



Town of Newmarket

Minutes

Special Committee of the Whole - Electronic

Date: Wednesday, June 16, 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 (1:00 PM - 4:40 PM)
Councillor Kwapis
Councillor Broome
Councillor Bisanz (1:00 PM - 2:33 PM)

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, Director of Planning & Building Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

For consideration by Council on June 21, 2021.
The meeting was called to order at 1:00 PM.

Mayor Taylor in the Chair.

Committee of the Whole recessed at 3:18 PM and reconvened at 3:30 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 5.12: Deputation provided by Alice Cavanagh, Health Providers Against Poverty regarding Personal Wellness Establishments.
- Item 5.13: Deputation provided by Dr. Vivian Tam, Health Providers Against Poverty regarding Personal Wellness Establishments.
- Item 5.14: Deputation provided by Poe Liberado regarding Personal Wellness Establishments.
- Item 5.15: Deputation provided by Ivy Chan regarding Personal Wellness Establishments.
- Item 5.16: Deputation provided by Molly Bannerman, Women and HIV/AIDS Initiative regarding Personal Wellness Establishments.
- Item 5.17: Deputation provided by Stephanie Watts regarding Personal Wellness Establishments.
- Item 5.18: Deputation provided by Jenny Liang regarding Personal Wellness Establishments.

The Clerk advised of the following corrections to the agenda:

- Item 5.8: Paulina Cumming has withdrawn her deputation request.
- Item 5.11: Dongmei Li has withdrawn her deputation request.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That the Committee of the Whole suspend the Procedure By-law to permit more than five deputations; and,
2. That the additions and corrections to the agenda be approved.

Carried by Two Thirds

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Personal Wellness Establishments

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

The Manager of Regulatory Services provided a presentation which included a background of the review of personal wellness establishments and the public consultation conducted to date. The presentation continued with a definition of personal wellness establishments, application requirements for a licence, and zoning implications and considerations. The presentation concluded with an overview of the staff recommendations and next steps for the amendments to the Business Licence By-law.

5. Deputations

5.1 Personal Wellness Establishments - Katie Gilligan

Katie Gilligan provided a deputation which outlined the importance of training and accreditation for personal massage services due to clients' medical conditions.

5.2 Personal Wellness Establishments - Robert Vallee

Robert Vallee provided a deputation that outlined his belief that stronger enforcement was needed to prohibit sex work and provided his support for the proposed Personal Wellness Establishments regulations.

5.3 Personal Wellness Establishments - Marnie Hill

Marnie Hill provided a deputation which advised she supported the proposed Personal Wellness Establishments regulations and advised that the Council of Women Against Sex Trafficking in York Region would like to use these proposed regulations to encourage other York Region municipalities to do the same.

5.4 Personal Wellness Establishments - Tsz Chan

Tsz Chan provided a deputation which outlined her concerns that the proposed regulations would make it difficult for massage workers to be able to continue their work.

5.5 Personal Wellness Establishments - Elene Lam

Elene Lam provided a deputation which outlined her concerns that the proposed regulations would impact Asian workers.

5.6 Personal Wellness Establishments - Lisa Zhang

Lisa Zhang provided a deputation which outlined her experience as an immigrant worker and her concerns that the proposed regulations would make it difficult to be licensed due to the training requirement.

5.7 Personal Wellness Establishments - Jessie Tang

Jessie Tang, Co-executive Director, Chinese Canadian National Council Toronto Chapter provided a deputation which outlined her concerns that the proposed licence training requirements would make it difficult for Asian immigrant workers to be licensed.

5.8 Personal Wellness Establishments - Paulina Cumming

Paulina Cumming withdrew her request to provide a remote deputation.

5.9 Personal Wellness Establishments - Ann De Shalit

Ann De Shalit provided a deputation which outlined her concerns that the proposed Personal Wellness Establishments regulations would adversely affect racialized massage and sex workers.

5.10 Personal Wellness Establishments - Elena Shih

Elena Shih provided a deputation which outlined her concerns that a licencing regime would negatively impact Asian immigrant workers.

5.11 Personal Wellness Establishments - Dongmei Li

Dongmei Li withdrew her request to provide a remote deputation.

5.12 Personal Wellness Establishments - Alice Cavanagh

Alice Cavanagh, Health Providers Against Poverty provided a deputation which outlined her concerns that the proposed regulations would negatively impact workers from the Asian communities.

5.13 Personal Wellness Establishments - Dr. Vivian Tam

Dr. Vivian Tam provided a deputation which outlined her concerns with the health and safety of sex workers within the proposed regulations.

5.14 Personal Wellness Establishments - Poe Liberado

Poe Liberado provided a deputation that the training requirement included in the proposed regulations would make it difficult for immigrant workers to receive a licence.

5.15 Personal Wellness Establishments - Ivy Chan

Ivy Chan provided a deputation which provided her experience working in a massage parlour and outlined her concerns that the proposed regulations would impact her ability to work.

5.16 Personal Wellness Establishments - Molly Bannerman

Molly Bannerman, Women and HIV/AIDS Initiative provided a deputation that outlined her concerns that the proposed regulations would increase employment barriers to female Asian workers and their safety.

5.17 Personal Wellness Establishments - Stephanie Watts

Stephanie Watts provided a deputation that outlined her concerns that workers in massage parlours are currently being mistreated.

5.18 Personal Wellness Establishments - Jenny Liang

Jenny Liang provided a deputation on behalf of Dongmei Li which provided her experience working in a massage parlour and outlined her concerns that the proposed regulations would make it difficult to continue working in massage parlours.

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That sub-items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.9, 5.10, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, and 5.18 being remote deputations provided by Katie Gilligan, Robert Vallee, Marnie Hill, Tsz Chan, Elene Lam, Lisa

Zhang, Jessie Tang, Ann De Shalit, Elena Shih, Alice Cavanagh, Dr. Vivian Tam, Poe Liberado, Ivy Chan, Molly Bannerman, Stephanie Watts, and Jenny Liang be received.

Carried

6. Items

6.1 Licensing Regime for Personal Wellness Establishments

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

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. **That the presentation provided by Flynn Scott, Manager of Regulatory Services regarding Personal Wellness Establishments be received; and,**
2. That the report entitled Licensing Regime for Personal Wellness Establishments dated June 16, 2021 be received; and,
3. That staff be directed to proceed to a statutory public meeting in order to amend the Town's Zoning By-laws to consider Personal Wellness Establishments; and,
4. That Business By-law 2020-31 be amended to adopt the proposed Personal Wellness Establishment regulations, **as amended to include language regarding residential use and restricting overnight accommodations in commercial storefronts;** and,
5. That the proposed Personal Wellness Establishment regulations within the Business By-law 2020-31 take effect at the same time that a future proposed amendment to the Zoning By-laws for Personal Wellness Establishments is deemed effective; and,
6. That Schedule 7: Body-Rub Parlours of By-law 2002-151 be repealed; and,
7. That the AMPS By-law 2019-62, Schedule A be amended as proposed in Attachment #2, **as amended,** and,

8. That the Fees and Charges By-law 2020-09, Schedule F be amended as proposed in Attachment #3; and,
9. That staff be directed and authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. Closed Session

7.1 Proposed Acquisition and Disposition of Land – Property in Ward 6

7.2 Proposed Acquisition and Disposition of Land – Property in Ward 6

Moved by: Councillor Broome
Seconded by: Councillor Twinney

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - a. Proposed Acquisition and Disposition of Land – Property in Ward 6 – 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.
 - b. Proposed Acquisition and 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 4:40 PM.
The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.
The Committee of the Whole resumed into Open Session at 6:00 PM

8. Adjournment

Moved by: Councillor Twinney
Seconded by: Councillor Kwapis

1. That the meeting be adjourned at 6:00 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk