeting related to recording, live-streaming and archiving of all future strategic priority sessions.

Motions

None.

Announcements & Community Events

- a) Councillor Vegh invited residents to hop right into the Elman W. Campbell Museum on Saturday April 4, 2015 for Eggceptional Easter Fun! Drop by the museum at 134 Main Street South from 1:30 p.m. to 3:00 p.m. for an eggciting afternoon. Meet the Easter Bunny; enjoy Easter displays, activities, egg decorating and light refreshments! Bring your toy bunnies and Easter hats. Don't forget to bring your camera. The cost is \$5.00 per participant and pre-registration is required. Suitable for children ages 4-10 years. Children under 12 must be accompanied by a caregiver 18 years of age or over. Please call 905-953-5314 or e-mail elmanmuseum@rogers.com for more details.

- b) Councillor Vegh advised that he will be hosting a Ward 1 Community Drop-in on Tuesday, April 7, 2015 from 7:00 p.m. to 9:00 p.m. at the Magna Centre.
- c) Councillor Kerwin advised that the Newmarket Seniors' Centre is holding Friday Night Social Dance on Friday April 10, 2015 and Friday April 17, 2015 from 8:00 p.m. to 11:00 p.m. at 474 Davis Drive. Come out and enjoy music, dancing and refreshments. The cost is \$5.00 for members and \$6.00 for guests. For more information please call 905-895-5154 or visit our website at www.newmarket.ca
- d) Councillor Kerwin advised that the Ontario Municipal Board hearing regarding two properties on Mulock Court will continue until Thursday. The hearing commences at 10:00 a.m. and wraps up around 5:00 p.m.
- e) Councillor Twinney invited Ward 3 residents to join her on Wednesday, April 8, 2015 at the Newmarket Community Centre and Lions Hall, 200 Doug Duncan Drive where she will be hosting a Ward 3 Meeting from 7:00 p.m. to 8:30 p.m. Come for a discussion about what's happening in Ward 3 and the surrounding community. For more information, please call 905-953-5323 or e-mail jtwinney@newmarket.ca
- f) Regional Councillor Taylor advised that on Wednesday, April 1, 2015 from 7:00 p.m. to 10:00 p.m. is the Sir William Mulock Jazz Café and Silent Auction. Contact Sir William Mulock High School for further information.
- g) Regional Councillor Taylor invited the public to drop-in to a Public Information Centre on Tuesday, March 31, 2015 from 6:30 p.m. to 8:00 p.m. in the Council Chambers of the Municipal Offices, 395 Mulock Drive. The meeting is to discuss the commencement of the Newmarket Stormwater Management Master Plan, a study that will define existing problems and opportunities, consider and evaluate solutions and identify a preferred stormwater management strategy. We invite you to join the discussion and share your thoughts and perspectives. Representatives from the Town's Engineering Department and consultant will be available to provide information and answer any questions. Information will also be available at www.newmarket.ca on the following day. Written comments can be submitted at the public meeting or by April 30, 2015. For further information regarding this project, please contact Meredith Goodwin at 905-895-5193 extension 2518.

- h) Councillor Hempen advised that the Spring Session of the Base Day Program begins April 7, 2015. This program, designed for individuals 16 years of age and older with special needs, runs Mondays through Thursdays from 8:30 a.m. to 3:30 p.m. Participants enjoy a busy day of activities including a mix of recreation, fitness, skill development, cooking, crafts and games. Guest visitors, themes and outings are scheduled monthly. Registration can be completed in-person at the Magna Centre, 800 Mulock Drive. For more information, call 905-895-5193.
- i) Councillor Hempen advised that the annual Ward 4 spring cleanup will be held on April 12, 2015 at 12:00 p.m. beginning at Dr. John M. Denison Secondary School.
- j) Councillor Broome-Plumley advised that the Newmarket Sports Hall of Fame is accepting nominations for the Class of 2015. Don't delay - the deadline is Tuesday March 31, 2015. Applications are available at the Newmarket Sports Hall of Fame in the lower level of the Magna Centre, 800 Mulock Drive. Alternatively, please e-mail dsheridan@newmarket.ca
- k) Councillor Broome-Plumley advised that the Ward 6 and Ward 7 community drop-in will be held on April 15, 2015 from 7:00 p.m. to 9:00 p.m. at the Municipal Offices, 395 Mulock Drive in Cane A & B. Topics will include budget, emerald ash borer and water changes.
- l) Councillor Bisanz advised that the Town of Newmarket's annual Spring Food Drive is underway. Until April 12, 2015, donations of powdered milk, canned meats and vegetables, pasta sauce, juice boxes, jam, peanut butter, baby formula and other non-perishable food items can be dropped off at the Municipal Offices (395 Mulock Drive), Ray Twinney Recreation Complex (100 Eagle Street West) or Magna Centre (800 Mulock Drive). Thank you for giving back and helping fill the shelves of the Newmarket Food Pantry.
- m) Mayor Van Bynen advised that the Newmarket Celebrates the Arts Gala will take place on Friday, May 1, 2015 at 6:00 p.m. at Pickering College. Support the Arts in our community by buying a ticket to the gala to see some of our great local talent. Call 905-895-5193 ext. 2002 to reserve your ticket or order online at www.newtix.ca
- n) Mayor Van Bynen advised that Town Offices will be closed to observe Easter beginning Friday, April 3, 2015, reopening on Tuesday, April 7, 2015.
- o) Mayor Van Bynen advised that the next Council meeting is Monday, April 20, 2015 at 7:00 p.m.

New Business

- a) Councillor Bisanz requested an update on when the lessons learned session for the Glenway matter would be held. The Commissioner of Development and Infrastructure Services advised that staff are working to arrange a facilitated session in either May or June.
- b) Councillor Twinney advised that some cities, including Hamilton, offer a third party Homeowners Warranty Program that covers municipal water and sewer lines between homes and municipal property lines and inquired whether staff had ever reviewed the possibility of this type of coverage. The Commissioner of Development and Infrastructure Services advised that he can research and provide further information to Council if required.
- c) Councillor Kerwin inquired whether the proposed artificial sports turf site can be identified and whether there are lights at the site. The Commissioner of Community Services advised that Dr. John M. Denison Secondary School is the proposed location and there are no lights currently at that location. A report on the matter will be provided at the April 13, 2015 Committee of the Whole meeting.
- d) Councillor Kerwin advised that he has been in contact with representatives of Canada Post and will be conducting a walk through with postal staff to review the proposed community mailbox locations. As placement of community mailboxes is controversial due to concerns regarding litter, snow removal, graffiti and defecation, he proposed that boxes be placed in central locations throughout Town, for example, a postal depot.
- e) Councillor Kerwin expressed concern over newspaper litter throughout Town and inquired whether staff could review litter mitigation methods that may be implemented. The Chief Administrative Officer requested a motion on this use of staff resources which was defeated.
- f) Councillor Hempen inquired about the cost of the artificial turf field and what the contribution of the York Region District School Board would be. The Commissioner of Community Services advised that the full cost of the artificial turf field has not yet been established, however, both the Town and School Board are expected to contribute approximately one million dollars each.

Closed Session

None.

Confirmatory By-law

35. 2015-12 A By-law to confirm the proceedings of a meeting of Council -
March 30, 2015.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT By-law 2015-12 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
Councillor Kerwin, Councillor Twinney, Councillor Hempen,
Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Adjournment

36. Adjournment.

Moved by: Councillor Bisanz
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 Broome-Plumley, Councillor Bisanz

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

Carried

There being no further business, the meeting adjourned at 8:53 p.m.

Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk

The meeting of the Special Council was held on Monday, March 30, 2015 in the Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Sponga

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Brouwer, Acting Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
E. Armchuk, Director of Legal Services/Municipal Solicitor
R. Nethery, Director of Planning and Building Services
L. Lyons, Deputy Clerk
M. White, Planner

The meeting was called to order at 9:02 p.m.

Mayor Van Bynen in the Chair.

Declarations of Interest

None.

Closed Session

1. Litigation before the Ontario Municipal Board and legal advice regarding 536 and 550 Mulock Court.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Vegh

THAT Council resolve into a Closed Session for the purpose of discussing litigation before the Ontario Municipal Board and legal advice regarding 536 and 550 Mulock Court.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (8 in favour, 0 opposed)

Carried

Special Council resolved into a Closed Session at 9:03 p.m.

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

Special Council resumed into a Public Session at 9:37 p.m.

Confirmatory By-Law

2. 2015-13 A By-law to confirm the proceedings of a Special meeting of Council - March 30, 2015.

Moved by: Councillor Twinney
 Seconded by: Councillor Bisanz

THAT By-law 2015-13 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (8 in favour, 0 opposed)

Carried

Adjournment

3. Adjournment.

Moved by: Councillor Twinney

Seconded by: Councillor Bisanz

THAT the meeting adjourn.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
Councillor Kerwin, Councillor Twinney, Councillor Hempen,
Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)

(8 in favour, 0 opposed)

Carried

There being no further business, the meeting adjourned at 9:37 p.m.


Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk

Girls Incorporated®
of York Region

25
80 George Street, Unit 2
Newmarket, ON L3Y 4V3
Ph: 905-830-0776
Fax: 905-830-4480
Email: info@girlsincyork.org
www.girlsincyork.org

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CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
APR 10 2015		
		

March 2015

Andrew Brouwer, Deputy Clerk
Town Of Newmarket
395 Mulock Drive
Box 328, Station Main
Newmarket, Ontario L7B 1A1

**RE: PROCLAMATION OF GIRLS RIGHTS WEEK,
MAY 4 - MAY 8, 2015**

Dear Mr. Brouwer,

York Region is one of the fastest growing and most diverse regions in Canada and provides some of the most wonderful opportunities for community leaders to celebrate the protection of equality within their constituencies.

Girls Incorporated® of York Region (GIYR) is a non-profit youth organization that is dedicated to empowering girls and young women to seek the highest quality of life possible. The programs that we offer are designed to help girls develop to the fullest of their capacities in all areas of life. We actively strive to enhance confidence and self-esteem in girls and young women, while giving them the skills and tools they need in order to be empowered, productive and contributing members of society.

We are writing to request participation and leadership from the Town Of Newmarket through the proclamation of *Girl's Rights Week* in Newmarket, May 4th through May 8th, 2015. Your proclamation would be a valued acknowledgement of the lives and contributions of all girls and women living in York Region.

Girls require and deserve the awareness, attention, and commitment of a wide range of individuals and organizations to promote their healthy development. We thank you for your consideration of our request and we look forward to your positive response.

Sincerely,



Ashley Martin
Program Manager
905-830-0776 ext. 303



Town of Newmarket
MINUTES

**26 SPECIAL COMMITTEE OF THE
WHOLE**

Monday, March 30, 2015 at 9:00 AM
Council Chambers

For consideration by Council
on April 20, 2015

The meeting of the Special Committee of the Whole was held on Monday, March 30, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin (9:05 to 9:49 a.m.)(11:40 to 11:43 a.m.)
Councillor Twinney
Councillor Hempen (9:09 to 11:43 a.m.)
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Sponga

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Brouwer, Acting Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and
Infrastructure Services
L. Lyons, Deputy Clerk
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 9:05 a.m.

Mayor Van Bynen in the Chair.

Declarations of Interests

None.

Items

1. Mr. George Schrijver, WCM Consulting and Mr. Doug Leitch, Tandem Thinkers were in attendance to facilitate discussion regarding Council's strategic priorities.

The Chief Administrative Officer introduced Mr. George Schrijver, WCM Consulting and Mr. Doug Leitch, Tandem Thinkers and provided a brief summary of the purpose of the meeting. Mr. Schrijver and Mr. Leitch provided a PowerPoint presentation detailing a review of the results of the January 26, 2015

Council Workshop, additional strategic options and adjustments as required including previous Council priorities and a reassessment of outcomes. Mr. Schrijver provided a summary of common themes, including Community Building, Improved Business Context, Mobility/Environmental Initiatives, Communications and Efficiency/Service Delivery. Discussion ensued regarding items referred to the current term of Council, including internet voting, restructuring of Council and purchase of the property known as the Clock Tower, themes and how each priority fits within the themes, budget activity based costing, quality of life and engagement measures

Moved by: Regional Councillor Taylor
Seconded by: Councillor Vegh

THAT staff provide a report within six months related to internet voting.

Carried

Moved by: Regional Councillor Taylor
Seconded by: Councillor Kerwin

THAT the purchase of the property known as Clock Tower and restructuring of Council be removed as priority items for this term of Council.

Carried

Moved by: Regional Councillor Taylor
Seconded by: Councillor Kerwin

THAT the Partners for Climate Protection Plan and related greenhouse gas strategies be referred to staff for internal processes and referred to the Municipal Energy Plan.

Carried

Moved by: Regional Councillor Taylor
Seconded by: Councillor Vegh

THAT the following items be included as priorities under the current themes:

- Better Understanding of Economic Development/Assessment Enhancement/Job Creation
- Budget – Activity Based Costing (Benchmarking effectiveness and efficiency – cost comparators)
- Improve Quality of Life – Community Based Projects

Carried

The Special Committee of the Whole recessed at 10:07 a.m.

The Special Committee of the Whole reconvened at 10:46 a.m.

Moved by: Regional Councillor Taylor
Seconded by: Councillor Broome-Plumley

THAT the themes be consolidated under the following themes:

- Economic Development and Jobs
- Enhanced Recreation Opportunities
- Municipal Efficiencies and Financial Management
- Traffic Safety Mitigation

Carried

Moved by: Regional Councillor Taylor
Seconded by: Councillor Sponga

THAT Community Centre Lands (downtown parking) and Davis/Yonge Redevelopment – Optimized for Living be included under the Municipal Efficiencies and Financial Management theme.

Carried

Moved by: Regional Councillor Taylor
Seconded by: Councillor Vegh

THAT Long Term Municipal Facilities Optimization – location, services and Municipal Recreation Hub – explore/develop be consolidated as one item.

Carried

Moved by: Councillor Bisanz
Seconded by: Councillor Vegh

THAT Community Engagement, including communication measures be incorporated into the themes.

Carried

Mr. Schrijver summarized the next steps associated with the session. A final report will be prepared outlining Council's priorities for consideration and adoption based upon feedback received at this session and the January 26, 2015 Council Workshop.

Adjournment

Moved by: Councillor Vegh
Seconded by: Councillor Bisanz

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 11:43 a.m.

Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk

Monday, April 13, 2015 at 1:30 PM
Council Chambers

For consideration by Council
on April 20, 2015

The meeting of the Committee of the Whole was held on Monday, April 13, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin (1:55 to 6:36 p.m.)
Councillor Twinney
Councillor Hempen
Councillor Sponga
Councillor Broome-Plumley
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
M. Mayes, Director of Financial Services/Treasurer
R. Prudhomme, Director of Engineering Services
C. Service, Director of Recreation and Culture
C. Kallio, Economic Development Officer
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 1:34 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the addendum items, being reports related to the 2015 budget, a motion from Councillor Hempen related to live streaming of Council Strategic Priority workshops, Central York Fire Services Joint Council Committee Minutes of April 7, 2015 and deputations related to outdoor patios and Committee structure recommendations. He further advised of a deputation request by Mr. John Heckbert related to the VivaNext update.

Moved by: Councillor Hempen
 Seconded by: Councillor Twinney

THAT the items listed on the agenda as addendum items and the deputation request by Mr. John Heckbert be included.

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

1. The Chief Administrative Officer introduced Mr. Glenn Lang, Project Manager and advised that Mr. Lang is working with the Northern 6 partners on the N6 Shared Services Review. Mr. Lang, Project Manager - N6 Shared Services provided a PowerPoint presentation overview update on the N6 Shared Services Study and reviewed the following: an overview of the N6 municipal partnership; N6 Shared Services Study; currently shared services; steps taken to study N6 shared service opportunities; partnerships and collaborations; other joint initiatives for consideration and next steps. Discussion ensued regarding potential cost savings realized through partnerships, timelines, other municipal collaborative efforts and potential reinvestment opportunities for savings associated with N6 partnerships.

Moved by: Councillor Sponga
 Seconded by: Councillor Bisanz

THAT the presentation by Mr. Glenn Lang, Project Manager - N6 Shared Services regarding an Overview of the N6 Shared Services Study be received.

Carried

2. Ms. Mary-Frances Turner, President, Ms. Liza Sheppard, Senior Project Manager and Ms. Andrea Witty, Community Liaison, York Region Rapid Transit Corporation addressed the Committee with a project update on vivaNext - Davis Drive and Yonge Street and provided a summary of the following: Davis Drive milestones and 2015 deliverables; construction and operation timelines; GO rail repair works and the associated Davis Drive closure; Yonge Street construction updates; open house and communication plans. Discussion ensued regarding lessons learned from the Davis Drive project, business support program, Yonge Street construction timelines, traffic mitigation measures and details of the detour route for the Davis Drive closure.

Moved by: Councillor Twinney
 Seconded by: Councillor Vegh

THAT the presentation by representatives of vivaNext be provided an additional 10 minutes.

Carried

Moved by: Councillor Vegh
 Seconded by: Councillor Broome-Plumley

THAT the presentation by Ms. Mary-Frances Turner, President, York Region Rapid Transit Corporation regarding vivaNext impacts be received.

Carried

3. Mr. John Heckbert addressed the Committee regarding vivaNext impacts on Davis Drive businesses. He advised that he has contacted the Davis Drive businesses to determine job losses and conveyed that while in favour of rapid transit, in his assessment there have been many lost jobs and hardships due to the construction.

Moved by: Councillor Sponga
 Seconded by: Councillor Bisanz

THAT the deputation by Mr. John Heckbert regarding vivaNext - Davis Drive and Yonge Street Update be received.

Carried

Deputations

4. Ms. Bessie Vlasits addressed the Committee regarding Bully Free Community Alliance and provided information regarding the organization, its achievements and requested sponsorship in the amount of \$3,500.00 towards attending the Global Youth Summit.

Moved by: Councillor Kerwin
 Seconded by: Councillor Twinney

THAT the deputation by Ms. Bessie Vlasits regarding Bully Free Community Alliance be received.

Carried

Moved by: Councillor Kerwin
 Seconded by: Councillor Sponga

THAT the request for funding by Bully Free Community Alliance in the amount of \$3,500.00 in order to attend the Global Youth Summit be referred to staff for consideration.

Carried

5. Ms. Anne Robins addressed the Committee regarding Downtown Patios and expressed concerns related to the impact of outdoor patios on parking in the downtown core.

Moved by: Councillor Twinney
 Seconded by: Regional Councillor Taylor

THAT the deputation by Ms. Anne Robins and associated correspondence regarding Downtown Patios be received.

6. Community Services – Economic Development Report 2015-12 dated April 2, 2015 regarding Downtown Patios - Pilot Project.

Moved by: Councillor Sponga
 Seconded by: Councillor Broome-Plumley

a) THAT Community Services – Economic Development Report 2015-12 dated April 2, 2015 regarding Downtown Patios - Pilot Project be referred to the Main Street District Business Improvement Area Board of Management for consultation and recommendations to staff and Council.

Carried

7. Mr. John Birchall addressed the Committee regarding dissolution of the Newmarket Environmental Advisory Committee (NEAC) and spoke in support of maintaining the existing NEAC structure.

Moved by: Councillor Twinney
 Seconded by: Regional Councillor Taylor

THAT the deputation by Mr. John Birchall be provided an additional five minutes.

Carried

Moved by: Councillor Twinney
 Seconded by: Councillor Sponga

THAT the deputation by Mr. John Birchall regarding NEAC Committee Dissolution be received.

Carried

8. Corporate Services Report - Legislative Services 2015-05 dated April 2, 2015 regarding 'Committee Administration Policy and Committee Structure Options'.

Discussion ensued and an alternate motion was presented.

Moved by: Councillor Twinney
 Seconded by: Regional Councillor Taylor

a) THAT Corporate Services Report - Legislative Services 2015-05 dated April 2, 2015 regarding 'Committee Administration Policy and Committee Structure Options' be received and the following recommendations be adopted:

i) THAT the Committee Administration Policy (attached as Appendix 'A') be approved and immediately applied to all applicable committees;

ii) AND THAT Council approve Option A, as identified in this report as the committee structure for the 2014-2018 term with the exception of the Newmarket Environmental Advisory Committee (NEAC) which shall continue its current structure pending a review and further development of its mandate by staff in consultation with the previous NEAC Chair;

iii) AND THAT with the exception of Statutory Committees, all Advisory Committee/Task Forces identified for dissolution in the Committee Structure Options Matrix (attached as Appendix 'B'), be formally dissolved;

iv) AND THAT staff be directed to prepare and/or update all necessary terms of references for Council's future approval and undertake recruitment activities as necessary;

v) AND THAT the Audit Committee members from the 2010-2014 term be permitted to meet until new members have been appointed.

Carried

The Committee of the Whole recessed at 3:54 p.m.

The Committee of the Whole reconvened at 4:16 p.m.

Consent Items

Moved by: Councillor Bisanz

Seconded by: Councillor Broome-Plumley

THAT the following items be adopted on consent:

9. Correspondence dated March 17, 2015 from Mr. Mario Sergio, Minister, Seniors Affairs requesting proclamation of June, 2015 as 'Seniors' Month' in the Town of Newmarket.
 - a) THAT the correspondence dated March 17, 2015 from Mr. Mario Sergio, Minister, Seniors Affairs be received and the following recommendations be adopted:
 - i) THAT the Town of Newmarket proclaim June, 2015 as 'Seniors' Month';
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
10. Correspondence dated March 20, 2015 from Ms. Linda Keith, President, PFLAG Canada - York Region requesting proclamation of June 13 to June 21, 2015 as 'Pride Week' in the Town of Newmarket.
 - a) THAT the correspondence dated March 20, 2015 from Ms. Linda Keith, President, PFLAG Canada - York Region be received and the following recommendations be adopted:
 - i) THAT the Town of Newmarket proclaim June 13 to June 21, 2015 as 'Pride Week';
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
11. Appointment Committee Minutes of February 23, 2015 and March 23, 2015.
 - a) THAT the Appointment Committee Minutes of February 23, 2015 and March 23, 2015 be received.
12. Main Street District Business Improvement Area Board of Management Minutes of February 24, 2015.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of February 24, 2015 be received.

13. Site Plan Review Committee Minutes of March 30, 2015.
 - a) THAT the Site Plan Review Committee Minutes of March 30, 2015 be received.
14. Item 1 of the Site Plan Review Committee Minutes of March 30, 2015 regarding Application for Telecommunications Tower - 1151 Ringwell Drive.
 - a) THAT the application for Telecommunications Facility to permit a new 40 metre monopole tower to be erected on the subject lands be approved in principle and referred to staff for processing, subject to the following:
 - i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff;
 - ii) THAT Committee request the applicant provide a donation in the amount of \$10,000.00 to the Town for a community benefit;
 - iii) AND THAT Cathy Bilotta of Standard Land Company Inc., Suite 600, 366 Bay Street, Toronto, ON M5H 4B2 be notified of this decision.
15. Item 2 of the Site Plan Review Committee Minutes of March 30, 2015 - Application for Amendment to Site Plan Approval - 18106 and 18110 Yonge Street - Regional Municipality of York.
 - a) THAT the application for Amendment to Site Plan Approval to permit an addition having a gross floor area of 3,310 m² to the existing bus storage facility and a new Emergency Medical Services facility having a gross floor area of 555 m² together with a parking lot expansion on the subject lands be referred to a Public Information Centre (PIC), subject to the following:
 - i) THAT existing fence be upgraded and appropriate landscaping for screening the EMS building be included in the plans to be presented at the Public Information Centre (PIC);
 - ii) AND THAT Martin Silver, Manager, Capital Delivery, Property Services Branch of The Regional Municipality of York, 17250 Yonge Street Newmarket, ON L3Y 6Z1 be notified of this decision;
 - ii) AND THAT Lauren Capilongo, Associate of Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham, ON L3R 6B3 be notified of this decision.

16. Chief Administrative Officer Report 2015-03 dated March 25, 2015 regarding Northern 6 Collaboration - Presentation of Upcoming Initiatives.

a) THAT CAO Report 2015-03 dated March 25, 2015 regarding Northern 6 Collaboration - Presentation of Upcoming Initiatives be received and the following recommendations be adopted:

i) THAT the CAO Report 2015-03 be received;

ii) AND THAT staff be directed to continue to evaluate opportunities for shared services between and among Northern 6 municipalities.

17. Corporate Services Report - Legislative Services 2015-06 dated March 23, 2015 regarding 'Regulation and Sale of Fireworks'.

a) THAT Corporate Services Report - Legislative Services 2015-06 dated March 23, 2015 regarding 'Regulation and Sale of Fireworks' be received and the following recommendations be adopted:

i) THAT Council adopt the Draft Fireworks By-law attached as Appendix 'A';

ii) AND THAT the following fees be included in the Fees and Charges By-law for the 2015 Budget;

License to sell at a Mobile Sales Premise	\$337.00
Appeals Fee	\$155.00

iii) AND THAT Council repeal By-law 2002-151 Schedule 11.

18. Corporate Services Report - Financial Services 2015-24 dated April 1, 2015 regarding Ice Storm Assistance Program Grant Agreement.

a) THAT Corporate Services Report - Financial Services 2015-24 dated April 1, 2015 regarding Ice Storm Assistance Program Grant Agreement be received and the following recommendations be adopted:

i) THAT the Mayor and Clerk be authorized to execute the Ice Storm Assistance Program Grant Agreement on behalf of the Town of Newmarket;

ii) AND THAT any funds received be applied to the Winter Control Reserve.

19. Development and Infrastructure Services Report - Engineering Services 2015-23 dated March 19, 2015 regarding Parking By-law Update - Construction Activity.

a) THAT Development and Infrastructure Services Report – ES2015-23 dated March 19, 2015 regarding Parking By-law Update – Construction Activity be received and the following recommendations be adopted:

i) THAT the Parking By-law 1993-62, as amended, be further amended by adding the following:

20.3 During road construction, residents are exempt from the following sections relating to the road under construction: Sections 8.2 a), 8.6 a), 10 c), 10 e), 10 f), 12 a), 12 f), 12 h), 16, and 17.

20.3.1 The commencement of a Road Construction project is defined as a) the date that the Notification to Commence Work has been issued AND b) the Road Construction Signs (OTM Book 7 Temporary Signs) have been erected. The project is defined as completed when a Certificate of Substantial Completion has been issued AND the Road Construction Signage has been removed.

ii) AND THAT the necessary By-laws be prepared and submitted to Council for their approval.

20. Development and Infrastructure Services Report - Engineering Services 2015-25 dated March 27, 2015 regarding 'York Region Municipal Streetscape Partnership Program - Gateway Feature at Bathurst Street/Davis Drive'.

a) THAT Development and Infrastructure Services Report – ES2015-25 dated March 27, 2015 regarding “York Region Municipal Streetscape Partnership Program – Gateway Feature at Bathurst Street/Davis Drive” be received and the following recommendations be adopted:

i) THAT the Engineering Services Department be authorized to continue the application under the Municipal Streetscape Partnership Program offered by York Region for the Davis Drive key intersection streetscape improvements;

ii) AND THAT staff be authorized to maintain the works being proposed under the Municipal Streetscape Partnership Program offered by York Region for the construction of the gateway entrance feature sign at the intersection of Bathurst Street and Davis Drive.

21. Development and Infrastructure Services Report - Public Works Services 2015-27 dated March 30, 2015 regarding Road Occupancy By-law - Minor Amendments.

a) THAT Development and Infrastructure Services Report - Public Works Services 2015-27 dated March 30, 2015 regarding Road Occupancy By-law - Minor Amendments be received and the following recommendations be adopted:

i) THAT the definition of Applicant be deleted, and the new definition be added; 'Applicant' means any person making application for a Road Occupancy Permit;

ii) AND THAT 7.2 (b) be amended by removing 'two million dollars (\$2,000,000.00); and adding 'five million dollars (\$5,000,000.00)'; for required insurance coverage;

iii) AND THAT a By-law be prepared for Council.

22. Development and Infrastructure Services Report - Engineering Services 2015-26 dated March 27, 2015 regarding 'York Region Municipal Streetscape Partnership Program - Davis Drive Key Intersection Improvements'.

a) THAT Development and Infrastructure Services Report – ES2015-26 dated March 27, 2015 regarding “York Region Municipal Streetscape Partnership Program – Davis Drive Key Intersections Streetscape Improvements” be received and the following recommendations be adopted:

i) THAT the Engineering Services Department be authorized to continue the application under the Municipal Streetscape Partnership Program offered by York Region for the Davis Drive key intersection streetscape improvements;

ii) AND THAT staff be authorized to maintain the works being proposed under the Municipal Streetscape Partnership Program offered by York Region for the Davis Drive key intersection streetscape improvements.

23. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

24. Central York Fire Services - Joint Council Committee Minutes of April 7, 2015.

a) THAT Central York Fire Services - Joint Council Committee Minutes of April 7, 2015 be received.

25. Item 3 of Central York Fire Services - Joint Council Committee Minutes of April 7, 2015 regarding Draft Fire Department Master Plan - Implementation Options.

a) THAT Central York Fire Services - Joint Council Committee recommend to both Council's approval of the 2014 Fire Department Master Plan Update;

i) AND THAT Joint Council Committee make a recommendation to the Councils of the two municipalities to proceed with a land securement, subject to a report for final approval in 2015 for the construction of a new fire facility to include Administration, Training and Suppression Crew and provide for possible inclusion of Fire Prevention Division;

ii) AND THAT Development Charge funds to an upset limit of \$25,000 be approved to hire by RFP, an architectural consultant to assist in the land securement and upon approval of land purchase and approval of further funding, to undertake the facility design.

26. Item 4 of the Central York Fire Services - Joint Council Committee Minutes of April 7, 2015 regarding feasibility of a consolidated fire service.

WHEREAS the consolidation of Aurora and Newmarket fire services into Central York Fire Services has achieved efficiencies through enhanced levels of fire service provided at a significantly reduced cost;

AND WHEREAS consolidation with additional municipalities may achieve further operating efficiencies, improved department structure, increased service level(s), and cost avoidance opportunities;

BE IT RESOLVED THAT staff be directed to prepare correspondence to the Council of the Town of Richmond Hill pursuing interest in the consolidation of CYFS with the Town of Richmond Hill Fire Service;

AND THAT the correspondence be brought before both Councils of Aurora and Newmarket for approval and signed by Heads of Councils before submission to Richmond Hill Council.

27. Correspondence dated April 8, 2015 from Mr. Stephen Huycke, Town Clerk, Town of Aurora regarding 2015 Central York Fire Services Budget for Aurora Comment.

a) THAT the correspondence dated April 8, 2015 from Mr. Stephen Huycke, Town Clerk, Town of Aurora regarding 2015 Central York Fire Services Budget for Aurora Comment be received.

Carried

28. Joint Development and Infrastructure Services Report - Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue.

Discussion ensued and an alternate motion was presented.

Moved by: Councillor Broome-Plumley

Seconded by: Regional Councillor Taylor

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue be received and the following recommendation be adopted:

i) THAT Staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.

Carried

29. Development and Infrastructure Services Report - Engineering Services 2015-24 dated April 13, 2015 regarding Inflow and Infiltration Reduction Pilot Project.

Discussion ensued and an alternate motion was presented.

Moved by: Councillor Bisanz

Seconded by: Councillor Sponga

a) THAT Development and Infrastructure Services Report – ES 2015-24 dated April 13, 2015 regarding “Inflow and Infiltration Reduction Pilot Project” be deferred to the next scheduled Committee of the Whole meeting.

Carried

30. Development and Infrastructure Services Report - Planning and Building Services 2015-06 dated April 13, 2015 regarding the 2015 Annual Servicing Allocation Review.

Discussion ensued and an alternate motion was presented.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Sponga

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2015-06 dated April 13, 2015 regarding the 2015 Annual Servicing Allocation Review be received and the following recommendations be adopted:

- i) THAT all previously distributed servicing capacity be re-instated;
- ii) AND THAT servicing capacity be allocated to the following development from the Town's current strategic reserve:

Marianneville Developments (Glenway) Phase 1 in the amount of 325 people (74 townhouses) be assigned and that the 40 detached dwellings allocation be delegated to staff following the Town initiated Glenway Public Information Centre (PIC) to be scheduled no later than May 30, 2015;

- iii) AND THAT staff bring forward an additional allocation report in 2015 if necessary and that Council defer any prioritization of future allocation to that time;

- iv) AND THAT the Town continue to hold the balance of its unassigned and uncommitted servicing capacity (2560 people total, with a minimum of 561 people to be directed to the Centres and Corridors) in a strategic reserve.

Carried

- 31. Joint Development and Infrastructure Services/Planning and Building Services and Corporate Services/Financial Services Report 2015-08 dated April 13, 2015 regarding Implementation Strategy for the Newmarket Urban Centres Secondary Plan.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Vegh

a) THAT Joint Development and Infrastructure Services/Planning and Building Services and Corporate Services/Financial Services Report 2015-08 dated April 13, 2015 regarding the Implementation Strategy for the Town of Newmarket Urban Centres Secondary Plan be received and that the following recommendations be adopted:

- i) THAT the Implementation Strategy for the Newmarket Urban Centres Secondary Plan in Attachment 1 be approved;

ii) AND THAT staff be directed to review and update the Implementation Strategy in conjunction with the future review(s) and update(s) of the Development Charges By-law.

Carried

32. Information Report 2015-10 dated March 26, 2015 regarding Canada Post Switchover to Community Mailboxes.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

a) THAT a request be made to Canada Post for an additional review period of 180 days for the placement of Community Mailboxes;

b) AND THAT staff review the location of all Community Mailboxes as it pertains to safety, accessibility, parking, winter maintenance and proposed capital improvements related to roads, sidewalks and utilities;

c) AND THAT staff engage the Newmarket Accessibility Advisory Committee for comment;

d) AND THAT the results of the review by staff and the Newmarket Accessibility Advisory Committee be provided to Canada Post;

e) AND THAT a copy of this motion be circulated to Canada Post and the office of the Member of Parliament for Newmarket-Aurora.

Carried

33. Corporate Services Report - Legislative Services 2015-02 dated April 1, 2015 regarding 'Noise By-law Exemption Request, Ministry of Transportation re: Pan Am and Parapan Am Games Off-Peak Deliveries'.

Moved by: Regional Councillor Taylor

Seconded by: Councillor Sponga

a) THAT Corporate Services Report - Legislative Services 2015-02 dated April 1, 2015 regarding 'Noise By-law Exemption Request, Ministry of Transportation re: Pan Am and Parapan Am Games Off-Peak Deliveries' be received and the following recommendations be adopted:

i) THAT a by-law to exempt the unloading and loading of goods at off-peak deliveries for the duration of the Pan Am and Parapan Am Games from June 26, 2015 to August 15, 2015 between the hours of 7:00 p.m. to 12:00 a.m. Monday through Friday from the Noise By-law (By-law 2004-94) be enacted;

ii) AND THAT the Town of Newmarket and Ministry of Transportation provide notice to Newmarket residents in advance of June 26, 2015.

Carried

34. Community Services - Recreation and Culture Report 2015-08 dated April 1, 2015 regarding Artificial Turf Sports Field Follow- Up Report.

Moved by: Councillor Hempen

Seconded by: Councillor Sponga

a) THAT Community Services - Recreation and Culture Report 2015-08 dated April 1, 2015 regarding Artificial Turf Sports Field Follow-Up Report be received and the following recommendation be adopted:

i) THAT Council direct staff to carry out the next steps as outlined within this report.

Carried

Correspondence & Petitions

None.

Action Items

35. Joint CAO/ Commissioners and Financial Services Report 2015-23 dated April 7, 2015 regarding Enhancement Options.

Discussion ensued and direction was provided regarding transportation initiatives and associated proposed staff resource and sidewalk and court snow clearing.

An alternate motion was presented.

Moved by: Regional Councillor Taylor

Seconded by: Councillor Kerwin

a) THAT Joint CAO/Commissioners and Financial Services Report 2015-23 dated April 7, 2015 regarding Enhancement Options be received and the following recommendations be adopted:

- i) THAT a provision of \$153,000 (0.30% tax increase) for service level enhancements be confirmed for inclusion in the 2015 draft budget and allocated as follows:

2015		2016*	2017*	2018*	Total
CreateITNow at Southlake	\$ 25,000				\$ 25,000
All sidewalk snow clearing	\$ 40,000	\$ 60,000	\$100,000	\$100,000	\$ 300,000
Manager of Transportation	\$ 62,000	\$ 75,028			\$ 137,028
Other transportation initiatives	\$ 26,000	\$ 38,000	\$ 80,000	\$ 89,000	\$ 169,000
Total	\$ 153,000	\$ 173,028	\$ 180,000	\$ 189,000	\$ 695,028

* subject to further review and annual budget approval

Carried

36. Joint Chief Administrative Officer/Commissioners and Financial Services Report 2015-22 dated April 7, 2015 regarding Approval of the 2015 Operating and Capital Budgets.

Moved by: Regional Councillor Taylor
Seconded by: Councillor Vegh

- a) THAT Joint CAO/Commissioners and Financial Services Report 2015-22 dated April 7, 2015 regarding Approval of the 2015 Operating and Capital Budgets be received and the following recommendations be adopted:

- i) THAT the proposed 2015 Operating Budget with expenditures of \$112,926,115 be approved, which is comprised of the following components:

- a) \$61,236,741 for the Town portion, which includes an additional \$505,042 for asset replacement funding;
- b) \$30,000 for the Newmarket Downtown Business Improvement Area (BIA);
- c) \$3,750,714 for the Library portion;
- d) \$15,116,508 for Central York Fire Services (Newmarket share);
- e) \$32,792,152 for the Water and Wastewater Rate Groups which includes an additional \$620,000 for asset replacement funding;

ii) AND THAT the proposed 2015 Capital Budget with expenditures of \$29,333,475 be approved;

iii) AND THAT the proposed 2015 Operating and Capital Budgets be forwarded to the Council meeting of April 20, 2015 for final approval.

Carried

Reports by Regional Representatives

None.

Notices of Motion

None.

Motions

37. Motion - Councillor Hempen.

Moved by: Councillor Hempen

Seconded by: Councillor Kerwin

THAT Council support audio and visual recordings of all Council Strategic Priority workshops and meetings;

AND THAT Council Strategic Priority meetings and workshops be live streamed and archived on the Town website for the purpose of future viewing of the public;

AND THAT Council direct staff to live stream and archive all future Council Strategic workshops and meetings on the Town's website.

Carried

New Business

- a) Councillor Sponga advised that himself, staff and representatives from the Lake Simcoe Region Conservation Authority have met several times to work on a solution to mitigate flooding in the area of Ontario Street from Lorne Avenue to Niagara Street.

Moved by: Councillor Sponga
 Seconded by: Regional Councillor Taylor

THAT staff bring a report to Committee of the Whole within 60 days outlining whether mitigation measures of flooding on Ontario Street is within the jurisdiction of the Town.

Carried

- b) Councillor Kerwin thanked staff of the Era newspaper for their efforts to clean-up discarded newspapers throughout the Town.

Closed Session

- 37. Personal matters about an identifiable individual, including municipal or local board employees - Appointment Committee recommendations for appointment.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Vegh

THAT the Committee of the Whole resolve into a Closed Session for the purpose of discussing personal matters about an identifiable individual, including municipal or local board employees - Appointment Committee recommendations for appointment.

The Committee resolved into Closed Session at 6:06 p.m.

The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into Public Session at 6:36 p.m.

Carried

Public Hearing Matters

None.

Adjournment

Moved by: Councillor Sponga
 Seconded by: Councillor Bisanz

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 6:36 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-14

A BY-LAW TO PROVIDE AN EXEMPTION TO BY-LAW 2004-94, AS AMENDED, BEING A BY-LAW TO PROHIBIT AND REGULATE UNUSUAL NOISES OR NOISES LIKELY TO DISTURB THE INHABITANTS OF THE TOWN OF NEWMARKET.

WHEREAS Section 129 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes a municipality to pass a by-law to prohibit and regulate noise in the municipality;

AND WHEREAS Council enacted By-law 2004-94, being a By-law to Prohibit and Regulate Unusual Noises or Noises Likely to Disturb the Inhabitants of the Town of Newmarket, on July 19, 2004;

AND WHEREAS Council amended Schedule "A" to By-law 2004-94 with the enactment of By-law 2005-158 on November 28, 2005;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to provide an exemption to By-law 2004-94, as amended, to facilitate the unloading and loading of goods at off-peak hours for deliveries for the duration of the Pan Am and Parapan Am Games from June 26, 2015 to August 15, 2015 between the hours of 9:00 p.m. to 12:00 a.m. Monday through Friday.

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

THAT the providers of goods be exempted from the Noise By-law 2004-94, as amended, for a period from June 26, 2015 to August 15, 2015 between the hours of 9:00 p.m. to 12:00 a.m. Monday through Friday to perform necessary deliveries.

ENACTED THIS 20TH DAY OF APRIL, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-15

A BY-LAW TO AMEND BY-LAW 1993-62, AS AMENDED, BEING A BY-LAW TO REGULATE PARKING WITHIN THE TOWN OF NEWMARKET.

[Construction Activity]

WHEREAS It is deemed necessary to amend By-law 1993-62, as amended, being a by-law to regulate parking on highways within the Town of Newmarket.

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

THAT the heading Exempt Vehicles contained within By-law 1993-62 (A By-law to regulate parking within the Town of Newmarket), as amended, be further amended by adding the following references:

20.3 During road construction, residents are exempt from the following sections relating to the road under construction: Sections 8.2a), 8.6a), 10c), 10e), 10f), 12a), 12f), 12h), 16 and 17;

20.3.1 The commencement of a Road Construction project is defined as a) the date that the Notification to Commence Works has been issued AND b) the Road Construction Signs (OTM Book 7 Temporary Signs) have been erected. The project is defined as completed when a Certificate of Substantial Completion has been issued AND the Road Construction Signage has been removed.

ENACTED THIS 20TH DAY OF APRIL, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-16

A BY-LAW TO REGULATE THE TEMPORARY CLOSURE OR OCCUPANCY OF HIGHWAYS UNDER THE JURISDICTION OF THE MUNICIPALITY.

AND WHEREAS Section 23.1 of the *Municipal Act, 2001* as amended (the "**Act**") provides that a municipality may delegate its powers and duties under the *Act* subject to such conditions and limits as the council of the municipality consider appropriate;

AND WHEREAS Section 35 of the *Act* provides that a municipality may by by-law remove or restrict the right of passage by the public over a highway and access to the highway by an owner of land abutting the highway;

AND WHEREAS Section 118 of the *Act*, provides that a municipality may by by-law regulate the excavating, construction and use of trenches and may prohibit same unless a Permit is obtained from the municipality which may also impose conditions with respect to the Permit, including requiring the submission of plans;

NOW THEREFORE the Council of the Corporation of the Town of Newmarket enacts as follows;

1. DEFINITIONS

1.1 In this by-law:

- (a) "**Applicant**" means any person making application for a Road Occupancy Permit;
- (b) "**Date of Final Acceptance**" means the date that is 24 months after the Date of Reinstatement;
- (c) "**Date of Reinstatement**" means the day, following the period of occupancy or closure, that the Highway has been repaired or restored to the satisfaction of the Director;
- (d) "**Director**" means the Director of Public Works Services or designate;
- (e) "**Emergency**" means a situation that poses a threat to public health or safety and includes a disruption of Utility Service;
- (f) "**Highway**" has the meaning ascribed thereto in Section 26 of the *Act* and includes a common and public highway any bridge, trestle, viaduct, roadway, adjacent shoulder, sidewalk, pathway, boulevard, unimproved land or other structure forming part of the highway, and includes a portion of a highway and all land between the lateral property lines thereof;
- (g) "**Highway Repairs**" has the meaning ascribed thereto in Section 7.2 (k);
- (h) "**Newmarket Standard**" means The Town of Newmarket Standards, as amended from time to time and are intended as Guidelines for land development and Town projects to aid in providing uniform designs throughout the municipality and are to be used in conjunction with Ontario Provincial Standard Drawings ("**O.P.S.D.**");
- (i) "**Permit**" means an authorization granted in writing by the Director;
- (j) "**Permit Holder**" means the Applicant named in a Permit;

- (k) **"Person"** means a natural individual, and their heirs, executors, administrators or other legal representatives, a corporation, partnership or other form of business association or a receiver or mortgagee in possession and includes a Public Utility;
- (l) **"Public Utility"** means a municipality, a municipal board or commission, or a corporation that provides Utility Service under the authority of any statute, charter, by-law or franchise;
- (m) **"Region"** means the Regional Municipality of York;
- (n) **"Regular Fine"** means a fine levied pursuant to Section 13.5;
- (o) **"Security"** means, one or more of the following: cash, certified cheque, or letter of credit (in the form approved by the Town Solicitor) provided to the Town to secure the performance by the Permit Holder of all its obligations under a Permit and this by-law;
- (p) **"Special Fine"** has the meaning ascribed thereto in Section 13.6 (b);
- (q) **"Town"** means the municipal Corporation of the Town of Newmarket;
- (r) **"Traffic Management Plan"** means a document outlining the particulars of a proposed Highway occupancy or closure that is submitted to the Town for review by the Applicant. The Traffic Management Plan shall contain such information as may be required by the Director respecting the Applicant's proposed occupancy or closure including but not limited to:
 - i) description of the nature of the work or activity that necessitates Highway occupancy/closure;
 - ii) proposed start and completion times of Highway occupancy/closure;
 - iii) proposed location of occupancy/closure;
 - iv) requirement to occupy or close a Highway during peak hours, if any;
 - v) lane use requirements;
 - vi) extent of public notification proposed to be undertaken;
 - vii) identification of parking meters affected by occupancy/closure;
 - viii) identification of temporary signage requirements;
 - ix) identification of any public transit routes and bus stops affected by the Highway occupancy/closure; and
 - x) proposed traffic re-routing and detour requirements where necessary.
- (s) **"Utility Service"** means the production, transmission or supply to the public by a Public Utility of necessities or conveniences and includes, but is not limited to, the production, transmission and supply of gas, oil, water, electricity, sewage and storm water services, telephone service, cable television, and any other telecommunications service;
- (t) **"Warranty Period"** means the 24 month period commencing the Date of Reinstatement and terminating on the Date of Final Acceptance during which period the Permit Holder guarantees the satisfactory performance of the Highway Repairs;

2. EXEMPTIONS

- 2.1 Neither the Town, the Region nor a Public Utility are required to have a Permit before occupying or closing a Highway in order to undertake the following work:
- (a) raising or lowering utility service boxes;
 - (b) performing work upon a Highway in a new subdivision prior to the Town having assumed the Highway for public use by passing an assumption by-law; and
 - (c) performing work in manholes, valve chambers, and transformer vaults.

- 2.2 Notwithstanding that a Permit is not required under subsection 2.1, in performing work contemplated in Section 2.1, the Town, the Region and every Public Utility shall comply with the requirements of the Ministry of Transportation's Traffic Control Manual for Roadway Work Operations as amended or replaced from time to time.
- 2.3 In the case of an Emergency, the Town, the Region or a Public Utility may, without a Permit, close or occupy a Highway to perform work, provided that:
- (a) telephone notice shall immediately be given to the Director advising of:
 - i) the nature of the Emergency;
 - ii) the name of the contractor(s) performing the work;
 - iii) the nature of the work;
 - iv) the location of the work;
 - v) the estimated duration of the work;
 - and;
 - (b) the Town, the Region or the Public Utility shall apply for a Permit on the next business day.
- 2.4 The Town, the Region or the Public Utility shall provide any information that the Director may consider necessary to confirm the Emergency nature of the work failing which the work shall be deemed to have occurred in contravention of this by-law.
- 2.5 This by-law shall not apply to activity undertaken by any police force, fire department, paramedic, or ambulance service in the course of their regular duties.
- 2.6 This by-law shall not apply to Highway closures for social, recreational or community purposes.

3. PROHIBITION

- 3.1 No Person shall close obstruct, occupy, encumber, injure or foul any Highway;
- (a) unless exempted by Section 2.1, 2.5 and 2.6 of this by-law; or
 - (b) except in accordance with the conditions set out in a Permit.
- 3.2 No Person shall install or cause to be installed any driveway, driveway widening, driveway culvert or driveway curb cut on a Highway without first obtaining a Permit.
- 3.3 No Person shall build or cause to be built or maintained any fence, planting, or structure upon a Highway without first obtaining a Permit.

4. PERMITS

- 4.1 Unless otherwise exempted by this by-law, every Person who wishes to close, obstruct, occupy, encumber, injure or foul a Highway shall apply for a Permit.
- 4.2 The Town hereby delegates to the Director, the power to issue a Permit under this by-law and to impose conditions to such Permits.

5. APPLICATION PROCESS

- 5.1 Every Person who wishes to close, obstruct, occupy, encumber, injure or foul any Highway shall first complete and submit an application for a Permit in the form approved by the Director.
- 5.2 An application for a Permit shall:
- (a) be made in the name of the Applicant, and not in the name of any agent or contractor acting on behalf of the Applicant;
 - (b) be submitted on such form(s) as the Director may require;

- (c) be submitted at least five (5) working days in advance of any proposed activity that requires a Permit;
- (d) be accompanied by the applicable non refundable fee prescribed in the Town of Newmarket's Fees and Charges by-law;
- (e) state the purpose for which the Permit is required;
- (f) contain a description of the proposed activity;
- (g) include a Traffic Management Plan if required by the Director; and
- (h) include such other documentation and information as the Director may require.

5.3 The Director may require separate applications for works and activity that the Director, in his/her discretion, considers to be discrete.

5.4 If an Applicant does not provide all the documentation required by the Director within the timeframe as may be specified by the Director, or if the application is Sixty (60) days old and the Applicant has not taken any action to provide the Director with all of the required documentation in the last Thirty (30) days, the Applicant shall be deemed to have withdrawn the Applicant's application and shall not be entitled to a refund of the Applicant's application fee and the Director may close the application file.

6. ISSUANCE OF A PERMIT

6.1 The Director shall not issue a Permit where:

- (a) the application is incomplete;
- (b) the Permit fee has not been paid;
- (c) proof that the Applicant has obtained the required insurance has not been provided to the Director in such form as the Town Clerk may require;
- (d) any required Security has not been provided;
- (e) any agent has not provided proof that it is the duly authorized agent of the Applicant; and
- (f) a 24 hour Emergency contact telephone number has not been provided.

6.2 The Director, in his/her sole discretion, may refuse to issue a Permit where:

- (a) the Applicant or their agent or contractor have persistently violated the conditions of previously issued Permits;
- (b) the Applicant or their agent or contractor has committed a serious violation of a condition of any previously issued Permit;
- (c) the Applicant or their agent or contractor has otherwise committed a serious offence under this by-law;
- (d) the Applicant has failed to reimburse the Town's costs and expenses incurred in the administration of any previously issued Permit;
- (e) the Applicant proposes to damage a Highway which Highway was constructed, reconstructed or resurfaced within the previous three years;
- (f) and for such other reason as the Director may deem proper which reasons shall be delivered in writing to the Applicant upon request.

7. PERMIT CONDITIONS

7.1 The Director may issue a Permit subject to those conditions that s/he deems advisable, including but not limited to:

- (a) hours of work, occupancy and/or closure;
- (b) specifying who may perform the work/activity and specifying the manner in which the work/activity shall be performed;
- (c) specifying the quality of the work to be performed and the equipment and materials that may be used;
- (d) the requirement of notice to affected parties;
- (e) the requirement of field inspections by the Town or its agents, and payment by the Applicant of any associated fees;
- (f) the requirement of laboratory tests and engineering reports and certificates;
- (g) the provision of barricades, warning devices, signage and other measures in the interest of public health and safety;
- (h) requiring the deposit of Security with the Town sufficient to cover the faithful performance by the Permit Holder of the terms of the Permit including the cost of Highway Repairs and the cost of any maintenance or repairs that the Director may require during the Warranty Period, together with a reasonable contingency not to exceed 20% of the estimate cost to complete the Highway Repairs.

7.2 It shall be a condition of every Permit that the Permit Holder and its officers, directors, employees, contractors and agents shall:

- (a) comply with all conditions of the Permit specified thereon and the provisions of this by-law;
- (b) provide and maintain until the date of Final Acceptance: Comprehensive/Commercial General Liability insurance acceptable to the Town and subject to limits of not less than five million dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such Comprehensive / Commercial General Liability insurance policy shall be in the name of the Permit Holder and shall name the Town as additional insured. The insurance policy shall contain endorsements to provide for severability of interests; waiver of subrogation against the Town, its elected officials, employees and agents; and Thirty (30) days written notice to the Town of cancellation or material change;
- (c) be liable for all costs, losses and expenses incurred by the Town, which costs and expenses shall be payable by the Permit Holder forthwith upon demand, failing which the Town may, without limit to its legal recourse, draw upon any Security and/or add any outstanding amount to the tax roll for any real property of the Permit Holder situate within the municipality which amount may be collected in like manner as municipal taxes;
- (d) hold harmless, indemnify and defend the Town, its elected officials employees and agents, from and against any action, claim, loss, damage, cost or expense arising directly or indirectly as a result of the issuance of a Permit to the Permit Holder;
- (e) notify the Region, police, emergency medical services, the fire department, any Person operating a public transportation service or school bus service, and any Person whose access to their own property may be affected by the closure or occupancy, of the commencement and termination of the said closure or occupancy;

- (f) cause to be provided all signs barricades, traffic control devices, flag persons, and such other Persons and equipment as may be required by the Town, prior to the commencement of, and for the duration of, the closure or occupancy;
 - (g) cause to be maintained at all time access to all public and private property and to keep such access free and clear of all mud, debris and other materials;
 - (h) maintain and answer a telephone at all times (24 hours, seven days-a-week) during the period of occupancy/closure so that the Permit Holder may respond to an Emergency and /or be notified by the Director of any necessary repairs or remedial work;
 - (i) keep the Permit available on site for inspection during the period of occupancy and closure;
 - (j) in the event the permitted work or activity cannot be completed within the time set out in the Permit, to notify the Director of the additional required time and the reasons therefor, and shall request an extension of the Permit which extension may be granted at the discretion of the Director who may impose additional conditions upon the Permit;
 - (k) effect all repairs and make all improvements to the Highway as may be deemed necessary by the Director to reinstate the Highway to the Newmarket Standard (the **"Highway Repairs"**);
 - (l) effect all repairs to real and personal property adjacent to the Highway that has been damaged or destroyed in the course of the Highway occupancy or closure as may be necessary to restore it to its pre-occupancy/closure condition;
 - (m) acknowledge that where a Highway or Utility Service has been damaged by a Permit Holder, that the Town or the Public Utility shall, as the case may be, have the sole right to determine who, at the expense of the Permit Holder, may carry out any necessary repairs;
 - (n) maintain and guarantee the performance of the Highway Repairs during the Warranty Period to the satisfaction of the Director and shall effect, at the Applicant's sole cost and expense, any maintenance and/or remedial work to the Highway Repairs as may be required by the Director to the satisfaction of the Director;
 - (o) acknowledge that the Director may give notice to the Permit Holder, before or after the Date of Reinstatement, specifying the maintenance or remedial work that the Director requires to be performed;
 - (p) acknowledge that if the Permit Holder, having received notice from the Director, has not done the work required by the Director within such time as may be specified by the Director, the Director may arrange for the work to be done by the Town or a third party, all at the Permit Holder's expense;
 - (q) acknowledge that upon the Date of Final Acceptance the Town shall assume responsibility for maintaining the Highway Repairs, any further maintenance or repair works and release the Security or the remaining balance thereof to the Permit Holder.
- 7.3 A Permit is the property of the Town and is not transferable unless authorized by the Director and any applicable fee has been paid.
- 7.4 A Permit shall become void if the work or activity authorized by the Permit is not commenced within sixty (60) calendar days of the date that the Permit issued and a new Permit shall be required if the work or activity is to proceed.

8. COMPLIANCE

8.1 The Director may revoke a Permit at any time:

- (a) for a violation of any condition of the Permit or of any provision of this by-law;
- (b) for a violation of any provision of any other law relating to the permitted work or activity;
- (c) for the existence of any condition or the doing of any act: constituting a threat to public health and safety; is a nuisance; or endangers life or property;
- (d) where the Permit has been issued on mistaken, false or misleading information; and
- (e) where the permitted work or activity is not carried out in a diligent and workmanlike manner.

8.2 Where a Permit has been revoked, the Permit Holder shall immediately cease and desist all activities for which the Permit was issued and immediately restore the Highway to the Newmarket Standard. Such restoration shall be carried out at the Permit Holder's sole cost and expense, and if the Permit Holder should fail to carry out such restoration, the Highway may be restored to the Newmarket Standard by the Town, and the entire cost of so doing shall be paid by the Permit Holder forthwith upon demand.

8.3 The Director shall have the authority to issue an order to any Person who has closed, is occupying, obstructing, encumbering, injuring or fouling any Highway to immediately cease and desist from such activity and/or to restore the Highway to the Newmarket Standard.

9. EMERGENCY REPAIRS

9.1 If the Director is of the opinion that any activity taken, or purportedly taken pursuant to a Permit has created an Emergency situation the Director may protect the area and make immediate repairs or take any other steps deemed necessary to protect persons and property.

9.2 All work done by the Town pursuant to Sections (9.1) hereof shall be at the expense of the Permit Holder and shall be paid by the Permit Holder forthwith upon demand.

10. POWERS OF ENTRY

10.1 The Town may enter on a property at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- (a) the provisions of this by-law;
- (b) an order issued under this by-law; or
- (c) an order made under Section 431 of the *Act*.

10.2 Where an inspection is conducted by the Town, the person conducting the inspection may,

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- (c) require information from any Person concerning a matter related to the inspection including their name, address, phone number and identification; and

- (d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

10.3 The Town may undertake an inspection pursuant to an order issued under Section 438 of the *Act*.

10.4 The Town's power of entry may be exercised by an employee, officer or agent of the Town or by a member of a police force with jurisdiction, as well by any person under his or her direction.

11. ORDERS AND REMEDIAL ACTION

11.1 If a Person contravenes any of the provisions of this by-law, the Director may issue an order to the person, and to the Permit Holder to discontinue the contravening activity. The order shall set out the reasonable particulars of the contravention adequate to identify the contravention, the location of the property on which the contravention occurred, and the date by which there must be compliance with the order.

11.2 If a Person has contravened a provision of this by-law, the Director may issue a work order to the Person who contravened the by-law, and to the Permit Holder, to do work to correct the contravention. The order shall set out the reasonable particulars of the contravention adequate to identify the contravention, the location of the property on which the contravention occurred, and the date by which there must be compliance with the order. The order may also provide that if the Person or Permit Holder fails to correct the contravention, the Town may do the work to correct the contravention at the expense of the Person and the Permit Holder.

11.3 If the Director has issued an order directing or requiring that a Person or Permit Holder do a matter or thing to correct a contravention of this by-law, and the Person or Permit Holder fails to correct the contravention, the Town may do all work necessary to correct the contravention, and the Town may recover the cost of the doing of the matter or thing from the Person directed or required to do it by action or by adding the costs to the tax roll of property owned by the Person or Permit Holder located in the municipality and collecting them in the same manner as property taxes.

11.4 An order may be served by:

- (a) delivering it personally to the Permit Holder and/or the Person in contravention of the by-law;
- (b) sending it by registered mail to the last known address of the Permit Holder and/or the Person in contravention of the by-law, which service shall be deemed effective five (5) days after mailing, which deemed service may be rebutted by the Person proving on the balance of probabilities that they did not receive the order; or
- (c) posting it at the site where the contravention has occurred.

12. APPEALS

12.1 An Applicant may appeal to Council:

- (a) if the Director refuses to issue a Permit, within 30 days after the refusal;
- (b) if the Director fails to make a decision on the application, within 45 days after the application is deemed to have been received by the Director; or
- (c) if the Applicant objects to a condition in the Permit, within 30 days after the issuance of the Permit.

12.2 Where an order has been served, the Permit Holder or the Person to whom the order is being served may apply for a hearing to appeal the order to Council within thirty (30) days of being served with the order.

13. OFFENCE

- 13.1 Any Person who contravenes any provision of this by-law; the conditions of a Permit; or an order issued under this by-law; is guilty of an offence.
- 13.2 Any officer or director of a corporation who knowingly concurs in the contravention of any provision of this by-law; the conditions of a Permit; or an order under this by-law; is guilty of an offence.
- 13.3 If a condition of a Permit issued under this by-law has not been complied with, the contravention of the Permit shall be deemed to be a continuing offence for each day or part of a day that the Permit condition is not complied with.
- 13.4 If an order has been issued under this by-law, and the order has not been complied with, the contravention of the order shall be deemed to be a continuing offence for each day or part of a day that the order is not complied with.
- 13.5 Every Person who is guilty of an offence under this by-law shall be subject to the following penalties:
- (a) upon a first conviction, the minimum fine shall be \$350.00 and the maximum fine shall be \$100,000.00.
 - (b) upon a second or subsequent conviction for the same offence, a fine shall be a minimum of \$500.00 and the maximum fine shall be \$100,000.00.
 - (c) upon conviction for a continuing offence, the minimum fine shall be \$500.00 and the maximum fine shall \$10,000.00 for each day or part of a day that the offence continues. The total of the daily fines may exceed \$100,000.00.
 - (d) upon conviction for a Multiple Offence, for each offence included in the Multiple Offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00. The total of all fines for each included offence may exceed \$100,000.00.
- 13.6 For the purpose of this by-law, "Multiple Offences" means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this by-law.
- 13.7 For the purpose of this by-law, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for the same offence.
- 13.8 In addition to any other remedy or penalty provided by law, the court in which the conviction has been entered, or any other court of competent jurisdiction may make an order:
- (a) prohibiting the continuation or repetition of the offence by any Person;
 - (b) require the Person to pay a Special Fine, in addition to a Regular Fine, which fine shall eliminate any economic gain or advantage derived by the Person as a result of contravening this by-law.

14. VALIDITY AND INTERPRETATION

- 14.1 Words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the by-law requires otherwise.
- 14.2 If a court of competent jurisdiction declares any provisions of this by-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of the by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

15. GENERAL

15.1 The short title of this by-law is the "Road Occupancy By-Law"

15.2 This by-law shall come into effect on the date of its enactment;

AND By-law 2009-32 be hereby repealed.

ENACTED THIS 20TH DAY OF APRIL, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-17

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– APRIL 20, 2015.

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 20TH DAY OF APRIL, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

The meeting of the Appointment Committee was held on Monday, April 20, 2015 in Davis Room, 395 Mulock Drive, Newmarket.

Members Present: Councillor Twinney, Chair
Mayor Van Bynen
Councillor Bisanz

Staff Present: A. Brouwer, Director of Legislative Services/Town Clerk
L. Lyons, Deputy Clerk
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 3:08 p.m.

Councillor Twinney in the Chair.

Additions & Corrections to the Agenda

None.

Declarations of Pecuniary Interest

None.

Deputations/Presentations

None.

Approval of Minutes

1. Appointment Committee Minutes of March 23, 2015.

Moved by: Councillor Bisanz
Seconded by: Mayor Van Bynen

THAT the Appointment Committee Minutes of March 23, 2015 be approved.

Carried

2. Appointment Committee (Closed Session) Minutes of March 23, 2015.

Moved by: Mayor Van Bynen
Seconded by: Councillor Bisanz

THAT the Appointment Committee (Closed Session) Minutes of March 23, 2015 be approved.

Carried

Items for Discussion

3. Committee Public Appointment Policy.

Discussion ensued regarding the term limit and policy related to the term being concurrent with the term of Council, retention of experienced members while providing opportunity for new members and amendments to the Terms of Reference for each Committee and alignment with Corporate Policy.

Moved by: Mayor Van Bynen
Seconded by: Councillor Bisanz

a) THAT returning appointees be limited to one further term of appointment on the same committee (to expire 2018, or until the appointment of successors by the 2018 Council);

b) AND THAT new appointees be limited to two terms of appointments on the same committee (to expire 2022, or until the appointment of successors by the 2022 Council) in accordance with the Committee Public Appointment Policy;

c) AND THAT staff review the Committee Public Appointment Policy with respect to term limits and report back to the Appointment Committee mid-term.

Carried

Closed Session

4. Personal matters about identifiable individuals - Review of Applicants to the following Statutory Committees:
- a) Accessibility Advisory Committee
 - b) Appeal Committee
 - c) Committee of Adjustment
 - d) Heritage Newmarket Advisory Committee
 - e) Newmarket Public Library Board
 - f) Property Standards Committee

Moved by: Councillor Bisanz

Seconded by: Mayor Van Bynen

THAT the Appointment Committee resolve into Closed Session for the purpose of discussing personal matters about identifiable individuals.

Carried

The Committee resolved into Closed Session at 3:23 p.m.

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

The Committee resumed into Public Session at 4:17 p.m.

New Business

None.

Adjournment

Moved by: Mayor Van Bynen

Seconded by: Councillor Bisanz

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 4:17 p.m.

Date

Councillor Twinney, Chair

3. Committee Public Appointment Policy.

Discussion ensued regarding the term limit and policy related to the term being concurrent with the term of Council, retention of experienced members while providing opportunity for new members and amendments to the Terms of Reference for each Committee and alignment with Corporate Policy.

Moved by: Mayor Van Bynen

Seconded by: Councillor Bisanz

a) THAT returning appointees be limited to one further term of appointment on the same committee (to expire 2018, or until the appointment of successors by the 2018 Council);

b) AND THAT new appointees be limited to two terms of appointments on the same committee (to expire 2022, or until the appointment of successors by the 2022 Council) in accordance with the Committee Public Appointment Policy;

c) AND THAT staff review the Committee Public Appointment Policy with respect to term limits and report back to the Appointment Committee mid-term.

Carried