



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, August 24, 2020
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

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

Members Absent: Councillor Woodhouse
Councillor Twinney

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
C. Service, Acting Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
S. Chase, Director of Innovation and Strategic Initiatives
A. Cammaert, Acting Manager, Planning Services
K. Reynar, Director of Legal and Procurement Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

For consideration by Council on August 31, 2020.
The meeting was called to order at 1:02 PM.
Mayor Taylor in the Chair.

Deputy Mayor & Regional Councillor Vegh in the Chair for the discussion of Items 4.3 and 5.1: Downtown Parking Review specifically related to the proposed agreement with St. Paul's Church due to a declared conflict by Mayor Taylor.

1. Notice

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

The Clerk advised that there were no additions or corrections to the agenda.

3. Conflict of Interest Declarations

Mayor Taylor declared a conflict regarding Items 4.3 and 5.1: Downtown Parking Review, specifically related to a proposed agreement with St. Paul's Church. He advised that his parents are members of the church.

4. Presentations & Recognitions

4.1 York Region's Transportation Services Department - Yonge Street Project

The Commissioner of Development & Infrastructure Services provided an introduction to the presentation and the presenters from York Region Transportation Services department.

Jamal Ahmed, Project Manager, Capital Planning and Delivery provided a presentation on the Yonge Street reconstruction project to take place between Davis Drive and Green Lane. The presentation included an overview of the project, a timeline of completion and the efforts to address impacts on stakeholders in the area.

Moved by: Councillor Morrison

Seconded by: Councillor Bisanz

1. That the presentation provided by Jamal Ahmed, Project Manager, Capital Planning and Delivery, Transportation Services of York Region regarding the Yonge Street Project be received.

Carried

4.2 Lake Simcoe Regional Conservation Authority - 2020 Budget Companion

The Chief Administrative Officer provided an introduction to the presentation and to Mike Walters, Chief Administrative Officer of the Lake Simcoe Region Conservation Authority.

Mike Walters provided a presentation which included an overview of the LSRCA Budget Companion for 2020 which outlines the LSRCA's service areas and programs. The presentation concluded with an overview of LSRCA's Annual Operating Priorities for 2020.

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

1. That the presentation provided by Mike Walters, Chief Administrative Officer, Lake Simcoe Region Conservation Authority (LSRCA) regarding the LSRCA 2020 Budget Companion be received.

Carried

4.3 Downtown Parking Review

Note: This item was dealt with under sub-item 6.1. Please see sub-item 6.1 for motion. Mayor Taylor took no part in the discussion related to the proposed agreement with St. Paul's Church due to a declared conflict.

The Director of Innovation & Strategic Initiatives provided a presentation which included an analysis of a workshop held by the Joint BIA/Town Task Force on downtown parking options. The presentation provided a list of various options which had been identified by the Task Force. The options

for Council's consideration were organized by the timelines required including short, medium and long term options.

4.4 2020-2022 Association of Municipalities of Ontario Board of Directors, Small Urban Caucus

On behalf of Council, Mayor Taylor recognized and congratulated Councillor Kwapis for his election to the 2020-2022 Association of Municipalities of Ontario Board of Directors, Small Urban Caucus.

5. Deputations

5.1 Remote Deputation regarding Businesses Accepting Cash in Newmarket

Lynn Rae provided a deputation which outlined her experiences with businesses in Newmarket not accepting cash and instead accepting debit or credit cards only. She advised that she believed that businesses should be required to accept cash.

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Kwapis

1. That the remote deputation provided by Lynn Rae regarding businesses accepting cash in Newmarket be received.

Carried

5.2 Remote Deputation regarding International Holocaust Remembrance Alliance (IHRA) Definition on Antisemitism

Note: This item was dealt with under sub-item 6.6. Please see sub-item 6.6 for motion.

Jason Grossman, Senior Manager, Public Affairs of the Centre for Israel and Jewish Affairs (CIJA) provided a deputation regarding the International Holocaust Remembrance Alliance (IHRA) definition on antisemitism. The deputation included a background of the development of the working definition of antisemitism and its implementation by many governments and non-governmental organizations.

6. Consent Items

Moved by: Councillor Bisanz
Seconded by: Councillor Morrison

1. That sub-items 6.2, 6.3, 6.4, 6.7, 6.8, and 6.9 be adopted on consent. See following sub-items 6.1, 6.5, and 6.6 for motions.

Carried

6.1 Downtown Parking Review

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

Moved by: Councillor Kwapis
Seconded by: Councillor Simon

- 1. That Council endorse option #1 (St. Paul's).**

Carried

Deputy Mayor & Regional Councillor Vegh assumed the role of Chair for this item. Mayor Taylor took no part in the discussion or vote on the foregoing matter due to a declared conflict.

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

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

- 2. That the presentation provided by the Director of Innovation and Strategic Initiatives regarding Downtown Parking Review be received, and the report entitled Downtown Parking Review – Analysis of Joint BIA/Town Task Force Workshop dated August 24, 2020 be received; and,**
- 3. That Council endorse options #2 (Darcy St.), #3 (additional currently unmarked parking spots on Main Street), #7(sharing agreements) for immediate action, and that Council direct staff to advance #5(Cedar St.), #8 (449 Eagle- Habitat House), #9 (AOK) as part of the 2021 or 2022 budget process; and,**

4. That Council direct staff to issue a non-binding RFP for additional spaces behind Cachet and be presented as part of the 2021 or 2022 budget process; and,
5. That Staff be directed to leave 30 minute parking on Main Street in place and provide regular enforcement of 30 minute parking maximum. Also that staff be directed to review the 30 minute parking on Main Street including feedback from the BIA to be brought back to Council in the first quarter of 2021 for consideration; and,
6. That Council approve, in principle, staff developing strategies related to By-laws, loading zones, and special events for future Council consideration; and,
7. That Council direct staff to present a report on parking wayfinding in the downtown area for Council consideration in Q2 2021; and,
8. That Council direct staff to formally begin a process to evaluate the potential benefits and challenges related to moving the Tennis facilities in River walk Commons area to a new location and expand parking on site either through surface, underground, or co-development.

Carried

6.2 2020 Budget Reconciliation

1. That the report entitled 2020 Budget Reconciliation dated August 24, 2020 be received; and,
2. That the 2020 Budget Reconciliation be approved; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.3 Amended Tax Rate By-law

1. That the report entitled Amended Tax Rate By-law dated August 24, 2020 be received; and,
2. That the amended by-law be enacted; and,

3. That Staff be authorized and directed to do all things necessary to remit the referenced amount to the Regional Municipality of York.

6.4 Second Quarterly Update to the Outstanding Matters List for 2020

1. That the report entitled Second Quarterly Update to the Outstanding Matters List for 2020 dated August 24, 2020 be received; and,
2. That Council adopt the updated Outstanding Matters List; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.5 Update on Mulock Station Area Secondary Plan

Moved by: Councillor Simon
Seconded by: Councillor Morrison

1. That the report entitled Update on the Mulock Station Area Secondary Plan dated August 24, 2020 be received; and,
2. That the report entitled Update on the Mulock Station Area Secondary Plan be forwarded to the Regional Municipality of York as input to York Region's Municipal Comprehensive Review, including but not limited to a request that York Region align the Mulock GO major transit station area boundary with the proposed Mulock Station Area Secondary Plan boundary, and the submission of the proposed density to assist York Region's Land Needs Assessment; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.6 International Holocaust Remembrance Alliance (IHRA) Definition on Antisemitism

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

Moved by: Councillor Kwapis

Seconded by: Councillor Simon

Whereas the Town of Newmarket has established diversity and inclusivity as a strategic priority for the Town at Council; and,

Whereas, in February 2019, the Inclusion Charter for York Region was endorsed as a community initiative, bringing together businesses, community organizations, municipalities, police services, hospitals, school boards, conservation authorities and agencies who share a vision to foster a welcoming and inclusive community; and,

Whereas, we have a shared responsibility to stop antisemitism in all its forms through education and public consciousness as antisemitic demonstrations continue to threaten communities and undermine democracy; and,

Whereas, the International Holocaust Remembrance Alliance (IHRA) is an intergovernmental organization founded in 1998 that consists of 34 countries, including Canada, each of whom recognizes that international coordination is needed to combat antisemitism; and,

Whereas, six per cent of York Region residents identify themselves as Jewish, which is a higher representation than Canada and Ontario; and,

Whereas, on February 27, 2020, Bill 168, the Combating Antisemitism Act which directly mentions IHRA, unanimously passed a second reading in the Ontario legislature with all-party support; and,

Whereas, the Town of Newmarket is enriched by its active and engaged Jewish and Israeli residents.

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

1. **That the Remote Deputation regarding International Holocaust Remembrance Alliance (IHRA) Definition on Antisemitism provided by Jason Grossman be received;** and,
2. That Council adopt the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism as adopted at the IHRA plenary on May 26, 2016 as follows: "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed

toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities”; and,

3. That all York Region municipalities as well as the Chair of the province of Ontario’s Standing Committee on Justice Policy be advised of this resolution.

Carried

6.7 Financial Update

1. That this report entitled Financial Update Staff Report to Council be received; and,
2. That staff be directed to provide an update on the projected impact of the pandemic on the Town when more information becomes available; and,
3. That changes to the 2020 capital program, and additions to the 2021 capital spending authority be made as detailed in this report; and,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

6.8 Water Metering Data Solution

1. That the report entitled Metering Data Solution dated August 24, 2020 be received; and,
2. That a non-competitive acquisition for a metering data solution from Savage Data Systems in the amount of \$60,000.00 per year, for a term of two years, plus two additional optional, one year terms be approved; and,
3. That the Director of Financial Services and Manager of Procurement be authorized to execute any agreements; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.9 Audit Committee Minutes of January 27, 2020

1. That the Audit Committee Minutes of January 27, 2020 be received.

7. Action Items

None.

8. Notices of Motion

8.1 Councillor Kwapis - Commercial Rooftop Patios

Councillor Kwapis provided notice for a motion regarding Commercial Rooftop Patios.

Whereas the Planning Act allows municipalities to amend its comprehensive zoning by-law from time-to-time; and,

Whereas it is appropriate to update the Town's comprehensive zoning by-law from time-to-time to address new circumstances, market demands, and to ensure that desirable emerging and innovative uses are permitted; and,

Whereas 'Commercial Rooftop Patios' are currently defined in the Town's comprehensive zoning by-law but are not specifically permitted or prohibited in any zone, or permitted in combination with any use;

Therefore be it resolved as follows:

1. That staff be directed to schedule a Statutory Public Meeting for the purpose of outlining specific use permissions related to 'Commercial Rooftop Patios', addressing matters such as:
 - maximum size (percentage of rooftop or gross floor area)
 - associated uses for which a 'Commercial Rooftop Patio' may be permitted
 - design (i.e. site plan) requirements
 - compliance with licensing and noise by-laws

9. Motions Where Notice has Already been Provided

None.

10. New Business

None.

11. Closed Session

11.1 Property in Ward 5

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That Committee of the Whole resolve into Closed Session to discuss the following matters:
 - Property in Ward 5 - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, as per Section 239 (2)(i) of the Municipal Act, 2001.

Carried

12. Adjournment

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

1. That the meeting be adjourned at 5:40 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk