

Committee of the Whole

Monday, March 19, 2018 at 1:30 PM
Council Chambers

For consideration by Council on
March 26, 2018

The meeting of the Committee of the Whole was held on Monday, March 19, 2018 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Hempen
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Members Absent: Councillor Twinney

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
C. Kalimootoo, Director, Public Works Services
M. Mayes, Director of Financial Services/Treasurer
R. Nethery, Director, Planning and Building Services
L. Colangelo, Manager, Water/Wastewater
M. Peverini, Committee Secretary, Planning and Building Services
H. Leznoff, Council/Committee Coordinator

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

The Committee of the Whole recessed at 3:25 PM and reconvened at 4:03 PM. The Committee of the Whole recessed at 6:21 PM and reconvened at 7:00 PM.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

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

- (1) 2017 Newmarket Water Distribution System – Annual Water Quality Summary Presentation (PowerPoint Presentation). This is related to Item 1.
- (2) 2017 Preliminary Fourth Quarter Report – Operating, Investment and Capital Budget Summary Report. This report is related to Item 13.
- (3) 500 Water Street Parking Information Report (Cachet Parking Lot Expansion).
- (4) Correspondence from Paul Jolie dated March 18, 2018 regarding 175 Deerfield Road – Zoning By-law Amendment Report.

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

- (1) On Page 2 of the report entitled “2017 Preliminary Fourth Quarter Report – Operating, Investment and Capital Budget Summary Report” under “Transfers to Reserves,” item iv) should read a transfer of \$45,000 for Economic Development.

Moved by: Councillor Kerwin
Seconded by: Councillor Broome

1. That the additions and corrections to the March 19, 2018 Committee of the Whole agenda be approved.

Carried

Declarations of Pecuniary Interest

Deputy Mayor & Regional Councillor Taylor declared an interest in relation to Item 2 as his father was one of the individuals addressing the Committee.

Councillor Vegh declared an interest in relation to Item 2 as Habitat for Humanity was his former employer.

Councillor Hempen declared a conflict of interest in relation to Item 1 of the Closed Session regarding the Clock Tower as he has a business in close proximity to the subject lands.

Presentation & Recognitions

1. 2017 Newmarket Water Distribution System – Annual Water Quality Summary Presentation and Report

The Commissioner, Development and Infrastructure Services provided an overview of the presentation. The Director, Public Works Services, and Manager, Water/Waste Water provided a presentation regarding the 2017 Annual Water Quality Report Highlights. The presentation highlighted report requirements, water sampling results, adverse test results and corrective actions, expenses, requirements under the Safe Drinking Water Act, 2002, Ministry of Environment and Climate Change (MOECC) Inspection results, the structure of the 2-tier system with York Region and the Town of Newmarket, asset statistics, water sampling statistics, water quality challenges, Clean Water Wastewater Fund (CWWF) grants, drinking water quality Management Standard (DWQMS), and 2017 infrastructure repairs.

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

1. That the presentation time be extended to 15 minutes.

Carried

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

2. That the presentation by the Director, Public Works Services and Manager, Water/Wastewater regarding 2017 Newmarket Water Distribution System – Annual Water Quality Summary be received; and,
3. That the Development & Infrastructure Services – Public Works Services Report 2018-13 dated February 28, 2018 be received; and,
4. That members of the public be directed to view any documents referenced herein as attached (where applicable), online at newmarket.ca, by request at the customer service counter, 395 Mulock Drive, as well as at the Newmarket Operations Centre, 1275 Maple Hill Court.

Carried

Deputations

2. Deputation by Tom Taylor and Daniel Ger on behalf of Habitat for Humanity regarding Habitat amalgamation and land costs.

Tom Taylor and Daniel Ger addressed Committee on behalf of Habitat for Humanity, Greater Toronto Area. They advised that under the newly adopted Alternative Fees and Charges for Registered Charities and Non Profit Organizations Policy, Habitat for Humanity does not qualify because the organization is ultimately the mortgage broker rather than property owner. They requested a revision to the policy so that Habitat for Humanity would qualify.

Moved by: Councillor Broome
Seconded by: Councillor Hempten

1. That the deputation by Tom Taylor and Daniel Ger on behalf of Habitat for Humanity regarding Habitat amalgamation and land costs be received and referred to staff.

Carried

Deputy Mayor & Regional Councillor Taylor and Councillor Vegh took no part in the discussion or vote on the aforementioned matter.

3. Deputation by Sharon King Todd regarding cats at large

Sharon King Todd addressed the Committee regarding Section 4.10 of the Animal Control By-law, By-law 2016-53. She proposed amending the By-law to remove this section relating to cats at large.

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

1. That the presentation by Sharon King Todd regarding cats at large be received and referred to staff

Carried

4. Deputation by Stuart Hoffman regarding vibration control in regards to construction activity

Sturt Hoffman addressed the Committee regarding vibration caused by construction activity and recommended that a policy be put in place to address the issue. He proposed that the policy include a pre-consultations survey be provided to the homeowner by the developer (at the homeowners request), a requirement that vibrations must be monitored on all sites, and a requirement that pre-consultation meetings be held with the public to discuss expectations regarding construction.

Moved by: Councillor Bisanz
Seconded by: Councillor Vegh

1. That the deputation by Stuart Hoffman regarding vibration control in regards to construction activity be received and referred to staff for review and report; and,
2. That staff be directed to provide recommendations and approaches to address the issues identified to protect neighbouring sites from the effects of vibrations from adjacent construction projects; and,
3. That the report should include, but not be limited to, potential by-law changes including the requirement of pre-condition surveys, effective monitoring and data reporting, resident notification and a process for complaint handling in all site plan approvals.

Carried

Consent Items

Moved by: Councillor Kerwin
Seconded by: Councillor Broome

That the following items (5- 11) be adopted on consent:

5. Applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law amendment (Shining Hill Collections Inc.)

1. That Development and Infrastructure Services/Planning and Building Services Report 2018-16 dated March 19, 2018 regarding Applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law amendment be received and the following recommendation(s) be adopted:
 - a. That approval be given to Draft Plan of Subdivision 19TN-2018 001, subject to the schedule of conditions set out in Appendix “A” attached to and forming part of this Report; and,
 - b. That the approval for Draft Plan of Subdivision 19TN-2018-001 shall only be issued upon the execution of a “No Pre-Sales Agreement” by the Owner of the said Draft Plan with the Town of Newmarket; and,
 - c. That the Application for Official Plan Amendment and Zoning By-law amendment as submitted by Shining Hill Estates Collections Inc. for lands Municipally known as 16200 and 16250 Yonge Street be approved and that staff be directed to prepare the necessary Official Plan and Zoning By-Law Amendments, including the necessary Holding provisions; and,
 - d. That Lincoln Lo, Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham L3R 6B3 be notified of this action.

6. Sawmill Valley Drive and Peter Hall Drive – All-way Stop and Area Traffic Review

1. That the report entitled Sawmill Valley Drive and Peter Hall Drive All-way Stop and Area Review dated March 19, 2018 be received; and,

2. That Schedule 3 of the Traffic Bylaw 2011-24 be amended by deleting:
 - a. Peter Hall Drive at Sawmill Valley Drive, 1 way, northbound on Peter Hall Drive; and,
 3. That Schedule 3 of the Traffic Bylaw 2011-24 be amended by adding:
 - a. Peter Hall Drive at Sawmill Valley Drive, 3 way, northbound on Peter Hall Drive; and,
 - b. Sawmill Valley Drive at Peter Hall Drive, 3 way, eastbound on Sawmill Valley Drive; and,
 - c. Sawmill Valley Drive at Peter Hall Drive, 3 way, westbound on Sawmill Valley Drive; and,
 4. That Schedule 9 of the Traffic Bylaw 2011-24 be amended by deleting:
 - a. Sawmill Valley Drive at Terry Fox Public School Mid-Block; and,
 5. That Schedule 9 of the Traffic Bylaw 2011-24 be amended by adding:
 - a. Sawmill Valley Dr. between Society Crescent and Colter Street Mid-Block; and,
 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 7. Township of King Resolution Regarding Request to the Ministry of Transportation (MTO) to Expedite the Design and Construction of the Highway 400-404 Connecting Link**
1. That the resolution from the Township of King regarding Request to the Ministry of Transportation (MTO) to Expedite the Design and Construction of the Highway 400-404 Connecting Link be received and referred to staff.
- 8. Central York Fire Services – Joint Council Committee meeting minutes of January 9, 2018**
1. That the Central York Fire Services – Joint Council Committee meeting Minutes of January 9, 2018 be received.

9. Main Street District Business Improvement Area Board of Management Meeting Minutes of January 23, 2018

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of January 23, 2018 be received.

10. Proclamation Request- April 24, 2018 – Human Values Day

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaims April 24, 2018 as “Human Values Day”; and,
3. That the proclamation be advertised on the Town Page and on the Town’s website.

11. Outstanding Matters List

1. That the Outstanding Matters List be received.

Carried

12. 175 Deerfield Road – Zoning By-law Amendment

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

1. That the report entitled 175 Deerfield Road – Zoning By-law Amendment Application report 2018-17 dated March 19, 2018 be received; and,
2. That the application for Zoning By-law amendment as submitted by Bridon Baker Developments Inc. for lands Municipally known as 175 Deerfield Road be referred to a public meeting; and,

3. That following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and,
4. That David McKay, MHBC Planning Limited, of 7050 Weston Road, Suite 230, Vaughan, ON L4L 8G7 be notified of this action; and,
5. That the correspondence from Paul Jolie dated March 18, 2018 regarding 175 Deerfield Road – Zoning By-law Amendment Report be received.

Carried

13. 2017 Preliminary Fourth Quarter Report – Operating, Investment and Capital Budget Summary

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

1. That the report entitled 2017 Preliminary Fourth Quarter Report – Operating, Investment and Capital Budget Summary dated March 19, 2018 be received; and,
2. That the reserve transfers totalling \$548,000 be approved; and,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14. Heritage Newmarket Advisory Committee Meeting Minutes of February 6, 2018

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

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of February 6, 2018 be received.

Carried

15. 500 Water Street Parking Information Report (Cachet Parking Lot Expansion)

An alternate motion was presented and is noted below in bold:

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

- 1. That Engineering Services report 2018-11 dated March 8, 2018 entitled “500 Water Street Parking (Cachet Parking Lot Expansion)” be referred to the Community Centre Lands Task Force; and,**
- 2. That the Community Centre Lands Task Force be directed to immediately reengage in the exploration of all options, including cost and timelines, for enhanced parking in the downtown area, including but not limited to new spaces and temporary structured parking; and,**
- 3. That the Community Centre Lands Task Force work form the basis of a report back to Council, to be brought forward in Q1/Q2, 2019.**

Carried

Reports by Regional Representatives

None.

Notices of Motions

Councillor Hempen provided a notice of motion regarding protecting the structure and heritage of the Bogart House. He advised that he would bring this motion forward at the Council meeting of March 26, 2018.

Motions

None.

New Business

- (1) Councillor Kerwin advised that residents have raised concerns about the bollards posted on Srigley Street because the street is narrow and it is difficult for larger vehicles to pass through the bollards.
- (2) Councillor Kerwin advised that residents have raised concerns regarding renovations at the Newmarket Theatre and lack of public consultation related to renovations. The Commissioner, Community Services advised that the project is still in the early phases, but that consultation with key user groups, including residents and volunteers will take place shortly.
- (3) Councillor Kerwin advised that household items are being left near the garbage containers at College Manor Park and suggested that a sign be posted to remind residents not to dump household goods or items at the park.

Closed Session

Moved by: Councillor Vegh
Seconded by: Councillor Kwapis

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - (1) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, as per Section 239 (2) (e) of the Municipal Act, 2001.] regarding Closed Session Report 2018-04 regarding the Ontario Municipal Board Clock Tower Appeal
 - (2) Personal matters about an identifiable individual, including municipal or local board employees, as per Section 239 (2) (b) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 4:03 PM.

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

The Committee of the Whole resumed into Open Session at 6:20 PM.

Public Hearing Matters at 7:00 PM

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

The Deputy Clerk advised that the purpose of the meeting public meeting is to hear from anyone who has an interest in the Application for a Zoning By-law Amendment related to lands located at 285 Harry Walker Parkway South. The effect of this application is to permit the development of an overflow parking lot with 151 parking spaces for the exclusive use of the York Region District School Board Office located on Harry Walker Parkway.

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

The Deputy Clerk advised that if anyone present wished to be notified of any subsequent meetings regarding this matter, please complete the further request form using the iPad set up for this purpose.

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

She thanked residents for their participation and interest in tonight's meeting.

16. Public Meeting- 285 Harry Walker Parkway South Rezoning Application

Sandra Patano, Weston Consulting and Michael Vani, Weston Consulting and Dawn Adams, York Region District School Board provided an overview of the project including the community context, planning framework, proposed development of a parking lot with 151 parking spaces, landscape plan, circulation network and development application. Members of Council queried the presenters about the locations of accessible parking spots and suggested that signage be placed to direct visitors to the accessible parking spots. Members of Council also expressed concern about pedestrian safety and jay-walking on Harry Walker Parkway, as the proposed parking lot in on the opposite side of the street from the building.

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

1. That the presentation by Sandra Patano and Michael Vani on behalf of Weston Consulting and Dawn Adams, York Region District School Board regarding 285 Harry Walker Parkway South Rezoning Application be received.

Carried

Adjournment

Moved by: Councillor Kerwin
Seconded by: Councilor Broome

1. That the meeting of Committee of the Whole adjourn at 7:34 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk