

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

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

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2. Special Council Minutes of September 14, 2015. p. 5
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5. Council Workshop Record of September 21, 2015. (Proactive Assessment Management; York Region Transit/Viva Overview) p. 35
6. Council Workshop Record of September 28, 2015. (Newmarket-Tay Power) p. 38
7. Committee of the Whole Minutes of September 28, 2015. p. 41

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2015-45	A By-law to Appoint an Integrity Commissioner for the Town of Newmarket.	p. 58
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2015-47	A By-law to amend By-law 2010-40, as amended, being a Zoning By-law (Recreational Vehicles - Town Wide)	p. 60
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Notices of Motions

Motions

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New Business

Closed Session (if required)

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

Confirmatory By-law

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Addendum (Additions and Corrections)

Adjournment

Monday, June 22, 2015 at 3:30 PM
Council Chambers

For confirmation by Council
on September 14, 2015

The meeting of the Special Committee of the Whole was held on Monday, June 22, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Broome-Plumley
Councillor Bisanz (4:00 to 5:01 p.m.)

Absent: Councillor Vegh
Councillor Sponga

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

The meeting was called to order at 3:31 p.m.

Mayor Van Bynen in the Chair.

Declarations of Interests

None.

Presentations

1. K. Yaraskavitch, Municipal Intern, Financial Services, provided a PowerPoint presentation regarding Aging in Place. He defined Aging In Place and Age Friendly Communities and summarized financial and health programs available from the federal, provincial, regional and municipal governments and opportunities for future tax assistance program enhancements.

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

THAT the presentation by K. Yaraskavitch, Finance Intern regarding Aging in Place be received.

Carried

2. T. Horton, Municipal Intern, Strategic Initiatives, provided a PowerPoint presentation updating Members of Council on the Capital Financing Sustainability Strategy. He summarized the progress of the various recommendations related to the dynamic asset inventory, software, asset management, capital budgets, stormwater rates, debt policy, investment strategy and other key initiatives.

Moved by: Councillor Kerwin
 Seconded by: Councillor Bisanz

THAT the presentation by the AMCTO Intern regarding the Capital Financing Sustainability Strategy Update be received.

Carried

3. The Commissioner of Community Services, Director of Financial Services and the Senior Communications Specialist provided a PowerPoint presentation regarding the 2016 Budget Process. A high level review of the 2015 process was provided. In addition, staff summarized the proposed 2016 budget schedule, administrative guidelines, new initiatives, public engagement, communication and consultation plans, including use of a citizen jury. Discussion ensued regarding the timeline for budget approval and adjusting it to ensure that the approval isn't deferred to the new year.

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

THAT the Presentation by Staff regarding the 2016 Budget Schedule and Community Engagement be received.

Carried

Deputations

None.

Items

4. Joint Corporate Services Commission - Financial Services and Office of the Chief Administrative Officer - Corporate Communications Report 2015-38 dated June 17, 2015 regarding the 2016 Budget Schedule and Community Engagement.

An alternate motion was presented and discussion ensued.

Moved by: Regional Councillor Taylor

Seconded by: Councillor Kerwin

a) THAT Joint Corporate Services Commission-Financial Services, Office of the Chief Administrative Officer – Corporate Communications Report - 2015-38 dated June 17, 2015, regarding the 2016 Budget Schedule and Community Engagement be received and the following recommendation be adopted:

- i) THAT the budget schedule be approved, as amended for the 2016 budget process.

Carried

5. Corporate and Financial Services Report 2015-37 dated June 22, 2015 regarding Aging in Place, Financial Policy Considerations.

Moved by: Regional Councillor Taylor

Seconded by: Councillor Kerwin

a) THAT Corporate Services Report - Financial Services – 2015-37 dated June 22, 2015 regarding Aging in Place, Financial Policy Considerations be received and the following recommendations be adopted:

- i) THAT the attached study, Aging in Place, Financial Policy Considerations for the Town of Newmarket be received;
- ii) AND THAT staff bring back a further report on options for implementation based upon Council feedback.

Carried

6. Corporate Services - Financial Services Report 2015-39 dated June 15, 2015 regarding Capital Financing Sustainability Strategy Update.

Moved by: Regional Councillor Taylor

Seconded by: Councillor Bisanz

- a) THAT Corporate Services – Financial Services Report 2015-39 dated June 15, 2015 regarding the Capital Financing Sustainability Strategy Update be received.

Carried

Adjournment

Moved by: Councillor Twinney

Seconded by: Councillor Broome-Plumley

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 5:01 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

The Special Council meeting was held on Monday, September 14, 2015 in Mulock Room, 395 Mulock Drive, Newmarket.

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

Absent: Councillor Twinney

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

The meeting was called to order at 6:00 p.m.

Mayor Van Bynen in the Chair.

Declarations of Interest

None.

Closed Session

1. Litigation/Potential Litigation including matter before administrative tribunals and a proposed or pending acquisition or disposition of land as per Section 239 (2) (e) of the Municipal Act, 2001. (OMB Appeal - 292145 Ontario Limited - St. Andrew's of Bayview - Phase 5)

Moved by: Councillor Bisanz
 Seconded by: Councillor Vegh

THAT Council resolve into Closed Session for the purpose of discussing litigation/ or potential litigation including matter before administrative tribunals and a proposed or pending acquisition or disposition of land as per Section 239 (2) (e) of the Municipal Act, 2001 related to an OMB Appeal - 292145 Ontario Limited - St. Andrew's of Bayview - Phase 5.

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

Carried

Council resolved into Closed Session at 6:00 p.m.

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

Council resumed into Public Session at 6:56 p.m.

Reports of Committees and Staff

2. Ratification of Actions regarding Litigation/potential litigation including matter before administrative tribunals and a proposed or pending acquisition or disposition of land as per Section 239 (2) (e) of the Municipal Act, 2001. (OMB Appeal - 292145 Ontario Limited - St. Andrew's of Bayview - Phase 5)

Mayor Van Bynen advised that Members of Council met with staff to obtain legal advice related to an appeal before the Ontario Municipal Board.

Confirmatory By-Law

3. Confirmatory By-law.

2015-38 A By-law to confirm the proceedings of a meeting of Council - September 14, 2015.

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Kerwin

THAT By-law 2015-38 be enacted.

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

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

Carried

Adjournment

4. Adjournment.

Moved by: Councillor Bisanz
 Seconded by: Councillor Vegh

THAT the meeting adjourn.

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

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

Carried

There being no further business, the meeting adjourned at 6:57 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

The meeting of the Council was held on Monday, September 14, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh (7:01 to 7:48, 7:53 to 8:58 p.m.)
Councillor Kerwin
Councillor Hempen
Councillor Sponga (7:01 to 7:48, 8:23 to 8:58 p.m.)
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Twinney

Staff Present: R.N. Shelton, Chief Administrative Officer
M. Mayes, Acting Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
E. Armchuk, Director of Legal Services/Town Solicitor
A. Brouwer, Director of Legislative Services/Town Clerk
A. Mollicone, Senior Solicitor
J. Patel, Business Support Analyst
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 7:01 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

1. Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the addendum items, being By-law 2015-41 to appoint individuals to Boards and Committees, By-law 2015-42, being a By-law to amend By-law 1993-62, By-law 2015-43, being a By-law to amend By-law 1993-62 and By-law 2015-44, being a By-law to set remuneration for fence-viewings, Development and Infrastructure Services - Planning and Building Services Report 2015-36 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-

law Amendments, Draft Plans of Condominium and Subdivision - 292145 Ontario Limited - St. Andrew's of Bayview Phase 5, a deputation by Mr. Gordon Prentice regarding Item 18 of the agenda, a deputation by Mr. Glenn Wilson regarding P1 Parking and correspondence from Mr. Jonathan Rosenstein, Rosenstein Law regarding P1 Parking.

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

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

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

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

Carried

Public Notices

None.

Declarations of Pecuniary Interest

- a) Councillor Sponga declared an interest in items 27, 28 and 29 of the Committee of the Whole Minutes of August 31, 2015 related to P1 Parking as he has been advised that legal action may be commenced against him related to this matter. He advised that he would not take part in the discussion or voting of the matters.
- b) Councillor Bisanz declared an interest in items 36 and 37 of the Committee of the Whole Minutes of August 31, 2015 being the Appointment Committee Minutes of July 6, 2015 and August 27, 2015 and the Appointment Committee (Closed Session) Minutes of July 6, 2015 and August 27, 2015 as a member of her family had applied for a Committee position. She advised that she would not take part in the discussion or voting of the matters.

Presentations & Recognitions

None.

Approval of Minutes

2. Council Minutes of June 22, 2015.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT the Council Minutes of June 22, 2015 be approved.

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

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

Carried

3. Council (Closed Session) Minutes of June 22, 2015, Special Committee of the Whole Minutes of August 10, 2015 and Special Committee of the Whole (Closed Session) Minutes of August 10, 2015.

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the Council (Closed Session) Minutes of June 22, 2015, Special Committee of the Whole Minutes of August 10, 2015 and Special Committee of the Whole (Closed Session) Minutes of August 10, 2015 be confirmed.

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

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

Carried

4. Special Council Minutes of August 10, 2015.

Moved by: Councillor Vegh

Seconded by: Councillor Hempen

THAT the Special Council Minutes of August 10, 2015 be approved.

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

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

Carried

Reports of Committees and Staff

5. Committee of the Whole Minutes of August 31, 2015.

Moved by: Councillor Sponga
Seconded by: Councillor Bisanz

THAT the Committee of the Whole Minutes of August 31, 2015 be approved and the following recommendations be adopted:

6. THAT the presentation by Mr. Gary Ryan, Chief Innovation Officer, Southlake Regional Health Centre regarding CreateITNow be received.

7. Correspondence received July 29, 2015 from Ms. Dawn Mucci, CEO, Lice Squad Canada Inc. requesting proclamation of September 17, 2015 as 'Head Lice Awareness Day'.

a) THAT the correspondence from Ms. Dawn Mucci, CEO, Lice Squad Canada Inc. be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim September 17, 2015 as 'Head Lice Awareness Day';

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

8. Correspondence dated July 22, 2015 from Ms. Christie Branchley, Executive Director, Ontario Society of Occupational Therapists requesting that October, 2015 be proclaimed as 'National Occupational Therapy Month'.

a) THAT the correspondence from Ms. Christie Branchley, Executive Director, Ontario Society of Occupational Therapists be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October, 2015 as 'National Occupational Therapy Month';

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

9. Correspondence dated June 8, 2015 from Mr. Alain Beaudoin, President, L'Association des francophones de la region de York Inc. requesting September 25, 2015 be proclaimed 'Franco-Ontarian Day'.

a) THAT the correspondence from Mr. Alain Beaudoin, President, L'Association des francophones de la region de York Inc. be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim September 25, 2015 as 'Franco-Ontarian Day';

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

10. Correspondence dated August 1, 2015 from Mr. Fred Hahn, President, CUPE Ontario Division requesting October 8, 2015 be proclaimed as 'Child Care Worker & Early Childhood Educator Appreciation Day'.

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

i) THAT the Town of Newmarket proclaim October 8, 2015 as 'Child Care Worker & Early Childhood Educator Appreciation Day';

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

11. Correspondence dated June 24, 2015 from Ms. Andrea McKechnie, Support Committee - Tagging Coordinator, Queen's York Rangers, 2799 Army Cadet Corp requesting permission to conduct tagging fundraising on Saturday, September 19 and Sunday, September 20, 2015.

a) THAT the correspondence dated June 24, 2015 from Ms. Andrea McKechnie, Support Committee - Tagging Coordinator be received and the following recommendations be adopted:

i) THAT permission be granted to conduct tag days in the Town of Newmarket on Saturday, September 19 and Sunday, September 20, 2015;

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

12. Newmarket Downtown Development Sub-Committee Minutes of March 27, 2015.

The Newmarket Downtown Development Sub-Committee recommends:

a) THAT the Newmarket Downtown Development Sub-Committee Minutes of March 27, 2015 be received.

13. Main Street District Business Improvement Area Board of Management Minutes of April 21, 2015, May 19, 2015, June 16, 2015 and June 23, 2015.

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of April 21, 2015, May 19, 2015, June 16, 2015 and June 23, 2015 be received.

14. Corporate Services Report - Financial Services 2015-19 dated August 20, 2015 regarding the Delegation of Authority with Respect to Property Assessment and Collection of Taxes.

a) THAT Corporate Services Report - Financial Services 2015-19 dated August 20, 2015 regarding the Delegation of Authority with Respect to Property Assessment the Collection of Taxes be received and the following recommendations be adopted:

i) THAT Council delegate authority to initiate and file notices of assessment appeal, for any property in the Town of Newmarket, with the Assessment Review Board from time to time, to the Treasurer or his designate;

ii) AND THAT Council delegate authority to withdraw any appeal filed by the Town of Newmarket, should it be determined that it is not in the Town's best interest to proceed, to the Treasurer or his designate;

iii) AND THAT Council delegate authority to attend before the Assessment Review Board on property tax or assessment matters as a party to all appeals whether filed by the Town of Newmarket or another person, entity or agent, to the Treasurer or his designate;

iv) AND THAT Council delegate authority to execute settlement agreements, on behalf of the Town of Newmarket, reached in the course of a taxation or property assessment appeal, to the Treasurer or his designate;

v) AND THAT the delegation by-law be updated to reflect these items of delegated authority.

15. Joint Corporate Services Report - Legislative Services and Financial Services 2015-43 dated August 18, 2015 regarding 2016 User Fees and Charges - Licensing Fees.

a) THAT Joint Corporate Services Report - Legislative Services and Financial Services 2015-43 dated August 18, 2015 regarding 2016 User Fees and Charges - Licensing Fees be received and the following recommendations be adopted:

i) THAT the attached Schedule 'A' marked as the '2016 Legislative Services (Licensing) Fees and Charges' be approved and forwarded to Council for final adoption by by-law;

ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2016.

16. Development and Infrastructure Services - Planning and Building Services Report 2015-34 dated August 20, 2015 regarding Application for Draft Plan of Condominium - 804 Shadrach Drive.

a) THAT Development and Infrastructure Services /Planning and Building Services Report 2015-34 dated August 20, 2015 regarding application for Draft Plan of Condominium be received and the following recommendations be adopted:

i) THAT approval be given to Draft Plan of Condominium 19CDMN-2015 001 subject to the Schedule of Conditions attached and forming part of Development and Infrastructure Services/Planning and Building Services Report 2015-34;

ii) AND THAT Daniels LR Corporation, (c/o Mr. Remo Agostino), 20 Queen Street West, Suite 3400, Toronto ON M5H 3R3 be notified of this action by the Clerk.

17. Development and Infrastructure Services - Planning and Building Services Report 2015-35 dated August 20, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision - 16920 and 16860 Leslie Street.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-35 dated August 20, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT the Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, as submitted by The Newmarket Cemetery Corporation on behalf of 2394237 Ontario Inc. for lands being composed of Pt Lt 31, Con 2; Pt E1/2 Lt 32, Con 2, EYS be referred to a public meeting;

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

iii) AND THAT Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this action by the Clerk.

18. Development and Infrastructure Services - Planning and Building Services Report 2015-37 dated August 20, 2015 regarding a Proposed Zoning By-law Technical Amendment to the Town's comprehensive Zoning By-law.

a) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-37 dated August 20, 2015 regarding a technical amendment to the Town's comprehensive Zoning By-Law 2010-40 be received and the following recommendations be adopted:

i) THAT the proposed technical amendment to comprehensive Zoning By-Law 2010-40 be referred to a public meeting;

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

19. Development and Infrastructure Services Report - Engineering Services 2015-45 dated August 5, 2015 regarding Main Street South - Accessible Parking Space.

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-45 dated August 5, 2015 regarding 'Main Street South - Accessible Parking Space' be received and the following recommendations be adopted:

i) THAT Section 11 (Loading Zones) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

11.e. Main Street South the southerly two on-street parking spaces between Botsford Street and Timothy Street;

ii) AND THAT Section 11 (Loading Zones) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

11.e. Main Street South the second space north of Timothy Street between Botsford Street and Timothy Street;

iii) AND THAT one (1) accessible parking space be installed in the southerly most parking space between Botsford Street and Timothy Street;

iv) AND THAT the necessary By-law be prepared and submitted to Council for its approval.

20. Development and Infrastructure Services Report - Engineering Services 2015-46 dated August 5, 2015 regarding Pearson Street - Parking Restrictions.

a) THAT Development and Infrastructure Services Report – ES 2015-46 dated August 5, 2015 regarding “Pearson Street – Parking Restrictions” be received and the following recommendation be adopted:

i) THAT no additional parking restrictions be implemented on Pearson Street.

21. Development and Infrastructure Services Report - Public Works Services 2015-49 dated August 12, 2015 regarding Main Street - Waste Management Solutions.

a) THAT Development and Infrastructure Services Report - Public Works Services - PWS 2015-49 dated August 12, 2015 regarding Main Street - Waste Management Solutions be received and the following recommendations be adopted:

i) THAT staff bring forward the purchase of new lids for the existing containers that have a larger opening to accept larger items during the 2016 draft capital budget requests;

ii) AND THAT staff send letters to property owners and tenants advising that waste should only be placed out for collection on Tuesdays and Fridays by 6:00 a.m.;

iii) AND THAT staff bring forward the purchase of a mobile surveillance camera in the 2016 draft capital budget requests to provide evidence on the source of waste being left at the containers;

iv) AND THAT staff bring forward a proposal for weekend service for collection of waste in containers on Main Street from Water Street to Millard Avenue in the 2016 draft operating budget requests;

v) AND THAT staff continue to explore options for waste collection improvements in the downtown core.

22. Chief Administrative Officer Report/Human Resources Report 2015-06 dated August 19, 2015 regarding NTAG Deputation - June 22, 2015.

a) THAT CAO/Human Resources Report 2015-06 dated August 19, 2015 regarding NTAG Deputation on June 22, 2015 re: Budget, Performance Objectives and other Corporate Matters be received and the following recommendation be adopted:

i) THAT in accordance with Council's Strategic Priority of Community Engagement, an open house and Public Information Centre be scheduled prior to the end of 2015 as an opportunity to inform and engage all interested residents and stakeholders on matters of general public interest.

23. Correspondence dated June 26, 2015 from Mr. Denis Kelly, Regional Clerk regarding Resolution on Extended Producer Responsibility in Ontario.

a) THAT the report from the Regional Municipality of York regarding Pending Waste Reduction and Resource Recovery Framework Legislation Update be received;

i) AND THAT Council endorse the Regional Municipality of York's resolution regarding extended Producer Responsibility in Ontario.

24. Development and Infrastructure Services Report - Engineering Services 2015-52 dated August 26, 2015 regarding Criterion (Summerhill Woods) Final Acceptance and Assumption of Stormwater Management Pond.

a) THAT Development and Infrastructure Services Report – ES 2015-52 dated August 26, 2015 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Criterion Development (Summerhill Woods) be received and the following recommendations be adopted:

i) THAT the request for final acceptance and assumption of the Stormwater Management Pond for Criterion Development (Summerhill Woods) as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT the Clerk's office notify Mr. Paul Minz of Criterion Development Corporation and Mr. John Kaczor, A.Sc.T., of MMM Group Limited of these recommendations.

25. Correspondence dated July 16, 2015 from Mayor Fred Eisenberger, City of Hamilton regarding Canada Post/Equipment Installation.

THAT the correspondence dated July 16, 2015 from Mayor Fred Eisenberger, City of Hamilton regarding Canada Post/Equipment Installation be received.

26. Item 4 of the Appointment Committee Minutes of August 27, 2015 regarding Terms of Reference Review.

a) THAT the Terms of Reference for the Appeal Committee, Audit Committee, Committee of Adjustment, Elman W. Campbell Museum Board, Heritage Newmarket Advisory Committee, Property Standards Committee and Newmarket Environmental Advisory Committee be approved and forwarded to Council for consideration.

27. Item 4a) of the Appointment Committee Minutes of August 27, 2015 regarding Accessibility Advisory Committee Terms of Reference - Committee Composition.

a) THAT the Accessibility Advisory Committee Terms of Reference - Committee Composition be amended as follows:

i) 'A minimum of six (6) residents, a majority of who must have a disability and consideration of the appointment of additional members with disabilities not represented";

ii) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

28. Item 4g) of the Appointment Committee Minutes of August 27, 2015 regarding the Newmarket Downtown Financial Investment Committee (formerly NDDS).

a) THAT the Newmarket Downtown Development Subcommittee be renamed Newmarket Downtown Development Committee;

i) AND THAT the words 'citizens' be replaced with 'residents' in the Committee Composition;

ii) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

29. Item 4h) of the Appointment Committee Minutes of August 27, 2015 regarding Newmarket Economic Development Advisory Committee.

a) THAT the Newmarket Economic Development Advisory Committee Terms of Reference - Term of Office be replaced as follows:

i) "Each Committee member shall sit for a two year term coinciding with the beginning of a new term of Council. At the expiration of the first two year term, each member is eligible to continue for an additional two year period, to the end of the term of Council. In accordance with the Appointment Policy, each member may only sit for four consecutive two year terms;"

ii) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

30. Outstanding Matters List.

a) THAT the Outstanding Matters List be received.

31. THAT the deputation by Mr. Gary Worters regarding 'Acts of Kindness – Kindness Meters' fundraising initiatives be received and referred to staff.

32. Joint Corporate Services/Development and Infrastructure Services Report - Financial Services 2015-42 dated August 20, 2015 regarding Stormwater Management Rate.

a) THAT Joint Corporate Services/Development and Infrastructure Services Report - Financial Services 2015-42 dated August 20, 2015 regarding the Stormwater Management Rate be received and the following recommendations be adopted:

i) THAT staff be directed to inform and consult with the public regarding the potential of establishing a stormwater management rate;

ii) AND THAT staff report back on the feedback received in January, 2016.

33. Development and Infrastructure Services - Planning and Building Services Report 2015-36 dated August 20, 2015 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision - 292145 Ontario Limited - St. Andrew's of Bayview Phase 5.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-36 dated August 20, 2015 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision - 292145 Ontario Limited - St. Andrew's of Bayview Phase 5 be deferred until the Council meeting scheduled for September 14, 2015 to allow for obtaining legal advice.

34. Development and Infrastructure Services Report - Engineering Services 2015-47 dated August 6, 2015 regarding Patti McCulloch Way - Parking Restrictions.

THAT Development and Infrastructure Services Report - Engineering Services 2015-47 dated August 6, 2015 regarding Patti McCulloch Way - Parking Restrictions be deferred to the September 28, 2015 Committee of the Whole meeting.

35. Development and Infrastructure Services Report - Engineering Services 2015-48 dated August 11, 2015 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Criterion Development (Summerhill South).

a) THAT Development and Infrastructure Services Report – ES 2015-48 dated August 11, 2015 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Criterion Development (Summerhill South) be received and the following recommendations be adopted:

i) THAT the request for final Acceptance and Assumption of Stormwater Management Pond for Criterion Development (Summerhill South) as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT the Clerk's office notify Mr. Paul Minz of Criterion Development Corporation, and Mr. John Kaczor, A.Sc.T., of MMM Group Limited of these recommendations.

36. Corporate Services Information Report - Legislative Services 2015-11 regarding Status Report, Review of Draft Council Code of Conduct.

THAT the Corporate Services Information Report - Legislative Services 2015-11 regarding Status Report, Review of Draft Council Code of Conduct be received for information;

AND THAT the verbal update by the Director of Legislative Services/Town Clerk be received.

37. Information Report 2015-33 dated July 24, 2015 regarding Glenway Lessons Learned - Facilitator's Report.

THAT the Information Report 2015-33 dated July 24, 2015 regarding Glenway Lessons Learned - Facilitator's Report be received;

AND THAT staff be directed to report back with an action plan regarding priorities and objectives identified at the Glenway Lessons Learned Workshop within the next 90 days.

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

Carried

38. Appointment Committee Minutes of July 6, 2015 and August 27, 2015 and Appointment Committee (Closed Session) Minutes of July 6, 2015 and August 27, 2015.

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

THAT the Appointment Committee Minutes of July 6, 2015 and August 27, 2015 and Appointment Committee (Closed Session) Minutes of July 6, 2015 and August 27, 2015.

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

Carried

Councillor Bisanz took no part in the discussion or voting of the foregoing matter.

Deputations

39. Mr. Gordon Prentice addressed Council with his concerns related to proposed development on Silken Laumann Drive. He expressed his opinion that the proposal is an example of bad planning as the development is between a hydro corridor and GO rail line on meadowlands with protected avian species. He also advised of his frustration attempting to acquire information related to the development and his concerns related to the developer's request to use town owned lands for site access and future noise and vibration concerns related to the railway and its future expansion.

Moved by: Councillor Kerwin

Seconded by: Councillor Bisanz

THAT the deputation by Mr. Gordon Prentice be provided an additional five minutes.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

Moved by: Councillor Kerwin

Seconded by: Councillor Broome-Plumley

THAT the deputation by Mr. Gordon Prentice regarding Development and Infrastructure Services - Planning and Building Services Report 2015-36 dated August 20, 2015 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision - 292145 Ontario Limited - St. Andrew's of Bayview Phase 5 be received.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

40. Development and Infrastructure Services - Planning and Building Services Report 2015-36 dated August 20, 2015 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision - 292145 Ontario Limited - St. Andrew's of Bayview Phase 5.

Mayor Van Bynen advised that Members of Council met with staff to obtain legal advice related to an appeal before the Ontario Municipal Board at a Special Council meeting held at 6:00 p.m.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Vegh

Seconded by: Councillor Hempen

a) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-36 dated August 20, 2015 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision be received and the following recommendations be adopted:

i) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-36 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision by 292145 Ontario Limited for lands described as Part of Lot 89, Concession 1 E.Y.S. ("the lands") be received;

ii) AND THAT Council direct staff and legal counsel to continue to work with the applicant toward the settlement of all remaining issues including a condition that Council does not agree to permit the use of town owned lands by the developer unless a significant community benefit is achieved and subject to Council approval;

iii) AND THAT staff and legal counsel be authorized to enter into Minutes of Settlement with the applicant reflecting Draft Plan Conditions and/or conditions to be included in the Development Agreement to address all issues to the Town's satisfaction;

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

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

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

Carried

41. Mr. Glenn Wilson addressed Council in support of keeping the locked gate open in the P1 Parking Lot.

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT the deputation by Mr. Glenn Wilson regarding the P1 Parking Lot be received.

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

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

Carried

Councillor Sponga did not take part in the discussion or voting of the foregoing matter.

42. Ms. Anne Martin addressed Council in support of keeping the locked gate open in the P1 Parking Lot.

Moved by: Councillor Kerwin

Seconded by: Councillor Hempen

THAT the deputation by Ms. Anne Martin regarding the P1 Parking Lot be received.

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

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

Carried

Councillor Sponga did not take part in the discussion or voting of the foregoing matter.

43. Joint Development and Infrastructure Services Report - Engineering Services and Community Services, Economic Development and Corporate Services, Legislative Services Report 2015-51 dated August 17, 2015 regarding P1 Parking Lot Review.

Moved by: Councillor Kerwin

Seconded by: Councillor Bisanz

THAT Joint Development and Infrastructure Services, Community Services and Corporate Services Report - ES2015-51 dated August 17, 2015 regarding P1 Parking Lot Review be deferred.

Motion Withdrawn

An alternate motion was presented and discussion ensued.

A request was made to vote on item vi) separately.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Hempen

THAT Joint Development and Infrastructure Services, Community Services and Corporate Services Report - ES2015-51 dated August 17, 2015 regarding P1 Parking Lot Review be received and the following recommendations be adopted:

a) THAT Schedule II (Municipal Parking Lots) - Parking Lot P1 of the Parking By-law 1993-62, as amended, be further amended by adding the following:

i) No Parking between Friday 9:00 p.m. to Saturday 2:00 p.m. from May 1 to October 31;

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

iii) AND THAT weekend loading operations at the P1 Parking Lot be restricted from May 1 to October 31;

iv) AND THAT reasonable access to the properties at 352 Doug Duncan Drive be maintained during the closure of Timothy Street for events;

v) AND THAT all stakeholders involved be forwarded a copy of this report and Council extract by the Clerk.

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

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

Carried

Councillor Sponga did not take part in the discussion or voting of the foregoing matter.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Hempen

vi) AND THAT one (1) southwestern-most located parking space directly adjacent to the patio of the property known as # 2 – 352 Doug Duncan Drive be removed from public parking between May 1 and October 31 to allow for maintenance access and that all other parking spots remain as public parking if they are within public ownership.

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

Opposed: Councillor Kerwin
(6 in favour, 1 opposed)

Carried

Councillor Sponga did not take part in the discussion or voting of the foregoing matter.

44. Items 27 and 28 of the Committee of the Whole Minutes of August 31, 2015 being a Deputation by Mr. Glenn Wilson and Ms. Anne Martin regarding P1 Parking Lot Closure.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Vegh

THAT the deputation by Mr. Glenn Wilson regarding Joint Development and Infrastructure Services Report - Engineering Services and Community Services, Economic Development and Corporate Services, Legislative Services Report 2015-51 dated August 17, 2015 with respect to P1 Parking Lot Review be received;

AND THAT the slide presentation of parking areas in the Main Street vicinity by Ms. Anne Martin be received;

AND THAT THE correspondence from Jonathan Rosenstein, Rosenstein Law, dated September 14, 2015 regarding Vote on Joint Development & Infrastructure Services, Engineering Services and Community Services, Economic Development and Corporate Services, Legislative Services Report 2015-51 be received.

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

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

Carried

Councillor Sponga did not take part in the discussion or voting of the foregoing matter.

45. Community Services - Recreation and Culture Council Report 2015-27 dated September 9, 2015 regarding 2016 Recreation and Culture Rates and Fees Follow Up Recommendations.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Kerwin

a) THAT Community Services - Recreation and Culture Report 2015-27 dated September 9, 2015 regarding 2016 User Fees and Charges - Recreation & Culture be received and the following recommendations be adopted:

i) THAT the Schedules "A (1)" to "A (20)" marked as the Town of Newmarket Recreation & Culture Services Fees and Charges Schedules, found in Report 2015-24, be approved and adopted by By-law, with the exception of all fees related to outdoor field permits;

ii) AND THAT all fees and charges related to outdoor field permits remain status quo for 2016;

iii) AND THAT the fee adjustments moving forward, come into full force and effect as of January 1, 2016.

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

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

Carried

Correspondence & Petitions

None.

Reports by Regional Representatives

- a) Deputy Mayor & Regional Councillor Taylor advised that Regional Council received a presentation and report last week regarding the Regional Express Railway. He further advised that service to Aurora is currently proposed for every fifteen minutes with service to Newmarket being thirty minutes or less and summarized some of the challenges associated with the implementation of the railway, including parking, at grade crossings, funding and whistle implications. Further information, including the report, can be found on the York Region website.

By-laws

- 46. By-laws 2015-34, 2015-35, 2015-36, 2015-37, 2015-40, 2015-41, 2015-42, 2015-43 and 2015-44.

A request was made to vote on By-law 2015-34 separately.

- 2015-35 A By-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Fees and Charges – Recreation Services)
- 2015-36 A By-law to amend By-law 2003-121, as amended, being a restricted area (Zoning) By-law. (711371 Ontario Corp.)
- 2015-37 A By-law to exempt certain lands from the Part Lot Control Provisions of the Planning Act. (Mosaik Homes)
- 2015-40 A By-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Fees and Charges - Legislative Services - Licensing Fees)
- 2015-41 A By-law to appoint individuals to Town of Newmarket Boards and Committees for the 2014-2018 term of Council or until successors are appointed.
- 2015-42 A By-law to amend By-law 1993-62, as amended, being a by-law to regulate parking within the Town of Newmarket. (Schedule XI - Loading Zones)

2015-43 A By-law to amend By-law 1993-62, as amended, being a by-law to regulate parking within the Town of Newmarket. (Schedule II - Municipal Parking Lots) Parking Lot P1

2015-44 A By-law to set remuneration for fence-viewings.

Moved by: Councillor Vegh
Seconded by: Councillor Sponga

THAT By-laws 2015-35, 2015-36, 2015-37, 2015-40, 2015-41, 2015-42, 2015-43 and 2015-44 be enacted.

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

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

Carried

47. 2015-34 A By-law to permanently close and sell part of highway - Lydia Street.

Moved by: Councillor Vegh
Seconded by: Councillor Sponga

THAT By-law 2015-34 be enacted.

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

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

Carried

Notices of Motions

None.

Motions

None.

Announcements & Community Events

- a) Councillor Bisanz encouraged residents to help celebrate the 35th anniversary of The Terry Fox Run on Sunday, September 20, 2015. Registration begins at 8:30 a.m. followed by a run start of 9:00 a.m. at the Ray Twinney Complex. All are welcome to collect pledges and participate in the 5 kilometre and 10 kilometre routes through the Glenway neighbourhood. There will be a free BBQ afterwards for participants. Check out www.terryfoxrun.org for further details.
- b) Councillor Broome-Plumley invited residents to come out to Urban Alley on Sunday, September 27, 2015 from noon until 6:00 p.m. at Newmarket Riverwalk Commons. Celebrate Culture Days and be amazed by professional and local outdoor buskers, street art and food. Don't forget to check out the interactive public art and all things knitted and crocheted at the 2nd annual yarn bombing!
- c) Councillor Sponga thanked all those who attended the Newmarket Food Pantry Open House.
- d) Councillor Sponga thanked the Newmarket Soccer Club administration and volunteers for their banquet event.
- e) Councillor Hempen invited residents to participate in the 7th Annual Newmarket Studio Tour and Art Show on Saturday October 3, 2015 from 10:00 a.m. to 5:00 p.m. and Sunday October 4, 2015 from 11:00 a.m. to 5:00 p.m. Showcasing the work of 35 artists and 1 collective, the 2015 show should prove to be the biggest and best yet! The tour is a walkable event centered on historic downtown Newmarket, with artists exhibiting their work in their own home, in a fellow artist's home, in businesses on Main Street or in the Community Centre. Visitors will have the opportunity to chat with artists. Admission is FREE. For further information and locations of displays please visit www.newmarketgroupofartists.org
- f) Deputy Mayor & Regional Councillor Taylor invited residents to join him at the Electronic Waste Recycling Event on Saturday, September 26, 2015 from 9:00 a.m. to 3:00 p.m. Bring your unwanted or obsolete electronic devices to the south west parking lot of the Upper Canada Mall at Eagle Street and Davis Drive. This event is being hosted in partnership with the Town of Newmarket, the Newmarket Environmental Advisory Committee (NEAC), Artex Environmental and Upper Canada Mall. There is no cost, no data risk and best practices environmental handling is guaranteed. For more information call 905-895-5193.

- g) Deputy Mayor & Regional Councillor Taylor advised that the Bereaved Families of York Region will be hosting their 8th Annual Memorial Butterfly Release and 3rd Annual Walk to Remember on Saturday, September 19, 2015 at Fairy Lake Park. Further details can be found at www.bfoyr.com
- h) Deputy Mayor & Regional Councillor Taylor advised that the 4TMiler Race along the Tom Taylor Trail will be take place on September 27, 2015 with proceeds to INN From The Cold. For further information, visit www.4tmiler.com
- i) Councillor Kerwin advised that new programs have been added for the fall at the Newmarket Seniors' Meeting Place. These include Balance Training, Walking Club, Gentle Fit, Gentle Stretching, Strong Bones and Zumba Toning. To sign up for these and other exciting programs for seniors age 55 years and over, call 905-953-5325 or visit the Newmarket Seniors' Meeting Place at 474 Davis Drive.
- j) Councillor Vegh advised that Sk8 for a Stomach takes place at the Recreation Youth Centre and Sk8 Park on Sunday, September 27, 2015. Bring a non-perishable food donation and receive a complimentary Sk8 Park pass for a future visit. Donations will go to the Newmarket Food Pantry which provides food to our community's less fortunate.
- k) Mayor Van Bynen advised that the public is invited to participate in meeting to solicit feedback on the Council Code of Conduct on Wednesday, September 16, 2015 at 7:00 p.m. at the Operations Centre located at 1275 Maple Hill Court. The Council Code of Conduct governs ethical standards of behaviour for Members of Newmarket Council. The meeting will be facilitated by the Town's consultant EthicScan. For more information, please contact Andrew Brouwer, Director of Legislative Services/ Town Clerk at 905-953-5300, ext. 2211.
- l) Mayor Van Bynen advised that the next Council meeting is Monday, October 5, 2015 at 7:00 p.m.

New Business

- a) Councillor Kerwin inquired whether Members of Council will have input into the phasing of sidewalk snow removal in 2015 and 2016. The Commissioner of Development & Infrastructure Services advised that a report identifying the criteria for sidewalk snow clearing will be provided at an upcoming Committee of the Whole meeting.

- b) Councillor Kerwin queried whether Members of Council were invited to participate in the Code of Conduct Consultation Session being held on Wednesday, September 16, 2015. The Director of Legislative Services/Town Clerk provided details on the consultation process and advised that the session is open to everyone.
- c) Councillor Bisanz questioned when a site visit between herself and Staff would take place on McCaffrey Road to address the traffic concerns. The Commissioner of Development & Infrastructure Services advised that he would consult with staff and follow up with Councillor Bisanz.
- d) Councillor Broome-Plumley thanked Tom Ungar, Gord MacMillan and Rachel Prudhomme for their work to have the sidewalk installed on Yonge Street between Savage Road and the Tom Taylor Trail. She further inquired when the sidewalk along Mulock Drive between Yonge Street and Doubletree Lane would commence. The Commissioner of Development and Infrastructure Services advised that the Town is collaborating with the Region to replace the sidewalk with an anticipated start date in the third week of September. He further clarified that lighting along the sidewalk will be reviewed.
- e) Mr. John Patterson requested that he be permitted to address Council with his concerns related to By-law 2015-34.

Moved by: Councillor Kerwin
 Seconded by: Councillor Hempen

THAT the deputation by Mr. John Patterson be included in the agenda.

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

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

Carried

- f) Mr. John Patterson addressed Council with his concerns related to By-law 2015-34. He advised that he has provided written concerns to the Town Solicitor and requested that provisions are implemented to ensure that all issues related to drainage, flooding and easements are resolved prior to the sale of the land.

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT the deputation by Mr. John Patterson related to By-law 2015-34 be received and referred to staff.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

- g) Mayor Van Bynen advised that Council Member appointments to the Elman W. Campbell Museum Board and Newmarket Environmental Advisory Committee are currently outstanding. He further advised that this matter would be dealt with in the next Council cycle.

Closed Session

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

Confirmatory By-law

48. Confirmatory By-law.

2015-39 A By-law to confirm the proceedings of a meeting of Council - September 14, 2015.

Moved by: Councillor Sponga

Seconded by: Councillor Bisanz

THAT By-law 2015-39 be enacted.

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

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

Carried

Adjournment

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Bisanz

THAT the meeting adjourn.

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

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

Carried

There being no further business, the meeting adjourned at 8:58 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Monday, September 21, 2015 at 9:00 AM
Council Chambers

For consideration by Council
on October 5, 2015

The Council Workshop was held on Monday, September 21, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Sponga (9:04 to 11:20 a.m.)
Councillor Broome-Plumley (9:13 to 11:39 a.m.)
Councillor Bisanz

Absent: Councillor Vegh

Staff Present: R.N. Shelton, Chief Administrative Officer
M. Mayes, Acting Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
G. Marsh, Supervisor, Property Taxes
L. Lyons, Deputy Clerk
N. Herckimer, Administrative Assistant, Finance
D. Wohlstein, Property Tax and Assessment Coordinator
L. Moor, Council/Committee Coordinator

The Council 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 Acting Commissioner of Corporate Services introduced Ms. Grace Marsh, Supervisor, Property Taxes who provided a PowerPoint presentation regarding Proactive Assessment Management. She introduced Ms. Dora Wohlstein, Property Tax and Assessment Coordinator.

Members of Council queried the Assessment Coordinator regarding various aspects of the presentation relating to accurate property assessments and appeals management.

Moved by: Regional Councillor Taylor
Seconded by: Councillor Kerwin

THAT the Proactive Assessment Management (PAM) PowerPoint Presentation and Corporate Services Information Report - Financial Services 2015-18 dated August 20, 2015 regarding Proactive Assessment Management be received.

Carried

The Workshop recessed at 10:25 a.m.

The Workshop reconvened at 10:35 a.m.

2. Mr. Daniel Kostopoulos, Commissioner of Transportation Services introduced Ms. Ann Marie Carroll, General Manager, York Region Transit (YRT/Viva) and Mr. Adrian Kawun, Manager, Service Planning who provided a PowerPoint presentation detailing an overview of the York Region Transit/Viva system.

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

THAT the PowerPoint presentation by Ms. Ann Marie Carroll - General Manager, York Region Transit (YRT/Viva) and Mr. Adrian Kawun, Manager, Service Planning regarding YRT/Viva System Overview be received.

Carried

Adjournment

Moved by: Councillor Bisanz
Seconded by: Councillor Kerwin

THAT the meeting adjourn.

Carried

There being no further business, the Council workshop adjourned at 11:39 a.m.

Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk

The Council Workshop was held on Monday, September 28, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

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

Absent: Councillor Vegh
Councillor Twinney

Staff Present: P. Noehammer, Acting Chief Administrative Officer
M. Mayes, Acting Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
L. Lyons, Deputy Clerk
L. Moor, Council/Committee Coordinator

Guests: Mayor Scott Warnock, Director, Newmarket-Tay Power
P. Ferguson, President, Newmarket-Tay Power
I. Clinton, Chief Financial Officer, Newmarket-Tay Power
B. Betts, Director, Newmarket-Tay Power
P. Daniels, Director, Newmarket-Tay Power
C. Prattas, Director, Newmarket-Tay Power
J. Taylor, Collins Barrow

The Council workshop convened at 10:05 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. Newmarket - Tay Power Distribution Ltd. – Introductions

The President, Newmarket-Tay Power introduced the Board of Directors of Newmarket-Tay Power in the gallery and Mr. Jeff Taylor of Collins, Barrow.

2. Mr. Jeff Taylor, Collins Barrow addressed those present with a PowerPoint presentation entitled Transition to International Financial Reporting Standards (IFRS) which highlighted various changes to the utility company's reporting criteria.

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

THAT the PowerPoint presentation by Mr. Jeff Taylor, Collins Barrow regarding Transition to International Financial Reporting Standards (IFRS) be received.

Carried

3. The President, Newmarket-Tay Power addressed those present with a PowerPoint presentation entitled CustomerFirst Inc. being a corporate structure business concept opportunity with six other utility distribution companies.

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

THAT the PowerPoint presentation by Mr. Paul Ferguson regarding the CustomerFirst Inc. corporate structure business opportunity be received and referred to Legal and Financial Services staff for review.

Carried

The Workshop recessed at 11:43 a.m.

The Workshop reconvened at 11:53 a.m.

4. The President, Newmarket-Tay Power addressed those present with a PowerPoint presentation providing an industry update of changes in billing, participant initiatives and new conservation framework and programs.

Moved by: Councillor Bisanz
Seconded by: Councillor Kerwin

THAT the PowerPoint presentation by Mr. Paul Ferguson regarding changes in electric billing, industry participant initiatives and new conservation framework and programs be received.

Carried
Adjournment

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Broome-Plumley

THAT the meeting adjourn.

Carried

There being no further business, the Council workshop adjourned at 12:11 p.m.

Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk

The meeting of the Committee of the Whole was held on Monday, September 28, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor (1:30 to 4:35 p.m.)
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Sponga
Councillor Broome-Plumley
Councillor Bisanz (1:30 to 3:26 p.m.) (4:54 to 8:54 p.m.)

Staff Present: P. Noehammer, Acting Chief Administrative Officer
M. Mayes, Acting Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
A. Brouwer, Director of Legislative Services/Town Clerk
C. Kalimootoo, Director of Public Works Services
C. Kallio, Economic Development Officer
L. Long, Supervisor, By-law Enforcement
L. Lyons, Deputy Clerk
A. Mollicone, Senior Solicitor
R. Nethery, Director of Planning and Building Services
D. Ruggle, Senior Planner
C. Service, Director of Recreation and Culture
J. Unger, Assistant Director of Planning
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 1:30 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Acting Chief Administrative Officer advised of the addendum items, being the withdrawal of the deputation by Mr. Gary Worters, the inclusion of a PowerPoint presentation related to Item 2 of the Agenda being a deputation by Ms. Debra Scott, the inclusion of the Building Permit Fee Review Report by BMA Management

Consulting Inc. related to Items 3 and 11 of the Agenda, a deputation by Mr. Athol Hart related to Item 10 of the Agenda being Town Crier correspondence, a deputation by Mr. Paul Jolie related to Item 12 of the Agenda regarding Ontario Municipal Cycling Infrastructure, deputations by Ms. Laurie Smith and Mr. Mike Hodge related to Item 14 of the agenda being a By-law with respect to Parking and Storage of Recreational Vehicles in residential zones, a PowerPoint presentation by Ms. Diane Humeniuk and the Bogart Mill Development Committee related to the Public Session matter, Development and Infrastructure Services Report - PWS 2015-55 dated September 18, 2015 regarding Snow Storage Alternative Update and Community Services - Recreation and Culture Report 2015-28 dated September 16, 2015 regarding Hollingsworth Arena Replacement Follow-Up. He further advised that correspondence from Mr. David Nelson in objection to Item 14, being a by-law with respect to Parking and Storage of recreational vehicles in residential zones has been circulated to Members of Council and advised that the agenda includes two Closed Session matters related to potential acquisition or disposition of land.

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

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

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

None.

Consent Items

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

THAT the following items be adopted on consent:

1. Correspondence dated September 3, 2015 from Ms. Jo-Anne St. Godard, Executive Director, Recycling Council of Ontario requesting proclamation of October 19 to 25, 2015 as 'Waste Reduction Week'.

a) THAT the correspondence from Ms. Jo-Anne St. Godard, Executive Director, Recycling Council of Ontario be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 19 to 25, 2015 as 'Waste Reduction Week';

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

2. Correspondence dated September 9, 2015 from Chief Ian Laing, Central York Fire Services requesting proclamation of October 4 to 10, 2015 as 'Fire Prevention Week'.

a) THAT the correspondence from Chief Ian Laing, Central York Fire Services be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 4 to 10, 2015 as 'Fire Prevention Week';

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

3. Correspondence dated September 9, 2015 from Ms. Laura Bradford, Senior Mediator/Parenting Coordinator, Summit Mediation requesting proclamation of November 23 to 27, 2015 as 'Family Dispute Resolution Week'.

a) THAT the correspondence from Ms. Laura Bradford, Summit Mediation be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim November 23 to 27, 2015 as 'Family Dispute Resolution Week';

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

4. Accessibility Advisory Committee Minutes of June 18, 2015.

a) THAT the Accessibility Advisory Committee Minutes of June 18, 2015 be received.

5. Newmarket Downtown Development Sub-Committee Minutes of June 26, 2015.

a) THAT the Newmarket Downtown Development Sub-Committee Minutes of June 26, 2015 be received.

6. Main Street District Business Improvement Area Board of Management Minutes of July 21, 2015.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of July 21, 2015 be received.
7. Development and Infrastructure Services - Planning and Building Services - Planning Report 2015-38 dated September 17, 2015 regarding Public Meeting notification sign requirements.
 - a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-38 dated September 17, 2015 regarding changing the requirements for Public Meeting notification signs be received and the following recommendation be adopted:
 - i) THAT the requirements for Public Meeting notification signs be changed such that the wording is simpler and a map and/or drawing of the proposed development be included on the sign.
8. Corporate Services - Legislative Services 2015-12 dated September 10, 2015 regarding Public Records Access Improvements.
 - a) THAT Corporate Services - Legislative Services Report 2015-12 dated September 10, 2015 regarding 'Public Records Access Improvements' be received and the following recommendation be adopted:
 - i) THAT the Routine Disclosure of Records Policy CORP.1-09 (attached as Appendix A) be approved.
9. Corporate Services Report - Legislative Services 2015-13 dated September 16, 2015 regarding vivaNext D1 Project (Noise By-law Exemption)
 - a) THAT Corporate Services Report - Legislative Services 2015-13 dated September 16, 2015 regarding vivaNext D1 Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:
 - i) THAT the request from Kiewit EllisDon for a noise exemption to perform necessary works for the vivaNext D1 project between the hours of 10:00 p.m. to 7:00 a.m. from December 25, 2015 until December 25, 2016 be approved;
 - ii) AND THAT this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.

10. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

Carried

Deputations

11. Ms. Debra Scott, Newmarket Chamber of Commerce addressed the Committee with a PowerPoint presentation summarizing some of the initiatives of the Newmarket Chamber of Commerce to welcome businesses to Newmarket and encouraged Members of Council to support the business community in order to retain, enable and support future growth in Newmarket.

Moved by: Councillor Broome-Plumley

Seconded by: Councillor Kerwin

THAT the deputation by Ms. Debra Scott, Newmarket Chamber of Commerce regarding Council Strategic Priorities - Economic Development be received.

Carried

12. Ms. Laurie Smith addressed the Committee regarding parking and storage of recreational vehicles in residential zones and advised that the recommendations in the report simply permit easier enforcement as opposed to relaxing the by-law. She further commented that a number of points in favour of seasonal parking of recreational vehicles have been presented and spoke in favour of that option.
13. Mr. Mike Hodge addressed the Committee regarding parking and storage of recreational vehicles in residential zones and expressed support for either maintaining the existing by-law regulation or a seasonal option. He also suggested removal of the vehicle length restriction and retaining setback requirements in the by-law.

Moved by: Councillor Hempen

Seconded by: Councillor Sponga

THAT the deputations by Ms. Laurie Smith and Mr. Mike Hodge regarding a By-law with respect to Parking and Storage of Recreational Vehicles in Residential Zones be received;

AND THAT the correspondence Mr. David Nelson in objection to amendments to the by-law with respect to Parking and Storage of Recreational Vehicles in residential zones be received.

Carried

14. Development and Infrastructure Services - Planning and Building Services - Planning Report 2015-39 dated September 17, 2015 regarding Parking and Storage of Recreational Vehicles in Residential Zones.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Sponga

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-39 dated September 17, 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 to amend the zoning provisions for the parking and storing of recreational vehicles on a driveway from 72 hours per month to 8 calendar days per month as outlined in the attached draft by-law;

ii) AND THAT the By-law be amended to include an appropriate setback and remove reference to a maximum Recreational Vehicle size;

iii) AND THAT staff bring forward the by-law to the next Council meeting;

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

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

Carried

15. Mr. Paul Jolie addressed Committee regarding Ontario Municipal Cycling Infrastructure and spoke in support of a dedicated bike lane on Mulock Drive between Yonge Street and Leslie Street to promote bike to work and bike to school options, similar to that which has been constructed on Wellington Street in Aurora.

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Bisanz

THAT the deputation by Mr. Paul Jolie regarding Ontario Municipal Cycling Infrastructure be received and referred to staff for a report back to Council related to cycling infrastructure on Mulock Drive.

Carried

16. Development and Infrastructure Services Commission Report 2015-53 dated September 8, 2015 regarding Ontario Municipal Cycling Infrastructure Program.

Moved by: Councillor Sponga
 Seconded by: Councillor Hempen

a) THAT Development and Infrastructure Services Commission Report 2015-53 dated September 8, 2015 regarding the Ontario Municipal Cycling Infrastructure Program be received and the following recommendations be adopted:

i) THAT Council endorse the proposed cycling infrastructure project as identified in the attached Schedule 'A' - Newmarket East-West Bikeway Map to enable staff to continue with an application for partial funding of the project through the Ontario Municipal Cycling Infrastructure Program (OMCIP);

ii) AND THAT Council preapprove the allocation of \$325,000 from the development charges capital fund over the 2016 and 2017 budgets.

Carried

17. Mr. Athol Hart addressed the Committee regarding Town Crier services and provided an overview of his experience as a Town Crier. In addition, he submitted letters of support from members of the Ontario Guild of Town Criers.

Moved by: Councillor Vegh
 Seconded by: Councillor Hempen

THAT the deputation by Mr. Athol Hart regarding Town Crier Services be received.

Carried

18. Correspondence received June 25, 2015 from Mr. Athol Hart regarding Town Crier representation.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

a) THAT the correspondence received June 25, 2015 from Mr. Athol Hart regarding Town Crier representation be received:

b) AND THAT staff work with the Ontario Guild of Town Criers to identify an appropriate process for Town Crier selection and report back within 30 days.

Carried

19. Mr. Jim Bruzzese, BMA Management Consulting Inc. addressed the Committee with a PowerPoint presentation regarding Building Permit Fee Review and provided background information on the building permit fee process, previous fee updates, comments on the building stabilization reserve fund, summary of his analysis and next steps, including the requirement for a public meeting to address any fee revisions prior to enacting an amended fee structure by-law.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Broome-Plumley

THAT the deputation by Mr. Jim Bruzzese, BMA Management Consulting Inc. regarding Building Permit Fee Review be received.

Carried

20. Development and Infrastructure Services Report - Planning and Building Services 2015-01 dated September 14, 2015 regarding Building Permit Fees Report and Building By-law.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Vegh

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2015-01 dated September 14, 2015 regarding Building Permit Fees Report and Building By-law be received and the following recommendations be adopted:

i) THAT Committee direct staff to hold a public meeting in accordance with the Building Code Act and regulations for proposed changes to Building Permit fees collected under the Act;

ii) AND THAT notice be given to such persons as may be prescribed in the Building Code Act;

iii) AND THAT following the public meeting, the Building By-law and associated permit fee schedule be brought back to Council for adoption with an implementation date in January 2016;

iv) AND THAT the Building Permit Stabilization Reserve target range be established at 150% - 200% of the total operating expenditures which is consistent with industry practice;

v) AND THAT a DAAP Cost Recovery review as recommended by BMA Management Consulting Inc. be undertaken;

vi) AND THAT the cost of the DAAP Cost Recovery review be funded by the Building Permit Reserve.

Carried

21. Joint Office of the CAO - Strategic Initiatives and Corporate Services Commission - Legislative Services Report 2015-10 dated September 3, 2015 regarding Corporate Policy Approval Authority Framework.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Sponga

THAT Joint Office of the CAO - Strategic Initiatives and Corporate Services Commission - Legislative Services Report 2015-10 dated September 3, 2015 regarding Corporate Policy Approval Authority Framework be deferred to the October 20, 2015 Committee of the Whole meeting.

Carried

22. Development and Infrastructure Services Report - Engineering Services 2015-47 dated August 6, 2015 regarding Patti McCulloch Way - Parking Restrictions.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-47 dated August 6, 2015 regarding Patti McCulloch Way - Parking Restrictions be received and the following recommendation be adopted:

i) THAT Council implement no parking restrictions on the west side of Patti McCulloch Way from the property line between 88 Patti McCulloch Way and 90 Patti McCulloch Way northward to Woodspring Avenue.

ii) AND THAT Schedule X of By-law 1993-62 be amended accordingly.

Carried

Action Items

23. Corporate Services Commission Report - Legislative Services 2015-11 dated September 3, 2015 regarding 'Housekeeping Matters: Regular Meeting Schedule, Procedure By-law and Municipal Flag Policy'.

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

THAT Corporate Services Commission Report - Legislative Services 2015-11 dated September 3, 2015 regarding 'Housekeeping Matters: Regular Meeting Schedule, Procedure By-law and Municipal Flag Policy' be deferred to the October 20, 2015 Committee of the Whole meeting.

Carried

The Committee of the Whole recessed at 3:15 p.m.

The Committee of the Whole resumed at 3:26 p.m.

Motions

24. Councillor Kerwin regarding the demolition of the Old Fire Hall at 140 Main Street South.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Kerwin
Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT staff be directed to report back within 120 days on the potential of demolishing the Old Fire Hall at 140 Main Street South with the intent to repurpose it as a parking lot that would be in keeping with the downtown area and that the report include any other options for parking enhancements in the downtown core.

Carried

Closed Session

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Vegh

THAT the meeting convene into Closed Session for the purpose of discussing proposed or pending acquisitions or dispositions of land by the municipality or local board as per Section 239 (2) (c) of the Municipal Act, 2001.

Carried

The Committee resolved into Closed Session at 3:29 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 4:56 p.m.

25. Community Services - Recreation and Culture Report 2015-28 dated September 16, 2015 regarding Hollingsworth Arena Replacement Follow-Up.

Moved by: Councillor Sponga
 Seconded by: Councillor Bisanz

a) THAT Community Services - Recreation and Culture Report 2015-28 dated September 16, 2015 regarding Hollingsworth Arena Replacement Follow-Up be deferred to the October 20, 2015 Committee of the Whole meeting.

Carried

26. Development and Infrastructure Services Report - PWS 2015-55 dated September 18, 2015 regarding Snow Storage Alternative Update.

Moved by: Councillor Bisanz
 Seconded by: Councillor Kerwin

a) THAT Development and Infrastructure Services Report Public Works Services - PWS 2015-55 dated September 18, 2015 regarding Snow Storage Alternative Update be received and the following recommendations be adopted:

i) THAT staff continue to work with the private land owners and York Region to finalize arrangements for snow storage for the 2015/2016 winter season;

ii) AND THAT staff include any estimated additional cost for alternative snow storage in the 2016 draft budget proposal, if required;

iii) AND THAT staff be authorized to execute required agreements for temporary storage of snow for the 2015/2016 and subsequent winter seasons if required, as described.

Carried

Correspondence & Petitions

None.

Carried

Reports by Regional Representatives

None.

Notices of Motion

None

New Business

- a) Councillor Bisanz advised that parking in the area along Woodspring Avenue has been limited since the construction of bike lanes along the street and suggested that on-street parking be reinstated along Woodspring Avenue.

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

THAT staff be directed to report back within 60 days on options to reinstate on street parking on Woodspring Avenue that is complimentary to the existing bicycle lanes.

Carried

The Committee of the Whole recessed at 5:06 p.m.

The Committee of the Whole resumed at 7:03 p.m.

Public Hearing Matters

27. Development and Infrastructure Services Report - Planning and Building Services Report 2015-35 and related Council Extract, Public Meeting Notice regarding a Proposed Official Plan, Zoning By-law Amendment and Proposed Draft Plan of Subdivision - 16920 and 16860 Leslie Street.

The Deputy Clerk welcomed the public to the Committee of the Whole meeting. She advised that the *Planning Act* requires the Town to hold at least one Public Meeting on any proposed Official Plan Amendment, Zoning By-law Amendment and Proposed Draft Plan of Subdivision.

The Deputy Clerk advised that the purpose of the meeting was to hear from anyone who has an interest in the Proposed Official Plan, Zoning By-law Amendment and Proposed Draft Plan of Subdivision for the properties known as 16920 and 16860 Leslie Street.

She further advised that the Committee of the Whole would not be making a decision regarding the proposed amendments, but would refer all written and verbal comments to Planning Staff to consider in a report that will be brought forward to a future Committee of the Whole or Council meeting.

The Deputy Clerk advised that if anyone present wished to be notified of subsequent meetings, or if making a presentation, to please complete a form with your name and address and submit it to the Clerk's staff.

The Deputy Clerk noted that in accordance with the *Planning Act*, the Ontario Municipal Board may dismiss an appeal without holding a hearing, if the appellant failed to make either oral submission at the Public Meeting or provide written submissions to Council prior to adoption.

She thanked everyone for their participation and interest in the meeting.

28. Mr. Brad Rogers, Groundswell Urban Planners Inc. and Mr. Gilles Bisnaire, Forest Green Homes provided a PowerPoint presentation regarding the application for a Proposed Official Plan, Zoning By-law Amendment and Proposed Draft Plan of Subdivision for the lands located at 16920 and 16860 Leslie Street. Mr. Rogers provided background information on the applications, including data related to the size of the site, location and site features. He advised that the draft plan proposes 91 freehold townhomes, 27 stacked townhomes, 78 condominium townhomes and 2 mid-rise apartment blocks. Mr. Rogers addressed the landscape plan, sustainable design elements of the

proposal and retention and restoration of the heritage home located on the site.

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

THAT the presentation by Mr. Brad Rogers be provided an additional five minutes.

Carried

Mayor Van Bynen inquired if anyone in attendance wished to make a deputation.

29. Ms. Pam Jones, 900 Bogart Mill Trail, Suite 217, addressed the Committee with a PowerPoint presentation and expressed thanks to Members of Council, Staff and the applicant for their ongoing communication and discussions with the Bogart Development Committee. She introduced the Bogart Development Committee and provided background information on the Reflections on Bogart Pond development and preliminary comments on the traffic access and egress to the Reflections on Bogart Pond site.
30. Mr. Harold Davidson, 900 Bogart Mill Trail, Suite 219, addressed the Committee with a PowerPoint presentation and summarized the minutes of the Bogart Development Committee meetings. He further addressed some of the concerns of the residents of the area and actions taken with the developer to address said concerns and expressed disappointment over the destruction of coniferous trees that the developer stated would be relocated on the site.
31. Ms. Diane Humeniuk, 900 Bogart Mill Trail, Suite 425, addressed the Committee with a PowerPoint presentation and requested preservation of the existing woodlot area by retaining the existing Environmental Protection – Open Space zoning designation. She further requested that three buffer zones be created to protect existing trees and wildlife and asked that Forest Green Homes apply green building techniques to the proposed development.
32. Ms. Mary Miller, 900 Bogart Mill Trail, Suite 516, addressed the Committee with a PowerPoint presentation and provided information related to the benefits of trees and suggested that the Town ensure maintenance of the biological diversity of the site.
33. Ms. Barbara Mildon, 900 Bogart Mill Trail, Suite 521, addressed the Committee with a PowerPoint presentation and inquired whether Members of Council had been to the proposed development site. She presented several photos from her building and identified how the proposed development could impact the existing development.

34. Ms. Debbie Hutchinson, 900 Bogart Mill Trail, Suite 123, addressed the Committee with a PowerPoint presentation and advised that she enjoys the wildlife around the proposed development site and identified several species of animals that have been observed in the area. She further expressed concern for the resident snapping turtle of Bogart Mill Pond as the species is in decline.
35. Mr. Don Hutchinson, 900 Bogart Mill Trail, Suite 123, addressed the Committee with a PowerPoint presentation regarding the John Bogart Farmhouse (Elliott House). Mr. Hutchinson advised that he is a contractor and member of several restoration and heritage groups and provided background information on the history of the home. He identified that the home is an important piece of Newmarket's history and expressed concern that the home may further deteriorate if not properly maintained.
36. Mr. Bob Arbuckle, 900 Bogart Mill Trail, Suite 423, addressed the Committee with a PowerPoint presentation related to traffic concerns with the increased volume that will be created by the proposed development. There are ingress and egress concerns for the existing development and the proposed development would further add to this problem. He questioned the results of the traffic report submitted by the applicant as the figures differ from those found in the York Region Data Management and York Region Safety Group Traffic Study and identified existing site challenges related to traffic.
37. Mr. John Parkett, 900 Bogart Mill Trail, Suite 308, advised that Bogart Mill Trail and the Bogart Pond are some of the best kept secrets in Newmarket. He expressed concern on where the John Bogart Farmhouse may be moved, and in addition, commented that there is an abandoned well on the site that has not been properly decommissioned.
38. Ms. Joyce Rees, 975 On Bogart Circle, requested assurances that proper control of runoff will be employed to avoid silt and mud contaminating the pond and a further commitment that the pond will be remediated at the expense of the developer should any damage occur to the pond. In addition, she requested that the privacy of the pond area be considered and that measures be taken to avoid trespassers in the area, including the potential construction of a pathway.
39. Ms. Laurie Andrews, 49 William Curtis Circle, inquired how the developer planned to mitigate the impact for residents of William Curtis Circle as there do not currently appear to be any noise or dirt mitigation measures proposed.

40. Mr. Enrico Bonatti, President, Doak Lane Condominium Board and Mr. Robert Hume requested that the existing woodlot be maintained, potentially with a walking path and expressed concern over traffic volumes into and out of the proposed development site.
41. Mr. David Puttock, 913 Southwind Court, advised that he is generally supportive of the proposed use and commented that there is a small forested area adjacent to the mature woodlot and requested a further study of that area to determine if it would meet the Town's standards to be deemed as a woodlot.
42. Ms. Helen Murray, Bogart Mill Trail, Suite 405, requested clarification on the height of the proposed buildings and commented that the speed limit on Leslie Street is not yet slow enough to accommodate people turning into the existing development.
43. Mr. Brian Feherty, Riddell Court, advised that he trusts that staff will ensure that the emergency access is gated and locked appropriately and commented that the Town is responsible to ensure the woodlot lands remain protected as an environmental zone.
44. Ms. Deborah Castelane, 77 William Curtis Circle, commented that the proposed development highly impacts the residents of her street who purchased their homes because of the open greenspace and expressed concern that there will be no mitigation measures implemented between the development and her street. She further expressed concern that the woodlot could be sold for a further future development.
45. Mr. Athol Hart, on behalf of Heritage Newmarket, expressed concern related to the Bogart House as it has been scavenged in the past and there is concern for the stewardship of the home. Demolition by neglect remains an abiding concern. The home is currently designated under the Ontario Heritage Act and is extremely important to the history of the Town.
46. Mr. Bismaire addressed questions posed by the deputants. The private well at the Bogart House has been properly decommissioned. He apologized for the demolition of the trees on the site and the lack of communication related to their removal. He advised of the mitigation measures being implemented for residents of William Curtis Circle, setbacks from existing residential and addressed concerns related to the snapping turtle habitat. He further advised that the property around the Bogart House has been cleaned and a fence would be installed to deter access and that he would request further involvement by the Heritage Advisory Committee to provide stewardship for the home. The intersection at the proposed development is being designed for a traffic light and aligns with the existing car dealership entrance.

Mayor Van Bynen invited questions from Members of Council.

The Director of Planning and Building Services advised of the next steps associated with the proposal. A further report is not anticipated to be presented to Council before November, 2015.

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

THAT Development and Infrastructure Services Report - Planning and Building Services Report 2015-35 and related Council Extract, Public Meeting Notice regarding a Proposed Official Plan, Zoning By-law Amendment and Proposed Draft Plan of Subdivision - 16920 and 16860 Leslie Street, PowerPoint presentation, deputations and all correspondence be received.

Carried

Adjournment

Moved by: Councillor Sponga
Seconded by: Councillor Bisanz

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 8:54 p.m.

Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk

**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2015-45**

A BY-LAW TO APPOINT AN INTEGRITY COMMISSIONER FOR THE TOWN OF NEWMARKET. (ROBERT J. SWAYZE)

WHEREAS Council has adopted a Council Code of Conduct by by-law;

AND WHEREAS the *Municipal Act, 2001*, s.223.3 and 223.4 provides the authority for the Municipality to appoint an Integrity Commissioner and deals with the conduct of an inquiry;

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

THAT Robert J. Swayze is hereby appointed Integrity Commissioner for the Corporation of the Town of Newmarket.

ENACTED THIS 5TH DAY OF OCTOBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-46

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 for the vivaNext D1 project;

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

THAT Kiewit-EllisDon, A Partnership (KED), be exempted from the Noise By-law 2004-04, as amended, from 10:00 p.m. to 7:00 a.m. from December 25, 2015 until December 25, 2016, excluding statutory holidays, to perform necessary work for the vivaNext D1 project.

ENACTED THIS 5TH DAY OF OCTOBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-47

A BY-LAW TO AMEND BY-LAW NUMBER 2010-40, AS AMENDED, BEING A ZONING BY-LAW (Recreational Vehicles – Town Wide)

WHEREAS it is deemed advisable to amend By-Law Number 2010-40 as amended;

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

THAT By-law Number 2010-40 be and the same is hereby further amended by:

1. Amending Section 3.0 'Definitions' by deleting the definition for "Recreational Vehicles and Trailers" and replacing it with:

"Recreational Vehicle means:

- 1) a vehicle or trailer which may provide short term occupancy that is intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes or other similar travel vehicles but does not include a *mobile home*; and/or
- 2) boats, personal watercraft, all terrain vehicles and other similar vehicles used for recreational pursuits; and
- 3) a trailer designed to carry any of the items listed in Sections 1) and 2) of this definition."

2. Amending Section 3.0 'Definitions' by deleting the definition for "Trailer, Vehicular" and replacing it with:

"Utility Trailer means:

A vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and is capable of being used for the transport of goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed."

3. Deleting Section 5.8.2 and replacing it with:

"5.8.2 Recreational Vehicles and Utility Trailers in a Residential Zone

The following regulations apply to the parking and storage of recreational vehicles and utility trailers on lots within any Residential Zone:

- i. Only one recreational vehicle or utility trailer may be externally parked on a lot.
- ii. No recreational vehicle or utility trailer is permitted to park in the front yard, unless it is on a driveway, subject to the provisions listed below.

- iii. Where the recreational vehicle or utility trailer is stored internally, such recreational vehicle or utility trailer must be wholly contained within the dwelling unit or private garage or carport.
 - iv. No recreational vehicle or utility trailer may be parked on a driveway without being affixed with a valid license plate or being located on a trailer affixed with a valid license plate.
 - v. No recreational vehicle or utility trailer may be parked in a side or rear yard within 1 metre of a fence or property line.
 - vi. A recreational vehicle or utility trailer parked on a driveway must be setback 1m from the sidewalk or curb.
 - vii. Notwithstanding the above, in the case of a lot where the exterior side and/or rear lot line abuts a street or a 0.3 metre reserve, parking or storage may be permitted in the exterior side yard or rear yard but not closer than 7.6 metres from the exterior or rear lot line.
 - viii. Notwithstanding 5.8.2 ii, only one recreational vehicle or utility trailer may be temporarily parked or stored on a driveway for no more than 8 different days, consecutive or not, within the same calendar month. For greater clarification, if the recreational vehicle or utility trailer is observed in the driveway for any amount of time, it is deemed to have been there for one of the eight different days during the calendar month."
4. Amending Section 5.8.4 by replacing the word "trailer" with the words "utility trailer".

ENACTED THIS 5TH DAY OF OCTOBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2015-48**

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)

WHEREAS it is deemed necessary to amend By-law 1993-62, as amended, being a By-law to Regulate Parking within the Town of Newmarket.

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

1. 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
Patti McCulloch Way	West	Property line between # 88 and # 90 Patti McCulloch Way north to Woodspring Avenue	Anytime

ENACTED THIS 5TH DAY OF OCTOBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-49

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– OCTOBER 5, 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 5TH DAY OF OCTOBER, 2015

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk