



Town of Newmarket
MINUTES

COUNCIL

Monday, May 27, 2013 at 7:00 p.m.
Council Chambers

For consideration by Council on June 17, 2013

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

The regular meeting of the Council was held on Monday, May 27, 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. Prentice, Acting Chief Administrative Officer
I. McDougall, Commissioner of Community Services
A. Moore, Commissioner of Corporate Services
A. Brouwer, Director of Legislative Services/Town Clerk
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 Di Muccio
Seconded by Councillor Emanuel**

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

ADDITIONS

CORRESPONDENCE

- 2.& 3. Correspondence dated May 22, 2013 from Ms. Carol Wilks, resident, with respect to Development and Infrastructure Services Report – ES 2013-24 dated May 2, 2013 regarding the Sidewalk Policy PWS 1.01 Review and with respect to Development and Infrastructure Services Report – ES 2013-20 dated May 3, 2013 regarding Proposed Sidewalk – Lloyd Avenue, Robinson Drive and Currey Crescent – Road Rehabilitation Update. *(Note: Relates to Items 2 and 3 under Reports of Committees and Staff on the May 27, 2013 Council agenda)*

REPORTS OF COMMITTEES AND STAFF

2. Development & Infrastructure Services Information Report – Commissioner ES 2013-26 dated May 27, 2013 regarding Construction of Sidewalks – Robinson Drive, Currey Crescent and Lloyd Avenue.
(Note: Relates to Item 2 under Reports of Committees and Staff on the May 27, 2013 Council agenda and is included for information only)

REPLACEMENT PAGE

REPORTS OF COMMITTEES AND STAFF

1. Replacement Page 17/18 of the Committee of the Whole Minutes of May 21, 2013. *(Time Sensitive)*

Item 34f) – New Business

Recommendation should read:

THAT staff ask Viva to work with the community, through the Ward Councillor, to mitigate traffic infiltration in the residential neighbourhood, as the result of construction on Davis Drive, through the use of signage and media.

CARRIED

DECLARATIONS OF INTEREST

Regional Councillor Taylor declared a conflict in Item 18 of the Committee of the Whole Minutes of May 21, 2013 (Item 37 of these Minutes) being Report of the President dated May 14, 2013 regarding Director Search Process as his father is an elected Director of Newmarket-Tay Power. He advised he would not take part in the discussion or voting of this matter.

1. PRESENTATION – GALA FOR THE ARTS 2013

Mayor Van Bynen and Members of Council congratulated the Arts Grants Recipients of the 2013 Arts Gala Grants Fund and acknowledged the Sponsors of the 5th Annual “Newmarket Celebrates the Arts Gala” held on May 3, 2013 at Pickering College.

The Arts Grants Project-based and Community Grant Recipients: The Newmarket Jazz Festival, Community Living Newmarket/Aurora District – Day Support Art Program, The Newmarket Group of Artists Market, The Caribbean and South Asian Showcase, Visual and Performing Arts Newmarket – Introduction of Opera to Elementary School Children, Visual and Performing Arts Newmarket – Young Artists’ Showcase,

Youth Grant Recipients: Zakir Hamza, William J. Oliver, Ashlyn Kuy, Heidi Chanel Pastersdorfer.

Post-secondary Education Grant Recipients: Emily Chau, Lydia Uppington, Valeriya Nuyanzina, Katelan Balah.

Regional Councillor Taylor acknowledged the “Newmarket Celebrates the Arts Gala” Sponsors: Newmarket-Tay Power Distribution Ltd., Magna International, Enbridge Gas Distribution, York Region Media Group, RC Design, xe.com

Regional Councillor Taylor also acknowledged and thanked Mr. Peter Sturup, Headmaster of Pickering College and member of the Grants Committee for his contribution and hosting of the event.

2. PRESENTATION – HERITAGE ART AWARDS

Mayor Van Bynen and Members of Council along with Ms. Stephanie Dyriw, Recreation Programmer – Community and Special Events presented the 14th Annual Heritage Art Awards.

First Place

Title/Subject

Ted Fletcher

Bridge over Bogart Creek East
George Rilchardson Park

Honourable Mentions

Jason Wighton
Patrick Goodeve
William Oliver

Main Street at Dusk
Tom’s Trail
Newmarket Scenes 2

3. PRESENTATION – YORK REGIONAL POLICE – 2013 PRIORITIES

Chief Eric Jolliffe and Inspector Henry deRuiter from 1 Division, York Regional Police addressed Council with a PowerPoint presentation regarding an update on the York Regional Police and 2013 priorities.

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

THAT the presentation by York Regional Police be permitted to extend beyond the prescribed 10 minutes.

CARRIED

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

THAT the presentation by York Regional Police regarding an update on the organization and 2013 priorities be received.

CARRIED

4. ANNOUNCEMENTS – COMMUNITY EVENTS

- a) Councillor Vegh advised that he will be hosting a Ward 1 community drop-in on June 4, 2013 from 8 to 9 p.m. at the Magna Centre.
- b) Councillor Vegh advised that the annual Ward 1 Community Clean-up takes place June 1, 2013 from 8 a.m. to 12 noon at the Magna Centre south parking lot, 800 Mulock Drive. Residents of Ward 1 are invited to bring unwanted clutter and waste. 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. For further information, call 905-895-5193, ext. 2021. Councillor Vegh thanked McDonalds Restaurants for offering to provide lunch and Regional Councillor Taylor for providing coffee, donuts and muffins to all volunteers at this event.
- c) Councillor Kerwin advised that Music on the Move will be at Prince Charles Public School, 684 Srigley Street on May 29, 2013 from 6 to 8 p.m. This is an event where students from Newmarket schools and local musicians showcase their talent. Admission is free and all are welcome to attend.
- d) Councillor Kerwin also advised that on May 25, 2013 the dedication of the Bruce Lindsay Water Retention Pond took place. He thanked the Bogart Creek Restoration Committee, Bass Masters and Town staff for participating in the annual spring planting.
- e) Councillor Kerwin thanked and recognized Mr. Joe Persechini who attended the recent Easter Seals Run/Walk. Mr. Persechini founded the event, formerly the Joe Persechini Run/Walkathon, 37 years ago. This year, the race courses went through Fairy Lake Park and the scenic Tom Taylor Trail system.

- f) Councillor Twinney advised that the week of June 2 to June 8, 2013 is National Access Awareness Week. She invited the public to the Newmarket Community Centre & Lions Hall at 200 Doug Duncan Drive on June 4, 2013 from 5:30 to 9 p.m. to celebrate accessibility and abilities. There will be interactive activities, guest performers, live music, information agencies, exhibits, displays and more. This event is hosted by the Newmarket Accessibility Advisory Committee. For more information regarding this and all other activities during National Access Awareness Week visit www.newmarket.ca/accessibility or call 905-953-5300, ext. 2710.
- g) Councillor Twinney also advised of the inaugural iRun and Rock event that takes place on June 1, 2013 at the Ray Twinney Recreation Complex. The 1, 5 or 10km run/walk is to raise money for post-traumatic stress disorder. There will be a free concert, following the event, featuring Glass Tiger beginning at 2 p.m. For further information go to irunandwalk.ca
- h) Regional Councillor Taylor advised that today is Bike to Work Day in Newmarket and the Greater Toronto Area (GTA). June is Bike Month and he encouraged the public to ride their bikes whenever possible.
- i) Regional Councillor Taylor invited the public to the Heart & Stroke Foundation Big Bike Event on June 14, 2013. Participants will meet at 3:45 p.m. at the Investors Group Plaza at Yonge Street and Millard Avenue. To participate on the Town of Newmarket team, call 905-895-5193 or visit www.bigbike.ca
- j) Regional Councillor Taylor also advised that June 8 and 9, 2013 is the Windfall Ecology Festival from 10 a.m. to 5 p.m. This environmental event takes place at Fairy Lake Park. For more information visit www.windfallcentre.ca
- k) Councillor Hempen advised that Newmarket's Disc Golf Course on Cane Parkway at Dennis Park will re-open for the 2013 season on June 1, 2013. Cost is \$2 per day for unlimited play on Saturdays and Sundays between 10 a.m. and 3 p.m. from June until the end of August. No equipment or experience required. Call 905-953-5303, ext. 2714 for more information or e-mail dsheridan@newmarket.ca
- l) Councillor Hempen invited residents of Ward 4 to the second Annual Barbeque on June 23, 2013 from 11 a.m. to 3 p.m. at Rogers Park. The barbeque is free and hamburgers and hot dogs will be served. There will also be clowns, face painting, balloons, etc. for the children. He thanked the Pickle Barrel Restaurant for offering to provide the lunch.
- m) Councillor Sponga offered an apology to those residents whose phone calls he has been unable to respond to with respect to concerns or complaints regarding the parking and construction issues on Cedar Street and at the Old Town Hall. He advised that at the last Committee of the Whole meeting, staff has been requested to put into place a communications plan which will hopefully assist in resolving many of these issues.

- n) Councillor Sponga advised that Ward 5 residents are invited to the ward meeting on June 6, 2013 from 7 to 9 p.m. at the Community Centre and Lions Hall, 200 Doug Duncan Drive. Join Councillor Sponga to hear about what's happening in Ward 5. For more information, e-mail jsponga@newmarket.ca or call 905-895-5193.
- o) Councillor Sponga commended Mr. John Kennedy, a business operator on Timothy Street, for organizing the Art Colony, an event which takes place on Timothy Street east of Main Street every Saturday from 10 am. to 3 p.m. He encouraged the public to look up the Art Colony in Newmarket on Facebook for more information.
- p) Councillor Di Muccio invited the public to Outdoor Discovery & Adventure Night on May 28, 2013 from 6 to 7 p.m. at the Riverwalk Commons, Doug Duncan Drive. Bring a lawn chair and enjoy the Lost World Reptile Show. Inclement weather location is inside the Newmarket Community Centre and Lions Hall. Admission is free. Call 905-895-5193 or visit www.newmarket.ca for further information.
- q) Councillor Emanuel advised that on June 15, 2013, the Glenway Preservation Association is having a community fundraising trunk sale from 9 a.m. to 2 p.m. at the Ray Twinney Recreation Complex.
- r) Councillor Emanuel invited the public to experience a triathlon in a non-competitive environment at "Try the Tri" Triathlon. Participants will swim, bike and run different distances for each age category on June 8, 2013 at the Ray Twinney Recreation Complex. All abilities are welcome, for ages 3 and up. Registration is \$40 per person. For more information, visit www.newmarket.ca or call 905-895-5193. All proceeds are directed to the Town of Newmarket Financial Assistance and Accessibility Fund.
- s) Mayor Van Bynen invited the public to a Town of Newmarket public meeting to discuss Newmarket's Urban Centres Secondary Plan Phase 3 – Draft Secondary Plan Directions. Help shape the long-term vision of Newmarket by participating in this public engagement opportunity on May 28, 2013 in the Council Chambers at 395 Mulock Drive. Doors open at 6:30 p.m. and the presentation begins at 7 p.m.
- t) Mayor Van Bynen advised that June 9, 2013 is the 65th Annual Decoration Day Service at the Veterans Plot in the Newmarket Cemetery at 2 p.m.
- u) Mayor Van Bynen also advised that the next Council meeting is June 17, 2013 at 7 p.m.

5. APPROVAL OF COUNCIL MINUTES

Council Minutes of May 6, 2013.

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

THAT the Council Minutes of May 6, 2013 be approved.

CARRIED

6. CORRESPONDENCE – AMBERLEY GAVEL LTD.

Report from Amberley Gavel Ltd., Closed Meeting Investigator, dated May 2013, regarding the Council meeting of March 26, 2012, as well as the Committee of the Whole meetings of August 27, 2012 and February 25, 2013.

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

THAT the Report from Amberley Gavel Ltd., Closed Meeting Investigator, dated May 2013, regarding the Council meeting of March 26, 2012, as well as the Committee of the Whole meetings of August 27, 2012 and February 25, 2013 be received;

AND THAT the best practice recommendations contained within the Report be adopted.

CARRIED

7. REPORTS BY REGIONAL REPRESENTATIVES

- a) Regional Councillor Taylor advised that the Region has recently celebrated Special Olympics Day and that York Region will be hosting the Special Olympics Ontario 2013 Games. He urged everyone to support the games and cheer on the athletes.
- b) Regional Councillor Taylor also advised that Regional Council recently had an extensive discussion regarding Metrolinx funding tools. He indicated that this is an important issue to the Region and the GTA as they have lost \$6 billion per year in revenue to the economy due to traffic congestion. He said that the Chair of the Region has been authorized to advocate over the summer months on behalf of the Region's concerns and interests.

8. COMMITTEE OF THE WHOLE MINUTES

Committee of the Whole Minutes of May 21, 2013.

A correction was made to Item 18 of the Council Minutes of May 6, 2013 by including Mayor Van Bynen as a Member of the ad-hoc joint committee of Newmarket-Tay Power Distribution.

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

THAT the Committee of the Whole Minutes of May 21, 2013, as corrected, be approved and the following recommendations, with the exception of Items 18, 23, 28, 29, 31 and 34 be adopted:

**9. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 1
REQUESTS FOR PROCLAMATION – PRIDE WEEK, SPINA BIFIDA & HYDRO-
CEPHALUS AWARENESS MONTH, SENIORS' MONTH, FIRST RESPONDERS' DAY**

- a) THAT the correspondence dated April 19, 2013 from Ms. Linda Keith, President, PFLAG Canada – York Region requesting proclamation of Pride Week be received and the following recommendations be adopted:
1. THAT the Town of Newmarket proclaim June 15 – 23, 2013 as “Pride Week”;
 2. AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca
- b) THAT the correspondence dated April 30, 2013 from Ms. Joan Booth, Executive Director, Spina Bifida & Hydrocephalus Association of Ontario be received and the following recommendations be adopted:
1. THAT the Town of Newmarket proclaim June 2013 as “Spina Bifida and Hydrocephalus Awareness Month”;
 2. AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca
- c) THAT the correspondence dated May 2013 from Mr. Mario Sergio, Minister Responsible for Seniors be received and the following recommendations be adopted:
1. THAT the Town of Newmarket proclaim June 2013 as “Seniors’ Month”;
 2. AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca
- d) THAT the proclamation request by Councillor Twinney be received and the following recommendations be adopted:
1. THAT the Town of Newmarket proclaim May 1 of each year as “First Responders Day”;
 2. AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca

10. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 2**
ENVIRONMENTAL ADVISORY COMMITTEE MINUTES

THAT the Environmental Advisory Committee Minutes of April 3, 2013 be received.

11. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 3**
INCLUSIVITY ADVISORY COMMITTEE MINUTES

THAT the Inclusivity Advisory Committee Minutes of April 10, 2013 be received.

12. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 4**
MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA
BOARD OF MANAGEMENT MINUTES

THAT the Main Street District Business Improvement Area Board of Management Minutes of April 16, 2013 be received.

13. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 5**
SITE PLAN REVIEW COMMITTEE MINUTES

THAT the Site Plan Review Committee Minutes of May 6, 2013 be received.

14. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 6**
ITEM 1 OF SITE PLAN REVIEW COMMITTEE MINUTES OF MAY 6, 2013
APPLICATION FOR TELECOMMUNICATIONS TOWER
505 KENT DRIVE – WARD 5
2142440 ONTARIO INC. (ROGERS COMMUNICATIONS INC.)

1. THAT the Application for Telecommunications Tower to permit a new tower (35m high) and a radio equipment cabinet (2.44m x 1.62m) to be erected on the subject lands be approved in principle subject to the applicant addressing the following:
 - a. THAT Committee request the applicant provide a donation in the amount of \$10,000.00 to the Town for a community benefit;
 - b. THAT the applicant report back to the Planning Division regarding impact on coverage for the Main Street South area;
2. AND THAT Michelle G. Vivar, Municipal Relations Specialist of Rogers Communications Inc., 8200 Dixie Road, Brampton, ON L6T 0C1 be notified of this decision;
3. AND THAT Val Letterio of 2142440 Ontario Inc., c/o Newmarket Auto Body, 505 Kent Drive, Newmarket, ON L3Y 4Y9 be notified of this decision.

**15. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 7
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT /PLANNING &
BUILDING SERVICES 2013-22
APPLICATION FOR DRAFT PLAN OF CONDOMINIUM
470, 480, 490, 510 HARRY WALKER PARKWAY SOUTH**

THAT Development and Infrastructure Services/Planning and Building Services Report 2013-22 dated May 9, 2013 regarding Application for Draft Plan of Condominium be received and the following recommendations be adopted:

1. THAT approval be given to Draft Plan of Condominium 19CDMN-2013 001 subject to the Schedule of Conditions attached and forming part of Development and Infrastructure Services/Planning & Building Services Report 2013-22;
2. AND THAT HWH Developments Inc., (c/o Carlo Rotundo) 106 Corstate Drive, Unit 1, Vaughan, ON L4K 4X2 be notified of this action;
3. AND THAT Lloyd & Purcell Ltd., (c/o Murray Purcell) 1228 Gorham Street, Unit 28, Newmarket, ON L3Y 8Z1 be notified of this action.

**16. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 8
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-12
FINAL ACCEPTANCE AND ASSUMPTION OF EXTERNAL ABOVEGROUND
WORKS FOR SUMMERHILL RESIDENTIAL SUBDIVISION**

THAT Development and Infrastructure Services Report – Engineering Services 2013-12 dated May 1, 2013 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted:

1. THAT the request for final acceptance and assumption of the Summerhill Residential Subdivision – Phase 1A as shown on the attached map be finally accepted and assumed by the Town;
2. AND THAT Mr. Paul Minz of Criterion Development Corporation and Mr. John Kaczor, A.Sc.T., of MMM Group Limited be notified of these recommendations.

**17. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 9
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-14
FINAL ACCEPTANCE AND ASSUMPTION OF EXTERNAL ABOVEGROUND WORKS
LESLIE STREET SIDEWALK – BIROCK INDUSTRIAL SUBDIVISION**

THAT Development and Infrastructure Services Report – Engineering Services 2013-14 dated May 1, 2013 regarding Final Acceptance and Assumption of External Aboveground Works – Leslie Street Sidewalk be received and the following recommendations be adopted:

1. THAT the request for final acceptance and assumption of the external aboveground works – Leslie Street Sidewalk for the Birock Industrial Subdivision as shown on the attached map be finally accepted and assumed by the Town;
 2. AND THAT Mr. David Woods of Birock Investments Inc., and Mr. Don Roughley, Hon. BSc., of A.M. Candaras Associates Inc. be notified of these recommendations.
18. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 10
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-07
DEVELOPMENT CHARGES

THAT Corporate Services Report – Financial Services 2013-07 dated May 7, 2013 regarding Development Charges be received for information purposes.

19. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 11
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-08
2012 BUILDING PERMIT FEES

THAT Corporate Services Report – Financial Services 2013-08 dated May 7, 2013 regarding 2012 Building Permit Fees be received for information purposes.

20. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 12
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-12
TAX WRITE-OFFS

THAT Corporate Services Report – Financial Services 2013-12 dated April 11, 2013 regarding Tax Write-Offs Pursuant to the *Municipal Act*, 2001 be received and the following recommendation be adopted:

THAT the tax adjustments outlined in Appendix 1 attached to the report dated April 11, 2013 from Financial Services for application for the cancellation or refund of taxes pursuant to Sections 357 and 358 of the *Municipal Act*, 2001 be approved.

21. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 13
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES – 2013-10
CARNIVAL – MAGICAL MIDWAYS INC. – 20 DAVIS DRIVE

THAT Corporate Services Report – Legislative Services 2013-10 dated April 24, 2013 regarding Carnival – Magical Midways Inc. for the location 20 Davis Drive be received and the application be approved subject to the following terms:

1. THAT the license be issued for a period of seven consecutive days from July 22 to July 28, 2013 to permit the setting up and dismantling of amusement devices;
2. AND THAT the actual operation of the carnival not exceed five consecutive days within that permitted time period.

22. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 14
MOTION – COUNCILLOR HEMPEN – ASSET REPLACEMENT FUND**

THAT staff be directed to bring forward a policy to define and restrict the use of the Asset Replacement Fund to major repair, maintenance and replacement of tangible capital assets defined by regulatory accounting standards.

23. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 15
LIST OF OUTSTANDING MATTERS**

THAT the list of outstanding matters be received.

24. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 16
CANADIAN BATTLEFIELDS FOUNDATION STUDY TOUR**

THAT the deputation by Ms. Erin Cerenzia regarding details related to the Canadian Battlefields Foundation Study Tour in early June 2013 be received.

25. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 17
NEWMARKET-TAY POWER STRATEGIC DIRECTION**

THAT the PowerPoint presentation by Mr. Paul Ferguson regarding Newmarket-Tay Power Strategic Direction be received.

26. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 19
BRIXTON COMMERCIAL REALTY ADVISORS**

THAT the PowerPoint presentation by Mr. Brent Fleming on behalf of Brixton Commercial Realty Advisors regarding the property known as 487 Queen Street be received;

AND THAT the concerns expressed by Mr. Fleming in his presentation with respect to re-development of the property known as 487 Queen Street be referred to staff to explore options and implications associated with his request for reduction of fees, as well as report back on available options regarding rental properties.

27. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 20
GLENWAY PRESERVATION ASSOCIATION**

THAT the presentation by Mr. Dave Sovran, Vice-Chair, Glenway Preservation Association regarding the Marianneville Developments Application at the Ontario Municipal Board be received.

THAT Mr. Dave Sovran of the Glenway Preservation Association be offered another opportunity to address the Committee regarding specific queries related to the Marianneville Developments Application.

THAT the response by Mr. Dave Sovran, Vice-Chair, Glenway Preservation Association regarding budget specifics related to the property known as the Glenway Golf Course lands be received.

28. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 21
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT/PLANNING &
BUILDING SERVICES 2013-23
APPLICATION FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT
AND DRAFT PLAN OF SUBDIVISION APPROVAL
MARIANNEVILLE DEVELOPMENTS LIMITED (GLENWAY)**

THAT Community Services/Planning & Building Services Report 2013-23 dated May 9, 2013 regarding Application for Official Plan Amendment – D9NP1210; Zoning By-law Amendment – D14NP1210 and Draft Plan of Subdivision – D12NP1210 be received.

29. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 22
DEPUTATIONS
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-20
PROPOSED SIDEWALK – LLOYD AVENUE, ROBINSON DRIVE AND CURREY CRES.**

Deputations:

- a) THAT the deputation by Mr. Michael Cameron, resident, regarding the proposed sidewalk – Lloyd Avenue, Robinson Drive and Currey Crescent be received.
- b) THAT the deputation by Mr. Steve Somerset, resident, regarding the proposed sidewalk – Lloyd Avenue, Robinson Drive and Currey Crescent be received.
- c) THAT the deputation by Mr. Rob Eibel, resident, regarding the proposed sidewalk – Lloyd Avenue, Robinson Drive and Currey Crescent be received.

30. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 24
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-24
SIDEWALK POLICY PWS. 1-01 REVIEW**

THAT Development and Infrastructure Services Report – ES 2013-24 dated May 2, 2013 regarding the Sidewalk Policy PWS.1-01 Review be received and deferred to the Council meeting of May 27, 2013.

31. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 25
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-20
PROPOSED SIDEWALK – LLOYD AVENUE, ROBINSON DRIVE AND CURREY CRES.**

Report:

THAT Development and Infrastructure Services Report – Engineering Services 2013-20 regarding Proposed Sidewalk – Lloyd Avenue, Robinson Drive and Currey Crescent dated May 3, 2013 be deferred to the May 27, 2013 Council meeting.

**32. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 26
HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES**

THAT the Heritage Newmarket Advisory Committee Minutes of April 2, 2013 be received.

**33. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 27
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
PUBLIC WORKS SERVICES 2013-15
GRAFFITI ABATEMENT ADDITIONAL OPTIONS**

THAT Development and Infrastructure Services Report – Public Works Services 2013-15 dated April 29, 2013 regarding Graffiti Abatement Additional Options be received and the following recommendations be adopted:

1. THAT Council express to Canada Post their concerns regarding the timely removal of graffiti from Canada Post street furniture on Town property;
2. AND THAT a copy of this report be forwarded by the Town Clerk to MP Lois Brown at 16600 Bayview Avenue Suite 206, Newmarket ON L3X 1Z9 for information;
3. AND THAT a copy of this report be forwarded by the Town Clerk to Rogers Cable and Newmarket Hydro.

**34. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 30
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-12
COMMITTEE REVIEW – STRUCTURE AND PROPOSED POLICIES**

THAT Corporate Services Report – Legislative Services 2013-12 dated May 8, 2013 regarding Committee Review - Structure and Proposed Policies be received and the following recommendations be adopted:

1. THAT the Committee Structure Review Status Report (attached as Appendix 'A') be received;
2. AND THAT a Special Committee of the Whole meeting be scheduled at the beginning of the new term of Council (2014-2015) to review and recommend a Committee structure reflecting Council's Strategic Priorities;
3. AND THAT the Newmarket Arts Council Task Force, Operations Centre Budget Task Force, Health Sciences Commission, Holland River and Newmarket Trails Committee, Halton Recycling Community Liaison Committee and Old Town Hall Renovation Task Force be formally dissolved;
4. AND THAT Council adopt the Canadian Code of Volunteer Involvement (attached as Appendix 'B') in principle;
5. AND THAT the Committee Public Appointment Policy (attached as Appendix 'C') be approved;

6. AND THAT Legislative Services staff contact Members of Council to solicit their interest in serving on the Appointment Committee and advise further on this at a future Committee of the Whole meeting;
 7. AND THAT the draft Terms of Reference for the Appointment Committee (attached as Appendix 'D') be approved;
 8. AND THAT the Town's committees be notified of these actions.
35. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 32
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-14
NEAC REVISED TERMS OF REFERENCE/IMPROVED PROTOCOL**

THAT Corporate Services Report – Legislative Services 2013-14 dated May 8, 2013, regarding NEAC Revised Terms of Reference and Improved Council/NEAC Protocol be received and the following recommendations be adopted:

1. THAT Council adopt the strategic community priority initiatives proposed within this report for further investigation, analysis and reporting by NEAC;
 2. AND THAT a Council/NEAC joint meeting be scheduled to inform, discuss and advance these strategic community priority initiatives coinciding with a scheduled Committee of the Whole or Council meeting date;
 3. AND THAT the revised Terms of Reference for the Newmarket Environmental Advisory Committee (NEAC) be approved.
36. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 33
REPORTS BY REGIONAL REPRESENTATIVES**

None.

CARRIED

37. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 18
NEWMARKET-TAY POWER – REPORT OF THE PRESIDENT
DIRECTOR SEARCH PROCESS**

Mr. Paul Ferguson, President, Newmarket-Tay Power Distribution addressed the Committee of the Whole on May 21, 2013 and provided details with respect to the Report of the President dated May 14, 2013 regarding Newmarket-Tay Power Distribution Ltd. Director Search. As per Recommendation 2 of the Report, Mr. Ferguson requested appointment of Members of Council to an ad-hoc joint committee for the purpose of Director candidate consideration.

(Note: Correction was made to the recommendation – see Item 8 of these Minutes)

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

THAT Councillor Emanuel, and Councillor Kerwin and Mayor Van Bynen, be appointed to serve as the Chair and Members, respectively, on the ad-hoc joint committee of Newmarket-Tay Power Distribution for the purpose of Director candidate consideration.

CARRIED

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

**38. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 23
DEVELOPMENT AND INFRASTRUCTURE SERVICES (CLOSED SESSION –
CONFIDENTIAL) REPORT/PLANNING AND BUILDING SERVICES 2013-25 –
APPLICATION FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT
AND DRAFT PLAN OF SUBDIVISION APPROVAL
MARIANNEVILLE DEVELOPMENTS LIMITED (GLENWAY)**

Development and Infrastructure Services (Closed Session - Confidential) Report/Planning and Building Services 2013-25 dated May 9, 2013 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Approval – Marianneville Developments Limited (Glenway).

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

THAT Development and Infrastructure Services (Closed Session - Confidential) Report/Planning and Building Services Report 2013-25 dated May 9, 2013 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Approval – Marianneville Developments Limited (Glenway) be received.

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

**39. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 28
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-18
2013 SUPPLEMENTARY BUDGET – INFRASTRUCTURE LEVY**

Corporate Services Report – Financial Services 2013-18 dated May 9, 2013 regarding the 2013 Supplementary Budget – Infrastructure Levy.

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

THAT Corporate Services Report – Financial Services 2013-18 dated May 9, 2013 regarding the 2013 Supplementary Budget – Infrastructure Levy be received and the following recommendation be adopted:

THAT the 2013 Operating Budget be revised to include \$363,773 for an additional Infrastructure Levy.

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

**40. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 29
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-17
PROPERTY TAX RATES FOR 2013**

Corporate Services Report – Financial Services 2013-17 dated May 9, 2013 regarding the Property Tax Rates and By-law for 2013.

**Moved by Councillor Kerwin
Seconded by Councillor Hempen**

THAT Corporate Services Report – Financial Services 2013-17 dated May 9, 2013 regarding the Property Tax Rates and By-law for 2013 be received and the following recommendations be adopted:

1. THAT the property tax rates for 2013, as applied to the 2012 Returned Assessment Roll, be set for Town purposes as follows:

<u>Property Class</u>	<u>Tax Rate</u>
Residential	0.404259%
Multi-Residential	0.404259%
Commercial	0.451638%
Industrial	0.530550%
Pipelines	0.371514%
Farmland	0.101065%

2. AND THAT the applicable tax rate by-law be prepared for approval by Council.

CARRIED

**41. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 31
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-13
APPOINTMENT OF ACTING MAYOR**

Corporate Services Report – Legislative Services 2013-13 dated May 7, 2013 regarding Appointment of Acting Mayor.

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

THAT Corporate Services Report – Legislative Services 2013-13 dated May 7, 2013 regarding Appointment of Alternate Acting Mayor be received and the following recommendations be adopted:

1. THAT Councillor Joe Sponga, Ward 5, be appointed to serve in the capacity of Acting Mayor in the absence of the Mayor and Regional Councillor for the period of May 29, 2013 to June 3, 2013 inclusive;
2. AND THAT Council enact a by-law to appoint Councillor Sponga as Acting Mayor from May 29, 2013 to June 3, 2013 inclusive at its May 27, 2013 meeting.

CARRIED

**42. COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 34
NEW BUSINESS – ITEM A, B, D, G, H, I, J, K, L, M, N**

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

THAT New Business Items a, b, d, g, h, i, j, k, l, m and n be received and the recommendation contained within Item g, as follows, be adopted.

- a) Councillor Emanuel provided Notice of Motion for the next scheduled Committee of the Whole meeting regarding re-naming of the street known as Slingerland Circle.

- b) Councillor Emanuel requested that staff include the most recent traffic operations update report regarding Alfred Smith Way to the next scheduled Committee of the Whole meeting.
- d) Councillor Sponga requested an information report detailing the condition of the watermains in the areas of Queen Street, Raglan Street, Forest Glen and Lorne Avenue. The Commissioner of Development and Infrastructure Services advised that an information report could be provided within 120 days.
- g) Councillor Sponga requested immediate action be taken to communicate with neighbouring businesses and residents in the downtown core with respect to the renovations to the Old Town Hall on Botsford Street and the Cedar Street reconstruction.

Administrative Correction made to Item 42 g) at Council on June 17, 2013. See Item 8 of those Council Minutes.

THAT staff immediately develop a communication plan to address the issues surrounding the Old Town Hall renovations and Cedar Street reconstruction.

- h) Councillor Sponga expressed his concerns regarding a communication plan associated with construction works during programs and activities at the Elman Campbell Museum.
- i) Councillor Sponga expressed concerns related to the recent lack of access to parking spaces on Millard Avenue.
- j) Councillor Sponga queried staff regarding the status of the Request for Proposal for the Old Fire Hall. The Chief Administrative Officer responded that an information report will be forthcoming.
- k) Councillor Sponga requested that the road closure signs posted on Main Street since late 2012 be taken down as they are no longer required.
- l) Councillor Sponga requested that the historical plaques removed from the entrance to Fairy Lake Park during construction of the Riverwalk Commons be returned.
- m) Councillor Kerwin requested that staff attend and remediate the dangerous fencing surrounding the vacant lots on the north side of Gorham Street just to the west of East Hill Court. He advised that the iron stakes have been compromised and are bent with sharp edges.
- n) Councillor Kerwin requested that the July and August 2013 pages contained within the Schedule of Meetings document that was distributed at the beginning of the year be reviewed to analyze the requirement for summer meetings. The Chief Administrative Officer advised that staff will be able to comment on the necessity of the summer meetings with more clarity by the end of June 2013 and the Legislative Services Department will follow-up.

CARRIED

43. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 34
NEW BUSINESS – ITEMS C, E & F**

Councillor Sponga provided updates with respect to New Business Items c, e and f.

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

THAT New Business Items c, e and f be received and the respective recommendations, as follows, be adopted:

- c) Councillor Sponga advised that residents of Lewis Drive had contacted him with respect to the condition of the sod on the boulevard. Residents are seeking assistance from the Town in remedying this scenario.

THAT a letter be sent to residents of Lewis Drive outlining that staff is looking into resolving the boulevard sod issue.

- e) Councillor Sponga requested information related to a “boarding up by-law” for derelict buildings.

THAT staff investigate the feasibility of boarding up or demolishing derelict buildings.

- f) Councillor Sponga advised that residents of Carol Avenue, Park Avenue and Queen Street had applied for street closures and were informed by staff that due to VivaNext construction, Queen Street becomes a collector road for traffic overflow and could not be closed for a community gathering.

THAT staff ask Viva to work with the community, through the Ward Councillor, to mitigate traffic infiltration in the residential neighbourhood, as a result of construction on Davis Drive, through the use of signage and media.

CARRIED

44. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 24
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-24
SIDEWALK POLICY PWS.1-01 REVIEW**

Development and Infrastructure Services Report – ES 2013-24 dated May 2, 2013 regarding the Sidewalk Policy PWS.1-01 Review.

Development and Infrastructure Services Information Report – Commissioner ES 2013-26 dated May 27, 2013 regarding Construction of Sidewalks – Robinson Drive, Currey Crescent and Lloyd Avenue.

Correspondence from Ms. Carol Wilks, resident, dated May 22, 2013 with respect to Development and Infrastructure Services Reports – ES 2013-24 and ES 2013-20.

Development and Infrastructure Services Report – ES 2013-24 was amended with the addition of the following recommendations:

- “3. AND THAT the policy review include consideration of the information contained within Development and Infrastructure Services Information Report – ES 2013-26 with respect to the Town funding of the expansion of single width driveways;
4. AND THAT staff bring back a report with respect to on-street parking permits in highly constrained circumstances as a result of sidewalk installation in late 2013;”

**Moved by Councillor Kerwin
Seconded by Councillor Hemen**

THAT Development and Infrastructure Services Report – ES 2013-24 dated May 2, 2013 regarding the Sidewalk Policy PWS.1-01 Review be received and the following recommendations, as amended, be adopted:

1. **THAT staff be authorized to proceed with the following new, site specific mitigation measures in the sidewalk policy to reduce the impact on parking in a realistic and cost effective manner:**
 - i. **Reduced road width**
 - ii. **Road Realignment**
 - iii. **Curb face sidewalk**
 - iv. **Tree Replacement**
 - v. **Landscape Alteration**
 - vi. **Accessory Dwelling Unit Accommodation**
 - vii. **Driveway Widening**
2. **AND THAT staff prepare either an amendment to the Sidewalk Policy or draft a complementary policy, and report back to Town Council by the end of 2013;**
3. **AND THAT the policy review include consideration of the information contained within Development and Infrastructure Services Information Report – ES 2013-26 with respect to the Town funding of the expansion of single width driveways;**
4. **AND THAT staff bring back a report with respect to on-street parking permits in highly constrained circumstances as a result of sidewalk installation in late 2013;**

5. **AND THAT Development & Infrastructure Services Information Report – Commissioner ES 2013-26 and the correspondence from Ms. Carol Wilks, resident, with respect to Development and Infrastructure Services Reports – ES 2013-24 and 2013-20 be received.**

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	7	2

CARRIED

45. **COMMITTEE OF THE WHOLE MINUTES – MAY 21, 2013 – ITEM 25
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-20
PROPOSED SIDEWALK – LLOYD AVENUE, ROBINSON DRIVE AND CURREY CRES.**

Development and Infrastructure Services Report – ES 2013-20 dated May 3, 2013 regarding Proposed Sidewalk – Lloyd Avenue, Robinson Drive and Currey Crescent.

**Moved by Councillor Kerwin
Seconded by Councillor Hempen**

THAT Development and Infrastructure Services Report – Engineering Services 2013-20 dated May 3, 2013 regarding Proposed Sidewalk – Lloyd Avenue, Robinson Drive and Currey Crescent be received and the following recommendations be adopted:

1. **THAT sidewalks be installed on Lloyd Avenue, Robinson Drive and Currey Crescent in conjunction with the rehabilitation of these streets during 2013;**
2. **AND THAT staff undertake measures to mitigate impacts on parking and boulevard plantings wherever possible in accordance with the strategies outlined in Development and Infrastructure Services Report – ES 2013-24.**

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	7	2

CARRIED

RESOLUTIONS

None.

46. BY-LAWS

By-laws 2013-25 and 2013-26.

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

THAT By-laws 2013-25 and 2013-26 be enacted.

2013-25 A BY-LAW TO PROVIDE FOR THE LEVY AND COLLECTION OF THE SUMS REQUIRED BY THE CORPORATION OF THE TOWN OF NEWMARKET FOR 2013 AND TO PROVIDE FOR THE MAILING OF NOTICES REQUISITIONING THE PAYMENT OF TAXES FOR 2013.

To Levy a Separate Tax Rate on the Assessment in Each Property Class.

**2013-26 A BY-LAW TO APPOINT AN ACTING MAYOR.
(Councillor Sponga)**

To Appoint an Acting Mayor.

CARRIED

47. NOTICES OF MOTION

Councillor Di Muccio advised that she would be bringing forward a Motion regarding a request for a further report from the Integrity Commissioner in light of the report of the Closed Meeting Investigation (*See Item 6 of these Minutes*).

UNFINISHED BUSINESS

None.

48. NEW BUSINESS

- a) Councillor Hempen requested that, with respect to the VivaNext construction taking place on Davis Drive, staff look at the possibility of signage for the Newmarket Heights area. This matter will be referred to staff as part of the VivaNext Implementation Task Force discussions.
- b) Councillor Kerwin requested an update regarding the status of the installation of stoplights at Carlson Drive and Drew Doak Lane.
- c) Councillor Kerwin also requested an update regarding the status of the Sparrow Road, Thornwillow Court and Peterwood Court construction schedule.
- d) Regional Councillor Taylor queried about when the contract with GFL (Green for Life) Environmental Corporation would be revisited. He would like a discussion with Council about the pros and cons of including Customer Service in the contract. The Acting Chief Administrative Officer advised that the contract will be up in four years and that Public Works Services can provide an update to a future meeting or through an information report.
- e) Mayor Van Bynen requested direction with respect to the additional cost involved in removing the glass at the Ray Twinney Recreation Complex for the opening and closing ceremonies of the Special Olympics Ontario 2013 Summer Games.

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

THAT staff find appropriate funding to cover the cost of removing the glass at the Ray Twinney Recreation Complex for the Special Olympics Ontario 2013 Summer Games.

CARRIED

49. CONFIRMATORY BY-LAW

By-law 2013-27.

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

THAT By-law 2013-27 be enacted.

2013-27 A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING HELD ON MAY 27, 2013.

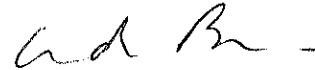
CARRIED

Moved by Councillor Sponga
Seconded by Councillor Di Muccio

THAT the meeting adjourn.

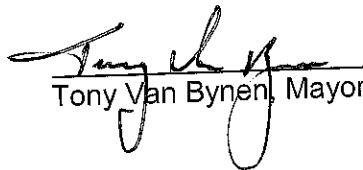
CARRIED

There being no further business, the meeting adjourned at 9:33 p.m.



Andrew Brouwer, Town Clerk

Minutes approved at the meeting of Town Council held on June 17, 2013.



Tony Van Bynen, Mayor