



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, November 22, 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: 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
A. Walkom, Legislative Coordinator
S. Niezen, Records & Project Coordinator

The meeting was called to order at 1:04 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 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 and corrections to the agenda:

- Closed Session Item 14.1 was distributed on Monday, November 22, 2021.
- Item 9.3.16: Off Street Parking Program - On pages two and three of the report, the program is described to permit parking from the times of 7:00 PM - 7:00 AM. The correct times are 5:00 PM - 7:00 AM.

Moved by: Councillor Broome

Seconded by: Councillor Bisanz

1. That the additions and corrections to the agenda be approved.

Carried

3. Conflict of Interest Declarations

Councillor Woodhouse declared a conflict regarding Item 14.4.2: Ontario Land Tribunal Matter - Property in Ward 3. He advised that his daughter lives near the property.

4. Public Hearing Matter

None.

5. Presentations & Recognitions

None.

6. Deputations

None.

7. Minutes

7.1 Council - Electronic Meeting Minutes of November 1, 2021

Moved by: Councillor Morrison

Seconded by: Deputy Mayor & Regional
Councillor Vegh

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

Carried

7.2 Special Council - Electronic Meeting Minutes of November 8, 2021

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the Special Council - Electronic Meeting Minutes of November 8, 2021 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh provided Council with an update on the York Region 2022 budget process and provided a breakdown of the budget. Mayor Taylor advised that the draft York Region Official Plan had been considered at the most recent Committee of the Whole meeting and provided an overview of the significant changes which are included.

9. Consent Items and Recommendations from Committees

9.1 Special Committee of the Whole - Electronic Meeting Minutes of November 8, 2021

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That the Special Committee of the Whole - Electronic Meeting Minutes of November 8, 2021 be received and the recommendations noted within be adopted.

Carried

9.1.1 Presentation - 2022 Preliminary Draft Tax-Supported Operating Budget

Note: This item was dealt with under sub-item 9.1.2. See sub-item 9.1.2 for motion.

9.1.2 2022 Preliminary Draft Tax-Supported Operating Budget

1. That the presentation provided by the Manager of Finance & Accounting/Deputy Treasurer regarding the 2022 Preliminary Draft Tax-Supported Operating Budget be received; and,
2. That the report entitled 2021 Preliminary Draft Tax-supported Operating Budget dated November 8, 2021 be received; and,
3. That subject to any additional direction from Committee, that the proposed budgets be incorporated into the Draft Budgets to be presented to Committee of the Whole on December 6, 2021, and,
4. That the Treasurer be authorized and directed to do all things necessary to give effect to these recommendations.

9.2 Correspondence regarding Jordanray Boulevard Parking Review - Pat Foran

Moved by: Councillor Broome

Seconded by: Councillor Twinney

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

Carried

9.3 2021 Lymantria Dispar Dispar (LDD) Management Report

An alternate motion was presented and noted below in bold.

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

1. That the memorandum regarding the 2021 LDD (Lymantria Dispar Dispar) Operations Report be received; and,
2. That the report entitled 2021 LDD (Lymantria Dispar Dispar) Operations Report dated November 15, 2021 be received; and,
3. That the following mitigating measures to address the forecasted 2022 LDD infestation be approved, which include:
 1. Removal of egg masses from trees.
 2. Ground spraying of selected recently planted trees.
 3. Injection of large oak trees.
 4. Distribution of Burlap packages.
 5. Implementation of the public education program; and,
4. That staff be authorized to hire one seasonal parks worker for data collection and contract execution support; and,
5. **That \$89,000 be funded from existing operating budgets for Urban Forestry Management and Invasive Species; and,**
6. **That the remaining \$100,000 be funded from reserves in consultation with the Treasurer; and,**
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.4 Committee of the Whole - Electronic Meeting Minutes of November 15, 2021

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

1. That the Committee of the Whole - Electronic Meeting Minutes of November 15, 2021 be received and the recommendations noted within be adopted.

Carried

9.4.1 Presentation - Digital Transformation Study - Final Report

Note: This item was dealt with under sub-item 9.4.8. See sub-item 9.4.8 for motion.

9.4.2 Presentation - 2021 Lymantria Dispar Dispar (LDD) Management Report

1. That the presentation provided by the Supervisor of Forestry regarding the 2021 Lymantria Dispar Dispar (LDD) Management Report be received.

9.4.3 Deputation - Black History Month

1. That the deputation provided by Jerisha Grant-Hall regarding Black History Month be received and referred to staff.

9.4.4 Deputation - Recommendation Report – Shining Hill Official Plan Amendment

1. That the deputation provided by Dave Kempton and Walter Bauer, Drawdown Newmarket-Aurora regarding Recommendation Report – Shining Hill Official Plan Amendment be received.

9.4.5 Deputation - Recommendation Report – Shining Hill Official Plan Amendment

1. That the deputation provided by Don Given, Malone Given Parsons, regarding the Recommendation Report – Shining Hill Official Plan Amendment be received.

9.4.6 Deputation - Recommendation Report – Shining Hill Official Plan Amendment

1. That the deputation provided by Dave Ross regarding the Recommendation Report – Shining Hill Official Plan Amendment be received.

9.4.7 Deputation - Mulock Drive Multi-Use Path Feasibility Study Final Report

1. That the deputation provided by Paul Jolie regarding the Mulock Drive Multi-Use Path Feasibility Study Final Report be received.

9.4.8 Digital Transformation Study - Final Report

1. That the presentation provided by Jaimin Chin and Connor Sharp, StrategyCorp regarding the Digital Transformation Study - Final Report be received; and,
2. That the report entitled Digital Transformation Study dated November 15, 2021 be received; and,
3. That the Digital Transformation Study – Final report to Council included as Attachment 1 be received; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.9 Recommendation Report – Shining Hill Official Plan Amendment

1. That the report entitled Recommendation Report – Shining Hill OPA dated November 15, 2021 be deferred to a Committee of the Whole meeting in January 2022; and,
2. That sub-item 9.4.9.1, 9.4.9.2, and 9.4.9.3 being correspondence provided by Andrew and Pina Knoop, Anthony Schneider, and Wendy Kenyon be deferred to a Committee of the Whole meeting in January 2022; and,
3. That the Mayor and CAO be delegated authority to enter into discussions and negotiations with the proponent.

9.4.9.1 Correspondence - Andrew and Pina Knoop

9.4.9.2 Correspondence - Anthony Schneider

9.4.9.3 Correspondence - Wendy Kenyon

9.4.10 Recommendation Report - Upper Canada Mall Master Plan Official Plan Amendment

1. That the report entitled Recommendation Report Upper Canada Mall Master Plan Official Plan Amendment dated November 15, 2021 be received; and,
2. That the Official Plan Amendment No. 30 for the Upper Canada Mall Master Plan, substantially in accordance with the version attached, be adopted; and,
3. That staff be directed to forward the adopted Official Plan Amendment No. 30 to the Regional Municipality of York for approval; and,
4. That Oz Kemal of MHBC Planning Ltd., 442 Brant Street, Suite 204, Burlington, Ontario, L7R 2G4, be notified of this action; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.11 Jordanray Boulevard Parking Review

1. That the report entitled Jordanray Boulevard Parking Review dated September 13, 2021 be received; and,
2. That parking amendments noted in Appendix B be approved; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.12 Mulock Drive Multi-Use Path Feasibility Study Final Report

1. That the report entitled Mulock Drive Multi-Use Path Feasibility Study Final Report dated November 15, 2021 be received; and,
2. That the Mulock Drive MUP Feasibility Study Final Report prepared by WSP Canada, dated September 2021, be received; and,
3. That Council approve moving to Phase 2 – Detailed Design; and,
4. That funding in the amount of \$370,000.00 be allocated to create the Detailed Design; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.13 2022 User Fees and Charges – Financial Services

1. That the memorandum regarding 2022 User Fees and Charges – Financial Services dated November 15, 2021 be received; and,
2. That the report entitled 2022 User Fees and Charges – Financial Services dated November 15, 2021 be received; and,
3. That the attached Schedule “B” marked as the Town of Newmarket 2022 Corporate Services – Financial Services be approved and adopted by by-law; and,
4. That the fee adjustments come into full force and effect as of January 1, 2022; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.14 Q3 Financial Update for 2021

1. That the report entitled Q3 Financial Update for 2021 dated November 15, 2021 be received; and,
2. That Council approve reduction of 2021 capital programs totaling \$7,999,020 based on revised project delivery timelines as outlined in this report, of which \$5,759,000 will be reallocated to the 2022 capital program, \$15,000 is already included in 2022 program and \$2,225,020 will be released as projects were completed under budget; and,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.15 Off Street Parking Program

1. That the report entitled Off Street Parking Program dated November 15, 2021 be received; and,
2. That Council adopt the proposed off street parking permit program; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.16 INFO-2021-33: Sidewalk Snow Clearing and Sod Damage

1. That the Information Report entitled Sidewalk Snow Clearing and Sod Damage, dated October 25, 2021 be received.

9.4.17 Central York Fire Services – Joint Council Committee Meeting Minutes of September 7, 2021 and October 18, 2021

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of September 7, 2021 and October 18, 2021 be received.

9.4.18 Newmarket Public Library Meeting Minutes of September 15, 2021

1. That the Newmarket Public Library Meeting Minutes of September 15, 2021 be received.

9.4.19 Elman W. Campbell Museum Board Meeting Minutes of September 30, 2021

1. That the Elman W. Campbell Museum Board Meeting Minutes of September 30, 2021 be received.

9.4.20 Appointment Committee Meeting Minutes of September 30, 2021

1. That the Appointment Committee Meeting Minutes of September 30, 2021 be received.

9.4.21 Newmarket Anti-Black Racism Task Force Meeting Minutes of October 5, 2021

1. That the Newmarket Anti-Black Racism Task Force Meeting Minutes of October 5, 2021 be received.

9.4.22 Main Street District Business Improvement Area Board of Management Meeting Minutes of October 6, 2021

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of October 6, 2021 be received.

10. By-laws

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That By-laws 2021-54, 2021-55, 2021-56, 2021-57, 2021-58, 2021-59, 2021-60, and 2021-61 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

13.1 Yard Waste Collection

Councillor Morrison inquired if future dates for yard waste collection could be extended later in the year as the leaves fell later than average this year. The Commissioner of Development & Infrastructure Services advised that Public Works Services would bring this to the Town's contractor for consideration and provide an update to Council.

13.2 Stop Sign at Warby Trail and Poppy Lane

Councillor Simon advised that she had received requests for a study related to an all-way stop sign at Warby Trail and Poppy Lane due to concerns related to safety, as well as complaints related to cars passing school buses. Mayor Taylor requested an update from staff on the progress of legislation related to school bus stop sign arm cameras. The Commissioner of Development & Infrastructure Services advised that staff would work with York Region staff to provide an update to Council regarding school bus stop sign arm cameras.

14. Closed Session

Moved by: Councillor Twinney

Seconded by: Councillor Simon

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

1. Municipal Capital Facilities Agreement and Community Benefits - Shining Hill - 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.

2. Appointment to the Newmarket Economic Development Advisory Committee (NEDAC) - Newmarket Chamber of Commerce Representative - Personal matters about an identifiable individual, including municipal or local board employees as per Section 239(2)(b) of the Municipal Act, 2001.
3. Proposed Disposition of Land - Property in Ward 5 - 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.
4. Ontario Land Tribunal Matter - Property in Ward 3 - 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.
5. Item 1.2 of the draft Appointment Committee Meeting (Closed Session) Minutes of November 3, 2021 - Vaccination Policy Update – Local Boards or Adjudicative Boards - 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 1:32 PM.

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

Council resumed into Open Session at 3:05 PM

14.1 Municipal Capital Facilities Agreement and Community Benefits - Shining Hill

14.2 Appointment to the Newmarket Economic Development Advisory Committee (NEDAC) - Newmarket Chamber of Commerce Representative

Moved by: Councillor Kwapis

Seconded by: Councillor Simon

1. That Chris Emanuel be appointed to the Newmarket Economic Development Advisory Committee (NEDAC) as the Newmarket Chamber of Commerce representative.

Carried

14.3 Special Council - Electronic Meeting (Closed Session) Minutes of November 8, 2021

Moved by: Councillor Twinney

Seconded by: Councillor Woodhouse

1. That the Special Council - Electronic Meeting (Closed Session) Minutes of November 8, 2021 be approved.

Carried

14.4 Committee of the Whole - Electronic Meeting (Closed Session) Minutes of November 15, 2021

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

1. That the Committee of the Whole - Electronic Meeting (Closed Session) Minutes of November 15, 2021 be approved.

Carried

14.4.1 Proposed Disposition of Land - Property in Ward 5

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That Closed Session Report CL-2021-14 dated November 15, 2021 be received; and,
2. That the recommendations in Closed Session Report CL-2021-14 dated November 15, 2021 be adopted as amended.

Carried

14.4.2 Ontario Land Tribunal Matter - Property in Ward 3

Mayor Taylor advised that this matter was deferred to a future Committee of the Whole meeting.

14.4.3 Item 1.2 of the draft Appointment Committee Meeting (Closed Session) Minutes of November 3, 2021 - Vaccination Policy Update – Local Boards or Adjudicative Boards

Moved by: Councillor Morrison

Seconded by: Councillor Simon

1. That the confidential direction to staff be approved.

Carried

14.4.4 Appointment Committee Meeting (Closed Session) Minutes of September 30, 2021

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That the Appointment Committee Meeting (Closed Session) Minutes of September 30, 2021 be received.

Carried

15. Confirmatory By-law

Moved by: Councillor Morrison

Seconded by: Councillor Woodhouse

1. That By-law 2021-62 be enacted.

Carried

16. Adjournment

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

1. That the meeting be adjourned at 3:09 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk