



Town of Newmarket

Minutes

Council

Date: Monday, September 10, 2018

Time: 7:00 PM

Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Members Absent: Councillor Hempen

Staff Present: R. N Shelton, Chief Administrative Officer
E. Armchuk, Commissioner, Corporate Services
P. Noehammer, Commissioner, Development & Infrastructure Services
C. Service, Director, Recreation and Culture (Acting Commissioner, Community Services)
L. Lyons, Director of Legislative Services/Town Clerk
A. Walkom, Council Committee Coordinator

The meeting was called to order at 7:00 PM.

Mayor Van Bynen in the Chair.

1. Open Forum

No one in attendance came forward to address Council during Open Forum.

2. Public Notices (if required)

None.

3. Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the following addition to the agenda:

1. Council Meeting Minutes (Closed Session) of June 18, 2018

Moved by: Councillor Vegh

Seconded by: Councillor Twinney

1. That the additions and corrections to the agenda be approved.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

4. Declarations of Pecuniary Interest

None.

5. Presentations & Recognitions

None.

6. Deputations

6.1 Terry Fox Week

Debbie Fletcher-Queen provided a deputation regarding Terry Fox Week 2018. She advised that the Terry Fox Run will be held September 16, 2018.

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the deputation by Debbie Fletcher-Queen regarding Terry Fox Week 2018 be received.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

6.2 Promotion of Democracy in Cambodia

Vichet Lam provided a deputation on the political situation in Cambodia.

Moved by: Councillor Kerwin

Seconded by: Deputy Mayor & Regional
Councillor Taylor

1. That the deputation by Vichet Lam regarding Promotion of Democracy in Cambodia be received.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

7. Approval of Minutes

7.1 Council Meeting Minutes of June 18, 2018

Moved by: Councillor Vegh

Seconded by: Councillor Broome

1. That the Council Meeting Minutes of June 18, 2018 be approved.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

7.2 Council Meeting Minutes (Closed Session) of June 18, 2018

Moved by: Councillor Kerwin

Seconded by: Councillor Twinney

1. That the Council (Closed Session) Minutes of June 18, 2018 be approved.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

7.2.1 Item 3 of the draft Appointment Committee (Closed Session) Meeting Minutes of May 22, 2018 - Personal matters about an identifiable individual, including municipal or local board employees as per Section 239 (2)(b) of the Municipal Act, 2001

Mayor Van Bynen advised that Council received this item and reported out in public session at the June 18, 2018 Council Meeting.

7.2.2 Hollingsworth Arena - A proposed or pending acquisition or disposition of land by the municipality or local board, as per Section 239 (2)(c) of the Municipal Act, 2001.

Mayor Van Bynen advised that staff provided Council with an update on the Hollingsworth Arena property.

7.3 Special Council Meeting Minutes of June 25, 2018

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the Special Council Meeting Minutes of June 25, 2018 be approved.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

7.4 Special Council Meeting (Closed Session) Minutes of June 25, 2018

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

1. That the Special Council (Closed Session) Minutes of June 25, 2018 be approved.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

7.4.1 Human Resources Closed Session Report 2018-11 regarding labour relations or employee negotiations as per Section 239 (2)(d) of the Municipal Act, 2001.

Mayor Van Bynen advised that Council adopted the recommendations of the report in public session at the June 25, 2018 Special Council Meeting.

8. Reports by Regional Representatives

(1) Deputy Mayor and Regional Councillor Taylor advised that the Green Lane Secondary Plan was granted approval at the Regional Committee of the Whole.

(2) Deputy Mayor and Regional Councillor Taylor advised that the 2017 Waste Diversion Report is available online and shows the exceptional record for waste diversion in York Region with only 7% of waste going to landfill.

9. Reports of Committees and Staff

9.1 Council Workshop Minutes of June 25, 2018

Moved by: Deputy Mayor & Regional
Councillor Taylor

Seconded by: Councillor Bisanz

1. That the Council Workshop Minutes of June 25, 2018 be approved.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.2 Committee of the Whole Meeting Minutes of August 27, 2018

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the Committee of the Whole Meeting Minutes of August 27, 2018 be received and the recommendations noted within be adopted with the exception of sub-item 9.2.4. See following sub-item 9.2.4 for motion and recorded vote.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.2.1 Deputation - Mossbank Parking Review

1. That the deputation regarding the Mossbank Parking Review be received.

9.2.2 Zoning By-law Amendment Application - 18095 & 18099 Leslie Street

1. That the report entitled Zoning By-law Amendment Application – 18095 & 18099 Leslie Street, dated August 27, 2018 be received; and,
2. That the application for Zoning By-law Amendment submitted by Jason Hyatt for lands municipally known as 18095 & 18099 Leslie Street be referred to a public meeting; and,
3. 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; and,

4. That Michael Smith of Michael Smith Planning Consultants, 19027 Leslie Street, Suite 200, Sharon, L0G 1V0, be notified of this action; and,
5. That Jason Hyatt, 180 Wellington Street East, Aurora, L4G 1J5, be notified of this action; and
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.3 Zoning By-law Amendment Application - 175 Deerfield Road

1. That the report entitled 175 Deerfield Road – Zoning By-law Amendment Application dated August 27, 2018 be received; and,
2. That the application for Zoning By-law amendment for lands municipally known as 175 Deerfield Road be approved and that staff be directed to prepare the necessary Zoning By-law amendments, including the necessary Holding provisions; and,
3. That Council direct the Director of Planning and the Municipal Solicitor, or her designate, to enter into one or more agreements on behalf of the Town pursuant to Section 37 of the Planning Act to secure community benefits and any matters required as a legal convenience; and,
4. That per Section 45(1.4) of the Planning Act, Council resolve that minor variances shall be authorized for the subject lands; and,
5. That Council determine that based on the information in this report and in accordance with Section 34(17) of the Planning Act, adequate public notice has been provided; and,
6. That staff be directed to do all things necessary to give effect to the recommendations in this report; and,
7. That Daniel Berholz, of The Rose Corporation, 156 Duncan Mill Road, Unit 12, Toronto, ON, M3B 3N2 be notified of this action; and
8. That David McKay, MHBC Planning Limited, of 7050 Weston Road, Suite 230, Vaughan, ON L4L 8G7 be notified of this action.

9.2.4 Mossbank Parking Review Report

Moved by: Councillor Twinney

Seconded by: Deputy Mayor & Regional
Councillor Taylor

1. That the report entitled Mossbank Court Parking Review dated August 27, 2018 be received; and,
2. That parking on the street remain unchanged; and,
3. That staff be directed to survey the residents on Mossbank Court to receive their feedback on a no-parking area; and,
4. That by-law enforcement continue to monitor the area to enforce the parking by-law in the area.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

**9.2.5 Central York Fire Services – Joint Council Committee Meeting
Minutes of March 6, 2018**

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of March 6, 2018 be received.

**9.2.6 Newmarket Downtown Development Committee Meeting
Minutes of March 23, 2018**

1. That the Newmarket Downtown Development Committee Meeting Minutes of March 23, 2018 be received.

**9.2.7 Heritage Newmarket Advisory Committee Meeting Minutes of
May 1, 2018 and June 5, 2018**

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of May 1, 2018 and June 5, 2018 be received.

**9.2.8 Item 7 of Heritage Newmarket Advisory Committee Meeting
Minutes of May 1, 2018**

1. The Senior Leadership Team/Operational Leadership Team recommend that Council direct staff to proceed through the Heritage designation process for the following two properties:
 - a. 368 Park Avenue
 - b. 161 Prospect Street

**9.2.9 Newmarket Environmental Advisory Committee Meeting
Minutes of May 2, 2018**

1. That the Newmarket Environmental Advisory Committee Meeting Minutes of May 2, 2018 be received.

**9.2.10 Item 7.1 of Newmarket Environmental Advisory Committee
Draft Meeting Minutes of June 20, 2018**

1. The Senior Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report:
 - a. That the Newmarket Environmental Advisory Committee recommend to Council that current Committee members' terms be extended until their successors are appointed.

**9.2.11 Main Street District Business Improvement Area Board
of Management Meeting Minutes of May 15, 2018**

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of May 15, 2018 be received.

**9.2.12 Accessibility Advisory Committee Meeting Minutes of May 17,
2018**

1. That the Accessibility Advisory Committee Meeting Minutes of May 17, 2018 be received.

9.2.13 Outstanding Matters List

1. That the list of outstanding matters be received.

10. By-laws

Moved by: Councillor Bisanz

Seconded by: Councillor Kerwin

1. That by-laws 2018-45 and 2018-46 be enacted.

In Favour (8): Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

10.1 2018-45 - A By-law to Adopt Fees and Charges for Services or Activities Provided by the Town of Newmarket (Legislative Services – Licensing Fees)

10.2 2018-46 - A By-law To Exempt Certain Lands From The Part Lot Control Provisions Of The Planning Act. (Sundial Homes (Davis) Limited) Blocks 86, 93, 94, 95, 96, 97, 98 and 100 Registered Plan 65M-4565

11. Notices of Motions

None.

12. Motions

None.

13. Announcements & Community Events

(1) Councillor Vegh advised that the Opening Night Gala for Southlake Cinemania, part of the TIFF Film Circuit, will be held September 17, 2018 at SilverCity Newmarket.

(2) Councillor Kerwin invited residents to come to the Active Living and Information Fair on Saturday, September 22, 2018 from 9:00 AM to 2:00 PM at the Newmarket Seniors' Meeting Place, 474 Davis Drive.

(3) Councillor Twinney advised that a Public Consultation Centre regarding the Patterson Street Watermain Replacement is scheduled for Tuesday, September 18, 2018 in the Council Chambers at the Municipal Offices, 395 Mulock Drive, with doors opening at 6:00 PM.

(4) Deputy Mayor and Regional Councillor advised that a Public Meeting is scheduled for Monday, September 17, 2018 at 7:00 PM in the Council Chambers at 395 Mulock Drive regarding an application for a Zoning By-law Amendment for the lands municipally known as 18095 & 18099 Leslie Street.

(5) Councillor Kwapis invited residents to attend A Splash of Culture on Friday, September 14, 2018 from 8:00 PM to 10:00 PM at the Tim Hortons Skating and Water Feature at Newmarket's Riverwalk Commons.

(6) Councillor Kwapis advised that Rebel Heartland returns to Newmarket on Saturday, September 22, 2018 from 9:00 AM to 8:30 PM and Sunday, September 23, 2018 from 10:00 AM to 5:00 PM. He advised that the event includes a large-scale historical re-enactment at Fairy Lake Park, Newmarket's Riverwalk Commons, and throughout downtown Newmarket

(7) Councillor Broome invited residents to attend Old Town Hall Discovery Walks, a free three-part walking series on Thursday September 13, 2018, Saturday, October 6, 2018 and Thursday, October 11, 2018 from 1:00 PM to 2:00 PM at the Old Town Hall, 460 Botsford St.

(8) Councillor Bisanz invited residents to the Terry Fox Run on Sunday, September 16, 2018 at the Ray Twinney Complex, 100 Eagle Street West. She advised that registration is at 8:30 AM and the run begins at 9:00 AM.

(9) Mayor Van Bynen advised that the next Council meeting is Monday, September 24, 2018 at 7:00 PM.

14. New Business

14.1 Union Hotel and Bogart House

Deputy Mayor and Regional Councillor Taylor advised that the Union Hotel will soon be listed for sale. He asked staff for an update on the Union Hotel and Bogart House properties. The Commissioner of Development and Infrastructure Services advised that the notice of intention to designate the Union Hotel was released in August 2018 and that the intention is to bring the designation by-law to the Council meeting of September 24, 2018. The Commissioner further advised that staff are continuing to work with the owner of the Bogart House to ensure the building is preserved.

14.2 Update on Dog Park

Councillor Twinney provided an update on the Dog Park and advised that recent changes have allowed for more space in the park.

14.3 Condition of Sidewalks, Lion's Park, Town Events

Councillor Kerwin advised that the sidewalks along Gorham Street are in good condition. He further advised that the natural gardens in Lion's Park would help contribute to Newmarket's designation as a Bee City. He congratulated staff on the success of the New'bark'et event.

14.4 Newmarket Concerts

Councillor Kwapis congratulated the volunteers who had worked to organize recent concerts in Newmarket.

15. Closed Session (if required)

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

16. Confirmatory By-law

16.1 2018-47 - A By-law to confirm the proceedings of the September 10, 2018 Council meeting

Moved by: Councillor Bisanz

Seconded by: Councillor Vegh

1. That by-law 2018-47 be enacted.

Carried

17. Adjournment

Moved by: Councillor Bisanz

Seconded by: Councillor Vegh

1. That the meeting adjourn at 7:42 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk