



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, September 21, 2020
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
M. Mayes, Acting 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
A. Cammaert, Acting Manager of Planning Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 1:00 PM.
Mayor Taylor in the Chair.

1. Public Notices

Mayor Taylor acknowledged that the Town of Newmarket is located on the traditional territories of the Wendat, Haudeno-saunee, and the Anishinaabe peoples and the treaty land of the Williams Treaties First Nations and other Indigenous peoples whose presence here continues to this day. He thanked them for sharing this land with us. Mayor Taylor also acknowledge the Chippewas of Georgina Island First Nation as our close neighbours and friends, and that we work to ensure a cooperative and respectful relationship.

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

None.

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter(s)

The Clerk welcomed the public to the Virtual Public Planning and Council meeting. She advised that the Planning Act requires the Town to hold at least one public meeting on any proposed Zoning By-law Amendment, Official Plan Amendment or Draft Plan of Subdivision or Condominium.

The Clerk advised that the purpose of the public meeting is to hear from anyone who has an interest in the proposed Zoning By-law amendment at 1250 Gorham Street. The application proposes the expansion of the existing industrial building and outdoor storage area.

She further advised that Council would not make a decision regarding the proposed application 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 Clerk encouraged anyone who was interested in providing verbal feedback to Council regarding these applications to join the meeting electronically by emailing clerks@newmarket.ca.

The Clerk advised that if anyone wished to be notified of any subsequent meetings regarding this matter, they may email planning@newmarket.ca.

The 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 application.

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

4.1 1250 Gorham Street - Zoning By-Law Amendment

Howard Friedman of HBR Planning provided a presentation regarding the application for a Zoning By-Law Amendment for 1250 Gorham Street to allow for the expansion of the existing industrial building and outdoor storage area on the site. The presentation included an overview of the current uses of the site, a proposed site plan and the purpose of the proposed addition to the existing building.

Members of Council queried the presenter on the current and proposed uses of the site, the existing trees on the property, setback from the neighbouring properties and the requirements for outdoor storage.

The Acting Manager of Planning Services provided Council with the next steps regarding the application process and advised that Staff would bring a report back to a future Committee of the Whole meeting.

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the presentation provided by Howard Friedman of HBR Planning regarding 1250 Gorham Street - Zoning By-Law Amendment be received.

Carried

5. Presentations & Recognitions

None.

6. Deputations

None.

7. Minutes

7.1 Council - Electronic Meeting Minutes of August 31, 2020

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the Council - Electronic Meeting Minutes of August 31, 2020 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh advised of a staff report regarding a status update on the COVID-19 pandemic which was presented to York Region Council.

He advised that the process to add an additional Councillor for the City of Vaughan to York Region Council had begun.

He further advised of the deputations and discussion at York Region Council related to land conversions of employment land being rezoned as residential.

9. Consent Items and Recommendations from Committees

9.1 Committee of the Whole - Electronic Meeting Minutes of September 14, 2020

Moved by: Councillor Bisanz

Seconded by: Councillor Twinney

1. That the Committee of the Whole - Electronic Meeting Minutes of September 14, 2020 be received and the recommendations noted within sub-items 9.1.1 to 9.1.9 be adopted.

Carried

9.1.1 Remote Deputation regarding Zoning By-Law Amendment: 292-294 Court Street

1. That the Remote Deputation provided by Deborah Alexander regarding Zoning By-Law Amendment: 292-294 Court Street be received.

9.1.2 Item 7.7 of the Central York Fire Services - Joint Council Committee Meeting of September 1, 2020 Draft Minutes

1. That staff be directed to place an amended draft by-law on the agenda for the September 21, 2020 meeting of Council, reflecting the changes identified by the Committee of the Whole; and,
2. That Council approve the following:
 - a. That Fire Services Report JCC-2020-03 Cost Recovery Program (Expansion) dated 2020-09-01 be received; and,
 - b. That the Joint Council Committee (JCC) approve this report and authorize staff to implement the updated Town of Newmarket User Fees – Schedule G as amended; and,
 - c. That JCC authorize a 12-month pilot of the expanded services within the cost recovery program, with phase 1 to include
 - natural gas leaks,
 - drug labs/grow ops & clandestine labs,
 - post fire investigations,
 - extraordinary expenses,
 - hydro incidents (down wires) and;
 - Phase 2 (after the 12 month pilot program) to include
 - multi-purpose smoke alarms and carbon monoxide alarms
 - elevator rescues (non-emergency); and,
 - d. That JCC approve an additional 7 hours for the Accounts Administrator permanent part time position which is an increase from 21 hours (FTE 0.6) to 28 hours (FTE 0.8) per week.

9.1.3 Extending the 30 Minute Downtown Parking Restrictions on Main Street

1. That the report entitled Extending the 30 Minute Downtown Parking Restrictions on Main Street dated September 14, 2020 be received; and,
2. That Council approve the amendments to Parking By-law 2019-63 as contained in Appendix A; and,
3. That staff undertake public consultation with the Main Street Newmarket Business Improvement Area to determine the impact of the parking change; and,
4. That staff report back on the findings of the public consultation, and any recommendations to further amend Main Street parking restrictions by Q1 2021; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.4 Continued Transition of Regulatory By-laws to the Administrative Monetary Penalty System

1. That the report entitled Continued Transition of Regulatory By-laws to the Administrative Monetary Penalty System dated September 14, 2020 be received; and,
2. That Council amend the AMPS By-law 2019-62; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.5 Zoning By-Law Amendment 292-294 Court Street

1. That the report entitled Zoning By-Law Amendment 292-294 Court Street dated September 14, 2020 be received; and,
2. That the application for Zoning By-Law amendment, as submitted by Jawad Ali, for lands known municipally as 292-294 Court Street, be approved, and that staff be directed to present the Zoning By-law amendment to Council for approval, substantially in accordance with Schedule 1; and,
3. That staff be directed to do all things necessary to give effect to the recommendations in this report; and,

4. That Deborah Alexander, of Alexander Planning Inc., 72 Herefordshire Crescent, East Gwillimbury, L9N 0N6, be notified of this action.

9.1.6 Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 181 Beechwood Crescent dated September 14th, 2020 be deferred to the Committee of the Whole meeting of October 5, 2020.

9.1.7 Central York Fire Services – Joint Council Committee Meeting Minutes of March 3, 2020

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of March 3, 2020 be received.

9.1.8 Heritage Newmarket Advisory Committee Meeting Minutes of March 3, 2020

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of March 3, 2020 be received.

9.1.9 Motion - Commercial Rooftop Patios (Councillor Kwapis)

Whereas the Planning Act allows municipalities to amend its comprehensive zoning by-law from time-to-time; and,

Whereas it is appropriate to update the Town's comprehensive zoning by-law from time-to-time to address new circumstances, market demands, and to ensure that desirable emerging and innovative uses are permitted; and,

Whereas 'Commercial Rooftop Patios' are currently defined in the Town's comprehensive zoning by-law but are not specifically permitted or prohibited in any zone, or permitted in combination with any use;

Therefore be it resolved as follows:

1. That staff be directed to schedule a Statutory Public Meeting for the purpose of outlining specific use permissions related to 'Commercial Rooftop Patios', addressing matters such as:
 - maximum size (percentage of rooftop or gross floor area)

- associated uses for which a 'Commercial Rooftop Patio' may be permitted
- design (i.e. site plan) requirements
- compliance with licensing and noise by-laws

10. By-laws

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That By-laws 2020-49, 2020-50, 2020-51, and 2020-52 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

None.

14. Closed Session

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

15. Confirmatory By-law

Moved by: Councillor Morrison

Seconded by: Councillor Bisanz

1. That By-law 2020-53 be enacted.

Carried

16. Adjournment

Moved by: Councillor Simon

Seconded by: Councillor Woodhouse

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

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk