



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, January 31, 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 (1:06 PM - 3:27 PM)
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
J. Grossi, Acting Deputy Clerk
F. Scott, Manager of Regulatory Services
M. Mayes, Director of Financial Services/Treasurer
K. Reynar, Director of Legal and Procurement Services
J. Unger, Director of Planning & Building Services
A. Cammaert, Manager of Planning Services
P. Chow, Senior Planner - Policy
M. Kryzanowski, Manager of Transportation Services

For consideration by Council on February 7, 2022.

The meeting was called to order at 1:00 PM.
Mayor Taylor in the Chair.

1. Notice

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 addition to the agenda:

- Item 5.2: Deputation provided by Kathryn Morton regarding the Recommendation Report – Shining Hill Official Plan Amendment and Municipal Capital Facilities and Municipal Benefits Agreement - Shining Hill.

The Clerk advised of the following correction to the agenda:

- Item 5.1: Deputation provided by Dave Kempton and Peggy Stevens, Drawdown Newmarket-Aurora was related to item 6.7 being the Municipal Capital Facilities and Municipal Benefits Agreement - Shining Hill, not 6.3 being the Recommendation Report – Shining Hill Official Plan Amendment.

Moved by: Councillor Broome

Seconded by: Councillor Bisanz

1. That the addition and correction to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Draft York Region Official Plan

The Director of Planning and Building Services provided an introduction to the presentation and outlined the background of the Draft York Region Official Plan. The Senior Planner - Policy provided a presentation which reviewed the Regional Official Plan (ROP) Timeline, the Town's population and employment forecasts, and compared key areas within the current ROP and the draft ROP. The presentation continued with an overview of the urban systems and Major Transit Station Areas (MTSA) identified in Newmarket, and concluded with next steps.

Members of Council asked questions of clarification regarding the protection of MTSA's, designated greenfield areas, intensification targets, and public input opportunities.

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That the presentation provided by the Senior Planner - Policy regarding the Draft York Region Official Plan be received.

Carried

5. Deputations

5.1 Municipal Capital Facilities and Municipal Benefits Agreement - Shining Hill

Peggy Stevens, Drawdown Newmarket-Aurora provided a deputation which outlined their support for the Municipal Capital Facilities and Municipal Benefits Agreement, and asked that Council consider adding language which expressed their intent to protect the conveyed land in perpetuity.

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

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

Carried

5.2 Recommendation Report – Shining Hill Official Plan Amendment and Municipal Capital Facilities and Municipal Benefits Agreement - Shining Hill

Kathryn Morton provided a deputation which outlined background information pertaining to developments in Newmarket, and raised questions regarding acreage of developable and undevelopable land donated to the Town, and tax credits or donation receipts provided in land donations.

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Broome

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

Carried

5.3 Church Street Parking Review - Park Avenue to Botsford Street

Note: This item was dealt with under item 6.6. See item 6.6 for motion.

Sandy Sheridan provided a deputation outlining her support for the proposed parking by-law amendments, and asked for clarification regarding parking outside of the newly permitted times, days, and overnight parking options.

6. Consent Items

Moved by: Councillor Morrison

Seconded by: Councillor Woodhouse

1. That sub-items 6.1, 6.9, 6.10, 6.11, and 6.12 be adopted on consent. See following sub-items 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, and 6.8 for motions.

Carried

6.1 Regional Council Decision - Draft York Region Official Plan

1. That the correspondence provided by York Region regarding the Draft York Region Official Plan be received.

6.2 Draft York Region Official Plan

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

Whereas York Region has averaged a 50 percent intensification rate since 2016; and,

Whereas Newmarket's current intensification rate is approximately 85 percent; and,

Whereas a recent report by Hemson Consulting Ltd. for the City of Ottawa found that sprawl costs the municipality more than \$460 per capita and intensifications can save the municipality more than \$600 per capita, illustrating that sprawl is not sustainable; and,

Whereas a 60 percent intensification rate to 2051 in York Region would direct the majority of the Region's growth to Centres and Corridors and Major Transit Station Areas which is well supported by Regional and Provincial infrastructure; and,

Whereas a 60 percent intensification rate to 2051 in York Region would result in the protection of the majority of the "whitebelt" for continued agricultural use; and,

Whereas the following groups do not support the Region of York's proposed phased 50 – 55% intensification rate (50% until 2041, 55% from 2041 to 2051) and seek at a minimum a 60 percent rate of intensification:

- Oak Ridges Moraine Land Trust
- Rescue Lake Simcoe Coalition
- Concerned Citizens of King Township
- York Region Federation of Agriculture; and,

Whereas the Town of Newmarket has declared a climate emergency; and,

Therefore be it resolved,

1. That the Council of the Town of Newmarket calls on York Region to target a minimum 55%-60% intensification rate when it revises its Official Plan in 2022.

Carried

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

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the report entitled Draft York Region Official Plan dated January 31, 2022 be received; and,
2. That this report be forwarded to the Regional Municipality of York as Council's comments on the draft York Region Official Plan; and,
3. **That the Council resolution regarding the Town of Newmarket's intensification rate be forwarded to the Regional Municipality of York and all lower tier municipalities; and,**
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.3 Recommendation Report – Shining Hill Official Plan Amendment

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the report entitled Recommendation Report – Shining Hill OPA dated November 15, 2021 be received; and,
2. That Council adopt Official Plan Amendment Number 32, substantially in accordance with Appendix 2 of this report; and,
3. That the land use change request submitted by Shining Hill Estates Collection Inc., for the lands shown on Appendix 1, currently designated as Rural in the Region’s Official Plan, be supported in principle subject to the completion of York Region’s Municipal Comprehensive Review; and,
4. That staff be directed to bring back a further official plan amendment by-law for the lands shown on Appendix 1, currently designated as Rural in the Region’s Official Plan, for Council’s consideration after the Region’s new Official Plan is in force and effect, if it changes the lands on Appendix 1 from Rural to Urban; and,
5. That Karen Whitney, Director, Community Planning and Development Services, York Region, be notified of this action; and,
6. That Paul Bailey of Shining Hill Estates Collection Inc. be notified of this action; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.4 Stonehaven Avenue and Best Circle (West) All-Way Stop Review

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

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Morrison

1. **That the report entitled Stonehaven Avenue and Best Circle (West) All-Way Stop Review dated January 31, 2022 be deferred to the Committee of the Whole - Electronic meeting on February 28, 2022.**

Carried

6.5 Art West Avenue and Frederick Curran Lane Intersection All-Way Stop Request

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

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

1. **That the report entitled Art West Avenue and Frederick Curran Lane Intersection All-Way Stop Request dated January 31, 2022 be deferred to a Committee of the Whole - Electronic meeting within the next 60 days; and,**
2. **That staff be directed to report back to Council with alternative safety options related to pedestrianization within the next 60 days.**

Carried

6.6 Church Street Parking Review Park Avenue to Botsford Street

An alternate motion was presented and noted below in bold.

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. **That the deputation provided by Sandy Sheridan regarding the Church Street Parking Review - Park Avenue to Botsford Street be received; and,**
2. That the report entitled Church Street Parking Review Park Avenue to Botsford Street dated January 31, 2022 be received; and,
3. That parking amendments noted in Appendix B be approved; and,
4. That the standard 2-year moratorium of additional parking reviews be lifted; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.6.1 Correspondence - Rick and Sandy Brown

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the correspondence provided by Rick and Sandy Brown regarding the Church Street Parking Review Park Avenue to Botsford Street be received.

Carried

6.7 Municipal Capital Facilities and Municipal Benefits Agreement - Shining Hill

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

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the report entitled Municipal Capital Facilities and Municipal Agreement – Shining Hill dated January 31, 2022 be received; and,

2. That the Mayor and the Chief Administrative Officer be directed to execute the Municipal Capital Facilities and Municipal Benefits Agreement between the Developer (as defined in the Background Section of this report) and the Corporation of the Town of Newmarket (the “Agreement”) on the substantial terms outlined in this report; and,
3. That, in the event that Council directs the Town to execute the Agreement with the Developer, staff be directed to post a fully executed copy of the Agreement on the Town’s website; and,
4. That Staff be directed to report back on a by-law to establish a Green Environmental Fund for the purposes identified in this report and for broader environmental purposes as identified by Council from time to time; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution, including without limitation, registration by the Senior Solicitor or her designate of all land registry documents to give effect to the terms and intent of the Agreement; and,
6. **That Council endorse the plan to protect the conveyed land in perpetuity; and,**
7. **That Council direct staff to report back on options regarding the protection of the conveyed land.**

Carried

6.8 Asset Management Plan – Core Assets

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

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That the report entitled Asset Management Plan – Core Assets dated January 31, 2022 be received; and,
2. **That the Corporate Asset Management Plan – Core Assets be endorsed by Council subject to the annual budget review; and,**

3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.9 Central York Fire Services 2022 User Fees

1. That Fire Services Report 2022 User Fees be received; and,
2. That Council approve this report and authorize staff to implement the updates in the Fire Services User Fees Schedule G, as amended; and,
3. That Council approve staff to invoice at the second occurrence for a property owner who fails to comply with By-law 2009-64 A Bylaw to Regulate Outdoor Burning; and,
4. That Council approve the implementation of a Smoke/Carbon Monoxide Alarm cost recovery program, in conjunction with the Stay Fire Smart Campaign.

6.10 Fourth Quarterly Update to the Outstanding Matters List for 2021

1. That the report entitled Fourth Quarterly Update to the Outstanding Matters List for 2021 dated January 31, 2022 be received; and,
2. That Council adopt the Outstanding Matters List (Attachment A); and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution

6.11 Heritage Newmarket Advisory Committee Meeting Minutes of August 10, 2021

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of August 10, 2021 be received.

6.12 Central York Fire Services – Joint Council Committee Meeting Minutes of November 2, 2021

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

7. Action Items

None.

8. Notices of Motion

8.1 Councillor Bisanz - Dissolution of the Ontario Land Tribunal

Councillor Bisanz provided notice of a motion for the February 28, 2022 Committee of the Whole - Electronic meeting regarding the dissolution of the Ontario Land Tribunal (OLT).

9. Motions Where Notice has Already been Provided

None.

10. New Business

10.1 Lunar New Year

Deputy Mayor & Regional Councillor Vegh provided background information regarding Lunar New Year on February 1, 2022 and wished residents who celebrate a happy Lunar New Year.

10.2 Black History Month

Councillor Kwapis advised residents of the various activities and events occurring in recognition of Black History Month in February 2022, and encouraged residents to visit www.newmarket.ca/blackhistory for additional information.

11. Closed Session

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

11.1 Municipal Capital Facilities and Municipal Benefits Agreement - Shining Hill (if required)

12. Adjournment

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

1. That the meeting be adjourned at 3:27 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk