



Town of Newmarket  
**MINUTES**

**COUNCIL**

Tuesday, November 12, 2013 at 7:00 PM  
Council Chambers

For consideration by Council  
on December 2, 2013

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

The regular meeting of the Council was held on Tuesday, November 12, 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 Present: 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  
J. Bondi, Council/Committee Coordinator  
J. Patel, Project Support Business Analyst

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

Mayor Van Bynen in the Chair.

**Public Notices**

None.

Mayor Van Bynen advised of a housekeeping matter with respect to the recorded vote requirement within the new Procedure By-law and requested a motion in this regard.

Moved by: Councillor Hempen  
Seconded by: Councillor Kerwin

THAT Section 57 c) of the Procedure By-law requiring that a recorded vote be taken on all motions at Council meetings be waived and that a recorded vote be taken upon the request of a Member, until such time as the voting equipment is functional.

**Carried**

## **Additions & Corrections to the Agenda**

None.

## **Declarations of Pecuniary Interest**

Mayor Van Bynen declared a pecuniary interest with respect to By-law 2013-60 listed on this agenda, being a by-law to appoint an Integrity Commissioner, as he may be found to have to pay the costs in this matter and advised that he would take no part in the discussion or voting on this by-law.

Councillor Di Muccio declared a pecuniary interest with respect to By-law 2013-60 listed on this agenda, being a by-law to appoint an Integrity Commissioner, as well as with respect to Item 28 of the Council Minutes of October 21, 2013 and advised that she would take no part in any discussion or voting on either of these matters.

## **Presentations & Recognitions**

1. Mr. Adrian Kawun, Manager of Service Planning, York Region Transit (YRT/Viva) addressed Council with a PowerPoint presentation regarding York Region Transit (YRT)/Viva 2014 Annual Service Plan Initiatives as they affect the Town of Newmarket.

Moved by: Councillor Vegh  
Seconded by: Councillor Twinney

THAT the presentation by Mr. Adrian Kawun, Manager of Service Planning, York Region Transit regarding YRT Viva 2014 Annual Service Plan be received.

**Carried**

## **Deputations**

None.

## **Approval of Minutes**

2. Council Minutes of October 21, 2013.

Moved by: Councillor Sponga  
Seconded by: Councillor Emanuel

THAT the Council Minutes of October 21, 2013 be approved.

**Carried**

## **Correspondence & Petitions**

None.

## **Reports by Regional Representatives**

3. Regional Councillor Taylor advised that the Region of York Human Services Planning Board recently dealt with the issue of private market rental in York Region. The lack of rental options in the Region is a significant challenge and as the Region grows it becomes a greater challenge. In 2012, there were 33 private market rental units in York Region and that year the Region grew by 25,000 new residents. The Region is trying to raise the profile around this issue and start to work with partners to bring a plan together to address it through policy.

Regional Councillor Taylor also advised that York Region had a report on a pilot project, as well as one here at the Town of Newmarket, with respect to rental housing in Newmarket. The Region and the Town are looking at options to encourage rental development through pilot projects. The population is aging rapidly and there are many looking for options in places to live including rental accommodations.

Regional Councillor Taylor advised that there is a York Regional Police Services Board (budget) meeting on November 20, 2013 from 1 to 3 p.m. at the Regional Offices on Yonge Street.

## Reports of Committees and Staff

4. Special Committee of the Whole (Budget) Minutes of October 28, 2013.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Emanuel

THAT the Special Committee of the Whole (Budget) Minutes of October 28, 2013, with the exception of Item 3, being Joint Development and Infrastructure Services and Community Services Report 2013-47 regarding Leash Free Dog Park, be approved and the following recommendations be adopted:

5. PowerPoint presentation regarding the draft 2014 budget.
  - 5.1 THAT the PowerPoint presentation regarding the draft 2014 budget be received.
6. Corporate Services Report - Financial Services 2013-40 dated October 16, 2013 regarding the 2013 Tax Supported Operating Budget Report - Third Quarter.
  - 6.1 THAT Corporate Services Report - Financial Services 2013-40 dated October 16, 2013 regarding the 2013 Tax-Supported Operating Budget Report for the Third Quarter be received for information purposes.
7. Corporate Services Report - Financial Services 2013-41 dated October 21, 2013 regarding the 2013 Utility Operating Budget Variance Report - Third Quarter.
  - 7.1 THAT Corporate Services Report - Financial Services 2013-41 dated October 21, 2013 regarding the 2013 Utility Operating Budget Variance Report - Third Quarter be received for information purposes.
8. Corporate Services Report - Financial Services 2013-42 dated October 21, 2013 regarding the 2013 Capital Budget Variance Report - Third Quarter.
  - 8.1 THAT Corporate Services Report - Financial Services 2013-42 dated October 21, 2013 regarding the 2013 Capital Budget Variance Report - Third Quarter be received for information purposes.
9. Joint Community Services Report - Recreation and Culture, Development and Infrastructure Services - Public Works Services 2013-39 dated October 22, 2013 regarding Summer Ice at Magna Centre.

9.1 THAT Joint Community Services Report - Recreation and Culture, Development and Infrastructure Services, Public Works Services 2013-39 dated October 22, 2013 regarding Summer Ice at Magna Centre be received and the following recommendation be adopted:

a) THAT Summer Ice continue to be offered on two arenas at the Magna Centre.

10. Corporate Services Report - Financial Services 2013-21 dated October 3, 2013 regarding the Water and Wastewater Program.

10.1 THAT Corporate Services Report - Financial Services 2013-21 dated October 3, 2013 regarding the Water and Wastewater Program be received and the following recommendations be adopted:

a) THAT the Water and Wastewater Rebate Program be offered to qualified renters;

b) AND THAT the water/wastewater rebate for qualified applicants be maintained at the current rate of \$24 per month (\$288 per year) for 2014;

c) AND THAT for the year 2015 and thereafter, the water rebate be set at an amount that will stay within the projected budget included in the 6-Year Water and Wastewater Financial Plan, taking into consideration anticipated participation rates.

11. Joint CAO/Corporate Services Report - Financial Services 2013-44 dated October 24, 2013 regarding the Proposal for the 2014 Draft Budgets.

11.1 THAT Joint CAO/Corporate Services Report - Financial Services 2013-44 dated October 24, 2013 regarding the Proposal for the 2014 Draft Budgets be received and the following recommendations be adopted:

a) THAT the following be approved for inclusion in the 2014 draft budgets:

i) The operating and capital budgets for Central York Fire Services as recommended by the Joint Council Committee;

ii) The municipal grant to the Library as requested by the Newmarket Public Library Board;

iii) Budget corrections and adjustments to the draft tax-supported operating budget, in the amount of \$267,000, as outlined in this report;

- iv) Additional tax-supported operating budget revisions to reduce the 2014 tax increase, before adjustments for ARF contributions, to less than 2%, in the amount of \$235,000, as outlined in this report;
- v) A further \$208,000 in tax-supported contributions to the Asset Replacement Fund (ARF), resulting in a total adjustment to ARF contributions equivalent to a tax increase of less than 0.75%;
- vi) The proposed Utility Operating Budget as aligned with the 6-year Water and Wastewater Financial Plans;
- vii) The revised draft Capital Budget which includes an additional \$10,340,506 in expenditures as detailed in this report.

11.2 AND THAT staff be directed to prepare recommendations for approval of the 2014 Tax-supported Operating Budget, Utility Operating Budget and Capital Budgets, to be presented to Committee of the Whole on November 4, 2013.

12. Official Plan Amendment # 10 Draft Newmarket Urban Centres Secondary Plan and Associated Amendments to the Official Plan and Official Plan Amendment # 11 Active Transportation Network.

12.1 THAT the deputation and PowerPoint presentation by Mr. Bill Chadwick on behalf of Shrink Slessor Square group and specific concerns related to proposed heights, densities and intensification along Yonge Street be received.

12.2 THAT the deputation by Mr. Moore and Clarkson of MHBC Planning regarding specific concerns related to their clients' properties and densities be received.

12.3 THAT the associated correspondence distributed and referenced related to Official Plan Amendment #10 and Official Plan Amendment #11 be received.

12.4 THAT the deputation by Mr. Gordon Prentice regarding concerns related to planning approval, traffic matters, population growth, aesthetics of towers and height capping be received.

12.5 THAT the deputation by Mr. Ryan Guetter of Weston Consulting Group on behalf of the landowners in the Secondary Plan and specific concerns related to the Best Western Hotel property and surrounding properties be received.

- 12.6 THAT the deputation by Mr. Bob Leury, regarding specific concerns related to the London Road neighbourhood and safety concerns in the George Street, Kingston Road and London Road areas be received.
- 12.7 THAT the deputation by Ms. Gillian Foster regarding specific traffic concerns associated with the proposed development in the area of Crossland Church on Millard Avenue to Yonge Street be received.
- 12.8 THAT the deputation by Mr. Bob Kwapis regarding specific concerns related to residential street congestion and traffic moved away from residential streets be received.
- 12.9 THAT the deputation by Mr. Gary Worters regarding specific concerns related to high rise condominium development be received.
- 12.10 THAT the deputation by Ms. Elaine Adam regarding the process contained within the draft Secondary Plan entitled "bonusing" and incentives for development be received.
- 12.11 THAT the deputation by Ms. Doreen Carson regarding the requirement for education facilities within future development plans be received.
- 12.12 THAT the deputation by Mr. Peter Webster regarding retention of planning consultants and potential job statistics be received.
- 12.13 THAT the deputation by Mr. John McRogers regarding concerns related to walking paths and trails and the use of scooters be received.

**Carried**

13. Joint Development and Infrastructure Services and Community Services Report 2013-47 dated October 22, 2013 regarding a Leash Free Dog Park.

Moved by: Councillor Twinney  
Seconded by: Regional Councillor Taylor

- 13.1 THAT Joint Development and Infrastructure Services and Community Services Report 2013-47 dated October 22, 2013 regarding a leash free dog park be received and the following recommendations as amended, be adopted:

- a) THAT the Town of Newmarket support in principle the proposal to establish a leash free dog park in George Richardson Park adjacent to the Tom Taylor Trail in the vicinity of Lock 3;
- b) AND THAT staff be directed to hold a Public Information Centre to gather community input on the proposal;
- c) AND THAT staff provide a report to Council outlining the community input received and making recommendations regarding the proposed location and final design of park improvements required and cost estimates for consideration by Council;
- d) AND THAT staff be directed to report back to Council on revisions necessary to the Parks Use By-law;
- e) AND THAT the Capital Budget include provisional funding of \$50,000 for this purpose with the final allocation to be considered by Council following the public consultation process and direction to staff with respect to community based fundraising;
- f) AND THAT the Operating Budget include an amount of \$10,000 for maintenance of the Leash Free Dog Park;
- g) AND THAT the project commence only after the Committee organization raises 80 percent of their \$50,000 target or half of the required capital.

**Carried**

14. Committee of the Whole Minutes of November 4, 2013.

Mayor Van Bynen reminded the public that Item 22 of the Committee of the Whole Minutes of November 4, 2013 regarding approval of the 2014 Operating and Capital Budgets will be presented for final approval at the Council meeting of December 2, 2013 in order to satisfy notice requirements.

Moved by: Councillor Emanuel  
Seconded by: Councillor Sponga

THAT the Committee of the Whole Minutes of November 4, 2013, with the exception of Items 12, 14, 18 and 21, be approved and the following recommendations be adopted:



15. Request for Proclamation.

15.1 Correspondence dated October 21, 2013 from Mr. James Clancy, National President, National Union of Public and General Employees requesting that November 6, 2013 be proclaimed 'Community Social Service Workers Appreciation Day' in the Town of Newmarket.

a) THAT the correspondence dated October 21, 2013 from Mr. James Clancy, National President, National Union of Public and General Employees be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim November 6, 2013 as 'Community Social Service Workers Appreciation Day';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

16. Appointment Committee Minutes of October 21, 2013. (Open and Closed)

16.1 THAT the Appointment Committee Minutes of October 21, 2013 be received;

16.2 AND THAT the Appointment Committee (Closed Session) Minutes of October 21, 2013 be received;

16.3 AND THAT individuals identified by the Appointment Committee contained in the (Closed Session) Minutes of October 21, 2013 (circulated separately) be approved.

17. Newmarket Downtown Development Subcommittee Minutes of September 27, 2013.

17.1 THAT the Newmarket Downtown Development Subcommittee Minutes of September 27, 2013 be received.

18. Inclusivity Advisory Committee Minutes of September 11, 2013.

18.1 THAT the Inclusivity Advisory Committee Minutes of September 11, 2013 be received.

19. Item 3 of the Inclusivity Advisory Committee Minutes of September 11, 2013 regarding Street Naming.
  - 19.1 THAT Council seek input from the Inclusivity Advisory Committee on their Street Naming Policy and criteria used by the Street Naming Committee to establish a reserve list.
  - 19.2 THAT the recommendation adopted by Council on February 9, 2009 regarding Street Naming Policy and Procedures, as per attached Council extract, be rescinded, so that any proposed street names no longer be referred to the Inclusivity Advisory Committee.
  - 19.3 THAT communication be facilitated by staff, the Street Naming Committee and the Inclusivity Advisory Committee for the purposes of implementing the intent of the Street Naming Policy and to determine how the Inclusivity Advisory Committee can help the Street Naming Committee fulfill its mandate.
  
20. Item 5 of the Newmarket Downtown Development Subcommittee Minutes of September 27, 2013 - Rebate/Credit Program, 487 Queen Street.
  - 20.1 THAT the following recommendation be considered in conjunction with Item 8 and be referred to staff.
    - a) THAT Council consider the request from the owner of 487 Queen Street to waive the Town portion of Development Charges and at a minimum defer Development Charge payments, and that any Development Charges waivers/rebates be allocated from outside the NDDS Financial Incentive Program budget.
  
21. Joint Central York Fire Services and Corporate Services Report - Financial Services 2013-46 dated October 23, 2013 regarding 2014 User Fees and Charges - Fire Services.
  - 21.1 THAT Joint Central York Fire Services and Corporate Services Report - Financial Services 2013-46 dated October 23, 2013 regarding 2014 User Fees and Charges - Fire Services be received and the following recommendations be adopted:
    - a) THAT the attached Schedule "A" being the Town of Newmarket 2014 Fire Services Fees Schedule, be approved and adopted by By-law;
    - b) AND THAT the fee adjustments come into full force and effect January 1, 2014.

22. Corporate Services Report - Financial Services 2013-47 dated October 23, 2013 regarding 2014 User Fees and Charges - General Fees and Charges.
- 22.1 THAT Corporate Services Report - Financial Services 2013-47 dated October 23, 2013 regarding 2014 User Fees and Charges - General Fees and Charges be received and the following recommendations be adopted:
- a) THAT the attached Schedules "A", "B", "C", "D", "E" and "F" marked as the Town of Newmarket 2014 All Departments, Corporate Services - Finance and Purchasing and I.T., Legal Services, Public Works, Engineering Services and Legislative Services - General Fees and Charges Schedules respectively, be approved and adopted by By-law;
  - b) AND THAT the fee adjustments come into full force and effect as of January 1, 2014.
23. Item 7 of the Accessibility Advisory Committee Minutes of October 15, 2013 regarding National Access Awareness Week - Budget.
- 23.1 THAT the following request be referred to the review of Boards and Committees the next term of Council;
- a) THAT the 2014 National Access Awareness Week event continue to be funded through the Recreation and Culture Services budget.
24. Presentation by York Region Rapid Transit Corporation with respect to an update on the vivaNext rapidway.
- 24.1 THAT the PowerPoint presentation by Ms. Mary Frances Turner, Mr. Paul May and Mr. David Clark of York Region Rapid Transit Corporation regarding the update on the vivaNext rapidway be received.
25. Development and Infrastructure Services Report - Engineering Services 2013-48 dated October 15, 2013 regarding Millard Avenue - Parking Review - Forest Glen Road to Lorne Avenue.
- 25.1 THAT Development and Infrastructure Services Report - Engineering Services 2013-48 dated October 15, 2013 regarding Millard Avenue - Parking Review - Forest Glen Road to Lorne Avenue be referred back to staff for further review.

26. Deputation by Mr. Bob Kwapis regarding Davis Dr. traffic infiltration.
- 26.1 THAT the deputation by Mr. Bob Kwapis regarding Davis Dr. traffic infiltration be received.
27. Accessibility Advisory Committee Minutes of October 15, 2013 and April 16, 2013.
- 27.1 THAT the Accessibility Advisory Committee Minutes of October 15 and April 16, 2013 be received.
28. Development and Infrastructure Services Report - Planning and Building Services 2013-54 dated October 28, 2013 regarding the tools, terms and conditions related to a pilot project - proposed rental housing.
- 28.1 THAT Development and Infrastructure Services Report - Planning and Building Services 2013-54 dated October 28, 2013 regarding the tools, terms and conditions related to a pilot project for a proposed rental housing development at 212 Davis Drive be received and the following recommendations be adopted:
- a) THAT the Town of Newmarket approves, as a pilot project for 212 Davis Drive, the tools, terms and conditions as set out in Appendix "A" to support rental housing;
  - b) AND THAT the tools, terms and conditions as set out in Appendix "A" form the basis for an update to the Tools for Intensification Policy as it relates to purpose-built rental and affordable rental housing in the Town;
  - c) AND THAT the following be advised of this action: a) Mr. Daniel Berholz, Malter Holdings Ltd, 156 Duncan Mill Road, Suite 12, Toronto, ON M3B 3N2.
29. Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services - Financial Services Report 2013-41 dated October 15, 2013 regarding Development Charges for Stacked Townhouses.
- 29.1 THAT Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services - Financial Services Report 2013-41 dated October 15, 2013 regarding Development Charges for Stacked Townhouses be received and the following recommendations, as amended, be adopted:

- a) THAT Committee maintain the current policies and practices regarding the calculation and collection of Development Charges as it relates to the proposed development at 487 Queen Street;
- b) AND THAT the matter of calculation of Development Charges with respect to stacked townhouses be referred to a Development Charges review;
- c) AND THAT Mr. Brent Fleming, Brixton Commercial Realty Advisors Ltd., Brokerage, 1200 Sheppard Avenue East, Suite 507, Toronto, ON M2K 2S5 be notified of these actions.

30. Development and Infrastructure Services Report - Planning and Building Services 2013-45 dated October 24, 2013 regarding the process for renaming a street.

30.1 THAT Development and Infrastructure Services/Planning and Building Services Report 2013-45 dated October 24, 2013 regarding the process for renaming a street be received and the following recommendations, as amended, be adopted:

- a) THAT Council endorse the name change of Slingerland Circle;
- b) AND THAT Council direct staff to initiate a process to change the name of Slingerland Circle and to have it replaced by the next eligible veteran from our street naming list;
- c) AND THAT staff report back to Council on how the change will occur mitigating financial impact to the residents and condo corporations by way of examining municipal best practices, ensuring that there is no financial impact to the residents.

31. Development and Infrastructure Services - Planning and Building Services Report 2013-52 dated October 24, 2013 regarding Application for Zoning By-law Amendment - 487 Queen Street.

31.1 THAT Development and Infrastructure Services - Planning and Building Services Report 2013-52 dated October 24, 2013 regarding Application for Zoning By-law Amendment - 487 Queen Street be received and the following recommendations be adopted:

- a) THAT the Application for Zoning By-law Amendment, as submitted by Brixton Commercial Realty Advisors Ltd., for lands being located at 487 Queen Street be approved and that staff be directed to prepare the necessary Zoning By-law Amendment;

- b) AND THAT servicing allocation be granted to this development subject to the normal and usual voluntary contributions related to trails and public art;
  - c) AND THAT Brixton Commercial Realty Advisors Ltd., Attention: Brent Fleming, 1200 Sheppard Avenue East, Suite 507, Toronto, ON M2K 2S5 be notified of this action.
32. Development and Infrastructure Services Report - Engineering Services 2013-50 dated October 17, 2013 regarding Foxtail Ridge - Parking Review.
- 32.1 THAT Development and Infrastructure Services Report - Engineering Services 2013-50 dated October 17, 2013 regarding Foxtail Ridge - Parking Review be deferred to the next Committee of the Whole meeting.
33. Corporate Services - Legislative Services Report 2013-45 dated October 21, 2013 regarding Amendment to Parking By-law to Regulate Parking.
- 33.1 THAT Corporate Services Report – Legislative Services 2013-45 dated October 21, 2013 regarding “Regulate Parking on Boulevards, Front Yards, and Side Yards By-law” be referred to the Council meeting of November 12, 2013.
34. List of Outstanding Matters.
- 34.1 THAT the Outstanding Matters List be amended by removing Item 3 regarding siltation pond works.
35. Corporate Services Report - Financial Services 2013-49 dated October 30, 2013 regarding approval of the 2014 Operating and Capital Budgets.
- 35.1 THAT Corporate Services Report - Financial Services 2013-49 dated October 30, 2013 regarding approval of the 2014 Operating and Capital Budgets be received and the following recommendations, as amended, be adopted:
- a) THAT the proposed 2014 Operating Budget with expenditures of \$106,327,009 be approved, which is comprised of the following components:
    - i) \$56,975,206 for the Town portion, which includes an additional \$208,000 for asset replacement funding;
    - ii) \$30,000 for the Newmarket Downtown Business Development Area (BIA);

- iii) \$3,668,618 for the Library portion;
  - iv) \$14,560,013 for Central York Fire Services (Newmarket share) which includes an additional \$150,125 (Newmarket share) for asset replacement funding; and
  - v) \$31,093,172 for the Water and Wastewater Rate Groups;
- b) AND THAT the proposed 2014 Capital Budget with expenditures of \$23,730,863 be approved;
- c) AND THAT the proposed 2014 Operating and Capital Budgets be forwarded to the Council meeting of December 2, 2013 for final approval.
36. Special Council meeting on November 25, 2013.
- 36.1 THAT a Special Council meeting on November 25, 2013 be held to ratify the actions of the Committee of the Whole meeting related to the Marianneville (Glenway) application.
37. Public Meeting Notice, Development and Infrastructure Services Report - Planning and Building Services 2013-36 dated August 16, 2013 regarding Application for Official Plan and Zoning By-law Amendments - Mulock Canada Med Inc. - 536 and 550 Mulock Court.
- 37.1 THAT the PowerPoint presentation by Mr. Bart Ryan and Mr. Dave Richardson of MMM Group and the deputations by Dr. John Randle, Mr. Jerry Benjamin, Mr. Brian Horan, Ms. Jennifer Carscallen, Ms. Gail Birkett, Ms. Heidi Rybak, Mr. Lou Cosentino, Ms. Michele Millete, Mr. Peter Polyak, Mr. Jeff Anderson, Mr. Peter Anagnostopoulos, Ms. Shirley Lavigne, Mr. George Rintamaki and Mr. Jeff Van Allen related to the Application for Official Plan and Zoning By-law Amendments - Mulock Canada Med Inc. - 536 and 550 Mulock Court be received.

**Carried**

38. Correspondence from Mr. Mark Svendsen regarding Development and Infrastructure Services Report - Engineering Services 2013-48 dated October 15, 2013 regarding Millard Avenue - Parking Review - Forest Glen Road to Lorne Avenue.

Moved by: Councillor Sponga  
Seconded by: Councillor Kerwin

- 38.1 THAT the correspondence from Mr. Mark Svendsen regarding parking on the north side of Millard Avenue between Forest Glen and Lorne Avenue be received.

**Carried**

39. Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services Report - Financial Services 2013-45 dated October 30, 2013 regarding 2014 User Fees and Charges - *Planning Act Fees*.

Moved by: Councillor Di Muccio  
Seconded by: Councillor Kerwin

- 39.1 THAT Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services Report - Financial Services dated October 23, 2013 regarding 2014 User Fees and Charges - *Planning Act Fees* be received and the following recommendations be adopted:

- a) THAT the attached Schedule "A" being the Town of Newmarket 2014 Planning Application Fees Schedule be approved and adopted by By-law;
- b) AND THAT the fee adjustments come into full force and effect as of January 1, 2014.

**Carried**

40. Development and Infrastructure Services Report - Engineering Services 2013-44 dated September 30, 2013 regarding 'Davis Drive - vivaNext Construction Traffic Infiltration Status Report # 2'.

Moved by: Councillor Sponga  
Seconded by: Regional Councillor Taylor

- 40.1 THAT Development and Infrastructure Services Report - ES 2013-44 dated September 30, 2013 regarding 'Davis Drive - vivaNext Construction - Traffic Infiltration Status Report # 2' be received and the following recommendations be adopted:



- a) THAT staff continue to work with York Region and vivaNext staff to address issues that arise from construction and continue to carry out traffic counts for Gorham St., Gladman Avenue, Park Avenue, Millard Avenue, Carol St., Sandford St. and Beman Drive;
- b) AND THAT Town staff, in coordination with York Region and York Regional Police, focus speed management program resources on the streets noted in Appendix A;
- c) AND THAT a report on the Town wide traffic mitigation policy come forth in the first quarter of 2014 with a feasibility study of an advanced green signal going south on Prospect Street.

**Carried**

41. Corporate Services Report - Financial Services 2013-48 dated October 23, 2013 regarding 2014 User Fees and Charges - Water and Wastewater Rates.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Twinney

- 41.1 THAT Corporate Services Report - Financial Services 2013-48 dated October 23, 2013 regarding 2014 User Fees and Charges - Water and Wastewater Rates be received and the following recommendations be adopted:

- a) THAT the attached Schedule "A" being the Town of Newmarket Water and Wastewater Rates be approved and adopted by By-law;
- b) AND THAT the Water and Wastewater Rates adjustments come into full force and effect as of January 1, 2014.

**Carried**

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

Moved by: Councillor Emanuel  
Seconded by: Councillor Sponga

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

A recorded vote was requested.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Emanuel,  
Councillor Hempen, Councillor Kerwin, Councillor Sponga,  
Councillor Twinney, Councillor Vegh  
Opposed: Councillor Di Muccio  
(8 in favour, 1 opposed)

**Carried**

Mayor Van Bynen advised that with respect to Item 1 of the November 4, 2013 Committee of the Whole (Closed Session) Minutes regarding Marianneville Developments Ltd. (Glenway) that there was a deputation made on behalf of Glenway Preservation Association and discussion by Council with respect to the litigation matter before the Ontario Municipal Board regarding the application.

43. Development and Infrastructure Services Report – Planning and Building Services 2013-49 regarding Application for Draft Plan of Subdivision and Zoning By-law Amendment – National Homes Inc.

Moved by: Councillor Vegh  
Seconded by: Regional Councillor Taylor

- 43.1 THAT Development and Infrastructure Services Report – Planning and Building Services 2013-49 dated October 10, 2013 regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:
- a) THAT approval be given to Draft Plan of Subdivision 19TN-2005 004, Phase 1, subject to the schedule of conditions set out in Appendix “A” attached to and forming part of this Report;
  - b) AND THAT staff be directed to prepare the necessary Zoning By-law Amendment for Phase 1;
  - c) AND THAT servicing allocation for Phase 1 of this subdivision be granted in the amount of 131 single family units (429 population);
  - d) AND THAT Mark Pavkovic, 291 Edgeley Boulevard, Suite #1, Concord, ON L4K 3Z4 be notified of this action.

**Carried**

44. Corporate Services Report - Legislative Services 2013-45 dated October 21, 2013 regarding Amendment to Parking By-law to Regulate Parking on Boulevards, Front Yards and Side Yards.

Moved by: Councillor Hempen  
Seconded by: Councillor Sponga

44.1 THAT Corporate Services Report – Legislative Services 2013-45 dated October 21, 2013 regarding “Regulate Parking on Boulevards, Front Yards and Side Yards By-law” be received and the following be enacted:

- a) THAT an amendment to the Parking By-law to regulate parking on boulevards, front yards and side yards be adopted;
- b) AND THAT staff be directed to apply to the Attorney General's Office for judicial approval of a set fine order in the amount of \$100.00 for the offence of parking on boulevards, front yards and side yards when the amended Parking By-law has been enacted.

**Carried**

## **By-laws**

45. By-laws 2013-50, 2013-54 to 2013-59 inclusive, and 2013-61.

Moved by: Councillor Sponga  
Seconded by: Councillor Vegh

THAT By-laws 2013-50, 2013-54 to 2013-59 inclusive, and 2013-61 be enacted.

- 2013-50 A By-law to Amend By-law Number 2010-40, as amended, being a Zoning By-law. (National Homes)
- 2013-54 A By-law to Amend By-law 1993-62, as amended, being a By-law to Regulate Parking within the Town of Newmarket. (Regulate Parking in Unauthorized Areas)
- 2013-55 A By-law to Adopt Fees and Charges for Services or Activities Provided by the Town of Newmarket. (Planning Department Application Fees)
- 2013-56 A By-law to Adopt Fees and Charges for Services or Activities Provided by the Town of Newmarket. (Fees and Charges - Fire Services)

- 2013-57 A By-law to Adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Fees and Charges - All Departments - Plan Reproduction and Photocopy Fees; Finance; Procurement Services; Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services - General Fees)
- 2013-58 A By-law to Establish a Combined Utility Rate Structure in the Town of Newmarket for 2013.
- 2013-59 A By-law to Dedicate Certain Lands as a Public Highway. (Valley Green Trail)
- 2013-61 A By-law to Amend By-law Number 2010-40, being a Zoning By-law. (487 Queen Street)

**Carried**

Mayor Van Bynen vacated the Chair.

Regional Councillor Taylor assumed the Chair.

By-law 2013-60.

Moved by: Councillor Emanuel

Seconded by: Councillor Vegh

THAT By-law 2013-60 be enacted.

- 2013-60 A By-law To Appoint an Integrity Commissioner for the Town of Newmarket.  
(Suzanne Craig)

To appoint an Integrity Commissioner to investigate a potential breach of the Council Code of Conduct by Councillor Di Muccio.

**Carried**

Mayor Van Bynen took no part in the discussion or voting of the foregoing matter  
Councillor Di Muccio took no part in the discussion or voting of the foregoing matter.

Regional Councillor Taylor vacated the Chair.

Mayor Van Bynen assumed the Chair.

## Notices of Motions

- 46.a. Councillor Emanuel advised that he will be bringing forward a motion to the November 25, 2013 Committee of the Whole (evening) meeting with respect to the Glenway property.
- b. Councillor Di Muccio advised that she would be bringing forward a motion with respect to staff looking into the phasing out of recreational user fees for Newmarket minor sports organizations over the next 10 years.
- c. Regional Councillor Taylor advised he would be bringing forward a motion asking staff to explore a change to the Town's procurement process to include recognition/points in our tendering process recognizing the environmental benefit of the bidder's proximity to Newmarket.

## Announcements & Community Events

- 47. a. Councillor Vegh invited residents to join Mayor and Council on November 15, 2013 to celebrate the naming of Frank Stronach Park on Cenotaph Boulevard at Memorial Circle, just in front of the park. A formal naming presentation and unveiling of the new signs will take place at 3 p.m. followed by a small reception. Please call Stephanie Dyriv at 905-895-5193 for more information.
- b. Councillor Kerwin invited residents to bring a smile to a child's face this Christmas by donating to the Town of Newmarket's annual Christmas toy and food drive. Donations of unwrapped toys and non-perishable food items are now being collected in the lobby of the Municipal Offices at 395 Mulock Drive. A presentation will be made to our local Salvation Army on December 11, 2013 at 2 p.m.
- c. Councillor Twinney invited the public to the Newmarket Santa Claus Parade on November 16, 2013. The Parade starts at 11 a.m. at the corner of Eagle Street and Lorne Avenue, travelling east on Eagle and north on Main Street to Davis Drive. The Parade will not travel down Davis Drive due to construction. Canada Post will be travelling ahead of the Parade to pick up letters to Santa and Era carriers will be collecting non-perishable food items for the Newmarket Food Pantry.
- d. Regional Councillor Taylor invited residents to attend a public consultation on November 14, 2013 from 7 to 9 p.m. at the Newmarket Community Centre and Lions Hall #4, 200 Doug Duncan Drive to help contribute to a vibrant downtown Newmarket core. Your input will help to shape the continuing revitalization of downtown Newmarket. Call 905-895-5193 for more information.

- e. Regional Councillor Taylor advised that Big Brothers Big Sisters is holding their gala to honour Mr. Frank Stronach on November 16, 2013. For more information and tickets go to [www.bbbsy.ca](http://www.bbbsy.ca) or call 905-726-4129.
- f. Councillor Hemen advised that the 2014 budget process is near completion. The 2014 Draft Budget will be submitted for approval at the Council meeting on December 2, 2013 at 7 p.m. in the Council Chambers of the Municipal Offices at 395 Mulock Drive. For further information on Newmarket's budget, contact the Finance Department at 905-895-5193 or send an e-mail to [finance@newmarket.ca](mailto:finance@newmarket.ca).
- g. Councillor Sponga invited the public to Newmarket's annual Candle Light Parade on November 15, 2013 at 7 p.m. Enjoy Christmas carols, music, watch the lighting of the Christmas tree and see beautifully decorated store windows. Meet at Main and Water Streets at 7 p.m. and parade north on Main Street. Please bring a candle. Hosted by the Main Street Merchants. For more information visit [www.newmarketmainstreet.com](http://www.newmarketmainstreet.com)
- h. Councillor Di Muccio advised that The Keynotes Seniors Choir presents its Fall Concert on November 23, 2013 at 7:30 p.m. at the Newmarket Seniors Meeting Place, 474 Davis Drive. Come and enjoy an evening of beautiful choral music and support the Newmarket Seniors.
- i. Councillor Emanuel advised that the Newmarket Sports Hall of Fame honours individuals and teams from Newmarket who have achieved honour and recognition through sport. On November 17, 2013 the Newmarket Sports Hall of Fame will welcome three new members. The 2013 inductees are Geoffrey Stevens in the "Athletes" category, and Kenneth Carson and the late Peter Gorman in the "Builders" category.
- j. Mayor Van Bynen announced that staff is in a position to launch webstreaming at the next Committee of the Whole scheduled for November 25, 2013 and requested a motion in this regard.

Moved by: Councillor Di Muccio

Seconded by: Councillor Emanuel

THAT the webstreaming launch begin at the November 25, 2013 Committee of the Whole Meeting.

**Carried**

## **New Business**

None.

**Closed Session (if required)**

None.

**Confirmatory By-law**

48. By-law 2013-62

Moved by: Councillor Sponga  
Seconded by: Councillor Emanuel

THAT By-law 2013-62 be enacted.

2013-62      A By-law to Confirm the Proceedings of Council at its Meeting held  
on November 12, 2013

**Carried**

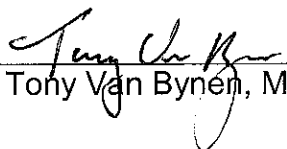
**Adjournment**

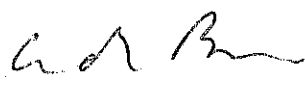
Moved by: Councillor Sponga  
Seconded by: Councillor Emanuel

THAT the meeting adjourn.

**Carried**

There being no further business, the meeting adjourned at 8:27 p.m.

  
\_\_\_\_\_  
Tony Van Bynen, Mayor

  
\_\_\_\_\_  
Andrew Brower, Town Clerk