

The meeting of the Committee of the Whole was held on Monday, April 7, 2014 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Di Muccio
Councillor Emanuel
Councillor Hempen
Councillor Kerwin
Councillor Sponga
Councillor Twinney
Councillor Vegh

Staff Present: R.N. Shelton, Chief Administrative Officer
R. Prentice, Commissioner of Development & Infrastructure Services
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
E. Armchuk, Director of Legal Services/Municipal Solicitor
R. Nethery, Director of Planning and Building Services
C. Service, Director of Recreation and Culture
M. Mayes, Director of Financial Services/Treasurer
D. Ruggle, Senior Planner – Community Planning
L. Lyons, Deputy Clerk
A. Brouwer, Director of Legislative Services/Town Clerk
K. Reynar, Assistant Solicitor
J. Unger, Assistant Director of Planning
L. Moor, Council/Committee Coordinator
S. Niezen, Records and Projects Coordinator
C. Finnerty, Council/Committee Coordinator
J. Patel, Project Support Business Analyst

Additions & Corrections to the Agenda

Moved by: Councillor Kerwin
Seconded by: Councillor Emanuel

THAT the items listed on the agenda as addendum items be included.

Carried

Declarations of Pecuniary Interest

None.

Deputations

1. Mr. Paul Jolie addressed the Committee regarding calculations associated with water bills.

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

THAT the deputation by Mr. Paul Jolie regarding calculations associated with water bills be received and referred to staff.

Carried

2. Mr. John Dowson addressed the Committee regarding financial details associated with Newmarket Theatre and the Very Useful Theatre Company.

Moved by: Councillor Kerwin
Seconded by: Councillor Hempen

THAT Mr. Dowson be allotted an additional five minutes for his deputation.

Carried

Moved by: Regional Councillor Taylor
Seconded by: Councillor Twinney

THAT the deputation by Mr. John Dowson regarding the financial details associated with Newmarket Theatre and the Very Useful Theatre Company be received and referred to staff for a comprehensive review along with a comparison of how much sports facilities are subsidized;

AND THAT such review include consultation with key stakeholders including members of the theatre community to be reported back to Committee of the Whole within a 60 day time frame.

Carried

3. Ms. Rubaiyat Karim, York Region Centre for Community Safety advised that due to her time constraints, she was unable to address the Committee and would re-schedule to a future date.

Presentations & Recognitions

4. Mr. Craig Binning and Mr. Jason Bevan of Hemson Consulting addressed the Committee with a PowerPoint presentation regarding the Capital Financing Sustainability Strategy, Part 2.

Moved by: Councillor Emanuel
Seconded by: Councillor Hempen

THAT the PowerPoint presentation by Mr. Craig Binning and Mr. Jason Bevan of Hemson Consulting regarding the Capital Financing Sustainability Strategy, Part 2 be received.

Carried

5. Joint CAO/Corporate Services Report - Financial Services 2014-05 dated March 24, 2014 regarding the Capital Financing Sustainability Strategy, Hemson Part 2 Report.

Moved by: Councillor Emanuel
Seconded by: Councillor Hempen

THAT Joint CAO/Corporate Services Report - Financial Services 2014-05 dated March 24, 2014 regarding Capital Financing Sustainability Strategy, Hemson Part 2 Report be received.

Carried

Consent Items

Moved by: Councillor Emanuel
Seconded by: Councillor Vegh

THAT the following items be adopted on consent:

6. Correspondence dated March 14, 2014 from Ms. Laura Tonelli, Executive Director, Caritas Foundation requesting declaration of April, 2014 as 'Caritas Month' in the Town of Newmarket.

a) THAT the correspondence dated March 14, 2014 from Ms. Laura Tonelli, Executive Director, Caritas Foundation be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim April, 2014 as 'Caritas Month';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

7. Correspondence dated March 1, 2014 from Ms. Linda Keith, President, PFLAG Canada - York Region requesting proclamation of June 14 to 22, 2014 as 'Pride Week' in the Town of Newmarket.

a) THAT the correspondence dated March 1, 2014 from Ms. Linda Keith, President, PFLAG Canada - York Region be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June 14 to 22, 2014 as 'Pride Week' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town website www.newmarket.ca

8. Correspondence dated March 19, 2014 from Mr. John Cartwright, President, Labour Council, Toronto and York Region requesting that April 28, 2014 be proclaimed as "Day of Mourning for Workers Killed or Injured on the Job".

a) THAT the correspondence dated March 19, 2014 from Mr. John Cartwright, President, Labour Council, Toronto and York Region be received and the following recommendations be adopted:

i) THAT April 28, 2014 be proclaimed as 'Day of Mourning for Workers Killed or Injured on the Job' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

9. Central York Fire Services - Joint Council Committee Minutes and (Closed Session) Minutes of February 4, 2014. (Closed Session) Minutes circulated under separate cover.

THAT the Central York Fire Services - Joint Council Committee Minutes and (Closed Session) Minutes of February 4, 2014 be received.

10. Environmental Advisory Committee Minutes of February 12, 2014.

THAT the Environmental Advisory Committee Minutes of February 12, 2014 be received.

11. Corporate Services - Legislative Services Report 2014-10 dated March 27, 2014 regarding Advance Voting Opportunities Additional Information.

a) THAT Corporate Services - Legislative Services Report 2014-10 dated March 27, 2014 regarding "Advance Voting Opportunities Additional Information" be received.

12. Corporate Services Report - Legislative Services 2014-08 dated March 21, 2014 regarding Regional Municipality of York – Road Rehabilitation Program (Noise By-law Exemption)

a) THAT Corporate Services Report - Legislative Services 2014-08 dated March 21, 2014 regarding Regional Municipality of York - Road Rehabilitation Program (Noise By-law Exemption) be received and the following recommendations be adopted:

i) THAT a by-law to exempt the Regional Municipality of York from the Noise By-law (By-law 2004-94) be enacted to facilitate their road rehabilitation program on Mulock Drive in the Town of Newmarket for a period from June 23, 2014 to September 12, 2014 between the hours of 7:00 p.m. to 5:00 a.m. Monday through Saturday;

ii) AND THAT the Regional Municipality of York notify area residents one week prior to the start of the work.

13. Corporate Services Report - Legislative Services 2014-09 dated March 24, 2014 regarding Carnival - D.A. Campbell Amusement Ltd. - Upper Canada Mall.

a) THAT Corporate Services Report – Legislative Services 2014-09 dated March 24, 2014 regarding Carnival - D.A. Campbell Amusement Ltd. Upper Canada Mall be received and the application be approved subject to the following terms:

i) THAT the licence be issued for a period of seven consecutive days from May 6 to May 12, 2014 to permit the setting up and dismantling of amusement devices;

ii) AND THAT the actual operation of the carnival not exceed five consecutive days within that permitted time period.

14. List of Outstanding Matters.

THAT the list of Outstanding Matters be received.

Carried

Closed Session

Moved by: Councillor Vegh
Seconded by: Regional Councillor Taylor

THAT the Committee of the Whole resolve into Closed Session for the purpose of discussing security of the property of the municipality and litigation, including matters before administrative tribunals.

Carried

The Committee recessed at 3:09 p.m.

The Committee reconvened at 3:21 p.m.

The Committee resolved into a Closed Session at 3:24 p.m.

The Committee resumed into a Public Session at 5:01 p.m.

15. Development and Infrastructure Services Report - Engineering Services 2014-23 dated March 13, 2014 regarding Millard Avenue - Parking Review - Forest Glen Road to Lorne Avenue – Update and Development and Infrastructure Services Report – Engineering Services 2014-24 regarding Millard Avenue – Parking Review – Haskett Park.

Moved by Councillor Sponga
Seconded by Regional Councillor Taylor

THAT Development & Infrastructure Services Report – ES2014-23, dated March 13, 2014 regarding Millard Avenue – Parking Review – Forest Glen Road to Lorne Avenue Update and Development and Infrastructure Services Report – Engineering Services 2014-24 regarding Millard Avenue – Parking Review – Haskett Park be deferred to the next scheduled Committee of the Whole meeting.

Carried

16. Corporate Services Report - Legislative Services 2014-06 dated March 6, 2014 regarding "Advance Voting Opportunities and Language and Communication for the 2014 Municipal Election".

Moved by Councillor Kerwin
 Seconded by Councillor Vegh

THAT Corporate Services Report – Legislative Services 2014-06 dated March 6, 2014 regarding “Advance Voting Opportunities and Language and Communication for the 2014 Municipal Election” be received and the following recommendations be adopted:

a) THAT a by-law be enacted to permit the following dates, times and locations for Advance Voting in the Town of Newmarket for the 2014 municipal election;

Date	Time	Locations
Saturday, October 11, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
	8:00 a.m. – 1:00 p.m.	Farmer’s Market/ Community Centre
Sunday, October 12, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Saturday, October 18, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
	8:00 a.m. – 1:00 p.m.	Farmer’s Market/Community Centre
Sunday, October 19, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Monday, October 20, 2014	4:00 p.m. – 8:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Tuesday, October 21, 2014	4:00 p.m. – 8:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Wednesday, October 22, 2014	4:00 p.m. – 8:00 p.m.	Multi Unit Residences (to be identified at the discretion of the Clerk)
Thursday, October 23,	4:00 p.m. – 8:00	Ray Twinney Recreation

2014	p.m.	Complex Magna Centre
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b) AND THAT a by-law be enacted to provide for reduced voting hours with respect to a voting place that is only for the use of residents of the institution or retirement home;

c) AND THAT a by-law be enacted to include other languages in addition to English and French in order to relay election related information to the general public.

Carried

- 17. Chief Administrative Officer Report - CAO 2014-06 dated March 27, 2014 regarding an Update on Collaborative Municipal Initiatives of the Six Northern Municipalities of York Region.

Moved by: Councillor Twinney
 Seconded by: Regional Councillor Taylor

THAT Chief Administrative Officer Report 2014-06 dated March 27, 2014 regarding Update on Collaborative Municipal Initiatives of the Six Northern Municipalities of York Region be received for information purposes.

Carried

Motions

Moved by Councillor Sponga
 Seconded by Councillor Emanuel

THAT the following motions be deferred to the next scheduled Committee of the Whole meeting.

- 18. Councillor Emanuel: THAT due to potential costs to taxpayers and liability concerns that could be transposed by Bill 69 - Prompt Payments Act, staff provide an analysis and recommendations for a resolution.
- 19. Councillor Emanuel: THAT staff report back to Council on the implementation of improved signage and advertising for notification regarding Official Plan and Zoning By-law Amendments.
- 20. Councillor Sponga - THAT staff report back in thirty days on the implementation of removable speed humps as a pilot project, for the purpose of mitigating

excessive speed on Millard Avenue west of Lorne Avenue and east of Queen Street.

Carried

Action Items

21. Development and Infrastructure Services Report - Public Works Services 2014-21 dated March 21, 2014 regarding Sidewalk Snow Clearing Review.

Moved by Regional Councillor Taylor
Seconded by Councillor Twinney

THAT Development & Infrastructure Services Report – Public Works Services 2014-21 dated March 21, 2014 regarding Sidewalk Snow Clearing Review be deferred to the next scheduled Committee of the Whole meeting.

Carried

Correspondence & Petitions

None.

Reports by Regional Representatives

None.

The Committee recessed at 5:05 p.m.

The Committee reconvened at 5:55 p.m.

The Committee resolved into a Closed Session at 5:56 p.m.

The Committee reconvened into a Public Session at 7:10 p.m.

Public Hearing Matters

22. Development and Infrastructure Services Report - Planning and Building Services 2014-06 and related Council Extract - Application for Zoning By-law Amendment and Draft Plan of Subdivision - Sundial Homes (Davis) Limited.

The Deputy Clerk welcomed members of the public to the Committee of the Whole meeting. The Deputy Clerk advised that the Planning Act requires the Town to hold

at least one Public Meeting on any proposed Town of Newmarket Zoning By-law Amendment and Draft Plan of Subdivision Application.

The Deputy Clerk explained that the purpose of the Public Meeting is to hear from anyone who has an interest in the Applications for Zoning By-law Amendment and Draft Plan of Subdivision for the lands located on the north side of Davis Drive, east of Ford Wilson Boulevard and west of Upper Canada Mall.

The Deputy Clerk advised that the Committee of the Whole will not be making a decision regarding the proposed Application tonight, but will refer all written and verbal comments to Planning Staff to consider in a report that will be brought forward to a future Committee of the Whole or Council meeting.

The Deputy Clerk requested that those in attendance who wish to be notified of subsequent meetings, or are making a presentation, to please complete a form with their name and address and submit it to the Clerk's staff.

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

The Deputy Clerk thanked the members of the public for their participation and interest in the meeting.

23. PowerPoint Presentation by Mr. John Bousfield of Bousfield Inc. and Mr. Chris Matson of Matson McConnell on behalf of Sundial Homes regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision - Sundial Homes (Davis) Limited.

Members of Council queried Mr. Bousfield, Mr. Matson and staff regarding the proposed school site, construction management plans, access to parks, use of the storm water management plan lands as part of the trail system and increased urban density.

24. Mr. Mathew Reilly, resident, addressed the Committee regarding the proposed development. He identified the proposed school site as a benefit to the community and requested that staff and Council communicate this to the School Board.
25. Mr. Jeff Healey, resident, addressed the Committee regarding concerns about traffic management and how the proposed design aligns with the Draft Secondary Plan.

26. Ms. Dragana Vupic, resident, addressed the Committee regarding concerns about safe access to parks and playgrounds within the proposed development and a lack of sports fields nearby.

Moved by: Councillor Emanuel
Seconded by: Councillor Di Muccio

THAT the PowerPoint presentation by Mr. John Bousfield and Mr. Chris Matson and the deputations by Mr. Reilly, Mr. Healey and Ms. Vupic regarding the Application for Zoning By-law Amendment and Draft Plan of Subdivision – Sundial Homes (Davis) Limited be received.

Carried

The Director of Planning and Building Services advised of the next steps associated with the planning process for the application being a report back from staff to a future Committee of the Whole meeting.

Notices of Motion

Councillor Di Muccio provided notice that she would be bringing forward a motion regarding support of local jobs.

New Business

27. Councillor Kerwin advised of sidewalk maintenance issues as well as deficiencies on Leslie Street from Davis Drive to Gorham Street and identified a need for the installation of a sidewalk on the east side of Leslie Street from Gorham Street to Mulock Drive.
28. Councillor Sponga requested that staff provide him with information which he can relate to residents on Lewis Drive regarding wildlife management of foxes and coyotes in an urban area.
29. Moved by: Regional Councillor Taylor
Seconded by: Councillor Sponga

THAT the Council and Committee of the Whole meeting schedule be referred to staff for review in the first two months of the new term of Council;

AND THAT such review takes into consideration frequency of meetings, days/times of the week and summer schedule.

Carried

Adjournment

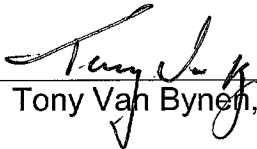
Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

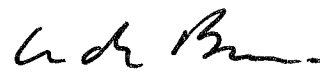
THAT the meeting adjourn.

Carried

The meeting adjourned at 8:21 p.m.



Tony Van Bynen, Mayor



Andrew Brouwer, Town Clerk