



Town of Newmarket
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Postponement of Meetings due to COVID-19 Staff Report to Council

Report Number: 2020-21

Department(s): Legislative Services

Author(s): Lisa Lyons, Director of Legislative Services/Town Clerk

Meeting Date: March 18, 2020

Recommendations

1. That the report entitled Postponement of Meetings due to COVID-19 dated March 18, 2020 be received; and,
2. That all regularly scheduled Council, Committee of the Whole, Board and Advisory Committee meetings be suspended effective immediately; and,
3. That any special or emergency meetings continue to be scheduled as determined necessary by the Mayor in consultation with the Chief Administrative Officer; and,
4. That regularly scheduled Council, Committee of the Whole, Board and Advisory Committee meetings resume at any time prior to August 2020 under the direction of the Mayor in consultation with the Chief Administrative Officer; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to suspend all regularly scheduled Council, Committee of the Whole, Board and Advisory Committee meetings due to the COVID-19 (coronavirus) outbreak.

Background

The spread of the COVID-19 pandemic poses a threat to public health that warrants the delay of public planning meetings. The Town of Newmarket closed its Municipal Offices to the public as of 5:00 PM Monday, March 16, 2020, in support of the Province of

Ontario's direction to facilitate social distancing to protect staff and residents from the transmission of COVID-19.

Given increasing local transmission rates, epidemiologists and public health authorities have called for the cancellation of public gatherings, encouraged working from home, and recommended reducing all other personal interactions to limit the spread of the virus. While spread of the virus will continue, avoiding transmission opportunities is necessary in order to prevent overwhelming the health care system and to ensure resources are available to treat the most vulnerable and immunocompromised populations.

Remote Participation in Meetings

The Municipal Act allows remote participation however it limits the remote participants to discussion only. Any remote participants do not count towards quorum and they are not permitted to participate in closed session discussion. Therefore this is currently not a tool that is available for Members of Council to participate in Council or Committee of the Whole meetings. Moreover electronic participation for Members of Council presents a number of other technological challenges due to all Council and Committee of the Whole meetings being live-streamed to the public. These challenges were reported to Council during the recent Procedure By-law Review for this term of Council.

It should be noted that Council has an Electronic Participation in Meetings Policy that only applies to the Accessibility Advisory Committee.

Staff understand that the province may be considering enabling legislation to allow municipalities to participate remotely in order to facilitate continued decision-making at the local level. Accordingly, staff will continue to monitor any legislative updates related to remote participation and provide Council with new information as it becomes available.

Discussion

Facility Closure

As the Municipal Offices are currently closed and many municipal services and programs have been disrupted, it is necessary to suspend regular Council and Committee meetings to protect staff and residents from the spread of COVID-19 by encouraging social distancing. Should meeting continue, public participation would need to be limited to in writing, and significant public interest items would need to be postponed to a more appropriate time.

Public Planning Meetings

The Town regularly holds public meetings. These include statutory meetings required by the Planning Act for applications for Zoning By-law amendment and Official Plan amendment, along with non-statutory Public Information Centres and meetings of the Committee of Adjustment.

The Planning Act does not currently permit statutorily-required meetings to be held online, through videoconference, or other technological medium. The Planning Act states that :

“Before passing a by-law [...]the council shall ensure that [...]at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed by-law.”

The Act and its regulations were only amended in 2016 to begin to allow more digital forms of communication for statutory notices, and since then allowing for some communications by email.

Jurisdiction Scan

A limited jurisdictional scan indicates that at least Brampton, Burlington, Markham, Richmond Hill, and Toronto have cancelled statutory planning meetings.

Public Planning Meetings

It should be noted that while the Act does not provide for different decision timelines for Council in the event of crises, it can be assumed that there will be similar closures and impacts on applicants, and some understanding on the part of applicants and the Local Planning Appeal Tribunal (LPAT) itself.

The LPAT has deferred all scheduled hearings effective March 13, and indicated no date at which the Tribunal will resume sitting.

Public Meetings Going Forward

As the COVID-19 situation continues to evolve on a daily basis, staff are recommending that all Council, Committee of the Whole, Board and Advisory Committee, Statutory Public Planning meetings be suspended until August 2020. While this may seem like a fairly lengthy period of time, staff are seeking Council approval to amend the calendar of meetings for a period longer than expected **out of an abundance of caution**.

Should public health officials messaging change with respect to social distancing, staff will work in consultation with the Mayor and Chief Administrative Officer's offices to facilitate resuming a regular meeting schedule **prior to August 2020**.

Additionally during this period where regular meetings will be suspended, any special or emergency meetings to support essential Town business and services will continue to

be held as deemed necessary by the Mayor, in consultation with the Chief Administrative Officer.

Conclusion

Staff will provide Council with communications on a revised meeting schedule when it has been determined that Council and Committee meetings can resume without a risk to public safety.

Business Plan and Strategic Plan Linkages

This report supports the public health officials' messaging to practice social distancing during the COVID-19 Pandemic.

Consultation

The Strategic Leadership Team and Operation Leadership Team were consulted in the development of this report.

Human Resource Considerations

Not applicable.

Budget Impact

Not applicable.

Attachments

None.

Approval

Esther Armchuk, Commissioner of Corporate Services

Contact

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