

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

1. Ms. Beth Sinyard, Curator, Elman W. Campbell Museum along with Mayor Van Bynen and Members of Council to present the 2016 High School Civic Art Contest Award Recipients. p. 1

Deputations

Approval of Minutes

2. Special Council Minutes of April 25, 2016 (6:00 p.m.) p. 2
3. Special Council (Closed Session) Minutes of April 25, 2016.
4. Council Minutes of April 25, 2016. p. 4

Reports by Regional Representatives

Reports of Committees and Staff

5. Committee of the Whole Minutes of May 9, 2016. p. 26

By-laws

- 2016-22 A By-law to exempt certain lands from the Part Lot Control provisions of the Planning Act. (Lowton - Phase 7, Country Wide Homes, Laker Court, Luck Court) p. 42

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| 2016-23 | 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. (Sacred Heart Catholic High School Relay for Life event) | p. 44 |
| 2016-24 | A By-law to appoint Provincial Offences Officers/Property Standards Officer for the Town of Newmarket. | p. 45 |

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).

Confirmatory By-law

- | | | |
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| 2016-25 | A By-law to confirm the proceedings of Council - May 16, 2016. | p. 46 |
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Addendum (Additions and Corrections)

Adjournment

Winners of the 2016 High School Civic Art Contest

Acrylic and Oil:

Winner: **Untitled** (portrait of Donald Trump) by Max Warner, Newmarket High School

Honourable Mention: **Old Man** by Reegan Sargent, Huron Heights Secondary School

Dry Medium:

Winner: **Benji** by Leanne Hollingsworth, Huron Heights Secondary School

Honourable Mention: **Stevie Nicks** by Nathan Whitefield, Huron Heights Secondary School

Mixed Media:

Winner: **Unclean Spirit** by Reece Wolff, Newmarket High School

Honourable Mention: **Tyler the Creator** by Julie Siery, Huron Heights Secondary School

Photography:

Honourable Mention: **Sun In Your Eyes** by Gabi Macias, Pickering College

Watercolour:

Winner: **Strength** by Camille Kiffin, Pickering College

Honourable Mention: **Red** by Karen Ji, Pickering College

Congratulations and thanks to all of our participants!

The meeting of Special Council was held on Monday, April 25, 2016 in Cane A & B, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Sponga (6:04 to 6:37 p.m.)
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Hempen

Staff Present: R.N. Shelton, Chief Administrative Officer
E. Armchuk, 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
A. Mollicone, Senior Solicitor

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

Mayor Van Bynen in the Chair.

Declarations of Pecuniary Interest

None.

Closed Session

1. Corporate Services (Legal Services) (Closed Session) Report 2016-05 regarding a proposed or pending acquisition or disposition of land by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001 related to property in Ward 5.

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

THAT the Special Council convene into a Closed Session regarding Corporate Services (Legal Services) (Closed Session) Report 2016-05 regarding a proposed or pending acquisition or disposition of land by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001 related to property in Ward 5.

Carried

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

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

The Special Council (Closed Session) resumed into Public Session at 6:37 p.m.

Confirmatory By-Law

2. Confirmatory By-law.

2016-20 A By-law to confirm the proceedings of Special Council - April 25, 2016.

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

THAT By-law 2016-20 be enacted.

Carried

Adjournment

Moved by: Councillor Sponga
Seconded by: Councillor Vegh

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 6:37 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

The meeting of Council was held on Monday, April 25, 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
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
C. Finnerty, Council/Committee Coordinator
J. Patel, Business Support Analyst

Open Forum

No one in attendance came forward to address Council during Open Forum.

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

1. Additions & Corrections to the Agenda.

The Chief Administrative Officer advised of the addendum item, being a matter related to the Clock Tower application that was discussed at the Special Council (Closed Session) Meeting that was held at 6:00 p.m. In addition, he introduced the new Commissioner of Corporate Services, Esther Armchuk and provided a background of her experience with the Town prior to assuming the Commissioner role.

Moved by: Councillor Sponga

Seconded by: Councillor Bisanz

THAT the addendum item be included in 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

- a) Councillor Vegh advised that, although he declared an interest at the April 18, 2016 Committee of the Whole meeting, he has received clarification that the Planning Consultant that is working with his employer is not working on the Clock Tower application and as such, he advised that he has no further conflict and will participate in the discussion and voting on any Clock Tower related matters.
- b) Councillor Hempen declared an interest with items 8 to 14 of the Committee of the Whole Minutes of April 18, 2016 being Development and Infrastructure Services - Planning and Building Services Report 2016-14 dated April 7, 2016 regarding Application for Zoning By-law Amendment - 178, 180, 184, 188, 190, 194 Main Street - Main Street Clock Inc. and all related deputations, Item 1 of the Committee of the Whole (Closed Session) Minutes of April 18, 2016 and addendum Item 10 of the Council agenda as all matters related to the Clock Tower application. As he owns a business on Main Street, he advised that he would not take part in the discussion or voting on the matter.
- c) Mayor Van Bynen declared an interest in items 2, 3 and 4 of the Committee of the Whole Minutes of April 18, 2016 being a deputation by Mr. Nathan Schaper regarding the Blue Dot campaign, the Newmarket Environmental Advisory Committee Minutes of March 2, 2016 and a motion regarding the Blue Dot Movement as his daughter is a volunteer with the project. He advised that he

would not take part in the discussion or voting on the matter and that Deputy Mayor & Regional Councillor Taylor would assume the Chair for those items.

Presentations & Recognitions

2. Ms. Debra Scott, Smart Commute Central York addressed Council with a background of the work of Smart Commute Central York, summarized the achievements of the organization over the past year and congratulated the Town on its receiving gold designation in 2016. In addition, she advised of upcoming events, being Carpool Week from April 20 to 26, 2016, 9th Annual Bike to Work Day on May 25, 2016 and the 2nd Annual June Bike Challenge and summarized travel habit statistics.

Moved by: Councillor Broome-Plumley

Seconded by: Councillor Kerwin

THAT the presentation by Ms. Debra Scott, Smart Commute Central York regarding the Annual Program Update – Smart Commute Central York 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

3. Mr. Dave Kempton, Cycle Newmarket addressed Council regarding potential bicycle lanes on Prospect Street and summarized opportunities and challenges. He requested that Cycle Newmarket be consulted on any item related to bicycle lanes or proposed cycling routes in Newmarket. In addition, he provided recommendations from Cycle Newmarket related to cycling lanes, including bi-directional lanes, protection from vehicular traffic with bollards, one way cycle lanes, where possible, coloured asphalt bike lanes and potential areas to expand cycling routes.

Moved by: Councillor Sponga

Seconded by: Councillor Bisanz

THAT the deputation by Mr. David Kempton, Cycle Newmarket regarding potential bicycle lanes on Prospect Street 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

4. Council Minutes of April 4, 2016.

Moved by: Councillor Sponga
Seconded by: Councillor Vegh

THAT the Council Minutes of April 4, 2016 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 Taylor advised that, at the April 14, 2016 Regional Committee of the Whole Meeting, Regional Council received a report and made a motion related to the matter of OMB reform which detailed the type of reforms that York Region is seeking. The report is available on the Region's website at www.york.ca

Reports of Committees and Staff

5. Council Workshop Record of April 11, 2016.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT the Council Workshop Record of April 11, 2016 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. Council Workshop Record of April 18, 2016.

Moved by: Councillor Twinney
 Seconded by: Councillor Sponga

THAT the Council Workshop Record of April 18, 2016 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. Council Workshop Record (Closed Session) of April 18, 2016.

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

THAT the Council Workshop (Closed Session) Record of April 18, 2016 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

8. Committee of the Whole Minutes of April 18, 2016.

Moved by: Councillor Sponga

Seconded by: Councillor Broome-Plumley

THAT the Committee of the Whole Minutes of April 18, 2016 be received and the following recommendations be adopted:

9. THAT the deputation by Mr. Jeffrey Peterson regarding relief from development charges for the property known as 415 Queen Street be received and referred to staff to explore opportunities related to Development Charges, engage the property owner and report back to Council within 60 days.

10. THAT the deputation by Mr. John Blommestein regarding the Election of the York Regional Chair be received.

11. Development and Infrastructure Services Report - ES 2016-21 dated March 15, 2016 regarding the Final Acceptance and Assumption of Aboveground Works - Cedar Manor Residential Subdivision - Phase 1.

a) THAT Development and Infrastructure Services Report - ES 2016-21 dated March 15, 2016 regarding the Final Acceptance and Assumption of Aboveground Works be received and the following recommendations be adopted:

i) THAT the Request for Final Acceptance and Assumption of Aboveground Works of the Cedar Manor Residential Subdivision, Phase 1 (65M-4285) as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT Mr. Mauro Baldassarra of Cedar Manor Home Corp., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffers Consulting Engineers Ltd. be notified of these recommendations.

12. Main Street District Business Improvement Area Board of Management Minutes of February 16, 2016.

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of February 16, 2016 be received.

13. Newmarket Downtown Development Committee Minutes of January 29, 2016.

a) THAT the Newmarket Downtown Development Committee Minutes of January 29, 2016 be received.

14. Heritage Advisory Committee Minutes of January 5, 2016 and March 8, 2016.
 - a) THAT the Heritage Advisory Committee Minutes of January 5, 2016 and March 8, 2016 be received.
15. Central York Fire Services - Joint Council Committee Minutes of January 12, 2016.
 - a) THAT the Central York Fire Services - Joint Council Committee Minutes of January 12, 2016 be received.
16. Central York Fire Services - Joint Council Committee (Closed Session) Minutes of January 12, 2016.
 - a) THAT the Central York Fire Services - Joint Council Committee (Closed Session) Minutes of January 12, 2016 be received.
17. Newmarket Public Library Board Minutes of February 17, 2016.
 - a) THAT the Newmarket Public Library Board Minutes of February 17, 2016 be received.
18. Appointment Committee Minutes of March 21, 2016.
 - a) THAT the Appointment Committee Minutes of March 21, 2016 be received.
19. Correspondence dated March 23, 2016 from Mr. James Nuttall, O.M.C., 1st Newmarket Group Commissioner, Scouts Canada requesting October 14 and 15, 2016 be proclaimed 'Scouts Apple Days'.
 - a) THAT the correspondence from Mr. James Nuttall, O.M.C., 1st Newmarket Group Commissioner, Scouts Canada be received and the following recommendations be adopted:
 - i) THAT the Town of Newmarket proclaim October 14 and 15, 2016 as 'Scouts Apple Days';
 - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
20. Correspondence dated March, 2016 from Minister Mario Sergio, Minister Responsible for Seniors Affairs requesting proclamation of June, 2016 as 'Seniors' Month' in the Town of Newmarket.

a) THAT the correspondence from Minister Mario Sergio dated March, 2016 be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June, 2016 as 'Seniors' Month';

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

21. Correspondence dated March 31, 2016 from Mr. John Cartwright, President, Labour Council Toronto and York Region requesting April 28, 2016 be proclaimed as 'National Day of Mourning' for Workers Killed or Injured on the Job.

a) THAT the correspondence from Mr. John Cartwright, President, Labour Council Toronto and York Region be received and the following recommendations be adopted:

i) THAT April 28, 2016 be proclaimed as 'National Day of Mourning' for Workers Killed or Injured on the Job in the Town of Newmarket;

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

22. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

23. THAT the PowerPoint presentation by the Director of Financial Services/Treasurer and Director of Corporate Communications regarding the 2017 Budget Plan be received.

24. Joint Office of the CAO, Corporate Communications, Corporate Services - Financial Services Report 2016-17 dated April 14, 2016 regarding 2017 Budget Process.

a) THAT Joint Office of the CAO, Corporate Communications, Corporate Services - Financial Services Report 2016-17 dated April 14, 2016 be received and the following recommendations be adopted:

i) THAT Council endorse the new approach to the budget;

ii) AND THAT the five focus areas outlined in this report be highlighted in the 2017 budget;

iii) AND THAT the Community Engagement Plan for the 2017 budget be commenced;

iv) AND THAT the proposed budget schedule with a target budget adoption date of December 5, 2016 be approved;

v) AND THAT Council provide direction on tax targets for the 2017 budget.

25. Development and Infrastructure Services - Planning and Building Services Report 2016-11 dated April 1, 2016 regarding the Street Naming Policy.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-11 dated April 1, 2016 regarding the Street Naming Policy be received and the following recommendation be adopted:

i) THAT the draft Street Naming Policy be referred to staff to provide alternate policy wording to reflect total municipal control of street naming.

26. Correspondence dated March 23, 2016 on behalf of the Municipal Committee for OMB Reform requesting a donation towards the costs of holding a summit.

a) THAT the correspondence dated March 23, 2016 on behalf of the Municipal Committee for OMB Reform requesting a donation towards the costs of holding a summit be received;

b) AND THAT the Town of Newmarket contribute \$500.00 toward the expenses for the Municipal Summit.

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

Deputy Mayor & Regional Councillor Taylor assumed the Chair.

27. Items 2, 3 and 4 of the Committee of the Whole Minutes of April 18, 2016 being a deputation by Mr. Nathan Schaper regarding the Blue Dot campaign, Newmarket Environmental Advisory Committee Minutes of March 2, 2016 and Item 2 of the Newmarket Environmental Advisory Committee Minutes of March 2, 2016 regarding the Blue Dot Movement.

Moved by: Councillor Kerwin
 Seconded by: Councillor Sponga

a) THAT the deputation by Mr. Nathan Schaper regarding the Blue Dot campaign be received;

b) AND THAT the Newmarket Environmental Advisory Committee Minutes of March 2, 2016 be received;

c) AND THAT the deputation by Ms. Christine Glenn and Ms. Jen Turla, Blue Dot York Region be received and the following recommendations be forwarded to Council, endorsing the principles of the Blue Dot Movement:

i) WHEREAS the Town of Newmarket understands that people are part of the environment, and that a healthy environment is inextricably linked to the well-being of our community;

ii) NOW THEREFORE BE IT HEREBY RESOLVED THAT the Town of Newmarket finds and declares that:

1. All people have the right to live in a healthy environment, including:
 - The right to breathe clean air
 - The right to drink clean water
 - The right to consume safe food
 - The right to access nature
 - The right to know about pollutants and contaminants released into the local environment
 - The right to participate in decision-making that will affect the environment

The Town of Newmarket has the responsibility, within its jurisdiction, to respect, protect, fulfill and promote these rights.

2. The Town of Newmarket shall apply the precautionary principle: where threats of serious or irreversible damage to human health or the environment exist, the Town shall take cost effective measures to prevent the degradation of the environment and protect the health of its citizens. Lack of full scientific certainty shall not be viewed as sufficient reason for the Town to postpone such measures.

3. The Town of Newmarket shall apply full cost accounting; when evaluating reasonably foreseeable costs of proposed actions and alternatives, the Town will consider costs to human health and the environment.

4. The Town of Newmarket shall specify objectives, targets and timelines and actions that the Town of Newmarket will take, within its jurisdiction, to fulfill residents' right to a healthy environment, including priority actions to:

- a. Ensure infrastructure and development projects protect the environment, including air quality;
- b. Address climate change by reducing greenhouse gas emissions and implementing adaptation measures;
- c. Responsibly increase density;
- d. Prioritize walking, cycling and public transit as preferred modes of transportation;
- e. Reduce solid waste and promote recycling and composting;
- f. Establish and maintain accessible green spaces in all residential neighbourhoods.

The Town shall review the objectives, targets, timelines and actions every five (5) years, and evaluate progress towards fulfilling this declaration and consult with residents as part of this process.

iii) BE IT FURTHER RESOLVED THAT the Town shall send a letter to the provincial government calling for a public review of the Ontario Environmental Bill of Rights in order to improve the Act and to include recognition that all people have the right to live in a healthy environment. The Town will also send a letter to the federal government calling for the development of federal legislation that recognizes that all people have the right to live in a healthy environment.

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

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

Carried

Mayor Van Bynen did not take part in the discussion or voting of the foregoing matter.

Deputy Mayor & Regional Councillor Taylor vacated the Chair.

Mayor Van Bynen assumed the Chair.

28. Councillor Bisanz: A motion regarding Ontario Municipal Board Jurisdiction over Official Plans.

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

WHEREAS a municipal Official Plan is the basis for substantial long term capital/infrastructure investments by local municipalities;

AND WHEREAS the Town of Newmarket has an Official Plan that respects and reflects Places To Grow as well as all other Provincial Planning Legislation;

AND WHEREAS The Town of Newmarket's Official Plan has been approved by the Region of York and the Province of Ontario, and is therefore deemed to be in compliance with the planning requirements of those two governments;

AND WHEREAS the Town of Newmarket has planned for, and will meet, all intensification and population targets as set out in Regional and Provincial planning legislation and policies;

AND WHEREAS the Town of Newmarket wishes to have control of local planning decisions while meeting all Regional and Provincial legislation and policies;

AND WHEREAS local planning decisions which require local knowledge and public input are best made by local planning staff and local Councils as long as they meet all Regional and Provincial planning legislation and policies:

THEREFORE BE IT RESOLVED that the Town of Newmarket call for the Province's Ontario Municipal Board review to provide significant and meaningful amendments and process changes that give authority to local control of planning decisions;

BE IT FURTHER RESOLVED that the Province ensures municipal compliance to provincial legislation and policy through a more rigorous review and approval process related to Official Plans and not through OMB intervention in individual planning applications.

BE IT FURTHER RESOLVED that individual applications are therefore left to the local decision making process and that OMB challenges are restricted only to a review of whether local planning decisions are in compliance with the municipality's own Official Plan.

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

29. Deputation by Mr. John Blommestein regarding a Motion with respect to the Ontario Municipal Board.

Moved by: Councillor Twinney

Seconded by: Councillor Sponga

THAT the deputation by Mr. John Blommestein regarding a Motion with respect to the Ontario Municipal Board 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

30. Deputations by Mr. Gordon Prentice, Mr. Glenn Wilson, Mr. Greg King, Ms. Anne Martin, Mr. Siegfried Wall and Mr. Athol Hart regarding the Clock Tower development.

Moved by: Councillor Sponga

Seconded by: Councillor Bisanz

- a) THAT all deputations regarding the Clock Tower development be received.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

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

31. Development and Infrastructure Services - Planning and Building Services Report 2016-14 dated April 7, 2016 regarding Application for Zoning By-law Amendment - 178, 180, 184, 188, 190, 194 Main Street - Main Street Clock Inc.

Moved by: Councillor Sponga

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-14 dated April 7, 2016 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:

i) THAT the application for Zoning By-law Amendment, as re-submitted by Main Street Clock Inc. for lands being located at the southwest corner of Main Street South and Park Avenue, municipally known as 178, 180, 184, 188, 190 and 194 Main Street be referred to a public meeting;

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

iii) AND THAT Mr. Chris Bobyk, The Forrest Group, 590 Alden Road, Suite 211, Markham, ON L3R 8N2 be notified of this action.

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

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

Carried

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

32. Councillor Sponga regarding Egg Laying Hens Pilot Project.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT Council expands the pilot project to include Ward 5 with respect to Corporate Services - Legislative Services Report 2016-04 regarding Ward 2 Egg Laying Hens Pilot Project adopted at the February 8, 2016 Council 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

33. Committee of the Whole (Closed Session) Minutes of April 18, 2016.

Moved by: Councillor Sponga
Seconded by: Councillor Bisanz

THAT the Committee of the Whole (Closed Session) Minutes of April 18, 2016 be approved.

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

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

Carried

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

34. Item 2 of the Committee of the Whole (Closed Session) Minutes of April 18, 2016 - A proposed or pending acquisition or disposition of land by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001 with respect to Joint Corporate Services (Legal Services) and Development and Infrastructure Services (Planning and Building Services) (Closed Session) Report 2016-12 - Ward 7 Property - Northwest Quadrant.

Moved by: Councillor Hempen
Seconded by: Councillor Sponga

a) THAT Closed Session Joint Corporate Services - Legal Services and Development and Infrastructure Services – Planning and Building Services Report 2016-12 dated April 18, 2016 regarding strategic land acquisition be received;

b) AND THAT staff proceed as directed at the April 18, 2016 Committee of the Whole (Closed Session) 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

35. Item 3 of the Committee of the Whole (Closed Session) Minutes of April 18, 2016 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001 and advice that is subject to solicitor-client privilege, including communications necessary for that purpose as per Section 239 (2) (f) of the Municipal Act, 2001 with respect to Corporate Services (Legal Services) and Development and Infrastructure Services (Planning Services) Joint (Closed Session) Report 2016-03 regarding Secondary Plan Appeals to the Ontario Municipal Board.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

a) THAT Corporate Services – Legal Services and Development and Infrastructure Services – Planning and Building Services Joint (Closed Session) Report 2016-03 dated April 11, 2016 regarding Secondary Plan Appeals to the Ontario Municipal Board: Update on Settlement Discussions be received;

b) AND THAT the recommendations in Corporate Services – Legal Services and Development and Infrastructure Services – Planning and Building Services Joint (Closed Session) Report 2016-03 be adopted.

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

36. Correspondence from Ms. Susan Cancelli, Community Living Newmarket/Aurora District dated April 20, 2016 requesting proclamation of May, 2016 as Community Living Month and lighting Riverwalk Commons in Blue and Green on the evening of May 11, 2016.

Moved by: Councillor Hempen
 Seconded by: Councillor Twinney

a) THAT the correspondence from Ms. Susan Cancelli, Community Living Newmarket/Aurora District be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May, 2016 as Community Living Month;

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

iii) AND THAT Riverwalk Commons be lit blue and green on the evening of May 11, 2016 in support of Community Living and inclusion of people.

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

37. Item 1 of the Special Council (Closed Session) meeting regarding Corporate Services (Legal Services) (Closed Session) Report 2016-05 regarding a proposed or pending acquisition or disposition of land by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001 related to property in Ward 5.

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

a) THAT Corporate Services (Legal Services) Closed Session Report 2016-05 dated April 25, 2016 regarding a proposed or pending acquisition of land in Ward 5 be received;

b) AND THAT the recommendations in Corporate Services (Legal Services) Closed Session Report 2016-05 as amended, be adopted;

c) AND THAT the Council of the Town of Newmarket prohibits a sale or transfer of land in relation to the Clock Tower site unless in relation to a Council approved and endorsed development and only after the project has significantly advanced and that staff report back on the exact mechanism for ensuring this process.

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

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

Carried

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

By-laws

38. By-laws 2016-17, 2016-18 and 2016-19.

2016-17 A By-law to delegate administrative matters to staff.

2016-18 A By-law to adopt Amendment Number 13 to the Town of Newmarket Official Plan.

2016-19 A By-law to amend By-law Number 2010-40, as amended, being a Zoning By-law (429 and 445 Harry Walker Parkway South)

Moved by: Councillor Broome-Plumley

Seconded by: Councillor Bisanz

THAT By-laws 2016-17, 2016-18 and 2016-19 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

- a) Deputy Mayor & Regional Councillor Taylor advised that he will be bringing forward a motion at the next scheduled Committee of the Whole meeting requesting a staff report on banning corporate or union donations during the election period.

Motions

None.

Announcements & Community Events

- a) Councillor Hempen invited residents to Riverwalk Commons, 200 Doug Duncan Drive on Tuesday, April 26, 2016 at 6:00 p.m. for an hour of entertainment by Lofty the Magician.
- b) Councillor Sponga advised of an upcoming afternoon event at the Elman W. Campbell Museum with a variety of teas, sandwiches and old-fashioned treats on Saturday, May 7, 2016. Two sittings are available and tickets can be purchased for \$10.00 each, either online at www.newmarket.snapd.com or in person at the Elman W. Campbell Museum. For more information, please call 905-953-5314.
- c) Councillor Sponga advised that the Newmarket Farmer's Market will open on May 7, 2016.
- d) Councillor Sponga advised of the adoption of the principles of the Blue Dot movement and praised Town staff for the implementation of many forward thinking environmental initiatives.
- e) Councillor Broome-Plumley invited residents to donate to the annual Spring Food Drive, until Saturday, May 1, 2016. Donations of infant food and toiletries and non-perishable items can be dropped off at the Municipal Offices (395 Mulock Drive), the Ray Twinney Recreation Complex (100 Eagle Street West) and the Magna Centre (800 Mulock Drive). To arrange daily pick up of fresh produce contact the Newmarket Food Pantry at 905-895-6823.
- f) Councillor Bisanz advised that the Town will begin cleaning its water main system on April 28, 2016 and will continue the cleaning throughout the summer months. She advised that there may be periods of discolouration and some residents' water usage may be briefly impacted however the water remains safe to drink and use. For more information visit www.newmarket.ca or call 905-895-5193.
- g) Deputy Mayor & Regional Councillor Taylor advised that the draft Community Energy Plan has been prepared however the Town continues to seek input from the community. The draft plan is available for review and input until Friday, May 6, 2016 To provide your feedback, contact Adrian Cammaert, Senior Planner – Policy at 905-895-5193 ext. 2459.

- h) Deputy Mayor & Regional Councillor Taylor advised of the 10th anniversary of Bike to Work Day on May 30, 2016 and invited residents to convene at Riverwalk Commons at 7:30 a.m. to celebrate the event.
- i) Councillor Twinney advised of the upcoming Trivia Pub Night on Friday, April 29, 2016 from 7:00 p.m. to 10:00 p.m. at the Newmarket Seniors' Meeting Place, 474 Davis Drive. The cost is \$5 for members and \$10 for non-members. Please register in advance at the Newmarket Seniors' Meeting Place. For more information, please call 905-953-5325.
- j) Councillor Kerwin invited residents to the Holland River Clean-up and Community Fun Day on Saturday, May 7, 2016. Participants will meet at the Recreation Youth Centre & Sk8 Park, 56 Charles Street at 8:30 a.m. to register; gloves and garbage bags are provided.
- k) Councillor Kerwin encouraged residents to assist with the clean-up at On Bogart Pond Circle.
- l) Councillor Vegh advised of the upcoming Neighbourhood Network Tree Planting on Saturday, April 30, 2016 from 9:00 a.m. to noon at Audrie Sanderson Park and encouraged anyone interested in volunteering to sign-up online at www.neighbourhoodnetwork.org
- m) Councillor Vegh advised that he will be hosting a Ward 1 meeting on Tuesday, May 3, 2016 from 7:00 p.m. to 9:00 p.m. at the Magna Centre, 800 Mulock Drive.
- n) Councillor Vegh advised of the Paws 'N Tales program, which was designed to develop early, reluctant and/or struggling readers. Children have the opportunity to visit and read to a therapy dog for a half-hour session. Classes are held each Sunday from 1:30 p.m. to 2:30 p.m. until May 29, 2016 at the Newmarket Public Library, 438 Park Avenue. For further information or to register for the program, contact the Newmarket Public Library at 905-953-5110.
- o) Mayor Van Bynen advised that the Town of Newmarket recently received four provincial awards:
 - 2016 Youth Friendly Community award for engaging youth programs;
 - Excellence in Design award for the HollisWealth Story Pod;
 - Excellence in Innovation award for the Recreation Pop Up Shop; and
 - The Burlington Cup award for delivering extraordinary lifesaving and aquatics programs.

He congratulated all Newmarket staff and residents who have worked diligently and contributed to being a community leading in innovation, design and recreation programming.

- p) Mayor Van Bynen advised that the next Council meeting is Monday, May 16, 2016 at 7:00 p.m.

New Business

- a) Councillor Kerwin advised that he recently met with 95 year old resident Alice Sheridan and chatted about the Town.

Closed Session

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

Confirmatory By-law

39. Confirmatory By-law.

2016-21 A By-law to confirm the proceedings of Council - April 25, 2016.

Moved by: Councillor Sponga

Seconded by: Councillor Broome-Plumley

THAT By-law 2016-21 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

40. Adjournment

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

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 8:17 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Monday, May 9, 2016 at 1:30 PM
Council Chambers

For consideration by Council
on May 16, 2016

The meeting of the Committee of the Whole was held on Monday, May 9, 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 Sponga (2:20 to 9:21 p.m.)
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Hempen

Staff Present: R. N. Shelton, Chief Administrative Officer
E. Armchuk, 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
R. Nethery, Director of Planning and Building Services
L. Lyons, Deputy Clerk
J. Unger, Assistant Director of Planning
D. Ruggle, Senior Planner – Community Planning
A. Cammaert, Senior Planner – Policy
L. Moor, Council/Committee Coordinator
C. Finnerty, Council/Committee Coordinator
J. Patel, Applications Support Analyst

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 PowerPoint presentation by Mr. Stephen Fung regarding the Regional Water and Wastewater Master Plan Update. He further advised of additional deputations related to the Public Hearing at 7:00 p.m. with respect to the Main Street Clock Inc. development proposal and provided additional details related to the structure of the Public Hearing.

Moved by: Councillor Vegh
Seconded by: Councillor Kerwin

THAT the addendum items be included in the agenda.

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

1. Mr. Mark Ortiz, Manager of Infrastructure Asset Planning and Management and Mr. Stephen Fung, Director, Infrastructure Asset Management, Regional Municipality of York addressed the Committee with a PowerPoint presentation regarding the Regional Water and Wastewater Master Plan Update along with various percentage figures associated with Lake Ontario and Lake Simcoe statistics.

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

THAT the presentation by Mr. Ortiz and Mr. Fung be provided an additional five minutes.

Carried

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT the PowerPoint presentation by Mr. Mark Ortiz, Manager of Infrastructure Asset Planning and Management and Mr. Stephen Fung, Director, Infrastructure Asset Management, Regional Municipality of York regarding the Regional Water and Wastewater Master Plan Update be received.

Carried

2. Mr. Paul Ferguson, President, Newmarket-Tay Power addressed the Committee with a PowerPoint presentation regarding a conservation demand management initiative entitled CustomerFirst Shareholding.

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional Councillor Taylor

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

Carried

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Broome-Plumley

THAT the PowerPoint presentation by Mr. Paul Ferguson, President, Newmarket-Tay Power regarding CustomerFirst Shareholding be received;

THAT the Newmarket Hydro Holdings Inc. PowerPoint presentation of the President together with the Report of the President dated April 22, 2016 regarding CustomerFirst Inc. be received and the following recommendations be adopted:

WHEREAS the Corporation of the Town of Newmarket (the "Sole Shareholder") is the sole shareholder of Newmarket Hydro Holdings Inc. (the "Corporation");

AND WHEREAS the Sole Shareholder by a Shareholder Declaration dated November 1, 2000 appointed the Mayor as its legal representative for the purpose of communicating any shareholder consent or approval required by either the terms of the Shareholder Declaration or the *Business Corporations Act* (Ontario) (the "OBCA");

AND WHEREAS the Corporation is seeking shareholder approval to enter into a partnership, strategic alliance, joint venture, union of interests or reciprocal concession with any party or any other arrangement with any party for the sharing of profits, specifically CustomerFirst Inc.;

AND WHEREAS the Board of Directors of Newmarket – Tay Power Distribution Ltd. has recommended that the Corporation subscribe to shares in CustomerFirst Inc.;

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

1. THAT the Mayor, as the Sole Shareholder's legal representative, direct R.N. Shelton, the sole director and legal representative of the Corporation, to subscribe for certain Class A and Class B shares in the capital of CustomerFirst Inc. described below:

Subscriber	Class and Number of Shares	Aggregate Consideration	NHHI Portion	Price per Share
Newmarket Hydro Holdings Inc.	1 Class A Share	\$5,000.00	\$4,650.00	\$5,000.00
Newmarket Hydro Holdings Inc.	33,883 Class B Shares	\$338.83	\$315.11	\$0.01

2. AND THAT the Mayor, as the Sole Shareholder's legal representative, direct R.N. Shelton, the sole director and legal representative of the Corporation, to execute the Declaration of Bare Trust and Nominee Agreement with Tay Hydro Inc.

Consent Items

Moved by: Councillor Vegh
 Seconded by: Councillor Kerwin

THAT the following items be adopted on consent:

3. Development and Infrastructure Services - Planning and Building Services Report 2016-13 dated April 20, 2016 regarding an Application for Zoning By-law Amendment - 345 and 351 Davis Drive.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-13 dated April 20, 2016 regarding an Application for Zoning By-law Amendment - 345 and 351 Davis Drive be received and the following recommendations be adopted:

i) THAT the Application for Zoning By-law Amendment, as submitted by 1738357 Ontario Ltd., for lands being located at 345 and 351 Davis Drive, be approved and that staff be directed to prepare the necessary Zoning By-law Amendment including a Holding Provision, as necessary;

ii) AND THAT Mr. Andrew Fernacik, Walker, Nott, Dragicevic Associates Limited, 90 Eglinton Avenue East, Suite 970, Toronto, ON M4P 2Y3 be notified of this action.

4. Development and Infrastructure Services - Planning and Building Services Report 2016-18 dated May 9, 2016 regarding the Street Naming Policy.
 - a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-18 dated May 9, 2016 regarding the Street Naming Policy be received and the following recommendations be adopted:
 - i) THAT Council adopt the attached Street Naming Policy;
 - ii) AND THAT Council delegate to staff such authority as is required to administer the Street Naming Policy.
5. Corporate Services Report - Financial Services 2016-20 dated April 27, 2016 regarding Deferred Implementation of Tiered Water Rates.
 - a) THAT Corporate Services Report - Financial Services 2016-20 dated April 27, 2016 regarding Deferred Implementation of Tiered Water Rates be received and the following recommendation be adopted:
 - i) THAT staff be directed to report back to Council on the implementation of the phase-in of the tiered fixed rate structure in 2017.
6. Corporate Services Report - Legislative Services 2016-09 dated April 28, 2016 regarding N6 Contract with BFL Canada Risk and Insurance Services Inc.
 - a) THAT Corporate Services Report – Legislative Services – 2016-09 dated April 28, 2016 regarding 'N6 Contract with BFL Canada Risk and Insurance Services Inc.' be received and the following recommendation be adopted:
 - i) THAT Council authorizes a three (3) year contract from January 1, 2017 to December 31, 2019 with BFL Canada Risk and Insurance Services Inc. for the provision of Town Insurance and Risk Management Services.
7. Main Street District Business Improvement Area Board of Management Minutes of March 15, 2016.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of March 15, 2016 be received.
8. Heritage Newmarket Advisory Committee Minutes of April 5, 2016.
 - a) THAT the Heritage Newmarket Advisory Committee Minutes of April 5, 2016 be received.

9. Item - New Business a) of the Heritage Newmarket Advisory Committee Minutes of April 5, 2016 regarding the Clock Tower development.

a) THAT the following motion be received and forwarded to staff to coordinate as part of the Planning Report.

The Heritage Newmarket Advisory Committee recommends to Council:

WHEREAS the proposed building does not comply with the Town of Newmarket's Official Plan for Main Street which limits building heights to three stories;

AND WHEREAS the proposed building does not comply with the Development Plan for the Heritage Conservation District;

AND WHEREAS the proposed underground parking consists of three levels and there is an underground watercourse beneath or adjacent to the proposed development and surrounding buildings resulting in the need for the installation of waterproofing and structural pylons and therefore the construction of the proposed development may cause a change in the natural underground watercourse and may cause damage to other buildings in the Heritage Conservation District;

AND WHEREAS many of the buildings in the surrounding area are built on rubble stone foundations, extensive excavation and construction may result in ancillary damage to other parts of those buildings;

AND WHEREAS currently Park Avenue is a narrow street which is frequently blocked by vehicular traffic, and the proposed main entrance and exit for the underground parking garage, together with the loading dock will add to an already stressed situation on Park Avenue considering that the Trinity United Church which is across the street also has handicapped parking/access onto Park Avenue opposite or in close vicinity to the underground garage entrance/exit and the loading dock and therefore, concerns arise regarding adequate turning radius and potential risks for moving vans and delivery trucks;

AND WHEREAS the proposed construction requires a land swap between the owner and the Town of Newmarket in order that it has the required number of parking spaces;

AND WHEREAS according to the building proposal submission, the facades of the buildings at 184, 188, 190 and 194 Main Street south of the former Post Office have not been preserved in accordance with the Ontario Heritage Act;

AND WHEREAS the streetscape and shadow study provided do not realistically show the potential impact on surrounding buildings such as the Trinity United Church, where the stained glass windows are worthy of protection, and businesses on the east side of Main Street where front windows may also be impacted;

AND WHEREAS the construction of this development may have a long term effect on public parking which may negatively impact the local merchants' ability to carry on business for an extended period of time;

AND WHEREAS the likelihood of precedent setting examples exist with this proposed rezoning application;

THEREFORE we, the members of the Heritage Newmarket Advisory Committee adamantly recommend that the Council of the Town of Newmarket reject this proposal.

10. Correspondence received April 26, 2016 from Mr. Bernie Smith, Principal, Sacred Heart Catholic High School requesting an exemption from the Noise By-law (2004-94) for the 2016 Relay for Life event from 12:00 p.m. to 11:59 p.m. on May 27, 2016.

a) THAT the correspondence from Mr. Bernie Smith, Principal, Sacred Heart Catholic High School regarding an exemption from the Noise By-law 2004-94, as amended, be received;

i) AND THAT the Canadian Cancer Society, Relay for Life event be exempted from the Noise By-law 2004-94, as amended, from 12:00 p.m. to 11:59 p.m. on May 27, 2016 at Sacred Heart Catholic High School, subject to notification being provided to area residents.

11. Correspondence dated April 28, 2016 from Mr. Steve Foglia, Chair, Accessibility Advisory Committee requesting proclamation of May 29 to June 4, 2016 as 'National Access Awareness Week'.

a) THAT the correspondence from Mr. Steve Foglia, Chair, Accessibility Advisory Committee be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May 29 to June 4, 2016 as 'National Access Awareness Week';

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

12. List of Outstanding Matters.

- a) THAT the list of Outstanding Matters be received.

Carried

13. Correspondence dated April 2, 2016 from Ms. Amanda Knegje, President, PFLAG Canada York Region requesting proclamation of June 11 to 19, 2016 as 'Pride Week'.

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Sponga

- a) THAT the correspondence from Ms. Amanda Knegje, President, PFLAG Canada York Region be received and the following recommendations be adopted:

- i) THAT the Town of Newmarket proclaim June 11 to 19, 2016 as 'Pride Week';

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

- iii) AND THAT staff be directed to liaise with PFLAG for any opportunity to celebrate a Pride related event during that week.

Carried

Councillor Sponga arrived at 2:20 p.m.

Action Items

14. Correspondence dated April 7, 2016 from Ms. Laurie Scott, MPP - Haliburton-Kawartha Lakes-Brock requesting support of Bill 158, Saving the Girl Next Door Act, 2016.

Moved by: Councillor Twinney

Seconded by: Councillor Broome-Plumley

THAT the correspondence dated April 7, 2016 from Ms. Laurie Scott, MPP - Haliburton-Kawartha Lakes-Brock requesting support of Bill 158, Saving the Girl Next Door Act, 2016 be received and endorsed.

Carried

Reports by Regional Representatives

None.

Notices of Motion

- a) Councillor Twinney advised she would be bringing forward a motion to the next scheduled Committee of the Whole meeting regarding the feasibility of enacting a by-law to ban driving school vehicles on residential streets.

Motions

- 15. Motion by Deputy Mayor & Regional Councillor Taylor regarding Municipal Elections.

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

THAT Council direct staff to bring back a report within 180 days that examines the process and issues related to a ban on corporate and union donations in Newmarket Municipal Elections.

Carried

New Business

- a) Mayor Van Bynen congratulated staff regarding a recently distributed Information Report 2016-06 which dealt with Enhanced Municipal Enforcement initiatives and he thanked those involved in bringing the processes up to date.
- b) Deputy Mayor & Regional Councillor Taylor requested an update from staff regarding the possibility of staggering Town events in an effort to more evenly distribute opportunities for participation by residents and Members of Council alike. The Chief Administrative Officer advised that Recreation staff could provide an update in this regard.

Closed Session

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

The Committee of the Whole recessed at 2:33 p.m.

Public Hearing Matters

The continuation of the Committee of the Whole was called to order at 7:01 p.m.

The Deputy Clerk welcomed the public to the Committee of the Whole meeting. She advised that the Planning Act requires the Town to hold at least one Public Meeting on any proposed Zoning By-law Amendment Application.

The Deputy Clerk advised that the purpose of the meeting is to hear from anyone who has an interest in the Application submitted for a Zoning By-law Amendment to amend the existing Historic Downtown Urban Centre Zone to permit a mixed use building of seven storeys on the subject lands being 178, 180, 184, 188, 190 and 194 Main Street South, specifically to accommodate one hundred sixty-five residential apartment units and five commercial units fronting on Main Street South.

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

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

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

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

Mayor Van Bynen advised of the rules of decorum for this portion of the meeting.

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

THAT the Procedural By-law be upheld and no extension of deputation times be allotted.

Carried

16. Development and Infrastructure Services Report - Planning and Building Services Report 2016-14 dated April 7, 2016 and related Council Extract, Public Meeting Notice regarding Application for Zoning By-law Amendment - 180-194 Main Street.

Moved by: Councillor Sponga
 Seconded by: Councillor Bisanz

THAT the list of names as addendum items be included.

Carried

17. Mr. Bob Forrest addressed those present with a PowerPoint presentation regarding the Main Street Clock Inc. development proposal and provided a high level summary of the proposal, including preservation of the existing historic characteristics of the building, overview of the development proposal, parking considerations and allocations, project goals, collaborations with neighbouring property owners to mitigate concerns and Trinity United Church stained glass preservation efforts due to construction vibration. Mr. Forrest concluded by addressing some concerns related to the proposed development height and compliance with existing height provisions as well as parking impacts on Main Street.
18. Mr. Art Weis addressed those present with a PowerPoint presentation providing details of various aspects of the development proposal and offered his support of the project.
19. Mr. Siegfried Wall addressed those present in opposition to the Main Street Clock Inc. development proposal.
20. Mr. David Kempton addressed those present in support of the Main Street Clock Inc. development proposal and the public consultation process
21. Ms. Peggy Stevens addressed those present in support of the Main Street Clock Inc. development proposal and offered her opinion that a walkable community with a greater variety of businesses should draw people to the area.
22. Mr. Greg King addressed those present in support of the Main Street Clock Inc. development proposal and advised of his full submission in writing provided electronically.
23. Ms. Ann Campbell addressed those present in opposition to the Main Street Clock Inc. development proposal and requested that the height restriction be adhered to and by-laws be enforced.

24. Ms. Heather Burling on behalf of Newmarket Citizens for Heritage Conservation addressed those present in opposition to the Main Street Clock Inc. development proposal.
25. Ms. Margaret Davis on behalf of Newmarket Citizens for Heritage Conservation addressed those present in opposition to the Main Street Clock Inc. development proposal. She expressed her opinion that people may avoid Main Street during construction of the proposed development and traffic and parking issues at Park Avenue and Main Street will be challenging.
26. Ms. Anne Martin addressed those present in opposition to the Main Street Clock Inc. development proposal and provided her comments related to density, parking inventory and the demolition of the development area.
27. Ms. Lisa Heckbert, on behalf of Mr. Ron Eibel addressed those present with a PowerPoint presentation expressing opposition to the Main Street Clock Inc. development proposal.
28. Mr. Glenn Wilson, on behalf of the Main Street District Business Improvement Area Board of Management addressed those present in opposition to the Main Street Clock Inc. development proposal and reminded Members of Council of a recent motion by the Board with respect to the development proposal. Mr. Wilson further requested an independent report summarizing the short and long term impacts.
29. Ms. Olga Paiva, Architectural Conservancy of Ontario (Newmarket Branch) addressed those present in opposition to the Main Street Clock Inc. development proposal and provided her opinion that the character of the street could be lost and requested consideration of refusal of the proposal.
30. Ms. Mollie Coles Tonn addressed the Committee in support of the Main Street Clock Inc. development proposal as long as the existing heritage merits are retained as they were with the construction of the Specialtylofts building.
31. Ms. Jackie Playter addressed those present in support of the Main Street Clock Inc. development proposal, the revitalization of Main Street, intensification as the next step and the proven success of the Specialtylofts as a preferred area for downsizing and staying in Newmarket.
32. Mr. Gordon Prentice, Architectural Conservancy of Ontario (Newmarket Branch) addressed those present in opposition to the Main Street Clock Inc. development proposal and provided his opinion that the scenic views and panoramas of Lower Main Street may be lost, that the mass and scale of the project is not appropriate for the area and that the construction period could be lengthy and disruptive.

33. Mr. John Heckbert addressed those present in opposition to the Main Street Clock Inc. development proposal and queried the rental versus purchase aspect, the financial impacts and the demographic attraction.
34. Ms. Jude Lauzon addressed those present in opposition to the Main Street Clock Inc. development proposal and summarized, in her opinion that some businesses have failed as a result of planning decisions, that parking needs should be remedied and that an economic impact assessment should be realized before development can proceed.
35. Ms. Elaine Adam addressed those present in opposition to the Main Street Clock Inc. development proposal and provided her opinion that this development will set a precedent and questioned what are Council and the Economic Development Office doing to protect the currently thriving businesses.
36. Mr. Dave Partington addressed those present in support of the Main Street Clock Inc. development proposal and provided his opinion that any construction project can be hampered by delays, the Davis Drive completion is now well received and consideration should be given to the upcoming generation for affordable housing options.
37. Mr. Ted Heald addressed those present in opposition to the Main Street Clock Inc. development proposal and advised that in his opinion, the Main Street merchants are divided over this matter by the specific actions of a certain Member of Council at a recent Main Street District Business Improvement Area Board of Management meeting. Mayor Van Bynen called Mr. Heald out of order; Mr. Heald continued with disparaging comments and Mayor Van Bynen requested Mr. Heald leave the Council Chambers. Mr. Heald left the Council Chambers.
38. Mr. Ted Bomers addressed those present not in favour, nor opposed to the Main Street Clock Inc. development proposal and queried if any downtown merchants experience economic viability by the inhabitants surrounding Main Street. He further queried if the proposed development, should it occur and disrupt businesses, will there be a compensation plan and will area merchants be part of the revitalization efforts?
39. Ms. Jone Wright addressed those present in opposition to the Main Street Clock Inc. development proposal and asked if the proposal could be scaled back to three storeys, four at a maximum. She concluded by querying why, in her opinion, business owners are less important than developers.

40. Mr. Athol Hart, on behalf of Heritage Newmarket Advisory Committee addressed those present and read aloud the motion of the Heritage Newmarket Advisory Committee, listed as Item 12 of the Committee of the Whole Agenda of May 9, 2016 into the record.
41. Mr. Malcolm Watts addressed those present in opposition to the Main Street Clock Inc. development proposal and advised that, in his opinion, the area known as Market Square has its own unique characteristics and one can see heritage buildings from any corner of that square, if the development were to proceed the heritage sightlines may no longer exist.
42. Mr. Terry Alderson addressed those present in support of the Main Street Clock Inc. development proposal and recommended an increase in storey height.
43. Mr. Ness Daniel addressed those present regarding the Main Street Clock Inc. development proposal and queried if any compensation would be provided to small business owners.
44. Mr. Douglas Howie addressed those present in opposition to the Main Street Clock Inc. development proposal and suggested that, in his opinion would be better suited to the City of Mississauga.
45. Correspondence dated May 3, 2016 from Mr. Michael Croxon, President, New Roads Automotive Group regarding the Main Street Clock Inc. development proposal.
46. Correspondence dated May 4, 2016 from Ms. Pat Champagne regarding the Main Street Clock Inc. development proposal.
47. Correspondence dated May 4, 2016 from Ms. Jill Kellie regarding the Main Street Clock Inc. development proposal.
48. Correspondence received May 5, 2016 from Mr. Steve Hinder regarding the Main Street Clock Inc. development proposal.
49. Correspondence dated April 26, 2016 from Ms. Karen Stiege regarding the Main Street Clock Inc. development proposal.
50. Correspondence dated May 6, 2016 from Ms. Erin Cerenzia regarding the Main Street Clock Inc. development proposal.
51. Correspondence dated May 8, 2016 from Mr. Michael Croxon rescinding correspondence sent May 3, 2016 (Item 26) regarding the Main Street Clock Inc. development proposal.

- 52. Correspondence dated May 6, 2016 from Mr. Ken Hill, Hill Hunter Losell Law Firm on behalf of Trinity United Church regarding Main Street Clock Inc. development proposal.
- 53. Correspondence dated May 8, 2016 from Mr. Jason and Ms. Suzanne Nagels regarding the Main Street Clock Inc. development proposal.
- 54. Ms. Leslie Bertin – Deputation Withdrawal – Item 23 on agenda regarding the Main Street Clock Inc. development proposal.
- 55. Correspondence dated May 8, 2016 from Ms. M. McArthur regarding the Main Street Clock Inc. development proposal.

Mayor Van Bynen thanked everyone for their participation and summarized questions that have been received along with next steps in the process.

Deputy Mayor & Regional Councillor Taylor expressed that he is proud to be part of the community and how he was impressed by the passionate and respectful concerns on both sides many of which had not been fully contemplated before.

The Director of Planning and Building Services summarized the next steps being final examination of the peer review documents, appeal mechanisms and timelines associated with the development proposal.

Moved by: Councillor Sponga

Seconded by: Councillor Bisanz

THAT all deputations and correspondence be received.

Carried

Adjournment

Moved by: Councillor Sponga

Seconded by: Councillor Broome-Plumley

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:21 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-22

A BY-LAW TO EXEMPT CERTAIN LANDS FROM THE PART LOT CONTROL PROVISIONS OF THE PLANNING ACT.

(Country Wide Homes - Blocks 196, 197, 198 and 199, Plan 65M-4438)

WHEREAS it is deemed advisable to exempt certain lands from the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P.13;

AND WHEREAS the land use to be accommodated by the exemption, the parcel to be created, and any remaining parcel, are in conformity with the governing Official Plan and are permitted and in conformity with the Zoning By-law in effect for the area in question;

AND WHEREAS Plan 65M-4438 was registered on January 13, 2015 and the construction of the units have now advanced to a point where it is appropriate to enact the required by-law;

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

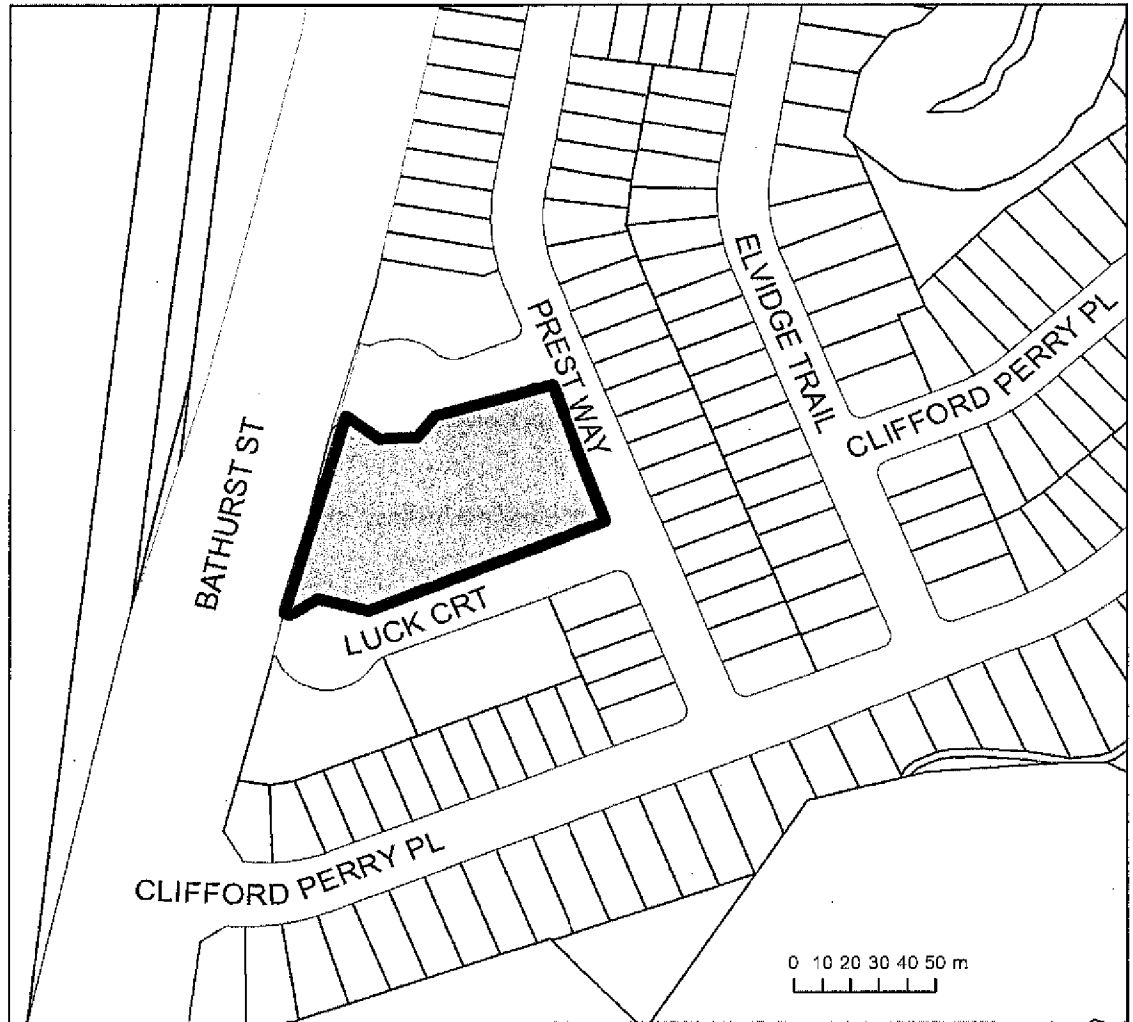
1. The provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P. 13 do not apply to the lands described as Blocks 196, 197, 198 and 199 Registered Plan 65M-4438 and further described as Parts 1 through 48 inclusive, Plan 65R-36334 Town of Newmarket, Regional Municipality of York;
2. AND THAT the Municipal Solicitor or her designate be authorized and directed to electronically sign and register this by-law on title.
3. This By-law will lapse after a period of 2 years from the date of enactment.

ENACTED THIS 16TH DAY OF MAY, 2016.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

LOCATION MAP
Blocks 196, 197, 1989, 199 Plan 65M-4438
Laker Court and Luck Court
East side of Bathurst Street north of Davis Drive
Lowton Phase 7



Subject Lands

TOWN OF NEWMARKET PLANNING DEPARTMENT

For information purposes only - does not form part of By-law 2016-22

Designed & Produced by Information Technology - GIS Printed: May, 2016. Land Parcel Boundaries - © Teramir Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2016, Zoning - Town of Newmarket, 2015. **DISCLAIMER:** This mapping is based on the POLARIS geospatial products compiled using LiDAR and Flagship System records and recent surveys and control points where available. This mapping is a reproduction of the source data and previous estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.

T:\D1 Services\Planning\Development related documentation\Lowton Phase 7\part let control exemption by-law\location map\lowton 7 PL OE by-law.mxd



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-23

A BY-LAW TO PROVIDE AN EXEMPTION TO BY-LAW 2004-94, AS AMENDED, BEING A BY-LAW TO PROHIBIT AND REGULATE UNUSUAL NOISES OR NOISES LIKELY TO DISTURB THE INHABITANTS OF THE TOWN OF NEWMARKET.

WHEREAS Section 129 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes a municipality to pass a by-law to prohibit and regulate noise in the municipality;

AND WHEREAS Council enacted By-law 2004-94, being a By-law to Prohibit and Regulate Unusual Noises or Noises Likely to Disturb the Inhabitants of the Town of Newmarket, on July 19, 2004;

AND WHEREAS Council amended Schedule "A" to By-law 2004-94 with the enactment of By-law 2005-158 on November 28, 2005;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to provide an exemption to By-law 2004-94, as amended, to facilitate the Canadian Cancer Society, Relay for Life event at Sacred Heart Catholic High School.

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

THAT the Sacred Heart Catholic High School be exempted from the Noise By-law 2004-94, as amended, from 12:00 p.m. to 11:59 p.m. on May 27, 2016 to permit their 2016 Relay for Life event at Sacred Heart Catholic High School, subject to notification being provided to area residents.

ENACTED THIS 16TH DAY OF MAY, 2016.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-24

A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS/PROPERTY STANDARDS OFFICER FOR THE TOWN OF NEWMARKET.

(Andrew Lupis, Ian Farrell, Chris Pumo)

WHEREAS it is deemed necessary to appoint Provincial Offences OfficerS/Property Standards Officer for the Town of Newmarket.

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

1. THAT Andrew Lupis and Ian Farrell be and are hereby appointed as Provincial Offences Officers for the Town of Newmarket;
2. AND THAT Chris Pumo be and is hereby appointed as Provincial Offences Officer and Property Standards Officer for the Town of Newmarket.

ENACTED THIS 16TH DAY OF MAY, 2016.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-25

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– MAY 16, 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 16TH DAY OF MAY, 2016.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk