

The meeting of the Committee of the Whole was held on Monday, May 3, 2011 at 1:30 p.m. in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor (1:30 to 2:34, 2:35 to 5:22 p.m.) (7:00 to 8:42 p.m.)
Councillor Emanuel
Councillor Hempen
Councillor Kerwin
Councillor Sponga
Councillor Twinney
Councillor Vegh (1:30 to 4:50 p.m.)

Absent: Councillor Di Muccio

Staff: R.N. Shelton, Chief Administrative Officer
R. Dixon, Commissioner of Corporate Services/Acting Commissioner
of Legal and Development Services
B. Jones, Acting Commissioner of Community Services
R. Nethery, Director of Planning and Building Services
J. Unger, Assistant Director of Planning
D. Ruggle, Senior Planner – Community Planning
A. Moore, Director of Legislative Services/Town Clerk
L. Gibson, Deputy Clerk
L. Moor, Council/Committee Co-ordinator

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

Mayor Van Bynen in the Chair.

DECLARATIONS OF INTEREST

Regional Councillor Taylor – See declaration made on Page 2 with respect to Item 17.

ADDITIONS TO THE AGENDA

Moved by Councillor Kerwin
Seconded by Councillor Emanuel

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

ADDITIONS

Item 29 Corporate Services Report – Legislative Services 2011-11 dated April 27, 2011 regarding Carnival – Kiddie World Amusements – York Town Plaza.

DISTRIBUTION

- Item 14 Corporate Services Report – Finance 2011-22 dated April 15, 2011 regarding Property Tax Rates and By-law for 2011.
- Item 17 Corporate Services Report – Finance 2011-25 dated April 21, 2011 regarding the Magna Centre Tax By-law.

REVISION

- Item 10 Memorandum from the Senior Planner – Community Planning regarding Legal and Development Services Report – Planning 2011-16 dated April 18, 2011 regarding Technical Amendment to Comprehensive Zoning By-law. *Replacement of Pages 10.2 and 10.13.*

WITHDRAWN

- Item 13 Corporate Services Report – Finance 2011-21 dated April 21, 2011 regarding 2011 Budget Reconciliation.

CARRIED 

Regional Councillor Taylor declared a pecuniary interest with respect to Item 20 of the agenda; Item 17 of the Committee of the Whole Minutes of May 3, 2011 as he conducts business with a company that deals with electric bikes.

Moved by Councillor Sponga
Seconded by **Councillor Twinney**

THAT the following items be adopted on consent:

1. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 1
REQUESTS FOR PROCLAMATION**

THAT the correspondence dated April 5, 2011 from Ms. Noreen Lee, Chairperson, The York Centre for Children, Youth & Families, be received and the following recommendations be adopted:

1. THAT the Town of Newmarket proclaim May 1 – 8, 2011 “Children’s Mental Health Week” 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 3, 2011 – ITEM 2
CENTRAL YORK FIRE SERVICES – JOINT COUNCIL COMMITTEE MINUTES**

THAT the Central York Fires Services – Joint Council Committee Minutes of March 1, 2011 be received.

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

THAT the Heritage Newmarket Advisory Committee Minutes of April 12, 2011 be received.

4. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 4
INCLUSIVITY ADVISORY COMMITTEE MINUTES**

THAT the Inclusivity Advisory Committee Minutes of April 13, 2011 be received.

5. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 5
NEWMARKET ECONOMIC DEVELOPMENT ADVISORY COMMITTEE MINUTES**

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

6. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 6
NEWMARKET ENVIRONMENTAL ADVISORY COMMITTEE MINUTES**

THAT the Newmarket Environmental Advisory Committee Minutes of April 13, 2011 be received.

7. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 7
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-15
ZONING BY-LAW AMENDMENT APPLICATION (SHANAHAN FORD) (WARD 3)**

THAT Legal and Development Services Report – Planning 2011-15 dated May 2, 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 Pennmar Holdings Inc. (W. J. Shanahan) for lands being located on the east side of Leslie Street, south of Ringwell Drive and municipally identified as 1120 & 1134 Kerrisdale Blvd. (Lots 55 and 56, Registered Plan 65M-2730) be referred to a public meeting;
2. AND 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;
3. AND THAT Tony Taurasi, 1140 Castlefield Ave. Toronto, Ontario, M6B 1E9, be notified of this action.

8. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 8
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-16
TECHNICAL AMENDMENT TO COMPREHENSIVE ZONING BY-LAW 2010-40**

THAT Legal and Development Services Report – Planning 2011-16 dated April 18, 2011 regarding the Town initiated Technical Amendment to Comprehensive Zoning By-law 2010-40, as revised, be received and the following recommendations be adopted:

1. THAT the Town initiated Technical Amendment to Comprehensive Zoning By-law 2010-40 be approved and that staff be directed to prepare the necessary zoning by-law amendment;
2. AND THAT the matter regarding rooming and boarding homes be brought back to Council through a future technical amendment to the Comprehensive Zoning By-law.

9. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 9
CORPORATE SERVICES REPORT – FINANCE 2011-19
2010 BUILDING PERMIT FEES REPORT**

THAT Corporate Services Report – Finance 2011-19 dated March 30, 2011 regarding 2010 Building Permit Fees Report be received for information purposes.

10. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 10
CORPORATE SERVICES REPORT – FINANCE 2011-22
PROPERTY TAX RATES AND BY-LAW FOR 2011**

THAT Corporate Services Report – Finance 2011-22 dated April 15, 2011 regarding the Property Tax Rates for 2011 be received and the following recommendations be adopted:

1. THAT the property tax rates for 2011, as applied to the 2010 Returned Assessment Roll, be set for Town purposes, as follows:

<u>Property Class</u>	<u>Tax Rate</u>
Residential	0.404418%
Multi-Residential	0.404418%
Commercial	0.462290%
Industrial	0.538078%
Pipelines	0.371660%
Farmland	0.101104%
Managed Forest	0.101104%

2. AND THAT the tax rates for the Region of York and for Education purposes be received for information;
3. AND THAT the applicable tax rate by-law be prepared for approval by Council.

**11. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 11
CORPORATE SERVICES REPORT – FINANCE 2011-23
2010 RESERVES AND RESERVE FUNDS CONTINUITY**

THAT Corporate Services Report – Finance 2011-23 dated April 21, 2011 regarding the 2010 Reserves and Reserve Funds Continuity be received and the following recommendation be adopted:

THAT all transfers to and from Reserves and Reserve Funds as summarized in the attachment be approved.

**12. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 12
CORPORATE SERVICES REPORT – FINANCE 2011-24
2011 RESERVES AND RESERVE FUNDS BUDGET**

THAT Corporate Services Report Finance 2011-24 dated April 21, 2011 regarding 2011 Reserves & Reserve Funds Budget be received and the following recommendation be adopted:

THAT the proposed 2011 Reserves and Reserve Funds Budget as set out in the attachment be approved.

**13. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 13
COMMUNITY SERVICES REPORT – ES 2011-23
ACCEPTANCE AND ASSUMPTION OF UNDERGROUND AND ABOVEGROUND
WORKS INCLUDING EXTERNAL SERVICING FOR THE ESTATE OF FRANCIS
BLUE RESIDENTIAL SUBDIVISION (WARD 1)**

THAT Community Services Report – ES 2011-23 dated April 6, 2011 regarding the Estate of Francis Blue Residential Subdivision be received and the following recommendations be adopted:

1. THAT the request for final acceptance and assumption including external servicing of Broughton Lane, Sir Ivor Court and Bayley Court as part of the Estate of Francis Blue Residential Subdivision as shown on the attached map be accepted and assumed;
2. AND THAT all other departments with a vested interest in this development confirm all financial and legal obligations have been fulfilled;
3. AND THAT Mr. Danny Salvatore of Fernbank Homes (Newmarket) Ltd. and Mr. Bruce Burke P.Eng. of the MMM Group be notified of these recommendations.

**14. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 14
LEGAL AND DEVELOPMENT SERVICES REPORT
ECONOMIC DEVELOPMENT 2011-02
NEWMARKET ECONOMIC DEVELOPMENT ADVISORY COMMITTEE
DEVELOPMENT PROPOSAL PROTOCOL**

THAT Legal and Development Services Report - Economic Development 2011-02 dated April 14, 2011 regarding the submission of two options for a NEDAC Development Proposal Protocol be received and the following recommendation be adopted:

THAT Council endorse both development protocol options identified subject to staff's discretion.

**15. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 15
CHIEF ADMINISTRATIVE OFFICER REPORT - 2011-05
UPDATE ON COLLABORATIVE MUNICIPAL INITIATIVES OF THE 6 NORTHERN
MUNICIPALITIES OF YORK REGION (N6)**

THAT CAO Report 2011-05 dated April 20, 2011 regarding an Update on Collaborative Municipal Initiatives of the 6 Northern Municipalities of York Region (N6) be received and the following recommendations be adopted:

- 1. THAT the Update Report regarding Collaborative Municipal Initiatives of the Six Northern York Region Municipalities (“N6”) be received for information purposes;**
- 2. AND THAT Council endorses the continued collaboration among the N6 as outlined in this report.**

**16. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 16
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2011-11
CARNIVAL – KIDDIE WORLD AMUSEMENTS – YORK TOWN PLAZA**

THAT Corporate and Financial Services Report – Legislative Services 2011-11 dated April 27, 2011 regarding Carnival – Kiddie World Amusements – York Town Plaza be received and the application be approved subject to the following terms:

- 1. THAT the license be issued for a period of seven consecutive days from June 6 to June 12, 2011 to permit the setting up and dismantling of amusement devices;**
- 2. AND THAT the actual operation of the carnival not exceed five consecutive days within that permitted time period.**

CARRIED 

This concludes the consent portion of the agenda.

**17. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 17
COMMUNITY SERVICES REPORT – ES 2011-24
TRAFFIC BY-LAW UPDATE**

Community Services Report – ES 2011-24 dated April 15, 2011 regarding the Traffic By-law Update.

**Moved by Councillor Kerwin
Seconded by Councillor Sponga**

THAT Community Services Report – ES 2011-24 dated April 15, 2011 regarding the Traffic By-law Update be received and the following recommendation be adopted:

THAT Council adopt the new Traffic By-law Update that governs the activities on Town roads, as contained in Appendix A.

CARRIED 

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

**18. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 18
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-12
2011 ANNUAL SERVICING ALLOCATION REVIEW**

Presentation:

The Assistant Director of Planning addressed the Committee with a PowerPoint presentation regarding the 2011 Annual Servicing Allocation Review.

Deputations:

- a) Ms. Janice Robinson of The Preston Group addressed the Committee regarding servicing allocation within the Goldstein subdivision.
- b) Mr. Dave Farrow of Cedar Manor Homes addressed the Committee regarding servicing allocation within the Trinison subdivision (Cedar Manor Homes).

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

THAT the presentation by the Assistant Director of Planning regarding the 2011 Annual Servicing Allocation Review and the deputations by Ms. Janice Robinson of The Preston Group and Mr. Dave Farrow on behalf of the Trinison Subdivision be received.

CARRIED 

Report:

Legal and Development Services Report – Planning 2011-12 dated May 2, 2011 regarding 2011 Annual Servicing Allocation Review.

An amendment was made to Recommendation 2b) by replacing the words “again in” with the word “within”.

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

THAT Legal and Development Services Report – Planning 2011-12, dated May 2, 2011 regarding the 2011 Annual Servicing Allocation Review be received and the following recommendations, as amended, be adopted:

1. **THAT all previously-distributed servicing capacity be re-instated;**
2. (a) **AND THAT an additional 234 units of servicing capacity (193 single detached units and 41 townhouse units) be allocated to Metrus Phase 7 to allow for a continuous building program and to allow for the completion of that development;**

(b) **AND THAT servicing allocation for the Trinison and Goldstein developments in the southeast quadrant be formally reviewed within six months based on their progress and take-up of capacity through the summer of 2011;**
3. **AND THAT the balance of the Town’s servicing capacity as provided by York Region on a one-year supply basis as shown below (3634 people/ approximately 1111 detached units) be maintained in a Town reserve as follows:**
 - a. **2011 one-year supply – 144 people (approx. 44 detached units)**
 - b. **2012 one-year supply - 1900 people (approx. 581 detached units)**
 - c. **2013 one-year supply – 1590 people (approx. 486 detached units)**

TOTAL 3634 people (approx. 1111 detached units)
4. **AND THAT until such time as the Regional Official Plan is in full force and effect, and until such time as the Ontario Building Code is updated, and until such time as the Northern Six municipalities have reviewed alternative green building standards as it relates to servicing allocation, the Town’s minimum energy efficient housing standard be re-established as Energy Star and staff continue to work with the development community to maximize the green building elements in all developments;**

5. AND THAT the Town of Newmarket formally accept the legacy gift contribution made by Metrus Development Inc. to the value of \$100,000.00 toward the provision of public art in a location to be determined by the Town, and that this matter be referred to staff for implementation.

CARRIED 

19. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 19
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES – BY-LAWS 2011-02
SIGN BY-LAW

Deputation:

Mr. James Rogers of The Dive Shop addressed the Committee regarding the Sign By-law.

Regional Councillor Taylor left the meeting at 2:34 p.m.

Moved by Councillor Sponga
Seconded by **Councillor Twinney**

THAT the deputation by Mr. James Rogers of The Dive Shop regarding the Sign By-law be received.

CARRIED 

Regional Councillor Taylor returned to the meeting at 2:35 p.m.

The Acting Supervisor of By-law Enforcement provided a verbal report regarding sign by-law compliance.

Moved by Councillor Kerwin
Seconded by Councillor Emanuel

THAT Mr. James Rogers be provided another opportunity for deputation.

CARRIED 

Mr. James Rogers re-addressed Committee to provide clarification on this matter.

Moved by Councillor Kerwin
Seconded by **Councillor Twinney**

THAT the deputation by Mr. James Rogers be received.

CARRIED 

Moved by Councillor Emanuel
Seconded by Councillor Kerwin

THAT a sign by-law exemption be provided for this specific sign at the property known as 350 Davis Drive.

MOTION LOST 

Report:

Corporate Services Report – Legislative Services – By-laws 2011-02 dated March 31, 2011 regarding the Sign By-law.

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

1. **THAT the matter regarding the Dive Shop sign be referred to the Sign By-law Review;**
2. **AND THAT no action be taken at this time regarding the mobile sign located at 350 Davis Drive;**
3. **AND THAT a staff report be brought back outlining immediate and long term solutions.**

CARRIED 

The Committee recessed at 3:22 p.m.

The Committee reconvened at 3:38 p.m.

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

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 (OMB Appeal – 804 Shadrach Drive, Committee Appointments – Citizen Members)

CARRIED 

The Committee resolved into a Committee of the Whole (Closed Session) at 3:40 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 4:50 p.m.

Councillor Vegh left the meeting.

**20. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 20
NEW BUSINESS – 400 CROSSLAND GATE UNDERGROUND GARAGE WORKS**

- a) Councillor Emanuel advised that he had recently distributed a memorandum to Mayor Van Bynen and Members of Council dated April 29, 2011 with a proposed motion dealing with underground garage rehabilitation for the property known as 400 Crossland Gate. (Manor Green Apartments/Inter Faith Homes).

Deputation:

Ms. Marilyn Abbey, resident, addressed the Committee requesting consideration of utilizing additional parking options closer to the entrance to the building to assist those residents who are elderly and may not be able to walk a long distance.

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

THAT the deputation by Ms. Marilyn Abbey, resident, requesting consideration of additional parking options closer to the entrance of 400 Crossland Gate be received.



CARRIED

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

1. **THAT staff draft a by-law that would remove overnight parking restrictions along Crossland Gate (as identified on the map attached to Councillor Emanuel's memorandum dated April 29, 2011) and the three-hour parking limit on one side of Fairway Gardens (north leg) on a temporary basis provided staff are satisfied that safety issues have been addressed and thus providing up to thirty spaces of on-street parking for the duration of the construction period at 400 Crossland Gate, estimated at 3 to 4 months;**
2. **AND THAT Inter Faith Homes and the affected residents and management staff at 400 Crossland Gate be notified as soon as possible;**
3. **AND THAT staff be permitted to act on this matter prior to Council approval.**

CARRIED

**21. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 21
HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – APRIL 12, 2011 – ITEM 8F – REPORTS OF COMMITTEE MEMBERS – NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE**

Item 8F of the Heritage Newmarket Advisory Committee Minutes of April 12, 2011 regarding the Newmarket Downtown Development Sub-committee.

Moved by Regional Councillor Taylor
Seconded by Councillor Sponga

THAT Item 8F of the Heritage Newmarket Advisory Committee Minutes of April 12, 2011 regarding the Newmarket Downtown Development Sub-committee be received and the matter of a review of the Newmarket Economic Development Advisory Committee mandate to include a representative from the Heritage Newmarket Advisory Committee to form part of Newmarket Downtown Development Subcommittee (NDDS) be referred to staff for consultation with NDDS members.

CARRIED 

22. **COMMITTEE OF THE WHOLE – MINUTES MAY 3, 2011 – ITEM 22
JOINT LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING;
CORPORATE SERVICES AND OFFICE OF THE CAO 2011-14
AWARD OF ASSIGNMENT – BURYING HYDRO INFRASTRUCTURE WITHIN THE
URBAN GROWTH CENTRES (YONGE STREET AND DAVIS DRIVE)**

Joint Legal and Development Services Report – Planning; Corporate Services and Office of the CAO 2011-14 dated May 3, 2011 regarding Award of Assignment – Study of Costs, Benefits and Cost Recovery of Burying Hydro Infrastructure within the Urban Growth Centres (Yonge Street and Davis Drive).

Moved by Regional Councillor Taylor
Seconded by Councillor Sponga

THAT Joint Legal and Development Services Report – Planning; Corporate Services and Office of the CAO 2011-14 dated May 3, 2011 regarding Award of Assignment – Burying Hydro Infrastructure within the Urban Growth Centres be received;

AND THAT Council authorize the C.A.O. to award an assignment for a single source contract to study the feasibility, costs, benefits and cost recovery for undergrounding hydro and associated services within the Urban Centres corridors in conjunction with the construction of the York Region Transit Transitway (VIVA bus rapid transit system) with particular emphasis within the Yonge Street Corridor to Lehman and Associates.

CARRIED 

23. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 23
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)**

Legal and Development Services Report – Planning 2011-17 dated April 21, 2011 regarding Application for Zoning By-law Amendment by Newmarket Hydro Ltd.

Moved by Regional Councillor Taylor
Seconded by Councillor Sponga

THAT Legal and Development Services Report – Planning 2011-17 dated April 21, 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 for lands owned by Newmarket Hydro Ltd., being located on the west side of Harry Walker Parkway South, be referred to a public meeting;
2. AND THAT following the public meeting, any issues that arise be addressed by staff in a comprehensive report to the Committee of the Whole, if required;
3. AND THAT Newmarket Hydro Ltd., Attention: Paul Ferguson, 590 Steven Court, Newmarket, L3Y 6Z2, be notified of this action.

CARRIED 

24. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 24
COMMUNITY SERVICES REPORT – RECREATION AND CULTURE 2011-29
CREATIVE COMMUNITIES PROSPERITY FUND (CCPF) FUNDING AGREEMENT**

Community Services Report – Recreation and Culture 2011-29 dated April 20, 2011 regarding Creative Communities Prosperity Fund (CCPF) Funding Agreement.

Moved by Regional Councillor Taylor
Seconded by **Councillor Twinney**

THAT Community Services Report – Recreation & Culture 2011-29 dated April 20, 2011 regarding the Creative Communities Prosperity Fund (CCPF) be received and the following recommendation be adopted:

THAT, in accordance with the grant requirements, staff be authorized to enter into a funding agreement with the Provincial Government to support the cultural mapping initiative.

CARRIED 

Regional Councillor Taylor left the meeting at 5:22 p.m.

25. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 25
CORPORATE SERVICES REPORT – FINANCE 2011-25
MAGNA CENTRE TAX BY-LAW**

Corporate Services Report – Finance 2011-25 dated April 21, 2011 regarding the Magna Centre Tax By-law.

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

THAT Corporate Services Report Finance 2011-25 dated April 21, 2011 regarding the Magna Centre Tax By-law be received and the following recommendations be adopted:

- 1. THAT the taxes for the tenants located at the Magna Centre be exempt;**
- 2. AND THAT the applicable by-law be prepared for approval by Council.**

CARRIED 

**26. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 26
COMMUNITY SERVICES REPORT – ES 2011-22
PROPOSED SIDEWALK ON LEWIS DRIVE**

Community Services Report – ES 2011-22 dated March 10, 2011 regarding the Proposed Sidewalk on Lewis Drive.

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

THAT Community Services Report – ES2011-22, dated March 10, 2011 regarding the Proposed Sidewalk for inclusion in the Lewis Drive Infrastructure Improvement be received and the following recommendations be adopted:

- 1. THAT a sidewalk be constructed on Lewis Drive in accordance with Corporate Policy PWES.1-01;**
- 2. AND THAT a copy of the Council extract be forwarded to the petitioners' spokesperson.**

CARRIED 

**27. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 27
LIST OF OUTSTANDING MATTERS**

List of outstanding matters.

Councillor Twinney requested an update with respect to Item 26 contained within the Outstanding Matters List being a stop sign feasibility study being delayed until fall of 2011. The Director of Engineering Services advised that a memorandum detailing initial study results will be forwarded to Councillor Twinney later in the week.

Councillor Hempen requested clarification regarding an item on the Outstanding Matters List with respect to the establishment of an Accessory Dwelling Unit/Property Standards Task Force. The Chief Administrative Officer advised that an upcoming workshop will be covering such matters along with details of resource deployment.

Moved by Councillor Sponga
Seconded by Councillor Hempen

THAT the list of outstanding matters be received.

CARRIED 

28. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 28
REPORTS BY REGIONAL REPRESENTATIVES**

None.

20. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 20
NEW BUSINESS – (CONTINUED)**

- b) Councillor Kerwin advised that he receives many calls related to transitional and group homes throughout Town. The Director of Planning and Building Services advised that one of the points contained with the Technical Amendment to the Zoning By-law dealt with transient facilities. The Chief Administrative Officer suggested that the Regional Municipality of York's Outreach Program be contacted for assistance.

20. **COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 20
NEW BUSINESS – (CONTINUED) – ANTI-IDLING**

- c) Councillor Sponga discussed the Anti-idling By-law which was enacted in 2006.

Moved by Councillor Sponga
Seconded by **Councillor Twinney**

THAT staff bring back a report on the effectiveness, signage and enforcement of the Anti-idling By-law within a 120 day time frame.

MOTION LOST 

- d) The Chief Administrative Officer advised that a Joint Council/Newmarket Economic Development Advisory Committee meeting is scheduled for Thursday, May 19, 2011; location to be determined.

The Committee recessed at 6:00 p.m.

The Committee resumed into public session at 7:00 p.m.

PUBLIC HEARING MATTER

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.

**29. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 29
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-05
APPLICATION FOR ZONING BY-LAW AMENDMENT – 1064 SRIGLEY STREET
SW CORNER OF SRIGLEY & LESLIE STREET – 1754589 ONTARIO LTD. (WOO)
(WARD 2)**

Public Meeting Notice, Legal and Development Services Report – Planning 2011-05 dated January 21, 2011 and related Council Extract regarding Application for Zoning By-law Amendment (1064 Srigley Street).

Presentation:

Mr. Howard Friedman of HBR Planning Consultants representing the applicant, Dr. Benjamin Woo, addressed the Committee with a PowerPoint presentation regarding the proposed Zoning By-law Amendment for the property known as 1064 Srigley Street.

Deputations:

Mr. Victor Pierrynowski

Mr. Victor Pierrynowski, resident, addressed the Committee inquiring about the existing easement and buffer options for the adjacent property to the south, as well as parking issues.

Mr. Tony Risi

Mr. Toni Risi, resident, addressed the Committee regarding issues with parking, property elevations and impact to adjacent property to the west, as well as concerns regarding snow removal.

Ms. Carol Taylor

Ms. Carol Taylor, resident, addressed the Committee with concerns of increased traffic at the intersection near the proposed site as well as future zoning issues for the property.

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

THAT the PowerPoint presentation by Mr. Howard Friedman of HBR Planning Consultants and deputations regarding the Application for the Zoning By-Law Amendment for 1064 Srigley Street be received.

CARRIED 

**30. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 30
LEGAL AND DEVELOPMENT SERVICES REPORT – PLANNING 2011-10
APPLICATION FOR ZONING BY-LAW AMENDMENT
415 QUEEN STREET – ROGER WHITE ACADEMY (PETERSON) – (WARD 5)**

Public Meeting Notice, Legal and Development Services Report – Planning 2011-10 dated March 1, 2011 and related Council Extract regarding Application for Zoning By-law Amendment (415 Queen Street).

Presentation:

Ms. Angela Sciberras of Sciberras Consulting addressed the Committee with a PowerPoint presentation and written correspondence from Mr. Brad Jones in support of the application. In addition, she responded to written correspondence from Larkin and Associates Planning Consultants on behalf of the adjacent landowners, which addressed their concerns with the Application.

Deputations:

Mr. Brad Cross

Mr. Brad Cross, resident, addressed the Committee with respect to safety and traffic flow issues as it relates to the intersection of Queen Street and Raglan Street. In addition he expressed concern about the impact of the use of Raglan Street for morning and evening drop-offs and pick-ups by parents.

Ms. Lori Robbins

Ms. Lori Robbins, resident, addressed the Committee regarding noise, quality of life, property devaluation, use of exterior building and traffic concerns.

Mr. Ross Robinson

Mr. Ross Robinson, resident, addressed Committee regarding traffic and safety issues.

Ms. Sarah Baldwin

Ms. Sarah Baldwin of Larkin and Associates Planning Consultants Inc. representing Mr. and Mrs. Ellis, adjacent landowners, addressed the Committee regarding the use of the exterior building of the property. In addition she addressed parking and traffic issues. Ms. Baldwin submitted written correspondence on behalf of her clients, prior to her deputation.

Ms. Farzaneh Peterson

Ms. Farzaneh Peterson, applicant, addressed the Committee regarding the operation of the school and the use of the exterior building of the property.

Mr. Robin Wardlaw

Mr. Robin Wardlaw addressed the Committee in support of the Application.

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

THAT the PowerPoint presentation by Ms. Angela Sciberras, correspondence and deputations regarding the Application for the Zoning By-law Amendment for 415 Queen Street be received.

CARRIED 

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

THAT the meeting adjourn.

There being no further business, the meeting adjourned at 8:42 p.m.

Mayor Van Bynen, Chair

Liz Gibson, Deputy Clerk