



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, September 20, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Members Absent: Deputy Mayor & Regional Councillor Vegh

Staff Present: I. McDougall, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
L. Lyons, Director of Legislative Services/Town Clerk
L. Georgeff, Director of Human Resources
K. Reynar, Director of Legal and Procurement Services
J. Unger, Director of Planning & Building Services
R. Prudhomme, Director of Engineering 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 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 additions to the agenda:

- Item 4.1.1: Correspondence submitted by Mary Holliday regarding the Public Hearing Matter on the Zoning By-law Amendment at 281 Main Street North (Phase 2).
- Item 14.4: Closed Session Item regarding Applications to the Anti-Black Racism Task Force (1 vacant position) related to personal matters about an identifiable individual, including municipal or local board employees, as per Section 239 (2) (b) of the Municipal Act, 2001.

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the additions 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 is to hear from anyone who has an interest in the application for a Zoning By-law Amendment from 281 Main Street North Inc. The purpose and effect of the proposed Zoning By-law Amendment (Town File No. D14-NP21-05) is to amend the existing Residential Townhouse Dwelling 3 Exception 132 (R4-R-132) Zone to permit a residential development of five townhouse units on the eastern portions of the lands, whereas it was previously approved for two semi-detached dwelling units. There will be a total of sixteen townhouse units on the subject lands.

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 Ontario Land 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 - 281 Main Street North (Phase 2)

Michael Testaguzza and Monika Oviedo, The Biglieri Group provided a presentation regarding the application to amend the existing Residential Townhouse Dwelling 3 Exception 132 (R4-R-132) Zone to permit a residential development of five townhouse units on the eastern portions of the lands. The presentation included an overview of the site and nearby amenities, the planning policy context, the details of the proposed residential development and the required zoning by-law amendment.

The Director, Planning & 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.

Moved by: Councillor Morrison

Seconded by: Councillor Woodhouse

1. That the presentation provided by Michael Testaguzza and Monika Oviedo regarding the Zoning By-law Amendment - 281 Main Street North (Phase 2) be received; and,
2. That sub-item 4.1.1 being correspondence provided by Mary Holliday regarding the Zoning By-law Amendment - 281 Main Street North (Phase 2) be received.

Carried

4.1.1 Correspondence - Mary Holliday

5. Presentations & Recognitions

None.

6. Deputations

None.

7. Minutes

7.1 Council - Electronic Meeting Minutes of August 30, 2021

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the Council - Electronic Meeting Minutes of August 30, 2021 be approved.

Carried

8. Reports by Regional Representatives

Mayor Taylor advised of the recent York Region Special Council meeting which focused on the Municipal Comprehensive Review specifically related to future growth levels and intensification. He provided an overview of the whitebelt lands in York Region and the amount of these lands to be designated as urban. He advised that the staff report has been deferred until October 2021.

9. Consent Items and Recommendations from Committees

9.1 Council Workshop - Electronic Meeting Minutes of August 31, 2021

Moved by: Councillor Twinney

Seconded by: Councillor Morrison

1. That the Council Workshop - Electronic Meeting Minutes of August 31, 2021 be received.

Carried

9.2 Committee of the Whole - Electronic Meeting Minutes of September 13, 2021

Moved by: Councillor Simon

Seconded by: Councillor Woodhouse

1. That the Committee of the Whole - Electronic Meeting Minutes of September 13, 2021 be received and the recommendations noted within be adopted with the exception of sub-item 9.2.6. See following sub-item 9.2.6 for motion.

Carried

9.2.1 Deputation - Walk4Freedom in Newmarket on September 25, 2021

1. That the deputation provided by Amanda Stassen regarding Walk4Freedom in Newmarket on September 25, 2021 be received.

9.2.2 Deputation - Helmer Avenue Parking Update

1. That the deputation provided by Erica Cooper regarding Helmer Avenue Parking Update be received.

9.2.3 Deputation - Jordanray Boulevard Parking Review

1. That the deputation provided by Pat Foran regarding Jordanray Boulevard Parking Review be received.

9.2.4 Deputation - Hewitt Circle Parking Review

1. That the deputation provided by Matthew Leach regarding Hewitt Circle Parking Review be received.

9.2.5 Housekeeping Zoning By-law Amendment 292 – 294 Court Street

1. That the report entitled Housekeeping Zoning By-law Amendment 292 – 294 Court Street dated September 13, 2021 be received; and,
2. That Zoning By-law 2020-52 be repealed; and,
3. That Staff be directed to forward the attached Zoning By-law to a regular Council Meeting for approval; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.6 Helmer Avenue Parking Update

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

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the report entitled Helmer Avenue Parking Update dated April 12, 2021 be received; and,
2. **That no parking be implemented on Helmer Avenue between the hours of 9:00 AM to 5:00 PM, Monday to Friday; and,**
3. **That the correspondence provided by Dean McNeil regarding the Helmer Avenue Parking Update be received; and,**
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2.6.1 Correspondence - Dean McNeil

9.2.7 Hewitt Circle Parking Review

1. That the report entitled Hewitt Circle Parking Review dated September 13, 2021 be received; and,
2. That the four parking spaces on the south side of Hewitt Circle be removed; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.8 Jordanray Boulevard Parking Review

1. That staff be directed to resend the notice of meeting and staff report to the residents of Jordanray Boulevard; and,
2. That the report entitled Jordanray Boulevard Parking Review dated September 13, 2021 be deferred.

9.2.9 Rushbrook Drive Parking Review

1. That the report entitled Rushbrook Drive Parking Review dated September 13, 2021 be received; and,
2. That no changes to the parking restrictions on Rushbrook Drive be endorsed at this time; and,
3. That additional No Parking signs be installed around the Narinia Crescent intersection at 9.0 metres distance in accordance with Parking Bylaw 2019-63; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.10 Vaccination Policy

1. That the report entitled Vaccination Policy dated September 13, 2021 be received; and,
2. That the Vaccination Policy be approved; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.11 Council Vaccination Policy

1. That Staff be directed to create a Council member vaccination policy to be brought to the September 20, 2021 Council meeting.

9.2.12 Traffic Calming Measures - Penn Avenue

1. That staff be directed to conduct a study to investigate traffic calming measures on Penn Avenue west of Main Street North to Maple Leaf Public School.

9.2.13 Traffic Calming Measures - Atkins Drive and Quick Street

1. That staff be directed to report back to Council regarding traffic calming measures in the area of the intersection of Atkins Drive and Quick Street.

9.2.14 All-way Stop Sign - Best Circle

1. That Council direct Staff to report back to Council by Q4 2021 regarding a three way stop to be added to the west side of Best Circle and Stonehaven Avenue.

9.3 Council Policy Statement - Vaccination Policy

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the Council Policy Statement - Vaccination Policy be approved.

Carried

10. By-laws

Moved by: Councillor Broome

Seconded by: Councillor Bisanz

1. That By-laws 2021-42 and 2021-43 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

None.

14. Closed Session

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

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

- a. Ontario Land Tribunal Matter - Property in Ward 5 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board as per Section 239(2)(e) of the Municipal Act, 2001.
- b. Vaccination Policy - Labour relations or employee negotiations as per Section 239 (2) (d) of the Municipal Act, 2001.
- c. Applications to the Anti-Black Racism Task Force (1 vacant position) - Personal matters about an identifiable individual, including municipal or local board employees, as per Section 239 (2) (b) of the Municipal Act, 2001.

Carried

Council resolved into Closed Session at 2:27 PM.

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

Council resumed into Open Session at 2:47 PM

14.1 Council - Electronic Meeting (Closed Session) Minutes of August 30, 2021

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That the Council - Electronic Meeting (Closed Session) Minutes of August 30, 2021 be approved.

Carried

14.2 Council Workshop - Electronic Meeting (Closed Session) Minutes of August 31, 2021

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the Council Workshop - Electronic Meeting (Closed Session) Minutes of August 31, 2021 be received.

Carried

14.3 Committee of the Whole - Electronic Meeting (Closed Session) Minutes of September 13, 2021

Moved by: Councillor Simon

Seconded by: Councillor Woodhouse

1. That the Committee of the Whole - Electronic Meeting (Closed Session) Minutes of September 13, 2021 be approved.

Carried

14.3.1 Ontario Land Tribunal Matter - Property in Ward 5

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That Closed Session Report CL-2021-11 dated September 13, 2021 entitled Appeal to the Ontario Land Tribunal ("OLT") re 247 and 251 Kathryn Crescent be received; and,
2. That the recommendations in Closed Session Report CL-2021-11 dated September 13, 2021 be adopted.

Carried

14.3.2 Vaccination Policy

Mayor Taylor advised that Council did not discuss this item in Closed Session.

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

Moved by: Councillor Twinney

Seconded by: Councillor Morrison

1. That Rory Rodrigo be appointed to the Anti-Black Racism Task Force.

Carried

15. Confirmatory By-law

Moved by: Councillor Morrison

Seconded by: Councillor Woodhouse

1. That By-law 2021-44 be enacted.

Carried

16. Adjournment

Moved by: Councillor Bisanz

Seconded by: Councillor Simon

1. That the meeting be adjourned at 2:50 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk