

The meeting of the Committee of the Whole was held on Monday, November 28, 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 3:23 p.m.)
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development and Infrastructure Services
I. McDougall, Commissioner of Community Services
A. Brouwer, Director of Legislative Services/Town Clerk
R. Nethery, Director of Planning and Building Services
K. Reynar, Director of Legal Services
J. Unger, Assistant Director of Planning
D. Ruggle, Senior Planner – Community Planning
C. Finnerty, Council/Committee Coordinator
L. Moor, Council/Committee Coordinator
J. Patel, Applications Support Analyst
H. Leznoff, Elections Assistant

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 the List of Outstanding Matters, Development and Infrastructure Services Report – Planning and Building Services 2016-47 regarding Ontario Municipal Board Review – Analysis, ADR Chambers 2016 Annual Report, Agenda Items 30 to 47 being deputation requests from individuals who requested to speak regarding Item 26 of the agenda, being

Development and Infrastructure Services - Planning and Building Services Report 2016-25 regarding Application for Zoning By-law Amendment - 178, 180, 184, 188, 190 and 194 Main Street - Main Street Clock Inc. and Items 48 to 51 being correspondence from Mr. Greg King, Ms. Patricia Montgomery, Mr. Ted Bomers and Mr. George Smith also related to Item 26 of the agenda.

Moved by: Councillor Broome
Seconded by: Councillor Kwapis

THAT the addendum items be included in the agenda.

Carried

Declarations of Pecuniary Interest

- a) Councillor Hempen declared an interest in Items 3 and 26 as well as any potential discussions related to the matter of the Main Street Clock Inc. development application as he owns a business in close proximity to the subject lands. He advised he would not take part in any discussion or voting of the foregoing matter.

Presentations & Recognitions

- 1. Ms. Michelle Albert, Canadian Public Works Association presented a First Time Entry Award plaque to Mayor Van Bynen and Members of Council in honour of the Town of Newmarket being the 2016 National Public Works Week winner.
- 2. Ms. Grace Marsh, Property Tax Supervisor introduced Ms. Heather Colquhoun, Regional Manager, Municipal and Stakeholder Relations and Ms. Natasha Dawood, Account Manager, Municipal and Stakeholder Relations, Municipal Property Assessment Corporation who then addressed the Committee with a PowerPoint Presentation regarding a Service Level Agreement.

Moved by: Councillor Kerwin
Seconded by: Councillor Broome

THAT the PowerPoint presentation by Ms. Heather Colquhoun and Ms. Natasha Dawood, Municipal Property Assessment Corporation regarding a Service Level Agreement be received.

Carried

3. Corporate Services Report - Financial Services 2016-44 dated November 28, 2016 regarding a Service Level Agreement between MPAC and Ontario Municipalities.

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

a) THAT Corporate Services Report - Financial Services 2016-44 dated November 28, 2016 regarding a Service Level Agreement (SLA) between the Municipal Property Assessment Corporation (MPAC) and Ontario Municipalities be received and the following recommendations be adopted:

i) THAT the Town of Newmarket continues to participate in the Phase 1 Soft Launch with staff providing feedback to MPAC on a regular basis regarding the SLA;

ii) AND THAT Council is presented with the final SLA at the conclusion of the pilot project, along with periodic updates on the achievement of the expected service levels.

Carried

Consent Items

Moved by: Councillor Hempen
Seconded by: Councillor Broome

THAT the following items be adopted on consent:

4. Joint CAO, Commissioners and Corporate Services Report – Financial Services 2016-49 dated November 14, 2016 regarding 2017 Fees and Charges – Overview.

THAT Joint CAO, Commissioners and Corporate Services Report – Financial Services 2016-49 dated November 14, 2016 regarding 2017 Fees and Charges – Overview be received for information purposes.

5. Corporate Services Report – Financial Services 2016-50 dated November 14, 2016 regarding 2017 User Fees and Charges – General Fees and Charges.

a) THAT Corporate Services Report - Financial Services 2016-50 dated November 14, 2016 regarding 2017 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 2017 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, 2017.
- 6. Joint Development and Infrastructure Services – Planning and Building Services and Corporate Services Report – Financial Services 2016-51 dated November 14, 2016 regarding 2017 User Fees and Charges – Planning Act Fees.
 - a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services Report - Financial Services 2016-51 dated November 14, 2016 regarding 2017 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 2017 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, 2017.
- 7. Joint Central York Fire Services and Corporate Services Report – Financial Services 2016-52 dated November 14, 2016 regarding 2017 User Fees and Charges – Fire Services.
 - a) THAT Joint Central York Fire Services and Corporate Services Report - Financial Services 2016-52 dated November 14, 2016 regarding 2017 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 2017 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, 2017.
- 8. Corporate Services Report – Financial Services 2016-53 dated November 17, 2016 regarding 2017 Interim Appropriations.

- a) THAT Corporate Services Report - Financial Services 2016-53 dated November 17, 2016 regarding 2017 Interim Appropriations be received and the following recommendations be adopted:
 - i) THAT Council provide pre-budget approval for the capital projects in the attached list (Appendix A);
 - ii) AND THAT staff be authorized and directed to do all things necessary to give effect to these recommendations.
- 9. Corporate Services Report – Financial Services 2016-55 dated November 16, 2016 regarding 2017 Stormwater Rates.
 - a) THAT Corporate Services Report - Financial Services 2016-55 dated November 16, 2016 regarding 2017 Stormwater Rates be received and the following recommendations be adopted:
 - i) THAT the attached Schedule 'A' being the Town of Newmarket Stormwater Rates be approved and adopted by By-law;
 - ii) AND THAT the Stormwater Rates implementation come into full force and effects of January 1, 2017.
- 10. Corporate Services Report – Legislative Services 2016-21 dated November 7, 2016 regarding '2017 Schedule of Meetings'.
 - a) THAT Corporate Services Report - Legislative Services 2016-21 dated November 7, 2016 regarding '2017 Schedule of Meetings' be received and the following recommendation be adopted:
 - i) THAT Council adopt the 2017 Schedule of Meetings attached as Appendix 'A'.
- 11. Corporate Services - Legislative Services Report 2016-23 dated November 14, 2016 regarding the 2016 Status Update - 2013-2017 Multi-year Accessibility Plan.
 - a) THAT Corporate Services - Legislative Services Report 2016-23 dated November 14, 2016 regarding the 2016 Status Update - 2013-2017 Multi-year Accessibility Plan be received and the following recommendation be adopted:
 - i) THAT the 2016 Status Update - 2013-2017 Multi-year Accessibility Plan, attached as Appendix 'A' be approved.

12. Development and Infrastructure Services Report - Planning and Building Services 2016-33 dated November 28, 2016 regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision - 281 Main Street North.
 - a) THAT Development and Infrastructure Services Report - Planning and Building Services 2016-33 dated November 28, 2016 regarding Application for 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 19T-12N04, subject to the schedule of conditions set out in Attachment 4 - Appendix 'A' attached to and forming part of this report;
 - ii) AND THAT Council amend Zoning By-law 2010-40 for lands located at 281 Main Street North substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to this report and that staff be directed to prepare the necessary Zoning By-law Amendments including a Holding Provision (H) prefix as necessary;
 - iii) AND THAT Ms. Nicole Sampogna of Evans Planning Inc., 8481 Keele Street, Unit 12, Vaughan, ON L4K 1Z7 be notified of this action.
13. Development and Infrastructure Services Report - Engineering Services 2016-50 dated November 11, 2016 regarding 'Alex Doner Drive - Parking Review'.
 - a) THAT Development and Infrastructure Services Report - Engineering Service 2016-50 dated November 11, 2016 regarding 'Alex Doner Drive Parking Review' be received and the following recommendation be adopted:
 - i) THAT the existing parking restrictions remain as they are.
14. Main Street District Business Improvement Area Board of Management Minutes of October 18, 2016.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of October 18, 2016 be received.
15. Newmarket Public Library Board Minutes of October 19, 2016.
 - a) THAT the Newmarket Public Library Board Minutes of October 19, 2016 be received.
16. Correspondence dated November 16, 2016 from Mr. Mark Koning, Communications and Administration Coordinator, AIDS Committee of York Region requesting that December 1, 2016 be proclaimed 'World Aids Day'.

a) THAT the correspondence from Mr. Mark Koning, AIDS Committee of York Region be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim December 1, 2016 as 'World Aids Day';

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

17. ADR Chambers 2016 Annual Report.

a) THAT the ADR Chambers 2016 Annual Report be received.

18. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

Carried

19. Corporate Services Report - Financial Services 2016-46 dated November 6, 2016 regarding 2017 Water and Wastewater Rates.

Moved by: Councillor Twinney

Seconded by: Councillor Kwapis

a) THAT Corporate Services Report - Financial Services 2016-46 dated November 6, 2016 regarding 2017 Water and Wastewater Rates 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 Rates adjustments come into full force and effect as of January 1, 2017;

iii) AND THAT full implementation of fixed tiered water and wastewater rates be phased in over four years starting in 2017.

Carried

20. Development and Infrastructure Services - Planning and Building Services Report 2016-45 dated November 28, 2016 regarding Application for Official Plan Amendment and Zoning By-law Amendment - 400 Park Avenue (King George School), 405/407 Botsford Street.

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

a) THAT Development and Infrastructure Services – Planning and Building Services Report 2016-45 dated November 28, 2016 regarding Application for Official Plan Amendment and Zoning By-law Amendment be received and the following recommendations be adopted:

i) THAT the Application for Official Plan Amendment and Zoning By-law Amendment as submitted by Rose Park Avenue for lands municipally known as 400 Park Avenue, 407 and 407 Botsford Street be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, together with comments of 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 Ms. Lucila Sandoval, Groundwell Urban Planning, 30 West Beaver Creek Road, Richmond Hill, ON L4B 3K1 be notified of this action.

Carried

21. Joint Corporate Services/Development and Infrastructure Services - Financial Services Report 2016-40 dated October 20, 2016 regarding Implementation of a Stormwater Charge.

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

a) THAT Corporate Services Report - Financial Services 2016-40 dated October 25, 2016 regarding implementation of a Stormwater Charge be received and the following recommendations be adopted:

i) THAT Council adopt the Stormwater Management Services Charge By-law;

ii) AND THAT staff recommend the 2017 Stormwater Rates be included with the 2017 User Fees and Charges By-law;

iii) AND THAT Council authorizes staff to execute the communication strategy.

Carried

22. Corporate Services Report - Legislative and Legal Services Joint Report 2016-22 dated November 9, 2016 regarding 'Accountability and Transparency Measures'.

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

a) THAT Corporate Services Report - Legislative and Legal Services Joint Report 2016-22 dated November 9, 2016 regarding 'Accountability and Transparency Measures' be received and the following recommendations be adopted:

i) THAT By-law 2016-07, a by-law to Appoint a Municipal Ombudsman (ADR Chambers Inc.) for the Town of Newmarket and relevant local boards be repealed, effective January 9, 2017 as provided for in the contract;

ii) AND THAT By-law 2007-132, a by-law to appoint a Closed Meeting Investigator (Local Advisory Services Inc.) be repealed effective March 13, 2017 as provided for in the contract;

iii) AND THAT the Regional Clerk, the President of Newmarket-Tay Power Distribution Ltd. and the Provincial Ombudsman be notified of these recommendations once adopted.

Carried

23. Development and Infrastructure Services Report - Engineering Services 2016-54 dated November 28, 2016 regarding 'Public Consultation and Support Plan - Transportation Services Update.'

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-54 dated November 28, 2016 regarding 'Public Consultation and Support Plan - Transportation Services Update' be received and the following recommendations be adopted:

i) THAT the Public Consultation and Support Plan as outlined in Appendix A be adopted for use starting January 1, 2017;

ii) AND THAT the Public Consultation and Support Plan be reviewed both internally and by the public throughout 2017 for improvements for 2018, if necessary.

Carried

24. Planning and Building Services Information Report 2016-44 dated November 2, 2016 regarding Ontario Municipal Board Review.

Moved by: Councillor Bisanz
Seconded by: Councillor Vegh

- a) THAT Planning and Building Services Information Report 2016-44 dated November 2, 2016 regarding Ontario Municipal Board Review be received.

Carried

25. Development and Infrastructure Services Report - Planning and Building Services 2016-47 dated November 28, 2016 regarding Ontario Municipal Board Review - Analysis.

Moved by: Councillor Bisanz
Seconded by: Councillor Vegh

- a) THAT Development and Infrastructure Services Report - Planning and Building Services 2016-47 dated November 28, 2016 regarding Ontario Municipal Board Review - Analysis be received and the following recommendation be adopted:

- i) THAT Council direct staff to submit Report 2016-47 and Information Report 2016-44 to the Province of Ontario as the Town of Newmarket's comments on the Ontario Municipal Board Review.

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motion

None.

Motions

None.

Closed Session

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

New Business

- a) Councillor Twinney advised of a recent Ward 3 meeting where a representative of the Ministry of Natural Resources provided an informative presentation with respect to coyotes in urban areas. She requested that staff invite a Ministry of Natural Resources representative to conduct the same presentation to Members of Council at a future Council meeting.
- b) Councillor Hempen queried staff regarding a previous motion he had made with respect to the feasibility of a welcome sign installation to Newmarket Heights at the corner of Davis Drive and Longford Drive. The Commissioner of Development and Infrastructure Services advised that a report which provides signage options will be on an upcoming Committee of the Whole agenda for consideration.
- c) Councillor Broome queried staff regarding sidewalk damage by Town snow clearing equipment during the first snowfall of the season. The Commissioner of Development and Infrastructure Services advised that he is aware of the damaged sidewalk areas and that Public Works staff are currently travelling the sidewalk routes for training purposes in an effort to ensure reduction in damage during the winter season.
- d) Councillor Kerwin advised that the Riverwalk Commons Tree Lighting ceremony is scheduled for Friday December 2, 2016 at 7:30 p.m. and that the oldest band in Canada will be performing at the Old Town Hall.
- e) Councillor Kwapis also expressed his concerns with damaged sidewalks after the recent snowfall and queried staff about alternative methods of snow clearing to reduce potential damages. The Commissioner of Development and Infrastructure Services advised that in some instances, an alternative method of sidewalk clearing may be manual rather than mechanical.
- f) Deputy Mayor & Regional Councillor Taylor advised of his support for Councillor Hempen's proposal for a welcome sign at the entrance to the Newmarket Heights community.
- g) Councillor Bisanz suggested that as much communication be offered to area residents as possible with respect to Requests for Noise Exemption, including potential advertising on the Town's website and on the Town Page. A suggestion was made to publish the after-hours telephone number for residents to use should the need occur.

The Director of Legislative Services/Town Clerk advised that the exemption process to the Town's Noise By-law will be reviewed comprehensively in 2017. Mayor Van Bynen suggested that staff consider including provisions for incorporating penalties into By-law for those that have not applied for exemptions and are found in contravention of the Noise By-law.

The Committee of the Whole recessed at 3:23 p.m.

The Committee of the Whole reconvened at 7:00 p.m.

26. The Senior Planner - Community Planning provided a PowerPoint presentation overview of staff's recommendations with respect to Development and Infrastructure Services - Planning and Building Services Report 2016-25 dated November 28, 2016.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kwapis

THAT all deputations be limited to five minutes.

Carried

Deputations

27. Ms. Colleen Forrest addressed the Committee with a PowerPoint presentation and provided an overview of the application, heritage impacts, architects conclusion, restoration plan and requirements, land exchange details and economic benefits associated with the re-development of the lands.
28. Mr. John Heckbert addressed the Committee regarding specifics associated with secure land access for underground construction, Ontario Municipal Board Appeal concerns and exclusive land rights regarding the development application known as Main Street Clock Inc.

Moved by: Councillor Kerwin

Seconded by: Councillor Twinney

THAT the deputation by Mr. John Heckbert regarding concerns associated with the development application known as Main Street Clock Inc. be received.

Carried

29. Ms. Ann Campbell on behalf of Ms. Julie Cochrane addressed the Committee with concerns related to the Town's cultural master plan progression of the Old Town Hall specifically related to the development application known as Main Street Clock Inc.

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

THAT the deputation by Ms. Ann Campbell on behalf of Ms. Julie Cochrane regarding the development application known as the Main Street Clock Inc. be received.

Carried

30. Mr. Gordon Prentice addressed the Committee and advised that the Architectural Conservancy of Ontario is in opposition to the staff recommendations with respect to the development application known as the Main Street Clock Inc. He further stated that the application is not the type of intensification that the Town needs and the Trinity United Church representatives are also opposed to the application.

Moved by: Councillor Broome
Seconded by: Councillor Kwapis

THAT the deputation by Mr. Gordon Prentice regarding the development application known as the Main Street Clock Inc. be received.

Carried

31. Mr. Glenn Wilson addressed the Committee in opposition to the application known as the Main Street Clock Inc. He advised that he had spoken to many area business owners who were wary that the proposed construction could last for a number of years and that residents would avoid Main Street during a construction period.

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

THAT the deputation by Mr. Glenn Wilson regarding the development application known as the Main Street Clock Inc. be received.

Carried

32. Ms. Jone Wright addressed the Committee with concerns related to the upkeep of the buildings known as 180-194 Main Street, she provided her business background and requested enforcement of By-law 1999-34 for the buildings associated with the development application of the property known as Main Street Clock Inc.

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the deputation by Ms. Jone Wright regarding the development application known as the Main Street Clock Inc. be received.

Carried

33. Ms. Jone Wright addressed the Committee on behalf of Mr. David Hunter in opposition to the development application known as the Main Street Clock Inc. She advised that the application is a poor fit for the area and she felt that the developer is basing the application on economics versus aesthetics and questioned who would assume responsibility for any damage to adjacent properties.

Moved by: Councillor Twinney

Seconded by: Councillor Broome

THAT the deputation by Ms. Jone Wright on behalf of Mr. David Hunter regarding the development application known as the Main Street Clock Inc. be received.

Carried

34. Ms. Margaret Davis addressed the Committee in opposition to the development known as the Main Street Clock Inc. She advised that businesses on Main Street would be greatly impacted by the proposed construction and visitors would avoid Main Street as they did while Davis Drive was being reconstructed.

Moved by: Councillor Twinney

Seconded by: Councillor Kerwin

THAT the deputation by Ms. Margaret Davis regarding the development application known as the Main Street Clock Inc. be received.

Carried

35. Mr. Gerald Fox addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He expressed concerns related to waste disposal, parking of delivery vehicles and destruction of the scale of the Heritage Conservation District.

Moved by: Councillor Vegh

Seconded by: Councillor Kwapis

THAT the deputation by Mr. Gerald Fox regarding the development application known as the Main Street Clock Inc. be received.

Carried

36. Mr. Chris Howie addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He advised of concerns related to blocking the Clock Tower portion of the building from others within the Heritage Conservation District and his opinion that the proposed construction would stall the economic progress of Main Street.

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

THAT the deputation by Mr. Chris Howie regarding the development application known as the Main Street Clock Inc. be received.

Carried

37. Mr. Siegfried Wall addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He queried Council's will to protect and enhance the by-law and expressed his concerns with the application and its attributes with respect to Town policy.

Moved by: Councillor Kwapis

Seconded by: Councillor Kerwin

THAT the deputation by Mr. Siegfried Wall regarding the development application known as the Main Street Clock Inc. be received.

Carried

38. Mr. Ted Heald addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He expressed concern that approval of the development application would alter the unique charm of Main Street and suggested that the developer be held to the same policy requirements as all others within the Heritage Conservation District.

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

THAT the deputation by Mr. Ted Heald regarding the development application known as the Main Street Clock Inc. be received.

Carried

39. Ms. Tracee Chambers, Mr. Ron Eibel and Mr. Darryl Wolk addressed the Committee in opposition to the development application known as the Main Street Clock Inc. They advised that the development application was an issue for many residents during the recent Ward 5 by-election and that Main Street should remain a historical treasure in Canada.

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

THAT the deputation by Ms. Tracee Chambers, Mr. Ron Eibel and Mr. Darryl Wolk regarding the development application known as the Main Street Clock Inc. be received.

Carried

40. Mr. Bill Wolske addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He expressed concerns related to the conservation of heritage attributes, the merits of respecting cultural heritage and the proposed changes would degrade the character of Main Street

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

THAT the deputation by Mr. Bill Wolske regarding the development application known as the Main Street Clock Inc. be received.

Carried

41. Mr. Dave Peters, Newmarket Chamber of Commerce addressed the Committee regarding the development application known as the Main Street Clock Inc. He summarized the economic benefits of the revitalization efforts the potential value in progressing this development forward.

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

THAT the deputation by Mr. Dave Peters, Newmarket Chamber of Commerce regarding the development application known as the Main Street Clock Inc. be received.

Carried

42. Ms. Elaine Adam addressed the Committee regarding the development application known as the Main Street Clock Inc. She expressed concerns that money has been spent on the Town's Secondary Plan and investments on Main Street will have been wasted if the application moves forward.

Moved by: Councillor Broome
Seconded by: Councillor Bisanz

THAT the deputation by Ms. Elaine Adam regarding the development application known as the Main Street Clock Inc. be received.

Carried

43. Mr. Glenn Wilson, on behalf of Ms. Jude Lauzon addressed the Committee regarding the development application known as the Main Street Clock Inc. He expressed concerns related to potential business hardship should the development application proceed as well as potential underground impacts associated with proposed construction.

Moved by: Councillor Broome
Seconded by: Councillor Kwapis

THAT the deputation by Mr. Glenn Wilson on behalf of Ms. Jude Lauzon regarding the development application known as the Main Street Clock Inc. be received.

Carried

44. Ms. Anne Martin addressed the Committee regarding the development application known as the Main Street Clock Inc. She advised that as a property owner on Main Street, the foundations in the heritage buildings are almost all rubble stone which makes the street and the buildings fragile and construction related vibrations along with heavy equipment could severely impact the building foundations.

Moved by: Councillor Kerwin
Seconded by: Councillor Broome

THAT the deputation by Ms. Anne Martin regarding the development application known as the Main Street Clock Inc. be received.

Carried

45. Mr. Arthur Weis addressed the Committee in opposition to the development application known as the Main Street Clock Inc., although in favour of the Town staff's compromise recommendations. He advised that housing and residential properties in close proximity to the Heritage Conservation District could support the area businesses.

Moved by: Councillor Vegh
Seconded by: Councillor Kwapis

THAT the deputation by Mr. Arthur Weis regarding the development application known as the Main Street Clock Inc. be received.

Carried

46. Mr. Sean Stephens, owner of Treefrog, addressed the Committee in favour of the development application known as the Main Street Clock Inc. He provided examples of staff employed by him who are unable to find homes in Newmarket at this time and advised that the proposed development will bring revenues to Main Street.

Moved by: Councillor Vegh
Seconded by: Councillor Kwapis

THAT the deputation by Mr. Sean Stephens regarding the development application known as the Main Street Clock Inc. be received.

Carried

47. Mr. Dave Partington addressed the Committee in favour of the development application known as the Main Street Clock Inc. He advised that money is being spent on Main Street but there are not many housing options available. He advised that with the proposed development, discomfort and intense intrusion may occur but the outcome needs to be considered as well.

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

THAT the deputation by Mr. Dave Partington regarding the development application known as the Main Street Clock Inc. be received.

Carried

48. Mr. Athol Hart addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He advised that Main Street is important to more than just Newmarket residents and that although comments received are related to the front façade of the property, rear facades should also be protected in the Heritage Conservation District and original intentions, as approved in heritage plans should be followed.

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

THAT the deputation by Mr. Athol Hart regarding the development application known as the Main Street Clock Inc. be received.

Carried

49. Correspondence dated November 26, 2016 from Mr. Greg King, dated November 24, 2016 from Ms. Patricia Montgomery, dated November 24, 2016 from Mr. Ted Bomers and dated November 27, 2016 from Mr. George Smith regarding the development application known as the Main Street Clock Inc.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT all correspondence regarding the development application known as the Main Street Clock Inc. be received.

Carried

50. Development and Infrastructure Services – Planning and Building Services Report 2016-25 dated November 28, 2016 regarding Application for Zoning By-law Amendment – Main Street Clock Inc., 178, 180, 184, 188 and 194 Main Street.

An alternate motion was presented and discussion ensued.

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

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-25 dated November 28, 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 resubmitted by Main Street Clock Inc. for lands being located at the southwest corner of Main Street and Park Avenue, municipally known as 178, 180, 184, 188 and 194 Main Street be denied;

ii) AND THAT Staff be directed to create a site specific Zoning By-law to restrict the height of development at this site, fronting on Main Street at three stories plus a fourth storey if set back by a minimum of 15 (fifteen) feet, and restrict the height of development on Park Avenue at three stories with a fourth storey if set back by a minimum of 15 (fifteen) feet;

iii) AND THAT in 120 days, Staff be directed to bring back an amendment to the Heritage Conservation District Plan and By-law for consideration of Council that would outline the criteria which would need to be met by applicants in order to be considered for approval for a fourth storey set back from the street by a minimum of 15 (fifteen) feet;

iv) AND THAT Mr. Chris Bobyk, The Forrest Group, 590 Alden Road, Suite 211, Markham, ON L3R 8M2 be notified of this action.

Carried

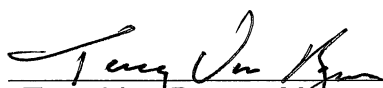
Adjournment

Moved by: Councillor Broome
Seconded by: Councillor Bisanz

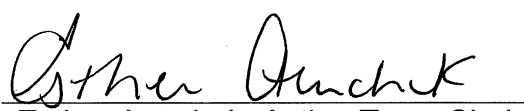
THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:52 p.m.



Tony Van Bynen, Mayor



Esther Armchuk, Acting Town Clerk