



Town of Newmarket  
**MINUTES**

**COMMITTEE OF THE WHOLE**

Monday, February 25, 2013 at 1:30 p.m.  
Council Chambers  
395 Mulock Drive

For consideration by Council  
on March 4, 2013

The meeting of the Committee of the Whole was held on Monday, February 25, 2013 at 1:30 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 (1:30 to 4:05 p.m.; 4:22 to 7:57 p.m.)  
Councillor Sponga  
Councillor Twinney  
Councillor Vegh

Staff: R. N. 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  
R. Nethery, Director of Planning and Building Services  
Z. Phillips, Assistant Solicitor  
L. Long, Supervisor of By-law Enforcement  
C. Bickers, Building Inspector  
A. Brouwer, Director of Legislative Services/Town Clerk  
L. Lyons, Deputy Clerk  
L. Moor, Council/Committee Coordinator

The meeting was called to order at 1:30 p.m.

Mayor Van Bynen in the Chair.

**Moved by Councillor Twinney**  
**Seconded by Councillor Hempen**

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

**CONSENT ITEMS**

**DISTRIBUTION**

**Item 12 Development and Infrastructure Services Report – Planning and Building Services 2013-03 dated January 8, 2013 regarding Servicing Allocation Capacity Monitoring Chart.**

## ADDITIONS

- Item 1c) Correspondence dated February 19, 2013 from Ms. Cathy Murphy Pugliese requesting that March 2013 be proclaimed "Multiple System Atrophy Awareness Month" in the Town of Newmarket.
- Item 4 Correspondence dated February 18, 2013 from Mr. John Dowson, resident, and related to Item 4 of the agenda being Corporate Services Report – Legislative Services 2013-05 dated February 8, 2013 regarding Accessory Dwelling Unit By-law.
- Item 20 Excerpt from Inclusivity Advisory Committee Minutes of January 9, 2013 – Item 4 – Work Plan – Newmarket Citizenship Reception and Oath of Residency – Councillor Vegh to provide verbal report on the March 4, 2013 event.

## ADDITIONS

- Item 1d) Correspondence dated February 21, 2013 from Mr. Michael Dukart, Tournament Chairman, Newmarket House League Hockey Tournament Committee requesting that March 13 – 16, 2013 be proclaimed "House League Hockey Week" in the Town of Newmarket.
- Item 4 Replacement Page 4.2 of Corporate Services Report – Legislative Services 2013-05 dated February 8, 2013 regarding Accessory Dwelling Units By-law.
- Additional Correspondence dated February 21, 2013 from Mr. John Dowson, resident, in response to e-mail dated February 20, 2013 from the Chief Fire Prevention Officer and related to Item 4 of the agenda being Corporate Services Report – Legislative Services 2013-05 dated February 8, 2013 regarding Accessory Dwelling Units By-law.

## PRESENTATIONS

### Presentation:

Ms. Suzanne Craig, Integrity Commissioner to address the Committee regarding report findings.

### Report:

- Item 21 Memorandum and Report of Integrity Commissioner dated February 21, 2013 regarding Code of Conduct Complaint Investigation.
- Item 22 Appendix 'A' Memorandum from Integrity Commissioner dated February 21, 2013 regarding Addendum to Investigation: Comments on Governance.

**WITHDRAWN**

- Item 18 Ms. Susan LaRosa, Co-Chair of Human Services Planning Board, Regional Municipality of York – PowerPoint presentation regarding the Fair Access Project. Ms. LaRosa is unable to attend and has asked for a postponement to later in March or April, 2013.

**CARRIED**

**DECLARATIONS OF INTEREST**

None.

Moved by Councillor Twinney  
Seconded by Councillor Emanuel

**THAT the following items be adopted on consent:**

1. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 1  
REQUEST FOR PROCLAMATION**
  - a) **THAT the Town of Newmarket proclaim March 4 – 10, 2013 as ‘Social Work Week’;**  
  
**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 May 16, 2013 as ‘Special Olympics 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)**
  - c) **THAT the Town of Newmarket proclaim March 2013 as “Multiple System Atrophy Awareness 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)**
  - d) **THAT the Town of Newmarket proclaim March 13 – 16, 2013 as “House League Hockey Week”;**  
  
**AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website [www.newmarket.ca](http://www.newmarket.ca)**
2. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 2  
SITE PLAN REVIEW COMMITTEE MINUTES**

**THAT the Site Plan Review Committee Minutes of January 21, 2013 be received.**

3. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 3  
ITEM 1 OF SITE PLAN REVIEW COMMITTEE MINUTES OF JANUARY 21, 2013  
APPLICATION FOR SITE PLAN APPROVAL  
50 EAGLE STREET WEST - WARD 7  
(SW CORNER OF YONGE AND EAGLE STREETS)  
HER MAJESTY THE QUEEN AS REPRESENTED  
BY INFRASTRUCTURE ONTARIO (NEWMARKET COURTHOUSE)**

1. THAT the application for Site Plan Approval to permit the development of a modular expansion having a gross floor area of 1,490 m<sup>2</sup> adjacent to the eastern façade of the existing Newmarket Courthouse building on the subject lands be approved in principle and referred to staff for processing, subject to the following:
  - a. THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff; and
  - b. THAT the application be referred to a Public Information Centre;
2. AND THAT John Lohmus, Senior Associate of IBI Group, 230 Richmond Street West, 5<sup>th</sup> Floor, TORONTO, ON M5V 1V6 be notified of this decision;
3. AND THAT Michael Cole, Infrastructure Ontario, 1 Dundas Street West, Suite 2000, TORONTO, ON M5G 2L5 be notified of this decision.

4. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 4  
HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES**

THAT the Heritage Newmarket Advisory Committee Minutes of February 5, 2013 be received.

5. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 5  
ENVIRONMENTAL ADVISORY COMMITTEE MINUTES**

THAT the Environmental Advisory Committee Minutes of February 6, 2013 be received.

6. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 6  
NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE MINUTES**

THAT the Newmarket Downtown Development Subcommittee Minutes of January 25, 2013 be received.

7. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 7  
INCLUSIVITY ADVISORY COMMITTEE MINUTES**

The Inclusivity Advisory Committee Minutes of January 9, 2013 be received.

**8. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 8  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2012-87  
TRAFFIC OPERATIONS REVIEW – SAWMILL VALLEY DRIVE AND 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 received and the following recommendations be adopted:

1. THAT York Region be forwarded a copy of this report and requested to review the Yonge Street/Savage Road/Sawmill Valley Drive intersection for improved east/west signal timings;
2. AND THAT VIVANext be forwarded a copy of this report to ensure that the planned signal timings for the rapid transit corridor take into account the east/west traffic operations at the above intersection;
3. AND THAT York Region be requested to implement the recommendations noted in the IBI Group traffic safety report, dated November 2012.

**9. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 9  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND  
BUILDING SERVICES 2013-11  
APPLICATION FOR DRAFT PLAN OF CONDOMINIUM  
1250 JOURNEY'S END CIRCLE**

THAT Development and Infrastructure Services/Planning & Building Services Report 2013-11 dated February 14, 2013 regarding Application for Draft Plan of Condominium be received and the following recommendations be adopted:

1. THAT approval be given to the draft plan of condominium, prepared by E.R. Garden Limited dated December 3, 2012 subject to the Schedule of Conditions attached and forming part of Development and Infrastructure Services/Planning & Building Services Report 2013-11;
2. AND THAT 1576679 Ontario Inc., c/o Kim Collard, 1260 Journey's End Circle, Newmarket, ON L3Y 8Z7 be notified of this action.

**10. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 10  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND  
BUILDING SERVICES 2013-13  
APPLICATION FOR DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW  
AMENDMENT – NATIONAL HOMES**

THAT Development and Infrastructure Services/Planning and Building Services Report 2013-13 dated February 14, 2013 regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

1. THAT the Application for Zoning By-law Amendment and Draft Plan of Subdivision, as submitted by National Homes Inc. for lands being composed of Blocks 1 and 2 Registered Plan 65M-2559 be referred to a public meeting;
  2. 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;
  3. AND THAT Mark Pavkovic, National Homes, 291 Edgeley Boulevard Suite # 1, Concord, ON L4K 3Z4.
11. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 11  
EXCERPT – INCLUSIVITY ADVISORY COMMITTEE MINUTES – CITIZENSHIP  
RECEPTION AND OATH OF RESIDENCY – VERBAL REPORT**

Excerpt from Inclusivity Advisory Committee Minutes of January 9, 2013 – Item 4 – Work Plan – Newmarket Citizenship Reception and Oath of Residency – Councillor Vegh to provide verbal report.

**CARRIED**

This concludes the consent portion of the agenda.

12. **COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 12  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND  
BUILDING SERVICES 2013-08  
HERITAGE RESOURCES EVALUATION CRITERIA**

**Deputation:**

Mr. Athol Hart, on behalf of the Heritage Newmarket Advisory Committee, addressed the Committee regarding the Heritage Resources Evaluation Criteria document. He thanked staff for assisting with the document wording.

**Moved by Councillor Hempten  
Seconded by Councillor Sponga**

**THAT the deputation by Mr. Athol Hart regarding the Heritage Resources Evaluation Criteria document be received.**

**CARRIED**

**Report:**

Development and Infrastructure Services Report – Planning and Building Services 2013-08 dated January 24, 2013 regarding Heritage Resources Evaluation Criteria.

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

**THAT Development and Infrastructure Services Report – Planning and Building Services 2013-08 dated January 24, 2013 regarding Heritage Resources Evaluation Criteria be received and the following recommendation be adopted:**

**THAT the attached heritage resources evaluation criteria form be endorsed by Council for the determination of the historic value or interest of properties in Newmarket.**

**CARRIED**

**13. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 13  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND  
BUILDING SERVICES 2013-12  
115 MAIN STREET SOUTH – ROBERTSON HOUSE SHUTTERS**

**Deputation:**

Mr. Athol Hart, on behalf of the Heritage Newmarket Advisory Committee, addressed the Committee with specific concerns related to the replacement of the shutters on the property known as the Robertson House located at 115 Main Street South.

**Moved by Councillor Twinney  
Seconded by Councillor Hempen**

**THAT the deputation by Mr. Athol Hart on behalf of the Heritage Newmarket Advisory Committee regarding specific concerns related to the replacement of the shutters on the property known as the Robertson House located at 115 Main Street South be received.**

**CARRIED**

**Report:**

Development and Infrastructure Services Report – Planning and Building Services 2013-12 dated January 24, 2013 regarding 115 Main Street South (Robertson House).

An additional recommendation was added as follows:

- “2. THAT the applicant be advised that the Council of the Town of Newmarket requests that the shutters be replaced at the first opportunity that their budget permits.”

Moved by Councillor Hempen  
Seconded by Councillor Vegh

THAT Development and Infrastructure Services Report – Planning and Building Services 2013-12 dated January 24, 2013 regarding 115 Main Street South (Robertson House) be received and the following recommendations, as amended, be adopted:

1. THAT Council request the Owner(s) of 115 Main Street South, known as the Robertson House, to replace the existing vinyl shutters with custom made wood shutters replicating the original shutters of the Robertson House;
2. AND THAT the applicant be advised that the Council of the Town of Newmarket requests that the shutters be replaced at the first opportunity that their budget permits;
3. AND THAT York Region Condo Corporation No. 828 be notified of this action.

CARRIED

14. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 14  
INTEGRITY COMMISSIONER PRESENTATION  
CODE OF CONDUCT COMPLAINT INVESTIGATION

Moved by Councillor Kerwin  
Seconded by Councillor Vegh

THAT an additional 5 minutes be allotted for the Integrity Commissioner's presentation to total 15 minutes.

CARRIED

Presentation:

Ms. Suzanne Craig, Integrity Commissioner, addressed the Committee regarding report findings of the Code of Conduct complaint investigation.

Moved by Councillor Sponga  
Seconded by Councillor Kerwin

THAT the presentation by Ms. Suzanne Craig, Integrity Commissioner, regarding report findings of the Code of Conduct complaint investigation be received.

CARRIED

Moved by Councillor Kerwin  
Seconded by Councillor Sponga

THAT the Memorandum and Report of Integrity Commissioner dated February 21, 2013 regarding Code of Conduct Complaint Investigation be brought forward at this time.



**CARRIED**

**Report:**

Memorandum and Report of Integrity Commissioner dated February 21, 2013 regarding Code of Conduct Complaint Investigation.

Discussion continued with respect to the Report of the Integrity Commissioner. Councillor Di Muccio raised a point of personal privilege.

Mayor Van Bynen recessed the meeting to allow for procedural advice with respect to the point of personal privilege.

The Committee recessed at 2:47 p.m.

The Committee reconvened at 3:06 p.m.

Mayor Van Bynen ruled that the point of personal privilege raised by Councillor Di Muccio was in order. Mayor Van Bynen then requested further clarification from Councillor Emanuel with respect to the point of personal privilege. Mayor Van Bynen ruled that there was no breach of personal privilege. Councillor Di Muccio requested an appeal of the Mayor's ruling and a vote was taken in accordance with the Procedure By-law:

**THAT the Chair's ruling be sustained.**

**CARRIED**

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

**THAT the Memorandum and Report of Integrity Commissioner dated February 21, 2013 regarding Code of Conduct Complaint Investigation be received and the following recommendations be adopted:**

- 1. THAT a formal reprimand to Councillor Di Muccio in relation to violation of the confidentiality provisions of the Code of Conduct be issued;**
- 2. AND THAT Council consider effective ways to ensure that Council Members receive education on in camera meeting rules. These rules should be applied consistently to all Members of Council;**
- 3. AND THAT a request be made of the Integrity Commissioner to draft wording for a resolution of reprimand related to the Code of Conduct Complaint Investigation to the Council meeting scheduled for March 4, 2013.**

**CARRIED**

**15. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 15  
INTEGRITY COMMISSIONER PRESENTATION  
APPENDIX ‘A’ – MEMORANDUM – ADDENDUM TO INVESTIGATION  
COMMENTS ON GOVERNANCE**

Appendix ‘A’ Memorandum from Integrity Commissioner dated February 21, 2013 regarding Addendum to Investigation: Comments on Governance.

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

**THAT Appendix ‘A’ Memorandum from Integrity Commissioner dated February 21, 2013 regarding Addendum to Investigation: Comments on Governance be received and referred to staff for a report back on updating the Code of Conduct document.**

The Chief Administrative Officer advised he would report back on the achievable timelines of reporting back to Committee of the Whole.

**CARRIED**

The Committee recessed at 4:05 p.m.

The Committee reconvened at 4:18 p.m.

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

**THAT Corporate Services Report – Legislative Services 2013-05 dated February 8, 2013 regarding Accessory Dwelling Units By-law be brought forward at this time.**

**CARRIED**

**16. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 16  
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-05  
ACCESSORY DWELLING UNITS BY-LAW**

Corporate Services Report – Legislative Services 2013-05 dated February 8, 2013 regarding Accessory Dwelling Units By-law.

Councillor Kerwin re-joined the meeting at 4:22 p.m.

The Assistant Solicitor provided a verbal status update related specifically to the merits of the proposed Accessory Dwelling Units By-law.

Regional Councillor Taylor expressed concerns related specifically to analysis of other municipality’s challenges with Accessory Dwelling Units.

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

**THAT Corporate Services Report – Legislative Services 2013-05 dated February 8, 2013 regarding the Accessory Dwelling Units By-law be received and referred to the next cycle of Committee of the Whole schedule of meetings.**

**CARRIED**

**17. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 16  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PUBLIC WORKS  
SERVICES 2013-09  
GRAFFITI REMOVAL SERVICES – UPDATE**

**Development and Infrastructure Services Report – Public Works Services 2013-09 dated February 14, 2013 regarding Graffiti Removal Services Update.**

**An additional recommendation was added as follows:**

- 3. THAT further options be investigated and reported back to a Committee of the Whole meeting scheduled in April, 2013.**

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

**THAT Development and Infrastructure Services Report – Public Works Services 2013-09 dated February 14, 2013 regarding Graffiti Removal Services – Update be received and the following recommendations, as amended, be adopted:**

- 1. THAT staff continue to contract Graffiti removal services, in the amount of \$15,000 for 2013;**
- 2. AND THAT staff continue to evaluate the program's impact for 2013 and report back to Council on the effectiveness of the program in one year;**
- 3. AND THAT further options be investigated and reported back to a Committee of the Whole meeting scheduled in April, 2013.**

**CARRIED**

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

**THAT the Committee resolve into a closed session for the purpose of discussing personal matters about identifiable individuals and advice that is subject to solicitor/client privilege including communications necessary for that purpose.**

**CARRIED**

The Committee resolved into a Closed Session at 5:34 p.m.

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

The Committee resumed into public session at 5:44 p.m.

**18. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 18  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-08  
ROGERS PARK SPRAY PAD**

Development and Infrastructure Services Report – ES 2013-08 dated January 22, 2013 regarding Rogers Park Spray Pad.

**Moved by Councillor Hempen  
Seconded by Regional Councillor Taylor**

**THAT Development and Infrastructure Services Report - ES 2013-08 dated January 22, 2013 regarding the rehabilitation of the Rogers Park wading pool into a modern Spray Pad be received and the following recommendations be adopted:**

- 1. THAT an amount of \$116,750 be allocated from the Parkland Reserve for this project for a total estimated project budget of \$350,000;**
- 2. AND THAT staff be directed to prepare a design, conduct public meetings and proceed with construction of the facility in the fall of 2013 with a projected opening in June of 2014.**

**CARRIED**

**19. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 19  
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND  
BUILDING SERVICES 2013-03  
SERVICING ALLOCATION CAPACITY MONITORING TABLE**

Development and Infrastructure Services/Planning and Building Services Report 2013-03 dated January 8, 2013 regarding Servicing Allocation Capacity Monitoring Table.

**Moved by Councillor Emanuel  
Seconded by Councillor Di Muccio**

**THAT Development and Infrastructure Services/Planning and Building Services Report 2013-03 dated January 8, 2013 regarding the Servicing Allocation Capacity Monitoring Table be received and the following recommendations be adopted:**

- 1. THAT the Servicing Allocation Capacity Monitoring Table attached as Appendix “A” be adopted:**
- 2. AND THAT Gabrielle Hurst, Planning and Infrastructure Integration, Transportation and Community Planning, York Region, 17250 Yonge Street, Newmarket ON L3Y 6Z1 be notified of this action.**

**CARRIED**

**20. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 20  
LIST OF OUTSTANDING MATTERS**

List of outstanding matters.

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

**THAT the list of outstanding matters be received.**

**CARRIED**

**21. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 21  
REPORTS BY REGIONAL REPRESENTATIVES**

None.

**22. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 22  
NEW BUSINESS**

- a) Councillor Di Muccio inquired about a status update regarding the web streaming of meetings. The Director of Legislative Services advised he will provide an information report to Members of Council with the proposed timelines associated with the implementation of the Meeting Management Suite.
- b) Councillor Twinney provided Notice of Motion for the next Committee of the Whole meeting regarding provincial planning policy.
- c) Councillor Kerwin expressed his concerns relating to the inferior quality of materials and workmanship associated with low bid tender awards and construction projects.
- d) Councillor Kerwin expressed his concerns related to the number of lawsuits that the Town is being held accountable for. The Chief Administrative Officer advised that a status update report could be provided outlining claims amounts and trends as well as analysis of what other municipalities are encountering with respect to indemnification. The Commissioner of Development and Infrastructure Services advised that the procurement process and the quality of goods associated with contract tendering is currently being reviewed.

The Committee of the Whole recessed at 6:04 p.m.

The Committee of the Whole reconvened at 7:01 p.m.

**PUBLIC HEARING MATTERS**

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

The Deputy Clerk advised that the purpose of the meeting was to hear from anyone who had an interest in specific applications. 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 considered at a future meeting of the Committee of the Whole or Council.

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

The Deputy Clerk further advised that in accordance with the *Planning Act*, the Ontario Municipal Board may dismiss an appeal without holding a hearing, if an appellant failed to make either oral submissions at the Public Meeting or written submissions to Council prior to adoption of the by-law.

The Deputy Clerk thanked everyone for their participation and interest in the meeting.

**23. COMMITTEE OF THE WHOLE MINUTES – FEBRUARY 25, 2013 – ITEM 23  
COMMUNITY SERVICES REPORT – PLANNING AND BUILDING SERVICES 2012-50  
INTENSIFICATION IN STABLE RESIDENTIAL AREAS**

Public Meeting Notice, Community Services Report – Planning and Building Services 2012-50 dated October 18, 2012 regarding Intensification in Stable Residential Areas and related Council Extract regarding Proposed Amendments to the Comprehensive Town-Wide Zoning By-law.

The Senior Planner – Policy provided the Committee with a brief presentation on the Proposed Amendments to the Comprehensive Town-Wide Zoning By-law.

Questions related to some of the Proposed Amendments to the Comprehensive Town-Wide Zoning By-law with respect to heights, grading and drainage issues, definitions of bungalow/bungalow lofts, height of windows in a development and definition of storeys were directed to the Senior Planner – Policy.

**Mr. Chris Howie**

Mr. Chris Howie, resident, addressed the Committee with specific concerns related to the protection of character of older developed streets and Victorian era homes in the community.

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

**THAT the deputation by Mr. Chris Howie, resident be received.**

**CARRIED**

**Mr. Kevin McRoberts**

Mr. Kevin McRoberts, resident, addressed the Committee with specific concerns related to floodplain requirements and authority over property development within these areas as well as concerns that the amendments in the proposed zoning by-law do not address construction work that is being conducted without building permits because of Lake Simcoe Region Conservation Authority limitations in Newmarket. Regional Councillor Taylor advised that the change process for infills and construction within floodplains is mandated to the Conservation Authority by the Province of Ontario.

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

**THAT the deputation by Mr. Kevin McRoberts, resident, be received.**

**CARRIED**

**Mr. Athol Hart**

Mr. Athol Hart, resident, addressed the Committee with concerns relating to severance of lots and demolition of existing structures and the feasibility of other processes to amalgamate properties before any severance and infill can take place. The Director of Planning and Building Services advised that such process could be proposed on an as needed basis.

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

**THAT the deputation by Mr. Athol Hart, resident, be received.**

**CARRIED**

**Mr. Brian Smith**

Mr. Brian Smith, resident, addressed the Committee regarding proposed changes to minimum lot areas and frontages and the possibility of purchasers buying two lots, demolition of structure and potential severance into three lots. He advised that the proposed lot size amendments may potentially affect the entire neighbourhood.

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

**THAT the deputation by Mr. Brian Smith, resident, be received.**

**CARRIED**

**Ms. Sarah Baldwin**

Ms. Sarah Baldwin, resident, addressed the Committee with specific concerns related to the population statistics, the fit of certain developed neighbourhoods, height definitions, heritage matters without controls of the *Heritage Act*, modifications of various character neighbourhoods and further impediments for growth opportunities. She advised she did not support the proposed amendments.

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

**THAT the deputation by Ms. Sarah Baldwin, resident, be received.**

**CARRIED**

**Ms. Elaine Adam**

Ms. Elaine Adam, resident, addressed the Committee regarding concerns related to the footprint of building ratio to lot size, basement depths, maximum ceiling heights, roof run-off restrictions and differences in frontage standardization.

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

**THAT the by Ms. Elaine Adam, resident, be received.**

**CARRIED**

The Senior Planner – Policy advised of the next steps associated in the planning process being a report back to Committee of the Whole in April, 2013. A query regarding the feasibility of further public input was addressed by the Director of Planning and Building Services.

**Moved by Councillor Emanuel  
Seconded by Councillor Di Muccio**

**THAT Community Services Report – Planning and Building Services 2012-50 dated October 18, 2012 regarding Intensification in Stable Residential Areas be received;**

**AND THAT the presentation by the Senior Planner – Policy regarding the Proposed Amendments to the Comprehensive Town-Wide Zoning By-law be received.**

**CARRIED**

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

**THAT the meeting adjourn.**

**CARRIED**



There being no further business, the meeting adjourned at 7:57 p.m.

  
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Mayor Van Bynen, Chair

  
\_\_\_\_\_  
Lisa Lyons, Deputy Clerk