

The meeting of the Committee of the Whole was held on Monday, November 6, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh, (1:36 PM - 5:16 PM; 7:04 PM - 7:32 PM)
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Kwapis
Councillor Broome (1:32 PM - 5:16 PM; 7:04 PM - 7:06 PM)
Councillor Bisanz

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
L. Lyons, Director of Legislative Services/Town Clerk
M. Mayes, Director of Financial Services/Treasurer
K. Reynar, Director of Legal Services
J. Unger, Assistant Director of Planning
A. Cammaert, Senior Planner, Policy
D. Ruggle, Senior Planner, Community Planning
K. Saini, Deputy Town Clerk
H. Leznoff, Council/Committee Coordinator
A. Walkom, Council/Committee Coordinator

The meeting was called to order at 1:32 PM.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the following addendum items:

- (1) Property Standards and Clean Yards By-law Memorandum and Revised Draft By-laws. This item is related to item 10.

- (2) Newmarket Public Library Board Meeting Minutes of June 21, 2017. This item is related to Item 13.
- (3) Closed Session matter regarding proposed acquisition or disposition of land by the Municipality, as per 239 (2) (c) of the Municipal Act, 2001 - Closed Session report 2017-33 (regarding a property in Ward 6).

Moved by: Councillor Broome
Seconded by: Councillor Hempen

1. That the additions to the November 6, 2017 Committee of the Whole agenda be approved.

Carried

Declarations of Pecuniary Interest

Councillor Broome declared a conflict of interest in relation to the Public Hearing Matter, as her employer has leased vehicles on the property. She advised she would take no part in the discussion of the matter.

Presentations & Recognitions

1. System Performance Update and 2018 Transit Initiatives Presentation - York Region Transit Presentation

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

1. That the presentation by Mr. Adrian Kawun, Manager Transit Service Planning, York Region Transit regarding the System Performance Update and 2018 Transit Initiatives be received.

Carried

2. Mr. Paul Ferguson, President, Newmarket-Tay Power Distribution addressed the Committee regarding the items 3, 4 and 5.

3. Newmarket Hydro Holdings Inc. 2016 Annual General Meeting

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

1. That the Newmarket Hydro Holdings Inc. Report of the President dated October 25, 2017 regarding the financial statements of Newmarket Hydro Holdings Inc. (the "Corporation"), the written resolutions of Newmarket – Tay Power Distribution Ltd. ("NT Power") and appointment of the sole director and auditors be received and the following recommendations be adopted:
 - a. That the Mayor, as the Sole Shareholder's legal representative, is directed to sign the following Corporation Shareholder resolutions:
 - i. That the Corporation's financial statements for the financial year ended December 31, 2016 together with the report of the Corporation's auditors, Collins Barrow, thereon dated April 28, 2017 be approved and adopted; and,
 - ii. That Collins Barrow, Chartered Accountants, be appointed auditors of the Corporation to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the sole director and the sole director is authorized to fix such remuneration; and,
 - iii. That R.N. Shelton be appointed as the sole director of the Corporation to hold office until the next annual meeting of shareholders or until his successor is elected or appointed; and,
 - iv. That R.N. Shelton, so long as he is the sole director of the Corporation, shall represent the Corporation at meetings of shareholders of NT Power; and,
 - v. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the sole director and sole officer of the Corporation to December 31, 2016, as the same are set out or referred to in the resolutions of the sole director, or in the financial statements of the corporation, are approved, sanctioned and confirmed.
 - b. That the Mayor, as the Sole Shareholder's legal representative, direct R.N. Shelton, the sole director and legal representative of the Corporation, to sign the following NT Power shareholder resolutions in lieu of an annual meeting:
 - i. That the financial statements of NT Power for the financial year ended December 31, 2016 together with the report of

NT Power's auditors, Collins Barrow, thereon dated April 26, 2017 be approved and adopted; and,

- ii. That Collins Barrow, Chartered Accountants, be appointed auditors of NT Power to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and,
- iii. That T. Van Bynen, S. Warnock, P. Daniels, R. Betts, D. Charleson, C. Prattas and P. Ferguson are elected directors of NT Power to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
- iv. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of NT Power to December 31, 2016, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of NT Power, are approved, sanctioned and confirmed.

Carried

4. Establishment of an Energy Services Subsidiary

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional Councillor Taylor

1. That the Newmarket Hydro Holdings Inc. Report of the President dated October 25, 2017 regarding the establishment of an energy services subsidiary (the “Subsidiary”) to Newmarket Hydro Holdings Inc. (“NHHI”) be received and the following resolutions be adopted:
 - a. The establishment of the Subsidiary as an Ontario corporation for the pursuit of funding for EV stations is authorized and approved; and,
 - b. The subscription of 10,000 common shares of the Subsidiary for the aggregate amount of \$100 by NHHI is authorized and approved; and,
 - c. Paul Ferguson, acting alone, is authorized for and on behalf of Municipal Council and the Corporation to establish the Subsidiary and approve the forms of all other documents contemplated or required to be executed by NHHI in connection with such formation (collectively, the “Additional Documents”) and to execute (whether under the corporate seal of NHHI or otherwise) and deliver the Additional Documents each in the form so approved, Paul Ferguson’s approval to be conclusively evidenced by Paul Ferguson’s execution and delivery of the Additional Documents and the Additional Documents so executed and delivered shall be deemed to be the Additional Documents approved by these resolutions; and,
 - d. Should funding be secured for the EV stations, the Company shall prepare a Business Case for EV station ownership and agreements for Company ownership should the Township of Tay choose to participate (the “Documentation”). The Documentation shall be subject to the approval of Municipal Council and the Township of Tay; and,
 - e. Paul Ferguson be appointed as the sole director of the Company.

Carried

5. Establishment of a Subsidiary Company

Moved by: Councillor Kwapis
Seconded by: Councillor Twinney

1. That the Newmarket Hydro Holdings Inc. Report of the President dated October 25, 2017 regarding the establishment of a subsidiary company (the “Subsidiary”) to Newmarket Hydro Holdings Inc. (“NHHI”) and Tay Hydro Holdings Inc. (“THI”) be **deferred until January 2018**.

Carried

Deputations

None.

Consent Items

Moved by: Councillor Vegh
Seconded by: Councillor Broome

That the following items (6-14) be adopted on consent:

6. Height and Density Bonusing Implementation Guidelines

1. That Development and Infrastructure Services/Planning & Building Services Report 2017-36 dated November 6, 2017 regarding the Town of Newmarket’s Height and Density Bonusing Implementation Guidelines be received and that the following recommendation be adopted:
 - a. That Council adopt the Height and Density Bonusing Implementation Guidelines, dated November 6, 2017, included as Attachment 1 to Report 2017-36.

7. 514 Davis Drive – Office Development Financial Incentive Program

1. That Development and Infrastructure Services/Planning and Building Services Report 2017-44 dated November 6, 2017 regarding a financial incentive pilot program for an office development at 514 Davis Drive be received and the following recommendations be adopted:
 - a. That Council authorize the following financial incentives as a pilot project program in support of an office development at 514 Davis Drive:

- i. 36-month Development Charge deferral
- ii. Building Permit fee waiver
- iii. Planning application fee rebate

8. 514 Davis Drive – Derelict Building Development Charge Credit

- 1. That Development & Infrastructure Services/Planning & building Services Report 2017-47 dated November 6, 2017 regarding the proposed derelict building development charges credit for the demolished building at 514 Davis Drive be received and the following recommendations be adopted:
 - a. That Council consider the former building at 514 Davis Drive to have been derelict at the time of its demolition; and,
 - b. That the following be notified of this action:
 - i. M. Sokolowski, Director of Operations, Oscar Group, 3660 Midland Avenue, Suite 200 Toronto, ON, M1V 0B8.
 - ii. P. Simas, Senior Analyst, AR/Revenue Team, Corporate Financial Services and Operations, Strategies and Transformation, Finance, Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1.

9. Borrowing By-law

- 1. That Corporate Services Report – Financial Services 2017-45 dated October 16, 2017 regarding the Borrowing By-law be received and the following recommendation be adopted:
 - a. That the Borrowing By-law be approved by Council.

10. Property Standards and Clean Yards By-laws

- 1. That Corporate Services – Legislative Services Report 2017-23 dated October 24, 2017 regarding Property Standards and Clean Yards By-law be received and that Council adopt the following recommendations:
 - a. That the existing Property Standards By-law 1999-34 be repealed in its entirety and be replaced with the draft Property Standards By-law, as amended; and,

- b. That the Clean Yards By-law be approved, as amended; and,
 - c. That the Fees and Charges By-law be amended to reflect updated new fees related to the Property Standards By-law, attached as Appendix C to Legislative Services Report 2017-23; and,
2. That the Memorandum dated November 2, 2017 regarding “Revisions to the Property Standards By-law and Clean Yards By-law” be received.

11. Heritage Newmarket Meeting Minutes of September 12, 2017

1. That the Heritage Newmarket Meeting Minutes of September 12, 2017 be received.

12. Main Street District Improvement Area Board of Management Meeting Minutes of September 19, 2017

1. That the Main Street District Business Improvement Area Board of Management meeting minutes of September 19, 2017 be received.

13. Newmarket Public Library Board Meeting Minutes of June 21 and September 20, 2017

1. That the Newmarket Public Library Board Meeting Minutes of June 21 and September 20, 2017 be received.

14. Site Plan Review Committee Meeting Minutes of October 23, 2017

1. That the Site Plan Review Committee Meeting Minutes of October 23, 2017 be received.

Carried

15. Residential Parking Review

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

1. That Development and Infrastructure Services Engineering Services and Planning and Building Services - Report 2017-45 dated November 6th, 2017 regarding Residential Parking Review be received and the following recommendations be adopted:

- a. That staff be directed to include in the 2018 budget a provision for contracting a planning and engineering consultant to undertake a review of parking matters discussed in this report; and,
- b. That, subject to budget approval, staff be directed to undertake a review of the Parking By-law and report back to Committee of the Whole with recommendations on improvements to parking matters discussed in this report.
- c. **That staff be directed to organize a Council Workshop to present options based on Council's comments and feedback received at the November 6, 2017 Committee of the Whole meeting and that staff receive Council direction regarding the scope, scale and expected deliverables of a parking review prior to moving forward with issuing a Request for Proposal.**

Carried

The Committee of the Whole recessed at 3:36 PM.

The Committee of the Whole reconvened at 3:52 PM.

16. Heritage Conservation District - Gateway Signage

Moved by: Councillor Hempen
Seconded by: Councillor Kwapis

1. That Development and Infrastructure Services/Planning & Building Services Report 2017-46 dated November 6, 2017 regarding Town of Newmarket Heritage Conservation District - Gateway Signage be received and that the following recommendations be adopted:
 - a. That Council endorse the concept of a Heritage Conservation District gateway sign being installed along the north side of Water Street, east of the Holland River.
 - b. That Council direct staff to consult with the Main Street BIA and Newmarket Public Library.

Carried

17. Use of Corporate Resources during an Election Year Policy and Updates to the Election Process Report and Memorandum

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

1. That Corporate Services – Legislative Services Report 2017-19 dated October 16, 2107 entitled “Use of Corporate Resources During an Election Year and Updates to the Election Process” be received; and,
2. That the Memorandum dated November 6, 2017 regarding revisions to the “Use of Corporate Resources in an Election Year Policy” be received; and,
3. That Council adopt the proposed **amended** “Use of Corporate Resources in an Election Period” Policy.

Carried

18. Item 1 of the Site Plan Review Committee Meeting Minutes of October 23, 2017

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

The Site Plan Review Committee recommends:

1. That the Application for Site Plan Approval to permit the construction of a two-storey, four unit rental residential building with 7 parking spaces to be located at the rear of the property be approved in principle and referred to staff for processing, subject to the following:
 - a. That the preliminary review comments (requirement for servicing allocation, approval from Lake Simcoe Region Conservation Authority, approval from Region of York Water Resources Division, compliance with Town’s Tree Policy, and provision of a Construction Management Plan) be addressed to the satisfaction of Town staff; and,
2. That Angela Sciberras, Macaulay Shiomi Howson Ltd., 520 Industrial Parkway South, Unit 202, Aurora, Ontario L4G 6W8, be notified of this decision.

Carried

19. Outstanding Matters List

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That the list of outstanding matters be received.

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motion

None.

Motions

20. All-way stop at Sawmill Valley Drive and Peter Hall Drive

Moved by: Councillor Broome
Seconded by: Councillor Kwapis

1. That staff be directed to review and report back on the potential for an all-way stop at Sawmill Valley Drive and Peter Hall Drive and opportunities for crosswalk enhancements.

Carried

New Business

- (1) Southlake Cinemania

Councillor Kerwin thanked the Newmarket Public Library for bringing back the Southlake Cinemania program.

(2) Road Closure Signage

Councillor Bisanz advised of concerns with road closure signage related to VIVANext construction.

(3) Multi-use Trail Signage

Councillor Twinney inquired about signage on multi-use trails and if new, more detailed signage would be posted on all trails.

Closed Session

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Broome

1. That the Committee of the Whole resolve into Closed Session to discuss the following matter:
 - (1) Proposed acquisition or disposition of land by the Municipality as per Section 239 (2) (c) of the Municipal Act, 2001 related to Item 21 – Joint Infrastructure & Development Services and Corporate Services Closed Session Report 2017-33 regarding a property in Ward 6.

Carried

The Committee of the Whole resolved into Closed Session at 4:46 PM.

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

The Committee of the Whole resumed into Open Session at 5:15 PM.

The Committee of the Whole recessed at 5:16 PM.

The Committee of the Whole reconvened at 7:04 PM.

Public Hearing Matters (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 Official Plan Amendment or 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 an Official Plan Amendment and Zoning By-law Amendment related to 17645 Yonge St. The effect of this application is to permit a proposed mixed used development consisting of 530 residential apartment units, 1919 square meters of commercial space within a four storey podium and three towers consisting of 21, 19 and 17 storeys

She further advised that the Committee of the Whole would not be making a decision regarding the proposed amendments, but would 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 making a presentation, to please complete a form and submit it to the 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.

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

21. Official Plan Amendment and Zoning By-law Amendment (17645 Yonge Street)

Councillor Broome left the meeting at 7:06 PM due to a disclosed conflict of interest and did not take part in the discussion.

Mr. Brad Rogers, Groundswell Urban Planners, provided an overview of the proposed application and addressed questions from the Committee.

The Director of Planning and Building Services provided an update on the timeline, next steps and process of the proposed application.

Moved by: Councillor Hempen
Seconded by: Councillor Bisanz

1. That the presentation regarding the application for the property known as 17645 Yonge Street be received.

Carried

Adjournment

Moved by: Councillor Hempen
Seconded by: Councillor Kwapis

1. That the Committee of the Whole meeting adjourn at 7:37 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk