

The meeting of the Special Council was held on Monday, April 7, 2014 in Council Chambers, 395 Mulock Drive, Newmarket.

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

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

The meeting was called to order at 5:08 p.m.

Mayor Van Bynen in the Chair.

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

None.

### **Declarations of Pecuniary Interest**

None.

## **Reports of Committees and Staff**

### **2. Special Committee of the Whole Minutes of March 31, 2014.**

Moved by: Councillor Emanuel

Seconded by: Councillor Sponga

THAT the Special Committee of the Whole Minutes of March 31, 2014 be approved.

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

Opposed: (None)

(9 in favour, 0 opposed)

#### **Carried**

### **3. Special Committee of the Whole (Closed Session) Minutes of March 31, 2014.**

Moved by: Councillor Hempen

Seconded by: Councillor Kerwin

THAT the Special Committee of the Whole (Closed Session) Minutes of March 31, 2014 be approved.

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

Opposed: (None)

(9 in favour, 0 opposed)

#### **Carried**

Ratification of Actions related to matters arising from the Committee of the Whole (Closed Session) of April 7, 2014.

4. Marianneville Developments Limited (Glenway) Litigation before the Ontario Municipal Board.

Moved by: Councillor Vegh  
Seconded by: Councillor Kerwin

a) THAT the Confidential Memorandum dated April 3, 2014 from Ruth Victor, Ruth Victor and Associates regarding Application for Official Plan Amendment and Draft Plan of Subdivision Approval, Marianneville Developments Limited (Glenway) be received;

b) AND THAT the Confidential Memorandum dated April 3, 2014 from Mary Bull and Johanna Shapira, Wood Bull LLP regarding Marianneville Developments – Phase 2 Matters be received;

c) AND THAT the Confidential Memorandum dated April 4, 2014 from the Assistant Director of Planning regarding Marianneville Developments Limited be received;

d) AND THAT staff be authorized to act in accordance with the direction provided at the April 7, 2014 Committee of the Whole (Closed Session) Meeting.

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

Opposed: Councillor Emanuel  
(8 in favour, 1 opposed)

**Carried**

Special Council recessed at 5:17 p.m.

Special Council reconvened at 8:23 p.m.

5. CAO/Corporate Services Commission (Closed Session) Report 2014-04 regarding the security of property of the municipality.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Emanuel

THAT Joint CAO/Corporate Services Closed Session Report 2014-04, dated March 27, 2014 regarding the security of property of the municipality be received;

AND THAT the direction provided to staff regarding the security of property of the municipality matter be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel  
Opposed: (None)  
(9 in favour, 0 opposed)

**Carried**

6. Corporate and Financial Services – Legal Services (Closed Session) Report 2014-09 regarding the security of property of the municipality.

Moved by: Councillor Emanuel  
Seconded by: Councillor Vegh

a) THAT Council approve in principle the request for an extension of the existing outdoor patio for Cachet Restaurant at 500 Water Street, subject to the following conditions:

i) THAT Cachet make any required applications to the Alcohol and Gaming Commission regarding any amendments to its current Liquor Licence;

ii) AND THAT Cachet be responsible for all costs, however incurred, in constructing an extension of the existing patio;

iii) AND THAT the proposed patio design will not interfere with the Town's proposed trail expansion on the east side of the building;

iv) AND THAT the Clerk, Chief Building Official, Director of Planning and Building Services, Director of Engineering Services and Director of Public Works Services review and approve the detailed plans for the proposed extension of patio and provide any necessary conditions;

v) AND THAT the Owners be advised that no additional parking at the rear of 500 Water Street will be provided;

b) AND THAT Staff be authorized to provide final approval subject to the above conditions being met.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Di Muccio, Councillor Emanuel  
Opposed: (None)  
(9 in favour, 0 opposed)

**Carried**

7. Office of the Chief Administrative Officer and Corporate Services – Legal Services Joint (Closed Session) Report 2014-10 regarding the security of property of the municipality.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Emanuel

a) THAT the Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-10 dated April 7, 2014 regarding the purchase of property for a post-secondary satellite campus be received;

b) AND THAT the recommendations in the Office of the Chief Administrative Officer and Corporate Services (Legal) Joint Closed Session Report 2014-10 be adopted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Emanuel  
Opposed: Councillor Di Muccio  
(8 in favour, 1 opposed)

**Carried**

## **Confirmatory By-Law**

8. 2014-17 A By-law to confirm the proceedings of a meeting of Council - April 7, 2014.

Moved by: Councillor Kerwin  
Seconded by: Councillor Twinney

THAT By-law 2014-17 be enacted.

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

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

**Carried**

## **Adjournment**

9. Adjournment.

Moved by: Councillor Kerwin  
Seconded by: Councillor Vegh

THAT the meeting adjourn.

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

Opposed: Councillor Sponga  
(8 in favour, 1 opposed)

**Carried**

There being no further business, the meeting adjourned at 8:28 p.m.

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Tony Van Bynen, Mayor

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Andrew Brouwer, Town Clerk