

## **Open Forum**

## **Public Notices (if required)**

## **Additions & Corrections to the Agenda**

Additional items to this Agenda are shown as (Addendum #).

## **Declarations of Pecuniary Interest**

## **Presentations & Recognitions**

1. Presentations regarding the Heritage Community Recognition Program (Mr. Rod Bruton, Mr. Athol Hart)

## **Deputations**

2. Ms. Joy Hulton, Chair and Ms. Brenda Northey, Executive Director, Inn from The Cold to address Council regarding Coldest Night of the Year 2014. p. 1
3. Mr. Rick Coffin, Canadian Union of Postal Workers to address Council regarding the end of door to door mail delivery. p. 2

## **Approval of Minutes**

4. Council Minutes of January 20, 2014. p. 3

## **Correspondence & Petitions**

## **Reports by Regional Representatives**

## **Reports of Committees and Staff**

5. Committee of the Whole Minutes of February 3, 2014. p. 22
6. Committee of the Whole (Closed Session) Minutes of February 3, 2014.

## **By-laws**

- |         |  |       |
|---------|--|-------|
| 2014-07 | A By-law to Amend By-law 1993-62, as amended, being a By-law to Regulate Parking within the Town of Newmarket. (Schedule XII - Parking for Restricted Periods).                          | p. 41 |
| 2014-08 | 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) - North-west Newmarket - Parking Restrictions)]. | p. 42 |
| 2014-09 | 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) - South-east Newmarket - Parking Restrictions)]. | p. 43 |

## **Notices of Motions**

## **Announcements & Community Events**

## **New Business**

## **Closed Session (if required)**

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

## **Confirmatory By-law**

- |         |  |       |
|---------|--|-------|
| 2014-10 | A By-law to confirm the proceedings of a meeting of Council - February 10, 2014. | p. 44 |
|---------|--|-------|

## **Addendum**

## **Adjournment**



TOWN OF NEWMARKET  
Legislative Services Department  
395 Mulock Drive  
P.O. Box 328  
Newmarket, ON L3Y 4X7  
www.newmarket.ca  
clerks@newmarket.ca  
905.895.5193

### Request for Deputation

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

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

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

PLEASE PRINT

COUNCIL/COMMITTEE DATE: February 10<sup>th</sup> - 7:00 pm.

AGENDA ITEM NO. \_\_\_\_\_ SUBJECT: "Coldest Night of the Year, 2014"

NAME: Jan From The Cold

ADDRESS: \_\_\_\_\_  
Street Address  
Newmarket. L3Y 1A2.  
Town/City Postal Code

PHONE: HOME: \_\_\_\_\_ BUSINESS: \_\_\_\_\_

FAX NO.: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

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

Joy Hulten, Chair, Brenda Norther, Executive Dir.

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

Promoting annual "Coldest Night of the Year"  
Fundraising event for Jan From The Cold.

Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905-895-5193 Ext. 2211 Fax 905-953-5100.



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PLEASE PRINT

*Council*

COUNCIL/COMMITTEE DATE: Monday ~~January 13~~ Feb 10 2014  
AGENDA ITEM NO. \_\_\_\_\_ SUBJECT: End of Door to Door Mail Delivery  
NAME: Mr. Rick Coffin

ADDRESS: \_\_\_\_\_  
Street Address  
Newmarket, On L3Y 3E3  
Town/City Postal Code

PHONE: HOME: \_\_\_\_\_ BUSINESS: \_\_\_\_\_

FAX NO.: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

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

Canadian Union Of Postal Workers

### BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

To outline the possible effects of C.P.C's announcement on the end of door to door delivery of mail + stamp price increase on the small business citizens, and the Town of Newmarket.

Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905-895-5193 Ext. 2211 Fax 905-953-5100.

There were no requests to address Council during the open forum session.

The meeting of the Council was held on Monday, January 20, 2014 in Council Chambers, 395 Mulock Drive, Newmarket.

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

Staff Present: R.N. Shelton, Chief Administrative Officer  
C. Kallio, Acting Commissioner of Community Services  
A. Moore, Commissioner of Corporate Services  
R. Prentice, Commissioner of Development and Infrastructure Services  
A. Brouwer, Director of Legislative Services / Town Clerk  
S. Niezen Records and Projects Coordinator  
J. Patel, Project Support Business Analyst

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

Mayor Van Bynen in the Chair.

## **Public Notices**

None.

## **Additions & Corrections to the Agenda**

Moved by: Councillor Di Muccio  
 Seconded by: Councillor Emanuel

THAT the order of the agenda be altered by including the record of items for ratification from the January 20, 2014 Special Committee of the Whole meeting.

**Carried**

## **Declarations of Pecuniary Interest**

None.

## **Presentations & Recognitions**

1. Ms. Debra Scott, Newmarket Chamber of Commerce addressed Council with a PowerPoint presentation recognizing the 2014 Gold Smart Commute Workplace Designation.

Moved by: Councillor Di Muccio  
 Seconded by: Councillor Emanuel

- a) THAT the PowerPoint presentation by Ms. Debra Scott, Newmarket Chamber of Commerce, recognizing the 2014 Gold Smart Commute Workplace Designation be received.

**Carried**

## **Deputations**

None.

## **Approval of Minutes**

2. Council Minutes of December 16, 2013.

Moved by: Councillor Emanuel  
 Seconded by: Councillor Hempen

- a) THAT the Council Minutes of December 16, 2013 be approved.

**Carried**

## Correspondence & Petitions

None.

## Reports by Regional Representatives

3.
  - a) Regional Councillor Taylor advised that the Region of York will host a workshop later this week on post-secondary institutions and opportunities for developing post-secondary education in York Region.
  - b) Regional Councillor Taylor advised of a report from the Region's Planning and Economic Development Department regarding the need for a review of the land use planning and appeal system. The report addresses need for changes in land use planning and the Ontario Municipal Board (OMB). It addresses the need for a review of the ability of the OMB to hear appeals, the consistency of current decision making and the need to place greater priority on local decision making.

## Reports of Committees and Staff

4. Special Committee of the Whole Minutes of January 13, 2014.

Moved by: Councillor Sponga  
 Seconded by: Councillor Di Muccio

- a) THAT the Special Committee of the Whole Minutes of January 13, 2014 be received and the following recommendations be adopted:
- b) THAT the Special Committee of the Whole resolve into a closed session for the purpose of discussing proposed acquisition of land by the municipality or local board.

### Carried

5. Special Committee of the Whole (Closed Session) Minutes of January 13, 2014.

Moved by: Councillor Sponga  
 Seconded by: Councillor Emanuel

- a) THAT the Special Committee of the Whole (Closed Session) Minutes of January 13, 2014 be approved.

### Carried

b) Special Committee of the Whole (Closed Session) Minutes – January 13, 2014 Item 1 – Joint CAO & Development Services & Infrastructure Services – Planning and Building Services Report 2013-56 – Strategic Property Acquisition.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Kerwin

i) THAT staff be authorized to take the necessary steps directed at the January 13, 2014 (morning session) Special Committee of the Whole (Closed Session) meeting regarding strategic properties.

### **Carried**

7. Committee of the Whole Minutes of January 13, 2014.

Moved by: Councillor Sponga  
Seconded by: Councillor Kerwin

a) THAT the Committee of the Whole Minutes of January 13, 2014 be received and the following recommendations be adopted:

8. PowerPoint presentation by Mr. Dave Gordon and Ms. Laura McDowell, Regional Municipality of York Environmental Services regarding the SM4RT Living Master Plan.

a) THAT the PowerPoint presentation by Mr. Dave Gordon and Ms. Laura McDowell, Regional Municipality of York Environmental Services regarding the SM4RT Living Master Plan be received.

9. Ms. Caroline Grech, Government Relations Specialist, CAA addressed the Committee regarding a Distracted Driving Campaign.

a) THAT the deputation by Ms. Caroline Grech, Government Relations Specialist, CAA regarding a Distracted Driving Campaign be received and supported.

10. Site Plan Review Committee Minutes of November 12, 2013.

a) THAT the Site Plan Review Committee Minutes of November 12, 2013 be received.



11. Item 1 of the Site Plan Review Committee Minutes of December 2, 2013 - Application for Site Plan Approval - 487 Queen Street - Brixton Commercial Realty Advisors Ltd with attached Site Plan Map.
  - a) THAT the application for Site Plan Approval to permit 16 stacked townhouse units together with a 21 space parking lot on the subject lands, be approved in principle and referred to staff for processing, subject to the following:
    - i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff;
    - ii) AND THAT Brent Fleming of Brixton Commercial Realty Advisors Ltd., 10 Kingsborough Crescent, Toronto, ON M9R 2T9 be notified of this decision.
12. Item 2 of Site Plan Review Committee Minutes of December 2, 2013 - 497 Timothy Street - 1805619 Ontario Inc. with attached Site Plan Map.
  - a) THAT the application for Site Plan Approval to permit a new restaurant having a gross floor area of 693.58 square metres on the subject lands, be approved in principle and referred to staff for processing, subject to the following:
    - i) THAT the preliminary review comments to the applicant be addressed to the satisfaction of Town staff;
    - ii) AND THAT the applicant work with the Building Division to add fenestration to the north (rear) and west (Cedar Street) elevations of the building;
    - iii) AND THAT Angela Sciberras of Macaulay Shiomi Howson Ltd., 471 Timothy Street, Newmarket, ON L3Y 1P9 be notified of this decision.
13. Special Central York Fire Services - Joint Council Committee Minutes of November 5, 2013.
  - a) THAT the Special Central York Fire Services - Joint Council Committee Minutes of November 5, 2013 be received.
14. Central York Fire Services - Joint Council Committee Minutes of November 5, 2013.
  - a) THAT the Central York Fire Services - Joint Council Committee Minutes of November 5, 2013 be received.
15. Central York Fire Services - Joint Council Committee (Closed Session) Minutes of November 5, 2013. (Circulated in separate envelope)

a) THAT the Central York Fire Services - Joint Council Committee (Closed Session) Minutes of November 5, 2013 be received.

16. Newmarket Public Library Board Minutes of October 23, 2013.

a) THAT the Newmarket Public Library Board Minutes of October 23, 2013 be received.

17. Newmarket Environmental Advisory Committee Minutes of September 4, October 2 and November 6, 2013.

a) THAT the Newmarket Environmental Advisory Committee Minutes of September 4, October 2 and November 6, 2013 be received.

18. Newmarket Downtown Development Subcommittee Minutes of November 29, 2013.

a) The Newmarket Downtown Development Subcommittee Minutes of November 29, 2013 be received.

19. Inclusivity Advisory Committee Minutes of November 27, 2013.

a) THAT the Inclusivity Advisory Committee Minutes of November 27, 2013 be received.

20. Item 3 of the Inclusivity Advisory Committee Minutes of November 27, 2013 regarding Amended Terms of Reference.

a) THAT the revised Inclusivity Advisory Committee Terms of Reference as attached be considered as the Terms of Reference for the 2014-2018 Inclusivity Advisory Committee.

21. Development and Infrastructure Services Report - Engineering Services 2013-58 dated October 20, 2013 regarding Main Street - Prohibiting the Use of skateboards, roller blades and bicycles on the sidewalk.

a) THAT Development and Infrastructure Services Report - Engineering Services 2013-58 dated October 20, 2013 regarding Main Street - Prohibiting the Use of skateboards, roller blades and bicycles on the sidewalk be received and the following recommendation be adopted:

i) THAT this report be forwarded to the Main Street District Business Improvement Area Board of Management for their consideration and recommendations.

22. List of Outstanding Matters.
  - a) THAT the list of Outstanding Matters be received.
23. Deputation by Craig Nelson, District Manager – Green for Life.
  - a) THAT the deputation request by Mr. Craig Nelson, District Manager – Green for Life be heard and that a 10 minute time frame be allotted.
  - b) THAT the deputation by Mr. Craig Nelson, District Manager - Green For Life and Mr. Brian Kent regarding waste collection issues be received.
24. Item 2 of Site Plan Review Committee Minutes of November 12, 2013 - Request for Exemption from Site Plan Approval - 380 Bayview Parkway.
  - a) Item 2 of Site Plan Review Committee Minutes of November 12, 2013 - Request for Exemption from Site Plan Approval - 380 Bayview Parkway be received and the following recommendations be adopted:
    - i) THAT the request for an exemption from Site Plan Approval for the proposed Hydrogen Sulfide (H<sub>2</sub>S) Reduction System at the Newmarket Pumping Station located on the subject lands be granted;
    - ii) AND THAT Davy Chan, Project Coordinator of the Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this decision.
25. Development and Infrastructure Services Report - Planning and Building Services – Planning Report 2014-02 dated January 13, 2014.
  - a) THAT Development and Infrastructure Services Report - Planning and Building Services - Planning Report 2014-02 dated January 13, 2014 be received and the following recommendations be adopted:
    - i) THAT the planning recommendations and comments with respect to the Review of Land Use Planning and Appeal System as set out in Attachment 1 be endorsed;
    - ii) AND THAT staff be directed to provide the planning recommendations and comments contained in Attachment 1 to the Ministry of Municipal Affairs and Housing, with a copy to the Regional Municipality of York.
26. a) THAT the Presentation by the Director of Legislative Services – Voting Method Options & Summary of Public Input and Corporate Services - Joint Legislative Services & Information Technology Services Report 2013-43 dated November

29, 2013 regarding "Voting Method Options, 2014 Municipal Election" and the Memorandum dated January 10, 2014 regarding Voting Method Options, 2014 Municipal Election be referred to a Special Committee of the Whole meeting scheduled for January 20, 2014 beginning at 1:30 p.m.;

b) AND THAT Development and Infrastructure Services Report – Engineering Services 2013-49 dated January 13, 2014 regarding the Checking Consultant Professional Consulting Services Contract Extension be referred to a Special Committee of the Whole meeting scheduled for January 20, 2014 beginning at 1:30 p.m.;

c) AND THAT Item 1 of the Committee of the Whole (Closed Session) agenda being a proposed or pending acquisition of land by the municipality be referred to a Special Committee of the Whole (Closed Session) meeting scheduled for January 20, 2014 immediately following the Special Committee of the Whole meeting at 1:30 p.m.

27. Motion by Councilor Kerwin.

Whereas in September 2012 the provincial government cancelled the 70 year old Ontario Ranger Program (ORP), formerly known as the Ontario Junior Ranger Program;

AND WHEREAS when the government cancelled the Ontario Ranger Program it claimed the Stewardship Youth Ranger Program (SYP), an existing day program would deliver the same experience and would offer more jobs;

AND WHEREAS this day program does not offer the same quality of experience youth gained under the previous ORP in respect to knowledge of resource management and without the distractions of daily life;

AND WHEREAS since 2012, 278 Ontario Ranger jobs have been eliminated;

AND WHEREAS in previous years more than half of the Ontario Rangers were students from large urban centres. By contrast this year, the current day program is just not accessible to those students in those urban centres;

AND WHEREAS when the government cancelled the ORP, many youths lost an opportunity for a once-in-a-lifetime experience because the ORP only required enrolment in an Ontario high school and acceptance into the program was based on a postal code lottery system;

AND WHEREAS cancellation of the 70 year old ORP does a disservice to public services in Ontario to those who have come to admire and respect the natural beauty of our province;

AND WHEREAS Conservation Authorities encourage students to learn about the importance of conserving our shared natural environment and what they can do to make a positive impact;

AND WHEREAS the provincial government committed \$295 million dollars in the 2013 provincial budget for youth employment;

THEREFORE be it resolved that the Town of Newmarket supports the Friends of the Ontario Ranger Program campaign to restore the Ontario Ranger Program in the 2014 provincial budget;

AND be it further resolved that the Town of Newmarket shall send a letter to Premier Kathleen Wynne and the Minister of Natural Resources, David Orazietti, urging their government to restore the Ontario Ranger Program for future generations of young people;

AND be it finally resolved that the Town of Newmarket forward this resolution for support to the York Region municipalities and the other 35 Conservation Authorities.

### **Carried**

28. Item 1 of Site Plan Review Committee Minutes of November 12, 2013 Application for Amendment to Site Plan Approval - 87 Mulock Drive with attached Site Plan Map.

Moved by: Councillor Sponga  
Seconded by: Councillor Hempen

a) THAT the application for Site Plan Approval to permit two additions on the north and west sides of the existing building having a total gross floor area of 576 square metres be approved in principle and referred to staff for processing subject to the following:

b) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff;

c) AND THAT Richard Wengle of Richard Wengle Architect Inc., 102 Avenue Road, Toronto, ON M5R 2H3 be notified of this decision;

d) AND THAT Frank Serpa of Serpa Investments Corporation, 10414 Yonge Street, Richmond Hill, ON L3C 3C3 be notified of this decision.

**Carried**

29. Development and Infrastructure Services Report – Public Works Services – ES 2014-05 dated January 13, 2014 regarding Garbage and Recycling Service Level Update.

Moved by: Councillor Kerwin

Seconded by: Regional Councillor Taylor

a) THAT staff continue to work with the Contractor (GFL) and the other municipal partners in good faith to resolve all issues and improve the Level of Service for collectible waste and;

b) THAT staff review any costs, losses and remedies of the municipality as a result of the issues encountered with the Contractor, and that staff be authorized to pursue any appropriate legal remedies provided for in the GFL Contract to recover these losses;

c) AND THAT GFL be required to provide a remediation plan and a signed commitment for Council and the residents of Newmarket within 14 days addressing levels of service, quality and quantity of trucks, staffing issues and preventative maintenance.

**Carried**

30. Corporate Services (Legal) Report 2013-14 dated December 12, 2013 regarding Update following the OMB Pre-Hearing with respect to Marianneville Developments Ltd. (Glenway)

Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

THAT Corporate Services (Legal) Report 2013-14 dated December 12, 2013 regarding Update following the OMB Pre-Hearing with respect to Marianneville Developments Ltd. (Glenway) be received for information and the following recommendations be approved:

i) THAT the Town of Newmarket direct its legal and planning representation to focus its efforts on the OMB approved two-phase hearing it sought on the unanimous direction of Council;

ii) AND THAT Council consider mediation/settlement on technical matters related to the proposed development of the Glenway lands once the principle of development has been dealt with by the OMB if necessary;

iii) AND THAT Council direct staff to continue with internal preparations related to technical issues should mediation/settlement discussions occur.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Hempen, Councillor Sponga, Councillor Twinney, Councillor Vegh, Councillor Emanuel,  
 Opposed: Councillor Di Muccio, Councillor Kerwin  
 (7 in favour, 2 opposed)

### **Carried**

31. Corporate Services Report - Financial Services 2014-02 dated December 5, 2013 regarding the 2014 Interim Tax Billing and By-law.

Moved by: Councillor Sponga  
 Seconded by: Councillor Hempen

THAT Corporate Services Report - Financial Services 2014-02 dated December 5, 2013 regarding the 2014 Interim Tax Billing and By-law be received and the following recommendation be approved:

- i) THAT Council enact a by-law for the levy and collection of the 2014 Interim Tax Levy.

### **Carried**

32. Committee of the Whole (Closed Session) Minutes of January 13, 2014.

Moved by: Councillor Sponga  
 Seconded by: Councillor Emanuel

THAT the Committee of the Whole (Closed Session) Minutes of January 13, 2014 be approved.

### **Carried**

Mayor Van Bynen advised that at the Committee of the Whole (Closed Session) meeting of January 13, 2014 the Director of Legal Services/ Municipal Solicitor provided legal advice surrounding the GFL Service Level Update.

a) Joint Development & Infrastructure Services and Corporate Services Report 2014-01 – Glenway Development Application Appeal to the Ontario Municipal Board.

Moved by: Councillor Emanuel  
Seconded by: Councillor Sponga

THAT Joint Development & Infrastructure Services and Corporate Services Report 2014-01 dated January 6, 2014 regarding Glenway development appeal to the Ontario Municipal Board be received and the following recommendation be adopted:

i) THAT staff continue to provide Council with regular updates including financial reporting leading up to and throughout the OMB hearing.

### **Carried**

33. Special Committee of the Whole of January 20, 2014 (Ratification of Actions).

a) Presentation by the Director of Legislative Services - Voting Method Options & Summary of Public Input.  
Corporate Services - Joint Legislative Services & Information Technology Services Report 2013-43 dated November 29, 2013 regarding "Voting Method Options, 2014 Municipal Election".

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Kerwin

THAT the presentation by the Director of Legislative Services - Voting Method Options & Summary of Public Input and Corporate Services - Joint Legislative Services & Information Technology Services Report 2013-43 dated November 29, 2013 regarding "Voting Method Options, 2014 Municipal Election" and Memorandum dated January 10, 2014 regarding Voting Method Options be received and the following recommendations, as amended, be adopted:

i) THAT Council endorse Option 1, "Use of Vote Counting Equipment and Optical Scanning Vote Tabulators" for use in the 2014 municipal election;

ii) AND THAT Council refer Option 2, "Use of Internet Voting" to the 2018 election to be reviewed within the first 12 months of the next term of Council;



iii) AND THAT a by-law be brought forward for consideration by Council to authorize the use of voting and vote-counting equipment in the 2014 municipal election in accordance with Section 42.1 (a) and (b) of the Municipal Elections Act, 1996.

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

### **Carried**

b) Development and Infrastructure Services Report - Engineering Services 2013-49 dated January 13, 2014 regarding the Checking Consultant Professional Consulting Services Contract Extension.

Moved by: Regional Councillor Taylor  
 Seconded by: Councillor Vegh

THAT Council approve the execution of the Professional Consulting Services Agreement with R.J. Burnside and Associates Limited for a period up to two (2) years from the date of Council approval to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;

i) AND THAT staff report back to Council after a year and a half with options regarding the Checking Consultant Professional Consulting Services Contract;

ii) AND THAT the Mayor and Town Clerk be authorized to execute the Professional services contract;

iii) AND THAT Mr. Dave Scomazzon, P.Eng. of R.J. Burnside and Associates Limited be notified of this action.

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

### **Carried**

34. Joint CAO & Commissioner of Development and Infrastructure Services Report (Closed Session) 2014-03 (proposed or pending acquisition of land)

Mayor Van Bynen advised that this matter was deferred at the January 13, 2014 Committee of the Whole (Closed Session) and was considered at the January 20, 2014 Special Committee of the Whole (Closed Session) meeting.

Moved by: Councillor Emanuel  
Seconded by: Councillor Kerwin

THAT Joint CAO & Commissioner of Development and Infrastructure Services (Closed Session) Report 2014-03 dated January 6, 2014 regarding a pending acquisition of land be received;

AND THAT the recommendations in Joint CAO and Commissioner of Development and Infrastructure Services Report 2014-03, as amended, be adopted.

**Carried**

## **By-laws**

35. By-laws 2014-01, 2014-02, 2014-03 and 2014-05.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Vegh

a) THAT By-laws 2014-01, 2014-02, 2014-03 and 2014-05 be enacted.

- |         |   |
|---------|---|
| 2014-01 | A by-law to impose an interim tax levy.   |
| 2014-02 | A by-law to regulate the erection and maintenance of signs and other advertising devices in the Town of Newmarket.  |
| 2014-03 | A by-law to amend By-law 2013-57 being a by-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Legislative Services - General Fees) |
| 2014-05 | A by-law to authorize the use of vote counting equipment and optical scanning vote tabulators.  |

**Carried**

Moved by: Councillor Di Muccio  
Seconded by: Councillor Twinney

b) THAT By-law 2014-04 being a by-law to appoint an Integrity Commissioner for the Town of Newmarket be deferred to the next scheduled Committee of the Whole meeting.

## **Carried**

## **Notices of Motions**

36. Councillor Di Muccio advised that she would be bringing forward a motion to the March 17, 2014 Committee of the Whole meeting with respect to the composition of Town Committees.

## **Announcements & Community Events**

37. a) Councillor Di Muccio advised that the Newmarket Seniors' Meeting Place is planning a bus trip to Casino Rama on January 28th. The bus leaves from the Ray Twinney Recreation Complex (100 Eagle Street West, back parking lot) at 9 a.m. and returns at 5 p.m. Ticket costs are \$2 for members and \$5 for guests. To get your tickets or for more information, please call 905-953-5325.
- b) Councillor Di Muccio advised that on Saturday, January 25, 2014 at the Magna Centre between 10 a.m. and 3 p.m. parents can meet with minor sports leagues for information and registration.
- c) Councillor Di Muccio noted the observance of January 20, 2014 as Martin Luther King Day in the U.S.A.
38. Councillor Sponga advised that the public is invited to a Public Information Centre on Tuesday, January 28<sup>th</sup> from 6:00 to 8:00 p.m. in the Mulock Room at the Municipal Offices, 395 Mulock Drive to discuss the proposed reconstruction of Second Street from Cotter Street to Prospect Street. Project drawings will be on display. Staff from Engineering Services and the Town's consulting engineers will be available to answer questions and provide information. For further information regarding this project please contact Tom Ungar at 905-953-5300 extension 2504 or email [tungar@newmarket.ca](mailto:tungar@newmarket.ca).
39. a) Councillor Hempen advised that the public may enter the 2014 Winterfest Photography Contest. Photographs, in colour or black and white, must be related to winter or the great outdoors and be ready to hang. Photos must be submitted in person at the Town of Newmarket Municipal Office, 395 Mulock Drive before Friday January 31<sup>st</sup>, maximum of 3 photos per person. Winners will be announced at Winterfest on February 1<sup>st</sup> at 1:00 p.m. or contacted by phone, and prizes will be awarded the following week. For registration forms and information please visit [www.newmarket.ca](http://www.newmarket.ca) under "Special Events" in Arts & Culture.

b) Councillor Hempen advised that the ARCH (Architecture, Recreation, Culture, Heritage) Committee invites eligible residents to enter a Logo Design Contest for Rebel Heartland. Submissions are being called for a logo commemorating events in Newmarket in 1837. Contestants must reside in Upper York Region. Entries must be received in person by Whitney Broydell at the Elman Campbell Museum (134 Main Street South) by 4:00 p.m. on January 24<sup>th</sup>. Information on the design parameters can be found online at [www.newmarket.ca](http://www.newmarket.ca) under “Headlines”. Prizes are \$500 for 1<sup>st</sup>, \$250 for 2<sup>nd</sup> and \$100 for 3<sup>rd</sup>. Winners will be announced on February 6<sup>th</sup> on the Town Page of the Era. For further information please call 905-953-5314.

40. Regional Councillor Taylor advised that Newmarket residents and groups pursuing the arts are invited to apply for a grant through the Newmarket Celebrates the Arts Grant Program. Grant categories include Youth (ages 17 and under), Post-Secondary Education (ages 18 to 25) and Projects/Events. Application deadline is 4:00 p.m. on February 21<sup>st</sup>, 2014. For more information, visit [www.newmarket.ca](http://www.newmarket.ca) or e-mail [artsgrants@newmarket.ca](mailto:artsgrants@newmarket.ca). Those looking to apply for ‘Newmarket Celebrates the Arts’ grants are invited to attend a grant writing workshop on Wednesday January 29<sup>th</sup> at the Newmarket Community Centre & Lions Hall #4 from 7:00 p.m. to 9:00 p.m.
41. a) Councillor Twinney congratulated the Newmarket Softball Association for receiving a \$60,800 trillium grant and on celebrating their 40<sup>th</sup> anniversary in 2014.  
  
b) Councillor Twinney invited the public to come out to the newly built ‘cool’ ice lounge at the Newmarket Riverwalk Commons, 200 Doug Duncan Drive. Join the conversation online with the #NewmarketIceLounge on Twitter, Facebook and Instagram, and you and 20 of your closest friends could win exclusive access to watch a live Canadian Olympic men’s hockey game with game day snacks provided by Pickle Barrel Newmarket. This contest runs now until February 16<sup>th</sup>, 2014. For more information, visit [www.newmarket.ca](http://www.newmarket.ca).
42. Councillor Kerwin advised that the public is invited to a Public Information Centre on Thursday February 6<sup>th</sup> from 6:00 to 8:00 p.m. in the Council Chambers of the Municipal Offices at 395 Mulock Drive to discuss the proposed reconstruction of Srigley Street from Prospect Street to Muriel Avenue. Project drawings will be on display. Staff from Engineering Services and the Town’s consulting engineers will be available to answer questions and provide information. For further information regarding this project please contact Tom Ungar at 905-953-5300 extension 2504 or email [tungar@newmarket.ca](mailto:tungar@newmarket.ca).

43. a) Councillor Vegh advised that the Ward 1 community drop in is on Tuesday February 4<sup>th</sup>, 2014 from 7:00 to 9:00 p.m. at the Magna Centre. The 40<sup>th</sup> Ward 1 drop-in was recently held on January 7<sup>th</sup>, 2014. Councillor Vegh thanked the public, Mayor Van Bynen and Regional Councillor Taylor for participating.
- b) Councillor Vegh invited the public to join in the fun at Newmarket's annual Winterfest event. Beginning Saturday February 1<sup>st</sup> at 8:00 a.m. at Newmarket Riverwalk Commons on Doug Duncan Drive, enjoy a \$1 pancake breakfast, family bingo, children's activities and more. The fun continues at Fairy Lake Park, Water Street from 10:00 a.m. to 3:00 p.m. with wagon rides, pony rides, children's games, train rides and hot food. Admission is free (select activities have a nominal fee). Winterfest continues on Sunday, February 2<sup>nd</sup> at the Ray Twinney Recreation Complex, 100 Eagle Street West with free public skating from noon to 2:00 p.m., and free public swimming from 1:00 to 4:00 p.m. Donations of non-perishable food items are welcome. For more information, please visit [www.newmarket.ca](http://www.newmarket.ca) or call 905-895-5193.
44. Councillor Kerwin advised that he would be available for speaking with residents at the Newmarket Public Library (lower level) on Saturday January 25<sup>th</sup> from 9:30 a.m. to 11:30 a.m.
45. Councillor Sponga congratulated the Newmarket Atom House League for their performance at the recent minor hockey tournament in Bradford. Councillor Sponga also congratulated the organizers of the annual Silverstick Tournament for another successful event.
46. a) Mayor Van Bynen congratulated the organizers of the Silverstick Tournament on their 25<sup>th</sup> anniversary and for organizing an event for 72 hockey teams from across North America.
- b) Mayor Van Bynen offered congratulations on behalf of the Members of Council and residents of the Town of Newmarket, to 15 year-old Newmarket resident Gabrielle Daleman for her second place finish at the Senior Women's Division at the National Figure Skating Championships on January 20<sup>th</sup>. She has earned a berth on the Canadian Figure Skating Team competing at the Sochi 2014 Olympic Games. We wish her well!
- c) Mayor Van Bynen advised that the next Council meeting is Monday, February 10<sup>th</sup> 2014 at 7 p.m.

## New Business

47. Councillor Twinney requested that staff report back on how sidewalk clearing is prioritized. The Commissioner of Development and Infrastructure Services responded that staff will provide information on snow clearing protocols and will look at snow clearing on Patterson Drive.
48. Councillor Di Muccio queried staff regarding staffing levels supporting the development of a post-secondary institution. The Chief Administrative Officer explained that Delta Consulting has been retained to facilitate post-secondary planning. The Acting Commissioner of Community Services outlined the consultants' role and explained that there is a Post-Secondary Working Group in place and outlined their role.
49. Councillor Di Muccio requested that the Council Code of Conduct review be brought back to a future Committee of the Whole meeting.
50. Councillor Vegh requested that staff circulate a map of the Town's primary and secondary sidewalk snow clearing routes, and that staff report back on why sidewalk plows drive on the road to move between routes. The Commissioner of Development of Infrastructure Services offered to circulate the related policy and bring a report on the matter back to a future Committee of the Whole meeting.
51. Councillor Kerwin requested that staff also report back on sidewalk snow clearing of corner lots and if it was possible to apply sand and salt to areas that are not cleared.

## Closed Session (if required)

None.

## Confirmatory By-law

52. By-law 2014-06.

Moved by: Councillor Sponga

Seconded by: Regional Councillor Emanuel

a) THAT By-law 2014-06 be enacted.

2014-06      A by-law to confirm the proceedings of Council at its meeting held on January 20, 2014.

## Carried

**Adjournment**

Moved by: Councillor Emanuel

Seconded by: Councillor Kerwin

THAT the meeting adjourn.

**Carried**

There being no further business, the meeting adjourned at 9:47 p.m.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk

The meeting of the Committee of the Whole was held on Monday, February 3, 2014 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen (5:00 to 6:01 p.m.; 7:00 to 10:12 p.m.)  
Regional Councillor Taylor  
Councillor Di Muccio (1:30 to 4:51 p.m.; 7:00 to 10:12 p.m.)  
Councillor Emanuel  
Councillor Hempen  
Councillor Kerwin  
Councillor Sponga  
Councillor Twinney  
Councillor Vegh

Staff Present: R.N. Shelton, Chief Administrative Officer  
R. Prentice, Commissioner of Development & Infrastructure Services  
A. Moore, Commissioner of Corporate Services  
I. McDougall, Commissioner of Community Services  
E. Armchuk, Director of Legal Services  
R. Nethery, Director of Planning and Building Services  
D. Ruggle, Senior Planner – Community Planning  
L. Lyons, Deputy Clerk  
A. Brouwer, Director of Legislative Services/Town Clerk  
L. Moor, Council/Committee Coordinator  
S. Niezen, Records and Projects Coordinator  
C. Finnerty, Council/Committee Coordinator  
J. Patel, Project Support Business Analyst

Regional Councillor Taylor in the Chair.

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



## **Additions & Corrections to the Agenda**

Moved by: Councillor Vegh  
Seconded by: Councillor Twinney

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

**Carried**

## **Declarations of Pecuniary Interest**

None.

## **Presentations & Recognitions**

None.

## **Deputations**

1. Mr. Steve Hinder, Chair - Run/Walk Committee - Southlake Regional Health Centre Foundation addressed the Committee with a PowerPoint presentation to launch the Municipal Challenge in support of the Run/Walk for Southlake event.

Moved by: Councillor Emanuel  
Seconded by: Councillor Sponga

THAT the PowerPoint presentation by Mr. Steve Hinder, Chair - Run/Walk Committee - Southlake Regional Health Centre Foundation regarding launch of the Municipal Challenge in support of the event be received.

**Carried**

2. Mr. Gary Worters addressed the Committee regarding Council attendance records and paid vacation days. He distributed a package of documents to Members of Council and the Town Clerk.

Moved by: Councillor Vegh  
Seconded by: Councillor Twinney

THAT the deputation by Mr. Gary Worters regarding Council attendance records and paid vacation days be received.

**Carried**

## Consent Items

Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

THAT the following items be adopted on consent:

3. Correspondence from Ms. Lorraine LeBlanc, Executive Director, Alzheimer Society of Sudbury-Manitoulin requesting endorsement of a National Dementia Strategy.
  - a) THAT the correspondence from Ms. Lorraine LeBlanc, Executive Director, Alzheimer Society of Sudbury-Manitoulin be received and the following recommendations be adopted:
  - b) THAT the Town of Newmarket endorse a resolution working towards adopting a National Dementia Strategy;
  - c) AND THAT the endorsement be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)
4. Correspondence dated January 3, 2014 from Beverly Verwey, Branch Council Chair, Canadian Red Cross requesting proclamation of March, 2014 as "Red Cross Month" in the Town of Newmarket.
  - a) THAT the correspondence dated January 3, 2014 from Beverly Verwey, Branch Council Chair, Canadian Red Cross be received and the following recommendations be adopted:
  - b) THAT the Town of Newmarket proclaim March, 2014 as "Red Cross Month";
  - c) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)
5. Correspondence dated November 27, 2013 from Ms. Natasha Bowes, Fundraising Coordinator, Autism Ontario requesting April 2, 2014 be proclaimed "World Autism Awareness Day" in the Town of Newmarket.
  - a) THAT the correspondence dated November 27, 2013 from Ms. Natasha Bowes, Fundraising Coordinator, Autism Ontario be received and the following recommendations be adopted:
  - b) THAT the Town of Newmarket proclaim April 2, 2014 as "World Autism Awareness Day" in the Town of Newmarket;

c) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

6. Correspondence received January 23, 2014 from Ms. Karima Panjwani, Program and Outreach Coordinator, Epilepsy York Region requesting proclamation of March, 2014 as 'Epilepsy Awareness Month' and March 26, 2014 as 'Purple Day for Epilepsy' in the Town of Newmarket.

a) THAT the correspondence dated January 23, 2014 from Ms. Karima Panjwani, Program and Outreach Coordinator, Epilepsy York Region be received and the following recommendations be adopted:

b) THAT the Town of Newmarket proclaim March, 2014 as 'Epilepsy Awareness Month' and March 26, 2014 as 'Purple Day for Epilepsy' in the Town of Newmarket;

c) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town website [www.newmarket.ca](http://www.newmarket.ca)

7. Newmarket Public Library Board Minutes of November 20 and December 18, 2013.

a) THAT the Newmarket Public Library Board Minutes of November 20 and December 18, 2013 be received.

8. Accessibility Advisory Committee Minutes of October 15, 2013 and April 16, 2013.

a) THAT the Accessibility Advisory Committee Minutes of October 15, 2013 and April 16, 2013 be received.

9. Heritage Newmarket Advisory Committee Minutes of December 17, 2013, December 3, 2013 and November 5, 2013.

a) THAT the Heritage Newmarket Advisory Committee Minutes of December 17, December 2 and November 5, 2013 be received.

10. Item 1 of the Heritage Newmarket Advisory Committee Minutes of December 17, 2013 regarding Clock Tower Development.

THAT the following recommendations be addressed through a follow-up report after the Statutory Public Meeting is held.

a) THAT the three storey structure limit on development projects in the downtown core be upheld according to the Town of Newmarket Official Plan and the Heritage Conservation District Plan;

b) AND THAT the application for the Zoning By-law Amendment as submitted by Main Street Clock Inc., be rejected.

11. Joint NEDAC/Council Workshop Notes of January 16, 2014.

a) THAT the Joint NEDAC/Council Workshop Notes of January 16, 2014 be received for information purposes.

12. Development and Infrastructure Services - Planning and Building Services Report 2014-01 dated January 16, 2014 regarding 2013 Year-End Servicing Allocation Capacity Monitoring Chart.

THAT Development and Infrastructure Services - Planning and Building Services Report 2014-01 dated January 16, 2014 regarding the 2013 Year-End Servicing Allocation Capacity Monitoring Table be received and the following recommendations be adopted:

a) THAT the Servicing Allocation Capacity Monitoring Table attached as Appendix 'A' be adopted;

b) AND THAT Gabrielle Hurst, Community Planning, Planning and Infrastructure Integration, York Region, 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this action.

13. Development and Infrastructure Services Report - Engineering Services 2014-02 dated January 23, 2014 regarding South-east Newmarket - Parking Restrictions.

THAT Development and Infrastructure Services Report - Engineering Services 2014-02 dated January 23, 2014 regarding South-east Newmarket - Parking Restrictions be received and the following recommendations be adopted:

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

Road	Side	Between	Prohibited Times
Shortreed Terrace	North/ West	Bob Gapp Drive to Art Westlake Avenue	Anytime
Art Westlake Avenue	North	Atkins Drive to McCron Crescent	Anytime
McCron Crescent	North/ East	Atkins Drive to cul-de-sac terminus	Anytime
Blencowe Crescent	North/ East/ South (outer)	Memorial Circle to Atkins Drive	Anytime
Bob Gapp Drive	East	Memorial Drive to terminus	Anytime
McTavish Drive	North	Cenotaph Boulevard to Blencowe Crescent	Anytime
Atkins Drive	North	Cenotaph Boulevard to Blencowe Crescent	Anytime
Quick Street	West	Atkins Drive to Stuffles Crescent	Anytime
Stuffles Crescent	South/ East/ North (inner)	Quick Street to Atkins Drive	Anytime
Cenotaph Boulevard	South	Leslie Street to Memorial Circle	Anytime
Sherman Brock Circle	West	Veterans Way to Cenotaph Boulevard	Anytime
Blackhall Crescent	East/ West/ North (inner)	Veterans Way to Veterans Way	Anytime

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

14. Development and Infrastructure Services Report - ES 2014-04 dated February 3, 2014 regarding Proposed Sidewalk - Second Street.

THAT Community Services Report - ES 2014-04 dated February 3, 2014 regarding a Proposed Sidewalk on Second Street be received and the following recommendations be adopted:

a) THAT a sidewalk not be constructed on Second Street in accordance with the Town of Newmarket Sidewalk Installation Policy, PWES 1-01.

15. Development and Infrastructure Services Report - Engineering Services 2014-06 dated January 17, 2014 regarding Timothy Street - Temporary Parking Permit.

THAT Development and Infrastructure Services Report - Engineering Services 2014-06 dated January 17, 2014 regarding Timothy Street - Temporary No Parking by Permit Only be received and the following recommendations be adopted:

a) THAT the two westerly on-street parking spaces on Timothy Street west of Main Street be temporarily "No Parking by Permit Only" with the exception of the residents of 216 Market Square;

b) AND THAT the residents of 216 Market Square be issued two (2) parking permits to be displayed in the vehicles to permit parking in these two spaces;

c) AND THAT when legal access to 216 Market Square can be re-instated, the removal of the Temporary No Parking by Permit Only spaces be at the discretion of the Director of Engineering Services.

16. Development and Infrastructure Services - Public Works Services Report 2014-08 dated January 22, 2014 regarding Emerald Ash Borer Long Term Management Plan - Update.

THAT Development and Infrastructure Services - Public Works Services Report 2014-08 dated January 22, 2014 regarding Emerald Ash Borer Long Term Management Plan - Update be received and the following recommendations be adopted:

a) THAT the staff continue to proceed with the proposed recommendations in the Town of Newmarket Emerald Ash Borer Long Term Management Plan;

b) AND THAT staff report back to Council in the fall of 2014 with an annual update on the Emerald Ash Borer Long Term Management Plan;

c) AND THAT annual EAB reports are provided to NEAC for comment.

17. Appointment Committee Minutes of January 21, 2014.

THAT the Appointment Committee Minutes of January 21, 2014 be received.

18. Item 1 of Appointment Committee Minutes of January 21, 2014.

THAT the Appointment Committee recommends that Council maintain consistency with the past practice of not filling vacancies on any boards and committees during the last year of the term unless an appointment is needed to meet the committee's quorum requirements.

19. Joint Information Report 2014-01 dated January 24, 2014 regarding Post-Secondary Update.

THAT Joint Report Community Services/Economic Development and Chief Administrative Officer 2014-02 dated January 24, 2014 regarding an update on Provincial direction for post-secondary investment and subsequent local response be received for information.

20. Correspondence dated January 31, 2014 from Mr. John Blommestein regarding the elimination of user fees charged to sports leagues.

**Carried**

### **Consideration of Items Requiring Separate Discussion**

21. Community Services - Recreation and Culture - Community Services - Economic Development Joint Report 2014-01 dated January 6, 2014 regarding Docs on Ice - Follow-Up.

Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

THAT Community Services - Recreation and Culture and Community Services - Economic Development Joint Report 2014-01 dated January 6, 2014 regarding Docs on Ice - Follow Up be received and the following recommendations be adopted:

a) THAT Council decline the original Docs on Ice donation request to waive the fees for the \$16,750.70 ice contract as presented at the September 9, 2013 Council meeting;

b) AND THAT Council direct staff to offer the following to event organizers:

c) The Town invest \$3,500 towards the event through economic development (advertising/positioning opportunity for the town, CreateIT, etc.) in exchange for a Gala Dinner and Player Lounge Sponsorship;

d) The Town reduce the ice contract by \$10,000 subject to an agreement being reached with organizers that \$10,000 from event proceeds be invested back to the Town to be held in a reserve account to financially assist youth at risk to participate in recreation and culture programming with funding criteria to be developed following the completion of the Recreation Master Plan process (Recreation Playbook);

e) The organizers be responsible to pay the remaining balance of the ice contract (\$3,250.70);

f) AND THAT Docs on Ice organizers be contacted to discuss and confirm this action.

### **Carried**

22. Development and Infrastructure Services Report - Engineering Services 2014-03 dated February 3, 2014 regarding North-west Newmarket - Parking Restrictions.

Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

THAT Development and Infrastructure Services Report - Engineering Services 2014-03 dated February 3, 2014 regarding North-west Newmarket - Parking Restrictions be received and the following recommendations be adopted:

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



Road	Side	Between	Prohibited Times
Fred Curran Lane	North/ West	Art West Avenue to terminus	Anytime
Clifford Perry Place	Both	Bathurst Street to Elvidge Trail	Anytime
Clifford Perry Place	South	Elvidge Trail to Lot #73	Anytime
Clifford Perry Place	West/ South (inner)	Lot #73 to Elvidge Trail	Anytime
Elvidge Trail	West	Clifford Perry Place to terminus	Anytime
Prest Way	North/ West	Clifford Perry Place to Elvidge Trail	Anytime
Luck Court	North	Prest Way to terminus	Anytime
Laker Court	North	Prest Way to terminus	Anytime
Gord Clelland Gate	East	Woodspring Avenue to Sloss Court	Anytime
Sloss Court	North/ West	Gord Clelland Gate to south terminus	Anytime

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

### **Carried**

23. Joint CAO/Commissioner - Corporate Services Report 2014-04 dated January 23, 2014 regarding the Draft Council Code of Conduct.

Moved by: Councillor Di Muccio  
 Seconded by: Councillor Twinney

THAT Joint CAO/Commissioner - Corporate Services Report 2014-04 dated January 23, 2014 regarding the Draft Council Code of Conduct be received and that the Council Code of Conduct, including community engagement feedback be implemented in this term of office.

### **Motion Lost**

The recommendations were replaced with the following:

‘THAT the draft Council Code of Conduct be referred to the new term of Council and an Integrity Commissioner be appointed on an as needed basis.’

Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

THAT Joint CAO/Commissioner – Corporate Services Report 2014-04 dated January 23, 2014 regarding the Draft Council Code of Conduct be received and the following recommendation be adopted:

a) THAT the draft Council Code of Conduct be referred to the new term of Council and an Integrity Commissioner be appointed on an as needed basis.

**Carried**

24. List of Outstanding Matters.

Moved by: Councillor Kerwin

Seconded by: Councillor Sponga

THAT the list of Outstanding Matters be received.

**Carried**

## **Action Items**

None.

## **Correspondence & Petitions**

None.

## **Reports by Regional Representatives**

None.

## **Notices of Motion**

None.

The Committee recessed at 3:09 p.m.

The Committee reconvened at 3:21 p.m.

## Motions

25. Moved by Councillor Emanuel  
Seconded by Councillor Hempen

THAT the motion by Councillor Di Muccio regarding not-for-profit minor sports organizations and a phase out of user fees as per specific criteria be referred to staff to review through the Recreation Master Plan process and the Service Pricing Policy review.

### Carried

26. Resolution - Ice Storm Cost Recovery – Claim for Assistance under the Ontario Disaster Relief Assistance Program (ODRAP).

Moved by: Councillor Emanuel  
Seconded by: Councillor Kerwin

THAT the following resolution be forwarded to the Ontario Disaster Relief Assistance Program:

WHEREAS the municipality of the Town of Newmarket recently experienced an ice storm on December 21-22, 2013 and has experienced substantial damage to municipal property and infrastructure, the Council of the Town of Newmarket hereby requests the Minister of Municipal Affairs and Housing to declare the Town of Newmarket a “disaster area” for the purposes of the Ontario Disaster Relief Assistance Program (ODRAP).

### Carried

## New Business

27. Councillor Di Muccio requested clarification regarding a motion made in 2013 regarding a Freedom of the City – Queen’s York Rangers celebration in honour of the birth Prince George, son of the Duke and Duchess of Cambridge. The Director of Recreation and Culture advised that a report will be forthcoming outlining the plans related to this matter.

The Committee recessed at 4:38 p.m.

The Committee reconvened at 4:49 p.m.

## Closed Session

28. Moved by: Councillor Kerwin  
Seconded by: Councillor Twinney

THAT the Committee of the Whole resolve into a Closed Session for the purpose of discussing a proposed acquisition of land by the municipality; potential litigation of a Committee of Adjustment Appeal to the Ontario Municipal Board and personal matters about an identifiable individual.

### Carried

The Committee resolved into Closed Session at 4:51 p.m.

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

The Committee resumed into Public Session at 6:00 p.m.

The Committee recessed at 6:01 p.m.

## Public Hearing Matters

Mayor Van Bynen assumed the Chair.

The continuation of the Committee of the Whole was called to order at 7:05 p.m.

29. Public Meeting Notice, Development and Infrastructure Services Report - Planning and Building Services 2013-55 dated November 14, 2013 regarding Application for Zoning By-law Amendment - Main Street Clock Inc.

Mayor Van Bynen welcomed the public to the Committee of the Whole meeting. He advised that the *Planning Act* requires the Town to hold at least one Public Meeting on any proposed Zoning By-law Amendment Application.

Mayor Van Bynen advised that the purpose of the meeting was to hear from anyone who has an interest in the Application for Zoning By-law Amendment by Main Street Clock Inc. The Committee of Whole will not be making a decision regarding the proposed application, but will refer all written and verbal comments to Planning Staff to consider in a report that will be brought forth to a future meeting of the Committee of the Whole or Council.

Mayor Van Bynen advised that in accordance with the *Planning Act*, if a person or public body does not make oral submissions at a public meeting or make written submission to the Town of Newmarket in respect of a proposed Zoning By-law Amendment, the person or public body is not entitled to appeal the decision of Town Council to the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Mayor Van Bynen further advised that it is very important that the Town receive the correct names and addresses of individuals having an interest in this planning application. Therefore, if members of the public want to be notified of any further Committee or Council meetings concerning the application to please complete the “Interested Parties Form” available at reception.

Mayor Van Bynen requested that residents keep their remarks to less than 5 minutes, and representatives of groups or organizations may speak for up to 10 minutes. When coming forward to speak, state your name and address for the Clerk’s record. While everyone is entitled to address Council, it is not necessary to repeat comments already stated.

Mayor Van Bynen further advised that if residents are not comfortable providing oral comments, they can provide written comments to the Clerk’s staff. If they have already written in to the Town, their comments have been received and they are on record and will be considered in the final report.

Mayor Van Bynen requested that residents be respectful of everyone in the room, turn mobile devices off or to silent mode and remain quiet while others are speaking.

Mayor Van Bynen described the format for the meeting as follows:

- The Applicant will make a presentation on the application before Council;
- Council members will have an opportunity to ask questions of clarification of the applicant;
- The members of the public who have formally made a deputation request will be heard;
- Following these presentations, members of the public will be invited to offer their comments or questions respecting the proposal;
- The Applicant or Staff will be invited to respond to the public comments or questions in addition to any questions or clarification requested by Council;
- Next Steps: Council will not deal with the proposal tonight but will refer the matter back to staff for a report and any people who have requested further notification in writing to the Clerk will be notified when this matter comes forward;

- Adjournment of meeting

30. PowerPoint Presentation by Mr. Chris Bobyk, Forrest Group regarding Application for Zoning By-law Amendment - Main Street Clock Inc.

Moved by: Councillor Emanuel  
Seconded by: Councillor Kerwin

THAT Mr. Chris Bobyk, Forrest Group and Ms. Sharon Vattay, Heritage Planning Consultant be allotted 15 minutes for their presentation.

### **Carried**

Mr. Bobyk and Ms. Vattay addressed the Committee providing details of the Application for Zoning By-law Amendment for the property known as Main Street Clock Inc.

Moved by: Councillor Emanuel  
Seconded by: Councillor Sponga

THAT Mr. Chris Bobyk, Forrest Group and Ms. Sharon Vattay, Heritage Planning Consultant be allotted an additional 5 minutes for their presentation.

### **Carried**

Members of Council queried Mr. Bobyk regarding aspects of the proposed development including, the proposed land exchange between the Town and the developer, the amount of proposed parking, preserving the heritage aspects of the buildings, and the size of the units in the proposed development.

## **Correspondence & Petitions**

31. Correspondence received January 31, 2014 from Mr. David Kempton regarding Clock Tower development
32. Correspondence received January 31, 2014 from Ms. Peggy Stevens regarding Clock Tower development.
33. Correspondence dated January 29, 2014 from Mr. Paul Montador regarding Clock Tower development.
34. Correspondence dated January 30, 2014 from Ms. Jackie Playter regarding Clock Tower development.

35. Correspondence received January 31, 2014 from Mr. Don Jackson regarding Clock Tower development.
36. Correspondence received February 2, 2014 from Mr. Gerald Fox regarding Clock Tower development.
37. Correspondence received February 2, 2014 from Mr. Art Weis regarding Clock Tower development.
38. Correspondence dated February 3, 2014 from Mr. Tim McClure regarding Clock Tower development.

### **Deputations**

39. Mr. David Kempton, resident, addressed the Committee in support of the Clock Tower development. He stated that the increase in population is needed to support local businesses. He requested that Council consider reducing the amount of required parking spaces.
40. Ms. Peggy Stevens, resident, addressed the Committee in support of the Clock Tower development. She stated that an increase in population was required to revitalize Main Street.
41. Mr. Greg King, resident, addressed the Committee in support of the Clock Tower development. He stated that this type of development was needed to attract people to the businesses, and that heritage should be preserved but the neighbourhood needs to continue to evolve.
42. Mr. Siegfried Wall, business owner on Main Street, addressed the Committee regarding concerns related to parking, the proposed land exchange and garbage collection.
43. Ms. Judy Perry, resident, addressed the Committee regarding the Heritage Conservation District plan passed in October, 2013 and requested that Council uphold that plan.
44. Mr. Chris Morris, resident, addressed the Committee with questions regarding the possibility of damage to existing foundations due to construction and excavation required for proposed underground parking.
45. Mr. Malcolm Watts, resident, addressed the Committee regarding concerns related to parking, and how the proposed development would alter the skyline of the Heritage Conservation District.

46. Ms. Margaret Davis, resident, addressed the Committee regarding preserving the heritage of the neighbourhood and parking concerns in the area.
47. Mr. Gordon Prentice, resident, addressed the Committee regarding specific concerns related to the possibility that shadows from the proposed condominium tower would block sunlight to the stained glass windows of Trinity United Church.
48. Mr. Ross Caister, resident, addressed the Committee regarding the proposed development and the Heritage Conservation Plan.
49. Mr. Athol Hart, resident, addressed the Committee regarding the Secondary Plan and the Heritage Conservation District Plan, the location of development within Newmarket and maintaining a buffer along the edge of the Heritage Conservation District.
50. Ms. Heather Burling, resident, addressed the Committee regarding concerns about traffic congestion and parking.

Moved by: Councillor Sponga  
 Seconded by: Councillor Kerwin

THAT Ms. Heather Burling be allotted an additional 5 minutes for her deputation.

### **Carried**

51. Mr. Tom Taylor, resident, addressed the Committee regarding the proposed development and the Town's Official Plan. He requested that parking and traffic patterns be carefully scrutinized, a freeze be put on development on Main Street from Millard Avenue to Water Street for one year, that the Town retain expertise to investigate the feasibility of increasing higher density residential development in the Central Community Improvement Policy Area (Schedule F of the Official Plan) and that this coincide with the one year moratorium on development.
52. Mr. Miguel Rebelo, business owner on Main Street, addressed the Committee regarding the potential of the proposed development blocking sunlight to his building and parking and traffic concerns.
53. Mr. Dave Partington, resident, addressed the Committee in support of the proposed development. He stated that this type of development is needed to bring younger people downtown.
54. Mr. Chris Howie, resident, addressed the Committee regarding parking concerns and changing the skyline of Main Street.



55. Mr. Robert Buchan, President of the Newmarket Historical Society, addressed the Committee regarding the support of the Newmarket Historical Society for the Heritage Conservation District Plan. He advised that while the Newmarket Historical Society supports development of historical buildings, historic Main Street is fragile and should be preserved.
56. Mr. Ali Mohammed Taher, business owner on Main Street, addressed the Committee regarding the need for development in the area of downtown Main Street.
57. Mr. John Dowson, resident, addressed the Committee regarding the previous Community Improvement Plan, and current downtown development initiatives.
58. Ms. Shalie Jelinek, resident, addressed the Committee regarding current parking issues in the downtown area. The Commissioner of Development and Infrastructure Services explained that there is a Downtown Parking Review Task Force and that the next step is to establish a long term parking plan to address potential development and what can be done to facilitate more parking.
59. Mr. Tim Del Grande, resident, addressed the Committee regarding concerns about traffic patterns and driving visibility, parking issues and that the proposed condominium tower façade does not fit with the heritage aspect of the building.
60. Mr. Jim Fitten, resident, addressed the Committee regarding overall development in Newmarket and how the proposed development concept drawing does not currently enhance the heritage look of Main Street.
61. Ms. Anne Martin, business owner on Main Street, addressed the Committee regarding concerns about the management of the construction site should development proceed including truck access to the site, situation of construction trailers, contractors parking requirements and potential locations of large excavation equipment.
62. Mr. Doug Booth, resident, addressed the Committee on behalf of the Council and Trustees of Trinity United Church. He expressed concerns regarding construction in the area that could potentially affect the water table and streams, possible damage to the church foundation, parking and traffic issues, and shadowing on the church property from the condominium tower.
63. Mr. Art Weis, resident, addressed the Committee in support of the Clock Tower development. He explained that heritage is more than just preservation, but is also about preserving a vibrant commercial district.

64. Ms. Jackie Playter, business owner on Main Street, addressed the Committee regarding the need to maintain business and keep Main Street viable. She advised that she supported the development because of the need to increase density downtown.

Members of Council queried Mr. Bobyk regarding closed storefronts located on the property. Mr. Bobyk advised that boards have been placed as per the Town's property standards by-law and painted to match the existing storefront.

Moved by: Councillor Sponga  
Seconded by: Councillor Di Muccio

THAT the presentation, deputations and correspondence related to the Application for Zoning By-law Amendment - Main Street Clock Inc. be received.

### **Carried**

The Director of Planning and Building Services advised of the next steps associated with the planning process being a report back from staff to a future Committee of the Whole meeting.

### **Adjournment**

Moved by: Councillor Kerwin  
Seconded by: Councillor Emanuel

THAT the meeting adjourn.

### **Carried**

The meeting adjourned at 10:12 p.m.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk



## CORPORATION OF THE TOWN OF NEWMARKET

### BY-LAW NUMBER 2014-07

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

(Schedule XII – Parking for Restricted Periods)

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 Section XII of the Parking By-law 1993-62, as amended, be further amended to temporarily include in Schedule XII (Parking for Restricted Periods) – the two westerly on-street parking spaces on Timothy Street west of Main Street to be “No Parking by Permit Only” with the exception of the residents of 216 Market Square in order to allow Parking Enforcement staff to ticket and/or tow unauthorized vehicles and to allow unobstructed parking access to the residents of 216 Market Square during infrastructure improvements under Contract P.50.12.2010;
2. AND THAT the residents of 216 Market Square be issued two (2) parking permits to be displayed in the vehicles to permit parking in these two spaces;
3. AND THAT when legal access to 216 Market Square can be re-instated, the removal of the temporary “No Parking by Permit Only” spaces be at the discretion of the Director of Engineering Services.

ENACTED THIS 10TH DAY OF FEBRUARY, 2014.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk



**CORPORATION OF THE TOWN OF NEWMARKET**

**BY-LAW NUMBER 2014-08**

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) – North-west Newmarket – Parking Restrictions)]

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

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

THAT 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
Fred Curran Lane	North/ West	Art West Avenue to terminus	Anytime
Clifford Perry Place	Both	Bathurst Street to Elvidge Trail	Anytime
Clifford Perry Place	South	Elvidge Trail to Lot #73	Anytime
Clifford Perry Place	West/ South (inner)	Lot #73 to Elvidge Trail	Anytime
Elvidge Trail	West	Clifford Perry Place to terminus	Anytime
Prest Way	North/ West	Clifford Perry Place to Elvidge Trail	Anytime
Luck Court	North	Prest Way to terminus	Anytime
Laker Court	North	Prest Way to terminus	Anytime
Gord Clelland Gate	East	Woodspring Avenue to Sloss Court	Anytime
Sloss Court	North/ West	Gord Clelland Gate to south terminus	Anytime

ENACTED THIS 10TH DAY OF FEBRUARY, 2014.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk



**CORPORATION OF THE TOWN OF NEWMARKET**

**BY-LAW NUMBER 2014-09**

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) – South-east Newmarket – Parking Restrictions)]

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

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

THAT 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
Shortreed Terrace	North/ West	Bob Gapp Drive to Art Westlake Avenue	Anytime
Art Westlake Avenue	North	Atkins Drive to McCron Crescent	Anytime
McCron Crescent	North/ East	Atkins Drive to cul-de-sac terminus	Anytime
Blencowe Crescent	North/ East/ South (outer)	Memorial Circle to Atkins Drive	Anytime
Bob Gapp Drive	East	Memorial Drive to terminus	Anytime
McTavish Drive	North	Cenotaph Boulevard to Blencowe Crescent	Anytime
Atkins Drive	North	Cenotaph Boulevard to Blencowe Crescent	Anytime
Quick Street	West	Atkins Drive to Stuffles Crescent	Anytime
Stuffles Crescent	South/ East/ North (inner)	Quick Street to Atkins Drive	Anytime
Cenotaph Boulevard	South	Leslie Street to Memorial Circle	Anytime
Sherman Brock Circle	West	Veterans Way to Cenotaph Boulevard	Anytime
Blackhall Crescent	East/ West/ North (inner)	Veterans Way to Veterans Way	Anytime

ENACTED THIS 10TH DAY OF FEBRUARY, 2014.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk



## CORPORATION OF THE TOWN OF NEWMARKET

### BY-LAW NUMBER 2014-10

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL  
– FEBRUARY 10TH, 2014.

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

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

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

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

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

ENACTED THIS 10TH DAY OF FEBRUARY, 2014.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk