



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, December 14, 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
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
M. Mayes, Director of Financial Services/Treasurer
J. Unger, Director of Planning & Building Services
A. Cammaert, Manager of Planning Services
P. Chow, Senior Planner - Policy
M. White, Senior Planner - Development
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 1:03 PM.
Mayor Taylor in the Chair.

1. Public Notice

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 acknowledged 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

The Clerk advised of the following addition to the agenda:

- Sub-item 9.1.1: Correspondence provided by Frank Orsi regarding Item: 9.1: Established Neighbourhood Compatibility Study and Policy Recommendations

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the addition to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter

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 was to hear from anyone who has an interest in the proposed amendments to the zoning by-law to permit commercial rooftop patios within the Town.

The Town is considering amendments to the comprehensive zoning by-law that would permit commercial rooftop patios in conjunction with restaurants, banquet halls and other commercial uses, subject to licensing and other requirements.

The Clerk encouraged anyone who was interested in providing verbal feedback to Council regarding the application 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 Commercial Rooftop Patios

The Director of Planning and Building Services provided an introduction to the presentation which included a background on commercial rooftop patios and the Town's zoning by-law.

The Senior Planner - Development provided a presentation which provided a background of relevant legislation, an overview of commercial rooftop patios in other municipalities, proposed regulations and licensing by-law and the proposed process for approval of a rooftop patio.

The Director of Planning and Building 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 in early 2021.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That the presentation provided by the Senior Planner - Development regarding Commercial Rooftop Patios be received.

Carried

5. Presentations & Recognitions

5.1 Established Neighbourhood Compatibility Study - Official Plan and Zoning By-law Amendments

Note: This item was dealt with under sub-item 9.1. Please see sub-item 9.1 for motion.

The Director of Planning and Building Services provided a presentation which included an overview of the three specific areas addressed since the study was last presented to Council in October 2020. These areas included a review of the draft official plan amendment language, a reconsideration of maximum building height in the Historic Core area, and a review of lot frontage, lot area and side yard setback.

6. Deputations

None.

7. Minutes

7.1 Council - Electronic Meeting Minutes of November 23, 2020

Moved by: Councillor Bisanz

Seconded by: Councillor Simon

1. That the Council - Electronic Meeting Minutes of November 23, 2020 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh provided an update on the public health measures levels and advised that York Region had entered the grey level. He advised that while York Regional Council had opposed moving from the red level, the measure was designed to protect the health of residents.

Mayor Taylor expressed the importance of stopping the spread of COVID-19 in York Region, not only to protect public health but also to ensure local businesses

can reopen as quickly as possible. He also advised that York Region Council had voted to maintain the water and wastewater rate at the 2019 rate.

9. Consent Items and Recommendations from Committees

9.1 Established Neighbourhood Compatibility Study and Policy Recommendations

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

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. **That the presentation provided by the Director of Planning and Building Services regarding the Established Neighbourhood Compatibility Study - Official Plan and Zoning By-law Amendments be received; and,**
2. That the report entitled Established Neighbourhood Compatibility Study and Policy Recommendations dated October 26, 2020 be received; and,
3. That the Policy Recommendations Report prepared by SvN dated September 2020 attached as Attachment 1 be received; and,
4. That the attached draft Official Plan Amendment No. 29 be adopted; and,
5. **That Schedule E of the attached draft Zoning By-law be amended to include Park Avenue from Lorne Avenue west to Beechwood Crescent in the Maximum Building Height Special Provision Area; and,**
6. That the attached draft Zoning By-law be enacted **as amended**; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.1.1 Correspondence - Frank Orsi

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the correspondence provided by Frank Orsi regarding the Established Neighbourhood Compatibility Study and Policy Recommendations be received.

Carried

9.2 Special Committee of the Whole - Electronic Meeting Minutes of December 1, 2020

Moved by: Councillor Broome
Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the Special Committee of the Whole - Electronic Meeting Minutes of December 1, 2020 be received and the recommendations noted within be adopted.

Carried

9.2.1 Presentation - Mulock Property Emerging Design Concept

1. That the presentation provided by Lisa Rapoport, PLANT Architect Inc. and Sara Udow, Process, regarding the Mulock Property Emerging Design Concept be received.

9.2.2 Mulock Property Emerging Design Concept

1. That the correspondence provided by Tori Maxwell-Turanski regarding the Mulock Property Emerging Design Concept be received; and,
2. That the report entitled Mulock Property Emerging Design Concept dated December 1, 2020 be received; and,
3. That comments on the emerging design concept and Mulock Park amenities be received and used as input to a further developed concept plan to again be presented to Council and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.3 Correspondence - Tori Maxwell-Turanski

Note: See sub-item 9.2.2 above.

9.3 Committee of the Whole - Electronic Meeting Minutes of December 7, 2020

Moved by: Councillor Woodhouse

Seconded by: Councillor Simon

1. That the Committee of the Whole - Electronic Meeting Minutes of December 7, 2020 be received and the recommendations noted within be adopted with the exception of sub-items 9.3.2 and 9.3.5. See following sub-items 9.3.2 and 9.3.5 for motions.

Carried

9.3.1 Presentation - Draft 2021 Operating and Capital Budgets

Note: See sub-item 9.3.2 below.

9.3.2 Draft 2021 Operating and Capital Budgets

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

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. **That Council approve up to an additional \$15,000 to be allocated towards the Town of Newmarket community support programs.**

Carried

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

2. That the presentation provided by the Director of Financial Services/Treasurer and the Manager of Accounting & Finance regarding the Draft 2021 Operating and Capital Budgets be received; and,
3. That the report entitled Draft 2021 Operating and Capital Budgets dated December 7, 2020 be received; and,

4. That the COVID-19 contingency fund contribution be increased to 0.8%, primarily through the use of anticipated savings and revenue from REV it Up initiatives, while maintaining the overall tax levy increase of 1.98% and in doing so, not impact service levels and continue to preserve fiscal sustainability; and,
5. That the Draft 2021 Operating Budget with expenditures of \$137,020,270 be approved, which is comprised of the following components:
 - a. \$68,956,971 for Town purposes, including a \$500,000 Contingency
 - b. \$17,322,399 for Central York Fire Services (Newmarket's share)
 - c. \$3,690,895 for the Newmarket Public Library
 - d. \$30,000 for the Main Street District Business Improvement Area (BIA)
 - e. \$19,646,000 for the Water Rate Group
 - f. \$22,164,000 for the Wastewater Rate Group
 - g. \$2,410,960 for the Stormwater Rate Group
 - h. \$2,799,045 for the Building Permit Rate Group
6. That a Capital Spending Authority of \$42,400,000 be established, being \$37,900,000 for 2021 and \$4,500,000 for 2022; and,
7. That costs for the COVID-19 pandemic outlined in this report in excess of the Contingency, be funded by the Rate Stabilization Reserve; and,
8. That staff be directed to prepare option for 2021 Financial Relief Measures to be presented to Council in January, 2021; and,
9. That the funding for support to local businesses be set as a range between \$50,000 to \$100,000; and,
10. That the draft 2021 Operating and Capital Budgets be forwarded to the Council meeting of December 14, 2020 for final approval; and

11. That Council authorize the Director of Financial Services/Treasurer to:

- a. Make any necessary adjustments within the total approved budget to reflect organizational changes and any other reallocation of costs.
- b. Accept and adjust the budget for new provincial and/or federal funding provided there is no tax levy impact; and,

12. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.3.3 2021 Fees and Charges Overview

1. That the report entitled 2021 Fees & Charges Overview dated December 7, 2020 be received for information.

9.3.4 2021 User Fees and Charges General

1. That the report entitled 2021 User Fees and Charges General dated December 7, 2020 be received; and,
2. That the attached Schedules “D”, “E”, “F”, marked as the Town of Newmarket 2021 Public Works Services, Engineering Services and Legislative Services – General Fees, respectively, be approved and adopted by by-law; and,
3. That the fee adjustments come into full force and effect as of January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.5 2021 Water and Wastewater Rates

Moved by: Councillor Twinney
Seconded by: Councillor Morrison

1. That the report entitled 2021 Water and Wastewater Rates dated December 7, 2020 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 rates come into full force and effect on January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.3.6 2021 Stormwater Rates

1. That the report entitled 2021 Stormwater Rates dated December 7, 2020 be received; and,
2. That the attached Schedule A being the Town of Newmarket Stormwater Rates be approved and adopted by by-law; and,
3. That the rates come into full force and effect on January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.7 Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations

1. That the memorandum regarding Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations dated December 7, 2020 be received; and,
2. That the report entitled Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations dated October 26, 2020 be received; and,
3. That the attached Official Plan Amendment No. 25 be adopted; and,
4. That Staff be directed to forward the attached Official Plan Amendment No. 25 to the Regional Municipality of York for approval; and,

5. That upon Regional approval of Official Plan Amendment No. 25, Staff be directed to bring the attached Zoning By-law Amendment to a future Council meeting for approval; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.8 Zoning By-law Amendment – 693-713 Davis Dr (Briarwood)

1. That the report entitled Zoning By-law Amendment – 693-713 Davis Drive (Briarwood) dated December 7, 2020 be received; and,
2. That the application for a Zoning By-law Amendment, as submitted by Briarwood Developments Limited for 693-713 Davis Drive, be approved, and that staff be directed to present the Zoning By-law Amendment, including the necessary Holding provisions, to Council for approval; and,
3. That Council direct the Director of Planning & Building Services and the Municipal Solicitor, or her designate, to enter into one or more agreements on behalf of the Town pursuant to Section 37 of the Planning Act to secure community benefits and any matters required as a legal convenience; and,
4. That Council direct the Director of Planning & Building Services and the Director of Finance, or their designate, to enter into a DC Deferral Agreement, once all of the requirements of the Town's Policy for the Deferral of Payment of Development Charges & Planning Application Fees within the Urban Centres have been met; and,
5. That servicing allocation for 339 units (662 people) be granted in accordance with the Servicing Allocation Policy and subsequent agreements; and,
6. That Briarwood (NWMKT) Inc. of 636 Edward Ave, Unit #14, Richmond Hill ON L4C3A5 be notified of this action; and,
7. That Candevcon Limited of 9358 Goreway Drive, Brampton ON L6P0M7 be notified of this action; and,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.9 Off-Street Parking Program

1. That the report entitled Off-Street Parking Program dated December 7, 2020 be received; and,
2. That Council adopts the proposed overnight parking exemption permit program; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.10 INFO-2020-37: Newmarket Patio Program - 2020

1. That the Information Report entitled Newmarket Patio Program - 2020, dated November 30, 2020 be received.

9.3.11 Item 5.2 from the draft Central York Fire Service - Joint Council Committee meeting minutes of November 14, 2020: Renewal of Fire Dispatch Agreement

1. That Fire Services Report JCC-2020-11 dated November 24, 2020 entitled Renewal of Fire Dispatch Agreement be received; and,
2. That the Fire Chief be authorized to negotiate the renewal of the Fire Dispatch Agreement with Richmond Hill Fire and Emergency Services (RHFES); and,
3. That Council authorize the Mayor and Clerk to sign the Fire Dispatch Agreement between the City of Richmond Hill and the Town of Newmarket once the agreement has finalized and agreed upon by the two fire services.

9.3.12 Elman W. Campbell Museum Board Meeting Minutes of September 17, 2020

1. That the Elman W. Campbell Museum Board Meeting Minutes of September 17, 2020 be received.

9.3.13 Newmarket Public Library Board Meeting Minutes of October 21, 2020

1. That the Newmarket Public Library Board Meeting Minutes of October 21, 2020 be received.

10. By-laws

Moved by: Councillor Twinney
 Seconded by: Councillor Simon

1. That By-laws 2020-64, 2020-65, 2020-66, 2020-67, 2020-68, 2020-69, 2020-70, 2020-71, and 2020-72 be enacted; and,
2. That By-law 2020-63 be enacted as amended.

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.

14.1 Applications to the Anti-Black Racism Task Force (1 vacant position)

Moved by: Councillor Bisanz
Seconded by: Councillor Morrison

1. That Jeremiah Leslie Serieux be appointed to the Anti-Black Racism Task Force.

Carried

15. Confirmatory By-law

Moved by: Councillor Morrison
Seconded by: Councillor Twinney

1. That By-law 2020-73 be enacted.

Carried

16. Adjournment

Moved by: Councillor Morrison
Seconded by: Councillor Twinney

1. That the meeting be adjourned at 2:36 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk