



Town of Newmarket MINUTES

COUNCIL

Monday, January 23, 2017, 2016 at 7:00 PM
Council Chambers

For consideration by Council
on February 13, 2017

The meeting of the Council was held on Monday, January 23, 2017 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: R. N. Shelton, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development & Infrastructure Services
L. Lyons, Town Clerk (Aurora)
L. Moor, Council/Committee Coordinator
H. Leznoff, Council/Committee Coordinator
S. Niezen, Records and Projects Coordinator
J. Patel, Business Support Analyst

Open Forum

No one in attendance came forward to address Council during Open Forum.

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

Mayor Van Bynen in the Chair.

Public Notices

None.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of administrative corrections to the agenda being Item 36 of the Council Minutes of December 5, 2016 – Ratification of Actions of the Special Committee of the Whole of November 28, 2016 – should read December 5, 2016, the Committee of the Whole Minutes of January 16, 2017, Item 5 being the Appeal to the Ontario Municipal Board of Zoning By-law 2016-05 has been removed from the minutes as being considered at that meeting and is referenced as an item in the Council agenda of January 23, 2017, Item 7 of the Committee of the Whole Minutes of January 16, 2017 regarding the Newmarket Public Library Minutes of September 7, 2016, recommendation i) has been added as follows:

i) AND THAT Item 13 of the Newmarket Public Library Minutes of September 7, 2016 be referred back to the Newmarket Public Library Board for reconsideration.

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

THAT the corrections to the agenda be approved.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Declarations of Pecuniary Interest

- a) Councillor Hempen declared an interest in the Council (Closed Session) Minutes of December 5, 2016, specifically Item 2 related to the Clock Tower development as he owns property in close proximity to the subject lands. Councillor Hempen also declared an interest in Item 9 of the Council Agenda of January 23, 2017, being Corporate Services (Legal Services) (Closed Session) Report 2017-01 dated January 10, 2017 regarding an Appeal to the Ontario Municipal Board with respect to the Copper Hills Subdivision in Ward 1 as the report references a street named after his father. He advised he would take no part in the discussion or voting of these matters.

Presentations & Recognitions

None.

Deputations

None.

Approval of Minutes

1. Council Minutes of December 5, 2016.

Moved by: Councillor Twinney

Seconded by: Councillor Vegh

THAT the Council Minutes of December 5, 2016 be approved.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)

(9 in favour, 0 opposed)

Carried

2. Council Minutes (Closed Session) of December 5, 2016. Mayor Van Bynen advised that the items contained in the Council Minutes (Closed Session) of December 5, 2016 would be dealt with separately.

Moved by: Councillor Vegh

Seconded by: Councillor Kerwin

THAT Item 1 of the Council Minutes (Closed Session) of December 5, 2016 regarding the legal advice with respect to the N6 Waste Contract be approved.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)

(9 in favour, 0 opposed)

Carried

Moved by: Regional Councillor & Deputy Mayor Taylor

Seconded by: Councillor Kwapis

THAT Item 2 of the Council Minutes (Closed Session) of December 5, 2016 regarding legal advice received with respect to the development application known as Main Street Inc. be approved.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)
(8 in favour, 0 opposed)

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

Carried

Reports by Regional Representatives

- a) Deputy Mayor & Regional Councillor Taylor advised that the Region of York's Human Services Action Plan for 2017-2018 has been expanding its' focus to include progressive employment opportunities in a changing economy, specifically the issues of underemployment and precarious employment. He further advised of the implementation of a youth mentoring program in an effort to engage youth in the Information Technology industry.

Reports of Committees and Staff

3. Special Committee of the Whole Minutes of December 5, 2016 – 10:00 a.m.
4. Special Committee of the Whole Minutes of December 5, 2016 – 1:30 p.m.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the Special Committee of the Whole Minutes of December 5, 2016 – 10:00 a.m. and Special Committee of the Whole Minutes of December 5, 2016 – 1:30 p.m. be confirmed.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

5. Special Committee of the Whole (Closed Session) Minutes of December 5, 2016.

Moved by: Councillor Bisanz
Seconded by: Councillor Kwapis

THAT the Special Committee of the Whole (Closed Session) Minutes of December 5, 2016 regarding the legal advice with respect to the N6 Waste Contract be approved.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

6. Special Committee of the Whole Minutes of December 12, 2016.

Moved by: Councillor Twinney
Seconded by: Councillor Hempen

THAT the Special Committee of the Whole Minutes of December 12, 2016 be received and the following recommendation be adopted:

7. THAT the PowerPoint Presentation by Mr. Jeff Taylor, Collins, Barrow and Mr. Paul Ferguson, President, Newmarket-Tay Power Distribution regarding the 2015 Financial Statements and the Newmarket-Tay Power initiatives and statistics be received.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

8. Special Committee of the Whole (Budget) Minutes of January 16, 2017.

Moved by: Councillor Twinney
Seconded by: Councillor Broome

THAT the Special Committee of the Whole (Budget) Minutes January 16, 2017 be received and the following recommendations be adopted:

9. Joint CAO/Commissioners and Corporate Services Report – Financial Services 2017-03 dated January 16, 2017 regarding the 2017 Draft Capital Budget.

a) THAT the PowerPoint Presentation by the Director of Financial Services regarding the 2017 Draft Capital Budget be received;

i) AND THAT Joint CAO and Commissioners – Financial Services Report 2017-03 dated January 16, 2017 regarding the 2017 Draft Capital Budget be received and the following recommendations be adopted:

ii) THAT the 2017 Draft Capital Budget be presented to Committee of the Whole on February 6, 2017 for final review and recommendation to Council;

iii) AND THAT Council adopt the approach that the cost to maintain and operate any new capital assets be referred to the appropriate operating budgets:

To be considered as part of the 2017 Operating Budget: \$156,260 with \$51,500 funded from growth and \$58,760 funded from rates;

To be considered in 2018, as part of the budget process: \$303,500 with \$257,500 funded from growth and \$46,000 funded from rates.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

10. Committee of the Whole Minutes of January 16, 2017.

Moved by: Councillor Hempen
Seconded by: Councillor Kwapis

THAT the Committee of the Whole Minutes of January 16, 2017 be received and the following recommendations be adopted:

11. Heritage Newmarket Advisory Committee Minutes of October 11, October 25, and November 1, 2016.
 - a) THAT the Heritage Newmarket Advisory Committee Minutes of October 11, October 25, and November 1, 2016 be received.
12. Newmarket Environmental Advisory Committee Minutes of September 7, 2016.
 - a) THAT the Newmarket Environmental Advisory Committee Minutes of September 7, 2016 be received.
13. Central York Fire Services- Joint Council Committee Minutes of October 4, 2016.
 - a) THAT the Central York Fire Services- Joint Council Committee Minutes of October 4, 2016 be received
14. Correspondence dated December 1, 2016 from Ms. Lynn Dollin, President - Association of Municipalities of Ontario regarding Federal Infrastructure Phase 2 Incrementality Resolution.
 - a) THAT the correspondence dated December 1, 2016 from Ms. Lynn Dollin, President - Association of Municipalities of Ontario regarding Federal Infrastructure Phase 2 Incrementality Resolution be received.
15. Corporate Services Report- Financial Services 2017-01 dated January 16, 2017 regarding 2017 Interim Tax Billing and By-law.
 - a) THAT Corporate Services Report-Financial Services 2017-01 dated January 16, 2017 regarding the 2017 Interim Tax Levy be received and the following recommendation be adopted:
 - i) THAT Council enacts a by-law (attached hereto as Appendix A) for the levy and collection of the 2017 Interim Taxes.
16. Development and Infrastructure Services Report 2017-01 dated January 4, 2017 regarding Asset Management Strategy.
 - a) THAT the Development and Infrastructure Services Commissioner Report 2017-01 dated January 4, 2017 regarding Asset Management be received and the following recommendation be adopted:

i) THAT Council adopt the Asset Management Strategy.

17. Newmarket Public Library Board Minutes of September 7, 2016.

a) THAT the Newmarket Public Library Board Minutes of September 7, 2016 be received;

i) AND THAT Item 13 of the Newmarket Public Library Minutes of September 7, 2015 be referred back to the Newmarket Public Library Board for reconsideration.

18. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

19. Correspondence dated December 1, 2016 from Ms. Lynn Dollin, President – Association of Municipalities of Ontario regarding Federal Infrastructure Phase 2 Incrementality Resolution.

THAT the item of correspondence dated December 1, 2016 from Ms. Lynn Dollin, President – Association of Municipalities of Ontario regarding Federal Infrastructure Phase 2 Incrementality Resolution be reconsidered.

THAT the correspondence dated December 1, 2016 from Ms. Lynn Dollin, President – Association of Municipalities of Ontario regarding Federal Infrastructure Phase 2 Incrementality Resolution be received and referred to staff.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)

(9 in favour, 0 opposed)

Carried

20. Corporate Services (Legal Services) (Closed Session) Report 2017-01 dated January 10, 2017 regarding an Appeal to the Ontario Municipal Board with respect to the Copper Hills Subdivision in Ward 1.

Moved by: Councillor Vegh
Seconded by: Councillor Bisanz

THAT Corporate Services (Legal Services) (Closed Session) Report 2017-01 dated January 10, 2017 regarding an Appeal to the Ontario Municipal Board with respect to the Copper Hills Subdivision in Ward 1 be received and the following recommendations be adopted:

i) THAT Council direct staff to settle this matter in accordance with the settlement proposal set out in the report;

ii) AND THAT staff be authorized to enter into Minutes of Settlement with the owner of the properties that are the subject matter of the appeal.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)
(8 in favour, 0 opposed)

Carried

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

By-laws

21. By-laws 2017-01, 2017-02 and 2017-03.

2017-01 A By-law To Appoint a Town Clerk for the Town of Newmarket (Lisa Lyons).

2017-02 A By-law to Lift 0.3M Reserve and Dedicate Certain Lands as a Public Highway (Dillman Avenue located within S.E. Newmarket – Ward 1).

2017-03 A By-law to Impose an Interim Tax Levy for the Town of Newmarket.

Moved by: Councillor Kerwin
Seconded by: Councillor Hempen

THAT By-laws 2017-01, 2017-02 and 2017-03 be enacted.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz
Opposed: (None)
(9 in favour, 0 opposed)

Carried

Notices of Motions

Councillor Kwapis provided a Notice of Motion for the next scheduled Committee of the Whole meeting regarding a letter of resolution from the Town of Newmarket to the federal government requesting expeditious processing of Syrian refugees.

Motions

None.

Announcements & Community Events

- a) Councillor Bisanz invited community members to the Newmarket Seniors' Meeting Place at 474 Davis Drive for Trivia Pub Night on Friday, January 27, 2017 from 7:00 to 10:00 p.m. There will be skill testing questions, music of the 50's and 60's and pub grub. Prizes are available to be won. Join as a team or an individual by registering at the Seniors' Meeting Place. For more information call 905-953-5325. Councillor Bisanz also thanked Ward 7 residents for attending the New Year's gathering recently.
- b) Councillor Broome advised that The Town of Newmarket has given notice of its intention to designate 17030 Yonge Street under the Ontario Heritage Act. The property consists of a cemetery established in 1807 and the Orthodox Friends Meeting House – a one-storey wood clad building constructed between 1810 and 1812. For more information or to receive a copy of the Designation Statement, please contact the Planning Department. Notice of objection to the designation must be received by the Legislative Services Department no later than 4:30 p.m. on Tuesday, February 21, 2017. For further information visit www.newmarket.ca or call 905-895-5193.
- c) Councillor Kwapis advised that The Town of Newmarket is offering extended municipal services at Newmarket's Old Town Hall, 460 Botsford Street, Tuesdays to Fridays from 4:00 to 8:00 p.m. Services include Recreation and Culture program registration, waste & recycling sticker sales, property tax payments, parking ticket payments, animal licensing, and theatre ticket sales.

- d) Councillor Hempen advised that The Town of Newmarket is looking for acts to perform at special events in 2017 such as musical performers (music and D.J.'s), buskers, stage show performers and more. To view the performer application including a list of events for 2017, visit www.newmarket.ca/events
- e) Councillor Vegh advised that Newmarket pet owners can now obtain dog and cat licenses online. Visit www.newmarket.docupet.com to register. The 2017 fee for each dog and cat is \$35.00, the senior's rate is \$30.00 per pet and replacement of a lost tag is \$5.00. Registering your pet is important and this simple process will help to reunite you with your lost pet.

Councillor Vegh reminded residents about a Ward 1 Community Drop-In on Tuesday, February 7, 2017 from 7:00 to 9:00 p.m. at the Magna Centre located at 800 Mulock Drive.

- f) Councillor Kerwin provided an update on the "Wouldn't it be Grand" Project of purchase of a Steinway grand piano housed at the newly refurbished Old Town Hall. He informed residents that the fundraising project was extremely successful and \$40,000.00 has been raised to date with more donations coming in. He further advised that future donations of \$20.00 and over will receive a tax receipt and should be made payable to the Old Town Hall Piano Fund.

Councillor Kerwin advised that the Newmarket Theatre will host the Young Artists Showcase on February 5, 2017 at 2:00 p.m. Adult tickets for this performance is \$20.00 and a student ticket is \$10.00.

Councillor Kerwin advised that a Public Information Centre is scheduled for Wednesday, February 8, 2017 from 6:00 to 8:00 p.m. in the Council Chambers at 395 Mulock Drive. The purpose is to present plans for the proposed rehabilitation of Carlson Drive from Srigley Street to Wildwood Drive. The meeting will be an open house format and you are invited to drop in. If you are unable to attend the meeting and have questions regarding this project, please contact Tom Ungar in Engineering Services.

- g) Councilor Twinney advised that a Public Information Centre is scheduled for Wednesday, February 8, 2017 from 6:00 to 8:00 p.m. in the Council Chambers at 395 Mulock Drive. The purpose is to present the plans for the proposed rehabilitation of Lundy's Lane and Eden Court. The meeting will be an open house format and you are invited to drop in. If you are unable to attend the public meeting and have questions regarding this project, please contact Tom Ungar in Engineering Services.

- h) Deputy Mayor & Regional Councillor Taylor advised that The Town of Newmarket Fitness Centre will soon be open. The Newmarket Fitness Centre is located inside the Magna Centre at 800 Mulock Drive. To purchase a membership visit the Magna Centre, Ray Twinney Recreation Complex or Customer Service Kiosks. Further information is available at www.newmarket.ca/fitness or by calling 905-895-5193.

Deputy Mayor & Regional Councillor Taylor advised that the 5th Annual Trivia Challenge hosted by the York Region Food Network will be held on Thursday Feb 2, 2017. To support the fundraiser event call 905-841-3101 or e-mail kima@yrfn.ca

Deputy Mayor & Regional Councillor Taylor advised that on Tuesday February 7, 2017 at 7:00 p.m. he will be co-hosting an Information Session in Council Chambers on the 360 Kids 'Nightstop' pilot program which provides a safety net for young people forced to leave their home by placing them in a safe and warm home for the night, provided by a vetted and approved host volunteer.

- i) Mayor Van Bynen advised Newmarket's 2017 Budget process is underway and anyone who wishes to get involved in the budget process can e-mail comments to finance@newmarket.ca or by attending the upcoming meetings on January 30, 2017 and February 6, 2017 at 1:30 p.m. in the Council Chambers of the Municipal Offices.

Mayor Van Bynen reminded those present that the next Council meeting is scheduled for February 13, 2017 at 7:00 p.m.

New Business

- a) Deputy Mayor & Regional Councillor Taylor requested that staff bring forward a report in a timely manner related to the East Gwillimbury Secondary Plan; highlighting areas of interest to Newmarket and provide recommendations for a more formal response/input to East Gwillimbury incorporating specifics with respect to the proposed re-development of Green Lane.

Closed Session

Mayor Van Bynen advised that there was no requirement for a Closed Session.

Confirmatory By-law

22. Confirmatory By-law.

2017-04 To confirm the proceedings of Council at its meeting of January 23, 2017.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT By-law 2017-04 be enacted.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz
Opposed: (None)
(9 in favour, 0 opposed)

Carried

Adjournment

23. Adjournment.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

THAT the meeting adjourn.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz
Opposed: (None)
(9 in favour, 0 opposed)

Carried

There being no further business, the meeting adjourned at 7:36 p.m.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk