



Town of Newmarket  
**Minutes**

**Council**

Monday, December 4, 2017 at 7:00 PM  
Council Chambers

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The meeting of the Council was held on Monday, December 4, 2017 in the 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  
P. Noehammer, Commissioner of Development and Infrastructure Services  
I. McDougall, Commissioner of Community Services  
M. Mayes, Director of Financial Services/Treasurer  
L. Lyons, Director of Legislative Services/Town Clerk  
A. Walkom, Council/Committee Coordinator

**Open Forum**

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

The meeting was called to order at 7:00 PM.

Mayor Van Bynen in the Chair.

## Public Notices

The Clerk advised that Rogers cable will be discontinuing broadcast of Council meetings effective January 1, 2018. Meetings will continue to be live-streamed and archived on the Town of Newmarket website at the Agendas, Minutes and Meetings page.

## Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the following additions and corrections:

(1) Revised Budget Report

Moved by: Councillor Vegh  
Seconded by: Councillor Twinney

1. That the additions and corrections to the December 4, 2017 Council agenda be approved.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

## Declarations of Pecuniary Interest

Deputy Mayor & Regional Councillor Taylor declared a conflict of interest in relation to the following November 27 Committee of the Whole Minutes Items, as he owns property in close proximity to 260 Eagle Street:

- (7) Deputation by Mr. Brad Rogers regarding Servicing Allocation Update (260 Eagle St.)
- (11) Recommendation 4: Servicing Allocation Update regarding 260 Eagle St.
- (30) Permission to Submit a Minor Variance Application

Councillor Hempen declared a conflict of interest in relation to the November 27 Committee of the Whole Closed Session Minutes regarding 178-194 Main Street South as he has a business in close proximity.

Mayor Van Bynen advised that these items would be dealt with separately.

## **Presentations & Recognitions**

None.

## **Deputations**

### **1. Ms. Erin Cerenzia addressed Council regarding the 2017 Interactive Trench Exhibit and Great War Patriotic Fundraising Dinner**

Moved by: Councillor Kerwin  
Seconded by: Councillor Twinney

1. That Ms. Erin Cerenzia be permitted an additional five minutes for her deputation.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

Moved by: Councillor Kerwin  
Seconded by: Councillor Kwapis

1. That the deputation by Ms. Erin Cerenzia regarding the 2017 Interactive Trench Exhibit and Great War Patriotic Fundraising Dinner be received.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

## Approval of Minutes

### 2. Council Meeting Minutes of November 13, 2017

Moved by: Councillor Hempen  
Seconded by: Councillor Bisanz

1. That the Council Meeting Minutes of November 13, 2017 be approved.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

## Reports by Regional Representatives

Deputy Mayor & Regional Councillor Taylor provided an update on the Region budget process. He advised that a 1% levy for infrastructure projects would be introduced annually for five years, designed to reduce congestion in the Region.

## Reports of Committees and Staff

### 3. Committee of the Whole (Special) Meeting Minutes of November 13, 2017

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

1. That the Committee of the Whole (Special) Meeting Minutes of November 13, 2017 be approved.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

#### **4. Committee of the Whole (Special) Meeting Minutes of November 20, 2017**

Moved by: Councillor Vegh  
Seconded by: Councillor Kwapis

1. That the Committee of the Whole (Special) Meeting Minutes of November 20, 2017 be approved.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

#### **5. Council Workshop Meeting Minutes of November 20, 2017**

Moved by: Councillor Hempen  
Seconded by: Councillor Twinney

1. That the Council Workshop Meeting Minutes of November 20, 2017 be approved.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

#### **6. Committee of the Whole Meeting Minutes of November 27, 2017**

Moved by: Councillor Vegh  
Seconded by: Councillor Bisanz

1. That the Committee of the Whole Meeting Minutes of November 27, 2017 be received and the recommendations noted within be adopted, except sub-items 7, 11.4, and 30.

Note: Sub-items 5 and 32 were dealt with separately, see Items 8 and 9 for the votes.

- (1) Central York Fire Services Fire Station 4-5 Presentation

1. That the presentation by Paul McIntosh and Chris Kubbinga, Thomas Brown Architects regarding the Central York Fire Services Fire Station 4-5 be received.
- (2) Central York Fire Services Headquarters Station 4-5 (Extract and Report)
1. That the Town of Aurora report entitled “Central York Fire Services Headquarters Station 4-5” and related extract be received and the recommendations therein be adopted.
- (3) Update: Rapid Transit Projects
1. That the presentation by Liza Sheppard, Christopher Scott and Sophia Bittar, York Region Rapid Transit Corporation regarding the Update: Rapid Transit Projects be received.
- (4) Newmarket Public Library Annual Report Presentation and Newmarket Public Library Report to the Community: 2016-2017
1. That the presentation by Todd Kyle, CEO Newmarket Public Library regarding the Newmarket Public Library Annual Report and the Newmarket Public Library Report to the Community: 2016-2017 be received.
- (5) Approval of the 2018 Operating and Capital Budgets Presentation
- This item was dealt with separately under Item 8 below.
- (6) Deputation by Mr. Edmund Daniels, Maple Lane Lands & Development Co. Ltd regarding Servicing Allocation Update (680 Gorham Street)
1. That the deputation by Mr. Edmund Daniels, Maple Lane Lands & Development Co. Ltd regarding Servicing Allocation Update, related to the property known as 680 Gorham Street, be received.
- (8) Deputation by Mr. Brad Rogers, Groundswell Urban Planners Inc. regarding Servicing Allocation Update (King George School)
1. That the deputation by Mr. Brad Rogers, Groundswell Urban Planners Inc. regarding Servicing Allocation Update Report, related to the King George School property, be received.
- (9) Deputation by Mr. Chris Matson, Matson McConnell Ltd. Regarding Servicing Allocation Update (Sundial Homes)

1. That the deputation by Mr. Chris Matson, Matson McConnell Ltd. regarding Servicing Allocation Update Report, related to Sundial Homes, be received.
- (10) Deputation by Mr. Russel Mailloux, Aplin Martin Consultants on behalf of Options Group regarding Servicing Allocation Update (281 Main Street North)
1. That the deputation by Mr. Russel Mailloux, Aplin Martin Consultants on behalf of Options Group regarding Servicing Allocation Update Report, related to the property known as 281 Main Street North, be received.
- (11) Servicing Allocation Update
1. That Development & Infrastructure Services/Planning and Building Services Report 2017-49 dated November 27, 2017 regarding the servicing allocation update be received; and,
  2. That Council grant the requested servicing allocation to the following properties:
    - a. King George School
    - b. 680 Gorham; and,
  3. That the staff report back on servicing allocation in May 2018 and that this report be brought to a Special Committee of the Whole relating to the topic.
- (12) Stormwater Rates
1. That Corporate Services Report-Financial Services – 2017-40 dated September 1, 2017 regarding 2018 Stormwater Rates be received and the following recommendations be adopted:
    - a. That the attached Schedule “A”, being the Town of Newmarket 2018 Stormwater Rates, be approved and adopted by By-law; and,
    - b. That the Stormwater Rates adjustments come into full force and effect as of January 1, 2018.
- (13) 2018 Water and Wastewater Rates
1. That Corporate Services Report-Financial Services 2017-41 dated September 1, 2017 regarding 2018 Water and Wastewater

Rates be received and the following recommendations be adopted:

- a. That the attached Schedule "A", being the Town of Newmarket Water and Wastewater Rates, be approved and adopted by By-law; and.
- b. That the Water and Wastewater Rates adjustments come into full force and effect as of January 1, 2018.

(14) User Fees and Charges – Planning Act Fees

1. That Joint Development & Infrastructure Services – Planning & Building Services and Corporate Services Report – Financial Services 2017-54 dated November 8, 2017 regarding 2018 User Fees and Charges – Planning Act Fees be received and the following recommendations be adopted:
  - a. That the attached Schedule "A", being the Town of Newmarket 2018 Planning Application Fees Schedule, be approved and adopted by by-law;
  - b. And that the fee adjustments come into full force and effect as of January 1, 2018.

(15) 2018 User Fees and Charges – Fire Services

1. That Joint Central York Fire Services and Corporate Services Report – Financial Services 2017-55 dated November 8, 2017 regarding 2018 User Fees and Charges – Fire Services be received and the following recommendations be adopted:
  - a. That the attached Schedule "A", being the Town of Newmarket 2018 Fire Services Fees Schedule, be approved and adopted by by-law;
  - b. And that the fee adjustments come into full force and effect January 1, 2018.

(16) 2018 User Fees and Charges - Licensing Fees

1. That Joint Corporate Services Report – Legislative Services and Financial Services – 2017-52 dated November 8, 2017 regarding 2018 User Fees and Charges-Licensing Fees be received and the following recommendations be adopted:



- a. That the attached Schedule “A” marked as the “2018 Legislative Services (Licensing) Fees & Charges” be approved and forwarded to Council for final adoption by by-law; and,
- b. That the fee adjustments come into full force and effect as of January 1, 2018.

(17) 2018 User Fees and Charges – General

1. That Corporate Services Report – Financial Services 2017-53 dated November 8, 2017 regarding 2018 User Fees and Charges – General be received and the following recommendations be adopted:
  - a. That the attached Schedules “A”, “B”, “C”, “D”, “E” and “F” marked as the Town of Newmarket 2018 All Departments, Corporate Services – Finance & Procurement & IT, Legal Services, Public Works Services, Engineering Services and Legislative Services - General Fees and Charges Schedules respectively, be approved and adopted by by-law; and,
  - b. That the fee adjustments come into full force and effect as of January 1, 2018.

(18) 2018 User Fees and Charges – Overview

1. That Joint CAO, Commissioners and Corporate Services Report - Financial Services – 2017-51 dated November 8, 2017 regarding 2018 User Fees and Charges - Overview be received for information purposes.

(19) Use of Corporate Resources During an Election Period Policy and Changes to the Election Process

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 the Memorandum #2 dated November 27, 2017 regarding revisions to the “Use of Corporate Resources & Election Campaign Activities Policy” be received; and,
4. That Council adopt the enclosed Use of Corporate Resources & Election Campaign Activities Policy.

(20) Revisions to Sign By-law and Standalone Election Sign By-law

1. That the Corporate Services - Legislative Services Report - 2017-25 entitled “Revisions to Sign By-law and standalone Election Sign By-law” be received; and,
2. That the memorandum dated November 27, 2017 entitled “External Legal Review of the standalone Election Sign By-law” be received; and,
3. That Council repeal By-law 2016-28; and,
4. That Council enact the draft Sign By-law attached as Appendix A; and,
5. That Council enact the revised draft Election Sign By-law attached as revised Appendix B.

(21) VivaNext Bus Rapid Transit Y3.2 Yonge Street (Noise By-law Exemption)

1. That Corporate Services – Legislative Services Report 2017-24 dated November 6, 2017, regarding vivaNext Bus Rapid Transit Y3.2 Yonge Street Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:
  - a. That the request from RapidLINK for a noise exemption to perform necessary works for the vivaNext Bus Rapid Transit Y3.2 project between the hours of 9:00 pm to 7:00 am from December 5, 2017 until December 31, 2018, be approved; excluding the following:

Year 2017	Year 2018
December 25, 2017 (Christmas Day)	January 1, 2018 (New Year’s Day)
December 26, 2017 (Boxing Day)	December 25, 2018 (Christmas Day)
	December 26, 2018 (Boxing Day)

- b. That this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.

(22) Amendment to Procurement By-law 2014-27

1. That Corporate Services – Procurement Services report dated November 27, 2017 entitled “Amendment to Procurement By-law 2014-27” be received; and,
2. That the Sole or Single Source threshold amount in Table 5 Schedule “D” Thresholds of the Procurement By-law 2014-27 for the C.A.O. be increased from a range of \$25,000.01 to \$49,999.99, to a range of \$25,000.01 to \$99,999.99; and,
3. That the Sole or Single Source threshold amount in Table 5 Schedule “D” Thresholds of the Procurement By-law 2014-27 for Council be increased from \$50,000 and over, to \$100,000 and over; and,
4. That Council adopt the amendments to the Procurement By-law 2014-27 attached to this report as Appendix B.

(23) Central York Fire Services – Joint Council Committee meeting Minutes of September 26, 2017 and October 25, 2017

1. That the Central York Fire Services- Joint Council Committee meeting minutes of September 26, 2017 and October 25, 2017 be received.

(24) Newmarket Downtown Development Committee Meeting Minutes of June 30, 2017

1. That the Newmarket Downtown Development Committee meeting minutes of June 30, 2017 be received.

(25) Heritage Newmarket Advisory Committee Meeting Minutes of October 17, 2017

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of October 17, 2017 be received.

- (26) Proclamation Request – December 1, 2017 – World AIDS Day
1. That the proclamation request be received; and,
  2. That the Town of Newmarket proclaim December 1, 2017 as World AIDS Day; and,
  3. That the proclamation be advertised on the Town Page and on the Town’s website.
- (27) Outstanding Matters List
1. That the list of outstanding matters be received.
- (28) Water Digitization Project
1. That Joint Corporate Services - Information Technology/ Development & Infrastructure Services - Public Works Services Report 2017-57 dated November 27, 2017 entitled “ Water Digitization Project” be received and the following recommendations be adopted:
    - a. That Infomax Technologies be awarded the contract for the Water Digitization Project in the amount of \$64,300 plus annual operating costs of \$14,880 for a term of up to four years (to 2021), in accordance with the single source provisions of the Town’s Procurement By-law 2014-27; and,
    - b. That the Director, Public Works Services and the Manager, Procurement Services be authorized to execute the agreement.
- (29) Proclamation Request – February 1 to February 8, 2018 – Eating Disorder Awareness Week (EDAW)
1. That the Proclamation request be received; and,
  2. That the Town of Newmarket proclaim February 1 to February 8, 2018 as Eating Disorder Awareness Week; and,
  3. That the proclamation be advertised on the Town Page and on the Town’s website.
- (31) Request to be removed from the Heritage Registry of Non-designated Heritage Properties - 770 Gorham Street and 171 Church Street

1. That Development and Infrastructure Services/Planning and Building Services Report 2017-52 dated November 27, 2017 regarding two requests from Property owners to have their properties be removed from the Town's listing of Non-designated Heritage Properties be received and the following recommendations be adopted:
  - a. That Council direct staff to:
    - i. Maintain 770 Gorham Street on the Municipal Register of Non-Designated Properties; and,
    - ii. Begin a process of Heritage Designation under the Ontario Heritage Act for the property Municipally known as 171 Church Street, Newmarket for its cultural heritage value and interest; and,
  - b. That Emily Lamont, 171 Church Street and Ehsan Velayati, 770 Gorham Street be notified of this action.

(32) Proposed Noise By-law

This item was dealt with separately, see Item 9 below for vote.

(33) Procedure By-Law Update and Draft Electronic Participation in Meetings Policy

1. That the Corporate Services – Legislative Services Report - 2017-26 entitled "Procedure By-Law Update and Draft Electronic Participation in Meetings Policy" be received; and,
2. That Council adopt the amendments to the Procedure By-law attached as Appendix A with an effective date of January 1, 2018; and,
3. That Council approve the Electronic Participation in Meetings Policy attached as Appendix B, with an effective date of January 1, 2018; and,
4. That the Town Clerk be authorized to administer the Electronic Participation in Meetings Policy and develop the necessary Procedures to implement the Policy, as required; and,
5. That Council permit the Accessibility Advisory Committee to participate using the Electronic Participation in Meetings Policy effective January 1, 2018 for a trial period of one year; and,

6. That staff be directed to report back in 2019 with a review of the Electronic Participation in Meetings Policy.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

Moved by: Councillor Kwapis  
Seconded by: Councillor Kerwin

1. That sub-items 7, 11.4 and 30 of the Committee of the Whole Meeting Minutes of November 27, 2017 be received and the recommendations noted within be adopted.
- (7) Deputation by Mr. Brad Rogers, Groundswell Urban Planners Inc. regarding Servicing Allocation Update (260 Eagle Street)
  1. That the Deputation by Mr. Brad Rogers, Groundswell Urban Planners Inc. regarding Servicing Allocation Update Report, related to the property known as 260 Eagle Street, be received.
- (11) Servicing Allocation Update
  4. That Council grant the requested servicing allocation to the property known as 260 Eagle Street.
- (30) Permission to Submit a Minor Variance Application – 260 Eagle Street
  1. That Development and Infrastructure Services/Planning & Building Services Report 2017-51 dated November 10, 2017 regarding 260 Eagle Street (File Number NP-A-17-13) submitted by 711371 Ontario Corp., be received and that the following recommendation be adopted:
    - a. That whereas the Planning Act limits the ability to apply for a minor variance for a 2 year period following approval of a Zoning By-law Amendment, the owner shall, through a declaration of resolution by Council be permitted to submit an application for minor variance to seek an increased maximum building height from 11.0m (3 storeys) to 12.0 metres (3 storeys).

In Favour: Mayor Van Bynen, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempten, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: None  
(8 in favour, 0 opposed)

Regional Councillor & Deputy Mayor Taylor did not vote on this item due to a previously declared conflict.

**Carried**

**7. Committee of the Whole (Closed Session) Meeting Minutes of November 27, 2017**

Moved by: Councillor Twinney  
Seconded by: Councillor Vegh

1. That the Committee of the Whole (Closed Session) Meeting Minutes of November 27, 2017 be approved.

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

Opposed: None  
(8 in favour, 0 opposed)

Councillor Hempten did not vote on this item due to a previously declared conflict.

**Carried**

- (1) Committee of the Whole (Closed Session) Meeting Minutes of November 27, 2017 – Development and Infrastructure Services (Planning and Building Services) Closed Session Report 2017-50 regarding proposed acquisition or disposition of land by the Municipality, as per Section (2) (c) of the Municipal Act, 2001 relating to the Hollingsworth Arena property.

Moved by: Councillor Kerwin  
Seconded by: Councillor Twinney

1. That Closed Session Report 2017-50 dated November 27, 2017 be received; and,
2. That the recommendations therein be adopted as amended.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

- (2) Committee of the Whole (Closed Session) Meeting Minutes of November 27, 2017 – Verbal Update relating to 178-194 Main Street South regarding litigation or potential litigation including matters before administrative tribunals affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001.

Moved by: Councillor Vegh  
Seconded by: Councillor Kwapis

1. That the confidential direction to staff be approved.

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

Opposed: None  
(8 in favour, 0 opposed)

Councillor Hempen did not vote on this item due to a previously declared conflict.

**Carried**

- (3) Committee of the Whole (Closed Session) Meeting Minutes of November 27, 2017 – Market Review Update regarding Labour relations or employee negotiations as per Section 239 (2) (d) of the Municipal Act, 2001.

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

1. That Confidential Joint CAO/HR/Financial Services Information Reports 2017-13, 14 & 15 dated November 27, 2017 be received; and,  
2. That the confidential direction to staff be approved.



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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

**8. Approval of 2018 Capital and Operating Budgets  
CAO/Commissioners, Financial Services  
November 21, 2017**

Note: This is related to Item (5) of the November 27, 2017 Committee of the Whole minutes.

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

1. That Joint CAO/Commissioners and Corporate Services Report - Financial Services 2017-61 (Amended) dated November 30, 2017 regarding Approval of the 2018 Operating and Capital Budgets be received and the following recommendations be adopted as amended:
  - a. That the proposed 2018 Operating Budget with expenditures of \$127,927,654 be approved, which is comprised of the following components:
    - i. \$63,446,921 for the Town portion, which includes an additional \$231,892 for asset replacement funding;
    - ii. \$30,000 for the Newmarket Business Improvement Area (BIA);
    - iii. \$4,050,823 for the Library portion;
    - iv. \$16,762,672 for Central York Fire Services (Newmarket's share) which includes an additional \$148,138 for asset replacement funding;
    - v. \$39,248,453 for the Water and Wastewater Rate Groups which includes an additional \$680,557 for asset replacement funding;
    - vi. \$1,852,084 for the Stormwater Management Rate Group which includes a reduction of \$642,488 for asset replacement funding;
    - vii. \$2,536,701 for the Building Permit Rate Group; and,
  - b. That the proposed 2018 Capital Budget with new expenditures of \$25,933,120 be approved subject to the following conditions:

That Council provides separate approval for expenditures on the following projects after consideration of additional reports:

- 1) Heritage Conservation District update (project #26);
- 2) Fernbank Farmhouse maintenance (project #47); and,
- 3) Outdoor Train (project #56).

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

### **9. Revisions to Proposed Fees and Charges for Noise Exemptions in the Noise By-law and Memorandum**

Note: This is related to Item (32) of the November 27, 2017 Committee of the Whole minutes.

Moved by: Councillor Vegh  
Seconded by: Councillor Twinney

1. That Corporate Services – Legislative Services Report 2017-27 dated November 27, 2017 regarding Proposed Noise By-law be received; and,
2. That the memorandum dated November 30, 2017 entitled “Revisions to the Noise By-law Proposed Fees and Charges” be received; and,
3. That Council approve the “proposed fees and charges for noise exemptions” for the Noise By-law as provided in the attached memorandum; and,
4. That Council approve the amendments to the 2018 Fees and Charges By-law to reflect the “proposed fees and charges for noise exemptions” as provided in the attached memorandum; and,
5. That Council repeal current Noise By-law 2004-94, as amended; and,
6. That Council enact the new Noise By-law attached as Appendix A.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

**10. Proclamation Request – December 6, 2017 - National Day of Remembrance and Action to End Violence Against Women**

Moved by: Councillor Kerwin  
Seconded by: Councillor Kwapis

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaim December 6, 2017 National Day of Remembrance and Action to End Violence Against Women; and,
3. That the proclamation be advertised on the Town Page and on the Town's website; and,
4. That Riverwalk Commons be illuminated in purple on December 6, 2017.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

**By-laws**

- |         |  |
|---------|--|
| 2017-65 | A By-law to amend By-law Number 2014-25 being Restricted Area (Zoning) By-law. (Marianneville Developments Limited)                                  |
| 2017-66 | A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Fees and Charges - All Departments - General Fees) |
| 2017-67 | A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Planning Department Application Fees)              |

- 2017-68 A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Fees and Charges - Fire Services)
- 2017-69 A By-law to adopt a Stormwater Management Services Charge by the Town of Newmarket for 2018.
- 2017-70 A By-law to establish a Combined Utility Rate Structure in the Town of Newmarket.
- 2017-71 A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Legislative Services - Licensing Fees)
- 2017-72 A By-law to provide an exemption to By-law 2004-94, as amended, being a By Law to prohibit and regulate unusual Noises or noises likely to disturb the inhabitants of the Town of Newmarket (vivaNext Rapid Transit Y3.2 project)
- 2017-73 A By-law to regulate the erection and maintenance of signs and other advertising devices in the Town of Newmarket.
- 2014-74 A By-law to manage and regulate election signs in the Town of Newmarket.
- 2017-75 A By-law to amend Procedure By-law 2015-50, being a By-law to govern the proceedings of Council and Committee meetings.
- 2017-76 A By-law to prohibit or regulate noise in the Town of Newmarket.
- 2017-77 A By-law to amend Procurement By-law 2014-27, being a By-law to define the Procurement Policies for the Town of Newmarket.

Moved by: Councillor Bisanz  
 Seconded by: Councillor Hempen

1. That By-laws 2017-65, 2017-66, 2017-67, 2017-68, 2017-69, 2017-70, 2017-71, 2017-72, 2017-73, 2017-74, 2017-75, 2017-76 and 2017-77 be enacted.

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

Opposed: None  
 (9 in favour, 0 opposed)

**Carried**

## Notices of Motions

### Motions

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

1. That staff be directed to work with the property owner at Davis Drive and Patterson Street to maintain the property in accordance with the Town's applicable By-laws.

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

Opposed: None  
(9 in favour, 0 opposed)

**Carried**

### Announcements & Community Events

#### 11. Christmas Toy and Food Drive

Councillor Bisanz invited residents to donate to the annual Christmas Toy and Food Drive. Donations of unwrapped toys and non-perishable food items are collected in the lobby of the Municipal Offices at 395 Mulock Drive. All items will be presented to the local Salvation Army on Monday, December 18 at 10:00 AM.

#### 12. Registration for Town of Newmarket Leisure and Aquatic Winter Programs

Councillor Broome advised that registration for Town of Newmarket Leisure and Aquatic winter programs begins Wednesday, December 6 at 6:30 AM for residents and Wednesday December 13 at 8:30 AM for non-residents. Programs start at \$50. Residents may register online at [play.newmarket.ca](http://play.newmarket.ca) or at one of the Kiosks at the Municipal Offices, Magna Centre, Ray Twinney Recreation Complex, Recreation Youth Centre & Sk8 Park, Newmarket Seniors' Meeting Place, or Old Town Hall.

#### 13. Winter Wonderland and Frozen Fridays

Councillor Kwapis invited residents to attend Winter Wonderland at Riverwalk Commons which will occur every evening from 6:00 PM – 9:00 PM until January 7. Weekday evenings include the light display and outdoor skating on the Tim

Hortons Skating and Water Feature. Weekend evenings include free train rides on the Tim Hortons Express Train. Frozen Friday begins at 6:00 PM every Friday evening until January 5 and features DJ Tyler Stevenson, skating, train rides, warm beverages, and a treat. He advised that admission is free and residents can find more information at [newmarket.ca/winterwonderland](http://newmarket.ca/winterwonderland).

**14. Change in Garbage Collection Days**

Councillor Kwapis reminded residents that some garbage pickup days will change beginning January 1. Residents are advised to check the schedule at the Newmarket Town website to see which routes have changed days.

**15. Warm Hearts, Warm Hands Mitten Tree**

Councillor Hempen advised that residents can donate to the Town's Mitten Tree "Warm Hearts, Warm Hands". New handmade or purchased mittens, hats and scarves can be attached to the Town's Mitten Tree at Newmarket's Riverwalk Commons, 200 Doug Duncan Drive. Donations will be accepted from December 8 to February 19, with leftover items being donated to Inn From The Cold.

**16. Annual Tim Horton's First Night Newmarket**

Regional Councillor and Deputy Mayor Taylor invited residents to celebrate New Year's Eve at the Annual Tim Horton's First Night Newmarket on December 31 from 6:00 PM – 9:00 PM at the Magna Centre. The evening will include family-friendly entertainment, skating and swimming, ending with the Grand Finale countdown fireworks at 9:00 PM.

**17. National Day of Remembrance and Action to End Violence Against Women**

Regional Councillor and Deputy Mayor Taylor noted that December 6, 2017 will be recognized as the National Day of Remembrance and Action to End Violence Against Women.

**18. A Journey to Bethlehem Event**

Councillor Twinney advised that the Church of Jesus Christ of Latter-day Saints, in co-operation with the Town of Newmarket, will be presenting "A Journey to Bethlehem." This event features a live cast with real animals representing the nativity scene and birth of Jesus Christ as told in the New Testament. Performances will take place at Fairy Lake Park on Water Street on December 21 to 23 at 7:00 PM and 8:00 PM, with one performance on December 24 at 7:00 PM. She advised attendees to dress warmly and allow for a 20 minute walk. Admission is free.

**19. New Year's Eve Party at Newmarket Seniors' Meeting Place**

Councillor Kerwin advised that the Newmarket Seniors' Meeting Place is holding a New Year's Eve party at 8:00 PM on Sunday December 31 at 474 Davis Drive, which will feature noise makers, friends, good music, and good cheer. Late night snacks will be provided at 10:00 PM. Tickets are \$30 for members and \$40 for non-members and must be purchased in advance. Table reservations are accepted in groups of 8 – to be paid at the time of reservation. Residents may call 905-953-5325 for further details.

**20. Ward 1 Meeting and Ward 1 New Year's Levee**

Councillor Vegh advised Ward 1 residents are invited to drop in to the Ward Meeting on Tuesday December 5 from 7:00-9:00 PM at the Magna Centre, 800 Mulock Drive. Ward residents may contact Councillor Vegh at 905-895-7095 or [tvegh@newmarket.ca](mailto:tvegh@newmarket.ca) for more information. He also invited Ward 1 residents to attend the Ward 1 New Year's Levee Sunday January 14 at Ken Sturgeon Park.

**21. Mayor in the Square**

Mayor Van Bynen advised residents that he will be at "Mayor in the Square" at the Newmarket Public Library at 438 Park Avenue on Friday, December 15 from 11:00 AM until 12:00 noon.

**22. Holiday Closures**

Mayor Van Bynen advised that the Town of Newmarket Municipal Offices are open until noon on Friday, December 22. The offices will close for the holidays and resume regular business hours on Tuesday, January 2. The Customer Service Centre at 395 Mulock Drive is open from 10:00 AM to 3:00 PM December 27-29. Customer Service is also available at the kiosks in the Magna Centre and the Ray Twinney Recreation Complex – details are available at [newmarket.ca/news](http://newmarket.ca/news).

**23. Mayor's New Year's Levee**

Mayor Van Bynen invited residents to join him along with members of Newmarket Council at the annual Mayor's New Year's Levee from 1:00 PM – 3:00 PM on Sunday January 7 at Newmarket Riverwalk Commons and the Newmarket Community Centre & Lions Hall. The event will feature skating, delicious treats, local entertainment and cultural artists. This is a free, family-friendly event.

**24. Next Council Meeting – Monday, January 22, 2018 at 7:00 PM**

Mayor Van Bynen advised residents that the next Council meeting is on Monday, January 22, 2018 beginning at 7:00 PM.

## **New Business**

None.

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

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

## **Confirmatory By-law**

2017- 78      A By-law to Confirm the proceedings of the December 4, 2017 Council meeting.

Moved by:            Councillor Broome

Seconded by:        Councillor Kerwin

1.      That By-law 2017-78 be enacted.

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

Opposed:    None  
(9 in favour, 0 opposed)

**Carried**

## **Adjournment**

Moved by:            Councillor Hempen

Seconded by:        Councillor Bisanz

1.      That the meeting of Council adjourn at 8:06 PM.

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

Opposed:    None  
(9 in favour, 0 opposed)

**Carried**



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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk