

The meeting of the Committee of the Whole was held on Monday, May 25, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen  
Regional Councillor Taylor  
Councillor Kerwin (1:32 to 5:04 p.m.)  
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  
E. Armchuk, Director of Legal Services  
A. Mollicone, Senior Solicitor  
R. Nethery, Director of Planning and Building Services  
R. Prudhomme, Director of Engineering Services  
C. Service, Director of Recreation and Culture  
A. Brouwer, Director of Legislative Services/Town Clerk  
L. Lyons, Deputy Clerk  
L. Moor, Council/Committee Coordinator  
J. Patel, Systems Support Analyst

The meeting was called to order at 1:32 p.m.

Mayor Van Bynen in the Chair.

### **Additions & Corrections to the Agenda**

The Chief Administrative Officer advised of the addendum items being distribution of the Newmarket Dedication By-law PowerPoint presentation and the withdrawal of the deputation by Mr. Andrew Walasek, Manager, Government Affairs, Canada Post.

Moved by: Councillor Hempen  
Seconded by: Councillor Twinney

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

**Carried**

## **Declarations of Pecuniary Interest**

None.

## **Presentations & Recognitions**

1. The Senior Planner - Policy addressed the Committee with a PowerPoint presentation regarding the Newmarket Parkland Dedication By-law.

Moved by: Councillor Hempen  
Seconded by: Councillor Kerwin

THAT the PowerPoint presentation by the Senior Planner - Policy regarding the Newmarket Parkland Dedication By-law be received.

**Carried**

2. Development and Infrastructure Services Report – Planning and Building Services 2015-11 dated May 25, 2015 regarding the Newmarket Parkland Dedication By-law.

Moved by: Councillor Vegh  
Seconded by: Councillor Hempen

a) THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2015-11 dated May 25, 2015 regarding the Newmarket Parkland Dedication By-law be received and the following recommendations be adopted:

i) THAT the Parkland Dedication By-law for the Town of Newmarket as contained in Attachment 1 be received;

ii) AND THAT staff be directed to provide notice to the public, the development community and BILD of the proposed by-law;

iii) AND THAT following public input that staff summarize in a report to the Committee of the Whole the issues identified and the comments received along with the final recommendation for the Parkland Dedication By-law for Council's approval;

iv) AND THAT staff be directed to report back to Committee of the Whole on the other funding strategies to address the identified shortfall of Town-wide parkland in conjunction with the Parkland Implementation Strategy identified in the Implementation Strategy for the Newmarket Urban Centres Secondary Plan.

**Carried**

## **Deputations**

See Additions and Corrections to the Agenda.

## **Consent Items**

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

THAT the following items be adopted on consent:

3. Correspondence from Ms. Kathy Somers, Member, Canadian Trigeminal Neuralgia Association, requesting proclamation of October 7, 2015 as 'International Trigeminal Neuralgia Awareness Day' and light up in teal request in the Town of Newmarket.
  - a) THAT the correspondence from Ms. Kathy Somers, Canadian Trigeminal Neuralgia Association be received and the following recommendations be adopted:
    - i) THAT the Town of Newmarket proclaim October 7, 2015 as 'International Trigeminal Neuralgia Awareness Day';
    - ii) AND THAT the Riverwalk Commons be lit in teal (if feasible) on October 7, 2015;
    - ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)
4. Correspondence from Ms. Debbie White dated May 6, 2015 requesting proclamation of June 1 to 8, 2015 as 'World Oceans Week' in the Town of Newmarket.
  - a) THAT the correspondence from Ms. Debbie White be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June 1 to 8, 2015 as 'World Oceans Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

5. Correspondence dated May 1, 2015 from Ms. Sheila Nicholas, Chair, Teachers of English as a Second Language Association of Ontario requesting November 8 to 14, 2015 be proclaimed 'English as a Second Language Week' in the Town of Newmarket.

a) THAT the correspondence from Ms. Sheila Nicholas, Chair, Teachers of English as a Second Language Association of Ontario be received and the following recommendations be adopted:

i) THAT November 8 to 14, 2015 be proclaimed 'English as a Second Language Week' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised on the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

6. Joint Report - Development and Infrastructure Services - Public Works and Corporate Services Commission - Procurement Services Department Report 2015-12 dated May 7, 2015 regarding Natural Gas Consulting and Supply Agreement.

a) THAT Joint Development and Infrastructure Services - Public Works Services and Corporate Services Commission Report - Procurement Services 2015-12 dated May 7, 2015 regarding Natural Gas Consulting and Supply Agreement be received and the following recommendations be adopted:

i) THAT the Director, Public Works Services be authorized to enter into contract with and retain Blackstone Energy Services, at a cost of approximately \$800.00 per month plus H.S.T. until July 22, 2017 with the option to extend for one two (2) year period, as the Town's Contract Agent for the purchase of Natural Gas;

ii) AND THAT the Director, Public Works Services be authorized to enter into Natural Gas Supply agreements with the Royal Bank of Canada, Shell Energy North America (Canada) Inc. and any other Natural Gas Supplier, where it is in the best interest of the Town of Newmarket, provided the supplier has an equal to or better credit rating, in accordance with the Hedging Policy;

iii) AND THAT Director, Public Works Services shall report back to Council at least once each fiscal year, in accordance with the Hedging policy with respect to any and all commodity price agreements in place.

7. Development and Infrastructure Services Report - Engineering Services 2015-32 dated May 12, 2015 regarding Cedar Manor Phase 1, 65M-4285 Final Acceptance and Assumption of Underground Works.

a) THAT Development and Infrastructure Services Report ES 2015-32 dated May 12, 2015 regarding the Final Acceptance and Assumption of Underground Works be received and the following recommendations be adopted:

i) THAT the request for Final Acceptance and Assumption of Underground Works of the Cedar Manor Residential Subdivision, Phase 1 as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT Mr. Mauro Baldassarra of Cedar Manor Home Corp., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffers Consulting Engineers Ltd. be notified of these recommendations.

8. Corporate Services Report - Financial Services 2015-27 dated May 25, 2015 regarding Property Tax Rates and By-law for 2015.

a) THAT Corporate Services Report - Financial Services 2015-27 dated May 25, 2015 regarding Property Tax Rates and By-law for 2015 be received and the following recommendations be adopted:

i) THAT the property tax rates for 2015, as applied to the assessment roll returned for taxation 2015, be set for Town purposes, as follows:

Property Class	Tax Rate
Residential	0.390965%
Multi-Residential	0.390965%
Commercial	0.436786%
Industrial	0.513102%
Pipelines	0.359297%
Farmland/Managed Forest	0.097741%

ii) AND THAT the applicable tax rate by-law attached as Appendix 'A' be forwarded to Council for approval.

9. Corporate Services Report - Financial Services 2015-31 dated May 6, 2015 regarding the 2014 Capital Carry-overs Report.
  - a) THAT Corporate Services Report - Financial Services 2015-31 dated May 6, 2015 regarding the 2014 Capital Carry-overs be received for information purposes.
10. Corporate Services Report - Financial Services 2015-30 dated May 6, 2015 regarding 2015 Reserves and Reserve Funds Budget.
  - a) THAT Corporate Services Report - Financial Services 2015-30 dated May 6, 2015 regarding 2015 Reserves and Reserve Funds Budget be received and the following recommendations be adopted:
    - i) THAT the projected revenues for the 2015 Reserves and Reserve Funds Budget, as set out in the attachment be approved.
11. List of Outstanding Matters.
  - a) THAT the List of Outstanding Matters be received.

**Carried**

12. Chief Administrative Officer Report 2015-05 dated May 14, 2015 regarding 'Council's Strategic Priorities'.

An alternate motion was presented and discussion ensued.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Hempen

- a) THAT Chief Administrative Officer Report 2015-05 dated May 14, 2015 regarding 'Council's Strategic Priorities' be received and the following recommendation be adopted:
  - i) THAT Council approve the suggested wording of its strategic priorities for the 2014-2018 term, as outlined in Column 'B' of Attachment 'A', with the following amendments to c) and k) specifically :
    - c) Creating a strategy for vibrant and livable corridors along Davis Drive and Yonge Street;
    - k) Measuring and benchmarking financial performance.

**Carried**

13. Development and Infrastructure Services Report - Engineering Services 2015-30 dated April 23, 2015 regarding Metrolinx/GO Transit Rail Corridor.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Sponga

a) THAT Development and Infrastructure Services Report – ES2015-30 dated April 23, 2015 regarding Metrolinx/GO Transit Rail Corridor - Newmarket be received and the following recommendations be adopted:

i) THAT Metrolinx and York Region be forwarded a copy of this report and Town Council extract;

ii) AND THAT Metrolinx be requested to attend Committee of the Whole to provide a presentation regarding their planned rail enhancements within Newmarket including an estimated schedule for the works within Town.

**Carried**

14. Community Services - Recreation and Culture Report 2015-09 dated May 12, 2015 regarding Newmarket Theatre Operations.

Members of the Theatre Task Force were recognized and thanked for their efforts over the past year, including Mr. John Dowson, Mr. Rod Urquhart, Ms. Jackie Bayley, Ms. Noreen Aldridge, Mr. Peter Salt, Mr. Peter Cianfarani, Ms. Jill Redman, Ms. Merlene Cephas, Mr. Tom Taylor and Mr. Richard Markle.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Kerwin

a) THAT Community Services - Recreation and Culture Report 2015-12 dated May 12, 2015 regarding Newmarket Theatre Operations in the Town of Newmarket be received and the following recommendations be adopted:

i) THAT Council endorse the Task Force Vision of: The Newmarket Theatre is a professional theatre dedicated to providing high quality entertainment. Community theatre will remain an important part of the cultural fabric through space at Old Town Hall or when space permits at the Newmarket Theatre;

ii) AND THAT Council endorse the recommendations of the Theatre Task Force, recognizing that recommendations that have budgetary impact will be reported on separately for consideration.

**Carried**

The Committee recessed at 3:09 p.m.

The Committee reconvened at 3:22 p.m.

15. Development and Infrastructure Services Report - Engineering Services 2015-31 dated April 27, 2015 regarding William Stickwood House (Fernbank Farmhouse) Update.

Moved by: Councillor Twinney

Seconded by: Councillor Vegh

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-31 dated April 27, 2015 regarding William Stickwood House (Fernbank Farmhouse) Update be received and the following recommendations be adopted:

i) THAT Council not pursue a rental agreement with a potential community-based lease client due to the extensive renovations that would be required to accommodate this particular client and the capital costs associated with those renovations;

ii) AND THAT the potential community-based lease client be advised of Council's decision as soon as possible;

iii) AND THAT staff consider recommendations for the short-term and long-term use of the William Stickwood house and property as part of a long-term Facility Accommodation Plan being undertaken for the Town's Strategic Properties;

iv) AND THAT staff will come forward with a future amended capital budget request for the William Stickwood House consistent with the long-term plan as determined through the Accommodation Plan;

v) AND THAT the existing residence continue to be occupied by a residential tenant to maintain the security and integrity of the property.

### **Carried**

16. Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services - Financial Services Report 2015-13 dated May 4, 2015 regarding the Coordinated Provincial Plan Review.

An alternate motion was presented and discussion ensued.



Moved by: Regional Councillor Taylor  
Seconded by: Councillor Sponga

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services - Financial Services Report 2015-13 dated May 4, 2015 regarding the Coordinated Provincial Plan Review, Proposed Bill 73 (Planning Act Amendments) and Development Charges System Review be received and the following recommendations be adopted:

i) THAT the comments and issues identified and addressed in this report be forwarded to the Province of Ontario as the Town of Newmarket's comments on the 2015 Coordinated Provincial Plan Review, Proposed Planning Act amendments and Development Charges System review;

ii) AND THAT the Province be requested to remove and replace elsewhere, lands from the Greenbelt Plan adjacent to 400 series highways and in particular on the east side of Highway 404 adjacent to Newmarket, in support of optimizing existing infrastructure, promoting development where infrastructure expansions would be minimal, and where employment lands would be strategically located along major transportation corridors;

iii) AND THAT staff be authorized to submit the Town of Newmarket's comments prior to Council ratification;

iv) AND THAT the following be notified of this action:

1. Richard Stromberg, Manager, Ministry of Municipal Affairs and Housing, Ontario Growth Secretariat, 777 Bay Street, Toronto, ON M5G 2E5
2. Ken Petersen, Manager, Provincial Planning Policy Branch, Ministry of Municipal Affairs and Housing, 777 Bay Street, 13th floor, Toronto, ON M5G 2E5
3. Ms. Valerie Shuttleworth, Chief Planner, The Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1

### **Carried**

17. Development and Infrastructure Services - Planning and Building Services Report 2015-20 dated May 14, 2015 regarding a request to waive fees and charges for proposed hospice.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Kerwin  
Seconded by: Councillor Bisanz

a) THAT Development and Infrastructure Services - Planning & Building Services Report 2015-20 dated May 14, 2015 regarding a request to waive fees and charges associated with Site Plan Approval be received and the following recommendations be adopted:

i) THAT the request from the Southlake Regional Health Centre Foundation for waived fees be received;

ii) AND THAT Council approve the request to waive the security (performance guarantee) of \$65,000 and the Tree Security of \$12,020 and the Town of Newmarket will rely on Southlake Regional Health Centre to complete its obligations under the Site Plan Agreement;

iii) AND THAT Council waive the requirement for a cash-in-lieu of parkland contribution;

iv) AND THAT Council approve the request to waive the following fees to be funded through the Rate Stabilization Fund:

Tree Compensation of \$9,450  
Finance Administration Fee of \$3,250

v) AND THAT Council deny the request to waive the following fees:

Engineering Review fees of \$37,309.80  
Town's Consulting Arborist peer review fees of \$1,040

vi) AND THAT Mr. Paul Clarry, Vice-President, Clinical Support and Facilities, Southlake Regional Health Centre, 596 Davis Drive, Newmarket, ON L3Y 2P9 be notified of this action.

## **Carried**

## **Action Items**

None.

## **Correspondence & Petitions**

None.

## **Reports by Regional Representatives**

None.

## Notices of Motion

18. Councillor Sponga advised that he will be bring forward a motion regarding the installation of community mailboxes by Canada Post at the Council meeting scheduled for June 1, 2015.

## Motions

19. Waste Management Solutions – Main Street Area.

Moved by: Councillor Sponga  
Seconded by: Councillor Twinney

THAT staff prepare a report in 90 days on possible waste management solutions for the Main Street Area, specifically as it pertains to weekend waste storage and collection.

### Carried

20. Film Permit Policy and Permitting Process.

Moved by: Councillor Sponga  
Seconded by: Regional Councillor Taylor

THAT staff review the Film Permit Policy and Permitting Process and report back within 150 days to include maps with designated locations for parking and production and that the cost of additional parking enforcement be added to the permit on a cost recovery basis.

### Carried

## New Business

- a) Councillor Twinney requested a staff update regarding the Community Mailbox placement matter. The Commissioner of Development and Infrastructure Services provided a verbal update and indicated residents should forward concerns to Canada Post. Should they wish, residents can also provide their concerns to the Town to be followed up on. Staff continue to work with Canada Post with respect to community mailbox siting considerations.
- b) Mayor Van Bynen requested support for a motion to create the 'Office of the Regional Councillor' as 'Office of the Deputy Mayor and Regional Councillor' to recognize the additional support afforded to the Office of the Mayor and to provide for a more recognizable title, particularly when representing the municipality at events and with stakeholders. It was noted that no additional powers, salary or services would be provided to this office.

Moved by: Councillor Sponga  
Seconded by: Councillor Kerwin

THAT the Town establish the Office of the Regional Councillor as the 'Office of the Deputy Mayor and Regional Councillor';

AND THAT staff take the appropriate actions to implement such direction, including any required amendments to by-laws and policies.

**Carried**

## **Closed Session**

21. The potential disposition of land by the municipality as per the Municipal Act, 2001, Section 239 (2) (c)

Staff provided an overview of the Town policy with respect to the purchase and sale of Town owned lands.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Vegh

THAT the meeting convene into Closed Session regarding the potential disposition of land by the municipality in Ward 2 as per Section 239 (2) (c) of the Municipal Act, 2001.

**Carried**

The Committee recessed at 4:54 p.m.

The Committee reconvened in Closed Session at 5:04 p.m.

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

The Committee of the Whole resumed into Public Session at 5:21 p.m.

22. Corporate Services (Legal Services) Report 2015-02 regarding the potential disposition of land by the municipality (Ward 2) as per the Municipal Act, 2001, Section 239 (2) (c)

Moved by: Councillor Twinney  
Seconded by: Councillor Sponga

THAT Corporate Services (Legal Services) Report 2015-02 dated May 19, 2015 regarding the potential declaration of surplus lands, permanent closure and sale of part of Lydia Street, on Plan 23 lying east of Muriel Street and north of Gorham Street, between 233 and 241 Muriel Street and 763 Gorham Street, and highlighted in yellow on the attached GIS map in Schedule "A" (herein referred to as the "Lydia Street Lands") be received and the following recommendations be adopted:

- a) THAT Council enact a resolution to permanently close, declare surplus and sell the Lydia Street Lands;
- b) THAT Council enact a by-law to permanently close and sell the Lydia Street Lands in substantial form as included in Schedule "B";
- c) THAT staff be authorized to list the Lydia Street Lands for sale on the Multiple Listing Service with the Town's real estate broker of record for an amount that is greater than the fair market appraisal of the property, and that staff be authorized to enter into discussions with interested parties who may wish to purchase the Lydia Street Lands, and report back to Council with a recommendation for the sale of the Lydia Street Lands after an appraisal of the fair market value has been obtained;
- d) THAT staff be authorized to do all things necessary to give effect to the above permanent closure procedure, declaration of surplus lands and negotiations respecting the Lydia Street Lands, including but not limited to obtaining any surveys, reference plans and appraisals, and registering any required documents.

**Carried**

23. Hollingsworth Arena Site Facility.

Moved by: Councillor Twinney  
Seconded by: Regional Councillor Taylor

THAT staff prepare a public report for an upcoming Committee of the Whole meeting outlining the options, issues and opportunities related to the Hollingsworth Arena site and facility, including the San Michael Homes Developments proposal presented at the May 25, 2015 Council Workshop and previous Council direction;

AND THAT any negotiation matters related to the potential sale of the Hollingsworth Arena site and facility be considered in closed session in accordance with Section 239 (2) (c) of the Municipal Act, 2001.

**Carried**

## **Public Hearing Matters**

None.

## **Adjournment**

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

THAT the meeting adjourn.

## **Carried**

There being no further business, the meeting adjourned at 5:31 p.m.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk