

The meeting of the Council was held on Monday, November 14, 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 Kwapis  
Councillor Broome  
Councillor Bisanz

Absent: Councillor Hempen

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  
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 Acting Chief Administrative Officer advised that the motion related to Item 18 of the Committee of the Whole Minutes of November 7, 2016 being Community Services Report – Recreation and Culture 2016-28 regarding Old

Town Hall Public Art Installation has been corrected to reflect amendments to the Public Art Policy as identified at Committee of the Whole, specifically related to the composition of the jury.

## **Declarations of Pecuniary Interest**

- a) Deputy Mayor & Regional Councillor Taylor declared an interest in Items 20 and 21 of the Committee of the Whole Minutes of November 7, 2016 being the Public Hearing Matter related to Development and Infrastructure Services – Planning and Building Services Report 2016-43 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**

2. Ms. Linda Guenther, Vice-President and Mr. Gord Wilkes, President, Newmarket Citizen's Band addressed Council with a verbal presentation on the history of the Newmarket Citizens' Band and its work in the Town and presented Council with a gift in commemoration of the Old Town Hall re-opening.

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the presentation by Ms. Linda Guenther, Vice-President and Mr. Gord Wilkes, President, Newmarket Citizen's Band in commemoration of the Old Town Hall re-opening and their involvement (historical to present-day) with the Town of Newmarket be received.

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

Opposed: (None)

(8 in favour, 0 opposed)

## **Carried**

3. Mr. Adrian Kawun, Manager, Service Planning, York Region Transit (YRT/Viva) addressed Council with a PowerPoint Presentation regarding the 2017 Annual Service Plan and summarized statistics related to outreach, ridership, performance, revenue and transit system comparisons. In addition, he provided a high level overview of the YRT/Viva strategic plan, transit system life cycle, York Region Transportation Master Plan, route reviews and summarized next steps.

Moved by: Councillor Broome  
Seconded by: Councillor Kwapis

THAT the presentation by Mr. Adrian Kawun, Manager, Service Planning, York Region Transit (YRT/Viva) regarding the 2017 Annual Service Plan be received.

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

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

**Carried**

## **Deputations**

None.

## **Approval of Minutes**

4. Council Minutes of October 24, 2016.

Moved by: Councillor Twinney  
Seconded by: Councillor Vegh

THAT the Council Minutes of October 24, 2016 be approved.

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

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

**Carried**

## **Reports by Regional Representatives**

- a) Deputy Mayor & Regional Councillor Taylor advised of discussions at Regional Committees related to affordable housing initiatives and incentives and associated challenges.
- b) Deputy Mayor & Regional Councillor Taylor advised that Regional staff have undertaken a development charge review.

- c) Deputy Mayor & Regional Councillor Taylor advised of completion of a number of Regional Road projects, including Second Concession, Bathurst Street Extension and various road, bridge and trail projects.

## **Reports of Committees and Staff**

5. Special Committee of the Whole Minutes of October 31, 2016.

Moved by: Councillor Twinney

Seconded by: Councillor Kerwin

THAT the Special Committee of the Whole Minutes of October 31, 2016 be received and the following recommendations be adopted:

6. THAT the PowerPoint Presentation by Mr. Trevor McIntyre, IBI Group, Ms. Darlene Broderick, IBI Group and Ms. Carmen Hui, Region of York regarding the Streetscape Master Plan be received.
7. Development and Infrastructure Services Report - Planning and Building Services 2016-40 dated October 31, 2016 regarding the Yonge Street and Davis Drive Streetscape Master Plan Study.
- a) THAT Development and Infrastructure Services Report - Planning and Building Services 2016-40 dated October 31, 2016 regarding the Yonge Street and Davis Drive Streetscape Master Plan Study be received and the following recommendations be adopted:
- i) THAT the Yonge Street and Davis Drive Streetscape Master Plan Study be adopted;
- ii) AND THAT subject to future budget approvals, any future improvements to Yonge Street and Davis Drive outside of the vivaNext rapidway be carried out in accordance with the Streetscape Master Plan vision.
8. THAT the PowerPoint Presentation by the Financial Business Analyst regarding Implementation of a Stormwater Charge be received.
9. Joint Corporate Services/Development and Infrastructure Services - Financial Services Report 2016-40 dated October 20, 2016 regarding Implementation of a Stormwater Charge.

a) THAT Corporate Services Report - Financial Services 2016-40 dated October 25, 2016 regarding Implementation of a Stormwater Charge be received and deferred to the Committee of the Whole meeting scheduled for November 28, 2016.

10. Development and Infrastructure Services Report - Planning and Building Services 2016-41 dated October 31, 2016 regarding the 2016 Six-Month Servicing Allocation Review.

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2016-41 dated October 31, 2016 regarding the 2016 Six-Month Servicing Allocation Review be received and the following recommendations be adopted:

i) THAT allocation be granted to the following developments:

345-351 Davis Drive (40 stacked townhouse units/106 people) from the urban centres reserve, subject to the Owner meeting all terms and conditions of the Town's Servicing Allocation Policy, as amended;

955/995 Mulock Drive (73 townhouse units/192 people)

ii) AND THAT the Town continue to hold the balance of its unassigned and uncommitted servicing capacity (1353 people total, with a minimum of 455 people to be directed to the Centres and Corridors) in a strategic reserve.

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

### **Carried**

11. Committee of the Whole Minutes of November 7, 2016.

Moved by: Councillor Kwapis  
Seconded by: Councillor Broome

THAT the Committee of the Whole Minutes of November 7, 2016 be received and the following recommendations be adopted:

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

13. 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.

14. 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.

15. 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.

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

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.

17. 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.

18. 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)
19. 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.
20. 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)
21. 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.
22. 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.
23. 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.

24. 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

25. 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.

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.

26. 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.

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.

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

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.

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

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

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

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'
- That the Public Art Policy be amended to reflect the following Jury Composition, as follows = 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)

30. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

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

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

**Carried**

31. 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) and deputation by Mr. Mike Roberts.

Moved by: Councillor Vegh  
Seconded by: Councillor Twinney

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

In Favour: Mayor Van Bynen, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

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

**Carried**

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

32. Development and Infrastructure Services Information Report - Engineering Services 2016-53 dated November 10, 2016 regarding Updated Site Alteration By-law.

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

a) THAT Development and Infrastructure Services Information Report - Engineering Services 2016-53 dated November 10, 2016 regarding 'Updated Site Alteration By-law to repeal current Cut Fill By-law 1998-110' be received.

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

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

**Carried**

## **By-laws**

33. By-laws 2016-53, 2016-56, 2016-57, 2016-58 and 2016-59.

- |         |   |
|---------|---|
| 2016-53 | A By-law of the Town of Newmarket respecting the regulation, licensing and control of animals in the Town of Newmarket. (Animal Control By-law)<br>(Housekeeping Amendment - inclusion of the words 'except within a designated off leash park area as designated by the Town' in Section 3.14) |
| 2016-56 | A By-law to exempt certain lands from the Part Lot Control provisions of the Planning Act. (Greenland Ridge Homes Ltd.)   |
| 2016-57 | A By-law to appoint an Acting Town Clerk for the Town of Newmarket. (Esther Armchuk)  |
| 2016-58 | A By-law to prohibit or regulate the placing or dumping of fill, the removal of topsoil and the alteration of the grade of lands within the Town of Newmarket.  |
| 2016-59 | A By-law to amend By-law 2010-40, as amended, being a Zoning By-law, (1166 and 1186 Nicholson Road)   |

Moved by: Councillor Vegh  
Seconded by: Councillor Kerwin

THAT By-laws 2016-53, 2016-56, 2016-57, 2016-58 and 2016-59 be enacted.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor,  
Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor  
Kwapis, 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 that yard waste collection has been extended to the week of November 29, 2016 and provided tips related to yard waste disposal.
- b) Councillor Broome advised that the Newmarket Santa Claus Parade will take place on Saturday, November 19, 2016 beginning at 11:00 a.m. at the corner of Eagle Street and Lorne Avenue.
- c) Councillor Broome invited residents to contribute to the Town of Newmarket's annual Christmas toy and food drive. Donations of unwrapped toys and non-perishable food items can be made in the lobby of the Municipal Offices at 395 Mulock Drive from November 16 to December 16, 2016.
- d) Councillor Kwapis invited residents to the annual Candlelight Parade and Tree Lighting Ceremony, presented by the Newmarket Main Street BIA on Friday November 18, 2016. Festivities begin at 6:30 p.m. at Main Street South and Water Street.
- e) Deputy Mayor & Regional Councillor Taylor advised that Newmarket is considering a new stormwater charge for 2017. If approved, the current amount for stormwater will be removed from your property tax and water and wastewater bills to be put towards a stormwater charge in order to ensure that the Town has enough money in the future for any stormwater management improvements

designed to reduce the negative effects of stormwater on our environment and lower the risks of flooding that can damage your property. For further information, contact the Financial Services department at 905-895-5193 or visit [www.newmarket.ca/stormwatercharge](http://www.newmarket.ca/stormwatercharge)

- f) Councillor Twinney advised that she will be hosting a Ward 3 meeting on Tuesday, November 15, 2016 from 7:00 to 8:30 p.m. at the Newmarket Community Centre & Lions Hall, 200 Doug Duncan Drive. Representatives from the Ministry of Natural Resources will be in attendance to provide a presentation on living with coyotes.
- g) Councillor Kerwin invited residents to join members of the Newmarket Seniors' Meeting Place on Tuesday, November 22, 2016 as they depart for a day of gaming fun at Casino Rama. The trip departs from Ray Twinney Recreation Complex at 9:00 a.m. For more information, call 905-953-5325.
- h) Councillor Kerwin advised that the Town will be hosting a Public Information Centre on Tuesday, December 6, 2016 from 7:00 to 9:00 p.m. on potential regulation of driving school instructors.
- i) Councillor Vegh advised that the Elman W. Campbell Museum Christmas Gift Shop Sale will be held on Saturday, November 19, 2016 from 9:30 a.m. to 2:30 p.m.
- j) Mayor Van Bynen encouraged residents to get involved in the 2017 budget process by providing feedback using the interactive budget tool online, attending or live streaming public budget meetings, or by contacting local Ward Council representatives. The next public budget meetings are scheduled for November 21, 2016 at 1:30 p.m. and December 5, 2016 at 10:00 a.m. in the Council Chambers. Visit [www.newmarket.ca/2017budget](http://www.newmarket.ca/2017budget) for more information or call 905-895-5193.
- k) Mayor Van Bynen advised that the next Council meeting is Monday, December 5, 2016 at 7:00 p.m.

## **New Business**

- a) The Acting Chief Administrative Officer provided notice that the Director of Legislative Services/Town Clerk has been appointed as City Clerk to the City of Oshawa. The Acting Chief Administrative Officer expressed his appreciation to the Director of Legislative Services/Town Clerk for his contributions to the Town. The Mayor and Members of Council expressed their congratulations and thanks to the Director of Legislative Services/Town Clerk for his contributions and support to Council.

- b) Councillor Bisanz advised that a provincial review of the Ontario Municipal Board is underway and requested that Development and Infrastructure Services - Planning Services Information Report 2016-44 regarding Ontario Municipal Board Review be placed on the next Committee of the Whole agenda for discussion and recommendations that can be forwarded to the province in advance of the December 19, 2016 comment deadline.
- c) Councillor Kwapis advised that he recently attended a function on traffic safety and provided a verbal overview of provincial announcements related to speed mitigation, including municipal controls to lower speed limits, install red light cameras and implement photo radar in school zones. He proposed that staff provide Council with information on school zones with considerable speed issues and hard data that captures both streets and time of day speed issues.
- d) Deputy Mayor & Regional Councillor Taylor announced the passing of Ms. Alice Sheridan on Sunday, November 13, 2016 and provided a tribute to Ms. Sheridan and expressed thanks for her dedication and involvement with the Town.

## **Closed Session**

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

## **Confirmatory By-law**

### **34. Confirmatory By-law.**

2016-60      A By-law to confirm the proceedings of Council at its meeting of November 14, 2016.

Moved by:      Councillor Kwapis  
Seconded by: Councillor Broome

THAT By-law 2016-60 be enacted.

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

## **Carried**

## Adjournment

35. Adjournment.

Moved by: Councillor Twinney

Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT the meeting adjourn.

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

Opposed: (None)

(8 in favour, 0 opposed)

### Carried

There being no further business, the meeting adjourned at 8:30 p.m.

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Tony Van Bynen, Mayor

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Esther Armchuk, Acting Town Clerk