



Town of Newmarket
MINUTES

**SPECIAL
COMMITTEE OF THE WHOLE**

Monday, January 7, 2013 at 7:00 p.m.
Newmarket Theatre
505 Pickering Crescent

For consideration by Council
on January 21, 2013

The meeting of the Special Committee of the Whole was held on Monday, January 7, 2013 at 7:00 p.m. at the Newmarket Theatre, 505 Pickering Crescent, Newmarket.

Members Present: Mayor Van Bynen
Councillor Di Muccio
Councillor Emanuel
Councillor Hempen
Councillor Kerwin
Councillor Twinney
Councillor Vegh

Absent: Regional Councillor Taylor
Councillor Sponga

Staff: R. N. Shelton, Chief Administrative Officer
R. Prentice, Commissioner of Community Services
L. Lyons, Deputy Clerk
R. Nethery, Director of Planning and Building Services
L. Moor, Council Committee Coordinator

Guest: Ms. R. Victor, Planning Consultant, iPlancorp.

The Special Committee of the Whole convened at 7:01 p.m. for the Public Hearing Session

Mayor Van Bynen in the Chair.

ADDITIONS TO THE AGENDA

**Moved by Councillor Kerwin
Seconded by Councillor Twinney**

THAT the order of the agenda be altered by including the following items for consideration:

DISTRIBUTION

Public Meeting Notice related to Item 1 of the original agenda.

DEPUTATIONS/PRESENTATIONS

- b) PowerPoint Presentation by Marianneville Developments Limited.
- c) PowerPoint Presentation by Mr. Ron Kassies on behalf of Glenway Preservation Association.
- d) PowerPoint Presentation by Ms. Anne Leroux, resident.
- e) Ms. Deborah Jane Pope, resident.
- f) Mr. Dave Hanson, resident.
- g) Ms. Michelle Price, resident.
- h) Written submissions and correspondence received in the Clerk's Office as of January 7, 2013.

CARRIED

DECLARATIONS OF INTEREST

None.

PUBLIC HEARING MATTERS

Mayor Van Bynen welcomed the public to the Special Committee of the Whole meeting. Mayor Van Bynen advised that the *Planning Act* requires the Town to hold at least one Public Meeting on any proposed Official Plan, Zoning By-law Amendment, Plan of Subdivision or Condominium Application.

Mayor Van Bynen advised that the purpose of this meeting was to hear from anyone who had an interest in the application for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision by Marianneville Developments Limited (Glenway) regarding a property located on the south side of Davis Drive between Bathurst Street and Yonge Street.

Mayor Van Bynen further advised that in accordance with the *Planning Act*, if a person or public body does not make oral submissions at a public meeting or make written submission to the Town of Newmarket in respect of a proposed Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision or Condominium, the person or public body is not entitled to appeal the decision of Town Council to the Ontario Municipal Board. He advised that if anyone wished to be notified of any further Committee or Council meetings concerning the application being considered, one must complete the blue "Interested Parties Forms" and submit to Clerk's staff, the forms being available in the lobby.

Additionally, Mayor Van Bynen advised that if one is not comfortable providing oral comments, there are "Comment Forms" available in the lobby that can also be completed and submitted to Clerk's staff.

Mayor Van Bynen stated that when coming forward to speak, please state your name and address for the Clerk's record. While everyone is entitled to address Council, he asked to avoid repetition of comments already stated. If anyone had already written in or e-mailed the Town of Newmarket, their comments have been received and are on record.

Similarly, in keeping with protocols, he asked that a level of decorum be maintained that provides for a productive exchange of views relative to the issue under discussion.

He advised that the format for this meeting will be as follows:

- a) The Applicant will make a presentation on the application before Committee; the public will be invited to offer their comments or questions respecting the proposal.
- b) The Applicant or staff will be invited to respond to public comments or questions in addition to any questions or clarification requested by Council Members.

Next Steps:

Mayor Van Bynen advised that as indicated earlier, Committee will not deal with the proposal at this meeting, but will refer the matter back to staff for a report.

Mayor Van Bynen thanked everyone for their participation and interest in the meeting.

**1. SPECIAL COMMITTEE OF THE WHOLE MINUTES – JANUARY 7, 2013 – ITEM 1
COMMUNITY SERVICES REPORT – PLANNING AND BUILDING SERVICES 2012-51
APPLICATION FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW
AMENDMENT AND DRAFT PLAN OF SUBDIVISION
MARIANNEVILLE DEVELOPMENTS LIMITED**

Public Meeting Notice, Community Services Report – Planning & Building Services 2012-51 dated October 18, 2012 and related Council Extract regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision – Marianneville Developments Limited (Glenway) located on the south side of Davis Drive between Bathurst Street and Yonge Street.

Marianneville Developments Limited

Ms. Joanne Barnett, Vice-President of Marianneville Developments Limited addressed the Committee with a PowerPoint presentation of details regarding the Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for the property located on the south side of Davis Drive between Bathurst Street and Yonge Street.

Mr. Richard Zelinka, Subdivision Design and Planning Consultant of Marianneville Developments Limited addressed the Committee regarding the lands contained within the redevelopment proposal application.

**Moved by Councillor Emanuel
Seconded by Councillor Kerwin**

**THAT the deputation time limit be extended by five minutes.
CARRIED**

He provided details of the proposed densities, dwelling units, like to like compatibility, a commercial component, infilling of similar form and density of what already exists in the area.

Councillor Emanuel requested clarification regarding achievement of intensification targets and/or possibly exceeding that target within the provincial *Places to Grow Act*.

Councillor Emanuel also requested clarification regarding the proposed series of roads associated with the condominium bungalow single units and the feasibility of those roads having bollards or gates at the entrances. Mr. Zalinka advised that the gating component analysis of the application will be addressed comprehensively at a future date.

Councillor Emanuel advised that the conceptual plan shown at the meeting held on June 18, 2011 provided a vague layout of the proposed development and he queried the feedback element of a plan that only shows a block of development instead of specific lot details and requested that perhaps the residents could be shown more details of lots, dwellings, roads, etc.

Councillor Hempen queried Ms. Barnett regarding the higher density numbers associated with the submission today being different than the one provided at the June 18, 2011 public meeting. Ms. Barnett advised that the application is generally the same as the one that was presented on June 18, 2011, the numbers are not substantially different and all public comments will be considered.

Councillor Hempen requested that when information regarding the application is provided to Town staff, Members of Council be advised of the resolves proposed to the public comments and queries.

Mr. Ron Kassies – Glenway Preservation Association

Mr. Ron Kassies on behalf of the Glenway Preservation Association addressed the Committee with a PowerPoint presentation which provided details of collective concerns related to the development proposal. Ms. Christina Bisanz, resident, was also in attendance with Mr. Kassies. Mr. Kassies requested allotment of fifteen minutes for his presentation.

**Moved by Councillor Emanuel
Seconded by Councillor Hempen**

**THAT Mr. Ron Kassies on behalf of the Glenway Preservation Association be
afforded a fifteen-minute time allotment for his presentation.**

CARRIED

Councillor Emanuel thanked Mr. Kassies and the entire Glenway Preservation Association for their dedication to the community.

Ms. Anne Leroux

Ms. Leroux, resident, addressed the Committee with a PowerPoint presentation highlighting concerns related to the projected quality of life and environmental distress associated with the development of the property located on the south side of Davis Drive between Bathurst Street and Yonge Street.

**Moved by Councillor Twinney
Seconded by Councillor Kerwin**

THAT Ms. Anne Leroux be allotted an additional five-minutes for her presentation.

CARRIED

Ms. Deborah Jane Pope

Ms. Pope, resident, addressed the Committee with specific concerns related to the consultation process, traffic on Eagle Street, assurance of new trees and fencing, school requirements and boundary issues associated with the proposed development of the property located on the south side of Davis Drive between Bathurst Street and Yonge Street.

Mr. Dave Hanson

Mr. Hanson, resident, addressed the Committee with specific concerns related to traffic, construction disruption, loss of parkland and the resultant impact of a nine-hole executive golf course on the property located on the south side of Davis Drive between Bathurst Street and Yonge Street.

Ms. Michelle Price

Ms. Price, resident, addressed the Committee to officially oppose the proposed Official Plan and Zoning By-law Amendment and proposed Draft Plan of Subdivision for the property located on the south side of Davis Drive between Bathurst Street and Yonge Street. She requested that the Town adhere to the Official Plan.

Ms. Maureen Pope

Ms. Pope, resident, addressed the Committee to express that they have lived in the Glenway community for eleven years and have since convinced three other families to move to the community; she advised it would be heartbreaking to see the community divided.

Ms. Betty Ball

Ms. Ball, resident, addressed the Committee and advised that she is one of the original owners in the Glenway community and now, being retired, feels it too late to start over somewhere else. She further advised that she and her husband had carefully selected their lot with a great view and wonderful drainage and furthermore paid a premium for such. She expressed concern that this community is being pulled apart which will in turn have a negative impact on the entire Town.

Mr. Opiyo Oloya

Mr. Oloya, resident, addressed the Committee to express his opposition to the change in density of the proposed development. He requested clarification of next steps in the decision making process and queried the feasibility of a referendum. The Director of Planning and Building Services provided an outline of the next steps associated with the application.

Mr. Ray Brazeau

Mr. Brazeau, resident, addressed the Committee with his concerns and queried how the development application has advanced this far with such overwhelming community opposition. Mayor Van Bynen advised that the rights and the obligations of the Town of Newmarket Council are very clearly defined within the *Planning Act*, and the Council has an obligation to process the request in accordance with the *Act*. He also advised that the Council does not have the ability to change the statute and that the Council is obliged to deal with this application in accordance with the requirements of the law.

Ms. Erica Stern

Ms. Stern addressed the Committee and advised that although she does not live in the Glenway community she works at the long term care facility on Eagle Street and the increased traffic flow will impede the emergency services who often visit the long term care facility. She queried how the Town of Newmarket proposes to deal with the increased traffic on Eagle Street. Ms. Ruth Victor, on behalf of iPlancorp. advised that traffic counts have been submitted and are being reviewed by professional traffic analysts; questions related to road and traffic studies will necessitate answers throughout the application process.

Mr. Jim Parker

Mr. Parker, resident, addressed the Committee and advised that he is not satisfied with the answers provided by the developer; he queried if there will be another opportunity to ask focused and detailed questions. Mayor Van Bynen reiterated the next steps in the process are a comprehensive report to Committee of the Whole by the consultant.

Mr. Stuart Hoffman

Mr. Hoffman, resident, queried the developer regarding possible compensation to those individuals who paid a premium for their lots. Ms. Barnett advised that the developer would not comment on that issue at this meeting.

Mr. Glen Zavitz

Mr. Zavitz, resident, addressed the Committee in opposition to the application to change the zoning of the former golf course. He advised that the 730 plus homes that are being proposed is contrary to the Town's Official Plan and a significant change to the community. He expressed concerns regarding Yonge Street being an extremely busy corridor and with the addition of homes will make it almost impossible to travel anywhere on the Yonge Street thoroughfare.

Ms. Nadine Gaudet

Ms. Gaudet, resident, addressed the Committee with her opinion on the flippant approach of the developers She requested each Council Members viewpoint on the entire development proposal. Mayor Van Bynen advised that such information will be provided through a comprehensive report to a future Committee of the Whole meeting and due process would be followed.

Mr. Andrew Leroux

Mr. Leroux, resident, addressed the Committee regarding the parks and recreation assessment and the recreational needs associated with the development. Ms. Ruth Victor, iPlancorp. advised that contained within the submission materials provided by the applicant and by the preliminary responses by the Town of Newmarket, there exists a Parks and Recreation Master Plan which looks at park needs and preferred locations for park facilities. She further advised that specifically related to this Application, a summary of letters provided by Town staff will be evaluated in more detail.

Mr. Don Smart

Mr. Smart, resident, addressed the Committee regarding the number of items contained within the consultant's report that refer to infrastructure upgrades to service this proposed development; he queried what affect will these upgrades have on the mill rate to the average taxpayer. Ms. Ruth Victor, iPlancorp. advised that any infrastructure components that will require upgrades will be borne by the developer; these are monies that new home purchasers would have incorporated into the purchase price. She further advised that other components have not been assessed at this time (local schools, etc.)

Ms. Rochelle Nemeth

Ms. Nemeth, resident, addressed the Committee to advise that she was employed at the Glenway Golf and Country Club and is very grateful to have had the opportunity to buy a home in the Glenway community. She expressed that so much more would be lost than just financial investments if this development proceeds.

Mr. Ted Parent

Mr. Parent, resident, addressed the Committee to state that this is not just a Glenway community issue, it is Town wide and he would like to see whatever greenspace left is protected.

Moved by Councillor Emanuel
Seconded by Councillor Twinney

THAT the presentations by Ms. Joanne Barnett, Vice-President, Marianneville Developments Limited, Mr. Richard Zelinka, Subdivision Design and Planning Consultant – Marianneville Developments Limited, Mr. Ron Kassies, Glenway Preservation Association and Ms. Anne Leroux, resident, and all the deputations and written correspondence related to the Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision – Marianneville Developments Limited (Glenway) for the property located on the south side of Davis Drive between Bathurst Street and Yonge Street be received.

CARRIED

Councillor Emanuel thanked those present and expressed appreciation from all residents within the ward for working so diligently.

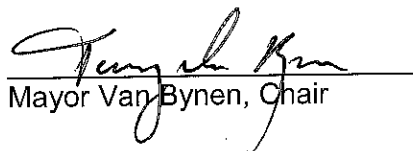
CARRIED

Moved by Councillor Hempen
Seconded by Councillor Kerwin

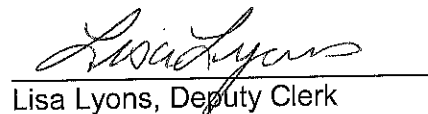
THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 8:40 p.m.



Mayor Van Bynen, Chair



Lisa Lyons, Deputy Clerk