

The meeting of Council was held on Monday, March 26, 2018 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
L. Lyons, Director of Legislative Services/Town Clerk
A. Walkom, Council/Committee Coordinator

Open Forum

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

Mayor Van Bynen in the Chair.

Public Notices

There were no public notices.

Additions & Corrections to the Agenda

None.

Declarations of Pecuniary Interest

Deputy Mayor & Regional Councillor Taylor declared an interest in relation to sub-item 2 of the Committee of the Whole Meeting Minutes of March 19, 2018 as his father was one of the individuals who addressed the Committee.

Councillor Vegh declared an interest in relation to sub-item 2 of the Committee of the Whole Meeting Minutes of March 19, 2018 as Habitat for Humanity was his former employer.

Councillor Hempten declared a conflict of interest in relation to sub-item 1 of the of the Committee of the Whole Meeting (Closed Session) Minutes of March 19, 2018 regarding the Clock Tower as he has a business in close proximity to the subject lands.

Councillor Broome declared a conflict of interest in relation to By-law 2018-12, as the by-laws affect land leased by her employer.

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

Presentation & Recognitions

1. 2018 High School Art Contest Award Recipients Presentation

Beth Hart, Curator, Elman W. Campbell Museum along with Mayor Van Bynen and Members of Council presented the 2018 High School Art Contest Award Recipients. Mayor Van Bynen and Members of Council congratulated the award recipients and thanked Beth Hart for her dedication and efforts.

Deputations

2. Deputation by Anna Kennedy regarding the Aurora Bridge Club

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

1. That Anna Kennedy 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 Hempten, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: None
(9 in favour, 0 opposed)

Carried

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

2. That the Deputation by Anna Kennedy regarding the Aurora Bridge Club be received and referred to staff.

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

Approval of Minutes

3. Council Meeting Minutes of March 5, 2018

Moved by: Councillor Hempen
Seconded by: Councillor Broome

1. That the Council Meeting Minutes of March 5, 2018 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

(1) Vacant Employment Land Inventory Report

Deputy Mayor & Regional Councillor Taylor provided an update on the recent Vacant Employment Land Inventory Report, which outlines the available employment land in York Region. He advised that while Newmarket is constrained in vacant employment land, efforts are being taken to intensify employment land use.

(2) Economic Year in Review

Deputy Mayor & Regional Councillor Taylor provided an update on the Economic Year in Review booklet published by York Region, which features Newmarket business developments prominently.

(3) York Region 2016 Census Report

Deputy Mayor & Regional Councillor Taylor advised that the York Region 2016 Census Report is now available. He further advised that it features important statistics about the population of Newmarket, which is valuable to local employers and businesses.

Reports of Committee and Staff

4. Committee of the Whole Meeting Minutes of March 19, 2018

Moved by: Councillor Kerwin

Seconded by: Councillor Bisanz

1. That the Committee of the Whole Meeting Minutes of March 19, 2018 be received and the recommendations noted within be adopted, except sub-item 2. See following sub-item 2 for motion and recorded votes.

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

1. 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,

2. That the Development & Infrastructure Services – Public Works Services Report 2018-13 dated February 28, 2018 be received; and,
3. 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.

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

Moved by: Councillor Hempen
Seconded by: Councillor Kwapis

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.

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

Opposed: None
(7 in favour, 0 opposed)

Carried

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

(3) Deputation by Sharon King Todd regarding cats at large

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

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

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.
- (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.

(12) 175 Deerfield Road – Zoning By-law Amendment

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.
- (13) 2017 Preliminary Fourth Quarter Report – Operating, Investment and Capital Budget Summary
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.
- (14) Heritage Newmarket Advisory Committee Meeting Minutes of February 6, 2018
1. That the Heritage Newmarket Advisory Committee Meeting Minutes of February 6, 2018 be received.
- (15) 500 Water Street Parking Information Report (Cachet Parking Lot Expansion)
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.

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. Committee of the Whole Meeting (Closed Session) Minutes of March 19, 2018

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

1. That the Committee of the Whole (Closed Session) Meeting Minutes of March 19, 2018 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)

Carried

Councillor Hempen took no part in the discussion or vote on the above matter.

- (1) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, as per Section 239 (2) (e) of the Municipal Act, 2001. relating to Closed Session Report 2018-04 regarding the Ontario Municipal Board Clock Tower Appeal

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

1. That CAO Closed Session Report 2018-04 dated March 19, 2018 be received; and,
2. That the recommendations in CAO Closed Session Report 2018-04 dated March 19, 2018 be adopted.

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)

Carried

Councillor Hempen took no part in the discussion or vote on the above matter.

- (2) Personal matters about an identifiable individual, including municipal or local board employees, as per Section 239 (2) (b) of the Municipal Act, 2001.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

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 Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: None
(9 in favour, 0 opposed)

Carried

By-laws

2018-12 A By-law to Amend By-law number 2010-40 being a Zoning By-law (17645 Yonge Street)

2018-13 A By-law to Exempt Certain Lands from the Part Lot Control Provisions of the Planning Act (Marianneville Developments Limited, Block 47 Registered Plan 65M-4553)

2018-14 A By-law to Amend By-law 2011-24, as Amended, being a By-law to Regulate Traffic within the Town of Newmarket (Schedule III – Stop Signs) (Schedule IX – School Crossing Locations)

Moved by: Councillor Twinney
Seconded by: Councillor Kwapis

1. That by-law 2018-12 be enacted.

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

Opposed: None
(8 in favour, 0 opposed)

Carried

Councillor Broome took no part in the discussion or vote on the above matter.

Moved by: Councillor Broome
Seconded by: Councillor Bisanz

1. That by-laws 2018-13 and 2018-14 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

None.

Motions

6. Preservation of Bogart House

Moved by: Councillor Hempen
Seconded by: Councillor Kerwin

1. That Council direct staff to continue to work through the Developer to ensure the rapid restoration of the Bogart House and the permanent preservation of the Bogart House; and,
2. That Council also direct staff to arrange another site visit with the Developers, the Mayor, Deputy Mayor, Councillor Kerwin (as the Ward Councillor) and Councillor Hempen (as the Heritage Committee

representative) and staff and the Chair of the Newmarket Heritage Committee to examine avenues for rapid restoration and further protection of the Bogart House; and,

3. That Council reaffirm its position that the Bogart House is a designated heritage house and one of the most important heritage buildings in the community; and,
4. That Council not entertain the demolition or removal of the Bogart House but will seek only full restoration and protection on the current site.

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 and Community Events

7. Driving School Licensing Public Information Centre

Deputy Mayor & Regional Councillor Taylor advised that the Town of Newmarket is holding a Public Information Centre Tuesday March 27, 2018 on the licensing of driving school vehicles and instructors operating in the Town of Newmarket. He advised that a formal presentation will be provided to the public and the driving school industry at 6:30 PM in the Council Chambers at the Municipal Offices at 395 Mulock Drive. He further advised that comments and feedback received at this session will be reported back to Council along with a proposed Licensing Bylaw, and that residents may call 905-895-5193 for more information.

8. Ward 3 Meeting

Councillor Twinney advised that she is hosting a Ward 3 Meeting at the Newmarket Community Centre & Lions Hall #4 at 200 Doug Duncan Drive on Tuesday April 10 from 7:00 PM to 8:30 PM. She advised that residents can receive more information by contacting her at 905-806-5258 or jtwinney@newmarket.ca.

9. Visual & Performing Arts Newmarket

Councillor Kerwin advised that Visual & Performing Arts Newmarket would hold its last performance of the year on May 6, 2018 at 2:00 PM at the Newmarket Theatre. He

advised that the performance would feature The Vandikas 6 and that residents could buy tickets at the door or call the theatre in advance to reserve tickets.

10. Elman W. Campbell Museum Easter Activities

Councillor Kerwin advised that on Saturday, March 31, 2018 from 1:30 PM to 3:00 PM the Elman W. Campbell museum at 134 Main Street South will be holding Easter activities. He invited residents to meet the Easter Bunny, enjoy Easter displays, activities, egg decorating and light refreshments. He advised that the events are suitable for ages 4 to 10 and that pre-registration is required, with a cost of \$5 per participant.

11. Ward 1 Drop-In Meeting

Councillor Vegh invited Ward 1 residents to drop-in for a one-on-one meeting on Tuesday, April 3, 2018 from 7:00 to 9:00 PM at the Magna Centre, 800 Mulock Drive. He advised that residents may contact him at 905-895-7095 or tvegh@newmarket.ca for more information.

12. Newmarket's Volunteer Appreciation Night

Councillor Hempen invited Newmarket volunteers to register for Newmarket's Volunteer Appreciation Night, scheduled for Tuesday, April 17, 2018 from 6:30 PM to 8:30 PM at the Newmarket Community Centre. He advised that this celebration is to recognize volunteers within our community and includes a buffet dinner, beverages and entertainment. He further advised that pre-registration is required and volunteers should email dsmith@newmarket.ca with their full name and the organization that they volunteer for, or call 905-953-5300 ext. 2607.

13. Informational Open House Regarding 175 Deerfield Road Zoning By-law Amendment

Councillor Kwapis advised that on Monday, April 9, 2018 the Town is holding an informational open house at 6:00 PM, followed by a statutory public meeting at 7:00 PM in the Council Chambers at the Municipal Offices located at 395 Mulock Drive. He advised that the purpose is to discuss an application which has been submitted for a Zoning By-Law Amendment for lands municipally known as 175 Deerfield Road. He further advised that residents may contact the Planning Department at 905-953-5321 or email planning@newmarket.ca for further details.

14. Event to Recognize Gabby Daleman's Olympic Figure Skating Achievements

Councillor Broome invited residents to the Magna Centre on Thursday, March 29, 2018 from 5:30 PM to 6:30 PM to recognize Gabby Daleman's Olympic Figure Skating achievements. She advised that there will be autograph and photo taking opportunities, as well as a free public skate. She further advised that residents may visit newmarket.ca/events for more information.

15. Mulock Estate Property

Councillor Bisanz provided a reminder to Newmarket residents that the Mulock Estate property is still in private ownership, and that there is no public access to the property until further notice. She advised that timelines for construction, access, and a site tour will be confirmed in the future.

16. Metrolinx Public Meeting

Mayor Van Bynen advised that Metrolinx is hosting a public meeting on Thursday, April 5, 2018 in the Town of Newmarket Council Chambers from 6:30 PM to 8:00 PM with a presentation at 7:00 PM. He advised that the purpose of the public meeting is to provide information about the proposed new Mulock GO Station. He advised that feedback can also be provided online at metrolinxengage.com and further information on the project is available at metrolinx.com/newstations or by contacting Jennifer Capan from Metrolinx at 416-202-4732.

17. Mayor in the Square

Mayor Van Bynen advised that he will be at "Mayor in the Square" at the Newmarket Public Library on Friday, April 13, 2018 from 11:00 AM until noon and available to speak with residents.

18. Municipal Offices Easter Closures

Mayor Van Bynen advised that the Municipal Offices are closed for the Easter holiday on Friday March 30 and will re-open Tuesday April 3. He advised that residents may visit newmarket.ca/news for further information on hours of operation for Town of Newmarket buildings and facilities during the holiday weekend.

19. Next Council Meeting – April 16, 2018

Mayor Van Bynen advised that the next Council meeting is Monday, April 16, 2018 at 7:00 PM.

20. Ontario Small Urban Municipalities

Mayor Van Bynen provided an update on Council's recent endorsement of Councillor Kwapis' nomination as a candidate for the Ontario Small Urban Municipalities Executive Committee. He advised that Councillor Kwapis was successful and congratulated the Councillor on his appointment.

21. 2017 High School Art Contest Exhibit

Mayor Van Bynen advised that the artwork from the 2018 High School Art Contest Awards would be displayed in the Municipal Offices until the end of April 2018.

New Business

None.

Closed Session (if required)

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

Confirmatory By-law

2018-15 A By-law to Confirm the proceedings of the March 26, 2018 Council meeting.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That Confirmatory by-law 2018-15 be enacted.

Carried

Adjournment

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

1. That the Council Meeting adjourn at 7:54 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk