

There were no requests to address Council during the open forum session.

The regular meeting of the Council was held on Monday, February 11, 2013 at 7:00 p.m. in the Council Chambers, 395 Mulock Drive, Newmarket.

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

Staff: R. Shelton, Chief Administrative Officer  
I. McDougall, Commissioner of Community Services  
A. Moore, Commissioner of Corporate Services  
R. Prentice, Commissioner of Development and Infrastructure Services  
E. Armchuk-Ball, Director of Legal Services/Municipal Solicitor  
A. Brouwer, Director of Legislative Services/Town Clerk  
M. Plaunt, Senior Planner - Policy  
J. Bondi, Council/Committee Coordinator

The meeting was called to order at 7:00 p.m.

Mayor Van Bynen in the Chair.

### **PUBLIC NOTICES**

None.

Mayor Van Bynen advised that the deputation by Ms. Anna O'Rourke, as listed on the addendum agenda, has been withdrawn and that there is an additional deputation request regarding the Slessor Square matter.

Mayor Van Bynen also advised that an Excerpt from the Minutes of the Special Committee of the Whole of February 11, 2013 regarding the Slessor Square development has been circulated to Council for inclusion on the agenda.

## **ADDITIONS TO THE AGENDA**

**Moved by Councillor Twinney  
Seconded by Councillor Di Muccio**

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

## **DEPUTATIONS**

3. Ms. Carol Power, resident, to address Council with respect to the proposed Slessor Square development.

## **REPORTS OF COMMITTEES AND STAFF**

6. Memorandum dated February 11, 2013 from the Associate Solicitor regarding Repeal of Town of Newmarket By-law 1995-43 and related to By-law 2013-06, as indicated below.
7. Excerpt from the Minutes of the Special Committee of the Whole meeting of February 11, 2013 regarding Development and Infrastructure Services and Corporate Services – Planning and Building Services and Legal Services Joint Reports 2013-07 and 2013-10 with respect to Application for Zoning By-law Amendment and Draft Plan of Subdivision – 17645 Yonge Street – Dwight Slessor Holdings Limited.

## **BY-LAWS**

By-law 2013-06      A By-law to Repeal By-law 1995-43 being A By-law to Establish Procedures for the Sale of Real Property Owned by the Municipality.

## **CARRIED**

## **DECLARATIONS OF INTEREST**

*(Note: Please see Page 12 of these Minutes for Declaration of Interest by Councillor Hempen)*

## **PRESENTATIONS**

None.

### **1. DEPUTATIONS – SLESSOR SQUARE**

Mr. Bill Chadwick, on behalf of the Shrink the Slessor Square Residents' Group, addressed Council with a PowerPoint presentation regarding concerns with the proposed Slessor Square development.

**Moved by Councillor Kerwin  
Seconded by Councillor Vegh**

**THAT Mr. Bill Chadwick be granted an additional five minutes for his deputation.**

**CARRIED**

Councillor Kerwin advised that the Ontario Municipal Board hearing will be taking place at the Municipal Offices at 395 Mulock Drive on February 19 and 20, 2013 and invited the public to attend.

**Moved by Councillor Hempen  
Seconded by Councillor Sponga**

**THAT the deputation by Mr. Bill Chadwick, on behalf of the Shrink the Slessor Square Residents' Group, regarding the proposed Slessor Square development, be received.**

**CARRIED**

Mr. Gordon Prentice, resident, addressed Council regarding his concerns with respect to the proposed Slessor Square development.

**Moved by Councillor Sponga  
Seconded by Councillor Vegh**

**THAT the deputation by Mr. Gordon Prentice, resident, regarding the proposed Slessor Square development, be received.**

**CARRIED**

Ms. Carol Power, resident, addressed Council expressing her support of the Slessor Square development.

**Moved by Councillor Emanuel  
Seconded by Councillor Sponga**

**THAT the deputation by Ms. Carol Power, resident, regarding the proposed Slessor Square development, be received.**

**CARRIED**

Mayor Van Bynen advised that Item 1 of the Special Committee of the Whole Minutes of February 11, 2013 regarding the proposed Slessor Square development would be brought forward at this time.

2. **SPECIAL COMMITTEE OF THE WHOLE**

Special Committee of the Whole of February 11, 2013.

**Moved by Councillor Vegh  
Seconded by Councillor Twinney**

**THAT the actions of the Special Committee of the Whole of February 11, 2013 be ratified and the following recommendations be adopted:**

3. **SPECIAL COMMITTEE OF THE WHOLE – FEBRUARY 11, 2013 – ITEM 1  
DEVELOPMENT AND INFRASTRUCTURE SERVICES AND CORPORATE  
SERVICES/PLANNING AND BUILDING SERVICES AND LEGAL SERVICES JOINT  
REPORTS 2013-07 AND 2013-10 - APPLICATION FOR ZONING BY-LAW  
AMENDMENT AND DRAFT PLAN OF SUBDIVISION – 17645 YONGE STREET –  
DWIGHT SLESSOR HOLDINGS LIMITED – PART LOT 96, CONCESSION 1, EAST OF  
YONGE STREET**

**THAT the PowerPoint presentation by Mr. Bill Chadwick, on behalf of the Shrink the Slessor Square Residents' Group regarding specific concerns related to the proposed development of the property known at 17645 Yonge Street be received.**

**THAT the deputation by Mr. Gordon Prentice, resident, with specific concerns associated with the application of proposed development of the property known as 17645 Yonge Street be received.**

**THAT Item 2 on page 3 of the Replacement Pages Document to Development and Infrastructure Services and Corporate Services/Planning and Building Services and Legal Services Joint Report 2013-10 be replaced with the following:**

**“THAT prior to the lifting of the “H” for each phase, an Updated Traffic Impact Study and Parking Analysis, including Transportation Demand Management measures shall be submitted outlining which, if any, transportation improvements and/or modifications to density (addressed through the Site Plan process) are required to permit that phase to proceed, and to ensure parking is acceptable and Transportation Demand Management measures are implemented;”**

**AND THAT Section 11b) contained on Page 17 of Infrastructure Services and Corporate Services/Planning and Building Services and Legal Services Joint Report 2013-10 be replaced with the following:**

**“THAT prior to the lifting of the “H” for each phase, an Updated Traffic Impact Study and Parking Analysis, including Transportation Demand Management measures shall be submitted outlining which, if any, transportation improvements and/or modifications to density (addressed through the Site Plan process) are required to permit that phase to proceed, and to ensure parking is acceptable and Transportation Demand Management measures are implemented all to the satisfaction of the Town and Region.”**

**AND THAT** the paragraph contained under “Public Comment” on Page 6 of Infrastructure Services and Corporate Services/Planning and Building Services and Legal Services Joint Report 2013-10 regarding the projected growth rate be replaced with the following:

“With respect to Mr. Chadwick’s comment regarding the 0.5% projected growth rate, the Region has confirmed through the meeting of the traffic experts, that this is an appropriate rate at this time. The rate will be required to be tested with each Updated Traffic Impact Study, as required by the recommended Holding provisions.”

**AND THAT** Section 11i) contained on Page 19 of Infrastructure Services and Corporate Services/Planning and Building Services and Legal Services Joint Report 2013-10 be replaced with the following:

“No amendment to this By-law is required should it be determined, to the satisfaction of the Town Council and/or Region, as the case may be, that the timing of any of the transportation improvements or their linkage to certain Blocks of the development should be revised, provided such changes are supported by the appropriate studies also prepared to the satisfaction of the Town, and where applicable the Region.”

**AND THAT** Section e) contained on Page 18 of the Replacement Pages Document be deleted in its entirety.

**AND THAT** Section 9 of the draft Zoning By-law Holding Provisions as contained within Development and Infrastructure Services and Corporate Services/Planning and Building Services and Legal Services Joint Report 2013-10 be replaced with the following:

“THAT prior to lifting the “H” on each phase, a site plan for the applicable phase is required demonstrating to the Town’s satisfaction how the density, Development Standards of the Zoning By-law, urban design policies and principles, including demonstration of how best practices in effect at that time are met; and a Site Plan Agreement shall be entered into between the Owner of the lands and the Town of Newmarket, and the performance security contemplated therein posted”.

**AND THAT** Paragraph 21 contained on Page 25 of the Replacement Pages Document be replaced with the following:

21. The owner acknowledges that the Town intends to provide public notice in the normal manner at the time Council considers the lifting of the Holding provision(s). The Town and owner do not intend to create a right of appeal where one does not exist under the *Planning Act*.

**AND THAT** all the amendments to the holding provisions of the draft zoning by-law be incorporated into Appendix B – Part 2 of the Minutes of Settlement.

**THAT Development & Infrastructure Services and Corporate Services/Planning and Building Services and Legal Services Joint Report - Planning - 2013-10 dated February 11, 2013 regarding the Application for Zoning By-law Amendment and Draft Plan of Subdivision submitted by Dwight Slessor Holdings Limited for lands located at 17645 Yonge Street, as amended, be received, and the following recommendations, as amended, be adopted:**

- 1. THAT Development & Infrastructure Services and Corporate Services/Planning and Building Services and Legal Services Joint Report - Planning - 2013-07 dated February 4, 2013 regarding the Application for Zoning By-law Amendment and Draft Plan of Subdivision submitted by Dwight Slessor Holdings Limited for lands located at 17645 Yonge Street be received;**
- 2. AND THAT Council not support the original Zoning By-law Application filed, as amended, in September 2011;**
- 3. AND THAT Council support the application for Zoning By-law Amendment, as amended, in accordance with the Zoning By-law and the applicable Holding provisions as set out in Appendix A – Recommended Zoning By-law as amended at the Special Committee of the Whole meeting of February 11, 2013;**
- 4. AND THAT Council support in principle the Draft Plan of Subdivision, subject to a final Plan of Subdivision being provided to the Town for approval and subject to the applicable Conditions of Draft Plan Approval;**
- 5. AND THAT Council direct legal counsel and staff to enter into Minutes of Settlement addressing applicable outstanding issues generally as outlined but not limited to those identified in Appendix B to be communicated to the Ontario Municipal Board at the Settlement hearing scheduled for February 19, 2013;**
- 6. AND THAT Council direct staff and legal counsel to continue to work with the proponent, the commenting agencies and the residents toward the resolution of any outstanding issues remaining in advance of the OMB hearing scheduled for February 19, 2013 and/or April 11, 2013 with a view to resolving such issues. Any changes to the issues will be reported to Council, and the parties and participants;**
- 7. AND THAT the parties and the participants to the Ontario Municipal Board hearing be notified of this position.**

A recorded vote was requested.

	YEA	NAY
COUNCILLOR VEGH	X	
COUNCILLOR KERWIN	X	
COUNCILLOR TWINNEY	X	
REGIONAL COUNCILLOR TAYLOR	X	
COUNCILLOR HEMPEN	X	
COUNCILLOR SPONGA	X	
COUNCILLOR DI MUCCIO	X	
COUNCILLOR EMANUEL	X	
MAYOR VAN BYNEN	X	
<b>TOTAL</b>	<b>9</b>	<b>0</b>

**CARRIED**

**4. ANNOUNCEMENTS – COMMUNITY EVENTS**

- a. Councillor Vegh invited residents to join in Family Day Fun on February 18, 2013 from 10:00 a.m. to 3:00 p.m., at the Magna Centre, 800 Mulock Drive. Bring the family and join in a variety of fun activities, such as swimming, skating, games, basketball, shinny, crafts and more! The cost is \$2 per person, per activity. Free public skating will also be available at the Magna Centre from 1:00 to 4:00 p.m. For further details, call 905-895-5193.
- b. Councillor Kerwin advised Visual and Performing Arts Newmarket will be staging another concert, featuring musicians Ms. Bernadine Blaha and Mr. Kevin Fitz-Gerald, on March 3, 2013 at 2:00 p.m. at the Newmarket Theatre. Tickets are available at the Newmarket Theatre Box Office or at [www.newmarkettheatre.ca](http://www.newmarkettheatre.ca)
- c. Councillor Kerwin thanked residents for clearing snow from their drives and sidewalks this past weekend as well as their efforts in assisting neighbours in this regard. He credited the community, as well as Green for Life, in pulling waste and recycling containers from snowdrifts. Councillor Kerwin also thanked staff for all their work in getting the roads ploughed so quickly.
- d. Councillor Kerwin advised that “The Battle of York”, a Newmarket Hurricanes charity event, takes place February 14, 2013 at 7:35 p.m. at the Ray Twinney Recreation Complex, 100 Eagle St. West. The game features the Newmarket Hurricanes vs. Stouffville Spirit. Tickets are \$10 for adults; \$6 for seniors and students; and \$4 for children 10 and under. All proceeds go to the Stronach Regional Cancer Centre at Southlake Regional Health Centre. This event is held in memory of three very special young men: Kevin Lord, Josh Sedore and K.J. Ramolla. More information is available online at [www.newmarkethurricanes.com](http://www.newmarkethurricanes.com)

- e. Councillor Twinney advised that on February 12, 2013 she will be hosting a Ward 3 Meeting at the Newmarket Community Centre & Lions Hall #3, 200 Doug Duncan Dr. The meeting is from 7:00 to 8:30 p.m. Come for a discussion about what's happening in Ward 3 and the surrounding community. For more information, call 905-953-5323 or 905-806-5258 or e-mail Councillor Twinney at [jtwinney@newmarket.ca](mailto:jtwinney@newmarket.ca)
- f. Regional Councillor Taylor advised that the Council for the Town of Newmarket will hold a public meeting on February 25, 2013 at 7:00 p.m. to review proposed amendments to the comprehensive Town-Wide Zoning By-Law. The meeting will be held in the Council Chambers at the Municipal Offices, 395 Mulock Drive.

In an effort to achieve compatibility in stable residential neighbourhoods, amendments to the residential zone standards are being proposed for the R1-D and R1-C zones in Newmarket, generally bounded by Yonge, Davis, Leslie and Mulock (with some exceptions). The purpose of this meeting is to give the public the opportunity to provide input in a formal manner. Should you be unable to attend, your written submission will be received up to the time of the meeting. For more information, please contact the Planning Department at 905-953-5321.

- g. Regional Councillor Taylor advised that the Arts Gala Grants Committee is currently receiving applications for the Newmarket Celebrates the Arts Grants. The deadline for receiving applications is March 8, 2013 and there are three grant categories: Youth; Post Secondary Education; and Projects/ Events. For more information check online at [www.newmarket.ca](http://www.newmarket.ca)
- h. Councillor Hempen invited members of the public to a Public Art Policy and Plan Workshop on February 12, 2013 at 7:00 p.m. in the Council Chambers at the Municipal Offices, 395 Mulock Drive. The Town of Newmarket Recreation and Culture Department invites all Newmarket stakeholders and any interested residents to attend this workshop to gather input for the Newmarket Public Art Policy and Plan. If you wish to attend, RSVP to Janis Luttrell at [jluttrell@newmarket.ca](mailto:jluttrell@newmarket.ca)
- i. Councillor Sponga advised that on February 18, 2013 the MS Walk Kick-off takes place at the Magna Centre. There will be free skating from 4:00 to 5:00 p.m. He also advised that the MS Walk is scheduled for May 5, 2013 and will take place at Newmarket High School.
- j. Councillor Sponga invited residents to drop-in to the Council Chambers at the Municipal Offices, 395 Mulock Drive on February 13, 2013 from 6:00 to 8:00 p.m. for a public meeting to discuss the engineering plans and construction details for the proposed infrastructure improvements on Andrew Street, Ellen Street and William Street. Project drawings will be on display, and representatives from the Town's Development & Infrastructure Commission and the Town's Consultant will be available to answer questions. Should you be unable to attend and have questions regarding this project, please contact Tom Ungar, Capital Projects Coordinator at 905-953-5300, ext. 2504 or e-mail [tungar@newmarket.ca](mailto:tungar@newmarket.ca)



- k. Councillor Di Muccio advised that nominations are now being accepted for the Newmarket Volunteer Appreciation Awards. Volunteers play a very important role in our community. Please take the time to nominate a deserving individual from our community. There are a number of categories to consider. Recipients will be recognized on April 24, 2013. Nomination forms are available online at [www.newmarket.ca](http://www.newmarket.ca) The deadline for submissions is March 22, 2013. For further information contact Deanna Smith at 905-895-5193 or e-mail [dsmith@newmarket.ca](mailto:dsmith@newmarket.ca)
- l. Councillor Emanuel invited members of the public to drop-in to Cane Room A at the Municipal Offices, 395 Mulock Drive on February 13, 2013 from 6:30 to 8:00 p.m. A public meeting is being held to discuss the proposed Phase 4 of the North West Quadrant Trail (Emma Broadbent Court and connection to Dave Kerwin Trail). Project drawings will be on display, and representatives from the Town's Development & Infrastructure Commission will be available to answer your questions. Should you be unable to attend and have questions regarding this project, contact Mike Ashworth, Capital Projects Parks Development Coordinator, at 905-953-5300, ext. 2510 or e-mail [mashworth@newmarket.ca](mailto:mashworth@newmarket.ca)
- m. Councillor Emanuel also advised that the Glenway Preservation Association is having their Annual General Meeting on February 12, 2013 at 7:30 p.m. at the Ray Twinney Recreation Complex.
- n. Mayor Van Bynen advised that he will be at Mayor in the Square on February 15, 2013 from 11:00 a.m. until noon at Upper Canada Mall on the upper level, in the centre court area.
- o. Mayor Van Bynen also advised that the Municipal Offices are closed on February 18, 2013 to observe Family Day.
- p. Mayor Van Bynen further advised that the next Council meeting is scheduled for March 4, 2013 at 7:00 p.m.

**5. MEMORANDUM – REPEAL OF TOWN BY-LAW 1995-43 REGARDING SALE OF REAL PROPERTY AND ENACTMENT OF BY-LAW 2013-06**

Memorandum dated February 11, 2013 from the Associate Solicitor regarding Repeal of Town of Newmarket By-law 1995-43, and Enactment of By-law 2013-06.

**Moved by Councillor Kerwin  
Seconded by Regional Councillor Taylor**

**THAT the Memorandum dated February 11, 2013 from the Associate Solicitor regarding Repeal of Town of Newmarket By-law 1995-43 be received;**

**AND THAT By-law 2013-06, being A By-law to Repeal By-law 1995-43 – A By-law to Establish Procedures for the Sale of Real Property Owned by the Municipality, be enacted.**

**CARRIED**

**6. APPROVAL OF COUNCIL MINUTES**

Council Minutes of January 21, 2013.

**Moved by Councillor Sponga  
Seconded by Councillor Emanuel**

**THAT the Council Minutes of January 21, 2013 be approved.**

**CARRIED**

**CORRESPONDENCE**

None.

**7. REPORTS BY REGIONAL REPRESENTATIVES**

- a. Regional Councillor Taylor advised that the Region recently released the Economic Development Action Plan which involves the York Region Small Business Enterprise Centre located at the Regional offices on Yonge Street. He encouraged small enterprise people to work with the Centre and to drop by or call the Region for further information.
- b. Regional Councillor Taylor also advised that at the Region's next Community and Health Services Committee meeting they will be looking at a pilot project involving paramedicine. Paramedicine involves paramedics administering certain types of medical treatment to people in their homes to reduce emergency room wait times.

**8. COMMITTEE OF THE WHOLE MINUTES**

Committee of the Whole Minutes of February 4, 2013.

**Moved by Councillor Sponga  
Seconded by Councillor Di Muccio**

**THAT the Committee of the Whole Minutes of February 4, 2013 be approved and the following recommendations, with the exception of Items 8, 10 and 12 be adopted:**

**9. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 1  
REQUESTS FOR PROCLAMATION**

- a) **THAT the Town of Newmarket proclaim March 26, 2013 as 'Purple Day';**  
**AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)**
- b) **THAT the Town of Newmarket proclaim March 2013 as 'Red Cross Month';**  
**AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)**

10. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 2**  
**NEWMARKET PUBLIC LIBRARY BOARD MINUTES**

THAT the Newmarket Public Library Board Minutes of November 28 and December 19, 2012 be received.

11. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 3**  
**HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES**

THAT the Heritage Newmarket Advisory Committee Minutes of January 8, 2013 be received.

12. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 4**  
**ENVIRONMENTAL ADVISORY COMMITTEE MINUTES**

THAT the Environmental Advisory Committee Minutes of January 9, 2013 be received.

13. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 5**  
**LIST OF OUTSTANDING MATTERS**

THAT the list of outstanding matters be received.

14. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 6**  
**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2012-87**  
**TRAFFIC OPERATIONS REVIEW – SAWMILL VALLEY DRIVE & SAVAGE ROAD**

THAT Development and Infrastructure Services Report – ES 2012-87 dated January 15, 2013 regarding Traffic Operations Review – Sawmill Valley Drive and Savage Road be referred to the next Committee of the Whole meeting scheduled for February 25, 2013.

15. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 7**  
**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-05**  
**PROPOSED LAKE TO LAKE CYCLING ROUTE AND WALKING TRAIL**

THAT the matter of Development and Infrastructure Services Report – ES 2013-05 dated January 23, 2013 regarding the Proposed Lake to Lake Cycling Route and Walking Trail be referred to the Council meeting of February 11, 2013;

AND THAT staff seek clarification from the Region of York regarding the Water Street bridge component of the trail works as well as clarification on the origins of the concept of a lake to lake cycling route and walking trail.

**16. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 9  
CORPORATE SERVICES REPORT – LEGAL SERVICES 2013-02  
CORRESPONDENCE FROM RESIDENTS REQUESTING A GLENWAY RESIDENT  
DEFENSE FUND**

THAT Corporate Services Report – Legal Services 2013-02 dated January 24, 2013 regarding correspondence from residents requesting a defense fund be received and the matter deferred until after Committee has considered a comprehensive planning report regarding development of the Glenway lands.

**17. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 11  
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-03  
SPORTS HALL OF FAME RECRUITMENT FOR VACANCY**

THAT Corporate Services Report – Legislative Services 2013-03 dated January 30, 2013 regarding the Sports Hall of Fame Recruitment for Committee Vacancy be received and the following recommendation, as amended, be adopted:

THAT the individual identified in the confidential memorandum (circulated separately) be appointed to fill one (1) vacancy on the Newmarket Sports Hall of Fame Committee.

**18. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 13  
JOINT CORPORATE SERVICES (LEGAL) AND DEVELOPMENT AND  
INFRASTRUCTURE SERVICES REPORT – PLANNING AND BUILDING SERVICES  
2013-07 – APPLICATION FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF  
SUBDIVISION – 17645 YONGE STREET – DWIGHT SLESSOR HOLDINGS LIMITED  
PART LOT 96, CONCESSION 1, EAST SIDE OF YONGE STREET**

THAT the presentations by the Senior Planner – Policy and Mr. Bill Chadwick and the deputations by Ms. Gail Cunningham, Ms. Anna O'Rourke, Dr. Robert Bahlleda, Mr. Gordon Prentice, Mr. Bob Luery, Mr. Darryl Wolk, Ms. Brandi Bellevance, Mr. Jordan Cohen, Ms. Linda Chadwick and Mr. Ira Kagan be received.

THAT Development and Infrastructure Services and Corporate Services/Planning and Building Services and Legal Services Joint Report 2013-07 dated February 4, 2013 regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision – Dwight Slessor Holdings Limited be referred to a Special Committee of the Whole meeting on February 11, 2013 beginning at 1:30 p.m.;

AND THAT staff provide information on options to include more specific language related to traffic mitigation measures and/or related criteria contained within the holding provision by-law.

**CARRIED**

**19. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 8  
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-02  
2012 ACCESSIBILITY PLAN/UPDATE ON MULTI-YEAR PLAN**

Corporate Services Report – Legislative Services 2013-02 dated January 24, 2013 regarding the 2012 Accessibility Plan and Update on 2012-2017 Multi-Year Accessibility Plan.

**Moved by Councillor Sponga  
Seconded by Councillor Kerwin**

**THAT Corporate Services Report – Legislative Services 2013-02 dated January 24, 2013 regarding the 2012 Accessibility Plan and Update on 2012-2017 Multi-Year Accessibility Plan be received and the following recommendation be adopted:**

**THAT Council adopt the Town of Newmarket 2012 Accessibility Plan, as recommended by the Newmarket Accessibility Advisory Committee.**

**CARRIED**

**20. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 10  
RESOLUTION  
OMB APPEAL COSTS – GROWTH PLAN CONFORMITY EXERCISES**

A resolution proposed by Councillor Di Muccio to endorse Appeal Costs – Growth Plan Conformity.

An amendment was made to the third recommendation with the removal of the name “Bob Chiarelli”.

**Moved by Councillor Di Muccio  
Seconded by Regional Councillor Taylor**

**WHEREAS the Regional Municipality of Halton formerly requested the Town of Newmarket to endorse the Resolution adopted by its council on July 14, 2010;**

**AND WHEREAS a copy of the Regional Municipality of Halton’s resolution is appended to this resolution;**

**BE IT RESOLVED THAT the Council of the Town of Newmarket endorses the Regional Municipality of Halton resolution entitled ‘Request to the Province to Cover All Appeal Costs to the Ontario Municipal Board for Growth Plan Conformity Exercises’;**

**AND THAT a copy of this resolution to be delivered to the Clerk of the Regional Municipality of Halton;**

**AND THAT a copy of this resolution to be delivered to the Clerk of the Regional Municipality of York;**

**AND THAT a copy of this resolution to be delivered to the Member of Parliament for Newmarket Aurora Frank Klees; and the Minister of Municipal Affairs and Housing;**

**AND THAT as part of any defense to the Ontario Municipal Board funding be retroactive from the time of inception of the *Places to Grow Act*.**

**CARRIED**

Councillor Hempen declared a pecuniary interest in Item 12 of the Committee of the Whole Minutes of February 4, 2013 being Development and Infrastructure Services Report – ES 2013-03 regarding Old Town Hall Construction Budget Control Task Force – Terms of Reference (see Item 21, below, of these Council Minutes) as his mother owns property in the vicinity. He advised he would take no part in the discussion or voting of this matter.

**21. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 4, 2013 – ITEM 12  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-03  
OLD TOWN HALL CONSTRUCTION BUDGET CONTROL TASK FORCE – TERMS OF  
REFERENCE**

Development and Infrastructure Services Report – ES 2013-03 dated January 16, 2013 regarding Old Town Hall Construction Budget Control Task Force – Terms of Reference.

A further recommendation was added as follows:

“3. AND THAT staff provide a report within 60 days with respect to the implications of adding a resident member to the Task Force.”

**Moved by Councillor Twinney  
Seconded by Councillor Sponga**

**THAT Development & Infrastructure Services Report – ES 2013-03 dated January 16, 2013 be received and the following recommendations, as amended, be adopted:**

- 1. THAT the Terms of Reference (Attachment A) for the Old Town Hall Construction Budget Control Task Force be approved;**
- 2. AND THAT Councillor Kerwin and Councillor Sponga be the Council appointees on the Task Force;**
- 3. AND THAT staff provide a report within 60 days with respect to the implications of adding a resident member to the Task Force.**

**CARRIED**

Councillor Hempen took no part in the discussion or voting of the foregoing matter.

**22. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES**

Committee of the Whole (Closed Session) Minutes of February 4, 2013.

**Moved by Councillor Kerwin  
Seconded by Councillor Sponga**

**THAT the Committee of the Whole (Closed Session) Minutes of February 4, 2013 be approved.**

**CARRIED**

**23. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES – FEBRUARY 4, 2013  
ITEM 1 – CONFIDENTIAL MEMORANDUM – RECRUITMENT FOR COMMITTEE  
VACANCY – SPORTS HALL OF FAME COMMITTEE**

Confidential Memorandum regarding Recruitment for Committee Vacancy on the Newmarket Sports Hall of Fame Committee.

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

**THAT Mr. Trevor Morrison be appointed to the Newmarket Sports Hall of Fame Committee.**

**CARRIED**

**24. DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-05  
DEVELOPMENT AND INFRASTRUCTURE SERVICES INFORMATION REPORT  
ES 2013-07 – PROPOSED LAKE TO LAKE CYCLING ROUTE AND WALKING TRAIL**

**Report:**

Development and Infrastructure Services Report – ES 2013-05 dated January 23, 2013 regarding the Proposed Lake to Lake Cycling Route and Walking Trail.

A further recommendation was added as follows:

4. “AND THAT a public meeting be held in conjunction with the capital improvements, specifically lighting and pavement”.

**Moved by Councillor Sponga  
Seconded by Councillor Twinney**

**THAT the Development & Infrastructure Services Commission – Engineering Services Report 2013 - 05 dated January 23, 2013 regarding the Proposed Lake to Lake Cycling Route and Walking Trail be received and the following recommendations, as amended, be adopted:**

1. **THAT York Region be provided with a copy of the report recommending Option #2 - Modified as the Town's preferred route option;**
2. **AND THAT Town staff coordinate with Region staff, the proposed improvements to the York Durham Sanitary Sewer Forcemain alignment and the proposed Lake to Lake Cycling and Walking Trail, as part of the proposed improvements to Cane Parkway and, enter into cost sharing arrangements with the Region of York for the Cane Parkway works;**
3. **AND THAT Town staff be directed to apply for funding under the Region of York's "Pedestrian and Cycling Municipal Partnership Program" and further review the results of the application with Town Council prior to proceeding with the trail improvements on the west side of Fairy Lake;**
4. **AND THAT a public meeting be held in conjunction with the capital improvements, specifically lighting and pavement.**

**CARRIED**

**Information Report:**

Development and Infrastructure Services Information Report – ES 2013-07 dated February 7, 2013 regarding Proposed Lake to Lake Cycling Route and Walking Trail.

**Moved by Councillor Sponga  
Seconded by Councillor Twinney**

**THAT Development and Infrastructure Services Information Report – ES 2013-07 dated February 7, 2013 regarding the Proposed Lake to Lake Cycling Route and Walking Trail be received.**

**CARRIED**

25. **SPECIAL COMMITTEE OF THE WHOLE – FEBRUARY 11, 2013 – ITEM 2  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND  
BUILDING SERVICES 2013-09 – HOLDING BY-LAWS, SECONDARY PLAN AND  
SECTION 37 BY-LAWS**

Development and Infrastructure Services Report – Planning and Building Services 2013-09 regarding Holding By-laws, Secondary Plan and Section 37 By-laws.

**Moved by Councillor Sponga  
Seconded by Councillor Di Muccio**

**THAT Development and Infrastructure Services Report – Planning and Building Services 2013-09 dated February 11, 2013 regarding the use of Holding (H) By-laws, the Secondary Plan and Section 37 (Bonusing) By-laws be received.**

**CARRIED**



26. **SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION)**

Special Committee of the Whole (Closed Session) of February 11, 2013.

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

**THAT the actions of the Special Committee of the Whole (Closed Session) of February 11, 2013 be ratified.**

**CARRIED**

27. **SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) FEBRUARY 11, 2013 –  
ITEM 1 – RECRUITMENT FOR COMMITTEE VACANCY  
SPORTS HALL OF FAME COMMITTEE (PERSONAL MATTER)**

Memorandum dated February 6, 2013 from the Deputy Clerk regarding Recruitment for Committee Vacancy and Item 1 of the Sports Hall of Fame Committee Minutes of February 5, 2013 regarding Replacement Committee Member.

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

**THAT Mr. Donald Wright be appointed to the Newmarket Sports Hall of Fame Committee.**

**CARRIED**

**RESOLUTIONS**

None.

28. **BY-LAWS**

By-laws 2013-04 and 2013-05.

**Moved by Councillor Vegh  
Seconded by Councillor Emanuel**

**THAT By-laws 2013-04 and 2013-05 be enacted.**

2013-04      **A BY-LAW TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL PROVISIONS OF THE *PLANNING ACT*.**  
(Ripi Homes Inc. 1249, 1251, 1255, 1257, 1261, 1263, 1267, 1269, 1273, 1275, 1279, 1281, 1285, 1287, 1291, 1293, 1297, 1299, 1303, 1305 Blencowe Crescent and 1209, 1211, 1215, 1217, 1221, 1223, 1227, 1229, 1233, 1235, 1239, 1241, 1245, 1247, 1251, 1253, 1257, 1259, 1263, 1265 McCron Crescent)

To exempt certain lands from Part Lot Control provisions of the *Planning Act*.

2013-05      **A BY-LAW TO AMEND BY-LAWS NUMBER 2010-40 AND 1979-50, AS AMENDED, BEING RESTRICTED AREA (ZONING) BY-LAWS. ((Part Lot 95, Concession 1, WYS – Southeast Corner of Davis Drive and Bathurst Street – Mosaik Glenway Homes Inc.)**

*(Council of January 21, 2013 – Item 18)*

**CARRIED**

**29. NOTICE OF MOTION**

Councillor Di Muccio advised that she would be bringing forward a motion regarding an in camera item relating to a Committee Appointment matter.

**UNFINISHED BUSINESS**

None.

**30. NEW BUSINESS**

Councillor Kerwin advised residents of Arnold Crescent and Highland Avenue that the flashing speed sign will be going up again after the snow removal is complete.

Mayor Van Bynen advised that a Closed Session is not required with respect to Slessor Square (*Legal Advice*).

**31. CONFIRMATORY BY-LAW**

By-law 2013-07.

**Moved by Councillor Sponga  
Seconded by Councillor Di Muccio**

**THAT By-law 2013-07 be enacted.**

2013-07      **A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING HELD ON FEBRUARY 11, 2013.**

**CARRIED**

Moved by Councillor Sponga  
Seconded by Councillor Emanuel

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 8:46 p.m.



Andrew Brouwer, Town Clerk

Minutes approved at the meeting of Town Council held on March 4, 2013.



Tony Van Bynen, Mayor