

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

Additional items to this Agenda are shown under the Addendum heading.

Declarations of Pecuniary Interest

Presentations & Recognitions

1. Dr. David Williams, President & CEO and Ms. Helena Hutton, Chief Operating Officer, Southlake Regional Health Centre regarding Southlake Regional Health Centre Updates and Future Plans.

Deputations

2. Ms. Nicole Armstrong, MS Society regarding the 2014 MS Walk. p. 1

Approval of Minutes

3. Council Minutes of March 24, 2014. p. 2
4. Special Council Minutes of April 7, 2014. p. 28

Correspondence & Petitions

Reports by Regional Representatives

Reports of Committees and Staff

5. Committee of the Whole Minutes of April 7, 2014. p. 34
6. Committee of the Whole (Closed Session) Minutes of April 7, 2014.

By-laws

- | | | |
|---------|---|-------|
| 2014-18 | A By-law to provide advance voting dates and times during the 2014 Municipal Election. | p. 46 |
| 2014-19 | A By-law authorizing the provision of election information in languages other than English and French. | p. 47 |
| 2014-20 | A By-law to provide for reduced voting hours in designated institutions and retirement homes during the 2014 Municipal Election. | p. 48 |
| 2014-21 | A By-law to provide an exemption to the Noise By-law to facilitate the necessary work by the Regional Municipality of York for the road rehabilitation program on Mulock Drive. | p. 49 |

Notices of Motions

Announcements & Community Events

New Business

Closed Session (if required)

The Closed Session Agenda and Reports will be circulated under separate cover (Goldenrod).

Confirmatory By-law

- | | | |
|---------|---|-------|
| 2014-22 | A By-law to confirm the proceedings of a meeting of Council - April 14, 2014. | p. 50 |
|---------|---|-------|

Addendum

Adjournment



TOWN OF NEWMARKET
Legislative Services Department
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P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
clerks@newmarket.ca
905.895.5193

Request for Deputation

Request for deputation and/or any written submissions and background information for consideration by either Council or Committee of the Whole must be submitted to the Legislative Service's Department by the following deadline:

For Council – by 12 noon on the Wednesday immediately prior to the requested meeting.

For Committee of the Whole (for items not on the agenda) – by 12 noon on the Wednesday twelve days prior to the requested meeting.

PLEASE PRINT

COUNCIL/COMMITTEE DATE: April 14, 2014

AGENDA ITEM NO. 1 SUBJECT: Invitation to Council for the 2014 MS Walk

NAME: Nicole Armstrong c/o MS Society

ADDRESS: _____
Street Address

Newmarket, ON

Town/City

Postal Code

PHONE: HOME: _____ BUSINESS: _____

FAX NO.: _____ E-MAIL ADDRESS: _____

NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable)

Nicole Armstrong c/o Newmarket MS Walk

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

The Newmarket MS Walk committee would like to formally invite the Mayor and town council to the MS Walk Sunday May 4, 2014 at the Newmarket Community Centre and Lions Hall.

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.

Monday, March 24, 2014 at 7:00 PM
Council Chambers

For consideration by Council
on April 14, 2014

The meeting of the Council was held on Monday, March 24, 2014 in Council Chambers, 395 Mulock Drive, Newmarket.

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

Staff Present: R.N. Shelton, Chief Administrative Officer
I. McDougall, Commissioner of Community Services
A. Moore, Commissioner of Corporate Services
R. Prudhomme, Acting Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
J. Patel, Project Support Business Analyst
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 7:00 p.m.

Mayor Van Bynen in the Chair.

Mayor Van Bynen advised that in accordance with Section 57 c) (ii) of the Procedure By-law, a recorded vote be taken on all motions of Council by means of an electronic device for this and all subsequent meetings of Council.

Additions & Corrections to the Agenda

1. Additions & Corrections to the Agenda

Moved by: Councillor Emanuel

Seconded by: Councillor Di Muccio

THAT the Agenda be amended to include Item #8 – Ratification of Actions of Special Committee of the Whole of March 24, 2014.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)

(9 in favour, 0 opposed)

Carried

Public Notices

None.

Declarations of Pecuniary Interest

Councillor Kerwin declared an interest in Item 3 – Deputation by Mr. Dave Peters, regarding the progress and objectives of the Newmarket Arts Council as his wife is a volunteer with the Newmarket Arts Council.

Presentations & Recognitions

2. Mayor Van Bynen and Members of Council and Rhonda Pogue, Recreation Programmer presented the Secondary School Art Awards to Willamina Van Der Vecht, Newmarket High School, Kayla Lima, Huron Heights and Rachel Theil, Newmarket High School with honourable mentions to Emily Siskos, Newmarket High School, Kristian Lehner, Huron Heights, Anastasia Rybalkina, Newmarket High School and Kate Villalta, Huron Heights.

Deputations

3. Mr. Ken Sisler addressed Council regarding the Proclamation of International Day for the Elimination of Racial Discrimination. (Proclamation adopted at Council Meeting of March 3, 2014)

Moved by: Councillor Vegh
 Seconded by: Councillor Sponga

THAT the deputation by Mr. Ken Sisler regarding the Proclamation of International Day for the Elimination of Racial Discrimination be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

4. Mr. Dave Peters, Newmarket Arts Council addressed Council regarding the progress and objectives of the Newmarket Arts Council.

Moved by: Councillor Emanuel
 Seconded by: Councillor Kerwin

THAT the deputation by Mr. Dave Peters, Newmarket Arts Council, regarding the progress and objectives of the Newmarket Arts Council be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

5. Mr. Robert Cook, Canadian Union of Postal Workers addressed Council regarding the end of door to door mail delivery and postage increases.

Moved by: Councillor Kerwin
 Seconded by: Councillor Twinney

THAT the deputation by Mr. Robert Cook, Canadian Union of Postal Workers, regarding the end of door to door mail delivery and postage increases be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

Approval of Minutes

6. Council Minutes of March 3, 2014.

Moved by: Councillor Emanuel
 Seconded by: Councillor Vegh

THAT the Council Minutes of March 3, 2014 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

Correspondence & Petitions

None.

Reports by Regional Representatives

7. a) Regional Councillor Taylor advised that the Region's Greening Strategy Report for 2013 has been released. The Region is committed to having 25% forest coverage by 2031 and is currently at approximately 22.8% forest coverage. In the past year, the Region has protected over 120 hectares of land and planted approximately 46,000 trees and shrubs to add to the forest coverage. Further information can be found on the Region's website at www.york.ca

b) Regional Councillor Taylor provided highlights from the 2013 York Region Employment Industry Report. The report is one of the most comprehensive in the province. There are currently approximately 547,000 jobs in the Region, with an increase of approximately 4.3% between 2012 and 2013. Newmarket, with a population of approximately 86,500 has 43,750 jobs. The full report can be found online at www.york.ca

c) Councillor Twinney advised the province has recently cut funding to the Region for assisted living centres for personal support workers. Without 24/7 attendants, many residents may end up in long term care facilities or hospitals.

Regional Councillor Taylor advised that the Region received notification from the province late in 2013 that funding to the assisted care living programs would be cut. The program was provincially funded through the Local Health Integration Network and a new program will be delivered by Community Home Assistance to Seniors (CHATS). He further advised that the Region is not in a position to fund the program.

Reports of Committees and Staff

8. Committee of the Whole Minutes of March 17, 2014.

Moved by: Councillor Sponga

Seconded by: Councillor Emanuel

THAT Committee of the Whole Minutes of March 17, 2014 excluding Items 13, 17, 21, 30, 32 and 38 be received and the following recommendations be adopted:

9. THAT the Accessibility Advisory Committee Minutes of February 20, 2014 be received.

10. THAT the correspondence from Ms. Karen Beaulieu, Canadian Cancer Society regarding the proclamation of April, 2014 as 'Daffodil Month' be received and the following recommendations be adopted:

a) THAT the Town of Newmarket proclaim April, 2014 as 'Daffodil Month';

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

11. THAT the correspondence from Ms. Kathy Crowhurst, Lupus Foundation of Ontario be received and the following recommendations be adopted:

a) THAT the Town of Newmarket proclaim May 10, 2014 as 'World Lupus Day' and October, 2014 as 'Lupus Awareness Month';

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

12. THAT the correspondence received February 24, 2014 from Mr. S.C. Campbell, President, Probus Centre-Canada be received and the following recommendations be adopted:

a) THAT the Town of Newmarket proclaim March, 2014 as 'Probus Month' in the Town of Newmarket;

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

13. THAT the correspondence dated February 2014 from Ms. Ashley Martin, Program Manager, Girls Inc. be received and the following recommendations be adopted:

a) THAT the Town of Newmarket proclaim April 28 to May 2, 2014 as 'Girls Rights Week';

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

14. THAT the Newmarket Public Library Board Minutes of January 15, 2014 be received.
15. THAT the Environmental Advisory Committee Minutes of January 8, 2014 be received.
16. THAT the Inclusivity Advisory Committee Minutes of January 22, 2014 be received.
17. THAT due to the consistent struggles of the Inclusivity Advisory Committee in attaining quorum requirements that the Inclusivity Advisory Committee cease holding regular meetings for the remainder of the term and should a meeting be required that it be at the call of the Chair.
18. THAT the Site Plan Review Committee Minutes of February 10, 2014 be received.

19. a) THAT the Application for a Telecommunications Tower to permit a 30 metre monopole tower to be erected on the subject lands be deferred to a future Site Plan Review Committee meeting in order that the applicant explore relocating the proposed tower towards the rear of the property or to the industrial area and the applicant shall provide Site Plan Review Committee with the details of the circulation range and how many people were notified;

b) AND THAT Duane Lovelace, Associate, Municipal Consultation Site Acquisition of Altus Group, 33 Yonge Street, Suite 500, Toronto, ON M5E 1G4 be notified of this decision;

c) AND THAT York Region Condominium Plan #781 of 17665 Leslie Street, Newmarket, ON L3Y 3E3 be notified of this decision.

20. THAT the Site Plan Review Committee Minutes of March 3, 2014 be received.

21. THAT Corporate Services Report - Financial Services 2014-11 dated March 4, 2014 regarding Tax Write-Offs pursuant to the Municipal Act, 2001 be received and the following recommendation be adopted:

THAT the tax adjustments outlined in Appendix 1 for application for the cancellation or refund of taxes pursuant to Sections 357 and 358 of the Municipal Act, 2001 be approved.

22. THAT Corporate Services Report - Finance 2014-12 and the attached Statement of Remuneration and Expenses - 2013 Payments to Elected and Appointed Officials dated March 3, 2014 be received.

23. THAT Development and Infrastructure Services Report - Planning and Building Services 2014-13 dated March 6, 2014 regarding Application for Draft Plan of Condominium be received and the following recommendations be adopted:

a) THAT approval be given to Draft Plan of Condominium 19CDMN-2013003 subject to the Schedule of Conditions attached and forming part of Development and Infrastructure Services Report - Planning and Building Services 2014-13;

b) AND THAT Daniels LR Corporation, (c/o Remo Agostino), 20 Queen Street West Suite 3400, Toronto, ON M5H 3R3 be notified of this action.

24. THAT the Street Naming Committee Minutes of November 15, 2013 be received.

25. THAT Development and Infrastructure Services Report - Public Works Services 2014-15 dated February 28, 2014 regarding the 2013 Newmarket Water Distribution System Annual Water Quality Summary Report be received and the following recommendations be adopted:

a) THAT the 2013 Newmarket Water Distribution System Annual Water Quality Summary Report for the period January 1, 2013 to December 31, 2013 be received for information;

b) AND THAT the information in the attached report be available for public viewing on the Town's website, at the Customer Service counter at 395 Mulock Drive and the Operations Centre at 1275 Maple Hill Court.

26. a) THAT Council support the actions of the Association of Municipalities of Ontario, Mr. Randy Pettapiece, MPP, Perth-Wellington and other Ontario municipalities proposing to limit Joint and Several liability for municipalities currently under consideration by the Government of Ontario;

b) AND THAT the Mayor write a letter to the Premier, the Attorney General and the Minister of Municipal Affairs and Housing supporting the "combined model" reform of Joint and Several liability affecting Ontario municipalities;

c) AND THAT the correspondence received from the Association of Municipalities of Ontario (March 4, 2014 and February 7, 2014), the municipalities of Georgina, Markham and York Region be received.

27. Correspondence items a) to e) related to Development and Infrastructure Services – Planning Report 2014-11 dated March 17, 2014 regarding Official Plan Amendment # 10 – Town of Newmarket Urban Centres Secondary Plan and Associated Amendment to Official Plan – a) Letter dated February 24, 2014 from Mr. Michael Melling, Davies Howe Partners, LLP; b) Letter dated February 24, 2014 from Mr. Robert Horst, General Manager, Upper Canada Mall, c) Letter from Daniel Berholz, Green & Rose Developments Inc., d) Letter dated February 24, 2014 from Mr. Richard Zelinka, Principal Planner, Zelinka Priamo Ltd., e) Letter dated March 10, 2014 from Mr. Chad B. John-Baptise, Senior Project Manager, MMM Group.

28. THAT the list of Outstanding Matters be received.

29. THAT the deputations by Ms. Kim McKinnon, on behalf of the Concerned Citizens for Accessibility and Mobility and the Community Legal Clinic of York Region and Councillor John Abel, Town of Aurora regarding Mobility Plus Appeal Panel be received.

30. a) THAT Council of the Town of Newmarket recommends to the Regional Municipality of York that it maintain the current structure of the Mobility Plus Eligibility Appeal Panel until a more comprehensive review is conducted;

b) AND THAT the review includes the concept of a Mobility Plus Advisory Committee.

31. THAT the PowerPoint presentation by Mr. Neno Kovacevic from IBI Group regarding the proposed Davis Drive Streetscape improvements be received.
32. THAT Development and Infrastructure Services Commission - Engineering Services Report 2014-16 dated March 17, 2014 be received and the following recommendations be adopted:
 - a) THAT Council approve the conceptual design of the Yonge Street/Davis Drive, Main Street/Davis Drive and Eagle Street/Davis Drive intersection and that IBI be retained to complete the detailed design;
 - b) AND THAT the preferred front of sign wording for the Main Street/Davis Drive intersection arch on Main Street be "Historic Downtown Newmarket";
 - c) AND THAT staff be authorized to negotiate with Viva and to tender works as necessary and award the contract for the works, provided the prices are within budget;
 - d) AND THAT the language on the back face of the intersection arch be referred to the Communications Department for review and suggestions.
33. THAT Corporate Services Commission - Procurement Services and Development and Infrastructure Services Commission - Facility Services Joint Report 2014-05 dated February 3, 2014 regarding Single Source contract for Ice Resurfacers be received and the following recommendation be adopted:

THAT the matter of replacement of Ice Resurfacing Machines be deferred to be reported back within a 90 day time frame to obtain information on the differences between Olympia and Zamboni models (comparable units) and compare use of these models with other area municipalities.
34. THAT Corporate Services Report - Financial Services 2014-10 dated March 6, 2014 regarding the Projected 2013 Operating Results be received and the following recommendation be adopted:

THAT the reserve and reserve fund transfers, totaling \$900,000 listed below, be approved.
35. THAT the PowerPoint presentation by the Senior Planner – Policy and Mr. Jason Thorne of planning Alliance regarding Official Plan Amendment # 10 – the Town of Newmarket Urban Centres Secondary Plan and Associated Amendments to the Official Plan be received.

36. THAT Development and Infrastructure Services Report - Planning and Building Services 2014-12 dated February 26, 2014 regarding the Municipal Energy Plan Budget be received and the following recommendation be adopted:

THAT Finance transfer \$100,000 from the 2013 Community Improvement Plan for Urban Centres and Brownfield Developments Budget to a new budget for the Municipal Energy Plan.

37. THAT Development and Infrastructure Services Commission - Joint Engineering Services and Public Works Services Report 2014-17 dated March 17, 2014 regarding Davis Drive Field Verification Program be received and the following recommendations be adopted:

a) THAT Council approve the Davis Drive Field Verification Program;

b) AND THAT Council approve the additional budget request of \$650,000;

c) AND THAT the additional budget be funded from the Asset Replacement Fund.

38. THAT Development and Infrastructure Services Report - Engineering Services 2014-22 dated February 28, 2014 regarding the provision for future pedestrian lighting on the Yonge Street VIVA Corridor from approximately Savage Road North to Davis Drive be received and the following recommendations be adopted:

a) THAT the Town of Newmarket request VIVA to include estimates for the design and construction of a conduit for future pedestrian lighting within the Yonge Street corridor in the pricing for the project as an optional item;

b) AND THAT subject to receiving acceptable prices, staff be authorized to approve the inclusion of these works in the contract;

c) AND THAT VIVA be notified of this action.

39. 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 deferred to the next Committee of the Whole meeting for staff to investigate the potential for a “Voting Week”, with consistent time of day voting periods at set locations.

40. THAT Development and Infrastructure Services/Planning and Building Services Report 2014-14 dated March 6, 2014 regarding renaming Slingerland Circle be received and the following recommendations, as amended, be adopted:

a) THAT staff proceed with the procedure outlined in Development and Infrastructure Services/Planning and Building Services Report 2014-14 to rename Slingerland Circle to Jack Giles Circle;

b) AND THAT compensation for the renaming address changes be approved for the 50 affected homeowners receiving \$50 and established home based businesses receiving \$150;

c) AND THAT should residents incur additional expenses related to the renaming address change costs that staff be authorized to approve expenditures up to \$150 per household or \$250 per home based business with proof of expense;

d) AND THAT all 50 residents be notified in writing of the name change and when the street name change will take effect;

e) AND THAT Council adopt the new procedure for renaming an existing street name outlined in this report;

f) AND THAT the new procedure for renaming an existing street name be added to the Street Naming Policy and Procedures;

g) AND THAT York Region Condominium 825, c/o Cheval Developments & Property Management Group, 372 Hollandview Trail, Suite 103, Aurora, ON L4G 0A5 be notified of this decision;

h) AND THAT Council requests the Board of Directors of York Region Condominium 825 to allow Public Works Services staff to enter on the property to change the two street signs.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

41. Item 1 of Site Plan Review Committee Minutes of March 3, 2014.

Moved by: Councillor Emanuel
 Seconded by: Councillor Di Muccio

a) THAT the Application for Site Plan Approval to permit an 8 storey Administrative Centre Annex Building with a gross floor area of 37,628.6 square metres together with 2 levels of underground parking and a pedestrian bridge of 137.76 square metres connecting the proposed annex building to main administrative building at 17250 Yonge Street on the subject lands be referred to a Public Information Centre (PIC) subject to the following:

- i) THAT staff provide a memorandum to Site Plan Review Committee advising of the notification process for the Public Information Centre (PIC);
- ii) THAT following the Public Information Centre the application be brought back to Site Plan Review Committee for further consideration;

b) AND THAT Michael Del Buono, Project Manager, Capital Delivery, Property Services Branch, The Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this decision;

c) AND THAT Lauren Capilongo of Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham, ON L3R 6B3 be notified of this decision.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

42. Development and Infrastructure Services Report - Engineering Services 2014-20 dated February 26, 2014 regarding Main Street - On Street Accessible Parking Spaces.

Moved by: Councillor Sponga
 Seconded by: Councillor Emanuel

THAT Development and Infrastructure Services Report - ES 2014-20 dated February 26, 2014 regarding Main Street - On Street Accessible Parking Spaces be received and the following recommendations be adopted:

a) THAT accessible parking spaces on Main Street be approved at the following on-street locations:

- i) 127 Main Street
- ii) 99 Main Street
- iii) 71 Main Street
- iv) 35 Main Street
- v) 48 Main Street
- vi) 22 Main Street

b) AND THAT the property owners fronting onto Main Street from Millard Avenue to Davis Drive be notified;

c) AND THAT the necessary By-law be prepared and submitted to Council for its approval.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

43. Web Streaming of Site Plan Review Committee, Council workshops and other public meetings.

Moved by: Councillor Di Muccio

Seconded by: Regional Councillor Taylor

THAT Site Plan Review Committee, Council workshops and other public meetings scheduled in the Council Chamber where there is a quorum of Council required, be web streamed at the earliest opportunity.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

44. Corporate Services Report - Financial Services 2014-03 dated March 3, 2014 regarding Investment Activities and Returns - Annual Report for 2013.

Moved by: Councillor Di Muccio

Seconded by: Councillor Emanuel

Discussion ensued regarding Appendix A contained within the report and the term associated with the indoor facility mortgage for the Newmarket Soccer Club. A suggestion was made to amend the Appendix to reflect the 3 year term with an option to extend the loan for two additional terms of one-year at the Town's discretion.

THAT Corporate Services Report - Financial Services 2014-03 dated March 3, 2014 regarding Investment Activities and Returns - Annual Report for 2013, as corrected, be received for information purposes.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

45. Development and Infrastructure Services - Planning and Building Services - Planning Report 2014-11 dated March 17, 2014 regarding Official Plan Amendment # 10 - the Town of Newmarket Urban Centres Secondary Plan and Associated Amendments to the Official Plan.

Council discussed the recommendations contained in Development and Infrastructure Report – Planning and Building Services 2014-11 and approved the recommendations, which were amended at the Committee of the Whole meeting held on March 17, 2014.

Moved by: Regional Councillor Taylor

Seconded by: Councillor Sponga

THAT Development and Infrastructure Services - Planning and Building Services - Planning Report 2014-11 dated March 17, 2014 regarding Official Plan Amendment # 10 - the Town of Newmarket Urban Centres Secondary Plan and Associated Amendments to the Official Plan be received and the following recommendations, as amended, be adopted:

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2014-09 dated February 24, 2014 be received;

b) AND THAT the following recommended changes as reflected in the Revised Draft Secondary Plan dated March 17, 2014 be included for further public consultation and consideration:

i) the Transitional Policies adjacent to residential neighbourhoods as recommended in this report;

ii) the height, density and bonusing policies as presented as Option 2A subject to modifying the medium density designation from 7 storeys to 8 storeys;

iii) the Interim Development and Angular Plan policies as recommended;

c) AND THAT Queen Street from Prospect Street to Roxborough Road be excluded from the secondary plan process and be subject to the current Official Plan policies;

d) AND THAT the medium density designation on Davis Drive from west of Parkside Drive easterly including 212 Davis Drive be increased to medium/high density on the front portion of the lots and medium density on the rear portion of the lots;

e) AND THAT staff provide public notice for the review and comment on the Revised Draft of the Town of Newmarket Official Plan Amendment # 10 - the Town of Newmarket Urban Centres Secondary Plan and Associated Amendments - and that Amendment # 10 be referred to a public meeting;

f) AND THAT following the public meeting, any additional comments from the public, and those received through agency and departmental circulation be addressed by staff in a comprehensive report to the Committee of the Whole for consideration in May, 2014.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

46. Development and Infrastructure Services Report - Planning and Building Services 2014-07 dated February 13, 2014 regarding Cash-in-Lieu of Parking.

Council discussed the recommendations contained in Development and Infrastructure Report – Planning and Building Services 2014-07 and an alternate motion was presented.

Moved by: Regional Councillor Taylor
Seconded by: Councillor Emanuel

THAT Development and Infrastructure Services/Planning and Building Services Report 2014-07 dated February 13, 2014 regarding cash in lieu of parking be received and the following recommendations be adopted:

a) THAT cash in lieu of parking be set in accordance with Appendix A forming part of this report;

b) AND THAT the Cash in Lieu of Parking policy identified as Appendix A be implemented immediately upon Council approval;

c) AND THAT current Planning Act applications that may benefit from cash in lieu of parking remain subject to the cash in lieu of parking rates prior to the implementation of the Cash In Lieu of Parking Policy at the discretion of Council as long as:

- i) such applicants execute either a site plan agreement or a cash in lieu of parking agreement with the Town by March 2, 2017; and
- ii) such applicants have not been or are not currently in litigation (including the Ontario Municipal Board and other administrative tribunals) with the Town related to the subject application.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

47. Mayor Van Bynen advised of a New Business item related to electronic recorded votes.

Moved by: Councillor Sponga
Seconded by: Councillor Hempen

THAT in accordance with Section 57 c) (ii) of the Procedure By-law, that a recorded vote be taken on all motions of Council by means of an electronic device commencing March 24, 2014.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

48. Committee of the Whole (Closed Session) Minutes of March 17, 2014.

Moved by: Councillor Sponga
 Seconded by: Councillor Emanuel

THAT Committee of the Whole (Closed Session) Minutes of March 17, 2014 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

49. Chief Administrative Officer/Fire Services/Human Resources Closed Session Report 2014-07 regarding Central York Fire Services (Labour Relations).

Moved by: Councillor Emanuel
 Seconded by: Councillor Twinney

THAT Office Of The Chief Administrative Officer/Fire Services/Human Resources Closed Session Report 2014-07 be received and that the direction provided by JCC to staff in the March 4, 2014 meeting be implemented.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

50. Chief Administrative Officer And Corporate Services (Legal Services) Joint (Closed Session) Report 2014-05 regarding a proposed disposition of land by the municipality (Wards 5 And 6).

Moved by: Councillor Sponga
 Seconded by: Councillor Di Muccio

THAT the Office of the Chief Administrative Officer and Corporate Services (Legal) Joint Closed Session Report 2014-04 dated March 4, 2014 regarding the conveyance of land to The Regional Municipality of York for the Yonge Street VIVA Project be received;

AND THAT the recommendations in the Office of the Chief Administrative Officer and Corporate Services (Legal) Joint Closed Session Report 2014-04 be adopted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

51. Chief Administrative Officer and Corporate Services (Legal Services) Joint (Closed Session) Report 2014-07 regarding a proposed disposition of land by the municipality (Wards 5).

Moved by: Councillor Sponga
 Seconded by: Regional Councillor Taylor

THAT the Development and Infrastructure Services (Public Works) and Corporate Services (Legal Services) Joint Closed Session Report 2014-07 dated March 13, 2014 regarding the acquisition of a property in Ward 5 be received;

AND THAT the recommendations in the Development and Infrastructure Services (Public Works) and Corporate Services (Legal Services) Joint Closed Session Report 2014-07 be adopted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

52. Office of the Chief Administrative Officer – Economic Development Joint (Closed Session) Report 2014-11 regarding security of property by the municipality.

Moved by: Councillor Kerwin
 Seconded by: Councillor Sponga

THAT Council receives the closed session information report regarding post-secondary education update.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

53. Joint Legal Services – Office of the Chief Administrative Officer (Closed Session) Report regarding a proposed acquisition of land by the municipality.

Moved by: Councillor Hempen
 Seconded by: Regional Councillor Taylor

THAT the Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-06 dated March 13, 2014 regarding the purchase of property for a post-secondary satellite campus be received;

AND THAT the recommendations in the Office of the Chief Administrative Officer and Corporate Services (Legal) Joint Closed Session Report 2014-06 be adopted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
 (9 in favour, 0 opposed)

Carried

By-laws

54. By-law 2014-15.

2014-15 A by-law to provide on-street accessible parking within the Town of Newmarket.

Moved by: Councillor Sponga
Seconded by: Councillor Di Muccio

THAT By-law 2014-15 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Notices of Motions

Councillor Twinney provided notice that she would bring forward a motion to the next scheduled Committee of the Whole meeting regarding funding to Alternative Community Living Facilities.

Announcements & Community Events

55. a) Councillor Vegh provided an update on the Silken Laumann Drive condominium development application. Comments were received from the Lake Simcoe Region Conservation Authority indicating that the application could not be supported at this time because of some significant technical deficiencies. A fulsome report will be prepared on the development. In the interim, residents can contact Councillor Vegh at 905-895-7095, by email to tomvegh@gmail.com or in person at the next Ward 1 meeting on Tuesday, April 1, 2014 from 7:00 p.m. to 9:00 p.m.

b) Councillor Vegh invited Ward 1 residents to drop in at the Ward 1 Meeting on Tuesday April 1, 2014 from 7:00 p.m. to 9:00 p.m. at the Magna Centre, 800 Mulock Drive in Multi-Purpose Room 1. Come and find out what's happening in Town and in your Ward. For more information, contact Councillor Vegh at 905-895-7095.

c) Councillor Kerwin advised that on Saturday, March 29, 2014 and Saturday, April 5, 2014 from 9:30 a.m. to 12:00 p.m. he will be in the lower level of the Newmarket Public Library at 438 Park Avenue. Ward 2 residents are invited to drop-in for a chat about the community and the Ward.

d) Councillor Kerwin advised that the next two Community Spaghetti Dinners will be held on Sunday, April 13, 2014 from 5:00 p.m. to 7:00 p.m. and Sunday, June 1, 2014 from 5:00 – 7:00 p.m. at the Newmarket Community Centre & Lions Hall, 200 Doug Duncan Drive.

e) Councillor Kerwin advised that the Town of Newmarket is hosting a volunteer appreciation evening on Tuesday, April 8, 2014 from 6:30 p.m. to 9:00 p.m. at the Newmarket Community Centre & Lions Hall, 200 Doug Duncan Drive. The event is open to all volunteers in Newmarket. Pre-registration is required. Please contact Rhonda Pogue at rpogue@newmarket.ca or call 905-895-5193 ext. 2655.

f) Councillor Twinney advised that the Central York Professional Fire Fighters Association will be hosting a euchre night on Friday, March 28, 2014 in support of Habitat for Humanity. It will be a fun night with food and prizes in support of a great cause. Tickets are \$30.00 and are available at the Habitat for Humanity York Region Office or through Councillor Twinney.

g) Councillor Twinney advised that she will be hosting a Ward 3 meeting on Tuesday, March 25, 2014 at the Newmarket Community Centre & Lions Hall, 200 Doug Duncan Drive from 7:00 p.m. to 8:30 p.m. Come for a discussion about what's happening in Ward 3 and the surrounding community. For more information, call 905-953-5323 or email jtwinney@newmarket.ca

h) Regional Councillor Taylor advised that March is 'Epilepsy Awareness Month' and Wednesday, March 26, 2014 is wear purple day in support of epilepsy awareness. In York Region alone, there are approximately 10,000 epileptics.

i) Regional Councillor Taylor advised that Riverwalk Commons will be lit blue on April 2, 2014 in support of Autism Day.

j) Regional Councillor Taylor advised that the Town of Newmarket is committed to powering down in support of Earth Hour 2014 and encouraged residents to participate on Saturday March 29, 2014 at 8:30 p.m. and power off your lights, electronics, or anything you can. Together we can make a difference!

k) Councillor Hempen advised that children ages 4 years and older are invited to the Newmarket Public Library, 438 Park Avenue on April 8, 2014 from 7:00 p.m. to 8:00 p.m. to create an Easter egg treasure box. Children are requested to wear old clothes to decorate and colour their clay treasure. Projects will be taken

to be kiln-fired and glazed and then returned to the Library. Cost is \$13.00 per child and registration is required. Call 905-953-5110 for more information.

l) Councillor Sponga advised that the Newmarket Chamber of Commerce is hosting the 2013 Newmarket Home and Lifestyle Show March 28 to 30, 2014 at the Magna Centre, 800 Mulock Drive. Check out the latest home renovation trends, talk to experts, sample delicious foods, and browse the marketplace. Be sure to drop by the Town of Newmarket's booth. For more information please visit www.newmarkethomeshow.ca Admission is \$5.00 and children under 12 are free.

m) Councillor Sponga thanked Benson Kearley & Associates Insurance Brokers Ltd. for the invitation to attend their cultural day last Thursday. Each quarter, the brokerage hosts a different cultural day to celebrate the diversity of their employees.

n) Councillor Sponga advised that the Annual Spring Food Drive will take place from April 5 to April 26, 2014. Drop off non-perishable food items in the lobby of Town Hall, Fire Halls or any local supermarkets. A closing barbecue celebration will be held at Vince's Market at 869 Mulock Drive. Bring a food donation to the store to receive a free hot dog.

o) Councillor Di Muccio invited residents to attend the Town of Newmarket Seniors Public Information Centre on the Recreation Playbook (Master Plan) at the Newmarket Seniors' Meeting Place, 474 Davis Drive on April 2, 2014 from 10:00 a.m. to noon and 6:00 p.m. to 8:00 p.m. Join us for a morning or evening of free activities from card games to carpet bowling. Enjoy complimentary coffee and dessert while completing a survey. Enter for your chance to win great prizes including a one year membership to the Newmarket Seniors' Meeting Place. Call 905-895-5193 for more information.

p) Councillor Emanuel advised that approximately two days remain in the Ontario Municipal Board hearing with respect to the Glenway development. The hearing is being held at the Best Western Voyageur Hotel.

q) Councillor Emanuel encouraged residents to attend Outdoor Discovery and Adventure Night at Newmarket Riverwalk Commons, 200 Doug Duncan Drive on March 25, 2014 from 6:00 p.m. to 7:00 p.m. The theme is "Speaking of Wildlife". Please bring a lawn chair. In case of inclement weather, the event will be held inside Newmarket Community Centre & Lions Hall. Admission is free.

r) Mayor Van Bynen advised that if anyone has anything they wish to discuss with the Mayor, he will be at "Mayor in the Square" at the Newmarket Public Library on Friday, March 28, 2014 from 11:00 a.m. until noon.

s) Mayor Van Bynen advised that the next Council meeting is Monday, April 14, 2014 at 7:00 p.m.

New Business

56. a) Councillor Di Muccio requested that staff address questions with respect to the Newmarket Soccer Club, including total loans, field fees and mortgage amounts outstanding, a status update on the sale of the Woodbine lands and questioned who extended credit for 2013 field fees. She further inquired when the next quarterly status report would be provided by staff.

Regional Councillor Taylor requested that the quarterly status report include the number of reports submitted to Council on the matter, audited financial statements, the number of meetings that the staff representative has attended and other proactive works.

The Commissioner of Community Services indicated that the quarterly update on the Newmarket Soccer Club would be forthcoming within the next 30 days.

Mayor Van Bynen suggested that Council forward their questions with respect to the Newmarket Soccer Club to staff by e-mail for inclusion in the next quarterly report.

b) Councillor Kerwin thanked staff for their assistance with the implementation of the electronic voting software, stop light installation at Carlson Drive and Gorham Street and construction on Sparrow Road.

Closed Session (if required)

Mayor Van Bynen advised that there was no requirement for a closed session.

Addendum (Additions & Corrections to the Agenda)

Ratification of Actions of Special Committee of the Whole of March 24, 2014.

57. Chief Administrative Officer Report 2014-05 regarding employee negotiations.

Moved by: Councillor Emanuel

Seconded by: Councillor Vegh

THAT Chief Administrative Officer/Human Resources Confidential Report 2014-05 dated March 13, 2014 and 2014-04 dated February 18, 2014 regarding employee negotiations be received and that the direction provided by Council to staff at the March 24, 2014 Special Committee of the Whole (Closed Session) meeting be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Hempen, Councillor Di Muccio, Councillor Emanuel

Opposed: Councillor Twinney, Councillor Sponga
(7 in favour, 2 opposed)

Carried

58. Office of the Chief Administrative Officer And Corporate Services (Legal Services) Joint Closed Session Report 2014-08 (Property Matter).

Moved by: Regional Councillor Taylor

Seconded by: Councillor Vegh

THAT the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-08 dated March 24, 2014 regarding the purchase of property for a post-secondary satellite campus be received;

AND THAT the recommendations in the Office of the Chief Administrative Officer and Corporate Services (Legal) Joint Closed Session Report 2014-08 be adopted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Confirmatory By-law

59. 2014-16 A By-law to confirm the proceedings of a meeting of Council - March 24, 2014.

Moved by: Councillor Sponga
Seconded by: Councillor Emanuel

THAT By-law 2014-16 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Adjournment

60. Adjournment

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

THAT the meeting adjourn.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Di Muccio

Opposed: Councillor Sponga, Councillor Emanuel
(7 in favour, 2 opposed)

Carried

There being no further business, the meeting adjourned at 9:20 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

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

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

Staff Present: R.N. Shelton, Chief Administrative Officer
I. McDougall, Commissioner of Community Services
A. Moore, Commissioner of Corporate Services
R. Prentice, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
L. Lyons, Deputy Clerk
E. Armchuk, Director of Legal Services/Municipal Solicitor
R. Nethery, Director of Planning and Building Services
K. Reynar, Associate Solicitor
S. Niezen, Records and Projects Coordinator
J. Patel, Project Support Business Analyst
C. Finnerty, Council/Committee Coordinator
L. Moor, Council/Committee Coordinator

The meeting was called to order at 5:08 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

None.

Declarations of Pecuniary Interest

None.

Reports of Committees and Staff

2. Special Committee of the Whole Minutes of March 31, 2014.

Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

THAT the Special Committee of the Whole Minutes of March 31, 2014 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)

(9 in favour, 0 opposed)

Carried

3. Special Committee of the Whole (Closed Session) Minutes of March 31, 2014.

Moved by: Councillor Hempen

Seconded by: Councillor Kerwin

THAT the Special Committee of the Whole (Closed Session) Minutes of March 31, 2014 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)

(9 in favour, 0 opposed)

Carried

Ratification of Actions related to matters arising from the Committee of the Whole (Closed Session) of April 7, 2014.

4. Marianneville Developments Limited (Glenway) Litigation before the Ontario Municipal Board.

Moved by: Councillor Vegh
Seconded by: Councillor Kerwin

a) THAT the Confidential Memorandum dated April 3, 2014 from Ruth Victor, Ruth Victor and Associates regarding Application for Official Plan Amendment and Draft Plan of Subdivision Approval, Marianneville Developments Limited (Glenway) be received;

b) AND THAT the Confidential Memorandum dated April 3, 2014 from Mary Bull and Johanna Shapira, Wood Bull LLP regarding Marianneville Developments – Phase 2 Matters be received;

c) AND THAT the Confidential Memorandum dated April 4, 2014 from the Assistant Director of Planning regarding Marianneville Developments Limited be received;

d) AND THAT staff be authorized to act in accordance with the direction provided at the April 7, 2014 Committee of the Whole (Closed Session) Meeting.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio

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

Carried

Special Council recessed at 5:17 p.m.

Special Council reconvened at 8:23 p.m.

5. CAO/Corporate Services Commission (Closed Session) Report 2014-04 regarding the security of property of the municipality.

Moved by: Regional Councillor Taylor
Seconded by: Councillor Emanuel

THAT Joint CAO/Corporate Services Closed Session Report 2014-04, dated March 27, 2014 regarding the security of property of the municipality be received;

AND THAT the direction provided to staff regarding the security of property of the municipality matter be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

6. Corporate and Financial Services – Legal Services (Closed Session) Report 2014-09 regarding the security of property of the municipality.

Moved by: Councillor Emanuel
 Seconded by: Councillor Vegh

a) THAT Council approve in principle the request for an extension of the existing outdoor patio for Cachet Restaurant at 500 Water Street, subject to the following conditions:

i) THAT Cachet make any required applications to the Alcohol and Gaming Commission regarding any amendments to its current Liquor Licence;

ii) AND THAT Cachet be responsible for all costs, however incurred, in constructing an extension of the existing patio;

iii) AND THAT the proposed patio design will not interfere with the Town's proposed trail expansion on the east side of the building;

iv) AND THAT the Clerk, Chief Building Official, Director of Planning and Building Services, Director of Engineering Services and Director of Public Works Services review and approve the detailed plans for the proposed extension of patio and provide any necessary conditions;

v) AND THAT the Owners be advised that no additional parking at the rear of 500 Water Street will be provided;

b) AND THAT Staff be authorized to provide final approval subject to the above conditions being met.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

7. Office of the Chief Administrative Officer and Corporate Services – Legal Services Joint (Closed Session) Report 2014-10 regarding the security of property of the municipality.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Emanuel

a) THAT the Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-10 dated April 7, 2014 regarding the purchase of property for a post-secondary satellite campus be received;

b) AND THAT the recommendations in the Office of the Chief Administrative Officer and Corporate Services (Legal) Joint Closed Session Report 2014-10 be adopted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Emanuel
 Opposed: Councillor Di Muccio
 (8 in favour, 1 opposed)

Carried

Confirmatory By-Law

8. 2014-17 A By-law to confirm the proceedings of a meeting of Council - April 7, 2014.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT By-law 2014-17 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Adjournment

9. Adjournment.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT the meeting adjourn.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Di Muccio, Councillor Emanuel

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

Carried

There being no further business, the meeting adjourned at 8:28 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Monday, April 7, 2014 at 1:30 PM
Council Chambers

For consideration by Council
on April 14, 2014

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

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. 8:00 a.m. – 1:00 p.m.	Ray Twinney Recreation Complex Magna Centre 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. 8:00 a.m. – 1:00 p.m.	Ray Twinney Recreation Complex Magna Centre 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, 2014	4:00 p.m. – 8:00 p.m.	Ray Twinney Recreation Complex Magna Centre

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



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2014-18

A BY-LAW TO PROVIDE ADVANCE VOTING DATES AND TIMES DURING THE 2014 MUNICIPAL ELECTION.

WHEREAS Section 43 of the *Municipal Elections Act*, 1996, as amended, provides that Council shall pass a by-law to establish one or more dates for an advance vote and the hours during which voting places shall be open on that date or dates;

AND WHEREAS the Community Vision for the Town of Newmarket supports initiatives that focus on “promoting engagement in civic affairs”;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT advance voting dates and times be scheduled as follows:

Date	Time	Locations
Saturday, October 11, 2014	8:00 a.m. – 1:00 p.m.	Community Centre
	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Sunday, October 12, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Saturday, October 18, 2014	8:00 a.m. – 1:00 p.m.	Community Centre
	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna 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, 2014	4:00 p.m. – 8:00 p.m.	Ray Twinney Recreation Complex Magna Centre

2. AND THAT By-law 2010-37 be hereby repealed.

ENACTED THIS 14TH DAY OF APRIL, 2014.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2014-19**

A BY-LAW AUTHORIZING THE PROVISION OF ELECTION INFORMATION IN LANGUAGES OTHER THAN ENGLISH AND FRENCH.

WHEREAS Section 9 of the *Municipal Elections Act, 1996* provides that a municipal council may pass a by-law allowing the use of languages other than English and French in notices, forms (other than prescribed forms) and other information related to an election, by-election or referendum;

AND WHEREAS the Town of Newmarket is represented by many diverse cultural and language groups;

AND WHEREAS the Clerk has an obligation to engage voters in the electoral process by providing relevant and comprehensible information.

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT election information may be made available in languages other than English and French at the discretion of the Clerk.
2. AND THAT By-law 2010-50 be hereby repealed.

ENACTED THIS 14TH DAY OF APRIL, 2014.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2014-20**

A BY-LAW TO PROVIDE FOR REDUCED VOTING HOURS IN DESIGNATED INSTITUTIONS AND RETIREMENT HOMES DURING THE 2014 MUNICIPAL ELECTION.

WHEREAS Section 46 of the *Municipal Elections Act*, 1996, as amended, provides that Council may pass a by-law to permit reduced voting hours for residents of institutions and retirement homes;

AND WHEREAS for the 2014 Municipal Election, Nomination Day is Friday, September 12 and Voting Day is Monday, October 27.

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT a voting place on the premises of an institution in which, on Nomination Day, 20 or more beds are occupied by persons who are disabled, chronically ill, or infirm, shall be open for a minimum of two consecutive hours during the period from 10:00 a.m. to 8:00 p.m. on Voting Day, at location(s) to be identified at the discretion of the Clerk;
2. AND THAT a voting place on the premises of a retirement home in which, on Nomination Day, 50 or more beds are occupied, shall be open for a minimum of two consecutive hours during the period from 10:00 a.m. to 8:00 p.m. on Voting Day, at location(s) to be identified at the discretion of the Clerk.

ENACTED THIS 14TH DAY OF APRIL, 2014.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2014-21

A BY-LAW TO PROVIDE AN EXEMPTION TO BY-LAW 2004-94, AS AMENDED, BEING A BY-LAW TO PROHIBIT AND REGULATE UNUSUAL NOISES OR NOISES LIKELY TO DISTURB THE INHABITANTS OF THE TOWN OF NEWMARKET.

WHEREAS Section 129 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes a municipality to pass a by-law to prohibit and regulate noise in the municipality;

AND WHEREAS Council enacted By-law 2004-94, being a By-law to Prohibit and Regulate Unusual Noises or Noises Likely to Disturb the Inhabitants of the Town of Newmarket, on July 19, 2004;

AND WHEREAS Council amended Schedule "A" to By-law 2004-94 with the enactment of By-law 2005-158 on November 28, 2005;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to provide an exemption to By-law 2004-94, as amended, to facilitate the necessary work by the Regional Municipality of York for the road rehabilitation program on Mulock Drive.

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

THAT the Regional Municipality of York, be exempted from the Noise By-law 2004-94, as amended, for a period from June 23, 2014 to September 12, 2014 between the hours of 7:00 p.m. to 5:00 a.m. on Monday through Saturday, to perform necessary road rehabilitation work.

ENACTED THIS 14TH DAY OF APRIL, 2014.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2014-22

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– APRIL 14TH, 2014.

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 14TH DAY OF APRIL, 2014.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk