



Town of Newmarket
MINUTES

Council

Monday, April 24, 2017 at 7:00 PM
Council Chambers

For consideration by Council
on May 15, 2017

The meeting of Council was held on Monday, April 24, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Kerwin
Councillor Twinney
Councillor Hempen (present until 7:58 PM)
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Absent: Councillor Vegh

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

Open Forum

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

The meeting was called to order at 7:01 PM.

Mayor Van Bynen presided as Chair.

Public Notices

Mayor Van Bynen advised of Newmarket-Tay Power Distribution Ltd.'s offer to purchase Midland Power Utility Corporation (MPUC) which has been accepted by the Town of Midland and is pending contract finalization. Mayor Van Bynen advised that this acquisition will add value for customers and shareholders in the municipalities of Newmarket, Tay and Midland.

Additions & Corrections to the Agenda

1. Additions to the April 24, 2017 Council Agenda.

The Acting Chief Administrative Officer advised of the following addition to the agenda:

- (1) Verbal Update by Town Solicitor regarding matters related to the Ontario Municipal Board Hearing - Clock Tower Application. The matter will need to be considered in Closed Session to obtain advice that is subject to solicitor-client privilege, including a verbal update from the Town Solicitor in accordance with Section 239 (2) (f) of the Municipal Act, 2001.

Moved by: Deputy Mayor and Regional Councillor Taylor

Seconded by: Councillor Kwapis

1. That the Closed Session item, Verbal Update by Town Solicitor regarding matters related to the Ontario Municipal Board Hearing - Clock Tower Application, be included in the agenda.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried by 2/3 majority

Declarations of Pecuniary Interest

Councillor Hempen declared a pecuniary interest with relation to Item 3 and the Closed Session matter as both relate to the Clock Tower redevelopment application, and he advised that he has a business in close proximity to the subject lands.

Presentations & Recognitions

2. Ms. Debra Scott, Smart Commute Central York, addressed Council with a PowerPoint Presentation entitled "Smart Commute Central York 2016 Program Update."

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the presentation by Ms. Debra Scott, Smart Commute Central York, regarding "Smart Commute Central York 2016 Program Update" be received.

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

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

Carried

Deputations

3. Mr. Gordon Prentice addressed Council regarding the pre-hearing for the Ontario Municipal Board related to the Clock Tower redevelopment application.

Moved by: Councillor Twinney
Seconded by: Councillor Kwapis

1. That the deputation by Mr. Gordon Prentice regarding the pre-hearing for the Clock Town redevelopment application with the Ontario Municipal Board be received.

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

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

Carried

Councillor Hempen did not take part in the discussion or voting of the foregoing matter due to a conflict of interest.

Moved by: Councillor Kwapis
Seconded by: Councillor Twinney

2. That Mr. Gordon Prentice be advised to submit his request through the Freedom of Information process.

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

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

Carried

Councillor Hempen did not take part in the discussion or voting of the foregoing matter due to a conflict of interest.

Approval of Minutes

4. Council Meeting Minutes of March 27, 2017.

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

1. That the Council Meeting Minutes of March 27, 2017 be approved.

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

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

Carried

Reports by Regional Representatives

5. Housing Affordability

Deputy Mayor & Regional Councillor Taylor advised that an announcement from the Provincial government included a series of measures related to housing affordability including rent control, programs to provide funding for new rental buildings, development charges, and vacant property taxes. He advised that these measures will help to stimulate rental housing and that is important to know how each of these measures will apply at a Regional and Municipal level. He advised that he has been in conversation with staff members, Minister of

Provincial Parliament Chris Ballard and developers about how these proposed measures will impact the Town of Newmarket.

6. Tax Shifting

Deputy Mayor & Regional Councillor Taylor provided an update related to Regional tax shifting. He advised that due to the rapid increase in residential housing prices and increase in commercial rates, there was the potential for residents to experience a 3% increase, each year, per year. However, the Regional Council decided to take a revenue neutral approach by re-balancing the burden to prevent increases to the residential tax rate. This approach will result in a slight increase to commercial/industrial rates.

7. Belinda's Place Update

Mayor Van Bynen provided an update related to Belinda's Place. In November 2015, Belinda's Place opened, which is York Region's first facility for single homeless and at-risk women not fleeing violence. In 2016, Belinda's Place provided emergency or transitional housing for 228 women and drop-in services and aftercare to 81 women. 120 homeless women who stayed in emergency housing and 25 women who used drop-in services secured long-term housing. 68 women participating in aftercare remained stably housed after 6 months. With the opening of Belinda's Place, more homeless and at-risk women are able to find and keep housing and participate more fully in the community. Newmarket is proud to be home to Belinda's Place.

Reports of Committees and Staff

8. Committee of the Whole Minutes of April 10, 2017.

Moved by: Councillor Kerwin
Seconded by: Councillor Hempen

That the Committee of the Whole Meeting Minutes of April 10, 2017 be received and the following recommendations noted within be adopted.

(1) Mr. Nick Spensieri, Director of Corridor Infrastructure and Ms. Erin Moroz, Director of Communications and Community Relations, Metrolinx addressed the Committee with a PowerPoint presentation entitled "Creating Connections in the Town of Newmarket".

1. That Mr. Spensieri and Ms. Moroz of Metrolinx be provided with additional time for the presentation; and,

2. That the PowerPoint presentation entitled 'Creating Connections in the Town of Newmarket' provided by Mr. Nick Spensieri and Ms. Erin Moroz, Metrolinx be received.
- (2) Development and Infrastructure Services – Planning Services Report 2017 – 10 dated April 10, 2017 regarding Updates on Metrolinx Projects: Newmarket Station Mobility Hub Study and the Mulock Station Consent Plan NP-17-10.
 1. That Development and Infrastructure Services – Planning and Building Services Report 2017-10 dated April 10, 2017 providing updates on the Metrolinx Projects: Newmarket Station Mobility Hub Study and the Mulock Station Concept Plan be received.
 - (3) Main Street District Business Improvement Area Board of Management Meeting Minutes of February 21, 2017.
 1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of February 21, 2017 be received.
 - (4) Site Plan Review Committee Meeting Minutes of March 27, 2017.
 1. That the Site Plan Review Committee Meeting Minutes of March 27, 2017 be received; and,
 2. That the Application for Site Plan Approval to permit the construction of 10 condominium detached dwelling units in Block 121 and 16 condominium detached dwelling units in Block 122 be approved in principle and referred to staff for processing, subject to the following:
 - a. That the preliminary review comments be addressed to the satisfaction of Town staff; and,
 - b. That Joanne Barnett, Marianneville Developments Limited, 3-26 Lesmill Road, Toronto, ON M3B 2T5 be notified of this decision; and,
 - c. That Kerigan Kelly, Groundswell Urban Planners Inc., 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this decision.

- (5) Proclamation of National Access Awareness Week in the Town of Newmarket.
 1. That the Town of Newmarket proclaim May 28 to June 4, 2017 as 'National Access Awareness Week'; and,
 2. That the proclamation be advertised in the Town Page advertisement and on the Town's website.

- (6) Development and Infrastructure Services Report – Public Works Services 2017-14 dated March 27, 2017 regarding By-law 2017-19 for Establishing and Maintaining a System for Curbside Collection.
 1. That Development and Infrastructure Services Report Public Works Services – PWS 2017-14 dated March 27, 2017 regarding By-law Number 2017-19 for Establishing and Maintaining a System for Collection, Removal and Disposal of Garbage, Other Refuse, Yard Waste Materials, Recyclable Materials including Blue Bin Materials and Source Separated Organics in the Town of Newmarket be received and the following recommendation be adopted:
 - a. That the Report 2017-14 and By-law Number 2017-19 be adopted to provide for Establishing and Maintaining a System for Collection, Removal and Disposal of Garbage, Other Refuse, Yard Waste Materials, Recyclable Materials including Blue Bin Materials and Source Separated Organics.

- (7) Accessibility Advisory Committee Meeting Minutes of November 17, 2016.
 1. That the Accessibility Advisory Committee Meeting Minutes of November 17, 2016 be received.

- (8) Excerpt of Minutes – Central York Fire Services – Joint Council Committee (JCC) Meeting of February 7, 2017 regarding Consolidation Study.
 1. That Joint Chief Administrative Officer's (Newmarket & Aurora) and Central York Fire Services Fire Chief, Corporate Services Report – Financial Services 2017-05 dated January 24, 2017 regarding the Consolidation Study be received for information purposes; and,
 - a. That the consolidation of Central York Fire Services (CYFS) with Richmond Hill Fire and Emergency Services (RHFES)

not be pursued, as there is not a sufficient business case for CYFS at this time; and,

- b. That staff continue to identify, report on and implement efficiencies through partnerships with neighbouring municipalities relative to Fire Services; and,
- c. That JCC provide any further direction relative to Fire Services; and,
- d. That Richmond Hill be so advised of the recommendations of Newmarket and Aurora Councils.

(9) List of Outstanding Matters.

- 1. That the List of Outstanding Matters be received.

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

Opposed:
(8 in favour, 0 opposed)

Carried

10. Committee of the Whole (Closed Session) Meeting Minutes of April 10, 2017

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

(1) Committee of the Whole (Closed Session) Meeting Minutes of April 10, 2017

- 1. That the Committee of the Whole (Closed Session) Meeting Minutes of April 10, 2017 be approved.

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

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

Carried

(2) Honourary Citizen of Newmarket

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

1. That Council appoint Mrs. Jackie Playter as an Honourary Citizen of Newmarket.

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

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

Carried

(3) Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2017-09, dated April 10, 2017 regarding a potential acquisition.

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

1. That Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2017-09, dated April 10, 2017 regarding a potential acquisition, be received; and,
2. That the recommendations in Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2017-09 be adopted.

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

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

Carried

- (4) Verbal update by CAO and Senior Solicitor regarding a potential acquisition of land. (Ward 7)

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

1. That staff be directed to proceed as authorized at the April 10, 2017 Committee of the Whole (Closed Session) meeting) Joint Closed Session Report 2017-09 be adopted.

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

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

Carried

- (5) Verbal update by CAO and Senior Solicitor regarding a potential acquisition of land (Ward 6).

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

1. That staff be directed to proceed as authorized at the April 10, 2017 Committee of the Whole (Closed Session) meeting.

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

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

Carried

11. Proclamation request from Mr. John Cartwright, President of Toronto and York Region Labour Council dated March 31, 2017, requesting the Town of Newmarket Council to proclaim April 28, 2017 as "Day of Mourning for workers killed or injured

on the job".

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

1. That the proclamation request from Mr. John Cartwright, Toronto and York Region Labour Council, dated March 31, 2017, be received; and,
2. That the Town of Newmarket Council proclaim April 28, 2017 as "Day of Mourning for workers killed or injured on the job"; and,
3. That the "Day of Mourning for workers killed or injured on the job" proclamation be advertised in the Town Page advertisement and on the Town's website.

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

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

Carried

12. Proclamation request from Ms. Susy Cancelli, Community Living Newmarket/Aurora District dated April 17, 2017, requesting the Town of Newmarket Council to proclaim May 8, 2017 as "Community Living Day".

Moved by: Councillor Hempen
Seconded by: Councillor Broome

1. That the proclamation request from Ms. Susy Cancelli, Community Living Newmarket/Aurora District dated April 17, 2017, be received; and,
2. That the Town of Newmarket Council proclaim May 8, 2017 as "Community Living Day"; and,
3. That the Riverwalk Commons be illuminated on the evening of May 8, 2017 for "Community Living Day"; and,
4. That the "Community Living Day" proclamation be advertised in the Town Page advertisement and on the Town's website.

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

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

Carried

By-laws

2017-19 A By-law to provide for Establishing and Maintaining a System for Collection, Removal and Disposal of Garbage, Other Refuse, Yard Waste Materials, Recyclable Materials including Blue Bin Materials and Source Separated Organics

2017-20 A By-law to appoint a Deputy Clerk. (Kiran Saini)

2017-21 A By-law to exempt certain lands from the part lot control provisions of the Planning Act.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That By-laws 2017-19, 2017-20 and 2017-21 be enacted.

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

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

Carried

Notices of Motion

There were no Notices of Motion.

Motions

There were no Motions.

Announcements & Community Events

13. Yard Waste Collection

Councillor Bisanz advised that yard waste collection has begun and will continue on a bi-weekly basis until November. She reminded residents to bundle branches separately and place plant trimmings and weeds into paper yard waste bags or rigid containers with handles. Due to weight restrictions, excess dirt should be kept out of the bags. For more information visit newmarket.ca, call 905-895-5193 or download the 'my-waste app'TM from the app store.

14. Information Session regarding south-west Quadrant Development in Ward 6

Councillor Broome invited Ward 6 residents to an Information Session regarding proposed south-west quadrant development in Ward 6. She informed residents that the developer will be present to provide information on the plans for the proposed housing development. The Information Session will take place on May 2, 2017 at the Municipal Offices and will begin at 7:00 PM.

15. Community Clean-up Day

Councillor Broome advised of Community Clean-Up Day on Saturday, May 6, 2017. Help keep Newmarket clean and enjoy a day outdoors! Meet at the Municipal Offices at 395 Mulock Drive at 8:00 AM. Gloves, garbage bags and cleanup area maps will be provided. Following the clean-up, volunteers are welcome to enjoy a free BBQ lunch with music, entertainment, face painting and more. Visit newmarket.ca for further details.

16. Mother's Day Tea

Councillor Kwapis invited residents to enjoy a Mother's Day Tea on Saturday, May 13 at the Elman W. Campbell Museum (134 Main Street South) presented by the Friends of the Museum. Bring your mothers for an old fashioned afternoon in a historical setting. There are two sittings from 1:00 -2:00 PM and 2:30-3:30 PM. Sandwiches and sweets will be served on vintage china. Tickets are \$15.00 and must be purchased in advance online at newmarket.snapd.com or at the museum. For more information, please call 905-953-5314 or email elmanmuseum@rogers.com.

17. Cops for Cancer in York Region 2017

Councillor Kwapis invited residents to Upper Canada Mall on Saturday, April 29,

2017 at 11:00 AM to participate in the Cops for Cancer in York Region 2017 Event. He advised that he will be shaving his head to support the cause and invited residents to attend and donate to support childhood cancer research.

18. Newmarket Heritage Art Program Contest

Councillor Hempen advised that artists are invited to enter the 2017 Newmarket Heritage Art Program Contest. The subject of the artwork must focus on the heritage of the Town of Newmarket. The contest is open to all residents in the Province of Ontario. Registration forms and entry rules are available online at newmarket.ca/museum. The deadline for submission to the Newmarket Recreation and Culture Department is this Friday, April 28, 2017 at 4:30 PM. For more information please call 905-953-5314 ext. 2831.

19. Public Information Centre – Playground and Park Improvements

Deputy Mayor & Regional Councillor Taylor advised that a Public Information Centre on Playground and Park Improvements is scheduled for Wednesday, May 3, 2017 in the Council Chambers of the Municipal Offices. Drop by anytime between 6:00 to 8:00 PM to view proposed drawings and displays on upcoming playground improvements at the following parks during the Summer of 2017: Seneca Cook Parkette, Drew Doak Park, Fairgrounds Park, Jacarandah Park, and Sunnyhill Park. Get involved and provide your feedback. Newmarket staff and our consultant will be on site to answer questions. For more information please call 905-895-5193.

20. Spring Food Drive

Councillor Twinney invited the public to donate to the annual Spring Food Drive. Non-perishable food items are being accepted at the Municipal Offices (395 Mulock Drive), Ray Twinney Recreation Complex (100 Eagle Street West) and the Magna Centre (800 Mulock Drive) until Friday, May 5, 2017. Suggested items include juice boxes, peanut butter, jam, canned stew/chili, canned soup, nutritious school snacks, toiletries and baby formula. Call the Newmarket Food Pantry at 905-895-6823 for more information.

21. Committee of the Whole Public Planning Session on May 8, 2017

Councillor Kerwin advised residents that a Committee of the Whole Public Planning Session is scheduled for Monday, May 8, 2017 at 7:00 PM in the Council Chambers at 395 Mulock Drive. An application has been made for a Zoning By-law Amendment for the lands municipally known as 751 and 757 Gorham Street. The net effect of this application is to permit a four-storey apartment building. An informal open house will take place at 6:00 PM immediately prior to the public meeting to provide the community with an

additional opportunity to review information on the proposal. For further information, please contact the Planning Department at 905-953-5321.

22. Mayor in the Square

Mayor Van Bynen advised that he will be at “Mayor in the Square” at the Newmarket Public Library on Friday, April 28, 2017 from 11:00 AM until noon.

23. Next Council Meeting

Mayor Van Bynen advised that the next Council meeting is Monday, May 15, 2017 at 7:00 PM.

New Business

24. Councillor Kerwin provided an update related to the Newmarket DriveTest Centre. He advised that he met with Member of Provincial Parliament Chris Ballard and advised that there are no plans to open an additional DriveTest Centre in York Region in the near future. Councillor Kerwin informed residents that staff will be bringing forward a report with an “Restricted Area” option to the next Committee of the Whole meeting on May 8, 2017.

25. Councillor Kwapis advised that he will be making a deputation at Queens Park in support of Bill 65 – Safer School Zones Act.

Councillor Hempen left the meeting at 7:58 PM, prior to Council resolving into Closed Session.

Closed Session

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That Council resolve into Closed Session for the purpose of receiving advice that is subject to solicitor-client privilege, as per Section 239 (2) (f) of the Municipal Act, 2001.

[Verbal Update by Town Solicitor regarding matters related to the Ontario Municipal Board Hearing - Clock Tower Application]

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

Opposed: (None)

(7 in favour, 0 opposed)

Carried

Council resumed in open session at 8:54 PM.

Confirmatory By-law

2017-22 A By-law to confirm the proceedings of Council at its meeting of April 24, 2017.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

1. That By-law 2017-22 be enacted.

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

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

Carried

Adjournment

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

1. That the Council meeting adjourn at 8:55 PM.

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

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

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk