

OPEN FORUM 6:45 P.M.

There were no requests from the gallery to address Council during the open forum session.

The regular meeting of the Council was held on Monday, May 9, 2011 at 7:00 p.m. in the Council Chambers, 395 Mulock Drive, Newmarket.

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

Absent: Councillor Sponga

Staff: R.N. Shelton, Chief Administrative Officer
R. Prentice, Commissioner of Community Services
R. Nethery, Director of Planning and Building Services
A. Moore, Director of Legislative Services/Town Clerk
A. MacDougall, Council Committee Coordinator

The meeting was called to order at 7:00 p.m.

Mayor Van Bynen in the Chair.

PUBLIC NOTICE

None.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS OF INTEREST

Regional Councillor Taylor declared a conflict of interest in the Committee of the Whole Minutes of May 3, 2011 – Item 17 (Council Item 36) regarding Community Services Report – ES 2011-24 dated April 15, 2011 and By-law 2011-24 (Council Item 40) regarding the Traffic By-law Update because he has does consulting work for a company in the cycling industry.

PRESENTATIONS

None.

DEPUTATIONS

None.

1. ANNOUNCEMENTS – COMMUNITY EVENTS

- a) Councillor Emanuel advised that the 35th Annual Easter Seals Run/Walk-a-Thon takes place on May 29, 2010 commencing at 8:15 a.m. in the southeast parking lot of the Upper Canada Mall. Participants may walk and/or run along a 5 or 10 kilometre route before returning to the Upper Canada Mall where there will be a post-race party including food and entertainment.
- b) Councillor Di Muccio advised that children between the ages of 3 to 11 years are invited to register for the Tri Children's Triathlon taking place on June 11, 2011. The event is designed to offer children an opportunity to experience the sport of a Triathlon in a non-competitive environment. Participant may register using Quik-E-Link at www.newmarket.ca, by fax 905-953-5135, or in person at the Ray Twinney Recreation Complex, the Magna Centre, the Municipal Offices, the Youth Centre or the Seniors' Meeting Place.
- c) Councillor Hempen advised that the Revitalize & Renew Health & Wellness Event takes place June 4, 2011 at Fairy Lake Park from 10:00 a.m. to 4:00 p.m. There are more than 15 free outdoor interactive classes, 12 free informative seminars and over 40 information booths focusing on health and physical well-being. Children's activities include face painting, inflatable obstacle course, frisbee golf, and hula hoop activities. Admission is free.
- d) Councillor Hempen advised that the next Special Committee of the Whole (Budget) meeting is scheduled to take place on May 16, 2011 at 1:30 p.m. in the Council Chambers, Municipal Offices, 395 Mulock Drive.
- e) Regional Councillor Taylor advised that Smart Commute Central York's 5th Annual Bike to Work Day takes place on May 30, 2011. Participants are welcome to stop at the Newmarket Chamber of Commerce office at 470 Davis Drive during their commute to enjoy a free continental breakfast, giveaways, draw prizes, exhibits and more. Enter for a chance to win a bike and other prizes. For more information, call 905-898-5900 or visit www.biketoworkday.ca
- f) Regional Councillor Taylor advised that the 1st Annual 5k Run-Walk-&-Roll for Spinal Cord Recovery takes place on May 14, 2011 at 9:00 a.m. commencing at Fairy Lake Park in Newmarket. For further information visit www.walkitoffrecovery.org
- g) Regional Councillor Taylor advised that the Farmers' Market is now open for its 12th year. The Farmers' Market has been temporarily moved to Main Street. The Farmers' Market will be held on Saturdays from May 7, 2011 until October 29, 2011.

- h) **Councillor Twinney** advised that the 4th Annual Newmarket Environmental Advisory Committee Community Garage Sale takes place on May 28, 2011 from 8:00 a.m. to 12:00 noon in the parking lot at the Municipal Offices, 395 Mulock Drive. If you are interested in being a vendor, please contact the Town of Newmarket at 905-895-5193.
- i) **Councillor Twinney** advised of a Public Information Centre taking place on May 12, 2011 from 6:00 to 8:00 p.m. in the Council Chambers, 395 Mulock Drive to discuss engineering plans and construction details for proposed improvements on Jacarandah Drive, Waratah Avenue, Woodmount Place and Richard Avenue. A second Public Information Centre will take place on May 17, 2011 from 6:00 to 8:00 p.m. in the Council Chambers, 395 Mulock Drive to discuss engineering plans and construction details for proposed improvements on Irwin Crescent and Gibson Court. For further information, please contact John Glasbergen in Engineering Services at 905-953-5139.
- j) **Councillor Twinney** advised that the Community Living Spring Swing Charity Golf Classic event takes place on May 26, 2011. For further information, visit www.clnad.com
- k) **Councillor Twinney** advised the Newmarket Baseball Association's Opening Day takes place on May 14, 2011 commencing at the All Our Kids Play Park north of Timothy Street in Newmarket. The parade commences at 9:00 a.m. For further details visit www.newmarketbaseball.com
- l) Councillor Kerwin advised that a Public Information Centre takes place on May 25, 2011 from 6:00 to 8:00 p.m. in the Council Chambers, 395 Mulock Drive to discuss engineering plans and construction details for proposed improvements on Carlson Drive from Davis Drive to approximately 120 meters south of Birchwood Drive. For further information, please contact John Glasbergen in Engineering Services at 905-953-5139.
- m) Councillor Kerwin advised that the 7th Annual Bogart Creek Committee restoration tree planting at the Magna Centre takes place on May 13, 2011 from 10:00 a.m. to 1:00 p.m.
- n) Councillor Kerwin advised that a very successful 33rd Annual Holland River Clean Up took place on May 7, 2011. Councillor Kerwin expressed his gratitude to all participants in the clean up.
- o) Councillor Vegh advised that the Annual Ward 1 Community Clean-up takes place on May 28, 2011 from 8:00 a.m. to 12:00 noon. Residents of Ward 1 are invited to empty their basements, garages and backyards of unwanted clutter and waste. The Town of Newmarket will provide bins, compactor trucks and a site supervisor. Garbage bins will be available at the south parking lot of the Magna Centre and blue boxes will be available for purchase. Goodwill and Iron Mountain paper shredding service and a bottle drive will also be on-site. Please note that tires, paint, computers, televisions, organics, batteries, concrete, oil, gas, appliances with Freon, and any type of toxic waste will not be accepted.
- p) Councillor Vegh advised that the Ward 1 Community Drop In takes place the first Tuesday of every month from 7:00 to 9:00 p.m. at the Magna Centre.

- q) Mayor Van Bynen advised that on April 30, 2011 he attended the Newmarket Stingrays charity event "Are you faster than a 5th grader?" The event raised \$14,500 for families in need in York Region North. All of this money will go directly to the Canadian Tire Jumpstart Program. Canadian Tire Jumpstart assists families in need to register their children in organized sport and recreation. This gives children the chance to gain confidence, develop self-esteem, and learn leadership skills.
- r) Mayor Van Bynen advised that the Municipal Offices will be closed on May 23, 2011 in celebration of Victoria Day.
- s) Mayor Van Bynen advised that he will be available to the public at the Newmarket Public Library on May 27, 2011 from 11:00 a.m. to 12:00 noon.
- t) Mayor Van Bynen advised that the next scheduled Council meeting takes place on May 30, 2011 beginning at 7:00 p.m.

APPROVAL OF MINUTES

2. COUNCIL MINUTES

Council Minutes of April 19, 2011.

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

THAT the Council Minutes of April 19, 2011 be approved.

CARRIED 

CORRESPONDENCE

None.

3. REPORTS BY REGIONAL REPRESENTATIVES

- a. Regional Councillor Taylor advised of the mandatory use of compostable bags in the Region of York which came into effect as of May 1, 2011. The program has been put into place in an effort to reduce reliance on plastic bags. Regional Councillor Taylor advised that at this time no communities in the Region of York are enforcing the use of compostable bags. Regional Councillor Taylor encourages all residents to purchase and use compostable bags for their green bins.
- b. Regional Councillor Taylor advised that the Human Services Planning Board will have its work plan before Council for approval this month. The Human Services Planning Board is designed to coordinate human services, social services delivery and planning across the Region. The work plan will lead to public engagement and the document and theme for this effort is called "Making Ends Meet".

REPORTS OF COMMITTEES AND STAFF

4. COMMITTEE OF THE WHOLE MINUTES

Committee of the Whole Minutes of May 3, 2011.

Moved by Councillor Kerwin
Seconded by Councillor Vegh

THAT the Committee of the Whole Minutes of May 3, 2011 be received and the following recommendations, with the exception of Item 17, be adopted.

5. 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**

6. 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.

7. 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.

8. 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.

9. 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.

**10. 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.

**11. 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.

**12. 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.

**13. 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.

14. **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.

15. **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.

16. **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.

**17. COMMITTEE OF THE WHOLE MINUTES – MAY 3, 2011 – ITEM 13
COMMUNITY SERVICES REPORT – ES 2011-23
ACCEPTANCE AND ASSUMPTION OF UNDER GROUND AND ABOVE GROUND 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.

**18. 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.

**19. 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.

**20. 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.

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

Presentation:

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.

Report:

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

Deputation:

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

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

THAT the deputation by Mr. James Rogers be received.

Report:

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.

The Committee recessed at 3:22 p.m.

The Committee reconvened at 3:38 p.m.

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)

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.

**23. 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:

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

Recommendations:

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.**

**24. 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**

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.

25. **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)

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.

26. **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)

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.

27. **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

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.

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

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.**

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

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.**

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

List of outstanding matters.

THAT the list of outstanding matters be received.

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

None.

**32. 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.**

**33. 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.
- 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.

**34. 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.

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.

**35. 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.

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.

THAT the meeting adjourn.

CARRIE 

**36. 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 Vegh

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.

37. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES

Committee of the Whole (Closed Session) Minutes of May 3, 2011.

Moved by Councillor Emanuel
Seconded by Councillor Di Muccio

THAT the Committee of the Whole (Closed Session) Minutes of May 3, 2011 be received and the following recommendations be adopted:

**38. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES – MAY 3, 2011
ITEM 1 – LEGAL AND DEVELOPMENT SERVICES (LEGAL) (CLOSED SESSION)
REPORT 2011-04 – OMB APPEAL – 804 SHADRACH DRIVE
(LITIGATION MATTER)**

THAT Legal and Development Services (Legal) (Closed Session) Report 2011-04 dated April 26, 2011 regarding an appeal to the Ontario Municipal Board by Daniels LR Corporation be received and the matter be deferred until the next Committee of the Whole (Closed Session) meeting.

**39. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES – MAY 3, 2011
ITEM 2 – CORPORATE SERVICES REPORT (CLOSED SESSION) – LEGISLATIVE
SERVICES – CLERK'S 2011-12 – COMMITTEE APPOINTMENTS
CITIZEN MEMBERS
(PERSONAL MATTER)**

THAT Leslie Bertin, Arthur Craig, Mark Foerster, Lorne Lofsky and Milan Stojanovic be appointed to the Arts and Culture Advisory Task Force.

THAT the Committee resume into public session.

The Committee resumed into public session at 4:50 p.m.

CARRIED 

RESOLUTIONS

None.

40. **BY-LAWS**

By-law 2011-24.

Moved by Councillor Kerwin

Seconded by **Councillor Twinney**

THAT By-law 2011-24 be deferred to the Council meeting of May 30, 2011.

CARRIED

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

By-laws 2011-22, 2011-23 and 2011-25 to 2001-27.

Moved by Regional Councillor Taylor

Seconded by **Councillor Twinney**

THAT By-laws 2011-22, 2011-23 and 2011-25 to 2011-27 be enacted.

2011-22 A BY-LAW TO PROVIDE FOR THE LEVY AND COLLECTION OF THE SUMS REQUIRED BY THE CORPORATION OF THE TOWN OF NEWMARKET FOR 2011 AND TO PROVIDE FOR THE MAILING OF NOTICES REQUISITIONING THE PAYMENT OF TAXES FOR 2011.

To levy a separate tax rate on the assessment in each property class.

(Committee of the Whole Minutes of May 3, 2011 – Item 10)

2011-23 A BY-LAW TO EXEMPT THE TENANTS OF THE MAGNA CENTRE FROM TAXATION FOR MUNICIPAL AND SCHOOL PURPOSES.

(Committee of the Whole Minutes of May 3, 2011 - Item 25)

2011-25 A BY-LAW TO AMEND BY-LAW NUMBER 2010-40, AS AMENDED, BEING A ZONING BY-LAW.

(Technical Amendment)

To Amend Comprehensive Zoning By-law 2010-40, as amended.

(Committee of the Whole Minutes of May 3, 2011 – Item 8)

2011-26 A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS FOR THE TOWN OF NEWMARKET.

(Jeffrey Lam, Adrian Swann and Kaitlyn Smith)

**2011-27 A BY-LAW TO PERMIT TEMPORARY PARKING WITHIN THE TOWN OF NEWMARKET.
(Crossland Gate)**

To permit temporary parking on Crossland Gate.

(Committee of the Whole Minutes of May 3, 2011 – Item 20)

CARRIED 

NOTICE OF MOTION

None.

UNFINISHED BUSINESS

None.

41. NEW BUSINESS

- a) Councillor Di Muccio advised of parking issues on William Dunn Crescent located in a new subdivision. The Commissioner of Community Services advised of a transportation plan for William Dunn Crescent which is in effect for a period of two years. Staff will report back to Committee of the Whole in September 2011.
- b) Councillor Di Muccio advised of and read aloud a proposed resolution with respect to Council expressing its formal support for increased GO Train services between Newmarket and Union Station. On consensus Council agreed to consider the proposed resolution.

Resolution R6-2011

**Moved by Councillor Di Muccio
Seconded by Councillor Vegh**

WHEREAS gridlock is becoming an increasing problem in the GTA, especially impacting Newmarket residents on Yonge, Bayview, Highway 404 and Highway 400;

AND WHEREAS gridlock costs our economy productivity and our residents' time away from their families;

AND WHEREAS Newmarket is an environmental leader that supports public transportation options and a reduction in greenhouse gas emissions by removing automobiles from the road;

AND WHEREAS residents have expressed a desire for more frequent and convenient north-south public transportation options between Newmarket and downtown Toronto;

AND WHEREAS GO Transit falls under provincial jurisdiction and is a responsibility of Metrolinx;

AND WHEREAS Metrolinx is working on a MoveOntario 2020 initiative attempting to address gridlock in the GTA.

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

1. **THAT Council of the Town of Newmarket expresses formal support for more frequent GO Train service between Newmarket and Union Station as a way to reduce gridlock and provide residents with a convenient public transportation option to downtown Toronto;**
2. **AND THAT Council encourages and reminds the Minister of Transportation Kathleen Wynne and Newmarket-Aurora MPP Frank Klees to call on Metrolinx to make more frequent GO Train service a priority as soon as possible in the Metrolinx MoveOntario plan;**
3. **AND THAT Bruce McCuaig and representatives from Metrolinx be invited to make a deputation providing an update on more frequent GO Train service between Newmarket and Union Station as soon as possible in order for Council to inform/update residents;**
4. **AND THAT a copy of this resolution be sent by staff to York Region MPPs, the Premier of Ontario and the Minister of Transportation.**

CARRIED 

- c) Councillor Kerwin advised that the Newmarket Arts Gala hosted by Pickering College took place on May 6, 2011. The awarding of grants assist young artists, established artists and community groups.
- d) Mayor Van Bynen requested clarification with respect to Council providing formal direction to staff regarding bringing the parking plan forward for William Dunn Crescent.

**Moved by Councillor Di Muccio
Seconded by Councillor Emanuel**

THAT staff be directed to review the parking plan for William Dunn Crescent to determine whether there are opportunities for on street parking and to report back to Committee of the Whole.

CARRIED 

42. CONFIRMATORY BY-LAW

By-law 2011-28.

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

THAT By-law 2011-28 be enacted.

**2011-28 A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS
MEETING HELD ON MAY 9, 2011.**

CARRIED 

**Moved by Councillor Emanuel
Seconded by Council Di Muccio**

THAT the meeting adjourn.

CARRIED 

There being no further business the meeting adjourned at 7:44 p.m.

Tony Van Bynen, Mayor

Anita Moore, Town Clerk