



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, April 3, 2023
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. Payne, Commissioner, Community Services
K. Saini, Deputy Town Clerk
K. Huguenin, Legislative Coordinator
S. Granat, Legislative Coordinator

1. 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 have reopened 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 providing a deputation electronically or in-person. He advised residents that their comments would form part of the public record.

Meeting was called to order at 1:01 PM.

Mayor Taylor in the Chair

2. Additions & Corrections to the Agenda

The Clerk provided the following additions to the agenda:

- Item 9.5 – Appointments to the Main Street District Business Improvement Area Board of Management; and,
- Item 10 – A by-law to exempt the condominium on Lytham Green Circle from Sections 51 and 51.1 of the Planning Act
- Closed session item regarding Main Street District Business Improvement Area Board of Management Appointments

The Commissioner of Community Services noted a correction to strike the purpose of the specific number of courts in regards to the Pickleball report.

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the additions and corrections be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter(s)

None.

5. Presentations & Recognitions

None.

6. Deputations

None.

7. Minutes

7.1 Council Electronic meeting minutes of March 20, 2023

Moved by: Councillor Bisanz

Seconded by: Councillor Morrison

1. That Council Electronic Meeting Minutes of March 20, 2023 be approved.

Carried

8. Reports by Regional Representatives

8.1 York Region Accessibility Advisory Committee

The Deputy Mayor and Regional Councillor provided an update on the York Region Accessibility Advisory Committee, his appointment as chair, and a recent committee meeting discussing the legal landscape and scope of work.

8.2 Housing York Inc.

The Mayor provided an update regarding his committee appointments including his election appointment as Chair of the Housing York Inc. and membership on the Human Services Planning Board. In addition, the Mayor provided an update regarding a recent meeting of Housing York Inc. and the Housing Affordability Task Force.

8.3 Meeting with Ontario Premier

The Mayor provided an update regarding a recent meeting with Premier Ford on housing affordability, Upper York, Newmarket's Housing Targets, the Province's commitment to keep municipalities whole, and the Town's ability to collect development charges for affordable housing.

9. Consent Items and Recommendations from Committees

9.1 Film By-law Report

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Broome

1. That the Film By-law report be deferred to the April 17, 2023 Committee of the Whole meeting.

Carried

9.2 Special Committee of the Whole Electronic meeting minutes of March 20, 2023 (2023 Preliminary Draft Tax-Supported Operating Budget)

Moved by: Councillor Woodhouse

Seconded by: Councillor Simon

1. That the Special Committee of the Whole Electronic Meeting Minutes of March 20, 2023 be received and the recommendations noted within be adopted.

Carried

9.2.1 2023 Preliminary Draft Tax-Supported Operating Budget

1. That the report entitled 2023 Preliminary Draft Tax-Supported Operating Budget dated March 20, 2023 be received; and,
2. That subject to any additional direction from Committee, the proposed amendments to the proposed tax-supported operating budget be incorporated into the Draft Budgets to be presented to Committee of the Whole on March 27, 2023; and,

3. That, in advance of the next budget, Staff report to Council with options for addressing the 3.3 % Capital Inflation Supplement for Council's consideration; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.2 Light Emitting Diode (LED) Street Lighting

1. That Staff circulate information on the Light Emitting Diode (LED) street lighting program, including an update on the program and analysis with financial impacts

9.3 Committee of the Whole meeting minutes of March 27, 2023

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the Committee of the Whole Meeting Minutes of March 27, 2023 items 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.3.5, 9.3.6, 9.3.7, 9.3.9, 9.3.10, 9.3.11, 9.3.12, 9.3.13, 9.3.14, and 9.3.15 be received and the recommendations noted within be adopted on consent. See item 9.3.8 for motion.

Carried

9.3.1 2023 Draft Operating and Capital Budgets

1. That the presentation provided by Mike Mayes, Director of Financial Services and Andrea Tang, Manager of Financial and Accounting Services regarding 2023 Draft Operating and Capital Budgets be received.

9.3.2 Film By-law

1. That the presentation provided by John Comeau, Supervisor of Licensing and Property Standards regarding the Film By-law be received.

9.3.3 Deputation - Debra Scott: Pickleball

1. That the deputation provided by Debra Scott regarding Pickleball be received.

9.3.4 Deputation - Chris Howie: Pickleball

1. That the deputation provided by Chris Howie regarding Pickleball be received.

9.3.5 Deputation - Jennifer Chase: Pickleball

1. That the deputation provided by Jennifer Chase regarding Pickleball be received.

9.3.6 Deputation - Adam Seigel: Tennis Centre Operating Model

1. That the deputation provided by Adam Seigel, CEO of the Tennis Clubs of Canada regarding the Tennis Centre Operating Model be received.

9.3.7 Deputation - Heather Burling: Tennis Centre Operating Model

1. That the deputation provided by Heather Burling regarding the Tennis Centre Operating Model be received.

9.3.8 2023 Draft Operating and Capital Budgets

Moved by: Councillor Kwapis

Seconded by: Councillor Simon

1. That the report entitled Draft 2023 Operating and Capital Budgets dated March 27, 2023 be received; and,
2. That the Draft 2023 Operating Budget with expenditures of \$147,368,530 be approved, which is comprised of the following components:
 - a. \$ 72,873,205 for Town purposes
 - b. \$ 18,165,424 for Central York Fire Services (Newmarket's share)
 - c. \$ 3,864,412 for the Newmarket Public Library
 - d. \$ 30,000 for the Main Street District Business Improvement Area (BIA)
 - e. \$ 21,640,991 for the Water Rate Group
 - f. \$ 24,914,938 for the Wastewater Rate Group

- g. \$ 3,036,520 for the Stormwater Rate Group
- h. \$ 2,843,040 for the Building Permit Rate Group
- 3. That a Capital Spending Authority of \$154,284,700 be established, being \$63,078,700 for 2023 and \$64,326,000 for 2024 and \$26,880,000 for 2025; and,
- 4. That the draft 2023 Operating and Capital Budgets be forwarded to the Council meeting of April 3, 2023 for final approval; and
- 5. That Council authorize the Director of Financial Services/Treasurer to:
 - a. Make any necessary adjustments within the total approved budget to reflect organizational changes and any other reallocation of costs; and
 - b. Accept and adjust the budget for new provincial and/or federal funding provided there is no tax levy impact; and,
- 6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.3.9 Supporting the Growth of Pickleball

- 1. That the report entitled Supporting the Growth of Pickleball dated March 27, 2023 be received; and,
- 2. That the funding provided through the Shining Hill Municipal Capital Facilities Agreement for two additional tennis courts be used to construct a dedicated pickleball facility, utilizing the Lions Park Tennis Court area, developed through an extensive design process be approved; and,
- 3. That the operation of this new summer outdoor pickleball facility in partnership with a not for profit Newmarket Pickleball Club (similar to Newmarket Tennis Club) be approved; and,
- 4. That the resurfacing and relining strategy as outlined within the report be approved; and,

5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.10 Tennis Centre at Shining Hill

1. That the report entitled Tennis Centre at Shining Hill dated March 27, 2023 be received; and,
2. That Option 1 – The Town pilot a Town Owned Operating Model as outlined in the report; and,
3. That staff report to Council in the Spring of 2025 for public input and consideration on the pilot project; and,
4. That the new tennis centre at Shining Hill be named as the Keith Davis Tennis Centre; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.10.1 Correspondence - Lisa Fung, President of the Newmarket Tennis Club

1. That the correspondence provided by Lisa Fung, President of the Newmarket Tennis Club be received.

9.3.11 Preliminary 2022 Fourth Quarter Financial Summary

1. That the report entitled Preliminary 2022 Fourth Quarter Financial Summary dated March 27, 2023 be received; and,
2. That changes to the 2023, 2024 capital spending authority, 2023 capital program and the corresponding funding be made as detailed in this report; and;
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.12 Updates to Procedure By-law, 2024 Meetings Schedule, and Hybrid Meeting Participation Policy Review

1. That the report entitled Updates to Procedure By-law, 2024 Meetings Schedule, and Hybrid Meeting Participation Policy Review dated March 27, 2023 be received; and,
2. That Council approve the attached amendments to Procedure By-law, 2020-12 as amended (Attachment 1); and,

3. That the 2024 Meetings Schedule for Council and Committee of the Whole be adopted (Attachment 2); and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.13 Appointment Committee meeting minutes of November 3, 2021

1. That the Appointment Committee meeting minutes of November 3, 2021 be received.

9.3.14 Appointment Committee meeting minutes of March 7, 2023

1. That the Appointment Committee meeting minutes of March 7, 2023 be received.

9.3.15 2022 Council Environmental Scan

1. That the report entitled 2022 Council Environmental Scan dated March 27, 2023 be received; and,
2. That Council approve the recommended changes to Council remuneration in line with the report; and,
3. That no changes apply to the vehicle allowance for the Mayor, and Deputy Mayor and Regional Councillor; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4 Appointment Committee meeting minutes of March 29, 2023

Moved by: Councillor Morrison

Seconded by: Councillor Kwapis

1. That the Appointment Committee Meeting Minutes of March 29, 2023 be received and the recommendations noted within be adopted.

Carried

9.5 Appointments to the Main Street District Business Improvement Area Board of Management

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the following individuals are appointed to the Main Street District Business Improvement Area Board of Management: Allan Cockburn, Ken Sparks, Patricia Carmichal, Norm Pereiira, Tom Hempen, Grant Buckley, Dominic Pede, and Sheila Stewart.

Carried

10. By-laws

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That By-law 2023-21 and 2023-22 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

13.1 Senior's Meeting Place Open House

Councillor Kwapis provided an update that the Newmarket Senior's meeting place will have an open house on April 4, 2023.

13.2 Newmarket Chamber of Commerce Homeshow

Councillor Kwapis shared that the Homeshow was a successful event and thanked the Chamber of Commerce.

13.3 Skate Park Vandalism

There was discussion regarding vandalism at the skate park. Councillor Simon inquired about lighting and the possibility of the same.

Moved by: Councillor Simon

Seconded by: Councillor Woodhouse

1. That Staff report to Council on installing lighting in the skate park to prevent and reduce vandalism.

Carried

14. Closed Session

Moved by: Councillor Morrison

Seconded by: Councillor Bisanz

1. That Council resolve into Closed Session to discuss the following matters:
 - a. Special Committee of the Whole (2023 Preliminary Draft Operating Budget) Meeting Minutes (Closed Session) of March 20, 2023
 - b. Labour Relations - Labour relations or employee negotiations as per Section 239(2)(d) of the Municipal Act, 2001
 - c. Committee of the Whole meeting minutes (Closed Session) of March 27, 2023
 - d. Appointment Committee Meeting Minutes of March 7, 2023 (Closed Session)
 - e. 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
 - f. Personal matters about an identifiable individual, including municipal or local board employees as per Section 239 (2) (b) of the Municipal Act, 2001
 - h. Non-Competitive Acquisition – Technology Product - 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
 - i. Appointment Committee Meeting Minutes (Closed Session) of November 3,

2021

j. Appointment Committee Meeting Minutes (Closed Session) of March 29, 2023
Accessibility Advisory Committee, Audit Committee Appointments, Committee of Adjustment, Heritage Newmarket Advisory Committee, Elman W. Campbell Museum Board, Newmarket Economic Development Advisory Committee, Newmarket Public Library Board, Property Standards Committee, Main Street District Business Improvement Area Board of Management Appointment -
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 1:26 PM.

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

Council resumed into Open Session at 2:01 PM.

14.1 Special Committee of the Whole (2023 Preliminary Draft Operating Budget) Meeting Minutes (Closed Session) of March 20, 2023

14.1.1 Labour Relations

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That Closed Session Report CL-2023-06 dated March 20, 2023 be received; and,
2. That the recommendations in Closed Session Report CL-2023-06 dated March 20, 2023 be adopted.

Carried

14.2 Committee of the Whole meeting minutes (Closed Session) of March 27, 2023

14.2.1 Appointment Committee Meeting Minutes of March 7, 2023 (Closed Session)

14.2.1.1 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.

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That Closed Session Report CL-2023-05 dated March 7, 2023 be received; and,
2. That the recommendations in Closed Session Report CL-2023-05 dated March 7, 2023 be adopted.

Carried

14.2.1.2 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: Deputy Mayor & Regional Councillor Vegh

Seconded by: Councillor Woodhouse

1. That Closed Session Report CL-2023-04 dated March 7, 2023 be received; and,
2. That the confidential direction and recommendations in Closed Session Report CL-2023-04 dated March 7, 2023 be approved.

Carried

14.2.1.3 Non-Competitive Acquisition – Technology Product

Moved by: Councillor Twinney

Seconded by: Councillor Simon

1. That Closed Session Report CL-2023-07 dated March 27, 2023, be received; and,

2. That the recommendations in Closed Session Report CL-2023-07 dated March 27, 2023, be adopted.

Carried

14.3 Appointment Committee Meeting Minutes (Closed Session) of November 3, 2021

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

1. That the Appointment Committee meeting minutes (Closed Session) of November 3, 2021 be received.

Carried

14.4 Appointment Committee Meeting Minutes (Closed Session) of March 29, 2023

14.4.1 Accessibility Advisory Committee

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That in recognition of Steve Foglia's concurrent service on the York Region Accessibility Advisory Committee, that the two-term limit be suspended for his appointment to the Accessibility Advisory Committee; and,
2. That the following individuals be appointed to the Accessibility Advisory Committee: Bev Moffatt, Huma Tahir, Jeff Fabian, Kathleen Kedzierski, Mitsy Jones-Bailey, Steve Foglia, and Steve King.

Carried

14.4.2 Audit Committee Appointments

Moved by: Councillor Woodhouse

Seconded by: Councillor Bisanz

1. That the following individuals be appointed to the Audit Committee: Denis Dai, Rebecca Matthewson, and Scott Fitzpatrick.

Carried

14.4.3 Committee of Adjustment

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the following individuals be appointed to the Committee of Adjustment: Josh Scholten, Mohsen Alavi, James (Jim) Georgeff, Michelle Starnes, Andrea Lewis, and Rob Green (alternate)

Carried

14.4.4 Heritage Newmarket Advisory Committee

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That the following individuals be recommended for appointment to the Heritage Newmarket Advisory Committee: Dan MacPherson, Elaine Adam, Joshua Campbell, Julian Antonini, Pamela Vega, and Rob Shaw.

Carried

14.4.5 Elman W. Campbell Museum Board

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That Closed Session Report CL-2023-08 dated April 3, 2023 be received; and,
2. That the recommendations in Closed Session Report CL-2023-08 April 3, 2023 be adopted; and,
3. That staff be directed to conduct a review of the Elman W. Campbell Museum Board.

Carried

14.4.6 Newmarket Economic Development Advisory Committee

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Bisanz

1. That the two-term limit and residency requirements set out in the Committee Public Appointment Policy be suspended for appointments to the Newmarket Economic Development Advisory Committee; and,
2. That the following individuals be appointed to the Newmarket Economic Development Advisory Committee: Anil Abrol, Beric Farmer, Carin Binder, Chris Emanuel (Newmarket Chamber of Commerce representative), David Lotimer, Donna Fevreau, Edmund Yeung, Jessica Rawley, Laurie Baker, Nassim Bahari, Les Mallins, Patrick Horgan, Paul Crossdale, Steve Bruno, and Ysni Semsedini

Carried

14.4.7 Newmarket Public Library Board

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the following individuals be appointed to the Newmarket Public Library Board: Darryl Gray, Beth Stevenson, Neila Poscente, and Rex Taylor.

Carried

14.4.8 Property Standards Committee

Moved by: Councillor Morrison

Seconded by: Councillor Simon

1. That the following individuals be appointed to the Property Standards Committee: Don Guy, Fred Stoneman, Philip Brearton, Rob Green, and Sonja Meehan.
2. That the Property Standards Committee for the 2018-2022 term of Council adjudicate the appeal for which they already been scheduled and once that appeal has concluded their term come to an end.

Carried

14.4.9 Main Street District Business Improvement Area Board of Management Appointments

Moved by: Councillor Woodhouse

Seconded by: Deputy Mayor & Regional Councillor Vegh

1. That the following individuals be appointed to the Main Street District Business Improvement Area Board of Management: one representative from Postmark and Councillor Kwapis.

Carried

15. Confirmatory By-law

Moved by: Councillor Simon

Seconded by: Councillor Morrison

1. That By-law 2023-20 be enacted.

Carried

16. Adjournment

Moved by: Councillor Woodhouse

Seconded by: Councillor Bisanz

1. That the meeting be adjourned at 2:06 PM.

Carried

John Taylor, Mayor

Kiran Saini, Deputy Town Clerk