

The meeting of the Committee of the Whole was held on Monday, November 30, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh (1:33 to 5:25 p.m.)
Councillor Kerwin
Councillor Hempen
Councillor Sponga
Councillor Broome-Plumley (1:30 to 2:54 p.m.)(3:00 to 5:25 p.m.)
Councillor Bisanz (1:32 to 5:25 p.m.)

Absent: Councillor Twinney

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
M. Mayes, Director of Financial Services/Treasurer
R. Nethery, Director of Planning and Building Services
C. Service, Director of Recreation and Culture
C. Kallio, Economic Development Officer
C. Finnerty, Council/Committee Coordinator

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

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the addendum items, being an amended 2016 Schedule of Meetings related to Item 1 of the agenda, a revised Appendix 'A' to Corporate Services – Legislative Services Report 2015-21 regarding Lobbyist Registry for N6 Waste Collection Contract in order to provide clarification, a revised Outstanding Matters List to include an update on timing of a staff report related to Splash Pads Town-Wide, Community Services – Recreation and Culture Report 2015-37 regarding

Magna Centre Lease Spaces and Potential Fitness Centre, a deputation by Mr. John Blommestein regarding Item 15 of the agenda, being Item 2 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Amendment to Site Plan Approval – 16635 Yonge Street and correspondence from Ms. Wendy Gamoyda and Mr. Scott Stewart, Presidents of York Region Condominium Corporation 969 and 944 respectively, regarding Item 8 of the agenda being Development and Infrastructure Services – Planning and Building Services Report 2015-43 – Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision – 955 and 995 Mulock Drive.

Moved by: Councillor Kerwin
Seconded by: Councillor Hempen

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

Carried

Declarations of Pecuniary Interest

- a) Deputy Mayor & Regional Councillor Taylor advised that Item 23 of the agenda, being Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Lease Spaces and Potential Fitness Centre makes reference to the YMCA and he advised that his wife sits on the Board.

Presentations & Recognitions

None.

Deputations

1. Mr. John Blommestein addressed the Committee with respect to Item 15 of the agenda being Item 2 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Amendment to Site Plan Approval - 16635 Yonge Street – Ward 6. He summarized concerns related to pedestrian safety and traffic volume in this area and suggested that the entrance into the plaza off Savage Road at Shanahan Boulevard be closed.

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

THAT the deputation by Mr. John Blommestein with respect to Item 2 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Amendment to Site Plan Approval - 16635 Yonge Street - Ward 6 be received and referred to staff.

Carried

2. Item 2 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Amendment to Site Plan Approval - 16635 Yonge Street - Ward 6.

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

a) Application for Amendment to Site Plan Approval to permit a new freestanding drug store building having a gross floor area of 1,615.60m² 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; and;

ii) THAT the applicant be directed to work with staff to address concerns regarding pedestrian visibility at the Savage Road entrance;

b) AND THAT Mr. Mauro Cristini, Project Planner of Metrus Properties, 30 Floral Parkway Concord, ON L4K 4R1 be notified of this decision.

Carried

Consent Items

Moved by: Councillor Sponga
Seconded by: Councillor Hempen

THAT the following items be adopted on consent:

3. Corporate Services Report - Legislative Services 2015-19 dated November 17, 2015 regarding 2016 Schedule of Meetings.

a) THAT Corporate Services Report - Legislative Services 2015-19 dated November 17, 2015 regarding 2016 Schedule of Meetings be received and the following recommendations be adopted:

i) THAT the January through December 2016 meeting schedule (attached as Appendix A) be adopted;

ii) AND THAT the notice requirements for the January 11, 2016 Committee of the Whole meeting be amended to allow for the agenda distribution to occur on January 6, 2016.

4. Corporate Services Report - Legislative Services 2015-20 dated November 19, 2015 regarding the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan.

a) THAT Corporate Services Report - Legislative Services 2015-20 dated November 19, 2015 regarding the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan be received and the following recommendation be adopted:

i) THAT the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan, attached as Appendix 'A' be approved.

5. Development and Infrastructure Services Report - Engineering Services 2015-64 dated November 30, 2015 regarding Bristol Road - Main Street North to Ashworth Drive - Parking Review.

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-64 dated November 30, 2015 regarding Bristol Road - Main Street North to Ashworth Drive - Parking Review be received and the following recommendations be adopted:

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

Prohibited Parking Anytime on the north side of Bristol Road between Main Street North to the property limit between #565 and #569 Bristol Road;

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

6. Development and Infrastructure Services Report - Engineering Services 2015-67 dated November 30, 2015 regarding 'Traffic By-law 2011-24 Housekeeping Amendments' (Gorham Street and Carlson Drive).

a) THAT Development and Infrastructure Services Report – ES 2015-67 dated November 30, 2015, regarding 'Traffic By-law 2011-24 Housekeeping Amendments' be received and the following recommendations be adopted:

i) THAT Schedule VIII (Signalized Intersections) of Traffic By-law 2011-24, as amended, be further amended by adding the following:

Gorham Street at Carlson Drive/Doak Lane;

ii) AND THAT Section 1 (Definitions) of Traffic By-law 2011-24, as amended, be further amended by adding the following:

1.32.1 “multi-use path” (MUP) is part of a highway not being part of the roadway that has been improved by paving or other means and designed with sufficient width for both pedestrian and bicycle use;

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

7. Site Plan Review Committee Meeting Minutes of October 26, 2015.

a) THAT the Site Plan Review Committee Meeting Minutes of October 26, 2015 be received.

8. Item 1 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Site Plan Approval - 17844 Leslie Street - Ward 3.

a) Application for Site Plan Approval to permit a new motor vehicle service station along with a 154m² convenience store with a take-out food establishment and four island gas pumps covered by a canopy 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; and;

ii) THAT the applicant be directed to work with staff and the neighbouring residents to address comments raised at the meeting by Committee members and residents regarding the right turn only on to Janette Street, lighting and the ability to turn lights off when the business is closed, the hedge row and trees being planted to ensure that there is a good buffering on the west side of property and the pruning of the Siberian Elms;

b) AND THAT Ms. Nicole Sampogna, Associate Planner of Evans Planning Inc., 8481 Keele Street Unit 12, Vaughan, ON L4K 1Z7 be notified of this decision.

9. New Business Item of the Site Plan Review Committee Minutes of October 26, 2015.
 - a) THAT staff report back to SPRC outlining enhancements to the agenda materials with a view to providing members with a more user friendly agenda package.
10. Heritage Newmarket Advisory Committee Minutes of July 7, September 8 and October 6, 2015.
 - a) THAT the Heritage Newmarket Advisory Committee Minutes of July 7, September 8 and October 6, 2015 be received.
11. Item 2 of the Heritage Newmarket Advisory Committee Minutes of October 6, 2015 regarding award nomination.
 - a) THAT Ross Caister be recommended for nomination for the Ontario Historical Society's Carnochan Award.
12. Item 7 of the Heritage Newmarket Advisory Committee Minutes of October 6, 2015 regarding workplan and membership.

The Operational Leadership Team recommends:

THAT the Heritage Newmarket Advisory Committee recommendation b) related to Committee membership be referred to the Appointment Committee.

The Heritage Newmarket Advisory Committee recommends to Council:

- a) THAT the Heritage Newmarket Advisory Committee workplan be approved and forwarded to Council;
 - b) AND THAT Heritage Newmarket Advisory Committee membership be amended from seven (7) to twelve (12) Newmarket residents in order to carry out the Committee responsibilities as prescribed in the Ontario Heritage Act and the Committee's workplan and recommended by the Heritage Newmarket Advisory Committee at the November 4, 2015 meeting.
13. Accessibility Advisory Committee Minutes of September 17, 2015.
 - a) THAT the Accessibility Advisory Committee Minutes of September 17, 2015 be received.

14. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

Carried

15. Corporate Services Report - Legislative Services 2015-21 dated November 19, 2015 regarding Lobbyist Registry for the Northern Six Waste Collection Contract (2017-2027).

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kerwin

a) THAT Corporate Services Commission Report - Legislative Services Report 2015-21 dated November 19, 2015 regarding 'Lobbyist Registry for the Northern Six Waste Collection Contract (2017-2027)' be received and referred to staff to develop recommendations based on the framework outlined in Option B in Appendix A and a requirement for all communications to Council from potential proponents to be received in writing only, to be made public through an information report, subject to any applicable legislation.

Carried

16. Corporate Services Report - Legislative Services 2015-24 dated November 19, 2015 regarding Selection of Town Crier.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kerwin

a) THAT Corporate Services Report - Legislative Services 2015-24 dated November 19, 2015 regarding Selection of Town Crier be received and the following recommendations be adopted:

i) THAT staff be directed to work with the Ontario Guild of Town Criers to hold a competition to select a Town Crier for Council appointment;

ii) AND THAT staff be directed to prepare a Volunteer Contract to be brought back with the recommended appointment.

Carried

17. Corporate Services Report - Legislative Services 2015-25 dated November 17, 2015 regarding Noise By-law Exemption (VivaNext Bus Rapid Transit Yonge Street).

Moved by: Councillor Bisanz

Seconded by: Councillor Broome-Plumley

a) THAT Corporate Services Report - Legislative Services 2015-25 dated November 17, 2015 regarding VivaNext Bus Rapid Transit Yonge Street Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:

i) THAT the request from RapidLINK for a noise exemption to perform necessary works for the vivaNext Bus Rapid Transit Y3.2 project between the hours of 9:00 p.m. to 7:00 a.m. from December 7, 2015 until December 31, 2016 be approved; excluding the following:

December 25, 2015 (Christmas Day), December 26, 2015 (Boxing Day)

January 1, 2016 (New Year's Day)

December 25, 2016 (Christmas Day)

December 26, 2016 (Boxing Day)

ii) AND THAT this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.

Carried

18. Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding Proposed Trail from Yonge Street to Rita's Avenue.

Moved by: Councillor Broome-Plumley

Seconded by: Councillor Kerwin

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be received and the following recommendations be adopted:

i) THAT Council endorse Option 2 contained in this report as the preferred option for the proposed trail connection from Rita's Avenue to Yonge Street;

ii) AND THAT staff organize and hold a Public Information Centre;

iii) AND THAT the costs associated with the proposed land transfer are borne by the Town;

iv) AND THAT the trail connection from Rita's Avenue to Yonge Street be included in the 2016 Capital Budget with a provision of \$630,000 to be funded from reserves;

v) AND THAT the 2015 Capital Budget for Rita's Avenue Trail Connection of \$304,399 be cancelled.

Carried

19. Development and Infrastructure Services - Planning and Building Services Report 2015-42 dated November 30, 2015 regarding Glenway Lessons Learned - Priorities and Objectives Action Plan.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-42 dated November 30, 2015 regarding Glenway Lessons Learned - Priorities and Objectives Action Plan be received and the following recommendation be adopted:

i) THAT the items listed in Table 1 - Action Plan, form the basis for the future processing of development applications within the Town.

Carried

20. Development and Infrastructure Services - Planning and Building Services Report 2015-43 dated November 19, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision - Lorne Park Gardens Inc.

Moved by: Councillor Kerwin
Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-43 dated November 19, 2015 regarding Application for Official Plan Amendment, Zoning By-law amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT approval be given to Draft Plan of Subdivision 19TN-2014 001, subject to the schedule of conditions set out in Appendix “A” attached to and forming part of this Report;

ii) THAT the application for Official Plan Amendment and Zoning By-law Amendment for lands located at 955 and 995 Mulock Drive be approved and that staff be directed to prepare the necessary Official Plan and Zoning By-law Amendments including a Holding Provision, as necessary;

iii) AND THAT Mr. Ryan Guetter, Weston Consulting, 201 Millway Avenue, Suite 19 Vaughan, ON L4K 5K8 be notified of this action.

iv) AND THAT the letter from Ms. Wendy Gamoyda, President, Y.R.S.C.C. 969 and Mr. Scott Stewart, President, YRCC 944 dated November 30, 2015 regarding Proposed Townhouse Development Official Plan and Zoning Amendment Applications, 955 and 995 Mulock Drive - Report 2015-43 to the Town of Newmarket Committee of the Whole be received and referred to staff.

Carried

21. Development and Infrastructure Services Report - Engineering Services 2015-63 dated November 30, 2015 regarding Woodspring Avenue - Bonshaw Avenue to Town Limit - Bicycle Lanes and On-Street Parking.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-63 dated November 30, 2015 regarding Woodspring Avenue - Bonshaw Avenue to Town Limit - Bicycle Lanes and On-Street Parking be referred to staff for additional information, including costs.

Carried

22. Community Services - Economic Development Report 2015-36 dated November 17, 2015 regarding Downtown Patios - Pilot Project.

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Sponga

a) THAT Community Services - Economic Development Report 2015-36 dated November 17, 2015 regarding the Downtown Patios Pilot Project be received and the following recommendations be adopted:

i) THAT staff be directed to prepare the necessary changes to by-laws to enact a permanent downtown patio program;

ii) AND THAT the program be consistent with established requirements for design, closing hours, accessibility, noise and costs;

iii) AND THAT staff consider an additional applicant requiring on-street parking in 2016 subject to established criteria and in consultation with the BIA;

iv) AND THAT the Lower Main Street Business Improvement Association be notified of this decision and consulted on the proposed fee structure.

Carried

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Kerwin

THAT downtown outdoor patio closing hours be 11:00 p.m. on Friday and Saturday evening in July and August only.

Carried

23. Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Lease Spaces and Potential Fitness Centre.

The Commissioner of Community Services and Director of Recreation and Culture provided a verbal presentation regarding the proposed fitness centre installation at the Magna Centre and background related to the proposal, including considerations related to the utilization of space at the Magna Centre, programming proposals, partnership opportunities and associated timelines. Discussion ensued regarding the potential to issue a Request for Proposal to obtain a fitness vendor on the site and impacts and consultation with private sector organizations.

An alternate motion was presented and discussion ensued.

Moved by: Councillor Hempen
Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre be referred to the December 14, 2015 Council meeting.

Carried

Action Items

24. Development and Infrastructure Services Report - Engineering Services 2015-66 dated November 30, 2015 regarding Professional Engineering Consultant Checking and Inspection Services.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Kerwin

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-66 dated November 30, 2015 regarding Professional Engineering Consultant Checking and Inspection Services be received and that Council endorse Option 1 as outlined in this report and that staff be directed to:

i) Continue with the Town's current best practice by extending the Professional Consulting Services Agreement with R.J. Burnside and Associates Limited (RJB) at a 'preferred client discounted rate' (discounted rates that are annually adjusted as per industry standards) for a period of three years, plus two one-year renewal options.

Carried

Reports by Regional Representatives

None.

Notices of Motion

None.

Motions

None.

New Business

- a) Councillor Kerwin provided an update on Srigley Street construction and provided a high level summary of the infrastructure issues that have been resolved. He further advised that deficiencies on Gorham Street have been resolved.
- b) Councillor Sponga advised that Andrew Street was recently topcoated with asphalt.
- c) Councillor Hempen thanked the Commissioner of Development and Infrastructure Services and his staff for their excellent customer service initiatives.

Closed Session

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

Public Hearing Matters

None.

Adjournment

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 5:25 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk