

The meeting of the Special Committee of the Whole was held on Monday, August 10, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen (1:30 to 3:08 p.m.; 4:07 to 7:39 p.m.)
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney (1:30 to 3:08 p.m.; 3:22 to 7:39 p.m.)
Councillor Hempen
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Sponga

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/Municipal Solicitor
A. Brouwer, Director of Legislative Services/Town Clerk
M. Mayes, Director of Financial Services/Treasurer
R. Nethery, Director of Planning and Building Services
M. White, Planner
L. Lyons, Deputy Clerk
L. Moor, Council/Committee Coordinator
C. Finnerty, Council/Committee Coordinator
J. Patel, Business Support Analyst

The meeting was called to order at 1:30 p.m.

Mayor Van Bynen in the Chair.

Declarations of Interests

Councillor Broome-Plumley declared a conflict in Item 8 of the Special Committee of the Whole Agenda of August 10, 2015 (Item 8 of the Special Committee of the Whole Minutes of August 10, 2015) as she is a volunteer for Habitat for Humanity and would not take part in the discussion or voting of the foregoing matter.

Councillor Vegh advised that with respect to Item 8, although he is no longer has a direct interest in Habitat for Humanity, out of abundance of caution, he would not take part in the discussion or voting of the foregoing matter.

Mayor Van Bynen declared a conflict in Item 11 being Corporate Services (Legal Services) (Closed Session) Report 2015-04 regarding Outdoor Public Artwork as his son-in-law was part of an adjudication Committee mentioned in the report. He advised he would not take part in the discussion or voting of the foregoing matter.

Deputations

None.

Presentations

1. Ms. Val Shuttleworth, Chief Planner, Planning and Economic Development, Long Range Planning, Regional Municipality of York addressed the Committee with a PowerPoint presentation regarding the Regional Draft Growth Scenarios and Land Budget Presentation.

Moved by: Councillor Vegh
Seconded by: Councillor Bisanz

THAT the PowerPoint presentation by Ms. Val Shuttleworth, Chief Planner, Planning and Economic Development, Long Range Planning, Regional Municipality of York regarding the Regional Draft Growth Scenarios and Land Budget Presentation be received.

Carried

Items

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT the following items be adopted on consent:

2. Correspondence dated July 11, 2015 from Ms. Ana Nair, Founder/President ABSG requesting that October 16, 2015 be recognized as Blue Shirt Day - Stop Bullying Day in the Town of Newmarket.

a) THAT the correspondence dated July 11, 2015 from Ms. Ana Nair requesting that October 16, 2015 be recognized as Blue Shirt Day - Stop Bullying Day in the Town of Newmarket be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim Friday, October 16, 2015 as 'Blue Shirt Day - Stop Bullying Day' 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

3. Correspondence dated July 23, 2015 from Mr. Creag Munroe, Marketing Coordinator, Prostate Cancer Canada requesting proclamation of September, 2015 as Prostate Awareness Month.

a) THAT the correspondence dated July 23, 2015 from Mr. Creag Munroe, Marketing Coordinator, Prostate Cancer Canada be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim September, 2015 as 'Prostate Awareness Month';

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

4. Correspondence dated June 18, 2015 from Minister Bob Chiarelli, Minister of Energy regarding local energy planning update.

a) THAT the correspondence dated June 18, 2015 from Minister Bob Chiarelli, Minister of Energy regarding local energy planning update be received.

5. Site Plan Review Committee Minutes of June 22, 2015

a) THAT the Site Plan Review Committee Minutes of June 22, 2015 be received.

6. Item 1 of the Site Plan Review Committee Minutes of June 22, 2015 - Application for Site Plan Approval - 17210 Leslie Street.

a) Application for Site Plan Approval to permit a new four storey, 60 unit residential retirement building with roof top garden and a 23 space parking lot on the subject institutional 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;

ii) THAT the applicant work with the residents to the west and south of the subject property to address matters relating to retaining walls, fencing, landscaping and garbage storage;

iii) AND THAT Ms. Jasmine Lea Wang, 2395189 Ontario Ltd., 77 Steeles Avenue East North York, ON M2M 3Y4 be notified of this decision;

iv) AND THAT Ms. Diane Yu, Y+S International Design Ltd., 34 John Gary Drive Markham, ON L3R 5E7 be notified of this decision;

v) AND THAT Mr. Duff Ryan, Ryan Company Architect Inc., 96 Borden Street, Toronto, ON M5S 2N1 be notified of this decision.

7. Newmarket Public Library Board Minutes of April 15 and May 20, 2015.

a) THAT the Newmarket Public Library Board Minutes of April 15 and May 20, 2015 be received.

Carried

8. Development and Infrastructure Services - Planning and Building Services - Planning Report 2015-32 dated August 6, 2015 regarding a request to defer development fees and charges for a Habitat for Humanity project - 302 Andrew Street.

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Development and Infrastructure Services - Planning and Building Services - Planning Report 2015-32 dated August 6, 2015 regarding a request to defer development fees and charges be received and the following recommendations be adopted:

i) THAT the request from Habitat for Humanity for a deferral agreement for development fees be denied;

ii) AND THAT the request from Habitat for Humanity for Building Permit fees to be waived be denied;

iii) AND THAT the development of a single detached dwelling at 302 Andrew Street by Habitat for Humanity be exempt from Development Charges;

iv) AND THAT Mr. Richard Solomon, Regional Vice-President, Habitat for Humanity Greater Toronto Office, York Region Office, 449 Eagle Street, Newmarket, ON L3Y 1K7 be notified of this action.

Carried

Councillor Broome-Plumley and Councillor Vegh took no part in the discussion or voting of the foregoing matter.

9. Joint Community Services - Recreation and Culture and Corporate Services - Financial Services Report 2015-24 dated August 6, 2015 regarding 2016 User Fees and Charges - Recreation and Culture.

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Joint Community Services - Recreation and Culture and Corporate Services - Financial Services Report 2015-24 dated August 6, 2015 regarding 2016 User Fees and Charges - Recreation and Culture be received and the following recommendations be adopted:

i) THAT the attached Schedules "A(1)" to "A (20)" marked as the Town of Newmarket Recreation and Culture Services Fees and Charges Schedules, be approved and adopted by By-law at Council's September 14, 2015 meeting to accommodate notice requirements;

ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2016.

Carried

10. Development and Infrastructure Services Report - Public Works Services 2015-43 dated July 31, 2015 regarding Snow Storage Alternative Update.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Bisanz

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Development and Infrastructure Services Report – Public Works Services 2015-43 dated July 31, 2015 regarding Snow Storage Alternative Update be received and the following recommendations be adopted:

i) THAT the Town request the Regional Municipality of York to advance the timing of a permanent snow storage site located on Harry Walker Parkway for the 2015/2016 winter season;

ii) AND THAT staff report back on various potential alternate sites, solutions and costs no later than September 30, 2015.

Carried

The Special Committee of the Whole recessed at 3:08 p.m.

The Special Committee of the Whole reconvened at 3:17 p.m. with Deputy Mayor Taylor in the Chair.

Closed Session

11. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; as per Section 239 (2) (f) of the Municipal Act, 2001 - Corporate Services (Legal Services) (Closed Session) Report 2015-04 – Outdoor Public Artwork.

Moved by: Councillor Kerwin
Seconded by: Councillor Bisanz

THAT the Special Committee of the Whole resolve into a Closed Session for the purpose of discussing advice that is subject to solicitor-client privilege, including communications for that purpose; as per Section 239 (2) (f) of the Municipal Act, 2001 – Corporate Services (Legal Services) (Closed Session) Report 2015-04 – Outdoor Public Artwork.

Carried

The Special Committee of the Whole resolved into Closed Session at 3:18 p.m.

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

The Special Committee of the Whole resumed into public session at 4:06 p.m.

The Special Committee of the Whole recessed at 4:07 p.m.

The continuation of the Special Committee of the Whole was called to order at 7:01 p.m.

12. Members of Council acknowledged the 2015 Newmarket Peewee AAA Hawks now TEAM ONTARIO, who won the Baseball Ontario Eliminations Tournament in Windsor and will be representing Ontario at the Baseball Canada National Championships in Repentigny, Quebec from August 20 to 24, 2015. The team members were photographed with Members of Council.

Public Hearing Matter

13. Development and Infrastructure Services Report - Planning and Building Services 2015-16 and related Council Extract - Parking and storage of recreational vehicles in residential zones.

The Deputy Clerk welcomed the public to the Special Committee of the Whole meeting. She advised that the *Planning Act* requires the Town to hold at least one Public Meeting on any proposed Zoning By-law Amendment.

The Deputy Clerk advised that the purpose of the meeting was to hear from anyone who has an interest in the Town of Newmarket initiated town wide Zoning By-law proposed amendment process regarding the rules and regulations for parking and storing recreational vehicles in residential zones.

She further advised that the Special Committee of the Whole would not be making a decision regarding the proposed amendments, but would 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 advised that if anyone present wished to be notified of subsequent meetings, or if making a presentation, to please complete a form with your name and address and submit it to the Clerk's staff.

The Deputy Clerk noted 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 submission at the Public Meeting or provide written submissions to Council prior to adoption.

She thanked everyone for their participation and interest in the meeting.

The Planner provided a PowerPoint presentation regarding parking of recreational vehicles in residential driveways. She summarized the Zoning By-laws in effect in Newmarket and advised that all three zoning by-laws would require amendments should the parking of recreational vehicles be permitted in residential driveways. She further summarized the types of recreational vehicles, current by-law provisions, typical municipal practice and restrictions and the four amendment options that are being considered and the required technical revisions.

She advised that resident feedback, contracted to Forum Consulting, had been conducted and an online survey was created in order to gather feedback on the potential amendments. The Planner summarized the next steps, including the availability of the online survey, future reporting back to Council and the appeal period.

Members of Council queried the Planner regarding municipal comparators and lot size/vehicle length.

Mr. James Wagg, resident, advised that he has purchased a boat and has been twice asked to move his boat out of his driveway. He expressed concerns related to complaint driven enforcement and in his opinion, if one has the luxury of owning a recreational vehicle, one should be able to park it in their driveway. He made a suggestion for seasonal use or abolishment of by-law.

Ms. Katherine Reid, resident, expressed concerns related to costs associated with off-site trailer storage. She advised of frustration that an eight foot long pop-up camping trailer is considered an annoyance. She suggested abolishment of the by-law or taking vehicle length into consideration.

Mr. Palmieri, resident, advised that he keeps his boat in the summer for fishing/recreational activity and he advised that he felt seniors who just want to enjoy a leisure activity are unable to do so because of by-law restrictions. He further suggested seasonal consideration for boat storage.

Mr. Shawn Robinson, resident, advised that having a new family to enjoy leisure activities with, he would like to store a boat or an all-terrain vehicle without anxiety of enforcement penalties.

Mr. Derek Smith, resident, suggested that height, length and setback restrictions on recreational vehicles would avoid sight line issues and as vehicles are provincially licensed and can be parked on street why can't they be parked in one's private driveway? He further advised that he feels the current by-law being complaint driven is biased.

The Director of Planning and Building Services summarized the next steps. The online survey will be closed at the end of August, with a report to Committee of the Whole in late September. Anyone who has registered for notice will receive notification. A report will be before the Committee with a recommendation based upon the public's feedback and an analysis of the surveys that were conducted.

Moved by: Councillor Twinney
Seconded by: Councillor Hempen

THAT the deputations related to Development and Infrastructure Services Report - Planning and Building Services 2015-16 - Parking and storage of recreational vehicles in residential zones be received.

Carried

Moved by: Councillor Twinney
Seconded by: Councillor Hempen

THAT Development and Infrastructure Services Report - Planning and Building Services 2015-16 and related Council extract - Parking and storage of recreational vehicles in residential zones be received.

Carried

Adjournment

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the meeting adjourn.

There being no further business, the meeting adjourned at 7:39 p.m.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk