

The meeting of the Council was held on Monday, February 10, 2014 in Council Chambers, 395 Mulock Drive, Newmarket.

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

Absent: Councillor Hempen

Staff Present: I. McDougall, Acting Chief Administrative Officer
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
C. Finnerty, Council / Committee Coordinator

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

Mayor Van Bynen in the Chair.

Public Notices

None.

Additions & Corrections to the Agenda

Moved by: Councillor Emanuel

Seconded by: Councillor Kerwin

THAT the order of the agenda be altered by removing the deputation by Mr. Rick Coffin, Canadian Union of Postal Workers as the matter was withdrawn by the deputant.

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

1. [Presentations regarding the Heritage Community Recognition Program.](#)

Mayor Van Bynen presented the Ontario Cultural Heritage Achievement Award to Mr. Rod Bruton and thanked him for his contribution to the Historical Society and Museum.

Mayor Van Bynen recognized Athol Hart for being awarded the Lieutenant Governor Ontario Heritage award, thanked him for his contribution to heritage conservation and advised that he would receive the award at a formal presentation at Queen's Park this month.

Deputations

2. [Ms. Joy Hulton, Chair and Ms. Brenda Northey, Executive Director, Inn from The Cold addressed Council regarding Coldest Night of the Year 2014.](#)

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

THAT the deputation by Ms. Joy Hulton, Chair and Ms. Brenda Northey, Executive Director, Inn from The Cold regarding Coldest Night of the Year 2014 be received.

Carried

Approval of Minutes

4. [Council Minutes of January 20, 2014.](#)

Moved by: Councillor Di Muccio
Seconded by: Councillor Emanuel

THAT the Council Minutes of January 20, 2014 be approved.

Carried

Correspondence & Petitions

None.

Reports by Regional Representatives

5. a) Regional Councillor Taylor advised that Waste Diversion Ontario has released their rankings for municipalities in Ontario and that York Region was highly ranked this year with a diversion rate of 57.25 % of waste from landfills.

b) Regional Councillor Taylor advised that the York Region Human Services Planning Board was undertaking an initiative to encourage private rental housing. The program is called Make Rental Happen. A challenge has gone out to post-secondary students to innovate solutions for potential rental options. The contest can be followed on Twitter at #MakeRentalHappen.

c) Mayor Van Bynen advised of a recent meeting to discuss the economic impact of traffic congestion in the Greater Toronto Area. Matters discussed included funding for transit, the gas tax, and sales tax revenues.

Reports of Committees and Staff

6. [Committee of the Whole Minutes of February 3, 2014.](#)

Moved by: Councillor Kerwin
Seconded by: Councillor Emanuel

THAT the Committee of the Whole Minutes of February 3, 2014 be received and the following recommendations be adopted:

7. 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.
8. THAT the deputation by Mr. Gary Worters regarding Council attendance records and paid vacation days be received.
9. 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

10. 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.

11. 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.

12. 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

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. Appointment Committee Minutes of January 21, 2014.

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

24. 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.

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

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

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.

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

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

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.

29. List of Outstanding Matters.

THAT the list of Outstanding Matters be received.

30. 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.

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

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).

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

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

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

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

34. 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.

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

Carried

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

Moved by: Regional Councillor Taylor
Seconded by: Councillor Kerwin

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.

Carried

36. [Committee of the Whole \(Closed Session\) Minutes of February 3, 2014.](#)

Moved by: Councillor Emanuel
Seconded by: Councillor Sponga

THAT the Committee of the Whole (Closed Session) Minutes of February 3, 2014 be approved.

Carried

37. Committee of the Whole (Closed Session) Minutes February 3, 2014 – Item 1 – CAO/Community Services Report –Economic Development and Development and Infrastructure Services – Planning Joint Closed Session Report 2014-06 Post-Secondary Education Property Matter.

Moved by: Councillor Di Muccio
Seconded by: Councillor Emanuel

THAT Council direct the CAO to continue to work on property matters related to potential land acquisition specific to post-secondary education while continuing to provide updates to Council;

AND THAT any land acquisition agreement be subject to Council approval.

Carried

38. Committee of the Whole (Closed Session) Minutes February 3, 2014 – Item 2 – Corporate Services (Legal Services) Closed Session Report 2014-01 – Appeal to the Ontario Municipal Board From a Decision of the Committee of Adjustment

Moved by: Councillor Sponga
Seconded by: Regional Councillor Taylor

THAT Corporate Services (Legal Services) Closed Session Report 2014-01 dated January 29, 2014 regarding the appeal to the Ontario Municipal Board by the Owner of 235 Park Avenue from a decision of the Committee of Adjustment to deny an application for Minor Variance be received;

AND THAT the recommendations in Corporate Services (Legal Services) Closed Session Report 2014-01 be adopted.

Carried

39. Committee of the Whole (Closed Session) Minutes February 3, 2014 – Item 3 Appointment Committee (Closed Session) Minutes.

Moved by: Councillor Twinney
Seconded by: Regional Councillor Taylor

THAT the Appointment Committee (Closed Session) Minutes of January 21, 2014 be approved.

Carried

By-laws

40. Bylaws 2014-07, 2014-08, and 2014-09.

Moved by: Councillor Emanuel
Seconded by: Councillor Sponga

- a) THAT By-laws 2014-07, 2014-08 and 2014-09 be enacted.

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. \(Schedule XII - Parking for Restricted Periods\).](#)

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\].](#)

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\].](#)

Carried

Notices of Motions

None.

Announcements & Community Events

41. a) Councillor Emanuel advised the public of the upcoming Ontario Municipal Board hearing regarding the Glenway development. The hearing is scheduled to begin March 17, 2014 at the Best Western Voyageur Place Hotel.
- b) Councillor Di Muccio invited the public to enjoy Family Day Fun on Monday, February 17, 2014 at the Magna Centre, 800 Mulock Drive. Bring the family and enjoy swimming and skating. Schedules for Family Day are listed on the Town Page of the Era. For further details, please call 905-895-5193.
- c) Councillor Sponga invited the public to drop-in to a Public Information Centre on Thursday February 13, 2014 from 6:30 – 8:00 p.m. in the Council Chambers of the Municipal Offices at 395 Mulock Drive to discuss the proposed extension of the Tom Taylor Trail along the west side of Fairy Lake from Lorne Avenue to Water Street. Project drawings will be on display and representatives of the Town's Engineering Services Department will be available to answer questions and provide information. Written comments can be submitted at the public meeting or by email by Thursday February 20, 2014. For further information regarding this project, please contact Michael Ashworth at 905-953-5300 extension 2510 or email mashworth@newmarket.ca or jsponga@newmarket.ca.
- d) Councillor Sponga congratulated the owners of two new businesses on Main Street - Rawlicious and Hungry Brew Hops on successful openings.
- e) Regional Councillor Taylor advised the public of the annual Chamber of Commerce Economic Luncheon on Tuesday, February 25, 2014 at Cardinal Golf Club and that information can be obtained from the Chamber of Commerce at 905-898-5900.
- f) Regional Councillor Taylor invited the public to watch Gabby Daleman, a Newmarket resident, Wednesday, February 19, 2014 at 10:00 a.m. as she competes in women's figure skating in the Sochi Olympics.

g) Councillor Twinney advised that children ages 4 to 10 are invited to Toyland at the Museum. Come and enjoy Family Day fun at the Elman W. Campbell Museum, 134 Main Street South, on Monday, February 17, 2014 from 10:00 a.m. to 3:00 p.m. Try old-fashioned wooden toys and activities, see a model train, have your picture taken with the pioneer board and go on a museum scavenger hunt! The cost is \$3.00 per participant plus a donation of a non-perishable food item for the Newmarket Food Pantry. Call 905-953-5314 or email elmanmuseum@rogers.com for more information.

h) Councillor Kerwin advised that on Saturday, February 15, 2014, Saturday, February 22, 2014 and Saturday, March 1, 2014 he will be in the lower level of the Newmarket Public Library at 438 Park Avenue. Ward 2 residents are invited to drop-in for a chat about your community and your Ward.

i) Councillor Vegh invited the public to attend a Public Meeting on February 24, 2014 at 7:00 p.m. in the Council Chambers of the Municipal Offices at 395 Mulock Drive regarding a proposed condominium development on Silken Laumen Drive. The development has 28 units and is similar to the condominiums at the east end of Silken Laumen Drive.

j) Councillor Vegh advised that Tech Time for Kids is a free bi-weekly program on the latest technology for children and their families at the Newmarket Public Library on 438 Park Avenue. The first session called BYOD (bring your own device) is Wednesday, February 12, 2014 from 4:00 - 5:00 p.m. If you need help trying to load e-books onto your Kobo, configuring your smartphone's parental controls, connecting to WiFi on your wireless device, or other similar issues, this is for you. Bring your electronic devices and questions for some one-on-one help and a chance to see other devices in action! Call 905-953-5110 for information on future sessions.

k) Mayor Van Bynen invited the public to stop by the Newmarket Ice Lounge from now until February 23, 2014 to catch all the action at the Winter Games on the outdoor television screen. Mayor Van Bynen invited the public to watch Gabby Daleman on February 19, 2014 and James McNaughton, who is participating in the four men bobsled team on Saturday February 22, 2014 and to join in the conversation at #GoGabbyGo and #GoJamesGo. Don't forget to follow us on Twitter @TownofNewmarket for updates on all happenings in Newmarket, including events, and broadcasting schedules at the Newmarket Ice Lounge.

l) Mayor Van Bynen advised that the Municipal Offices are closed on Monday, February 17, 2014 to observe Family Day.

m) Mayor Van Bynen advised that the next Council meeting is Monday, March 3, 2014 at 7:00 p.m.

New Business

42. a) Councillor Emanuel advised that Federation of Canadian Municipalities would be discussing the end of door to door mail delivery at the March Board meeting.
- b) Councillor Kerwin advised that the snow would be removed along both sides of Gorham Street overnight this week.

Closed Session

None.

Confirmatory By-law

43. Bylaw 2014-10.

Moved by: Councillor Sponga
Seconded by: Councillor Emanuel

a) THAT By-law 2014-10 be enacted.

2014-10 [A By-law to confirm the proceedings of a meeting of Council held on February 10, 2014.](#)

Carried

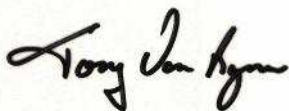
Adjournment

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

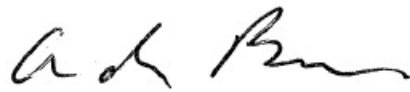
THAT the meeting be adjourned.

Carried

There being no further business, the meeting adjourned at 7:42 p.m.



Tony Van Bynen, Mayor



Andrew Brouwer, Town Clerk