

The meeting of the Committee of the Whole was held on Monday, November 7, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen  
Deputy Mayor & Regional Councillor Taylor (1:30 to 5:05 p.m.)  
Councillor Kerwin  
Councillor Twinney (1:30 to 5:05 p.m.)  
Councillor Hempen (1:30 to 4:00 p.m., 7:00 to 7:22 p.m.)  
Councillor Kwapis  
Councillor Broome  
Councillor Bisanz

Absent: Councillor Vegh

Staff Present: P. Noehammer, Acting Chief Administrative Officer  
E. Armchuk, Commissioner of Corporate Services  
I. McDougall, Commissioner of Community Services  
A. Brouwer, Director of Legislative Services/Town Clerk  
R. Nethery, Director of Planning and Building Services  
R. Prudhomme, Director of Engineering Services  
J. Unger, Assistant Director of Planning  
D. Ruggle, Senior Planner, Community Planning  
C. Finnerty, Council/Committee Coordinator  
L. Moor, Council/Committee Coordinator  
S. Niezen, Records & Project Coordinator

The meeting was called to order at 1:31 p.m.

Mayor Van Bynen in the Chair.

### **Additions & Corrections to the Agenda**

The Acting Chief Administrative Officer advised of the addendum items, being Community Services Report – Recreation and Culture 2016-28 regarding Old Town Hall Public Art Installation, Appointment of Members of Council to Committees: Main Street District Business Improvement Area Board of Management – Councillor Kwapis; Newmarket Environmental Advisory Committee – Councillor Vegh, in addition an administrative correction has been made to Item 7 of the agenda being the Heritage Newmarket Advisory Committee Minutes of June 28, 2016, specifically Item 9 of the

Minutes as they relate to delegated authority for the issuance of heritage permits. The minute has been amended.

Moved by: Councillor Twinney  
Seconded by: Councillor Broome

THAT the addendum items be included in the agenda.

**Carried**

## **Declarations of Pecuniary Interest**

a) Deputy Mayor & Regional Councillor Taylor declared an interest in Item 18 being the Public Hearing Matter related to Development and Infrastructure Services – Planning and Building Services Report 2016-43 dated October 18, 2016 regarding Application for Official Plan and Zoning By-law Amendment – 711371 Ontario Corp. - 260 Eagle Street as he owns property in close proximity to the subject lands.

## **Presentations & Recognitions**

1. Ms. Mary-Frances Turner, President, York Region Rapid Transit addressed the Committee with a PowerPoint presentation regarding the vivaNext Project - Yonge Street and Davis Drive Update.

Members of Council queried Ms. Turner regarding traffic infiltration on streets that run parallel to Yonge Street, proposed bike lane surface treatments and information sharing communication methods.

Moved by: Councillor Hempen  
Seconded by: Councillor Broome

THAT the PowerPoint Presentation by Ms. Mary-Frances Turner, President, York Region Rapid Transit regarding the Yonge Street/Davis Drive Update be received.

**Carried**

2. Mr. Mike Rabeau, Director, Capital Planning and Delivery and Mr. Shu He, Manager of Engineering, Regional Municipality of York addressed the Committee regarding an update on the Upper York Sewage Servicing Project.

Moved by: Councillor Kerwin  
Seconded by: Councillor Twinney

THAT Mr. Rabeau and Mr. He be provided a twenty minute time allotment for their presentation.

### **Carried**

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

THAT the PowerPoint Presentation by Mr. Mike Rabeau, Director, Capital Planning and Delivery and Mr. Shu He, Manager of Engineering, Regional Municipality of York regarding an update on the Upper York Sewage Servicing Project be received;

AND THAT a communication plan and project updates be brought back to Committee of the Whole in a timely manner.

### **Carried**

## **Deputations**

3. Mr. Chris Howie addressed the Committee of the Whole with a verbal commentary regarding the protection of trees and a request for Council's review and consideration of implementation of a private property tree preservation by-law.

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

THAT the matter of tree preservation and protection be referred to staff to report back within a 90 day time frame on the previous review of tree preservation and measures undertaken to sustain the tree canopy and available options related to the Region of York's forestry management initiative.

### **Carried**

## **Consent Items**

Moved by: Councillor Kwapis  
Seconded by: Councillor Hempen

THAT the following items be adopted on consent.

4. Main Street District Business Improvement Area Board of Management Minutes of September 20, 2016.

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of September 20, 2016 be received.

5. New Business Item e) of the Main Street District Business Improvement Area Board of Management Minutes of September 20, 2016.

The Operational Leadership Team recommends:

a) THAT the following matter be referred to staff.

THAT the Main Street District Business Improvement Area Board of Management requests space allocation to house material and supplies at the Operations Centre located on Maple Hill Court or in a pod in the P3 parking area.

6. Central York Fire Services - Joint Council Committee Minutes of September 6, 2016.

a) THAT the Central York Fire Services - Joint Council Committee Minutes of September 6, 2016 be received.

7. Correspondence dated October 21, 2016 from Mr. Darian Hang, Social Work Practicum Student, National Eating Disorder Information Centre and correspondence dated October 19, 2016 from Ms. Natalia Tvoronovitch, Administrative Coordinator, Eating Disorders of York Region requesting proclamation of February 1 to 7, 2017 as 'Eating Disorders Awareness Week'.

a) THAT the Town of Newmarket proclaim February 1 to 7, 2017 as 'Eating Disorders Awareness Week';

i) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

8. Correspondence dated September 21, 2016 from Mr. Guy Misener regarding Intensive Therapy for Autism Request for Support of Resolution.

a) THAT the correspondence from Mr. Guy Misener be received and the following recommendation be adopted:

i) THAT the Town of Shelburne Resolution regarding Intensive Therapy for Autism be received and endorsed.

9. Correspondence from Mr. George Habib, President and CEO, The Lung Association - Ontario requesting November, 2016 be proclaimed 'Lung Month' in the Town of Newmarket.

a) THAT the correspondence from Mr. George Habib be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim November, 2016 as 'Lung 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)

10. Item 8 a) i) of the Heritage Newmarket Advisory Committee Minutes of June 28, 2016.

a) THAT the Heritage Newmarket Advisory Committee recommend that the Town proceed with designation of the property municipally known as 379 Botsford Street under Part IV of the Ontario Heritage Act.

11. Item 8 a) ii) of the Heritage Newmarket Advisory Committee Minutes of June 28, 2016.

a) THAT the Heritage Newmarket Advisory Committee recommend that the Town proceed with designation of the property municipally known as 411 Millard Avenue under Part IV of the Ontario Heritage Act.

12. Item 8 a) iii) of the Heritage Newmarket Advisory Committee Minutes of June 28, 2016.

a) THAT the Heritage Newmarket Advisory Committee recommend that the Town proceed with designation of the property municipally known as 17030 Yonge Street under Part IV of the Ontario Heritage Act.

13. Appointment of Members of Council to Committees.

a) THAT Council appoint the following Members of Council to Committees:

i) Main Street District Business Improvement Area Board of Management – Councillor Kwapis

ii) Newmarket Environmental Advisory Committee – Councillor Vegh

### **Carried**

The Committee of the Whole recessed at 3:32 p.m.

The Committee of the Whole reconvened at 3:50 p.m.

14. Development and Infrastructure Services - Planning and Building Services Report 2016-29 dated November 7, 2016 regarding Official Plan Amendment Application and Zoning By-law Amendment Application - 1166 and 1186 Nicholson Road, Newmarket.

Moved by: Councillor Twinney

Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-29 dated November 7, 2016 regarding Official Plan Amendment Application and Zoning By-law Amendment Application - 1166 and 1186 Nicholson Road, Newmarket be received and the following recommendations be adopted:

i) THAT Official Plan Amendment # 14 as contained in Attachment 1 be adopted by Council;

ii) AND THAT Council amend Zoning By-law 2010-40 for the lands at 1166 and 1186 Nicholson Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 2 to this report.

### **Carried**

Councillor Hempen left the meeting at 4:00 p.m.

15. Development and Infrastructure Services - Engineering Services 2016-44 dated October 10, 2016 regarding Site Alteration By-law to repeal current Cut Fill By-law 1998-110.

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kwapis

a) THAT Development and Infrastructure Services - Engineering Services 2016-44 dated October 10, 2016 entitled 'Site Alteration By-law' be received and the following recommendations be adopted:

i) THAT the Site Alteration By-law be adopted by Council in principle with wording amendments to the draft By-law to be considered directly by Council on November 14, 2016;

ii) AND THAT the current Cut Fill By-law 1998-110 be hereby repealed;

iii) AND THAT the application fee under the Site Alteration By-law be increased to \$250.00 (from \$189.23) for 'Owner Occupied Residential' applications, and to \$500.00 (from \$378.40) for 'All Other Property Types';

iv) AND THAT the Fees and Charges By-law be updated to reflect the change in fees.

**Carried**

16. Development and Infrastructure Services Report - Engineering Services 2016-45 dated October 20, 2016 regarding Public Consultation and Support Plan - Transportation Services.

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Bisanz

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-45 dated October 20, 2016 entitled 'Public Consultation and Support Plan - Transportation Services' be received and the matter be referred to staff for a revised report to be brought back to the next Committee of the Whole meeting incorporating the deliberated suggested language changes and process flow improvements.

**Carried**

17. Heritage Newmarket Advisory Committee Minutes of June 28, 2016 and October 11, 2016.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kwapis

a) THAT the Heritage Newmarket Advisory Committee Minutes of June 28, 2016 and October 11, 2016 be received.

**Carried**

18. Community Services Report – Recreation and Culture 2016-28 dated November 2, 2016 regarding Old Town Hall Public Art Installation.

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kerwin

a) THAT Community Services Report - Recreation and Culture 2016-28 dated November 2, 2016 regarding a Public Art Piece Installation at Old Town Hall be received and the following recommendation be adopted:

i) THAT Council authorize the installation of a Public Art Piece at Old Town Hall under the conditions set forth within this report with the following exceptions:

- Heading = Project Theme: 'Time' – replace the words 'would contain' with 'could contain'
- Jury Composition = three staff members, two professional artists and two community members (exclude the reference to community member living in close proximity to the location of installation)

### **Carried**

19. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

Moved by: Councillor Kerwin  
Seconded by: Councillor Kwapis

a) THAT the list of Outstanding Matters be received.

### **Carried**

### **Action Items**

None.

### **Notices of Motion**

None.

### **Reports by Regional Representatives**

None.

### **Motions**

None.



## **New Business**

- a) Councillor Kwapis requested that staff investigate the feasibility of providing Wi-Fi to area public spaces and parks. The Commissioner of Community Services advised staff will report back on this matter within a 30 day time frame.
- b) Deputy Mayor & Regional Councillor Taylor requested staff arrange a meeting within a 30 day time frame with the owner of the property known as the Bogart House to initiate a plan of repairs to the residence to ensure longevity can be secured for what is identified as the 'oldest house in Newmarket'.

## **Closed Session**

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

The Committee of the Whole recessed at 5:05 p.m.

The Committee of the Whole reconvened at 7:00 p.m. with Mayor Van Bynen in the Chair.

The Public Hearing was called to order at 7:01 p.m.

## **Public Hearing Matters**

The Council/Committee Coordinator welcomed the public to the Committee of the Whole meeting.

The Council/Committee Coordinator advised that the purpose of the meeting was to hear from anyone who has an interest in the revised Applications for Official Plan Amendment and Zoning By-law Amendment related to: the land located on the southeast corner of Eagle Street and Cawthra Boulevard, municipally known as 260 Eagle Street. The net effect of this application is to permit 27 three storey condominium townhouses on the subject lands. Specifically, the applicant proposed a re-designation from the Commercial and Stable Residential to Emerging Residential and a zoning change from Residential Detached Dwelling 15m (RD-1) zone to the Townhouse Condominium Plan Dwelling (R4-CP) zone.

She further advised that the Committee of the Whole would not be making a decision regarding the proposed application, but would refer all written and verbal comments to Planning Staff to consider in a report that will be brought forward to a future Committee of the Whole or Council meeting.

The Council/Committee Coordinator advised that if anyone present wished to be notified of subsequent meetings, or if making a presentation, to please complete a form with your name and address and submit it to the Clerk's staff.

The Council/Committee Coordinator noted that in accordance with the Planning Act, the Ontario Municipal Board may dismiss an appeal without holding a hearing, if the appellant failed to make either oral submission at the Public Meeting or provide written submissions to Council prior to adoption.

She thanked everyone for their participation and interest in the meeting.

20. Development and Infrastructure Services Report - Planning and Building Services 2016-43 dated October 18, 2016 and related Council Extract, Public Meeting Notice regarding Application for Official Plan and Zoning By-law Amendment - 711371 Ontario Corp. (Oxford Homes - 260 Eagle Street)

Mr. Brad Rogers, Groundswell Urban Planners provided introductory remarks and presented the application details and plan specifics.

21. Mr. Mike Roberts, resident, expressed concerns related to the Official Plan designation being stable residential and queried the reason for re-classification, as well as the proposed three storey townhouses will tower over the current neighbourhood of one and a half storeys. He further queried the potential traffic issues and the feasibility of traffic signals in the future.

Moved by: Councillor Kwapis  
Seconded by: Councillor Bisanz

THAT the presentation by Mr. Brad Rogers of Groundswell Urban Planners and the deputation by Mr. Mike Roberts be received.

### **Carried**

The Director of Planning and Building Services advised of the next steps associated with the application.

### **Adjournment**

Moved by: Councillor Broome  
Seconded by: Councillor Hempen

THAT the meeting adjourn.

### **Carried**

There being no further business, the meeting adjourned at 7:22 p.m.

---

Tony Van Bynen, Mayor

---

Andrew Brouwer, Town Clerk