



Town of Newmarket

Minutes

Committee of the Whole

Date: Monday, February 3, 2020
Time: 12:30 PM
Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon (12:31 PM - 3:37 PM & 7:01 PM - 8:03 PM)
Councillor Woodhouse
Councillor Twinney (12:36 PM - 3:37 PM & 7:01 PM - 8:55 PM)
Councillor Morrison (12:31 PM - 3:37 PM)
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
I. McDougall, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
F. Scott, Manager of Regulatory Services
J. Unger, Acting Director of Planning & Building Services
A. Cammaert, Acting Manager, Planning Services
T. Horton, Senior Planner – Community Planning
A. Mollicone, Acting Director of Legal and Procurement Services
A. Walkom, Legislative Coordinator

For consideration by Council on February 10, 2020.
The meeting was called to order at 12:31 PM.

The Committee of the Whole recessed at 3:01 PM and reconvened at 3:15 PM.
The Committee of the Whole recessed at 3:37 PM and reconvened at 7:01 PM.
Mayor Taylor in the Chair.

1. Additions & Corrections to the Agenda

The Clerk advised of the following additions to the agenda:

- Item 4.1: Deputation from Kim Wright, on behalf of Uber Canada regarding the Mobile Business Licence By-law.
- Item 5.3: Main Street Clock Inc. Properties – Update – the report was distributed with the revised agenda.
- Item 11.2: Appointment to Envi Board of Directors [Personal matters about an identifiable individual, including municipal or local board employees as per Section 239 (2) (b) of the Municipal Act, 2001].
- Item 12.1: Marianneville Developments – Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision – The presentation and an additional deputation were distributed with the revised agenda.

The Clerk advised of the following correction to the agenda:

- Item 5.1: Mobile Business Licence By-law – Schedule A to the draft Mobile Business Licence By-law was omitted from the original agenda in error and was distributed with the revised agenda.

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

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

Carried

2. Declarations of Pecuniary Interest

None.

3. Presentations & Recognitions

3.1 Short Term Rentals

Note: This item was dealt with under sub-item 6.1. Please see sub-item 6.1 for motion.

The Senior Planner - Community Planning introduced the presentation and provided an overview of the issue including the community consultation conducted by staff so far and the results of a resident survey. The Manager of Regulatory Services provided the definition of a Short Term Rental.

The presentation outlined the options available to Council for regulation of Short Term Rentals. The Manager of Regulatory Services provided the options available through licensing and the Senior Planner - Community Planning provided the options available through zoning by-law amendments.

3.2 Mobile Business Licence By-law

Note: This item was dealt with under sub-item 5.1. Please see sub-item 5.1 for motion.

The Manager of Regulatory Services provided a presentation which included a background of mobile business licensing by the Town of Newmarket and an overview of the public consultation conducted by staff to date. The presentation included the different types of mobile businesses which would be included in the proposed licensing by-law.

4. Deputations

4.1 Mobile Business Licence By-law

Kim Wright, Wright Strategies on behalf of Uber Canada provided a deputation regarding the proposed Mobile Business Licence By-law. She advised of some revisions to the proposed by-law recommended by her client, as well as changes to the proposed fee structure.

Moved by: Councillor Kwapis
Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the deputation regarding the Mobile Business Licence By-law by Kim Wright, on behalf of Uber Canada be received.

Carried

5. Consent Items

Moved by: Councillor Bisanz

Seconded by: Councillor Simon

1. That sub-items 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11 and 5.12 be adopted on consent. See following sub-items 5.1, 5.2, 5.3, and 5.13 for motions.

Carried

5.1 Mobile Business Licence By-law

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. **That the presentation regarding the Mobile Business Licence By-law provided by the Manager of Regulatory Services be received; and,**
2. That the report entitled Mobile Business Licence By-law dated February 3, 2020 be received; and,
3. That Council direct staff to waive Taxicab Company fees for a duration of 3 years (2020 – 2023 fees inclusive) **for previously licensed companies only;** and,
4. That Council approve a 12-month contract position for a new Municipal Law Enforcement Officer position **subject to approval of the Chief Administrative Officer and Commissioner of Corporate Services; and,**
5. That Council approve a 12-month contract for conversion of part-time hours into full-time hours for the existing permanent Legislative Services Associate position **subject to approval of the Chief Administrative Officer and Commissioner of Corporate Services; and,**
6. That Council approve the draft Mobile Business Licence By-law 2020-07; and,
7. That Council repeal Taxi By-law 2016-44, Refreshment Vehicles By-law 2016-52, and Driving School Instructors By-law 2017-32, as amended; and,

8. That Council amend the AMPS By-law 2019-62 and Fees and Charges By-law 2019-52; and,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.2 Large Water Meter Rates

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Kwapis

1. That the report entitled Large Water Meter Rates Staff Report dated February 3, 2020 be received; and,
2. That the 2020 monthly fees for Large Water Meters as referenced in the report come into effect immediately;
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.3 Main Street Clock Inc. Properties - Update

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

1. That the report entitled Main Street Clock Inc. Properties - Update dated February 3, 2020 be received.

Carried

5.4 Accessibility Advisory Committee Meeting Minutes of November 21, 2019

1. That the Accessibility Advisory Committee Meeting Minutes of November 21, 2019 be received.

5.5 Appointment Committee Minutes of October 9, 2019

1. That the Appointment Committee Meeting Minutes of October 9, 2019 be received.

5.6 Appointment Committee Meeting (Closed Session) Minutes of October 9, 2019

1. That the Appointment Committee Meeting (Closed Session) Minutes of October 9, 2019 be received.

5.7 Central York Fire Services – Joint Council Committee Meeting Minutes of November 5, 2019 and the Special Meeting Minutes of November 26, 2019

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of November 5, 2019 and the Special Meeting Minutes of November 26, 2019 be received.

5.8 Central York Fire Services – Joint Council Committee Meeting (Closed Session) Minutes of November 5, 2019

1. That the Central York Fire Services – Joint Council Committee Meeting (Closed Session) Minutes of November 5, 2019 be received.

5.9 Elman W. Campbell Museum Board of Management Meeting Minutes of November 21, 2019

1. That the Elman W. Campbell Museum Board of Management Meeting Minutes of November 21, 2019 be received.

5.10 Heritage Newmarket Advisory Committee Meeting Minutes of November 5, 2019

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of November 5, 2019 be received.

5.11 Main Street District Business Improvement Area Board of Management Meeting Minutes of October 16, 2019 and November 20, 2019

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of October 16, 2019 and November 20, 2019 be received.

5.12 Newmarket Public Library Board Meeting Minutes of November 20, 2019

1. That the Newmarket Public Library Board Meeting Minutes of November 20, 2019 be received.

5.13 Outstanding Matters List

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the Outstanding Matters List be received; and,
2. **That Item 17 regarding the Heritage Conservation District Plan be deleted.**

Carried

6. Action Items

6.1 Short Term Rentals

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. **That the presentation regarding Short-Term Rentals provided by the Senior Planner - Community Planning and the Manager of Regulatory Services be received; and,**

2. That the report entitled Short-Term Rentals dated February 3, 2020 be received; and,
3. **That Council direct Staff to proceed with Option 3 as described in the report; and,**
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. Reports by Regional Representatives

None.

8. Notices of Motions

None.

9. Motions

None.

10. New Business

None.

11. Closed Session

11.1 Appointments to the Accessibility Advisory Committee (2 Vacancies)

11.2 Appointment of Director: Envi Networks Ltd.

Moved by: Councillor Simon

Seconded by: Councillor Kwapis

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - a. Appointments to the Accessibility Advisory Committee (2 Vacancies) - Personal matters about an identifiable individual, including municipal or local board employees as per Section 239 (2) (b) of the Municipal Act, 2001.
 - b. Appointment of Director: Envi Networks Ltd. - Personal matters about an identifiable individual, including municipal or local board employees as per Section 239 (2) (b) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 3:31 PM.
The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into Open Session at 3:36 PM

12. Public Hearing Matter (7:00 PM)

The Deputy Clerk welcomed the public to the Committee of the Whole meeting. She advised that the Planning Act requires the Town to hold at least one public meeting on any proposed Zoning By-law Amendment, Official Plan Amendment or Draft Plan of Subdivision or Condominium.

The Deputy Clerk advised that the purpose of the public meeting is to hear from anyone who has an interest in the applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision.

The purpose and effect of this Zoning By-law amendment, Official Plan Amendment and Draft Plan of Subdivision is to allow for the redevelopment of the former golf course lands into a residential subdivision. The draft plan subdivision includes a mix of single detached dwellings, town house units, parkland, trails and use of existing stormwater management ponds.

She further advised that the Committee of the Whole would not make a decision regarding the proposed application at the public meeting, but will refer all written and verbal comments to Planning Staff to consider and return with a report to a future Committee of the Whole or Council meeting.

The Deputy Clerk advised that if anyone present wished to be notified of any subsequent meetings regarding this matter, they may complete the further request form.

The Deputy Clerk noted that in accordance with the Planning Act, the Local Planning Appeal Tribunal may dismiss an appeal to the Tribunal, without holding a hearing, if the appellant failed to make either oral submissions at the public meeting or provide written submissions to Council prior to adoption of the application.

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

12.1 Marianneville Developments – Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision

Joanne Barnett of Marianneville Developments Limited provided an introduction to the presentation and the Glenway West development.

Richard Zelinka of Zelinka Priamo Ltd provided a presentation which outlined the development plans for the site, the types of units that would be included and the proposed open space and trail system. The presentation included an overview of the consultation with local residents and the measures which had been taken to respond to their concerns with the development.

12.1.1 Deputations and Correspondence

- Allen Matrosov provided a deputation in which he asked for a decrease in density in the proposed development, preservation of existing green space, and a walking trail connection throughout the development.
- Gabriel D'aoust provided a deputation which raised his concerns with the location of the stormwater pond in the proposed development and advised that the location of the service road decreased the privacy of his property.
- Gord Bell provided a deputation which raised his concerns with potential parking issues caused by the proposed development, the design of the new properties and compatibility with existing houses.
- Jon Brock provided a deputation which outlined his concerns that the new development and removal of trees will decrease the property values of the existing houses in the area.
- Jeff Healey provided a deputation in which he expressed his concerns that some of the proposed buildings would not be compatible with existing houses and that a buffer zone was needed in the area to separate the development from existing properties.
- Kevin Huguenin provided a deputation which outlined his belief that development in the area should be limited due to some of the land being designated as part of the Oak Ridges Moraine.

- Craig Sisson provided a deputation which raised his concerns with the changes in the Glenway neighbourhood over the years and the further changes which would occur to the proposed development.
- Tracy and Peter Olesovsky provided a deputation which outlined their concerns that the development would negatively affect local wildlife, cause parking issues due to an increase in parks and trails in the area and that the construction could cause issues in neighbouring properties due to vibration.
- Roland Garfit provided a deputation which raised his concerns regarding vibration and noise issues for properties neighbouring the site.
- Wanda McClure provided a deputation which raised her concerns that the proposed development would cause parking issues in the neighbourhood and traffic issues on Bathurst Street.
- Edward Anderson provided a deputation which outlined the debates held by previous Councils on other developments in the Glenway area.
- Leaf Sun provided a deputation in which she expressed her concerns that traffic issues including high traffic speed would increase as a result of the proposed development.
- Sean Heavener provided a deputation which raised his concerns with traffic volume and parking issues which could be increased due to the proposed development.
- Jim Kyriacou provided a deputation which raised his concerns that traffic issues would increase in the area due to the proposed development and that trees would be removed from the neighbourhood.
- Jude Zhao provided a deputation through translation by Nancy Zhao which outlined his concerns that the proposed development would change the neighbourhood and would increase traffic issues in the area.
- Luisa Lloyd provided a deputation which raised her concerns of the effect the new development would have on local schools

with new residents in the area and the traffic issues which could increase due to additional students attending local schools.

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

1. That the presentation provided by Joanne Barnett and Richard Zelinka regarding Marianneville Developments – Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision be received; and,
2. That the depositions by Allen Matrosov, Gabriel D'aoust, Gord Bell, Jon Brock, Jeff Healey, Kevin Huguenin, Craig Sisson, Tracy and Peter Olesovsky, Roland Garfit, Wanda McClure, Edward Anderson, Leaf Sun, Sean Heavener, Jim Kyriacou, Jude and Nancy Zhao, and Luisa Lloyd regarding Marianneville Developments – Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision be received; and,
3. That the correspondence by Brian Greiner, Dominic Murphy, Adam Rogers, Erin Rogers and Gary Rogers, and Richard Smith regarding Marianneville Developments – Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision be received.

Carried

13. Adjournment

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the meeting be adjourned at 8:55 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk