

The meeting of the Committee of the Whole was held on Monday, January 11, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen (1:31 to 2:51 p.m.)(3:02 to 5:05 p.m.)
Councillor Sponga
Councillor Broome-Plumley (1:31 to 3:02 p.m.)
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
C. Service, Director of Recreation & Culture
J. Unger, Assistant Director of Planning
C. Kallio, Economic Development Officer
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

The Chief Administrative Officer advised of the addendum items, being a deputation request by Mr. Stephen Mrakovcic regarding Magna Centre – Fitness Upgrade and a brief PowerPoint presentation by the Commissioner of Development and Infrastructure related to Item 7 being Development and Infrastructure Services Report – Engineering Services 2016-02 dated January 4, 2016 regarding Water Street Crossing – Update.

Moved by: Councillor Sponga
Seconded by: Councillor Bisanz

THAT the addendum items be included on the agenda.

Carried

Declarations of Pecuniary Interest

- a) Councillor Hempen declared an interest in Item 4 of the agenda, being Joint Report Community Services - Economic Development, Development and Infrastructure Services - Planning, Corporate Services - Finance 2016-01 dated December 17, 2015 regarding Targeted Marketing Program to Advance Re-development of Davis Drive Properties as he owns properties along the Davis Drive corridor, being 232 Penn Avenue and 20 Hill Street. He advised that he would not take part in the discussion or voting on the matter.

Presentations & Recognitions

None.

Deputations

1. Ms. Sabrina Rezaïy, Sabrina's Pizzeria Bar & Grill, addressed the Committee and asked that they consider her financial losses should her contract with the Town be terminated early and provided a brief summary of her costs. In addition, she requested that the security deposit that was submitted be provided immediately should her contract be terminated.

Moved by: Councillor Sponga
Seconded by: Councillor Hempen

THAT the deputation by Ms. Sabrina Rezaïy, Sabrina's Pizzeria Bar & Grill regarding Magna Centre leases and proposed fitness centre be received.

Carried

2. Mr. Stephen Mrakovcic, Master Fitness Inc., addressed the Committee with respect to the proposed fitness centre at the Magna Centre. He advised that he is not supportive of the proposal and expressed concern for other small gym facilities should the proposal be approved. He indicated that he doesn't support the municipality being involved in this type of venture and is not supportive of tax dollars being allocated to the project.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT the deputation by Mr. Stephen Mrakovcic, Master Fitness Inc. regarding Magna Centre - Fitness Upgrade be received.

Carried

Consent Items

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

THAT the following items be adopted on consent:

3. Joint Commissioner/Legal Services and Procurement Services Report 2016-02 dated January 6, 2016 regarding Response to Deputation - Sabrina's Pizzeria Bar and Grill.

a) THAT Joint Commissioner/Legal Services and Procurement Services Report 2016-02 dated January 6, 2016 regarding staff response to Council deputation by Sabrina's Pizzeria Bar and Grill regarding RFP 2014-04, Leased Space Opportunities Food and Beverage be received.

4. Development and Infrastructure Services Report - Engineering Services 2016-03 dated January 4, 2016 regarding Grant Blight Crescent - West-end Parking Review.

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-03 dated January 4, 2016 regarding Grant Blight Crescent - West-end 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 deleting the following:

Grant Blight Crescent, on the west and north side between Bristol Road to the lot line between # 129 and # 133 Monday to Friday between the hours of 8:00 a.m. and 4:00 p.m.; and Grant Blight Crescent, on the east and south side between Bristol Road to the lot line between # 128 and # 132 Monday to Friday between the hours of 8:00 a.m. and 4:00 p.m.; and Grant Blight Crescent, on the east and north side between Stiver Drive to the lot line between # 129 and # 133 Monday to Saturday between the hours of 8:00 a.m. to 4:00 p.m.; and Grant Blight Crescent on the west and south side between Stiver Drive to the lot line between

128 and # 132 Monday to Saturday between the hours of 8:00 a.m. to 4:00 p.m.;

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

Grant Blight Crescent on both sides between Bristol Road to Stiver Drive Monday to Friday between the hours of 8:00 a .m. to 4:00 p.m.;

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

5. Development and Infrastructure Services Report - Engineering Services 2016-04 dated January 4, 2016 regarding the Final Acceptance and Assumption of the Stormwater Management Pond - Garden Homes Residential Subdivision.

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-04 dated January 4, 2016 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Garden Homes Residential Subdivision be received and the following recommendations be adopted:

i) THAT the Stormwater Management Pond for Garden Homes Residential Subdivision be finally accepted and assumed by the Town;

ii) AND THAT Mr. Ignazio Giardina of Garden Homes Inc. and Mr. Angelo Maurizio, P. Eng., of Schaeffer & Associates Ltd. be notified of these recommendations.

6. Corporate Services Report - Financial Services 2016-03 dated January 6, 2016 regarding Corporate Financial Policies.

a) THAT Corporate Services Report - Financial Services 2016-03 dated January 6, 2016 regarding the Corporate Financial Policies be received and the following recommendations be adopted:

i) THAT the following corporate financial policies including the policies' appendices be approved by Council:

Revised Investment Policy, Revised Mileage Policy;

ii) AND THAT a by-law regarding Banking Related Authorities be forwarded to Council for adoption.

7. Corporate Services Report - Financial Services 2016-02 dated January 7, 2016 regarding the 2016 Interim Tax Billing and By-law.
 - a) THAT Corporate Services Report - Financial Services 2016-02 dated January 7, 2016 regarding the 2016 Interim Tax Billing be received and the following recommendation be adopted:
 - i) THAT Council enact a by-law (attached hereto as Appendix 'A') for the levy and collection of the 2016 Interim Tax Levy.
8. Excerpt from Minutes - Item 3 of Central York Fire Services - Joint Council Committee Draft Minutes of December 15, 2015. (Central York Fire Services Report 2015-10 dated December 15, 2015 regarding 55' Aerial/Quint Cost Increase attached for information purposes only)
 - a) THAT Central York Fire Services Report 2015-10 dated December 15, 2015 regarding 55' Aerial/Quint Cost Increase be received and the following recommendations be adopted:
 - i) THAT the Joint Council Committee (JCC) approve additional funds from reserve to purchase a replacement Aerial/Quint device due to a shortfall in the budget;
 - ii) AND THAT JCC authorize the Director of Finance and the Manager of Procurement to fund from reserve the replacement apparatus by \$366,000.00 CDN (excluding applicable taxes).
9. Newmarket Public Library Board Minutes of October 21 and November 18, 2015.
 - a) THAT the Newmarket Public Library Board Minutes of October 21 and November 18, 2015 be received.
10. Newmarket Economic Development Advisory Committee Minutes of October 29, 2015 and November 19, 2015.
 - a) THAT the Newmarket Economic Development Advisory Committee Minutes of October 29, 2015 and November 19, 2015 be received.
11. Main Street District Business Improvement Area Board of Management Minutes of October 20, 2015 and November 17, 2015.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of October 20, 2015 and November 17, 2015 be received.

12. Newmarket Environmental Advisory Committee Minutes of November 25, 2015.
 - a) THAT the Newmarket Environmental Advisory Committee Minutes of November 25, 2015 be received.
13. Heritage Newmarket Advisory Committee Minutes of November 3, 2015 and December 1, 2015.
 - a) THAT the Heritage Newmarket Advisory Committee Minutes of November 3, 2015 and December 1, 2015 be received.
14. Site Plan Review Committee Minutes of December 14, 2015.
 - a) THAT the Site Plan Review Committee Minutes of December 14, 2015 be received.
15. Item 1 of the Site Plan Review Committee Minutes of December 14, 2015 regarding an Application for Amendment to Site Plan Approval to permit the reconstruction of the existing parking lot to expand the capacity from 63 to 83 spaces, improve emergency access and introduce Low Impact Development (LID) measures for stormwater management.
 - a) That the Application for Amendment to Site Plan Approval to permit the reconstruction of the existing parking lot to expand the capacity from 63 to 83 spaces, improve emergency access and introduce Low Impact Development (LID) measures for stormwater management be approved in principle and referred to staff for processing, subject to the following:
 - i) THAT the preliminary review comments be addressed to the satisfaction of Town Staff; and
 - ii) AND THAT the application be referred to a Public Information Centre;
 - iii) AND THAT Mr. Mike Walters, Chief Administrative Officer of Lake Simcoe Region Conservation Authority 120 Bayview Parkway, Box 282, Newmarket, ON L3Y 3W3 be notified of this decision;
 - iv) AND THAT Ms. Andrea Keeping, Project Manager, Water Resources of Candevcon Limited 1600 Champlain Avenue, Suite 402, Whitby, ON L1N 9B2 be notified of this decision.

16. Correspondence/Report from Amberley Gavel regarding the Closed Meeting Investigation.
- a) THAT the correspondence/report from Amberley Gavel regarding the Closed Meeting Investigation be received.
17. Correspondence dated November 27, 2015 from Samita Sarwan, National Eating Disorder Information Centre requesting that February 1 to 7, 2016 be proclaimed as 'Eating Disorder Awareness Week'.
- a) THAT the correspondence dated November 27, 2015 from Samita Sarwan be received and the following recommendations be adopted:
- i) THAT the Town of Newmarket proclaim February 1 to 7, 2016 as 'Eating Disorder Awareness Week';
- ii) AND THAT the proclamation be advertised on the Town Page advertisement and on the Town's website www.newmarket.ca

Carried

Closed Session

18. Joint Community Services Report - Recreation and Culture and Corporate Services - Legal Services (Closed Session) 2016-04 dated January 11, 2016 regarding the Magna Centre restaurant and advice that is subject to solicitor/client privilege as per Section 239 (2) (f) of the Municipal Act, 2001.

Moved by: Councillor Sponga
Seconded by: Councillor Bisanz

THAT the meeting convene into Closed Session regarding Joint Community Services Report - Recreation and Culture and Corporate Services - Legal Services (Closed Session) 2016-04 dated January 11, 2016 regarding the Magna Centre restaurant and advice that is subject to solicitor/client privilege as per Section 239 (2) (f) of the Municipal Act, 2001.

Carried

Committee of the Whole resolved into Closed Session at 1:48 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 2:28 p.m.

19. Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre.

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Hempen

a) THAT Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre be received and the following recommendations be adopted:

i) THAT the Town of Newmarket convert the existing restaurant space into an equipment based, membership oriented fitness facility within the capital costs identified;

ii) AND THAT staff report back on options for the kitchen and kiosk spaces, including an expanded fitness centre in the kitchen area and/or maintaining a food kiosk;

iii) AND THAT the funding be added to the draft 2016 Capital Budget.

Carried

20. Joint Report Community Services - Economic Development, Development and Infrastructure Services - Planning, Corporate Services - Finance 2016-01 dated December 17, 2015 regarding Targeted Marketing Program to Advance Re-development of Davis Drive Properties.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Bisanz

a) THAT Community Services - Economic Development, Development and Infrastructure Services - Planning and Corporate Services - Finance Joint Report 2016-01 dated December 17, 2015 regarding the Targeted Marketing Program to Advance Re-development of Davis Drive Properties be received and the following recommendations be adopted:

i) THAT an exploratory engagement process and utilization of existing incentives and associated budgets be initiated immediately with a 'to be identified' list of developers/landowners related to specific properties along Davis Drive;

ii) AND THAT while this exploratory engagement process is ongoing, staff engage outside consulting expertise to address development approval processes, associated timelines/communication practices and incentive funding mechanisms/approaches and report back within 120 days;

iii) AND THAT NEDAC be consulted throughout this process;

iv) AND THAT the development of Davis Drive be the subject of a future Economic Development Congress within 2016 where a cross section of stakeholders can come together to share ideas specific to advancing the implementation of the Secondary Plan and in keeping with the NEDAC Economic Development strategy re-fresh currently in development;

v) AND THAT the staffing related to fulfilling economic development initiatives continue at their current levels as indicated in the report with longer term staffing to be monitored and reviewed against specific needs related to the realization of Council's Strategic Priorities, implementation associated with the re-development of Davis Drive and to support NEDAC's economic development re-fresh; with a detailed staffing report to come to Committee of the Whole no later than Q3, 2016.

Carried

Councillor Hempen did not take part in the discussion or voting of the foregoing matter.

The Committee of the Whole recessed at 3:02 p.m.

Councillor Broome-Plumley left at 3:02 p.m.

The Committee of the Whole reconvened at 3:17 p.m.

21. Community Services Report - Recreation and Culture 2016-02 dated December 22, 2015 regarding Hollingsworth Arena Replacement Follow-Up.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Hempen

a) THAT Community Services Report - Recreation and Culture 2016-02 dated December 22, 2015 regarding Hollingsworth Arena Replacement Follow-Up be received and the following recommendations be adopted:

i) THAT staff continue arena negotiations with Pickering College with the goal of being in a position to recommend a capital and operating financial framework at the February 1, 2016 Committee of the Whole;

ii) AND THAT in the event Pickering College negotiations do not result in a recommended financial framework, that staff considers other arena location options to be included as part of discussions at a February Council Workshop regarding Recreation Playbook Implementation: Facility Needs/Location Planning;

iii) AND THAT in support of operational efficiencies and further to Recommendation # 2 staff concurrently consider a potential outdoor artificial ice surface be incorporated as part of indoor arena replacement scenarios.

Carried

22. Community Services - Recreation and Culture Report 2016-03 dated January 11, 2016 regarding Artificial Turf Field Agreement Follow-Up.

Moved by: Councillor Hempen

Seconded by: Councillor Kerwin

a) THAT Community Services - Recreation and Culture Report 2016-03 dated January 11, 2016 regarding an agreement with the York Region District School Board (YRDSB) for an Artificial Turf Field be received and the following recommendation be adopted:

i) THAT Council delegate authority to staff to enter into an agreement with the YRDSB for the construction and operation of an artificial turf sports field located at Dr. John M. Denison High School as outlined in this report.

Carried

23. Development and Infrastructure Services Report - Engineering Services 2016-02 dated January 4, 2016 regarding Water Street Crossing - Update.

The Commissioner of Development and Infrastructure Services and the Senior Transportation Coordinator addressed the Committee with a PowerPoint presentation which summarized the main drivers of the design concepts for the Water Street pedestrian crosswalk and provided an overview of the two design options currently being proposed. Discussion ensued regarding each proposed option, accessibility features, including compliance with the Accessibility for Ontarians with Disabilities Act, the existing interlock on Water Street, options for a signalized crosswalk and maintenance of the existing left turn option.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT the PowerPoint presentation by the Commissioner of Development and Infrastructure Services and the Senior Transportation Coordinator regarding Water Street Crossing – Update be received.

Carried

An alternate motion was presented and discussion ensued.

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

a) THAT Development and Infrastructure Services Report – ES 2016-02 dated January 4, 2016 entitled “Water Street Crossing - Update” be received and the following recommendations be adopted:

i) THAT Option 2 be endorsed as the preferred option to address pedestrian safety, with modifications to include a full left hand turn lane;

ii) AND THAT a Public Information Centre meeting be held in Q3 2016 with the results and final design including costs to be forwarded in an Information Report;

iii) AND THAT a copy of this report and Council extract be forwarded to representatives of Metrolinx and York Region.

Carried

24. Item 2 of the Site Plan Review Committee Minutes of December 14, 2015 regarding an Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot.

An alternate motion was presented and discussion ensued.

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

a) THAT the Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot be approved in principle and referred to staff for processing, subject to the following:

i) THAT the preliminary review comments be addressed to the satisfaction of Town Staff;

ii) AND THAT the requirement for a Public Information Centre be waived;

iii) AND THAT the Region of York be requested to clarify the process and timing related to the opportunity for accommodating a skateboard park and snow storage at this site;

iv) AND THAT Mr. Vikas More, Project Manager, Capital Delivery of The Regional Municipality of York 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this decision;

v) AND THAT Mr. Chris Kubbinga, Principal of Thomas Brown Architects Inc., 197 Spadina Avenue, Suite 200, Toronto, ON M5T 2C8 be notified of this decision.

Carried

25. List of Outstanding Matters.

Councillor Kerwin inquired on the status of Item 20 on the List of Outstanding Matters being Recreation Playbook Recommendations Requiring Land. The Chief Administrative Officer advised that a meeting to discuss all potential land acquisitions is anticipated to take place in Q1, 2016.

Councillor Twinney inquired on the status of Item 14 on the List of Outstanding Matters, specifically related to a public process addressing a replacement arena and proposed disposition of land at Hollingsworth Arena. The Commissioner of Development and Infrastructure Services advised that the project date of Q1, 2016 may not be achievable at this time and that staff continue to work on this matter.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the list of Outstanding Matters be received.

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motion

None.

Motions

None.

New Business

- a) Councillor Kerwin advised that the Bogart Creek is rising and expressed concern with respect to flooding of the bridge from Sheridan Court to College Manor Drive. He recommended that the water levels in the creek be monitored as a precautionary measure.

Public Hearing Matters

None.

Adjournment

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 5:05 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk