



Town of Newmarket

Minutes

Special Committee of the Whole - Electronic

Date: Monday, January 24, 2022
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
J. Grossi, Acting Deputy Clerk
F. Scott, Manager of Regulatory Services
J. Unger, Director of Planning & Building Services
M. White, Senior Planner - Development
D. Morton, Planner, Committee of Adjustment and Cultural Heritage
C. Schritt, Senior Climate Change Specialist
J. Hettmann, Supervisor of Forestry

For consideration by Council on February 7, 2022.
The meeting was called to order at 1:00 PM.

Mayor Taylor in the Chair.

Committee of the Whole recessed at 2:36 PM and reconvened at 2:44 PM.

1. Notice

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

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Council Strategic Priority Pillar Update - Environmental Stewardship

The Commissioner of Corporate Services provided an introduction to the presentations and provided a background on the staff working group progress to date and the Intergovernmental Panel on Climate Change (IPCC) report. The Senior Climate Change Specialist provided a presentation which outlined updates from the Town of Newmarket's Climate Change and Environmental Sustainability Working Group including continued implementation of low impact developments (LID), solar power installations, the Community Energy Plan and tree canopy management. The presentation continued with a review of the climate change markers measured by the Town from 2016 to present. The presentation concluded with a summary of the IPCC report which included measured climate change metrics such as global surface temperature and total precipitation, and recommended takeaways to limit future climate change.

Members of Council queried staff regarding the impact of electric vehicle use, Newmarket Energy Efficiency Retrofit (NEER) business case, Community Energy Plan, and active transportation.

Moved by: Councillor Simon

Seconded by: Councillor Kwapis

1. That the presentation provided by the Senior Climate Change Specialist regarding a Council Strategic Priority Pillar Update - Environmental Stewardship be received.

Carried

4.2 Protection of Trees on Private Property

Note: This item was dealt with under item 6.1. See item 6.1 for motion.

The Director of Planning and Building Services provided an introduction to the presentation and provided a background on the project and process to date. The Senior Planner - Development provided a presentation which outlined the value of Newmarket's trees, York Region's tree canopy target for Newmarket being 35%, and the proposed by-law to address the protection of trees on private property. Staff provided an overview of the draft by-law in relation to compensation calculations, application fees, municipal comparators, proposed process mapping, and a comprehensive enforcement strategy. The presentation concluded with an implementation plan including education and awareness campaigns, and next steps.

Members of Council queried staff regarding the protected woodlots and heritage woodlots within the Town, applicability to larger developments, the proposed timeline, and draft fees and charges. They further discussed application fees relative to the provided municipal comparators, protection of historically significant trees, proposed exemptions to the by-law, and compensation options.

5. Deputations

None.

6. Items

6.1 Protection of Trees on Private Property

Moved by: Councillor Simon

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the administrative fee be waived for the removal of one tree per resident, per property, one time.

Defeated

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

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Kwapis

1. **That the presentation provided by the Senior Planner - Development, Supervisor of Forestry, Planner - Committee of Adjustment & Cultural Heritage, and Manager of Regulatory Services regarding the Protection of Trees on Private Property be received; and,**
2. That the report entitled Protection of Trees on Private Property dated January 24, 2022 be received; and,
3. That the Private Tree Protection By-law (Private Tree By-law) be adopted, **as amended**; and,
4. That the application fees be directed to resource and administer the By-law; and,
5. That the applicable fees be set as follows:
 1. **administration fee based on number of trees removed:**
 1. **1 tree removed \$100**
 2. **2-4 trees removed \$300**
 3. **5-10 trees removed \$1000**
 4. **11+ trees removed \$5000**
 2. review fee of \$100/tree for cost recovery;
 3. **No fee for dead, dying, or hazardous trees, or trees causing property damage;**

4. appeal to the Director of a refused permit: \$50;
5. appeal to the Appeals Committee of a refused permit: \$650; and,
6. That a cash-in-lieu amount of **\$300 for non-construction applications, and \$450 per 6cm of tree for construction applications**, be collected if replanting cannot cover all of the prescribed compensation amount, and this amount be reviewed annually; and,
7. That staff bring forward a separate By-law defining and protecting Socially Significant Trees, targeting Q1 of 2023; and,
8. That a reserve be established for the compensation collected and to be used for planting new trees and/or other programs related to improving the Town's canopy and meeting canopy targets (over and above scheduled yearly tree planting operations); and,
9. That Staff bring forward amendments to the AMPS and Fees & Charges By-laws at the same time as the Private Tree Protection By-law, **as amended**; and,
10. **That staff bring forward options to Council regarding incentives for tree planting and increasing the Town's tree canopy; and,**
11. **That all associated fees be waived until July 1, 2022, with education and enforcement effective immediately; and,**
12. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. Closed Session

Mayor Taylor advised that there was no requirement for a Closed Session.

8. Adjournment

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

1. That the meeting be adjourned at 4:44 PM.

Carried

John Taylor, Mayor

Jaclyn Grossi, Acting Deputy Clerk