



Town of Newmarket  
**MINUTES**

**SPECIAL COUNCIL**

Monday, November 25, 2013 at 9:00 PM  
Newmarket Theatre

For consideration by Council  
on December 2, 2013

A special meeting of the Council was held on Monday, November 25, 2013 at 9:00 p.m. at the Newmarket Theatre, 505 Pickering Crescent, Newmarket.

Members Present: Mayor Van Bynen  
Regional Councillor Taylor  
Councillor Di Muccio  
Councillor Emanuel  
Councillor Hempen  
Councillor Kerwin  
Councillor Sponga  
Councillor Twinney  
Councillor Vegh

Staff Present: R. N. Shelton, Chief Administrative Officer  
R. Prentice, Commissioner of Development & Infrastructure Services  
A. Moore, Commissioner of Corporate Services  
I. McDougall, Commissioner of Community Services  
R. Nethery, Director of Planning and Building Services  
E. Armchuk, Director of Legal Services/Municipal Solicitor  
A. Brouwer, Director of Legislative Services/Town Clerk  
S. Niezen, Records and Projects Coordinator  
J. Patel, Project Support Business Analyst

Guests: R. Victor, Ruth Victor and Associates  
M. Bull, Solicitor, Wood, Bull LLP

The meeting was called to order at 9:00 p.m.

Mayor Van Bynen in the Chair.

## **Declarations of Pecuniary Interest**

None.

## **Reports of Committees and Staff**

Committee of the Whole Meeting of November 25, 2013 – Marianneville Developments Ltd. (Glenway).

Moved by: Councillor Emanuel  
Seconded by: Regional Councillor Taylor

THAT the actions of the Committee of the Whole Meeting of November 25, 2013 related to Marianneville Developments Ltd. (Glenway) be ratified and the following recommendations be adopted:

1. THAT the depositions and correspondence related to the Marianneville Developments Limited (Glenway) matter be received.

### **Carried**

2. THAT Development and Infrastructure Services/Planning and Building Services Report 2013-47 dated October 15, 2013 regarding Application for Official Plan Amendment - D9NP1210; Zoning By-law Amendment - D14NP1210; and Draft Plan of Subdivision - D12NP1210 be received and the following recommendations be adopted:

i) THAT the applications for Official Plan Amendment - D9NP1210, Zoning By-law Amendment - D14NP1210 and Draft Plan of Subdivision - D12NP1210 submitted on April 20, 2012 be denied.

ii) THAT the Without Prejudice Offer in the form as submitted on August 23, 2013 not be accepted.

iii) AND THAT the Council direct staff to advise the Ontario Municipal Board that the Town will be seeking consideration for a two-staged hearing process that would first allow for discussion and ruling on the principle of development.

iv) AND THAT Council direct staff to engage outside legal/planning counsel who have Ontario Municipal Board expertise and experience in defending the principles of development.

A recorded vote was requested.

In Favour: Councillor Emanuel, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Regional Councillor Taylor, Mayor Van Bynen, Councillor Hempen, Councillor Di Muccio, Councillor Sponga.

Opposed: None  
(all in favour)

**Carried**

## **Confirmatory By-law**

3. By-law 2013-63.

Moved by Councillor Emanuel  
Seconded by Councillor Di Muccio

THAT By-law 2013-63 be enacted.

2013-63 A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS SPECIAL MEETING HELD ON NOVEMBER 25, 2013.

**Carried**

## **Adjournment**

Moved by: Councillor Emanuel  
Seconded by: Councillor Twinney

THAT the meeting adjourn.

**Carried**

There being no further business, the meeting adjourned at 9:01 p.m.

---

Tony Van Bynen, Mayor

---

Andrew Brouwer, Town Clerk