



Town of Newmarket

Minutes

Council

Date: Monday, December 17, 2018
Time: 7:00 PM
Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Broome
Councillor Bisanz

Members Absent: Councillor Kwapis

Staff Present: E. Armchuk, Acting Chief Administrative Officer
P. Noehammer, Commissioner of Development & Infrastructure
I. McDougall, Commissioner of Community Services
L. Lyons, Acting Commissioner of Corporate Services
K. Saini, Acting Director of Legislative Services/Town Clerk
J. Grossi, Legislative Coordinator
A. Walkom, Legislative Coordinator

The meeting was called to order at 7:00 PM.
Mayor Taylor in the Chair.

1. Open Forum

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

2. Public Notices

None.

3. Additions & Corrections to the Agenda

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

1. 2018-60 A By-law to appoint Provincial Offences Officers for the Town of Newmarket (Animal Control Officers).

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

1. 2018-61 A By-law to establish a Stormwater Rate in the Town of Newmarket for 2019, relating to item 9.6.6.
2. 2018-62 A By-law to establish a Combined Utility Rate Structure in the Town of Newmarket for 2019, relating to item 9.6.5.
3. 2018-63 A By-law to adopt Fees And Charges For Services Or Activities Provided By The Town Of Newmarket. (Planning Department Application Fees), relating to item 9.6.9.
4. 2018-64 A By-law to adopt Fees And Charges For Services Or Activities Provided By The Town Of Newmarket. (All Departments, Corporate Services – Finance & Procurement & IT, Legal Services, Public Works Services, Engineering Services and Legislative Services – General Fees and Charges), relating to item 9.6.11.

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

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

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

4. Declarations of Pecuniary Interest

None.

5. Presentations & Recognitions

None.

6. Deputations

None.

7. Approval of Minutes

7.1 Special Council Meeting Minutes of November 26, 2018

7.2 Inaugural Council Meeting Minutes of December 3, 2018

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

1. That the Special Council meeting minutes of November 26, 2018 and the Inaugural Council meeting minutes of December 3, 2018 be approved.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

8. Reports by Regional Representatives

(1) Deputy Mayor and Regional Councillor Vegh advised that he has been appointed to the following committees at Regional Council for this term; Accessibility Advisory Committee, Audit Committee, Lake Simcoe Region Conservation Authority and will be a member of the Board of Directors for Housing York Inc.

(2) Deputy Mayor and Regional Councillor Vegh advised that the York Regional Police estimate costs associated with cannabis legalization to be \$6.8 million and that it is anticipated that York Region will be receiving funds in the range of \$0.5 million to \$1.3 million from the Provincial government.

(3) Mayor Taylor advised that at the York Regional Inaugural Council Meeting, Wayne Emmerson was reappointed as Regional Chair for the 2018-2022 term.

(4) Mayor Taylor advised that he was appointed as one of the two alternate acting chairs for York Region Council. He was also appointed to the Human Services Planning Board and York Region Rapid Transit Corporation Board, and will be the Chair of the Housing York Inc. Board.

(5) Mayor Taylor advised that Regional Council received a memo on the passing of Bill 66, Restoring Ontario's Competitiveness Act, 2018, which permits municipalities the discretion to pass an "Open for Business" planning by-law.

9. Reports of Committees and Staff

9.1 Council Workshop Meeting Minutes of December 5, 2018

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

1. That the Council Workshop meeting minutes of December 5, 2018 be received.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.2 Council Workshop Meeting Minutes (Closed Session) of December 5, 2018

Moved by: Councillor Simon

Seconded by: Councillor Woodhouse

1. That the Council Workshop meeting minutes (Closed Session) of December 5, 2018 be received.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

Mayor Taylor advised that Council Members, along with Staff, were taken on a bus tour to various sites. An overview of the significance of each site was provided. The route map and list of properties visited on the bus tour were posted as part of the public agenda on the Town's website.

9.3 Council Workshop Meeting Minutes of December 6, 2018

9.4 Council Workshop Meeting Minutes of December 11, 2018

9.5 Council Workshop Meeting Minutes of December 12, 2018

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the Council Workshop Meeting Minutes of December 6, 2018, Council Workshop Meeting Minutes of December 11, 2018 and Council Workshop Meeting Minutes of December 12, 2018 be received.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.6 Special Committee of the Whole Meeting Minutes of December 10, 2018

Moved by: Councillor Twinney

Seconded by: Councillor Morrison

1. That the Committee of the Whole Meeting Minutes of December 10, 2018 be received and the recommendations noted within be adopted with the exception of sub-item 9.6.1. See following sub-item 9.6.1 for motion and recorded vote.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.6.1 Financial Sustainability Update

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the report entitled Financial Sustainability Update dated December 10, 2018 be received for information.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.6.2 Debt Retirement

1. That the report entitled Debt Retirement dated December 10, 2018 be received; and,
2. That the outstanding balance on the long-term debt for the Operations Centre be repaid to the Regional Municipality of York on or before April 29, 2019; and,
3. That the repayment be funded as outlined in this report; and,
4. That the Treasurer be authorized to take whatever actions are required to comply with these directives.

9.6.3 Elman Campbell Museum Fund

1. That the report entitled Elman Campbell Museum Fund dated November 19, 2018 be received; and,
2. That this fund be renamed from a "Trust Fund" to The Elman Campbell Museum Fund; and,
3. That the balance in the fund be transferred to the Town of Newmarket's reserve fund bank account and be accounted for as a reserve fund effective January 1, 2019; and,
4. That the restrictions as set out in the original agreement be maintained; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.6.4 2019 Fees & Charges Overview

1. That the report entitled 2019 Fees & Charges Overview dated December 10, 2018 be received.

9.6.5 2019 Water and Wastewater Rates

1. That the report entitled 2019 Water and Wastewater Rates dated December 10, 2018 be received; and,

2. That the attached Schedule “A” being the Town of Newmarket Water and Wastewater Rates, be approved and adopted by by-law; and,
3. That the Water and Wastewater Rates adjustments come into full force and effect as of January 1, 2019.

9.6.6 2019 Stormwater Rates

1. That the report entitled 2019 Stormwater Rates dated December 10, 2018 be received; and,
2. That the attached Schedule ‘A’ being the Town of Newmarket 2019 Stormwater Rates be approved and adopted by by-law; and,
3. That the new Stormwater Rates come into full force and effect as of January 1, 2019.

9.6.7 2019 Recreation & Culture Rates & Fees

1. That the report entitled 2019 Recreation & Culture Rates & Fees dated Nov 28, 2018 be received; and,
2. That the 2019 Recreation & Culture Fees & Charges be approved; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.6.8 Building Permit Fees (Information Report)

1. That the information report entitled Building Permit Fees be received for information purposes.

9.6.9 2019 User Fees and Charges – Planning Act Fees

1. That the report entitled 2019 User Fees and Charges – Planning Act Fees dated November 19, 2018 be received; and,
2. That the attached Schedule ‘A’ being the Town of Newmarket 2019 Planning Application Fees Schedule be approved and adopted by by-law; and,
3. That the fee adjustments come into full force and effect as of January 1, 2019.

9.6.10 2019 User Fees and Charges – Fire Services

1. That the report entitled 2019 User Fees and Charges – Fire Services be received; and,

2. That the attached Schedule 'A' being the Town of Newmarket 2019 Fire Services Fees Schedule be approved; and,
3. That the fee adjustments come into full force and effect January 1, 2019.

9.6.11 2019 User Fees and Charges - General

1. That the report entitled 2019 User Fees and Charges – General dated November 19, 2018 be received; and,
2. That the attached Schedules 'A', 'B', 'C', 'D', 'E' and 'F' marked as the Town of Newmarket 2019 All Departments, Corporate Services – Finance & Procurement & IT, Legal Services, Public Works Services, Engineering Services and Legislative Services – General Fees and Charges respectively, be approved and adopted by by-law; and,
3. That the fee adjustments come into full force and effect as of January 1, 2019; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.6.12 2019 Budget Process & Target

1. That the report entitled 2019 Budget Process & Target dated November 19, 2018 be received; and,
2. That the proposed budget schedule be adopted and that staff report to Council with three options for consideration including:
 - a. The proposed budget direction of 3.95%;
 - b. A total tax rate not to exceed 3.2% (Consumer Price Index - 0.5% plus 1% for Asset Replacement Fund);
 - c. A total tax rate not to exceed 3% (inclusive of Asset Replacement Fund); and,
3. That the proposed public engagement plan for the budget be adopted; and,
4. That Council set draft budget directions based on the recommended structure.

9.6.13 2019 Interim Appropriations

1. That the report entitled 2019 Interim Appropriations dated November 19, 2018 be received for information purposes.

9.7 Committee of the Whole Meeting Minutes of December 10, 2018

Moved by: Councillor Simon

Seconded by: Councillor Morrison

1. That the Committee of the Whole Meeting Minutes of December 10, 2018 be received and the recommendations noted within be adopted.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.7.1 2019 Schedule of Meetings

1. That the report entitled 2019 Council and Committee of the Whole Meeting Schedule dated December 10, 2018 be received; and,
2. That Council maintain the current schedule as presented in Attachment A; and,
3. That effective March 1, 2019, all Committee of the Whole meetings begin at 12:30 PM; and,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

9.7.2 Councillor Appointments to Committees & Committee Structure Review

Moved by: Councillor Simon

Seconded by: Councillor Morrison

1. That the report entitled Councillor Appointments to Committees & Committee Structure Review dated December 10, 2018 be received; and,
2. That Council appoint the below Member(s) of Council to the following committees:
 - a. Accessibility Advisory Committee (Councillor Simon);
 - b. Appointment Committee (Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Twinney);
 - c. Audit Committee (Deputy Mayor & Regional Councillor Vegh, Councillor Bisanz, Councillor Morrison);

- d. Central York Fire Service Joint Council Committee (Deputy Mayor & Regional Councillor Vegh, Councillor Broome, Councillor Bisanz);
 - e. Elman W. Campbell Museum Board (Councillor Morrison);
 - f. Heritage Advisory Committee (Councillor Bisanz);
 - g. Main Street District Business Improvement Area Board of Management (Councillor Twinney, Councillor Kwapis);
 - h. Newmarket Historical Society (Councillor Woodhouse);
 - i. Newmarket Public Library Board (Councillor Broome, Councillor Twinney, Councillor Woodhouse);
 - j. Newmarket Seniors' Meeting Place Board (Councillor Twinney);
 - k. SmartCommute – Central York (Councillor Morrison); and,
3. That Council recommend Deputy Mayor & Regional Councillor Vegh to York Region Council for appointment to the Lake Simcoe Region Conservation Authority's Board of Directors; and,
 4. That statutory Boards and Committees, as outlined in Attachment A, of this report be permitted to meet to fulfill their duties until the appointment of their successors; and,
 5. That should a time sensitive or legislated matter requiring the consideration by a Board or Committee prior to their successors being appointed, that Board or Committee be authorized to meet; and,
 6. The terms of reference for the Audit Committee be amended to include any three Members of Council; and,
 7. That staff be directed and authorized to do all things necessary to give effect to this resolution.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.7.3 Alternate Acting Mayor Schedule 2018-2022

1. That the report entitled Alternate Acting Mayor Schedule 2018-2022 dated December 10, 2018 be received.

9.7.4 Audit Committee Meeting Minutes of June 7, 2018

1. That the Audit Committee Meeting Minutes of June 7, 2018 be received.

9.7.5 Central York Fire Services Joint Council Committee Meeting Minutes of June 12, 2018

1. That the Central York Fire Services Joint Council Committee Meeting Minutes of June 12, 2018 be received.

9.7.6 Newmarket Public Library Board Meeting Minutes of May 15, 2018, June 20, 2018, September 12, 2018, and October 10, 2018

1. That the Newmarket Public Library Board Meeting Minutes of May 15, 2018, June 20, 2018, September 12, 2018, and October 10, 2018 be received.

9.7.7 Main Street District Business Improvement Area Board of Management Meeting Minutes of July 24, 2018

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of July 24, 2018 be received.

9.7.8 Site Plan Review Committee Minutes of September 24, 2018

1. That the Site Plan Review Committee Minutes of September 24, 2018 be received.

9.7.9 Newmarket Downtown Development Committee Minutes of June 29, 2018

1. That the Newmarket Downtown Development Committee Minutes of June 29, 2018 be received.

9.7.10 Newmarket Economic Development Advisory Committee Meeting Minutes of April 26, 2018

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of April 26, 2018 be received.

9.7.11 Outstanding Matters List

1. That the list of outstanding matters be received.

9.8 Newmarket –Tay Power Distribution Ltd. Director Nomination Process

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That Mayor Taylor, Deputy Mayor & Regional Councillor Vegh and Councillor Bisanz be appointed to an ad-hoc joint committee of the Councils of the Town of Newmarket and the Township of Tay (the “Joint Committee”) for the express purposes of considering the list of candidates to replace P. Daniels.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.9 VivaNext Bus Rapid Transit Y3.2 Yonge Street Noise By-law Exemption

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Morrison

1. That the report entitled VivaNext Bus Rapid Transit Y3.2 Yonge Street Noise By-law Exemption dated December 17, 2018 be received; and,
2. That the request from RapidLINK for a noise exemption to perform necessary works for the vivaNext Bus Rapid Transit Y3.2 project between the hours of 9:00 PM to 7:00 AM from January 1, 2019 until December 31, 2019 (7 days a week), be approved; excluding December 25, 2019 (Christmas Day) and December 26, 2019 (Boxing Day); and,
3. That this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

10. By-laws

2018-57 A By-law to establish a new Site Plan Control By-law for the Town of Newmarket and to repeal By-law No. 2010-41.

2018-58 A By-law to provide an exemption to By-law 2017-76, as amended, being a By Law to prohibit and regulate unusual Noises or noises likely to disturb the inhabitants of the Town of Newmarket (VivaNext Bus Rapid Transit Y3.2 Yonge Street)

2018-60 A By-law to appoint Provincial Offences Officers for the Town of Newmarket (Animal Control Officers).

2018-61 A By-law to establish a Stormwater Rate in the Town of Newmarket for 2019.

2018-62 A By-law to establish a Combined Utility Rate Structure in the Town of Newmarket for 2019.

2018-63 A By-law to adopt Fees And Charges For Services Or Activities Provided By The Town Of Newmarket. (Planning Department Application Fees).

2018-64 A By-law to adopt Fees And Charges For Services Or Activities Provided By The Town Of Newmarket. (All Departments, Corporate Services – Finance & Procurement & IT, Legal Services, Public Works Services, Engineering Services and Legislative Services – General Fees and Charges).

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That by-laws 2018-61, 2018-62, 2018-63 and 2018-64 be enacted.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

Moved by: Councillor Twinney

Seconded by: Councillor Bisanz

1. That by-law 2018-57 be enacted.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. That by-law 2018-58 be enacted.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

Moved by: Councillor Twinney

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That by-law 2018-60 be enacted.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

11. Notices of Motions

None.

12. Motions

None.

13. Announcements & Community Events

(1) Councillor Broome invited Ward 6 residents to a Community Gathering on Tuesday January 8, 2019 at Nature's Emporium from 6:30 PM - 8:00 PM.

(2) Councillor Woodhouse encouraged families to spend time together during the holiday season.

(3) Councillor Bisanz wished Council Members and residents the best for the holiday season and a Happy New Year.

(4) Mayor Taylor advised of the New Years Eve event at the Magna Centre starting at 6:00 PM, with countdown and fireworks at 9:00 PM.

(5) Mayor Taylor advised of the Mayor's New Years Levee at Riverwalk Commons on Friday, January 11, 2019 from 7:00 PM - 10:00 PM.

(6) Mayor Taylor wished residents a Merry Christmas and Happy Holidays.

14. New Business

14.1 Community Flag Raising

Mayor Taylor advised that the Town has received a request for a community flag raising and suggested a review of the Town's current policy.

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That Council direct staff to report back on guidelines for community flag raising.

In Favour (8): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

14.2 Council Orientation Workshops

Councillor Broome thanked staff for planning and organizing the recent Council Orientation Workshops.

15. Closed Session

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

16. Confirmatory By-law

Moved by: Councillor Bisanz

Seconded by: Councillor Twinney

1. That By-law 2018-59 be enacted

Carried

17. Adjournment

Moved by: Councillor Woodhouse

Seconded by: Councillor Simon

1. That the meeting adjourn at 7:46 PM.

Carried

John Taylor, Mayor

Kiran Saini, Acting Town Clerk