

The meeting of the Council was held on Monday, May 11, 2015 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 Broome-Plumley
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
J. Patel, Business Support 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 of the passing of Mr. Dennis Ramsarran, father of former Councillor Dennis Ramsarran and extended condolences to the Ramsarran family on behalf of Council.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of administrative amendments to the Committee of the Whole Minutes of May 4, 2015 related to Item 2 being a deputation by Mr. Ian Proudfoot regarding Newmarket Celebrates the Arts and New Business item e).

Moved by: Councillor Bisanz
Seconded by: Councillor Broome-Plumley

THAT the corrections to the agenda be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
Councillor Kerwin, Councillor Twinney, Councillor Hempen,
Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

None.

Deputations

1. Ms. Julie Jeannotte addressed Council with a request to plant a vegetable garden on a Town right-of-way adjacent to her home on Elgin Street. Discussion ensued regarding the potential for a garden this growing season.

Moved by: Councillor Twinney
Seconded by: Councillor Broome-Plumley

THAT the deputation by Ms. Julie Jeannotte regarding a vegetable garden on Town property be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
Councillor Kerwin, Councillor Twinney, Councillor Hempen,
Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

THAT staff be delegated authority to move forward with a community garden pilot project at 799 Elgin Street if deemed appropriate.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Approval of Minutes

2. Council Minutes of April 20, 2015.

Moved by: Councillor Vegh
Seconded by: Councillor Hempen

THAT the Council Minutes of April 20, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Correspondence & Petitions

None.

Reports by Regional Representatives

- a) Regional Councillor Taylor provided information related to York Region's Annual Waste Diversion report. He advised that the Region was able to divert 58% of waste in 2014, with a projected diversion rate of 64% in 2015.
- b) Regional Councillor Taylor advised that the Durham York Energy Centre will be fully operational shortly. At a total cost of 250 million dollars, the state of the art facility will be able to provide power to 15,000 or more homes from the incineration of waste materials.

Reports of Committees and Staff

3. Special Committee of the Whole Minutes of April 22, 2015.

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

THAT the Special Committee of the Whole Minutes of April 22, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
Opposed: (None)
(9 in favour, 0 opposed)

Carried

4. Special Committee of the Whole (Closed Session) Minutes of April 22, 2015.

Moved by: Regional Councillor Taylor
Seconded by: Councillor Vegh

THAT the Special Committee of the Whole (Closed Session) Minutes of April 22, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
Opposed: (None)
(9 in favour, 0 opposed)

Carried

Mayor Van Bynen advised that Special Committee of the Whole met on April 22, 2015 to receive legal advice in reference to a matter before an administrative tribunal.

5. Committee of the Whole Minutes of May 4, 2015.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the Committee of the Whole Minutes of May 4, 2015, as amended, be approved and the following recommendations be adopted:

6. THAT the PowerPoint presentation by Ms. Amber Chard, Senior Communications Officer, Mr. Jamie Boyle, Customer Service Coordinator and Mr. Will Wray, Website Administrator regarding the revamped Town of Newmarket website be received.
7. a) THAT the PowerPoint presentation by Mr. Ian Proudfoot, Chair, Transition Committee - Newmarket Celebrates the Arts with respect to the vision, process and branding of the Board be received;

b) AND THAT the recommendations provided in the presentation related to the vision, appointment policy, branding and use of staff resources be approved in principle;

c) AND THAT the recommendations be referred to staff for development of the mandate and workplan and to endorse the principles of the group.
8. THAT the deputation by Ms. Charlene Myke regarding the run in support of Easter Seals scheduled for May 24, 2015 at Riverwalk Commons be received.
9. Correspondence from Mr. Denis Kelly, Regional Clerk dated March 27, 2015 regarding National Access Awareness Week - May 31 to June 6, 2015.

a) THAT the correspondence dated March 27, 2015 regarding National Access Awareness Week be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May 31 to June 6, 2015 as 'National Access Awareness Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
10. Correspondence dated April 12, 2015 from the York Region Kairos Group requesting June, 2015 be declared 'Aboriginal Month' in the Town of Newmarket.

a) THAT the correspondence from the York Region Kairos Group be received and the following recommendations be adopted:

i) THAT the month of June, 2015 be proclaimed 'Aboriginal Month' 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

11. Newmarket Public Library Board Minutes of February 18, 2015.
 - a) THAT the Newmarket Public Library Board Minutes of February 18, 2015 be received.
12. Site Plan Review Committee Minutes of April 20, 2015.
 - a) THAT the Site Plan Review Committee Minutes of April 20, 2015 be received.
13. Item 1 of the Site Plan Review Committee Minutes of April 20, 2015 regarding Application for Site Plan Approval - 470 Crossland Gate.
 - a) THAT application for Site Plan Approval to permit 74 townhouse units within 13 buildings on the subject lands be approved in principle and referred to staff for processing, subject to the following:
 - i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff;
 - b) AND THAT Ms. Joanne Barnett of Marianneville Developments Limited, 3-26 Lesmill Road, Toronto, ON M3B 2T5 be notified of this decision;
 - c) AND THAT Ms. Kerrigan Kelly of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this decision.
14. Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015 be received.
15. Item 5b) of the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015 regarding prepaid credit card.
 - a) THAT the following recommendation be referred to staff:
 - i) THAT the Town provide the Main Street District Business Improvement Area Board of Management with a prepaid credit card in the amount of \$500.00.
16. Development and Infrastructure Services - Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street - Request to demolish a portion of a structure.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street and the owners request to demolish a portion of the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendations be adopted:

i) THAT Council permit the demolition of the rear portion of 351 Timothy Street, a property listed on the Municipal Register of Non-Designated Heritage Properties of Interest;

ii) AND THAT Ms. Montana Harrington, 351 Timothy Street, Newmarket, ON L3Y 1P4 be notified of this action.

17. Outstanding Matters List.

THAT the Outstanding Matters List be received.

18. THAT the deputation and PowerPoint presentation by Mr. John Blommesteyn regarding the correspondence from Amberley Gavel Ltd. with respect to Closed Meetings of Council Report be received.

19. a) THAT the correspondence dated April 2, 2015 from Mr. Nigel Bellchamber, Amberley Gavel Ltd. regarding Closed Meetings of Council Report be received for information;

b) AND THAT the best practice recommendations outlined in Amberley Gavel Ltd.'s Closed Meetings of Council Report be adopted.

20. THAT the deputation by Ms. Laurie Smith regarding parking and storage of recreational vehicles in residential zones be received.

21. a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-16 dated April 23, 2015 regarding parking and storage of recreational vehicles in residential zones be received and the following recommendations be adopted:

i) THAT Council authorize a Zoning By-law Amendment process to amend the zoning provisions for the parking and storing of recreational vehicles in residential zones;

ii) AND THAT all options listed in the report be presented to the public at the statutory public meeting;

iii) AND THAT following the public meeting, comments from the public, Committee and those received through agency and departmental circulation of the amendment, be addressed by staff in a comprehensive report to the Committee of the Whole;

iv) AND THAT Ms. Laurie Smith of 371 Burford Street, Newmarket, ON L3Y 6P9 be notified of this action;

v) AND THAT Ms. Laura and Mr. Mike Kyte of 367 Burford Street, Newmarket, ON L3Y 6P9 be notified of this action.

22. THAT the deputation and slide show presentation by Ms. Anne Martin with respect to the downtown patios pilot project be received.

23. THAT the deputation by Mr. Glenn Wilson regarding the Main Street District Business Improvement Area Board of Management's position with respect to patio hours be received.

24. a) THAT Community Services Report – Economic Development 2015-16 dated May 4, 2015 regarding Downtown Patios Pilot Project be received and the following recommendations be adopted:

i) THAT Council endorse a 2015 pilot project of outdoor patios in downtown Newmarket between Millard Avenue and Water Street;

ii) THAT no more than two (2) patios requiring the occupation of on-street parking be included in the pilot;

iii) THAT applicants be required to complete an application form and other documents deemed necessary by staff;

iv) THAT restrictions of the Licensing By-law, Road Occupancy Permit By-law and other regulations be waived where applicable to the satisfaction of staff;

v) THAT the Main Street District Business Improvement Association be notified of this action;

vi) THAT the applications be limited to two (2) only, with the occupation of two (2) only, on-street parking spaces;

vii) THAT a cut-off application deadline date be established.

25. Development and Infrastructure Services Report - Engineering Services 2015-24 dated April 13, 2015 regarding Inflow and Infiltration Reduction Pilot Project.

a) THAT Development and Infrastructure Services Report - ES 2015-24 dated April 13, 2015 regarding 'Inflow and Infiltration Reduction Pilot Project' be received and the following recommendations be adopted:

i) THAT the Mayor and Clerk be authorized to execute a Tri-Party Agreement to the satisfaction of the Chief Administrative Officer, the Commissioner of Development and Infrastructure Services, the Director of Engineering and the Town Solicitor, with York Region and with Marianneville Developments Limited/Kerbel Group Inc. for an Inflow and Infiltration Reduction Pilot Project based on the principles identified in this report;

ii) AND THAT staff report back as to the outcome of the Inflow and Infiltration Reduction Pilot Project;

iii) AND THAT a copy of this report and Council extract be forwarded to representatives of Marianneville Developments Limited/Kerbel Group Inc. and York Region.

26. Development and Infrastructure Services Report - Engineering Services 2015-28 dated April 1, 2015 regarding School Crossing Locations Request - Alexander Muir Public School.

a) THAT Development and Infrastructure Services Report – ES2015-28, dated April 1, 2015 regarding School Crossing Locations Request – Alexander Muir Public School be received and the following recommendations be adopted:

i) THAT Schedule IX (School Crossing Locations) of the Traffic By-law 2011-42, as amended, be further amended by adding:

Ford Wilson Boulevard, south of Dowson Loop – Mid-Block

ii) AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Davis Drive to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

iii) AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Woodspring to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Davis Drive	Monday to Friday 7:00 a.m. to 6:00 p.m.

iv) AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Dowson Loop to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

v) AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Woodspring Avenue to Cheryl Mews Boulevard	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.

vi) AND THAT the necessary By-laws be prepared and submitted to Council for their approval;

vii) AND THAT the Alexander Muir Public School administration and York Region District School Board be forwarded a copy of the Council extract.

27. THAT the PowerPoint presentation, deputations and all correspondence related to the Application for Zoning By-law Amendment - 17844 Leslie Street be received.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
Opposed: (None)
(9 in favour, 0 opposed)

Carried

By-laws

28. By-laws 2015-18, 2015-19, 2015-20, 2015-21, 2015-22 and 2015-23.

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|---------|---|
| 2015-18 | A By-law for the Licensing, Regulating the Sale and Setting off of Fireworks. (Fireworks By-law) |
| 2015-19 | A By-law to Amend By-law 1993-62, as amended, being a By-law to Regulate Parking within the Town of Newmarket. (Schedule X - No Parking, Schedule XI - No Stopping) |
| 2015-20 | A By-law to Amend By-law 2011-24, as amended, being a By-law to Regulate Traffic within the Town of Newmarket. (Schedule IX - School Crossing Locations) |
| 2015-21 | A By-law to Adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Legislative Services - Licensing Fees) |
| 2015-22 | A By-law to Adopt Fees and Charge for Services or Activities provide by the Town of Newmarket. (Legislative Services - General Fees) |
| 2015-23 | A By-law to Appoint Individuals to Town of Newmarket Statutory Boards and Committees for the 2014-2018 Term of Council or until successors are appointed. |

Moved by: Councillor Vegh
Seconded by: Councillor Bisanz

THAT By-laws 2015-18, 2015-19, 2015-20, 2015-21, 2015-22 and 2015-23 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
Opposed: (None)
(9 in favour, 0 opposed)

Carried

Notices of Motions

None.

Motions

None.

Announcements & Community Events

- a) Councillor Bisanz invited residents to attend a Public Information Centre on Tuesday May 26, 2015 from 6:00 to 8:00 p.m. in the Cane Room at 395 Mulock Drive. This information session is to view and discuss redevelopment of the former Glenway Golf Course lands. Project drawings will be on display and representatives from Marianneville Developments Limited, Town officials and staff will be available to answer questions and provide information. For further information please contact the Planning Division at 905-895-5193 or email Dave Ruggle at druggle@newmarket.ca
- b) Councillor Bisanz advised that the third annual I Run And Rock-United by Trauma will take place on May 30, 2015 from 11:00 a.m. to 4:00 p.m. at the Ray Twinney Complex, 100 Eagle Street West. There will be a 1, 5 and 10 kilometre walk or run to raise funds in support of training and providing service dogs to first responders suffering from Post-Traumatic Stress Disorder. The event will also feature the Highway 11 Cruisers, a classic car show, Police canine challenge and live music.

- c) Councillor Broome-Plumley encouraged residents to join a Town Committee. The Town of Newmarket is seeking volunteers to serve on one of the following Committees: Audit Committee, Elman W. Campbell Museum Board, Newmarket Downtown Development Subcommittee, Newmarket Economic Development Advisory Committee and the Newmarket Environmental Advisory Committee. In addition to attending regular meetings, committee members are expected to dedicate time to projects outside of regular meeting times. Interested Newmarket residents are encouraged to attend a Board/Committee Open House on Wednesday May 13, 2015 from 6:00 p.m. to 8:00 p.m. in the Council Chambers at 395 Mulock Drive. The deadline for receiving applications is May 21, 2015. For further information on eligibility, recruitment and the appointment process visit www.newmarket.ca
- d) Councillor Hempen advised that the “Touch-A-Truck” event will take place on Tuesday, May 20, 2015 from 5:30 to 8:30 p.m. at the Newmarket Operations Centre, 1275 Maple Hill Court. This fun, hands on event allows you to touch, explore and get up close and personal with vehicles of different sizes. Explore some of your favourite trucks – a fire truck, ice resurfacer, backhoe, dump truck and more!
- e) Regional Councillor Taylor invited residents to participate in the Newmarket Environmental Advisory Committee’s Annual Community Garage Sale on Saturday, May 23, 2015 from 8:00 a.m. to noon in the Regional Parking lot at the north-east corner of Yonge Street and Eagle Street. Come and join in a great community initiative. Gently used items will be offered for sale – there will be no commercial vendors. This event is rain or shine. Those wishing to sell their items must pre-register by calling 905-895-5193 before the event date. A small fee is applicable.
- f) Councillor Twinney advised that Smart Commute Central York is excited to be hosting its Annual Bike to Work Day event on Monday, May 25, 2015. Drop by Newmarket Riverwalk Commons from 7:45 a.m. to 9:00 a.m. at 200 Doug Duncan Drive. There will be a free continental breakfast and giveaways. Get active, save money and produce zero emissions! Pledge to Bike to Work at www.bikemonth.ca/biketoworkday and enter a draw for prizes!
- g) Councillor Kerwin invited residents to join him on Sunday, May 24, 2015 for the Upper Canada Mall Easter Seals Run/Walkathon founded by Joe Persechini. Help celebrate 39 years of fundraising to help kids with physical disabilities! The event takes place at Newmarket Riverwalk Commons, 200 Doug Duncan Drive. There is a post-race party with food for athletes, and games and activities for the whole family. More details are available at www.persechinirun.org

- h) Councillor Vegh encouraged residents to bring their cats and dogs to a low-cost rabies clinic on Sunday, May 31, 2015 from 10:00 a.m. to 2:00 p.m. at Hollingsworth Arena, 35 Patterson Street. The cost is \$20.00 per vaccination (cash only). Cats and dogs must be over 3 months of age. Cats must be in a carrier and dogs must be leashed. American Pit Bull Terriers, American Staffordshire Terriers or dogs that have the appearance and physical characteristics that are substantially similar to these dogs must be muzzled. Please call 905-895-5193 for further information.
- i) Mayor Van Bynen offered congratulations to CHATS – Community and Home Assistance to Seniors – for being selected as the recipient of 2 awards to be presented at the United Way of York Region’s Bhayana Family Foundation Awards Ceremony later this month. CHATS has won the Community Partnership Award in recognition of their successful partnership with “Community Hub” partners the Alzheimer Society of York Region, and York Support Services Network. CHATS has also won the Team Achievement Award to recognize their Assisted Living Team’s successful transition of over 100 assisted living clients. Together, these individuals demonstrate commitment to success through excellent and consistent performance. Congratulations to CHATS on this incredible accomplishment!
- j) Mayor Van Bynen invited anyone that has anything they wish to discuss to visit him at “Mayor in the Square” at the Newmarket Farmer’s Market on Saturday, May 23, 2015 from 10:00 a.m. until noon.
- k) Mayor Van Bynen advised that the Town Offices will be closed to observe Victoria Day on Monday, May 18, 2015.
- l) Mayor Van Bynen advised that the next Council meeting is Monday, June 1, 2015 at 7:00 p.m.

New Business

- a) Councillor Kerwin offered his condolences to the Ramsarran family and provided funeral arrangements for those who wished to attend the service.
- b) Councillor Hempen requested that staff review the naturalized property at the corner of London Road and Main Street North to determine the feasibility of a community garden at the site. The Chief Administrative Officer requested a motion to authorize use of staff resources to undertake the review.

Moved by: Councillor Hempen
Seconded by: Councillor Sponga

THAT staff review the possibility for a community garden at the naturalized area at the corner of London Road and Main Street North and report back within 120 days.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Closed Session

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

Confirmatory By-law

29. Confirmatory By-law.

2015-24 A By-law to confirm the proceedings of a meeting of Council - May 11, 2015.

Moved by: Councillor Vegh
Seconded by: Regional Councillor Taylor

THAT By-law 2015-24 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

Adjournment

30. Adjournment.

Moved by: Councillor Twinney
Seconded by: Regional Councillor Taylor

THAT the meeting adjourn.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
Councillor Kerwin, Councillor Twinney, Councillor Hempen,
Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

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

Carried

There being no further business, the meeting adjourned at 7:38 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk