

The meeting of the Committee of the Whole was held on Tuesday, May 24, 2011 at 1:30 p.m. in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Di Muccio (1:30 – 7:05 p.m.; 7:37 to 9:16 p.m.)
Councillor Emanuel
Councillor Hempen
Councillor Kerwin
Councillor Sponga (1:30 – 5:20 p.m.; 5:23 to 7:05 p.m.)
Councillor Twinney
Councillor Vegh (1:30 – 7:05 p.m.; 7:15 to 9:16 p.m.)

Staff: R.N. Shelton, Chief Administrative Officer
R. Dixon, Commissioner of Corporate Services/Acting Commissioner of Legal and Development Services
R. Prentice, Commissioner of Community Services
R. Nethery, Director of Planning and Building Services
A. Moore, Director of Legislative Services/Town Clerk
M. Plaunt, Senior Policy Planner
L. Gibson, Deputy Clerk
A. MacDougall, Council/Committee Co-ordinator

The meeting was called to order at 1:30 p.m.

Mayor Van Bynen in the Chair.

ADDITIONS TO THE AGENDA

**Moved by Councillor Vegh
Seconded by Councillor Kerwin**

THAT the order of the agenda be altered by adding the following items for consideration:

ADDITIONS

- Item 2b) **Item 2 of the Heritage Newmarket Advisory Committee Minutes of May 10, 2011 regarding the Renovations at 223 Main Street South.**
- Item 3b) **Item 3 of the Inclusivity Advisory Committee of May 11, 2011 regarding the Revised Terms of Reference for the Inclusivity Advisory Committee.**

DISTRIBUTION

- Item 2a) Heritage Newmarket Advisory Committee Minutes of May 10, 2011.
- Item 3a) Inclusivity Advisory Committee Minutes of May 11, 2011.
- Item 3b) Replacement Pages 3b.1 and 3b.2
Amendment to Assignment portion of the Terms of Reference for the Inclusivity Advisory Committee to include “citizen member” as the Committee Chair and Vice-Chair.
- Item 14 Lake Simcoe Region Conservation Authority PowerPoint Presentation regarding an Update on the Plantings and Status of Fairy Lake Dredging.
- Item 15 Urban Centres Secondary Plan Update - PowerPoint Presentation.

CARRIED 

DECLARATIONS OF INTEREST

Regional Councillor Taylor declared an interest in Item 16 of the Committee of the Whole Minutes of May 24, 2011 regarding the Heritage Newmarket Advisory Committee’s list of properties of interest because he is the owner of property included on the list.

Regional Councillor Taylor declared an interest in Item 12 of the Committee of the Whole Minutes of May 24, 2011 regarding Newmarket Hydro Holdings Inc. – Director Nominations because his father is a member of the Board of Directors of Newmarket-Tay Power and receives remuneration for this position.

Regional Councillor Taylor declared an interest in Item 22 of the Committee of the Whole Minutes of May 24, 2011 regarding Public Hearing Matters with respect to the Application for Zoning By-law Amendment – Newmarket Hydro Ltd., west side of Harry Walker Parkway South because his father is a member of the Board of Directors of Newmarket-Tay Power and receives remuneration for this position.

The Chief Administrative Officer advised Council that he had an interest in Item 16 of the Committee of the Whole Minutes regarding the Heritage Newmarket Advisory Committee’s list of properties of interest because he is the owner of property on the list.

Councillor Sponga declared a pecuniary interest in Item 16 of the Committee of the Whole Minutes of May 24, 2011 regarding the Heritage Newmarket Advisory Committee’s list of properties of interest as it may pertain to the Heritage Tax Rebate Program because he owns property that is designated in accordance with the *Ontario Heritage Act*.

Councillor Sponga declared a pecuniary interest in Item 14 of the Committee of the Whole Minutes of May 24, 2011 regarding Legal and Development Services Report – Planning 2011-13 with respect to the Heritage Conservation District – Lower Main Street South but only if the discussion pertains to the Heritage Tax Rebate Program because he owns property that is designated in accordance with the *Ontario Heritage Act*.

Councillor Hempen declared a pecuniary interest in Item 14 of the Committee of the Whole Minutes of May 24, 2011 regarding Legal and Development Services Report – Planning 2011-13 with respect to the Heritage Conservation District – Lower Main Street South because his mother is the owner of property on Main Street.

**Moved by Councillor Emanuel
Seconded by Regional Councillor Taylor**

THAT the following items be adopted on consent:

**1. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 1
REQUESTS FOR PROCLAMATION**

a. **THAT the correspondence dated April 15, 2011 from Ms. Joan Booth, Executive-Director, Spina Bifida & Hydrocephalus Association of Ontario, be received and the following recommendations be adopted:**

1. **THAT the Town of Newmarket proclaim June 2011 as “Spina Bifida & Hydrocephalus Awareness Month” in the Town of Newmarket;**
2. **AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca**

b. **THAT the correspondence dated May 2, 2011 from Ms. Susan Manahan, Manager of Community Engagement & Quality Assurance, DeafBlind Ontario Services, be received and the following recommendations be adopted:**

1. **THAT the Town of Newmarket proclaim June 2011 as “Deafblind Awareness Month” in the Town of Newmarket;**
2. **AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca**

**2. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 2
NEWMARKET ECONOMIC DEVELOPMENT ADVISORY COMMITTEE MINUTES**

THAT the Newmarket Economic Development Advisory Committee Minutes of March 31, 2011 be received.

**3. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 3
NEWMARKET ENVIRONMENTAL ADVISORY COMMITTEE MINUTES**

THAT the Newmarket Environmental Advisory Committee Minutes of May 4, 2011 be received.

**4. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 4
NEWMARKET PUBLIC LIBRARY BOARD MINUTES**

THAT the Newmarket Public Library Board Minutes of March 22, 2011 be received.

5. **COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 5
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-18
APPLICATION FOR ZONING BY-LAW AMENDMENT (1159661 ONTARIO LIMITED)
360 HARRY WALKER PARKWAY SOUTH, SOUTHWEST CORNER OF HARRY
WALKER PARKWAY SOUTH & NICHOLSON ROAD (*WARD 2*)**

THAT Legal and Development Services Report – Planning 2011-18 dated May 4, 2011 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:

1. THAT the Application for Zoning By-law Amendment as submitted by 1159661 Ontario Limited for lands being composed of Lot 1, Plan 65M 2677, located at the southwest corner of Harry Walker Parkway South and Nicholson Road be referred to a public meeting to be held on June 13, 2011;
2. AND THAT following the public meeting, issues identified in this Report, together with comments of 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;
3. AND THAT 1159661 Ontario Limited, 106 Corstate Ave, Ste. 1, Vaughan, ON L4K 4X2 be notified of this action.

6. **COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 6
CORPORATE SERVICES REPORT – FINANCE 2011-20
2010 DEVELOPMENT CHARGE RESERVE FUNDS TRANSACTIONS**

THAT Corporate Services Report – Finance 2011-20 dated March 30, 2011 regarding the 2010 Development Charge Reserve Funds Transactions be received for information purposes.

7. **COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 7
CORPORATE SERVICES REPORT – FINANCE 2011-21
2011 BUDGET RECONCILIATION**

THAT Corporate Services Report – Finance 2011-21 dated April 21, 2011 regarding the 2011 Budget Reconciliation be received for information purposes.

8. **COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 8
LIST OF OUTSTANDING MATTERS**

THAT the list of Outstanding Matters be received.

CARRIED 

This concludes the consent portion of the agenda.

9. **COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 9
COMMUNITY SERVICES REPORT – RECREATION & CULTURE 2011-35
LIONS FRIENDSHIP ARCH**

Deputation:

Mr. Ernie Crossland addressed the Committee regarding the installation of the Friendship Arch. Mr. Crossland submitted documentation which was distributed to Mayor and Members of Council for their consideration.

**Moved by Regional Councillor Taylor
Seconded by Councillor Sponga**

THAT the deputation by Mr. Ernie Crossland with respect to the installation of the Friendship Arch be received.

CARRIED 

Report:

Community Services Report – Recreation & Culture 2011-35 dated May 10, 2011 regarding the Lions Friendship Arch.

**Moved by Regional Councillor Taylor
Seconded by Councillor Sponga**

THAT Community Services Report – Recreation & Culture 2011-35 dated May 10, 2011 regarding the Lions Friendship Arch be received and the following recommendations be adopted:

1. **THAT the Lions Friendship Arch be installed adjacent to All Our Kids Play Park;**
2. **AND THAT staff complete the installation by the end of 2011.**

CARRIED 

10. **COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 10
LAKE SIMCOE REGION CONSERVATION AUTHORITY – UPDATE ON THE
PLANTINGS AND STATUS OF FAIRY LAKE DREDGING**

Mr. Brook Piotrowski, Environmental Project Coordinator, Conservation Lands and Mr. Rob Baldwin, Director, Planning and Development Services, Watershed Management, Lake Simcoe Region Conservation Authority addressed the Committee with a PowerPoint presentation regarding an Update on the Plantings and Status of Fairy Lake Dredging.

**Moved by Councillor Sponga
Seconded by Councillor Di Muccio**

1. **THAT the PowerPoint presentation by Mr. Brook Piotrowski, Environmental Project Coordinator, Conservation Lands and Mr. Rob Baldwin, Director, Planning and Development Services, Watershed Management, Lake Simcoe Region Conservation Authority regarding an Update on the Plantings and Status of Fairy Lake Dredging be received;**
2. **AND THAT a subsequent update be provided by the Lake Simcoe Region Conservation Authority in September 2011;**
3. **AND THAT Lake Simcoe Region Conservation Authority and Town staff meet to address areas of concern including: plantings, site maintenance, garbage removal, fence removal and next steps.**

CARRIED 

**11. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 11
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-11
URBAN CENTRES SECONDARY PLAN UPDATE**

Presentation:

Mr. Graeme Burt, planningAlliance, addressed the Committee with a PowerPoint presentation regarding Urban Centres Secondary Plan Update.

**Moved by Councillor Vegh
Seconded by Councillor Twinney**

THAT the PowerPoint presentation by Mr. Graeme Burt, planningAlliance, regarding Urban Centres Secondary Plan Update be received.

CARRIE 

Report:

Legal and Development Services Report – Planning 2011-11 dated May 24, 2011 regarding Urban Centres Secondary Plan Update.

**Moved by Councillor Vegh
Seconded by Councillor Twinney**

THAT Legal and Development Services Report – Planning 2011-11 dated May 24, 2011 regarding the Urban Centres Secondary Plan Update be received.

CARRIED 

**12. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 12
NEWMARKET HYDRO HOLDINGS INC. – DIRECTOR NOMINATIONS**

Mr. Paul Ferguson, President, Newmarket-Tay Power Distribution Ltd. addressed the Committee regarding Director Nominations.

Report:

Newmarket-Tay Power Distribution Ltd. Report of the President dated May 12, 2011 regarding Newmarket-Tay Power Distribution Ltd. Director Search Process.

Moved by Councillor Vegh

Seconded by Councillor Twinney

THAT the Newmarket-Tay Power Distribution Ltd. Report of the President dated May 12, 2011 regarding the Process for a Director Search for the Board of Directors of Newmarket-Tay Power Distribution (“NT Power”) be received and the following recommendations be adopted:

WHEREAS Director P. Hoey has resigned from the Board of Directors of NT Power on April 30, 2011 resulting in a need to appoint one new director;

THEREFORE BE IT RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

- 1. THAT the requirement in the Shareholders Agreement, Article 3, Section 3.03, Paragraph (2) requiring input from a professional search firm for the preparation of a list of recommended candidates from which to select nominees to be elected directors with respect to all then vacant director positions or all director positions which will be vacant as at the next annual general meeting of NT Power be waived for this appointment;**
- 2. AND THAT Mayor Van Bynen and Councillor Emanuel be appointed to an ad-hoc joint committee of the Councils of the Town of Newmarket and the Township of Tay for the express purposes of considering the list of candidates;**
- 3. AND THAT Councillor Kerwin be appointed to serve as the Chair of the ad-hoc joint committee.**

CARRIED 

Moved by Councillor Kerwin

Seconded by Councillor Emanuel

THAT the presentation by Mr. Paul Ferguson, President, Newmarket-Tay Power Distribution regarding Director Nominations be received.

CARRIED 

Regional Councillor Taylor took no part in the discussion or voting on the foregoing matter.

**13. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 13
SECOND CONCESSION ENVIRONMENTAL ASSESSMENT STUDY UPDATE**

Mr. Mark Nykoluk, York Region Transportation Services, addressed the Committee regarding an update of the Second Concession Environmental Assessment Study.

**Moved by Regional Councillor Taylor
Seconded by Councillor Emanuel**

THAT the presentation by Mr. Mark Nykoluk, York Region Transportation Services regarding an update of the Second Concession Environmental Assessment Study be received and referred to staff to address concerns and report back to Committee of the Whole in June 2011.

CARRIED 

The Committee recessed at 3:40 p.m.

The Committee reconvened at 3:52 p.m.

**14. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 14
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-13
HERITAGE CONSERVATION DISTRICT – LOWER MAIN STREET SOUTH**

Deputation:

Mr. Athol Hart on behalf of the Coalition for the Heart of Newmarket and the Heritage Newmarket Advisory Committee addressed the Committee with respect to the proposed Heritage Conservation District – Lower Main Street South.

**Moved by Councillor Emanuel
Seconded by Councillor Kerwin**

THAT the deputation by Mr. Athol Hart, on behalf of the Coalition for the Heart of Newmarket and the Heritage Newmarket Advisory Committee, regarding the proposed Heritage Conservation District – Lower Main Street South be received.

CARRIED 

Report:

Legal and Development Services Report – Planning 2011-13 dated April 1, 2011 regarding a Heritage Conservation District.

An amendment was made to Recommendation 3 by deleting the phrase “at such time as the required resources are in place” and replacing it with the words “of Council.”

An amendment was made by adding Recommendation 4 as follows:

“4. AND THAT the issue of staff resources and cost be referred to the 2012 budget.”

The Mayor advised that the recommendations would be considered separately.

**Moved by Councillor Sponga
Seconded by Councillor Emanuel**

THAT Legal and Development Services Report – Planning 2011-13 dated April 1, 2011 regarding a Heritage Conservation District be received and the following recommendations, as amended, be adopted:

THAT Council designate by by-law the area shown on Attachment 1: District Boundaries as the Lower Main Street South Heritage Conservation District, in accordance with Section 41 of the *Ontario Heritage Act*.

CARRIED 

**Moved by Councillor Sponga
Seconded by Councillor Emanuel**

THAT Council adopt by by-law the Lower Main Street South Heritage Conservation District Plan dated October 12, 2010 as the District Plan for the Lower Main Street South Heritage Conservation District, in accordance with Section 41 of the *Ontario Heritage Act*.

CARRIED 

**Moved by Councillor Sponga
Seconded by Councillor Emanuel**

THAT the by-law to adopt the Lower Main Street South Heritage Conservation District Plan be brought forward for approval of Council.

CARRIED 

**Moved by Councillor Sponga
Seconded by Councillor Emanuel**

THAT the issue of staff resources and cost be referred to the 2012 budget.

CARRIED 

FOR CLARIFICATIONS PURPOSES THE ADOPTED RECOMMENDATIONS READ AS FOLLOWS:

THAT Legal and Development Services Report – Planning 2011-13 dated April 1, 2011 regarding a Heritage Conservation District be received and the following recommendations, as amended, be adopted:

1. THAT Council designate by by-law the area shown on Attachment 1: District Boundaries as the Lower Main Street South Heritage Conservation District, in accordance with Section 41 of the *Ontario Heritage Act*;
2. AND THAT Council adopt by by-law the Lower Main Street South Heritage Conservation District Plan dated October 12, 2010 as the District Plan for the Lower Main Street South Heritage Conservation District, in accordance with Section 41 of the *Ontario Heritage Act*;
3. AND THAT the by-law to adopt the Lower Main Street South Heritage Conservation District Plan be brought forward for approval of Council;
4. AND THAT the issue of staff resources and cost be referred to the 2012 budget.

Councillor Hempen took no part in the discussion or voting on the foregoing matter.

**15. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 15
COMMUNITY SERVICES REPORT – COMMISSIONER 2011-25
OLD TOWN HALL 2011 DESIGN REVISIONS**

Deputation:

Mr. Athol Hart on behalf of the Heritage Newmarket Advisory Committee addressed the Committee in support of the design revisions for the Old Town Hall.

**Moved by Councillor Sponga
Seconded by Councillor Emanuel**

THAT the deputation by Mr. Athol Hart on behalf of the Heritage Newmarket Advisory Committee regarding the design revision for the Old Town Hall be received.

CARRIED 

Report:

Community Services Report – Commissioner 2011-25 dated April 15, 2011 regarding Old Town Hall 2011 Design Revisions.

Mr. Walter Moffat, Black and Moffat Architects Inc., was in attendance and responded to questions from the Committee.

An amendment was made to Recommendation 1 by including the words “and cost estimates” prior to the words be received.

An amendment was made by adding the following phrase at the end of Recommendation 1:

“And that the 2011 design be endorsed in principle subject to stakeholder and public consultation.”

The Mayor advised that Recommendation 1 would be considered separately.

**Moved by Councillor Sponga
Seconded by Councillor Hempen**

THAT Community Services Report – Commissioner 2011-25 dated April 15, 2011 regarding Old Town Hall 2011 Design Revisions be received and the following recommendations, as amended, be adopted:

THAT the Old Town Hall 2011 Design Revisions and cost estimates be received and that the 2011 design be endorsed in principle subject to stakeholder and public consultation.

CARRIED 

**Moved by Councillor Sponga
Seconded by Councillor Hempen**

THAT the architect and staff be directed to conduct stakeholders meetings with the user groups for the Old Town Hall, the Old Fire Hall and also with Heritage Newmarket Advisory Committee to obtain comments with respect to the design;

AND THAT staff and the architect be directed to conduct a Public Information Centre with respect to the design following the stakeholder consultations;

AND THAT staff be directed to report back to Council on the results of these consultations.

CARRIED 

FOR CLARIFICATIONS PURPOSES THE ADOPTED RECOMMENDATIONS READ AS FOLLOWS:

THAT Community Services Report – Commissioner 2011-25 dated April 15, 2011 regarding Old Town Hall 2011 Design Revisions be received and the following recommendations, as amended, be adopted:

- 1. THAT the Old Town Hall 2011 Design Revisions and cost estimates be received and that the 2011 design be endorsed in principle subject to stakeholder and public consultation;**

2. **AND THAT the architect and staff be directed to conduct stakeholders meetings with the user groups for the Old Town Hall, the Old Fire Hall and also with Heritage Newmarket Advisory Committ to obtain comments with respect to the design;**
3. **AND THAT staff and the architect be directed to conduct a Public Information Centre with respect to the design following the stakeholder consultations;**
4. **AND THAT staff be directed to report back to Council on the results of these consultations.**

Councillor Sponga left the meeting at 5:20 p.m.

**16. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 16
HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – MAY 10, 2011 AND
ITEM 2 – HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – MAY 10,
2011 – 223 MAIN STREET SOUTH**

Heritage Newmarket Advisory Committee Minutes of May 10, 2011 and Item 2 of the Heritage Newmarket Advisory Committee Minutes of May 10, 2011 regarding the renovations at 223 Main Street South.

**Moved by Councillor Emanuel
Seconded by Councillor Vegh**

THAT the Heritage Newmarket Advisory Committee Minutes of May 10, 2011 be received;

AND THAT the properties of interest matter be deferred to the Committee of the Whole meeting of June 13, 2011 for a staff report with respect to listing these properties of interest on the Register.

CARRIED 

Councillor Sponga returned to the meeting at 5:23 p.m.

Regional Councillor Taylor took no part in the discussion or voting on the foregoing matter.

**17. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 17
INCLUSIVITY ADVISORY COMMITTEE MINUTES – MAY 11, 2011 AND ITEM 3
INCLUSIVITY ADVISORY COMMITTEE MINUTES – MAY 11, 2011 – REVISED
TERMS OF REFERENCE**

Inclusivity Advisory Committee Minutes of May 11, 2001 and Item 3 of the Inclusivity Advisory Committee Minutes of May 11, 2011 regarding its Revised Terms of Reference, as amended.

**Moved by Councillor Vegh
Seconded by Councillor Kerwin**

THAT the Inclusivity Advisory Committee Minutes of May 11, 2011 be received;

AND THAT the Revised Terms of Reference, as amended, be adopted by Council.

CARRIED 

**18. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 18
COMMUNITY SERVICES REPORT – PWS 2011-34
AMENDMENT TO THE WASTE COLLECTION BY-LAW 2007-77**

Community Services Report – PWS 2011-34 dated April 28, 2011 regarding the Waste Collection By-law 2007-77.

An amendment was made by adding Recommendation 6 as follows:

“6. AND THAT staff be directed to enforce the use of certified compostable bags through education and encouragement only for a minimum period of twelve months with staff reporting back to consider options thereafter.”

**Moved by Regional Councillor Taylor
Seconded by Councillor Hempen**

THAT Community Services Report – PWS 2011-34 dated April 28, 2011 regarding the Waste Collection By-law 2007-77 be received and the following recommendations, as amended, be adopted:

THAT the use of certified compostable bags in the Source Separated Organics (SSO) Green Bin program is mandatory starting on May 1, 2011.

CARRIED 

**Moved by Regional Councillor Taylor
Seconded by Councillor Hempen**

THAT collection of electronic equipment be removed from curbside collection;

AND THAT By-law # 2007-77 for Establishing and Maintaining a System for Collection, Removal, and Disposal of Garbage, other Refuse, Yard Waste Materials, Recycling Materials including Blue Box Materials and Source Separated Organics in the Town of Newmarket be amended;

AND THAT this information be communicated to the public via the Town Page in The Era, the Town’s website along with the Region of York’s certified compostable bag promotional campaign;

AND THAT the necessary By-law be prepared and submitted to Council for their approval;

AND THAT staff be directed to enforce the use of certified compostable bags through education and encouragement only for a minimum period of twelve months with staff reporting back to consider options thereafter.

CARRIE 

FOR CLARIFICATION PURPOSES THE ADOPTED RECOMMENDATIONS READ AS FOLLOWS:

THAT Community Services Report – PWS 2011-34 dated April 28, 2011 regarding the Waste Collection By-law 2007-77 be received and the following recommendations, as amended, be adopted:

1. THAT the use of certified compostable bags in the Source Separated Organics (SSO) Green Bin program is mandatory starting on May 1, 2011;
 2. AND THAT collection of electronic equipment be removed from curbside collection;
 3. AND THAT By-law # 2007-77 for Establishing and Maintaining a System for Collection, Removal, and Disposal of Garbage, other Refuse, Yard Waste Materials, Recycling Materials including Blue Box Materials and Source Separated Organics in the Town of Newmarket be amended;
 4. AND THAT this information be communicated to the public via the Town Page in The Era, the Town's website along with the Region of York's certified compostable bag promotional campaign;
 5. AND THAT the necessary By-law be prepared and submitted to Council for their approval;
 6. AND THAT staff be directed to enforce the use of certified compostable bags through education and encouragement only for a minimum period of twelve months with staff reporting back to consider options thereafter.
19. **COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 19
REPORTS BY REGIONAL REPRESENTATIVES**
- None.
20. **COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 20
NEW BUSINESS**
- a. Councillor Kerwin requested Mayor and Members of Council visit the area of Crescent Road and Vale Drive with respect to the proposed sidewalk installation. Councillor Kerwin advised that residents in the area are opposed to the installation of sidewalk and that landscaping in this area has been completed. Councillor Kerwin further requested that this matter come back to the Committee of the Whole meeting in June 2011.

- b. Councillor Kerwin requested clarification regarding responsibility with respect to ownership of the area of land located between the sidewalk and curb. Staff advised that a homeowner carrying out work (repaving of driveway) on their property would also be responsible for this specific area of land.
- c. Councillor Kerwin enquired with respect to the Farmers' Market moving from Main Street to Doug Duncan Drive. The Committee asked staff to have discussions with the Board Members of the Farmers' Market with respect to location.
- d. Mayor Van Bynen advised that he and Regional Councillor Taylor would be attending the Federation of Canadian Municipalities Conference during the period of June 2 to 5, 2011, inclusive and that the appointment of an Acting Mayor is necessary in their absence.

**Moved by Regional Councillor Taylor
Seconded by Councillor Hempen**

THAT Councillor Vegh be appointed Acting Mayor during the absence of the Mayor and Regional Councillor from June 2 to 5, 2011, inclusive;

AND THAT the necessary by-law be prepared and submitted to Council for its approval.

CARRIED 

The Committee recessed at 5:46 p.m.

The Committee reconvened at 6:11 p.m.

**Moved by Regional Councillor Taylor
Seconded by Councillor Kerwin**

THAT Committee of the Whole resolve into a closed session for the purpose of discussing:

Litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board; Personal Matters about an identifiable individual, including municipal employees or local board employees and a proposed or pending acquisition or disposition of land by the municipality or local board. (OMB Appeal – 804 Shadrach Drive; Committee Appointments – Citizen Members; Completion of Service Alignment; and Community Urban Space Project Lands).

CARRIED

The Committee resolved into a Committee of the Whole (Closed Session) at 6:11 p.m.

The Minutes of the Committee of the Whole (Closed Session) are recorded under separate cover.

The Committee reconvened into Committee of the Whole at 7:05 p.m.

Councillor Sponga and Councillor Di Muccio left the meeting at 7:05 p.m.

PUBLIC HEARING MATTERS

The Deputy Clerk welcomed the public to the Committee of the Whole meeting. The Deputy Clerk advised that the *Planning Act* requires the Town to hold at least one Public Meeting on any proposed Zoning By-law Amendment.

The Deputy Clerk advised that the purpose of the meeting was to hear from anyone who has an interest in this specific application. The Committee of the Whole will 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 considered at a future meeting of the Committee of the Whole or Council.

The Deputy Clerk further advised that if anyone wished to be notified of subsequent meetings to complete a form with their name and address and submit it to the Clerk's staff.

The Deputy Clerk further advised 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 submissions at the Public Meeting or written submissions to Council prior to adoption.

The Deputy Clerk thanked everyone for their participation and interest in the meeting.

**21. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 21
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-15
APPLICATION FOR ZONING BY-LAW AMENDMENT – SHANAHAN FORD
1120 & 1134 KERRISDALE BLVD. (LOTS 55 & 56, REG. PLAN 65M-2730
EAST SIDE OF LESLIE ST, SOUTH OF RINGWELL DRIVE (WARD 3)**

Public Meeting Notice, Legal and Development Services Report – Planning 2011-15 dated May 2, 2011 and related Council Extract regarding Application for Zoning By-law Amendment by Shanahan Ford regarding 1120 and 1134 Kerrisdale Blvd.

Presentation:

Ms. Sarah Baldwin

Ms. Sarah Baldwin, Larkin Associates on behalf of Dalton Company Limited, addressed the Committee with a PowerPoint presentation regarding the Application for Zoning By-law Amendment (1120 & 1134 Kerrisdale Blvd.). In addition, she responded to concerns that were addressed in Legal and Development Services Report - Planning 2011-15 dated May 2, 2011 which included the traffic impact and parking study, loading and unloading of car carriers, driveway width and site plan approval process.

Deputations:

Mr. Robert Arnone

Mr. Robert Arnone, R.H. Carter Architects Inc., addressed the Committee with respect to design elements that would mitigate the impact of the development on neighbouring properties. These elements included speakers that direct sound from the PA address system inward toward the facility and lighting controls.

In addition, Mr. Arnone described some of the environmental initiatives undertaken by the applicant which include specialized showroom glass, drought resistant landscaping and lighting controls.

Ms. Leigh Ann Penner

Ms. Leigh Ann Penner, resident, addressed the Committee with respect to the impact on her property which is located west of the subject site. She expressed concern with the proposed building height, lighting, noise, timing of vehicle deliveries and signage.

**Moved by Councillor Emanuel
Seconded by Councillor Hempen**

THAT the PowerPoint presentation by Ms. Sarah Baldwin and deputations from Mr. Robert Arnone and Ms. Leigh Ann Penner regarding the Application for the Zoning By-law Amendment for 1120 & 1134 Kerrisdale Blvd. be received.

CARRIED 

Councillor Di Muccio returned to the meeting at 7:37p.m.

**22. COMMITTEE OF THE WHOLE MINUTES – MAY 24, 2011 – ITEM 22
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-17
APPLICATION FOR ZONING BY-LAW AMENDMENT – NEWMARKET HYDRO LTD.
WEST SIDE OF HARRY WALKER PARKWAY SOUTH (WARD 2)**

Public Meeting Notice, Legal and Development Services Report – Planning 2011-17 dated April 21, 2011 and related Council Extract regarding Application for Zoning By-law Amendment by Newmarket Hydro Ltd. regarding property on the west side of Harry Walker Parkway South.

There were no persons present to speak in favour or in opposition of the application.

**Moved by Councillor Emanuel
Seconded by Councillor Vegh**

THAT the Committee resolve into Closed Session.

CARRIED 

The Committee reconvened into Closed Session at 7:40 p.m.

The Committee reconvened into public session at 9:15 p.m.

Moved by Regional Councillor Taylor
Seconded by Councillor Twinney

THAT the meeting adjourn.

CARRIED 

There being no further business, the meeting adjourned at 9:16 p.m.

Mayor Van Bynen, Chair

Anita Moore, Town Clerk