

The meeting of the Committee of the Whole was held on Monday, September 19, 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  
Councillor Emanuel (1:30 – 4:09 p.m.)  
Councillor Hempen  
Councillor Sponga  
Councillor Twinney  
Councillor Vegh

Absent: Councillor Kerwin

Staff: R. Shelton, Chief Administrative Officer  
R. Dixon, Commissioner of Corporate Services  
R. Prentice, Commissioner of Community Services  
E. Armchuk-Ball, Director of Legal Services  
B. Jones, Director of Public Works Services  
J. Koutroubis, Director of Engineering Services  
I. McDougall, Director of Recreation and Culture  
R. Nethery, Director of Planning and Building Services  
A. Moore, Director of Legislative Services/Town Clerk  
J. Bondi, 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 Twinney**

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

**CONSENT ITEMS**

**Item 1 Correspondence dated September 19, 2011 from Mr. Nick McDonald, Meridian Planning Consultants Inc. regarding Community Services Report – Planning & building Services 2011-34 – Application for Zoning By-law Amendment – Newmarket Hydro Ltd.**

Item 3 Draft Resolution from Councillor Di Muccio to be considered with Community Services Report – Planning & Building Services 3011-36 – Consulting Services – Future Glenway Redevelopment Application.

Item 10 Excerpt of Minutes – Accessibility Advisory Committee of September 13, 2011 – Item 2 regarding the 2011 Accessibility Plan.

**DISTRIBUTION**

Item 2 Additional Information – Excerpt of Minutes – Heritage Newmarket Advisory Committee of September 13, 2011 – Item 5 regarding New Business – Community Services Report – Planning & Building Services 2011-35 – 425 and 421 Davis Drive – Union Hotel/VivaNext.

**REVISION**

Item 8 Revised Community Services Report – PWS 2011-80 dated September 12, 2011 regarding the Naturalization Program - Update.

**CLOSED SESSION ADDITION**

Item 5 Verbal CAO Update regarding negotiations with respect to a potential litigation matter in Ward 2 – OMB Appeal.

CARRIED 

**DECLARATIONS OF INTEREST**

None.

Mayor Van Bynen advised that Item 1 of the agenda would be dealt with following the Closed Session portion of the meeting.

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

**THAT the following items be adopted on consent:**

1. **COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 1  
EXCERPT OF MINUTES – ACCESSIBILITY ADVISORY COMMITTEE OF  
SEPTEMBER 13, 2011 – ITEM 2  
2011 ACCESSIBILITY PLAN**

**THAT the Accessibility Advisory Committee endorses the draft 2011 Accessibility Plan as presented, with the minor terminology modifications suggested, and requests that it be approved by Council.**

**2. COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 2  
LIST OF OUTSTANDING MATTERS**

**THAT the list of outstanding matters be received.**

**CARRIE** 

This concludes the consent portion of the agenda.

**3. COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 3  
COMMUNITY SERVICES REPORT – PLANNING & BUILDING SERVICES 2011-35  
425 AND 431 DAVIS DRIVE – UNION HOTEL/VIVANEXT**

Community Services Report – Planning & Building Services 2011-35 dated September 8, 2011 regarding 425 and 431 Davis Drive.

Excerpt of Minutes – Heritage Newmarket Advisory Committee of September 13, 2011 – Item 5 regarding New Business – Community Services Report – Planning & Building Services 2011-35 – 425 and 421 Davis Drive – Union Hotel/VivaNext.

Recommendations 1 and 2 contained in Community Services Report – Planning & Building Services 2011-35 were deleted and replaced with the following recommendations:

1. THAT Council endorses the preservation of the historic buildings located at 425 and 431 Davis Drive, in principle, subject to cost analysis and a staff report with respect to options available;
2. AND THAT this matter be referred to staff for further discussion with VivaNext and Heritage Newmarket Committee to investigate options and that the staff report come back to Committee of the Whole or Site Plan Review meeting, as appropriate.

**Moved by Regional Councillor Taylor  
Seconded by Councillor Vegh**

**THAT Community Services/Planning & Building Services Report 2011-35 dated September 8, 2011 regarding 425 and 431 Davis Drive be received and the following recommendations, as amended, be adopted:**

1. **THAT Council endorses the preservation of the historic buildings located at 425 and 431 Davis Drive, in principle, subject to cost analysis and a staff report with respect to options available;**
2. **AND THAT this matter be referred to staff for further discussion with VivaNext and Heritage Newmarket Committee to investigate options and that the staff report come back to Committee of the Whole or Site Plan Review meeting, as appropriate;**

3. **AND THAT Excerpt of Minutes – Heritage Newmarket Advisory Committee of September 13, 2011 – Item 5 regarding New Business – Community Services Report – Planning & Building Services 2011-35 – 425 and 421 Davis Drive – Union Hotel/VivaNext be received.**

CARRIE 

4. **COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 4  
COMMUNITY SERVICES REPORT – PLANNING & BUILDING SERVICES 2011-36  
CONSULTING SERVICES – FUTURE GLENWAY REDEVELOPMENT APPLICATION**

Community Services Report – Planning & Building Services 2011-36 dated September 13, 2011 regarding Consulting Services – Future Glenway Redevelopment Application.

A further recommendation was added as follows:

“AND THAT staff report back on terms of reference and the reporting process.”

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

**THAT Community Services/Planning & Building Services Report 2011-36 dated September 13, 2011 regarding Consulting Services for the Future Glenway Redevelopment Application be received and the following recommendations, as amended, be adopted:**

1. **THAT Council retain the services of an external Planning Consultant to process any future redevelopment application associated with the Glenway golf course and residential subdivision;**
2. **AND THAT staff report back on terms of reference and the reporting process.**

No action was taken with respect to Councillor Di Muccio's draft resolution regarding the redevelopment of the Glenway Country Club property.

5. **COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 5  
COMMUNITY SERVICES REPORTS – ES 2011-27, 2011-28 and 2011-76  
ALL-WAY STOP REQUEST – HURON HEIGHTS DRIVE/WARATAH AVENUE/  
WAYNE DRIVE; ALL-WAY STOP REQUEST – BAYVIEW PARKWAY AND HEMAN  
DRIVE; THOMS CRESCENT INFRASTRUCTURE IMPROVEMENTS – SPEED HUMP  
INVESTIGATION**

Community Services Report – ES 2011-27 dated September 8, 2011 regarding the All-way Stop Request at the Huron Heights/Waratah/Wayne Drive Intersection.

Community Services Report – ES 2011-28 dated September 8, 2011 regarding the All-way Stop Request at the Bayview Parkway/Heman Drive Intersection.

Community Services Report – ES 2011-76 dated September 8, 2011 regarding Thoms Crescent Infrastructure Improvements – Speed Hump Investigation.

The recommendations contained in the above reports were replaced with the following recommendations:

“THAT Community Services Reports – ES 2011-27, ES 2011-28 and ES 2011-76 dated September 8, 2011 regarding the All-way Stop Request at the Huron Heights/Waratah/Wayne Drive Intersection; the All-way Stop Request at the Bayview Parkway/Heman Drive Intersection; and Thoms Crescent Infrastructure Improvements – Speed Hump Investigation, respectively, be received and the following recommendation, as amended, be adopted;

THAT the above-named reports be deferred until after the Transportation Management Workshop to be scheduled for the fall of 2011.”

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

**THAT Community Services Reports – ES 2011-27, ES 2011-28 and ES 2011-76 dated September 8, 2011 regarding the All-way Stop Request at the Huron Heights/Waratah/Wayne Drive Intersection; the All-way Stop Request at the Bayview Parkway/Heman Drive Intersection; and Thoms Crescent Infrastructure Improvements – Speed Hump Investigation, respectively, be received and the following recommendation, as amended, be adopted;**

**THAT the above-named reports be deferred until after the Transportation Management Workshop to be scheduled for the fall of 2011.**

**CARRIED**

**6. COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 6  
COMMUNITY SERVICES REPORT – ES 2011-65  
ALL WAY STOP REQUEST – MCCAFFREY ROAD AND RANNIE ROAD**

Community Services Report - ES 2011-65, dated September 8, 2011 regarding the All-way Stop Request at the McCaffrey Road and Rannie Road Intersection.

Recommendations 1 and 2 of Community Services Report – ES 2011-65 were replaced with the following recommendation:

“THAT the above-named report be deferred until after the Transportation Management Workshop to be scheduled for the fall of 2011”

**THAT Community Services Report - ES 2011-65, dated September 8, 2011 regarding the All-way Stop Request at the McCaffrey Road and Rannie Road intersection be received and the following recommendations, as amended, be adopted:**

- 1. THAT the above-named report be deferred until after the Transportation Management Workshop to be scheduled for the fall of 2011;**

2. **AND THAT a yellow centre line be implemented from the west side of the intersection to a point approximately 100 metres west of the intersection, and off-set southwards, if feasible.**

**7. COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 7  
COMMUNITY SERVICES REPORT – PWS  
NATURALIZATION PROGRAM UPDATE**

Community Services Report – PWS 2011-80 dated September 12, 2011 regarding Naturalization Program Update.

Committee members were provided with plans illustrating naturalization locations.

Further recommendations were added as follows:


“AND THAT the Naturalization Program for Fairy Lake along the west bank of the Holland River, east of the Tom Taylor Trail and south of the pedestrian bridge, be discontinued;

AND THAT the Naturalization Program be referred to the Parks Maintenance Master Plan process for review;

AND THAT a public information centre be held to update residents on the long-term plan of the Naturalization Program.

Moved by Regional Councillor Taylor  
Seconded by Councillor Sponga

**THAT Community Services Report – PWS 2011-80 dated September 12, 2011 regarding the Naturalization Program – Update be received and the following recommendations, as amended, be adopted:**

1. **THAT the six areas implemented in the Naturalization Program continue to be maintained in their natural state;**
2. **AND THAT the Naturalization Program for Fairy Lake along the west bank of the Holland River, east of the Tom Taylor Trail and south of the pedestrian bridge, be discontinued;**
3. **AND THAT the Naturalization Program be referred to the Parks Maintenance Master Plan process for review;**
4. **AND THAT a public information centre be held to update residents on the long-term plan of the Naturalization Program** 

**CARRIED** 

**8. COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 8  
REPORTS BY REGIONAL REPRESENTATIVES**

None.

The Committee recessed at 3:23 p.m.

The Committee reconvened at 3:36 p.m.

**9A. COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 9A  
NEW BUSINESS  
SERVICE REVIEW PROGRAM – ENHANCEMENT RECOMMENDATIONS**

Councillor Twinney requested that Councillors be given an extension of time for the purpose of the straw poll with respect to the enhancement recommendations.

Councillor Di Muccio returned to the meeting at 3:37 p.m.

Councillors Sponga and Hempen returned to the meeting at 3:38 p.m.

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

**THAT Councillors be given a time extension to end of day September 19, 2011 for the purpose of the straw poll on the various Service Review Program enhancement recommendations.**

**CARRIED** 

**9B. COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 9B  
NEW BUSINESS  
INFILL DEVELOPMENT**

Councillor Sponga advised that he has heard from residents in his Ward who are concerned with the incompatibility of some infill development in certain neighbourhoods in Ward 2.

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

**THAT staff investigate the matter of infill development and its compatibility in stable residential neighbourhoods and report back within 120 days.**

**CARRIED** 

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

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

**Personal matters about an identifiable individual, including municipal employees or local board employees (*Summary of Tax Write-Offs*);  
Proposed or pending acquisition or disposition of lands by the municipality or local board (*Magna Centre Component Naming Rights*);  
Litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board (*OMB Appeal – Park Avenue; Verbal Report regarding Ward 2 matter – OMB Appeal*);  
Labour relations or employee negotiations (*Verbal Report regarding Labour Relations or Employee Negotiations*).**

**CARRIED**

The Committee resolved into a Committee of the Whole (Closed Session) at 3:47 p.m.

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

The Committee reconvened at 4:53 p.m.

**10. COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 19, 2011 – ITEM 10  
COMMUNITY SERVICES REPORT – PLANNING & BUILDING SERVICES 2011-34  
APPLICATION FOR ZONING BY-LAW AMENDMENT – NEWMARKET HYDRO LTD.  
WEST SIDE OF HARRY WALKER PARKWAY SOUTH (WARD 2)**

Community Services/Planning & Building Services Report – Planning 2011-34 dated September 8, 2011 regarding Application for Zoning By-law Amendment.

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

**THAT Community Services/Planning & Building Services Report – Planning 2011-34 dated September 8, 2011 regarding Application for Zoning By-law Amendment be deferred to the next Committee of the Whole meeting scheduled for October 11, 2011:**

**AND THAT the correspondence dated September 19, 2011 from Mr. Nick McDonald, Meridian Planning Consultants Inc. regarding Community Services Report – Planning & building Services 2011-34 – Application for Zoning By-law Amendment – Newmarket Hydro Ltd. be received.**

**CARRIED**

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

**THAT the meeting adjourn.**

**CARRIED** 

There being no further business, the meeting adjourned at 4:54 p.m.

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Mayor Van Bynen, Chair

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Anita Moore, Town Clerk