

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

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

Staff Present: R.N. Shelton, Chief Administrative Officer  
A. Moore, Commissioner of Corporate Services  
P. Noehammer, Commissioner of Development and Infrastructure Services  
A. Brouwer, Director of Legislative Services/Town Clerk  
C. Service, Director of Recreation and Culture  
C. Finnerty, Council/Committee Coordinator  
J. Patel, Business Support Analyst

### Open Forum

1. Mr. Darryl Wolk addressed Council and requested clarification on the Mayor's salary.
2. Mr. Michael O'Shea inquired why vivaNext construction is not complete in front of the Seniors' Meeting Place. He further requested clarification on why York Region Transit and GO Buses are unable to use the rapid lanes. Mayor Van Bynen advised of the purpose of the vivaNext lanes and permitted uses. The Chief Administrative Officer advised that he would inquire about the Seniors' Meeting Place estimated completion date at the upcoming vivaNext Task Force meeting.

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

3. The Chief Administrative Officer advised of the addendum items, being the Special Committee of the Whole Minutes of November 16, 2015 and the Special Committee of the Whole Minutes of December 14, 2015. He further advised of corrections, being that Dr. Zaev Wulffhart, MBBCh., FRCP, FACC, Physician Leader, Regional Cardiac Care Program/Director of Medical Education, Southlake Regional Health Centre to address Council in place of Mr. Terry Fair, and that the VivaNext works noise exemption by-law (By-law 2015-62) will be corrected administratively to include a revocation clause should community impact be deemed excessive by staff or Council.

Moved by: Councillor Hempen  
Seconded by: Councillor Sponga

THAT the addendum items be included on the agenda.

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

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

**Carried**

## Declarations of Pecuniary Interest

None.

## Presentations & Recognitions

4. [Ms. Lisa Lyons, Deputy Town Clerk, Town of Newmarket and Zone 4 Director, Association of Municipal Clerks and Treasurers of Ontario provided a verbal summary of the accomplishments of Dr. Terry McQuaid, Registered Clinical Psychologist and Director of Counseling and Accessibility Services, Seneca College. On behalf of Council, the Mayor presented her with the Accessibility for Ontarians with Disabilities Act 10th Anniversary Champion Award.](#)

5. [Mr. Tom Taylor and Ms. Erin Cerenzia, Neighbourhood Network](#) addressed Council with a PowerPoint presentation summarizing the mission, volunteer opportunity metrics and reporting mechanisms of Neighbourhood Network. In addition, a summary of the Fall Food Drive, Spring Tree Planting, Give Back Awards and Snow Removal events and initiatives was provided.

Moved by: Councillor Twinney  
Seconded by: Councillor Vegh

THAT the presentation by Mr. Tom Taylor and Ms. Erin Cerenzia, Neighbourhood Network regarding Neighbourhood Network's Annual Report to Council be provided an additional 5 minutes.

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

**Carried**

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

THAT the presentation by Ms. Lisa Lyons, Zone 4 Director, AMCTO to present the Accessibility for Ontarians with Disabilities Act 10th Anniversary Champion Award to Dr. Terry McQuaid, Registered Clinical Psychologist and Director of Counseling and Accessibility Services, Seneca College be received;

AND THAT the presentation by Mr. Tom Taylor and Ms. Erin Cerenzia, Neighbourhood Network regarding Neighbourhood Network's Annual Report to Council be received.

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

**Carried**

6. The Director of Recreation and Culture addressed Council with a PowerPoint Presentation which summarized the vision for a family fitness centre at the Magna Centre. He provided information on a proposed partnership with Southlake Regional Health Centre's cardiac rehabilitation program, membership and operating models, conservative revenue and expense estimates and information on comparators with municipally run fitness centres.

Moved by: Councillor Sponga  
Seconded by: Councillor Hempen

THAT the PowerPoint presentation by the Director of Recreation and Culture regarding the proposed Magna Centre Fitness Centre Option be received.

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

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

#### **Carried**

7. [Dr. ZaeV Wulffhart, MBBCh., FRCP, FACC, Physician Leader, Regional Cardiac Care Program/Director of Medical Education, Southlake Regional Health Centre](#) addressed Council with an overview of Southlake Regional Health Centre's cardiac program and spoke in support of the proposal for a fitness centre at the Magna Centre and potential cardiac rehabilitation partnership opportunities.

Moved by: Councillor Bisanz  
Seconded by: Councillor Hempen

THAT the presentation by Dr. ZaeV Wulffhart, MBBCh., FRCP, FACC, Physician Leader, Regional Cardiac Care Program/Director of Medical Education, Southlake Regional Health Centre regarding the Southlake Cardiac Program be received.

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

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

#### **Carried**

## Deputations

8. [Ms. Sabrina Rezaei, Sabrina's Pizzeria Bar & Grill, addressed Council regarding the lease agreement between her company and the Town.](#) She advised that she is the current tenant of the restaurant area where the fitness area is proposed at the Magna Centre and summarized her concerns related to her contract with the Town, lost business and requests for returns on lost revenues should her lease agreement be terminated.

Moved by: Councillor Kerwin  
Seconded by: Councillor Vegh

THAT the deputation by Ms. Sabrina Rezaei, Sabrina's Pizzeria Bar & Grill regarding Restaurant Lease Agreement be provided an additional 5 minutes.

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

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

### Carried

Moved by: Councillor Sponga  
Seconded by: Councillor Twinney

THAT the deputation by Ms. Sabrina Rezaei, Sabrina's Pizzeria Bar & Grill regarding Restaurant Lease Agreement be received and referred to staff.

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

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

### Carried

## **Approval of Minutes**

9. [Council Minutes of November 16, 2015.](#)

Moved by: Councillor Kerwin  
Seconded by: Councillor Sponga

THAT the Council Minutes of November 16, 2015 be approved.

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

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

### **Carried**

10. [Special Council Minutes of November 30, 2015.](#)

Moved by: Councillor Sponga  
Seconded by: Councillor Hempen

THAT the Special Council Minutes of November 30, 2015 be approved.

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

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

### **Carried**

## **Reports by Regional Representatives**

- a) Deputy Mayor & Regional Councillor Taylor advised that Regional Council will be receiving budgets at their upcoming meeting. The figures currently indicate a 2.85% budget increase that sees significant increases in policing, roads and transit. Further details are available on the Region's website at [www.york.ca](http://www.york.ca)

- b) Deputy Mayor & Regional Councillor Taylor advised that he, along with Mayor Van Bynen, Mayor Dawe of Aurora and MPP Chris Ballard met with Mr. Steven Del Duca, Minister of Transportation to discuss Regional Express Rail service. Although generally supportive of the Regional Express Rail system, there remain some areas of concern, including parking, at grade crossings and potential locations for new stations.

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

THAT the verbal report by the Deputy Mayor & Regional Councillor regarding Regional Reports be received.

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

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

**Carried**

## **Reports of Committees and Staff**

11. [Committee of the Whole Minutes of November 30, 2015.](#)

Moved by: Councillor Kerwin  
Seconded by: Councillor Vegh

THAT the Committee of the Whole Minutes of November 30, 2015 be approved and the following recommendations be adopted:

12. THAT the deputation by Mr. John Blommestejn with respect to Item 2 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Amendment to Site Plan Approval - 16635 Yonge Street - Ward 6 be received and referred to staff.
13. Item 2 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Amendment to Site Plan Approval - 16635 Yonge Street - Ward 6.

a) Application for Amendment to Site Plan Approval to permit a new freestanding drug store building having a gross floor area of 1,615.60m<sup>2</sup> 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; and;
  - ii) THAT the applicant be directed to work with staff to address concerns regarding pedestrian visibility at the Savage Road entrance;
  - b) AND THAT Mr. Mauro Cristini, Project Planner of Metrus Properties, 30 Floral Parkway Concord, ON L4K 4R1 be notified of this decision.
- 14. Corporate Services Report - Legislative Services 2015-19 dated November 17, 2015 regarding 2016 Schedule of Meetings.
  - a) THAT Corporate Services Report - Legislative Services 2015-19 dated November 17, 2015 regarding 2016 Schedule of Meetings be received and the following recommendations be adopted:
    - i) THAT the January through December 2016 meeting schedule (attached as Appendix A) be adopted;
    - ii) AND THAT the notice requirements for the January 11, 2016 Committee of the Whole meeting be amended to allow for the agenda distribution to occur on January 6, 2016.
- 15. Corporate Services Report - Legislative Services 2015-20 dated November 19, 2015 regarding the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan.
  - a) THAT Corporate Services Report - Legislative Services 2015-20 dated November 19, 2015 regarding the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan be received and the following recommendation be adopted:
    - i) THAT the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan, attached as Appendix 'A' be approved.
- 16. Development and Infrastructure Services Report - Engineering Services 2015-64 dated November 30, 2015 regarding Bristol Road - Main Street North to Ashworth Drive - Parking Review.
  - a) THAT Development and Infrastructure Services Report - Engineering Services 2015-64 dated November 30, 2015 regarding Bristol Road - Main Street North to Ashworth Drive - Parking Review be received and the following recommendations be adopted:



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

Prohibited Parking Anytime on the north side of Bristol Road between Main Street North to the property limit between #565 and #569 Bristol Road;

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

17. Development and Infrastructure Services Report - Engineering Services 2015-67 dated November 30, 2015 regarding 'Traffic By-law 2011-24 Housekeeping Amendments' (Gorham Street and Carlson Drive).

a) THAT Development and Infrastructure Services Report – ES 2015-67 dated November 30, 2015, regarding 'Traffic By-law 2011-24 Housekeeping Amendments' be received and the following recommendations be adopted:

i) THAT Schedule VIII (Signalized Intersections) of Traffic By-law 2011-24, as amended, be further amended by adding the following:

Gorham Street at Carlson Drive/Doak Lane;

ii) AND THAT Section 1 (Definitions) of Traffic By-law 2011-24, as amended, be further amended by adding the following:

1.32.1 “multi-use path” (MUP) is part of a highway not being part of the roadway that has been improved by paving or other means and designed with sufficient width for both pedestrian and bicycle use;

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

18. Site Plan Review Committee Meeting Minutes of October 26, 2015.

a) THAT the Site Plan Review Committee Meeting Minutes of October 26, 2015 be received.

19. Item 1 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Site Plan Approval - 17844 Leslie Street - Ward 3.

a) Application for Site Plan Approval to permit a new motor vehicle service station along with a 154m<sup>2</sup> convenience store with a take-out food establishment and four island gas pumps covered by a canopy 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; and;

ii) THAT the applicant be directed to work with staff and the neighbouring residents to address comments raised at the meeting by Committee members and residents regarding the right turn only on to Janette Street, lighting and the ability to turn lights off when the business is closed, the hedge row and trees being planted to ensure that there is a good buffering on the west side of property and the pruning of the Siberian Elms;

b) AND THAT Ms. Nicole Sampogna, Associate Planner of Evans Planning Inc., 8481 Keele Street Unit 12, Vaughan, ON L4K 1Z7 be notified of this decision.

20. New Business Item of the Site Plan Review Committee Minutes of October 26, 2015.

a) THAT staff report back to SPRC outlining enhancements to the agenda materials with a view to providing members with a more user friendly agenda package.

21. Heritage Newmarket Advisory Committee Minutes of July 7, September 8 and October 6, 2015.

a) THAT the Heritage Newmarket Advisory Committee Minutes of July 7, September 8 and October 6, 2015 be received.

22. Item 2 of the Heritage Newmarket Advisory Committee Minutes of October 6, 2015 regarding award nomination.

a) THAT Ross Caister be recommended for nomination for the Ontario Historical Society's Carnochan Award.

23. Item 7 of the Heritage Newmarket Advisory Committee Minutes of October 6, 2015 regarding workplan and membership.

The Operational Leadership Team recommends:

THAT the Heritage Newmarket Advisory Committee recommendation b) related to Committee membership be referred to the Appointment Committee.

The Heritage Newmarket Advisory Committee recommends to Council:

a) THAT the Heritage Newmarket Advisory Committee workplan be approved and forwarded to Council;

- b) AND THAT Heritage Newmarket Advisory Committee membership be amended from seven (7) to twelve (12) Newmarket residents in order to carry out the Committee responsibilities as prescribed in the Ontario Heritage Act and the Committee's workplan and recommended by the Heritage Newmarket Advisory Committee at their November 4, 2015 meeting.
24. Accessibility Advisory Committee Minutes of September 17, 2015.
- a) THAT the Accessibility Advisory Committee Minutes of September 17, 2015 be received.
25. List of Outstanding Matters.
- a) THAT the list of Outstanding Matters be received.
26. Corporate Services Report - Legislative Services 2015-21 dated November 19, 2015 regarding Lobbyist Registry for the Northern Six Waste Collection Contract (2017-2027).
- a) THAT Corporate Services Commission Report - Legislative Services Report 2015-21 dated November 19, 2015 regarding 'Lobbyist Registry for the Northern Six Waste Collection Contract (2017-2027)' be received and referred to staff to develop recommendations based on the framework outlined in Option B in Appendix A and a requirement for all communications to Council from potential proponents to be received in writing only, to be made public through an information report, subject to any applicable legislation.
27. Corporate Services Report - Legislative Services 2015-24 dated November 19, 2015 regarding Selection of Town Crier.
- a) THAT Corporate Services Report - Legislative Services 2015-24 dated November 19, 2015 regarding Selection of Town Crier be received and the following recommendations be adopted:
- i) THAT staff be directed to work with the Ontario Guild of Town Criers to hold a competition to select a Town Crier for Council appointment;
- ii) AND THAT staff be directed to prepare a Volunteer Contract to be brought back with the recommended appointment.
28. Corporate Services Report - Legislative Services 2015-25 dated November 17, 2015 regarding Noise By-law Exemption (VivaNext Bus Rapid Transit Yonge Street).

a) THAT Corporate Services Report - Legislative Services 2015-25 dated November 17, 2015 regarding VivaNext Bus Rapid Transit Yonge Street Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:

i) THAT the request from RapidLINK for a noise exemption to perform necessary works for the vivaNext Bus Rapid Transit Y3.2 project between the hours of 9:00 p.m. to 7:00 a.m. from December 7, 2015 until December 31, 2016 be approved; excluding the following:

December 25, 2015 (Christmas Day), December 26, 2015 (Boxing Day)  
January 1, 2016 (New Year's Day)  
December 25, 2016 (Christmas Day)  
December 26, 2016 (Boxing Day)

ii) AND THAT this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.

29. Development and Infrastructure Services - Planning and Building Services Report 2015-42 dated November 30, 2015 regarding Glenway Lessons Learned - Priorities and Objectives Action Plan.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-42 dated November 30, 2015 regarding Glenway Lessons Learned - Priorities and Objectives Action Plan be received and the following recommendation be adopted:

i) THAT the items listed in Table 1 - Action Plan, form the basis for the future processing of development applications within the Town.

30. Development and Infrastructure Services - Planning and Building Services Report 2015-43 dated November 19, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision - Lorne Park Gardens Inc.

a) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-43 dated November 19, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT approval be given to Draft Plan of Subdivision 19TN-2014 001, subject to the schedule of conditions set out in Appendix "A" attached to and forming part of this Report;

ii) THAT the application for Official Plan Amendment and Zoning By-law Amendment for lands located at 955 and 995 Mulock Drive be approved and that staff be directed to prepare the necessary Official Plan and Zoning By-law Amendments including a Holding Provision, as necessary;

iii) AND THAT Mr. Ryan Guetter, Weston Consulting, 201 Millway Avenue, Suite 19 Vaughan, ON L4K 5K8 be notified of this action.

iv) AND THAT the letter from Ms. Wendy Gamoyda, President, Y.R.S.C.C. 969 and Mr. Scott Stewart, President, YRCC 944 dated November 30, 2015 regarding Proposed Townhouse Development Official Plan and Zoning Amendment Applications, 955 and 995 Mulock Drive - Report 2015-43 to the Town of Newmarket Committee of the Whole be received and referred to staff.

31. Development and Infrastructure Services Report - Engineering Services 2015-63 dated November 30, 2015 regarding Woodspring Avenue - Bonshaw Avenue to Town Limit - Bicycle Lanes and On-Street Parking.

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-63 dated November 30, 2015 regarding Woodspring Avenue - Bonshaw Avenue to Town Limit - Bicycle Lanes and On-Street Parking be referred to staff for additional information, including costs.

32. Community Services - Economic Development Report 2015-36 dated November 17, 2015 regarding Downtown Patios - Pilot Project.

a) THAT Community Services - Economic Development Report 2015-36 dated November 17, 2015 regarding the Downtown Patios Pilot Project be received and the following recommendations be adopted:

i) THAT staff be directed to prepare the necessary changes to by-laws to enact a permanent downtown patio program;

ii) AND THAT the program be consistent with established requirements for design, closing hours, accessibility, noise and costs;

iii) AND THAT staff consider an additional applicant requiring on-street parking in 2016 subject to established criteria and in consultation with the BIA;

iv) AND THAT the Lower Main Street Business Improvement Association be notified of this decision and consulted on the proposed fee structure;

v) AND THAT downtown outdoor patio closing hours be 11:00 p.m. on Friday and Saturday evening in July and August only.

33. Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Lease Spaces and Potential Fitness Centre.

a) THAT Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre be referred to the December 14, 2015 Council meeting.

34. Development and Infrastructure Services Report - Engineering Services 2015-66 dated November 30, 2015 regarding Professional Engineering Consultant Checking and Inspection Services.

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-66 dated November 30, 2015 regarding Professional Engineering Consultant Checking and Inspection Services be received and that Council endorse Option 1 as outlined in this report and that staff be directed to:

i) Continue with the Town's current best practice by extending the Professional Consulting Services Agreement with R.J. Burnside and Associates Limited (RJB) at a 'preferred client discounted rate' (discounted rates that are annually adjusted as per industry standards) for a period of three years, plus two one-year renewal options.

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

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

**Carried**

35. Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue.

An alternate motion was presented and discussion ensued.

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

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be received and the following recommendations be adopted:

- i) THAT Council endorse Option 2 contained in this report as the preferred option for the proposed trail connection from Rita's Avenue to Yonge Street;
- ii) AND THAT staff organize and hold a Public Information Centre to obtain public feedback that would assist Council to determine what type of trail, if any, is constructed in that area;
- iii) AND THAT the costs associated with the proposed land transfer are borne by the Town;
- iv) AND THAT the trail connection from Rita's Avenue to Yonge Street be included in the 2016 Capital Budget with a provision of \$630,000 to be funded from reserves, subject to approval;
- v) AND THAT the 2015 Capital Budget for Rita's Avenue Trail Connection of \$304,399 be cancelled;
- vi) AND THAT further information be provided with respect to detailed design and conservation authority and provincial grant opportunities prior to approval of the project.

In Favour: Deputy Mayor & Regional Councillor Taylor, Councillor Kerwin, Councillor Sponga, Councillor Broome-Plumley  
 Opposed: Mayor Van Bynen, Councillor Vegh, Councillor Twinney, Councillor Hempen, Councillor Bisanz  
 (4 in favour, 5 opposed)

**Motion Lost**

Moved by: Councillor Hempen  
 Seconded by: Councillor Twinney

THAT staff provide alternate trail options for this area at a lower cost.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Bisanz  
 Opposed: Councillor Broome-Plumley  
 (8 in favour, 1 opposed)

**Carried**

- 36. [Special Committee of the Whole Minutes of November 16, 2015, December 7, 2015](#) and December 14, 2015.

Moved by: Councillor Vegh  
Seconded by: Councillor Sponga

THAT the Special Committee of the Whole Minutes of November 16, 2015, December 7, 2015 and December 14, 2015 be approved and the following recommendations be adopted:

37. a) THAT staff review the capital project reduction options ranked as numbers 2 and 3 in an attempt to determine where 1.6 million dollars in asset replacement fund reductions can be attained, taking into consideration resident priorities and report back to Council.
38. a) THAT staff provide a prioritized list of recommended staff positions included in the budget with consideration given to budget savings and service level impacts and an additional meeting be held to deliberate the specifics related to this matter.
39. a) THAT the PowerPoint Presentation by the Commissioner of Community Services, the Senior Communications Specialist and the Director of Financial Services/Treasurer regarding the 2016 Draft Budget be received;  
  
i) AND THAT staff provide a revised schedule for final budget approval in January, 2016.
40. THAT the PowerPoint Presentation by the Director of Financial Services/Treasurer regarding Water/Wastewater Rates be received.
41. Corporate Services Report – Financial Services 2015-53 dated November 19, 2015 regarding 2016 Fees and Charges – Water and Wastewater.  
  
a) THAT Corporate Services Report - Financial Services 2015-53 dated November 19, 2015 regarding 2016 Fees and Charges - Water and Wastewater be received and the following recommendations be adopted:  
  
i) THAT the attached Schedule 'A', being the Town of Newmarket Water and Wastewater Rates be approved and adopted by by-law:  
  
ii) AND THAT the Water and Wastewater Rate adjustments come into full force and effect as of January 1, 2016;  
  
iii) AND THAT staff be directed to report back to Council for the implementation of the phase-in of the tiered fixed rate structure.



42. Joint Chief Administrative Officer, Commissioners and Corporate Services Report - Financial Services 2015-59 dated November 12, 2015 regarding 2016 Fees and Charges - Overview.
- a) THAT Joint Chief Administrative Officer, Commissioners and Corporate Services Report - Financial Services 2015-59 dated November 12, 2015 regarding 2016 Fees and Charges - Overview be received for information purposes.
43. Joint Central York Fire Services and Corporate Services Report - Financial Services 2015-56 dated November 10, 2015 regarding 2016 User Fees and Charges - Fire Services.
- a) THAT Joint Central York Fire Services and Corporate Services Report - Financial Services 2015-56 dated November 10, 2015 regarding 2016 User Fees and Charges - Fire Services be received and the following recommendations be adopted:
- i) THAT the attached Schedule 'A' being the Town of Newmarket 2016 Fire Services Fees Schedule, be approved and adopted by by-law:
- ii) AND THAT the fee adjustments come into full force and effect January 1, 2016.
44. THAT staff prepare an Information Report related to the Central York Fire Services - Joint Council Committee land acquisition and Fire Services hiring processes.
45. Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services Report - Financial Services 2015-57 dated November 10, 2015 regarding 2016 User Fees and Charges - Planning Act Fees.
- a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services Report 2015-57 dated November 10, 2015 regarding 2016 User Fees and Charges - Planning Act Fees be received and the following recommendations be adopted:
- i) THAT the attached Schedule 'A' being the Town of Newmarket 2016 Planning Application Fees Schedule, be approved and adopted by by-law:
- ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2016.

46. Corporate Services Report - Financial Services 2015-58 dated November 10, 2015 regarding 2016 User Fees and Charges - General Fees and Charges. Memorandum dated November 13, 2015 from the Director of Legislative Services regarding Proposed New Legislative Services Fees, 2016.
- a) THAT Corporate Services Report - Financial Services 2015-58 dated November 10, 2015 regarding 2016 User Fees and Charges - General Fees and Charges be received and the following recommendations be adopted:
- i) THAT the attached Schedules 'A', 'B', 'C', 'D', 'E' and 'F' marked as the Town of Newmarket 2016 All Departments, Corporate Services - Finance & Procurement & IT, Legal Services, Public Works Services, Engineering Services and Legislative Services - General Fees and Charges Schedules respectively, be approved and adopted by by-law;
- ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2016;
- iii) AND THAT the memorandum dated November 13, 2015 from the Director of Legislative Services/Town Clerk regarding Proposed New Legislative Services Fees, 2016 be received.
47. Corporate Services Report - Financial Services 2015-54 dated November 19, 2015 regarding 6 Year Financial Plan – Water and Wastewater.
- a) THAT Corporate Services Report - Financial Services 2015-54 dated November 19, 2015 regarding 6 Year Financial Plan - Water and Wastewater be received and the following recommendation be adopted:
- i) THAT Council adopt the proposed 6 Year Water Financial Plan and the 6 Year Wastewater Financial Plan.
48. Town of Aurora Council Extract dated November 10, 2015 regarding consideration of the Central York Fire Services 2016 Budget.
- a) THAT the Town of Aurora Council Extract dated November 10, 2015 regarding consideration of the Central York Fire Services 2016 Budget be received.

49. PowerPoint Presentation Slides by the Chief Administrative Officer, the Director of Financial Services and the Fire Chief regarding the 2016 Operating Budget.

THAT the PowerPoint Presentation by the Chief Administrative Officer, the Director of Financial Services and the Fire Chief regarding the 2016 Operating Budget be received.

50. Joint CAO, Commissioners and Corporate Services Report - Financial Services 2015-62 dated December 3, 2015 regarding the 2016 Operating Budget.

THAT the Joint CAO, Commissioners and Corporate Services Report - Financial Services 2015-62 dated December 3, 2015 regarding the 2016 Operating Budget be received and the following recommendations be adopted:

a) THAT the Draft Operating Budgets for 2016 be presented to Committee of the Whole on January 11, 2016 with the following amendments:

i) THAT funding for new Town staff positions be reduced by \$105,000 excluding any de-annualization;

ii) AND THAT the CYFS allocation for growth be reduced from 0.28% to 0.25% to be held in a Town reserve fund subject to future hiring decisions;

iii) AND THAT the Newmarket Public Library Board allocation be reduced from 0.24% to 0.22%;

iv) AND THAT \$6,500.00 be allocated for outdoor skating rinks program.

51. CAO, Commissioners and Treasurer Joint Report 2015-38 dated December 1, 2015 regarding Potential 2016 New Staffing Positions - Supplemental Information.

a) THAT CAO, Commissioners and Treasurer Joint Report 2015-38 dated December 1, 2015 regarding Potential 2016 New Staffing Positions - Supplemental Information be received and the following recommendation be adopted:

i) THAT the report be received for information purposes.

52. Joint CAO/Commissioner/Legal Services Report 2015-10 dated December 3, 2015 regarding Central York Fire Services - Consolidated Fire Services Agreement.

a) THAT Joint CAO/Commissioner/Legal Services Report 2015-10 dated December 3, 2015 regarding Central York Fire Services - Consolidated Fire Services Agreement be received.

53. Joint CAO, Commissioners and Corporate Services Report – Financial Services 2015-63 dated December 11, 2015 regarding 2016 Capital Budget.

THAT the PowerPoint Presentation by the Director of Financial Services/Treasurer regarding the 2016 Capital Budget be received;

AND THAT staff bring back a report to the January 11, 2016 Special Committee of the Whole meeting:

1. outlining implementation of Option B (Slide 18 of PowerPoint Presentation) which entails:

a) an additional 0.80% Asset Replacement Fund allocation (infrastructure levy) for 2016;

b) reducing the Asset Replacement Fund funding for strategic roads and other project areas in the 2016 capital budget by \$714,450, and to provide more specific information on the projects;

2. options to reduce engineering design costs funded by the Asset Replacement Fund.

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

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

**Carried**

54. Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Lease Spaces and Potential Fitness Centre.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Sponga  
Seconded by: Councillor Twinney

THAT Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre be referred to the January 11, 2016 Committee of the Whole meeting.

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

**Carried**

55. [Corporate Services Commission - Legislative Services Report 2015-26 dated December 7, 2015 regarding Council Lobbying Framework for the Northern Six Waste Collection Contract \(2017-2027\).](#)

An alternate motion was presented and discussion ensued.

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

a) THAT Corporate Services Commission – Legislative Services Report 2015-26 dated December 7, 2015 regarding Council Lobbying Framework for the Northern Six Waste Collection Contract (2017-2027) be received and the following recommendations be adopted:

i) THAT Council endorse a ban on any communications between Members of Council, and any director, officer, employee, agent or representative of a firm or agent of a firm (whether or not they receive payment) with an interest in submitting a proposal for the Northern Six Waste Collection Contract (2017-2027) (hereafter “potential proponents”) prior to the issuance of the request for proposals, however, if any communication should occur, it shall be reported to the Procurement Department;

ii) AND THAT all written correspondence be directed to Council as a whole and that any written communications to Council from potential proponents be forwarded to the Procurement Department, to be made public through an Information Report, subject to applicable legislation;

iii) AND THAT all staff, excluding those identified as being involved in the process, be subject to the same ban;

iv) AND THAT deputations at public meetings by proponents be scheduled after the conclusion of the blackout period;

v) AND THAT the Clerk provide the municipalities of Aurora, East Gwillimbury, Georgina, King and Whitchurch-Stouffville with a copy of Council's resolution on this matter and this staff report for their information and consideration.

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

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

### **Carried**

56. [Memorandum dated December 8, 2015 from the Director of Legislative Services and Licensing Officer regarding a Manufacturer's Limited Liquor Sales Licence.](#)

Moved by: Councillor Twinney  
Seconded by: Councillor Vegh

a) THAT the memorandum dated December 8, 2015 from the Director of Legislative Services and Licensing Officer regarding a Manufacturer's Limited Liquor Sales Licence be received;

i) AND THAT the Town of Newmarket endorse the issuance of a Manufacturer's Limited Liquor Sales Licence to Arch Brewing Company Inc. located at 110 Pony Drive, Unit 4.

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

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

### **Carried**

### **By-laws**

57. By-laws 2015-60, 2015-61, 2015-62, 2015-63 and 2015-64.

2015-60 [A By-law to adopt Amendment Number 12 to the Town of Newmarket Official Plan.](#)

2015-61 [A By-law to amend By-law Number 2010-40, being a Zoning By-law \(Lorne Park Gardens Inc.\)](#)

- 2015-62 [A By-law to provide an exemption to By-law 2004-94, as amended, being a by-law to prohibit and regulate unusual noises or noises likely to disturb the inhabitants of the Town of Newmarket. \(vivaNext Bus Rapid Transit Y3.2 project - Yonge Street\)](#)
- 2015-63 [A By-law to amend By-law 1993-62, as amended, being a by-law to regulate parking within the Town of Newmarket. \(Bristol Road\)](#)
- 2015-64 [A By-law to amend By-law 2011-24, as amended, being a by-law to regulate traffic within the Town of Newmarket. \(Gorham Street at Carlson Drive/Doak Lane\) \(Definitions - Multi-Use Path\)](#)

Moved by: Councillor Sponga  
Seconded by: Councillor Bisanz

THAT By-laws 2015-60, 2015-61, 2015-62, 2015-63 and 2015-64 be enacted.

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

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

**Carried**

### **Notices of Motions**

None.

### **Motions**

None.

### **Announcements & Community Events**

58. Announcements & Community Events.

Moved by: Councillor Sponga  
Seconded by: Councillor Kerwin

THAT the Announcements & Community Events be posted on the Town's website.

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

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

**Carried**

## **Closed Session**

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

## **New Business**

None.

## **Confirmatory By-law**

59. Confirmatory By-law.

2015-65 [A By-law to confirm the proceedings of Council - December 14, 2015.](#)

Moved by: Councillor Sponga  
Seconded by: Councillor Kerwin

THAT By-law 2015-65 be enacted.

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

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

**Carried**



## Adjournment

60. Adjournment.

Moved by: Councillor Twinney

Seconded by: Councillor Kerwin

THAT the meeting adjourn.

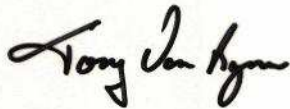
In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)

(9 in favour, 0 opposed)

### **Carried**

There being no further business, the meeting adjourned at 10:00 p.m.



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Tony Van Bynen, Mayor



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Andrew Brouwer, Town Clerk