

The meeting of Council was held on Monday, April 25, 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  
Councillor Sponga  
Councillor Broome-Plumley  
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer  
E. Armchuk, 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**

No one in attendance came forward to address Council during Open Forum.

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 of the addendum item, being a matter related to the Clock Tower application that was discussed at the Special Council (Closed Session) Meeting that was held at 6:00 p.m. In addition, he introduced the new Commissioner of Corporate Services, Esther Armchuk and provided a background of her experience with the Town prior to assuming the Commissioner role.

Moved by: Councillor Sponga  
Seconded by: Councillor Bisanz

THAT the addendum item be included in the agenda.

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

**Carried**

## **Declarations of Pecuniary Interest**

- a) Councillor Vegh advised that, although he declared an interest at the April 18, 2016 Committee of the Whole meeting, he has received clarification that the Planning Consultant that is working with his employer is not working on the Clock Tower application and as such, he advised that he has no further conflict and will participate in the discussion and voting on any Clock Tower related matters.
- b) Councillor Hempen declared an interest with items 8 to 14 of the Committee of the Whole Minutes of April 18, 2016 being Development and Infrastructure Services - Planning and Building Services Report 2016-14 dated April 7, 2016 regarding Application for Zoning By-law Amendment - 178, 180, 184, 188, 190, 194 Main Street - Main Street Clock Inc. and all related deputations, Item 1 of the Committee of the Whole (Closed Session) Minutes of April 18, 2016 and addendum Item 10 of the Council agenda as all matters related to the Clock Tower application. As he owns a business on Main Street, he advised that he would not take part in the discussion or voting on the matter.
- c) Mayor Van Bynen declared an interest in items 2, 3 and 4 of the Committee of the Whole Minutes of April 18, 2016 being a deputation by Mr. Nathan Schaper regarding the Blue Dot campaign, the Newmarket Environmental Advisory Committee Minutes of March 2, 2016 and a motion regarding the Blue Dot Movement as his daughter is a volunteer with the project. He advised that he

would not take part in the discussion or voting on the matter and that Deputy Mayor & Regional Councillor Taylor would assume the Chair for those items.

## **Presentations & Recognitions**

2. Ms. Debra Scott, Smart Commute Central York addressed Council with a background of the work of Smart Commute Central York, summarized the achievements of the organization over the past year and congratulated the Town on its receiving gold designation in 2016. In addition, she advised of upcoming events, being Carpool Week from April 20 to 26, 2016, 9<sup>th</sup> Annual Bike to Work Day on May 25, 2016 and the 2<sup>nd</sup> Annual June Bike Challenge and summarized travel habit statistics.

Moved by: Councillor Broome-Plumley

Seconded by: Councillor Kerwin

THAT the presentation by Ms. Debra Scott, Smart Commute Central York regarding the Annual Program Update – Smart Commute Central York be received.

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

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

**Carried**

## **Deputations**

3. Mr. Dave Kempton, Cycle Newmarket addressed Council regarding potential bicycle lanes on Prospect Street and summarized opportunities and challenges. He requested that Cycle Newmarket be consulted on any item related to bicycle lanes or proposed cycling routes in Newmarket. In addition, he provided recommendations from Cycle Newmarket related to cycling lanes, including bi-directional lanes, protection from vehicular traffic with bollards, one way cycle lanes, where possible, coloured asphalt bike lanes and potential areas to expand cycling routes.

Moved by: Councillor Sponga

Seconded by: Councillor Bisanz

THAT the deputation by Mr. David Kempton, Cycle Newmarket regarding potential bicycle lanes on Prospect Street be received and referred to staff.

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

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

**Carried**

## **Approval of Minutes**

4. Council Minutes of April 4, 2016.

Moved by: Councillor Sponga  
Seconded by: Councillor Vegh

THAT the Council Minutes of April 4, 2016 be approved.

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

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

**Carried**

## **Reports by Regional Representatives**

- a) Deputy Mayor & Regional Taylor advised that, at the April 14, 2016 Regional Committee of the Whole Meeting, Regional Council received a report and made a motion related to the matter of OMB reform which detailed the type of reforms that York Region is seeking. The report is available on the Region's website at [www.york.ca](http://www.york.ca)

## **Reports of Committees and Staff**

5. Council Workshop Record of April 11, 2016.

Moved by: Councillor Kerwin  
Seconded by: Councillor Vegh

THAT the Council Workshop Record of April 11, 2016 be received.

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

**Carried**

6. Council Workshop Record of April 18, 2016.

Moved by: Councillor Twinney  
Seconded by: Councillor Sponga

THAT the Council Workshop Record of April 18, 2016 be received.

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

**Carried**

7. Council Workshop Record (Closed Session) of April 18, 2016.

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

THAT the Council Workshop (Closed Session) Record of April 18, 2016 be received.

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

**Carried**

8. Committee of the Whole Minutes of April 18, 2016.

Moved by: Councillor Sponga

Seconded by: Councillor Broome-Plumley

THAT the Committee of the Whole Minutes of April 18, 2016 be received and the following recommendations be adopted:

9. THAT the deputation by Mr. Jeffrey Peterson regarding relief from development charges for the property known as 415 Queen Street be received and referred to staff to explore opportunities related to Development Charges, engage the property owner and report back to Council within 60 days.

10. THAT the deputation by Mr. John Blommestein regarding the Election of the York Regional Chair be received.

11. Development and Infrastructure Services Report - ES 2016-21 dated March 15, 2016 regarding the Final Acceptance and Assumption of Aboveground Works - Cedar Manor Residential Subdivision - Phase 1.

a) THAT Development and Infrastructure Services Report - ES 2016-21 dated March 15, 2016 regarding the Final Acceptance and Assumption of Aboveground Works be received and the following recommendations be adopted:

i) THAT the Request for Final Acceptance and Assumption of Aboveground Works of the Cedar Manor Residential Subdivision, Phase 1 (65M-4285) 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.

12. Main Street District Business Improvement Area Board of Management Minutes of February 16, 2016.

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of February 16, 2016 be received.

13. Newmarket Downtown Development Committee Minutes of January 29, 2016.

a) THAT the Newmarket Downtown Development Committee Minutes of January 29, 2016 be received.

14. Heritage Advisory Committee Minutes of January 5, 2016 and March 8, 2016.
  - a) THAT the Heritage Advisory Committee Minutes of January 5, 2016 and March 8, 2016 be received.
15. Central York Fire Services - Joint Council Committee Minutes of January 12, 2016.
  - a) THAT the Central York Fire Services - Joint Council Committee Minutes of January 12, 2016 be received.
16. Central York Fire Services - Joint Council Committee (Closed Session) Minutes of January 12, 2016.
  - a) THAT the Central York Fire Services - Joint Council Committee (Closed Session) Minutes of January 12, 2016 be received.
17. Newmarket Public Library Board Minutes of February 17, 2016.
  - a) THAT the Newmarket Public Library Board Minutes of February 17, 2016 be received.
18. Appointment Committee Minutes of March 21, 2016.
  - a) THAT the Appointment Committee Minutes of March 21, 2016 be received.
19. Correspondence dated March 23, 2016 from Mr. James Nuttall, O.M.C., 1st Newmarket Group Commissioner, Scouts Canada requesting October 14 and 15, 2016 be proclaimed 'Scouts Apple Days'.
  - a) THAT the correspondence from Mr. James Nuttall, O.M.C., 1st Newmarket Group Commissioner, Scouts Canada be received and the following recommendations be adopted:
    - i) THAT the Town of Newmarket proclaim October 14 and 15, 2016 as 'Scouts Apple Days';
    - 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)
20. Correspondence dated March, 2016 from Minister Mario Sergio, Minister Responsible for Seniors Affairs requesting proclamation of June, 2016 as 'Seniors' Month' in the Town of Newmarket.

a) THAT the correspondence from Minister Mario Sergio dated March, 2016 be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June, 2016 as 'Seniors' Month';

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)

21. Correspondence dated March 31, 2016 from Mr. John Cartwright, President, Labour Council Toronto and York Region requesting April 28, 2016 be proclaimed as 'National Day of Mourning' for Workers Killed or Injured on the Job.

a) THAT the correspondence from Mr. John Cartwright, President, Labour Council Toronto and York Region be received and the following recommendations be adopted:

i) THAT April 28, 2016 be proclaimed as 'National Day of Mourning' for Workers Killed or Injured on the Job 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](http://www.newmarket.ca)

22. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

23. THAT the PowerPoint presentation by the Director of Financial Services/Treasurer and Director of Corporate Communications regarding the 2017 Budget Plan be received.

24. Joint Office of the CAO, Corporate Communications, Corporate Services - Financial Services Report 2016-17 dated April 14, 2016 regarding 2017 Budget Process.

a) THAT Joint Office of the CAO, Corporate Communications, Corporate Services - Financial Services Report 2016-17 dated April 14, 2016 be received and the following recommendations be adopted:

i) THAT Council endorse the new approach to the budget;

ii) AND THAT the five focus areas outlined in this report be highlighted in the 2017 budget;



iii) AND THAT the Community Engagement Plan for the 2017 budget be commenced;

iv) AND THAT the proposed budget schedule with a target budget adoption date of December 5, 2016 be approved;

v) AND THAT Council provide direction on tax targets for the 2017 budget.

25. Development and Infrastructure Services - Planning and Building Services Report 2016-11 dated April 1, 2016 regarding the Street Naming Policy.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-11 dated April 1, 2016 regarding the Street Naming Policy be received and the following recommendation be adopted:

i) THAT the draft Street Naming Policy be referred to staff to provide alternate policy wording to reflect total municipal control of street naming.

26. Correspondence dated March 23, 2016 on behalf of the Municipal Committee for OMB Reform requesting a donation towards the costs of holding a summit.

a) THAT the correspondence dated March 23, 2016 on behalf of the Municipal Committee for OMB Reform requesting a donation towards the costs of holding a summit be received;

b) AND THAT the Town of Newmarket contribute \$500.00 toward the expenses for the Municipal Summit.

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

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

### **Carried**

Deputy Mayor & Regional Councillor Taylor assumed the Chair.

27. Items 2, 3 and 4 of the Committee of the Whole Minutes of April 18, 2016 being a deputation by Mr. Nathan Schaper regarding the Blue Dot campaign, Newmarket Environmental Advisory Committee Minutes of March 2, 2016 and Item 2 of the Newmarket Environmental Advisory Committee Minutes of March 2, 2016 regarding the Blue Dot Movement.

Moved by: Councillor Kerwin  
Seconded by: Councillor Sponga

a) THAT the deputation by Mr. Nathan Schaper regarding the Blue Dot campaign be received;

b) AND THAT the Newmarket Environmental Advisory Committee Minutes of March 2, 2016 be received;

c) AND THAT the deputation by Ms. Christine Glenn and Ms. Jen Turla, Blue Dot York Region be received and the following recommendations be forwarded to Council, endorsing the principles of the Blue Dot Movement:

i) WHEREAS the Town of Newmarket understands that people are part of the environment, and that a healthy environment is inextricably linked to the well-being of our community;

ii) NOW THEREFORE BE IT HEREBY RESOLVED THAT the Town of Newmarket finds and declares that:

1. All people have the right to live in a healthy environment, including:

- The right to breathe clean air
- The right to drink clean water
- The right to consume safe food
- The right to access nature
- The right to know about pollutants and contaminants released into the local environment
- The right to participate in decision-making that will affect the environment

The Town of Newmarket has the responsibility, within its jurisdiction, to respect, protect, fulfill and promote these rights.

2. The Town of Newmarket shall apply the precautionary principle: where threats of serious or irreversible damage to human health or the environment exist, the Town shall take cost effective measures to prevent the degradation of the environment and protect the health of its citizens. Lack of full scientific certainty shall not be viewed as sufficient reason for the Town to postpone such measures.

3. The Town of Newmarket shall apply full cost accounting; when evaluating reasonably foreseeable costs of proposed actions and alternatives, the Town will consider costs to human health and the environment.

4. The Town of Newmarket shall specify objectives, targets and timelines and actions that the Town of Newmarket will take, within its jurisdiction, to fulfill residents' right to a healthy environment, including priority actions to:

- a. Ensure infrastructure and development projects protect the environment, including air quality;
- b. Address climate change by reducing greenhouse gas emissions and implementing adaptation measures;
- c. Responsibly increase density;
- d. Prioritize walking, cycling and public transit as preferred modes of transportation;
- e. Reduce solid waste and promote recycling and composting;
- f. Establish and maintain accessible green spaces in all residential neighbourhoods.

The Town shall review the objectives, targets, timelines and actions every five (5) years, and evaluate progress towards fulfilling this declaration and consult with residents as part of this process.

iii) BE IT FURTHER RESOLVED THAT the Town shall send a letter to the provincial government calling for a public review of the Ontario Environmental Bill of Rights in order to improve the Act and to include recognition that all people have the right to live in a healthy environment. The Town will also send a letter to the federal government calling for the development of federal legislation that recognizes that all people have the right to live in a healthy environment.

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

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

### **Carried**

Mayor Van Bynen did not take part in the discussion or voting of the foregoing matter.

Deputy Mayor & Regional Councillor Taylor vacated the Chair.

Mayor Van Bynen assumed the Chair.

28. Councillor Bisanz: A motion regarding Ontario Municipal Board Jurisdiction over Official Plans.

Moved by: Councillor Bisanz  
Seconded by: Councillor Sponga

WHEREAS a municipal Official Plan is the basis for substantial long term capital/infrastructure investments by local municipalities;

AND WHEREAS the Town of Newmarket has an Official Plan that respects and reflects Places To Grow as well as all other Provincial Planning Legislation;

AND WHEREAS The Town of Newmarket's Official Plan has been approved by the Region of York and the Province of Ontario, and is therefore deemed to be in compliance with the planning requirements of those two governments;

AND WHEREAS the Town of Newmarket has planned for, and will meet, all intensification and population targets as set out in Regional and Provincial planning legislation and policies;

AND WHEREAS the Town of Newmarket wishes to have control of local planning decisions while meeting all Regional and Provincial legislation and policies;

AND WHEREAS local planning decisions which require local knowledge and public input are best made by local planning staff and local Councils as long as they meet all Regional and Provincial planning legislation and policies:

THEREFORE BE IT RESOLVED that the Town of Newmarket call for the Province's Ontario Municipal Board review to provide significant and meaningful amendments and process changes that give authority to local control of planning decisions;

BE IT FURTHER RESOLVED that the Province ensures municipal compliance to provincial legislation and policy through a more rigorous review and approval process related to Official Plans and not through OMB intervention in individual planning applications.

BE IT FURTHER RESOLVED that individual applications are therefore left to the local decision making process and that OMB challenges are restricted only to a review of whether local planning decisions are in compliance with the municipality's own Official Plan.

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

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

**Carried**

29. Deputation by Mr. John Blommestein regarding a Motion with respect to the Ontario Municipal Board.

Moved by: Councillor Twinney  
Seconded by: Councillor Sponga

THAT the deputation by Mr. John Blommestein regarding a Motion with respect to the Ontario Municipal Board be received.

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

**Carried**

30. Deputations by Mr. Gordon Prentice, Mr. Glenn Wilson, Mr. Greg King, Ms. Anne Martin, Mr. Siegfried Wall and Mr. Athol Hart regarding the Clock Tower development.

Moved by: Councillor Sponga  
Seconded by: Councillor Bisanz

a) THAT all deputations regarding the Clock Tower development 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**

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

31. Development and Infrastructure Services - Planning and Building Services Report 2016-14 dated April 7, 2016 regarding Application for Zoning By-law Amendment - 178, 180, 184, 188, 190, 194 Main Street - Main Street Clock Inc.

Moved by: Councillor Sponga

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-14 dated April 7, 2016 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:

i) THAT the application for Zoning By-law Amendment, as re-submitted by Main Street Clock Inc. for lands being located at the southwest corner of Main Street South and Park Avenue, municipally known as 178, 180, 184, 188, 190 and 194 Main Street be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, together with comments from 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 Mr. Chris Bobyk, The Forrest Group, 590 Alden Road, Suite 211, Markham, ON L3R 8N2 be notified of this action.

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**

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

32. Councillor Sponga regarding Egg Laying Hens Pilot Project.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT Council expands the pilot project to include Ward 5 with respect to Corporate Services - Legislative Services Report 2016-04 regarding Ward 2 Egg Laying Hens Pilot Project adopted at the February 8, 2016 Council meeting.

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

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

**Carried**

33. Committee of the Whole (Closed Session) Minutes of April 18, 2016.

Moved by: Councillor Sponga  
Seconded by: Councillor Bisanz

THAT the Committee of the Whole (Closed Session) Minutes of April 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**

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

34. Item 2 of the Committee of the Whole (Closed Session) Minutes of April 18, 2016 - A proposed or pending acquisition or disposition of land by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001 with respect to Joint Corporate Services (Legal Services) and Development and Infrastructure Services (Planning and Building Services) (Closed Session) Report 2016-12 - Ward 7 Property - Northwest Quadrant.

Moved by: Councillor Hempen  
Seconded by: Councillor Sponga

a) THAT Closed Session Joint Corporate Services - Legal Services and Development and Infrastructure Services – Planning and Building Services Report 2016-12 dated April 18, 2016 regarding strategic land acquisition be received;

b) AND THAT staff proceed as directed at the April 18, 2016 Committee of the Whole (Closed Session) Meeting.

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

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

### **Carried**

35. Item 3 of the Committee of the Whole (Closed Session) Minutes of April 18, 2016 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001 and 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 with respect to Corporate Services (Legal Services) and Development and Infrastructure Services (Planning Services) Joint (Closed Session) Report 2016-03 regarding Secondary Plan Appeals to the Ontario Municipal Board.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

a) THAT Corporate Services – Legal Services and Development and Infrastructure Services – Planning and Building Services Joint (Closed Session) Report 2016-03 dated April 11, 2016 regarding Secondary Plan Appeals to the Ontario Municipal Board: Update on Settlement Discussions be received;

b) AND THAT the recommendations in Corporate Services – Legal Services and Development and Infrastructure Services – Planning and Building Services Joint (Closed Session) Report 2016-03 be adopted.

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

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

### **Carried**

36. Correspondence from Ms. Susan Cancelli, Community Living Newmarket/Aurora District dated April 20, 2016 requesting proclamation of May, 2016 as Community Living Month and lighting Riverwalk Commons in Blue and Green on the evening of May 11, 2016.



Moved by: Councillor Hempen  
Seconded by: Councillor Twinney

a) THAT the correspondence from Ms. Susan Cancelli, Community Living Newmarket/Aurora District be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May, 2016 as Community Living Month;

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)

iii) AND THAT Riverwalk Commons be lit blue and green on the evening of May 11, 2016 in support of Community Living and inclusion of people.

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

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

### **Carried**

37. Item 1 of the Special Council (Closed Session) meeting regarding Corporate Services (Legal Services) (Closed Session) Report 2016-05 regarding a proposed or pending acquisition or disposition of land by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001 related to property in Ward 5.

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

a) THAT Corporate Services (Legal Services) Closed Session Report 2016-05 dated April 25, 2016 regarding a proposed or pending acquisition of land in Ward 5 be received;

b) AND THAT the recommendations in Corporate Services (Legal Services) Closed Session Report 2016-05 as amended, be adopted;

c) AND THAT the Council of the Town of Newmarket prohibits a sale or transfer of land in relation to the Clock Tower site unless in relation to a Council approved and endorsed development and only after the project has significantly advanced and that staff report back on the exact mechanism for ensuring this process.

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**

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

### **By-laws**

38. By-laws 2016-17, 2016-18 and 2016-19.

- |         |   |
|---------|---|
| 2016-17 | A By-law to delegate administrative matters to staff.   |
| 2016-18 | A By-law to adopt Amendment Number 13 to the Town of Newmarket Official Plan.                                       |
| 2016-19 | A By-law to amend By-law Number 2010-40, as amended, being a Zoning By-law (429 and 445 Harry Walker Parkway South) |

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

THAT By-laws 2016-17, 2016-18 and 2016-19 be enacted.

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

### **Carried**

### **Notices of Motions**

- a) Deputy Mayor & Regional Councillor Taylor advised that he will be bringing forward a motion at the next scheduled Committee of the Whole meeting requesting a staff report on banning corporate or union donations during the election period.

## Motions

None.

## Announcements & Community Events

- a) Councillor Hempen invited residents to Riverwalk Commons, 200 Doug Duncan Drive on Tuesday, April 26, 2016 at 6:00 p.m. for an hour of entertainment by Lofty the Magician.
- b) Councillor Sponga advised of an upcoming afternoon event at the Elman W. Campbell Museum with a variety of teas, sandwiches and old-fashioned treats on Saturday, May 7, 2016. Two sittings are available and tickets can be purchased for \$10.00 each, either online at [www.newmarket.snapd.com](http://www.newmarket.snapd.com) or in person at the Elman W. Campbell Museum. For more information, please call 905-953-5314.
- c) Councillor Sponga advised that the Newmarket Farmer's Market will open on May 7, 2016.
- d) Councillor Sponga advised of the adoption of the principles of the Blue Dot movement and praised Town staff for the implementation of many forward thinking environmental initiatives.
- e) Councillor Broome-Plumley invited residents to donate to the annual Spring Food Drive, until Saturday, May 1, 2016. Donations of infant food and toiletries and non-perishable items can be dropped off at the Municipal Offices (395 Mulock Drive), the Ray Twinney Recreation Complex (100 Eagle Street West) and the Magna Centre (800 Mulock Drive). To arrange daily pick up of fresh produce contact the Newmarket Food Pantry at 905-895-6823.
- f) Councillor Bisanz advised that the Town will begin cleaning its water main system on April 28, 2016 and will continue the cleaning throughout the summer months. She advised that there may be periods of discolouration and some residents' water usage may be briefly impacted however the water remains safe to drink and use. For more information visit [www.newmarket.ca](http://www.newmarket.ca) or call 905-895-5193.
- g) Deputy Mayor & Regional Councillor Taylor advised that the draft Community Energy Plan has been prepared however the Town continues to seek input from the community. The draft plan is available for review and input until Friday, May 6, 2016 To provide your feedback, contact Adrian Cammaert, Senior Planner – Policy at 905-895-5193 ext. 2459.

- h) Deputy Mayor & Regional Councillor Taylor advised of the 10<sup>th</sup> anniversary of Bike to Work Day on May 30, 2016 and invited residents to convene at Riverwalk Commons at 7:30 a.m. to celebrate the event.
- i) Councillor Twinney advised of the upcoming Trivia Pub Night on Friday, April 29, 2016 from 7:00 p.m. to 10:00 p.m. at the Newmarket Seniors' Meeting Place, 474 Davis Drive. The cost is \$5 for members and \$10 for non-members. Please register in advance at the Newmarket Seniors' Meeting Place. For more information, please call 905-953-5325.
- j) Councillor Kerwin invited residents to the Holland River Clean-up and Community Fun Day on Saturday, May 7, 2016. Participants will meet at the Recreation Youth Centre & Sk8 Park, 56 Charles Street at 8:30 a.m. to register; gloves and garbage bags are provided.
- k) Councillor Kerwin encouraged residents to assist with the clean-up at On Bogart Pond Circle.
- l) Councillor Vegh advised of the upcoming Neighbourhood Network Tree Planting on Saturday, April 30, 2016 from 9:00 a.m. to noon at Audrie Sanderson Park and encouraged anyone interested in volunteering to sign-up online at [www.neighbourhoodnetwork.org](http://www.neighbourhoodnetwork.org)
- m) Councillor Vegh advised that he will be hosting a Ward 1 meeting on Tuesday, May 3, 2016 from 7:00 p.m. to 9:00 p.m. at the Magna Centre, 800 Mulock Drive.
- n) Councillor Vegh advised of the Paws 'N Tales program, which was designed to develop early, reluctant and/or struggling readers. Children have the opportunity to visit and read to a therapy dog for a half-hour session. Classes are held each Sunday from 1:30 p.m. to 2:30 p.m. until May 29, 2016 at the Newmarket Public Library, 438 Park Avenue. For further information or to register for the program, contact the Newmarket Public Library at 905-953-5110.
- o) Mayor Van Bynen advised that the Town of Newmarket recently received four provincial awards:
- 2016 Youth Friendly Community award for engaging youth programs;
  - Excellence in Design award for the HollisWealth Story Pod;
  - Excellence in Innovation award for the Recreation Pop Up Shop; and
  - The Burlington Cup award for delivering extraordinary lifesaving and aquatics programs.

He congratulated all Newmarket staff and residents who have worked diligently and contributed to being a community leading in innovation, design and recreation programming.

- p) Mayor Van Bynen advised that the next Council meeting is Monday, May 16, 2016 at 7:00 p.m.

## **New Business**

- a) Councillor Kerwin advised that he recently met with 95 year old resident Alice Sheridan and chatted about the Town.

## **Closed Session**

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

## **Confirmatory By-law**

39. Confirmatory By-law.

2016-21 A By-law to confirm the proceedings of Council - April 25, 2016.

Moved by: Councillor Sponga

Seconded by: Councillor Broome-Plumley

THAT By-law 2016-21 be enacted.

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

Opposed: (None)

(9 in favour, 0 opposed)

## **Carried**

## **Adjournment**

40. Adjournment

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the meeting adjourn.

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

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

**Carried**

There being no further business, the meeting adjourned at 8:17 p.m.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk