



Town of Newmarket

Minutes

Council

Date: Monday, February 10, 2020
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 Kwapis
Councillor Broome
Councillor Bisanz

Members Absent: Councillor Morrison

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
F. Scott, Manager of Regulatory Services
J. Grossi, 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 (if required)

3. Additions & Corrections to the Agenda

The Clerk advised of the following additions to the agenda:

- Item 6.2: Deputation by Frank Doyle regarding Mobile Business License By-law
- Item 6.3: Deputation by Ted Doucette regarding Mobile Business License By-law

The Clerk advised of the following closed session items:

- Item 15.1: 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.]
- Item 15.2: 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.]

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That the additions to the agenda be approved.

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

Carried (8 to 0)

4. Declarations of Pecuniary Interest

Councillor Woodhouse declared a conflict related to item 9.3.1: Presentation - Short Term Rentals & item 9.3.4: Short Term Rentals. He advised that he has a client in his insurance practice who is in the hotel business.

5. Presentations & Recognitions

None.

6. Deputations

6.1 Never Forgotten National Memorial Foundation

Lt. Col (Ret'd) Ferguson A. Mobbs provided a deputation to Council regarding the Never Forgotten National Memorial Foundation and asked Council for their support of the project.

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the deputation provided by Lt. Col (Ret'd) Ferguson A. Mobbs be received; and,
2. That Council direct Staff to draft a motion to be placed on the February 24, 2020 Committee of the Whole Meeting agenda.

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

Carried (8 to 0)

6.2 Mobile Business Licence By-law

Frank Doyle provided a deputation regarding the Mobile Business Licence By-law and outlined his concerns with the public consultation process and the proposed fee caps identified in the draft by-law.

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the deputation provided by Frank Doyle regarding the Mobile Business Licence By-law be received.

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

Carried (8 to 0)

6.3 Mobile Business Licence By-law

Ted Doucette provided a deputation regarding the Mobile Business Licence By-law outlining his concern with the requirements related to criminal convictions contained in the draft by-law.

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the deputation provided by Ted Doucette regarding the Mobile Business Licence By-law be received.

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

Carried (8 to 0)

7. Approval of Minutes

7.1 Council Meeting Minutes of January 20, 2020

Moved by: Councillor Twinney

Seconded by: Councillor Woodhouse

1. That the Council Meeting Minutes of January 20, 2020 be approved.

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

Carried (8 to 0)

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh advised that in 2018, the Municipal Act was amended to require regional municipalities to review the number of members of its council that represent the lower-tier municipalities. Regional Council can either adopt a by-law to change the number of members representing each local municipality, or a resolution affirming the current number of members. Regional Staff will provide a report on this matter at their Council Meeting on February 27, 2020.

9. Reports of Committees and Staff

9.1 Special Committee of the Whole Meeting Minutes of January 20, 2020

Moved by: Councillor Simon

Seconded by: Councillor Kwapis

1. That the Special Committee of the Whole Meeting Minutes of January 20, 2020 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 Kwapis, Councillor Broome, and Councillor Bisanz

Carried (8 to 0)

9.1.1 Established Neighbourhoods Study

1. That the presentation regarding the Established Neighbourhoods Study be received.

9.1.2 Deputations

1. That the deputations by Patrick Monks, Elaine Adam and Ann Campbell regarding the Established Neighbourhoods Study be received.

9.2 Council Workshop Meeting Minutes of January 29, 2020

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the Council Workshop Meeting Minutes of January 29, 2020 be received.

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

Carried (8 to 0)

9.3 Committee of the Whole Meeting Minutes of February 3, 2020

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the Committee of the Whole Meeting Minutes of February 3, 2020 be received and the recommendations noted within be adopted with the exception of sub-item 9.3.1, 9.3.4 and 9.3.5. See following sub-items 9.3.1, 9.3.4 and 9.3.5 for motions and recorded votes.

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

Carried (8 to 0)

9.3.1 Presentation - Short Term Rentals

9.3.2 Presentation - Mobile Business Licence By-law

9.3.3 Deputation - Mobile Business Licence By-law

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

9.3.4 Short Term Rentals

Moved by: Councillor Twinney

Seconded by: Councillor Broome

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.

In Favour (7): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (7 to 0)

Councillor Woodhouse took no part in the discussion or vote on the foregoing matter due to a declared conflict.

9.3.5 Mobile Business Licence By-law

Members of Council discussed the staff report and draft by-law related to the Mobile Business Licence By-law, and the concerns raised by deputants. Council asked Staff to conduct further research and provide additional information on the concerns identified.

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

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. **That the report entitled Mobile Business Licence By-law dated February 3, 2020 be deferred; and,**
2. **That Staff be directed to conduct further research and provide Council with additional information.**

In Favour (7): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Opposed (1): Councillor Woodhouse

Carried (7 to 1)

9.3.6 Large Water Meter Rates

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.

9.3.7 Main Street Clock Inc. Properties - Update

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

9.3.8 Accessibility Advisory Committee Meeting Minutes of November 21, 2019

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

9.3.9 Appointment Committee Minutes of October 9, 2019

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

9.3.10 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.

9.3.11 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.

9.3.12 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.

9.3.13 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.

9.3.14 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.

9.3.15 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.

9.3.16 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.

9.3.17 Outstanding Matters List

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

9.3.18 Public Hearing Matter - Marianneville Developments – Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision

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 deputations 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.

9.4 Committee of the Whole Meeting (Closed Session) Minutes of February 3, 2020

Moved by: Councillor Simon
Seconded by: Councillor Kwapis

1. That the Committee of the Whole Meeting (Closed Session) Minutes of February 3, 2020 be approved.

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

Carried (8 to 0)

10. By-laws

Moved by: Councillor Woodhouse
Seconded by: Councillor Twinney

1. That By-law 2020-10 be enacted.

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

Carried (8 to 0)

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That By-laws 2020-07, 2020-08 and 2020-09 be deferred subject to Council's consideration of the Mobile Business Licence By-law staff report.

In Favour (7): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Twinney, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Opposed (1): Councillor Woodhouse

Carried (7 to 1)

11. Notices of Motions

None.

12. Motions

None.

13. Announcements & Community Events

- Councillor Simon thanked residents and Members of Council for attending her Ward 1 Winter Carnival on February 9, 2020.
- Councillor Simon invited residents to her Ward 1 meeting on March 4, 2020 at 7:00 PM at the Magna Centre.
- Councillor Broome thanked Staff for organizing the Mulock Property Community Visioning Workshop on February 5, 2020 and thanked residents for their participation.
- Councillor Kwapis invited residents to the Town of Newmarket Winterfest on Sunday February 15, 2020 at the Newmarket Community Centre & lions Hall and the Riverwalk Commons.
- Councillor Woodhouse encouraged residents to register for and attend the 2020 Coldest Night of the Year event on February 22, 2020 at 5:00 PM at Riverwalk Commons.

- Councillor Bisanz invited residents to her Ward 7 New Years Gathering on February 16, 2020 from 2:00 PM to 4:00 PM at the Ray Twinney Recreation Complex.

14. New Business

None.

15. Closed Session

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

15.1 Appointments to the Accessibility Advisory Committee (2 Vacancies)

Moved by: Councillor Woodhouse

Seconded by: Councillor Simon

1. That the following individuals be appointed to the Accessibility Advisory Committee:

- Felim James Greene
- Cindy Gorlewski

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

Carried (8 to 0)

15.2 Appointment of Director: Envi Networks Ltd.

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

That the Newmarket Hydro Holdings Inc. (the “Corporation”) Report of the President dated January 30, 2020 regarding the election of a director to the board of directors of Envi Networks Ltd. (“Envi”) be received and the following recommendations be adopted:

Whereas the Corporation of the Town of Newmarket (the “Sole Shareholder”) is the sole shareholder of the Corporation;

And whereas the Sole Shareholder by a Shareholder Declaration dated November 1, 2000 appointed the Mayor as its legal representative for the purpose of communicating any shareholder consent or approval required by either the terms of the Shareholder Declaration or the Business Corporations Act (Ontario) (the “OBICA”);

And whereas the Corporation owns a majority of the common shares of Envi;

And whereas pursuant to s.102(2) of the OBCA where a body corporate is the shareholder of a corporation the corporation shall recognize any individual properly authorized by the body corporate to represent it at meetings of shareholders of the corporation;

And whereas pursuant to s.104 of the OBCA a written resolution dealing with all the matters required to be dealt with at a shareholders meeting and signed by the shareholders entitled to vote at that meeting satisfies all requirements of the OBCA relating to that meeting of shareholders;

Now Therefore Be It Resolved by the Municipal Council of the Corporation of the Town of Newmarket as follows:

That the Mayor, as the Sole Shareholder's legal representative, direct Jag Sharma, the sole director and legal representative of the Corporation, to sign the following Envi shareholder resolution:

1. That John Piercy be appointed as a director of Envi to hold office until the next annual meeting of shareholders or until his successor is elected or appointed.

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

Carried (8 to 0)

16. Confirmatory By-law

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That By-law 2020-11 be enacted.

Carried

17. Adjournment

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the meeting be adjourned at 8:50 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk