



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, March 22, 2021

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 Woodhouse
Councillor Twinney
Councillor Morrison
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
R. Gillis, Manager of Water/Waste Water
A. Romano, Waste Program Administrator
C. Kallio, Economic Development Officer
J. Unger, Director of Planning & Building Services
A. Cammaert, Manager of Planning Services
M. Mayes, Director of Financial Services/Town Treasurer
A. Tang, Manager of Accounting & Finance
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

For consideration by Council on March 29, 2021.

The meeting was called to order at 1:00 PM.

Mayor Taylor in the Chair.

Committee of the Whole recessed at 2:45 PM and reconvened at 2:54 PM.

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

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Single-use Plastics

The Commissioner of Development and Infrastructure provided an introduction to the presentation. The Waste Program Administrator provided a presentation which reviewed the types of single-use plastics (SUPs) and their environmental impacts. She outlined actions taken by both the Federal and Provincial governments thus far, and options for eliminating SUPs in the Town of Newmarket which included removing them from Town facilities and events, along with a public education program.

Members of Council queried the presenter regarding the public education program surrounding Plastic Free July and the opportunities for a Town-wide ban on SUPs outside of Town facilities and events.

Moved by: Councillor Simon
Seconded by: Councillor Bisanz

1. That the presentation provided by the Waste Program Administrator regarding Single Use Plastics be received.

Carried

5. Deputations

5.1 Newmarket Lions Club 90th Anniversary

Rick Metcalfe provided a remote deputation on behalf of the Newmarket Lions Club to celebrate their 90th Anniversary. He outlined the history of the organization and their mission to help children, support the hospital and support the Town. He thanked Council for their continuous support of the Newmarket Lions Club.

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the deputation provided by Rick Metcalfe regarding the Newmarket Lions Club 90th Anniversary be received.

Carried

5.2 Online and Telephone Voting in the 2022 Municipal Election

Tom Grimes provided a remote deputation regarding Online and Telephone Voting in the 2022 Municipal Election which outlined his concerns regarding the elimination of paper ballots and the security of personal information with online voting.

Moved by: Councillor Twinney

Seconded by: Councillor Woodhouse

1. That the deputation and correspondence provided by Tom Grimes regarding Online and Telephone Voting in the 2022 Municipal Election be received.

Carried

6. Consent Items

Moved by: Councillor Morrison
Seconded by: Councillor Woodhouse

1. That sub-items 6.6, 6.7, 6.9, 6.10, 6.11, 6.12, 6.13 and 6.14 be adopted on consent. See following sub-items 6.1, 6.2, 6.3, 6.4, 6.5 and 6.8 for motions.

Carried

6.1 Single-use Plastics

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

Moved by: Councillor Simon
Seconded by: Councillor Twinney

1. That the report entitled Single-use Plastics, dated March 22, 2021 be received; and,
2. That the Town of Newmarket continue to support federal and provincial commitments to develop policies and action plans to curb the use of single-use plastics (SUPs) in Canada; and,
3. That plastic cutlery, plastic straws, stir sticks, black plastic, and single-serve milk and cream containers available for staff use within Town facilities be eliminated by July 1, 2021; and,
4. That staff conduct a comprehensive review of current municipal practices at Town facilities to identify additional opportunities to further reduce, replace, or eliminate municipally supplied SUPs; and,
5. That the same items identified to be eliminated at Town facilities also be eliminated for Town events by July 1, 2021; and,
6. That staff identify additional opportunities to further reduce or eliminate the use of non-essential SUP products sold or distributed to the public by the Town and third-party vendors at Town events with exceptions for accessibility; and,

7. That a public education program on reducing or eliminating SUPs be implemented; and,
8. **That Council direct staff to pursue the elimination of plastic water bottles in vending machines in Town facilities under the appropriate circumstances and timing;** and,
9. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.2 Height and Density Bonusing Implementation Guidelines Update

Moved by: Councillor Kwapis
Seconded by: Councillor Woodhouse

1. That the report entitled Height and Density Bonusing Implementation Guidelines Update, dated March 22, 2021 be received; and,
2. That the proposed revision to the Height and Density Bonusing Implementation Guidelines as discussed in this report be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.3 2020 Annual Water Quality Summary Report

Moved by: Councillor Bisanz
Seconded by: Councillor Woodhouse

1. That the report entitled 2020 Annual Water Quality Summary Report dated 22 March 2021 be received; and,
2. That the Town of Newmarket 2020 Annual Water Quality Summary Report, and its associated attachments, referenced herein be posted online at newmarket.ca, and be made available by request at the

customer service counter, 395 Mulock Drive, as well as at the Newmarket Operations Centre, 1275 Maple Hill Court; and,

3. That Staff be authorized and directed to do all things necessary to give effect to this resolution

Carried

6.4 Online and Telephone Voting in the 2022 Municipal Election

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

Moved by: Councillor Twinney
Seconded by: Councillor Broome

1. That the report entitled Online and Telephone Voting in the 2022 Municipal Election dated March 22, 2021 be received; and,
2. That Council approve the use of online voting **and the elimination of telephone voting** for use in the 2022 Municipal Election and any by-elections for the 2022-2026 term of Council (Attachment 1); and,
3. **That Council approve paper ballot options and delegate authority to staff to decide the appropriate options for paper ballot voting;** and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution; and,
5. **That the correspondence provided by Mike Murphy regarding Online and Telephone Voting in the 2022 Municipal Election be received.**

Carried

6.4.1 Correspondence - Mike Murphy

6.5 Economic Development Financial Update and Future Strategic Direction

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the report entitled Economic Development Financial Update and Future Strategic Direction dated March 22, 2021 be received; and,
2. That the 2021 – 2024 Draft Economic Development Strategy reflect a balance between a continuance of pandemic related support programs and draft strategy directions developed pre-pandemic, with the amended strategy coming forward for approval in principle at the April Committee of the Whole; and
3. That Staff pursue partnerships with York Region, the Chamber of Commerce and other community partners to support the most efficient and effective continuance of the new programs developed during the pandemic to support the local business community in their recovery efforts; and,
4. That Staff utilize the funds earmarked in the 2021 budget process for business support to offset 2021 patio set up/take down logistics, waive patio fees, licensing fees, other related business support fees throughout the community as identified, support continuance of the Shop Local program, and provide non-retail businesses with consulting advisory services that identify senior government funding programs to support their business growth; and,
5. That the CAO be authorized to approve the hiring of a paid placement from a recognized graduate level program or equivalent if determined necessary to support economic development efforts over the next 12 months, to be funded from the existing economic development reserve fund.

Carried

6.6 Audit and Accountability Fund Round 2 – Funding Update

1. That the report entitled Audit and Accountability Fund Round 2 – Funding Update dated March 22, 2021 be received; and,
2. That Council supports the Audit and Accountability Fund grant funding; and,

3. That Staff be authorized to sign funding contracts and are directed to do all things necessary to give effect to this resolution.

6.7 Newmarket Energy Efficiency Retrofit Program (NEER) – Program Status and Funding Update

1. That the report entitled Newmarket Energy Efficiency Retrofit Program (NEER) – Program Status and Funding Update dated March 22, 2021 be received; and,
2. That the new grant funding approved by the Federation of Canadian Municipalities (FCM) to support the NEER program be accepted; and,
3. That staff execute the transfer payment agreement with FCM; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.8 2021 Six-Year Water and Wastewater Financial Plan Report

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

That the report entitled 2021 Six-Year Water & Wastewater Financial Plan dated March 22, 2021 be received; and,

That Council adopt the proposed Six-Year Water & Wastewater Financial Plan; and,

That the Six-Year Water & Wastewater Financial Plan will be updated to incorporate significant changes prior to the expiry date; and,

That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.9 Newmarket-Tay Power Distribution Ltd. (NT Power) Director Recruitment and Nomination Process

Whereas section 3.03(2) of the Newmarket-Tay Power Distribution Ltd. Shareholders Agreement provides a specific process for nominating candidates and making a selection from a recommended list of candidates in order to fill vacancies on the board of directors of the Corporation for election by the Shareholders at the general meeting of shareholders of the Corporation; and,

Whereas there is currently a vacancy on the board of directors of Newmarket-Tay Power Distribution Ltd. (NT Power) and the Shareholders have agreed to forego the formal process contemplated by section 3.03(2) of the Agreement;

Therefore, be it resolved by the Municipal Council of the Corporation of the Town of Newmarket:

1. That the requirement in the Shareholders Agreement, Article 3, Section 3.03, Paragraph (2) in connection with identifying, nominating and selecting from a recommended list of candidates in order to fill the current vacancy on the board of directors of the Corporation and putting forward for election by the Shareholders at the next general meeting of shareholders of the Corporation to be held in 2021 following the Corporation's 2020 fiscal year end (the "2020 AGM"), be waived for this appointment; and,
2. That the waiver granted does not constitute a waiver of any other provision of the Shareholders Agreement or an agreement to otherwise modify any term of the Agreement.

6.10 Newmarket-Tay Power Distribution Ltd. (NT Power) Dissolution of Affiliate Companies

Whereas it has been recommended by Newmarket-Tay Power Distribution Ltd.'s ("NT Power") legal counsel that the NT Power group of companies be restructured in a much more efficient and cost-effective manner;

Therefore be it resolved by the Municipal Council of the Corporation of the Town of Newmarket:

1. That the authority to execute the dissolution resolution of each of 1402318 Ontario Inc., 1443393 Ontario Inc., 1443396 Ontario Inc., 1443397 Ontario Inc. and 1443398 Ontario Inc., and Unipower Holdings Ltd. be granted to the Chief Administrative Officer for the Corporation of the Town of Newmarket; and,

2. That the authority to execute the dissolution resolution of Upper Canada Energy Alliance Inc. be granted to the sole director of Newmarket HoldCo; and,
3. That the dissolution of said companies proceed accordingly.

6.11 Appointment Committee Meeting Minutes of October 6, 2020

1. That the Appointment Committee Meeting Minutes of October 6, 2020 be received.

6.12 Central York Fire Services – Joint Council Committee Meeting Minutes of November 3, 2020 and November 24, 2020

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of November 3, 2020 and November 24, 2020 be received.

6.13 Newmarket Public Library Board Meeting Minutes of January 20, 2021

1. That the Newmarket Public Library Board Meeting Minutes of January 20, 2021 be received.

6.14 Main Street District Business Improvement Area Board of Management Meeting Minutes of February 3, 2021

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of February 3, 2021 be received.

7. Action Items

None.

8. Notices of Motion

None.

9. Motions Where Notice has Already been Provided

None.

10. New Business

None.

11. Closed Session

11.1 Local Planning Appeal Tribunal Matter - Property in Ward 5

11.2 Proposed Disposition of Land - Property in Ward 6

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - a. Local Planning Appeal Tribunal Matter - Property in Ward 5 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board as per Section 239(2)(e) of the Municipal Act, 2001.
 - b. Proposed Disposition of Land - Property in Ward 6 - A proposed or pending acquisition or disposition of land by the municipality or local board, as per Section 239 (2)(c) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 4:04 PM.
The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into Open Session at 6:25 PM

12. Adjournment

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

1. That the meeting be adjourned at 6:25 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk