



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, February 5, 2024
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 (1:03 PM to 3:14 PM)
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: I. McDougall, Chief Administrative Officer
P. Noehammer, Commissioner of Development & Infrastructure Services
J. Payne, Commissioner, Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Manager of Legislative Services/Deputy Town Clerk
J. Unger, Director of Planning & Building Services
S. Granat, Legislative Coordinator
E. Thomas-Hopkins, Legislative Coordinator

For consideration by Council on February 12, 2024.
Meeting called to order at 1:02 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. 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.

2. Additions & Corrections to the Agenda

The Clerk provided following additions to the agenda:

- Item 7.1.2 Correspondence from Melanie Duckett-Wilson, Climate Action Newmarket Aurora was added regarding item 7.1, Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.); and,
- Item 7.4.1 Correspondence from Melanie Duckett-Wilson Climate Action Newmarket Aurora was added regarding item 7.4 Downtown Parking Update.

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That the additions to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter(s)

None.

5. Presentations & Recognitions

None.

6. Deputations

6.1 Residential Development - 849 Gorham Street

Michael Larkin provided a deputation regarding Residential Development 849 Gorham Street including location and site context, proposal, applications, policy, and conclusions.

Members of Council queried regarding changes made to the application since the Public Hearing Meeting, parking, the number of units, tree removal, encroachments, root removal, environmental initiatives, heat pumps, greenhouse gas emissions, electric vehicle charging stations, and snow storage.

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That the presentation regarding Residential Development - 849 Gorham Street by Michael Larkin, M.PL., MCIP, RPP, President, Larkin + Land Use Planners Incorporated be received.

Carried

6.2 Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

Ted Bomers provided a deputation regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) regarding the presence of basements, hydro-geological review, parkettes and cash in lieu of parkland, distance of parks, affordable housing, trees, accessibility checklist, resident participation in site-plan process, and sales practices.

Moved by: Councillor Woodhouse

Seconded by: Councillor Bisanz

1. That the deputation by Ted Bomers regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) is received.

Carried

6.3 Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

Doug Selwood provided a deputation regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) including the height of the proposal, a Minister's Zoning Order on a neighbouring property, proximity to a bus route, and parking.

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the deputation by Doug Selwood regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) is received.

Carried

7. Consent Items

Moved by: Councillor Simon

Seconded by: Councillor Morrison

1. That sub-items 7.5 to 7.7 be adopted on consent. See the following sub-items for motion: 7.1, 7.2, 7.3, and 7.4.

Carried

7.1 Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.)

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

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That the report entitled Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.) dated February 5, 2024 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, to Council for approval; and,
4. That Gorham Development 849 Inc. and LARKIN+ Land Use Planners Inc. be notified of this action; and,
5. **That correspondences from Donna and Steve MacDonald, and Melanie Duckett-Wilson, Climate Action Newmarket Aurora regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received; and,**
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.1.1 Correspondence - Donna and Steve MacDonald, Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

1. That the Correspondence from Donna and Steve MacDonald regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received.

7.1.2 Correspondence - Melanie Duckett-Wilson, Climate Action, Newmarket Aurora, Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

1. That the correspondence from Melanie Duckett-Wilson, Climate Action, Newmarket Aurora regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received.

7.2 Fourth Quarterly Update to the Outstanding Matters List

Moved by: Councillor Twinney

Seconded by: Councillor Simon

1. That the report entitled the Fourth Quarterly Update to the Outstanding Matters List 2023 dated February 5, 2024 be received; and,
2. That Council adopt the Outstanding Matters List (Attachment A); and,
3. That the Outstanding Matters List Update be reduced from quarterly updates to semi-annually; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.3 Pedestrian Crossover Policy

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. That the report entitled Pedestrian Crossover Policy, dated February 5, 2024, be received; and,
2. That the contents of Appendix 1 be approved; and,
3. That the Parking By-law be reviewed, and necessary Stopping Prohibitions for Pedestrian Crossovers (PXO) be added; and,
4. That the implementation of a pilot Type B PXO at Gorham Street & Muriel Street be approved in the amount of \$36,000, to be funded through the Transportation Operating Budget for 2024; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.4 Downtown Parking Update

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

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the report entitled “Downtown Parking Update” dated February 5, 2024 be received; and,
2. That staff be directed to hire a consultant to complete a study to recommend updated parking time-of-use rules, technology supports for customer interface and enforcement, as well as potential paid parking scenarios in Newmarket, including the downtown area; and,
3. That staff be authorized to initiate an RFP procurement process for the “design-build” construction of a modular parking structure to be constructed in the Tennis Court area of the Commons North municipal parking lot; and,
4. That staff report back to Council **by the beginning of May 2024 at the latest** with a multi-faceted approach aimed at alleviating parking pressures in the downtown in 2024, during the construction of the modular parking structure; and,
5. **That the correspondence from Melanie Duckett-Wilson Climate Action Newmarket Aurora regarding Downtown Parking Update be received; and,**
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- 7.4.1 Correspondence - Melanie Duckett-Wilson, Climate Action Newmarket Aurora, Downtown Parking Update

1. That the correspondence from Melanie Duckett-Wilson, Climate Action Newmarket Aurora regarding Downtown Parking Update be received.

7.5 Newmarket-Tay Power Board Selection

Whereas section 3.03(2) of the Newmarket-Tay Power Distribution Ltd. Shareholders Agreement provides a specific process for nominating candidates and making a selection from a recommended list of candidates in order to fill vacancies on the board of directors of the Corporation for election by the Shareholders at the general meeting of shareholders of the Corporation; and,

Whereas there will be a vacancy on the board of directors of Newmarket-Tay Power Distribution Ltd. (NT Power) as part of the AGM process and the Shareholders have agreed to forego the formal process contemplated by section 3.03(2) of the Agreement; and,

Therefore, be it resolved that by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the requirement in the Shareholders Agreement, Article 3, Section 3.03, Paragraph (2) in connection with identifying, nominating and selecting from a recommended list of candidates in order to fill the current vacancy on the board of directors of the Corporation and putting forward for election by the Shareholders at the next general meeting of shareholders of the Corporation to be held in 2024 following the Corporation's 2023 fiscal year end (the "2023 AGM"), be waived for this appointment; and,
2. That the waiver granted does not constitute a waiver of any other provision of the Shareholders Agreement or an agreement to otherwise modify any term of the Agreement.

7.6 Accessibility Advisory Committee Meeting Minutes of October 19, 2023 and November 8, 2023

1. That the Accessibility Advisory Committee Meeting Minutes of October 19, 2023 and November 8, 2023 be received.

7.7 Main Street District Business Improvement Area Board of Management Meeting Minutes of December 6, 2023

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of December 6, 2023 be received.

8. Action Items

None.

9. Notices of Motion

Simon - sidewalk request for presentation to York Region. Gap on Bayview, on East side (refer to Councillor Simon's email). Region of York complete the sidewalk in the area.

9.1 Request to Regional Council for a Sidewalk Along Bayview Avenue

Councillor Simon provided notice that she would bring forward a motion for sidewalk completion along Bayview Avenue Between Brooker Ridge and St. John's on the East side of Bayview.

10. Motions Where Notice has Already been Provided

None.

11. New Business

11.1 Krista Court Parking Restrictions

Moved by: Councillor Twinney

Seconded by: Councillor Broome

That Staff revisit, review, and report back on parking restrictions on Krista Court to address resident concerns.

Carried

11.2 Unaddressed Advertisement Mail

Councillor Bisanz requested information on the topic of unaddressed advertisement mail and options for consideration.

11.3 Sidewalk Works

Councillor Woodhouse requested a review of the feasibility of additional sidewalk construction on James Street, East of Carlson Drive.

11.4 Community Events

Councillor Morrison announced Newmarket Community events including the Affordable Food Market, Friday Night Frenzies, and upcoming Friday Night Family movie night.

11.5 Ward One (1) Winter Gathering

Councillor Simon announced the upcoming Ward One (1) Winter Gathering, and Newmarket Youth Leadership changing their name to Central York Leadership.

12. Closed Session

Committee of the Whole resolved into Closed Session at 1:55 PM

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

Committee of the Whole resolved into Open Session at 2:34 PM.

Moved by: Councillor Bisanz

Seconded by: Councillor Kwapis

1. That Committee of the Whole resolve into Closed Session to discuss the following matter:
 - a. Downtown Parking Update - A trade secret or scientific technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization as per Section 239 (i) of the Ontario Municipal Act, 2001.

Carried

12.1 Downtown Parking Update

13. Adjournment

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the meeting be adjourned at 3:14 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk