

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

The regular meeting of the Council was held on Monday, May 6, 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
A. Brouwer, Director of Legislative Services/Town Clerk
M. Mayes, Director of Financial Services/Treasurer
R. Nethery, Director of Planning and Building Services
J. Bondi, Council/Committee Coordinator

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

Mayor Van Bynen in the Chair.

PUBLIC NOTICE

None.

ADDITIONS TO THE AGENDA

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

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

DEPUTATIONS

3. Ms. Sandra Fuller, Resident, and Member of the Heritage Newmarket Advisory Committee, to address Council with respect to Item 4 of the Council agenda under Reports of Committees and Staff, being Development and Infrastructure Services Report – Planning and Building Services 2013-21 dated April 29, 2013 regarding Request for Designation of 27 Main Street North.
4. Mr. Marvin Sadowski, Executive Vice-President, Sterling Silver Development Corp., to address Council with respect to agenda Item 4 under Reports of Committees and Staff being Development and Infrastructure Services Report – Planning and Building Services 2013-21 dated April 29, 2013 as it relates to Request for Designation of 465 Davis Drive (Ice House) and 27 Main Street North.

CARRIED

DECLARATIONS OF INTEREST

None.

1. PRESENTATION – “ADOPT AN ATHLETE” PROGRAM

Deputation:

Ms. Karen Richards, Games Manager, 2013 Special Olympics Ontario Summer Games, introduced Ms. Dana Damiani as the Town-sponsored athlete under the Special Olympics Ontario 2013 Summer Games ‘Adopt an Athlete’ program. Ms. Richards then addressed Council regarding the upcoming Games which run from July 11 to July 14, 2013. She invited the public to attend a barbeque at York Region headquarters on Yonge on May 16, 2013, ‘Special Olympics Day’, beginning at 12:00 noon. She also encouraged the public to support the Special Olympics by purchasing red Olympic shoelaces for \$5.00. For further information or to sponsor an athlete visit www.specialolympics2013games.com

Presentation:

Mayor and Members of Council presented Ms. Damiani, an athlete for 21 years who has been involved with softball, floor hockey, track and field, golf and bowling, with a plaque recognizing her as the Town’s adopted athlete in the 2013 Special Olympics Ontario Summer Games.

Moved by Councillor Twinney

Seconded by Regional Councillor Taylor

THAT the deputation by Ms. Karen Richards, Games Manager, 2013 Special Olympics Ontario Summer Games regarding the upcoming Games and event on May 16, 2013 be received.

CARRIED

2. DEPUTATION – CONCERNED CITIZENS FOR ACCESSIBILITY AND MOBILITY

Ms. Kim McKinnon, a representative of Concerned Citizens for Accessibility and Mobility, addressed Council regarding the group and mobility transit issues, and invited Council members to participate in the York Region Mobility Maze event on June 5, 2013 from 1:00 to 4:00 p.m. at the Aurora Community Centre.

**Moved by Councillor Twinney
Seconded by Councillor Emanuel**

THAT the deputation by Ms. Kim McKinnon, a representative of Concerned Citizens for Accessibility and Mobility regarding the group, mobility transit issues and an event on June 5, 2013 be received.

CARRIED

3. DEPUTATION – STOP GAP RAMP PROJECT

Mr. Tyler Barker, Community Project Volunteer, addressed Council with a PowerPoint presentation regarding the Stop Gap Ramp Project.

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

THAT the deputation by Mr. Tyler Barker, Community Project Volunteer regarding the Stop Gap Ramp Project be received and the matter be referred to staff.

CARRIED

4. DEPUTATIONS – DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND BUILDING SERVICES 2013-21 - REQUEST TO DESIGNATE 27 MAIN STREET NORTH AND 465 DAVIS DRIVE (ICE HOUSE) BY HERITAGE NEWMARKET

Deputations:

- a) Ms. Sandra Fuller, Resident, and Member of the Heritage Newmarket Advisory Committee, addressed Council regarding 27 Main Street North.

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

THAT the deputation by Ms. Sandra Fuller regarding 27 Main Street North (Robert Murray House) be received.

CARRIED

- b) Mr. Marvin Sadowski, Executive Vice-President, Sterling Silver Development Corp. addressed Council regarding 465 Davis Drive (Ice House) and 27 Main Street North (Robert Murray House).

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

THAT the deputation by Mr. Marvin Sadowski, Executive Vice-President, Sterling Silver Development Corp., regarding 465 Davis Drive (Ice House) and 27 Main Street North (Robert Murray House) be received.

CARRIED

The Mayor advised that Development and Infrastructure Services Report – Planning and Building Services 2013-21 would be brought forward at this time.

Report:

Development and Infrastructure Services Report – Planning and Building Services 2013-21 – Request to Designate 27 Main Street North and 465 Davis Drive (Ice House) by Heritage Newmarket Advisory Committee.

Moved by Councillor Sponga
Seconded by Regional Councillor Taylor

THAT Development and Infrastructure Services Report – Planning and Building Services 2013-21 – Request to Designate 27 Main Street North and 465 Davis Drive (Ice House) by Heritage Newmarket Advisory Committee be deferred to the next two cycles of Committee of the Whole so that the Committee can meet with the owners of both properties to have discussion.

MOTION WITHDRAWN

It was requested that each property, being 27 Main Street North and 465 Davis Drive, be considered separately.

Amendments were made to the recommendations contained in the Report as follows:

- Recommendation 1 be deleted;
- In Recommendation 3, delete the words “if the owners of 27 Main Street North and 465 Davis Drive are unwilling to allow the Town to review and document the structures that”;
- The words “and that the Heritage Newmarket Advisory Committee be involved in these discussions” be added to Recommendation 2 (becomes new Recommendation 1);
- A further recommendation be added: “AND THAT staff be authorized to advertise the potential relocation and preservation of 27 Main Street North (Robert Murray House)”;
- A further recommendation be added: “AND THAT staff report back to Council in 45 days”.

Moved by Councillor Di Muccio
Seconded by Councillor Twinney

THAT Development and Infrastructure Services Report – Planning and Building Services 2013-21 dated April 29, 2013 regarding Request to Designate 27 Main Street North (Robert Murray House) and 465 Davis Drive (Ice House) by Heritage Newmarket be received and the following recommendations, as amended, be adopted:

1. THAT Council authorize staff to enter into discussions with the owner of 27 Main Street North and 465 Davis Drive in an effort to obtain agreement to allow the Town sufficient time to review and document the heritage attributes of the properties and that the Heritage Newmarket Advisory Committee be involved in these discussions;
2. AND THAT staff be authorized to advertise the potential relocation and preservation of 27 Main Street North (Robert Murray House);
3. AND THAT the Notice of Intent to Designate 27 Main Street North and 465 Davis Drive (specifically the Ice House), Town of Newmarket, Regional Municipality of York, under Part IV of the *Ontario Heritage Act* for its cultural heritage value and interest, be approved for the purpose of allowing the inventory and documentation;
 - i) And that Legislative Services be authorized to immediately proceed with the notification requirements as set out in the *Ontario Heritage Act*;
 - ii) And that after the review and documentation of the structures, the Notice of Intent to Designate be withdrawn to allow for the demolition of the structures;
4. AND THAT staff report back to Council in 45 days;
5. AND THAT Bonseph (Tannery) Ltd. and 2213305 Ontario Inc., c/o Sterling Silver Development Corporation, Attention: Ken Kirsh, 53 The Links Road, Toronto, ON M2P 1T7 be advised of this decision;
6. AND THAT Brian Feherty of Feherty and Associates Ltd., 411 Queen Street, Newmarket, ON L3Y 2G9 be advised of this decision.

CARRIED

5. ANNOUNCEMENTS – COMMUNITY EVENTS

- a) Councillor Emanuel advised that the Newmarket screening of the Multi-media Film Festival of York Region takes place May 7, 2013 in the Town of Newmarket Council Chambers, 395 Mulock Drive. Doors open at 6:30 p.m. and the screening begins at 7 p.m. Tickets are \$6 plus tax and are available online at www.yorkregionfilmfestival.com until May 7 at 5 p.m.
- b) Councillor Di Muccio advised that the Town of Newmarket's Youth Centre at 56 Charles Street, which was temporarily closed for repairs, has re-opened. The Town invites residents to attend the Official Grand Re-Opening Weekend on May 24 to 26, 2013 featuring various activities and events for the whole family. The Town thanks all residents for their continued support during the closure. For more information please call 905-953-5120 or visit www.newmarket.ca/youth for schedules.
- c) Councillor Sponga invited members of the public to drop in to the Council Chambers at 395 Mulock Drive on May 9, 2013 between 6:30 and 8 p.m. to discuss the proposed Tom Taylor Trail Davis Drive Underpass. Project drawings will be on display and Town staff will be available to answer questions. Should you be unable to attend this Public Information Centre and have questions regarding the project, please contact Mike Ashworth, Capital Projects Parks Development Coordinator at 905-953-5300 ext. 2510 or email mashworth@newmarket.ca
- d) Councillor Sponga thanked members of Council and the community who attended the MS Run on May 5, 2013. He advised that contributions towards fundraising for the event can still be made by going to www.mssociety.ca
- e) Councillor Hempen advised that the Town of Newmarket is holding a Spring Moonlight Movie on May 24, 2013 at the Newmarket Riverwalk Commons, located at Doug Duncan Drive. The outdoor movie, "Rise of the Guardians", rated PG, will be displayed on a huge inflatable screen beginning at dusk (approximately 8:45 p.m.). Bring a chair or blanket to enjoy a movie under the stars. Admission is free. In case of inclement weather, the movie will be shown inside the Newmarket Community Centre & Lions Hall, 200 Doug Duncan Drive. For further information, please contact 905-895-5193.
- f) Councillor Hempen thanked Ward 4 residents, Mayor Van Bynen and Regional Councillor Taylor, for their participation in their recent community clean-up.
- g) Regional Councillor Taylor advised that the Newmarket Environmental Advisory Committee (NEAC) is encouraging Newmarket residents to Reduce, Reuse, and Recycle at their Annual Garage Sale on May 25, 2012 from 8 a.m. to noon at the south parking lot of the York Region building at Yonge & Eagle Street. Vendors selling household and used items are required to bring their own tables and pay a \$10 site fee on the day of the sale. Set-up is at 7 a.m. No commercial vendors. Vendors are required to register with the Town of Newmarket at 905-895-5193.

- h) Regional Councillor Taylor invited the public to the 2013 Run-Walk-&-Roll for Spinal Cord Injury Recovery event taking place on May 11, 2013 at Fairy Lake Park. Registration begins at 9:00 a.m. For further information visit www.walkitoffrecovery.org
- i) Councillor Twinney invited the public to Smart Commute Central York's 7th Annual Bike to Work Day on May 27, 2013 from 7:45 to 9 a.m. Enjoy a complimentary breakfast at Newmarket Riverwalk Commons, located at Doug Duncan Drive, and enter to win amazing prizes. Visit www.biketoworkday.ca for more information or call 905-895-5193.
- j) Councillor Twinney advised that her next Ward meeting will be held on May 14, 2013 at the Community Centre beginning at 7:00 p.m. The topic for discussion is the Asset Replacement Fund.
- k) Councillor Kerwin thanked residents of Ward 2 and staff for their participation in the clean-up that took place in their Ward last Saturday.
- l) Councillor Kerwin reminded residents that the dedication of the Bruce Lindsay Retention Pond takes place on May 24, 2013 at 9:30 a.m.
- m) Councillor Kerwin advised that the 2013 Upper Canada Mall Easter Seals 10k Run/ 5k Run & Walk will be held on May 26, 2013 at Newmarket Riverwalk Commons located at Doug Duncan Drive in Newmarket. The course is a flat, fast, scenic and vehicle-free route through Fairy Lake Park and the Tom Taylor Trail System. Chip timing is available for both the 10k and the 5k run. Participants will receive technical t-shirts and finisher medals and are invited to a post-race party. This event, founded by Joe Persechini, is York Region's longest running fundraiser for children and youth with physical disabilities, raising nearly \$2.9 million and has had the support of Upper Canada Mall for the last 22 years.
- n) Councillor Vegh advised that from May 6 to May 12, 2013, the Town of Newmarket will be offering blue boxes, green bins and kitchen catchers at reduced prices while quantities last. This week blue boxes will be \$6, green bins \$15, kitchen catchers \$3 with a limit of 2 of each per household. They are available at the Municipal Offices at 395 Mulock Drive.
- o) Councillor Vegh also advised that the 10th Ward 1 community clean-up will take place on June 1, 2013 from 8 a.m. to 12 noon at the Magna Centre south parking lot. Bring your unwanted waste and clutter. Goodwill is to be on site and there will be an e-waste disposal and secure paper shredding. The Newmarket Stingrays Swim Club will be collecting deposit bottles for a bottle drive.

- p) Mayor Van Bynen invited residents to help shape the long-term vision of Newmarket by participating in one of the upcoming public engagement opportunities toward the development of the Secondary Plan, Phase 3, on May 22 or May 28, 2013 being held in the Newmarket Council Chambers, 395 Mulock Drive. Doors open at 6:30 p.m. and the presentation begins at 7 p.m. The presentation is the same both evenings, and will be followed by a question and answer session. For more information, please contact Marion Plaunt, Senior Planner at 905-953-5300 ext. 2459, email mplaunt@newmarket.ca, or visit www.newmarket.ca
- q) Mayor Van Bynen advised that if anyone has anything they wish to discuss, he will be at 'Mayor in the Square' at the Farmers' Market located at the Newmarket Riverwalk Commons, Doug Duncan Drive on May 11, 2013 from 10 a.m. until noon.
- r) Mayor Van Bynen also advised that the next Council meeting is scheduled for May 27, 2013 at 7 p.m.

6. APPROVAL OF COUNCIL MINUTES

Council Minutes of April 15, 2013.

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

THAT the Council Minutes of April 15, 2013 be approved.

CARRIED

7. CORRESPONDENCE

Correspondence dated April 25, 2013 from Mr. Wayne Ford, Associate Dealer, Canadian Tire Store 069, requesting that May 25, 2013 be proclaimed "Jumpstart Day" in the Town of Newmarket.

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

THAT the correspondence dated April 25, 2013 from Mr. Wayne Ford, Associate Dealer, Canadian Tire Store 069, be received and the following recommendations be adopted:

- 1. THAT the Town of Newmarket proclaim May 25, 2013 as "Jumpstart Day";**
- 2. AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca**

CARRIED

8. REPORTS BY REGIONAL REPRESENTATIVES

- a) Regional Councillor Taylor advised that the Region recently dealt with its Community Investment Strategy which is an approach to supporting low income residents in the Region.
- b) Regional Councillor Taylor provided updates with respect to the Greater Toronto Airport Authority. In 2012, it was the second fastest growing hub in North America and it is projected to increase in traffic 4.6% in 2013 to 36 million passengers.
- c) Regional Councillor Taylor advised that Mr. David Agnew, President, Seneca College updated York Region Council regarding their new strategic plan with a focus on expanding their programs throughout the Region.
- d) Regional Councillor Taylor advised that Regional Council recently received the Economic and Development review for 2012. He provided samplings of statistics provided in the review, such as the Regional population as of December 31, 2012 was 1,108,600 (growing by 23,000 people in 2012); there were about 533,000 jobs in York Region in 2012; the unemployment rate was 6.1%; and the average resale price of a single detached house was \$702,000. He encouraged residents to visit www.york.ca to view the full report.
- e) Mayor Van Bynen advised that the Transportation and Works Committee as well as the Finance and Administration Committee have discussed a list of revenue tools for funding Metrolinx projects over the next 25 years. He also advised the total budget over the next 25 years is about \$50 billion. He encouraged the public to visit www.york.ca to view the Minutes and keep informed.
- f) Regional Councillor Taylor updated the public on his recent trip to China to look at educational partnerships and exchanges for secondary school students. Much was learned and it was also a great opportunity from an economic development perspective.

9. SPECIAL COMMITTEE OF THE WHOLE MINUTES

Special Committee of the Whole Minutes of April 22, 2013.

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

THAT the Special Committee of the Whole Minutes of April 22, 2013 be approved and the following recommendations be adopted:

**10. SPECIAL COMMITTEE OF THE WHOLE MINUTES – APRIL 22, 2013 – ITEM 1
POWERPOINT PRESENTATION - 2014 BUDGET**

THAT the PowerPoint presentation regarding the 2014 budget process be received.

11. **SPECIAL COMMITTEE OF THE WHOLE MINUTES – APRIL 22, 2013 – ITEM 2
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-09
2012 RESERVES AND RESERVE FUNDS CONTINUITY**

THAT Corporate Services Report – Financial Services 2013-09 dated April 15, 2013 regarding the 2013 Reserves and Reserve Funds Continuity be received.

12. **SPECIAL COMMITTEE OF THE WHOLE MINUTES – APRIL 22, 2013 – ITEM 3
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-10
2013 RESERVES AND RESERVE FUNDS BUDGET**

THAT Corporate Services Report – Financial Services 2013-10 dated April 15, 2013 regarding 2013 Reserves and Reserve Funds Budget be received and the following recommendation be adopted:

THAT the projected revenues for the 2013 Reserves and Reserve Funds Budget, as set out in the attachment, be approved.

13. **SPECIAL COMMITTEE OF THE WHOLE MINUTES – APRIL 22, 2013 – ITEM 4
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-11
2012 CAPITAL CARRY-OVERS REPORT**

THAT Corporate Services Report – Financial Services 2013-11 dated April 15, 2013 regarding the 2012 Capital Carry-Overs Report be received for information purposes.

14. **SPECIAL COMMITTEE OF THE WHOLE MINUTES – APRIL 22, 2013 – ITEM 5
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-15
2014 BUDGET SCHEDULE**

THAT Corporate Services Report – Financial Services 2013-15 dated April 18, 2013 regarding the 2014 Budget Schedule be received and the following recommendation be adopted:

THAT the attached schedule be approved for the 2014 budget process.

CARRIED

15. **SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES**

Special Committee of the Whole (Closed Session) Minutes of April 22, 2013.

Moved by Councillor Sponga
Seconded by Councillor Emanuel

THAT the Special Committee of the Whole (Closed Session) Minutes of April 22, 2013 be approved.

CARRIED

With respect to Items contained within the Special Committee of the Whole (Closed Session) Minutes of April 22, 2013, Mayor Van Bynen advised as follows:

- There were three items within the (Closed Session) Minutes each of which involved discussion regarding a Personal Matter about an identifiable individual.

16. COMMITTEE OF THE WHOLE MINUTES

Committee of the Whole Minutes of April 29, 2013.

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

THAT the Committee of the Whole Minutes of April 29, 2013 be approved and the following recommendations, with the exception of Items 1, 17, 18, 20, 22 and 23 be adopted:

**17. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 2
REQUEST FOR PROCLAMATION
“MELANOMA MONDAY”**

THAT the correspondence received April 22, 2013 from Mr. Gordon Searles, President, Canadian Dermatology Association be received and the following recommendations be adopted:

- 1. THAT the Town of Newmarket proclaim May 6, 2013 as “Melanoma Monday” in the Town of Newmarket;**
- 2. AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca**

**18. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 3
ACCESSIBILITY ADVISORY COMMITTEE MINUTES**

THAT the Accessibility Advisory Committee Minutes of February 19, 2013 be received.

**19. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 4
NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE MINUTES**

THAT the Newmarket Downtown Development Subcommittee Minutes of April 5, 2013 be received.

**20. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 5
ENVIRONMENTAL ADVISORY COMMITTEE MINUTES**

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

21. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 6
HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES

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

22. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 7
MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA
BOARD OF MANAGEMENT MINUTES

THAT the Main Street District Business Improvement Area Board of Management Minutes of March 19, 2013 be received.

23. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 8
NEWMARKET PUBLIC LIBRARY BOARD MINUTES

THAT the Newmarket Public Library Board Minutes of February 27, 2013 be received.

24. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 9
MS WALK

THAT the correspondence from Ms. Mary Ann Slattery, Vice-Chair, Director of Fundraising, MS Society of Canada – York North Chapter dated April 25, 2013 regarding an invitation to participate in the MS Walk at Newmarket High School on May 5, 2013 beginning at 9:30 a.m. be received.

25. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 10
CAO/HUMAN RESOURCES REPORT 2013-03
SICK LEAVE AND WSIA POLICIES

THAT Item 8:06, the Sick Leave Plan, be rescinded from the Administrative By-law, updated to ensure clarity, aligned with the calendar year and included in the Corporate Policy Manual;

AND THAT Item 8:07, Workers' Compensation, be rescinded from the Administrative By-law, updated in accordance with the legislation and included in the Corporate Policy Manual.

26. COMMITTEE OF THE WHOLE MINUTES MINUTES – APRIL 29, 2013 – ITEM 11
JOINT CAO, COMMISSIONER AND CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-14
ASSET REPLACEMENT FUND STUDY – FOLLOW UP REPORT

THAT Joint CAO, Commissioner and Corporate Services Report – Financial Services 2013-14 dated April 18, 2013 regarding the Asset Replacement Fund Study – Follow Up Report be received.

**27. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 12
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING &
BUILDING SERVICES 2013-19
APPLICATION FOR ZONING BY-LAW AMENDMENT
2239798 ONTARIO INC. – 400 HARRY WALKER PARKWAY SOUTH**

THAT Development and Infrastructure Services/Planning & Building Services Report 2013-19 dated April 18, 2013 regarding an Application for a Zoning By-law Amendment be received and the following recommendations be adopted:

1. THAT the Application for a Zoning By-law Amendment as submitted by 2239798 Ontario Inc. for lands located at 400 Harry Walker Parkway South be referred to a public meeting;
2. AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through 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 2239798 Ontario Inc., 6931 Steeles Avenue West, Etobicoke, ON M9W 6K7 be notified of this action;
4. AND THAT Wes Surdyka Architect Inc, Attention: Wes Surdyka, 3645 Keele Street Unit 108, Toronto, ON M3J 1M8 be notified of this action.

**28. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 13
CORRESPONDENCE – NOISE EXEMPTION – 2013 RELAY FOR LIFE**

THAT the correspondence dated March 19, 2013 from Ms. Karen Beaulieu, Fundraising Coordinator, Canadian Cancer Society, Holland River Unit requesting an exemption from the Noise By-law for the 2013 Relay for Life event at Pickering College from June 21, 2013 at 7:00 p.m. to June 22, 2013 at 7:00 a.m. be received and approved subject to notification being provided to area residents;

AND THAT Ms. Beaulieu be notified in this regard.

**29. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 14
LIST OF OUTSTANDING MATTERS**

THAT the list of outstanding matters be received.

**30. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 15
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-11
APPOINTMENT – PUBLIC LIBRARY BOARD VACANCY**

THAT following the mandatory advertisement period, an interview and/or selection panel consisting of Council appointees to the Newmarket Public Library Board (Regional Councillor Taylor, Councillor Hempen and Councillor Vegh) be formed to review applications, develop selection criteria, undertake candidate interviews and recommend candidate(s) for appointment by Council.

31. **COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 16**
FAIR ACCESS PRESENTATION

THAT the PowerPoint presentation by Ms. Adelina Urbanski, Commissioner of Community and Health Services, Regional Municipality of York regarding the Fair Access Project be received.

32. **COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 17**
HOSPITAL PARKING CHARGES

Deputation:

THAT the PowerPoint presentation by Mr. Alan Powell regarding hospital parking charges be received.

33. **COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 18**
EXCERPT FROM MINUTES – ITEM 8 OF THE HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES OF APRIL 2, 2013 – NEW BUSINESS A) & B) – ICE HOUSE (465 DAVIS DRIVE) AND ROBERT MURRAY HOUSE (27 MAIN STREET NORTH)

Deputations:

THAT the deputations by Mr. Athol Hart, Mr. Marvin Sadowski and Ms. Sandra Fuller regarding the recommendations contained within the addendum agenda with respect to the Excerpt from the Minutes of the Heritage Newmarket Advisory Committee of April 2, 2013 being New Business A) & B) – Ice House (465 Davis Drive) and Robert Murray House (27 Main Street North) be received.

34. **COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 19**
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING & BUILDING SERVICES 2013-17
REQUEST TO WAIVE MINOR VARIANCE APPLICATION FEES
1209104 ONTARIO LIMITED – RITA'S AVENUE, RANNIE ROAD

Deputation:

THAT the deputation by Mr. Frank Orsi on behalf of 1209104 Ontario Limited regarding Development and Infrastructure Services Report – Planning & Building Services 2013-17 with respect to the Request to Waive Minor Variance Application Fees for properties on Rita's Avenue and Rannie Road be received.

Report:

THAT Development and Infrastructure Services Report – Planning & Building Services 2013-17 dated April 18, 2013 regarding the Request to Waive Minor Variance Application Fees by 1209104 Ontario Limited be received and the following recommendations be adopted:

1. THAT the request to waive \$2,540.56, plus applicable taxes, for minor variance application fees for Application Nos. D13-A03-13, D13-A04-13, D13-A05-13 and D13-A06-13 submitted by 1209104 Ontario Limited be denied;
2. AND THAT the request to waive \$4,445.98, plus applicable taxes, for minor variance application fees for Application Nos. D13-A08-13 through D13-A14-13 inclusive submitted by 1209104 Ontario Limited be denied;
3. AND THAT Frank Orsi of 1209104 Ontario Limited, P. O. Box 215, Newmarket ON L3Y 4X1 be advised of this decision.

**35. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 21
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING &
BUILDING SERVICES 2013-20
INTENSIFICATION IN STABLE RESIDENTIAL AREAS**

THAT Development and Infrastructure Services/Planning and Building Services Report 2013-20 dated April 18, 2013 regarding Intensification in Stable Residential Areas be received and the following recommendation, as amended, be adopted:

THAT the Town initiated amendment to Comprehensive Zoning By-law 2010-40 as it relates to the R1-B, R1-C and R1-D zones substantially in accordance with the attached by-law be approved and that staff be directed to prepare the necessary Zoning By-Law Amendment.

**36. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 24
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING &
BUILDING SERVICES 2013-18
2013 ANNUAL SERVICING ALLOCATION REVIEW**

THAT Development and Infrastructure Services Report – Planning & Building Services 2013-18 dated April 29, 2013 regarding the 2013 Annual Servicing Allocation Review be received and the following recommendations be adopted:

1. THAT all previously distributed servicing capacity be re-instated with the existing allocation for the Landmark Estates (Orsi Phase 4) plan to be formally re-evaluated in 6 months;
2. AND THAT the Town continue to hold its unassigned capacity (1461 people) in a strategic reserve for redevelopment projects in the urban centres in support of the Official Plan, the Regional Centres and Corridors program and the significant investment that has been made at the various levels of government in the VivaNext bus rapid transit system;
3. AND THAT at such time as the Region releases its next servicing assignment to the local municipalities, staff report back to Committee with recommendations for the distribution of the Town's available servicing capacity.

**37. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 25
NOTICE OF MOTION – COUNCILLOR EMANUEL FCM CANDIDACY**

THAT the draft resolution regarding the Federation of Canadian Municipalities Candidacy be received and forwarded to Council for approval.

**38. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 26
REPORTS BY REGIONAL REPRESENTATIVES**

None.

**39. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 27
NEW BUSINESS**

- a) Councillor Sponga requested that Members of Council participate in the MS Walk scheduled for Sunday, May 5, 2013 beginning at 9:30 a.m. at Newmarket High School.
- b) Councillor Kerwin suggested that a letter be sent by the Mayor's Office to Ms. Wendy Van Straten thanking her for her years of service on the Newmarket Public Library Board.
- c) Councillor Kerwin expressed concerns related to the graffiti on Canada Post mailboxes and other utility company enclosures. He requested that an advertisement be placed on the Town Page regarding graffiti and the responsibility of removal. Councillor Hempen queried the feasibility of utilizing the same punitive method for utility companies who do not adhere to requests for graffiti removal. Councillor Sponga advised that the Town of East Gwillimbury removes graffiti and invoices the utility agencies.
- d) Mayor Van Bynen advised of a great turnout for the Nature's Emporium Run for Southlake on Sunday, April 28, 2013 with approximately \$2700.00 raised.

CARRIED

**40. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 1
EXCERPT FROM MINUTES – ACCESSIBILITY ADVISORY COMMITTEE
OF APRIL 16, 2013 – ITEM 3 – REQUEST FOR PROCLAMATION**

Excerpt from the Accessibility Advisory Committee Minutes of April 16, 2013 regarding a Request for Proclamation.

Councillor Twinney, on behalf of the Town's Accessibility Advisory Committee (AAC), advised of activities taking place at various Town facilities and schools during National Access Awareness Week (NAAW). She circulated a Town flyer entitled "Celebrating Accessibility and Abilities" and advised of various activities indicated in the flyer that are taking place on June 4, 2013 at the Riverwalk Commons and Community Centre & Lions Hall in celebration of NAAW.

**Moved by Councillor Twinney
Seconded by Councillor Emanuel**

1. THAT the Town of Newmarket proclaim June 2 – 8, 2013 as “National Access Awareness Week”;
2. AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca

CARRIED

**41. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 17
HOSPITAL PARKING CHARGES**

Discussion regarding a request made by Mr. Alan Powell at the Committee of the Whole meeting of April 29, 2013 for Council’s endorsement of a resolution that the Town of Newmarket requests that the Province of Ontario reduce and cap at a fair rate the parking charges at Ontario hospitals.

**Moved by Regional Councillor Taylor
Seconded by Councillor Emanuel**

THAT the request to endorse the resolution regarding reduction and capping of parking charges be referred to staff to obtain feedback and input from Southlake Regional Health Centre and report back.

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	
TOTAL	8	1

CARRIED

**42. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 18
EXCERPT FROM MINUTES – ITEM 8 OF THE HERITAGE NEWMARKET ADVISORY
COMMITTEE MINUTES OF APRIL 2, 2013 – NEW BUSINESS A) & B) – ICE HOUSE
(465 DAVIS DRIVE) AND ROBERT MURRAY HOUSE (27 MAIN STREET NORTH)**

Excerpt:

Excerpt from Minutes – Item 8 of the Heritage Newmarket Advisory Committee Minutes of April 2, 2013 – New Business A) & B) – Ice House (465 Davis Drive) and Robert Murray House (27 Main Street North).

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

THAT the Operational Leadership Team recommendations with respect to the Heritage Newmarket Advisory Committee Minutes of April 2, 2013 dealing with the Ice House at 465 Davis Drive and the Robert Murray House at 27 Main Street North be received and referred to staff for a report.

CARRIED

**43. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 20
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-09
CLOTHING DONATION BINS IMPLEMENTING BY-LAWS**

Corporate Services Report – Legislative Services 2013-09 dated April 9, 2013 regarding Clothing Donation Bins Implementing By-laws.

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

THAT Corporate Services Report – Legislative Services 2013-09 dated April 9, 2013 regarding Clothing Donation Bins Implementing By-laws be received and the following recommendations, as amended, be adopted:

- 1. THAT a draft By-law Clothing Donation Bins (attached as Appendix A) be enacted;**
- 2. AND THAT By-law 2012-47 Schedule A, 2013 Legislative Services (Licensing) Fees & Charges be amended to include the fees for Clothing Donation Bins (attached as Appendix B) as follows:**

Clothing Donation Bin	\$200.00 annual fee per bin
Registered Charities	\$ 75.00 annual fee per bin
Clothing Donation Bin-change location	\$ 50.00 per bin
Clothing Donation Bin-impound fee	\$100.00 per bin
Clothing Donation Bin-daily storage fee	\$ 20.00 per bin

CARRIED

**44. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 22
 JOINT CAO, COMMISSIONER AND CORPORATE SERVICES REPORT
FINANCIAL SERVICES 2013-03 – ASSET REPLACEMENT FUND STUDY**

Joint CAO, Commissioners, Corporate Services Report - Financial Services Report 2013-03 dated April 3, 2013 regarding the Asset Replacement Fund Study.

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

THAT Joint CAO, Commissioners, Corporate Services – Financial Services Report 2013-03 dated April 3, 2013 regarding the Asset Replacement Fund Study be received and the following recommendations, as amended, be adopted:

- 1. THAT Council consider the options contained herein as part of the setting of the annual tax rate;**
- 2. AND THAT staff create a 2013 supplementary budget to include a 0.8% infrastructure levy to be restricted to the replacement of tangible capital assets;**
- 3. AND THAT a communication plan be implemented to inform the public about the 2013 supplementary budget.**

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	
TOTAL	6	3

CARRIED

**45. COMMITTEE OF THE WHOLE MINUTES – APRIL 29, 2013 – ITEM 23
 DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-17
HURON HEIGHTS DRIVE SAFETY REVIEW - UPDATE #2**

Development and Infrastructure Services Report – Engineering Services 2013-17 dated March 11, 2013 regarding Huron Heights Drive Safety Review – Beman Drive to Elgin Street – Update #2.

Moved by Councillor Twinney
Seconded by Councillor Sponga

THAT Community Services Report – ES 2013-17 dated March 11, 2013 regarding Huron Heights Drive Safety Review – Beman Drive to Elgin Street – Update #2 be received and the following recommendations be adopted:

1. THAT Schedule III (Stop Signs) of the Traffic By-law 2011-24, as amended, be amended by adding the following sections:

INTERSECTION	TYPE	FACING TRAFFIC
Huron Heights Drive at Wayne Drive	3 way	northbound on Huron Heights Drive
Huron Heights Drive at Wayne Drive	3 way	southbound on Huron Heights Drive
Wayne Drive at Huron Heights Drive	3 way	westbound on Wayne Drive

2. AND THAT the proper pedestrian crossings (pavement markings and boulevard sidewalk connections) be implemented on both the north and south legs of the Waratah/Columbia and Huron Heights/Wayne intersections;
3. AND THAT the necessary By-law be prepared and submitted to Council for their approval.

CARRIED

46. **RESOLUTION R11-2013**

A Resolution to Support Councillor Chris Emanuel as a Candidate for Re-election at the Federation of Canadian Municipalities Elections on the Ontario Board of Directors.

Moved by Councillor Kerwin
Seconded by Councillor Hempen

WHEREAS the Town of Newmarket is a member of the Federation of Canadian Municipalities (FCM);

AND WHEREAS the Town of Newmarket supports the work of FCM and wishes to support it further by approving a resolution with respect to appointment for the term of 2013 to 2014;

AND WHEREAS FCM is instrumental in assuring that the needs of the municipalities are considered by the Federal Government;

AND WHEREAS FCM has played a pivotal role in developing policy framework that has benefited communities throughout Canada;

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

THAT the Town of Newmarket Council supports FCM considering Councillor Chris Emanuel as a candidate for re-election at the FCM elections on the Ontario Board of Directors;

AND THAT the Town of Newmarket will cover associated costs with an appointment to the National Board for Councillor Chris Emanuel.

CARRIED

47. BY-LAWS

By-laws 2013-16 to 2013-23, inclusive.

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

THAT By-laws 2013-16 to 2013-23, inclusive, be enacted.

**2013-16 A BY-LAW TO AMEND BY-LAW 2011-24, AS AMENDED, BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE TOWN OF NEWMARKET.
(Schedule III - Stop Signs – Huron Heights Drive and Wayne Drive)**

To Regulate Traffic in the Town of Newmarket.

2013-17 A BY-LAW TO PROVIDE AN EXEMPTION TO BY-LAW 2004-94, AS AMENDED, BEING A BY-LAW TO PROHIBIT AND REGULATE UNUSUAL NOISES OR NOISES LIKELY TO DISTURB THE INHABITANTS OF THE TOWN OF NEWMARKET.

To Provide an Exemption to the Noise By-law to facilitate the Canadian Cancer Society's Relay for Life Event at Pickering College.

**2013-18 A BY-LAW TO AMEND BY-LAW 1990-92, AS AMENDED, BEING A BY-LAW TO ADOPT THE TOWN OF NEWMARKET EMPLOYMENT POLICY.
(Administration By-law)**

To Amend the Town of Newmarket Employment Policy.

**2013-19 A BY-LAW TO APPOINT A BUILDING INSPECTOR AS REQUIRED BY THE BUILDING CODE ACT AND O. REG. 403/97, AS AMENDED.
(Lida Ghiami)**

To Appoint a Building Inspector for the Town of Newmarket.

**2013-20 A BY-LAW TO AMEND BY-LAW 2012-81 BEING A BY-LAW TO ADOPT FEES AND CHARGES FOR SERVICES OR ACTIVITIES PROVIDED BY THE TOWN OF NEWMARKET.
(Fees and Charges – Legislative Services – Schedule F – Registration of Accessory Dwelling Units)**

To Amend Fees and Charges Related to the Registration of Accessory Dwelling Units.

**2013-21 A BY-LAW TO AMEND ZONING BY-LAW 2010-40, AS AMENDED.
(Metrus Developments Inc. – Phase 7 – Woodland Hills)**

To Amend the Zoning By-law.

**2013-22 A BY-LAW FOR THE LICENSING, REGULATING AND GOVERNING OF CLOTHING BINS.
(Clothing Donation Bins By-law)**

To License, Regulate and Govern Clothing Donation Bins.

**2013-23 A BY-LAW TO AMEND BY-LAW 2012-47 BEING A BY-LAW TO ADOPT FEES AND CHARGES FOR SERVICES OR ACTIVITIES PROVIDED BY THE TOWN OF NEWMARKET.
(Legislative Services – Licensing Fees)**

To Approve Fees and Charges Relating to Clothing Donation Bins.

CARRIED

48. NOTICES OF MOTION

Councillor Hempen advised that he would be bringing forward, to the next Committee of the Whole, a motion with respect to restricting spending of the Asset Replacement Fund.

UNFINISHED BUSINESS

None.

49. NEW BUSINESS

- a) Councillor Sponga advised that he had received a request from a resident with respect to the status of the implementation of the by-law to regulate the Heritage Conservation District. He requested staff provide an information report to members of Council regarding the status of implementation of this by-law.
- b) Mayor Van Bynen provided an update with respect to the funds raised through the Nature's Emporium Walk/Run event last weekend. The money raised by Newmarket is currently \$4,245.00. The run has raised \$138,000 so far overall and he thanked the community for their support.

50. **CONFIRMATORY BY-LAW**

By-law 2013-24.

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

THAT By-law 2013-24 be enacted.

**2013-24 A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS
MEETING HELD ON MAY 6, 2013.**


CARRIED

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

THAT the meeting adjourn.

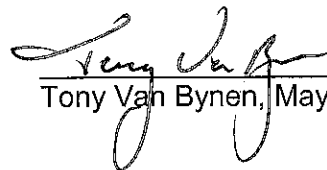
CARRIED

There being no further business, the meeting adjourned at 9:58 p.m.



Andrew Brouwer, Town Clerk

Minutes approved at the meeting of Town Council held on May 27, 2013.



Tony Van Bynen, Mayor