

The meeting of the Special Council was held on Monday, July 21, 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 (2:17 to 2:18 p.m.)

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
R. Prentice, Commissioner of Development and Infrastructure Services
L. Lyons, Deputy Clerk
M. Mayes, Director of Financial Services/Treasurer
R. Prudhomme, Director of Engineering Services
C. Service, Director of Recreation and Culture
J. Patel, Project Support Business Analyst
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 1:31 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

THAT the agenda be amended to include Corporate Services – Financial Services Information Report 2014-13 regarding corrections to the 2014 Development Charges Review – By-laws 2014-41 and 2014-42 and withdrawal of correspondence from Mr. Chris Barnett, Davis LLP related to Item #2.

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

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

Carried

Declarations of Pecuniary Interest

None.

Reports of Committees and Staff

1. Joint CAO and Commissioners of Corporate Services, Development and Infrastructure Services and Community Services/Finance Report 2014-11 dated July 16, 2014 regarding 2014 Development Charges Review - Final Report.

Mayor Van Bynen asked if anyone in the audience wished to provide a deputation on the report. No one from the audience came forward.

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

a) THAT Joint CAO & Commissioners of Corporate Services, Development Infrastructure Services and Community Services/Finance Report #2014-11 dated July 16, 2014 regarding 2014 Development Charges Review – Final Report be received, as amended and that the following recommendations be adopted:

i) THAT it is Council's intent to ensure that the increase in the need for services attributable to the anticipated development, including any capital costs, will be met, by updating its capital budget and forecast where appropriate recognizing that projects and timing of same may be revised from time to time at the discretion of Council;

ii) AND THAT pursuant to the *Development Charges Act, 1997* Council resolve that there is no requirement for any further public meeting;

iii) AND THAT the development charges by-laws attached to this report as Appendices A and B and the 2014 Development Charges Transition Plan as set out in Appendix C be adopted by Council;

iv) AND THAT the Development Charges Background Study dated June 6, 2014 with the revisions as set out in this report be adopted.

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

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

Carried

By-Laws

2. By-laws 2014-41, 2014-42, 2014-43 and 2014-44

2014-41 A By-law to Establish Area Specific Development Charges for the Town of Newmarket. (Northwest Quadrant Development Area)

2014-42 A By-law to Establish Development Charges for the Town of Newmarket. (Town Wide)

2014-43 A By-law to Permanently Close Part of a Highway that is no longer required for Road Widening Purposes and convey the land to adjacent owners. (Part of Lots 12 and 13 South Side of Eagle Street, Plan 85 designated as Parts 1, 3 and 5 Plan 65R34352; Newmarket in the Regional Municipality of York) (South Side of Eagle Street between Lorne Avenue and Ellen Street)

2014-44 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. (Old Town Hall)

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT By-laws 2014-41, as amended to incorporate final minor corrections, 2014-42, as amended to incorporate final minor corrections, 2014-43 and 2014-44, be enacted.

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

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

Carried

3. Convene into Committee of the Whole

Moved by: Councillor Di Muccio

Seconded by: Councillor Sponga

THAT Special Council recess and convene into Committee of the Whole.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

Special Council recessed at 1:37 p.m.

Special Council reconvened at 2:17 p.m.

3. Ratification of Actions of Committee of the Whole of July 21, 2014

Moved by: Councillor Sponga

Seconded by: Councillor Emanuel

THAT the actions of the Committee of the Whole meeting of July 21, 2014 be ratified and the following recommendations be adopted:

4. a) THAT Development and Infrastructure Services - Planning and Building Services Report 2014-32 dated July 21, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-14-04 - 212 Davis Drive be received and the following recommendations be adopted:

i) THAT the Application for a Zoning By-law Amendment submitted by Green and Rose Developments Inc. for lands municipally known as 212 Davis Drive be referred to a public meeting;

ii) AND THAT following the public meeting, the issues identified together with comments from the public, Committee and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) AND THAT Brad Rogers of Groundswell Urban Planners, 30 West Beaver Creek Road Unit 109 Richmond Hill, ON L4B 3K1 be notified of this action.

5. a) THAT Development and Infrastructure Services - Planning and Building Services Report 2014-33 dated July 21, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-13-29, 345-351 Davis Drive be received and the following recommendations be adopted:
 - i) THAT the Application for a Zoning By-law Amendment submitted by 1738357 Ontario Limited for lands municipally known as 345-351 Davis Drive be referred to a public meeting;
 - ii) AND THAT following the public meeting, issues identified together with comments from the public, Committee and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;
 - iii) AND THAT Andrew Fernacik, Walker, Nott, Dragicevic Assoc. Limited 90 Eglinton Avenue East Suite 970 Toronto ON M4P 2Y3 be notified of this action.
6. a) THAT Development and Infrastructure Services Report - Engineering Services 2014-46 dated July 3, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendation be adopted:
 - i) THAT the request for Final Acceptance and Assumption of Underground and Aboveground Works of the Paolini Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town.
7. a) THAT Development and Infrastructure Services Report - Engineering Services 2014-47 dated July 3, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works - Stickwood Walker Eco Development Farm Residential Subdivision be received and the following recommendations be adopted:
 - i) THAT the request for Final Acceptance and Assumption of Underground and Aboveground Works of the Stickwood Walker Eco Development Farm Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town;
 - ii) AND THAT Mr. Vince Naccarato of Rodeo Fine Enterprises Inc. and Mr. Robert De Angelis, P. Eng., of Condeland Engineering Ltd. be notified of these recommendations.
8. a) THAT Development and Infrastructure Services Report - Engineering Services 2014-48 dated July 3, 2014 regarding the Menkes - Stickwood Walker Farm Estates Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted:

i) THAT the request for final Acceptance and Assumption of Underground and Aboveground Works of the Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT Mr. Steven Menkes - Walker Farm Estates Inc., and Mr. John Kaczor, P. Eng., of MMM Group Ltd. be notified of these recommendations.

9. a) THAT Development and Infrastructure Services Report - Planning and Building Services 2014-34 dated July 10, 2014 regarding Application for Official Plan and Zoning By-law Amendments be received and the following recommendations be adopted:

i) THAT the Application for Official Plan and Zoning By-law Amendments as submitted by Mulock Canada Med Inc. for lands located at 536 and 550 Mulock Court be denied;

ii) AND THAT Mulock Canada Med Inc., 11 Whitfield Court, Aurora, ON L4G 5L8 be notified of this action;

iii) AND THAT iPLANcorp, c/o Bart Ryan, 189 Beechwood Crescent Newmarket ON L3Y 1W2 be notified of this action.

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

10. Joint Development and Infrastructure Services and Community Services Report ES 2014-49 dated July 21, 2014 entitled Leash Free Dog Park.

Moved by: Councillor Sponga
Seconded by: Councillor Emanuel

a) THAT Joint Development and Infrastructure Services and Community Services Report ES 2014-49 dated July 21, 2014 entitled Leash Free Dog Park be received and the following recommendations be adopted:

i) THAT staff be authorized to proceed with the construction of the proposed Leash Free Dog Park on the west side of Bayview Parkway south of the entrance to the Tom Taylor Trail in accordance with the design reviewed at the Public Information Centre conducted on June 26, 2014;

- ii) AND THAT the 2014 Capital Budget be increased from \$100,000 to \$150,000;
- iii) AND THAT financing of \$50,000 be from Development Charges;
- iv) AND THAT pending the collection of sponsorship funds, interim financing of \$100,000 be advanced from reserves;
- v) AND THAT the proposed sponsorship funding in the amount of \$100,000 as outlined in this report be accepted subject to the execution of the appropriate sponsorship agreements;
- vi) AND THAT staff be directed to provide a follow-up information report with respect to the proposed operating procedures which would be based on best practices from existing facilities in other jurisdictions, including a delineation of the responsibilities of the Town and the volunteer organizing Committee;
- vii) AND THAT staff be directed to report back to Council on revisions necessary to applicable by-laws, if any;
- viii) AND THAT staff be directed to review the warrants for pedestrian crossing of Bayview Parkway at this location and report back to Council.

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

- 11. 2014-45 A By-law to confirm the proceedings of a meeting of Council - July 21, 2014.

Moved by: Councillor Sponga
Seconded by: Councillor Emanuel

THAT By-law 2014-45 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

12. Adjournment.

Moved by: Councillor Sponga
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 Sponga, Councillor Di Muccio, Councillor Emanuel

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

Carried

There being no further business, the meeting adjourned at 2:18 p.m.

Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk