



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, March 29, 2021
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
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 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

None.

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter

None.

5. Presentations & Recognitions

None.

6. Deputations

None.

7. Minutes

7.1 Council - Electronic Meeting Minutes of March 1, 2021

Moved by:	Councillor Twinney
Seconded by:	Councillor Bisanz

1. That the Council - Electronic Meeting Minutes of March 1, 2021 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh advised that the 2021 York Region budget had received final approval and provided an overview of the effect of the pandemic on the budget and reserves.

Mayor Taylor advised that the direct impact of COVID-19 on the York Region budget would be \$200 million in 2021.

9. Consent Items and Recommendations from Committees

9.1 Council Workshop - Electronic Meeting Minutes of March 8, 2021

Moved by: Councillor Kwapis

Seconded by: Councillor Simon

1. That the Council Workshop - Electronic Meeting Minutes of March 8, 2021 be received.

Carried

9.2 Memorandum - Online and Telephone Voting in the 2022 Municipal Election

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

1. That the memorandum dated March 29, 2021 entitled Report 2021-20: Online and Telephone Voting in the 2022 Municipal Election be received.

Carried

9.3 Committee of the Whole - Electronic Meeting Minutes of March 22, 2021

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the Committee of the Whole - Electronic Meeting Minutes of March 22, 2021 be received and the recommendations noted within be adopted.

Carried

9.3.1 Presentation - Single-use Plastics

1. That the presentation provided by the Waste Program Administrator regarding Single Use Plastics be received.

9.3.2 Deputation - Newmarket Lions Club 90th Anniversary

1. That the deputation provided by Rick Metcalfe regarding the Newmarket Lions Club 90th Anniversary be received.

9.3.3 Deputation - Online and Telephone Voting in the 2022 Municipal Election

1. That the deputation and correspondence provided by Tom Grimes regarding Online and Telephone Voting in the 2022 Municipal Election be received.

9.3.4 Single-use Plastics

1. That the report entitled Single-use Plastics, dated March 22, 2021 be received; and,
2. That the Town of Newmarket continue to support federal and provincial commitments to develop policies and action plans to curb the use of single-use plastics (SUPs) in Canada; and,
3. That plastic cutlery, plastic straws, stir sticks, black plastic, and single-serve milk and cream containers available for staff use within Town facilities be eliminated by July 1, 2021; and,
4. That staff conduct a comprehensive review of current municipal practices at Town facilities to identify additional opportunities to further reduce, replace, or eliminate municipally supplied SUPs; and,
5. That the same items identified to be eliminated at Town facilities also be eliminated for Town events by July 1, 2021; and,
6. That staff identify additional opportunities to further reduce or eliminate the use of non-essential SUP products sold or

distributed to the public by the Town and third-party vendors at Town events with exceptions for accessibility; and,

7. That a public education program on reducing or eliminating SUPs be implemented; and,
8. That Council direct staff to pursue the elimination of plastic water bottles in vending machines in Town facilities under the appropriate circumstances and timing; and,
9. That staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.5 Height and Density Bonusing Implementation Guidelines Update

1. That the report entitled Height and Density Bonusing Implementation Guidelines Update, dated March 22, 2021 be received; and,
2. That the proposed revision to the Height and Density Bonusing Implementation Guidelines as discussed in this report be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.6 2020 Annual Water Quality Summary Report

1. That the report entitled 2020 Annual Water Quality Summary Report dated 22 March 2021 be received; and,
2. That the Town of Newmarket 2020 Annual Water Quality Summary Report, and its associated attachments, referenced herein be posted online at newmarket.ca, and be made available by request at the customer service counter, 395 Mulock Drive, as well as at the Newmarket Operations Centre, 1275 Maple Hill Court; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution

9.3.7 Online and Telephone Voting in the 2022 Municipal Election

1. That the report entitled Online and Telephone Voting in the 2022 Municipal Election dated March 22, 2021 be received; and,

2. That Council approve the use of online voting and the elimination of telephone voting for use in the 2022 Municipal Election and any by-elections for the 2022-2026 term of Council (Attachment 1); and,
3. That Council approve paper ballot options and delegate authority to staff to decide the appropriate options for paper ballot voting; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution; and,
5. That the correspondence provided by Mike Murphy regarding Online and Telephone Voting in the 2022 Municipal Election be received.

9.3.7.1 Correspondence - Mike Murphy

9.3.8 Economic Development Financial Update and Future Strategic Direction

1. That the report entitled Economic Development Financial Update and Future Strategic Direction dated March 22, 2021 be received; and,
2. That the 2021 – 2024 Draft Economic Development Strategy reflect a balance between a continuance of pandemic related support programs and draft strategy directions developed pre-pandemic, with the amended strategy coming forward for approval in principle at the April Committee of the Whole; and
3. That Staff pursue partnerships with York Region, the Chamber of Commerce and other community partners to support the most efficient and effective continuance of the new programs developed during the pandemic to support the local business community in their recovery efforts; and,
4. That Staff utilize the funds earmarked in the 2021 budget process for business support to offset 2021 patio set up/take down logistics, waive patio fees, licensing fees, other related business support fees throughout the community as identified, support continuance of the Shop Local program, and provide non-retail businesses with consulting advisory services that identify senior government funding programs to support their business growth; and,

5. That the CAO be authorized to approve the hiring of a paid placement from a recognized graduate level program or equivalent if determined necessary to support economic development efforts over the next 12 months, to be funded from the existing economic development reserve fund.

9.3.9 Audit and Accountability Fund Round 2 – Funding Update

1. That the report entitled Audit and Accountability Fund Round 2 –Funding Update dated March 22, 2021 be received; and,
2. That Council supports the Audit and Accountability Fund grant funding; and,
3. That Staff be authorized to sign funding contracts and are directed to do all things necessary to give effect to this resolution.

9.3.10 Newmarket Energy Efficiency Retrofit Program (NEER) – Program Status and Funding Update

1. That the report entitled Newmarket Energy Efficiency Retrofit Program (NEER) – Program Status and Funding Update dated March 22, 2021 be received; and,
2. That the new grant funding approved by the Federation of Canadian Municipalities (FCM) to support the NEER program be accepted; and,
3. That staff execute the transfer payment agreement with FCM; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.11 2021 Six-Year Water and Wastewater Financial Plan Report

1. That the report entitled 2021 Six-Year Water & Wastewater Financial Plan dated March 22, 2021 be received; and,
2. That Council adopt the proposed Six-Year Water & Wastewater Financial Plan; and,
3. That the Six-Year Water & Wastewater Financial Plan will be updated to incorporate significant changes prior to the expiry date; and,

4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.12 Newmarket-Tay Power Distribution Ltd. (NT Power) Director Recruitment and Nomination Process

Whereas section 3.03(2) of the Newmarket-Tay Power Distribution Ltd. Shareholders Agreement provides a specific process for nominating candidates and making a selection from a recommended list of candidates in order to fill vacancies on the board of directors of the Corporation for election by the Shareholders at the general meeting of shareholders of the Corporation; and,

Whereas there is currently a vacancy on the board of directors of Newmarket-Tay Power Distribution Ltd. (NT Power) and the Shareholders have agreed to forego the formal process contemplated by section 3.03(2) of the Agreement;

Therefore, be it resolved by the Municipal Council of the Corporation of the Town of Newmarket:

1. That the requirement in the Shareholders Agreement, Article 3, Section 3.03, Paragraph (2) in connection with identifying, nominating and selecting from a recommended list of candidates in order to fill the current vacancy on the board of directors of the Corporation and putting forward for election by the Shareholders at the next general meeting of shareholders of the Corporation to be held in 2021 following the Corporation's 2020 fiscal year end (the "2020 AGM"), be waived for this appointment; and,
2. That the waiver granted does not constitute a waiver of any other provision of the Shareholders Agreement or an agreement to otherwise modify any term of the Agreement.

9.3.13 Newmarket-Tay Power Distribution Ltd. (NT Power) Dissolution of Affiliate Companies

Whereas it has been recommended by Newmarket-Tay Power Distribution Ltd.'s ("NT Power") legal counsel that the NT Power group of companies be restructured in a much more efficient and cost-effective manner;

Therefore be it resolved by the Municipal Council of the Corporation of the Town of Newmarket:

1. That the authority to execute the dissolution resolution of each of 1402318 Ontario Inc., 1443393 Ontario Inc., 1443396 Ontario Inc., 1443397 Ontario Inc. and 1443398 Ontario Inc., and Unipower Holdings Ltd. be granted to the Chief Administrative Officer for the Corporation of the Town of Newmarket; and,
2. That the authority to execute the dissolution resolution of Upper Canada Energy Alliance Inc. be granted to the sole director of Newmarket HoldCo; and,
3. That the dissolution of said companies proceed accordingly.

9.3.14 Appointment Committee Meeting Minutes of October 6, 2020

1. That the Appointment Committee Meeting Minutes of October 6, 2020 be received.

9.3.15 Central York Fire Services – Joint Council Committee Meeting Minutes of November 3, 2020 and November 24, 2020

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of November 3, 2020 and November 24, 2020 be received.

9.3.16 Newmarket Public Library Board Meeting Minutes of January 20, 2021

1. That the Newmarket Public Library Board Meeting Minutes of January 20, 2021 be received.

9.3.17 Main Street District Business Improvement Area Board of Management Meeting Minutes of February 3, 2021

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of February 3, 2021 be received.

10. By-laws

Moved by: Councillor Twinney
Seconded by: Councillor Bisanz

1. That By-laws 2021-14, 2021-15, and 2021-16 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

13.1 Vaccination Centre

Councillor Kwapis thanked staff for their work at the vaccination centre located at the Ray Twinney Recreation Complex.

14. Closed Session

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

1. That Council resolve into Closed Session to discuss the following matters:

- a. Proposed Disposition of Land - Property in Ward 6 - 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.

Carried

Council resolved into Closed Session at 1:14 PM.

Council (Closed Session) Minutes are recorded under separate cover.

Council resumed into Open Session at 3:35 PM.

14.1 Proposed Disposition of Land - Property in Ward 6

Moved by: Councillor Broome

Seconded by: Councillor Bisanz

1. That Closed Session Report CL-2021-04 dated March 22, 2021 be received; and,
2. That the confidential direction to staff be approved.

Carried

**14.2 Committee of the Whole - Electronic Meeting (Closed Session)
Minutes of March 22, 2021**

Moved by: Councillor Kwapis
Seconded by: Councillor Woodhouse

1. That the Committee of the Whole - Electronic Meeting (Closed Session) Minutes of March 22, 2021 be approved.

Carried

14.2.1 Local Planning Appeal Tribunal Matter - Property in Ward 5

Moved by: Councillor Kwapis
Seconded by: Councillor Morrison

1. That Closed Session Report CL-2021-03 dated March 22, 2021 entitled Local Planning Appeal Tribunal Matter - Property in Ward 5 be received; and,
2. That the confidential direction to staff be approved.

Carried

15. Confirmatory By-law

Moved by: Councillor Twinney
Seconded by: Councillor Bisanz

1. That By-law 2021-17 be enacted.

Carried

16. Adjournment

Moved by: Councillor Morrison
Seconded by: Councillor Simon

1. That the meeting be adjourned at 3:37 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk