

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

1. Mayor Van Bynen and Members of Council, along with the Recreation Programmer to present the Heritage Art Awards:

Honourable Mentions: 'All Along the Clock Tower'; 'Back in the Day'; 'Salvation Through Harmony'; 'Veteran's Memorial'

Winning Piece: Rusto's Ghost (II)

2. Mayor Van Bynen and Members of Council to formally acknowledge and congratulate the 2015 Celebrates the Arts Grant Recipients.

Newmarket Jazz+ Festival, A Christmas Carol Comedy, 7th Annual Newmarket Studio Tour, VPAN Young Artists' Showcase, Shakespeare at Fairy Lake - The Merry Wives of Windsor

Post-Secondary and Youth

Deputations

Approval of Minutes

3. Council Minutes of May 11, 2015.

p. 1

Correspondence & Petitions

Reports by Regional Representatives

Reports of Committees and Staff

4. Special Committee of the Whole Minutes of May 19, 2015. p. 17
5. Council Workshop Record of May 25, 2015. p. 20
6. Committee of the Whole Minutes of May 25, 2015. p. 22
7. Committee of the Whole (Closed Session) Minutes of May 25, 2015.
8. Corporate Services Report - Legislative Services 2015-09 dated May 28, 2015 regarding Councillor Appointments to Audit Committee. p. 36

The Commissioner of Corporate Services and the Director of Legislative Services recommend:

a) THAT Corporate Services – Legislative Services Report 2015-09 dated May 28, 2015 regarding “Councillor Appointments to Audit Committee” be received and the following recommendation be adopted:

i) THAT Council determine and appoint two (2) members of Council to the Audit Committee for the 2014-2018 Term of Council.

By-laws

- | | | |
|---------|---|-------|
| 2015-25 | A by-law to provide for the levy and collection of the sums required by the Corporation of the Town of Newmarket for 2015 and to provide for the mailing of notices requisitioning the payment of taxes for 2015. | p. 41 |
| 2015-26 | 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. | p. 45 |

Notices of Motions

Motions

11. Operational Leadership Team: Proposed Amendments to the Planning Act and Development Charges Act under Bill 73. p. 46
12. Councillor Sponga: Community Mailboxes (Correspondence from Canada Post attached for reference only) p. 47

Announcements & Community Events

New Business

Closed Session (if required)

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

Confirmatory By-law

2015-27 A By-law to confirm the proceedings of a meeting of Council - June 1, 2015. p. 50

Addendum (Additions and Corrections)

14. Correspondence and Petition dated June 1, 2015 from Mr. and Mrs. Ray and Lois Judges regarding 17235 Yonge Street. p. 51

The Senior Leadership Team recommends:

a) THAT the correspondence and petition dated June 1, 2015 from Mr. and Mrs. Ray and Lois Judges regarding 17235 Yonge Street be received and the petition referred to staff.

Adjournment

The meeting of the Council was held on Monday, May 11, 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 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
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.

Mayor Van Bynen advised of the passing of Mr. Dennis Ramsarran, father of former Councillor Dennis Ramsarran and extended condolences to the Ramsarran family on behalf of Council.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of administrative amendments to the Committee of the Whole Minutes of May 4, 2015 related to Item 2 being a deputation by Mr. Ian Proudfoot regarding Newmarket Celebrates the Arts and New Business item e).

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

THAT the corrections to the agenda be approved.

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

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

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

None.

Deputations

1. Ms. Julie Jeannotte addressed Council with a request to plant a vegetable garden on a Town right-of-way adjacent to her home on Elgin Street. Discussion ensued regarding the potential for a garden this growing season.

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

THAT the deputation by Ms. Julie Jeannotte regarding a vegetable garden on Town property be received.

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

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

Carried

Moved by: Councillor Twinney
 Seconded by: Councillor Kerwin

THAT staff be delegated authority to move forward with a community garden pilot project at 799 Elgin Street if deemed appropriate.

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

Carried

Approval of Minutes

2. Council Minutes of April 20, 2015.

Moved by: Councillor Vegh
 Seconded by: Councillor Hempen

THAT the Council Minutes of April 20, 2015 be approved.

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

Carried

Correspondence & Petitions

None.

Reports by Regional Representatives

- a) Regional Councillor Taylor provided information related to York Region's Annual Waste Diversion report. He advised that the Region was able to divert 58% of waste in 2014, with a projected diversion rate of 64% in 2015.
- b) Regional Councillor Taylor advised that the Durham York Energy Centre will be fully operational shortly. At a total cost of 250 million dollars, the state of the art facility will be able to provide power to 15,000 or more homes from the incineration of waste materials.

Reports of Committees and Staff

3. Special Committee of the Whole Minutes of April 22, 2015.

Moved by: Councillor Kerwin
 Seconded by: Councillor Sponga

THAT the Special Committee of the Whole Minutes of April 22, 2015 be approved.

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

Carried

4. Special Committee of the Whole (Closed Session) Minutes of April 22, 2015.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Vegh

THAT the Special Committee of the Whole (Closed Session) Minutes of April 22, 2015 be approved.

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

Carried

Mayor Van Bynen advised that Special Committee of the Whole met on April 22, 2015 to receive legal advice in reference to a matter before an administrative tribunal.

5. Committee of the Whole Minutes of May 4, 2015.

Moved by: Councillor Kerwin
 Seconded by: Councillor Twinney

THAT the Committee of the Whole Minutes of May 4, 2015, as amended, be approved and the following recommendations be adopted:

6. THAT the PowerPoint presentation by Ms. Amber Chard, Senior Communications Officer, Mr. Jamie Boyle, Customer Service Coordinator and Mr. Will Wray, Website Administrator regarding the revamped Town of Newmarket website be received.
7.
 - a) THAT the PowerPoint presentation by Mr. Ian Proudfoot, Chair, Transition Committee - Newmarket Celebrates the Arts with respect to the vision, process and branding of the Board be received;
 - b) AND THAT the recommendations provided in the presentation related to the vision, appointment policy, branding and use of staff resources be approved in principle;
 - c) AND THAT the recommendations be referred to staff for development of the mandate and workplan and to endorse the principles of the group.
8. THAT the deputation by Ms. Charlene Myke regarding the run in support of Easter Seals scheduled for May 24, 2015 at Riverwalk Commons be received.
9. Correspondence from Mr. Denis Kelly, Regional Clerk dated March 27, 2015 regarding National Access Awareness Week - May 31 to June 6, 2015.
 - a) THAT the correspondence dated March 27, 2015 regarding National Access Awareness Week be received and the following recommendations be adopted:
 - i) THAT the Town of Newmarket proclaim May 31 to June 6, 2015 as 'National Access Awareness Week';
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
10. Correspondence dated April 12, 2015 from the York Region Kairos Group requesting June, 2015 be declared 'Aboriginal Month' in the Town of Newmarket.
 - a) THAT the correspondence from the York Region Kairos Group be received and the following recommendations be adopted:
 - i) THAT the month of June, 2015 be proclaimed 'Aboriginal Month' in the Town of Newmarket;
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

11. Newmarket Public Library Board Minutes of February 18, 2015.
 - a) THAT the Newmarket Public Library Board Minutes of February 18, 2015 be received.
12. Site Plan Review Committee Minutes of April 20, 2015.
 - a) THAT the Site Plan Review Committee Minutes of April 20, 2015 be received.
13. Item 1 of the Site Plan Review Committee Minutes of April 20, 2015 regarding Application for Site Plan Approval - 470 Crossland Gate.
 - a) THAT application for Site Plan Approval to permit 74 townhouse units within 13 buildings 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;
 - b) AND THAT Ms. Joanne Barnett of Marianneville Developments Limited, 3-26 Lesmill Road, Toronto, ON M3B 2T5 be notified of this decision;
 - c) AND THAT Ms. Kerrigan Kelly of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this decision.
14. Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015 be received.
15. Item 5b) of the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015 regarding prepaid credit card.
 - a) THAT the following recommendation be referred to staff:
 - i) THAT the Town provide the Main Street District Business Improvement Area Board of Management with a prepaid credit card in the amount of \$500.00.
16. Development and Infrastructure Services - Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street - Request to demolish a portion of a structure.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street and the owners request to demolish a portion of the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendations be adopted:

i) THAT Council permit the demolition of the rear portion of 351 Timothy Street, a property listed on the Municipal Register of Non-Designated Heritage Properties of Interest;

ii) AND THAT Ms. Montana Harrington, 351 Timothy Street, Newmarket, ON L3Y 1P4 be notified of this action.

17. Outstanding Matters List.

THAT the Outstanding Matters List be received.

18. THAT the deputation and PowerPoint presentation by Mr. John Blommestein regarding the correspondence from Amberley Gavel Ltd. with respect to Closed Meetings of Council Report be received.

19. a) THAT the correspondence dated April 2, 2015 from Mr. Nigel Bellchamber, Amberley Gavel Ltd. regarding Closed Meetings of Council Report be received for information;

b) AND THAT the best practice recommendations outlined in Amberley Gavel Ltd.'s Closed Meetings of Council Report be adopted.

20. THAT the deputation by Ms. Laurie Smith regarding parking and storage of recreational vehicles in residential zones be received.

21. a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-16 dated April 23, 2015 regarding parking and storage of recreational vehicles in residential zones be received and the following recommendations be adopted:

i) THAT Council authorize a Zoning By-law Amendment process to amend the zoning provisions for the parking and storing of recreational vehicles in residential zones;

ii) AND THAT all options listed in the report be presented to the public at the statutory public meeting;

iii) AND THAT following the public meeting, comments from the public, Committee and those received through agency and departmental circulation of the amendment, be addressed by staff in a comprehensive report to the Committee of the Whole;

iv) AND THAT Ms. Laurie Smith of 371 Burford Street, Newmarket, ON L3Y 6P9 be notified of this action;

v) AND THAT Ms. Laura and Mr. Mike Kyte of 367 Burford Street, Newmarket, ON L3Y 6P9 be notified of this action.

22. THAT the deputation and slide show presentation by Ms. Anne Martin with respect to the downtown patios pilot project be received.

23. THAT the deputation by Mr. Glenn Wilson regarding the Main Street District Business Improvement Area Board of Management's position with respect to patio hours be received.

24. a) THAT Community Services Report – Economic Development 2015-16 dated May 4, 2015 regarding Downtown Patios Pilot Project be received and the following recommendations be adopted:

i) THAT Council endorse a 2015 pilot project of outdoor patios in downtown Newmarket between Millard Avenue and Water Street;

ii) THAT no more than two (2) patios requiring the occupation of on-street parking be included in the pilot;

iii) THAT applicants be required to complete an application form and other documents deemed necessary by staff;

iv) THAT restrictions of the Licensing By-law, Road Occupancy Permit By-law and other regulations be waived where applicable to the satisfaction of staff;

v) THAT the Main Street District Business Improvement Association be notified of this action;

vi) THAT the applications be limited to two (2) only, with the occupation of two (2) only, on-street parking spaces;

vii) THAT a cut-off application deadline date be established.

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

a) THAT Development and Infrastructure Services Report - ES 2015-24 dated April 13, 2015 regarding 'Inflow and Infiltration Reduction Pilot Project' be received and the following recommendations be adopted:

i) THAT the Mayor and Clerk be authorized to execute a Tri-Party Agreement to the satisfaction of the Chief Administrative Officer, the Commissioner of Development and Infrastructure Services, the Director of Engineering and the Town Solicitor, with York Region and with Marianneville Developments Limited/Kerbel Group Inc. for an Inflow and Infiltration Reduction Pilot Project based on the principles identified in this report;

ii) AND THAT staff report back as to the outcome of the Inflow and Infiltration Reduction Pilot Project;

iii) AND THAT a copy of this report and Council extract be forwarded to representatives of Marianneville Developments Limited/Kerbel Group Inc. and York Region.

26. Development and Infrastructure Services Report - Engineering Services 2015-28 dated April 1, 2015 regarding School Crossing Locations Request - Alexander Muir Public School.

a) THAT Development and Infrastructure Services Report – ES2015-28, dated April 1, 2015 regarding School Crossing Locations Request – Alexander Muir Public School be received and the following recommendations be adopted:

i) THAT Schedule IX (School Crossing Locations) of the Traffic By-law 2011-42, as amended, be further amended by adding:

Ford Wilson Boulevard, south of Dowson Loop – Mid-Block

ii) AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Davis Drive to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

iii) AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Woodspring to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Davis Drive	Monday to Friday 7:00 a.m. to 6:00 p.m.

iv) AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Dowson Loop to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

v) AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Woodspring Avenue to Cheryl Mews Boulevard	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.

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

vii) AND THAT the Alexander Muir Public School administration and York Region District School Board be forwarded a copy of the Council extract.

27. THAT the PowerPoint presentation, deputations and all correspondence related to the Application for Zoning By-law Amendment - 17844 Leslie Street be received.

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

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

Carried

By-laws

28. By-laws 2015-18, 2015-19, 2015-20, 2015-21, 2015-22 and 2015-23.

- | | |
|---------|---|
| 2015-18 | A By-law for the Licensing, Regulating the Sale and Setting off of Fireworks. (Fireworks By-law) |
| 2015-19 | A By-law to Amend By-law 1993-62, as amended, being a By-law to Regulate Parking within the Town of Newmarket. (Schedule X - No Parking, Schedule XI - No Stopping) |
| 2015-20 | A By-law to Amend By-law 2011-24, as amended, being a By-law to Regulate Traffic within the Town of Newmarket. (Schedule IX - School Crossing Locations) |
| 2015-21 | A By-law to Adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Legislative Services - Licensing Fees) |
| 2015-22 | A By-law to Adopt Fees and Charge for Services or Activities provide by the Town of Newmarket. (Legislative Services - General Fees) |
| 2015-23 | A By-law to Appoint Individuals to Town of Newmarket Statutory Boards and Committees for the 2014-2018 Term of Council or until successors are appointed. |

Moved by: Councillor Vegh
Seconded by: Councillor Bisanz

THAT By-laws 2015-18, 2015-19, 2015-20, 2015-21, 2015-22 and 2015-23 be enacted.

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

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

Carried

Notices of Motions

None.

Motions

None.

Announcements & Community Events

- a) Councillor Bisanz invited residents to attend a Public Information Centre on Tuesday May 26, 2015 from 6:00 to 8:00 p.m. in the Cane Room at 395 Mulock Drive. This information session is to view and discuss redevelopment of the former Glenway Golf Course lands. Project drawings will be on display and representatives from Marianneville Developments Limited, Town officials and staff will be available to answer questions and provide information. For further information please contact the Planning Division at 905-895-5193 or email Dave Ruggle at druggle@newmarket.ca
- b) Councillor Bisanz advised that the third annual I Run And Rock-United by Trauma will take place on May 30, 2015 from 11:00 a.m. to 4:00 p.m. at the Ray Twinney Complex, 100 Eagle Street West. There will be a 1, 5 and 10 kilometre walk or run to raise funds in support of training and providing service dogs to first responders suffering from Post-Traumatic Stress Disorder. The event will also feature the Highway 11 Cruisers, a classic car show, Police canine challenge and live music.

- c) Councillor Broome-Plumley encouraged residents to join a Town Committee. The Town of Newmarket is seeking volunteers to serve on one of the following Committees: Audit Committee, Elman W. Campbell Museum Board, Newmarket Downtown Development Subcommittee, Newmarket Economic Development Advisory Committee and the Newmarket Environmental Advisory Committee. In addition to attending regular meetings, committee members are expected to dedicate time to projects outside of regular meeting times. Interested Newmarket residents are encouraged to attend a Board/Committee Open House on Wednesday May 13, 2015 from 6:00 p.m. to 8:00 p.m. in the Council Chambers at 395 Mulock Drive. The deadline for receiving applications is May 21, 2015. For further information on eligibility, recruitment and the appointment process visit www.newmarket.ca
- d) Councillor Hempen advised that the “Touch-A-Truck” event will take place on Tuesday, May 20, 2015 from 5:30 to 8:30 p.m. at the Newmarket Operations Centre, 1275 Maple Hill Court. This fun, hands on event allows you to touch, explore and get up close and personal with vehicles of different sizes. Explore some of your favourite trucks – a fire truck, ice resurfer, backhoe, dump truck and more!
- e) Regional Councillor Taylor invited residents to participate in the Newmarket Environmental Advisory Committee’s Annual Community Garage Sale on Saturday, May 23, 2015 from 8:00 a.m. to noon in the Regional Parking lot at the north-east corner of Yonge Street and Eagle Street. Come and join in a great community initiative. Gently used items will be offered for sale – there will be no commercial vendors. This event is rain or shine. Those wishing to sell their items must pre-register by calling 905-895-5193 before the event date. A small fee is applicable.
- f) Councillor Twinney advised that Smart Commute Central York is excited to be hosting its Annual Bike to Work Day event on Monday, May 25, 2015. Drop by Newmarket Riverwalk Commons from 7:45 a.m. to 9:00 a.m. at 200 Doug Duncan Drive. There will be a free continental breakfast and giveaways. Get active, save money and produce zero emissions! Pledge to Bike to Work at www.bikemonth.ca/biketoworkday and enter a draw for prizes!
- g) Councillor Kerwin invited residents to join him on Sunday, May 24, 2015 for the Upper Canada Mall Easter Seals Run/Walkathon founded by Joe Persechini. Help celebrate 39 years of fundraising to help kids with physical disabilities! The event takes place at Newmarket Riverwalk Commons, 200 Doug Duncan Drive. There is a post-race party with food for athletes, and games and activities for the whole family. More details are available at www.persechinirun.org

- h) Councillor Vegh encouraged residents to bring their cats and dogs to a low-cost rabies clinic on Sunday, May 31, 2015 from 10:00 a.m. to 2:00 p.m. at Hollingsworth Arena, 35 Patterson Street. The cost is \$20.00 per vaccination (cash only). Cats and dogs must be over 3 months of age. Cats must be in a carrier and dogs must be leashed. American Pit Bull Terriers, American Staffordshire Terriers or dogs that have the appearance and physical characteristics that are substantially similar to these dogs must be muzzled. Please call 905-895-5193 for further information.
- i) Mayor Van Bynen offered congratulations to CHATS – Community and Home Assistance to Seniors – for being selected as the recipient of 2 awards to be presented at the United Way of York Region’s Bhayana Family Foundation Awards Ceremony later this month. CHATS has won the Community Partnership Award in recognition of their successful partnership with “Community Hub” partners the Alzheimer Society of York Region, and York Support Services Network. CHATS has also won the Team Achievement Award to recognize their Assisted Living Team’s successful transition of over 100 assisted living clients. Together, these individuals demonstrate commitment to success through excellent and consistent performance. Congratulations to CHATS on this incredible accomplishment!
- j) Mayor Van Bynen invited anyone that has anything they wish to discuss to visit him at “Mayor in the Square” at the Newmarket Farmer’s Market on Saturday, May 23, 2015 from 10:00 a.m. until noon.
- k) Mayor Van Bynen advised that the Town Offices will be closed to observe Victoria Day on Monday, May 18, 2015.
- l) Mayor Van Bynen advised that the next Council meeting is Monday, June 1, 2015 at 7:00 p.m.

New Business

- a) Councillor Kerwin offered his condolences to the Ramsarran family and provided funeral arrangements for those who wished to attend the service.
- b) Councillor Hempen requested that staff review the naturalized property at the corner of London Road and Main Street North to determine the feasibility of a community garden at the site. The Chief Administrative Officer requested a motion to authorize use of staff resources to undertake the review.

Moved by: Councillor Hempen
 Seconded by: Councillor Sponga

THAT staff review the possibility for a community garden at the naturalized area at the corner of London Road and Main Street North and report back within 120 days.

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

Carried

Closed Session

Mayor Van Bynen advised that there was no requirement for a Closed Session.

Confirmatory By-law

29. Confirmatory By-law.

2015-24 A By-law to confirm the proceedings of a meeting of Council - May 11, 2015.

Moved by: Councillor Vegh
 Seconded by: Regional Councillor Taylor

THAT By-law 2015-24 be enacted.

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

Carried

Adjournment

30. Adjournment.

Moved by: Councillor Twinney

Seconded by: Regional Councillor Taylor

THAT the meeting adjourn.

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

Opposed: (None)

(9 in favour, 0 opposed)

Carried

There being no further business, the meeting adjourned at 7:38 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Tuesday, May 19, 2015 at 1:30 PM
Council Chambers

For consideration by Council
on June 1, 2015

The meeting of the Special Committee of the Whole was held on Tuesday, May 19, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin (1:34 to 3:02 p.m.)
Councillor Twinney
Councillor Sponga
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Hempen

Staff Present: R.N. Shelton, Chief Administrative Officer
I. McDougall, Commissioner of Community Services
A. Moore, Commissioner of Corporate Services
A. Brouwer, Director of Legislative Services/Town Clerk
C. Kallio, Economic Development Officer
S. Chase, Director of IT Innovations
J. Patel, Business Support Analyst
L. Moor, Council/Committee Coordinator

Guests: Mr. P. Ferguson, President, Newmarket-Tay Power
Mr. T. MacDonald, National Practice Leader – Grant Thornton
Mr. B. Jackson, Director, Corporate Finance, Grant Thornton

The meeting was called to order at 1:32 p.m.

Mayor Van Bynen in the Chair.

Declarations of Interests

None.

Presentation

1. Mr. Troy MacDonald, Grant Thornton addressed the Committee with a PowerPoint presentation providing analysis and strategic advice with respect to Newmarket Tay Power and the Ontario Local Distribution Company Market.

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the analysis and strategic advice PowerPoint presentation by Mr. Troy MacDonald, Grant Thornton regarding Newmarket Tay Power and the Ontario Local Distribution Company Market be received.

Carried

2. Community Services Report 2015-18 dated May 19, 2015 regarding Update for Ultra-High Speed Corridor Pilot Project.

Mayor Van Bynen advised that this matter would be stood down until after the deputation was heard.

Deputation

Moved by: Councillor Kerwin

Seconded by: Councillor Bisanz

THAT the deputation by Mr. John Heckbert be heard at this time.

Carried

3. Mr. Heckbert addressed the Committee with a PowerPoint presentation regarding gigabit broadband.

Moved by: Councillor Kerwin

Seconded by: Councillor Sponga

THAT the deputation by Mr. John Heckbert regarding gigabit broadband be received and referred to staff, for their information.

Carried

Items

4. Community Services Report 2015-18 dated May 19, 2015 regarding Update for Ultra-High Speed Corridor Pilot Project.

An alternate motion was presented and discussion ensued.

Moved by: Regional Councillor Taylor

Seconded by: Councillor Sponga

- a) THAT Community Services Report 2015-18 dated May 19, 2015 regarding Update for Ultra-High Speed Corridor Pilot Project be approved noting staff's information provided with respect to some of the questions raised in the deputation;
- i) AND THAT staff be directed to proceed to the next step of negotiations with the preferred proponent;
- ii) AND THAT staff be directed to provide a further report to Council with the results of the negotiations, options for business models and a recommended business model, governance structure and budget impact;
- iii) AND THAT all negotiations be conditional on Council approval.

Carried

Adjournment

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 3:02 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Monday, May 25, 2015 at 9:00 AM
Council Chambers

For consideration by Council
on June 1, 2015

The Council Workshop was held on Monday, May 25, 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 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
R. Nethery, Director of Planning and Building Services
A. Brouwer, Director of Legislative Services/Town Clerk
L. Lyons, Deputy Clerk
M. White, Planner
L. Moor, Council/Committee Coordinator

Guest: P. Ferguson, President, Newmarket-Tay Power Distribution

The workshop convened at 9:17 a.m.

Mayor Van Bynen in the Chair.

Mayor Van Bynen advised that in accordance with the Town's Procedure By-law, no decisions are to be made but rather this meeting is an opportunity for Council to have informal discussion regarding various matters.

Declarations of Pecuniary Interest

None.

Items

1. The Chief Administrative Officer provided an overview of the workshop material and introduced Ms. Susan Hall, Vice-President, LURA (Listen, Understand, Relate, Advance) and Mr. Peter Garforth, Garforth International who provided a PowerPoint presentation regarding the Newmarket Municipal Energy Plan.

Moved by: Councillor Sponga
Seconded by: Councillor Bisanz

THAT the PowerPoint presentation by Ms. Susan Hall, Vice-President, LURA (Listen, Understand, Relate, Advance) and Mr. Peter Garforth, Garforth International regarding the Newmarket Municipal Energy Plan be received.

Carried

The Council Workshop recessed at 11:08 a.m.

The Council Workshop reconvened at 11:20 a.m.

2. The Chief Administrative Officer introduced Mr. Sandro Sementilli, San Michael Homes Development who provided a proposal presentation regarding the Hollingsworth Arena Site.

Moved by: Councillor Vegh
Seconded by: Councillor Kerwin

THAT the proposal presentation by Mr. Sandro Sementilli of San Michael Homes Development regarding the Hollingsworth Arena Site be received.

Carried

Staff provided an overview of the Town policy with respect to the purchase and sale of Town owned lands.

Adjournment

There being no further business, the Council Workshop adjourned at 12:46 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Monday, May 25, 2015 at 1:30 PM
Council Chambers

For consideration by Council
on June 1, 2015

The meeting of the Committee of the Whole was held on Monday, May 25, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Kerwin (1:32 to 5:04 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
E. Armchuk, Director of Legal Services
A. Mollicone, Senior Solicitor
R. Nethery, Director of Planning and Building Services
R. Prudhomme, Director of Engineering Services
C. Service, Director of Recreation and Culture
A. Brouwer, Director of Legislative Services/Town Clerk
L. Lyons, Deputy Clerk
L. Moor, Council/Committee Coordinator
J. Patel, Systems Support Analyst

The meeting was called to order at 1:32 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the addendum items being distribution of the Newmarket Dedication By-law PowerPoint presentation and the withdrawal of the deputation by Mr. Andrew Walasek, Manager, Government Affairs, Canada Post.

Moved by: Councillor Hempen
 Seconded by: Councillor Twinney

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

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

1. The Senior Planner - Policy addressed the Committee with a PowerPoint presentation regarding the Newmarket Parkland Dedication By-law.

Moved by: Councillor Hempen
 Seconded by: Councillor Kerwin

THAT the PowerPoint presentation by the Senior Planner - Policy regarding the Newmarket Parkland Dedication By-law be received.

Carried

2. Development and Infrastructure Services Report – Planning and Building Services 2015-11 dated May 25, 2015 regarding the Newmarket Parkland Dedication By-law.

Moved by: Councillor Vegh
 Seconded by: Councillor Hempen

a) THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2015-11 dated May 25, 2015 regarding the Newmarket Parkland Dedication By-law be received and the following recommendations be adopted:

i) THAT the Parkland Dedication By-law for the Town of Newmarket as contained in Attachment 1 be received;

ii) AND THAT staff be directed to provide notice to the public, the development community and BILD of the proposed by-law;

iii) AND THAT following public input that staff summarize in a report to the Committee of the Whole the issues identified and the comments received along with the final recommendation for the Parkland Dedication By-law for Council's approval;

iv) AND THAT staff be directed to report back to Committee of the Whole on the other funding strategies to address the identified shortfall of Town-wide parkland in conjunction with the Parkland Implementation Strategy identified in the Implementation Strategy for the Newmarket Urban Centres Secondary Plan.

Carried

Deputations

See Additions and Corrections to the Agenda.

Consent Items

Moved by: Councillor Vegh

Seconded by: Councillor Broome-Plumley

THAT the following items be adopted on consent:

3. Correspondence from Ms. Kathy Somers, Member, Canadian Trigeminal Neuralgia Association, requesting proclamation of October 7, 2015 as 'International Trigeminal Neuralgia Awareness Day' and light up in teal request in the Town of Newmarket.

a) THAT the correspondence from Ms. Kathy Somers, Canadian Trigeminal Neuralgia Association be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 7, 2015 as 'International Trigeminal Neuralgia Awareness Day';

ii) AND THAT the Riverwalk Commons be lit in teal (if feasible) on October 7, 2015;

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

4. Correspondence from Ms. Debbie White dated May 6, 2015 requesting proclamation of June 1 to 8, 2015 as 'World Oceans Week' in the Town of Newmarket.

a) THAT the correspondence from Ms. Debbie White be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June 1 to 8, 2015 as 'World Oceans Week';

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

5. Correspondence dated May 1, 2015 from Ms. Sheila Nicholas, Chair, Teachers of English as a Second Language Association of Ontario requesting November 8 to 14, 2015 be proclaimed 'English as a Second Language Week' in the Town of Newmarket.

a) THAT the correspondence from Ms. Sheila Nicholas, Chair, Teachers of English as a Second Language Association of Ontario be received and the following recommendations be adopted:

i) THAT November 8 to 14, 2015 be proclaimed 'English as a Second Language Week' in the Town of Newmarket;

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

6. Joint Report - Development and Infrastructure Services - Public Works and Corporate Services Commission - Procurement Services Department Report 2015-12 dated May 7, 2015 regarding Natural Gas Consulting and Supply Agreement.

a) THAT Joint Development and Infrastructure Services - Public Works Services and Corporate Services Commission Report - Procurement Services 2015-12 dated May 7, 2015 regarding Natural Gas Consulting and Supply Agreement be received and the following recommendations be adopted:

i) THAT the Director, Public Works Services be authorized to enter into contract with and retain Blackstone Energy Services, at a cost of approximately \$800.00 per month plus H.S.T. until July 22, 2017 with the option to extend for one two (2) year period, as the Town's Contract Agent for the purchase of Natural Gas;

ii) AND THAT the Director, Public Works Services be authorized to enter into Natural Gas Supply agreements with the Royal Bank of Canada, Shell Energy North America (Canada) Inc. and any other Natural Gas Supplier, where it is in the best interest of the Town of Newmarket, provided the supplier has an equal to or better credit rating, in accordance with the Hedging Policy;

iii) AND THAT Director, Public Works Services shall report back to Council at least once each fiscal year, in accordance with the Hedging policy with respect to any and all commodity price agreements in place.

7. Development and Infrastructure Services Report - Engineering Services 2015-32 dated May 12, 2015 regarding Cedar Manor Phase 1, 65M-4285 Final Acceptance and Assumption of Underground Works.

a) THAT Development and Infrastructure Services Report ES 2015-32 dated May 12, 2015 regarding the Final Acceptance and Assumption of Underground Works be received and the following recommendations be adopted:

i) THAT the request for Final Acceptance and Assumption of Underground Works of the Cedar Manor Residential Subdivision, Phase 1 as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT Mr. Mauro Baldassarra of Cedar Manor Home Corp., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffers Consulting Engineers Ltd. be notified of these recommendations.

8. Corporate Services Report - Financial Services 2015-27 dated May 25, 2015 regarding Property Tax Rates and By-law for 2015.

a) THAT Corporate Services Report - Financial Services 2015-27 dated May 25, 2015 regarding Property Tax Rates and By-law for 2015 be received and the following recommendations be adopted:

i) THAT the property tax rates for 2015, as applied to the assessment roll returned for taxation 2015, be set for Town purposes, as follows:

Property Class	Tax Rate
Residential	0.390965%
Multi-Residential	0.390965%
Commercial	0.436786%
Industrial	0.513102%
Pipelines	0.359297%
Farmland/Managed Forest	0.097741%

ii) AND THAT the applicable tax rate by-law attached as Appendix 'A' be forwarded to Council for approval.

9. Corporate Services Report - Financial Services 2015-31 dated May 6, 2015 regarding the 2014 Capital Carry-overs Report.
 - a) THAT Corporate Services Report - Financial Services 2015-31 dated May 6, 2015 regarding the 2014 Capital Carry-overs be received for information purposes.
10. Corporate Services Report - Financial Services 2015-30 dated May 6, 2015 regarding 2015 Reserves and Reserve Funds Budget.
 - a) THAT Corporate Services Report - Financial Services 2015-30 dated May 6, 2015 regarding 2015 Reserves and Reserve Funds Budget be received and the following recommendations be adopted:
 - i) THAT the projected revenues for the 2015 Reserves and Reserve Funds Budget, as set out in the attachment be approved.
11. List of Outstanding Matters.
 - a) THAT the List of Outstanding Matters be received.

Carried

12. Chief Administrative Officer Report 2015-05 dated May 14, 2015 regarding 'Council's Strategic Priorities'.

An alternate motion was presented and discussion ensued.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Hempen

- a) THAT Chief Administrative Officer Report 2015-05 dated May 14, 2015 regarding 'Council's Strategic Priorities' be received and the following recommendation be adopted:
 - i) THAT Council approve the suggested wording of its strategic priorities for the 2014-2018 term, as outlined in Column 'B' of Attachment 'A', with the following amendments to c) and k) specifically :
 - c) Creating a strategy for vibrant and livable corridors along Davis Drive and Yonge Street;
 - k) Measuring and benchmarking financial performance.

Carried

13. Development and Infrastructure Services Report - Engineering Services 2015-30 dated April 23, 2015 regarding Metrolinx/GO Transit Rail Corridor.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Sponga

a) THAT Development and Infrastructure Services Report – ES2015-30 dated April 23, 2015 regarding Metrolinx/GO Transit Rail Corridor - Newmarket be received and the following recommendations be adopted:

i) THAT Metrolinx and York Region be forwarded a copy of this report and Town Council extract;

ii) AND THAT Metrolinx be requested to attend Committee of the Whole to provide a presentation regarding their planned rail enhancements within Newmarket including an estimated schedule for the works within Town.

Carried

14. Community Services - Recreation and Culture Report 2015-09 dated May 12, 2015 regarding Newmarket Theatre Operations.

Members of the Theatre Task Force were recognized and thanked for their efforts over the past year, including Mr. John Dowson, Mr. Rod Urquhart, Ms. Jackie Bayley, Ms. Noreen Aldridge, Mr. Peter Salt, Mr. Peter Cianfarani, Ms. Jill Redman, Ms. Merlene Cephas, Mr. Tom Taylor and Mr. Richard Markle.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Kerwin

a) THAT Community Services - Recreation and Culture Report 2015-12 dated May 12, 2015 regarding Newmarket Theatre Operations in the Town of Newmarket be received and the following recommendations be adopted:

i) THAT Council endorse the Task Force Vision of: The Newmarket Theatre is a professional theatre dedicated to providing high quality entertainment. Community theatre will remain an important part of the cultural fabric through space at Old Town Hall or when space permits at the Newmarket Theatre;

ii) AND THAT Council endorse the recommendations of the Theatre Task Force, recognizing that recommendations that have budgetary impact will be reported on separately for consideration.

Carried

The Committee recessed at 3:09 p.m.

The Committee reconvened at 3:22 p.m.

15. Development and Infrastructure Services Report - Engineering Services 2015-31 dated April 27, 2015 regarding William Stickwood House (Fernbank Farmhouse) Update.

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-31 dated April 27, 2015 regarding William Stickwood House (Fernbank Farmhouse) Update be received and the following recommendations be adopted:

i) THAT Council not pursue a rental agreement with a potential community-based lease client due to the extensive renovations that would be required to accommodate this particular client and the capital costs associated with those renovations;

ii) AND THAT the potential community-based lease client be advised of Council's decision as soon as possible;

iii) AND THAT staff consider recommendations for the short-term and long-term use of the William Stickwood house and property as part of a long-term Facility Accommodation Plan being undertaken for the Town's Strategic Properties;

iv) AND THAT staff will come forward with a future amended capital budget request for the William Stickwood House consistent with the long-term plan as determined through the Accommodation Plan;

v) AND THAT the existing residence continue to be occupied by a residential tenant to maintain the security and integrity of the property.

Carried

16. Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services - Financial Services Report 2015-13 dated May 4, 2015 regarding the Coordinated Provincial Plan Review.

An alternate motion was presented and discussion ensued.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Sponga

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services - Financial Services Report 2015-13 dated May 4, 2015 regarding the Coordinated Provincial Plan Review, Proposed Bill 73 (Planning Act Amendments) and Development Charges System Review be received and the following recommendations be adopted:

i) THAT the comments and issues identified and addressed in this report be forwarded to the Province of Ontario as the Town of Newmarket's comments on the 2015 Coordinated Provincial Plan Review, Proposed Planning Act amendments and Development Charges System review;

ii) AND THAT the Province be requested to remove and replace elsewhere, lands from the Greenbelt Plan adjacent to 400 series highways and in particular on the east side of Highway 404 adjacent to Newmarket, in support of optimizing existing infrastructure, promoting development where infrastructure expansions would be minimal, and where employment lands would be strategically located along major transportation corridors;

iii) AND THAT staff be authorized to submit the Town of Newmarket's comments prior to Council ratification;

iv) AND THAT the following be notified of this action:

1. Richard Stromberg, Manager, Ministry of Municipal Affairs and Housing, Ontario Growth Secretariat, 777 Bay Street, Toronto, ON M5G 2E5
2. Ken Petersen, Manager, Provincial Planning Policy Branch, Ministry of Municipal Affairs and Housing, 777 Bay Street, 13th floor, Toronto, ON M5G 2E5
3. Ms. Valerie Shuttleworth, Chief Planner, The Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1

Carried

17. Development and Infrastructure Services - Planning and Building Services Report 2015-20 dated May 14, 2015 regarding a request to waive fees and charges for proposed hospice.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Kerwin
 Seconded by: Councillor Bisanz

a) THAT Development and Infrastructure Services - Planning & Building Services Report 2015-20 dated May 14, 2015 regarding a request to waive fees and charges associated with Site Plan Approval be received and the following recommendations be adopted:

i) THAT the request from the Southlake Regional Health Centre Foundation for waived fees be received;

ii) AND THAT Council approve the request to waive the security (performance guarantee) of \$65,000 and the Tree Security of \$12,020 and the Town of Newmarket will rely on Southlake Regional Health Centre to complete its obligations under the Site Plan Agreement;

iii) AND THAT Council waive the requirement for a cash-in-lieu of parkland contribution;

iv) AND THAT Council approve the request to waive the following fees to be funded through the Rate Stabilization Fund:

Tree Compensation of \$9,450
 Finance Administration Fee of \$3,250

v) AND THAT Council deny the request to waive the following fees:

Engineering Review fees of \$37,309.80
 Town's Consulting Arborist peer review fees of \$1,040

vi) AND THAT Mr. Paul Clarry, Vice-President, Clinical Support and Facilities, Southlake Regional Health Centre, 596 Davis Drive, Newmarket, ON L3Y 2P9 be notified of this action.

Carried

Action Items

None.

Correspondence & Petitions

None.

Reports by Regional Representatives

None.

Notices of Motion

18. Councillor Sponga advised that he will be bring forward a motion regarding the installation of community mailboxes by Canada Post at the Council meeting scheduled for June 1, 2015.

Motions

19. Waste Management Solutions – Main Street Area.

Moved by: Councillor Sponga
Seconded by: Councillor Twinney

THAT staff prepare a report in 90 days on possible waste management solutions for the Main Street Area, specifically as it pertains to weekend waste storage and collection.

Carried

20. Film Permit Policy and Permitting Process.

Moved by: Councillor Sponga
Seconded by: Regional Councillor Taylor

THAT staff review the Film Permit Policy and Permitting Process and report back within 150 days to include maps with designated locations for parking and production and that the cost of additional parking enforcement be added to the permit on a cost recovery basis.

Carried

New Business

- a) Councillor Twinney requested a staff update regarding the Community Mailbox placement matter. The Commissioner of Development and Infrastructure Services provided a verbal update and indicated residents should forward concerns to Canada Post. Should they wish, residents can also provide their concerns to the Town to be followed up on. Staff continue to work with Canada Post with respect to community mailbox siting considerations.
- b) Mayor Van Bynen requested support for a motion to create the 'Office of the Regional Councillor' as 'Office of the Deputy Mayor and Regional Councillor' to recognize the additional support afforded to the Office of the Mayor and to provide for a more recognizable title, particularly when representing the municipality at events and with stakeholders. It was noted that no additional powers, salary or services would be provided to this office.

Moved by: Councillor Sponga
 Seconded by: Councillor Kerwin

THAT the Town establish the Office of the Regional Councillor as the 'Office of the Deputy Mayor and Regional Councillor';

AND THAT staff take the appropriate actions to implement such direction, including any required amendments to by-laws and policies.

Carried

Closed Session

21. The potential disposition of land by the municipality as per the Municipal Act, 2001, Section 239 (2) (c)

Staff provided an overview of the Town policy with respect to the purchase and sale of Town owned lands.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Vegh

THAT the meeting convene into Closed Session regarding the potential disposition of land by the municipality in Ward 2 as per Section 239 (2) (c) of the Municipal Act, 2001.

Carried

The Committee recessed at 4:54 p.m.

The Committee reconvened in Closed Session at 5:04 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 5:21 p.m.

22. Corporate Services (Legal Services) Report 2015-02 regarding the potential disposition of land by the municipality (Ward 2) as per the Municipal Act, 2001, Section 239 (2) (c)

Moved by: Councillor Twinney
 Seconded by: Councillor Sponga

THAT Corporate Services (Legal Services) Report 2015-02 dated May 19, 2015 regarding the potential declaration of surplus lands, permanent closure and sale of part of Lydia Street, on Plan 23 lying east of Muriel Street and north of Gorham Street, between 233 and 241 Muriel Street and 763 Gorham Street, and highlighted in yellow on the attached GIS map in Schedule "A" (herein referred to as the "Lydia Street Lands") be received and the following recommendations be adopted:

- a) THAT Council enact a resolution to permanently close, declare surplus and sell the Lydia Street Lands;
- b) THAT Council enact a by-law to permanently close and sell the Lydia Street Lands in substantial form as included in Schedule "B";
- c) THAT staff be authorized to list the Lydia Street Lands for sale on the Multiple Listing Service with the Town's real estate broker of record for an amount that is greater than the fair market appraisal of the property, and that staff be authorized to enter into discussions with interested parties who may wish to purchase the Lydia Street Lands, and report back to Council with a recommendation for the sale of the Lydia Street Lands after an appraisal of the fair market value has been obtained;
- d) THAT staff be authorized to do all things necessary to give effect to the above permanent closure procedure, declaration of surplus lands and negotiations respecting the Lydia Street Lands, including but not limited to obtaining any surveys, reference plans and appraisals, and registering any required documents.

Carried

23. Hollingsworth Arena Site Facility.

Moved by: Councillor Twinney
 Seconded by: Regional Councillor Taylor

THAT staff prepare a public report for an upcoming Committee of the Whole meeting outlining the options, issues and opportunities related to the Hollingsworth Arena site and facility, including the San Michael Homes Developments proposal presented at the May 25, 2015 Council Workshop and previous Council direction;

AND THAT any negotiation matters related to the potential sale of the Hollingsworth Arena site and facility be considered in closed session in accordance with Section 239 (2) (c) of the Municipal Act, 2001.

Carried

Public Hearing Matters

None.

Adjournment

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

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 5:31 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATE SERVICES – LEGISLATIVE SERVICES
 TOWN OF NEWMARKET
 395 Mulock Drive
 P.O. Box 328
 Newmarket, ON L3Y 4X7

www.newmarket.ca
 info@newmarket.ca
 905.895.5193

May 28, 2015

CORPORATE SERVICES – LEGISLATIVE SERVICES 2015-09

TO: Council

SUBJECT: Councillor Appointments to Audit Committee

ORIGIN: Deputy Town Clerk

RECOMMENDATIONS

THAT Corporate Services – Legislative Services Report 2015-09 dated May 28, 2015 regarding “Councillor Appointments to Audit Committee” be received and the following recommendation be adopted:

- 1. THAT Council determine and appoint two (2) members of Council to the Audit Committee for the 2014-2018 Term of Council.**

COMMENTS

The Audit Committee membership includes the Mayor, two (2) members of Council, and three (3) citizen members.

At the April 20, 2015 Council meeting, Council approved the committee structure for the 2014-2018 term. The Audit Committee was included in that structure and Council also recommended that the citizen members of the Audit Committee 2010-2014 term be permitted to meet until new members have been appointed, being Mark Foerster, Mark Holland and Cristine Prattas.

In accordance with the Audit Committee’s Terms of Reference (attached as Appendix ‘1’), the Audit Committee recommends the approval of the annual financial statements and to review the newly issued external auditors’ management letter with senior management. This meeting has typically taken place in mid-June so that Council may approve the financial statements within the legislated timeframe and not incur further auditor costs.

The recruitment for new members is underway and the application process will close on June 12, 2015. As the authority for the citizen members appointed in the 2010-2014 term of Council have been approved to fulfill their duties until the appointment of their successors, there is still a requirement for the two members of Council to be appointed.

If Council requires more time to consider the appointment, the June Audit Committee meeting can proceed as long as quorum requirements of three (3) are met.

Council appointments for the other Committees currently under recruitment will be brought forward to Council with the revised Terms of References at a later date.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The recommendations in this report supports the Town's Vision, Mission and Community Strategic Plan goal of being well-equipped and managed by implementing policies and processes that reflect sound and accountable governance and fiscal responsibility in achieving service excellence.

CONSULTATION

Members of the Town's Strategic Leadership Team and Operational Leadership Team were consulted.

HUMAN RESOURCE CONSIDERATIONS

There are no human resource considerations related to this report.

BUDGET IMPACT

There are no budget impact considerations related to this report.

CONTACT

For more information on this report please contact: Lisa Lyons, Deputy Town Clerk at llyons@newmarket.ca or ext. 2203.



Lisa Lyons, Deputy Town Clerk



Andrew Brouwer
Director of Legislative Services/Town Clerk



Anita Moore
Commissioner of Corporate Services

TERMS OF REFERENCE, ROLES AND MANDATES FOR COUNCIL COMMITTEES

Audit Committee

Alignment with Corporate Strategic Plan:

The 2004 Corporate Strategic Plan of the Town of Newmarket articulates the priority of the Town to be "well equipped and managed" by pursuing strategies of

- ✓ Fiscal responsibility
- ✓ Leadership excellence and leading edge management
- ✓ Efficient management of capital assets and municipal services to meet existing and future operational demands

The Audit Committee Mission

The primary function of the Audit Committee is to assist the Council in maintaining the financial integrity of the municipality as outlined in the roles and responsibilities within the Committee Mandate.

Governance

The governance plan for The Audit Committee shall be as follows:

Role	Responsibilities	Assignment
Sponsor	Responsible for making decisions regarding the authority and mandate of the Audit Committee. Responsible for the allocation of the budget and resources for the Committee. Council Members participate as Members on the Committee and also provide a communication link between the Committee and Council.	Mayor and Members of Council
Committee Chair	Chair meetings, facilitating group discussion and in cooperation with the Administration and Staff Resources ensuring an open and productive environment exists to meet the mandate of the group	Appointed by the Committee from the citizen members

Staff Resources	<ul style="list-style-type: none"> • Provide advice and information to the Audit Committee regarding applicable legislation, Town policies, procedures and regulations. • Provide secretarial support for the meetings of the Audit Committee 	Chief Administrative Officer Commissioner of Corporate Services Director, Financial Services/Treasurer Library CEO Other Senior Management as required
Members of the Audit Committee	<ul style="list-style-type: none"> • To provide advice and recommendations to Council with respect to the financial control framework including financial reporting, accounting policies, information systems integrity, approval processes and the safeguard of assets. • To provide advice and recommendations to Council with respect to the appointment of the External Auditor, the scope and timing of the audit. • To review and provide recommendations to Council regarding the annual report and management letter of the External Auditor. • To make recommendations with respect to the work plan of the Internal Auditor and to provide comment and advice with respect to the recommendations of the Internal Auditor respecting the issues of internal financial control. • To provide advice and recommendations to Council with respect to any special project or issue as requested by Council. 	Mayor Two Members of Council Three Citizen Members.
Communication and Reporting Relationships	Staff and Members of Council serving on the Committee are responsible to communicate the views and recommendations of Committee to Council and to provide feedback to the Committee regarding Council's disposition of the Committee business.	Council Representatives if applicable and Assigned Staff Resource Persons

Term

The members of the Committee will serve a four-year term coincident with the four-year term of the elected Council.

Work Plan

Not applicable

Support Services

The Departments listed in the Governance model shall provide support Services.

Program Budget

Council has authorized a budget of \$ 0 for the Audit Committee.

Meetings

The Committee is to meet at least three (3) times annually, as set out below, and as many additional times as the Committee deems necessary. The Committee Chair should clear the content of the agenda for each meeting.

April/May:

- To recommend approval of the annual financial statements.

June:

- To review the newly issued external auditors' management letter with senior management.

October/November:

- To review and approve the scope of the external audit;
- To follow up with senior management on disposition of the previous year's external auditors' management letter points.

Committee members will strive to be present at all meetings. A quorum will be the attendance of three (3) members at a Committee meeting.

Senior staff members including the Chief Administrative Officer (C.A.O.), the Chief Executive Officer (C.E.O.) of the Newmarket Library, the Commissioner of Corporate Services and the Director, Financial Services/Treasurer will attend Committee meetings as necessary.

Note: Members of Council and citizen members are covered under the Town's policy under General Liability and Error and Omissions.



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-25

A BY-LAW TO PROVIDE FOR THE LEVY AND COLLECTION OF THE SUMS REQUIRED BY THE CORPORATION OF THE TOWN OF NEWMARKET FOR 2015 AND TO PROVIDE FOR THE MAILING OF NOTICES REQUISITIONING THE PAYMENT OF TAXES FOR 2015.

WHEREAS Section 312 (2) of the *Municipal Act, as amended*, provides that the Council of a local municipality shall, after the adoption of estimates for the year, pass a by-law to levy a separate tax rate on the assessment in each property class;

AND WHEREAS Sections 307 and 308 of the said *Act* require tax rates to be established in the same proportion to tax ratios;

AND WHEREAS estimates have been prepared showing the sum of \$151,559,539 is required to be raised for the lawful purposes of the Corporation of the Town of Newmarket for the year 2015, which estimates are made up as follows:

1.	Town of Newmarket General Purposes	\$ 53,072,903
2.	Regional Municipality of York Purposes	\$ 55,169,058
3.	Ontario Education Purposes	\$ 43,317,578

\$151,559,539

AND WHEREAS any special levy in the Town of Newmarket is based upon the Current Value Assessment as returned on the last revised Assessment Roll as determined by the Ontario Ministry of Finance in accordance with the *Ontario Assessment Act* as amended, as summarized on Schedule "A" attached to this by-law;

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

1. THAT the following property tax class ratios are to be applied in determining tax rates for taxation in 2015:

Residential/Farm Property Class	1.0000
Multi-Residential Property Class	1.0000
Commercial Property Class	1.1172
Industrial Property Class	1.3124
Pipeline Property Class	0.9190
Farmlands Property Class	0.2500
Managed Forest Property Class	0.2500

2. AND THAT for the year 2015, the Corporation of the Town of Newmarket shall levy upon the Residential Assessment, Multi-residential Assessment, Commercial Assessment, Industrial Assessment, Pipeline Assessment, Farmland Assessment and Managed Forest Assessment the rates of taxation set out in this by-law. The optional property classes allowable which were not adopted by the Region of York have been included within Schedule "A" for clarity, shown with the tax rates established for the default Commercial and Industrial Assessment classes for the respective optional classes;

3. AND THAT the sum of \$53,072,903 be levied and collected for the Town of Newmarket's General Purposes as provided by the Corporation's 2015 Operating Budget, such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments;
4. AND THAT the sum of \$55,169,058 be levied and collected for the Town of Newmarket's share of the 2015 Budget for The Regional Municipality of York, such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments;
5. AND THAT the sum of \$43,317,578 be levied and collected for the Town of Newmarket's share of the 2015 Ontario Education, such sum to be provided by applying to the taxable assessments the tax rates summarized in Schedule "A" which are the rates prescribed for use by Ontario Regulation 400/98 as amended by O. Reg. 75/15;
6. AND THAT for properties so assessed, payments in lieu of taxes shall be calculated using the tax rates in Schedule "A," which would be applicable to the property if it were subject to tax;
7. AND THAT for the railway rights-of-way assessments and for the Utility Transmission and Distribution Corridor, assessments shall have their taxes due to the Corporation of the Town of Newmarket calculated in accordance with the Regulations as established by the Minister of Finance and the returned assessment roll;
8. AND THAT for the purpose of the business improvement area projects, the sum of \$30,000 shall be levied and collected from the property owners within the business improvement area;
9. AND THAT the Treasurer shall add to the Collector's Roll, all or any arrears for cutting weeds or any charges to fence viewers awards or water arrears or any other charges which should be collected pursuant to any statute or by-law to the respective properties chargeable thereto and that the same shall be collected by the Treasurer in the same manner and at the same time as all other rates or levies;
10. AND THAT the Interim Tax Levy pursuant to By-law Number 2015-03 shall be shown as a reduction on the final tax levy;
11. AND THAT all taxes levied under the authority of this by-law shall become due and payable in three installments; the first installment due July 28, 2015, the second installment due August 25, 2015 and the third installment due September 24, 2015, and all installments shall be payable to the office of the Treasurer of the Town of Newmarket;

These due dates are subject to amendment by the Treasurer, if required, to meet the statutory timing required following the tax demand date;
12. AND THAT the Treasurer for the Corporation of the Town of Newmarket may mail or cause to be mailed, the notice specifying the amount of taxes payable by any person liable for taxes, addressed to that person's place of residence as indicated on the Collector's Roll;
13. AND THAT taxes are payable at the Municipal Offices, 395 Mulock Drive, Newmarket, and at such other places as may be designated by the Town from time to time;

14. AND THAT residents who qualify for the Low Income Seniors and Low Income Disabled Tax Deferral Program need to apply to the Tax Office in accordance with the program policies as established by the Regional Municipality of York. The amount of deferral for 2015 will be determined once the application has been approved;
15. AND THAT if any section or portion of this by-law or of Schedule "A" is found by a court of competent jurisdiction to be invalid, it is the intent of Council for the Corporation of the Town of Newmarket that all remaining sections and portions of this by-law continue in force and effect;
16. AND THAT Schedule "A" attached hereto shall be and form a part of this by-law.

ENACTED THIS 1ST DAY OF JUNE, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

SCHEDULE "A"

Corporation of the Town of Newmarket

2015 Schedule of Tax Rates for Taxable Property

PropertyAssessment Class	Code/Qual.	Town Rate	Region Rate	School Rate	Total Rate
Residential Taxable: Full	RT	0.390979%	0.406421%	0.195000%	0.992400%
Residential Taxable: Full Shared PIL	RH	0.390979%	0.406421%	0.195000%	0.992400%
Multi-Residential Taxable: Full	MT	0.390979%	0.406421%	0.195000%	0.992400%
Commercial Taxable: Full	CT	0.436802%	0.454054%	1.019142%	1.909998%
Commercial Taxable: Excess Land	CU	0.305761%	0.317837%	0.713399%	1.336997%
Commercial Taxable: Full Shared PIL	CH	0.436802%	0.454054%	1.019142%	1.909998%
Commercial Taxable: Excess Land, Shared PIL	CK	0.305761%	0.317837%	0.713399%	1.336997%
Parking Lot Taxable: Full	GT	0.436802%	0.454054%	1.019142%	1.909998%
Commercial Taxable: Vacant Land	CX	0.305761%	0.317837%	0.713399%	1.336997%
Office Building Taxable: Full	DT	0.436802%	0.454054%	1.019142%	1.909998%
Shopping Centre Taxable: Full	ST	0.436802%	0.454054%	1.019142%	1.909998%
Shopping Centre Taxable: Excess Land	SU	0.305761%	0.317837%	0.713399%	1.336997%
Commercial (New Construction) Taxable: Full	XT	0.436802%	0.454054%	1.019142%	1.909998%
Commercial (New Construction) Taxable: Excess Land	XU	0.305761%	0.317837%	0.713399%	1.336997%
Office Building (New Construction) Taxable: Full	YT	0.436802%	0.454054%	1.019142%	1.909998%
Office Building (New Construction) Taxable: Excess Land	YU	0.305761%	0.317837%	0.713399%	1.336997%
Shopping Centre(New Construction) Taxable: Full	ZT	0.436802%	0.454054%	1.019142%	1.909998%
Industrial Taxable: Full	IT	0.513121%	0.533387%	1.190000%	2.236508%
Industrial Taxable: Full Shared PIL	IH	0.513121%	0.533387%	1.190000%	2.236508%
Industrial Taxable: Excess Land, Shared PIL	IK	0.333529%	0.346701%	0.773500%	1.453730%
Industrial Taxable: Excess Land	IU	0.333529%	0.346701%	0.773500%	1.453730%
Industrial Taxable: Vacant Land	IX	0.333529%	0.346701%	0.773500%	1.453730%
Large Industrial Taxable: Full	LT	0.513121%	0.533387%	1.190000%	2.236508%
Large Industrial Taxable: Excess Land	LU	0.333529%	0.346701%	0.773500%	1.453730%
Industrial(New Construction)Taxable: Full	JT	0.513121%	0.533387%	1.190000%	2.236508%
Pipeline Taxable: Full	PT	0.359310%	0.373501%	1.458488%	2.191299%
Farm Taxable: Full	FT	0.097745%	0.101605%	0.048750%	0.248100%



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-26

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 necessary work by Compass Construction Resources Ltd. for addition and renovation works to the Newmarket Old Town Hall Cultural Centre, 460 Botsford Street.

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

THAT Compass Construction Resources Ltd., be exempted from the Noise By-law 2004-94, as amended, for a period from June 6, 2015 to September 30, 2015 between the hours of 8:00 a.m. to 9:00 a.m. Saturdays only, to perform necessary addition and renovation work to the Newmarket Old Town Hall Cultural Centre, 460 Botsford Street, subject to notification being provided to area residents.

ENACTED THIS 1ST DAY OF JUNE, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

MOTION FOR COUNCIL CONSIDERATION – June 1, 2015

RE: Proposed Amendments to the *Planning Act* and *Development Charges Act* under Bill 73

The Operational Leadership Team recommends:

WHEREAS the Province of Ontario has introduced Bill 73, being proposed amendments to the *Planning Act* and the *Development Charges Act*;

AND WHEREAS the Council of the Town of Newmarket on June 1, 2015 adopted the recommendations and endorsed the contents of Joint Development and Infrastructure/Planning & Building Services and Corporate Services/Financial Services Report 2015-13 dated May 4, 2015 which comments on and identifies issues related to the proposed Bill 73;

AND WHEREAS the Council of the Town of Newmarket wishes to make further comments with respect to the proposed Bill 73;

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

- i) **THAT** the Province of Ontario be requested to amend Bill 73 to include the authority for a municipality to establish a sunset clause associated with the approval of privately initiated *Planning Act* applications;
- ii) **AND THAT** the Province of Ontario be requested to amend Bill 73 to restrict appeals of conformity amendments to reflect provincial plans and policy unless the municipal official plan policy provides for more protection or is more restrictive than the provincial plan or policy;
- iii) **AND THAT** the Province of Ontario be requested to amend Bill 73 to extend the review timeframe to 360 days for official plan amendments and plans of subdivision, 240 days for zoning by-law amendment applications, and 60 days for site plan applications, and that these review timeframes be established as-of-right in the *Planning Act*, as opposed to requiring special notice from the applicant or approval authority.
- iv) **AND THAT** this resolution be circulated to Ken Petersen, Manager, Provincial Planning Policy Branch, Ministry of Municipal Affairs and Housing, 777 Bay Street, 13th Floor, Toronto, On, M5G 2E5

Councillor Sponga:

WHEREAS the installation of community mailboxes raises several of the same concerns as the installation of above-ground plant (e.g. utility boxes) in municipally-owned right-of-way; and

WHEREAS the installation of community mailboxes might require installation requests for additional sidewalks where no sidewalks currently exist; and

WHEREAS the installation of community mailboxes might require installation of additional sidewalk approach ramps for easier access, for persons with disabilities or pushing strollers and/or seniors; and

WHEREAS increased snow clearing responsibilities for adjacent property owners and the Town would be needed; and

WHEREAS the installation of additional sign posts, adjacent to community mailboxes for parking regulation changes will be needed; and

WHEREAS the installation of community mailboxes might require additional streetlight requests to improve visibility to and from community mailbox locations and security at these locations.

NOW THEREFORE BE IT RESOLVED that Council direct the Mayor to send a letter, copied to Members of Parliament, Ontario Members of Provincial Parliament, and all Ontario municipalities, that requests the Federal Minister of Transport, who oversees Canada Post, to require Canada Post to halt installation of community mailboxes immediately and to adhere to its Five-point Action Plan requirement to engage in full and meaningful consultation with all stakeholders, including the Town and its residents;

BE IT FURTHER RESOLVED THAT Council direct staff to bring forward recommendations to the next Committee of the Whole meeting to align the Town's by-laws with the City of Hamilton's By-law Number 15-091 which regulates the installation of equipment on roads; and

BE IT FURTHER RESOLVED THAT Council direct staff to develop appropriate standards to require Canada Post to apply for permits with an appropriate fee that reflects the resources required and costs incurred by the Town to install and maintain community mailboxes in established neighbourhoods; and

BE IT FURTHER RESOLVED THAT staff bring back a new by-law for Council's enactment.



Susan Margles

Vice-President
Government Relations
and Policy
CANADA POST
2701 RIVERSIDE DR SUITE N1200
OTTAWA ON K1A 0B1

Vice-présidente
Relations gouvernementales
et politique
POSTES CANADA
2701 PROM RIVERSIDE BUREAU N1200
OTTAWA ON K1A 0B1

APR 30 2015

MS. LISA LYONS
DEPUTY CLERK
TOWN OF NEWMARKET
395 MULOCK DR
P.O. BOX 328 STN MAIN
NEWMARKET ON L3Y 4X7

Dear Ms. Lyons:

Your correspondence and copy of the Town of Newmarket's Information Report titled "Canada Post Switchover to Community Mailboxes" was recently brought to my attention. We very much appreciate receiving the views of your Council and City Staff on behalf of the residents of Newmarket.

As you know, Canada Post's five-year initiative is a complex but necessary action that we are taking to transform our business in order to address the ongoing decline of Lettermail volumes in a manner that respects our statutory mandate. Last year, we began to transition the first of the one third of Canadian households that still receive their mail at the door to community mailbox delivery. To date, roughly one million households across the country have either been converted or are in the process of being converted. In so doing, Canada Post's intent is to consult and collaborate with municipalities and their staff during the conversion process. We reiterate our commitment in this regard for all impacted communities, including Newmarket.

We first advised the Mayor and Council of our intention to convert roughly 9,000 households to community mailbox delivery in November, 2014. When we began the conversion in Newmarket, we sent information packages with detailed surveys to all affected residents by which they could express their priorities and preferences. We had significant response to both the online and mail-in surveys which gave residents the opportunity to tell us which issues matter most to them. Surveys were mailed to all 9,000 homes, with 94% of respondents preferring smaller groups of boxes close to their home as opposed to groupings clustered away from their neighbourhood. We analyzed the information and shared the feedback with the Mayor, Councillors, city staff and residents in December.

In January we provided city staff with our draft siting plan so we could address any issues that might be identified by them with potential locations, particularly with respect to possible conflicts that sites may encounter with other infrastructure. We have continued our consultative process with customers and have knocked on the doors of approximately 315 addresses of residents who live adjacent to proposed locations. City staff were notified of all consequential site location moves. Andrew Walasek of our Municipal Engagement team has also been engaged regularly and directly with some of your Councillors, and this dialogue has resulted in a number of adjustments, which we have also shared with staff.

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We are pleased with the level of progress regarding the conversion in the Town of Newmarket. We are well on our way towards taking the next steps with the conversion, including advising residents of the specific location of their community mailbox. We will continue to review any site concerns and to relocate the boxes where appropriate. In order to ensure as smooth a transition as possible for your residents, we need to continue to move forward with conversion activities and are unable to accommodate your request for a 180-day delay.

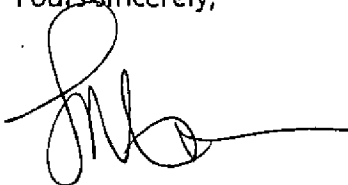
We note that you have engaged the Newmarket Accessibility Committee for comment regarding the implementation of community mailboxes. Canada Post considers safety and accessibility as part of our siting guidelines for community mailboxes, and we have also created a comprehensive and confidential accommodations process to ensure customers with disabilities can continue to access their mail and parcels. Every person's situation is unique, and we tailor our solutions to individual circumstances on a case-by-case basis.

Customers who have concerns about their ability to access a community mailbox are invited to call 1-844-454-3009. We will then send an information package and a questionnaire to the customer to better understand his/her concerns, while respecting privacy. After receiving a customer's completed questionnaire, a member of our dedicated and specially trained delivery accommodation team contacts the customer to discuss his/her unique needs and the solutions we can offer.

Throughout the transition process, Canada Post applies its well established criteria to ensure that community mailbox sites are safe. The safety of our customers is paramount, and we take that into account as part of our siting guidelines. We look for locations away from high-traffic areas and busy intersections, and we do install the boxes using existing street lighting and sidewalks where feasible. Canada Post is also responsible for all installation and maintenance related to the community mailboxes and has been since they were introduced 30 years ago. This includes addressing instances of graffiti and litter, as well as removing snow.

Thank you for writing. Should you have any questions, please do not hesitate to contact Andrew at 613-734-9317.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Susan Margles', with a long horizontal flourish extending to the right.

Susan Margles



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-27

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– JUNE 1, 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 1ST DAY OF JUNE, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

June 1, 2015

Mayor Tony Van Bynen and Members of Newmarket Council
395 Mulock Drive
P.O. Box 328, Stn. Main
Newmarket, On
L3Y 4X7

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		
JUN 01 2015		
COMMISSIONER		
DEPARTMENT		
CLERKS		
CONCERNS		

Dear Mayor Van Bynen and Members of Newmarket Council:

Subject: 17235 Yonge Street, Newmarket (Pt Lot 94 Con 1EYS Newmarket)
Lessee: Carmichael Garden Centre & Carmichael Landscape Design Ltd.
Property Owner: Calgas Investments Limited

We, the residents of Lewis Drive and Gladman Ave. living in close proximity of the above-noted property, have signed the attached Petition, and do hereby petition the Town of Newmarket to take immediate and effective action to curtail and cease the incompatible business operations that are occurring on the above-noted land.

Over the past several years we have been communicating with Town staff respecting the above subject property and to date have not received any satisfaction as to curbing the problems.

Back about 1992 a makeshift structure appeared on the land, and much later we realized this was a garden centre. We residents on Lewis Drive/Gladman Ave. never received any notice of this garden centre which notice we understand is standard procedure, but when we realized it was a nursery for selling plants and trees, that was okay. Then bays started to appear and the garden centre kept enlarging with many deliveries of aggregates; trucks banging, banging tailgates when emptying which echoed right down Lewis Drive, and dirt and dust from the materials. There have been many telephone conversations and correspondence with Town staff in regard to these problems over the years with nothing being rectified.

The present owner of the garden centre (since 2013), has expanded further to include the Carmichael Landscape Design Ltd. and Carmichael Rental Bins, and is also being used as a Transfer Site for the waste from the landscaping and construction jobs.

We were advised in 2006 that Holland Valley Nursery was by Site Plan for gardening purposes and 7-8 bays, but didn't specify for what purpose the bays could be used. Then in May of 2014, we were advised not by Site Plan; it was by Permit for the sale of plants, trees, shrubs and retail sale of aggregates pertaining to gardening and landscaping.

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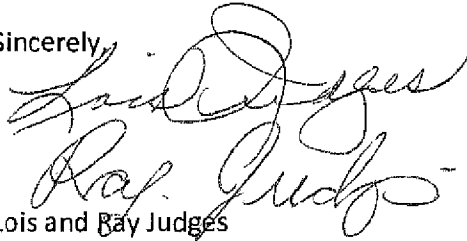
2.

Finally, after many years, ONE of our issues was carried out, and on July 24, 2014, a screening was erected behind the bays, which minimally decreased the dust/dirt. Then, on September 4, 2014 the poles bent from the wind and the screening folded down. As of today, no barrier has been put back up to stop the dirt/dust onto our properties.

As spokespersons for the residents in the attached Petition, we ask for all communications in connection with the foregoing be addressed as follows:

Lois/Ray Judges

Sincerely,

The block contains two handwritten signatures in cursive. The top signature is 'Lois Judges' and the bottom signature is 'Ray Judges'. Both are written in dark ink.

Lois and Ray Judges

Petition attached

- The garden centre located at 17253 Yonge St. (Pt Lot 94 Con 1EYS) Newmarket, owned by Carmichael Garden Centre Ltd. since 2013, has evolved from a garden centre with the retail sale of aggregates pertaining thereto, to an industrial storage operation with materials being imported and exported daily, with bays being added from the original 7-8 bays to now number 11 bays. The property is being used as a Transfer Site for the debris from the construction/landscaping jobs of Carmichael Landscape Design Ltd. and materials from the bins under Carmichael Rental Bins.

- The loading and unloading operations, illegal storage and handling of topsoil, clay and aggregate materials and the associated noise, dust, debris floating down the bank from the waste dumps and increased industrial traffic volume, are just a few examples of the impact on our residential neighbourhood; not to mention the absence of storm water management controls to manage sediment and contaminants which could load onto our properties and into the Western Creek.

- Our quality of life has been detrimentally affected and the use and enjoyment of our properties, including our outdoor living space has been adversely impacted by these activities.

WE, the undersigned, residents of Lewis Drive and Gladman Ave. affected by the operations of the
aforementioned businesses hereby petition Mayor Tony Van Bynen and Members of Newmarket
Council to take immediate and effective action to bring these businesses into conformity with the
planning approvals in effect.

DATED this 30th day of May, 2015.

Addresses (include postal code)

Lewis Dr L341R7

Lewis Dr. L34 1R7

LEWIS DR 134-1R7

--- Lewis D. 634 / RL

LEWIS DR. LBY/RE

LEWIS DR. 4341A7

W. Lewis Dr. L34 187

Lewes DR L3Y1R7.

LEWIS PA 134 1R7

Lewis Drive L3Y1R7

PETITION TO MAYOR TONY VAN BYNEN AND MEMBERS OF NEWMARKET COUNCIL

WHEREAS:

- The garden centre located at 17253 Yonge St. (Pt Lot 94 Con 1EYS) Newmarket, owned by Carmichael Garden Centre Ltd. since 2013, has evolved from a garden centre with the retail sale of aggregates pertaining thereto, to an industrial storage operation with materials being imported and exported daily, with bays being added from the original 7-8 bays to now number 11 bays. The property is being used as a Transfer Site for the debris from the construction/landscaping jobs of Carmichael Landscape Design Ltd. and materials from the bins under Carmichael Rental Bins.
- The loading and unloading operations, illegal storage and handling of topsoil, clay and aggregate materials and the associated noise, dust, debris floating down the bank from the waste dumps and increased industrial traffic volume, are just a few examples of the impact on our residential neighbourhood; not to mention the absence of storm water management controls to manage sediment and contaminants which could load onto our properties and into the Western Creek.
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Council to take immediate and effective action to bring these businesses into conformity with the
planning approvals in effect.

DATED this 30th day of May, 2015.

Signatures (Written)

Addresses (include postal code)

Addresses (include postal code)
Graham Ave Newmarket L3Y 1W5

GLAMM AVE NEWARK NJ 07105

Lewis Dr. Newn 634146

Louis Ar. L3Y1R6

Lucas Dr L371RL

LOW 15 DE

Miss R.