Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date:	Monday, May 3, 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 F. Scott, Manager of Regulatory Services J. Comeau, Municipal Enforcement & Licensing Officer J. Unger, Director of Planning & Building Services M. Mayes, Director of Financial Services/Town Treasurer A. Tang, Manager of Accounting & Finance B. Munslow, Manager, Corporate Customer Service A. Walkom, Legislative Coordinator J. Grossi, Legislative Coordinator

For consideration by Council on May 10, 2021.
The meeting was called to order at 1:00 PM.
Mayor Taylor in the Chair.
Committee of the Whole recessed at 3:41 PM and reconvened at 3:52 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

The Clerk advised of the following additions to the agenda:

- Item 5.14: Deputation provided by Debbie Pond, U-R Home Awareness & Support Services regarding the Body Rub Parlour Review.
- Item 5.15: Deputation provided by Luis Alberto Mata, Toronto Counter Human Trafficking Network regarding the Body Rub Parlour Review.

The Clerk advised of the following corrections to the agenda:

- Item 5.13: Deputation regarding the Body Rub Parlour Review: Tsz Chan and Lisa Zhang in attendance to provide a deputation.
- Item 5.16: Deputation regarding the 2022 Budget Target and Process: Melanie Issett in attendance to provide a deputation on behalf of Drawdown Newmarket-Aurora.

Moved by: Councillor Twinney
Seconded by: Councillor Simon

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

Carried

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Body Rub Parlour Review

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

The Director of Legislative Services provided an introduction with an overview of the Body Rub Parlour Review to date and the public consultation conducted.

The Municipal Enforcement & Licensing Officer provided a presentation which included a background of the regulatory framework for body rub parlours in Newmarket, various licensing models for Council's consideration and an overview of the public consultation conducted to date. The presentation continued with an overview of the results of the consultation from the Public Information Centre and two surveys. The presentation concluded with staff's recommendation for proposed regulations which would repeal the body rub parlour classification and replace it with a new personal wellness centre classification.

4.2 2020 Customer Service Department Year End Summary and Pandemic Update

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

Moved by: Councillor Woodhouse
Seconded by: Councillor Bisanz

1. **That the presentation provided by the Supervisor, Customer Service Kiosks and Manager, Corporate Customer Services regarding the 2020 Customer Service Department Year End Summary and Pandemic Update be deferred until the Council meeting of May 10, 2021; and,**
2. **That the Information Report entitled Customer Service Department 2019 Year End Results, dated February 12, 2020 be deferred until the Council meeting of May 10, 2021; and,**

3. **That the Information Report entitled Customer Service Department 2020 Year End Results, dated February 10, 2021 be deferred until the Council meeting of May 10, 2021.**

Carried

4.3 2022 Budget Target and Process

Note: This item was dealt with under sub-item 6.3. Please see sub-item 6.3 for motion.

The Director of Financial Services provided an introduction to the presentation. The Manager of Accounting & Finance provided a presentation which outlined the 2022 budget process and schedule. She provided the budget structure which includes the tax-supported, rate-supported and capital budgets. The presentation concluded with the next steps in the budget process.

5. Deputations

Moved by: Councillor Twinney
Seconded by: Councillor Kwapis

1. That the Committee of the Whole suspend the Procedure By-law to permit more than five deputations.

Carried by Two Thirds

5.1 Body Rub Parlour Review

Elene Lam of Butterfly (Asian and Migrant Sex Workers Support Network) provided a deputation which outlined her concerns with regulations that would not allow alternative massage services as they would shut down existing businesses. She advised she was in favour of option #2 as outlined in the staff report.

Moved by: Councillor Woodhouse
Seconded by: Councillor Twinney

1. That the deputation provided by Elene Lam, Butterfly (Asian and Migrant Sex Workers Support Network) regarding the Body Rub Parlour Review be received.

Carried

5.2 Body Rub Parlour Review

Robert Vallee of Parents Against Child Trafficking provided a deputation that expressed his opposition to regulations that would permit services that are erotic in nature.

Moved by: Councillor Twinney
Seconded by: Councillor Simon

1. That sub-items 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, and 5.15 being remote deputations provided by Robert Vallee, Marnie Hill, Casandra Diamond, Kennes Lin, Vincent Wong, Chanelle Gallant, Katie Gilligan, Molly Bannerman, Amanda Stassen, Marie Morton, Sandra Ka Hon Chu, Tsz Chan and Lisa Zhang, Debbie Pond, and Luis Alberto Mata be received; and,
2. That sub-items 6.1.1, 6.1.2, 6.1.3, and 6.1.4, being correspondence provided by Melissa Bevins, Joanna Ewart-James, Rita Grant, and Eric Grant be received.

Carried

5.3 Body Rub Parlour Review

Marnie Hill of Council of Women Against Sex Trafficking in York Region provided a deputation in which she expressed her opposition to the licensing of body rub parlours.

5.4 Body Rub Parlour Review

Casandra Diamond of BridgeNorth provided a deputation which included her personal experiences in body rub parlours. She advised that illicit businesses can use licences to hide illegal activities and as such, a high standard must be used for any licences to be issued.

5.5 Body Rub Parlour Review

Kennes Lin, Co-Chair of the Chinese Canadian National Council Toronto Chapter provided a deputation which outlined her opposition to severe regulations which may impact racialized communities. She advised that she supported option #2 as outlined in the staff report.

5.6 Body Rub Parlour Review

Vincent Wong provided a deputation which outlined the consequences of criminal laws against sex work, which drives activities underground and makes the practice more dangerous for workers.

5.7 Body Rub Parlour Review

Chanelle Gallant provided a deputation which outlined her concern that regulations could lead to systemic bias and that any regulation should not increase the vulnerability of workers. She advised that she supported option #2 as outlined in the staff report.

5.8 Body Rub Parlour Review

Katie Gilligan of Timeless Harmony Spa provided a deputation which outlined her concerns with regulations that would allow only registered massage therapists as it would negatively impact numerous existing businesses in Newmarket. She advised that aestheticians provide valuable services but are not licensed in Ontario.

5.9 Body Rub Parlour Review

Molly Bannerman of Women and HIV/AIDS Initiative provided a deputation which expressed her concerns that strict regulations could cause more unsafe conditions for sex workers. She advised that she supported option #2 as outlined in the staff report because she believed it would cause the least harm to workers.

5.10 Body Rub Parlour Review

Amanda Stassen provided a deputation which outlined her opposition to body rub parlours due to the possible association with prostitution and human trafficking.

5.11 Body Rub Parlour Review

Marie Morton of CAYR Community Connections provided a deputation which outlined her belief that strong enforcement actions can alienate workers who then fear reaching out to authorities if they are put in

dangerous situations. She advised that she supported option #2 as outlined in the staff report.

5.12 Body Rub Parlour Review

Sandra Ka Hon Chu of HIV Legal Network provided a prerecorded deputation which outlined her concerns that regulation and enforcement leads to isolation and alienation of workers rather than providing safety.

5.13 Body Rub Parlour Review

Lisa Zhang provided a deputation through interpreter Tsz Chan which provided her personal experience working in the industry and the racism and harassment experienced. Tsz Chan also provided first hand accounts from other workers in the industry.

5.14 Body Rub Parlour Review

Debbie Pond of U-R Home Awareness & Support Service provided a deputation and advised that initiatives such as training for by-law enforcement and support services accompanying officers during visits to body rub parlours would increase effectiveness.

5.15 Body Rub Parlour Review

Luis Alberto Mata of Toronto Counter Human Trafficking Network provided a deputation which outlined his concerns that harsher enforcement would cause greater harm to workers and that support for workers is needed.

5.16 2022 Budget Target and Process

Melanie Issett of Drawdown Newmarket-Aurora provided a deputation which outlined the need for the Town's 2022 budgetary planning to apply a climate emergency lens. She outlined a number of Town initiatives which aim to reduce sources of greenhouse gas emissions and support sinks for greenhouse gas emissions.

Moved by: Councillor Broome
Seconded by: Councillor Twinney

1. That the deputation provided by Melanie Issett, Drawdown Newmarket-Aurora regarding the 2022 Budget Target and Process be received.

Carried

6. Consent Items

Moved by: Councillor Woodhouse
Seconded by: Councillor Morrison

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

Carried

6.1 Body Rub Parlour Review

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

Moved by: Councillor Simon
Seconded by: Councillor Broome

1. **That the presentation provided by the Manager, Regulatory Services and Municipal Enforcement & Licensing Officer regarding Body Rub Parlour Review be received**; and,
2. That the report entitled Body Rub Parlour Review dated May 3, 2021 be received; and,
3. That Council direct Staff to present regulations based on Option #1 in this report **in principle, with a full prohibition of any business related to sexual activity**; and,
4. **That Council direct staff to include a strong licensing and enforcement regime to enforce that prohibition but also to allow legitimate wellness businesses to exist; and,**
5. **That Council direct staff to conduct enhanced public consultation with key stakeholders for the proposed regulations; and,**
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.1.1 Correspondence - Melissa Bevins

Note: This item was dealt with under sub-item 5.2. Please see sub-item 5.2 for motion.

6.1.2 Correspondence - Joanna Ewart-James

Note: This item was dealt with under sub-item 5.2. Please see sub-item 5.2 for motion.

6.1.3 Correspondence - Rita Grant

Note: This item was dealt with under sub-item 5.2. Please see sub-item 5.2 for motion.

6.1.4 Correspondence - Eric Grant

Note: This item was dealt with under sub-item 5.2. Please see sub-item 5.2 for motion.

6.2 INFO-2020-06: Customer Service Department 2019 Year End Results and INFO-2021-02: Customer Service Department 2020 Year End Results

Note: This item was deferred until the Council meeting of May 10, 2021. Please see sub-item 4.2 for motion.

6.3 2022 Budget Target and Process

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

Moved by: Councillor Morrison
Seconded by: Councillor Bisanz

1. **That the presentation provided by the Manager, Accounting & Finance regarding the 2022 Budget Target and Process be received**; and,
2. That the report entitled 2022 Budget Target and Process dated May 3, 2021 be received; and,
3. That the proposed budget schedule with a target budget adoption date of December 13, 2021 be approved; and,

4. That endorsement be given to staff to proceed with preparation of the 2022 budgets employing the structure and targets as outlined in this report **with a target tax rate increase of 1.99%**; and,
5. That the form and timing of budget submissions for all entities accountable to Council be subject to the process outlined in this report; and,
6. That the proposed community engagement plan for the 2022 budget be adopted; and,
7. That the Treasurer be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.4 Q1 2021 Financial Update

1. That the report entitled Q1 2021 Financial Update dated May 3, 2021 be received; and,
2. That changes to the 2021 capital program be made as outlined in the report; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.5 First Quarterly Update to the Outstanding Matters List for 2021

1. That the report entitled First Quarterly Update to the Outstanding Matters List for 2021 dated May 3, 2021 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.

6.6 Zoning Bylaw Amendment 17365 & 17395 Yonge Street

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

1. That the report entitled Zoning By-law Amendment – 17365 & 17395 Yonge Street, dated May 3, 2021 be received; and,
2. That the application for Zoning By-law Amendment, as submitted by Groundswell Urban Planners Inc., for 17365 & 17395 Yonge Street, be approved in its general form; and,
3. That 2143811 Ontario Limited (The Kerbel Group Inc.) and Groundswell Urban Planners Inc., be notified of this action; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.7 2021 Annual Servicing Allocation Review

1. That the report entitled 2021 Annual Servicing Allocation Review dated May 3, 2021 be received; and,
2. That Council reinstate servicing allocation to the following developments as outlined in this staff report:
    a. Azure Homes (172-178 Old Main Street);
    b. Briarwood (NWMKT) Inc. (693 and 713 Davis Drive);
    c. Redwood Properties Phase 1 (17645 Yonge Street);
    d. Glenway East Phase 3;
    e. Options Development (281 Main Street North) Phase 1; and,
    f. Maple Lane Lands and Development (680 Gorham Street); and,
3. That Council commit serving allocation to the following developments as outlined in this staff report:
    a. The Rose Corporation (200 Deerfield Road);
    b. Kerbel (17365 and 17369 Yonge Street);
    c. Redwood Properties Phase 2 (17645 Yonge Street); and,
    d. Sundial Phase 3 (partial allocation); and,

4. That the Town's remaining servicing capacity (the Town Reserve) be maintained for future development; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.8 A By-Law to Regulate Central York Fire Services

1. That the memo entitled "A By-law to Regulate Central York Fire Services" dated May 3, 2021 be received; and,
2. That the report entitled "A By-law to Regulate Central York Fire Services" dated November 24, 2020 be received; and,
3. That Newmarket Council adopt the By-law to regulate Central York Fire Services; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.9 An Update to the Consolidated Fire Agreement between the Corporation of the Town of Newmarket and the Corporation of Town of Aurora

1. That the memo entitled "Consolidated Fire Agreement (Aurora and Newmarket) – Update" dated May 3, 2021 be received; and,
2. That the report entitled "An Update to the Consolidated Fire Agreement between the Corporation of the Town of Newmarket and the Corporation of Town of Aurora" dated November 24, 2020 be received; and,
3. That Newmarket Council adopt the Consolidated Fire Services Agreement By-law; and,
4. That the Mayor and Town Clerk be authorized to renew the Consolidated Fire Services Agreement By-law with the Town of Aurora; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.10 Heritage Newmarket Advisory Committee Meeting Minutes of February 2, 2021

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of February 2, 2021 be received.

6.11 Main Street District Business Improvement Area Board of Management Meeting Minutes of March 3, 2021

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

7. Action Items

None.

8. Notices of Motion

None.

9. Motions Where Notice has Already been Provided

9.1 Hewitt Circle Parking Restrictions (Councillor Broome)

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

Moved by: Councillor Broome
Seconded by: Councillor Bisanz

1. That staff be directed to conduct a study to determine the feasibility of parking restrictions on Hewitt Circle between house numbers 486 – 490; and,
2. **That staff be directed to conduct a study to determine the feasibility of parking restrictions on Jordanray Blvd at the bend at house number 95; and,**
3. **That staff be directed to conduct a study to determine the feasibility of further parking restrictions on Rushbrook Drive between house numbers 200 and 212.**

Carried

9.2 Jordanray Boulevard Parking Restrictions (Councillor Broome)

Note: This item was dealt with under sub-item 9.1. Please see sub-item 9.1 for motion.

9.3 Rushbrook Drive Parking Restrictions (Councillor Broome)

Note: This item was dealt with under sub-item 9.1. Please see sub-item 9.1 for motion.

10. New Business

10.1 Former Hollingsworth Arena

Councillor Twinney requested that staff begin work on planning for the park space at the site of the former Hollingsworth Arena, including plans for future public consultation.

10.2 Run for Southlake

Councillor Broome thanked staff for their work and assistance in the Run for Southlake fundraiser.

10.3 Farmers Market

Councillor Kwapis thanked staff for their work in organizing the first Farmers Market of 2021 and advised it was a very successful event.

11. Closed Session

11.1 Phased-in Staffing regarding the 2021 Budgeted Positions

Moved by: Councillor Morrison
Seconded by: Councillor Kwapis

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:

   a. Phased-in Staffing regarding the 2021 Budgeted Positions - Labour relations or employee negotiations as per Section 239 (2)(d) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 5:41 PM.
The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.
The Committee of the Whole resumed into Open Session at 5:57 PM

12. Adjournment

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

1. That the meeting be adjourned at 5:57 PM.

Carried

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John Taylor, Mayor

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Lisa Lyons, Town Clerk