



Town of Newmarket

Minutes

Committee of the Whole

Date: Monday, November 25, 2019

Time: 10:00 AM

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 (10:03 AM - 2:14 PM & 7:02 PM - 8:14 PM)
Councillor Twinney (10:03 AM - 2:28 PM)
Councillor Morrison (10:03 AM - 2:28 PM)
Councillor Broome (10:03 AM - 2:28 PM)
Councillor Bisanz

Members Absent: Councillor Kwapis

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
M. Mayes, Director of Financial Services/Town Treasurer
J. Unger, Acting Director of Planning & Building Services
K. Saini, Deputy Town Clerk
T. Horton, Sr. Planner, Community Planning
A. Slattery, Planner
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

For consideration by Council on December 2, 2019.

The meeting was called to order at 10:03 AM.

The Committee of the Whole recessed at 11:43 AM and reconvened at 12:36 PM.

The Committee of the Whole recessed at 2:28 PM and reconvened at 7:02 PM.

Mayor Taylor in the Chair.

1. Additions & Corrections to the Agenda

The Clerk advised of the following additions to the agenda:

- Item 5.13 - VivaNext Bus Rapid Transit Y3.2 Yonge Street Noise By-law Exemption
- Closed Session Item 11.3 - Stickwood Walker Farmhouse Renovation [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.]
- Closed Session Item 11.4 - Proposed Settlement regarding Sabrina's Restaurant Litigation [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.]

The following items were distributed with the addendum:

- Item 3.1 - Presentation regarding the 2020 Budget
- Item 5.1 - Staff Report regarding the Draft 2020 Operating & Capital Budgets
- Item 5.12 - Staff Report Regional Incentive Programs - 175 Deerfield
- Item 12.1 - Presentation regarding the Public Hearing Matter for 665-695 Stonehaven Avenue - Zoning By-law Amendment Application
- Item 12.2 - Presentation regarding the Public Hearing Matter for Glenway High Density Block 164-165

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the additions to the agenda be approved.

Carried

2. Declarations of Pecuniary Interest

- Councillor Woodhouse declared a conflict related to Closed Session Item 11.1 Labour Relations - Central York Fire Services Collective Agreement. He advised that his son-in-law is employed by Central York Fire Services.

3. Presentations & Recognitions

3.1 2020 Budget Presentation

The Chief Administrative Officer provided an introduction to the 2020 budget presentation.

The Director of Financial Services/Treasurer provided a presentation to Council regarding the 2020 Budget including the tax-supported operating budget, rate-supported operating budget and capital budget. He outlined the impact on an average household in Newmarket, the budget engagement and input opportunities, and advised that all budget goals were achieved.

Members of Council queried Staff regarding the water and wastewater, and stormwater six year plans, extraordinary items, and projects in the decision packages.

4. Deputations

None.

5. Consent Items

Moved by: Councillor Woodhouse

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That sub-items 5.8, 5.9, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18, 5.19, 5.20 and 5.21 be adopted on consent. See following sub-items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.10, and 5.11 for motions.

5.1 Draft 2020 Operating and Capital Budgets

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

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. **That the presentation regarding the Draft 2020 Budget provided by the Director of Financial Services/Treasurer be received; and,**
2. That the report entitled Draft 2020 Operating and Capital Budgets dated November 25, 2019 be received; and
3. **That the Draft 2020 Operating Budget with expenditures of \$134,580,230 be approved, which is comprised of the following components:**
 1. **\$65,249,417 for Town purposes**
 2. \$17,286,952 for Central York Fire Services (Newmarket's share)
 3. \$3,717,875 for the Newmarket Public Library
 4. \$1,710,000 for the Mulock Farm levy
 5. \$30,000 for the Newmarket Downtown Business Improvement Area (BIA)
 6. \$20,379,125 for the Water Rate Group
 7. \$21,321,864 for the Wastewater Rate Group
 8. \$2,141,135 for the Stormwater Rate Group
 9. \$2,743,862 for the Building Permit Rate Group; and,
4. That a Capital Spending Authority of \$50,620,079 be established, being \$37,810,575 for 2020 and \$12,809,504 for 2021; and
5. That the draft 2020 Operating and Capital Budgets be forwarded to the Council meeting of December 2, 2019 for final approval; and
6. That Council authorize the Director of Financial Services/Treasurer to:

1. Make any necessary adjustments within the total approved budget to reflect organizational changes and any other reallocation of costs.
2. Accept and adjust the budget for new provincial and/or federal funding provided there is no tax levy impact; and,
7. **That Council approve a \$20,000 request from Neighbourhood Network for sponsorship of a collaborative approach to diversity to be included as an operating budget item and funded from an appropriate reserve fund; and,**
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.2 2020 Recreation & Culture User Fees & Charges

Moved by: Councillor Bisanz

Seconded by: Councillor Twinney

1. That the report entitled Recreation & Culture – Rates & Fees, 2020 dated Nov 25, 2019 be received; and,
2. That the Schedules “A(1) to A(16)” marked as the Town of Newmarket Recreation & Culture Services Fees and Charges Schedules be approved by Bylaw; and,
3. That the Recommending A Strategy (RAS) surcharge that is currently applied as an additional charge to all facility permits and program registrations be amended as set forth in Schedules “A(1) to A(16); and,
4. That the fee adjustments for 2020 come into full force and affect as of January 1, 2020, save and except for program fees where the program began prior to March 1st, 2020; and,
5. That fee increases for above noted program take affect as of March 1st, 2020; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.3 2020 Water and Wastewater Rates

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the report entitled 2020 Water and Wastewater Rates dated November 25, 2019 be received; and,
2. That the attached Schedule "A" being the Town of Newmarket Water and Wastewater Rates be approved and adopted by by-law; and,
3. That the Water and Wastewater Rates adjustments come into full force and effect as of January 1, 2020.

Carried

5.4 2020 Stormwater Rates

Moved by: Councillor Bisanz

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the report entitled 2020 Stormwater Rates dated November 25, 2019 be received; and,
2. That the attached Schedule "A" being the Town of Newmarket 2020 Stormwater Rates be approved and adopted by by-law; and,
3. That the 2020 Stormwater Rates come into full force and effect as of January 1, 2020.

Carried

5.5 2020 User Fees and Charges – Planning Act Fees

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That the report entitled 2020 User Fees and Charges – Planning Act Fees dated November 25, 2019 be received; and,
2. That the attached Schedule “A” being the Town of Newmarket 2020 Planning Application Fees Schedule be approved and adopted by by-law; and,
3. That the fee adjustments come into full force and effect as of January 1, 2020.

Carried

5.6 2020 Building Permit Fees

Moved by: Councillor Morrison

Seconded by: Councillor Simon

1. That the report entitled 2020 Building Permit Fees dated November 25, 2019 be received; and,
2. That the attached Schedule “A” being the Town of Newmarket 2020 Building Permit Fee Schedule be approved and adopted by by-law; and,
3. That the fee adjustments come into full force and effect as of January 20, 2020.

Carried

5.7 2020 Fees and Charges – General – Various Departments

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Broome

1. That the report entitled 2020 Fees and Charges – General – Various Departments dated November 25, 2019 be received; and,
2. That the attached Schedules “A”, “B”, “C”, “D”, “E” and “F” marked as the Town of Newmarket 2020 All Departments, Corporate Services – Finance & Procurement, IT, Legal Services, Public Works Services,

Engineering Services, Legislative Services respectively, be approved and adopted by by-law; and,

3. That the fee adjustments come into full force and effect as of January 1, 2020.

Carried

5.8 Established Neighbourhoods Study – Interim Control By-law

1. That the report entitled Established Neighbourhoods Study – Interim Control By-law dated November 25, 2019 be received; and,
2. That the By-law included as Attachment 2 be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.9 Site Specific Exemption to Interim Control By-law 2019-04 for 81 Joseph Street

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for 81 Joseph Street dated November 25th, 2019 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 81 Joseph Street and adopt the attached exemption by-law.

5.10 Bill 108 – Planning Review Process Changes

Moved by: Councillor Bisanz

Seconded by: Councillor Morrison

1. That the report entitled Bill 108 – Planning Review Process Changes dated November 25, 2019 be received; and,
2. That Council endorse the recommended process changes; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.11 Adoption of the Emergency Response Plan

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Woodhouse

1. That the report entitled Adoption of the Emergency Response Plan dated November 12, 2019 be received; and,
2. That the updated Emergency Response Plan be enacted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.12 Regional Incentive Programs – 175 Deerfield Road

1. That the report entitled Regional Incentive Programs – 175 Deerfield Road dated November 25, 2019 be received; and,
2. That the amended incentives for the 175 Deerfield Road development be approved to align with the new Regional incentive program as presented in this report; and,
3. That staff be directed to review the newly-adopted Regional incentive programs for rental housing and office developments and provide recommendations on how to maximize benefit to Newmarket; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.13 VivaNext Bus Rapid Transit Y3.2 Yonge Street Noise By-law Exemption

1. That the report entitled VivaNext Bus Rapid Transit Y3.2 Yonge Street Noise By-law Exemption dated November 25, 2019 be received; and,

2. That the request from RapidLINK for a noise exemption to perform necessary works for the vivaNext Bus Rapid Transit Y3.2 project between the hours of 8:00 PM to 7:00 AM on weekdays, and between the hours of 5:00 PM to 9:00 AM on weekends from January 1, 2020 until December 31, 2020 (7 days a week), be approved; excluding December 25, 2020 (Christmas Day) and December 26, 2020 (Boxing Day); and,
3. That this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.14 Motion from October 16, 2019 Newmarket Public Library Board meeting regarding eContent Campaign

Whereas, the Town of Newmarket recognizes the important role that libraries play in our community. Libraries and the early literacy programs that they run are integral to developing proficient readers and ensuring that children succeed in school. More and more, digital literacy programs run by libraries also help ensure that citizens can contribute to our digital world. Additionally, vulnerable demographic groups, including seniors, low income families, youth, and new Canadians rely on access to libraries as an important tool for their participation in the community – from education to searching for jobs to consuming Canadian cultural materials; and,

Whereas, libraries in our community recognize that our users increasingly seek to access ebooks and other e-content offered by multinational publishers, and that access to those publications is too often curtailed by prohibitively high licensing fees or else entirely denied to Canadian libraries; and,

Whereas, libraries must be in a position to offer e-books and other e-content to their users as part of their service offering to our community, particularly given the contemporary rapid pace of digitization of educational and cultural materials.

Now, therefore be it resolved that the Town of Newmarket does hereby:

1. Indicate our support for the Canadian Urban Libraries Council in its efforts to increase access to ebooks and other econtent for library users in Newmarket and across Canada; and,
2. Call on the federal government to investigate the barriers faced by libraries in acquiring ebooks and other econtent and the problems that poses for vulnerable demographic groups in Canada; and,
3. Further ask the federal government to develop a solution that increases access to ebooks and other econtent across Canada and assists libraries in meeting the cost requirements to acquire e-books and other e-content.

5.15 Central York Fire Services – Joint Council Committee Meeting Minutes of September 3, 2019 and the Special Meeting Minutes of September 11, 2019 and October 22, 2019

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of September 3, 2019 and the Special Meeting Minutes of September 11, 2019, and October 22, 2019 be received.

5.16 Central York Fire Services – Joint Council Committee Special Meeting (Closed Session) Minutes of September 11, 2019

1. That the Central York Fire Services – Joint Council Committee Special Meeting (Closed Session) Minutes of September 11, 2019 be received.

5.17 Elman W. Campbell Museum Board of Management Meeting Minutes of September 19, 2019

1. That the Elman W. Campbell Museum Board of Management Meeting Minutes of September 19, 2019 be received.

5.18 Heritage Newmarket Advisory Committee Meeting Minutes of October 1, 2019 and October 16, 2019

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of October 1, 2019 and October 16, 2019 be received.

5.19 Item 9.1 of the Heritage Newmarket Advisory Committee Meeting Minutes of October 1, 2019

1. That Council refer the following to staff for review and report:
 - a. That the Heritage Newmarket Advisory Committee recommend to Council that the windows in the Stickwood Walker House be replaced only if it can be demonstrated that they cannot be restored; and,
 - b. That the tail wing structure of the house be restored.

5.20 Main Street District Business Improvement Area Annual General Meeting Minutes of November 20, 2018 and General Meeting Minutes of March 27, 2019

1. That the Main Street District Business Improvement Area Annual General Meeting Minutes of November 20, 2018 and General Meeting Minutes of March 27, 2019 be received.

5.21 Outstanding Matters List

1. That the outstanding matters list be received.

6. Action Items

None.

7. Reports by Regional Representatives

None.

8. Notices of Motions

None.

9. Motions

None.

10. New Business

10.1 Communications to Residents

Councillor Woodhouse advised that he has received comments from the public regarding a lack of communication for projects in their neighbourhoods. He asked Staff to provide communication to residents and increase the distribution for Interim Control By-law Exemption Request notices.

10.2 Newmarket Public Library Programming

Councillor Bisanz advised that the Newmarket Public Library and York Support Services have partnered to provide a space for residents with mental health challenges to receive private and confidential counselling sessions. These sessions are scheduled for December 4 and 18, 2019 and January 8, 2020 from 1:00 PM to 4:00 PM.

11. Closed Session

11.1 Labour Relations - Central York Fire Services Collective Agreement

11.2 Old Fire Hall - 140 Main Street - request for Proposals for Adaptive Re-use

11.3 Stickwood Walker Farmhouse Renovation

11.4 Proposed Settlement regarding Sabrina's Restaurant Litigation

Moved by: Councillor Simon

Seconded by: Councillor Twinney

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - a. Labour Relations - Central York Fire Services Collective Agreement - Labour relations or employee negotiations as per Section 239 (2) (d) of the Municipal Act, 2001
 - b. Old Fire Hall - 140 Main Street - request for Proposals for Adaptive Re-use - 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.
 - c. Stickwood Walker Farmhouse Renovation - 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.

- d. Proposed Settlement regarding Sabrina's Restaurant Litigation - 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.

Carried

The Committee of the Whole resolved into Closed Session at 1:00 PM.

The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into Open Session at 2:28 PM

12. Public Hearing Matter (7:00 PM)

The Deputy Clerk welcomed the public to the Committee of the Whole meeting. She advised that the Planning Act requires the Town to hold at least one public meeting on any proposed Official Plan Amendment or Zoning By-law Amendment.

The Deputy Clerk advised that the purpose of the public meeting is to hear from anyone who has an interest in the following applications:

- Proposed Zoning By-law Amendment located on 665-695 Stonehaven Avenue. The purpose and effect of this amendment is to add day cares and commercial schools as permitted uses.
- Proposed Official Plan and Zoning By-law Amendment on the lands known as Block 164-165 of the Estates of Glenway Community. The purpose and effect of this amendment is to permit the development of stacked townhouses and live-work units.

She further advised that the Committee of the Whole would not make a decision regarding the proposed applications at the public meeting, but will refer all written and verbal comments to Planning Staff to consider and return with a report to a future Committee of the Whole or Council meeting.

The Deputy Clerk advised that if anyone present wished to be notified of any subsequent meetings regarding these matters, they may complete the further request form.

The Deputy Clerk noted that in accordance with the Planning Act, the Local Planning Appeal Tribunal may dismiss an appeal to the Tribunal, without holding a hearing, if the appellant failed to make either oral submissions at the public

meeting or provide written submissions to Council prior to adoption of the applications.

The Deputy Clerk thanked residents for their participation and interest in the meeting.

12.1 665-695 Stonehaven Avenue - Zoning By-law Amendment Application

Brad Rogers of Groundswell Urban Planning provided a presentation which described the site context, current zoning standards, and proposed amendments.

Members of Council queried the presenter regarding the day nursery layout, the capacity of the facility, and proposed operating hours.

Moved by: Councillor Simon

Seconded by: Councillor Woodhouse

1. That the presentation regarding 665-695 Stonehaven Avenue provided by Brad Rogers be received.

Carried

12.2 Glenway High Density Block 164-165

Joanne Barnett provided an introduction to the presentation and the Glenway High Density Block 164 - 165 project.

Richard Zelinka of Zelinka Priamo Ltd provided a presentation which described the existing conditions of the site, the development plan concept, and the types of units that are proposed. He outlined the proposed Official Plan Amendment and Zoning By-law Amendments, including a reduction in parking.

Peter Slama of Cole Engineering reviewed the construction management plan and the planned vibration impact report.

Members of Council queried the presenters regarding the play area, live-work units, and vibration impact report.

Moved by: Councillor Woodhouse

Seconded by: Councillor Bisanz

1. That the presenters be provided an additional 10 minutes to deliver their presentation.

Carried

12.2.1 Deputations

- Roland Garfit provided a deputation which raised his concerns regarding vibration and noise issues for properties neighbouring the site.
- Maged Youssef provided a deputation which raised his concerns regarding traffic flow on Mitchell Crescent and Davis Drive, and the height of the stacked townhouses.
- Daniel Williams provided a deputation which advised Committee of his concerns with regards to the density increase leading to traffic concerns.
- Kai Deutch provided a deputation outlining his concerns with the increased density and parking availability.

Moved by: Councillor Bisanz

Seconded by: Councillor Simon

1. That the presentation regarding Glenway High Density Block 164 - 165 provided by Joanne Barnett, Richard Zelinka, and Peter Slama be received; and,
2. That the deputations provided by Roland Garfit, Maged Youssef, Daniel Williams and Kai Deutch regarding Glenway High Density Block 164 - 165 be received.

Carried

13. Adjournment

Moved by: Councillor Woodhouse

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the meeting be adjourned at 8:14 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk