

Committee of the Whole

Monday, April 9, 2018 at 1:30 PM
Council Chambers

For consideration by Council on
April 16, 2018

The meeting of the Committee of the Whole was held on Monday, April 9, 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
K. Saini, Acting Town Clerk/Deputy Clerk
L. Georgeff, Director, Human Resources
R. Prudhomme, Director, Engineering Services
R. Nethery, Director, Planning and Building Services
J. Unger, Assistant Director, Planning and Building Services
L. Long, Supervisor, By-law Enforcement
T. Horton, Planner
H. Leznoff, Council/Committee Coordinator

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

The Committee of the Whole recessed at 3:30 PM and reconvened at 3:45 PM.
The Committee of the Whole recessed at 5:43 PM and reconvened at 7:05 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) Deputation by Shelly Candel regarding Bee City Canada. This is related to Item 8.
- (2) Deputation by Richard Mewhinney regarding Bee City Canada. This is related to Item 8.
- (3) Deputation by Christina Herancourt regarding Development Application - 172-178 Old Main Street. This is related to Item 5.
- (4) Deputation by Angela Sciberras regarding Development Application – 172-178 Old Main Street. This is related to Item 5.
- (5) Deputation by Sonya Reiter regarding Development Application – 172-178 Old Main Street. This is related to Item 5.
- (6) Correspondence submitted by Andrea Collins regarding Lorne Avenue and Queen Street Traffic review. This is related to Item 16.
- (7) Correspondence submitted by Athol Hart regarding 172 and 174 Victoria Street. This is related to Item 17.

Moved by: Councillor Kwapis
Seconded by: Councillor Kerwin

1. That Council waive the Procedure By-law to allow for more than 5 deputations at this meeting; and,
2. That each deputation be limited to five minutes; and,
3. That the additions to the April 9, 2018 Committee of the Whole agenda be approved.

Carried

Declarations of Pecuniary Interest

None.

Presentation & Recognitions

None.

Deputations

1. Deputation by Maria Luczka regarding parking concerns on Lundy's Lane

Maria Luczka addressed the Committee regarding parking concerns on Lundy's Lane. She advised that since Lundy's Lane is close to Southlake hospital, many hospital visitors park on the street to avoid using the paid parking lots at the hospital. She requested increased parking enforcement on the street and improved communication of the 15 minute grace period at the hospital parking lot; that a car may park in the hospital parking lot for 15 minutes without being charged. She further suggested that a sign could be placed on Lundy's Lane to advise of the 15 minute grace period so people are aware before they enter the parking lot.

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

1. That the deputation Maria Luczka be received and referred to staff.

Carried

2. Deputation by Christina Herancourt regarding Development Application – 172-178 Old Main Street

Christina Herancourt addressed the Committee to express concerns regarding the proposed development application at 172-178 Old Main Street. Her concerns were related to neighbourhood character, unusable land, lot coverage, density, Floor Space Index and natural heritage.

Moved by: Councillor Hempen
Seconded by: Councillor Bisanz

1. That the deputation by Christina Herancourt regarding Development Application - 172-178 Old Main Street be received.

Carried

3. Deputation by Angela Sciberras regarding Development Application – 172-178 Old Main Street

Angela Sciberras addressed the Committee, on behalf of her client, to advise that consultants have been working with the Town, and have reviewed the condition of draft approval. Members of Council queried Angela Sciberras regarding side yard setbacks, the different architectural styles and compatibility of houses in the area.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

1. That the deputation by Angela Sciberras regarding Development Application - 172-178 Old Main Street be received.

Carried

4. Deputation by Sonya Reiter regarding Development Application – 172-178 Old Main Street

Sonya Reiter addressed the Committee expressing support for development in the area. She further suggested that a condominium in the area would be a good option; especially for residents looking to retire in the area as Old Main Street is close to the hospital, close to transportation and close to Downtown Newmarket.

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

1. That the deputation by Sonya Reiter regarding Development Application - 172-178 Old Main Street be received.

Carried

5. Development Application – 172-178 Old Main Street Report

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

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

1. That Report 2018-25 dated April 9, 2018 regarding Applications for Draft Plan of Subdivision and Zoning By-law Amendment for 172-178 Old Main Street be received and the following recommendations be adopted:

2. That approval be given to Draft Plan of Subdivision 19TN-2018 002, subject to the schedule of conditions set out in Appendix “A” attached to and forming part of this Report; and,
3. That the approval for Draft Plan of Subdivision 19TN-2018 002 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,
4. That the application for Zoning By-law Amendment as submitted by Azure Homes for lands municipally known as 172-178 Old Main Street be approved and that staff be directed to prepare the necessary Zoning By-law Amendments, including the necessary Holding Provisions; and,
5. That Angela Sciberras, #202-520 Industrial Parkway S., Aurora, Ontario, L4G 6W8 and Azure Homes Inc., Newmarket South P.O. PO Box 71038 Newmarket, Ontario, L3X 1Y8 be notified of this action; and,
6. **That the side yard setbacks be increased to 1.5 metres on each side.**

Carried

6. Deputation by Shelly Candel regarding Bee City Canada

Shelly Candel addressed the Committee on behalf of Bee City Canada and provided an overview of the Bee City Canada program including the action plan, the importance of education and proclaiming June 18-24 as International Pollinator Week.

Moved by: Councillor Twinney
 Seconded by: Councillor Kerwin

1. That the deputation by Shelly Candel regarding Bee City Canada be received.

Carried

7. Deputation by Richard Mewhinney regarding Bee City Canada

Richard Mewhinney addressed the Committee to express support of Newmarket becoming a Bee City.

Moved by: Councillor Twinney
 Seconded by: Councillor Kwapis

1. That the deputation by Richard Mewhinney regarding Bee City Canada be received.

Carried

8. Bee City Canada Report

Moved by: Councillor Twinney
Seconded by: Councillor Kwapis

1. That Town of Newmarket Council Report – Public Works Services 2018-18 dated April 9, 2018 regarding Bee City Canada be received; and the following recommendation be adopted;
 - a. That the Ontario Nature Youth Council be invited to the Touch a Truck event to set up a booth about pollinators; and,
 - b. That Council proclaim June 18-24, 2018 as International Pollinator Week and every third full week of June thereafter; and,
 - c. That the Town of Newmarket apply for and accept the designation and commits to the standards of the Bee City Program for annual renewal; and,
 - d. That Council Adopt the attached Bee City Canada Resolution in Appendix A as part of the application requirement.

Carried

Consent Items

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

That the following items (9-15) be adopted on consent:

9. Newmarket Public Library Board Meeting Minutes of December 11, 2017, January 17, 2018 and February 21, 2018

1. That the Newmarket Public Library Board Meeting Minutes of December 11, 2017, January 17, 2018 and February 21, 2018 be received.

10. Newmarket Environmental Advisory Committee Meeting Minutes of January 3, 2018

1. That the Newmarket Environmental Advisory Committee Meeting Minutes of January 3, 2018 be received.

11. Accessibility Advisory Committee Meeting Minutes of January 18, 2018

1. That the Accessibility Advisory Committee Meeting Minutes of January 18, 2018 be received.

12. Newmarket Downtown Development Committee Meeting Minutes of February 2, 2018

1. That the Newmarket Downtown Development Committee Meeting Minutes of February 2, 2018 be received.

13. Main Street District Business Improvement Area Board of Management Meeting Minutes of February 20, 2018

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of February 20, 2018 be received.

14. Proclamation Request – May 2018 - Lyme Disease Awareness Month

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaim May 2018 as “Lyme Disease Awareness Month”; 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 green on May 1, 2018.

15. Outstanding Matters List

1. That the list of outstanding matters be received.

Carried

16. Lorne Avenue and Queen Street Traffic Review

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

Moved by: Councillor Kwapis
Seconded by: Councillor Vegh

1. That the report entitled Lorne Avenue and Queen Street Traffic Review dated April 9, 2018 be received; and,
2. That York Regional Police be sent a copy of this report; and,
3. That the Town request that York Regional Police include more Town-Specific enforcement measures and programs in their next Municipal Overview; and,
4. That enhanced vulnerable road user safety measures be included in the design for the future reconstruction of Lorne Avenue; and,
5. **That Staff be directed to review temporary speed mitigation measures for Lorne Ave. and Queen St., leading to and from this intersection and report back with recommendations.**

Carried

Moved by: Councillor Kwapis
Seconded by: Councillor Vegh

6. That the correspondence submitted by Andrea Collins regarding the report entitled "Lorne Avenue and Queen Street Traffic Review" be received.

Carried

17. 172 and 174 Victoria Street – Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

1. That Development and Infrastructure Services/Planning and Building Services Report 2018-23 dated April 9, 2018 regarding 172 and 174 Victoria Street and the owners request to demolish the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendations be adopted:
 - a. That Council permit the removal of 172 and 174 Victoria Street from the Municipal Register of Non-Designated Heritage Properties of Interest subject to the owner of the property providing a photograph inventory of the dwellings interior and exterior; and,

- b. That Mitch Sauder, 17-1100 Gorham Street, L3Y 8Y8 be notified of this action.

Carried

Moved by: Councillor Kwapis
Seconded by: Councillor Vegh

2. That the correspondence submitted by Athol Hart regarding the report entitled "172 and 174 Victoria Street – Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties be received.

Carried

18. Carnival – D.A. Campbell Amusement Ltd., Magna Centre

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

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

1. That the report entitled Carnival – D.A. Campbell Amusement Ltd. – Magna Centre dated April 9, 2018 be received; and,
2. That the application be approved subject to the following terms;
 - a. That the licence be issued **for a one year pilot project at this location** for a period of seven consecutive days from May 7, 2018 to May 14, 2018 to permit the setting up and dismantling of the amusement devices; and,
 - b. That the actual operation of the carnival not to exceed five consecutive days within the permitted time period; and,
 - c. That D.A. Campbell Amusement Ltd. apply for a noise exemption in accordance with the Noise By-law 2017-76; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

19. Interim Revised Tree Policy

Moved by: Deputy Mayor & Regional Councillor

Seconded by: Councillor Kwapis

1. That the Interim Revised Tree Policy report 2018-24 dated April 9, 2018 be received; and,
2. That Council approve the revised Tree Preservation Protection Replacement and Enhancement Policy attached as Appendix A to this report.

Carried

20. Proclamation and Lighting Request Policy

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

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kwapis

1. That the Corporate Services- Legislative Services report entitled Proclamation and Lighting Request Policy dated April 9, 2018 be received; and,
2. That Council approve the Proclamation and Lighting Request Policy, attached as Attachment A, **as amended**; and,
3. That the Town Clerk be delegated the authority to amend the Proclamation and Lighting Request Policy from time to time, as required; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

21. Temporary Parking Exemption Program

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

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

1. That the report entitled Temporary Parking Exemption Program dated April 9, 2018 be received; and,
2. That staff amend the Legislative Fees and Charges By-law to reflect a fee for a temporary parking exemption and bring the by-law forward for Council approval; and,
3. That staff be directed and authorized to do all things necessary to give effect to this resolution; and,
4. **That the proposed program be amended to only allow a maximum of 15 occurrences per licence plate, in a calendar year, and each occurrence be to a maximum of 24 hours; and,**
5. **That the Temporary Parking Exemption Program be implemented as a pilot project and reviewed as part of the overall residential parking review scheduled for Q1/Q2, 2019**

Carried

Action Items

22. 2019 Council Remuneration

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

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

1. That CAO/Human Resources Report 2018-05 be received; and,
2. **That Council direct staff not to “gross up” or increase Council pay in 2019, at the time of the removal of the 1/3 tax free provision, which will result in a take home pay cut for all Members of Council; and,**
3. **That Council refer the consultant and staff report to the new term of Council to be considered along with updated information at that time**

and to allow for phasing of any further adjustments to occur if necessary; and,

4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Reports by Regional Representatives

None.

Notices of Motions

None.

Motions

None.

New Business

- (1) Petition – No Parking Zone on Mossbank Court

Councillor Twinney brought forward a petition on behalf of the residents of Mossbank Court. She advised that residents are requesting a No Parking Zone on the north side of the street. The petition was submitted to staff for review as per the Public Consultation and Support Plan Transportation Services Policy.

- (2) Bike Lanes and Haskett Park

Deputy Mayor & Regional Councillor Taylor requested an update regarding the East-West Bike Lanes and how this will impact soccer season at Haskett Park. Staff advised that a report back on East-West Bike lanes is scheduled for Q2, 2018.

- (3) Ward 5 Meeting

Councillor Kwapis advised residents that a Ward 5 meeting will be held on Thursday, April 12 at 7:00 PM at the Old Town Hall.

(4) 330 Premier Place Construction

Councillor Kerwin requested information regarding the construction at 330 Premier Place and the current legal action.

Closed Session

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

Public Hearing Matter

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 175 Deerfield Road. The effect of this application is to permit a residential development comprised of two 15-storey buildings and one 9-storey building, each on a 4-storey podium for a total of 464 residential dwelling units.

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 Local Planning Appeal Tribunal may dismiss an appeal to the Tribunal, without holding a hearing, if the appellant failed to make either oral submissions at the public meeting or provide written submission to Council prior to the adoption of the application.

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

23. Zoning By-law Amendment - 175 Deerfield Road

Dan Berholz, President, Rose Corporation and Davis McKay, Partner, MacNaughton Hermsen Bitton Clarkson Planning Limited (MHBC) provided introductory remarks and a

PowerPoint overview of the application. Members of Council queried the presenters regarding parking concerns, green space and affordable housing.

- 24. Bill Chadwick, resident, addressed the Committee expressing concerns related to affordable housing and suggesting that all new developments should meet a minimum requirement of 35% affordable housing.**
- 25. Fiona Fraser, resident, addressed the Committee expressing concerns related to the application and raised concerns related to parking, traffic, pedestrian safety, and privacy for nearby homes.**
- 26. Colleen Keats, resident, addressed the Committee expressing concerns related to the application and raised concerns regarding parking.**

Moved by: Councillor Vegh
Seconded by: Councillor Kwapis

1. That the presentation and deputations regarding Zoning By-law amendment application for the property known as 175 Deerfield Road be received.

Carried

- 27. Correspondence dated April 9, 2018 from Newmarket Heritage Advisory Committee regarding the Zoning By-law Amendment application for the property known as 175 Deerfield Road**
- 28. Correspondence dated April 8, 2018 from Bill Russell, Treasurer Newmarket Church of Christ, regarding Zoning By-law amendment application for the property known as 175 Deerfield Road.**

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

1. That the correspondence regarding the Zoning by-law amendment application for the property known as 175 Deerfield be received.

Carried

Adjournment

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That the Committee of the Whole meeting adjourn at 7:43 PM.

Carried

Tony Van Bynen, Mayor

Kiran Saini, Deputy Clerk