



Town of Newmarket **MINUTES**

COUNCIL

Monday, February 8, 2016 at 7:00 PM
Council Chambers

For consideration by Council
on February 29, 2016

The meeting of the Council was held on Monday, February 8, 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 Sponga
Councillor Broome-Plumley
Councillor Bisanz

Absent: Councillor Hempen

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Moore, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
C. Finnerty, Council/Committee Coordinator
J. Patel, Business Support Analyst

Open Forum

None.

The meeting was called to order at 7:00 p.m.

Mayor Van Bynen in the Chair.

Public Notices

None.

Additions & Corrections to the Agenda

1. Additions & Corrections to the Agenda

The Chief Administrative Officer advised that adoption of the addendum items will require a 2/3 majority as the motion regarding Bill 42, being Item 8 of the agenda, will be considered directly by Council. He further advised of the addendum item, being a deputation by Mr. John Blommestejn regarding Election of a Regional Chair, related to Item 8 of the agenda and summarized corrections to the agenda, being an administrative correction to Item 13 of the Committee of the Whole Minutes of February 1, 2016 regarding Development Coordination Service Arrangement, an amendment to Item 8 of the agenda, being a Motion by Councillor Bisanz regarding Bill 42 to replace the word 'govern' with 'presides over' in Recital #4 and advised that a Motion by Councillor Hempen regarding Davis Drive/Longford Drive entrance sign will be considered at the Committee of the Whole meeting of February 22, 2016.

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

THAT the addendum items be included on the agenda.

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

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

Carried by 2/3 majority

Declarations of Pecuniary Interest

- a) Councillor Vegh declared an interest in Item 2 of the Agenda, being a deputation by representatives from Inn from the Cold as he is an employee of the organization. He advised that he will not take part in the discussion or voting of the matter.
- b) Deputy Mayor & Regional Councillor Taylor declared an interest in Item 14 of the Committee of the Whole Minutes of February 1, 2016 being Development and Infrastructure Services – Planning and Building Services Report 2016-04 dated January 21, 2016 regarding an Application for Official Plan and Zoning By-law Amendment – 260 Eagle Street as he owns property in close proximity to the subject lands. He advised that he will not take part in the discussion or voting of the matter.

Presentations & Recognitions

2. Mr. Mike Walters, Chief Administrative Officer, Lake Simcoe Region Conservation Authority addressed Council with a PowerPoint presentation and provided a summary of the Lake Simcoe Region Conservation Authority 2016-2020 Strategic Plan and provided an overview of the vision, mission, values and goals of the plan. He further provided information on potential partnerships and reporting mechanisms.

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

THAT the presentation by Mr. Mike Walters, Chief Administrative Officer, Lake Simcoe Region Conservation Authority regarding the Conservation Authority's Strategic Plan be received.

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

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

Carried

Deputations

3. Mr. Dan Kuzmyk, Chair and Ms. Martha Berry, Volunteer Coordinator, Inn From the Cold addressed Council with a video and PowerPoint slide regarding Inn From the Cold's work in the past year to address homelessness and the Coldest Night of the Year Event. Members of Council were invited to participate in the Coldest Night of the Year event on February 20, 2016.

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

THAT the deputation by Mr. Dan Kuzmyk, Chair and Ms. Martha Berry, Volunteer Coordinator, Inn From the Cold regarding homelessness and the "Coldest Night of the Year" event on February 20, 2016 be received.

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

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

Carried

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

4. Mr. John Blommestejn addressed Council with a PowerPoint presentation summarizing the advocacy work of the York Region Taxpayers Coalition as it relates to accountability. He advised that the group is generally supportive of Bill 42; however he recommended that it be amended to provide for ranked balloting, should this option be approved by the Province, and that York Region have the same accountability offices as required by the City of Toronto Act.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the deputation by Mr. John Blommestejn regarding Electing Regional Chair be received.

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

Carried

Approval of Minutes

5. Council Minutes of January 18, 2016.

Moved by: Councillor Sponga
Seconded by: Councillor Kerwin

THAT the Council Minutes of January 18, 2016 be approved.

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

Carried

Reports by Regional Representatives

- a) Deputy Mayor & Regional Councillor Taylor provided an update on the Waste Free Ontario Act, which looks to significantly change blue box collection province wide and summarized some of the potential impacts of the Act, including service level concerns, and mitigation of issues that may result from the RFP process.
- b) Deputy Mayor & Regional Councillor Taylor advised that he has put forward a motion at Council requesting that staff report back on the potential for audio and video live streaming and archiving of Committee of the Whole and Council meetings in order to enhance access for residents to Regional Council matters.

Reports of Committees and Staff

6. Council Workshop Record of January 25, 2016.

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

THAT the Council Workshop Record of January 25, 2016 be received.

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

Carried

7. Committee of the Whole Minutes of February 1, 2016.

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

THAT the Committee of the Whole Minutes of February 1, 2016 be approved and the following recommendations be adopted:

8. THAT the PowerPoint presentation by the Director of Public Works Services regarding the Northern Six Waste Collection Contract be received.
9. Development and Infrastructure Services Report - Public Works Services PWS 2016-08 dated January 18, 2016 regarding Northern Six Waste Collection Contract - 2017-2027 - Request for Proposal Preparation Update # 3.

a) THAT Development and Infrastructure Services Report - Public Works Services – PWS 2016-08 dated January 18, 2016 regarding Northern Six Waste Collection Contract 2017-2027 – Request for Proposal Preparation Update be received and the following recommendations be adopted:

i) THAT staff be directed to work collaboratively with the Northern Six municipalities on the preparation of the Request for Proposal (RFP) for a Northern Six Waste Collection Contract for up to a 10-year term beginning September 1, 2017;

ii) AND THAT Council authorize the Mayor and Clerk to execute a Memorandum of Understanding between Newmarket and the Towns of Aurora, Georgina, East Gwillimbury, Whitchurch-Stouffville and the Township of King that provides for the administration of the joint waste collection contract between the Northern Six Municipalities and a future waste collection contractor successful in an RFP selection process;

iii) AND THAT the Service Level Criteria for Customer Service and other performance objectives as noted in this Report be included in the Request for Proposal, as well as inclusion of Customer Service call reporting and monitoring, noting best management practices.

10. THAT the PowerPoint presentation by the Business Performance Coordinator regarding the Asset Management Policy and Strategy be received.

11. Development and Infrastructure Services - Commissioner Report 2016-01 dated January 11, 2016 regarding Asset Management Policy and Strategy.

a) THAT Development and Infrastructure Services - Commissioner Report 2016-01 dated January 11, 2016 regarding Asset Management be received and the following recommendation be adopted:

i) THAT Council adopt Corporate Policy CAO.4-01 'Asset Management' attached as Appendix A.

12. THAT the presentation by Mr. Andrew Tedford, Wickedly Sinful Truck Eats & Sweets regarding a food truck pilot project and new refreshment vehicle by-law recommendations be received and referred to staff to report back within a period of 60-90 days.

13. Development and Infrastructure Services - Planning and Building Services Report 2016-03 dated January 21, 2016 regarding a technical amendment to the Town's comprehensive Zoning By-law 2010-40.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-03 dated January 21, 2016 regarding a technical amendment to the Town's comprehensive Zoning By-law 2010-40 be received and the following recommendation be adopted:

i) THAT the proposed zoning amendment for the subject lands re-establishing the 45 metre setback be approved and that staff be directed to prepare the necessary Zoning By-law Amendment.

14. Correspondence dated January 18, 2016 from Ms. Andrea McKechnie, Support Committee, Queen's York Rangers 2799 Army Cadet Corps requesting permission to conduct tag days on April 16, 2016 and September 15 to September 18, 2016.

a) THAT the correspondence from Ms. Andrea McKechnie, Queen's York Rangers 2799 Army Cadet Corps be received and the following recommendations be adopted:

i) THAT permission be granted to conduct tag days in the Town of Newmarket on April 16, 2016 and September 15 to September 18, 2016;

ii) AND THAT Ms. McKechnie be notified in this regard.

15. Accessibility Advisory Committee Minutes of November 19, 2015.

a) THAT the Accessibility Advisory Committee Minutes of November 19, 2015 be received.

16. Main Street District Business Improvement Area Board of Management Minutes of December 15, 2015.

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of December 15, 2015 be received.

17. Audit Committee Minutes of October 13, 2015.

a) THAT the Audit Committee Minutes of October 13, 2015 be received.

18. Central York Fire Services - Joint Council Committee Minutes of December 15, 2015.

a) THAT Central York Fire Services - Joint Council Committee Minutes of December 15, 2015 be received.

19. List of Outstanding Matters.
- a) THAT the List of Outstanding Matters be received.
20. Development and Infrastructure Services - Planning and Building Services Report 2016-01 dated February 1, 2016 regarding the Development Coordination Service Arrangement.
- a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-01 dated February 1, 2016 regarding the Development Coordination Service Arrangement be received and the following recommendations be adopted:
- i) THAT the Town continue with the best practice model of the Development Coordination Committee with an outsourced 'Development Coordinator' role at a 'preferred client discounted rate' for all residential subdivision developments outside of the Urban Centres Secondary Plan area;
- ii) AND THAT the current Professional Consulting Services Agreement with HBR Planning Centre as the Town's Development Coordinator be extended for a period of three years, plus two one-year renewal options subject to Council approval;
- iii) AND THAT the two one-year renewal options be subject to Council approval to ensure clarity of Council's direction;
- iv) AND THAT the following be advised of this action: Mr. Howard Friedman, HBR Planning Centre, 66 Prospect Street, Newmarket ON L3Y 3S9.
21. Corporate Services - Legislative Services Report 2016-04 dated January 21, 2016 regarding Ward 2 Egg Laying Hens Pilot Project.
- a) THAT Corporate Services Report – Legislative Services 2016-04 dated January 21, 2016 regarding “Keeping of Hens” be received and the following recommendations be adopted:
- i) THAT Council endorse a 12 month pilot project in Ward 2 for up to five (5) residential properties regarding the keeping of egg laying hens in backyards commencing March 1, 2016;
- ii) AND THAT regulations for the keeping of backyard hens and coops be put in place, (attached as Appendix “A”) to come into effect on March 1, 2016;

iii) AND THAT Schedule “A” of the Animal Control By-law 2008-61 prohibiting chickens be waived within the scope and for the duration of the pilot project;

iv) AND THAT staff report back to Council regarding the outcome of the Ward 2 egg laying hens pilot project.

22. Community Services Report - Recreation and Culture - Corporate Services - Finance Joint Report 2016-08 dated January 27, 2016 Potential Hollingsworth Arena Replacement Next Steps.

a) THAT the Community Services Report - Recreation and Culture - Corporate Services - Finance Joint Report 2016-08 dated January 27, 2016 Potential Hollingsworth Arena Replacement Next Steps be received.

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

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

Carried

23. Development and Infrastructure Services – Planning and Building Services Report 2016-04 dated January 21, 2016 regarding Application for Official Plan and Zoning By-law Amendment – 260 Eagle Street.

Moved by: Councillor Sponga
Seconded by: Councillor Twinney

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-04 dated January 21, 2016 regarding Application for Official Plan and Zoning By-law Amendment be received and the following recommendations be adopted:

i) THAT the Application for Official Plan Amendment and Zoning By-law Amendment as submitted by 711371 Ontario Corp. for lands being composed of Lots 13 through 19 inclusive on Plan 371, municipally known as 260 Eagle Street be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, together with comments of the public, Committee and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) AND THAT Ms. Kerigan Kelly, Groundswell Urban Planners Inc., 30 West Beaver Creek Road, Suite 19, Vaughan, ON L4K 5K8 be notified of this action.

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

Carried

Deputy Mayor & Regional Councillor Taylor did not take part in the discussion or voting of the foregoing matter.

24. Committee of the Whole (Closed Session) Minutes of February 1, 2016.

Moved by: Councillor Vegh
Seconded by: Councillor Bisanz

THAT Committee of the Whole (Closed Session) Minutes of February 1, 2016 be approved.

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

Carried

By-laws

25. By-law 2016-05.

2016-05 A By-law to amend By-law 2010-40 being a Zoning By-law. (East side of Leslie Street south of Kingdale Road)

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

THAT By-law 2016-05 be enacted.

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

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

Carried

Notices of Motions

None.

Motions

26. Councillor Bisanz provided an overview of her motion related to Bill 42 and advised of the rationale behind the timing.

Moved by: Councillor Bisanz
Seconded by: Councillor Sponga

THAT the Town of Newmarket express its support for Bill 42 and request the Province of Ontario to pass Bill 42 to enable the election of the Regional Chair by general voting beginning with the 2018 Municipal Election;

AND THAT this motion be sent to The Honourable Kathleen Wynne, Premier of Ontario, The Honourable Ted McMeekin, Minister of Municipal Affairs and Housing, Patrick Brown, Leader of the Opposition, Andrea Horwath, Leader of the NDP, All York Region MPP's and all York Region Municipalities.

In Favour: Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: Mayor Van Bynen
(7 in favour, 1 opposed)

Carried

Announcements & Community Events

a) Councillor Bisanz provided an overview of the Say My Name Canada event, which is a 30-day kindness challenge culminating on Pink Shirt Day February 24, 2016 with the international release of a video for Say My Name. For more details visit www.saymynamecanada.com

- b) Councillor Broome-Plumley advised that Clearmeadow Public School, 200 Clearmeadow Boulevard will be hosting their 4th Annual Winterpalooza event on Saturday, February 20, 2016. Enjoy horse drawn wagon rides, indoor and outdoor games, a barbecue and many more fun events.
- c) Councillor Broome-Plumley invited Ward 6 residents to attend a one-on-one meeting on Wednesday, February 17, 2016 from 7:00 p.m. to 9:00 p.m. at the Newmarket Public Library, 438 Park Avenue. For more information call 905-716-1756 or email kbroome-plumley@newmarket.ca
- d) Councillor Sponga invited residents to get an early start on registering for Town of Newmarket summer camps. Registration opens on February 24, 2016 at 6:30 a.m. for Newmarket residents and March 2, 2016 at 8:30 a.m. for non-residents. Register online at www.newmarket.ca or in person at the Municipal Offices or the kiosks at the Magna Centre, Ray Twinney Recreation Complex, Newmarket Seniors Meeting Place, and the Recreation Youth Centre. For further information call 905-895-5193.
- e) Councillor Sponga invited residents to enjoy Family Day fun on February 15, 2016 at the Magna Centre, 800 Mulock Drive. Families are invited to enjoy swimming, skating and various activities in the gym. The general admission cost is \$2.00 or less per person per activity. A full schedule is available online at www.newmarket.ca/recreation or by calling 905-895-5193.
- f) Councillor Vegh invited residents to attend the Elman W. Campbell Museum, 134 Main Street South for Family Day on February 15, 2016 from 11:00 a.m. to 3:00 p.m. to enjoy old-fashioned wooden toys and activities and see the model train, Nursery Rhyme and Fairy Tale displays. The event is suitable for ages 4-10 and is \$3.00 per participant with the donation of a non-perishable food item for the Newmarket Food Pantry. For more information call 905-953-5314.
- g) Councillor Kerwin invited residents to attend the Newmarket Seniors' Meeting Place, 474 Davis Drive for a Shrove Tuesday breakfast on February 9, 2016 from 9:00 a.m. to 11:30 a.m. Enjoy pancakes, sausages, tea and coffee for a fee of \$3.00 for members and \$5.00 for non-members. Tickets can be purchased at the Newmarket Seniors' Meeting Place, or for more information call 905-953-5325.
- h) Councillor Kerwin thanked Chris Simon, Newmarket Era, for his tribute to Mr. Ivan Prokopchuk, who recently passed away at 77 years.

- i) Councillor Twinney invited the public to attend a Public Information Centre (PIC) on February 9, 2016 from 6:00 to 8:00 p.m. at the Lake Simcoe Region Conservation Authority Offices at 120 Bayview Parkway. The purpose of the PIC is to allow for public comment on an application for site plan approval to permit a parking lot expansion at 120 Bayview Parkway. Project drawings will be on display and representatives from the Lake Simcoe Region Conservation Authority, Town officials and staff will be available to answer questions and provide information. For more details call the Town of Newmarket Planning & Building Services Department at 905-895-5193 or Steve Auger, Stormwater Management Specialist at Lake Simcoe Region Conservation Authority at 905-895-1281. Should you be unable to attend but wish to provide comments please email Linda Traviss, Planning at ltraviss@newmarket.ca
- j) Deputy Mayor & Regional Councillor Taylor encouraged residents to stay connected and sign-up for the 'Newmarket Now!' e-newsletter at www.newmarket.ca in order to receive current updates about your community. New for 2016, 'Newmarket Now!' features a Council Highlights section. Be sure to sign up today and watch for the February 2016 edition.
- k) Deputy Mayor & Regional Councillor Taylor advised that the Town of Newmarket has received the Smart Commute Gold Award, which is the highest designation possible.
- l) Deputy Mayor & Regional Councillor Taylor advised that the Character Community Awards deadline has been extended. For further information on the awards, which recognize people who demonstrate exemplary character attributes, being compassion, inclusiveness, perseverance, courage, initiative, respect, fairness, integrity, responsibility, honesty and optimism visit www.charactercommunity.com
- m) Mayor Van Bynen advised that the Town of Newmarket's Economic Development department was presented with the Innovative Community Award at the 2015 Economic Developers Council of Ontario (EDCO) conference on February 4, 2016 for Newmarket's Collaborative Community Ecosystem (CCE) Initiative. A video was developed that demonstrates the successful collaboration efforts with community partners, enabling innovation and growth in the Town of Newmarket. The overall goal of the Collaborative Community Ecosystem is to improve sustainability, technology and the quality of life in Newmarket through unique and creative initiatives to make Newmarket an even better community. The Innovative Community Award is the first of its kind, and is presented to a community that has embraced innovation.
- n) Mayor Van Bynen advised that he will be at "Mayor in the Square" at the Newmarket Public Library on Friday, February 26, 2016 from 11:00 a.m. until noon.

- o) Mayor Van Bynen advised that the Municipal Offices will be closed on Monday, February 15, 2016 to observe Family Day.
- p) Mayor Van Bynen advised that the next Council meeting is Monday February 29, 2016 at 7:00 p.m.

New Business

- a) Councillor Bisanz advised that she attended a working session hosted by Councillor Thompson and Councillor Mrakas of Aurora this past weekend. The purpose of the session was to discuss increasing pressures related to development applications. A summit will be organized with the intent of bringing together municipalities from across the Golden Horseshoe and representatives from the Association of Municipalities of Ontario to develop a position on meaningful and proactive reform of the Ontario Municipal Board.
- b) Mayor Van Bynen recognized Mrs. Anita Moore, Commissioner of Corporate Services and advised that this is her last meeting of Council as she will be retiring at the end of the month. On behalf of Council, the Mayor thanked Mrs. Moore for her thoughtful insight, foresight and commitment to the Town.

Closed Session

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

Confirmatory By-law

27. Confirmatory By-law.

2016-06 A By-law to confirm the proceedings of Council - February 8, 2016.

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

THAT By-law 2016-06 be enacted.

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

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

Carried

Adjournment

28. Adjournment.

Moved by: Councillor Twinney

Seconded by: Councillor Sponga

THAT the meeting adjourn.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

There being no further business, the meeting adjourned at 8:08 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk