

The meeting of the Committee of the Whole was held on Monday, June 19, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor (1:30 PM to 8:35 PM)
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen (1:47 PM to 3:48 PM; 7:00 PM to 8:38 PM)
Councillor Kwapis
Councillor Broome (1:30 PM to 3:48 PM)
Councillor Bisanz (1:30 PM to 3:48 PM)

Staff Present: R. N. Shelton, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development and Infrastructure Services
I. McDougall, Commissioner of Community Services
R. Nethery, Director of Planning and Building Services
A. Cammaert, Senior Planner, Policy
D. Ruggle, Senior Planner, Community Planning
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Clerk
L. Moor, Council/Committee Coordinator
H. Leznoff, Council/Committee Coordinator

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

The Committee of the Whole recessed at 3:48 PM and reconvened at 7:00 PM.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the following addendum items:

- (1) Deputation Request by Mr. Blaine Hobson on behalf of Steps to Recovery regarding Textile Recycling/Diversion.

- (2) Newmarket Theatre Progress Update and Next Steps Report.
- (3) Bill 139 – The Proposed Building Better Communities and Conserving Watersheds Act, 2017 Report.
- (4) Stormwater Management Master Plan Report.
- (5) Appointment Committee Meeting Minutes of June 12, 2017.
- (6) Appointment Committee (Closed Session) Meeting Minutes of June 12, 2017.
- (7) Heritage Newmarket Advisory Committee Meeting Minutes of May 2, 2017.
- (8) Correspondence distributed by e-mail on June 16, 2017 regarding the Public Hearing Matter with respect to 172-178 Old Main Street.
- (9) Personal matters about identifiable individuals as per Section 239 (2) (b) of the Municipal Act, 2001 – Appointment Committee (Closed Session) Meeting Minutes of June 12, 2017 recommending Appointment of representatives to the Accessibility Advisory Committee, Appeal Committee, Newmarket Economic Development Advisory Committee and Newmarket Environmental Advisory Committee. This matter will need to be considered in Closed Session.

Moved by: Councillor Dave Kerwin
Seconded by: Councillor Bob Kwapis

1. That the additions to the June 19, 2017 Committee of the Whole agenda be approved.

Carried

Declarations of Pecuniary Interest

Deputy Mayor and Regional Councillor Taylor declared a conflict of interest in relation to Item 10, an application for Official Plan and Zoning By-law Amendment for the property known as 260 Eagle Street as he owns property in close proximity to the subject lands. He advised he would take no part in the discussion of the matter.

Presentations & Recognitions

None.

Deputations

1. Pilot Textile Diversion Program

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional Councillor Taylor

1. That the PowerPoint presentation entitled “Diabetes Canada – Textile Diversion Program for the Town of Newmarket” by Mr. Ryan Michaels and Mr. Blaine Hobson be received and referred to staff.

Carried

Consent Items

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

That the following items (2 to 8) be adopted on consent:

2. Supplemental Capital Budget – Government Grant Funding Approvals

1. That Joint Office of the CAO/Strategic Initiatives, Development and Infrastructure Services and Corporate Services Commissions Report 2017-05 be received and the following recommendation be adopted:
 - a. That the proposed 2017 Supplementary Capital Budget with expenditures of \$3,125,000 be approved.

3. 2017 Six Year Stormwater Financial Plan

1. That Corporate Services Report - Financial Services 2017-30 dated June 5, 2017 regarding the Six Year Stormwater Financial Plan be received and the following recommendation be adopted:
 - a. That Council adopt the proposed 2017 Six Year Stormwater Financial Plan.

4. Traffic By-law Update – Schedule XI (Bike Lanes)

1. That Development and Infrastructure Services Report – Engineering Services 2017-21 dated May 19, 2017 entitled “Traffic By-law Update – Schedule XI (Bike Lanes) be received and the following recommendations be adopted:
 - a. That Appendix A be adopted; and,
 - b. That the necessary By-law be prepared and submitted to Council for approval.

5. Newmarket Public Library Board Meeting Minutes of April 19, 2017

1. That the Newmarket Public Library Board Meeting Minutes of April 19, 2017 be received.

6. Comprehensive Stormwater Management Master Plan

1. That Development and Infrastructure Services Report – Engineering Services 2017-23 dated June 8, 2017 entitled “Comprehensive Stormwater Management Master Plan” be received and the following recommendation be adopted:
 - a. That the Town’s Comprehensive Stormwater Management Master Plan be adopted.

7. Appointment Committee Meeting Minutes of June 12, 2017

1. That the Appointment Committee Meeting Minutes of June 12, 2017 be received.

8. Heritage Newmarket Advisory Committee Meeting Minutes of May 2, 2017

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of May 2, 2017 be received.

Carried

9. 2017 Six Year Water and Wastewater Financial Plan

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

1. That Corporate Services Report – Financial Services 2017-26 dated June 7, 2017 regarding the 2017 Six Year Water and Wastewater Financial Plan be received and the following recommendation be adopted:
 - a. That Council adopt the proposed 2017 Six Year Water and Wastewater Financial Plan.

Carried

10. Application for Official Plan Amendment and Zoning By-law Amendment – 260 Eagle Street

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

1. That Development and Infrastructure Services Report – Planning and Building Services 2017-21 dated June 19, 2017 regarding Application for Official Plan Amendment and Zoning By-law Amendment – 260 Eagle Street be received and the following recommendations be adopted:
 - a. That the Application for Official Plan Amendment and Zoning By-law Amendment as submitted by 711371 Ontario Corp. for lands being composed of Lots 13 through 19 inclusive on Plan 371, municipally known as 260 Eagle Street be approved and that staff be directed to prepare the necessary Official Plan and Zoning By-law Amendments; and,
 - b. That Ms. Kerigan Kelly, Groundswell Urban Planners Inc., 30 West Beaver Creek Road, Suite 19, Vaughan, ON L4K 5K8 be notified of this action; and,
 - c. **That traffic impacts be monitored post construction.**

Carried

Deputy Mayor & Regional Councillor Taylor took no part in the discussion or voting of the foregoing matter.

11. Urban Centres Zoning By-law Project – Directions Report

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kwapis

1. That Development and Infrastructure Services Report – Planning and Building Services 2017-14 dated June 19, 2017 regarding the Urban Centres Zoning By-law Project – Directions Report be received and the following recommendations be adopted:
 - a. That staff be directed to proceed with the creation of the Urban Centres Zoning By-law framework with a **graphic based, conventional approach without a Community Planning Permit System component and implement a separate, area-specific zoning by-law that does not form part of the Town’s Zoning By-law 2010-40.**

Carried

12. Inter-Municipal Agreement with the Town of Aurora

Moved by: Councillor Vegh

Seconded by: Deputy Mayor & Regional Councillor Taylor

1. That Development and Infrastructure Services Report – Planning and Building Services 2017-23 dated June 19, 2017 regarding the Inter-Municipal agreement between the Town of Newmarket and the Town of Aurora be received and the following recommendations be adopted:
 - a. That Council direct the Chief Administrative Officer the authority to execute the necessary inter-municipal agreement substantially in the form attached as Appendix “A” to this report; and,
 - b. **That Clause 18.1 of the Inter-Municipal Agreement be amended as follows: Newmarket agrees that, for the purposes of membership regarding the use of Newmarket’s recreation facilities, trails and parks, the residents of the development will be recognized as residents of Newmarket; however, this does not include recreational programs requiring registration.**

Carried

13. List of Outstanding Matters

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That the List of Outstanding Matters be received.

Carried

14. Newmarket Theatre Progress Update and Next Steps

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

1. That Community Services – Recreation and Culture Report 2017-10 dated June 12, 2017 regarding Newmarket Theatre and Old Town Hall Marketing Initiatives be received and the following recommendation be adopted:
 - a. That Council approve an expenditure of up to \$150,000 for the development of brand identification, marketing strategy and corresponding collateral material for Newmarket Theatre and Old Town Hall – to be funded entirely from the CIF Fund.

Carried

15. Bill 139 – The proposed Building Better Communities and Conserving Watersheds Act, 2017

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

1. That Development and Infrastructure Services Report – Planning and Building Services 2017-22 dated June 19, 2017 regarding Bill 139 – The proposed Building Better Communities and Conserving Watersheds Act, 2017 be received and the following recommendations be adopted:
 - a. **That Council supports Bill 139 – The proposed Building Better Communities and Conserving Watersheds Act, 2017 in principle, and encourages the Provincial government to implement the Act expeditiously; and,**

- b. That Council direct staff to submit Report 2017-22 to the Ministry of Municipal Affairs and Housing as the Town of Newmarket's comments on Bill 139 – the proposed Building Better Communities and Conserving Watersheds Act, 2017.

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motion

None.

Motions

None.

New Business

None.

Closed Session

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

That Committee of the Whole resolve into a Closed Session to discuss the following matter:

- (1) Personal matters about identifiable individuals as per Section 239 (2) (b) of the Municipal Act, 2001 – Appointment Committee (Closed Session) Meeting Minutes of June 12, 2017 recommending Appointment of representatives to the Accessibility Advisory Committee, Appeal Committee, Newmarket Economic Development Advisory Committee and Newmarket Environmental Advisory Committee.

Carried

The Committee of the Whole resolved into Closed Session at 3:39 PM.

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

The Committee of the Whole resumed into public session at 3:47 PM.

The Committee of the Whole recessed at 3:48 PM.

Public Hearing Matters (7:00 PM)

The Public Hearing was called to order at 7:00 PM.

The Deputy Clerk welcomed the public to the Committee of the Whole meeting. She advised that the Planning Act requires the Town to hold at least one Public Meeting on any proposed Town of Newmarket Zoning By-law Amendment.

The Deputy Clerk advised that the purpose of the meeting was to hear from anyone who has an interest in the Application for a Zoning By-law Amendment and a Draft Plan of Subdivision related to the lands located at 172-178 Old Main Street. The effect of this application is to permit six new semi-detached lots; creating twelve homes.

She further advised that the Committee of the Whole would not be making a decision regarding the proposed application, but will refer all written and verbal comments to Planning staff to consider in a report that will be brought forward to a future Committee of the Whole or Council meeting.

The Deputy Clerk advised that if anyone present wished to be notified of subsequent meetings, or if speaking, to use one of the iPads located on the front table near the entrance of Council Chambers or complete a paper form and submit it to Legislative Services staff.

The Deputy Clerk noted that in accordance with the Planning Act, the Ontario Municipal Board may dismiss an appeal without holding a hearing, if the appellant failed to make either oral submission at the Public Meeting or provide written submissions to Council prior to adoption of the application.

She thanked everyone for their participation and interest in the meeting.

16. Public Meeting – Application for Zoning By-law Amendment and Draft Approval of Subdivision – Azure Homes 172-178 Old Main Street

Ms. Angela Sciberras, Macauley, Shiomi, Howson addressed the Committee and provided feedback with respect to concerns raised by residents regarding the application including scale, character and height of the proposed buildings and the density and historic significance of the area. An overview of the proposed concept plan was provided.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

1. That Ms. Angela Sciberras be provided an additional five minutes.

Carried

Moved by: Councillor Vegh
Seconded by: Councillor Kwapis

2. That Ms. Angela Sciberras be provided an additional five minutes to permit for Mr. David Leighton, Principal of Urbantech Consulting Engineers to address the Committee regarding stormwater management and drainage plans.

Carried

- (1) Ms. Julie Archbold, resident, expressed her concern for the safety of residents on the street including children, dog walkers and cyclists, traffic studies and the potential increase of cars on the street.
- (2) Mr. Ken Wright, resident, expressed concerns regarding how the development will impact stormwater management and infrastructure in the area.

Moved by: Councillor Kerwin
Seconded by: Councillor Hempen

3. That Mr. Ken Wright be provided an additional five minutes.

Carried

- (3) Ms. Christina Herancourt, resident, expressed concerns regarding the woodlot and historical significance of the area and expressed support for development on the road, but not of the proposed plan.

She recommended four detached homes as a maximum for development.

Moved by: Councillor Hempen
Seconded by: Councillor Kwapis

4. That Ms. Christina Herancourt be provided with an additional one minute.

Carried

- (4) Ms. Jessica Cordner, resident, expressed concerned regarding safety of children on the street and expressed support of development that fits with the nature of the street, such as four detached dwellings.
- (5) Mr. Richard McLeod, resident, provided an overview of the history of Old Main Street and raised concern for preserving the historic and unique characteristics of the area.

Moved by: Councillor Kwapis
Seconded by: Councillor Hempen

5. That Mr. Richard McLeod be provided an additional five minutes.

Carried

- (6) Ms. Julie Archbold, on behalf of Ms. Beth Horton, expressed concerns regarding increased traffic and voiced her opposition to the application.
- (7) Mr. Matt Evans, resident, provided a suggestion for an alternative development plan which would include converting the street into a dead end street which would address stormwater runoff concerns.
- (8) Mr. Joe Apato, resident, expressed concerns about potential traffic increase on the street and stormwater management.
- (9) Mr. David Evans, raised concerns about water drainage and clay belts in the area.
- (10) Mr. Patrick Mugs, resident, raised concerns about the width of the street, the impact on the woodlot, and the experience of the street being one without subdivisions.

- (11) Ms. Julie Archbold, resident, raised concerns about stormwater management, flood plains and natural water absorption.

The Assistant Director of Planning reported on the next steps. He advised that matters such as stormwater management and traffic would be addressed in an upcoming report along with the comments and feedback received.

Moved by: Councillor Hempen
Seconded by: Councillor Kwapis

6. That the presentation, deputations and correspondence regarding the development application for the property known as 172-178 Old Main Street be received.

Carried

Adjournment

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

1. That the Committee of the Whole meeting adjourn at 8:38 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk