



Town of Newmarket

Minutes

Special Council

Date: Tuesday, January 15, 2019

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 Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: E. Armchuk, Acting Chief Administrative Officer
P. Noehammer, Commissioner of Development and Infrastructure
I. McDougall, Commissioner of Community Services
L. Lyons, Acting Commissioner of Corporate Services
K. Saini, Acting Director of Legislative Services/Town Clerk
P. Voorn, Associate Solicitor
T. Horton, Planner
J. Grossi, Legislative Coordinator
A. Walkom, Legislative Coordinator

The meeting was called to order at 7:00 PM.

Mayor Taylor in the Chair.

1. Additions & Corrections to the Agenda

The Acting Chief Administrative Officer advised of the following additions to the agenda:

1. Item 3.1. Deputation - Edmund Yeung
2. Item 3.2. Deputation - Katherine Wei
3. Item 3.3. Deputation - Ray Brazeau
4. Item 3.4. Deputation - Arthur Li
5. Item 3.5. Deputation - Tracey Paul
6. Item 3.6. Deputation - David Huang
7. Item 4.3. Correspondence - Edmund Yeung re: Cannabis
8. Item 4.4. Correspondence - Kelsy McIntosh re: Retail Cannabis
9. Item 4.5. Correspondence - Paul Jolie re: Retail Cannabis
10. Item 4.6. Correspondence - Rohit Kumar Singh re: Retail Cannabis

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the additions and corrections to the agenda be approved; and,
2. That the rules of Procedure be waived to allow Council to consider more than 5 deputations.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

3. Deputations

3.1 Edmund Yeung - Recreational Cannabis

Provided a deputation regarding limited economic benefits and an overview of comments from social media.

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Morrison

1. That the deputation be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

3.2 Katherine Wei - Recreational Cannabis

Provided a deputation regarding negative effects of cannabis on health and access to minors.

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That the deputation be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

3.3 Ray Brazeau - Recreational Cannabis

Provided a deputation regarding an overview of the history of cannabis legalization and effects on public safety.

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. That the deputation be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

3.4 Arthur Li - Recreational Cannabis

Provided a deputation regarding cannabis access and effects on minors.

Moved by: Councillor Simon

Seconded by: Councillor Kwapis

1. That the deputation be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

3.5 Tracey Paul - Recreational Cannabis

Provided a deputation regarding cannabis retail locations and permitted areas for cannabis use.

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the deputation be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

3.6 David Huang - Recreational Cannabis

Provided a deputation regarding unknowns of cannabis and online availability.

Moved by: Councillor Woodhouse

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the deputation be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

4. Reports of Committees and Staff

Moved by: Councillor Bisanz

Seconded by: Councillor Twinney

1. That correspondence listed as items 4.1, 4.3, 4.4, 4.5, 4.6 and 4.7. be received. Additional sub-items were dealt with separately. See following sub-items 4.2.1, 4.2.2 and 4.2.3 for motions.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

4.7 Correspondence - Patsy Hawke re: retail cannabis

4.1 Correspondence - Doug Selwood re: Retail Cannabis

4.2 Special Committee of the Whole Meeting Minutes of January 7, 2019

4.2.1 Deputations

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That deputations listed as sub-items 4.2.1.1 to 4.2.1.20 be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

- 4.2.1.1 Nagwa Mounir - Recreational Cannabis
- 4.2.1.2 Edmund Yeung - Recreational Cannabis
- 4.2.1.3 Arthur Li - Recreational Cannabis
- 4.2.1.4 Kevin Moyle - Recreational Cannabis
- 4.2.1.5 Nicolina Ieraci and Frank Ieraci - Recreational Cannabis
- 4.2.1.6 Patsy Hawke - Recreational Cannabis
- 4.2.1.7 David Huang - Recreational Cannabis
- 4.2.1.8 Dahai Zhang - Recreational Cannabis
- 4.2.1.9 Qiyong Jiang - Recreational Cannabis
- 4.2.1.10 Bernie Nick - Recreational Cannabis
- 4.2.1.11 Yan Chen - Recreational Cannabis
- 4.2.1.12 Arthur Weis - Recreational Cannabis
- 4.2.1.13 Jun Zhou - Recreational Cannabis
- 4.2.1.14 Doug Selwood - Recreational Cannabis
- 4.2.1.15 Connie Wan - Recreational Cannabis
- 4.2.1.16 Li Fang Lin - Recreational Cannabis
- 4.2.1.17 Jane Chen - Recreational Cannabis

4.2.1.18 Wendy Cassells - Recreational Cannabis

4.2.1.19 Vainnisa - Recreational Cannabis

4.2.1.20 Dawn Horstead - Recreational Cannabis

4.2.2 Correspondence

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That correspondence listed as sub-items 4.2.2.1 to 4.2.2.11 be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

4.2.2.1 Correspondence - Township of King re: Cannabis Sales

4.2.2.2 Correspondence - CannaPiece Corporation re: Recreational Cannabis Dispensaries

4.2.2.3 Correspondence - John Dowson re: Recreational Cannabis

4.2.2.4 Correspondence - Alfred Popp re: Recreational Cannabis

4.2.2.5 Correspondence - Peter Karolyi re: Recreational Cannabis

4.2.2.6 Correspondence - Arthur Li re: Recreational Cannabis

4.2.2.7 Correspondence - Jane Bai re: Recreational Cannabis

4.2.2.8 Correspondence - Bingnan Zhou re: Recreational Cannabis

- 4.2.2.9 Correspondence - Tracey Paul re: Recreational Cannabis
- 4.2.2.10 Correspondence - Sophia Guo re: Recreational Cannabis
- 4.2.2.11 Correspondence - Fangqiu Zhang re: Recreational Cannabis

4.2.3 Recreational Cannabis

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

Moved by: Councillor Twinney

Seconded by: Councillor Bisanz

1. **That the report entitled Recreational Cannabis dated January 7th, 2019 be received;**
2. **That Council direct staff to prepare amendments or new by-laws as required and return with recommendations as to how the smoking and vaping of cannabis in public places should be regulated in Newmarket;**
3. **That Council direct the Town Clerk to notify the Alcohol and Gaming Commission of Ontario that the Town will opt in to hosting private retail cannabis stores;**
4. **That Council express to the Ontario government its position that municipalities should be given greater planning authority over the location of private retail cannabis stores;**
5. **That Council direct the Commissioner of Corporate Services to develop a policy and process to respond to private retail cannabis licence requests from the Alcohol and Gaming Commission of Ontario based on the findings of this report; and,**
6. **That staff be authorized and directed to do all things necessary to give effect to this resolution.**

In Favour (2): Councillor Twinney, and Councillor Bisanz

Opposed (7): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Morrison, Councillor Kwapis, and Councillor Broome

Defeated (2 to 7)

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Kwapis

Whereas local municipalities are being given no control on the location, or the number, of retail Cannabis stores in their communities;

Whereas there are a number of outstanding questions regarding the economic and social impact of the establishment of a new legal retail system for cannabis in Ontario;

Whereas there is uncertainty regarding the number of retail stores that may be allowed to open and regarding the amount of revenue to be shared;

Whereas municipalities are only being given until January the 22nd 2019 to opt in or opt out;

Whereas a municipality may opt out and later opt in but cannot opt out once they have opted in;

Now therefore be it resolved:

2. That Newmarket Town Council advise the Hon. Victor Fedeli, Minister of Finance; the Hon. Caroline Mulroney, Minister of Francophone Affairs and Attorney General; and the Hon. Steve Clark, Minister of Municipal Affairs and Housing, that Newmarket is not a willing host of a cannabis retail locations in our community; and,
3. That the Town Clerk be directed to provide the required notice of Council's decision to opt-out of permitting retail cannabis stores to (i) the Registrar under the Alcohol, Cannabis, and Gaming Regulation and Public Protection Act, 1996, (ii) the Alcohol and Gaming Commission of Ontario (AGCO), and (iii) the Province of Ontario within three (3) business days of the date of passing; and,

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

Opposed (2): Councillor Twinney, and Councillor Bisanz

Carried (7 to 2)

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Kwapis

1. That the report entitled Recreational Cannabis dated January 7th, 2019 be received as information; and,
4. That Council express to the Ontario government its position that municipalities should be given greater planning authority over the location of private retail cannabis stores; and,
5. That Council express to the Ontario government that regardless of whether a municipality is a willing host of a retail store, the Province be requested to enter into a revenue sharing arrangement with all Ontario municipalities, to ensure local governments receive an appropriate share of the revenue generated from cannabis sales to help offset the associated enforcement, public health and social costs that will be incurred by municipalities regardless of a retail presence or not; and,
6. That Staff be directed to continue to review information regarding cannabis retail stores as it becomes available as well as the experiences of other comparable municipalities to be brought back to Council in the form of a report approximately one year from today for further consideration; and,
7. That Staff be directed to prepare amendments or new by-laws as required and return with recommendations as to how the smoking and vaping of cannabis in public places should be regulated in Newmarket by March/April 2019; and,

8. That a copy of this resolution be forwarded to the Hon. Christine Elliott, Member of Provincial Parliament for Newmarket-Aurora.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

4.3 Correspondence - Edmund Yeung re: Cannabis

4.4 Correspondence - Kelsy McIntosh re: Retail Cannabis

4.5 Correspondence - Paul Jolie re: Retail Cannabis

4.6 Correspondence - Rohit Kumar Singh re: Retail Cannabis

5. Closed Session

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

6. By-laws

None.

7. Confirmatory By-law

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That By-law 2019-02 be enacted.

Carried

8. Adjournment

Moved by: Councillor Twinney

Seconded by: Councillor Bisanz

1. That the meeting be adjourned at 9:03 PM.

Carried

John Taylor, Mayor

Kiran Saini, Acting Town Clerk