

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

Declarations of Pecuniary Interest

Presentations & Recognitions

Deputations

1. United Way Update

Pg. 1

Note: Daniele Zanotti, President & CEO, United Way Toronto & York Region will be in attendance to provide a deputation on this matter.

Approval of Minutes

2. Council Meeting Minutes of April 16, 2018

Pg. 2

Reports by Regional Representatives

Reports of Committees and Staff

3. Special Committee of the Whole Meeting Minutes of April 16, 2018

Pg. 21

4. Council Workshop Minutes of April 30, 2018

Pg. 26

5. Committee of the Whole Meeting Minutes of April 30, 2018

Pg. 30

- 6. Committee of the Whole (Closed Session) Meeting Minutes of April 30, 2018
- 7. Amended Development Charge Deferral Policy Pg. 41

Note: This is the amended policy related to Item 18 of the Committee of the Whole Meeting Minutes of April 30, 2018.

By-laws

- 2018-21 A By-law to amend By-law 2016-17 being a By-law to Delegate Administrative Matters to Staff Pg. 51
- 2018-22 A By-law to Appoint Fire Prevention Officers Pg. 53
- 2018-23 Interim Control By-law Extension (Old Main Street) Pg. 54

Notices of Motions

Motions

- 8. Newmarket Heights Entrance Sign

Moved by: Councillor Hempen

- 1. That Council authorize the expenditure of \$10,000 towards a Newmarket Heights entrance sign in recognition of the neighbourhood's 60th anniversary, on the condition:
 - a. That Community fundraising exceeds \$10,000; and,
 - b. That Community fundraising funds are in place prior to the Town's expenditure.

Announcements & Community Events

New Business

Closed Session (if required)

Confirmatory By-law

2018-24 A By-law to Confirm the proceedings of the May 7, 2018 Council meeting. Pg. 57

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: <u>Daniele Zanotti, President & CEO</u>	
Organization / Group/ Business represented: <u>United Way Toronto & York Region</u>	
Address: <u>26 Wellington St. E., 12th Floor, Toronto</u>	Postal Code: <u>M5E 1S2</u>
Daytime Phone No: <u>416-777-1444, ext. 414</u>	Home Phone: <u>N/A</u>
Email: [REDACTED]	Date of Meeting: <u>May 7, 2018 - 7:00 p.m.</u>
Is this an item on the Agenda? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" 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): <u>To update Council on United Way's work in the community, thank them for their support & their campaign.</u>	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" 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

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'TM 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



Town of Newmarket
Minutes

Special Committee of the Whole

Monday, April 16, 2018 at 10:00 AM
Council Chambers

For consideration by Council on
May 7, 2018

The special meeting of the Committee of the Whole 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
J. Unger, Assistant Director, Planning
H. Leznoff, Council/Committee Coordinator

The meeting was called to order at 10:03 AM.

Mayor Van Bynen in the Chair.

Declarations of Pecuniary Interest

Deputy Mayor & Regional Councillor Taylor declared a conflict of interest in relation to Development and Infrastructure Services/Planning & Building Services Report 2017-51, as he owns property in close proximity to 260 Eagle Street. He requested the item be dealt with separately and advised he would take no part in the discussion or vote on the matter.

Councillor Hempen declared a conflict of interest in the report entitled "2018 Servicing Allocation Review" in relation to the Clock Tower property as he has a business in close proximity.

Presentation

1. 2018 Servicing Allocation Review Presentation

The Chief Administrative Officer provided an overview of the presentation. The Assistant Director, Planning addressed the Committee with a presentation outlining the current status, recommendations and next steps. He highlighted areas such as the servicing allocation priority areas, current reserve, current development applications map and the current status of developments. He advised that a regional report is expected in June 2018 and that Town staff will be providing an internal review in six months.

Discussion ensued regarding the current Servicing Allocation Policy, including the point system used for allocation in the urban centres, the Sundial Homes development, the Marianneville development, the interim solutions expected from the Regional report, affordable housing, condominium development, the Inflow and Infiltration (I&) program and potential future developments.

Deputations

2. Deputation by Chris Matson, representing Sundial Homes

Chris Matson, representing Sundial Homes addressed the Committee to request allocation and advise that Sundial is ready to move forward with Phase 2 of their development.

Moved by: Councillor Bisanz
Seconded by: Councillor Kwapis

1. That the deputation by Chris Matson be received.

Carried

Items**3. 2018 Servicing Allocation Review Report**

Planning and Building Services

April 16, 2018

Moved by: Councillor Kwapis

Seconded by: Councillor Vegh

3. d. That Council reinstate servicing allocation to 260 Eagle Street.

Carried

Item 3.d. was dealt with separately due to a declared conflict of interest. Deputy Mayor & Regional Councillor Taylor took no part in the discussion or vote on the aforementioned item.

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

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Bisanz

1. That the report entitled 2018 Servicing Allocation Review dated April 16, 2018 be received; and,
2. That Council rescind servicing allocation from the following development
 - a. 345-351 Davis Drive (40 townhouses/106 people); and,
3. That Council reinstate servicing allocation to the following developments that have allocation but that have not yet been registered:
 - a. Landmark Estates Phase 5
 - b. 955/995 Mulock (Lorne Park Gardens)
 - c. 400 Park Ave. (King George School)
 - e. 680 Gorham (Maple Lane Homes); and,
4. That Council grant servicing allocation to the following developments:
 - a. 17654 Yonge Street Developments Inc. (Redwood Properties) in the amount of 184 apartment units (359 people), to be taken from the urban centres reserve; and,

- b. **Sundial Homes (Phase 2) in the amount of 18 semi-detached and 156 townhouses (174 units/464 people); and,**
- 5. That the Town's resulting remaining servicing capacity (**682 people**, of which a minimum of 202 is to be directed to the urban centres), be maintained in a strategic planning reserve; and,
- 6. **That Council direct staff to further refine the Town's Allocation Policy in light of the unprecedented servicing constraints the municipality will face over the next 5-10 years. Council recognizes the need to prioritize intensification on the corridors but also the need to provide for a variety of built forms and tenure to reflect the needs of our residents. Therefore Council direct staff to amend our allocation policy to be further reflected in the priority rankings based on the following principles:**
 - a. **That all developments providing for affordable housing in keeping with our official plan or an alternate to the satisfaction of Council be prioritized and provided a higher ranking than otherwise the case; and,**
 - b. **That all Inflow and Infiltration (I & I) developments are prioritized above other greenfield developments to ensure that developments which are partnering in the creation of allocation are recognized and thereby providing for ground related products as well as intensified products; and,**
 - c. **That any developments with incomplete phases are prioritized to minimize the impact on neighbouring residents and to recognize the need to provide for ground related built forms as well as intensified units; and,**
 - d. **That Council direct staff to create a strategic condominium reserve to be held and/or replaced upon new allocation being assigned to be offered to the first applicant for a condominium building of 150 units or greater; and,**
 - e. **That staff report back with a revised policy as soon as possible to reflect the above principles.**

Carried

Adjournment

Moved by: Councillor Kerwin

Seconded by: Councillor Twinney

1. That the meeting adjourn at 12:01 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons Town Clerk



Town of Newmarket
Minutes

Council Workshop (Finance Policies)

Monday, April 30, 2018 at 10:00 AM
Council Chambers

For consideration by Council on
May 7, 2018

The meeting of the Committee of the Whole was held on Monday, April 30, 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
I. McDougall, Commissioner of Community Services
R. Nethery, Director of Planning and Building Services
(Acting Commissioner of Development and Infrastructure Services)
L. Lyons, Director of Legislative Services/Town Clerk
M. Mayes, Director of Financial Services/Town Treasurer
F. Wu, Senior Financial Analyst
A. Walkom, Council/Committee Coordinator

Guests:

Jason Bevon and Craig Binning, Hemson Consulting

The meeting was called to order at 10:04 AM.

Mayor Van Bynen in the Chair.

Notice

Mayor Van Bynen advised that in accordance with the Town's Procedure By-law, no decisions are to be made but rather this meeting is an opportunity for Council to have informal discussion regarding various matters.

Declarations of Pecuniary Interest

None.

Items

1. Development Charges Council Information Session Presentation

The Commissioner, Corporate Services and Director, Financial Services provided an overview of the topics to be discussed.

Jason Bevon and Craig Binning of Hemson Consulting addressed Council with a presentation regarding development charges and provided an overview of the background study to be conducted on Newmarket's development charges. The presentation outlined the main components which will be included in the new development charges by-law which must be passed before the current by-law expires in September 2019. The presentation concluded with the key next steps and the timeline of the project.

Members of Council queried staff and the consultants on the growth forecast included in the presentation and how the intensification of development in Newmarket could affect the Town's business operations.

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

1. That the Development Charges Council Information Session Presentation be received.

Carried

2. Financial Sustainability Presentation

The Director, Financial Services provided an overview of the elements which make up a sustainable financial strategy, including asset management, debt, revenues, investment strategy and reserves and reserve funds. The Senior Financial Analyst provided the details of the Town's debt capacity and advised of the need to revise the current debt policy. The Director, Financial Services advised of the Town's revenue trends, including the results of more extensive investing which have yielded increased returns. He further outlined the purpose of the asset replacement fund policy. He advised of the need to end the imbalance between the rate-supported and tax-supported asset replacement funds.

Members of Council queried staff on how the changes to the asset replacement fund would affect future budgets and if the changes could result in the Town taking on debt to fund infrastructure projects. The Director, Financial Services clarified that the changes to the asset replacement fund would not affect future budgets and it would be unlikely that the Town would need to borrow to fund projects.

Moved by: Councillor Kerwin
Seconded by: Councillor Broome

1. That the Financial Sustainability Presentation be received.

Carried

3. Service Pricing Policy Presentation

The Director, Financial Services provided an overview of the purpose of the service pricing policy and the need to review the policy. He advised Council of what is being considered for the update of the process and sought feedback.

Members of Council queried staff on how potential changes could affect existing services and if prices could be raised for certain age groups. Staff clarified the effects of the pricing policy and advised that large price raises on any particular group were unlikely.

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

1. That the Service Pricing Policy Presentation be received.

Carried

Adjournment

Moved by: Councillor Twinney
Seconded by: Councillor Kwapis

1. That the Council Workshop adjourn at 12:20 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

Committee of the Whole

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

For consideration by Council on
May 7, 2018

The meeting of the Committee of the Whole was held on Monday, April 30, 2018 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin (2:14 PM – 4:28 PM)
Councillor Twinney
Councillor Hempen (1:32 PM- 2:57 PM, 4:24 – 4:28 PM)
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: R. N. Shelton, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
R. Nethery, Director, Planning and Building Services (Acting Commissioner, Development & Infrastructure Services)
I. McDougall, Commissioner of Community Services
M. Mayes, Director of Financial Services/ Town Treasurer
L. Lyons, Director of Legislative Services/ Town Clerk
A. Cammaert, Senior Planner, Policy
H. Leznoff, Council/Committee Coordinator

The meeting was called to order at 1:32 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) Newmarket Go - Mobility Hub Presentation. This presentation is related to Item 16.

- (2) Deputation by members of the Stuart Scott Public School Eco-Team regarding revitalization of the Darcy Creek Wetlands.
- (3) Deputation by Urszula May regarding Item 2.
- (4) Closed Session Item 1 - Verbal update regarding the Clock Tower.

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

- (1) Page 4 of Finance Report 2018-12 regarding the Asset Replacement Fund Strategy the inter-fund loan should read \$31 million and would have annual debt servicing of \$1.9 million.

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

- 1. That the additions and correction to the April 30, 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 17 as his father was one of the individuals who addressed the Committee on behalf of Habitat for Humanity. He advised he would take no part in the discussion of the matter.

Councillor Vegh declared an interest in relation to Item 17 as Habitat for Humanity was his former employer. He advised he would take no part in the discussion of the matter.

Councillor Hempen declared a conflict of interest in relation to the Closed Session matter related to the Clock Tower as he has a business in close proximity to the subject lands. He advised he would take no part in the discussion of the matter.

Presentations & Recognitions

None.

Deputations

- 1. **Revitalization of Darcy Creek Wetlands**

Members of the Stuart Scott Eco Team addressed Council to thank Members of Council and staff for creating the wetland space. They further advised that the wetlands provide a new learning space for students as an outdoor classroom as well as a place to play after school hours. The Stuart Scott Eco Team advised that they have collaborated with the conservation authority and continue to plant shrubs and other plants that would naturally occur in the wetlands.

2. 2013 Building Permit Application and Property Standards Issues

Attila Vinczer addressed Committee and expressed concern regarding issues obtaining a building permit to complete construction on his property.

Moved by: Councillor Kwapis
Seconded by: Councillor Twinney

1. That the deputation by Attila Vinczer regarding building permit applications and property standards issues be received.

Carried

3. Property Standards Issues

Urszula May addressed the Committee with regards to the excavation at the property adjacent to hers and the erosion of her own property.

Moved by: Councillor Twinney
Seconded by: Councillor Bisanz

1. That the deputation by Urszula May be received and referred to staff.

Carried

Consent Items

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

That the following items (4-14) be adopted on consent:

4. Donation Policy

1. That the report entitled Donation Policy dated April 30, 2018 be received; and,
2. That Council adopts the Donation Policy in substantially the form attached hereto.

5. Policies for Financial Sustainability

1. That the report entitled Policies for Financial Sustainability be received; and,
2. That the following corporate policies, including the appendices be approved:
 - a. Debt Policy, Reserve and Reserve Fund Policy, Asset Replacement Fund Policy.

6. Award of Single Source Contract

1. That the report entitled Procurement Services, IT & Financial Services 2018-07, regarding the awarding of a single source contract for property tax software, known as Tax Manager (TXM) be received; and,
2. That Council approve a single source/partnership process to award a contract for a new property tax system to the Corporation of the City of Mississauga, on terms satisfactory to the Treasurer, the Manager of Procurement Services and the A/Director of IT.

7. Municipal Election Joint Compliance Audit Committee

1. That the report entitled Municipal Election Joint Compliance Audit Committee dated April 30, 2018 be received; and,
2. That Council adopt the York Region Terms of Reference for the Joint Compliance Audit Committee (attached as Appendix "A"); and,
3. That the following individuals be appointed by Council as the roster of individuals, who may be selected by the Town Clerk, to constitute the Joint Compliance Audit Committee when required for 2018-2022 Term of Council:
 - Terrence James Alderson

- Ron Colucci
- Jodi Feldman
- Robert M. Freedman
- Mark Gannage
- Kelly Gravelle
- Wm. J. Paul Jones
- Reagan Ruslim
- Vince Scaramuzza; and,

4. That the Town Clerk be delegated the authority to:
 - a. Establish in response to any compliance audit applications received for the 2018 Municipal Election, panels of three (3) persons from the Council- approved roster of individuals to serve as the Joint Compliance Audit Committee for the 2018 – 2022 term; and,
 - b. Establish, approve and amend the Joint Compliance Audit Committee's Terms of Reference and mandate as needed, effective May 7, 2018; and,
 - c. Recruit and appoint Joint Compliance Audit Committee members for the 2022 term of Council and all terms of Council going forward; and,
5. That the Town's Delegation of Authority By-law 2016-17 be amended to include items 4 (b) and (c) above.

8. Interim Control By-law – Extension Request

1. That the Report 2018-28 entitled Interim Control By-law – Extension Request dated April 30, 2018 be received; and,
2. That an extension to Interim Control By-law 2017-25 be passed; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9. Item 10 Heritage Newmarket Advisory Committee Meeting Minutes of March 6, 2018 regarding Heritage Designations

Note: Refer to item 20 for further discussion on this matter.

1. The Senior Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report:

- a. That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system.

10. Newmarket Environmental Advisory Committee Meeting Minutes of March 7, 2018

1. That the Newmarket Environmental Advisory Committee Meeting Minutes of March 7, 2018 be received.

11. Newmarket Public Library Board Meeting Minutes of March 21, 2018

1. That the Newmarket Public Library Board Meeting Minutes of March 21, 2018 be received.

12. Correspondence from the Honourable Daiene Vernile, Minister of Tourism, Culture and Sport regarding Funding for Libraries in 2018 Budget

Note: Mayor Van Bynen requested this correspondence be placed on the agenda for information purposes.

1. That the correspondence from the Honourable Daiene Vernile, Minister of Tourism, Culture and Sport regarding Funding for Libraries in 2018 Budget be received.

13. Outstanding Matters List

1. That the list of outstanding matters be received.

Carried

14. Asset Replacement Fund Strategy

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

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

1. **That the Asset Replacement Fund Strategy be referred to staff for further information and be brought back to Council for consideration at a later date.**

Carried**15. Newmarket GO Station – Mobility Hub Study Presentation**

The Senior Planner, Policy, addressed the Committee with a presentation regarding the Newmarket GO Station – Mobility Hub Study, outlining the phases and timelines for implementation. The presentation outlined the Secondary Plan, consultation and feedback, proposed improvements, transit-oriented development (TOD) Plan and highlighted comments and responses regarding general population and employment forecasts, transit beyond the mobility hub, the floodplain as a constraint, on site bus accommodation and grade separation.

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

1. That the presentation by the Senior Planner, Policy regarding the Newmarket GO Station – Mobility Hub Study be received.

Carried**16. Newmarket GO Station - Mobility Hub Study**

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

1. That the report entitled Newmarket GO Station - Mobility Hub Study dated April 30, 2018 be received.

Carried**17. Alternative Fees and Charges for Charitable and Non-Profit Organizations- Modifications for Habitat for Humanity**

Moved: Councillor Hempen
 Seconded: Councillor Kwapis

1. That Planning & Building Services Report 2018-31 entitled Alternative Fees & Charges for Registered Charities and Non-Profit Organizations – Modifications for Habitat for Humanity dated April 30, 2018 be received; and,
2. That Council approve the amended policy, attached to this Report.

Carried

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

18. Development Charge Deferral Policy - Refresh and Reinstatement

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

1. That Council adopt the Policy for Deferral of Payment of Development Charges and Planning Application Fees in the Urban Centres Secondary Plan Area, updated April 30, 2018, included as Attachment 1 to this Report, as amended.

Carried

19. Heritage Newmarket Advisory Committee Meeting Minutes of March 6, 2018

Moved by: Councillor Kwapis
Seconded by: Councillor Vegh

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

Carried

20. Reconsideration of Item 10 Heritage Newmarket Advisory Committee Meeting Minutes of March 6, 2018 regarding Heritage Designations

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

1. That Item 10 Heritage Newmarket Advisory Committee Meeting Minutes of March 6, 2018 regarding Heritage Designations be reconsidered.

Carried by 2/3 Majority

An alternate motion was presented and is noted below in bold

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

1. The Senior Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report:

- a. **That the Heritage Newmarket Advisory Committee propose to the Region of York that the Administration Centre building be designated, due to its noted architect; and,**
- b. That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system.

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motions

Councillor Hempen presented a notice of motion regarding signage for the Newmarket Heights area. He advised that the motion will request that Council contribute \$10,000.00 towards the purchase of an entrance sign that will be placed at the intersection of Davis Drive and Longford Drive.

Motions

None.

New Business

- (1) Designation of the Union Hotel

Deputy Mayor & Regional Councillor Taylor requested an update regarding designation of the property known as the Union Hotel.

Closed Session

21. Verbal Update regarding the Clock Tower

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the Committee of the Whole resolve into Closed Session to discuss the following matter:
 - (1) A verbal update regarding the Clock Tower, related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 2:57 PM.

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

The Committee of the Whole resumed into Open Session at 4:24 PM.

Public Hearing Matter

None.

Adjournment

Moved by: Councillor Bisanz

Seconded by: Councilor Kwapis

1. That the meeting of Committee of the Whole adjourn at 4:28 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

Policy for the Deferral of Payment of Development Charges & Planning Application Fees within the Urban Centres

Adopted by Council June 18, 2012
Updated May 7, 2018



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1.0 Strategic Plan Linkages

Well-Equipped and Managed:

- Leading the way by creating an environment for extraordinary public service, focusing on fiscal responsibility and sustainability.
- Creating a clear vision of the future and supporting plans and strategies to guide the way.

Well-planned and Connected:

- Planning and managing growth through long-term plans and strategies, supported by short-term action plans.

2.0 Purpose

To establish a policy that aims to encourage development through the deferral of payment of Development Charges and *Planning Application Fees* within the Urban Centres. The policy applies to, and is intended to stimulate *mid-rise* and *high-rise*; residential, office and *mixed-use* developments within the Urban Centres Secondary Plan area as identified on Schedule 1.

3.0 Definitions

Alternative Energy – sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems and includes co-generation facilities.

Building Permit – means the building permit issued for the construction of the building including the below ground foundations and parking structures.

High-rise – means permitted development that is 12 storeys or more in height.

Mid-rise – means permitted development that is 5 to 11 storeys in height. means permitted development that is 12 storeys or more in height.

Mixed-use – Development that includes two or more different uses (e.g. residential, commercial, cultural and/or institutional) in a single building.

Planning Application Fees – fees required for an Official Plan Amendment, Secondary Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Plan of Condominium and Site Plan.

4.0 Area of Application of the Policy

The policy applies to development within the Yonge Street and Davis Drive Urban Centres, as shown on Schedule 1.

5.0 Background and Legislative Authority

5.1 Deferral of Payment of Development Charges

Section 27(1) of the Development Charges Act provides for the legislative authority to provide municipalities with flexibility regarding when development charges may be paid as follows:

“A municipality may enter into an agreement with a person who is required to pay a development charge providing for all or any part of a development charge to be paid before or after it would otherwise be payable.”

As per the Town's Development Charges By-law (By-law 2009-73), Development charges are payable at the time of issuance of the *Building Permit*.

In addition, the Town's Development Charges By-law provides that: "...Council from time to time, may enter into agreements providing for all or any part of a Development Charge to be paid before or after it would otherwise be payable.”

5.2 Deferral of Payment of Planning Application Fees

Section 69(2) of the *Planning Act* provides municipalities with the flexibility to reduce or waive tariffs or fees associated with the processing of planning applications (i.e. *Planning Application Fees*) where the Council or applicable planning committee is satisfied that it would be unreasonable to require payment in accordance with the tariff.

6.0 Deferral Programs

Two programs are provided:

1. Standard Approach for the Deferral of Development Charges; and
2. Enhanced Development Criteria Based Approach for the Deferral of Development Charges and *Planning Application Fees*.

6.1 Standard Approach for the Deferral of Development Charges

1. This program provides for the deferral of 100% of the Town's Development Charges for both *mid-rise* and *high-rise* developments, which include residential, office or *mixed-uses*.
2. The deferral shall be dependent upon the developer providing a Letter of Credit to the Town at the time of the *Building Permit* issuance to secure payment of the Town's Development Charges.
3. The deferral is in effect for a period of 36 months from the earlier of the issuance of the *Building Permit* or registration of the condominium.
4. The Letter of Credit shall be drawn or the Development Charges shall be paid on or before the date that is equivalent to the earlier of the 36 months after the issuance of the *Building Permit* or registration of the condominium.

6.2 Enhanced Development Criteria Based Approach for the Deferral of Development Charges and *Planning Application Fees*

1. This program provides for the deferral of 100% of the Town's Development Charges and 50% of the *Planning Application Fees* for both *mid-rise* and *high-rise* developments, which include residential, office or *mixed-uses* that meet the Development Criteria of Section 6.2.1.

2. A Letter of Credit for the deferred Development Charges and the deferred portion of the *Planning Application Fees* will not be required to secure deferred charges or fees for development that meets the Development Criteria of Section 6.2.1, however a Deferral Agreement is required to be entered into with the Town setting out parameters to ensure the Town's financial security.
3. The deferral of Development Charges and *Planning Application Fees* shall be in effect for a period of ~~36-48~~ months from the earlier of the issuance of the *Building Permit* or registration of the condominium.
4. All charges and fees shall be paid on or before the date that is equivalent to the earlier of ~~36-48~~ months after the issuance of the *Building Permit* or registration of the condominium.
5. Section 8.7 sets out the application process for this Enhanced Development Criteria Based Approach.

6.2.1 Development Criteria

In order to be eligible for deferral of payment of 100% of Development Charges, 50% of *Planning Application Fees* and the waiving of the Letter of Credit under the Enhanced Development Criteria approach, the following Development Criteria must be met.

- i) The proposed development complies with all applicable provisions of the Provincial Policy Statement, Regional Official Plan, Town Official Plan, and the Urban Centres Secondary Plan, including but not limited to: urban design, housing affordability and sustainability.
- ii) The mandatory and applicable optional provisions of the Site Plan Approval Process Manual and Development Standards Checklist (March 25, 2008, as amended).
- iii) The proposed development participates in the Region's Sustainable Development through LEED® Incentive Program (LEED).
- iv) The proposed development implements a three stream waste collection system.
- v) For developments within the *Provincial Urban Growth Centre*, it is demonstrated to the satisfaction of the Town that a minimum of 35% of new housing units within the development are affordable to *low and moderate income households*.
- vi) For developments outside of the *Provincial Urban Growth Centre*, it is demonstrated to the satisfaction of the Town that a minimum of 25% of new housing units within the development are affordable to *low and moderate income households*.

7.0 Deferral Schedule

7.1 Development Charges Deferral Schedule

1. The Letter of Credit required under Section 6.1.2 shall be drawn or the Town's portion of the Development Charges shall be paid on or before the earlier of 36 months after the date of the issuance of the *Building Permit* or registration of the condominium.

2. In the event that an appeal of a Planning Application is filed by the applicant at any time before or after the decision of Council and is subject to a final decision by the Ontario Municipal Board, Local Planning Appeal Tribunal or by the Courts, such Planning Application(s) may not be eligible for the deferral of Development Charges as set out under Section 6.1 and 6.2. Eligibility for deferral of Development Charges shall be at the sole discretion of Council.

7.2 Planning Application Fees Deferral Schedule

1. For *Planning Application Fees*, 50% of the *Planning Application Fees* shall be payable at the time of the planning application(s). The remaining 50% shall be payable the earlier of ~~36-48~~ months after the issuance of the *Building Permit* or registration of the condominium, unless:
 - the application does not meet the eligibility criteria and is refused by Council or it's designate;
 - the planning application is appealed by the applicant at any time before the final decision on the planning application(s); or
 - a *Building Permit* is not issued within ~~36-48~~ months of the final approval of the respective planning application(s).
2. Where a decision is made by Council or it's designate that the Development Criteria contained in Section 6.2.1 are not met or the planning application(s) is refused or appealed, the remaining 50% of the application fees shall be paid to the Town within 14 days of the decision.
3. If the Development Criteria of Section 6.2.1 are not demonstrated to be met, or are no longer proposed to be met at the time of the Building Permit, the Deferral of Development Charges will be subject to the terms of Section 6.1, including the provision for a Letter of Credit.
4. In the event an appeal is filed by the applicant any time before the final decision on the planning application(s), the deferred *Planning Application Fees* shall be payable, with applicable interest, on the date of the appeal.
5. If a *Building Permit* or registration of the condominium is not obtained within the earlier of ~~36-48~~ months from the final approval of the respective planning application(s), the deferred portion (the remaining 50%) of the *Planning Application Fees*, with applicable interest shall be paid to the Town within 14 days of final approval of the respective planning application(s).

8.0 Procedures

8.1 Effective Date of the Policy

1. This policy comes into effect and will apply to all eligible applications from the date of the approval of this policy by Council. The policy applies to all eligible applications that, prior to the date of approval of the policy, had not paid their *Planning Application Fees* or Development Charges.
2. The *Planning Application Fees* shall be the fees in effect at the time of the filing of the planning application(s).
3. The Development Charges shall be the charges in effect at the time of the issuance of the *Building Permit*.

8.2 Development Charges Prepayment Agreement

1. In the event that Development Charges are scheduled to increase, developers of *mixed-use* high-rise residential development may prepay their Development Charges at the prevailing rate, prior to the issuance of the *Building Permit* on the basis of the following schedule:
 - 25% of the Development Charges shall be paid prior to the issuance of the *Building Permit* and before the date of the scheduled rate increase;
 - the remaining 75% shall be secured through a Letter of Credit and subject to a prepayment agreement to the satisfaction of the Director of Financial Services;
 - if the *Building Permit* is not issued within 18 months of the scheduled increase of the Development Charges, the developer will be subject to the prevailing rate on the effective payment date;
 - the prepayment agreement will be subject to a \$1,000 administration fee, plus applicable taxes.

8.3 Interest Rate

1. Interest on the deferred fees will be charged under the Standard Approach for the Deferral of Development Charges program under 6.1; however interest will not be charged under the Enhanced Development Criteria Based Approach under 6.2.
2. Where interest is charged under the Standard Approach for the Deferral of Development Charges program under 6.1, it will be applied at a rate of Prime plus 1.0%.
3. In the event that the deferred payments are not received in accordance with the Deferral Schedule set out in Section 7, interest will be charged on the basis of the interest rate applied to defaulted taxes in effect at the time of the failure to pay and applied from the time that the charges/fees were originally payable.

8.4 Security Obligations

1. Securities in the form of a Letter of Credit will be required for the deferral of the Town's Development Charges addressed under Section 6.1.
2. Securities in the form of a Letter of Credit will not be required for the Town's portion of the Development Charges or for the deferred *Planning Application Fees* in accordance with and subject to the provisions of Section 6.2 (the Enhanced Development Criteria Based Approach to Deferral of Development Charges and Planning Application Fees).
3. The deferral of payment of Development Charges will be implemented in conjunction with the Regional Development Charges Deferral Policy. This policy does not supersede or affect the Region's policy or ability to secure their portion of the Development Charges.
4. In the event of default of payment at the prescribed schedule time as set out in Section 7, the Town will secure its deferred fees, including the interest referred to in Section 8.2.2 through the applicable provisions of the Municipal Act.

5. Other securities required through the planning application process(s) shall not be released or reduced until the Town has received payment of all deferred charges and fees deferred through this policy.

8.5 Deferral Agreement

1. A deferral agreement shall be required for the deferral of the Town's portions of the Development Charges and *Planning Application Fees* described under Sections 6.1 and 6.2 and may include the terms and conditions required by the Treasurer.
2. An application for Deferral of Development Charges shall be filed with the Treasurer the earlier of 60 days prior to the filing of the Building Permit or registration of the condominium.
3. In the event that the deferral agreement is ready to be executed, or a *Building Permit* is ready for issuance for an applicant that qualifies for a deferral, but the deferral agreement is not executed and/or registered on land title, the applicant will be required to pay the Development Charges in full or secure the payment with a Letter(s) of Credit. Subsequent to the execution of the deferral agreement and its registration on title, the Town will refund the amount of the Development Charges deferred that were paid or release the Letter of Credit for the deferred amount to the applicant, without interest.

8.6 Deferral Agreement Fee

1. The costs incurred by the Planning, Legal and Finance Departments for the administration, review, preparation and execution of the deferral agreements shall be subject to fee of \$5,000 plus applicable taxes, and payable at the time of execution of the deferral agreement.

8.7 Application Process for the Enhanced Development Criteria Based Approach

1. The applicant shall provide notice of intention to file for Deferral of Payment of *Planning Application Fees* and Development Charges as part of the pre-consultation process.
2. A complete application for deferral shall be filed with the Treasurer and the Director of Planning and Building Services a minimum of 30 days following the final pre-consultation meeting.
3. A complete application package shall include the following:
 - demonstration and supporting documentation that the proposed development meets the Development Criteria, as applicable, set out in Section 6.2.1;
 - a plan showing the land area being developed (hectares/acres) confirmed by a survey or Certificate of a Surveyor;
 - the density, height and number and type of units (for residential) and the gross floor area (for non-residential) of the proposed building(s); and
 - the proposed use of the building(s).
4. Upon receipt of the planning application package and supporting documentation, a review will be conducted by the Town to determine if the documentation required for the demonstration of satisfying the Development Criteria of Section 6.2.1 have been submitted for consideration through the planning process.

5. Where the application includes the documentation regarding the Development Criteria, the Town will proceed to process the application and a Deferral Agreement will be prepared for the deferral of the *Planning Application Fees*.
6. If the request does not include documentation demonstrating compliance with the Development Criteria, the Town will advise the applicant of the deficiencies.
7. In the processing of the planning application in the normal manner and where the Town determines that the application meets the Development Criteria set out in Section 6.2.1, the planning application will be forwarded to Council for final approval, refusal or approval with conditions.
8. Where Council or its delegate, approves the planning application, the deferral of the *Planning Application Fees* will remain deferred the earlier of ~~36-48~~ months after the *Building Permit* is issued or registration of the condominium.
9. In accordance with Section 7.2.1, the deferred *Planning Application Fees* shall be payable in advance of the ~~36-48~~ months after the *Building Permit* is issued where:
 - the application does not meet the eligibility requirements and is refused by Council or it's designate;
 - the planning application is appealed by the applicant at any time prior to the final decision on the planning application(s); or
 - a *Building Permit* is not issued within 18 months of the final approval of the respective planning application(s).

8.8 Registration

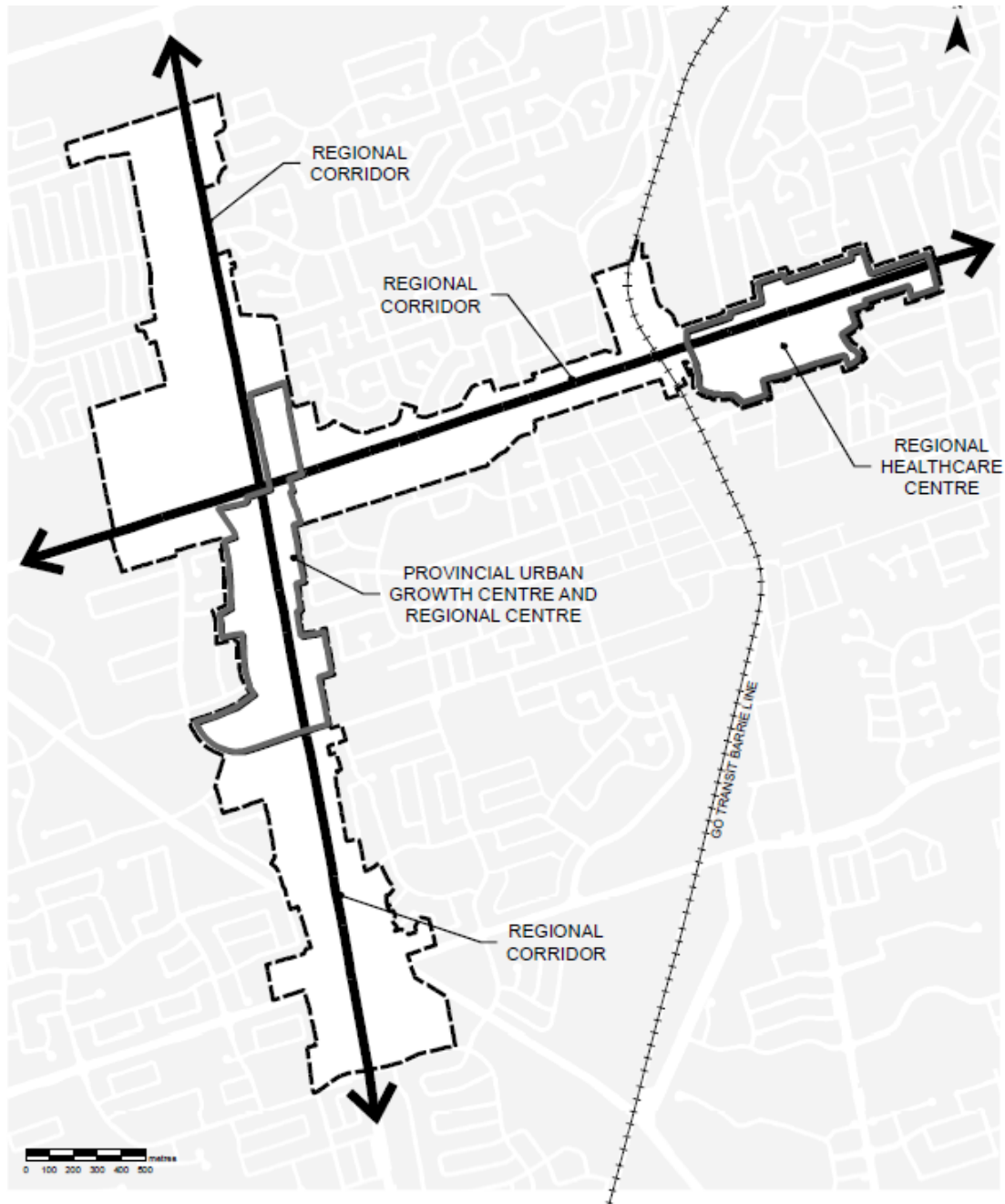
All agreements shall be registered on title to the property and enforced against subsequent landowners.

8.9 Review of the Policy

This Deferral of Payment of *Planning Application Fees* and Development Charges Policy will be reviewed every 3 years, or at an earlier time as prescribed by Council.

Schedule 1

 Urban Centres:





Corporation of the Town of Newmarket

By-law 2018-21

A By-law to amend Bylaw 2016-17.

Whereas Council of the Corporation of the Town of Newmarket adopted By-law 2016-17 Being a By-law to Delegate Administrative Matters to Staff on April 25, 2016;

And whereas, Council is required under the Municipal Elections Act, 1996 as amended, section 88.37, to appoint a Compliance Audit Committee;

And whereas, Council of the Corporation of the Town of Newmarket adopted the recommendations in Legislative Services Report 2018-09 regarding delegating authority to recruit and appoint members to the Compliance Audit Committee to the Town Clerk;

And whereas, it is deemed appropriate to remove any perception of bias and further the Compliance Audit Committee as arms-length from Council;

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

1. That Schedule "A" of By-law 2016-17 be amended according to Schedule A of this By-law;

Enacted this 7th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

	TYPE OF AUTHORITY	MATTER TO BE APPROVED	LEGISLATIVE AUTHORITY	TERMS, CONDITIONS AND LIMITATIONS	COMMENTING DEPARTMENTS	AUTHORITY	FORMER BY-LAW NO.
30.	Compliance Audit Committee	Establish, approve and amend the Municipal Election Compliance Audit Committee's Terms of Reference and mandate as needed, and to recruit and appoint Municipal Election Compliance Audit Committee members. The Committee may be established as an independent Committee for the Town, or as a joint Committee with other participating municipalities.	By-law 2018-21	A Compliance Audit Committee must be appointed for each term of Council. The Committee is to be composed of a minimum of three (3) and a maximum of (7) members who cannot be a member of council or a candidate in the Municipal Election for which the Committee is established.		Town Clerk	



Corporation of the Town of Newmarket

By-law 2018-22

A By-law to Appoint Fire Prevention Officers for the Central York Fire Services.

(Schell, McDonald, Tustin, Stein, Zaykin, Sadler)

Whereas the Town of Newmarket and the Town of Aurora have established a Fire and Emergency Services Department known as the Central York Fire Services to service both municipalities; and,

Whereas Section 7.1 (4) of the Fire Protection and Prevention Act, 1997 authorizes the appointment of Officers; and,

Whereas Section 3(2) of the Building Code Act, S.O. 1992, as amended, requires the Council of each municipality to appoint Chief Building Official and such inspectors as are necessary for the purposes of enforcement of the Building Code Act in the areas in which the municipality has jurisdiction;

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the following persons be and are hereby appointed as Officers pursuant to Section 7.1 (4) of the Fire Protection and Prevention Act, 1997 and Building Inspectors for the purpose of Fire Protection matters, pursuant to Section 3(2) of the Building Code Act, S.O. 1992, as amended, and be given the titles as follows:

Ryan Schell	Chief Fire Prevention Officer
John McDonald	Fire Prevention Officer
Tim Tustin	Fire Prevention Inspector
Shane Stein	Fire Prevention Inspector
Alexandra Zaykin	Fire Prevention Inspector
Eric Sadler	Fire Prevention Inspector

2. That By-law 2016-70 be repealed.

Enacted this 7th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2018-23

An Interim Control By-law extension (Old Main Street).

Whereas Section 38 of the Planning Act, R.S.O. 1990 c.P. 13, as amended, permits the council of a local municipality to pass one extension to an Interim Control By-law where the Council has directed a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof;

And whereas the Council of the Town of Newmarket has directed staff to undertake a comprehensive land use, natural heritage, traffic and infrastructure study for Old Main Street to study redevelopment potential and limitations of properties on Old Main Street;

And whereas the Council of the Town of Newmarket has directed that an extension to the Interim Control By-law be passed on the subject lands, for a period of one year from the date of passage of the By-law;

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

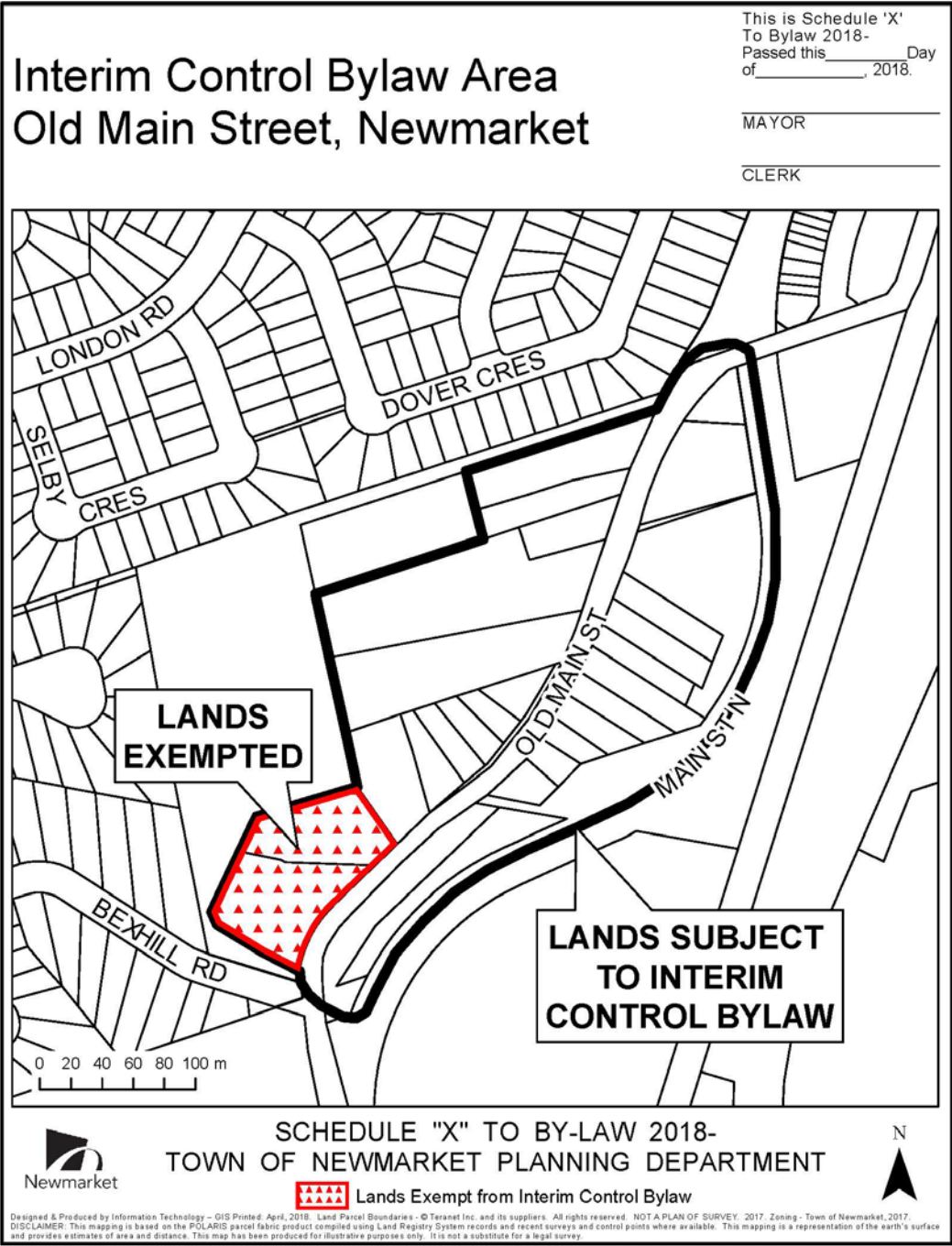
1. That the subject lands shown on Schedule "X" are subject to the interim control provisions of this By-law;
2. That notwithstanding the provisions of Zoning By-law 2010-40 and subject to the standard approval process of the Town of Newmarket, only the following shall be permitted on the subject lands:
 - a) the use of any land, building or structure for any purpose for which it was lawfully used on the day of the passing of this by-law, so long as it continues to be used for that purpose;
 - b) the erection or use of any building or structure for which a permit has been issued under subsection 8(1) of the *Building Code Act, 1992*, prior to the day of the passing of this by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked;
 - c) uses which are customarily incidental or subordinate to and exclusively devoted to the principal use and which operate together with the principal use on the same lot;
 - d) the construction of a building, structure or pool, the use of which is incidental, subordinate and exclusively devoted to a main building or main use on the same lot; and

- e) construction, alteration, or expansion of any building, structure or pool as long as it is a continuation of a lawful use in existence on the date of the passage of this by-law.
- 3. Nothing in this By-Law shall prevent the strengthening to a safe condition or the reconstruction of any building or structure or pool or part of any such building or structure or pool, provided such alteration or repair does not increase the height, size or volume or change the use of such building or structure or pool.
- 4. If any provision or requirement of this By-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.
- 5. This By-law shall come into force and take effect immediately upon its passing by Council and shall be in effect for a period of one year from the date of passing of this By-law, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

Enacted this 7th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk





Corporation of the Town of Newmarket

By-law 2018-24

A By-law to confirm the proceedings of a meeting of Council – May 7, 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 7th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk