

The meeting of Council was held on Monday, April 16, 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

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

- (1) April 9, 2018 Committee of the Whole Meeting Minutes, Sub-item 16:
Lorne Avenue and Queen Street Traffic Review

Recommendation 5 is corrected to read: 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.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That the correction to the April 16, 2018 Council agenda be approved.

Carried

Declarations of Pecuniary Interest

None.

Presentation & Recognitions

None.

Deputations

1. **Deputation by Debra Scott regarding Smart Commute Central York annual update**

Moved by: Councillor Broome
Seconded by: Councillor Twinney

1. That the Deputation by Debra Scott regarding Smart Commute Central York annual update be received.

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

Moved by: Councillor Hempen
Seconded by: Councillor Kwapis

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

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

Opposed: Councillor Kerwin
(8 in favour, 1 opposed)

Carried

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

Note: This item is related to sub-item 5 of Committee of the Whole Meeting Minutes of April 9, 2018.

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 1.2 metres on one side and 1.5 metres on the other side for a total building separation of 2.7 metres.**

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

Opposed: Councillor Kerwin
(8 in favour, 1 opposed)

Carried

Approval of Minutes

4. Council Meeting Minutes of March 26, 2018

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

1. That the Council Meeting Minutes of March 26, 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) Deputy Mayor & Regional Councillor Taylor provided an update on a recent event at which Regional Councillors rode an electric bus. He advised that a pilot program will be taking place on Davis Drive which will operate six electric buses.
- (2) Deputy Mayor & Regional Councillor Taylor provided an update on a recent meeting between the Town, Metrolinx and Newmarket-Aurora MPP Chris Ballard regarding the proposed Mulock GO Station. He advised that the next major step in the proposal process is the final business case, which will be presented in June 2018.
- (3) Deputy Mayor & Regional Councillor Taylor advised that sixteen regional roads have had speed limit reductions, including Mulock Drive between Yonge Street and Bathurst Street.

Reports of Committee and Staff

5. Council Workshop Meeting Minutes of March 26, 2018

Moved by: Councillor Broome
Seconded by: Councillor Kwapis

1. That the Council Workshop Meeting Minutes of March 26, 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

6. Special Committee of the Whole Meeting Minutes of March 26, 2018

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

1. That the Special Committee of the Whole Meeting Minutes of March 26, 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

7. Special Committee of the Whole (Closed Session) Meeting Minutes of March 26, 2018

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

1. That the Special Committee of the Whole (Closed Session) Meeting Minutes of March 26, 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

Mayor Van Bynen advised that the Confidential Information Report 2018-19 dated March 21, 2018 regarding the Hollingsworth Arena was received.

8. Committee of the Whole Meeting Minutes of April 9, 2018

Moved by: Councillor Vegh
Seconded by: Councillor Kerwin

1. That the Committee of the Whole Meeting Minutes of April 9, 2018 be received and the recommendations noted within be adopted, except sub-items 5 and 21. See following sub-items 5 and 21 for motions and recorded votes.

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

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

- (2) Deputation by Christina Herancourt regarding Development Application – 172-178 Old Main Street
 1. That the deputation by Christina Herancourt regarding Development Application - 172-178 Old Main Street be received.
- (3) Deputation by Angela Sciberras regarding Development Application – 172-178 Old Main Street
 1. That the deputation by Angela Sciberras regarding Development Application - 172-178 Old Main Street be received.
- (4) Deputation by Sonya Reiter regarding Development Application – 172-178 Old Main Street
 1. That the deputation by Sonya Reiter regarding Development Application - 172-178 Old Main Street be received.
- (5) Development Application – 172-178 Old Main Street Report

This item was addressed under Deputations. See Item 3 for motion and recorded votes.

- (6) Deputation by Shelly Candel regarding Bee City Canada
 1. That the deputation by Shelly Candel regarding Bee City Canada be received.
- (7) Deputation by Richard Mewhinney regarding Bee City Canada
 1. That the deputation by Richard Mewhinney regarding Bee City Canada be received.
- (8) Bee City Canada Report
 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.
- (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.

(16) Lorne Avenue and Queen Street Traffic Review

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

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

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.
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.

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

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.

(19) Interim Revised Tree Policy

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.

(20) Proclamation and Lighting Request Policy

This matter is related to item 9.

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.

(21) Temporary Parking Exemption Program

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 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; and,
6. **That the Legislative Fees and Charges By-law amendment come into effect January 1, 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

(22) 2019 Council Remuneration

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.

(23) Presentation and Deputations related to the Zoning By-law Amendment for the property known as 175 Deerfield Road.

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

(24) Correspondence related to the Zoning By-law Amendment for the property known as 175 Deerfield Road.

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

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. Amended Proclamation and Lighting Request Policy

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

1. That the amended Proclamation and Lighting Request Policy 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

10. Proclamation Requests

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

1. That the Proclamation Request - April 28, 2018 - Day of Mourning for Workers Killed or Injured on the Job be received and the following recommendations be adopted:
 - a. That the Town of Newmarket Council proclaim April 28, 2018 as "Day of Mourning for workers killed or injured on the job"; and,
 - b. That the proclamation be advertised on the Town Page and on the Town's website.

2. That the Proclamation Request - May 4, 2018 - Community Living Day be received and the following recommendations be approved:

- a. That the Town of Newmarket Council proclaim May 4, 2018 as "Community Living Day"; and,
- b. That the proclamation be advertised on the Town Page and on the Town's website; and,
- c. That Riverwalk Commons be illuminated in green and blue on May 4, 2018.

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

Moved by: Councillor Broome
Seconded by: Councillor Hempen

1. That by-laws 2018-16, 2018-17 and 2018-18 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

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

1. That by-law 2018-19 be enacted.

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

Opposed: Councillor Kerwin
(8 in favour, 1 opposed)

Carried

Notices of Motions

None.

Motions

None.

Announcements and Community Events

11. Town Response to April Winter Storm

The Commissioner of Development and Infrastructure Services provided an update on the Town's response to the April winter storm. He advised that crews had worked throughout the weekend to clear roads and sidewalks, as well as catch-basins to prevent ponding. He further advised that crews would continue to work throughout the week to clear secondary roads and sidewalks.

12. Heritage Art Contest

Councillor Hempen advised that entries are now being accepted for the 2018 Heritage Art Contest, with a deadline of April 30, 2018. He advised that entries must be original two-dimensional artwork created in any medium and focus on the heritage of the Town of Newmarket. He further advised that registration forms must accompany the artwork and are available at the Elman W. Campbell Museum, the Recreation & Culture Department or online at newmarket.ca/museum.

13. HollisWealth Story Pod

Councillor Kwapis advised that the HollisWealth Story Pod opens Saturday, May 5, 2018 at Riverwalk Commons, 200 Doug Duncan Drive. He advised that residents may read inside the space, borrow books or leave their own books to share with the community.

14. Yard Waste Collection

Councillor Broome advised that yard waste collection has begun and will continue on a bi-weekly basis until November. She advised that residents may place plant trimmings, flowers, leaves and weeds into compostable paper yard waste bags or open top garbage containers with two open rigid handles at the curb on the scheduled day by 7:00 AM to ensure pick-up. She further advised that residents may visit newmarket.ca/wasteandrecycling, download the 'my-waste'™ app or call 905-895-5193 for more information.

15. Seniors' Meeting Place Live Music Pub Night

Councillor Bisanz invited residents to come to the Newmarket Seniors' Meeting Place at 474 Davis Drive on Saturday, April 21, 2018 from 5:30 PM to 9:30 PM and enjoy Live Music Pub Night. She advised that the Flailing Shilaleighs will be performing a perfect blend of East Coast and traditional Irish music, along with some popular tunes done with a Celtic twist. She further advised that the event includes a meal, entertainment, tea, coffee and evening treats, and that tickets must be purchased in advance.

16. Community Open House – Recreation Playbook

Deputy Mayor & Regional Councillor Taylor invited residents to a Community Open House at the Municipal Offices featuring Newmarket's Recreation Playbook and Development Planning on Thursday, April 19, 2018 from 5:00 to 8:00 PM. He advised that residents may provide feedback on the vision outlined in Newmarket's Recreation Playbook and the future of Newmarket's growth and intensification outlined in the Secondary Plan, including future amenities such as a skate park, splash pads, park improvements, and arts and culture opportunities along the Yonge and Davis corridors. He further advised that staff from various departments across the organization will be available to speak with residents, answer questions and listen to feedback.

17. Community Clean Up Day

Councillor Twinney advised that Newmarket's Community Cleanup Day is Saturday, May 5, 2018 at the Municipal Offices at 395 Mulock Drive at 8:00 AM. She advised that gloves and garbage bags will be provided for residents to take back to their neighborhoods to clean up surrounding streets and parks. She further advised that

volunteers can enjoy a free BBQ lunch with family friendly entertainment following the cleanup.

18. Public Information Centre – Ward 2

Councillor Kerwin invited residents to attend a Public Information Centre on Monday, April 30, 2018 in the Council Chambers at 395 Mulock Drive beginning at 6:00 PM with a presentation at 7:00 PM. He advised that this public meeting is an opportunity for residents to learn more about the revised development proposal for lands located on the west side of Leslie Street north of Mulock Drive, municipally known as 16920 & 16860 Leslie Street. He advised that the revised proposal includes 321 townhouses, parkland, a stormwater management pond, a protected forested area, buffers and walkways. He further advised that consultants and Town staff will be present to answer any questions, and that residents may contact the Planning Department at 905-953-5321 for more details.

19. Visual & Performing Arts Newmarket

Councillor Kerwin advised that Visual & Performing Arts Newmarket will feature The Vandikas 6 on May 6, 2018 at 2:00 PM at the Newmarket Theatre.

20. Community Report

Mayor Van Bynen advised that the 2016/2017 Town of Newmarket Community Report is now available. He advised that residents can give their feedback online at newmarket.ca/communityreport for a chance to win a \$50 gift certificate for a local restaurant of their choice.

21. Next Council Meeting – May 7, 2018

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

New Business

(1) Petition – No Parking Zone on Mossbank Court

Councillor Twinney requested an update on the petition on behalf of the residents of Mossbank Court she brought forward at Committee of the Whole on April 9, 2018. The Commissioner of Development and Infrastructure Services advised that the petition has been provided to staff.

(2) Newmarket Theatre Improvements

Councillor Kerwin provided an update on his recent tour of the Newmarket Theatre with Recreation & Culture staff to see the improvements which will be made, including 400 new seats.

Closed Session (if required)

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

Confirmatory By-law

2018-20 A By-law to Confirm the proceedings of the April 16, 2018 Council meeting.

Moved by: Councillor Vegh
Seconded by: Councillor Broome

1. That Confirmatory by-law 2018-20 be enacted.

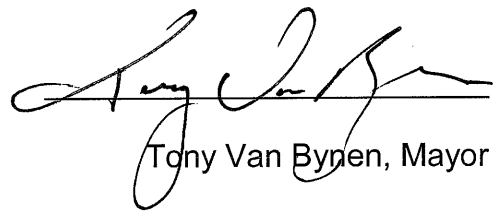
Carried

Adjournment

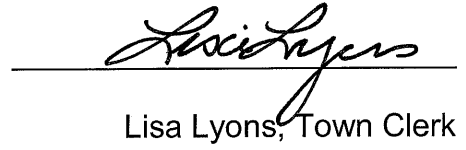
Moved by: Councillor Broome
Seconded by: Councillor Hempen

1. That the Council Meeting adjourn at 8:06 PM.

Carried



Tony Van Bynen, Mayor



Lisa Lyons, Town Clerk