

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

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

Declarations of Pecuniary Interest

Presentations & Recognitions

Deputations

1. Mr. John Blommestein to address Council regarding Tom Vegh - Delta Hotel p. 1
Toronto Reimbursement.

Approval of Minutes

2. Council Minutes of December 14, 2015. p. 7

Reports by Regional Representatives

Reports of Committees and Staff

3. Special Committee of the Whole Minutes of January 11, 2016. (Budget) p. 32
(Item 1 only)
4. Committee of the Whole Minutes of January 11, 2016. p. 35
5. Committee of the Whole (Closed Session) Minutes of January 11, 2016.
6. Special Committee of the Whole Minutes of January 18, 2016. (Council Code of p. 48
Conduct)
7. Special Committee of the Whole (Closed Session) Minutes of January 18, 2016.
8. Corporate Services Report - Financial Services 2016-04 dated January 13, 2016 p. 52

regarding Final Approval of the 2016 Operating and Capital Budgets.

The Commissioner of Corporate Services and the Director of Financial Services/Treasurer recommend:

a) THAT Corporate Services Report - Financial Services 2016-04 dated January 13, 2016 regarding Final Approval of the 2016 Operating and Capital Budgets be received and the following recommendations be adopted:

i) THAT the proposed 2016 Operating Budget with expenditures of \$114,958,363 be approved, which is comprised of the following components:

a. \$60,877,083 for the Town portion, which includes an additional \$424,583 for asset replacement funding (ARF) but excludes the advertising expense;

i. AND \$262,711 for advertising in the Town portion for a total of \$61,139,794;

b. \$9,000 for the Newmarket Downtown Business Development Area (BIA) which excludes the advertising expense;

i. AND \$21,000 advertising in the BIA for a total of \$30,000;

c. \$2,334,888 for the Building portion;

d. \$3,877,781 for the Library portion which excludes the advertising expense;

i. AND \$17,700 for advertising in the Library portion for a total of \$3,895,481;

e. \$14,595,632 for Central York Fire Services (Newmarket's share);

f. \$32,962,568 for the Water and Wastewater Rate Groups which includes an additional \$488,395 for asset replacement funding;

ii) AND THAT the proposed 2016 Capital Budget with expenditures of \$26,737,774 be approved.

By-laws

2016-01	A By-law to provide for persons authorized to sign cheques and other banking related authorities on behalf of the Town.	p. 54
2016-02	A By-law to impose an interim tax levy for the Town of Newmarket.	p. 58
2016-03	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) - Grant Blight Crescent.	p. 59

Notices of Motions

Motions

Announcements & Community Events

New Business

Closed Session (if required)

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

12. A pending acquisition of land in Aurora by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001. (if required)

Confirmatory By-law

2016-04 A By-law to confirm the proceedings of Council - January 18, 2016. p. 60

Addendum (Additions and Corrections)

14. Mr. John Heckbert to address Council regarding Davis Drive Redevelopment. p. 61
15. Mr. Chris Campbell to address Council regarding Item 8 being Corporate Services Report - Financial Services 2016-04 dated January 13, 2016 regarding Final Approval of the 2016 Operating and Capital Budgets. p. 62

Adjournment

Deputation and Further¹ Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Subject:

Date of Meeting: Agenda Item No.:

☒ I wish to address Council / Committee

☐ I request future notification of meetings.

Name:

Organization / Group/ Business represented:

Address:

Postal Code:

Email:

Home Phone:

Business Phone:

Be advised that all Council and Committee of the Whole meetings are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

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.

Tom Vegh Expenses

Ontario Library Association
Conference

What he was reimbursed

- Delta Toronto – Accommodation \$916.85
- Meals - \$65.61
- Conference Fees - \$391.78

Was Hotel Stay Appropriate?

- Driving time between Newmarket and Delta Hotel = 39 minutes (www.mapquest.com)
- GO Transit Bus between 404 stop and Union Station = 33 minutes (GO Transit Schedule)
- GO Transit daily fare = \$16.90 (GO Transit website)
- GO Transit buses run all day long starting southbound at 5 am and last northbound bus at 2 am.

Was Delta Hotel Cheapest?

- Group discounts available at the following hotels:
 - Strathcona \$134/ night
 - Renaissance \$181/ night
 - Royal York \$189/ night
 - InterContinental \$204/ night
 - Delta \$219/ night

Joint CAO/Corporate Services - Financial Services 2015-21

Council has, through its motion of March 30th, asked staff to advise whether certain expenses are permitted by Town policies. While this report outlines various policies that may apply in this instance, these policies do not put staff in a position to adjudicate on the appropriateness of use. The vehicle for that process would be a review by the Integrity Commissioner (IC) who under the Municipal Act has the authority to perform in an independent manner an investigation with respect to the application of the Code of Conduct and any procedures, rules and policies of the Town. In addition, the Integrity Commissioner is also granted powers of inquiry and free access to records.

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 Rezaïy, 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 Rezaïy, 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 Rezaïy, 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

- 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 Blommesteijn 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 1,615.60m² 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 154m² 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.

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.

43. THAT staff prepare an Information Report related to the Central York Fire Services - Joint Council Committee land acquisition and Fire Services hiring processes.

44. 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.

45. 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.

46. 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.

47. 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.

48. 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.

49. 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.

50. 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.

51. 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.

52. 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

53. 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

54. 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

55. 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

56. 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

57. 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

58. 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

59. 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.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Monday, January 11, 2016 at 10:00 AM
Council Chambers

For consideration by Council
on January 18, 2016

The meeting of the Special Committee of the Whole was held on Monday, January 11, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney (10:05 to 10:39 a.m.)
Councillor Hempen (10:04 to 10:39 a.m.)
Councillor Sponga
Councillor Broome-Plumley
Councillor Bisanz

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

The meeting was called to order at 10:01 a.m.

Mayor Van Bynen in the Chair.

Declarations of Interest

None.

Presentation

1. The Director of Financial Services/Treasurer addressed those present with a PowerPoint presentation. He advised that an amended Appendix 'B' had been distributed electronically and hard copy. The PowerPoint presentation highlighted details of budget goals and proposed reductions from the December 7, 2015 Committee of the Whole meeting.

Moved by: Councillor Vegh
 Seconded by: Councillor Kerwin

THAT the PowerPoint presentation by the Director of Financial Services/Treasurer regarding the 2016 Operating and Capital Budget be received.

Carried

Deputations

None.

Items

2. Joint CAO/Commissioners and Financial Services Report 2016-01 dated January 7, 2016 regarding Approval of the 2016 Operating and Capital Budgets.

Moved by: Councillor Hempen
 Seconded by: Councillor Sponga

a) THAT Joint CAO/Commissioners and Financial Services Report 2016-01 dated January 7, 2016 regarding Approval of the 2016 Operating and Capital Budgets be received and the following recommendations be adopted:

i) THAT the proposed 2016 Operating Budget with expenditures of \$114,958,363 be approved, which is comprised of the following components:

- a. \$61,139,794 for the Town portion, which includes an additional \$424,583 for asset replacement funding;
- b. \$30,000 for the Newmarket Downtown Business Development Area (BIA);
- c. \$2,334,888 for the Building portion;
- d. \$3,895,481 for the Library portion;
- e. \$14,595,632 for Central York Fire Services (Newmarket share)
- f. \$32,962,568 for the Water and Wastewater Rate Groups which includes an additional \$488,395 for asset replacement funding;

ii) AND THAT the proposed 2016 Capital Budget with expenditures of \$26,437,774 be approved;

iii) AND THAT the proposed 2016 Operating and Capital Budgets be forwarded to the Council meeting of January 18, 2016 for final approval.

Carried

Closed Session

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

Adjournment

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

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 10:39 a.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

The meeting of the Committee of the Whole was held on Monday, January 11, 2016 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 (1:31 to 2:51 p.m.)(3:02 to 5:05 p.m.)
Councillor Sponga
Councillor Broome-Plumley (1:31 to 3:02 p.m.)
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
C. Service, Director of Recreation & Culture
J. Unger, Assistant Director of Planning
C. Kallio, Economic Development Officer
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 1:31 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the addendum items, being a deputation request by Mr. Stephen Mrakovcic regarding Magna Centre – Fitness Upgrade and a brief PowerPoint presentation by the Commissioner of Development and Infrastructure related to Item 7 being Development and Infrastructure Services Report – Engineering Services 2016-02 dated January 4, 2016 regarding Water Street Crossing – Update.

Moved by: Councillor Sponga
 Seconded by: Councillor Bisanz

THAT the addendum items be included on the agenda.

Carried

Declarations of Pecuniary Interest

- a) Councillor Hempen declared an interest in Item 4 of the agenda, being Joint Report Community Services - Economic Development, Development and Infrastructure Services - Planning, Corporate Services - Finance 2016-01 dated December 17, 2015 regarding Targeted Marketing Program to Advance Re-development of Davis Drive Properties as he owns properties along the Davis Drive corridor, being 232 Penn Avenue and 20 Hill Street. He advised that he would not take part in the discussion or voting on the matter.

Presentations & Recognitions

None.

Deputations

1. Ms. Sabrina Rezaïy, Sabrina's Pizzeria Bar & Grill, addressed the Committee and asked that they consider her financial losses should her contract with the Town be terminated early and provided a brief summary of her costs. In addition, she requested that the security deposit that was submitted be provided immediately should her contract be terminated.

Moved by: Councillor Sponga
 Seconded by: Councillor Hempen

THAT the deputation by Ms. Sabrina Rezaïy, Sabrina's Pizzeria Bar & Grill regarding Magna Centre leases and proposed fitness centre be received.

Carried

2. Mr. Stephen Mrakovcic, Master Fitness Inc., addressed the Committee with respect to the proposed fitness centre at the Magna Centre. He advised that he is not supportive of the proposal and expressed concern for other small gym facilities should the proposal be approved. He indicated that he doesn't support the municipality being involved in this type of venture and is not supportive of tax dollars being allocated to the project.

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

THAT the deputation by Mr. Stephen Mrakovcic, Master Fitness Inc. regarding Magna Centre - Fitness Upgrade be received.

Carried

Consent Items

Moved by: Councillor Bisanz
 Seconded by: Councillor Sponga

THAT the following items be adopted on consent:

3. Joint Commissioner/Legal Services and Procurement Services Report 2016-02 dated January 6, 2016 regarding Response to Deputation - Sabrina's Pizzeria Bar and Grill.

a) THAT Joint Commissioner/Legal Services and Procurement Services Report 2016-02 dated January 6, 2016 regarding staff response to Council deputation by Sabrina's Pizzeria Bar and Grill regarding RFP 2014-04, Leased Space Opportunities Food and Beverage be received.

4. Development and Infrastructure Services Report - Engineering Services 2016-03 dated January 4, 2016 regarding Grant Blight Crescent - West-end Parking Review.

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-03 dated January 4, 2016 regarding Grant Blight Crescent - West-end 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 deleting the following:

Grant Blight Crescent, on the west and north side between Bristol Road to the lot line between # 129 and # 133 Monday to Friday between the hours of 8:00 a.m. and 4:00 p.m.; and Grant Blight Crescent, on the east and south side between Bristol Road to the lot line between # 128 and # 132 Monday to Friday between the hours of 8:00 a.m. and 4:00 p.m.; and Grant Blight Crescent, on the east and north side between Stiver Drive to the lot line between # 129 and # 133 Monday to Saturday between the hours of 8:00 a.m. to 4:00 p.m.; and Grant Blight Crescent on the west and south side between Stiver Drive to the lot line between

128 and # 132 Monday to Saturday between the hours of 8:00 a.m. to 4:00 p.m.;

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

Grant Blight Crescent on both sides between Bristol Road to Stiver Drive Monday to Friday between the hours of 8:00 a .m. to 4:00 p.m.;

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

5. Development and Infrastructure Services Report - Engineering Services 2016-04 dated January 4, 2016 regarding the Final Acceptance and Assumption of the Stormwater Management Pond - Garden Homes Residential Subdivision.

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-04 dated January 4, 2016 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Garden Homes Residential Subdivision be received and the following recommendations be adopted:

i) THAT the Stormwater Management Pond for Garden Homes Residential Subdivision be finally accepted and assumed by the Town;

ii) AND THAT Mr. Ignazio Giardina of Garden Homes Inc. and Mr. Angelo Maurizio, P. Eng., of Schaeffer & Associates Ltd. be notified of these recommendations.

6. Corporate Services Report - Financial Services 2016-03 dated January 6, 2016 regarding Corporate Financial Policies.

a) THAT Corporate Services Report - Financial Services 2016-03 dated January 6, 2016 regarding the Corporate Financial Policies be received and the following recommendations be adopted:

i) THAT the following corporate financial policies including the policies' appendices be approved by Council:

Revised Investment Policy, Revised Mileage Policy;

ii) AND THAT a by-law regarding Banking Related Authorities be forwarded to Council for adoption.

7. Corporate Services Report - Financial Services 2016-02 dated January 7, 2016 regarding the 2016 Interim Tax Billing and By-law.
 - a) THAT Corporate Services Report - Financial Services 2016-02 dated January 7, 2016 regarding the 2016 Interim Tax Billing be received and the following recommendation be adopted:
 - i) THAT Council enact a by-law (attached hereto as Appendix 'A') for the levy and collection of the 2016 Interim Tax Levy.
8. Excerpt from Minutes - Item 3 of Central York Fire Services - Joint Council Committee Draft Minutes of December 15, 2015. (Central York Fire Services Report 2015-10 dated December 15, 2015 regarding 55' Aerial/Quint Cost Increase attached for information purposes only)
 - a) THAT Central York Fire Services Report 2015-10 dated December 15, 2015 regarding 55' Aerial/Quint Cost Increase be received and the following recommendations be adopted:
 - i) THAT the Joint Council Committee (JCC) approve additional funds from reserve to purchase a replacement Aerial/Quint device due to a shortfall in the budget;
 - ii) AND THAT JCC authorize the Director of Finance and the Manager of Procurement to fund from reserve the replacement apparatus by \$366,000.00 CDN (excluding applicable taxes).
9. Newmarket Public Library Board Minutes of October 21 and November 18, 2015.
 - a) THAT the Newmarket Public Library Board Minutes of October 21 and November 18, 2015 be received.
10. Newmarket Economic Development Advisory Committee Minutes of October 29, 2015 and November 19, 2015.
 - a) THAT the Newmarket Economic Development Advisory Committee Minutes of October 29, 2015 and November 19, 2015 be received.
11. Main Street District Business Improvement Area Board of Management Minutes of October 20, 2015 and November 17, 2015.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of October 20, 2015 and November 17, 2015 be received.

12. Newmarket Environmental Advisory Committee Minutes of November 25, 2015.
 - a) THAT the Newmarket Environmental Advisory Committee Minutes of November 25, 2015 be received.
13. Heritage Newmarket Advisory Committee Minutes of November 3, 2015 and December 1, 2015.
 - a) THAT the Heritage Newmarket Advisory Committee Minutes of November 3, 2015 and December 1, 2015 be received.
14. Site Plan Review Committee Minutes of December 14, 2015.
 - a) THAT the Site Plan Review Committee Minutes of December 14, 2015 be received.
15. Item 1 of the Site Plan Review Committee Minutes of December 14, 2015 regarding an Application for Amendment to Site Plan Approval to permit the reconstruction of the existing parking lot to expand the capacity from 63 to 83 spaces, improve emergency access and introduce Low Impact Development (LID) measures for stormwater management.
 - a) That the Application for Amendment to Site Plan Approval to permit the reconstruction of the existing parking lot to expand the capacity from 63 to 83 spaces, improve emergency access and introduce Low Impact Development (LID) measures for stormwater management be approved in principle and referred to staff for processing, subject to the following:
 - i) THAT the preliminary review comments be addressed to the satisfaction of Town Staff; and
 - ii) AND THAT the application be referred to a Public Information Centre;
 - iii) AND THAT Mr. Mike Walters, Chief Administrative Officer of Lake Simcoe Region Conservation Authority 120 Bayview Parkway, Box 282, Newmarket, ON L3Y 3W3 be notified of this decision;
 - iv) AND THAT Ms. Andrea Keeping, Project Manager, Water Resources of Candevcon Limited 1600 Champlain Avenue, Suite 402, Whitby, ON L1N 9B2 be notified of this decision.

16. Correspondence/Report from Amberley Gavel regarding the Closed Meeting Investigation.
 - a) THAT the correspondence/report from Amberley Gavel regarding the Closed Meeting Investigation be received.
17. Correspondence dated November 27, 2015 from Samita Sarwan, National Eating Disorder Information Centre requesting that February 1 to 7, 2016 be proclaimed as 'Eating Disorder Awareness Week'.
 - a) THAT the correspondence dated November 27, 2015 from Samita Sarwan be received and the following recommendations be adopted:
 - i) THAT the Town of Newmarket proclaim February 1 to 7, 2016 as 'Eating Disorder Awareness Week';
 - ii) AND THAT the proclamation be advertised on the Town Page advertisement and on the Town's website www.newmarket.ca

Carried

Closed Session

18. Joint Community Services Report - Recreation and Culture and Corporate Services - Legal Services (Closed Session) 2016-04 dated January 11, 2016 regarding the Magna Centre restaurant and advice that is subject to solicitor/client privilege as per Section 239 (2) (f) of the Municipal Act, 2001.

Moved by: Councillor Sponga
 Seconded by: Councillor Bisanz

THAT the meeting convene into Closed Session regarding Joint Community Services Report - Recreation and Culture and Corporate Services - Legal Services (Closed Session) 2016-04 dated January 11, 2016 regarding the Magna Centre restaurant and advice that is subject to solicitor/client privilege as per Section 239 (2) (f) of the Municipal Act, 2001.

Carried

Committee of the Whole resolved into Closed Session at 1:48 p.m.

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

The Committee of the Whole resumed into Public Session at 2:28 p.m.

19. Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre.

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Hempen

a) THAT Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre be received and the following recommendations be adopted:

i) THAT the Town of Newmarket convert the existing restaurant space into an equipment based, membership oriented fitness facility within the capital costs identified;

ii) AND THAT staff report back on options for the kitchen and kiosk spaces, including an expanded fitness centre in the kitchen area and/or maintaining a food kiosk;

iii) AND THAT the funding be added to the draft 2016 Capital Budget.

Carried

20. Joint Report Community Services - Economic Development, Development and Infrastructure Services - Planning, Corporate Services - Finance 2016-01 dated December 17, 2015 regarding Targeted Marketing Program to Advance Re-development of Davis Drive Properties.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Bisanz

a) THAT Community Services - Economic Development, Development and Infrastructure Services - Planning and Corporate Services - Finance Joint Report 2016-01 dated December 17, 2015 regarding the Targeted Marketing Program to Advance Re-development of Davis Drive Properties be received and the following recommendations be adopted:

i) THAT an exploratory engagement process and utilization of existing incentives and associated budgets be initiated immediately with a 'to be identified' list of developers/landowners related to specific properties along Davis Drive;

ii) AND THAT while this exploratory engagement process is ongoing, staff engage outside consulting expertise to address development approval processes, associated timelines/communication practices and incentive funding mechanisms/approaches and report back within 120 days;

iii) AND THAT NEDAC be consulted throughout this process;

iv) AND THAT the development of Davis Drive be the subject of a future Economic Development Congress within 2016 where a cross section of stakeholders can come together to share ideas specific to advancing the implementation of the Secondary Plan and in keeping with the NEDAC Economic Development strategy re-fresh currently in development;

v) AND THAT the staffing related to fulfilling economic development initiatives continue at their current levels as indicated in the report with longer term staffing to be monitored and reviewed against specific needs related to the realization of Council's Strategic Priorities, implementation associated with the re-development of Davis Drive and to support NEDAC's economic development re-fresh; with a detailed staffing report to come to Committee of the Whole no later than Q3, 2016.

Carried

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

The Committee of the Whole recessed at 3:02 p.m.

Councillor Broome-Plumley left at 3:02 p.m.

The Committee of the Whole reconvened at 3:17 p.m.

21. Community Services Report - Recreation and Culture 2016-02 dated December 22, 2015 regarding Hollingsworth Arena Replacement Follow-Up.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Hempen

a) THAT Community Services Report - Recreation and Culture 2016-02 dated December 22, 2015 regarding Hollingsworth Arena Replacement Follow-Up be received and the following recommendations be adopted:

i) THAT staff continue arena negotiations with Pickering College with the goal of being in a position to recommend a capital and operating financial framework at the February 1, 2016 Committee of the Whole;

ii) AND THAT in the event Pickering College negotiations do not result in a recommended financial framework, that staff considers other arena location options to be included as part of discussions at a February Council Workshop regarding Recreation Playbook Implementation: Facility Needs/Location Planning;

iii) AND THAT in support of operational efficiencies and further to Recommendation # 2 staff concurrently consider a potential outdoor artificial ice surface be incorporated as part of indoor arena replacement scenarios.

Carried

22. Community Services - Recreation and Culture Report 2016-03 dated January 11, 2016 regarding Artificial Turf Field Agreement Follow-Up.

Moved by: Councillor Hempen
Seconded by: Councillor Kerwin

a) THAT Community Services - Recreation and Culture Report 2016-03 dated January 11, 2016 regarding an agreement with the York Region District School Board (YRDSB) for an Artificial Turf Field be received and the following recommendation be adopted:

i) THAT Council delegate authority to staff to enter into an agreement with the YRDSB for the construction and operation of an artificial turf sports field located at Dr. John M. Denison High School as outlined in this report.

Carried

23. Development and Infrastructure Services Report - Engineering Services 2016-02 dated January 4, 2016 regarding Water Street Crossing - Update.

The Commissioner of Development and Infrastructure Services and the Senior Transportation Coordinator addressed the Committee with a PowerPoint presentation which summarized the main drivers of the design concepts for the Water Street pedestrian crosswalk and provided an overview of the two design options currently being proposed. Discussion ensued regarding each proposed option, accessibility features, including compliance with the Accessibility for Ontarians with Disabilities Act, the existing interlock on Water Street, options for a signalized crosswalk and maintenance of the existing left turn option.

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

THAT the PowerPoint presentation by the Commissioner of Development and Infrastructure Services and the Senior Transportation Coordinator regarding Water Street Crossing – Update be received.

Carried

An alternate motion was presented and discussion ensued.

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

a) THAT Development and Infrastructure Services Report – ES 2016-02 dated January 4, 2016 entitled “Water Street Crossing - Update” be received and the following recommendations be adopted:

i) THAT Option 2 be endorsed as the preferred option to address pedestrian safety, with modifications to include a full left hand turn lane;

ii) AND THAT a Public Information Centre meeting be held in Q3 2016 with the results and final design including costs to be forwarded in an Information Report;

iii) AND THAT a copy of this report and Council extract be forwarded to representatives of Metrolinx and York Region.

Carried

24. Item 2 of the Site Plan Review Committee Minutes of December 14, 2015 regarding an Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot.

An alternate motion was presented and discussion ensued.

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

a) THAT the Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot be approved in principle and referred to staff for processing, subject to the following:

i) THAT the preliminary review comments be addressed to the satisfaction of Town Staff;

ii) AND THAT the requirement for a Public Information Centre be waived;

iii) AND THAT the Region of York be requested to clarify the process and timing related to the opportunity for accommodating a skateboard park and snow storage at this site;

iv) AND THAT Mr. Vikas More, Project Manager, Capital Delivery of The Regional Municipality of York 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this decision;

v) AND THAT Mr. Chris Kubbinga, Principal of Thomas Brown Architects Inc., 197 Spadina Avenue, Suite 200, Toronto, ON M5T 2C8 be notified of this decision.

Carried

25. List of Outstanding Matters.

Councillor Kerwin inquired on the status of Item 20 on the List of Outstanding Matters being Recreation Playbook Recommendations Requiring Land. The Chief Administrative Officer advised that a meeting to discuss all potential land acquisitions is anticipated to take place in Q1, 2016.

Councillor Twinney inquired on the status of Item 14 on the List of Outstanding Matters, specifically related to a public process addressing a replacement arena and proposed disposition of land at Hollingsworth Arena. The Commissioner of Development and Infrastructure Services advised that the project date of Q1, 2016 may not be achievable at this time and that staff continue to work on this matter.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the list of Outstanding Matters be received.

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motion

None.

Motions

None.

New Business

- a) Councillor Kerwin advised that the Bogart Creek is rising and expressed concern with respect to flooding of the bridge from Sheridan Court to College Manor Drive. He recommended that the water levels in the creek be monitored as a precautionary measure.

Public Hearing Matters

None.

Adjournment

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 5:05 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Monday, January 18, 2016 at 9:00 AM
Council Chambers

For consideration by Council
on January 18, 2016

The meeting of the Special Committee of the Whole was held on Monday, January 18, 2016 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
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and
Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
L. Lyons, Deputy Clerk
C. Finnerty, Council/Committee Coordinator

Guest: David Nitkin, EthicScan

The meeting was called to order at 9:04 a.m.

Mayor Van Bynen in the Chair.

Declarations of Pecuniary Interests

None.

Presentation

1. The Chief Administrative Officer introduced the Director of Legislative Services/Town Clerk, who provided a brief overview of the purpose of the meeting, being to review the draft Council Code of Conduct and receive direction from Members of Council. He also provided background information on the current Code of Conduct. The Deputy Clerk addressed the Committee with a

PowerPoint presentation regarding the Code's consultation and review phases, which ultimately led to the preparation of the draft Code. She further provided a high level overview of some of the new and refined additions to the Code, future considerations and next steps, being inclusion of Council and public feedback into a revised document to be considered at the February 22, 2016 Committee of the Whole meeting and amendments to any identified corporate policies related to the code in Q2, 2016.

Mr. David Nitkin, EthicScan, provided a brief overview related to the consultation and review phases and expressed his satisfaction with the revised Code.

Deputations

2. Mr. John Blommestein, addressed the Committee and commented that the revised Code and the process had many holes and, in his opinion, will not address public cynicism. He further commented that the document does not address written apologies and should include additional regulations to ensure that the Code provides the public with the ability to monitor the behaviour of Council. He advised that detailed comments will be provided by e-mail to staff for consideration and expressed disappointment that the process has taken so much time and resulted in a backlog of conduct related complaints.

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the deputation by Mr. John Blommestein regarding the Draft Council Code of Conduct be received.

Carried

Members of Council requested clarification on the current Code complaint process and the number of complaints currently held in abeyance.

Discussion ensued regarding the sections of the draft Code of Conduct related to definitions of gifts and removal of the provision for cash gifts, inclusion of a definition of community groups, obligations with respect to confidentiality and the enforcement of such, undue use of influence and which influences, if any, would be precluded, clarity around what would be considered criticism of staff, reduction in the market value of a gift accepted by any Member of Council, clarity on use of official titles and when approval of Council shall be sought, inclusion of social media guidelines and the complaint process as it relates to election periods. Further refinements were recommended to ensure clarity, particularly in areas of the Code where compliance with other legislation is required, and discussion ensued regarding permitting a Member of

Council to file a complaint regarding the conduct of another Member of Council and annual reporting mechanisms.

Items

2. Corporate Services Report - Legislative Services 2016-01 dated January 14, 2016 regarding 'Draft Code of Conduct for Members of Council'.

Moved by: Councillor Vegh

Seconded by: Councillor Broome-Plumley

- a) THAT the PowerPoint presentation by the Deputy Clerk regarding the Draft Code of Conduct for Members of Council be received.

Carried

An alternate motion was presented and discussion ensued.

Moved by: Councillor Twinney

Seconded by: Councillor Bisanz

- a) THAT Corporate Services Report – Legislative Services 2016-01 dated January 14, 2016 regarding 'Draft Code of Conduct for Members of Council' be received and the following recommendations be adopted:

- i) THAT Council comments on the draft Code of Conduct be received and referred to staff;

- ii) AND THAT a final draft Code of Conduct for Members of Council be considered at a future Committee of the Whole meeting;

- iii) AND THAT in addition to general public notice, individuals who previously provided input on the Code, and where contact information is available, be notified directly.

Carried

Closed Session

3. Chief Administrative Officer (Closed Session) Report 2016-01 dated January 13, 2016 regarding a pending acquisition of land in Aurora by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001.

The Chief Administrative Officer introduced Mr. Al Downey, Director, Parks and Recreation Services, Town of Aurora and advised that he would be in attendance at the Closed Session to respond to any questions that Council may have with respect to the land acquisition matter being considered.

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

THAT the meeting convene into Closed Session regarding Chief Administrative Officer (Closed Session) Report 2016-01 dated January 13, 2016 regarding a pending acquisition of land in Aurora by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001.

Carried

The Special Committee of the Whole resolved into Closed Session at 11:33 a.m.

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

The Special Committee of the Whole resumed into Open Session at 12:45 p.m.

Adjournment

Moved by: Councillor Twinney
 Seconded by: Councillor Kerwin

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 12:45 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



Mike Mayes, Director
Financial Services/Treasurer

TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
mmayes@newmarket.ca
905.895.5193 ext. 2102

January 13, 2016

CORPORATE SERVICES, FINANCIAL SERVICES REPORT - 2016-04

TO: Mayor Tony Van Bynen and Members of Council

SUBJECT: Final Approval of 2016 Operating and Capital Budgets

ORIGIN: Director, Financial Services/Treasurer

RECOMMENDATIONS:

THAT Corporate Services, Financial Services Report – 2016-04 dated January 13, 2016 regarding Final Approval of the 2016 Operating and Capital Budgets be received and the following recommendations be adopted:

1. **THAT the proposed 2016 Operating Budget with expenditures of \$114,958,363 be approved, which is comprised of the following components:**
 - a. **\$60,877,083 for the Town portion, which includes an additional \$424,583 for asset replacement funding (ARF) but excludes the advertising expense;**
 - i. **and \$262,711 for advertising in the Town portion for a total of \$61,139,794;**
 - b. **\$9,000 for the Newmarket Downtown Business Development Area (BIA) which excludes the advertising expense;**
 - i. **and \$21,000 advertising in the BIA for a total of \$30,000;**
 - c. **\$2,334,888 for the Building portion;**
 - d. **\$3,877,781 for the Library portion which excludes the advertising expense;**
 - i. **and \$17,700 for advertising in the Library portion for a total of \$3,895,481;**
 - e. **\$14,595,632 for Central York Fire Services (Newmarket's share);**
 - f. **\$32,962,568 for the Water and Wastewater Rate Groups which includes an additional \$488,395 for asset replacement funding;**
2. **AND THAT the proposed 2016 Capital Budget with expenditures of \$26,737,774 be approved.**

Purpose

This report is to consolidate the budget-related recommendations and directions from the regular and Special Committee of the Whole meetings of January 11, 2016.

Budget Impact

There is no change to the operating budget: advertising costs have been segregated. The capital budget has been increased by \$300,000 for which there is dedicated funding.

January 11 Special Committee of the Whole

Committee adopted, without amendment, the recommendations of Joint CAO/Commissioners and Financial Services Report – 2016-01 dated January 7, 2016 regarding Approval of the 2016 Operating and Capital Budgets.

At that meeting, direction was given to segregate the advertising expenses. The revised recommendation shows the advertising expense for each portion of the budget and provided totals with and without that expense included.

January 11 Committee of the Whole

The December 14 Council deferred consideration of Community Services - Recreation and Culture Report 2015-57, which proposed a fitness centre at the Magna Centre, to January 11.

Committee has recommended inclusion of this project in the 2016 Capital Budget. The \$300,000 in expenditures are to be funded by Development Charges (\$250,000) and a reserve fund loan to be repaid from future revenues (\$50,000).

The draft capital budget now includes \$26,737,774 in capital expenditures, an increase of \$300,000.

	GROWTH	REPLACEMENT	OTHER	TOTAL
Development Charges	\$ 7,697,050			\$ 7,697,050
Asset Replacement Fund (ARF)	28,500	10,130,124	150,000	10,308,624
Reserve Funds	1,846,400	0	90,000	1,936,400
General	15,550	41,300	443,150	500,000
Other Funding	3,050,000	2,100,000	1,145,700	6,295,700
Total	\$12,587,500	\$12,271,424	\$1,878,850	\$26,737,774

For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102 or via e-mail at mmayes@newmarket.ca


 Anita Moore, AMCT
 Commissioner, Corporate Services


 Mike Mayes, CPA CGA
 Director, Financial Services/Treasurer

MM/ne



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-01

A BY-LAW TO PROVIDE FOR PERSONS AUTHORIZED TO SIGN CHEQUES AND OTHER BANKING RELATED AUTHORITIES ON BEHALF OF THE TOWN.

WHEREAS paragraph 3 of subsection 11(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "*Act*") provides that a lower-tier municipality may pass by-laws, subject to the rules set out in subsection (4), respecting the financial management of the municipality and its local boards;

AND WHEREAS subsection 23.1(1) of the *Act* provides that without limiting sections 9, 10 and 11, those sections authorize a municipality to delegate its power and duties under this or any other Act to a person or body subject to the restrictions set out in Part II of the *Act*;

AND WHEREAS sections 23.2 and 23.3 of the *Act* do not restrict or prohibit the Town from giving delegated authority with respect to persons authorized to sign cheques and other banking related authorities;

AND WHEREAS section 287 of the *Act* provides that a municipality may provide that the signatures on a cheque of the municipality be mechanically or electronically reproduced;

AND WHEREAS pursuant to paragraph 6 of subsection 270(1) of the *Act*, this By-law complies with the terms, conditions and provisions set out in The Corporation of the Town of Newmarket's Delegation By-law 2007-114, enacted on October 22, 2007, as amended from time to time.

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

1. THAT all cheques issued by the Town upon the Town's general bank account or U.S. dollar bank account shall require two (2) signatures and shall be signed:
 - (a) firstly, by any one (1) of the following officers of the Town:
 - i. the Treasurer; or
 - ii. the Deputy Treasurer;
 - (b) and secondly, by any one (1) of the following officials of the Town:
 - i. the Mayor; or
 - ii. the Deputy Mayor.
2. THAT the signature of any of the persons authorized to sign cheques under paragraph 1 of this By-law:

- (a) may be written or engraved, lithographed, printed, or otherwise mechanically or electronically reproduced on cheques issued by the Town upon the Town's general bank account or U.S. dollar bank account, provided that the said cheques are in amounts less than One Hundred Thousand Dollars (\$100,000.00); and
 - (b) must be written on cheques issued by the Town upon the Town's general bank account or U.S. dollar bank account, if the cheques are in amounts greater than or equal to One Hundred Thousand Dollars (\$100,000).
- 3. THAT requests for money orders or bank drafts shall follow the same authorization procedures as under paragraphs 1 and 2 of this By-law.
- 4. THAT all electronic payments (EFT's) less than One Hundred Thousand Dollars (\$100,000.00) for the payment of vendors through the Accounts Payable system issued by the Town upon the Town's general bank account shall be authorized internally prior to transmission of the electronic file:

by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer.

THAT all electronic payments greater than or equal to One Hundred Thousand Dollars (\$100,000.00) for the payment of vendors through the Accounts Payable system issued by the Town upon the Town's general bank account shall be authorized internally prior to transmission of the electronic file in the following two (2) stages:

(a) firstly, by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer;

(b) and secondly, by any one (1) of the following officials of the Town:

- i. the Mayor; or
- ii. the Deputy Mayor.

- 5. THAT all pre-authorization documents for singular or recurring out-bound electronic payments by the Town upon the Town's general bank account shall be authorized in two (2) stages:

(a) firstly, by any one (1) of the following officials of the Town:

- i. the Mayor; or
- ii. the Deputy Mayor;

(b) and secondly, by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer

6. THAT all electronic payments for recurring payroll through the Town's payroll system issued by the Town upon the Town's general bank account shall be authorized internally prior to transmission of the electronic file in two (2) stages:

(a) firstly, by any one (1) of the following employees of the Town:

- i. Director, Financial Services; or
- ii. the Manager of Finance & Accounting;

(b) and secondly, by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer.

and the same person may not approve any subject transaction in both stages.

7. THAT the execution and signing of documents on behalf of the Corporation of the Town of Newmarket to establish business relationships, accounts, and enter into agreements with investment brokers or financial institutions for the purposes of purchasing, trading, and holding financial investments as deemed appropriate by the Treasurer or his designee and in accordance with the Town's investment policy shall be in two stages:

(a) firstly, by any one (1) of the following officials of the Town:

- i. the Mayor; or
- ii. the Deputy Mayor

(b) and secondly, by any one (1) of the following officers of the Town:

- i. the Clerk; or
- ii. the Deputy Clerk.

8. THAT the purchase of financial investments including all wire transfers of funds from the Town's general bank account shall be made only to the benefit of those investment brokers or financial institutions pre-approved in writing, as set out in (9) below.

9. THAT with respect to the actual purchase of financial investments, the transaction shall be approved in writing in two (2) stages, and using the secured wire payments facility of the Town's lead bank, as follows:

(a) firstly, by any one (1) of the following employees of the Town:

- i. the Director, Financial Services; or
- ii. the Manager of Finance & Accounting

(b) and secondly, by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer.

and the same person may not approve any subject transaction in both stages.

10. THAT other than those transactions specifically addressed in this By-law, the Treasurer or his/her designee be and is hereby authorized to sign any and all agreements, documents, or authorizations related to minor payments from the Town's general bank account, provided that any payment from such transaction:
- (a) does not exceed Ten Thousand Dollars (\$10,000); and
 - (b) is properly documented as to purpose; and
 - (c) is not made to an employee of the Financial Services Department or to a related party to the Treasurer or his/her designee.
11. THAT the Treasurer or his/her designee be and is hereby authorized to sign any and all agreements, documents, or authorizations related to conducting or facilitating the Town's day to day transactions and activities for banking with the Town's approved bank, any investment agency, any credit card company or payments processing facility, software vendor, or any other payments facilitator which is a participant to the Canadian banking system. The changing of approved banks for the general banking services of the Town is not authorized herein.
12. THAT the provisions of this By-law shall come into full force and effect upon final passage hereof, at which time By-law Number xxxx-xx and all previous By-laws, portions of By-laws, and/or resolutions that are inconsistent with the provisions of this By-law are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

ENACTED THIS 18TH DAY OF JANUARY, 2016

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-02

A BY-LAW TO IMPOSE AN INTERIM TAX LEVY FOR THE TOWN OF NEWMARKET.

WHEREAS the Council of the Corporation of the Town of Newmarket wishes to impose an interim levy as authorized by the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended:

AND WHEREAS Section 342 of the *Municipal Act, 2001*, authorizes a council to pass by-laws for the payment of taxes by instalments and the date or dates in the year for which the taxes are imposed on which the taxes or instalments are due;

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

1. THAT the Council of the Corporation of the Town of Newmarket is hereby authorized to levy in 2016 an amount equal to fifty percent (50%) of the prior year annualized taxes on property that is rateable for local municipality purposes;
2. AND THAT taxes may be levied under this by-law on a property that is rateable for local municipality purposes for the current tax year, but which was not rateable for local municipality purposes for the prior tax year, including assessment of property that is added to the assessment roll after the by-law is passed;
3. AND THAT the Treasurer of the Corporation of the Town of Newmarket shall send to each person so taxed a printed bill specifying the amounts and due dates of taxes payable by the taxpayer;
4. AND THAT the Treasurer of the Corporation of the Town of Newmarket shall send the tax bill to the taxpayer's residence or place of business unless the taxpayer directs the Treasurer, in writing, to send the bill to another address, in which case it shall be sent to that address. This direction will continue until revoked by the taxpayer in writing;
5. AND THAT the realty taxes levied by this by-law shall be due and payable in instalments on February 23, 2016, March 24, 2016 and April 25, 2016 and be paid to the Treasurer, Town of Newmarket at the Municipal Offices, 395 Mulock Drive, Newmarket or to a financial institution to the credit of the Treasurer, Town of Newmarket;
6. AND THAT Council directs that all payments, including partial payments, shall be applied to accounts on a consistent basis;
7. AND THAT this by-law shall come into effect January 1, 2016.

ENACTED THIS 18TH DAY OF JANUARY, 2016.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-03

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

(Schedule X – No Parking)

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

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

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

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Grant Blight Crescent	West and North	Bristol Road to the lot line between #129 and #133	Monday to Friday 8:00 a.m. to 4:00 p.m.
Grant Blight Crescent	East and South	Bristol Road to the lot line between #128 and #132	Monday to Friday 8:00 a.m. to 4:00 p.m.
Grant Blight Crescent	East and North	Stiver Drive to the lot line between #129 and #133	Monday to Saturday 8:00 a.m. to 4:00 p.m.
Grant Blight Crescent	West and South	Stiver Drive to the lot line between #128 and #132	Monday to Saturday 8:00 a.m. to 4:00 p.m.

2. AND 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
Grant Blight Crescent	Both	Bristol Road to Stiver Drive	Monday to Friday 8:00 a.m. to 4:00 p.m.

ENACTED THIS 18TH DAY OF JANUARY, 2016.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-04

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– JANUARY 18, 2016.

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 18TH DAY OF JANUARY, 2016

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Subject:

Date of Meeting: Agenda Item No.:

☒ I wish to address Council / Committee

☒ I request future notification of meetings.

Name:

Organization / Group/ Business represented:

Address: Postal Code:

Email:

Home Phone: Business Phone:

Be advised that all Council and Committee of the Whole meetings are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

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.

From: Brouwer, Andrew
Sent: January-18-16 1:53 PM
To: Chris Campbell
Cc: Moor, Linda
Subject: RE: Tonight's council meeting

Hi Chris,

Sure, we will add your deputation request to the addendum agenda. I've copied our coordinator so she is prompted.

Andrew

-----Original Message-----

From: Chris Campbell
Sent: January-18-16 1:49 PM
To: Brouwer, Andrew
Subject: Re: Tonight's council meeting

Andrew,

Thanks for your prompt reply and explanation regarding the rules and process for the meeting.

I'd like to make a deputation regarding the budget tonight.

Please can you confirm if I will be able to speak?

Thanks,
Chris

Sent from my iPhone