



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, May 31, 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
I. McDougall, Commissioner of Community Services
J. Unger, Acting Commissioner of Development & Infrastructure 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.
Council recessed at 2:35 PM and reconvened at 2:45 PM.

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 recognized the discovery of the 215 children buried on the Kamloops Residential School site and the intergenerational trauma experienced by Indigenous communities. Council observed a moment of silence to recognize the 215 lives lost.

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 additions to the agenda:

- Item 4.1.5: Correspondence provided by Alexandra Silva
- Item 4.1.11: Deputation provided by Jocelyn Castonguay
- Item 4.1.24: Correspondence provided by Madelyn McCallan and Dan Chiesa

Moved by: Councillor Twinney

Seconded by: Councillor Morrison

1. That the additions to the agenda be approved.

Carried

3. Conflict of Interest Declarations

- Councillor Woodhouse declared a conflict regarding Item 4.1: Zoning By-law Amendment - 43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Avenue. He advised that his daughter lives near the proposed development.

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 is to hear from anyone who has an interest in the following application:

- 43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Avenue. This application proposes a Zoning By-law amendment to rezone the subject lands from the existing Residential Detached Dwelling Zone to Mixed Use Zone. The effect of this application would allow a residential development comprised of 79 apartment units, configured in a 4-storey apartment building.

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 Zoning By-law Amendment - 43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Avenue

Carleigh Oude-Reimerink of Armstrong Planning provided a presentation regarding the application to rezone the subject lands from the existing Residential Detached Dwelling to Mixed Use Zone to permit a residential development comprised of 79 apartment units, configured in a 4-storey apartment building.

The presentation included the policy context of the site, an overview of the proposed development, a proposed rendering of the apartment building and existing vs. proposed zoning.

The Acting Commissioner of Development & Infrastructure 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 Twinney
Seconded by: Councillor Broome

1. That the presentation provided by Carleigh Oude-Reimerink, Armstrong Planning regarding Zoning By-law Amendment - 43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Avenue be received; and,
2. That sub-items 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 4.1.7, 4.1.9, 4.1.10, 4.1.11, 4.1.12 and 4.1.13 being remote deputations provided by Frances Darwin, Yen Tu, Dylan Ferguson, Marie Martin, Alexandra Silva, Anita and Michael Nakou, Suzanne Darwin, William Church, Patsy Hawke, Jocelyn Castonguay, Christine Theodorou, and Lauren Merklinger be received; and,
3. That sub-items 4.1.14, 4.1.15, 4.1.16, 4.1.17, 4.1.18, 4.1.19, 4.1.20, 4.1.21, 4.1.22, 4.1.23, and 4.1.24 being correspondence provided by Lael Taylor, Kimberly Schell, David Gaw, Pat and Vanessa Giorno, Sylvia and Kirby Brock, Cynthia Flood, Gary and Donna Dyer, Maria Luczka, Jeff Scobie, Marcia Sinclair, Wendy Emmerson, Jana Vale, and Paul Loria, Marie Mitilinellis and Mehmet Baltacouglu, Residents of Bolton Avenue, Watson Avenue, and Lundy's Lane, and Madelyn McCallan and Dan Chiesa be received.

Carried

Councillor Woodhouse took no part in the discussion or vote on the foregoing matter due to a declared conflict.

4.1.1 Deputation - Frances Darwin

Frances Darwin provided a deputation which raised her concerns that there was little publicly available information regarding the development company and advised that the Town should investigate the company further.

4.1.2 Deputation - Yen Tu

Yen Tu provided a deputation that outlined his concerns that the development would change the neighbourhood and increase traffic in the area.

4.1.3 Deputation - Dylan Ferguson

Dylan Ferguson provided a deputation which outlined his concerns that the proposed development will change the culture of the neighbourhood, as well as increase issues with traffic and parking in the area.

4.1.4 Deputation - Marie Martin

Marie Martin provided a deputation which outlined her concerns that construction in the area could damage neighbouring houses and that the proposed development would increase traffic and parking issues in the neighbourhood.

4.1.5 Deputation - Alexandra Silva

Alexandra Silva provided a deputation which outlined her concerns that the proposed development would increase traffic in the area and remove existing trees on the property.

4.1.6 Deputation - Anita and Michael Nakou

Anita and Michael Nakou provided a deputation which outlined their concerns that the proposed building is too high for the neighbourhood, would remove existing greenspaces and would be at risk of flooding due to the landscape of the surrounding area.

4.1.7 Deputation - Suzanne Darwin

Suzanne Darwin provided a deputation which outlined her concerns that the proposed development would increase traffic and parking issues in the area.

4.1.8 Deputation - Sibylle Foppa

Sibylle Foppa withdrew her request to provide a remote deputation.

4.1.9 Deputation - William Church

William Church provided a deputation which outlined his concerns that the development would increase traffic and parking issues in the area.

4.1.10 Deputation - Patsy Hawke

Patsy Hawke provided a deputation which outlined her concerns that an apartment building would not fit with the existing homes on the street and would cause increased parking and traffic issues.

4.1.11 Deputation - Jocelyn Castonguay

Jocelyn Castonguay provided a deputation that outlined her concerns that the proposed development would increase traffic congestion and parking issues in the area.

4.1.12 Deputation - Christine Theodorou

Christine Theodorou provided a deputation that outlined her concerns that the development would increase traffic and parking issues in the neighbourhood.

4.1.13 Deputation - Lauren Merklinger

Lauren Merklinger provided a deputation which outlined her concerns that construction of the development could cause safety issues and that the apartment building would increase traffic in the area.

4.1.14 Correspondence - Lael Taylor

4.1.15 Correspondence - Kimberly Schell

4.1.16 Correspondence - David Gaw

4.1.17 Correspondence - Pat and Vanessa Giorno

4.1.18 Correspondence - Sylvia and Kirby Brock

4.1.19 Correspondence - Cynthia Flood

4.1.20 Correspondence - Gary and Donna Dyer

4.1.21 Correspondence - Maria Luczka, Jeff Scobie, Marcia Sinclair, Wendy Emmerson, Jana Vale, and Paul Loria

4.1.22 Correspondence - Marie Mitilinellis and Mehmet Baltacouglu

4.1.23 Letter from Residents of Bolton Avenue, Watson Avenue, and Lundy's Lane

4.1.24 Correspondence - Madelyn McCallan and Dan Chiesa

5. Presentations & Recognitions

None.

6. Deputations

None.

7. Minutes

7.1 Council - Electronic Meeting Minutes of May 10, 2021

Moved by: Councillor Morrison
Seconded by: Councillor Bisanz

1. That the Council - Electronic Meeting Minutes of May 10, 2021 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh provided an update on a recent York Region Council meeting which included a report on the financial impacts of COVID-19. He advised that the Provincial government is supporting some of the costs of public health such as vaccine delivery.

Mayor Taylor advised that York Region Council had recently passed a motion to ask for the Provincial government to move up phase 1 of its COVID-19 reopening plan due to the high levels of vaccinations in York Region. He provided a further update regarding a previous motion for lower-tier municipalities to provide land for low-income housing.

9. Consent Items and Recommendations from Committees

9.1 Council Workshop - Electronic Meeting Minutes of May 17, 2021

Moved by: Councillor Morrison
Seconded by: Councillor Woodhouse

1. That the Council Workshop - Electronic Meeting Minutes of May 17, 2021 be received.

Carried

9.2 Correspondence regarding Item 9.3.3 - Mulock Multi Use Path Feasibility Study

Moved by: Councillor Broome
Seconded by: Councillor Simon

1. That the correspondence provided by Paul Jolie regarding the Mulock Multi Use Path Feasibility Study be received.

Carried

9.3 Committee of the Whole - Electronic Meeting Minutes of May 25, 2021

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That the Committee of the Whole - Electronic Meeting Minutes of May 25, 2021 be received and the recommendations noted within be adopted.

Carried

9.3.1 Newmarket's Anti-Black Racism Task Force Interim Report Presentation

1. That the presentation provided by Jerisha Grant-Hall regarding Newmarket's Anti-Black Racism Task Force Interim Report Presentation be received.

9.3.2 Presentation - Proposed 2051 Forecast and Land Needs Assessment

1. That the presentation provided by Paul Bottomley, Manager of Policy, Research and Forecasting, York Region regarding the Proposed 2051 Forecast and Land Needs Assessment be received.

9.3.3 Presentation - Mulock Multi Use Path Feasibility Study

1. That the presentation provided by David McLaughlin and Cristina Valente, WSP regarding the Mulock Multi Use Path Feasibility Study be received.

9.3.4 Newmarket's Anti-Black Racism Task Force Interim Report

1. That the report entitled Newmarket Anti-Black Racism Task Force Interim Report dated May 25, 2021 be received; and,
2. That the Newmarket Anti-Black Racism Task Force Interim Report to Council included as Attachment 2 be received; and,

3. That staff be directed to provide Council with an information report regarding the provisional recommendations within sixty days; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.5 Property Tax Rates and By-law for 2021

1. That the report entitled Property Tax Rates and By-law for 2021 dated May 25, 2021 be received; and,
2. That the property tax rates for 2021, as applied to the assessment roll returned in 2020 for 2021 taxation, be set for Town purposes as follows:
 - a. Residential 0.315394%
 - b. Multi-Residential 0.315394%
 - c. Commercial 0.420136%
 - d. Industrial 0.518255%
 - e. Pipeline 0.289847%
 - f. Farm 0.078848%; and,
3. That the applicable Tax Rate By-law, attached as Appendix ‘A’ be forwarded to Council for approval; and,
4. That the Treasurer be authorized and directed to do all things necessary to give effect to this resolution.

9.3.6 Yonge Street North – York Region Municipal Streetscape Partnership Program

1. That the report entitled Yonge Street North - York Region Municipal Streetscape Partnership Program dated May 25, 2021 be received; and,
2. That Staff be authorized to submit an application under York Region’s Municipal Streetscape Partnership Program for a 50/50 cost-sharing of the construction costs for streetscape improvements on Yonge Street from Davis Drive to the northern Town boundary; and,

3. The Town agree to pay for its portion of the 50% cost-share (\$2,360,710.23), to be spread through the 2022 (10%), 2023 (65%), and 2024 (25%) budget years, with all funds to be paid through Development Charges; and,
4. That the Town agree to pay for construction costs (estimated at \$303,329.72) that are outside of the 50% cost-share agreement and the 1.76% non-refundable tax for all works, all to be paid through Development Charges; and,
5. That the Town agree to pay York Region its standard Site Inspection (6%) and Contract Administration (6%) fees for joint projects; and,
6. That Staff be directed to enter into a Maintenance Agreement with York Region for the Yonge Street North streetscape enhancements, from Davis Drive to the northern Town boundary; and,
7. That once the streetscape improvements are complete, they be maintained by the Town in the estimated amount of \$67,000 per year (2021 dollars); and,
8. That the foregoing be included in future Operating and Capital Budgets; and,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.7 Central York Fire Services – Joint Council Committee Meeting Minutes of March 2, 2021

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of March 2, 2021 be received.

9.3.8 Newmarket Public Library Board Meeting Minutes of March 17, 2021

1. That the Newmarket Public Library Board Meeting Minutes of March 17, 2021 be received.

9.3.9 Main Street District Business Improvement Area Board of Management Meeting Minutes of March 3, 2021

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

9.3.10 Newmarket Anti-Black Racism Task Force Meeting Minutes of March 2, 2021 and April 6, 2021

1. That the Newmarket Anti-Black Racism Task Force Meeting Minutes of March 2, 2021 and April 6, 2021 be received.

9.3.11 New Business - Reopening Small Businesses

Whereas York Region has now vaccinated over 70% of the adult population; and,

Whereas the COVID cases are soon to reach under 100 per 100,000; and,

Whereas our small businesses who have not been able to be open and operate are suffering greatly;

Now therefore Newmarket Council requests:

1. That the Provincial Government reopen personal services, one on one shopping and restaurants outdoor patios as soon as possible; and,
2. That this motion be circulated to all York Region municipalities and Members of Provincial Parliament.

10. By-laws

Moved by: Councillor Woodhouse
Seconded by: Councillor Morrison

1. That By-law 2021-27 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

None.

14. Closed Session

**14.1 Committee of the Whole - Electronic Meeting (Closed Session)
Minutes of May 25, 2021**

Moved by: Councillor Simon
Seconded by: Councillor Morrison

1. That the Committee of the Whole - Electronic Meeting (Closed Session) Minutes of May 25, 2021 be approved.

Carried

**14.1.1 Central York Fire Services – Joint Council Committee Meeting
(Closed Session) Minutes of March 2, 2021**

Moved by: Councillor Broome
Seconded by: Councillor Bisanz

1. That the Central York Fire Services – Joint Council Committee Meeting (Closed Session) Minutes of March 2, 2021 be received.

Carried

**14.1.2 Advice that is subject to solicitor-client privilege, including
communications necessary for that purpose as per Section
239(2)(f) of the Municipal Act, 2001 (Property in Ward 2)**

Moved by: Councillor Woodhouse
Seconded by: Councillor Kwapis

1. That Closed Session Report CL-2021-06 dated May 25, 2021 be received.

Carried

15. Confirmatory By-law

Moved by: Councillor Bisanz
Seconded by: Councillor Morrison

1. That By-law 2021-28 be enacted.

Carried

16. Adjournment

Moved by: Councillor Simon

Seconded by: Councillor Kwapis

1. That the meeting be adjourned at 3:03 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk