

The meeting of the Council was held on Monday, September 12, 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 Broome
Councillor Bisanz
NOTE: Vacant Ward 5 Council seat

Staff Present: R. N. Shelton, Chief Administrative Officer
E. Armchuk, 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. Finnerty, Council/Committee Coordinator

Open Forum

- a) Mr. Andrew Raplenovic addressed Council during Open Forum to request information on enforcement of the Town's Noise By-law, as musician friends have been practicing during the day and received complaints. He inquired whether the by-law could be amended to permit musicians to practice. The Director of Legislative Services/Town Clerk advised that the Noise By-law is being amended and requested that Mr. Raplenovic leave his information with staff for follow up purposes.

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 deputation by Mr. John Heckbert regarding the proposed Parkland Dedication By-law. In addition, he advised of an amendment to Section 3.1 of the draft Parkland Dedication By-law for ease of interpretation, as well as to correct an error in the previous version, which included reference to a 5% land dedication option and further advised that the minutes from the Special Committee of the Whole and Special Committee of the Whole (Closed Session) were distributed to Members of Council with the addendum package.

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

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 Broome, Councillor Bisanz
Opposed: (None)
(8 in favour, 0 opposed)

Carried

Declarations of Pecuniary Interest

- a) Councillor Hempen declared an interest in Item 3 of the Committee of the Whole (Closed Session) Minutes related to a proposed acquisition of land by the municipality in Ward 4 as he owns property in the area. He advised that he would not take part in the discussion or voting of the foregoing matter.

Presentations & Recognitions

- 2. Ms. Angela Morgan, City Clerk, City of Burlington and Zone 3 Director, Association of Municipal Clerks and Treasurers presented the E.A. Danby Award in the Municipal Administration category, population of 20,000 or more to the Town of Newmarket for the HollisWealth Story Pod.
- 3. Mr. Wayne Hooey, President, Royal Canadian Legion Milton Wesley Branch #426 addressed Council with respect to the 70th Anniversary of the Royal Canadian Legion - Milton Wesley Branch #426 and the branch's work in the community with veterans and residents. Mayor Van Bynen and Members of Council presented Legion Members with a copy of the Town's proclamation in recognition of the Milton Wesley Branch's 70th Anniversary.

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

WHEREAS the Royal Canadian Legion is a democratic, non-partisan organization that works to make a difference in the lives of veterans and military personnel and their families, and our community and country at large in recognition of the men and women that made the ultimate sacrifice for our country;

AND WHEREAS the Royal Canadian Legion Milton Wesley Branch #426 was officially granted a charter on September 18, 1946;

AND WHEREAS the Milton Wesley Branch of the Royal Canadian Legion continues to loyally serve both veterans and our community;

AND WHEREAS the Legion exhibits care and compassion to veterans, their families and our community at large through providing assistance to Southlake Regional Health Care Centre, Newmarket House League Hockey and other veteran and community initiatives;

AND WHEREAS the Royal Canadian Legion Milton Wesley Branch #426 is celebrating its 70th anniversary on September 18, 2016;

NOW THEREFORE BE IT PROCLAIMED THAT September 18, 2016 be recognized as 'Royal Canadian Legion Milton Wesley Branch #426 Day' in the Town of Newmarket in honour and in recognition of 70 years of providing unwavering support and assistance to the community.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

4. Mr. Dave Lembcke, Manager of Environmental Science and Monitoring and Mr. Ben Longstaff, General Manager of Integrated Watershed Management, Lake Simcoe Region Conservation Authority addressed Council with a PowerPoint Presentation entitled 'Smart About Salt' which addressed concerns related to environmental impacts as a result of winter salt application and efforts to reduce said impacts. They provided an overview of the salt reduction strategy, works with the commercial sector to reduce over application of salt and potential solutions to mitigate salt application issues. Discussion ensued regarding potential litigation related to slip and fall incidents and education initiatives.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the presentation by Mr. Dave Lembcke, Manager of Environmental Science and Monitoring and Mr. Ben Longstaff, General Manager of Integrated Watershed Management, Lake Simcoe Region Conservation Authority with respect to Environmental Impacts and Efforts to Reduce Winter Salt Application be received.

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

Carried

Deputations

5. Ms. Debbie Fletcher-Queen, Volunteer with the Newmarket Terry Fox Run to addressed Council regarding the Newmarket Terry Fox Run and the fundraising initiatives of the volunteer group.
6. Correspondence dated August 13, 2016 from Ms. Laurie Osborne requesting proclamation of September 12 to 18, 2016 as 'Terry Fox Week'.

Moved by: Councillor Hempen
Seconded by: Councillor Broome

- a) THAT the deputation by Ms. Debbie Fletcher-Queen regarding the Newmarket Terry Fox Run be received;
- b) AND THAT the correspondence from Ms. Laurie Osborne be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim September 12 to 18, 2016 as 'Terry Fox Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

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

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

Carried

7. Mr. John Heckbert addressed Council regarding the Parkland Dedication By-law and expressed concern with respect to the impact of the by-law on residents and future open space provisions and suggested that Council focus on job creation, which will in turn increase the need for development in the community.

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

THAT the deputation by Mr. John Heckbert regarding the Parkland Dedication By-law 2016-42 be received.

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

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

Carried

Approval of Minutes

8. Council Minutes of June 27, 2016.

Moved by: Councillor Broome
Seconded by: Councillor Vegh

THAT the Council Minutes of June 27, 2016 be approved.

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

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

Carried

9. Council (Closed Session) Minutes of June 27, 2016.

Moved by: Councillor Twinney

Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT the Council (Closed Session) Minutes of June 27, 2016 be approved.

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

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

Carried

10. Special Council Minutes of July 25, 2016.

Moved by: Councillor Bisanz

Seconded by: Councillor Hempen

THAT the Special Council Minutes of July 25, 2016 be approved.

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

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

Carried

Reports of Committees and Staff

11. Committee of the Whole Minutes of August 29, 2016.

Moved by: Councillor Vegh
Seconded by: Councillor Broome

THAT the Committee of the Whole Minutes of August 29, 2016 be received and the following recommendations be adopted:

12. THAT the deputation by Mr. Sam Hindel, Leader Laminators Ltd. regarding his property on Steven Court and related issues be received and referred to staff for any required follow-up and to prepare a summary of issues for Council's information.
13. Corporate Services Report - Financial Services 2016-37 dated August 18, 2016 regarding 2017 Fees and Charges - Overview.
 - a) THAT Corporate Services Report - Financial Services 2016-37 dated August 18, 2016 regarding 2017 Fees and Charges - Overview be received for information purposes.
14. Joint Corporate Services Report - Legislative Services and Financial Services 2016-32 dated August 10, 2016 regarding 2017 User Fees and Charges - Licensing Fees.
 - a) THAT Joint Corporate Services Report - Legislative Services and Financial Services 2016-32 dated August 10, 2016 regarding 2017 User Fees and Charges - Licensing Fees be received and the following recommendations be adopted:
 - i) THAT the attached Schedule 'A' marked as the '2017 Legislative Services (Licensing) Fees and Charges' be approved and forwarded to Council for final adoption by by-law:
 - ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2017.
15. Development and Infrastructure Services - Planning and Building Services Report 2016-30 dated August 29, 2016 regarding Application for Zoning By-law Amendment - 507 Mulock Drive, Town of Newmarket, Gianni Kinno Developments Inc.
 - a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-30 dated August 29, 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 submitted by Gianni Kinno Developments Inc. for lands municipally known as 507 Mulock Drive 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. Ryan Guetter, Weston Consulting, 201 Millway Avenue, Suite 19 Vaughan, ON L4K 5K8 be notified of this action.
16. Corporate Services - Legislative Services Report 2016-15 dated August 12, 2016 regarding Ward 5 By-Election - Alternative Vote Method.
- a) THAT Corporate Services - Legislative Services Report 2016-15 dated August 12, 2016 regarding Ward 5 By-Election - Alternative Vote Method be received and the following recommendations be adopted:
 - i) THAT Council endorses the use of Optical Scan Vote Tabulators for the Ward 5 By-election and a by-law be brought forward to authorize the use of alternative voting equipment and an alternative voting method in accordance with Section 42 (1) (a) of the Municipal Elections Act, 1996;
 - ii) AND THAT a by-law be enacted to include other languages in addition to English and French in order to relay election related information to the general public.
17. Newmarket Public Library Board Minutes of May 18, 2016.
- a) THAT the Newmarket Public Library Board Minutes of May 18, 2016 be received.
18. Main Street District Business Improvement Area Board of Management Minutes of May 17 and June 21, 2016.
- a) THAT the Main Street District Business Improvement Area Board of Management Minutes of May 17 and June 21, 2016 be received.
19. Newmarket Downtown Development Committee Minutes of April 29, 2016.
- a) THAT the Newmarket Downtown Development Committee Minutes of April 29, 2016 be received.

20. Correspondence dated June 17, 2016 from Mr. James Papple, Chair, Teachers of English as a Second Language Association of Ontario requesting proclamation of November 20 to 26, 2016 as 'English as a Second Language Week'.
- a) THAT the correspondence from Mr. James Papple, Teachers of English as a Second Language Association of Ontario be received and the following recommendations be adopted:
- i) THAT the Town of Newmarket proclaim November 20 to 26, 2016 as 'English as a Second Language Week';
- ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website at www.newmarket.ca
21. Correspondence dated July 20, 2016 from Ms. Mary Beatson, Executive Director, Bereaved Families of York Region requesting proclamation of 2016 as the 25th Anniversary of this organization serving our communities.
- a) THAT the correspondence from Ms. Mary Beatson, Bereaved Families of York Region be received and the following recommendations be adopted:
- i) THAT the Town of Newmarket proclaim 2016 as the 25th Anniversary of Bereaved Families of York Region serving our communities;
- ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
22. Correspondence dated July 20, 2016 from Ms. Stephanie Cole, Prostate Cancer Canada requesting proclamation of September, 2016 as 'Prostate Cancer Awareness Month'.
- a) THAT the correspondence from Ms. Stephanie Cole, Prostate Cancer Canada be received and the following recommendations be adopted:
- i) THAT the Town of Newmarket proclaim September, 2016 as 'Prostate Cancer Awareness Month';
- ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
23. Correspondence dated August 2, 2016 from Ms. Carolyn Demelo, Vice-President Public Relations, The Court of Blarney requesting proclamation of October, 2016 as 'Toastmasters Month' in the Town of Newmarket.

a) THAT the correspondence from Ms. Carolyn Demelo be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October, 2016 as 'Toastmasters Month';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

24. Correspondence dated August 15, 2016 from Ms. Laura Catone-Tarcea, Co-Chair, Family Dispute Resolution Institute of Ontario requesting proclamation of November 21 to 25, 2016 as 'Family Dispute Resolution Week' in the Town of Newmarket.

a) THAT the correspondence from Ms. Laura Catone-Tarcea, Family Dispute Resolution Institute of Ontario be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim November 21 to 25, 2016 as 'Family Dispute Resolution Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

25. List of Outstanding Matters.

a) THAT the List of Outstanding Matters be received.

26. Correspondence dated August 23, 2016 from Ms. Rhonda Flanagan, Director of Resource Development, Big Brothers Big Sisters of York requesting proclamation of September, 2016 as 'Big Brother Big Sister' month in the Town of Newmarket.

a) THAT the correspondence from Ms. Rhonda Flanagan, Big Brothers Big Sisters of York be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim September, 2016 as 'Big Brother Big Sister' month;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

27. Correspondence dated August 23, 2016 from Mr. Adam Miller, Rubenstein Communications, requesting that Riverwalk Commons be lit in red from September 5 to 9, 2016 in honour of Stand Up To Cancer.
- a) THAT the correspondence from Mr. Adam Miller, Rubenstein Communications be received and the following recommendation be adopted:
- i) THAT the Riverwalk Commons be lit in red from September 5 to 9, 2016 in honour of Stand Up To Cancer.
28. THAT the deputation by Ms. Victoria Curran regarding potential regulation of Driving School Instructors be received.
29. THAT the deputation by Ms. Thelma Evenden regarding potential regulation of Driving School Instructors be received.
30. Corporate Services Report - Legislative Services 2016-17 dated August 12, 2016 regarding 'Potential Regulation of Driving School Instructors Operating in the Town of Newmarket'.
- a) THAT Corporate Services Report - Legislative Services 2016-17 dated August 12, 2016 regarding 'Potential Regulation of Driving School Instructors Operating in the Town of Newmarket' be received and the following recommendations be adopted:
- i) THAT staff host a Public Information Centre (PIC) in November, 2016 to seek Council, public and industry input on the potential regulation of driving school instructors operating in the Town of Newmarket;
- ii) AND THAT staff continue to work with the Ministry of Transportation (MTO) and driving school instructors operating in the Town of Newmarket to mitigate traffic and perceived safety concerns raised by residents;
- iii) AND THAT staff bring back a report in the first quarter of 2017 regarding the potential regulation of driving school instructors operating in the Town of Newmarket.
31. THAT the presentation by the Financial Business Analyst regarding the Advanced Metering Infrastructure (AMI) Project be received.
32. Joint Development and Infrastructure Services - Public Works Services and Corporate Services Report - Financial Services 2016-36 dated August 18, 2016 regarding Advanced Metering Infrastructure Update.

a) THAT Joint Development and Infrastructure Services - Public Works Services and Corporate Services Report - Financial Services 2016-36 dated August 18, 2016 regarding Advanced Metering Infrastructure Update be received and the following recommendations be adopted:

i) THAT authorization be given to continue the Advanced Metering Infrastructure (AMI) Project as outlined in this report, within the limits of the previously approved Water Meter Replacement Program budget;

ii) AND THAT any request for additional funding for the Advanced Metering Infrastructure (AMI) Project be submitted with the 2017 capital budget.

33. THAT the presentation by Mr. Ron Palmer, Principal, The Planning Partnership regarding the proposed Parkland Dedication By-law be received.

34. THAT the PowerPoint presentation by the Commissioner of Development and Infrastructure Services and the Director of Engineering Services regarding the Ray Twinney LID and Lion's Park Drainage Update be received.

35. THAT the PowerPoint presentation by the Commissioner of Development and Infrastructure Services and the Director of Engineering Services regarding the Water Street Crossing be received.

36. Joint Community Services and Corporate Services - Recreation and Culture and Financial Services Report 2016-25 dated August 16, 2016 regarding 2017 Recreation Rates and Fees.

a) THAT Joint Community Services and Corporate Services - Recreation and Culture and Financial Services Report 2016-25 dated August 16, 2016 regarding 2017 Recreation Rates and Fees be received and the following recommendations be adopted:

i) THAT the attached Schedules "A(1)" to "A(20)" marked as the Town of Newmarket Recreation & Culture Services Fees and Charges Schedules, be approved and adopted by by-law;

ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2017.

37. Development and Infrastructure Services Report - Planning and Building Services Report 2016-28 dated August 29, 2016 regarding Coordinated Provincial Plans Review.

a) THAT Development and Infrastructure Services Report - Planning and Building Services Report 2016-28 dated August 29, 2016 regarding Coordinated Provincial Plans Review be deferred to the September 26, 2016 Committee of the Whole meeting;

b) AND THAT the correspondence from Mr. Paul Bailey, Bazil Developments Inc. requesting deferral of Development and Infrastructure Services - Planning and Building Services Report 2016-28 regarding Coordinated Provincial Plans Review for one Committee of the Whole cycle be received.

38. Development and Infrastructure Services and Corporate Services (Financial Services) Joint Report - Engineering Services 2016-35 dated August 10, 2016 regarding Mosaik Park Development.

a) THAT Development and Infrastructure Services and Corporate Services (Financial Services) Joint Report - Engineering Services 2016-35 dated August 10, 2016 regarding Mosaik Park Development be received and the following recommendations be adopted:

i) THAT Council authorize early budget approval for the funding of \$700,000.00 to develop the Mosaik Park;

ii) AND THAT the project be funded \$450,000.00 from Development Charges and \$250,000.00 from the Developer's Contribution.

39. Correspondence dated July 11, 2016 from Mr. Nigel Bellchamber, Amberley Gavel Ltd. regarding Investigation of Closed Meeting of Council held on February 22, 2016.

a) THAT the correspondence dated July 11, 2016 from Mr. Nigel Bellchamber, Amberley Gavel Ltd. regarding Investigation of Closed Meeting of Council held on February 22, 2016 be received for information.

40. Heritage Newmarket Advisory Committee Minutes of May 3, 2016.

a) THAT the Heritage Newmarket Advisory Committee Minutes of May 3, 2016 be received.

41. Appointment of Council Member to Newmarket Public Library Board.

THAT Councillor Twinney be appointed to the Newmarket Public Library Board.

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

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

Carried

42. Development and Infrastructure Services - Engineering Services Report 2016-34 dated August 4, 2016 regarding Ray Twinney LID and Lion's Park Drainage Update.

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

THAT the Lions Park Drainage Project report be deferred to the next Committee of the Whole meeting to ensure that notice is provided to area residents.

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

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

Carried

Moved by: Councillor Bisanz
Seconded by: Councillor Kerwin

a) THAT Development and Infrastructure Services – Engineering Services Report 2016-34 dated August 4, 2016 regarding “Ray Twinney LID and Lions Park Drainage Update” be received and the following recommendations be adopted:

i) THAT the Ray Twinney Low Impact Development Drainage Improvement budget be increased to \$450,000 (from the original \$350,000), with \$150,000 of the total being funded by the LSRCA, an additional \$100,000 being funded by Environment Canada, and \$200,000 being funded by the Town’s Asset Replacement Fund.

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

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

Carried

43. Development and Infrastructure Services - Engineering Services Report 2016-36 dated August 24, 2016 regarding Water Street Crossing - Update #4.

Moved by: Councillor Hempen
Seconded by: Councillor Vegh

- a) THAT Development and Infrastructure Services Report - Engineering Services 2016-36 dated August 24, 2016 regarding Water Street Crossing – Update #4 be received.

In Favour: Mayor Van Bynen, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome, Councillor Bisanz
Opposed: Deputy Mayor & Regional Councillor Taylor
(7 in favour, 1 opposed)

Carried

44. Committee of the Whole (Closed Session) Minutes of August 29, 2016.

Moved by: Councillor Vegh
Seconded by: Councillor Bisanz

THAT the Committee of the Whole (Closed Session) Minutes of August 29, 2016 be approved.

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

Carried

45. Item 1 of the Committee of the Whole (Closed Session) Minutes of August 29, 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 Office of the Chief Administrative Officer and Corporate Services - Legal Services Joint (Closed Session) Report 2016-07 dated August 3, 2016 regarding Strategic Priorities Properties Matters Update.

Moved by: Councillor Broome
Seconded by: Councillor Twinney

- a) THAT the Office of the Chief Administrative Officer and Corporate Services (Legal Services) Closed Session Report 2016-07 dated August 3, 2016 regarding a proposed acquisition of land be received;

b) AND THAT the recommendations contained within Office of the Chief Administrative Officer and Corporate Services – Legal Services Closed Session Report 2016-07 be adopted.

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

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

Carried

46. Item 3 of the Committee of the Whole (Closed Session) Minutes of August 29, 2016 - A proposed or pending acquisition of land by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001 with respect to Development and Infrastructure Services - Planning and Building Services (Closed Session) Report 2016-26 regarding a potential acquisition of land in Ward 4.

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

a) That Development & Infrastructure Services - Planning & Building Services (Closed Session) Report 2016-26 dated August 29, 2016 regarding the proposed Hillview Drive/Davis Drive pedestrian connection be received and the following recommendations be adopted;

i) THAT the Hillview Drive pedestrian connection not be pursued;

ii) AND THAT the rationale for not considering the Hillview Drive pedestrian connection and next steps be outlined in an information report to be made public in the fall of 2016.

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

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

Carried

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

47. Special Committee of the Whole Minutes of September 12, 2016.

Moved by: Councillor Twinney
Seconded by: Councillor Broome

THAT the Special Committee of the Whole Minutes of September 12, 2016 be approved.

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

Carried

48. Special Committee of the Whole (Closed Session) Minutes of September 12, 2016.

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

THAT the Special Committee of the Whole (Closed Session) Minutes of September 12, 2016 be approved.

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

Carried

49. Item 2 of the Special Committee of the Whole (Closed Session) Minutes of September 12, 2016 – Office of the Chief Administrative Officer and Corporate Services - Legal Services (Closed Session) Report 2016-08 dated August 9, 2016 regarding a Proposed Acquisition of Land by the Town in Ward 6 as per Section 239 (2) (c) of the Municipal Act, 2001. (Referred from the Committee of the Whole (Closed Session) Meeting of August 29, 2016).

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

a) THAT Office of the Chief Administrative Officer and Corporate Services - Legal Services (Closed Session) Report 2016-08 dated August 9, 2016 regarding a potential land acquisition be received;

b) AND THAT the recommendations contained within Office of the Chief Administrative Officer and Corporate Services - Legal Services (Closed Session) Report 2016-08 be adopted.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

Reports by Regional Representatives

- a) Deputy Mayor & Regional Councillor Taylor advised that Regional Council received a report with respect to water and wastewater capacity assignments and allocations and provided an overview of the report contents.
- b) Deputy Mayor & Regional Councillor Taylor advised that he has requested a report from Regional staff on live streaming and video archiving of Committee of the Whole and Council meetings.

By-laws

50. By-laws 2016-40, 2016-41, 2016-43, 2016-44, 2016-45, 2016-46 and 2016-47.

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| 2016-40 | A By-law to Exempt Certain Lands from the Part Lot Control Provisions of the Planning Act. (Greenlane Ridge Homes Ltd.) |
| 2016-41 | A By-law to Exempt Certain Lands from the Part Lot Control Provisions of the Planning Act. (Country Wide Homes) |
| 2016-43 | A By-law to amend By-law 2015-50, being a By-law to govern the proceedings of Council and Committee meetings. |
| 2016-44 | A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket (Legislative Services - Licensing Fees). |

- 2016-45 A By-law to Adopt Fees and Charges for Services or Activities provided by the Town of Newmarket (Fees and Charges - Recreation and Culture).
- 2016-46 A By-law to authorize the use of Vote Counting Equipment and Optical Scanning Vote Tabulators.
- 2016-47 A By-law authorizing the provision of election information in languages other than English and French.

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT By-laws 2016-40, 2016-41, 2016-43, 2016-44, 2016-45, 2016-46 and 2016-47 be enacted.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

Notices of Motions

None.

Motions

None.

Announcements & Community Events

- a) Councillor Bisanz advised of the upcoming Old Town Hall Open House on Saturday, September 24 from noon until 5:00 p.m. at 460 Botsford Street. There will be facility tours, live performances and a gallery showing by the Newmarket Group of Artists.
- b) Councillor Broome invited residents to participate in the annual Terry Fox Run on Sunday, September 18, 2016 beginning at 8:30 a.m. at the Ray Twinney Recreation Complex.

- c) Councillor Broome invited residents to attend the annual Buskerfest being held on September 25, 2016 at the outdoor space at Old Town Hall and the Riverwalk Commons.
- d) Councillor Hempen advised that Sarah Hagan, an acclaimed Canadian classical soloist will be having a community performance in collaboration with Up On Stage on Saturday, September 17, 2016 at 8:00 p.m. at Riverwalk Commons, 200 Doug Duncan Drive.
- e) Deputy Mayor & Regional Councillor Taylor advised that the Newmarket Celebrates the Arts Gala will be held at the newly renovated Old Town Hall on Friday, September 23, 2016 at 6:00 p.m. Tickets are \$100.00 and can be purchased through www.snapd.com
- f) Councillor Twinney advised that Discovery and Adventure Night will be held on Tuesday, September 27, 2016 from 6:00 to 7:30 p.m. at Old Town Hall, 460 Botsford Street. The event will be an evening of family fun and discovery, with tours of Old Town Hall, established in 1883.
- g) Councillor Kerwin advised of an upcoming Public Open House and Information Meeting on Wednesday, September 14, 2016 from 6:30 to 8:30 p.m. at the Community Centre & Lions Hall, 200 Doug Duncan Drive. The meeting is regarding 751 and 757 Gorham Street and a portion of the closed Lydia Street road allowance.
- h) Councillor Kerwin invited residents to attend the upcoming Classic Car Show and BBQ on Saturday, September 17, 2016 from 11:00 a.m. to 4:00 p.m. at the Newmarket Seniors' Meeting Place, 474 Davis Drive. For more information call 905-953-5325.
- i) Councillor Vegh advised that the Town's Fall Activity Guide has been released and recommended that residents flip through the guide to learn what programs are offered by the Town.
- j) Councillor Vegh advised that registration has commenced for fall programs at the Newmarket Public Library. Information on programs offered can be found online at www.newmarketpl.ca and registrations are accepted at the Children's Services Desk at the Library or call 905-953-5105.
- k) Mayor Van Bynen announced that the Town of Newmarket's events held during National Public Works Week this past May have been recognized by the Canadian Public Works Association. The Town of Newmarket was the winning municipality in the First Time Entry category.

- l) Mayor Van Bynen advised that he will be at Mayor in the Square at the Farmers' Market at Riverwalk Commons on Saturday, September 24, 2016 from 9:00 a.m. to 11:00 a.m.
- m) Mayor Van Bynen advised that the next Council meeting is Monday, October 3, 2016 at 7:00 p.m.

New Business

- a) Councillor Hempen advised that the Chief Administrative Officer, along with the Mayor and Deputy Mayor & Regional Councillor Taylor have met with owners of properties deemed to be strategic acquisitions and inquired when a report may be before Council on these discussions. The Chief Administrative Officer advised that a report is anticipated to be before Council within six months. He further advised of the process that has been conducted in order to promote development along the corridors in order to leverage the transit infrastructure and that the report will address comments that have been provided to date.
- b) Councillor Bisanz advised that she is regularly contacted by residents concerning speed and traffic volume on residential side streets and inquired when a report with respect to traffic mitigation would be before Council. The Commissioner of Development and Infrastructure Services advised that staff are preparing an information report that will address the current range of mitigation measures and speed board placement options.

Closed Session

- 51. Corporate Services (Legal Services) (Closed Session) Report 2016-09 dated September 8, 2016 regarding the Restriction on Parkland Dedication By-law Incentive - Advice that is subject to solicitor-client privilege as per Section 239 (2) (f) of the Municipal Act, 2001.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Hempen

THAT Council resolve into a Closed Session for the purpose of discussing Corporate Services (Legal Services) (Closed Session) Report 2016-09 dated September 8, 2016 regarding the Restriction on Parkland Dedication By-law Incentive - Advice that is subject to solicitor-client privilege as per Section 239 (2) (f) of the Municipal Act, 2001.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

Council resolved into Closed Session at 8:53 p.m.

The Council (Closed Session) Minutes are recorded under separate cover.

Council resumed into Public Session at 9:05 p.m.

52. Item 24 of the Committee of the Whole Minutes of August 29, 2016 regarding the proposed Parkland Dedication By-law.

Moved by: Councillor Hempen

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Joint Development and Infrastructure Services and Corporate Services - Planning and Building Services and Financial Services Report 2016-27 dated August 29, 2016 regarding Newmarket Parkland Dedication By-law and Marketing the Corridors be received and the following recommendation be adopted:

i) THAT Council adopt the Parkland Dedication By-law for the Town of Newmarket, as contained in Attachment #1, amended as follows:

1) to reflect that the cap will be increased to 50% at the end of a three year period, or the provisions of the Planning Act, whichever is less; and

ii) AND THAT the following motion be referred to an information report:

1) THAT staff be directed to include language in the Parkland Dedication By-law indicating that the 25% cap is only available in the absence of an appeal to the Ontario Municipal Board.

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

Opposed: (None)

(8 in favour, 0 opposed)

Carried

53. By-law 2016-42.

2016-42 A By-law to provide for the conveyance of land and cash-in-lieu thereof for park and other purposes.

Moved by: Councillor Vegh
Seconded by: Councillor Bisanz

THAT By-law 2016-42 be enacted.

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

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

Carried

Confirmatory By-law

54. Confirmatory By-law.

2016-48 A By-law to confirm the proceedings of Council at its meeting of
September 12, 2016.

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

THAT By-law 2016-48 be enacted.

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

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

Carried

Adjournment

54. 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 Broome, Councillor Bisanz

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

Carried

There being no further business, the meeting adjourned at 9:11 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk