

SPECIAL COUNCIL

Monday, June 24, 2013 at +/- 3:00 p.m. Council Chambers, 395 Mulock Drive

For consideration by Council on September 9, 2013

The special meeting of the Council was held on Monday, June 24, 2013 at +/- 3:00 p.m. in the Council Chambers, 395 Mulock Drive, Newmarket.

Members

Mayor Van Bynen

Present:

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 Infrastructure and Development Services

R. Nethery, Director Planning and Building

E. Armchuk-Ball, Director of Legal Services/ Municipal Solicitor

L. Lyons, Deputy Town Clerk

S. Niezen, Records and Projects Coordinator

The meeting was called to order at 6:08 p.m.

Mayor Van Bynen in the Chair.

DECLARATIONS OF INTEREST

None.

1. SPECIAL COMMITTEE OF THE WHOLE MINUTES

Special Committee of the Whole Minutes of June 17, 2013.

Moved by Regional Councillor Taylor Seconded by Councillor Kerwin

THAT the Special Committee of the Whole Minutes of June 17, 2013 be approved and the following recommendations be adopted:

2. SPECIAL COMMITTEE OF THE WHOLE MINUTES – JUNE 17, 2013 – ITEM 1
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-30
REQUEST FOR FINAL ACCEPTANCE – SUMMERHILL PHASE 6

THAT Development and Infrastructure Services Commission – Engineering Services Report 2013-30 dated June 10, 2013 regarding the Final Acceptance and Assumption of the Underground and Aboveground Works for Summerhill Residential Subdivision Agreement – Phase 6 be received and the following recommendations be adopted:

- 1. THAT the request for Final Acceptance and Assumption of the Summerhill Residential Subdivision, Phase 6 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 Ltd. be notified of these recommendations.
- 3. SPECIAL COMMITTEE OF THE WHOLE MINUTES JUNE 17, 2013 ITEM 2
 DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT ES 2013-31
 REQUEST FOR FINAL ACCEPTANCE MATTAMY –TOTH FARM SUBDIVISION

THAT Development & Infrastructure Services Commission – Engineering Services Report 2013-31 dated June 10, 2013 regarding the Final Acceptance and Assumption of the Underground and Aboveground Works for Mattamy – Toth Farm Residential Subdivision Agreement – Phase 1 be received and the following recommendations be adopted:

- 1. THAT the request for Final Acceptance and Assumption of the Mattamy Toth Farm Residential Subdivision, Phase 1 as shown on the attached map be finally accepted and assumed by the Town;
- 2. AND THAT Mr. Frank Doracin of Mattamy (Newmarket) Ltd., and Mr. Dragan Zec, P. Eng., of Urbantech Consulting Ltd. be notified of these recommendations.
- 4. SPECIAL COMMITTEE OF THE WHOLE MINUTES JUNE 17, 2013 ITEM 3
 COMMUNITY SERVICES REPORT RECREATION AND CULTURE 2013-24
 MUNICIPAL ASSET NAMING FOR TWO LOCATIONS

THAT Community Services Report – Recreation and Culture 2013-24 dated June 10, 2013 regarding Municipal Asset Naming for Two Locations be received and the following recommendations, as amended, be adopted:

- 1. THAT Council adopt the name recommended in Community Services Confidential Memorandum dated June 10, 2013 (circulated separately) for the formal naming of the identified asset in Ward 6;
- 2. AND THAT the matter of naming the park in Ward 7 be deferred to a future Committee of the Whole meeting;
- 3. AND THAT the name be publicly revealed in official ceremonies.

- 5. SPECIAL COMMITTEE OF THE WHOLE MINUTES JUNE 17, 2013 ITEM 4 DEPUTATIONS
 MAIN STREET PROPERTY MATTER CLOCK TOWER
 - a) THAT the deputation by Mr. Robert Buchan regarding concerns related to the proposed development of the property known as the Clock Tower at 180 Main Street be received.
 - b) THAT the deputation by Mr. Chris Morris regarding concerns related to the proposed development of the property known as the Clock Tower at 180 Main Street be received.
 - c) THAT the deputation by Mr. Ross Caister on behalf of the Heritage Newmarket Advisory Committee regarding specific concerns related to the size of the proposed development of the property known as 180 Main Street be received.
 - d) THAT the deputation by Mr. David Hunter, tenant/merchant regarding his concerns related to the approach in which the developer has taken to advise the current tenants of the proposed development be received.
 - e) THAT the deputation by Mr. Gordon Prentice regarding specific concerns related to the potential loss of heritage significance in the downtown area be received.
 - f) THAT the deputation by Ms. Jackie Playter regarding her support of the proposed development of the property known as the Clock Tower at 180 Main Street be received.
 - g) THAT the deputation by Ms. Sandra Fuller regarding concerns related to the potential destruction of the charm and historical significance associated with Main Street as well as the density details be received.
 - h) THAT the deputation by Ms. Anne Martin regarding concerns associated with the height, density and vista of the proposed development of the property known as the Clock Tower at 180 Main Street be received.
 - i) THAT the deputation and PowerPoint presentation by Mr. Chris Bobyk, Director of Development, The Forrest Group regarding the property known as the Clock Tower at 180 Main Street be received.
- 6. SPECIAL COMMITTEE OF THE WHOLE MINUTES JUNE 17, 2013 ITEM 5
 DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT PLANNING AND
 BUILDING SERVICES 2013-29
 MAIN STREET PROPERTY MATTER CLOCK TOWER

Report:

THAT Development and Infrastructure Services Report – Planning and Building Services 2013-29 dated June 17, 2013 regarding the Clock Tower property be received.

Correspondence:

THAT the letter dated June 13, 2013 from Ms. Jackie Playter regarding the property known as the Clock Tower be received.

CARRIED

7. SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES

Special Committee of the Whole (Closed Session) Minutes of June 17, 2013.

Moved by Regional Councillor Taylor Seconded by Councillor Kerwin

THAT the Special Committee of the Whole (Closed Session) Minutes of June 17, 2013 be approved.

8. SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES – JUNE 17, 2013 – ITEM 1

MAIN STREET PROPERTY MATTER (A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY)

Mayor Van Bynen advised that there was a PowerPoint presentation regarding the Main Street Property Matter that was received.

Moved by Regional Councillor Taylor Seconded by Councillor Kerwin

THAT staff be authorized to proceed as directed by Council.

CARRIED

With respect to Items 2 and 3 of the Committee of the Whole (Closed Session) Minutes of June 17, 2013, Mayor Van Bynen advised as follows:

- That Item 2 being Community Services Report Recreation and Culture 2013-24 regarding Municipal Asset Naming was listed on the agenda (if required) and consideration of the report was not required.
- That Chief Administrative Officer/ Human Resources Report 2013-07 dated June 12, 2013 regarding a Labour/Employee Relations matter was deferred to the Special Committee of the Whole meeting scheduled for June 24, 2013.

9. SPECIAL COMMITTEE OF THE WHOLE MEETING – JUNE 24, 2013

Special Committee of the Whole Meeting of June 24, 2013.

Moved by Councillor Sponga Seconded by Councillor Kerwin

THAT the recommendations related to Items 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13 of the Special Committee of the Whole Meeting Agenda of June 24, 2013, as follows, be adopted:

10. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
CORPORATE SERVICES REPORT – FINANCIAL SERVICES 2013-23
REVISED 2012 RESERVES AND RESERVE FUNDS CONTINUITY SCHEDULE

THAT Corporate Services Report – Financial Services 2013-23 dated June 20, 2013 regarding the revised 2012 Reserves and Reserve Funds Continuity Schedule be received for information purposes.

11. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
AUDIT COMMITTEE EXCERPT FROM MINUTES OF JUNE 11, 2013 – ITEM 3
2012 FINANCIAL STATEMENTS

THAT the Town of Newmarket's Draft 2012 Consolidated Financial Statements, Trust Fund Financial Statements and Main Street District BIA Financial Statements, as amended and endorsed by the Audit Committee, be approved.

12. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
CORPORATE SERVICES REPORT 2013-24 – FINANCIAL SERVICES
REVISION TO THE 2013 RESERVES AND RESERVE FUNDS BUDGET

THAT Corporate Services Report – Financial Services 2013-24 dated June 20, 2013 regarding the revised 2013 Reserves and Reserve Funds Budget be received for information purposes.

13. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND BUILDING SERVICES 2013-32
REQUEST TO DESIGNATE 27 MAIN STREET NORTH AND 465 DAVIS DRIVE (COLD STORAGE BUILDING)

THAT Development & Infrastructure Services/Planning & Building Services Report 2013-32 dated June 20, 2013 regarding the request to designate 27 Main Street North and 465 Davis Drive (Cold Storage Building) by Heritage Newmarket be received and the following recommendations be adopted:

- 1. THAT Council not proceed with the Heritage designation of the Cold Storage building north of the Tannery Mall at 465 Davis Drive;
- 2. AND THAT Council withdraw the notice of intention to designate the property at 465 Davis Drive (specifically the Cold Storage Building);

- 3. AND THAT staff continue investigating and proffering the relocation of the Murray House at 27 Main Street North;
- 4. 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;
- 5. AND THAT Brian Feherty of Feherty and Associates Ltd., 411 Queen Street, NEWMARKET ON L3Y 2G9 be advised of this decision.
- 14. SPECIAL COMMITTEE OF THE WHOLE JUNE 24, 2013 CYFS – JOINT COUNCIL COMMITTEE MINUTES

THAT the CYFS – Joint Council Committee Minutes of May 14 and 23, 2013 be received.

15. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
ITEM 7 OF CYFS – JOINT COUNCIL COMMITTEE MINUTES OF MAY 23, 2013
RESOLUTION – TOWN OF EAST GWILLIMBURY

THAT the Resolution from the Town of East Gwillimbury dated April 15, 2013 regarding automatic aid agreements be received and staff be authorized to have discussions with other York Region municipalities regarding the implementation of automatic aid agreements and report back to Joint Council Committee.

16. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013

<u>DEPUTATION RELATED TO 465 DAVIS DRIVE (COLD STORAGE BUILDING)</u>

THAT the deputation by Ms. Sandra Fuller regarding 465 Davis Drive (Cold Storage Building) be received.

17. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
JOINT CORPORATE COMMUNICATIONS/CORPORATE SERVICES REPORT
FINANCIAL SERVICES 2013-27
2014 BUDGET PROCESS UPDATE

THAT staff bring back a summary report outlining financial implications for the operation of an average size leash free dog park.

THAT Joint Corporate Communications/Corporate Services Report – Financial Services 2013-27 dated June 20, 2013 regarding the 2014 Budget Process Update be received for information purposes.

18. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
OFFICE OF THE CAO/STRATEGIC INITIATIVES REPORT 2013-04
2012-14 COUNCIL STRATEGIC PRIORITIES – 2014 BUDGET

THAT Office of the CAO/Strategic Initiatives Report 2013-04 dated June 20, 2013 regarding the 2012-14 Council Strategic Priorities be received and:

1. THAT the following strategic priorities be removed or added as indicated below:

Remove:

- Reactivate Health Sciences Commission
- Complete Partners for Climate Protection Phase 1 (Corporate) and Phase 2 (Community)

Add:

- Re-engage Community Centre Lands Task Force
- 2. AND THAT the following priorities become prominent in 2014 budget decision-making:
 - Support establishment of Post-Secondary Education Facility/Strategy
 - Enhance Business Engagement and Outreach
 - Community Center Lands Task Force renewal
 - Broadband Initiative
 - Innovation Centre
- 19. SPECIAL COMMITTEE OF THE WHOLE JUNE 24, 2013
 DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT ES 2013-32
 ALFRED SMITH WAY ALL WAY STOP AND PARKING REVIEW

THAT Community Services Report – ES 2013-32 dated June 18, 2013 regarding Alfred Smith Way be received and the following recommendations, as amended, be adopted:

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

INTERSECTION	TYPE	FACING TRAFFIC	
Knapton Drive at Alfred Smith Way	1 way	northbound on Knapton Drive	
Matthew Boyd Crescent (west arm) at Alfred Smith Way	1 way	northbound on Matthew Boyd Crescent (west arm)	

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

INTERSECTION	TYPE	FACING TRAFFIC	
Knapton Drive at Alfred Smith Way	3 way	northbound on Knapton Drive	
Alfred Smith Way at Knapton Drive	3 way	eastbound on Alfred Smith Way	
Alfred Smith Way at Knapton Drive	3 way	y westbound on Alfred Smith Way	
Matthew Boyd Crescent (west arm) at Alfred Smith Way	3 way	northbound on Matthew Boyd Crescent (west arm)	
Alfred Smith Way at Matthew Boyd Crescent (west arm)	3 way	eastbound on Alfred Smith Way	
Alfred Smith Way at Matthew Boyd Crescent (west arm)	3 way	westbound on Alfred Smith Way	

3. AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Alfred Smith Way	North	Woodspring Avenue to the west property limit of #110 Alfred Smith Way	Anytime

- 4. AND THAT the necessary By-laws be prepared and submitted to Council for their approval.
- 20. SPECIAL COMMITTEE OF THE WHOLE JUNE 24, 2013
 DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
 JOINT ENGINEERING SERVICES AND PLANNING AND BUILDING SERVICES 2013-30
 UNDERGROUNDING HYDRO

THAT Development & Infrastructure Services/Joint Engineering Services and Planning & Building Services Report 2013-30 dated June 24, 2013 regarding undergrounding hydro be received and the following recommendations, as amended, be adopted:

1. THAT Council approve Option 1 contained in this report, staff be directed to plan for the securement of land necessary to provide for the future undergrounding of hydro through the identification and inclusion of the required right-of-way widths in the Urban Centres Secondary Plan;

- 2. AND THAT upon Regional approval of the Urban Centres Secondary Plan, the Region of York be requested to amend the Regional Official Plan to reflect the additional right-of-way width requirements to be consistent with the Town's Secondary Plan;
- 3. AND THAT until such time as the Secondary Plan and Regional Official Plan amendments are in full force and effect, staff continue to negotiate with landowners as development applications come forward to protect for the undergrounding of hydro in the Urban Centres in the future;
- 4. AND THAT staff continue to work with YRRTC on the VivaNext Yonge Street Y3.2 design process to ensure the location of other utilities and telecoms are appropriately addressed, so as to not preclude the future undergrounding of hydro and other applicable utilities.
- 21. SPECIAL COMMITTEE OF THE WHOLE JUNE 24, 2013 MOTION TRAFFIC MITIGATION STRATEGY PLAN

THAT a Traffic Mitigation Policy be considered as part of the 2014 budget process.

22. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013 MOTION – FREEDOM OF THE CITY

THAT the motion with respect to bestowing the 'Freedom of the City' to the Queen's York Rangers be referred to the August 26, 2013 Committee of the Whole and an information report be circulated prior to the meeting.

CARRIED

Items 8 and 9 of the Special Committee of the Whole Meeting Agenda of June 24, 2013 were dealt with separately as follows:

23. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
COMMUNITY SERVICES REPORT – RECREATION AND CULTURE 2013-25
SOUTHLAKE REGIONAL HEALTH CENTRE FOUNDATION
REQUEST FOR MUNICIPAL PARK NAMING

Moved by Regional Councillor Taylor Seconded by Councillor Di Muccio

THAT Community Services – Recreation and Culture Report 2013-25 dated June 20, 2013 regarding Southlake Regional Health Centre Foundation request for Municipal Park Naming be received and that staff provide the currently unnamed park identified in Attachment A to Southlake Regional Health Centre Foundation for auction at their event on November 2, 2013 and that the Southlake Regional Health Centre Foundation officials be informed of the decision.

A recorded vote was requested.

	YEA	NAY
COUNCILLOR VEGH	X	
COUNCILLOR KERWIN	Х	
COUNCILLOR TWINNEY	Х	
REGIONAL COUNCILLOR TAYLOR	Х	
COUNCILLOR HEMPEN	X	
COUNCILLOR SPONGA	X	
COUNCILLOR DI MUCCIO		X
COUNCILLOR EMANUEL	Х	
MAYOR VAN BYNEN	Х	
TOTAL	8	1

CARRIED

24. SPECIAL COMMITTEE OF THE WHOLE – JUNE 24, 2013
COMMUNITY SERVICES – ECONOMIC DEVELOPMENT REPORT 2013-23
POST- SECONDARY COMMUNITY COLLABORATIVE
WORKING GROUP RESOURCING

Moved by Councillor Kerwin Seconded by Regional Councillor Taylor

THAT Community Services/Economic Development Report 2013-23 dated June 19, 2013 regarding the allocation of funds to support the initiatives of the Post-Secondary Community Collaborative Working Group be received and the following recommendations be adopted:

- 1. THAT Council endorse the issuance of a Request for Proposal for consulting services to assist with the advancement of post-secondary education opportunities in Newmarket;
- 2. AND THAT funds to offset these costs be obtained from the 2013 Community Services Commission budget and existing reserve funds.

CARRIED

25. SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) MEETING

Special Committee of the Whole (Closed Session) Meeting of June 24, 2013.

Moved by Councillor Vegh Seconded by Councillor Kerwin

THAT the actions of the Special Committee of the Whole (Closed Session) Meeting of June 24, 2013 be adopted.

CARRIED

26. SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) – JUNE 24, 2013
OFFICE OF THE CAO REPORT (CLOSED SESSION) 2013-05
184 to 194 MAIN STREET – CLOCK TOWER INN (PROPOSED OR PENDING
ACQUISITION OR DISPOSITON OF LAND BY THE MUNICIPALITY)

Office of the CAO Report (Closed Session) 2013-05 dated June 20, 2013 regarding a property matter

Moved by Regional Councillor Taylor Seconded by Councillor Kerwin

THAT Report, Office of the CAO (Closed Session) 2013-05 (Property Matter) dated June 20, 2013 regarding 184 and 194 Main Street, Clock Tower Inn – Proposed Land Exchange, be received;

AND THAT the recommendations in Report, Office of the CAO (Closed Session) 2013-05 (Property Matter), as amended, be adopted.

CARRIED

Mayor Van Bynen advised that with respect to Item 2 of the Special Committee of the Whole (Closed Session) agenda, the Central York Fire Services – Joint Council Committee (Closed Session) Minutes were received:

27. SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION)- JUNE 24, 2013 ITEM 1 OF CYFS - JOINT COUNCIL COMMITTEE (CLOSED SESSION) MINUTES OF MAY 14, 2013 - CAO/HUMAN RESOURCES/FIRE SERVICES INFORMATION REPORT 2013-05 (LABOUR RELATIONS MATTER)

Item 1 of the JCC (Closed Session) Minutes of May 14, 2013 regarding a Labour Relations Matter.

Moved by Councillor Sponga Seconded by Councillor Kerwin

THAT Item 1 of Joint Council Committee (Closed Session) Minutes of May 14, 2013 regarding a Labour Relations Matter be received.

CARRIED

28. SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION)- JUNE 24, 2013 CAO AND HUMAN RESOURCES (CONFIDENTIAL) REPORT 2013-07 LABOUR RELATIONS - (LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS)

CAO and Human Resources (Confidential) Report 2013-07 dated June 12, 2013 regarding a Labour/Employee Relations matter.

Seconded by Councillor Hempen

THAT Chief Administrative Officer / Human Resources Report 2013-07 dated June 12, 2013 regarding a Labour/ Employee Relations matter be received and that staff be authorized to proceed as directed by Council.

CARRIED

29. BY-LAWS

By-laws 2013-32, 2013-33, 2013-34 and 2013-35.

Moved by Councillor Kerwin Seconded by Councillor Sponga

THAT By-laws 2013-32, 2013-33, 2013-34 and 2013-35 be enacted.

2013-32 A BY-LAW TO APPOINT PROPERTY STANDARDS OFFICERS FOR THE TOWN OF NEWMARKET. (Shelly Andrews, Matthew Gill, Jennifer Lindsay, Geoffrey McIntosh)

To Appoint Property Standards Officers.

2013-33 A BY-LAW TO APPOINT A PROVINCIAL OFFENCES OFFICER FOR THE TOWN OF NEWMARKET. (Matthew Gill)

To Appoint a Provincial Offences Officer.

2013-34 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 – Alfred Smith Way and Knapton Drive)

To Amend the Traffic By-law.

(Note: By-law amended see Item 10 of the Committee of the Whole Minutes of June 24, 2013)

2013-35 A BY-LAW TO AMEND BY-LAW 1993-62, AS AMENDED, BEING A BY-LAW TO REGULATE PARKING WITHIN THE TOWN OF NEWMARKET.

(Schedule X – No Parking – Alfred Smith Way)

To Amend the Parking By-law.

CARRIED

30. CONFIRMATORY BY-LAW

By-law 2013-36.

Moved by Councillor Kerwin Seconded by Councillor Twinney

THAT By-law 2013-36 be enacted.

2013-36

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

CARRIED

Moved by Councillor Kerwin Seconded by Councillor Twinney

THAT the meeting adjourn.

CARRIED

There being no further business the meeting adjourned at 6:20 p.m.

Lisa Lyons, Deputy Town Clerk

Minutes approved at the meeting of Town Council held on September 9, 2013.

Tony Van Bynen Mayor