



# Town of Newmarket **AGENDA**

## **Council**

Monday, March 27, 2017 at 7:00 PM  
Council Chambers

Agenda compiled Thursday, March 23, 2017 8:43 AM

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### **Open Forum**

### **Public Notices (if required)**

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

Additional items to this Agenda are shown under the Addendum header.

### **Declarations of Pecuniary Interest**

### **Presentations & Recognitions**

1. Ms. Beth Sinyard, Curator, Elman W. Museum along with Mayor Van Bynen and Members of Council to present the 2017 High School Art Contest Award Recipients.
2. Dr. Dave Williams, President/CEO, Southlake Regional Health Centre to address Council with a Powerpoint Presentation entitled Transforming Healthcare. **Page 1**

### **Deputations**

### **Approval of Minutes**

3. Council Minutes of March 6, 2017. **Page 21**
4. Council (Closed Session) Minutes of March 6, 2017.

### **Reports by Regional Representatives**

### **Reports of Committees and Staff**

5. Special Committee of the Whole Minutes of March 6, 2017 (Election Matters). **Page 37**
6. Committee of the Whole Minutes of March 20, 2017. **Page 40**

7. Committee of the Whole (Closed Session) Minutes of March 20, 2017.

## **By-laws**

8. 2017-13 - A By-law to amend By-law 2013-14, as amended, being a By-law to regulate the use and enjoyment of Municipal parks in the Town of Newmarket. **Page 52**
9. 2017-14 - A By-law to designate a property as being of cultural heritage value or interest (Orthodox Friends Cemetery - 17000 Yonge Street). **Page 53**
10. 2017-15 - A By-law for the Removal of Holding Provision By-law (Sundial Homes Phase 1). **Page 57**
11. 2017-16- A By-law to provide for powers of entry on to land for the purpose of carrying out inspections. **Page 59**
12. 2017- 17 - A By-law to authorize the use of internet and telephone voting for the 2018 municipal election. **Page 63**

## **Notices of Motions**

### **Motions**

### **Announcements & Community Events**

### **New Business**

### **Closed Session (if required)**

### **Confirmatory By-law**

13. 2017-18 - A By-law to confirm the proceedings of the meeting of the Council on March 27, 2017. **Page 64**

### **Addendum (Additions and Corrections)**

### **Adjournment**



# Transforming Healthcare

with Our Patients, Our People, Our Partners



**Dr. Dave Williams**  
**President & CEO**

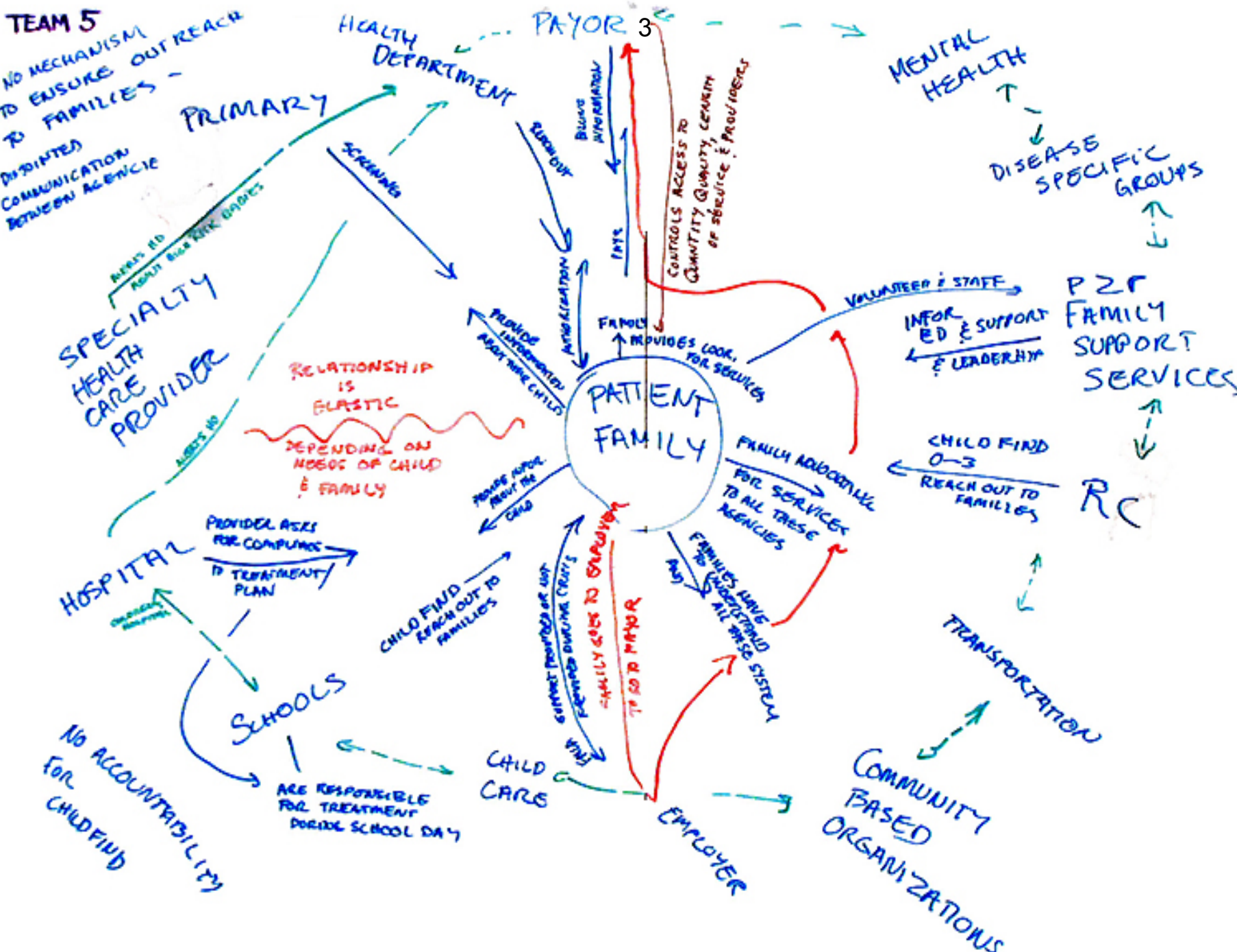


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TEAM 5

NO MECHANISM TO ENSURE OUTREACH TO FAMILIES -  
DISJOINTED COMMUNICATION BETWEEN AGENCIES





# Overview of Ontario Health System Trends

## Policy and Process Transformation



### ***Patients First* and Related Discussion Papers**

A series of policies and papers reinforce the MOHLTC's strategic vision for a *commitment and promise to put patients first*



### **Health System Transformation**

The interest in innovative and cost effective population health approaches are driving the ongoing need to deliver better care and patient outcomes within constrained resources and a growing complex needs population



### **Evidence and Outcomes Driving Policy, Practice and Funding**

A government and health system focus on value-for-money, resulting in the increasing use of evidence to drive policy, practice and funding. Funding uncertainty due to both economic and federal/provincial negotiation issues.



### **Strengthening Home and Community Care**

As Ontario's population ages, home and community care is increasingly a key element in enabling system transformation

# Overview of Ontario Health System Trends

## People and Technology Transformation



### Evolving Health Human Resources

Shifting expectations, expanding scopes of practice and demographic/economic constraints are creating a different workplace. Emerging care delivery models are driving the need for innovating teaching methods



### Digital Disruption and Transformation

Digital technologies are enabling new approaches to improve patient outcomes, quality and access to care, and the overall patient experience, with the potential to decrease costs



### Information Management

Methods of examining data are maturing, making it possible to draw more meaningful insights to guide care and planning, ranging from analytics to predictive modelling



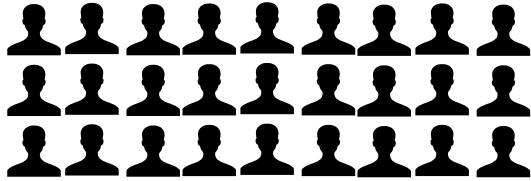
### Consumerism and the Patient Experience

Providers are engaging patients to improve health outcomes and recognizing the opportunities for patients as partners in the co-design of patient-centered care models

# Central L<sup>6</sup>HIN Population Demographics

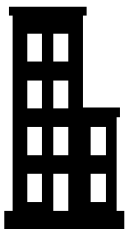
**1 800 000 PEOPLE**

13.2% OF ALL PEOPLE WHO LIVE IN ONTARIO



NEARLY **30%** OF HOSPITAL  
INPATIENTS LIVE OUTSIDE  
THE CLHIN

**88.7%** URBAN



**4.5%** RURAL



## RESIDENTS

POPULATION GROWTH BY 2021  
**20.3%**



SENIORS GROWTH **16.1%** BY 2021

CHILDREN MAKE UP **5.6%** OF TOTAL CLHIN  
POPULATION

Nearly **40%** of current C L<sup>6</sup>HIN residents aged 65-74 have  
**2+ chronic conditions**



**48%** OF RESIDENTS ARE IMMIGRANTS





**408** BEDS

**23,480**  
INPATIENT ADMISSIONS  
(148,263 INPATIENT DAYS)

**372,457**  
OUTPATIENT VISITS

7

OUR PEOPLE



**2,984**  
STAFF

**548**  
DOCTORS

**867**  
STUDENTS

**950**  
VOLUNTEERS

**128,571**  
HOURS DONATED BY  
VOLUNTEERS

\*\*\* 1,000,000 HOURS DONATED BY VOLUNTEERS OVER THE PAST 10 YEARS \*\*\*

STUDENTS



RESEARCH



**601**  
NURSING

**154**  
ALLIED HEALTH

**91**  
NON-CLINICAL

**21**  
EMS

**88**  
NEW STUDIES

**141**  
OPEN RESEARCH STUDIES

# 2015/16 VITAL SIGNS

DIAGNOSTIC IMAGING



**323,096**  
DIAGNOSTIC EXAMS

**27,496**  
CT SCANS

**18,923**  
MRI SCANS

EMERGENCY DEPARTMENT



**106,945** EMERGENCY ROOM VISITS



REGIONAL CARDIAC PROGRAM



**6,288**  
CARDIAC  
CATHETERIZATIONS

**1,077**  
CARDIAC  
SURGERIES

**735**  
ELECTROPHYSIOLOGY  
STUDIES

**2,362**  
ANGIOPLASTY  
PROCEDURES (PCI)

**646**  
ABLATIONS  
PERFORMED

**1,226**  
PACEMAKERS AND  
IMPLANTABLE  
CARDIAC  
DEFIBRILLATORS  
IMPLANTED

REGIONAL CANCER PROGRAM



**57,624**  
OUTPATIENT VISITS

**10,078**  
CHEMOTHERAPY  
& SUPPORTIVE  
TREATMENT  
VISITS

**26,015**  
RADIATION  
FRACTIONS

MATERNAL CHILD



**2,616** BABIES BORN



# ALTERNATE LEVEL<sup>8</sup> OF CARE PATIENTS

CONTRIBUTING TO OVER-CAPACITY (JAN 6, 2017 A SNAPSHOT OF ONE OF OUR MOST IMPACTFUL DAYS)

Ageing Population

**BY 2031**  
**511,000**

Seniors (65+)

**RIGHT NOW**  
**283,000**

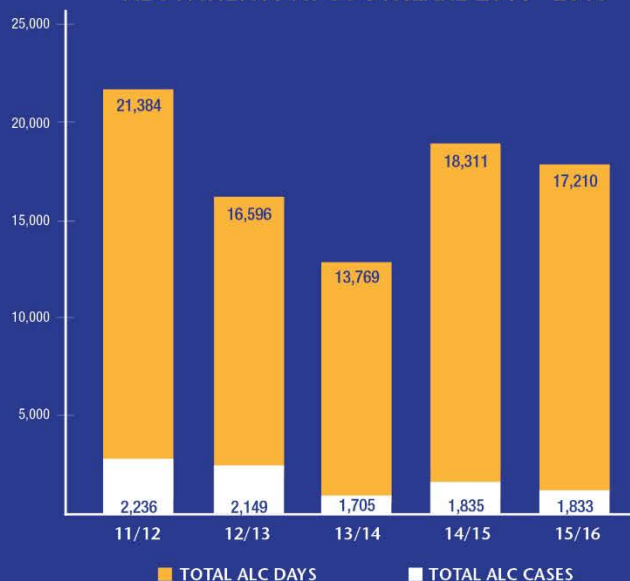
Seniors (65+)

Central LHIN highest senior population in Ontario.

\*source - population projections, Ministry of Finance

**128%**

ALC PATIENTS AT SOUTHLAKE 2011 - 2016



**434** PATIENTS ADMITTED



**380** BEDS



WHERE DO ALL OF THE EXTRA PATIENTS GO?

- AUDITORIUM
- REHAB GYMS
- PATIENT FAMILY LOUNGES

**82**



ALC PATIENTS IN HOSPITAL



**17** ALC PATIENTS HAVE BEEN ADMITTED FOR MORE THAN **100 DAYS**

**LONGEST**  
STAY FOR ONE OF OUR CURRENT ALC PATIENTS  
**407 DAYS**

**\*250\***

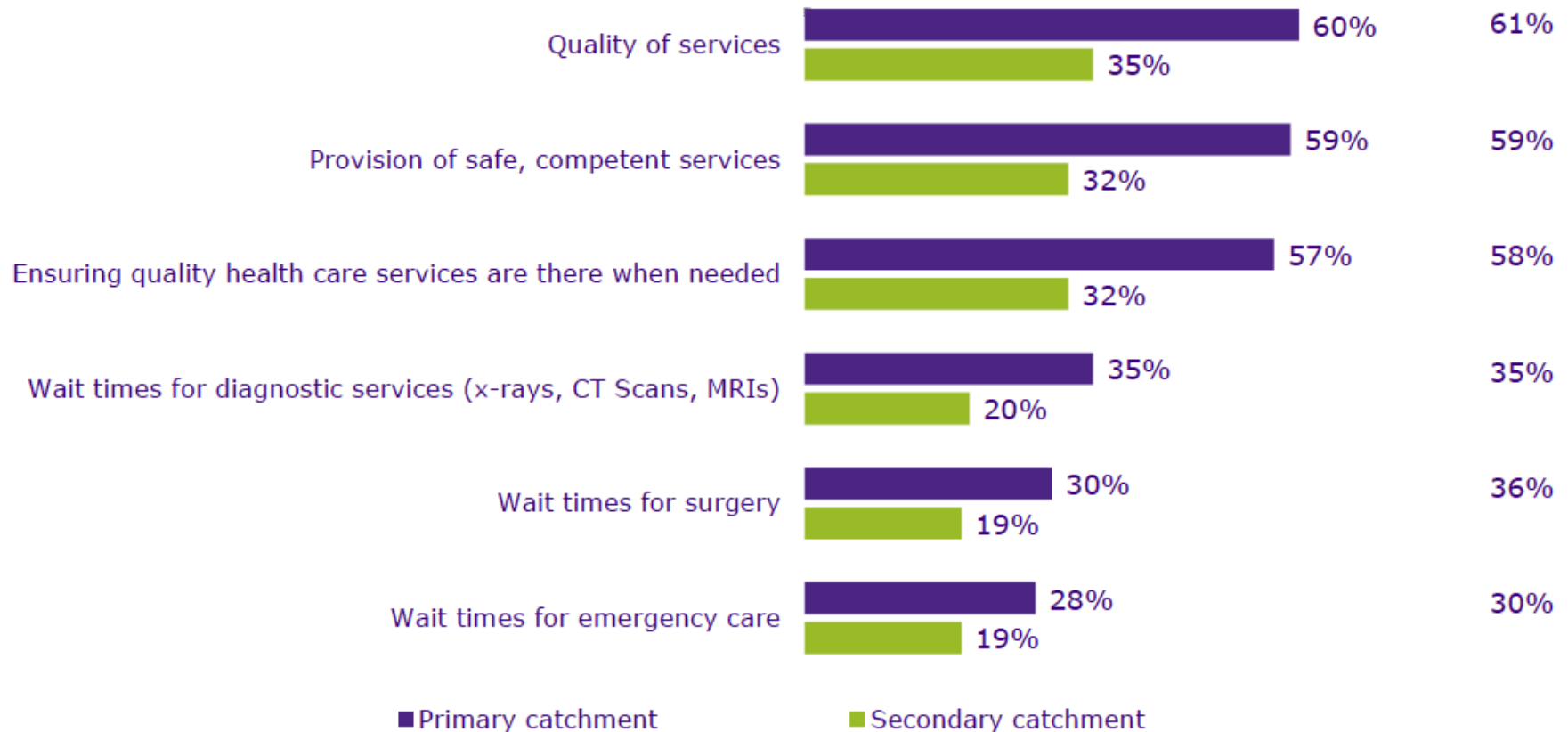
MEDICINE PATIENTS COULD HAVE BEEN TREATED IN THAT TIME

# Our Performance

9

**Southlake performance is *excellent/very good* (score 6 or 7)  
compared to other hospitals  
(Base: Those providing a rating for each service)**

**Southlake  
Users**





# What We Hear

10

*"For Southlake, it's just based on things that I've heard. I haven't heard any bad things about it."*

*"For Southlake I put mostly 10s...they just reassured us that [my mom] was going to be okay...we felt very cared for."*

*"For Southlake, all my friends have raved about it."*

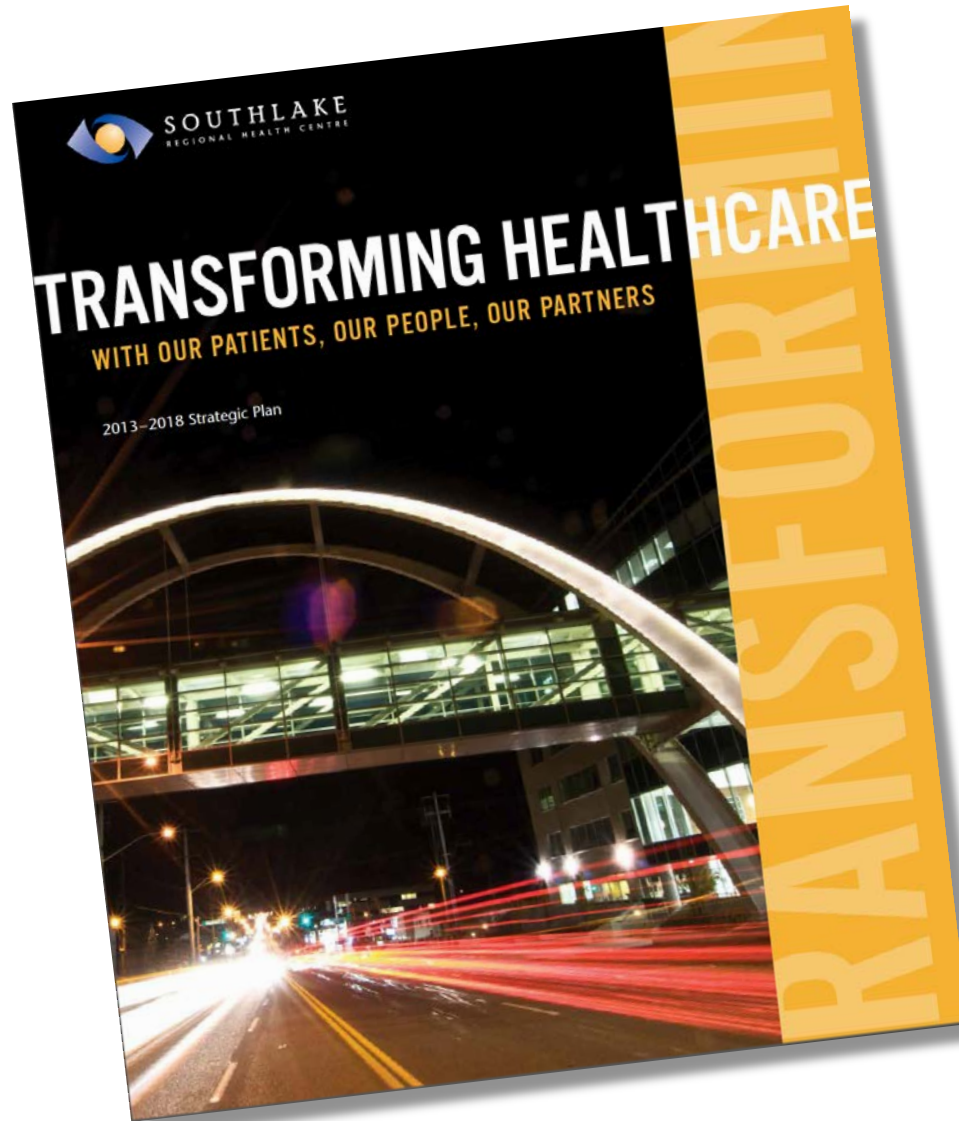


©Southlake Regional Health Centre

For all the moments ...<sup>11</sup>

For all the moments...







# Highlights to Emphasize – What We Heard

- Want Excellent Acute Care
- Want Exceptional Patient Experience
- Improve Care Transitions
- Enhanced Patient Support
- Better Information Sharing
- Timely, Seamless Access to Specialist Care
- Easy Access to Information on Southlake Services
- Provide Team Tools to Do Their Job
- Empower Patients



 **SOUTHLAKE**  
REGIONAL HEALTH CENTRE

# OUR CULTURE

THE SOUTHLAKE WAY



# THE SOUTHLAKE WAY

A culture that characterizes the qualities of compassion, innovation, excellence, and the ability to create opportunities out of seemingly impossible challenges.

# OUR VISION

**SHOCKINGLY EXCELLENT EXPERIENCES**



# OUR<sup>17</sup> MISSION

TOGETHER, WITH OUR PATIENTS, OUR  
PEOPLE, AND OUR PARTNERS, WE STRIVE  
TO MAKE LIVES BETTER BY ACHIEVING  
QUALITY OUTCOMES AND CREATING VALUE  
IN HEALTHCARE.

# OUR VALUES

**PUT PATIENTS  
FIRST**

**GIVE A DAMN!**

**PUSH THE  
ENVELOPE**

**HONOUR YOUR  
COMMITMENTS**

**SPEAK UP**





QUALITY HEALTHCARE  
WORKPLACE AWARD

SILVER  
2014

ASSOCIATION CANADIENNE  
D'INFORMATIQUE DE LA SANTÉ



CANADA'S HEALTH  
INFORMATICS ASSOCIATION



ACCREDITATION CANADA  
AGRÉMENT CANADA

CANADA'S  
PASSION  
CAPITALISTS | SUSTAINABILITY  
INTENSITY  
COURAGE  
CULTURE





# Relentless Commitment to Ultimate Patient Experience

The meeting of Council was held on Monday, March 6, 2017 in Council Chambers, 395 Mullock 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 and Infrastructure Services  
L. Lyons, Director of Legislative Services/Town Clerk  
H. Leznoff, Council/Committee Coordinator  
J. Patel, Applications 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**

### **1. Additions and Corrections**

The Chief Administrative Officer advised that Council go into Closed Session for the purpose of Litigation or Potential Litigation including matters before administrative tribunals affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001 with respect to Item 24 of the Committee of the Whole Minutes of February 27, 2017 being Joint Corporate Services (Legal Services) and Development and Infrastructure Closed Session Report 2017-04 dated February 23, 2017 regarding 178-194 Main Street South.

Moved by: Councillor Twinney

Seconded by: Councillor Kerwin

THAT the above be included in the agenda.

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

Opposed: (None)

(9 in favour, 0 opposed)

### **Carried**

## **Declarations of Pecuniary Interest**

- a) Councillor Hempen declared an interest in Item 24 of the Committee of the Whole Minutes of February 27, 2017 relating to 178-194 Main Street as he has a business in close proximity to the subject lands. Mayor Van Bynen advised that Item 24 would be dealt with separately.

## **Presentations & Recognitions**

None.

## **Deputations**

None.

## **Approval of Minutes**

### **2. Council Minutes of February 13, 2017.**

Moved by: Councillor Vegh  
 Seconded by: Councillor Twinney

THAT the Council Minutes of February 13, 2017 be approved.

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

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

**Carried**

### **Reports by Regional Representatives**

- a) Deputy Mayor & Regional Councillor Taylor provided an update regarding The Region of York hiring a New Commissioner of Community and Health Services. He also advised of the release of the Region of York Annual Employment and Industry Survey Report. The report includes a survey of businesses in York Region and the results indicate that employment growth is growing throughout the region with a target of one job for every two people in the region.

### **Reports of Committees and Staff**

- 6. Committee of the Whole Minutes of February 27, 2017.

Moved by: Councillor Hempen  
 Seconded by: Councillor Broome

THAT the Committee of the Whole Minutes of February 27, 2017 be received and the recommendations noted within, excluding Item 24, be adopted.

- 3. Mr. Derek Bunn addressed the Committee with a PowerPoint presentation regarding an Accessible Washroom Trailer. The presentation highlighted the trailers' interior features, benefits to the community, how the trailer could be rented for use at various Town events, and maintenance costs associated. , Mr. Bunn requested a donation of \$5000.00 to fund the project which includes costs of additional trailers.
  - a) THAT the presentation by Mr. Derek Bunn regarding an Accessible Washroom Trailer be received and referred to staff.

4. Ms. Joan Stonehocker addressed the Committee with a PowerPoint presentation providing an update on the London & Main Community Garden and extended an invitation to "Seedy Saturday" on March 4, 2017.

THAT the PowerPoint presentation by Ms. Joan Stonehocker regarding the London and Main Community Garden and invitation to Seedy Saturday be received and be referred to staff for clarification in the timeline for the Town's commitment to the water supply and faucet installation for the garden.

5. Corporate Services Report - Legislative Services 2017-02 dated February 2, 2017 regarding Carnival - D.A. Campbell Amusement Ltd. - Upper Canada Mall.

a) THAT Corporate Services Report – Legislative Services 2017-02 dated February 2, 2017 regarding Carnival – DA Campbell Amusement Ltd. Upper Canada Mall be received and the following recommendations be adopted:

i) THAT the application be approved subject to the following terms:

ii) THAT the license be issued for a period of seven consecutive days from May 9, 2017 to May 15, 2017 to permit the setting up and dismantling amusement devices;

iii) AND THAT the actual operation of the carnival not exceed five consecutive days within that permitted time period.

6. Report by Newmarket-Tay Power Distribution Ltd. regarding Approval of Bid for the Acquisition of Another Utility.

THAT the Newmarket-Tay Power Distribution Ltd. ("NT Power") Report of the President dated February 23, 2017 regarding the submission of a binding offer to acquire another electric distribution utility be received and the following recommendations be adopted:

WHEREAS NT Power received a request for proposals and confidential information memorandum for a sale transaction involving another electric distribution utility (the "Target") on December 9, 2016 (the "RFP");

AND WHEREAS confidential briefing memoranda from Paul Ferguson, President of NT Power regarding the RFP dated January 18, 2017, February 10, 2017 and February 23, 2017 (the "Confidential Briefing Memos") have been provided to the directors of NT Power, the municipal council of the Town of Newmarket and the municipal council of the Township of Tay;



AND WHEREAS Article 3.05 of a Shareholders Agreement between Newmarket Hydro Holdings Inc. ("Newmarket Holdco"), Tay Hydro Inc. (and together with Newmarket Holdco, the "Shareholders"), NT Power, The Corporation of the Township of Tay and The Corporation of the Town of Newmarket dated April 30, 2007 (the "Shareholders Agreement") requires approval by all of the Shareholders (i) for the purchase of any assets or business by NT Power or any Subsidiary (as defined in the Shareholders Agreement), other than the ordinary course of Business (as defined in the Shareholders Agreement), having a value in excess of 20 percent of the Asset Value (as defined in the Shareholders Agreement), (ii) for the borrowing of any money or the giving of any security in excess of 15 percent of the Asset Value, and (iii) for the entering into of an amalgamation, merger or consolidation with any other body corporate by NT Power or any Subsidiary;

AND WHEREAS NT Power proposes to submit a binding offer in response to the RFP and to enter into a share purchase agreement (the "Share Purchase Agreement") with the vendor pursuant to which NT Power will purchase all of the issued and outstanding shares of the Target, on and subject to the terms of the Share Purchase Agreement (the "Purchase and Sale Transaction");

AND WHEREAS NT Power wishes to enter into certain financing arrangements, including the borrowing of money and the giving of security, in connection with the Purchase and Sale Transaction;

AND WHEREAS NT Power wishes to enter into an amalgamation with the Target following the completion of the Purchase and Sale Transaction;

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket ("the Municipal Council") as follows:

1. THAT the Municipal Council authorizes and approves the Purchase and Sale Transaction and the entering into of the Share Purchase Agreement by NT Power.
2. THAT the Municipal Council authorizes and approves the entering into of financing arrangements, including the borrowing of money and the giving of security, by NT Power in connection with the Purchase and Sale Transaction (the "Financing").
3. THAT the Municipal Council authorizes and approves the entering into of an amalgamation between NT Power and the Target following the completion of the Purchase and Sale Transaction (the "Amalgamation" and, together with the Financing and the Purchase and Sale Transaction, the "Transactions").

4. THAT the Chief Administrative Officer of the Corporation of the Town of Newmarket is authorized to approve the forms of all other documents contemplated or required to be executed by the Corporation of the Town of Newmarket to give effect to the foregoing resolutions or necessary in connection with the Transactions (collectively, the “Additional Documents”) and to execute and deliver the Additional Documents each in the form so approved..

7. 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.

8. Newmarket Downtown Development Committee Minutes of June 24, 2016.

a) THAT the Newmarket Downtown Development committee Minutes of June 24, 2016 be received.

9. Correspondence from Mr. Tal Barak, March Awareness Coordinator, Epilepsy York Region.

a) THAT the correspondence dated February 6, 2017 from Mr. Tal Barak, March Awareness Coordinator be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim March, 2017 as 'Epilepsy Awareness Month' and March 26, 2017 as 'Purple 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)

10. Participation in Earth Hour on March 25, 2017.

WHEREAS climate change is the biggest environmental threat to our planet and a major concern for all Canadians;

AND WHEREAS at exactly 8:30 p.m. on Saturday, March 25, 2017, major cities around the world will turn off their lights and electrical power for one hour to raise awareness about climate change and to symbolize that, working together, the people of the world can make a difference in the fight against global warming;

AND WHEREAS the event, called “Earth Hour”, began in Sydney, Australia in 2007 as 2.2 million people turned off their lights to take a stand against climate change;

AND WHEREAS since then, it has become an annual, globally-observed event;

AND WHEREAS participating in Earth Hour sends a powerful message to every citizen and business around the world that it's possible to take action on climate change and that switching off our lights and electrical power is just one simple action we can take to help make a difference;

AND WHEREAS in the last several years, Newmarket has continued to be a leader in this effort, with one of the highest rates of reduction in electricity consumption in the GTA;

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

1. THAT at 8:30 p.m. on Saturday, March 25, 2017, the Corporation of the Town of Newmarket will join other cities around the world in literally "turning out the lights" by shutting off all non-essential lighting and power in all of its facilities, where feasible, and without jeopardizing safety, for one full hour;

2. AND THAT the Corporation of the Town of Newmarket's participation in Earth Hour will be widely promoted and publicized in order to raise awareness about this important issue and in order to encourage every individual, household and business in town to join in by turning off their lights and electrical power for one hour at 8:30 p.m. on Saturday, March 25, 2017;

3. AND THAT a copy of this will be forwarded to every municipality in the GTA, encouraging them to participate in Earth Hour.

11. Proclamation of International Day for the Elimination of Racial Discrimination.

a) THAT March 21, 2017 be proclaimed "International Day for the Elimination of Racial Discrimination";

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

12. Ms. Christina Herancourt addressed the Committee with a PowerPoint presentation regarding Development and Infrastructure Services – Planning and Building Services Report 2017-06 with respect to Application for Zoning By-law Amendment and Draft Plan of Subdivision- Azure Homes Inc. (172-178 Old Main Street). Ms. Herancourt expressed concern about safety in the area and requested access to all reports related to the application prior to the statutory public meeting.

a) THAT the Ms. Christina Herancourt be given an additional five minutes for her deputation.

b) THAT the deputation and PowerPoint presentation by Ms. Christina Herancourt regarding the Development and Infrastructure Services- Planning and Building Services Report 2017-06 be received.

13. Mr. Ken Wright, resident, addressed the Committee with respect to Development and Infrastructure Services- Planning and Building Services Report 2017-06 regarding an application for Zoning By-law Amendment and Draft Plan of Subdivision – Azure Homes Inc. (172-178 Old Main Street). Mr. Wright expressed concern about infrastructure in the rural area, repairing foundations, risk of flooding and the costs associated with repairs.

a) THAT the deputation by Mr. Ken Wright regarding Development and Infrastructure Services – Planning and Building Services Report 2017-06 be received.

14. Development and Infrastructure Services - Planning and Building Services Report 2017-06 dated February 27, 2017 regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision - Azure Homes Inc. - 172-178 Old Main Street.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2017-06 dated February 27, 2017 regarding Application for a Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT the Application for a Zoning By-law Amendment and a Draft Plan of Subdivision, as submitted by Azure Homes Inc. for lands located at 172-178 Old Main Street be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through agency and departmental circulation of the application be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) AND THAT Azure Homes, 82 Boothbay Crescent, Newmarket, ON L3Y 1Y5 be notified of this action;

iv) AND THAT Macauley Shiomi Howson Ltd., Attention: Ms. A. Sciberras, 471 Timothy Street, Newmarket, ON L3Y 1P9 be notified of this action.

15. Ms. Pauline Latour addressed the Committee with respect to Development and Infrastructure Services Report- Engineering Services 2017-10 regarding Oak Street Parking. Ms. Latour expressed her support for the staff recommendation within the report.
  - a) THAT deputation by Ms. Pauline Latour regarding Development and Infrastructure Services Report - Engineering Services 2017-10 dated February 8, 2017 regarding Oak Street - Parking Restrictions be received.
16. Development and Infrastructure Services Report - Engineering Services 2017-10 dated February 8, 2017 regarding Oak Street - Parking Restrictions.
  - a) THAT Development and Infrastructure Services Report - Engineering Services 2017-10 dated February 8, 2017 regarding Oak Street - Parking Restrictions be received and the following recommendation be adopted:
    - i) THAT the existing parking restrictions on Oak Street remain as they are.
17. Ms. Barbara Brunson addressed the Committee regarding Development and Infrastructure Services – Planning and Building Services Report 2017-02 with respect to Application for Zoning By-law Amendment -- 507 Mulock Drive. Ms. Brunson raised concerns about safety and increased traffic on the residential streets in the area due to the right in and right out access point of the proposed plans and asked for a traffic study to be conducted.
  - a) THAT the deputation by Ms. Barbara Brunson regarding Development and Infrastructure Services – Planning and Building Services Report 2017-02 with respect to Application for Zoning By-law Amendment -507 Mulock Drive be received.
18. Development and Infrastructure Services - Planning and Building Services Report 2017-02 dated February 6, 2017 regarding Application for Zoning By-law Amendment - 507 Mulock Drive.
  - a) THAT Development and Infrastructure Services - Planning and Building Services Report 2017-02 dated February 6, 2017 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:
    - i) THAT the Application for Zoning By-law Amendment as submitted by Ganni Kinno Developments Inc. for lands municipally known as 507 Mulock Drive be approved and that staff be directed to prepare the necessary Zoning By-law Amendment;

ii) AND THAT Mr. Ryan Guetter, Weston Consulting, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8 be notified of this action;

iii) AND THAT staff be directed to monitor the impact on traffic and consider mitigation strategies.

19. PowerPoint Presentation by Planning Staff regarding Tree Removal and Protection Policies and Regulations.

a) THAT the presentation by Planning Staff regarding Tree Removal and Protection Policies and Regulations be received.

20. Mr. Chris Howie addressed the Committee regarding the PowerPoint Presentation by Planning Staff with respect to Tree Removal, Protection Policies and Regulations. Mr. Howie expressed specific concern regarding the property known as 181 Beechwood Crescent. He indicated his concern developers clear cutting land before submitting applications and asked that the woodlot by-law be amended to include the north side of Beechwood Crescent.

a) THAT the deputation by Chris Howie regarding PowerPoint Presentation by Planning Staff regarding Tree Removal and Protection Policies and Regulations be received.

21. Development and Infrastructure Service - Planning and Building Services and Public Works Services Report 2017-05 dated February 27, 2017 regarding Tree Removal, Protection Policies and Regulations.

a) THAT Development and Infrastructure Services - Planning and Building Services and Public Works Services Report 2017-05 dated February 27, 2017 regarding Tree Removal and Protection Policies and Regulations and the Urban Forestry Management Plan be received and the following recommendations be adopted:

i) THAT Council direct staff to update the existing Tree Preservation, Protection, Replacement and Enhancement Policy;

ii) AND THAT Council direct staff to prepare and bring to a future meeting a by-law regulating and protecting significant trees on private property;

iii) AND THAT Council direct staff to prepare and bring to a future Council meeting a by-law protecting trees on municipal property.



22. Development and Infrastructure Services- Engineering Services Information Report 2017-03 dated February 8, 2017 regarding the Pole Mounted Display Sign Program – Town of Aurora.

a) THAT the Development and Infrastructure Services- Engineering Services Information Report 2017-03 dated February 8, 2017 regarding the Pole Mounted Display Sign Program – Town of Aurora be received.

23. Item 3 of Central York Fire Services - Joint Council Committee Minutes of October 4, 2016 regarding Burning By-laws Discussion.

a) THAT Item 3 of Central York Fire Services - Joint Council Committee Minutes of October 4, 2016 regarding Burning By-laws Discussion be received;

i) THAT the Central York Fire Services - Joint Council Committee recommendation be approved and that staff be directed to review the current burning by-law in conjunction with Aurora staff (specifically, By-law and Fire Services).

24. Outstanding Matters List.

a) THAT the Outstanding Matters list be received.

25. THAT staff prepare a report on options and opportunities to address residential on street and off street parking challenges. Specifically, the report should consider the impact that changing economics and demographics have on housing occupancy and ways in which the Town of Newmarket can better balance reasonable parking needs with streetscape aesthetics, active transportation objectives and effective by-laws enforcement.

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

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

**Carried**

26. Correspondence dated February 21, 2017 from Mr. Michael Dukart, Tournament Chairman, Newmarket House League requesting proclamation of March 15 to 18, 2017 as 'House League Hockey Week'.

Moved by: Councillor Kerwin  
 Seconded by: Councillor Bisanz

a) THAT the Town of Newmarket proclaim March 15 to 18, 2017 as 'House League Hockey Week';

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

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

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

**Carried**

## By-laws

### 27. By-law 2017-11

2017-11 A By-law to amend By-law 2010-40 as amended, being a Zoning By-law (507 Mulock Drive).

Moved by: Councillor Vegh  
 Seconded by: Councillor Kwapis

THAT By-law 2017-11 be enacted.

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

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

**Carried**

## Notices of Motions

None.

## Motions

None.

## Announcements & Community Events

- a) Councillor Bisanz invited residents to enjoy fun for the whole family at March Music and Magic at the Magna Centre on Tuesday, March 14, 2017 from 9:00 a.m. to noon. Have a blast with interactive music and magic shows, crafts, games, jumping castle, train rides, face painting and more. The cost is \$5 per child. For more information, or to purchase tickets, visit [newtix.ca](http://newtix.ca).
- b) Councillor Broome invited residents to join one of four First LEGO League Junior teams every Saturday from April 1, 2017 to June 17, 2017 from 10:00 to 11:00 a.m. or 11:00 a.m. to noon at the Newmarket Public Library, 438 Park Avenue. Use science, technology, engineering and math to solve an exciting Challenge topic and build a motorized LEGO model. Teams will meet over several weeks to solve this year's challenge. Space is limited and registration is required. This is a free event for ages 7-10 years. To register please contact the Children's Services desk at 905-953-5100.
- c) Councillor Kwapis invited residents to visit the Elman W. Campbell Museum at 134 Main Street South during March Break! There are different activities each day for ages 5 to 10 years during March 14, 2017 to March 17, 2017 from noon to 3:00 p.m. and a Ukrainian Easter Egg Workshop on Saturday March 18, 2017 at 1:30 p.m. Registration is required for some activities. For more information or to pre-register visit [newmarket.ca/museum](http://newmarket.ca/museum) or call 905-953-5314.
- d) Councillor Hempen advised residents that registration for Town of Newmarket Leisure and Aquatic spring programs begins Wednesday, March 8<sup>th</sup> at 6:30 a.m. for residents and Wednesday March 15<sup>th</sup> at 8:30 a.m. for non-residents. March break camp and summer camp registration is also now underway. Register online at [newmarket.ca/recreation](http://newmarket.ca/recreation) or at one of our Customer Service Kiosks (at our Municipal Offices, Magna Centre, Ray Twinney Recreation Complex, Recreation Youth Centre & Sk8 Park or Old Town Hall).
- e) Councillor Vegh invited Ward 1 residents to drop-in for a one-on-one meeting Tuesday, March 7, 2017 between 7:00 and 9:00 p.m. at the Magna Centre, 800 Mulock Drive. Come and see what's happening in your ward. For more information, call 905-895-7095 or email [tvegh@newmarket.ca](mailto:tvegh@newmarket.ca).
- f) Councillor Kerwin advised residents that the Newmarket Seniors' Meeting Place is celebrating 22 years with an Open House! The free event takes place on Saturday, March 25, 2017 from 9:00 a.m. to 3:00 p.m. at 474 Davis Drive. Residents can enjoy dozens of available programs and learn about bus trips and other events. Bring a friend or meet a new one and relax with a free tea or coffee and light snack. For more information call 905-953-5325.

- g) Councillor Twinney invited residents to a Public Information Centre about an exciting new bike lane initiative. Join us Thursday, March 9<sup>th</sup> from 5:30-8:30 p.m. at the Newmarket Community Centre & Lions Hall #3 (200 Doug Duncan Drive) to learn more about the proposed East-West Bikeway. Residents will have an opportunity to ask questions and view plans of the Bikeway which will allow cyclists to travel safely in an east-west corridor from the GO Transit station to Leslie Street. For more information, contact Bill Gould at 905-859-5193 or email [bgould@newmarket.ca](mailto:bgould@newmarket.ca).
- h) Deputy Mayor & Regional Councillor Taylor advised residents that Earth Hour shines a light on the need for action on climate change. On Saturday, March 25, 2017 join millions of people around the globe by turning off your lights and non-essential electrical power from 8:30 to 9:30 p.m. Celebrate Earth Hour with friends, family and our community and focus on your commitment to our planet. Have a candle lit dinner, talk to neighbours, stargaze or play board games – the possibilities are endless. Earth Hour supporters have successfully advocated for climate-friendly laws and policies – it's so much more than just an hour!
- i) Mayor Van Bynen advised that if anyone has anything they wish to discuss he will be at "Mayor in the Square" at the Newmarket Public Library on Friday, March 24, 2017 from 11:00 a.m. until noon.
- j) Mayor Van Bynen advised that the next Council meeting is Monday, March 27, 2017 at 7:00 p.m.

### **New Business**

None.

Councillor Hempen left the meeting at 7:18 p.m.

### **Closed Session**

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor and Regional Councillor Taylor

- 28. THAT Council resolve into Closed Session for the purpose of discussing Litigation or Potential Litigation including matters before administrative tribunals affecting the municipality as per section 239 (2) (e) of the Municipal Act, 2001 with respect to Item 24 of the Committee of the Whole Minutes of February 27, 2017 being Joint Corporate Services (Legal Services) and Development and Infrastructure Closed Session Report 2017-04 dated February 23, 2017 regarding 178-194 Main Street South.

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

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

**Carried**

Council resolved into Closed Session at 7:20 p.m.

Council resumed into Open Session at 7:55 p.m.

The Council (Closed Session) Minutes are recorded under separate cover.

29. Item 24 of the Committee of the Whole Minutes of February 27, 2017 being Joint Corporate Services (Legal Services) and Development and Infrastructure Services Closed Session Report 2017-04 dated February 23, 2017 regarding 178-194 Main Street South.

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor and Regional Councillor Taylor

a) THAT Joint Corporate Services (Legal Services) and Development and Infrastructure Services Closed Session Report 2017-04 dated February 23, 2017 regarding 178-194 Main Street South be received and the following recommendations be adopted:

i) THAT staff be directed to take such necessary/required action to oppose the OMB appeals initiated by Main Street Clock Inc. on behalf of the Town at the OMB;

ii) AND THAT staff be given direction to advise the OMB and the lawyer for Main Street Clock Inc. that the Town will appear at the Ontario Municipal board as a party in opposition to the OMB appeals.

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

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

**Carried**

### **Confirmatory By-law**

30. Confirmatory By-law.

Moved by: Councillor Kerwin  
Seconded by: Councillor Kwapis

THAT By-law 2017-12 be enacted.

2017-10                      A By-law to confirm the proceedings of Council at its meeting of February 13, 2017.

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

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

**Carried**

### **Adjournment**

31. Adjournment.

Moved by: Councillor Bisanz  
Seconded by: Councillor Kwapis

THAT the meeting adjourn.

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

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

**Carried**

There being no further business, the meeting adjourned at 8:03 p.m.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

Monday, March 6, 2017 at 10:00 AM  
Council Chambers

For consideration by Council  
on March 27, 2017

The meeting of the Special Committee of the Whole was held on Monday, March 6, 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, Director of Legislative Services/Town Clerk  
S. Niezen, Records and Projects Coordinator  
H. Leznoff, Council/Committee Coordinator

Guests: N. Wellsbury, Director of Legislative and Information Services,  
Town of Ajax  
A. Harras, Deputy Clerk, Town of Ajax

The meeting was called to order at 10:00 a.m.

Mayor Van Bynen in the Chair.

### **Additions and Corrections**

1. The Chief Administrative Officer advised of the additions to the agenda, being the PowerPoint Presentations distributed at the meeting regarding Internet Voting.

Moved by: Councillor Twinney  
Seconded by: Councillor Kwapis

THAT the additions be included in the Agenda.



**Carried****Declarations**

None.

**Presentation**

2. Ms. Nicole Wellsbury, Director of Legislative and Information Services, Town Clerk addressed the Committee with a PowerPoint Presentation highlighting the "Town of Ajax online voting experience." Topics included main motivators for adopting online voting such as accessibility, environmental sustainability and the integrity of the voting process. Ms. Wellsbury also addressed the impact on voter turnout, gave an overview of the Town of Ajax's demographics, the voting location models, authentication process, challenges with the Voter List, the communication plan and approach, recommendations for the 2018 election and an overview of feedback the Town received from their post-election survey (was conducted in conjunction with Dr. Nicole Goodman, Centre for E-Democracy). Members of Council queried Ms. Wellsbury with questions relating to the Ajax model, costs, staffing and the accuracy of the voters list.

Moved by: Councillor Twinney

Seconded by: Councillor Broome

- a) THAT the PowerPoint presentations by Nicole Wellsbury, Director of Legislative and Information Services, Town of Ajax regarding the Town of Ajax online voting experience be received.

**Carried**

3. The Records and Projects Coordinator addressed the Committee with a PowerPoint Presentation that highlighted the proposed Internet Voting option for the 2018 Municipal Election and provided further information regarding the model, cost breakdown, communication plan and timelines for the decision to use an alternative voting method.

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

- a) THAT the PowerPoint Presentation by the Records and Projects Coordinator regarding Internet Voting for the 2018 Election be received.

**Carried**

## Items

3. Corporate Services - Legislative Services Report 2017-04 dated March 2, 2017 regarding Alternative Voting Methods for the 2018 Municipal Election.

Moved by: Councillor Twinney

Seconded by: Councillor Kwapis

a) THAT Corporate Services Report – Legislative Services 2017-04 dated March 2, 2017 regarding Alternative Voting Methods for the 2018 Municipal Election be received and the following recommendations be adopted:

i) THAT Council endorse the use of internet and telephone voting as outlined in Option 1 of this report, for use in the 2018 Municipal Election;

ii) AND THAT a by-law be brought forward for consideration by Council to the March 27, 2017 meeting to authorize the use of these alternative voting methods in the 2018 Municipal Election in accordance with Subsections 42 (1) (a) and (b) of the Municipal Elections Act, 1996;

iii) AND THAT a third party security audit of the selected internet and telephone voting platform be conducted.

## Carried

## Adjournment

Moved by: Councillor Vegh

Seconded by: Councillor Kerwin

THAT the meeting adjourn.

## Carried

There being no further business, the meeting adjourned at 12:15 p.m.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

The meeting of the Committee of the Whole was held on Monday, March 20, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

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

Absent: Councillor Hempen  
Councillor Vegh

Staff Present: R.N. Shelton, Chief Administrative Officer  
P. Noehammer, Commissioner of Development and Infrastructure Services  
E. Armchuk, Commissioner of Corporate Services  
I. McDougall, Commissioner of Community Services  
L. Lyons, Director of Legislative Services/Town Clerk  
K. Saini, Deputy Clerk  
L. Moor, Council/Committee Coordinator

The meeting was called to order at 1:30 PM.

Mayor Van Bynen in the Chair.

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

The Chief Administrative Officer advised of the addendum items:

- 1) A deputation request by Mr. Sandro Sementilli regarding Development and Infrastructure Services – Planning and Building Services Report 2017-07 with respect to San Michael Homes/Hollingsworth Arena Properties.
- 2) Mr. Don Given of Malone, Given Parsons Ltd. available to answer questions regarding Development and Infrastructure Services Report – Planning and Building Services 2017-08 for the property known as 16200 and 16250 Yonge Street.

- 3) Water/Wastewater Operator to address the Committee with a PowerPoint presentation regarding the Newmarket Water Distribution System Annual Water Quality Summary Report.
- 4) Ms. Nancy Fish to address the Committee regarding correspondence from the the Regional Municipality of York related to Bill 65 – Safer School Zones Act, 2016.
- 5) Corporate Services– Financial Services Report 2017-12 with respect to the Approach for the Upcoming Budget.

Item 3 of the agenda being Development and Infrastructure Services Report – Engineering Services 2017-09 regarding Parking By-law Update – Name Changes for Downtown Parking Lots – withdrawn from consideration.

He also advised of the items contained in the Closed Session agenda:

- 1) Legal Services (Closed Session) Report 2017-06 regarding an appeal – litigation or potential litigation including matters before administrative tribunals affecting the municipality in Ward; and,
- 2) a proposed disposition of land by the Town of Newmarket as per Section 239 (2) (c) of the Municipal Act, 2001 (Ward 3) – Verbal update if required and that external legal counsel will be present at 3:00 PM.

Moved by: Councillor Bisanz  
Seconded by: Councillor Kwapis

That the agenda be revised to include the addendum and corrections to the agenda.

**Carried**

## **Declarations of Pecuniary Interest**

None.

## **Deputations**

1. The Manager of Water and Wastewater introduced Mr. Blair Saunders, Water/Wastewater Operator who addressed the Committee with a PowerPoint presentation regarding the Town of Newmarket's Drinking Water System Update.

Queries were made regarding obtaining multi-year data statistics and year to year challenges associated with safe drinking water.

Moved by: Councillor Kerwin  
 Seconded by: Councillor Broome

That the PowerPoint presentation by the Manager of Water and Wastewater and the Water/Wastewater Operator regarding the Town of Newmarket's Drinking Water System Update be received.

**Carried**

## **Consent Items**

Moved by: Councillor Twinney  
 Seconded by: Councillor Bisanz

That the following items be adopted on consent:

2. Community Services – Economic Development Report 2017-02 dated March 1, 2017 regarding Downtown Patios Pilot Project.
  - a) That Community Services – Economic Development Report 2017-02 dated March 1, 2017 regarding Downtown Patios Pilot Project be received and the following recommendation be adopted:
    - i) That patios participating in the Downtown Patios program be permitted to remain open until 11:00 p.m. throughout the patio season.
3. Development and Infrastructure Services Report- Planning and Building Services 2017-08 dated March 20, 2017 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision - 16200 and 16250 Yonge Street.
  - a) That Development and Infrastructure Services/Planning and Building Services Report 2017-08 dated March 20, 2017 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:
    - i) That the Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, as submitted by Shining Hill Estates Collection Inc. for lands being composed of Part of Lot 87, Concession 1, WYS be referred to a public meeting;



ii) And that following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) And that Mr. Lincoln Lo, Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham, ON L3R 6B3 be notified of this action.

4. Development and Infrastructure Services Report - Planning and Building Services 2017-09 dated March 20, 2017 regarding Demolition of a Structure on a property designated under the Ontario Heritage Act (16860 Leslie Street - John Bogart House).

a) That Development & Infrastructure Services - Planning & Building Services Report 2017-09 dated March 20, 2017 regarding the demolition of the garage structure at 16860 Leslie Street, being located on a property designated under the Ontario Heritage Act, be received and the following recommendations be adopted:

i) That Council consent to the submitted demolition permit request subject to the following recommendation:

ii) That the owner be required to prepare and submit a Heritage Conservation Plan for the John Bogart house at 16860 Leslie Street, addressing the existing condition, immediate remedial work necessary, long term restoration work necessary, preliminary building relocation plan along with a work schedule within 90 days of this recommendation;

iii) And that Mr. Gilles Bisnaire, Leslie Street (FGN) Inc., 5332 Hwy. 7, Vaughan, ON be notified of this action.

5. Corporate Services Report – Financial Services 2017-03 dated March 3, 2017 regarding 2016 Preliminary Fourth Quarter Report – Operating and Investment Summary.

a) That Corporate Services Report- Financial Services 2017-13 dated March 3, 2017 regarding 2016 Preliminary Fourth Quarter Report – Operating and Investment Summary be received and the following recommendation be adopted:

i) That the reserve transfers totaling \$235,000 listed below be approved.

6. Central York Fire Services – Joint Council Committee Minutes of January 10, 2017.
  - a) That the Central York Fire Services – Joint Council Committee Minutes of January 10, 2017 be received.
7. Newmarket Public Library Board Minutes of January 18, 2017.
  - a) That the Newmarket Public Library Board Minutes of January 18, 2017 be received.
8. Heritage Newmarket Advisory Committee Minutes of December 6, 2017.
  - a) That the Heritage Newmarket Advisory Committee Minutes of December 6, 2017 be received.
9. Main Street District Business Improvement Area Board of Management Minutes of January 17, 2017.
  - a) That the Main Street District Business Improvement Area Board of Management Minutes of January 17, 2017 be received.
10. Site Plan Review Committee Minutes of March 6, 2017.
  - a) That the Site Plan Review Committee Minutes of March 6, 2017 be received.
11. Item 1 of the Site Plan Review Committee Minutes of March 6, 2017 regarding Application for Site Plan Approval - 470 Crossland Gate - Ward 7.
  - a) That the Application for Site Plan Approval to permit the construction of 140 townhouse dwelling units within 22 buildings be approved in principle and referred to staff for processing, subject to the following:
    - i) That the preliminary review comments be addressed to the satisfaction of Town staff;
    - ii) And that Ms. Joanne Barnett, Marianneville Developments Limited, 3-26 Lesmill Road, Toronto, ON M3B 2T5 be notified of this decision;
    - iii) And that Ms. Kerigan Kelly, Groundswell Urban Planners Inc., 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this decision.

12. Site Plan Review Committee Minutes of March 6, 2017.
  - a) That the Site Plan Review Committee Minutes of March 6, 2017 be received.
13. Correspondence dated February 15, 2017 from Ms. Andrea McKechnie, Support Committee, Queen's York Rangers 2799 Army Cadet Corps. requesting permission for Tagging Fundraising - September 14 to September 17, 2017.
  - a) That the correspondence dated February 15, 2017 from Ms. Andrea McKechnie be received and the following recommendation be adopted:
    - i) That permission be granted for Tagging Fundraising from Thursday September 14 to Sunday September 17, 2017.
14. Correspondence dated March 2, 2017 from Ms. Kalyani Vimalasan, Walk for Values Steering Committee requesting proclamation of April 24, 2017 as 'Human Values Day'.
  - a) That the correspondence from Ms. Kalyani Vimalasan, Walk for Values Steering Committee be received and the following recommendations be adopted:
    - i) That the Town of Newmarket proclaim April 24, 2017 as 'Human Values 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)

**Carried**

## Deputations

15. Mr. Sandro Sementilli on behalf of San Michael Homes addressed the Committee requesting a two month extension of a re-development plan for the for combined properties of San Michael Homes and the Hollingsworth Arena.

Moved by: Councillor Twinney

Seconded by: Councillor Bisanz

- a) That the deputation by Mr. Sandro Sementilli on behalf of San Michael Homes regarding an extension request of a re-development plan for the combined properties of San Michael Homes and the Hollingsworth Arena be received.

**Carried**

16. Ms. Nancy Fish addressed the Committee regarding the correspondence dated February 17, 2017 from the Regional Clerk with respect to Bill 65, Safer School Zones Act, 2016. She expressed her concerns with driver speed in school zones and expressed her support for Bill 65.

Moved by: Councillor Kwapis  
Seconded by: Councillor Broome

- a) That the deputation by Ms. Nancy Fish regarding the correspondence dated February 17, 2017 from the Regional Clerk with respect to Bill 65, Safer School Zones Act, 2016 be received.

### **Carried**

17. Correspondence dated February 17, 2017 from Mr. Christopher Raynor, Regional Clerk, Regional Municipality of York regarding Bill 65 - Safer School Zones Act, 2016.

Whereas the Legislature introduced Bill 65 - Safer School Zones Act, 2016 (Bill 65) on November 15, 2016 to repeal the existing photo radar provisions of the Highway Traffic Act (HTA) and replace them with provision for automated speed enforcement;

And whereas Bill 65 would allow municipalities, by bylaw, to implement and operate automated speed enforcement in community safety zones and school zones on roads under their jurisdiction;

And whereas municipalities would be responsible for the implementation and operational costs of automated speed enforcement on roads under their jurisdiction;

And whereas the bylaws designating community safety zones and school zones or implementing the automated speed enforcement would be enacted under the HTA and would create HTA offences;

And whereas HTA offences are administered through the Provincial Offences Act (POA) courts and any HTA fine revenue collected through the POA courts would be retained by the POA court program not the local municipality;

And whereas the Municipal Act, 2001 authorizes municipalities to implement an administrative monetary penalty system for parking and licensing bylaws, and Bill 68 Modernizing Ontario's Municipal Legislation Act, 2016 proposes to expand authority for administrative monetary penalties to other municipal

bylaws;

And whereas penalties for offences arising out of enforcement through technology such as automated speed enforcement and red light cameras can be administered effectively and efficiently through an administrative monetary penalty system;

And whereas POA Court administration have been calling on the government to allow other technology-based offences including red light cameras to be administered through administrative penalties;

And whereas s. 21.1 of the HTA if proclaimed would allow for a regulation to be made authorizing enforcement of prescribed offences through administrative monetary penalties rather than the POA courts;

Be it resolved that Council requests the Minister of Transportation in conjunction with the Lieutenant Governor in Council to make a regulation pursuant to s. 21.1 of the Highway Traffic Act, that would allow for offences created by automated speed enforcement and red light cameras to be administered through the administrative monetary penalties and for the Attorney General to support the necessary changes to allow technology based enforcement of offences to be administered through administrative monetary penalties.

Recommendation b) was added:

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

a) That the correspondence from Mr. Christopher Raynor, Regional Clerk regarding Bill 65, Safer School Zones Act, 2016 be received and endorsed;

b) And that the Town of Newmarket Council supports the passing of Bill 65, Safer School Zones Act, 2016.

### **Carried**

18. Corporate Services Report – Legislative Services 2017-05 dated March 8, 2017 regarding Power of Entry By-law.

Moved by: Councillor Twinney

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) That Corporate Services Report – Legislative Services 2017-05 dated March 8, 2017 regarding Power of Entry By-law be received and the following recommendation be adopted:



- i) That the Power of Entry By-law be brought forward to the March 27, 2017 Council meeting for approval.

**Carried**

- 19. Outstanding Matters List.

Councillor Twinney requested an update from staff regarding an outdoor burning by-law review. The Director of Legislative Services advised that this matter is currently being reviewed and will be added to the Outstanding Matters list.

**Carried**

Moved by: Councillor Twinney  
Seconded by: Councillor Kerwin

That the Outstanding Matters list be received.

**Carried**

**Action Items**

- 20. CAO/Finance/Human Resources Report 2017-03 dated March 6, 2017 regarding Council Remuneration and Tax Status.

Moved by: Deputy Mayor & Regional Councillor Taylor  
Seconded by: Councillor Kerwin

- a) That CAO/Finance/Human Resources Report 2017-03 dated March 6, 2017 regarding Council Remuneration and Tax Status be received;

- i) And that Council maintain the 1/3 tax free status relative to Council remuneration;

- ii) And that the matter of Council Remuneration and Tax Status be brought forward within the first twelve months of a new term of Council beginning in 2018.

**Carried**

- 21. Corporate Services Report – Financial Services 2017-12 dated March 20, 2017 regarding the 2016 Budget Process and Target.

Moved by: Deputy Mayor & Regional Councillor Taylor  
 Seconded by: Councillor Kerwin

a) That Corporate Services Report – Financial Services 2017-12 dated March 20, 2017 regarding the Approach for the 2018 Budget Schedule and Target be received and the following recommendations be adopted:

i) That the proposed budget schedule with a budget adoption date of December 4, 2017 be approved;

ii) And that Council provide feedback and comments on the proposed budget target setting methodology for consideration at Committee of the Whole on May 8, 2017;

b) And that staff be directed to:

i) Finalize a Public Engagement Plan for the 2018 budget; and,

ii) Create a Budget Policy which includes target setting.

**Carried**

## **Reports by Regional Representatives**

Deputy Mayor and Regional Councillor Taylor advised that Regional Council has recently been discussing the feasibility of increasing development charges to incorporate many large capital road projects. He advised there is a report before Regional Council which leaves the development charges system in place with some projects reduced in cost but not in scope.

## **Notices of Motion**

Councillor Twinney requested staff bring forward an update to the provisions of By-law 2013-30 and applied on a Town wide basis.

## **Motions**

None.

## **New Business**

Mayor Van Bynen advised that endorsement of Item 17 of the agenda being the Regional resolution related to Bill 65, Safer School Zones Act, 2016 be noted as staff direction.

The Committee of the Whole recessed at 2:44 PM.

The Committee of the Whole reconvened at 2:54 PM.

## **Closed Session**

Moved by: Councillor Kwapis  
Seconded by: Councillor Twinney

1) That Committee of the Whole enter into a Closed Session for the purpose of discussing litigation or potential litigation including matters before administrative tribunals affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001 (Ward 5); and,

2) A proposed disposition of land by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001 (Ward 3) (Verbal update from CAO and Solicitor, if required).

## **Carried**

The Committee of the Whole resolved into Closed Session at 2:54 PM.

The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into public session at 4:01 PM.

22. Development and Infrastructure Services (Planning) Report 2017-07 dated March 20, 2017 regarding the San Michael Homes/Hollingsworth Arena Properties.

Moved by: Councillor Twinney  
Seconded by: Deputy Mayor & Regional Councillor Taylor

a) That Development and Infrastructure Services Report – Planning and Building Services 2017-07 dated March 20, 2017 regarding the San Michael Homes/Hollingsworth Arena properties be received and the following recommendations be adopted:

i) That the Town of Newmarket not enter into a Letter of Intent with San Michael Homes regarding the purchase and development of the Hollingsworth Arena property;

ii) And that staff be directed to take no further action on this matter at this time.

**Carried**

## **Adjournment**

Moved by: Councillor Broome  
Seconded by: Councillor Twinney

That the meeting adjourn at 4:02 PM.

**Carried**

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk



## CORPORATION OF THE TOWN OF NEWMARKET

### BY-LAW NUMBER 2017-13

A BY-LAW TO AMEND BY-LAW 2013-14, AS AMENDED, BEING A BY-LAW TO REGULATE THE USE AND ENJOYMENT OF MUNICIPAL PARKS IN THE TOWN OF NEWMARKET.

WHEREAS it is deemed necessary to amend By-law 2013-14, as amended, being a By-law to Regulate the use and enjoyment of municipal parks within the Town of Newmarket.

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

1. THAT section 4.6.1a) of the Parks By-law 2013-14, as amended, be further amended by deleting the following:

4.6.1 While in a park, no person shall:

- a) ski, toboggan, snowboard, skibob or sled unless posted to allow such activities.

ENACTED THIS 27TH DAY OF MARCH 2017.

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

\_\_\_\_\_  
Lisa Lyons, Town Clerk





## CORPORATION OF THE TOWN OF NEWMARKET

### BY-LAW NUMBER 2017-14

#### A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST **ORTHODOX FRIENDS CEMETERY (17000 YONGE STREET)**

WHEREAS pursuant to Part IV of the Ontario Heritage Act, the Council of a Municipality is authorized to enact by-laws to designate a real property, including all the buildings and structures thereon, to be of Cultural Heritage Value or Interest;

AND WHEREAS the Council of the Corporation of the Town of Newmarket has caused to be served on the owners of the lands and premises at:

Orthodox Friends Meeting House and Cemetery  
17030 & 17000 Yonge Street  
Newmarket, ON M1S 3A7

and upon the Ontario Heritage Trust, notice of intention to designate the Orthodox Friends Cemetery, 17030 & 17000 Yonge Street, and has caused such notice of intention to be published once in a newspaper having a general circulation in the municipality;

AND WHEREAS the reasons for designation are set out in Schedule "B" attached hereto and forming part of this by-law;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to pass such a by-law;

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

1. THAT the following real property, more particularly described in Schedule "A" attached hereto and forming part of this by-law is hereby designated as being of cultural heritage value or interest:

Orthodox Friends Cemetery  
Town of Newmarket  
The Regional Municipality of York

2. AND THAT the Town Solicitor is hereby authorized to cause a copy of this by-law to be registered against the properties described in Schedule "A" attached hereto in the property Land Registry Office

ENACTED THIS 27TH DAY OF MARCH 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

**SCHEDULE 'A' TO BY-LAW 2017-14**

In the Town of Newmarket in the Regional Municipality of York, property descriptions as follows:

Part of Lot 92, Concession 1 King, Parts 3&4, 65R-2892, Newmarket, Regional Municipality of York

**SCHEDULE 'B' TO BY-LAW 2017-\*\***  
**STATEMENT OF SIGNIFICANCE**

Orthodox Friends Cemetery  
 17000 Yonge Street

Orthodox Friends Cemetery is recommended for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

**Description of Property**

The property located at 17000 Yonge Street consists of the Orthodox Friends Cemetery, is situated on the west side of Yonge Street. The property consists of a cemetery established in 1807.

**Statement of Cultural Heritage Value or Interest**

**Physical/Design Value**

The Orthodox Friends Cemetery and adjacent Meeting House and is an excellent example of a simple Quaker Meeting House with an adjacent Quaker Cemetery. It is one of the oldest surviving Meeting Houses in Canada and an important example of Quaker architecture in Canada.

The Orthodox Friends Cemetery is located to the south of the Meeting House. Grave markers were not used in the cemetery until the 1830s. The oldest gravestones are generally located along the east and south portions of the cemetery, while the more recent burials are located around the north and western portions; the older monuments and grave markers face west while the more modern stones tend to be oriented eastward. The cemetery features gravestones and monuments that range in size and material, including: wood (no examples of which remain visible), stone, and cast iron. By 1983, only one cast iron marker remained. The grave markers also exhibit a range of engraving techniques, writing (font) styles and decoration/iconography. Friends' gravestones are not generally ornate, some grave stone iconography can be seen in the Orthodox Friends' Cemetery in Newmarket, namely: hand with finger pointing up, symbolizing the deceased's journey to heaven; dove, often symbolizing the death of a child though in this case an adult woman; tulip, generally an extension of the traditional use of flowers for commemoration; lamb, representing the death of a child.

**Historical/Associative Value**

The Orthodox Friends Meeting House and Cemetery is associated with the Quaker Religion and has been in continuous use for almost 200 years. The Orthodox Friends Cemetery was established first in 1807 after Asa Rogers deeded two acres of land for a burial ground for the Yonge Street Monthly Meeting of Friends. The donated land was used right away for burials following an epidemic that caused many deaths between 1808 and 1809. Soon after this initial land-use as a cemetery, additional lands were obtained in 1810 for the purpose of constructing the Meeting House.

The Orthodox Friends Meeting House was the first building constructed north of the Town of York (City of Toronto) for religious purposes. The Orthodox Friends Meeting House was constructed between 1810 and 1812 on lands obtained from William Doan. The building was constructed by members of the Religious Society of Friends who immigrated to the area from Pennsylvania after 1800 under the leadership of Timothy Rogers. This was the third established Quaker community in Upper Canada. In 1828, there was a separation in the Yonge Street Friends Meeting House; the Orthodox Friends remained at the Yonge Street Meeting House and burial ground at 17030 Yonge Street, while the Hicksite Friends

established a meeting house and burial ground at what is now 16580 Yonge Street.

### **Contextual Value**

The Orthodox Friends Cemetery is situated along Yonge Street, a historic thoroughfare. The Cemetery and Meeting House are historically and functionally linked. Mature Trees remain on the cemetery site, two at each gated entryway and one in the west quarter near the centre. The Meeting House overlooks the cemetery on a slight rise and is surrounded by lawns giving it a park-like atmosphere.

### **Cultural Heritage Attributes**

- Gravestones' surviving inscriptions that commemorate early Friends settlers in Canada
- Original gravestones and monuments including their range of sizes and materials
- Orientation on an east-west axis and placement of grave markers
- Intricate designs on the gravestones including lambs, doves, hands pointing heavenward and tulips



## CORPORATION OF THE TOWN OF NEWMARKET

### BY-LAW NUMBER 2017-15

A BY-LAW TO AMEND BY-LAW NUMBER 2014-51, BEING A RESTRICTED AREA (ZONING) BY-LAW. (Sundial Homes)

WHEREAS the lands affected by this By-law are subject to a Holding (H) prefix in conjunction with a zoning category, as permitted under Section 34 and 36 of the Planning Act, R.S.O. 1990;

AND WHEREAS Council is satisfied that the conditions for the removal of the Holding (H) prefix have been met in respect of the subject lands;

NOW THEREFORE the Council of the Corporation of the Town of Newmarket enacts as follows:

1. THAT Schedule 'X' to Zoning By-law 2014-51, as amended, is hereby further amended as follows:

That the "(H)" Holding prefix preceding the Residential Detached Dwelling 12m zone (R1-E-125) on Lots 4, 5, 32 through 36, 60 through 63 and 70; the Residential Detached Dwelling 9.7m zone (R1-F-125) on Lots 6 through 31, 37 through 42, 49 through 59, 64 through 69 and 71 through 91; Residential Townhouse Dwelling 3 Zone (R4-R-125) on Blocks 118 through 127; Residential Back to Back Townhouse Dwelling zone (R4-R1-125) on Blocks 145 through 148 on Draft Plan of Subdivision 19TN 2013 003, as shown more particularly on schedule 'X' attached hereto, is hereby removed.

2. AND THAT the provisions of this By-law shall come into force and be effective upon the final passage thereof.

ENACTED THIS 27TH DAY OF MARCH 2017.

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Tony Van Bynen, Mayor

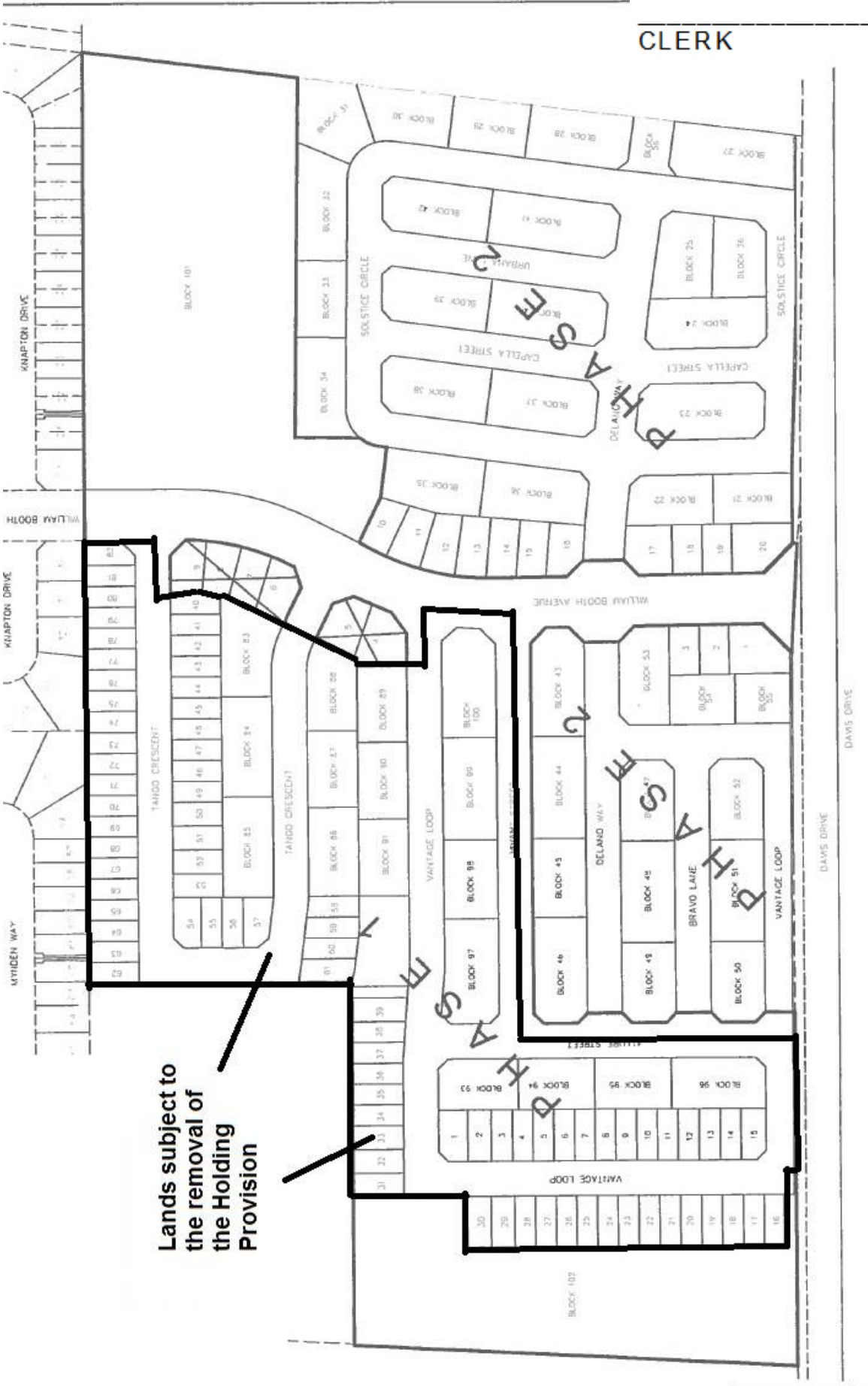
\_\_\_\_\_  
Lisa Lyons, Town Clerk

Lots 4 through 42 and 49 through 91 and  
Blocks 118 through 127 and 145 through 148 on  
Draft Plan of Subdivision 19TN 2013 003  
Town of Newmarket  
Regional Municipality of York

This is Schedule 'X'  
To Bylaw 2017-15  
Passed this \_\_\_\_\_ Day  
of \_\_\_\_\_, 2017.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK





## CORPORATION OF THE TOWN OF NEWMARKET

### BY-LAW NUMBER 2017-16

A BY-LAW TO PROVIDE FOR POWERS OF ENTRY ON TO LAND FOR THE PURPOSE OF CARRYING OUT INSPECTIONS.

WHEREAS S. 436 (1) of the Municipal Act, 2001, S.O. 2001.c. 25 as amended (the 'Act') provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection;

AND WHEREAS S. 435, 437 and 438 of the Act set out additional powers and restrictions in regards to the power of entry;

AND WHEREAS Section 426 of the Act prohibits any person from hindering or obstructing, or attempting to hinder or obstruct, any person exercising a power to performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS the Town of Newmarket wishes to pass a By-law allowing for the entry on to land for the purpose of carrying out an inspection to ensure that its By-laws, directions, orders and conditions of a licence are being complied with;

AND WHEREAS this by-law applies to any Town of Newmarket by-laws without power of entry provisions passed pursuant to the Act;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to pass such a by-law;

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

#### 1.0 **DEFINITIONS**

- 'COUNCIL' the elected municipal officials of the Town of Newmarket;
- 'LAND' includes buildings, structures and dwellings;
- 'MUNICIPAL ACT' means the Municipal Act, 2001, S.O. 2001, c. 25, or any preceding Municipal Act;
- 'OFFICER' means municipal law enforcement officer, a police officer or other person appointed by by-law to enforce the provisions of a by-law or any other individual designated by the Town to enforce this By-law;
- 'OCCUPIER' means a person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property;
- TOWN means the Corporation of the Town of Newmarket

#### 2.0 **APPLICATION**

- 2.1 This by-law applies to all by-laws passed under the authority of the Municipal Act.

#### 3.0 **ENTRY AND INSPECTION**

- 3.1 No person shall hinder or obstruct or attempt to hinder or obstruct, any Officer who is exercising a power or performing a duty under this By-law.
- 3.2 An Officer may at any time, enter onto land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:



- a) a by-law of the municipality passed under the Municipal Act;
- b) a direction or order of the municipality made under the Municipal Act or made under a by-law of the municipality passed pursuant to the Municipal Act;
- c) a condition of a licence issued under a by-law of the municipality passed under the Municipal Act;
- d) an order made under Section 431 of the Municipal Act

3.3 For the purpose of an inspection, an Officer may:

- a) require the production for inspection of documents or things relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- c) require information from any person concerning a matter related to the inspection;
- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection

3.4 A sample taken under Section 3.3 (d) shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities.

3.5 If a sample is taken under Section 3.3 (d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.

3.6 A receipt shall be provided for any document or thing removed under Section 3.2 (b) and the document or thing shall be promptly returned after copies or extracts are made.

3.7 Copies of or extracts from documents and things removed under Section 3.0 and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

#### 4.0 **CONDITIONS GOVERNING POWER OF ENTRY**

4.1 Unless otherwise provided in the Municipal Act, in an order under Section 438 of the Municipal Act, or in a warrant under Section 439 of the Municipal Act, the following conditions apply to a power of entry under the by-law:

- a) The Officer must on request display or produce proper identification
- b) The Officer may be accompanied by a person under his or her direction; and
- c) The municipality shall restore the land to its original condition insofar as is practicable and shall provide compensation for any damages caused by the entry or by anything done on the land except where the entry is under Section 446 of the Municipal Act, or is under Part XI of the Municipal Act, if under that Part, the Treasurer registers a notice of vesting, in the name of the municipality, in respect of the land.

## 5.0 **RESTRICTIONS REGARDING DWELLINGS**

- 5.1 Despite any provision of this by-law, a person exercising a power of entry shall not enter or remain in any room or place actually being used as a dwelling unless:
- a) The consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the Municipal Act, a warrant issued under Section 439 of the Municipal Act or a warrant under Section 386.3 of the Municipal Act;
  - b) An order under Section 438 of the Municipal Act is obtained;
  - c) A warrant issued under Section 439 of the Municipal Act is obtained;
  - d) A warrant issued under Section 386.3 of the Municipal Act is obtained;
  - e) The delay necessary to obtain an order under Section 438 of the Municipal Act, to obtain a warrant under Section 439 of the Municipal Act or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any person; or
  - f) The municipality has given the occupier of land notice of its intention to enter as required under Section 435 (2) of the Municipal Act and the entry is authorized under Section 79, 80 or 446 of the Municipal Act.

## 6.0 **INSPECTION PURSANT TO ORDER**

- 6.1 An Officer may enter on lands for the purpose of carrying out an inspection pursuant to an order that is issued under Section 438 of the Municipal Act.
- 6.2 An Officer may apply for an order under Section 438 of the Municipal Act if:
- a) An inspection is desired to determine whether or not the following are being complied with:
    - i. A by-law of the Town as passed under the Municipal Act;
    - ii. A direction or order of the Town made under the Municipal Act or made under a by-law of the Town passed under the Municipal Act;
    - iii. A condition of a licence issued under a by-law of the Town passed under the Municipal Act;
    - iv. An order made under Section 431 of the Municipal Act;
  - b) The inspection is reasonably necessary; and
  - c) The Town has been prevented or is likely to be prevented from doing anything set out in Section 3.1 or 3.2 of this By-law.
- 6.3 An order under Section 6.0 shall expire on the date stated in the order or 30 days after the order is issued, whichever is earlier.
- 6.4 An order under Section 6.0 may be executed only between 6 a.m. and 9 p.m. unless the order provides otherwise.
- 6.5 In case of an order authorizing an inspection of a room or place actually being used as a dwelling, the occupier must be given notice concerning when the inspection will be carried out.
- 6.6 An order under Section 6.0 may be issued on application without notice.

**7.0 INSPECTION FEE**

- 7.1 An inspection fee, as stated in the Fees and Charges By-law, may be imposed when an Officer conducts an inspection in which there is a failure to remedy a by-law violation by the date of compliance set out in a written notice or order or when an Officer conducts an inspection where there is a repeat by-law violation.

**8.0 PENALTY**

- 8.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in Provincial Offences Act, R.S.O., 1990, c. P33.
- 8.2 Upon conviction, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 8.3 Where a person fails to do a matter or thing as directed or required by an Officer or other person pursuant to this by-law or other Town of Newmarket by-law or the Act the matter or thing may be done by the Municipality at the person's expense which associated costs may be added to the tax roll of the person to be collected in the same manner as property taxes.

**9.0 SEVERABILITY**

- 9.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.

**10.0 SHORT TITLE**

- 10.1 This By-law may be referred to as the 'Power of Entry By-law.'

ENACTED    THIS    27TH                      DAY OF            MARCH,                      2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2017-17**

A BY-LAW TO AUTHORIZE THE USE OF INTERNET AND TELEPHONE VOTING FOR THE 2018 MUNICIPAL ELECTION.

WHEREAS the *Municipal Elections Act*, S.O. 1996 as amended, (hereinafter referred to as the "Municipal Elections Act") provides that a municipal council may pass a by-law authorizing alternative voting methods, including internet and telephone voting;

AND WHEREAS it is deemed necessary to repeal By-law 2014-05 for housekeeping purposes;

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

1. THAT the alternative voting methods, internet and telephone, are hereby authorized pursuant to the provisions of the Municipal Elections Act;
2. AND THAT By-law 2014-05 is hereby repealed.

ENACTED THIS 27th DAY OF MARCH, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk



## CORPORATION OF THE TOWN OF NEWMARKET

### BY-LAW NUMBER 2017-18

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL  
– MARCH 27, 2017.

WHEREAS s. 5(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that the powers of a municipal corporation shall be exercised by its Council;

AND WHEREAS s. 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to pass such a by-law;

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

1. THAT subject to Section 3 of this by-law, every decision of Council, as evidenced by resolution or motion, taken at the meeting at which this by-law is passed, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted;
2. AND THAT the execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized;
3. AND THAT nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied;
4. AND THAT any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

ENACTED THIS 27TH DAY OF MARCH, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk