

Open Forum

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Motions

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Adjournment

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Name:	
Organization / Group/ Business represented:	
Address:	Postal Code:
Daytime Phone No: [REDACTED]	Home Phone: [REDACTED]
Email:	Date of Meeting:
Is this an item on the Agenda? <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable):	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

- Deputations related to items on the agenda can be accommodated up to and including the meeting day;
- Deputations related to items not on the agenda may be scheduled within sixty (60) days of receipt of this form;
- Deputations will not be heard on a matter decided upon by Council until ninety (90) days have passed from the date of the matter's disposition by Council;
- Deputations are limited to 5 minutes.

Be advised that all Council and Committee of the Whole meetings are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905 895-5193 Ext. 2211 Fax 905-953-5100



Town of Newmarket

Minutes

Council

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

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 Hempen, 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 Hempen 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 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.

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 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.

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

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

Special Council

Monday, January 15, 2018 at +/- 5:00 PM.
Council Chambers

For consideration by Council on
January 22, 2018

The special meeting of Council was held on Monday, January 15, 2018 in the Council Chambers, 395 Mulock Drive, Newmarket.

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

Regrets: Councillor Vegh
Councillor Hempen
Councillor Broome

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
L. Lyons, Director of Legislative Services/Town Clerk
H. Leznoff, Council/Committee Coordinator

The meeting was called to order at 5:35 PM.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the following corrections, as presented during Committee of the Whole meeting, regarding Newmarket Hydro Holdings Inc. Report of the President dated October 25, 2017 entitled "Establishment of a Subsidiary Company":

- a. That recommendation 1 be corrected to include **"with 100 issued shares"** after the word "Subsidiary"; and,

- b. That recommendation 2 be corrected to replace “9,300 common shares” with “**93** common shares”.

Moved by: Councillor Kerwin
 Seconded by: Councillor Twinney

- 1. That the corrections to the agenda be approved.

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

Opposed: None
 (6 in favour, 0 opposed)

Carried

Declarations & Pecuniary Interest

None.

Deputations

None.

Reports of Committee and Staff

- 1. **Ratification of actions related to Item 14 of the January 15, 2018 Committee of the Whole meeting, regarding Newmarket Hydro Holdings Inc. Report of the President dated October 25, 2017 entitled “Establishment of a Subsidiary Company.”**

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 a subsidiary company (the “Subsidiary”) to Newmarket Hydro Holdings Inc. (“NHHI”) and Tay Hydro Holdings Inc. (“THI”) be received and the following resolutions be adopted:

- a. The establishment of the Subsidiary with 100 issued shares as an Ontario corporation for the pursuit of the Business Case is authorized and approved; and,
- b. The subscription of 93 common shares of the Subsidiary for the aggregate amount of \$93 by NHHI is authorized and approved; and,
- c. The entering into of the Shareholders Agreement in the form of draft provided to Municipal Council is authorized and approved; and,
- d. Paul Ferguson, the Mayor and the Clerk are authorized for and on behalf of Municipal Council to execute and deliver the Shareholders Agreement in the form approved herein with such changes therein, if any, as Paul Ferguson, the Mayor and the Clerk executing the Shareholders Agreement in their discretion may approve, their approval of any such changes to be conclusively evidenced by their execution and delivery of the Shareholders Agreement and the Shareholders Agreement so executed and delivered shall be deemed to be the Shareholders Agreement approved by these resolutions; and,
- e. Paul Ferguson, acting alone, is authorized for and on behalf of Municipal Council and NHHI 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 or the Shareholders Agreement (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.

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

Opposed: None
(6 in favour, 0 opposed)

Carried

By-laws

None.

Confirmatory By-law

Moved by: Councillor Kwapis
Seconded by: Councillor Twinney

2018-01 A By-law to Confirm the proceedings of the January 15, 2018 Special Council Meeting.

1. That By-law 2018-01 be enacted.

Carried

Adjournment

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

1. That the special Council meeting adjourn at 5:37 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

Committee of the Whole

Monday, January 15, 2018 at 1:30 PM
Council Chambers

For consideration by Council on
January 22, 2018

The meeting of the Committee of the Whole was held on Monday, January 15, 2018 in the Council Chambers, 395 Mulock Drive, Newmarket.

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

Regrets: Councillor Vegh
Councillor Hempen
Councillor Broome

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
T. Horton, Planner
T. Traviss, Senior Planner
H. Leznoff, Council/Committee Coordinator

Guest: Mr. Matt Farrell, President, Ontario Building Officials Association

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

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the following additions to the agenda:

- (1) Hydro Holdings Inc. Report of the President dated October 25, 2017 entitled "Establishment of a Subsidiary Company. This item was deferred from the November 6, 2017 Committee of the Whole meeting.
- (1) Presentation (Closed Session) by Mr. Paul Ferguson, Newmarket Tay-Power Distribution, regarding "Establishment of a Subsidiary Company".
- (2) Planning and Building Services (Closed Session) Report 2018-02 regarding the Hollingsworth Arena Property.
- (3) Joint Legal and Planning Services (Closed Session) Report 2018-01 regarding an Appeal to the Ontario Municipal Board related to 770 Gorham Street.
- (4) Verbal Update regarding Confidential Information Report 2017-53 entitled "Mulock Station Update".

The Chief Administrative Officer advised of the following corrections to the agenda:

- (1) Hydro Holdings Inc. Report of the President dated October 25, 2017 entitled "Establishment of a Subsidiary Company."
 - a. That recommendation 1 be corrected to include "**with 100 issued shares**" after the word "Subsidiary"; and,
 - b. That recommendation 2 be corrected to replace "9,300 common shares" with "**93** common shares"

Moved by: Councillor Twinney

Seconded by: Councillor Kwapis

1. That the additions and corrections to the January 15, 2018 Committee of the Whole agenda be approved.

Carried

Declarations & Pecuniary Interest

None.

Presentation & Recognitions

1. Presentation of 2017 Ontario Building Officials Association Life Membership Award to Mr. David Potter

Mr. Matt Farrell, President of the Ontario Buildings Officials Association presented the Life Membership Award to Mr. David Potter, Chief Building Official.

2. Site Plan Process Review Report and Presentation

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

1. That the Site Plan Process Review Report, be considered with the presentation.

Carried

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

1. That the Site Plan Process Review presentation be received; and,
2. That Development and Infrastructure Services/Planning and Building Services Report 2017-30 dated November 13, 2017 regarding the Site Plan Process Review be received and the following recommendations be adopted:
 - a. That Council endorse in principle the Site Plan Process Manual attached to this report; and,
 - b. That Council delegate to the Director of Planning and Building Services the authority to make such amendments to the Manual as reflect future changes to Town requirements; and,
 - c. That staff monitor the site plan process for improvements and report back accordingly; and,
 - d. That the Delegation of Authority By-law be updated accordingly.

Deputations

None.

Consent Items

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

That the following items (3-10) be adopted on consent:

3. 2018 Interim Tax Billing and By-law

1. That report entitled 2018 Interim Tax Billing and By-law dated January 15, 2018 be received; and,
2. That Council enact a by-law (attached hereto as Appendix A) for the levy and collection of the 2018 Interim Tax Billing.

4. Newmarket Economic Development Meeting Minutes of June 21, 2017

1. That the Newmarket Economic Development Meeting Minutes of June 21, 2017 be received.

5. Accessibility Advisory Committee Meeting Minutes of September 21, 2017

1. That the Accessibility Advisory Committee Meeting Minutes of September 21, 2017 be received.

6. Main Street Business Improvement Area Meeting Minutes of October 17, 2017

1. That the Main Street Business Improvement Area Meeting Minutes of October 17, 2017 be received.

7. Heritage Newmarket Meeting Minutes of October 3, 2017 and November 7, 2017

1. That the Heritage Newmarket Meeting Minutes of October 3, 2017 and November 7, 2017 be received.

8. Audit Committee Meeting Minutes of October 26, 2017

1. That the Audit Committee Meeting Minutes of October 26, 2017 be received.

9. Newmarket Public Library Board Meeting Minutes of October 18, 2017 and November 15, 2017

1. That the Newmarket Public Library Board Meeting Minutes of October 18, 2017 and November 15, 2017 be received.

10. Proclamation Request – February 26, 2018 – National Cupcake Day for the Ontario Society for the Prevention of Cruelty to Animals (OSPCA)

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaims February 26, 2018 as “National Cupcake Day”; and,
3. That the proclamation be advertised on the Town Page and on the Town’s website.

Carried**11. 514 Davis Drive – Rezoning Application**

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

1. That Planning and Building Services Report 2018-01 dated January 15, 2018 entitled “514 Davis Drive – Rezoning Application,” be received; and,
2. That the application for Zoning By-law amendment, as submitted by 1548373 Ontario Inc. (Oskar Group) for 514 Davis Drive, be approved and
3. That 1548373 Ontario Inc. (Oskar Group), c/o Pancy Pong, 3660 Midland Ave, Suite 200, Toronto Ontario, M1V 0B8, be notified of this action.

Carried

12. Newmarket Environmental Advisory Committee Meeting Minutes of September 13, 2017

Moved by: Councillor Twinney
 Seconded by: Councillor Kwapis

1. That the Newmarket Environmental Advisory Committee meeting minutes of September 13, 2017 be received.

Carried

13. Outstanding Matters List

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

1. That the list of Outstanding Matters be received; and,
2. **That Item 6 of the Outstanding Matters List be removed.**

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motions

None.

Motions

None.

New Business

- (1) Councillor Kwapis requested an update regarding the construction on Park Avenue between Lorne Avenue and Main Street, specifically regarding the bike lanes and what will happen to them during the construction process.
- (2) Councillor Kerwin discussed the International Making Cities Livable Conference and suggested that staff should put forward a proposal and attend the conference.
- (3) Councillor Kerwin requested an update regarding art at the Old Town Hall.
- (4) Councillor Kerwin advised that the Newmarket/East Gwillimbury Kinsmen Club has lost membership and therefore will be withdrawing from the bingo at Bingoworld. It was suggested that the Mayor will send a letter on behalf of Council to thank the Kinsmen Club for its contribution to the Town over the years.

Closed Session

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - (1) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization, as per Section 239 (2) (i) of the Municipal Act, 2001 regarding a presentation by Mr. Paul Ferguson, Newmarket Tay-Power Distribution Ltd. regarding the Hydro Holdings Inc. Report of the President entitled "Establishment of a Subsidiary Company."; and,

- (2) Proposed acquisition or disposition of land by the municipality per Section 239 (2) (c) of the Municipal Act, 2001 regarding Planning and Building Services (Closed Session) Report 2018-02 regarding the Hollingsworth Arena Property; and,
- (3) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001 regarding Joint Legal and Planning Services (Closed Session) Report 2018-01 regarding an Appeal to the Ontario Municipal Board related to 770 Gorham Street; and,
- (4) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them, as per Section 239 (2) (h) of the Municipal Act, 2001 regarding the Verbal Update related to Confidential Information Report 2017-53 entitled "Mulock Station Status Update".

The Committee of the Whole resolved into Closed Session at 2:34 PM.

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

The Committee of the Whole resumed into Open Session at 5:22 PM.

14. Establishment of a Subsidiary Company

Moved by: Councillor Kwapis
 Seconded by: Councillor Bisanz

- 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 received and the following resolutions be adopted:
 - a. The establishment of the Subsidiary with 100 issued shares as an Ontario corporation for the pursuit of the Business Case is authorized and approved; and,
 - b. The subscription of 93 common shares of the Subsidiary for the aggregate amount of \$93 by NHHI is authorized and approved; and,
 - c. The entering into of the Shareholders Agreement in the form of draft provided to Municipal Council is authorized and approved; and,

- d. Paul Ferguson, the Mayor and the Clerk are authorized for and on behalf of Municipal Council to execute and deliver the Shareholders Agreement in the form approved herein with such changes therein, if any, as Paul Ferguson, the Mayor and the Clerk executing the Shareholders Agreement in their discretion may approve, their approval of any such changes to be conclusively evidenced by their execution and delivery of the Shareholders Agreement and the Shareholders Agreement so executed and delivered shall be deemed to be the Shareholders Agreement approved by these resolutions; and,
- e. Paul Ferguson, acting alone, is authorized for and on behalf of Municipal Council and NHHI 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 or the Shareholders Agreement (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.

Carried

Public Hearing Matters

None.

Adjournment

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

1. That the meeting of Committee of the Whole adjourn at 5:31 PM.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2018-02

A By-law to Levy the 2018 Interim Property Taxes.

Whereas the Council of the Corporation of the Town of Newmarket wishes to impose an interim property tax levy as authorized by the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

And whereas section 317 of the Municipal Act, 2001 authorizes a council to pass by-laws for the payment of taxes by installments and the date or dates in the year for which the taxes are imposed;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the Council of the Corporation of the Town of Newmarket is hereby authorized to levy in 2018 an amount equal to fifty percent of the prior year annualized taxes on property that is rateable for local municipal purposes;
2. And that taxes may be levied under this by-law on a property that is rateable for local municipal purposes for the current tax year, but which was not rateable for local municipal purposes for the prior year, including assessment of property that is added to the assessment roll after the by-law is passed;
3. And that the Treasurer of the Corporation of the Town of Newmarket send to each person, or their designated financial institution, a bill specifying the amounts and due dates of taxes payable by that taxpayer;
4. And that the Treasurer of the Corporation of the Town of Newmarket shall send the tax bill to the taxpayer's residence or place of business unless the taxpayer has directed the Treasurer, in writing, to send the bill to another address, or by electronic mail, in which case it shall be delivered in that manner. The alternative direction continues in place until revoked;
5. And that the property taxes levied by this by-law shall be due and payable in installment amounts as shown on the tax bill, on February 22, 2018, March 27, 2018 and April 26, 2018 and be paid to the Treasurer, Town of Newmarket by cheque, cash, internet/telephone/ATM banking or through pre-authorized payment withdrawals;
6. And that Council directs that all payments, including partial payments, be applied to accounts on a consistent basis;
7. And that this by-law comes into effect on January 1, 2018.

Enacted this 22nd day of January, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2018-03

A By-law to Exempt Certain Lands From The Part Lot Control Provisions Of The Planning Act.

(Lindvest Properties (Valleyview) Limited, Lots 29, 30, 31, 32 and 33, Registered Plan 65m-3847)

Whereas it is deemed advisable to exempt certain lands from the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P.13;

And whereas the land use to be accommodated by the exemption, the parcel to be created, and any remaining parcel, are in conformity with the governing Official Plan and are permitted and in conformity with the Zoning Bylaw in effect for the area in question;

And whereas Plan 65M-3847 was registered on August 8, 2005 and the construction of the units on Lots 29, 30, 31, 32 and 33 have now advanced to a point where it is appropriate to enact the required by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P. 13 do not apply to the lands described as Lots 29, 30, 31, 32 and 33, Registered Plan 65M-3847, further described as Parts 1 through 10 inclusive, on Plan 65R-37516 Town of Newmarket, Regional Municipality of York.
2. And that the Municipal Solicitor or designate be authorized and directed to electronically sign and register this by-law on title
3. And that this By-law will lapse after a period of 2 years from the date of enactment.

Enacted this 22nd day of January, 2018.

Tony Van Bynen, Mayor

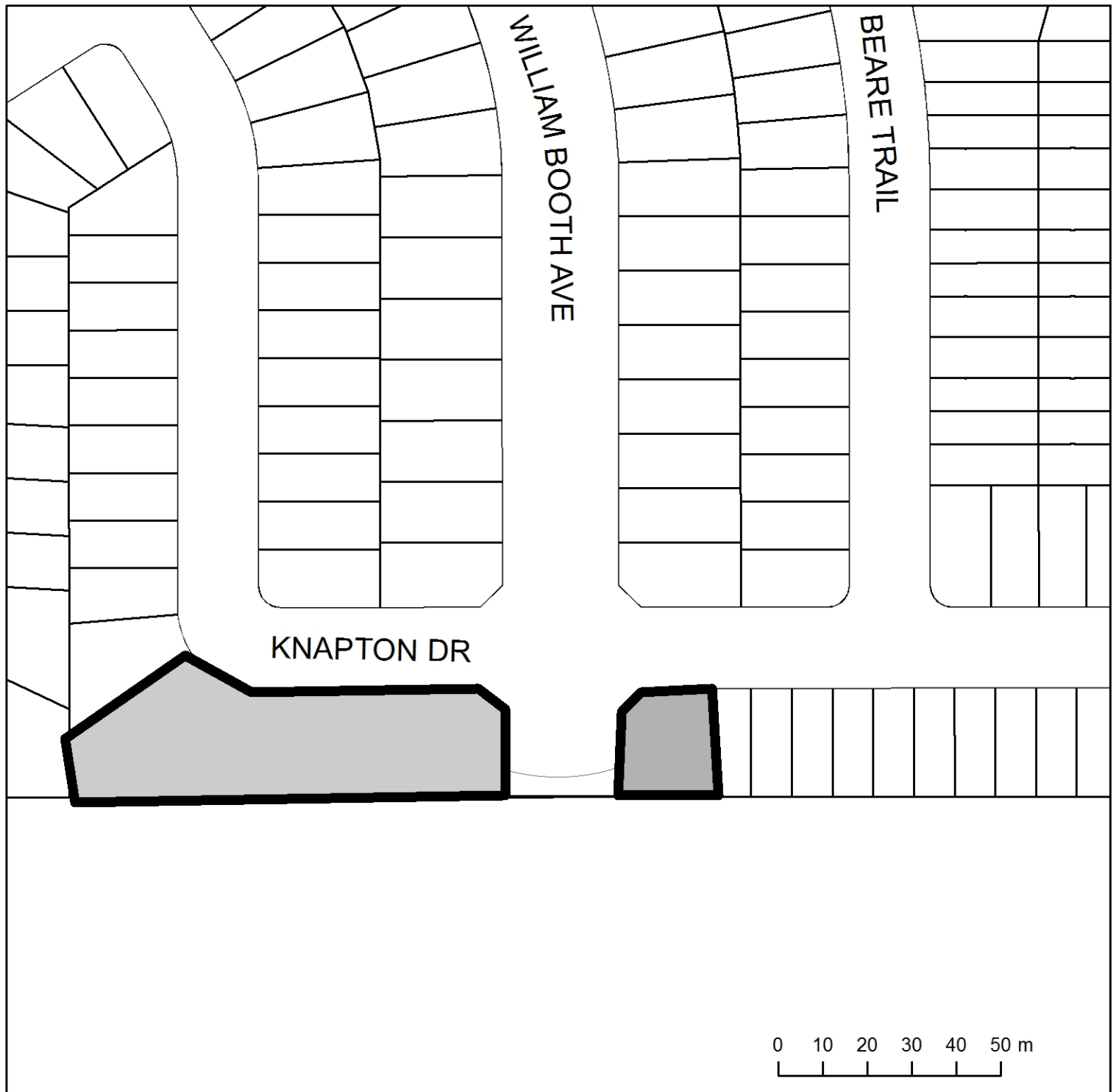
Lisa Lyons, Town Clerk

LOCATION MAP

Lots 29, 30, 31, 32 and 33 Plan 65M 3847

Town of Newmarket

Regional Municipality of York



 Subject Lands

TOWN OF NEWMARKET PLANNING DEPARTMENT





Corporation of the Town of Newmarket

By-law 2018-04

A By-law to amend By-law 2010-40 being a Zoning By-law (1548373 Ontario Inc. – 514 Davis Drive)

Whereas it is deemed advisable to amend By-law Number 2010-40 as amended;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That By-law 2010-40 as amended be and the same is hereby further amended by:
2. Deleting from Schedule 'A' Map No. 12, the Healthcare Urban Centre Complementary 2 (UC-HC2) Zone on 514 Davis Drive, and substituting therefore the Healthcare Urban Centre Complementary Exception 139 (UC-HC2-139) Zone as shown more particularly on Schedule "X" attached hereto, and forming part of this By-law;
3. Adding the following regulations to Section 8.1.1 List of Exceptions:

Exception 139	Zoning UC-HC2-139	Map 12	By-law 2018-04	File Reference D14-NP1702
<ol style="list-style-type: none"> i) Location: 514 Davis Drive ii) Legal Description: Part of Lots 2, 3, 4, & 5, Plan 78 and Part Block F, Plan 262 iii) Notwithstanding any other provisions of this By-law, the following Development Standards shall be applied to the lands subject to this By-law: <ol style="list-style-type: none"> a. Minimum interior side yard setback: 1.1m b. Minimum rear yard setback: 0.5m c. Maximum building height: 26m (five stories 				

- exclusive of the mechanical roof)
- d. Minimum entrance/exit width at property line: 6.7m
 - e. Minimum two-way parking aisle width: 6.0m
 - f. Loading space requirements: 1 loading space
 - g. Maximum floor space index (FSI): 1.5
 - h. Minimum floor space index (FSI): 1.3
 - i. An outdoor parking lot designed to accommodate 5 or more parking spaces shall provide an area equivalent of 5% of the number of provided surface parking spaces for the purposes of snow storage.
 - j. A landscaped buffer of 0.9m shall be provided around the parking lot in the side yard and
 - k. A landscaped buffer of 1.9m shall be provided around the parking lot in the rear yard.
 - l. There shall be no minimum height requirement for coniferous or deciduous vegetative planting.
 - m. The outdoor parking lot shall be setback a minimum of 1.9m from the rear yard and a minimum of 0.9m from the side yard.
- iv) Notwithstanding the definitions in Section 3, storey shall be defined as follows:
- “Storey shall mean a level of building located between the surface of a floor and the ceiling or roof immediately above it, and includes a mezzanine but does not include a basement or cellar.”

Enacted this 22nd day of January 2018.

Tony Van Bynen, Mayor

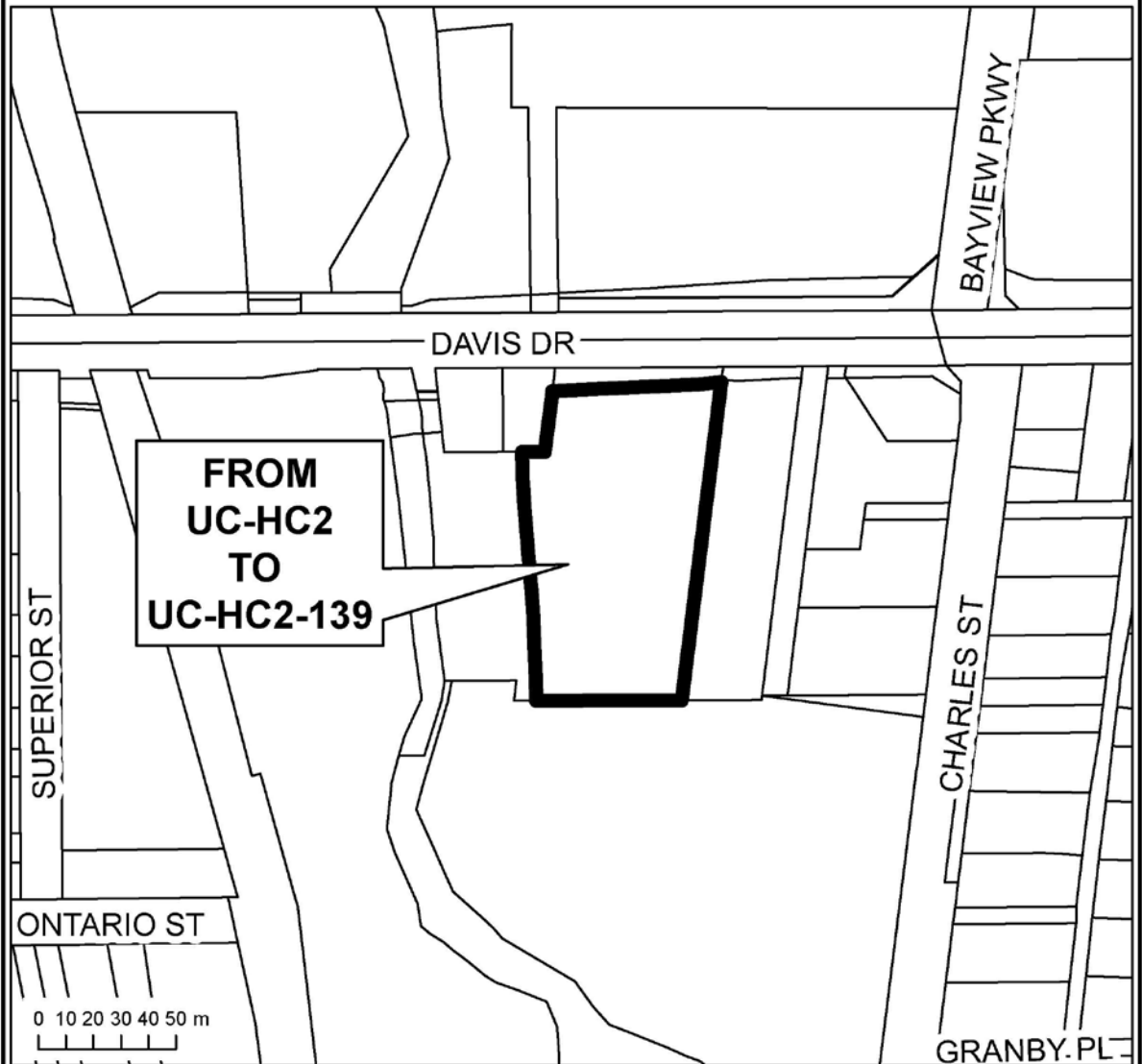
Lisa Lyons, Town Clerk

**TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
514 DAVIS DRIVE
PLAN 78 PT LOTS 2 TO 5
PLAN 262 PT BLK F S HURON ST RP
65R33800 PARTS 1 TO 13 15 TO 24 AND 30 TO 34**

This is Schedule 'X'
To Bylaw 2018-
Passed this _____ Day
of _____, 2018.

MAYOR _____

CLERK _____



**SCHEDULE "X" TO BY-LAW 2018-
TOWN OF NEWMARKET PLANNING DEPARTMENT**

Designed & Produced by Information Technology - GIS. Sources: Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY 2018. Zoning - Town of Newmarket, 2018. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey. Printed: January, 2018.

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Corporation of the Town of Newmarket

By-law 2018-05

A By-law to Lift 0.3m Reserve And Dedicate Certain Lands As A Public Highway.

(0.3m Parcel of Land located in the area South of William Booth Avenue, North of Davis Drive West and East of Bathurst Street & West of Yonge Street – within Northwest Quadrant – Ward 7) - HOUSEKEEPING

Whereas pursuant to Lindvest Properties (Valleyview) Limited, Phase 1 Residential Subdivision Agreement dated March 21, 2005 the Town received a parcel of land from the Developer described as a 0.3m Reserve being Block 216 on Plan 65M-3847 on August 15, 2005;

And whereas pursuant to Sundial Homes (Davis) Limited, Phase 1 Residential Subdivision Agreement dated February 10, 2017 it is deemed appropriate to dedicate the above parcel of land as a public highway and form part of William Booth Avenue;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the land legally described as Block 216, Plan 65M-3847, Town of Newmarket in the Regional Municipality of York be hereby dedicated as a public highway and form part of William Booth Avenue;
2. And that the Municipal Solicitor or her designate be authorized and directed to electronically sign and register this by-law on title on behalf of the Corporation of the Town of Newmarket.

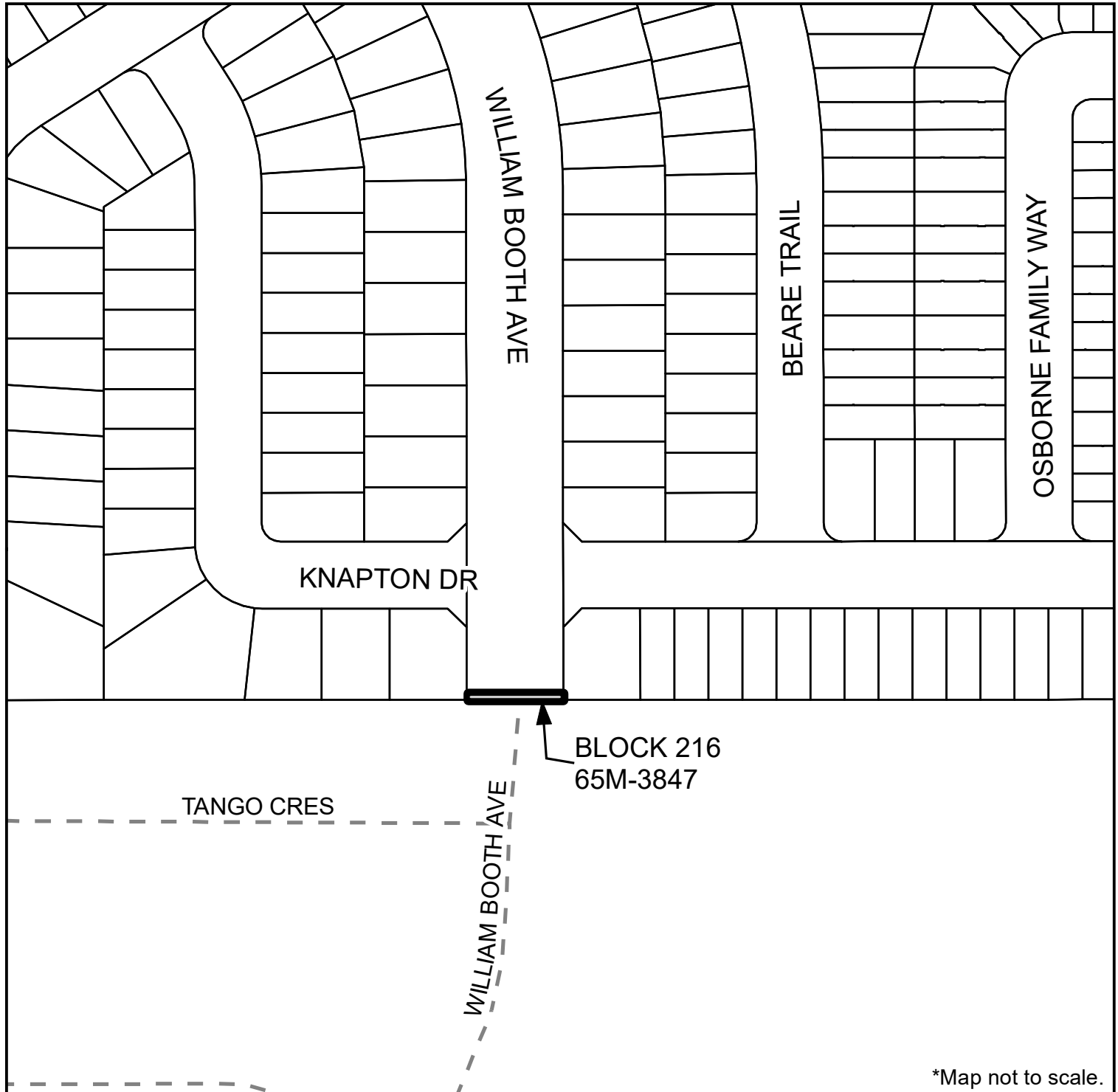
Enacted this 22nd day of January, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

LOCATION MAP

Block 216 (Reserve) on Plan 65M-3847 to be lifted and dedicated as a public highway and form part of William Booth Avenue



TOWN OF NEWMARKET LEGAL SERVICES DEPARTMENT
For Information Purposes Only – map does not form the by-law

 Subject Lands

 Future Road





Corporation of the Town of Newmarket

By-law 2018-06

A By-law to confirm the proceedings of a meeting of Council – January 22, 2018.

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

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

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

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

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

Enacted this 22nd day of January, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk