

The meeting of the Council was held on Monday, June 22, 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  
E. Armchuk, Director of Legal Services/Town Solicitor  
A. Brouwer, Director of Legislative Services/Town Clerk  
C. Service, Director of Recreation and Culture  
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 announced the passing of Lori Molyneaux, a former Town employee and wife of former Fire Chief John Molyneaux on May 23, 2015 and expressed condolences to the Molyneaux family.

### **Public Notices**

None.

## Additions & Corrections to the Agenda

1. The Chief Administrative Officer advised of the addendum items, being a deputation by Mr. Brian Gard on behalf of the Glenway Preservation Association, the Audit Committee Minutes of June 22, 2015, ratification of actions of the Special Committee of the Whole of June 22, 2015 and two additional Closed Session items, related to a proposed acquisition of land by the municipality in the northwest quadrant and advice that is subject to solicitor-client privilege relative to the procurement process regarding Recreation and Culture Confidential Information Report 2015-14.

Moved by: Councillor Vegh  
Seconded by: Councillor Sponga

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

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

**Carried**

## Declarations of Pecuniary Interest

- a) Mayor Van Bynen declared an interest with respect to item 18 of the agenda being advice that is subject to solicitor-client privilege per Section 239 (2) (f) of the Municipal Act relative to the procurement process regarding Recreation and Culture Confidential Information Report 2015-14 as his son-in-law was a member of the evaluation committee.
- b) Councillor Broome-Plumley declared a pecuniary interest with respect to items 15 and 16 of the Committee of the Whole Minutes of June 15, 2015, being the Site Plan Review Committee Minutes of June 1, 2015 and Item 1 of the Site Plan Review Committee Minutes of June 1, 2015 regarding an Application for Amendment to Site Plan Approval – 18106 and 18110 Yonge Street – the Regional Municipality of York as the properties are adjacent to lands owned by her current employer.
- c) Councillor Hempen declared an interest with respect to item 18 of the agenda being advice that is subject to solicitor-client privilege per Section 239 (2) (f) of the Municipal Act relative to the procurement process regarding Recreation and Culture Confidential Information Report 2015-14 as his mother owns property adjacent to the area referenced in the report.

## Presentations & Recognitions

2. [Ms. Janice Baker, Ontario Representative, Canadian Association of Municipal Administrators and Mr. Bruce Malcolm, Managing Partner, Ravenhill Group Inc. presented the Mayor, Members of Council, the Director of Human Resources and the TLD Specialist with the 2015 CAMA Professional Development Award for a municipality with a population between 20,001 and 100,000.](#)
3. [Mr. John Birchall, Newmarket Environmental Advisory Committee announced Alexander Muir Elementary School as the winner of the 2015 Ian Gray Environmental Award](#) for their efforts to eradicate water bottle use within the school.

Moved by: Councillor Sponga  
Seconded by: Councillor Bisanz

THAT the presentation by Mr. John Birchall, Newmarket Environmental Advisory Committee regarding the 2015 Ian Gray Environmental Award recipient 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**

## Deputations

4. [Mr. Jim Priebe addressed Council regarding 'Tracks FM', a new internet based radio station that will be launching in Newmarket.](#)

Moved by: Councillor Twinney  
Seconded by: Councillor Vegh

THAT the deputation by Mr. Jim Priebe regarding 'Tracks FM' 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**

5. [Mr. Dan Desson, Fair Vote Canada/Fair Vote Ontario addressed Council with a PowerPoint presentation regarding the province's proposal to permit municipalities to use ranked ballots in elections.](#)

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Kerwin

THAT the deputation by Mr. Dan Desson, Fair Vote Canada/Fair Vote Ontario in support of allowing municipalities to use ranked ballots in elections 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**

6. [Ms. Teena Bogner, Newmarket Taxpayers Advocacy Group Inc. \(NTAG\) addressed Council regarding the results of NTAG's Freedom of Information requests and recommended that staff be directed to prepare an Entertainment Expense Policy and human resource policies that address employee performance.](#)

Moved by: Councillor Vegh  
Seconded by: Councillor Bisanz

THAT the deputation by Ms. Teena Bogner, Newmarket Taxpayers Advocacy Group Inc. regarding efficiencies in the 2016 budget and related issues 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**

7. [Mr. Brian Gard, Glenway Preservation Association addressed Council regarding the upcoming Glenway lessons learned meeting.](#) He advised that he has met with Town staff with respect to the meeting and hopes that the meeting will be conducive to an open and productive discussion that will address critical factors in order to plan for the Town's future.

Moved by: Councillor Bisanz  
Seconded by: Councillor Hempen

THAT the deputation by Mr. Brian Gard, Glenway Preservation Association regarding the Glenway Lessons Learned session 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**

## **Approval of Minutes**

### 8. [Council Minutes of June 1, 2015.](#)

Moved by: Councillor Sponga  
Seconded by: Councillor Kerwin

THAT the Council Minutes of June 1, 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 regarding the upcoming sod turning celebration at the new purpose built rental building site at 212 Davis Drive. The building will be a significant milestone for rental buildings in York Region.

- b) Regional Councillor Taylor advised that he had a meeting in Vaughan with the CEO of Metrolinx, Minister of Transportation and various officials from around the Region to discuss logistics for the Regional Express Rail. Under this proposal, Aurora would see service levels increase to every fifteen minutes and Newmarket to thirty minute service. The panel discussed challenges, including a full analysis of crossings, cost implications and parking issues.
- c) Councillor Vegh inquired when the sidewalk construction on Leslie Street would commence. Regional Councillor Taylor advised that the project will be going to tender shortly. The Commissioner of Development and Infrastructure Services advised that the construction is anticipated to commence in July and be completed at the end of the construction season and will include full lighting and sidewalks on both sides of the street.

## Reports of Committees and Staff

### 9. [Committee of the Whole Minutes of June 15, 2015.](#)

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT the Committee of the Whole Minutes of June 15, 2015 be approved and the following recommendations be adopted:

- 10. a) THAT the deputation by Mr. Paul Ferguson regarding the 2014 Annual General Meeting Report and Financial Statements for Newmarket Tay Power/Newmarket Hydro Holdings be received; and
- b) THAT the Newmarket Hydro Holdings Inc. Report of the President dated June 2, 2015 regarding the financial statements of Newmarket Hydro Holdings Inc. (the "Corporation"), the written resolutions of Newmarket – Tay Power Distribution Ltd. ("NT Power") and appointment of the sole director and auditors be received and the following recommendations be adopted:

WHEREAS the Corporation of the Town of Newmarket (the "Sole Shareholder") is the sole shareholder of the Corporation;

AND WHEREAS the Sole Shareholder by a Shareholder Declaration dated November 1, 2000 appointed the Mayor as its legal representative for the purpose of communicating any shareholder consent or approval required by either the terms of the Shareholder Declaration or the *Business Corporations Act* (Ontario) (the "OBCA");

AND WHEREAS the Corporation owns a majority of the common shares of NT Power;

AND WHEREAS pursuant to s.102(2) of the *OBCA* where a body corporate is the shareholder of a corporation the corporation shall recognize any individual properly authorized by the body corporate to represent it at meetings of shareholders of the corporation;

AND WHEREAS pursuant to s.104 of the *OBCA* a written resolution dealing with all the matters required to be dealt with at a shareholders meeting and signed by the shareholders entitled to vote at that meeting satisfies all requirements of the *OBCA* relating to that meeting of shareholders;

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

1. THAT the Mayor, as the Sole Shareholder's legal representative, is directed to sign the following Corporation Shareholder resolutions:

a. THAT the Corporation's financial statements for the financial year ended December 31, 2014 together with the report of the Corporation's auditors, Collins Barrow, thereon dated April 29, 2015 be approved and adopted.

b. THAT Collins Barrow, Chartered Accountants, be appointed auditors of the Corporation to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the sole director and the sole director is authorized to fix such remuneration.

c. THAT R.N. Shelton be appointed as the sole director of the Corporation to hold office until the next annual meeting of shareholders or until his successor is elected or appointed.

d. THAT R.N. Shelton, so long as he is the sole director of the Corporation, shall represent the Corporation at meetings of shareholders of NT Power;

e. AND THAT all acts, contracts, bylaws, proceedings, appointments, elections and payments, enacted, made, done and taken by the sole director and sole officer of the Corporation to December 31, 2014, as the same are set out or referred to in the resolutions of the sole director, or in the financial statements of the corporation, are approved, sanctioned and confirmed;

2. AND THAT the Mayor, as the Sole Shareholder's legal representative, direct R.N. Shelton, the sole director and legal representative of the Corporation, to sign the following NT Power shareholder resolutions in lieu of an annual meeting:

- a. THAT the financial statements of NT Power for the financial year ended December 31, 2014 together with the report of NT Power's auditors, Collins Barrow, thereon dated April 29, 2015 be approved and adopted.
  - b. THAT Collins Barrow, Chartered Accountants, be appointed auditors of NT Power to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration.
  - c. THAT T. Van Bynen, S. Warnock, P. Daniels, R. Betts, A. Ott, C. Prattas and P. Ferguson are elected directors of NT Power to hold office until the next annual meeting of shareholders or until their successors are elected or appointed;
  - d. AND THAT all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of NT Power to December 31, 2014, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of NT Power, are approved, sanctioned and confirmed.
11. THAT presentation by the Director of Recreation and Culture regarding the Recreation Playbook be received.
  12. a) THAT Community Services Report - Recreation and Culture 2015-22 dated June 1, 2015 regarding the Recreation Playbook be received and the following recommendations be adopted:
    - i) THAT Council approve the Recreation Playbook, which will serve as a strategic guiding document for budget and business processes through the year 2025.
  13. THAT the deputation by Mr. John Blommesteyn regarding Joint CAO/Corporate Services Information Report - Financial Services 2015-21 be received.
  14. THAT the deputation by Mr. Marc Mantha regarding a pilot project in Ward 2 for backyard egg laying hens be received.
  15. THAT Council reconsider regulation of egg laying hens in this term of Council to allow for a pilot project in Ward 2.
  16. THAT staff be directed to bring back a report on the implementation of a 12 month pilot project in Ward 2 for 5-20 homes for backyard egg laying hens.



17. THAT the deputation by Mr. John Heckbert regarding Joint Chief Administrative Officer, Commissioner of Development and Infrastructure Services, Commissioner of Community Services and Commissioner of Corporate Services Report 2015-38 be received.
18. THAT the deputation by Mr. Ian Hutchinson and Mr. Tiberi Yozef regarding the construction of a bioswale at 212 Davis Drive be received and referred to staff.
19. Draft Excerpt - Central York Fire Services - Joint Council Committee Minutes of June 2, 2015.
20. Corporate Services - Financial Services Report 2015-32 dated June 2, 2015 regarding 2015 Budget Reconciliation.
  - a) THAT Corporate Services - Financial Services Report 2015-32 dated June 2, 2015 regarding 2015 Budget Reconciliation be received and the budget reconciliation for expenses excluded from the 2015 budget be adopted as required by Ontario Regulation 284/09 passed under the Municipal Act, 2001.
21. Community Services Report - Customer Services 2015-19 dated May 27, 2015 regarding Community Surveys.
  - a) THAT Community Services - Customer Services Report 2015-19 dated May 27, 2015 regarding the frequency of Community Surveys be received and the following recommendation be adopted:
    - i) THAT staff be directed to include a proposal related to a Community Survey and the requested funds as part of the 2016 budget discussions, and future years, as appropriate.
22. List of Outstanding Matters.

THAT the List of Outstanding Matters be received.
23. Community Services - Recreation and Culture Report 2015-23 dated June 9, 2015 regarding the 2015 Kanata Festival.
  - a) THAT Community Services – Recreation and Culture Report 2015-23 dated June 9, 2015 regarding the 2015 Kanata Festival be received and the following recommendations be adopted:
    - i) THAT Council grants permission for the following:

- a. Upper Canada Volunteer Regiment Organization (UCVRO) and Newmarket Scouts to camp overnight at Fairy Lake Park from Tuesday June 30th to Wednesday, July 1st, 2015
  - b. UCVRO to have an open campfire while camping overnight at Fairy Lake Park provided that approval is obtained from Central York Fire Services;
  - c. UCVRO be allowed to discharge their firearms and cannon during the Kanata Festival on Wednesday, July 1st, 2015
  - d. Fireworks be displayed on Wednesday, July 1st, 2015 at George Richardson Park, and
  - e. Central York Fire Services be present at Fairy Lake Park on Wednesday, July 1st, 2015 to help celebrate Canada Day
24. Chief Administrative Officer Report 2015-06 dated June 8, 2015 regarding Key Initiatives and Actions in Support of Council's Strategic Priorities.
- a) THAT Chief Administrative Officer Report 2015-06 dated June 8, 2015 regarding 'Key Initiatives and Actions in Support of Council's Strategic Priorities' be received and the following recommendations be adopted:
    - i) THAT Council approve the preliminary Key Initiatives and Actions in Support of Council's Strategic Priorities as outlined in Appendix 'A';
    - ii) AND THAT staff provide a semi-annual information report to Council to inform the status of the Action Plan.
25. Extract from the Town of Richmond Hill Council Meeting held on June 9, 2015 regarding Proposed Fire Services Consolidation Endeavour.
- a) THAT the Central York Fire Services - Richmond Hill Fire and Emergency Services review for possible Consolidation be referred to staff for a report setting out a process for review.
26. a) THAT Development and Infrastructure Services Report - Planning and Building Services 2015-21 dated June 4, 2015 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:
- i) THAT the application for Zoning By-law Amendment, as submitted by 2398804 Ontario Inc. for lands being located at the southwest corner of Janette Street and Leslie Street be approved and that staff be directed to prepare the necessary Zoning By-Law Amendment;

- ii) AND THAT the amending By-law include a Holding Provision relating to the Environmental Condition of the site to the satisfaction of the Director of Engineering Services;
  - iii) AND THAT Mr. R. Ursini, Evans Planning Inc. 8481 Keele Street Unit 12, Vaughan, ON L4K 1Z7 be notified of this action.
27. a) THAT Community Services - Recreation and Culture Report 2015-21 dated May 26, 2015 regarding Sponsorship and Naming Rights Agreements be received and the following recommendation be adopted:
- i) THAT Council delegate authority to the Director of Recreation and Culture or designate to enter into negotiation and execution of Third Party Advertising Naming Rights Agreements under the conditions set forth within this report.
28. a) THAT Development and Infrastructure Services Report - Engineering Services 2015-33 dated May 12, 2015 regarding Silken Laumann Drive - Parking Restrictions be received and the following recommendation be adopted:
- i) THAT the existing parking restrictions on Silken Laumann Drive remain as they are.
29. a) THAT Development and Infrastructure Services Report - Engineering Services 2015-36 dated June 15, 2015 regarding Ontario Street Drainage Update be received and the following recommendations be adopted:
- i) THAT the Town continue to monitor flood risks as a result of climate change;
  - ii) AND THAT Town staff continue to work in tandem with the Lake Simcoe Region Conservation Authority (LSRCA) to provide technical information to assist the homeowners who are located in the floodplain and are concerned about flooding;
  - iii) AND THAT Town staff continue to work with the LSRCA to encourage owners of residential, commercial, institutional and industrial properties within the Western Creek catchment area to incorporate low impact development (LID) elements to treat rainwater at the source, thereby reducing future surface runoff into Western Creek;
  - iv) AND THAT Town staff prepare options for Council to consider in the 2016 budget exercise to strengthen its commitment to environmental sustainability and to address the effects of climate change, especially as it relates to flooding.

30. a) THAT Development and Infrastructure Services Report - Engineering Services 2015-35 dated May 13, 2015 regarding School Crossing Location Review - Eagle Street West be received and the following recommendations be adopted:
- i) THAT Schedule IX (School Crossing Locations) of Traffic By-law 2011-42, as amended, be further amended by deleting:
- Eagle Street West at Crossland Gate/Peevers Crescent
- ii) AND THAT the necessary By-laws be prepared and submitted to Council for approval;
- iii) AND THAT the implementation of this decision be deferred until such time as contact is made with school bus companies and the school administration for Crossland Public School, St. Nicholas Catholic Elementary School, and Ecole elementaire catholique Saint-Jean in the Town of Aurora in order to find an alternative to avoid having children cross at the intersection;
- iv) AND THAT the affected schools be forwarded a copy of the Council extract.
31. a) THAT Development and Infrastructure Services Report - Engineering Services 2015-34 dated May 20, 2015 regarding McCaffrey Road - Traffic Review be received and the following recommendations be adopted:
- i) THAT a report be prepared for an upcoming Committee of the Whole or Council meeting following a site visit by the Ward Councillor and Town Staff that includes alternate traffic mitigation measures including but not limited to chicanes, roundabouts, pedestrian islands, road watch program or crosswalk;
- ii) AND THAT this report address traffic impacts related to the new development on the Glenway lands, York Region Annex building and the Yonge Street VivaNext project.
32. a) THAT Chief Administrative Officer Report 2015-04 dated June 4, 2015 regarding CYFS – Fire Department Master Plan Update be received;
- b) AND THAT the 2015 Fire Department Master Plan Update be approved as a guiding document and that it be considered along with future operating and capital budgets as various Master Plan recommendations are considered for implementation.
33. a) THAT Corporate Services Report - Financial Services 2015-10 dated May 28, 2015 regarding Master Fire Plan Information be received for information purposes.

34. THAT the Town of Newmarket Council endorse the Government of Ontario's proposal to provide municipalities with the option to implement ranked ballots in future municipal elections.
35. THAT an Information Report be circulated to Council regarding issues related to the drainage swale and tree removal at the rear of 212 Davis Drive as raised by Mr. Ian Hutchinson and Mr. Tiberi Yozef during their deputation at the June 15, 2015 Committee of the Whole meeting.

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**

36. Site Plan Review Committee Minutes of June 1, 2015.

Moved by: Councillor Vegh  
Seconded by: Councillor Hempen

- a) THAT the Site Plan Review Committee Minutes of June 1, 2015 be received.

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

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

**Carried**

Councillor Broome-Plumley took no part in the discussion or voting of the foregoing matter.

37. Item 1 of Site Plan Review Committee Minutes of June 1, 2015 regarding Application for Amendment to Site Plan Approval - 18106 and 18110 Yonge Street - The Regional Municipality of York.

Moved by: Councillor Vegh  
Seconded by: Councillor Hempen

a) Application for Amendment to Site Plan Approval to permit an addition having a gross floor area of 3,546 m<sup>2</sup> to the existing bus storage facility and a new Emergency Medical Services facility having a gross floor area of 555 m<sup>2</sup> together with a parking lot expansion on the subject lands be approved in principle and referred to staff for processing, subject to the following:

a. THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff;

b. THAT the applicant be directed to provide mature landscaping in front of the proposed concrete acoustic fence; any proposed lighting be downward facing and that low impact development (LID) measures be incorporated into the site to the satisfaction of Town staff and the matter of boulevard maintenance be discussed with Town staff;

i) AND THAT Martin Silver, Manager, Capital Delivery, Property Services Branch of The Regional Municipality of York, 17250 Yonge Street, NEWMARKET, ON L3Y 6Z1 be notified of this decision;

ii) AND THAT Lauren Capilongo, Associate of Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, MARKHAM, ON L3R 6B3 be notified of this decision.

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

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

### **Carried**

Councillor Broome-Plumley took no part in the discussion or voting of the foregoing matter.

38. Joint Report Corporate Services and Development and Infrastructure Services 2015-40 dated June 11, 2015 regarding the Regulation of Canada Post Community Mailbox Installations on Municipal Roadways.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Sponga  
Seconded by: Regional Councillor Taylor

a) THAT Joint Corporate Services and Development and Infrastructure Services 2015-40 dated June 11, 2015 regarding the Regulation of Canada Post Community Mailbox Installations on Municipal Roadways be received and the following recommendations be adopted:

i) THAT staff be directed to monitor the ongoing Ontario Superior Court of Justice appeal case in Hamilton and report back to Committee regarding the verdict and potential on Town operations and legislative role;

ii) AND THAT staff move forward with the preparation of a by-law to be brought forward to Council for approval;

iii) AND THAT staff be directed to investigate aligning the Town's by-laws with the City of Hamilton's By-law Number 15-091 which regulates the installation of equipment on roads with the goal of bringing a by-law for Council to consider in Q3 of 2015.

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

(1 in favour, 8 opposed)

### **Motion Lost**

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Kerwin

a) THAT Joint Corporate Services and Development and Infrastructure Services 2015-40 dated June 11, 2015 regarding the Regulation of Canada Post Community Mailbox Installations on Municipal Roadways be received.

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

Opposed: Councillor Sponga

(8 in favour, 1 opposed)

### **Carried**

39. Joint Chief Administrative Officer, Commissioner of Development and Infrastructure Services, Commissioner of Community Services and Commissioner of Corporate Services Report 2015-38 dated June 9, 2015 regarding Hollingsworth Arena.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Kerwin

a) THAT Joint Chief Administrative Officer and Commissioners of Development and Infrastructure Services, Community Services and Corporate Services Report 2015-38 dated June 9, 2015 regarding Hollingsworth Arena be received for information purposes and the following recommendations be adopted:

i) THAT staff report to Committee of the Whole in Closed Session on the results of negotiations with San Michael Homes Developments with respect to the potential development of the Hollingsworth Arena site at 35 Patterson Street in conjunction with the properties at 693 Davis Drive and 713 Davis Drive on the basis of a sale of the Town property;

ii) AND THAT the sale of the Hollingsworth Arena site be subject to satisfactory arrangements being made to maintain 7 (seven) municipally permitted ice surfaces for continuity of service for Town residents;

iii) AND THAT the sale of the Hollingsworth Arena site be subject to Council's declaration of the property as surplus to municipal needs and staff being directed to following the Town's land disposition process;

iv) AND THAT Mr. Sandro Sementilli and Pickering College be notified of this action.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Hempen, Councillor Bisanz  
Opposed: Councillor Twinney, Councillor Sponga, Councillor Broome-Plumley  
(6 in favour, 3 opposed)

**Carried**

40. [Audit Committee Minutes of June 22, 2015.](#)

Moved by: Councillor Hempen  
Seconded by: Councillor Bisanz

THAT the Audit Committee Minutes of June 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**

41. [Item 3 of the Audit Committee Minutes of June 22, 2015 - Review of 2014 Financial Statements.](#)

Moved by: Councillor Bisanz  
Seconded by: Councillor Hempen

THAT the Town of Newmarket's Draft 2014 Consolidated Financial Statements, Trust Fund Financial Statements and Main Street District BIA Financial Statements, Representation Letters dated June 22, 2015 and Final Report to the Audit Committee dated June 22, 2015 from BDO Canada LLP be received;

AND THAT the Audit Committee recommends to Council that the Town of Newmarket's Draft 2014 Consolidated Financial Statements, Trust Fund Financial Statements and Main Street District BIA Financial Statements endorsed by the Audit Committee 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**

42. [Memorandum from the Director of Planning and Building Services dated June 18, 2015 regarding Honouring a Newmarket resident. \(The Municipal Asset Procedure has been attached for reference only\)](#)

Moved by: Councillor Vegh  
Seconded by: Councillor Kerwin

THAT the Memorandum from the Director of Planning and Building Services dated June 18, 2015 regarding Honouring a Newmarket resident 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**

43. [Ratification of Actions of the Special Committee of the Whole of June 22, 2015.](#)

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

THAT the recommendations of the Special Committee of the Whole meeting of June 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**

**By-laws**

44. By-laws 2015-28, 2015-29, 2015-30 and 2015-31.

- 2015-28 [A By-law to Amend By-law 2010-40, being a Zoning By-law. \(2398804 Ontario Inc. – 17844 Leslie Street\)](#)
- 2015-29 [A By-law to Amend By-law 2010-40, as amended by By-law 2014-54, being a Restricted Area \(Zoning\) By-law. \(212 Davis Drive, Green and Rose Developments Inc.\)](#)
- 2015-30 [A By-law to amend By-law 2011-24, as amended, being a By-law to Regulate Traffic within the Town of Newmarket. \(Schedule IX - School Crossing Locations\)](#)
- 2015-31 [A By-law to Amend By-law 2015-18, being a By-law for the licensing, regulating the sale and setting off of fireworks.](#)

Moved by: Councillor Sponga  
Seconded by: Councillor Vegh

THAT By-laws 2015-28, 2015-29, 2015-30 and 2015-31 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**

45. [Motion regarding the Province of Ontario Feed-in-Tariff program, Version 4.0.](#)

Moved by: Councillor Vegh  
Seconded by: Councillor Kerwin

WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT rules, Version 4.0;

AND WHEREAS the Province's FIT Program encourages the construction and operation of Rooftop Solar PV generation projects;

AND WHEREAS one or more projects may be constructed and operated in the Town of Newmarket;

AND WHEREAS pursuant to the FIT Rules, Version 4.0, Applications whole Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT contracts.

THEREFORE BE IT RESOLVED THAT Council of the Town of Newmarket supports the construction and operation of the projects anywhere in the Town of Newmarket up to 500 kW;

AND THAT this resolution shall expire twelve (12) months after its adoption by Council.

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**

### **Announcements & Community Events**

- a) Councillor Vegh advised that he will be hosting a Ward 1 drop-in meeting at the Magna Center on Tuesday, July 7, 2015 from 7:00 p.m. to 9:00 p.m. Stop by to chat about the Town and the ward.
- b) Councillor Vegh invited residents to experience cultures of the world at the 6<sup>th</sup> Annual Around the World Multicultural Event on Sunday, July 19, 2015 from noon to 8:30 p.m. at the Newmarket Riverwalk Commons. Listen, watch and enjoy 20 incredible stage shows of cultural music, dance, story-telling and theatre. Shop, learn and enjoy tasty experiences with booths of international cuisine, cultural and heritage displays. Create and participate with multicultural murals, games, limbo contest and train rides. Parking and admission are free. Please invite friends and family to enjoy this popular annual event.
- c) Councillor Kerwin advised that the Newmarket Seniors Meeting Place Golf Tournament and BBQ will be held on Tuesday June 23, 2015 at Mill Run Golf and Country Club. Grab some friends or register as a single. Win prizes, eat lunch and more! The cost is \$60.00 for members and \$70.00 for non-members. For further information call 905-953-5325.
- d) Councillor Kerwin congratulated the Seniors' Meeting Place on celebrating their 20<sup>th</sup> anniversary this past Saturday.
- e) Councillor Kerwin advised that he will be hosting a Ward 2 meeting on Saturday, June 27, 2015 from 9:30 a.m. to 12:00 p.m. downstairs at the Newmarket Public Library.
- f) Councillor Twinney advised that Moonlight Movies will return on Monday, August 17, 2015. Watch your favourite movies on a huge inflatable screen outside under the stars. Don't forget to bring a lawn chair or blanket and a donation of a non-perishable food item for the Newmarket Food Pantry. For a list of dates and locations, please view the Community Events Listing available online at [www.newmarket.ca](http://www.newmarket.ca) or through the Town's Recreation and Culture Department.

- g) Regional Councillor Taylor advised that the annual Kanata Summer Festival will be held on Wednesday, July 1, 2015. Celebrations begin with a \$4.00 pancake breakfast hosted by the Newmarket Car Club from 8:00 a.m. to 12:00 p.m. at the Newmarket Community Centre & Lions Hall, 200 Doug Duncan Drive. Bring the whole family for the Kanata Celebration at Fairy Lake Park and Newmarket Riverwalk Commons. Enjoy inflatable bouncers, food, a variety of family activities, live entertainment and enjoy time in our Sports Village. Fireworks will be on display at dusk (10:00 p.m.) at George Richardson Park on Bayview Parkway. The Newmarket Citizens Band will also be performing starting at 7:30 p.m. weather permitting.
- h) Councillor Hempen invited residents to attend Music in the Park, occurring most Sundays and Thursdays from 7:00 p.m. to 8:00 p.m. all summer. Local entertainers share their talents weather permitting. For a schedule of locations, dates, times and performers please visit the Special Events page at [www.newmarket.ca](http://www.newmarket.ca)
- i) Councillor Sponga provided updates on many festivals occurring over the summer months, including the Newmarket Jazz Festival over the Civic Holiday weekend, the Toronto International Vegan and Fresh Food Festival on July 11, 2015 and the Caribbean and South Asian Festival on June 27, 2015.
- k) Councillor Sponga invited residents to enjoy the Nin Os Kom Tin Aboriginal Celebration on Sunday, June 28, 2015 from 11:00 a.m. to 5:00 p.m. at Fairy Lake Park. Have fun while learning about aboriginal culture. This free event has many activities throughout the day, including hand drumming groups, dancers, singers, arts, crafts, storytelling, food, and information tables. Admission is free. Please visit [www.ninoskomtin.org](http://www.ninoskomtin.org) for more information.
- l) Councillor Broome-Plumley advised that Kids Around Town returns Tuesday August 4, 2015 and Tuesday August 11, 2015 from 7:00 p.m. to 8:00 p.m. at the Environmental Park on Woodspring Avenue. Join us for a free family entertainment outdoors. On August 4, meet animals at the Instant Zoo Show. August 11 is the Fun Finale Night with train ride, face painting, games, bouncy castle, Spotlight Theatre show, Shenderey Gymnastics demo and interactive circuits. All events are weather permitting.
- m) Councillor Broome-Plumley congratulated everyone who participated in the Relay for Life event, which raised over \$100,000.
- n) Councillor Bisanz advised that a public meeting concerning the former Glenway Golf Course Lands – Marianneville Developments Limited Project is being held on Tuesday, June 23, 2015 from 7:00 p.m. to 9:00 p.m. at the Seniors' Meeting Place, 474 Davis Drive. This structured working session is an opportunity for residents, staff, Council and any other interested parties to debrief on key issues relating to the processing of the Marianneville Developments Limited application

up to and including the Ontario Municipal Board decision. The focus will be on lessons learned with the potential to be applied in the context of future developments within the Town. For more information or to attend, please email [planning@newmarket.ca](mailto:planning@newmarket.ca) or call the Planning Department at 905-895-5193.

- o) Mayor Van Bynen invited residents to the Toronto 2015 Pan Am Games Torch Relay and Community Celebration at Newmarket Riverwalk Commons on Thursday, June 25, 2015 from 5:00 p.m. to 8:00 p.m. Newmarket's Torch relay route on June 25 begins at the York Regional Police Association Sport Facility located at 600 Stonehaven Avenue. The Pan Am flame then heads west on Stonehaven Avenue towards Bayview Avenue, north on Bayview Avenue past Mulock Drive, continuing north on Prospect Street towards Queen Street. The flame then heads west on Queen Street towards Main Street. Finally, the flame will head south on Main Street, east on Water Street, north on the Tom Taylor Trail, until it reaches its final destination, Newmarket's Riverwalk Commons for the Community Celebration from 5:00 p.m. to 8:00 p.m. Community torchbearer Donald Bond is the final torchbearer of Day 26 and will light the community cauldron at 7:00 p.m.
- p) Mayor Van Bynen advised that he will be at "Mayor in the Square" at the Newmarket Farmer's Market at Riverwalk Commons on Saturday, July 11, 2015 from 10:00 a.m. until noon.
- q) Mayor Van Bynen advised that the next Council meeting is Monday, September 14, 2015 at 7:00 p.m.

### New Business

- a) Councillor Bisanz advised that the province is currently undergoing its mandated review of the Municipal Act, the City of Toronto Act and the Municipal Conflict of Interest Act. The province requires comments on the legislation by August 7, 2015 and in light of the brief commenting period and the importance to Town operations, Councillor Bisanz requested that staff prepare preliminary comments for Council's consideration.

Moved by: Councillor Bisanz  
Seconded by: Councillor Vegh

THAT staff be directed to circulate draft comments to Council related to the Municipal Legislation Review for subsequent forwarding to the Province.

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**

- b) Councillor Broome-Plumley requested an estimate timeframe for the sidewalk works on the north side of Mulock Drive between Yonge Street and Doubletree Lane. The Commissioner of Development and Infrastructure Services advised that the Region will be undertaking grading works in the late summer to prepare for the sidewalk installation.
- c) Regional Councillor Taylor requested information from staff regarding options available to construct a pedestrian connection from Hillview Drive to Davis Drive.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Hempen

THAT staff provide an information report on options for a pedestrian connection from Hillview to Davis Drive in September.

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**

46. Closed Session.

Moved by: Councillor Kerwin  
Seconded by: Regional Councillor Taylor

THAT Council resolve into a Closed Session for the purpose of discussing a Personal matter about an identifiable individual per Section 239 (2)(b) of the Municipal Act (Street Name Change) and a proposed acquisition of land by the municipality per Section 239 (2)(c) of the Municipal Act (Northwest Quadrant)

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**

Council resolved into Closed Session at 9:10 p.m.

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

Council resumed into Public Session at 11:16 p.m.

47. Personal matter about an identifiable individual per Section 239 of the Municipal Act. (Street Name Change)

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

a) THAT staff be directed to arrange an Honourary Citizen ceremony, the highest honour that the Town bestows, in August, in recognition of Mr. Alf Neely;

b) AND THAT the recipient be advised that a street will be named in his honour.

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**

48. [A proposed acquisition of land by the municipality per Section 239 \(2\) \(c\) of the Municipal Act \(Northwest Quadrant\)](#)

Moved by: Councillor Vegh  
Seconded by: Councillor Sponga

THAT Staff proceed as directed at the June 22, 2015 Council Closed Session.



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**

49. Advice that is subject to solicitor-client privilege, per Section 239 (2) (f) of the Municipal Act – Legal Advice relative to the procurement process regarding Recreation and Culture Confidential Information Report 2015-14.

Moved by: Councillor Bisanz  
Seconded by: Councillor Twinney

THAT staff bring back a report on potential land acquisitions recommended in the next five years by the Recreation Playbook.

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**

50. [Committee of the Whole \(Closed Session\) Minutes of June 15, 2015.](#)

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Vegh

THAT the Committee of the Whole (Closed Session) Minutes of June 15, 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**

51. Item 3 of the Committee of the Whole Minutes of June 15, 2015 - Joint CAO/Commissioners of Community Services, Corporate Services and Development and Infrastructure Services (Closed Session) Report 2015-39 dated June 11, 2015 regarding potential disposition of land by the municipality (Ward 3) as per the Municipal Act Section 239 (2) (c).

Moved by: Councillor Hempen  
Seconded by: Councillor Kerwin

a) THAT Joint CAO/Commissioners of Community Services, Corporate Services and Development and Infrastructure Services (Closed Session) Report 2015-39, dated June 11, 2015 regarding the proposed disposition of land be received;

b) AND THAT staff proceed as directed.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Hempen, Councillor Bisanz  
Opposed: Councillor Twinney, Councillor Sponga, Councillor Broome-Plumley  
(6 in favour, 3 opposed)

**Carried**

### **Confirmatory By-law**

2015-32      [A By-law to confirm the proceedings of a meeting of Council - June 22, 2015.](#)

Moved by: Councillor Sponga  
Seconded by: Councillor Kerwin

THAT By-law 2015-32 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

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

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 11:24 p.m.



---

Tony Van Bynen, Mayor



---

Andrew Brouwer, Town Clerk