



# Town of Newmarket

## Minutes

### Committee of the Whole - Electronic

Date: Monday, December 4, 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 (1:14 to 3:46 PM)

Staff Present: J. Payne, Acting Chief Administrative Officer  
E. Armchuk, Commissioner of Corporate Services  
P. Noehammer, Commissioner of Development & Infrastructure Services  
L. Lyons, Director of Legislative Services/Town Clerk  
K. Saini, Manager of Legislative Services/Deputy Town Clerk  
A. Tang, Manager, Finance & Accounting/Deputy Treasurer  
J. Comeau, Acting Manager of Regulatory Services  
N. Irvine, Acting Supervisor of Licensing  
S. Granat, Legislative Coordinator  
E. Thomas-Hopkins, Legislative Coordinator

For consideration by Council on December 11, 2023

The meeting was called to order at 1:01 PM.

Mayor Taylor in the Chair.

**1. Notice**

Mayor Taylor advised that the Municipal Offices were open to the public, and that members of the public could attend this meeting in person or view the live stream available at [Newmarket.ca/meetings](https://www.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](mailto: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.

**2. Additions & Corrections to the Agenda**

None.

**3. Conflict of Interest Declarations**

None.

**4. Public Hearing Matter(s)**

None.

**5. Presentations & Recognitions**

**5.1 Tribute to the Late Fire Chief Ian Laing**

Mayor Taylor provided a tribute in memoriam of the late Fire Chief Ian Laing.

**5.2 2024 Draft Operating and Capital Budgets**

The Commissioner of Corporate Services provided introductory remarks. The Manager of Financial and Accounting Services/ Deputy Treasurer presented on the 2024 Draft Operating and Capital Budget including the total capital spending authority, rate-supported operating budget, the tax-supported operating budget, the impact to the average residential property, Town tax dollars at a glance, and communications highlights.

Members of Council queried Staff regarding the impact to residential properties, home valuations, the mill rate, and the Levy.

Moved by: Deputy Mayor & Regional  
Councillor Vegh

Seconded by: Councillor Simon

1. That the presentation provided by Andrea Tang, Deputy Treasurer and Manager of Financial and Accounting Services regarding the 2024 Draft Operating and Capital Budgets be received.

**Carried**

### **5.3 Temporary Patio Program Policy**

The Commissioner of Corporate Services provided introductory remarks. The Acting Manager of Regulatory Services and the Acting Supervisor of Licensing presented on the Temporary Patio Program Policy regarding History of the Temporary Patio Program, preliminary information gathered, the proposed policy, parking spaces, patios, options for Council consideration and next steps.

Members of Council queried presenters regarding, parking spaces, fee reinvestment to the Business Improvement Area, small frontage preliminary patios, six patio spaces, licensing fees, the patio permit process, and situations that arise when a business is acquired by a new owner.

Members of Council discussed the multi-year commitment, program timelines, accepting six applications, options one and two, and patio accessibility.

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional  
Councillor Vegh

1. That the presentation provided by John Comeau, Acting Manager, Regulatory Services, and Nathan Irvine, Acting Supervisor, Licensing regarding the Temporary Patio Program Policy be received.

**Carried**

## **6. Deputations**

## 6.1 Update on the Provision of Pickleball

Craig Bates provided a deputation regarding the Update on the Provision of Pickleball including the court position within George Richardson Park, illumination, additional cars and parking, noise abatement, the removal of trees, and consideration of other parks.

Members of Council queried Staff regarding a bubble, illumination, and obtaining additional information for the December 11, 2023 Council meeting.

Members of Council discussed the popularity of pickleball and the use of park space.

## 7. Consent Items

Moved by: Councillor Morrison

Seconded by: Councillor Woodhouse

1. That sub-items 7.3, 7.9, 7.10, and 7.11 be adopted on consent. See following sub-items for motion: 7.1, 7.2, and 7.4 to 7.8.

**Carried**

## 7.1 2024 Draft Operating and Capital Budgets

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

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the report entitled 2024 Draft Operating and Capital Budgets dated December 4, 2023 be received; and,
2. That the Draft 2024 Operating Budget **be amended to include a 1% levy for the Recreation Capital Levy with revised expenditures of \$160,088,866** be approved, which is comprised of the following components:

- a. \$ **76,983,090** for Town purposes; and,
  - b. \$ 18,656,466 for Central York Fire Services (Newmarket's share); and,
  - c. \$ 3,944,435 for the Newmarket Public Library; and,
  - d. \$ 30,000 for the Main Street District Business Improvement Area (BIA); and,
  - e. \$ 22,099,311 for the Water Rate Group; and,
  - f. \$ 25,834,649 for the Wastewater Rate Group; and,
  - g. \$ 9,598,690 for the Stormwater Rate Group; and,
  - h. \$ 2,942,225 for the Building Permit Rate Group; and,
3. That the amended Capital Spending Authority of \$136,224,700 as outlined in the report be established, being \$70,606,000 for 2024 and \$65,618,700 for 2025 and beyond; and,
  4. That the draft 2024 Operating and Capital Budgets be forwarded to the Council meeting of December 11, 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**

## **7.2 2024 Fees and Charges Overarching Report**

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the report entitled 2024 Fees and Charges Overarching Report dated December 4, 2023, be received; and,
2. That the attached Fees and Charges Schedules “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I”, “J”, “K”, marked as Recreation Culture Services, Corporate Services, Public Works and Parks, Engineering Services, Legislative Services – General Fees and Licensing, Fire Services, Planning, General Fees, Building Permit, and Planning Processing Fees be approved and adopted by by-law; and,
3. That the fee adjustments come into full force and effect as of January 1, 2024; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

### **7.3 Official Plan Amendment Number 37: Planning Act Changes and Streamlining Development Approvals**

1. That the report entitled Official Plan Amendment Number 37: Planning Act Changes and Streamlining Development Approvals dated December 4, 2023 be received; and,
2. That Official Plan Amendment Number 37 attached as Attachment 1 be adopted; and,
3. That the proposed changes relating to the “area of employment” definition as discussed at the statutory public meeting be deferred to a future, separate Official Plan Amendment; and,
4. That the Town’s Delegation Authority By-law 2016-17, as amended, be further amended to delegate the approval authorities of passing temporary use by-laws, removal of holding provisions, and signing heritage permits to the Director of Planning and Building Services or his or her designate; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

#### 7.4 2023 Year-end Servicing Allocation Review

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

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the report entitled 2023 Year-end Servicing Allocation Review dated December 4, 2023 be received; and,
2. **That Council commit 98 persons of servicing allocation to Landmark Estates;** and,
3. That the conditional servicing allocation commitments for 281 Main Street North (40 persons) be rescinded; and,
4. That Council authorize the transfer of 66 persons of servicing capacity from Redwood Properties Phase 2 to Redwood Properties Phase 1; and,
5. That the distribution of the available servicing capacity of **5,666** persons be reviewed as part of the 2024 annual servicing allocation review; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

##### 7.4.1 Correspondence - Frank Orsi, 1209104 Ontario Incorporated - 2023 Year-end Serving Allocation Review

1. That the correspondence from Frank Orsi, 1209104 Ontario Incorporated Regarding 2023 Year-end Servicing Allocation Review be received.

#### 7.5 Zoning By-law Amendment - 99,103,105 Main Street South, Part of 115 Main Street South and 454, 462, and 466 Queen Street, 99 Main Street Inc.

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

Moved by: Councillor Kwapis

Seconded by: Councillor Simon

1. That the report entitled Zoning By-law Amendment – 99,103,105 Main Street South, part of 115 Main Street South, and 454, 462, and 466 Queen Street, 99 Main Street Inc., dated December 4, 2023 be received; and,
2. That the application for Zoning By-law Amendment be approved; and,
3. That Staff be directed to bring forward the By-law, including the necessary Holding provisions **as amended**, to Council for approval; and,
4. That the parking reduction described in this report be approved as a site-specific pilot program and that staff be directed to monitor parking usage on-site and parking-related complaints in the vicinity of the development for a period of three years; and,
5. That 99 Main Street Inc. and LARKIN+ Land Use Planners Inc. be notified of this action; and, and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**7.6 Official Plan Amendment and Rezoning - 17175 Yonge Street, St. Maurice and St. Verena Coptic Orthodox Church**

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the report entitled Official Plan Amendment and Rezoning – 17175 Yonge Street, St. Maurice and St. Verena Coptic Orthodox Church dated December 4 2023, be received; and,



2. That the application for an Official Plan Amendment be adopted; and,
3. That the application for a Zoning By-law Amendment be approved; and,
4. That Staff be directed to bring forward the By-laws, including the necessary Holding provisions, to Council for approval; and,
5. That Malone Given Parsons Ltd. and St. Maurice and St. Verena Coptic Orthodox Church be notified of this action; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### **7.7 Extension to Legacy Payroll Tax Solution**

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

1. That the report entitled Extension to Legacy Payroll Tax Solution dated December 4, 2023 be received; and,
2. That Staff continue to work with Vertex Inc. (“Vertex”) on a non-competitive basis for the next five years from November 1<sup>st</sup> 2023, at an approximate cost of \$125,000 plus HST; and,
3. That the Director of Information Technology and the Manager, Procurement Services be authorized to execute any agreements or documents that are necessary; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### **7.8 Update on Provision of Pickleball**

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

Moved by: Councillor Twinney

Seconded by: Councillor Woodhouse

1. **That the deputation by Craig Bates regarding the Update on the Provision of Pickleball be received;** and,
2. That the report entitled Update on Provision of Pickleball dated December 4<sup>th</sup>, 2023 be received; and,
3. That the designated mini soccer field located in the northern section of George Richardson Park be approved as the site of a new pickleball facility; and,
4. That Staff be authorized to undertake design and costing for this new pickleball facility with project scope to include 14 to 20 pickleball courts, a scalable clubhouse and a provision for bubbling be approved; and,
5. That the bubbled facility operating plan included in this report be approved in principle; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**7.9 Central York Fire Services Joint Council Committee Meeting Minutes of September 5, 2023 and October 3, 2023**

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the Central York Fire Services Joint Council Committee Meeting Minutes of September 5, 2023 and October 3, 2023 be received.

Carried

**7.10 Heritage Newmarket Advisory Committee meeting minutes of October 17, 2023**

1. That the Heritage Newmarket Advisory Committee meeting minutes of October 17, 2023 be received.

**7.11 Newmarket Public Library Meeting Minutes of October 18, 2023**

1. That the Newmarket Public Library Meeting Minutes of October 18, 2023 be received.

**8. Action Items**

**8.1 Temporary Patio Program Policy**

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional  
Councillor Vegh

1. That the report entitled Temporary Patio Program Policy dated December 4, 2023 be received; and,
2. That Council approve Staff's proposed Temporary Patio Program Policy; and,
3. **That Council direct Staff to proceed with Parking Space Patios outlined under Option 1 in the report but with a maximum of six (6) Parking Space Patios; and,**
4. That Council amend Fees and Charges By-law 2022-62, and Delegated Authority By-law 2016-17 and,
5. That Staff be authorized and directed to do all things necessary to give effect to this.

Carried

**9. Notices of Motion**

None.

**10. Motions Where Notice has Already been Provided**

None.

**11. New Business**

**11.1 Overnight Parking During the Holiday Season**

Councillor Twinney requested Staff investigate options to provide extra short term and overnight parking for the holiday season.

Councillor Broome requested Staff advertise and communicate additional parking locations during the holiday season.

**12. Closed Session**

Committee of the Whole resolved into Closed Session at 3:38 PM.

Committee of the Whole (Closed Session) minutes are recorded under separate cover.

Committee of the Whole resumed into Open Session at 3:45 PM.

Moved by: Councillor Simon

Seconded by: Councillor Twinney

1. That Committee of the Whole resolve into Closed Session to discuss the following matters: a. Consideration of an Acting Fire Chief - Personal matters about an identifiable individual, including municipal employees as per section 239(2)(b) of the Municipal Act, 2001.

**Carried**

**12.1 Consideration of an Acting Fire Chief**

**13. Adjournment**

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the meeting be adjourned at 3:46 PM.

**Carried**

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John Taylor, Mayor

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Lisa Lyons, Town Clerk